



"The law is a bigger risk to us than HIV"

Sophie, British Columbia

"Do I need to make him sign a document and lock it up and have it witnessed by the neighbour?"

Zainab, Ontario

"Could they turn around and even if you're honest and told them, then ... they lied and said, 'Well, I caught it from her', or him. And they go to the police and get them charged, just out to be spiteful and mean"

Catherine, Saskatchewan

"It feels like this law, unless you have a fairy tale relationship, sets you up for rejection and/or violence...it makes you very vulnerable"

Lorraine, British Columbia



Dear Minister of Justice and Attorney General of Canada:

I am ashamed to learn that Canada is a world leader in the criminalization of HIV non-disclosure. This is not the reputation that I have come to expect of this country.

While I understand that the criminalization of HIV non-disclosure was originally intended to protect individual health, in reality it poses a significant danger to individual and public health by discouraging HIV testing and treatment, and compromising relationships with healthcare providers. The overly-broad prosecution of HIV non-disclosure not only inflicts stigma, violence, marginalization, and discrimination on women living with HIV, it also disregards established scientific evidence. Condoms, when intact and used properly, are 100% effective at preventing HIV transmission. When a person's HIV viral load is undetectable, HIV is untransmittable. Compulsory HIV disclosure can grievously endanger persons living with HIV due to pervasive stigma and discrimination.

Canada has been a world leader in protecting women's rights and promoting gender-sensitive policies. Ending the criminalization of HIV non-disclosure using the law of sexual assault is unfinished business on Canada's feminist agenda. As long as women living with HIV suffer uncertainty, violence, and fear due to the criminalization of HIV non-disclosure, Canada cannot respectably assume a position of moral authority or feminist leadership on the world stage.

I urge you to work with your colleagues in Parliament, your provincial counterpoints, and alongside community members toward decriminalizing HIV non-disclosure in all but the very rare cases of actual and intentional transmission.

Yours sincerely,



The Honourable David Lametti,
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