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**UGANDA TAKES A GIANT LEAP BACKWARDS
IN THE GLOBAL STRUGGLE AGAINST HIV & AIDS**

The International Community of Women Living with HIV condemns the passage of the HIV Prevention and AIDS Control Bill 2010 by the Uganda 9th Parliament. The Bill endangers the lives of Ugandan women living with HIV and undermines Uganda's already backsliding response to HIV.

KAMPALA, Uganda— The passage of the HIV Prevention and AIDS Control Bill represents a dangerous backslide in Uganda's efforts to respond to HIV. While the Bill may have been intended to facilitate and improve the HIV response in Uganda, it contains many poorly conceived and fear-induced provisions that have no place in a public health and human-rights-based response to HIV. The Bill will weaken Uganda's HIV prevention efforts and will have a disproportionate and detrimental impact on the rights of women and girls living with HIV.

The International Community of Women Living with HIV Eastern Africa (ICW Eastern Africa) are extremely concerned about the devastating impact that this law will have on the daily lives of women in Uganda.

"It is disappointing that the Members of Parliament that we have engaged for so long, have ignored all the evidence, science and reason that we advanced as civil society organisations together with technocrats and scientists and chose instead, to act out of fear and unfounded hysteria – betraying the very will of the people that elected them to Parliament to represent their issues," said Lillian Mworeko, Regional Coordinator ICW Eastern Africa.

The Bill includes outdated and dangerous provisions for mandatory testing of pregnant women and their partners under Clause 14 (b) and (c). Mandatory testing of people living with HIV is a violation of fundamental human rights and accepted principles of informed consent. Women, who will likely be the frequent target of these provisions, will shy away from medical services, negatively impacting antenatal care attendance. The devastating result of this will be that more children are at risk of being infected through vertical transmission. Currently, by using proven strategies that emphasize voluntary counseling and testing, Uganda is striving towards zero infections from mother to child. However, Uganda's gains could be lost if women are forced to test every time they visit a health facility. HIV testing of pregnant women, their partners, and victims of sexual offenses, must always be voluntary and conducted with informed consent.

"The fact that Uganda is even considering mandatory testing of pregnant women or victims of sexual violence, represents a major step backwards for a country which showed early promise as an effective responder to HIV. Unfortunately, fear and misinformation have over ridden the facts," said Jessica Whitbread, Global Director of the International Community of Women Living with HIV (ICW).

Despite growing international consensus that criminalization is counter productive to HIV prevention strategies, this Bill creates unnecessary and ill-advised laws that criminalize attempted and intentional transmission of HIV. Existing criminal law in Uganda already sufficiently addresses criminal acts and creating an additional, parallel set of laws under this Bill does not serve any public health or HIV prevention function. Instead, this law will serve only to target, persecute and punish people living with HIV. Criminalization will result in increased stigma and discrimination against people living with HIV, which are key drivers of the HIV epidemic. These measures will disproportionately impact women, who are more likely to know their HIV status through pregnancy related medical care. For these reasons, ICW unequivocally opposes the criminalization of HIV status.

Furthermore, the Bill empowers medical workers to disclose a person's HIV status to a third party. Clause 21 (e); *“where any other person with whom an HIV infected person is in close or continuous contact including but not limited to a sexual partner, if the nature of contact, in the opinion of the sexual medical practitioner, poses a clear and present danger of HIV transmission to that person;”* This provision is a clear violation of human rights and confidentiality. Disclosure of a person's HIV status by a medical workers, based purely on an individual opinion, represents an institutionalized form of stigma and discrimination that dramatically increases the likelihood of violence against women living with HIV.

These provisions violate human rights, and enshrine stigma and discrimination into law. As a result people will shy away from accessing programs that work, including: prevention, treatment, care and support services including those that address elimination of mother to child transmission. Sadly, this Bill undermines the very services that Uganda needs more than ever.

“Uganda is already facing a serious backslide from its early advances in responding to HIV, Uganda is currently one of three African countries experiencing increases in their HIV prevalence rates previously from 6.5% to 7.3 %. The passage of this Bill will only serve to increase this backslide and the President must save Uganda from this backlash”, says Margaret Happy, the Sexual Reproductive Health and Rights Officer, ICW Eastern Africa.

ICW Eastern Africa urges His Excellency Yoweri Kaguta Museveni, the President of Uganda, not to sign the dangerous HIV Prevention and AIDS Control Bill into law and to honor the commitments made by Uganda under the East African Community HIV & AIDS Prevention and Management Act, 2012.

The International Community of Women living with HIV Eastern Africa (ICW EA) is a regional advocacy network and membership based organisation that exists to give visibility to women living with HIV in Eastern Africa.

The International Community of Women Living with HIV (ICW) is the only global network by and for women living with HIV. ICW envisions a world where all women living with HIV live free of gender oppression, realizing and claiming our full rights inclusive of sexual, reproductive, legal, social, economic and health rights.

MEDIA CONTACTS:

Lillian Mworeko
Eastern African Regional Coordinator
ICW Eastern Africa
+256392947313
lmworeko@icwea.org

Jessica Whitbread
Global Director
ICW Global
+1 416 875 0359
jessicaicwglobal@gmail.com