



## Eurasian Women's Network on AIDS

**Project title:** HIV Criminalisation scan in EECA

**RCF funded Consortium title:** HIV Justice Global Consortium

**Consortium Project title:** Growing the global Movement for HIV Justice through an international coalition comprising global and regional networks and legal/human rights organisations

**Consortium Lead organization:** Stichting HIV Justice (HIV Justice Foundation)

**Consortium partners:** HIV Justice Network, AIDS and Rights Alliance for Southern Africa (ARASA), Eurasian Women's Network on AIDS (EWNA), Global Network of People Living with HIV (GNP+), HIV Legal Network, Sero Project, Southern Africa Litigation Centre

**Reporting period:** 01 January – 31 December 2022

### Activity 3: High-level global and regional advocacy

| Description                               | Objective   | Main results  |
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| Consultant for CEDAW submission (Belarus) | Engaging with regional, intra-regional and global rights and treaty bodies and policy fora to advance advocacy agenda. Main objective: to ensure HIV criminalisation is on key policy agendas and included in country human rights reports. | <ol style="list-style-type: none"> <li>1. Developed of a list of questions to the state in the CEDAW committee from the community of women living with HIV of the Republic of Belarus (83rd session), with a special focus on the HIV criminalization, in partnership with representatives of the community, representatives of the partner national organization and project staff.</li> <li>2. Assessed of the situation of women living with HIV and collection of cases in the Republic of Belarus. Collected/updated data and studied thematic publications and articles relevant for the preparation of the report.</li> <li>3. Conducted consultations with representatives of the community to agree on a list of issues for the state to the CEDAW committee (83rd session).</li> <li>4. Finalized and submitted the list of issues to the CEDAW committee from the community of women living with HIV, with a special focus on the HIV criminalization in the Republic of Belarus.</li> <li>5. Organisations or representatives of women living with HIV and women who use drugs in Belarus have participated in preparing and submitting a <a href="#">shadow report</a> to the UN Committee on the Elimination of Discrimination against Women (CEDAW) (83<sup>rd</sup> PSWG, 2022).</li> <li>6. Recommendations by the CEDAW Committee: In the <a href="#">List of issues and questions</a> prior to the submission of the 9<sup>th</sup> periodic report of Belarus, the CEDAW Committee asked to indicate the steps taken by the State party to: <ul style="list-style-type: none"> <li>• Protect other vulnerable groups of women and girls, such as women living with HIV/AIDS and children, including girls, subjected to corporal punishment.</li> </ul> </li> </ol> |

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|  |  | <ul style="list-style-type: none"> <li>• Encourage women who are victims of domestic violence to report it, ensure victim-centred services, such as a counselling hotline and services targeting the specific needs of [...] women living with HIV/AIDS, and the availability of crisis rooms and shelters, including for long-term stays.</li> <li>• Remove the administrative liability (fines and arrest) of women exploited in prostitution and prohibit the disclosure of any related information by the authorities to third parties.</li> <li>• Offer alternative income-generating opportunities to enable women exploited in prostitution to leave prostitution.</li> </ul> |
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### Activity 7: HIV Criminalisation in EECA Report

| Description   | Objective  | Main results   |
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| Development and publication of in-depth and up to date regional report, informed by community advocates across the EECA region. | To raise awareness of HIV criminalisation among policymakers and key stakeholders by providing accurate up to date and comprehensive information on the extent of HIV criminalisation in the region. | <ol style="list-style-type: none"> <li>1. The report “HIV Criminalisation Scan in EECA for 2018-2022” was compiled based on data from 11 countries of the Eastern Europe and Central Asia (EECA) region: Armenia, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Uzbekistan, Ukraine and Estonia. It also includes available information about the territories controlled by the unrecognised Nagorno-Karabakh Republic and Pridnestrovian Moldavian Republic.</li> <li>2. The purpose of the 2022 report is not only to update the previously obtained information and review the legal norms criminalising the HIV transmission in Eastern Europe and Central Asia, but also to assess changes in dynamics over the past five years, that is, for the period from 2017 to 2022.</li> <li>3. In preparing this report, EWNA worked closely with a group of country and regional advocacy experts concerned about global trends and the current state of HIV criminalisation in their countries, as well as in the region. All stages of work on the report involved direct participation of women living with HIV.</li> <li>4. The study methodology was based on the following principles: Inclusion and Leadership; Safety; and Gender optics.</li> <li>5. The methodology includes: <ol style="list-style-type: none"> <li>a. Broad overview of available information on HIV criminalisation in the EECA countries.</li> <li>b. Development of tools for conducting research and collecting reports in countries, as well as a media monitoring system.</li> <li>c. Selection and contracting of country informants from among the EWNA members for the following activities at the country level: <ul style="list-style-type: none"> <li>- collecting information about laws that criminalise people living with HIV;</li> <li>- making inquiries to public authorities;</li> <li>- documenting and describing cases of HIV criminalisation, including blackmail;</li> <li>- describing advocacy activities aimed at HIV</li> </ul> </li> </ol> </li> </ol> |

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|  | <p>decriminalisation;</p> <ul style="list-style-type: none"> <li>- media monitoring for the period 2018-2022 (taking into account country specifics).</li> </ul> <p>d. Analysis and description of the collected data. Data sources:</p> <ul style="list-style-type: none"> <li>- criminal codes;</li> <li>- codes of administrative responsibility;</li> <li>- official Internet portals of public authorities;</li> <li>- websites and pages in social networks of non-governmental organisations;</li> <li>- monitoring of media publications;</li> <li>- websites of UN treaty bodies;</li> <li>- information, including documented cases, about criminal prosecution and cases of threats, blackmail, unfair criminal prosecution of people living with HIV;</li> <li>- additional information provided by the employees of civil society organisations.</li> </ul> <p>e. Drawing up a final report.</p> <p>6. A regional consultation is expected in 2023 to discuss the findings of the report.</p> |
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### Activity 9: Advocacy Communications

| Description                 | Objective   | Main results  |
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| Media prize for EECA region | Main objective: to raise awareness of HIV criminalisation among key audiences and expand the advocacy movement to support global and local campaigning. | <ol style="list-style-type: none"> <li>1. In April 2022 EWNA has <a href="#">announced</a> the best publication competition “HIV is not a crime” for journalists and activists “HIV is not a crime” on the topic of HIV criminalization in EECA countries.</li> <li>2. EWNA received 7 applications from 4 countries (Belarus, Moldova, Russia and Tajikistan).</li> <li>3. In World AIDS Day - December 1 - EWNA <a href="#">presented</a> the results of the competition for journalists and activists “HIV is not a crime”. Author's materials, revealing one of the topics, were accepted for consideration: <ul style="list-style-type: none"> <li>- how HIV criminalization goes against science and human rights;</li> <li>- the impact of HIV criminalization on people's lives;</li> <li>- the impact of HIV criminalization directly on women;</li> <li>- the role of civil society in countering the criminalization of HIV.</li> </ul> </li> <li>4. The winners of the contest “HIV is not a crime!” were selected: <ul style="list-style-type: none"> <li>- In the “journalist” category - Mizhgona Khalimova from Tajikistan, with the <a href="#">material</a> “Pulod Jamolov: We hope that the response of WHO can help in the course of investigations and court decisions under Art. 125 of the Criminal Code of the Republic of Tajikistan in relation to people living with HIV”.</li> <li>- In the “activists” category — Yana Moglovets from Russia, with <a href="#">materials</a> “I have HIV. HIV law. Decriminalization of Article 122 of the Criminal Code of the Russian Federation” and <a href="#">“Decriminalization of Article</a></li> </ul> </li> </ol> |

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|  |  | <p><a href="#">122</a> of the Criminal Code of the Russian Federation. Live with Sasha Volgina. Cancel article for HIV infection”.</p> <p>5. Mizhgon and Yana received their rewards of \$500 each.</p> |
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### Activity 11: Small Grants and in-country Capacity Strengthening

| Description  | Objective  | Main results  |
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| EECA region - small grants for women-led campaigning and advocacy  | To build capacity of CBOs and PLHIV networks to engage in advocacy at national level and strengthen regional networks. | <ol style="list-style-type: none"> <li>Two countries received mini-grants: Tajikistan (two women's case in courts, data collection) and Russia (survey among doctors, data collection).</li> <li><a href="#">Community-led survey</a> conducted on the attitudes of infectious disease doctors and epidemiologists at AIDS centres towards the criminalization of HIV in the Russian Federation.</li> <li>Community activist from Tajikistan <a href="#">shared</a> her experience on addressing HIV criminalisation at the national level.</li> <li>Community leaders from Russia and Tajikistan contributed to preparation of the “HIV Criminalisation Scan in EECA for 2018-2022”</li> </ol>   |
| Belarus - small grants to 2 people providing support on community-led advocacy and direct support to PLHIV |  | <ol style="list-style-type: none"> <li>Community activist from Belarus <a href="#">shared</a> her experience on addressing HIV criminalisation at the national level.</li> <li>Documented cases of HIV criminalization in Belarus (7 cases).</li> <li>Media monitoring in Belarus conducted.</li> <li>Inclusion of problems related to HIV criminalization in the national report of Belarus on Global AIDS Monitoring (GAM).</li> <li>Preparing and conducting stakeholders working group meeting to develop mechanisms for implementing the amendment to Article 157 of the Criminal Code of the Republic of Belarus.</li> <li>Development and dissemination of algorithms for responding to the Article 157 of the Criminal Code of the Republic of Belarus.</li> <li>Training for the community of people living with HIV on issues of HIV criminalization (30 people).</li> <li>Providing paralegal and other assistance to people affected by the HIV criminalization in Belarus (5 people).</li> <li>Community leaders from Russia and Tajikistan contributed to preparation of the “HIV Criminalisation Scan in EECA for 2018-2022”.</li> </ol> |

Other Activities EWNA has agreed to be involved in (with either no direct budget, so covered by core costs, or led by other partners):

| Description   | Implementing Member(s) | Main results   |
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| <b>Travel and/or virtual registration budget (AIDS 2022):</b> This allows for a | HJN and EWNA           | Two EWNA representative received partial scholarships for participation in the 24 <sup>th</sup> International AIDS Conference held in Montreal, Canada (AIDS 2022). EWNA participation <a href="#">review</a> published. |

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| <p>small travel or virtual registration for three participants (two from HJN, one from EWNA) for AIDS 2022.</p>  |   |  |
| <p><b>Intersectionality Briefing Papers Series</b> - Drawing on evidence from community-led monitoring and the Global HIV Criminalisation Database, this new series of briefing papers will explore the intersectionality of HIV criminalisation with other forms of criminalisation against sex work, sexual orientation and gender identity (SOGI), migrants and race discrimination. In year one we will focus one paper on SOGI and another on migrants and racial discrimination.</p> | <p>HJN Lead with input from all Consortium partners</p> | <ol style="list-style-type: none"> <li>1. EWNA developed and publish the <a href="#">compendium</a> “Women’s Leadership in issues of HIV decriminalisation: experience of the EECS region” which brings together research from the women’s community, examples of documented personal stories and court cases. All the collected materials demonstrate how criminalisation of HIV is a global problem and how it is linked to gender-based violence. Experts believe that criminalising laws do not protect against HIV infection, but only make women worse off in society.</li> <li>2. HJN worked with HIV JUSTICE WORLDWIDE partners to write a paper for a Special Collection on Women’s Health and HIV for the peer-reviewed, open access journal Therapeutic Advances in Infectious Diseases. In “<a href="#">When law and science part ways: the criminalization of breastfeeding by women living with HIV</a>” Alison Symington (HJN’s Senior Policy Analyst), Nyasha Chingore-Munazvo (Programmes Lead, AIDS and Rights Alliance of Southern Africa) and Svitlana Moroz (Chair of the Eurasian Women’s Network on AIDS) place the criminalisation of women with HIV for breastfeeding within the context of current medical recommendations and cultural views of breastfeeding. They review the criminal cases against women living with HIV for breastfeeding around the globe, examine the injustice of these prosecutions, and provide recommendations for decriminalisation. This Special Collection includes papers addressing a wide range of health issues impacting women with HIV.</li> </ol> |