

## Press release

### **Criminalization of sexual behavior and transmission of HIV hampering AIDS responses**

**Geneva, 27 November 2008** – Criminalization of adult sexual behaviour and violation of human rights of people living with HIV are hampering HIV responses across the world. UNAIDS urges countries to remove laws and policies that make it difficult for people to access HIV prevention and treatment and adopt laws that protect people living with HIV from discrimination, coercion, and monitoring in their private lives.

Recently, a number of countries and local bodies are considering a range of legal measures such as making homosexuality a crime, using technology to trace movements of people living with HIV, mandatory HIV testing, and forced rehabilitation of sex workers and people who are addicted to drugs. Such measures have a negative impact on delivery of HIV prevention programmes and access to treatment by people living with HIV. Not only do they violate human rights of individuals, but further stigmatize these populations.

"Homophobia - in all its forms - is one of the top five barriers to ending this epidemic, worldwide," said UNAIDS Executive Director Dr Peter Piot. "If communities, NGOs, governments and international organizations do not respect and promote the rights of all people with diverse sexuality, we will not end AIDS."

All forms of restrictions on people living with HIV, whether it is limiting their ability to travel, monitoring their movements or criminalizing transmission of HIV, are not based on sound public health practices. It can alienate people living with HIV from society and facilitate further transmission of HIV.

Laws that reduce stigma and discrimination, protect privacy, and promote gender and sexual equality help save lives. Only 26% countries report having laws that protect men who have sex with men. Currently, 84 countries in the world have legislation that prohibits same sex behaviour.

In the *2006 Political Declaration on HIV/AIDS*, governments committed to removing these legal barriers and passing laws to protect vulnerable populations. Countries that have non-discrimination laws against men who have sex with men, injecting drug users and sex workers have achieved higher rates of coverage of HIV prevention efforts.

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#### **About UNAIDS**

UNAIDS is an innovative joint venture of the United Nations, bringing together the efforts and resources of the UNAIDS Secretariat and ten UN system organizations in the AIDS response. The Secretariat headquarters is in Geneva, Switzerland—with staff on the ground in more than 80 countries. Coherent action on AIDS by the UN system is coordinated in countries through UN theme groups, and joint programmes on AIDS. UNAIDS' Cosponsors include UNHCR, UNICEF, WFP, UNDP, UNFPA, UNODC, ILO, UNESCO, WHO and the World Bank. Visit the UNAIDS Web site at [www.unaids.org](http://www.unaids.org)