



INTERNATIONAL GAY AND LESBIAN HUMAN RIGHTS COMMISSION

80 Maiden Lane, Suite 1505 • New York, NY 10038 USAT: 1.212.268.8040 • F: 1.212.430.6060 • [www.iglhrc.org](http://www.iglhrc.org)

March 27, 2009

The Honorable Hillary Rodham Clinton  
Secretary of State  
U.S. Department of State  
2201 C Street N.W.  
Washington, D.C. 20520

Madam Secretary:

The International Gay and Lesbian Human Rights Commission (IGLHRC) commends the Obama administration for supporting the UN statement that condemns human rights violations based on sexual orientation and gender identity wherever they occur. We also applaud recent shifts in U.S. government policy on sexual and reproductive health programs overseas, particularly the overturning of the Mexico City Policy.

We are asking for your assistance in ensuring that a cornerstone of U.S. global reproductive health policy—the President's Emergency Plan for AIDS Relief (PEPFAR)—is changed to allow lesbian, gay, bisexual, transgender (LGBT) and other same-sex practicing people greater access to its benefits. While PEPFAR has undoubtedly saved many lives, LGBT people, many of whom are highly vulnerable to HIV infection and confront a crippling web of human rights violations, have been systematically excluded from its scope.

Even after changes made during the recent reauthorization, PEPFAR still promotes abstinence-only-until marriage programming rather than comprehensive HIV education. This approach has proven to be ineffective, failing to offer accurate information about alternative prevention methods and also discriminating against gay men and lesbians who are largely forbidden from marrying. Many PEPFAR-funded programs, particularly those implemented by conservative religious institutions, either teach that homosexuality is wrong or fail to address same-sex HIV transmission at all. Furthermore, while research indicates that gay and bisexual men are up to 19 times more likely to be HIV positive than men in the general population (Baral et al, 2007), less than one percent of the HIV prevention needs of men who have sex with men are currently being met (UNAIDS, 2006).

The opening of the position of Global HIV and AIDS Coordinator provides an opportunity to restore U.S. credibility as a leader in the realm of human and reproductive rights. The new Global AIDS Coordinator should be someone with an understanding and demonstrated commitment to working on behalf of most-at-risk populations. The new coordinator must be prepared to develop and implement an HIV and AIDS strategy that is bold, humane and scientifically sound, and which includes:

- **Advocating for the decriminalization of homosexuality and for the adoption of comprehensive antidiscrimination legislation as a strategy for fighting HIV and AIDS.**  
Laws criminalizing same-sex conduct contribute to HIV vulnerability by driving LGBT people

underground. In countries with these laws, donors and mainstream service organizations are afraid to fund and implement HIV programs that address the needs of LGBT people. Countries that criminalize homosexuality must be urged to repeal these provisions in keeping with international human rights law. Laws protecting individuals from discrimination ensure that people can access lifesaving medical services—as well as enjoy basic rights to employment, education and housing. When appropriate, PEPFAR funding should be made available for legal reforms to end discrimination on the basis of health status, sexual orientation or gender identity.

- **Providing more funding for HIV and AIDS programs targeting same-sex practicing people.**

The U.S. government should increase funding to HIV programs for LGBT communities worldwide, particularly in Africa. Whenever possible, these programs should be implemented by LGBT-run organizations, which may sometimes need capacity building support from other U.S. government programs. Mainstream AIDS service organizations receiving U.S. funds should be encouraged to hire and support LGBT people to manage HIV programs serving their own communities. Governments receiving PEPFAR funding should be encouraged to include LGBT people, especially those who are HIV specialists, on their AIDS governing bodies, such as the Country Coordinating Mechanisms (CCM) for managing Global Fund grants.

- **Increasing the availability of male and female condoms, lubricants and dental dams.**

For sexually active people, regardless of gender or sexual orientation, the use of latex barriers remains the most reliable method of HIV prevention. While condom accessibility has improved worldwide, accessing lubricants remains a major problem. In addition, there remains considerable confusion on the part of local partners, and sometimes U.S. government overseas representatives, about whether condoms and lubricants can be purchased with PEPFAR funding. This should be clarified and supplies of condoms available through USAID must be made more easily accessible to LGBT organizations.

- **Ending inattention to the vulnerability of lesbian and bisexual women to HIV.**

Women who have sex with women (WSW) are de-prioritized in HIV and AIDS programming globally. Meanwhile, the widespread prevalence of human rights violations such as corrective rape and sexual abuse against lesbian and bisexual women increases their vulnerability to HIV infection. A recent study by OUT LGBT Well-Being indicates that 1 in 10 South African lesbian and bisexual women report being HIV positive. IGLHRC calls for increased attention, including research and prevention programming, to the HIV-related needs of WSW.

- **The cessation of funding for all those perpetuating human rights abuses against LGBT people.**

A number of PEPFAR grantees, particularly conservative religious institutions, are either explicitly or implicitly hostile to LGBT people in the implementation of their programs. IGLHRC's letter to Ambassador Dybul in September 2007 questioned PEPFAR funding for two Ugandan organizations actively promoting discrimination against lesbians and gay men (See: <http://www.iglhrc.org/binary-data/ATTACHMENT/file/000/000/151-1.pdf>). The U.S. should ensure that all grantees are committed to providing services that are non-judgmental and welcoming to all people, regardless of their sexual orientation, gender identity or gender expression.

In this moment of great change in our country, it is time to bring our HIV funding overseas into harmony with our stated commitments to human rights and inclusion. We would welcome the opportunity to work with a new Global AIDS Coordinator whose experience and vision embodies these commitments.

Yours sincerely,

A handwritten signature in black ink, appearing to read "C. A. Johnson", is placed over a light beige rectangular background.

Cary Alan Johnson  
Executive Director

Cc: Congressman Howard Berman, Chair, House Foreign Affairs Committee  
Congresswoman Ileana Ros-Lehtinen, Ranking Republican, House Foreign Affairs Committee  
Congresswoman Tammy Baldwin, Co-Chair, Congressional LGBT Equality Caucus  
Congressman Barney Frank, Co-Chair, Congressional LGBT Equality Caucus  
Congressman Jared Polis, Co-Chair, Congressional LGBT Equality Caucus  
Congresswoman Nita Lowey, Chair, House State and Foreign Operations Appropriations Subcommittee  
Senator John Kerry, Chair, Senate Foreign Relations Committee  
Senator Russell Feingold, Chair, Africa Subcommittee, Senate Foreign Relations Committee  
Senator Barbara Boxer, Chair, Subcommittee on International Operations and Organizations, Human Rights, Democracy, and Global Women's Issues, Senate Foreign Relations Committee  
Senator Patrick Leahy, Chair, Subcommittee on State, Foreign Operations, and Related Programs, Senate Committee on Appropriations