



HIV ANTI-DISCRIMINATION ACT 2014

NINERELA+ 2016

Simplified Version
with Supporting Verses from the Bible and Q'uran



INTRODUCTION

The signing of Nigeria's HIV and AIDS Anti-Discrimination Act 2014 was considered a giant stride in the National HIV response, and yet there have been reactions that the Act has not been communicated appropriately putting into consideration the peculiarities of the subsets of Nigerian population. Religious understanding of situations and interpretations are important in the lives of Nigerians and defines their behavioural dispositions. With that in mind, The Association of Religious leaders Living with or Personally Affected by HIV/AIDS (NINERELA+) with the support of Christian Aid International brought together religious scholars (Christians and Muslims) to provide the faith-based interpretations of the anti-discrimination Act 2014, with relevant verses from the holy books.

As contained in the original version, this simplified form focuses on four critical components of the Act namely:

- a) Rights of Individuals
- b) Their Responsibilities
- c) Institutional Obligations
- d) Penalties for violations

It is our belief that this version will boost the understanding of the Act and the divine expectation every Christian and Muslim as interpreted by the holy books.

PROTECT FUNDAMENTAL HUMAN RIGHTS FOR ALL LIVING WITH OR AFFECTED BY HIV IN NIGERIA

RESPONSIBILITY NOT TO DISCRIMINATE:

Persons Living with HIV (PLHIV) Should not be discriminated or stigmatized in any community, health and educational facility, place of work or worship nor denied use of any services because of their Status



Quran 49 verse 11: "Oh you who believe, let not one people laugh at another, per chance it may be that they later are better than the former"

John 9:2-7 And his disciples asked him, "Rabbi, who sinned, this man or his parents, that he was born blind?" Jesus answered, "It was not that this man sinned, or his parents, but that the works of God might be displayed in him.

RESPONSIBILITY TO PROTECT PEOPLE LIVING WITH HIV

All institutions, employers and community shall take steps to eliminate HIV related discrimination at all times and in all situations.

James 2:8 NKJV - If you really fulfill the royal law according to the Scripture, "You shall love your neighbour as yourself," you do well

RIGHTS AND RESPONSIBILITIES

RIGHT TO CONFIDENTIALITY

You have a right to be treated fairly and your information cannot be given out without your permission.



Quran 49 verse 12 “ Oh you who believe! Avoid suspicion; indeed some suspicions are sin and spy not, neither backbite one another ... ”

Leviticus 19:16 KJV -Thou shall not go up and down as a talebearer among thy people: neither shall thou stand against the blood of thy neighbour: I am the Lord.

RESPECT FOR CONFIDENTIAL INFORMATION

When you disclose your status voluntarily, no one can reveal it to a third party without a written permission from you unless such disclosure is required by law.

Quran 49 verse 12 “ Oh you who believe! Avoid suspicion; indeed some suspicions are sin and spy not, neither backbite one another... ”

Hadith: “The Prophet (SAW) said: whosoever conceals the fault of his brother, Allah will conceal his faults on the day of judgment... ”

Proverbs 11:13 - A talebearer revealeth secrets: but he that is of a faithful spirit concealeth the matter.

RIGHTS AND RESPONSIBILITIES

RESPONSIBILITY TO DISCLOSE ONE'S STATUS TO A PARTNER

You have a responsibility to disclose your status to a partner so as to prevent infection.



Luke 8:17 NIV- For there is nothing hidden that will not be disclosed, and nothing concealed that will not be known or brought out into the open.

Galatians 6:2 NLT- Share each other's burdens, and in this way obey the law of Christ.

Quran 2 verse 284 ... whether you show what is in your mind or conceal it, Allah call you to account for it ...

RIGHTS AND RESPONSIBILITIES

RESPONSIBILITY TO REPORT VIOLATIONS

It is your responsibility to report any case of stigma and/or discrimination and rights violations due to your real or perceived HIV status to the appropriate Authority.



James 4:17 NIV-Anyone, then, who knows the good he ought to do and doesn't do it, sins.

FREEDOM FROM COMPULSORY TESTING AND DISCLOSURE

You cannot be forced to test for HIV or disclose your status except by provisions of the law.

1 Thessalonians 5:14 AMP - And we urge you, brothers, admonish the idle, encourage the fainthearted, help the weak, be patient with them all."

PENALTY FOR UNLAWFUL DISCLOSURE

Anyone who unlawfully discloses the status of people living with HIV and AIDS will attract a penalty of 500,000 Naira in the case of individuals and 1,000,000 Naira in the case of institutions, imprisonment of 2 years or both.

Psalms 101:5 - Whoever secretly slanders his neighbour, him I will destroy; No one who has a haughty look and an arrogant heart will I endure

RIGHTS AND RESPONSIBILITIES

RIGHT TO SERVICE

You cannot be denied treatment and health services and you can live in your place of choice, marry, go to school, hospitals, worship, travel without restrictions to access services



Quran 49 verse 13 “ Oh mankind! We created you from a single pair of a male and a female and made you into nations and tribes, that you may know (not that you may despise) each other. Verily, the most honored of you in the sight of Allah is he who is the most righteous” ...

Psalm 82:3 Give justice to the weak and the fatherless; maintain the right of the afflicted and the destitute

RESPONSIBILITY NOT TO DISCRIMINATE

Everybody has a responsibility to prevent HIV stigma and Discrimination. Discrimination includes: denying treatment to people living with HIV, refusal to admit to school, denial of access to places of worship, denial of access to credit or right to marry.

Hadith, Narrated by Abuhurairah R.A “ Do not hate one another and do not desert one another (stop talking) (Sahih Bukhari Volume 8 number 92)

James 2:9 AMP- But if you show servile regard (prejudice, favoritism) for people, you commit sin and are rebuked and convicted by the Law as violators and offenders.

RIGHTS AND RESPONSIBILITIES



RIGHT OF DIGNITY OF PERSON

You have a right to be treated with dignity and respect

Quran 49 verse 13 " Oh mankind! We created you from a single pair of a male and a female and made you into nations and tribes, that you may know (not that you may despise) each other. Verily, the most honored of you in the sight of Allah is he who is the most righteous" ...

Proverbs 22:22 KJV- Rob not the poor, because he is poor: neither oppress the afflicted in the gate:

RIGHTS AND RESPONSIBILITIES

DEMAND FOR YOUR RIGHTS

it is your responsibility to demand for your rights and ensure it is not violated.



Luke 18:1-5 NIV- Jesus told them a story showing that it was necessary for them to pray consistently and never quit. 2 He said, "There was once a judge in some city who never gave God a thought and cared nothing for people. 3 A widow in that city kept after him: 'My rights are being violated. Protect me!' 4 "He never gave her the time of day. But after this went on and on he said to himself, "I care nothing what God thinks, even less what people think. 5 But because this widow won't quit badgering me, I'd better do something and see that she gets justice — otherwise I'm going to end up beaten black and blue by her pounding.'

RIGHT TO APPEAL AND RECOURSE TO COURTS

If your rights have been violated you can appeal to the Minister of Justice or Courts of law for redress.

Proverbs 21:15 NIV -When justice is done, it brings joy to the righteous but terror to evildoers.

WORKPLACE RIGHTS

RIGHT TO EMPLOYMENT

HIV discrimination in workplaces is no longer allowed. Employers must use non-discriminating practices for accessing employment opportunities, give equal access to terms, conditions of employment .



Leviticus 19:15 NIV "Do not pervert justice; do not show partiality to the poor or favouritism to the great, but judge your neighbour fairly.

Quran 4 verse 58 "...when you judge between people, you judge with justice; surely Allah admonished you with what is excellent; surely Allah is seeing, hearing"

Deuteronomy 24:14 NIV - You shall not oppress a hired worker who is poor and needy, whether he is one of your brothers or one of the sojourners who are in your land within your towns."

GENDER RIGHTS

Consideration is to be given as it applies to different gender needs.

Romans 15:1-2NLT We who are strong must be considerate of those who are sensitive about things like this. We must not just please ourselves. We should help others do what is right and build them up in the Lord.

WORKPLACE RIGHTS

Quran 4 verse 32 " And do not covet that by which Allah has made some of you excel others; men shall have the benefits of what they earn and women shall have the benefits of what they earn and ask Allah of His grace. Surely, Allah knows all things"



Romans 15:1-2NLT We who are strong must be considerate of those who are sensitive about things like this. We must not just please ourselves. We should help others do what is right and build them up in the Lord.

RIGHT TO AFFIRMATIVE ACTION

In some instances, Employers must give priority to a person Living With or affected by AIDS in employment and other services.

Romans 15:1 NIV-Now we who are strong ought to bear the weaknesses of those without strength and not just please ourselves.

Quran 4 verse 32 " And do not covet that by which Allah has made some of you excel others; men shall have the benefits of what they earn and women shall have the benefits of what they earn and ask Allah of His grace. Surely, Allah knows all things"

WORKPLACE RIGHTS

WELFARE RIGHTS

If you become infected in a workplace, the employer shall provide medical support to you; it means the employer shall pay the costs of medical test, supply and treatment for the employee.



RIGHT TO COMPENSATION

If you get infected with HIV in the course of your work, you are entitled to compensation.

Deut. 16:20 Justice and only justice, you shall follow, that you may live and inherit the land that the Lord your God is giving you

PENALTY FOR DISRESPECTING HIV WORKPLACE POLICY

it is compulsory for an Employer of 5 or more employees to put in place a written workplace policy in line with the NATIONAL HIV and AIDS Workplace Policy within 12 months of this law or 12 months after it starts business and it must keep a copy with the Minister for approval. Failure to do so will attract a fine of not less than 10,000 and up to 500,000 Naira.

REASONABLE ACCOMMODATION

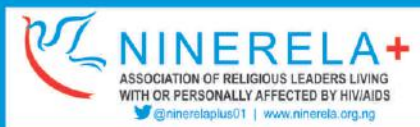


- Employers must ensure a Person Living with HIV (PLHIV) remain in employment as far as s/he is able to work, with reasonable accommodation being provided until no longer medically fit to carry out the work.
- Employers must ensure time is given for accessing treatment and care.

Micah 6:8 NIV He has showed you, O man, what is good. And what does the Lord require of you? To act justly and to love mercy and to walk humbly with your God.



For further clarification and assistance



NACA Helpline
6222



National Human Rights Commission
0807 709 1123 / 0807 709 1126 / 0807 569 7449