

Background / Objektives

During the last decade the knowledge of the ways of infection and risks concerning HIV and aids has strongly changed, the basic knowledge about the successful strategies in prevention has changed as well. Simultaneously the life situation of many people who are concerned with HIV and aids has improved because of the successful application of antiretroviral medicaments. During the early 1990ies there was a controversy debate about the question of whether and how infection with HIV and AIDS should be pursued by criminal law. HIV-

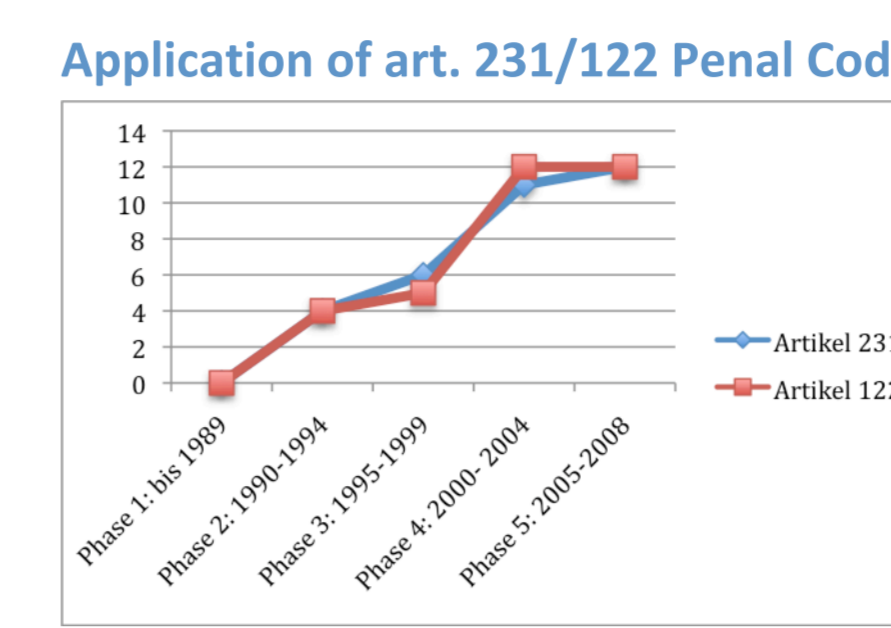
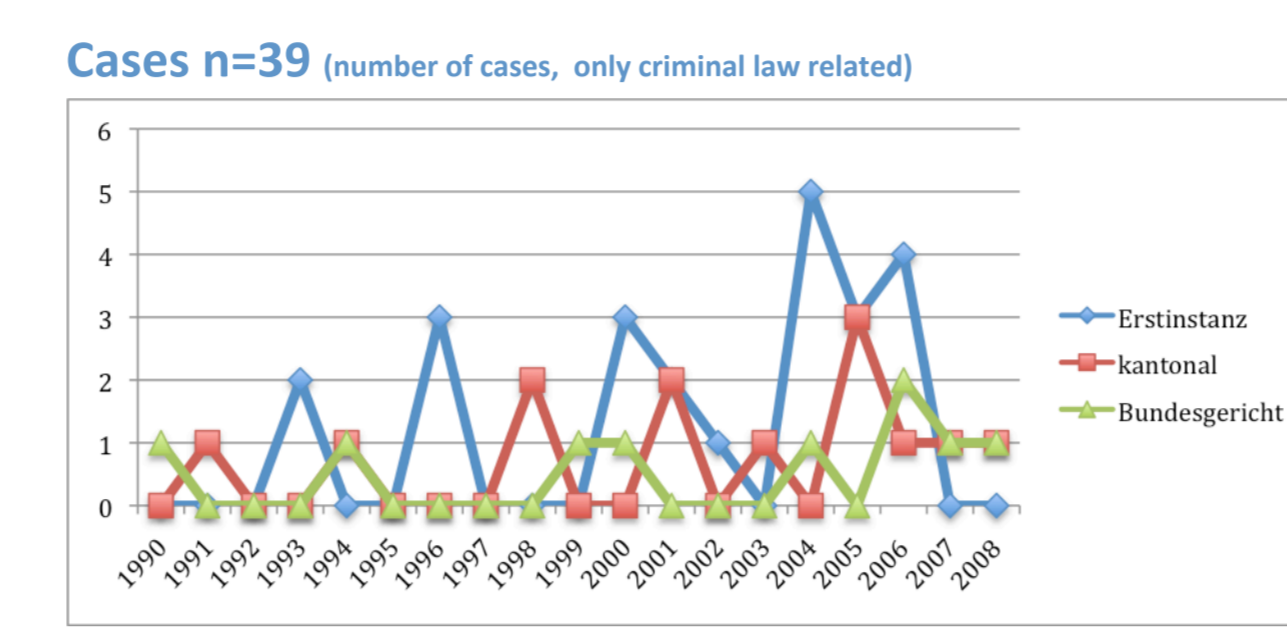
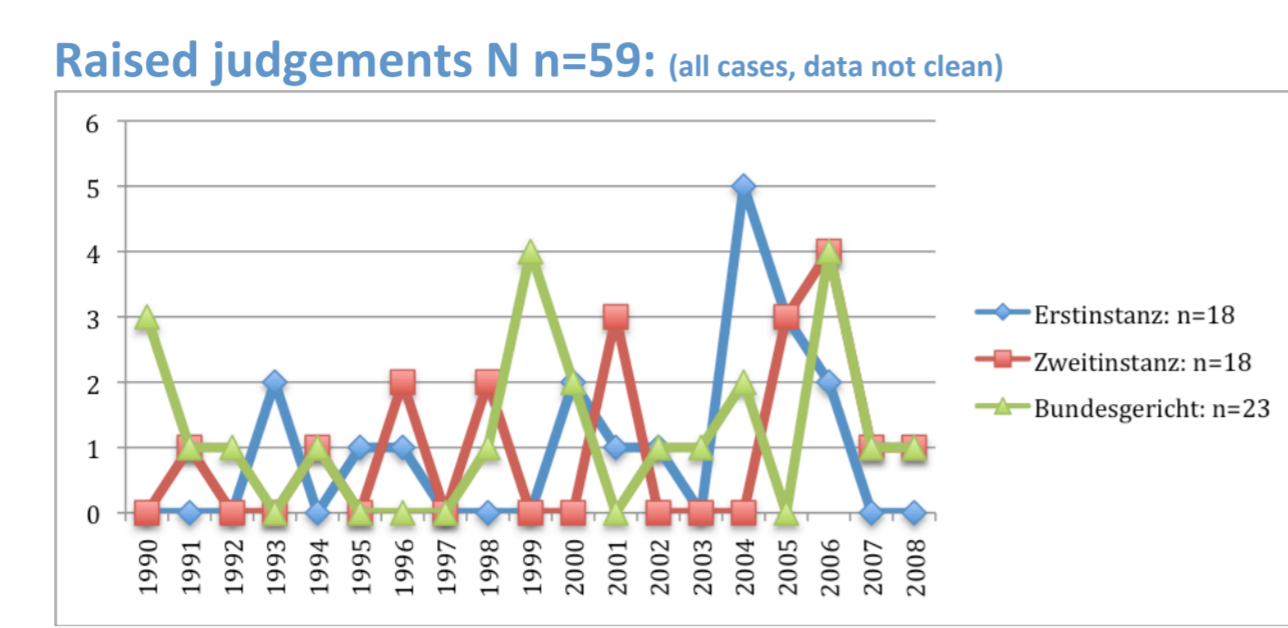
Transmission is punished as personal injury **and** as a crime against Public Health. The Corresponding article 231 of Swiss Penal Code has been used against cases of HIV transmission. Even if no mean intention is proved, it can be applied in any case of HIV transmission (successful or not) even in cases where both stable partners are fully aware of the situation.

Methods



First results

We asked the Federal High Court, 26 cantonal last-level courts and 90 first-instance courts about cases on crimes of HIV-Transmissions. The return run was about 60 percent. Overall we identified 59 judges, most of them where already known by the Swiss Aids-Foundation.



Conclusion

References