

NINTH PARLIAMENT OF GUYANA

FIRST SESSION (2006-2010)

NATIONAL ASSEMBLY

RESOLUTION NO. 129

WHEREAS the fight against HIV and AIDS has been relentless especially during the past 15 years;

AND WHEREAS some success has been recorded throughout the country in reducing the instances of infection and transmission of HIV and AIDS;

AND WHEREAS educating the population is of utmost importance in the arsenal of weapons and/or measures required to combat this dreaded disease;

AND WHEREAS despite the best efforts of health care officials, religious organizations and NGOs in educating the population with respect to AIDS and HIV, infection rates are still disappointingly high;

AND WHEREAS persons, some knowingly, still infect others with the Human Immune Deficiency Virus, causing immense suffering and pain to the infected persons, their families, community at large along with increased cost to the health care system;

AND WHEREAS persons are not held responsible by law for knowingly transmitting this deadly virus to innocent victims;

AND WHEREAS the confidentiality and non-discriminatory laws in place which protect persons affected with HIV and AIDS prevent disclosure of their identity, these persons are free to have unprotected sex with unsuspecting partners, thus further spreading the disease,

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NOW THEREFORE, RESOLVED,

That the criminal laws of Guyana under all relevant sections be amended, to make it an indictable offence for any person to transmit the virus to any other person, when they would have had prior knowledge of their infected status;

FURTHER RESOLVED,

That non disclosure laws or guidelines be so amended to allow information to be used by the prosecution if so required;

FURTHER RESOLVED,

That all agencies, clinics, hospitals which have the results of tests and other vital information be bound by law to release such information to any court engaged in a matter; and

FURTHER RESOLVED,

That the manner in which society and law treat with persons who willfully transmit HIV be taken to a Special Select Committee to examine this issue comprehensively, drawing from other countries' experiences which have criminalized this offence and those which have not, taking into consideration experts' and the public's views, as well as examining the present laws of Guyana and return to the National Assembly with considered opinions and recommendations on this issue.

Passed by the National Assembly on Thursday, 29th July, 2010.

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S.E. ISAACS
Clerk of the National Assembly