

## By Amy Fallon

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HIV/AIDS activists are adamant Uganda will not achieve an "AIDS-free generation" now a "backwards" HIV/AIDS Bill criminalising the "wilful and intentional" transmission of the disease has been signed into law.

The act, they say, will lead to people shunning testing and treatment, but will particularly drive sex workers and gay men underground, and make women more vulnerable to domestic violence.

News that the controversial law, adopted unanimously by Parliament on May 13, and assented to by Uganda's President Yoweri Museveni on Jul 31, broke on social media only this week on Aug. 19.

The bill also allows medical providers to disclose a patient's HIV status to others without consent and prescribes mandatory testing for pregnant women, their partners, and victims of sexual offences.

Uganda has been hailed as a success story in fighting HIV/AIDS, with prevalence rates dropping from 18 percent in 1992 to 6.4 percent in 2005.

But Museveni went against earlier promises to the Joint United Nations Programme on HIV/AIDS (UNAIDS) executive director and campaigners that he wouldn't back the punitive law.

"This is a populist act," Kikonyongo Kivumbi of the Uganda Health and Science Press Association (UHSPA-Uganda) told IPS.

"He knows what he's doing is not the right thing in addressing the general public health concerns in this country."

Kivumbi pointed out that according to the 2014 UNAIDS Global Progress report, Uganda was now the third country in the world contributing to sustaining the pandemic.

Other campaigners are "heartbroken" and "outraged" after the president approved the HIV Prevention and Control Bill.

The news broke as CSOs were still waiting for an audience with Museveni over the controversial bill, which has been slammed by Uganda's own AIDS Commission and the AIDS Control programme of the Ministry of Health (MoH).

"Some bad news from Uganda. Please pray for us," Jacquelyne Alesi, director of programmes at Uganda Network of Young People Living

with HIV & AIDS (UNYPA), said in an email to IPS.

The legislation prescribes a maximum 10 years in jail, a fine of about five million Ugandan shillings (1,980 dollars) or both for anyone who “willfully and intentionally transmitting HIV/AIDS to another person”.

Another provision of the law, drafted in 2008, provides for a fine or a maximum five years in jail for those convicted of “attempted transmission”.

According to the 2011 Uganda AIDS Indicator Survey, overall HIV prevalence is higher among women (8.3 percent) than among men (6.1 percent).

“Usually HIV bears the face of a woman,” Dorcas Amoding, policy, advocacy and networking officer for Action Group for Health Human Rights and HIV/AIDS (AGHA-U), told IPS.

“So if she has tested positive and perhaps the husband becomes aware of it...he might treat this as a very negative result as well and she can be attacked.”

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Amoding added, "it even brings about a very huge burden in terms of women inheriting property, because some people still think HIV is a death sentence."

"So if I say 'I want to have my husband's property for the children', people are going to say 'you'll die tomorrow, you're HIV positive.'"

Most LGBT people with HIV/AIDS already "die silently" and many were no longer going for services in the after the passing of the Anti-Homosexual Act, Bernard Ssembatya, from Vinacef Uganda, a sexual health and reproductive NGO focusing on HIV, told IPS. The anti-gay law was, however, declared "null and void" by the constitutional court on a legality earlier this month.

"Some of them are wary of going to health services, some health providers are also scared of delivering services," Ssembatya said.

There will be "an increase in deaths from HIV, more infections" as a result of the HIV/AIDS law, he warned.

According to AIDS Free World, over 60 countries criminalise the transmission of HIV or the failure to disclose one's HIV status to sex partners, or both. Global Commission on HIV and the Law members have highlighted Guinea, Senegal and Togo, which they say in recent years have revised existing, or adopted new laws which limit HIV transmission to exceptional cases of wilful transmission.

