



HIV AND GAY MEN AND OTHER MEN WHO HAVE SEX WITH MEN

HUMAN RIGHTS FACT SHEET SERIES

2024

OVERVIEW

Gay men and other men who have sex with men¹ are disproportionately impacted by HIV.



In 2022, **the risk of acquiring HIV was estimated to be 23 times higher**

for gay men and other men who have sex with men than for the rest of the adult population (aged 15–49 years).

Globally, the estimated annual number of new HIV infections among gay men and other men who have sex with men increased by 11% between 2010 and 2022 (1).



Under international human rights law, discrimination, harassment and violence occurring on the basis of sexual orientation are human rights violations.

This includes discrimination in criminal laws, justice, provision of health care, education and employment (2, 3). States have an obligation to protect against such discrimination and to ensure the equal realization of human rights for people of all sexual orientations.

Structural factors such as stigma, discrimination and violence based on sexual orientation and gender identity and expression and criminalization of same-sex relations hinder the availability of, access to and uptake of HIV prevention, testing, treatment, care and support services. Discrimination based on sexual orientation intersects with other forms of discrimination for different groups, including on the basis of race, gender identity and expression, age, HIV status, disability and socioeconomic status.

¹ Although this publication uses the term “gay men and other men who have sex with men”, people may identify with or use terms other than those in this document. Please see the 2024 UNAIDS Terminology Guidelines for more information on terms used by UNAIDS (13).

THE DATA



The risk of acquiring HIV in 2022 was

23 times higher

for gay men and other men who have sex with men compared with the rest of the adult population (aged 15–49 years) (2).

Globally in 2022, approximately 20% of new HIV infections were among gay men and other men who have sex with men (1).

In 2023, the global median HIV prevalence among gay men and other men who have sex with men was 8% (range 0–34%, 72 reporting countries) (4), compared with the estimated 0.7% among the adult population (15–49) generally (5). Globally, the annual number of estimated new HIV infections among gay men and other men who have sex with men increased by 11% between 2010 and 2022 (1).

Globally in 2023, the coverage and use of combination HIV prevention was low, with a median of

40% of gay men and other men who have sex with men

accessing at least two prevention services in the past three months (27 reporting countries) (4).

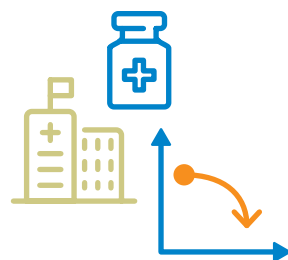
An estimated half of all gay men and other men who have sex with men globally are aware of pre-exposure prophylaxis (PrEP) (6).



As of June 2024,

63 COUNTRIES

criminalize consensual same-sex relations (9). There has been some progress, with seven countries repealing such laws between 2022 and 2024—but other countries have introduced or passed laws criminalizing and/or increasing the penalties for consensual same-sex relations (10, 11).



Antiretroviral therapy coverage in recent years was low among gay men and other men who have sex with men, with a global median of

65%

(range 1–98%, 42 reporting countries) (4).



Gay men and other men who have sex with men are at increased risk of stigma, discrimination and violence—often perpetrated due to their sexuality (4, 7, 8).

LINKING RIGHTS AND HEALTH OUTCOMES



A systematic review and meta-analysis found that **in Africa**, knowledge of HIV status among gay men and other men who have sex with men who are living with HIV was three times higher in countries with the least repressive laws relating to sexual orientation and gender identity than in countries with the most repressive laws (12).

A median of **16%** of gay men and other men who have sex with men recently reported experiencing stigma and discrimination in the past six months (21 reporting countries), and **9%** indicated they avoided accessing health-care services due to stigma and discrimination in the past 12 months (29 reporting countries) (4).



Criminalization can lead to negation of the existence of gay men and other men who have sex with men. A study comparing population size estimates for gay men and other men who have sex with men across 154 countries between 2007 and 2014 found that countries that criminalize same-sex relations were more likely to report implausibly low numbers of this population compared with countries that do not criminalize same-sex relations (15).



5x

An analysis of data from studies conducted between 2011 and 2020 in 10 African countries found that HIV prevalence among gay men and other men who have sex with men who live in countries that criminalize same-sex relations is five times higher than among those living in countries without such criminal penalties. Prevalence is 12 times higher in countries where there are recent prosecutions and 10 times higher where there are barriers to civil society organizations operating (14).

GLOBAL AIDS SOCIETAL ENABLER TARGETS 2025

Less than 10% of countries criminalize same-sex sexual behaviour.

Less than 10% of gay men and other men who have sex with men report experiencing stigma and discrimination.

Less than 10% of countries lack mechanisms to report abuse and discrimination and seek redress.

Less than 10% of gay men and other men who have sex with men lack access to legal services.

Less than 10% of health workers and law enforcement officers report negative attitudes towards gay men and other men who have sex with men.

Less than 10% of gay men and other men who have sex with men experience physical and sexual violence.

INTERNATIONAL RIGHTS, OBLIGATIONS, STANDARDS AND RECOMMENDATIONS



UNDER INTERNATIONAL HUMAN RIGHTS LAW,

discrimination on the basis of sexual orientation is a human rights violation (2).



States have an obligation to protect against such discrimination and to take positive steps to ensure the equal enjoyment of human rights for all gay men and other men who have sex with men, including in adolescence, and to protect them from violence and ill-treatment (16–18). This includes taking positive steps to prevent intersecting forms of discrimination and violence, including on the basis of gender identity and expression, race, disability and other characteristics.



International human rights mechanisms and experts have held that the **criminalization of same-sex relations violates a number of rights, including to privacy, non-discrimination and health, undermining the HIV response, and that states have an obligation to repeal such laws** (2, 19–21). States must introduce legal protections against discrimination on the grounds of sexual orientation (15, 16, 22). The World Health Organization (23), UNAIDS (24) and the Global Commission on HIV and the Law (25, 26) have made the same recommendations, as have the Office of the United Nations High Commissioner for Human Rights and multiple other United Nations agencies (27).

Unscientific and degrading practices, such as forced anal examinations and so-called “conversion therapies”, should be prohibited. United Nations human rights bodies and agencies have held such practices to be a form of cruel, degrading and inhuman treatment that can rise to the level of torture (28–31).

Gay men and other men who have sex with men have the right to accessible, acceptable, affordable and good-quality HIV, sexually transmitted infection and other sexual and reproductive health services without stigma or discrimination, specific to their needs. This includes access to comprehensive HIV information and services (e.g. condoms, lubricants and pre- and post-exposure prophylaxis), counselling, testing and antiretroviral therapy (23, 32–34). All services should protect the rights to privacy and confidentiality (33).

The right to participation means that organizations led by gay men and other men who have sex with men have the right to be involved and partners in the development, implementation and monitoring of HIV programmes and interventions, including service delivery. States have a responsibility for ensuring LGBTQIA+-led community-based organizations are well-resourced to provide services and support to members of their communities (16, 35).



KEY RESOURCES FOR FURTHER INFORMATION

- UNAIDS [Global AIDS strategy 2021–2026. End inequalities. End AIDS](#), 2021.
- UNAIDS and OHCHR [International guidelines on HIV/AIDS and human rights: 2006 consolidated version](#), 2006.
- WHO [Consolidated guidelines on HIV, viral hepatitis and STI prevention, diagnosis, treatment and care for key populations](#), 2022.
- United Nations [Joint statement on ending violence and discrimination against lesbian, gay, bisexual, transgender and intersex people](#), 2015.
- OHCHR [Born free and equal: sexual orientation, gender identity and sex characteristics in international human rights law](#), 2019.
- [The Yogyakarta Principles](#), 2006 and [The Yogyakarta Principles plus 10](#), 2017.
- UNFPA, Global Forum on MSM and HIV, UNDP, UNAIDS, WHO, United States Agency for International Development, et al. [Implementing comprehensive HIV/STI programmes with men who have sex with men: practical guidance for collaborative interventions](#), 2015.

This fact sheet is produced by UNAIDS as a reference on human rights and HIV in relation to gay men and other men who have sex with men. It does not include all recommendations and policies relevant to the issues covered. Please refer to the key resources listed above for further information.

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