

## HIV Europe

### Position paper

Due to the increasing number of criminal prosecutions for exposure to and/or transmission of HIV infection, we find the need for a common position paper on this issue.

### On Public Health

#### HIV Europe

- fears that states are misjudging the impact of criminal prosecutions
- asserts that use of the criminal law as an approach to minimise the spread of HIV is not an “evidence based” approach to this major public health concern and that there is no evidence to justify this approach
- that criminal proceedings only serve to legitimise stigma and discrimination against people living with HIV and AIDS
- reduces the opportunity for voluntary testing and counselling amongst those from the most marginalised groups who feel threatened by potential for prosecutions

### On Prevention

- that prosecutions have a negative impact on supporting behaviour change amongst plwha; discourage plwha from open and frank discussion with sexual health professionals for fear of being prosecuted;
- that the tendency for people most in need of VCT not to be tested for fear of prosecution will result in increasing numbers of infections