Appeals Court Rules HIV “Prostitution Pledge” Unconstitutional

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A federal appeals court has ruled the U.S. government cannot force U.S. groups to take a “prostitution pledge” or “anti-prostitution loyalty oath” to get U.S. international HIV/AIDS funding, RH Reality Check reports. The ruling does not apply to non-U.S. groups. The 2nd Circuit Court of Appeals in Manhattan upheld a lower court decision in a 2–1 ruling. The court found unconstitutional a 2003 amendment to the U.S. Global Leadership Act Against AIDS, Tuberculosis and Malaria, which is the legal basis for the U.S. President’s Emergency Plan for AIDS Relief (PEPFAR). The amendment required PEPFAR-funded groups to not “promote or support prostitution.” The vague stipulation restricted HIV outreach; for example, organizations feared they could lose U.S. funds if they provided sex workers with condoms.

To read the RH Reality Check article, click here.

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