

# ABOUT HIV

## HIV and human rights

In most countries, people living with HIV have the same rights and responsibilities as those which apply to all citizens. However, people living with HIV do still experience prejudice and discrimination. Knowing you have HIV can sometimes change the way people act towards you.

HIV stigma exists in the context of other prejudices which also affect people living with HIV, such as those related to ethnicity, sexual orientation, gender or economic status.

### International human rights

The rights and responsibilities you have as a person living with HIV differ a lot from country to country. In theory, your rights are protected by a number of international human rights treaties. Documents that exist to help protect human rights include:

- the International Covenant on Civil and Political Rights (ICCPR)
- the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)
- the United Nations Convention on the Rights of the Child (UNCRC)
- the International Convention on the Eliminate of All Forms of Racial Discrimination (ICERD)
- the United Nations General Assembly Special Session on HIV/AIDS – Declaration of Commitment on HIV/AIDS
- the UN General Assembly Statement on Sexual Orientation and Gender Identity.

### What kind of discrimination do people living with HIV face?

Quite some countries have specific laws which affect people with HIV and can make life more complicated. For example, there are still some countries which don't allow people with HIV to travel, work or to settle there.

In some countries, having sex without a condom, or without telling your partner that you have HIV, can be a criminal offence. The HIV

Justice Network is a group of people working specifically on HIV and the criminal law in relation to HIV transmission. There is lots of information on their website: [www.hivjustice.net](http://www.hivjustice.net).

The individual behaviour of people might also be problematic. Mandatory testing, refusal of treatment at hospitals or being rejected for a job because of HIV, are some of the ways people experience discrimination.

Sometimes, HIV is not the main reason for discrimination. You might face stigma because you are a gay person, a sex worker, a migrant or a person who uses drugs. Some rules and legislation might also be perceived as discriminatory which exist for other people as well: e.g. living with any long-term condition can make it more difficult to get life insurance or buy a property in some countries.

If you experience discrimination, the effects can have a huge impact on yourself as a person living with HIV, and also on the people around you. It is important to get support when dealing with these kinds of issues.



### What are my rights?

Legally, HIV cannot be a reason for discrimination in most countries. Unfortunately, this doesn't mean people with HIV never face discrimination or stigma.

Knowing your rights is a good start to protect yourself against discrimination. Local community organisations can help you understand the relevant laws in your country and can help you to get to know your rights, and to challenge discrimination where you can.

For example, if you are refused a job or dismissed from a job because you have HIV, you may have legal rights to challenge that decision.

### Where can I find support?

Talking to a local HIV organisation is a good place to start. Depending on the country and context, consulting a lawyer might be an option.

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**A collaboration between:** NAM aidsmap, European AIDS Treatment Group, Aids Action Europe, East Europe & Central Asia Union of PLWH and ITPCru (The Treatment Preparedness Coalition).

**For more information:** [www.about-hiv.info](http://www.about-hiv.info); [www.pro-vich.info](http://www.pro-vich.info); [www.aidsmap.com](http://www.aidsmap.com)

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