

Publication

The right not to know does not apply to HIV testing

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As it is well known, AIDS is a serious communicable disease caused by the HIV, which weakens the immune system. People living with AIDS become seriously ill with infections that most people can fight off. The virus is transmitted through sexual intercourse, contaminated blood transfusions, hypodermic needles and from mother to child during pregnancy, delivery or breastfeeding. There is still no cure for AIDS, but antiretroviral drugs offer a good prognosis if the virus is detected early. In the absence of such treatment, the average survival time after infection with HIV is 9–11 years. The issue of the right not to know is raised in connection to HIV testing because the realisation that one is HIV-positive can be traumatic for many people. Some studies report that around 30% of women tested for HIV in low/middle-income countries fail to return for the results, indicating that many of them choose not to know their test results when they are given several days or more to think about this decision. In addition, AIDS has a greater potential for discrimination and stigma than most communicable diseases. Hence, the interest of not knowing one's HIV status could be understandable, especially in societies in which the risk of being stigmatised or discriminated is high, or where antiretroviral drugs are not easily available.

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