

Rainbow Lives Matter!

End Criminalisation of LGBTQAI+, People living with HIV and Sex Workers.

Rainbow Planet Statement World Social Forum Kathmandu, February 15-19, 2024.

Society controls sexuality and sexual expression in many ways, particularly the sexual and reproductive rights of women and persons from diverse sexual orientations and gender identities. Heterosexual people are also affected by these controls. The state, family, community, caste, and clan play a central role in controlling sexuality. The market economy also controls sexuality.

The silence around sexuality has been broken with the spread of the HIV epidemic. Sexual minorities, sex workers and people living with HIV have been pushed to the margins by a society that has condemned their very existence. According to a 2020 UNAIDS report, 92 countries said that they criminalized HIV non-disclosure, exposure, and transmission through either specific or general laws. Such laws are counterproductive because they undermine efforts to prevent new HIV infections. The HIV epidemic has forced societies to acknowledge and confront the complex world of people who are in monogamous relationships within and outside marriage, as well as people who are in multiple sex partnerships within both commercial and non-commercial contexts.

The suppression of female sexuality and the stereotyping of women's roles as mothers leads to labelling of sexual acts other than monogamous heterosexual sex for the purposes of producing babies being as 'immoral' and 'impure'. This comes sharply in focus in sex work and homosexuality, where sex is for pleasure and not for reproduction. Moral agendas often campaign against 'deviance': be it single motherhood, pre- and extra-marital relationships, multiple sex partnerships, commercial sex, sexual and gender diverse persons. Punishment and sanctions for such 'illicit sexual conduct' often include being evicted, banished, tortured, or even death.

Concepts of sexual morality, sexual sacredness, sexual pleasure, sexual preferences, sexual diversity, sexual health, and sexual rights must be unravelled. There is a need to examine the troubled relationship between mainstream feminism, the human rights discourse and sex workers' rights in negotiating the knotty terrain of sexual politics. Over the years, collectivization, community mobilization and fighting for the right to a voice has helped centre the debate on sex work by the people in sex work themselves. The human rights and women's movements are not monoliths, and we must forge alliances between those working towards autonomy, dignity and fundamental rights and re-define these to include the most marginalized of individuals and communities.

We assert:

- Sex work is work and is part of the self-employed, informal workforce in the service industry. Sex workers are consenting adults' persons who provide sexual services for money or in kind.
- Criminalisation of HIV transmission breaches human rights, including the rights to equality and non-discrimination. The harm of HIV non-disclosure or potential or perceived exposure, without actual transmission, is not sufficient to warrant prosecution and should not be criminalized.
- Many states and societies impose gender and sexual orientation norms on individuals through custom, law and violence and seek to control how they experience personal relationships and how they identify themselves. The policing of sexuality remains a major force behind continuing gender-based violence and gender inequality. LGBT people are criminalised in most regions of the world.

We demand:

- Minimum standards regarding working conditions in sex work, and safeguards against discrimination and violence.
- Registration of sex workers' unions as trade unions
- Sex workers be included as part of broader federations of labour unions.
- The removal of all HIV-Specific Criminal laws and the limitation of general criminal law to cases of intentional HIV transmission based on medical evidence.
- Entitlement to the right to State protection from violence, discrimination, and other harm, by government officials, any individual or group, regardless of sexual orientation, gender identity, gender expression or sex characteristics.

Components of Rainbow Planet:

- Rainbow train
- Rainbow stall
- Panel discussion

