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Senator Msane: Help Sex Workers

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MBABANE, Nov 12 (IPS) [1] **- It is one of the world's oldest professions, dating so far back that it is even mentioned in the Bible. But in the deeply cultural and religious country of Swaziland, Senator Thuli Msane stirred a hornet's nest when she publicly challenged a new strict bill opposing prostitution.**

Msane spoke out against arresting sex workers, when she said government should first address the humanitarian challenges that drive them into the trade.

She was responding to the new proposed legislation, the Sexual Offences and Domestic Violence Bill, 2009 [2]. The Bill imposes a six-year imprisonment on conviction, or a fine of approximately 2,000 dollars, on people who earn a living from sex work.

The Bill, which will be debated in parliament soon, also imposes a maximum sentence of 25 years and a fine of just over 13,000 dollars on those who perpetuate the trade through running brothels and using children as sex workers.

Currently the ***Crimes Act of 1889***
imposes a fine of about 80 dollars or imprisonment for two years to anyone who entices immoral acts.

Msane, who was appointed to parliament by King Mswati III[3]
last year, came under strong criticism from both traditionalists and faith-based organisations who accused her of promoting a practice which is against both Christian and cultural values.

The nation is deeply rooted in its cultural and religious values, which have made sex work and Msane?s call to not criminalise the industry very unpopular among traditionalists and Christians.

"Swaziland is a Christian country and sex work is against the Bible," said Khangezile Dlamini, the secretary general of the Swaziland Council of Churches.

Msane had suggested that there should be no pronunciation on legality or illegality of the trade until government addresses humanitarian challenges such as poverty and unemployment.

problem. If anything, she argued, this will further promote the exploitation of women by their clients "or even those who are entrusted with the responsibility of protecting the citizens."

"I don?t like the job that I?m doing, but after failing to secure (a) job at Matsapha for about three years, I was forced into the industry," said a 36-year-old sex worker who is a mother of three.

She said her children live with her mother more than 100 kilometres away in Mbabane, Swaziland?s administrative capital.

She says she makes about 200 dollars a month, which is hardly enough to cater for her expenses including for those of her family back home.

"But it?s better than nothing," she shrugged her shoulders. "Can you imagine the situation if there was no income at all?"

Msane said because of the high number of deaths related to HIV/AIDS, many children are left without parents and have to fend for themselves. And in a country where 69 percent of the population lives on less than a dollar a day, an amount that is hardly enough to buy a loaf of bread, it is little wonder that young women were forced into prostitution.

"The girl child is more vulnerable because she is normally the one who is expected to provide for the family. You find that those who are in their late teens resort to the sex trade because they have no other means of making money," said Msane.

A rapid survey done by the Swaziland National AIDS/STI Programme (SNAP) in 2007 revealed that over 60 percent of sex workers are under the age of 25.

A nurse by profession and also the director for Swaziland Hospice at Home, Msane said she has a first hand account of the frustration women go through because of poverty through her research on the challenges poor women face.

She said rather than criminalising the act, government must get its house in order first by creating proper employment opportunities, income-generating projects and rehabilitation centres for those who want to get out of the trade.

While Msane is getting a lot of support from the women?s rights movements, some of her colleagues do not share her views.

Nonhlanhla Dlamini, an elected member of parliament and former director for the Swaziland Action Group Against Abuse does not find Msane?s idea appealing. Dlamini, who is also a women?s and children?s rights activist, was involved in the crafting of the Bill. She thinks criminalising sex work is more liberating to women because it will free them from exploitation.

"Sex work promotes the exploitation of women," said Dlamini. "In this trade, there is the issue of power and control. Those who buy sex have much more bargaining power than the sex workers."

Dlamini also said her Christian values are against this practice.

It is a view Msane does not agree with. Instead, she argues that the nation has a habit of moralising on issues which discriminates against marginalised groups such as sex workers.

reasoned Msane. "The same applies to sex work, it?s morally wrong yet it?s a reality."

Fortunately, the ministry of health is one institution that does not use the moral card against sex workers. The ministry, through SNAP, organises activities aimed at addressing HIV/AIDS among this group which is classified as on of the most at risk populations for contracting HIV.

"While fully recognising that practices such as commercial sex work are illegal in the country, the ministry of health is however concerned about the risks incurred in these practices in terms of vulnerability and consequently put in place interventions that seek to address the health needs of these populations," said Zandile Mnisi, a STI programme manager.

In a country where 26 percent of the reproductive group of 15 to 49 years old is infected with HIV, the prevalence of HIV among sex workers is not known.

A rapid survey done by the programme in 2007 revealed that 60 percent of the respondents use condoms consistently with their clients while 67 percent of them do not use condoms with their partners.

As parliament debates this Bill next week, sex workers will be banking on Msane, who is determined to - at least for now - keep them out of jail.

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