

UN HIV Civil Society Hearing - April 6th, 2016
USA Sex Work Talking Points
New Jersey Red Umbrella Alliance (NJRUA) & Best Practices Policy Project (BPPP)

Globally sex workers have created key consensus documents on addressing HIV, such as the 2014 statement: <http://www.scarletalliance.org.au/events/AIDS2014/consensus2014/>. During 2015, within the United States, we created our first sex worker led national policy document *Nothing About Us, Without Us: Sex Work, HIV, Policy, Rights*. Our perspectives and work are widely available for your guidance at any time, not just at this meeting.

Funding

- Globally only a tiny portion of all funding for HIV prevention and treatment activities is given to sex worker-led organizations. This practice must immediately change because we cannot end AIDS without sex workers as equal partners in this effort.
- Sex worker organizations located in the United States are also highly marginalized from funding and other resources, a situation made far worse because of the government's failure to include any approaches to address sex work and HIV in the National HIV/AIDS Strategy. The US government must adopt a scientifically based rights approach to working with sex workers and provide adequate funding for sex worker led organizations to implement this approach.
- If sex work were decriminalized worldwide, this would reduce new HIV infections globally by at least 33% over the next ten years; the massive amounts of resources and funding that are currently directed at continued criminalization can be redirected towards scientifically proven approaches.
- PEPFAR continues to run counter to evidence-based HIV prevention measures by continuing the "Anti-Prostitution Loyalty Oath" (APLO). Based on moral desires to end the sex trade, this restriction prevents organizations globally from accessing funding to support sex workers unless the organization, "has a policy explicitly opposing prostitution and sex trafficking" and "does not promote or advocate for the legalization or practice of prostitution or sex trafficking." This conflation of sex work with sex trafficking undermines proven HIV efforts with sex workers

Links to Human Rights

- Our recent national policy research led by sex workers in the United States illustrates that the criminalization of sex workers' lives via laws and policies against sex work, policing of key communities profiled as being sex workers, and the incarceration of and state sanctioned violence against sex worker communities make it impossible to address HIV nationwide (*Nothing About Us, Without Us: Sex Work, HIV, Policy & Rights*)
- The numbers don't lie: in Washington D.C. 73% of trans people with experience of sex work are living with HIV
- Our responsibility as US-based sex worker-led organizations is to document that the United States is the largest exporter of harmful policies on sex work globally via the anti-prostitution loyalty oath (APLO) that continues to be applied in place of adopting a rights-based approach to addressing HIV

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- We require the full decriminalization of sex work as one step towards ending the oppression of communities of sex workers and rights-based efforts to end the criminalization of all sex workers. At a minimum, we also need to cease gender-based profiling by the police and end the mass incarceration that deeply affects communities of sex workers, their families, and colleagues.

Addressing the needs of marginalized groups, key populations & communities

- Sex work is a cross cutting and intersectional issue, and sex workers are found within every part of society and in every social group. However, in the United States, people of color, immigrants, drug users and trans people suffer more from policing, discrimination, and isolation from health care. In our experience “ending AIDS” can only be achieved through rights-based approaches that also seek to address racism, poverty, and other forms of oppression.
- Sex workers and "key populations" must be included in all levels of policy discussions, particularly decision-making authorities. This representation is only sufficient when it is led by those communities most affected, including people of color, immigrants, and trans people.

Institutionalization of Community Responses, Monitoring and Accountability

- Domestic and international funding sources must develop policies of inclusion and implementation of community responses lead by sex workers and their allies. These policies should be made publicly available in conjunction with key regional community partners.
- Funding sources should respect and honor that communities of sex workers know best how to respond to their own needs.
- Funding sources need to be monitored and held accountable in delivering to the communities they are funded to serve in ensuring that when resources are allocated for work with sex workers and allied communities--such as transgender people--funds actually reach the organizations best placed to do this work.

Civil Society Support for Member States

- In order for civil society to effectively support member states in implementing a human rights-driven, evidence-based response, member states must first be open and accountable to feedback and guidance from civil society. Currently, such a relationship does not exist between civil society, the human rights and health needs of sex workers, and the United States government.
- Civil society’s primary role in a U.S. context should be holding the United States government accountable to their obligations as a UNAIDS fast track country, including taking steps to achieve the 90% access to non-discriminatory prevention & treatment goals for sex workers living with HIV.

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