



Statement

For immediate release

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GROUNDBREAKING CONSENSUS ON HIV CRIMINALIZATION RELEASED BY WORLD SCIENTIFIC EXPERTS AT INTERNATIONAL AIDS CONFERENCE

***Human rights organizations worldwide welcome
today's statement, call for action to bring science to justice***

The following statement is issued by the Canadian HIV/AIDS Legal Network ("Legal Network"). Comments can be attributed to Richard Elliott, Executive Director.

TORONTO July 25, 2018 — Today, at the 22nd International AIDS Conference underway in Amsterdam, the Netherlands, 20 eminent world scientists — including two leading Canadian researchers — released a groundbreaking Expert Consensus Statement, available **at 9:15 a.m. EDT** at <https://onlinelibrary.wiley.com/doi/full/10.1002/jia2.25161> — providing their conclusive opinion on the low-to-no possibility of a person living with HIV transmitting the virus in various situations, including via sexual acts.

Published in the peer-reviewed *Journal of the International AIDS Society*, the Statement describes the current evidence on HIV transmission, treatment effectiveness and forensics so that HIV-related science may be better understood in criminal law contexts. The Statement has been endorsed by the International AIDS Society, the International Association of Providers of AIDS Care, the Joint United Nations Programme on HIV/AIDS (UNAIDS), and more than 70 additional scientific experts from 46 countries.

Alongside our civil society partner organizations around the world, the Canadian HIV/AIDS Legal Network welcomes this global Expert Consensus Statement. We have long advocated for an end to unjust criminal prosecutions of people living with HIV. Police, prosecutors and judges must respect current science in any and all cases related to HIV. Fear and stigma have been fueling unwarranted prosecutions against people living with HIV for far too long, in Canada and around the world.

Today, scientists have again confirmed what many of us have long known: in many jurisdictions, including Canada, a failure to appreciate scientific evidence is contributing to the overly broad use of criminal charges. People living with HIV are being prosecuted

in cases where there is little or no possibility of transmission. Canada has the dubious distinction of being among the worst offenders, after the United States and Russia, in misusing the criminal law against people living with HIV. This not only ignores science, as the Expert Consensus Statement issued today reaffirms, it also breaches human rights and undermines effective public health approaches to HIV prevention and treatment.

Four years ago, concerned about the ongoing misuse of criminal charges in Canada, dozens of Canadian HIV scientists published a peer-reviewed [national consensus statement](#) reviewing the then-available evidence about HIV, in order to better inform the criminal justice system.

Since then, the federal Justice Minister has expressly recognized, in a World AIDS Day 2016 statement, that the “overcriminalization of HIV discourages many individuals from being tested and seeking treatment, and further stigmatizes those living with HIV or AIDS,” and that “the criminal justice system must adapt to better reflect the current scientific evidence on the realities of this disease.” On World AIDS Day 2017, the minister released Justice Canada’s report recommending important limits on the use of the criminal law — but so far, there has been [little concrete action](#) by federal or provincial governments to implement those recommendations and unjust prosecutions continue.

Community advocates have laid out what needs to be done, in a [call to action](#) endorsed by more than 150 organizations across Canada.

The federal and provincial attorneys general, and members of our criminal justice and law enforcement systems, must take all measures necessary, within their respective areas of jurisdiction and in consultation with people living with HIV, HIV organizations, service providers, women’s rights advocates and scientific experts, to limit the unjust use of the criminal law against people living with HIV in Canada.

It’s past time for science to be brought to justice. Today, renowned world scientists have spoken.

Visit the [HIV JUSTICE WORLDWIDE website](#) for a news release with further information on the Expert Consensus Statement.

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