

The Jamaica Coalition for a Healthy Society

Ministry . Advocacy . Education

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The Jamaica Coalition for a Healthy Society (JCHS) wishes to bring to your immediate attention and prayerful consideration, recent statements made by Minister of Health, Dr. Fenton Ferguson at a regional conference put on by UNAIDS in New Kingston on Monday March 16th, 2015.

Dr. Fenton Ferguson suggested that Jamaica “may have to take the bold step and change the buggery law, if it’s to further reduce HIV infection rates” so as to ensure equitable access to at risk groups. [<http://nationwideradiojm.com/health-minister-to-reduce-hiv-infections-buggery-laws-may-have-to-be-changed/>]

The JCHS contends that the Minister’s statement is fallacious and does not accord with scientific data nor with his own public statements in May 2014. The Minister was then reported as saying that,

“HIV-infected men who have sex with men (MSMs) now experience little or no barrier in accessing services at the island's public health facilities despite Jamaica's stringent buggery laws which criminalises the practice.”

[http://www.jamaicaobserver.com/news/Easier-access-to-public-health-care-for-HIV-infected-gay-men_16738534]

Further, the JCHS is concerned that the attempt to remove the buggery law (Sections 76,77 and 79 of the Offences against the Person Act) is not based on standard epidemiological principles nor derived from scientific research but rather seems to be an effort to facilitate the socio-political objectives of the "sexual rights" agenda and usher in a deliberate re-organization of Jamaican and Caribbean societies around “sexual rights.”

The objectives of the “sexual rights” agenda are to be found in a document “*the Yogyakarta Principles: The Application of International Human rights Law in relation to Sexual Orientation and Gender Identity*”.

This document was crafted by a group of 29 individuals in Yogyakarta, Indonesia in 2006. None of the members of the group were from Jamaica or any other territory of the English speaking Caribbean. Among them were known LGBT activists such as Professor Robert Wintemute who delivered lectures at the Law faculties of each of the three UWI campuses in 2014. Implementation of the *Yogyakarta Principles* will have profound effects on the definition of marriage, freedom of speech, conscience and religion as well as parental rights.

It is of great concern to us therefore that it would appear the Minister of Health is using the HIV epidemics among Men who have sex with Men (MSM) - a medical problem - as a wedge to advance a socio-political and ideological position - the "sexual rights" agenda.

The JCHS contends that in a democratic country, socio-political issues such as those presented by the "sexual rights" agenda should be addressed, through debate, by informed citizens not by sleight of hand.

Our concerns arise for the following reasons:

1. In all populations studied, MSM's have higher rates of HIV than the general population.
2. HIV epidemics are expanding among MSM in France, the USA, UK and other western democracies which have no buggery laws, excellent health care services and liberal political and social environments supportive of homosexuality.
3. HIV epidemics among MSMs in Singapore, which has a buggery law, are described as a low level epidemic.
4. MSMs in Singapore have lower rates of HIV than MSM in France, the USA and the UK indicating that it is neither necessary nor sufficient to remove buggery laws in order to achieve low levels of HIV among MSM.
5. Researchers have documented that 98% of the difference in HIV rates between MSM and heterosexuals is due to the practice of anal receptive intercourse and role reversal (a particular male could be the receptive partner on one occasion and the insertive partner on another occasion).
6. It is standard medical epidemiological practice to discourage behaviours which are associated with statistically demonstrable increased risks of disease.

7. Despite the clear scientifically established statistics of the significant increased risks of contracting HIV by the practice of buggery, LGBTTTIQ lobbyists are seeking to impose the practice of buggery as a right in international law on all countries including Jamaica.
8. Research done by Professor Peter Figueroa and statements made by Minister Ferguson in the local press indicate that MSM in Jamaica have little or no difficulty accessing health care.
9. Based on all the data available to us it would appear that the Minister of Health is recommending policy changes that:
 - (i) go against standard epidemiological practice,
 - (ii) are neither necessary or sufficient to decrease HIV among MSM,
 - (iii) are not necessary for MSM to access health care based on his own statements in May 2014.
10. The Minister's statement appear to contradict the decision taken by the CARICOM Heads of Government at their 35th regular meeting in July 2014 at which they decided to 'defer full consideration of the PANCAP Declaration pending consultations at the national level'. The PANCAP Declaration contained recommendations to repeal buggery laws across the region. A pan-Caribbean rejection of these recommendations was raised by 140 CARICOM organisations from 11 CARICOM territories and was communicated to the Heads of Government, through the Secretary-General of CARICOM prior to their meeting.
11. The removal of the buggery law is however a necessary first step for the implementation of the socio-political objectives of the "sexual rights" agenda.

Kindly send this information forward to as many persons as possible in order to enhance the quality of the public debate on the buggery law.

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March 18, 2015