

## PRESS RELEASE

### **UNAIDS urges action to change discriminatory laws in order to restore dignity and respect and save lives**

*On Zero Discrimination Day, UNAIDS calls on countries to examine discriminatory provisions in their laws and policies and make positive changes to ensure equality, inclusion and protection*

**GENEVA, 1 March 2019**—In 2018, a number of countries made landmark decisions to change discriminatory laws and bills. The Supreme Court of India struck down Section 377 of the Penal Code, which criminalized same-sex sexual relations, the Philippines lowered the age of consent for voluntary HIV testing without the need to obtain consent from a parent or guardian to 15 years and Malawi removed provisions from a draft bill that would have criminalized HIV non-disclosure, exposure and transmission.

On Zero Discrimination Day, UNAIDS recalls the equal dignity and worth of every person, as enshrined in the Universal Declaration of Human Rights, and is calling for action to change discriminatory laws and practices, which are a significant barrier for access to health and other services.

“Human rights violations are happening all over the world because of discriminatory laws and practices,” said Michel Sidibé, Executive Director of UNAIDS. “Laws must protect, not cause harm. All countries must carefully examine their laws and policies in order to ensure equality and protection for all people, without exception.”

Raising awareness, mobilizing and taking action are essential. On Zero Discrimination Day, UNAIDS is proposing specific actions that individuals, civil society organizations, parliamentarians and donor organizations can take to change discriminatory laws. These range from being an ally to someone affected by a discriminatory law to joining a nongovernmental organization, tabling amendments to laws and calling for reviews of legislation.

Making a positive change is possible and there are many ways a law can be amended or abolished. These include:

- Reforming or removing laws through parliamentary processes and the votes of parliamentarians.
  - *Raising awareness among parliamentarians is therefore essential, as was done in the revision of the HIV laws in the Philippines and bills in Malawi.*
- In many countries, courts have the power to strike down laws that are discriminatory. This can be done if an individual or organization affected by the law takes legal action and wins the case for change.
  - *The case of India’s Supreme Court, which removed Section 377 in 2018, was a striking example.*

- In some countries, people or politicians can propose law reform through a petition and request a national vote or referendum.
  - *This is a standard method of legislating in Switzerland.*

UNAIDS has identified a range of laws that are discriminatory, impede access to health and social services, restrict freedom of movement and violate human rights.

In 2018:

- At least 20 countries imposed travel restrictions of some form against people living with HIV.
- Around 29 countries reported that they require the consent of a woman's husband or partner to access sexual and reproductive health services.
- Fifty-nine countries reported mandatory HIV testing for marriage, work or residence permits or for certain groups of people in the law, regulations or policies.
- Seventeen countries criminalized transgender people.
- Forty-five countries had laws that impose the need for parental consent for adolescents and young people below 18 years to access HIV testing services.
- Thirty-three countries imposed the death penalty for drug offences in law.
- Same-sex sexual relations were criminalized in at least 67 countries and territories worldwide.

UNAIDS is actively working with United Nations partners, governments and civil society organizations to change those laws as part of the [Global Partnership for Action to Eliminate all Forms of HIV-Related Stigma and Discrimination](#).

[Zero Discrimination Day campaign 2019—act to change laws that discriminate.](#)

[END]

## Contact

UNAIDS Geneva | Anne-Claire Guichard | tel. +41 22 791 2321 | [guicharda@unaids.org](mailto:guicharda@unaids.org)

UNAIDS Media | tel. +41 22 791 42 37 | [communications@unaids.org](mailto:communications@unaids.org)

## UNAIDS

The Joint United Nations Programme on HIV/AIDS (UNAIDS) leads and inspires the world to achieve its shared vision of zero new HIV infections, zero discrimination and zero AIDS-related deaths. UNAIDS unites the efforts of 11 UN organizations—UNHCR, UNICEF, WFP, UNDP, UNFPA, UNODC, UN Women, ILO, UNESCO, WHO and the World Bank—and works closely with global and national partners towards ending the AIDS epidemic by 2030. Learn more at [unaids.org](http://unaids.org) and connect with us on Facebook, Twitter, Instagram and YouTube.