Gay Man in Mexico Murdered After Disclosing His HIV

In a separate reported case, a man in Mexico City was arrested for nondisclosure after his girlfriend found his HIV meds.

June 29, 2021 By Trent Straube

A series of HIV-related crimes in Mexico—including the murder of a man in Cancun after he disclosed he had HIV—have HIV and LGBTQ advocates rallying for justice and calling for an overhaul of outdated HIV crime laws.

In the Cancun case from early June, a young gay man was allegedly tortured, burned and murdered after he revealed that he was living with HIV. A suspect has been apprehended, and activists want the person to be charged with a hate crime—not just homicide.

> The violence against people living with HIV must end.
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> @InspiraCambioAC @redpositivacun @HIVPlusMag @TheAdvocateMag @pozmagazine @TPANetwork https://t.co/EZr6nYxwtg
>
> — MPact (@mpactglobal) June 29, 2021

“This terrible incident is yet another example of the ongoing vulnerability of people living with HIV around the globe,” read a joint statement by Inspira, MPact and Red Posithiva, three groups that advocate for the HIV and LGBTQ communities.

In a separate case in Mexico City, a man was arrested for nondisclosure allegedly after his girlfriend found his HIV meds. According to reports on the HIV Justice Network, that case has provoked activists and people living with HIV to speak out about HIV crime laws and to criticize the public prosecutor’s office in Mexico City for violating human rights. After a rally outside the prosecutor’s office, the office issued a statement saying it was reviewing any laws that might

discriminate against a person based on HIV status.

The joint statement from the three advocacy groups points out that in 30 of the 32 states in Mexico, laws on the books designate “the risk of contagion” as a crime. This means that a person living with HIV could be arrested regardless of whether they transmitted the virus or even pose a possible threat (people with a suppressed viral load cannot transmit HIV sexually, a fact referred to as Undetectable Equals Untransmittable, or U=U).

“These HIV criminalization laws breed a culture of fear, stigma, and violence, and swift action must be taken to end the laws and ensure the rights of people living with HIV are protected,” reads the joint statement.

“There is so much work to be done to protect the health and rights of people living with HIV,” the statement continues. “Living with HIV continues to be a struggle for people, even after receiving successful antiretroviral treatment, as we must endure structural and societal stigma. We cannot address this issue in isolation and are committed working on the complex intersecting issues, such as, homophobia, transphobia, racism, sexism, anti-sex stigma, and xenophobia.

“People living with HIV have a right to safety and protection. People living with HIV have a right to privacy with regards to their medical status. People living with HIV have a right to pursue a fulfilling sexuality. This is a question of basic human rights and action cannot be delayed.”

Meanwhile, in the United States, advocates in some states have made headway in addressing outdated HIV crime laws. For recent examples, see “Nevada Updates Its HIV Crime Laws; Allows PrEP and PEP Access at Pharmacies” and “UPDATE: Illinois Senate Votes to Repeal HIV Crime Law.”

Click on the POZ hashtag #Criminalization to find more articles on this subject, such as “HIV Justice Tool Kit Shows You How to Update HIV Laws.”

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