



Inter-Parliamentary Union  
For democracy. For everyone.



*Empowered lives.  
Resilient nations.*



# Effective Laws to End HIV and AIDS: Next Steps for Parliaments



# Effective Laws to End HIV and AIDS: Next Steps for Parliaments



---

*“We now have all the evidence and tools we need to radically slow new HIV infections and stop HIV-related deaths. Paradoxically, this comes at a time when bad laws and other political obstacles are standing in the way of success.”*

*Risks, Rights and Health*, Report of The Global Commission on HIV and the Law, 2012

## **Acknowledgements**

This joint IPU/UNDP publication was authored by Veronica Oakeshott with input from the members of the IPU Advisory Group on HIV/AIDS-MNCH. Special thanks go to Libby Davies (Canada), Thabitha Khumalo (Zimbabwe) and Petra Bayr (Austria). Aleksandra Blagojevic of IPU and Vivek Divan of UNDP provided editorial and technical review.

IPU and UNDP gratefully acknowledge the support of the Swedish International Development Cooperation Agency (Sida) in the production of this publication.

# Contents

|  |    |
|--|----|
| Executive summary  | 6  |
| Introduction   | 8  |
| Ending HIV and AIDS: A job for politicians – not just health professionals                       | 11 |
| What kinds of laws are helpful and which laws undermine the AIDS response?                       | 13 |
| Working on controversial legislation   | 19 |
| Case studies   |    |
| • <a href="#">New Zealand</a> : Decriminalisation of sex work                                    | 25 |
| • <a href="#">Portugal</a> : Decriminalisation of personal drug use                              | 30 |
| • <a href="#">Mongolia</a> : Ending discrimination against people living with HIV                | 35 |
| • <a href="#">South Africa</a> : Legal recognition for transgender and intersex people           | 39 |
| • <a href="#">Switzerland</a> : Decriminalisation of unintentional HIV transmission and exposure | 44 |
| Conclusion   | 49 |
| Further reading  | 50 |

## Executive summary

This publication is intended to inform parliamentarians about the types of laws that are helpful and unhelpful in the AIDS response. It gives examples of legislation from around the world that have been effective in limiting the spread of HIV, and draws lessons from the experiences of the parliamentarians involved.

Some laws can create unnecessary barriers to ending the HIV epidemic. These laws – such as those criminalizing the behaviour and conduct of men who have sex with men (MSM), transgender people, sex workers and people who inject drugs – drive the people who are most vulnerable to HIV away from the health and social services that could protect them.

HIV treatment today can reduce an individual's infectiousness to almost zero. Therefore, there are clear public health benefits to ensuring that those most affected by HIV are encouraged to participate in voluntary testing and supported with appropriate treatment. This requires creating a conducive legal environment. In marginalizing or criminalizing the conduct of vulnerable groups, also known as “key populations”, nations not only neglect the health and human rights of individuals but also weaken the wider AIDS response.

Many countries have taken legislative steps to decriminalize the behaviours of key populations with positive results, as shown in the following case studies in this document:

预览已结束，完整报告链接和二维码如下：

[https://www.yunbaogao.cn/report/index/report?reportId=5\\_12986](https://www.yunbaogao.cn/report/index/report?reportId=5_12986)

