Joint communiqué on International Candlelight Memorial Day

Eamonn Murphy, UNAIDS Regional Director for Asia Pacific and Eastern Europe & Central Asia

Baurzhan Bayserkin, Director of the Kazakhstan Scientific Center for Dermatology and Infection Diseases

Nurali Amanzholov, Director of the Central Asian Association of People Living with HIV

As we observe International Candlelight Memorial Day 2023, it is important to honor the lives lost to AIDS-related illnesses and reflect on what can be done to save every life. Globally, over 84.2 million people have become infected with HIV, and more than 40.1 million have died from AIDS-related illnesses since the beginning of the epidemic.

Laws criminalizing HIV transmission were enacted in many countries during the early stages of the epidemic in response to panic. These laws were based on the fear of the rapidly developing epidemic and lack of knowledge about the new virus. Many people believed that individuals living with HIV could intentionally spread the virus and that criminalizing HIV transmission would deter people from engaging in high-risk behaviors. However, scientific breakthroughs have led to a greater understanding of HIV biology and transmission, resulting in the development of new drugs, diagnostic tools, and prevention strategies. Highly effective antiretroviral medications that suppress the virus and prevent HIV transmission have been developed. Today, over 28 million people globally receive treatment. People living with HIV who get antiretroviral treatment and achieve viral suppression can live a normal long life the same as people without HIV, can have partners, family, and healthy children, and cannot transmit the virus.

As our understanding of HIV has improved, it has become clear that HIV-specific criminal laws are discriminatory, stigmatizing, and do not effectively prevent new infections. In fact, they can have the opposite effect by discouraging people from getting tested and seeking treatment for fear of persecution or prosecution. The scientific consensus is clear: criminalizing HIV does not reduce HIV transmission or improve public health outcomes. The international community, researchers, and lawyers agree that it is necessary to remove HIV-specific criminal laws.

In Kazakhstan, as in many countries, there is criminal liability for intentional HIV infection. While the enforcement of this law in Kazakhstan has been limited. However, the existence of such a law contributes to stigma and discrimination against people living with HIV and deters people from seeking HIV testing and treatment services. Meantime, the Kazakhstan Union of People Living with HIV and other community-led organizations work hands-to-hand with the government in providing essential services, such as HIV testing, counseling, and peer support, and engage in advocacy to promote the rights of people living with HIV.

Kazakhstan has been focusing on creating a robust and sustainable system of HIV response: over the past 12 years, the coverage of antiretroviral therapy in Kazakhstan has increased by 19 times. In 2022, 84% of people who know their HIV status received treatment in the country.

Kazakhstan adopted the majority of WHO/UNAIDS protocols and recommendations on HIV prevention, including access to community testing, self-testing, condoms, and harm reduction programs. 91% of all HIV-related programs in Kazakhstan are covered by the national budget, and the remaining is sourced by other donors including the Global Fund, CDC, and PEPFAR.

As one of the signatories of the Political Declaration on Ending AIDS 2021, Kazakhstan has committed to taking action to end the AIDS epidemic by 2030. The country joined the Global Partnership for Action to Eliminate All Forms of HIV-Related Stigma and Discrimination. This includes addressing legal and policy barriers to the HIV response, such as the criminalization of HIV transmission, and promoting the human rights of people living with HIV. By aligning its policies and programs with the goals of the Declaration, Kazakhstan can accelerate progress toward ending the AIDS epidemic. The actions towards decriminalization of HIV are included in the workplan of the Kazakh Scientific Center of Dermatology and Infection Diseases for 2023-2024. The recent decision by the government of Kazakhstan to remove legal barriers for people living with HIV to adopt children is a positive step towards eliminating stigma and discrimination against people living with and affected by HIV. Other progressive evidence-based changes in legislation are on the way.

Kazakhstan can lead the region toward ending AIDS by removing old laws and harmful approaches that prevent people from seeking medical help.