



DECRIMINALISING

HIV RECOMMENDATIONS FOR LEGISLATORS



LISTEN



1 Work with civil society plus medical, academic and other professional experts

Communities affected by discriminatory laws are the best source for understanding the real-world impact of criminalisation. Experts are keen to engage with legislators and are happy to address concerns and educate.

2 Draw on international expertise

International organisations have a wealth of knowledge and experience and what measures are necessary to end the epidemic. UNAIDS, UNDP and WHO have dedicated programmes to assist with legal reform, and civil society are on hand to work with legislators to make progress.

COMMUNICATE



3 Centre a public health approach

Emphasising public health solutions like testing and treatment, as well as the positive impact of health programmes, moves the conversation on HIV away from punitive responses towards a health-centred framework. There is then more political headspace to establish the individual rights, protections and dignity of PLWH.

4 Use data and be guided by science

Verifiable data and statistics help to reinforce any argument in favour of HIV decriminalisation. Highlighting objective evidence in conversations and legislative debates can help lend authority to proposed reforms. Research institutes and civil society groups can help to condense and present this information in a digestible format.

5 Highlight long-term economic benefits of decriminalisation

Messaging may need to be tailored to resonate with politicians who need to be persuaded about HIV criminalisation. This often means highlighting fiscal prudence: decriminalisation has economic benefits including fewer people requiring specialist HIV/AIDS healthcare in the future.

STRATEGISE



6 Build a strong coalition and forge bipartisan relationships

Enduring reforms are built on consensus. Much coalition-building is done at the grassroots level, but legislators need to speak to colleagues and amass strong support before moving to a vote, allowing time for concerns to be addressed. Bipartisan support is helpful, as HIV decriminalisation is not the preserve of a single political bloc.

7 Identify which reforms are achievable and pursue a piecemeal strategy if necessary

There may be strong political resistance to the idea of total repeal. Reform agendas should be adjusted based on the political context of the jurisdiction. Even small changes can have a positive impact on communities and lays the groundwork for more reform in the future.

8 Be patient but persistent

Decriminalisation takes time and can fall off the legislative agenda. Choosing the right moment to introduce legislation is key, and this usually means being patient. Bills may stall or may have to be reintroduced, but political willpower and conviction pays off.

ADVOCATE



9 Pressure governments, speak out against injustices, endorse non-legislative initiatives

It's not always about changing the law. Legislators can use their position to hold governments to account; make representations to health ministries; lobby decision makers; and draw attention to unfair criminal cases and stigmatising media coverage. Lawmakers should serve as a positive champion for PLWH.

10 Strive to meet international standards and end the HIV epidemic by 2030

Decriminalising HIV is just one aspect of the global effort to end the epidemic. It is part of a larger, holistic strategy that focuses on measures such as encouraging testing, treatment and prevention, and protecting marginalised communities against discrimination. Legislators should push their governments to meet international targets, including the UNAIDS 95-95-95 goals for 2025.