

Joint Statement – Society for AIDS in Africa and International AIDS Society

Public Health Leaders call on Government of Senegal to release 9 men imprisoned for eight years based on their sexual orientation

12 January 2009 (Abuja, Nigeria / Geneva, Switzerland) – The Society for AIDS in Africa (SAA) and the International AIDS Society (IAS), the world's leading associations of professionals working in the global and African response to HIV/AIDS, call on the Government of Senegal to immediately release and drop all charges against 9 men sentenced each to 8 years in prison based solely on their sexual orientation. Among those arrested are men working to provide critical HIV prevention, care and treatment services among men who have sex with men.

The Society for AIDS in Africa, the International AIDS Society and a dozen other leading international and regional institutions partnered over the course of 2008 to organize a ground-breaking International Conference on AIDS and STIs in Africa (ICASA), held last month in Dakar, Senegal. At that conference public health leaders, scientists, clinicians, community and political leaders all affirmed their support to meaningfully address HIV among populations of men who have sex with men and other sexual minorities.

At the closing ceremony of ICASA, IAS Executive Director Craig McClure said, “the unique partnership that has driven the HIV response has at its core the people living with HIV and the populations most vulnerable – women and youth, gay men and other men who have sex with men, sex workers and drug users. The communities most at risk and those living with the disease have shown us that the fight against HIV is a fight for the human rights of all human beings.”

Senegalese Government officials, as hosts to this international gathering of 8,000 HIV professionals, also publicly pledged their support to reducing HIV among sexual minorities during their speeches and presentations.

On December 22, 2008, just ten days following the closing ceremony of the ICASA Conference, police officers raided the apartment of an HIV prevention programme leader working with the Senegalese lesbian, gay, bisexual and transgender (LGBT) community, and arrested him and eight other men. On January 6, 2009, the men appeared in court to respond to charges of “criminal conspiracy and engaging in acts against the order of nature”. The men were condemned to 8 years in jail. Under Article 3.913 of the Senegalese penal code, homosexual acts are punishable by imprisonment of between one and five years and a fine of 100,000 (\$200) to 1,500,000 (\$3,000) CFA francs.

SAA and IAS believe criminalizing sexual orientation has never been shown to reduce the transmission of sexually transmitted infections, including HIV/AIDS, and is an abuse of basic human rights.

From the perspective of science and sound public health policy, the IAS and SAA believe that all countries around the world must work respectfully with all communities of their population to stem the tide of inequality and to support disease prevention. Evidence shows us that criminalizing and discriminating against any group of individuals only serves to fuel the HIV/AIDS epidemic by denying services and relevant prevention messages.

“The arrest of these men, based purely on their sexual orientation represents a major setback for the Senegalese response to HIV, which is widely viewed as a model in Africa,” said Joanna Manguera, President of the Society for AIDS in Africa.

According to UNAIDS, fewer than one in 20 men who have sex with men around the world has access to HIV prevention, treatment, and care – and even fewer in low-income settings like Senegal. Compared to the HIV testing rates of 63-85 percent seen among men who have sex with men in Australia, Europe, and North America, rates in this population in much of Africa, Asia, and Eastern Europe are often under 20 percent.

As has been demonstrated in many different countries, reducing the social exclusion of gay and MSM communities through the promotion and protection of their human rights (including sexual rights and the right to health) is not only consistent with, but a prerequisite to, good public health. Once discriminatory policies are abolished and stigma and discrimination are confronted, country-based programs can be put in place to encourage gay men and other men who have sex with men to stay free of HIV-infection, thus supporting national goals of reducing HIV burden.

For further information, contact:

Ron MacInnis (Geneva, Switzerland)
Director of Policy and Programmes, International AIDS Society
Email: Ron.MacInnis@iasociety.org

Tel: +41 22 710 0843
Karen Bennett (Geneva, Switzerland)
Communications Manager, International AIDS Society
Email: Karen.Bennett@iasociety.org

Tel: +41 22 710 0832
Luc Bodea
Society for AIDS in Africa (SAA) Abuja office
lucbodea@yahoo.fr

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