



# Only Rights Can Stop the Wrongs

## NSWP STATEMENT

### **PEPFAR RELEASES COP GUIDANCE 2016 ON WORLD AIDS DAY WITH ANTI- PROSTITUTION LOYALTY OATH**

**PEPFAR released their Country Operational Plan (COP) Guidance for 2016 today in commemoration of World AIDS Day. NSWP is disappointed the U.S. President's Emergency Plan for AIDS Relief (PEPFAR) will continue forcing donor recipients to sign the 'anti-prostitution loyalty oath'.**

NSWP will continue to oppose PEPFAR's 'anti-prostitution loyalty oath' as it is detrimental to the health and wellbeing of sex workers globally. It also undermines the minimum standards of programming implementation and development outlined in the [SWIT](#) for **low, middle, and high-income countries**.

From 16 to 19 November 2015, PEPFAR conducted an online consultation with civil society about their draft guidance. NSWP submitted the following:

“The Global Network of Sex Work Projects (NSWP) exists to uphold the voice of sex workers globally and connect regional networks advocating for the rights of female, male, and transgender sex workers. As a global network of 243 sex worker-led organisations from 72 countries NSWP advocates for rights based health and social services, freedom from abuse and discrimination, and self-determination for sex workers.

The COP Guidance 2016 includes the “anti-prostitution loyalty oath” (APLO) which undermines a rights based approach to HIV and sex work. The United States Supreme Court found PEPFAR's anti-prostitution policy unconstitutional in 2013. As an organisation that promotes human rights, USAID should not seek to impose the APLO on non-US organisations. It is an injustice to sex workers worldwide that inhibits their meaningful engagement in sex worker programmes.

PEPFAR's APLO undermines its mission to reduce HIV. It has been shown that HIV transmission globally could be reduced by 36-43% if sex work is

1





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decriminalised. PEPFAR acknowledges that stigma and discrimination are two of the biggest barriers to preventing HIV and accessing HIV treatment; however, the APLO perpetuates this stigma and discrimination against sex workers by prohibiting grant recipients from organising as workers and advocating for the decriminalisation of sex work, therefore creating significant barriers for sex worker led organisations becoming grant recipients.

UNAIDS, UNFPA, UNDP, WHO, Amnesty International, Human Rights Watch, Global Network of People Living with HIV, Global Forum on MSM and HIV, International Women's Health Coalition, Association for Women in Development, Global Alliance Against Traffic in Women, Global Fund for Women, Elton John Foundation, International Community of Women Living with HIV all support the decriminalisation of sex work. WHO, UNAIDS, UNFPA, World Bank, UNDP and NSWP published guidance in 2013 on practical approaches for implementing comprehensive HIV/STI programmes with sex workers, otherwise known as the SWIT. This document focuses on community empowerment, rights based non-discriminatory HIV programmes; and also calls for the decriminalisation of sex work as fundamental to achieving the health of sex workers. NSWP urges PEPFAR to follow in the footsteps of these other internationally renowned organisations that support a rights based approach to sex work and see the decriminalisation of sex work as fundamental to HIV prevention and treatment.”

NSWP will continue to monitor the effects of this harmful policy.