

HIV LAW IN ARGENTINA

Updates

[Initiative registered for discussion](#). Agreement to discuss during April. During the presentation, the two majority groups (Front of all - official - and Together for change - opposition) supported the initiative. UNAIDS representatives for South America attended the presentation. [Government press release](#).
2022-03-29

13 Jun 2022 dictamen favorable en senadores

30 Jun 2022 approved in senadores

Background

- [Recent interview with Gustavo Lopez, legal coordinator at Nexo Civil Association](#)
2022-03-22

The bill has lost its place in the legislative agenda on various occasions and has not been discussed nor sanctioned. This is attributed to lack of political support and interest in the subject matter. The initiative is again presented at the new ordinary period for consideration

According to Gustavo Lopez “The law has already had several presentations and has never been as close to being dealt with as this time, this time. The project passed health and budget commissions for the first time in history, considering that it is a project prepared by civil society organisations that work on the issue, with the signature of legislators, and the approval of Anses (National Social Security Administration) and the Ministry of Health. But it was never treated. There always seems to be something urgent that leaves out what is important.”

“The loss of parliamentary status on four occasions has to do, on the one hand, with different situations that have occurred over the years, political-partisan in some cases, where consensus could not be reached to join all the blocks; the same with civil organisations and lastly, the last time it had to do with circumstances beyond the law itself and more to do with the functioning of Congress and the need to find a way for the Legislative Power to now move towards treatment and the enactment of the law on AIDS, Hepatitis, and STIs”

- [48 hours after losing parliamentary status, the HIV bill was reintroduced](#).
03/03/2022

With the signature of more than 40 deputies from almost all the blocks. They hope the project is dealt with in the first sessions of the year in the Lower House.

On several occasions over the past years, a number of organisations have presented a bill for a new HIV and Hepatitis law.

During the extraordinary period, the bill was also submitted for consideration, but lost “parliamentary status” (*see below*) due to the absence of extraordinary sessions in February.

Past March 3, the project was presented again with the support of about 30 deputies from almost all the blocks for consideration during the new ordinary period of sessions.

It is expected to have a half sanction in the first quarter of 2022.

The Congress of the Argentine Nation meets between March 1 and November 30 of each year. Extensions and extraordinary meetings are possible.

- [HJN previous entry](#)

Legislative process in argentina

The [stages to elaborate a Law in democracy](#) are the following:

1. **Presentation of a project** at the “Table of entries” of the Chamber of Deputies or the Senate.
2. **Commission treatment.** The project passes to one or more advisory commissions, which issue an opinion. Sometimes, when faced with issues of great urgency or relevance, a project can be dealt with “on tables” in the venue without having previously passed through the commissions.
3. **Parliamentary debate** in both chambers.

A bill approved in the chamber of origin is then discussed in the review chamber, which can approve, reject or return it with its corrections. If the project is not approved in either chamber, the initiative cannot be discussed in the same period of sessions (losing its “Parliamentary Status”).

A bill can have “Parliamentary Status” when it is presented in the chamber, usually, after being approved in one or two committees. They can only be discussed in the chamber (without a committee opinion) if the senators so vote due to the importance or national interest of the matter to be considered.

National Constitution of Argentina, relevant articles

Artículo 81.- Ningún proyecto de ley desechado totalmente por una de las cámaras podrá repetirse en las sesiones de aquel año. Ninguna de las cámaras puede desechar totalmente un proyecto que hubiera tenido origen en ella y luego hubiese sido adicionado o enmendado por la cámara revisora. Si el proyecto fuere objeto de adiciones o correcciones por la cámara revisora, deberá indicarse el resultado de la votación a fin de establecer si tales adiciones o correcciones fueron realizadas por mayoría absoluta de los presentes o por las dos terceras partes de los presentes. La cámara de origen podrá por mayoría absoluta de los presentes aprobar el proyecto con las adiciones o correcciones introducidas o insistir en la redacción originaria, a menos que las adiciones o correcciones las haya realizado la revisora por dos terceras partes de los presentes. En este último caso, el proyecto pasará al Poder Ejecutivo con las adiciones o correcciones de la cámara revisora, con el voto de las dos terceras partes de los presentes. La cámara de origen no podrá introducir nuevas adiciones o correcciones a las realizadas por la cámara revisora.

Artículo 82.- La voluntad de cada cámara debe manifestarse expresamente; se excluye, en todos los casos, la sanción tácita o ficta.

Artículo 83.- Desechado en el todo o parte un proyecto por el Poder Ejecutivo, vuelve con sus objeciones a la cámara de su origen; ésta lo discute de nuevo, y si lo confirma por mayoría de dos tercios de votos, pasa otra vez a la cámara de revisión. Si ambas cámaras lo sancionan por igual mayoría, el proyecto es ley y pasa al Poder Ejecutivo para su promulgación. Las votaciones de ambas cámaras serán en este caso nominales, por sí o por no; y tanto los nombres y fundamentos de los sufragantes como las objeciones del Poder Ejecutivo, se publicarán inmediatamente por la prensa. Si las cámaras difieren sobre las objeciones, el proyecto no podrá repetirse en las sesiones de aquel año.

LEY NACIONAL DE RESPUESTA INTEGRAL AL VIH, HEPATITIS VIRALES, OTRAS INFECCIONES

DISPOSICIONES

Fecha de sanción **30-06-2022**

Publicada en el Boletín Nacional del 18-Jul-2022

Resumen:

LEY NACIONAL DE RESPUESTA INTEGRAL AL VIH, HEPATITIS VIRALES, OTRAS INFECCIONES DE TRANSMISIO SEXUAL –ITS– Y TUBERCULOSIS –TBC–

[Texto completo de la norma](#)