

Campaigns

Action Toolkit For: Human Rights & HIV Advocates

Topic: Campaigns to block, reform or repeal an HIV criminalisation law

Take action! Lobby. Educate. Build a coalition. Find champions. Picket. Propose alternate legislation. Mobilise.

Despite evidence that HIV criminalisation is poor policy from both justice and public health perspectives, many jurisdictions still have laws that are applied against people living with HIV on the basis of their HIV status. Many people incorrectly believe that these laws reduce HIV transmissions, protect women and children, and appropriately punish blameworthy conduct. HIV justice necessitates campaigning to block, reform or repeal these laws.

HIV criminalisation law reform campaigns may aim to:

- block a proposed (new) law from being adopted;
- reform an existing HIV-specific law to limit its application;
- repeal an existing HIV-specific law; or
- reform an existing general law that is being used to criminalise HIV non-disclosure, exposure or transmission.

Laws and policies that criminalise various aspects of sexuality and reproduction are intricately linked with public opinion and dominant social norms. In some places, support for HIV criminalisation is so strong that full decriminalisation is not a realistic prospect (at least, not in the short term).

ACTION

The HIV Criminalisation Online Course

[The HIV Criminalisation Online Course](#) includes a chapter on advocacy.

Find relevant laws (by jurisdiction)

[The Global HIV Criminalisation Database](#)

ACTION

Be strategic!

- Consider the political, social and cultural context within which you are working, and the opportunities and constraints presented by that context.
- Analyse the situation considering gender inequality, multiply criminalised communities, racism, and other critical perspectives.
- Take into account forthcoming opportunities or constraints for your advocacy, such as elections, international conferences, law review commissions, and country reviews by the Global Fund, PEPFAR, WHO's EMTCT Validation, UNAIDS, and UN treaty bodies.
- Identify your organisation's (and your partners') strengths, weaknesses and skills. Build on your strengths and address your gaps.
- Assess the risks involved in various approaches.
- Build your coalition, ensuring that key stakeholders are meaningfully involved (e.g., individuals and organisations representing people living with HIV, LGBTQ+ people, sex workers, people who use drugs, and those working on sexual and reproductive health and rights, women's rights, and other relevant organisations.). Leave no one behind with your advocacy.
- Access all forms of available support, including advice, amplification, technical support and funding from international organisations, sympathetic funders, local champions and influencers, as well as the HIV Justice Network and HIV JUSTICE WORLDWIDE members and partners.
- Learn from the experiences of the global movement for HIV justice.

CHECKLIST

Checklist for building a successful campaign:

- Map the problem. (Try HJN's [Mapping the Problem](#) worksheet.)
- Identify and engage key stakeholders, allies and champions. (Try HJN's [Power Analysis](#) worksheet.)
- Identify advocacy targets and levers for influence. (Try HJN's [Identifying Change Opportunities](#) worksheet.)
- Identify campaign objectives.
- Find the right key messages. (Use the Media and Messaging Action Toolkit.)
- Do your research. Know your issue and evidence thoroughly.
- Plan your campaign activities.
- Identify spokespersons and support them.
- Set a clear timeline.
- Build-in periodic sessions to revise the plan and adjust course.
- Develop an evaluation framework.
- Plan events to relieve stress, support one other, and celebrate victories.

ACTION

Action: Learn from others' experiences in the global movement for HIV justice

[Advancing HIV Justice 4: Understanding commonalities, seizing opportunities \(HJN, 2022\)](#)

[Advancing HIV Justice 3: Growing the global movement against HIV criminalisation \(HJN, 2019\)](#)

[Advancing HIV Justice 2: Building momentum in global advocacy against HIV criminalisation \(HJN 2016\)](#)

[Advancing HIV Justice: A progress report of achievements and challenges in global advocacy against HIV criminalisation \(HJN, 2013\)](#)

[The Colorado Story \(USA\) \(HJN, 2017. 15 min video\)](#)

[Repealing it: Challenging criminal law on HIV transmission/exposure \(Denmark\) \(OptTest, 2017\)](#)

[Reforming it: Challenging criminal law on HIV transmission/exposure \(Netherlands\) \(OptTest, 2017\)](#)

Mitigating it: Challenging criminal law on HIV transmission/exposure (England & Wales) (OptTest, 2017)

Removing sex work regulations (Greece) (OptTest, 2017)

Changing drug laws to prioritise public health (Portugal) (OptTest, 2017)

ACTION 

Action: Assess the risks

- **Physical security:** Assess physical risks associated with your campaign activities and determine the measures needed to keep advocates safe.
- **Digital security:** Protect privacy and safety by safeguarding data and preventing unauthorised access to digital information.
- **Self-care:** Ensure advocates attend to their own physical, emotional, family and cultural needs. Challenge the perception of the "selfless activist" who devotes all of their time and energy to the cause.
- **Collective justice:** Consider the linkages between issues and the sensitivities of parallel movements. Do no harm.

Additional Tools & Resources

Simple principles for effective campaigning (OptTEST, 2017)

Body politics: The criminalisation of sexuality and reproduction – A campaigning toolkit (Amnesty International, 2018)

How to talk about HIV criminalization with elected officials, media & others (Center for HIV Law and Policy, 2013)

Presenting the case to decision-makers and politicians (OptTEST, 2017)

Preparing for a meeting with a Government Minister or high level official (OptTEST, 2017)

What can we do when politicians ignore the evidence? (OptTEST, 2017)

Advocacy and social justice: Measuring impact (HIV Legal Network)

Building alliances between community, clinicians and public health (OptTEST, 2017)

Building PLHIV networks, building power: A network empowerment toolkit (The SERO Project)

Using research In the fight against HIV criminalisation – a guide for activists (HJWW, 2019)

Claim your seat at the table! A how-to guide to advocacy for people living with HIV (PWN-USA)

How and where do I find evidence for a change in policy? (OptTEST, 2017)

Action strategy: A how to guide (The Ruckus Society)

The advocacy strategy framework: A tool for articulating an advocacy theory of change (J. Coffman & T. Berr, 2015)

ACTION  **Feedback**

We'd appreciate your feedback on this Action Toolkit! Please take a moment to complete this [short survey](#).