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HIV JUSTICE WORLDWIDE

Not A Criminal: Safe Cities and Justice for All People Living with HIV

Hosted by HIV JUSTICE WORLDWIDE

September 25, 2023
17:45 – 18:45
Emerald Room

September 25-27, 2023 | RAI Amsterdam Convention Center

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HARM REDUCTION
INTERNATIONAL



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INTERNATIONAL



- HIV criminalisation – laws and policies based solely on HIV-positive status is a manifestation of state sponsored stigma
- Over 90 countries have criminal laws – based on stigma, not since that single out people living with HIV based on our HIV- positive status
- Another 40 or so countries have applied general criminal laws to unjustly prosecute and imprison people with HIV for acts that cause no risk, no harm or for which there is little proof of either

- There is **no evidence** that HIV-specific criminal laws or criminal prosecutions under general laws help prevent new HIV infections.
- Rather, there is evidence that overly broad criminalisation of HIV non-disclosure, exposure or transmission **undermines public health** by:
 - contradicting public-health messages encouraging everyone to take **responsibility** for their own sexual health (i.e. criminalisation instead assigns responsibility for HIV prevention to people who know they are HIV-positive)
 - contributing to misconceptions about HIV and how it is transmitted, especially where low or negligible **risk** activities are being criminalised
 - creating a **false sense of security** in those who are HIV-negative or who do not know their HIV status by encouraging people to believe that the law can protect people from exposure to HIV
 - **undermining trust** between health professionals, service providers and their patients, and deterring people from talking openly about their sexual practices and seeking advice to minimise risk for fear that what they say could be used against them in a criminal investigation
 - **deterring access to HIV prevention, testing, treatment and care** for fear of legal ramifications
 - reinforcing **stigma and discrimination** against people living with HIV.

Introductions

- Julian Hows, HIV Justice Network
- Florence Riako Anam, GNP+
- Janet Butler-McPhee, HIV Legal Network
- Ntombi Muchuchuti, ARASA
- Alison Symington, HIV Justice Network
- Edwin J Bernard, HIV Justice Network

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Safe for whom?

Prohibiting conduct deemed to be anti-social or dangerous, increasing the presence of police officers, and imposing lengthy custodial sentences are often touted as ways to make cities “safer”.

While these approaches may be politically popular, their real-world safety impact is uneven and disproportionately falls on communities facing intersectional stigmas and discrimination.