UNAIDS Head Blasts MSM Criminalization in India

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An outdated law that criminalizes men who have sex with men (MSM) is a major obstacle to fighting HIV/AIDS in India, UNAIDS executive director Peter Piot said November 16 during his visit to the country, Newstrack India reports.

According to an earlier report by the agency, 2.5 million people live with HIV/AIDS in India, a figure that may become as high as 10 million by 2010.

Section 377, nicknamed the Anti-sodomy Law, was drafted in 1860 and states, “Whoever voluntarily has carnal intercourse against the order of nature with any man, woman or animal shall be punished with imprisonment for life or with imprisonment of either description for term which may extend to 10 years and shall also be liable to fine.”

The provision against homosexuality is one of the biggest barriers for HIV treatment and prevention, experts claim, and is boosting infection rates in India. According to the article, 86 percent of HIV infections in India are linked to MSM.

“For India now, the focus area is the MSM population,” Piot said, adding that the issue is common to other Asian countries. “It has become quite an epidemic among this group—just as it was in the western countries in the 1980s.”

“Why is discrimination shown toward a person because of his sexual orientation?” he posited. “It is a human rights violation. This could pose a problem for public health preparedness. It’s important that this provision be abolished; the law is impeding to our efforts.”

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