



Mwayi's Story:

a short film about courage, women's rights, and HIV justice

Discussion Guide



Mwayi's Story is a story about courage and women standing up for their rights. The film is based on the story of a woman in Malawi who was prosecuted for briefly breastfeeding another woman's baby. After the case, the community campaigned to stop an HIV criminalisation statute from being passed.

Ultimately, *Mwayi's Story* is about HIV justice!

Watch *Mwayi's Story* here:

<https://www.youtube.com/watch?v=hK49aGJ8ctU>



Using this Discussion Guide:

Mwayi's Story can be used as an awareness-raising and educational resource in classes, webinars and workshops. This Discussion Guide was created to help facilitators lead conversations before and after viewing the film. Not all questions are suited to all audiences.



About the film

Production year:	2022
Run Time:	3 min 38 sec
Narrated by:	Upile Chisala
Illustrations by:	Phathu Nembiliwi
Directed and produced by:	Nicholas Feustel
Written by:	Alison Symington
With special thanks to:	Nyasha Chingore and Felicita Hikuam (ARASA – AIDS & Rights Alliance for Southern Africa), Sarai Chisala-Tempelhoff (Gender and Justice Unit, Malawi), Anneke Meerkotter (SALC – Southern Africa Litigation Centre)
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What is HIV criminalisation?

HIV criminalisation describes the unjust application of criminal laws, regulations and punitive policies against people living with HIV based on their HIV-positive status. Both HIV-specific criminal laws and other kinds of criminal laws and punitive policies are used against people living with HIV based on allegations of non-disclosure of their health condition, potential or perceived HIV exposure, or unintentional transmission.

HIV criminalisation is a barrier to HIV prevention, testing, treatment and care for all, and a human rights abuse.

At least 13 women have faced criminal charges in relation to breastfeeding or comfort nursing.



HIV and breastfeeding/chestfeeding

Infant feeding choices are complex and personal. Breast milk contains excellent nutrition, antibodies and immune cells, and has been shown to have widespread physical and psychological development benefits for children. There are HIV reservoirs in breast milk, however, that can result in HIV transmission.

The transmission risk depends on: the length and intensity of breastfeeding (in other words, the quantity of breast milk the baby drinks); the presence of inflammation in the woman's breasts and/or infant's gut; whether preventative medication is given to the child to prevent them from acquiring HIV; and whether the person breastfeeding has an undetectable viral load. Taking effective HIV treatment (known as 'antiretroviral therapy', or ARVs for short) is the most common way to achieve an undetectable viral load.

With an undetectable viral load, HIV transmission to a child through breast milk is unlikely.¹

Discussion questions

1. What emotions did you feel while watching the film?
2. What did you like best about the film? What did you like least about the film? Why?
3. Is criminal law a useful tool to prevent HIV transmission? Why or why not?
4. Mwayi was accused of "committing an act likely to spread an infectious disease dangerous to life" which was a crime in her country. Does that surprise you? Is it appropriate? Why or why not?
5. Are any of the following factors relevant to the case?
 - Mwayi was accused of feeding a child that was not her own.
 - The infant only latched briefly.
 - Mwayi did not intentionally breastfeed the child.
 - Mwayi was taking ARVs.
6. What information do people living with HIV need in order to make informed decisions about infant feeding?
7. What role did the community play in this situation? What role did allies play?
8. Does your country have laws that can be used to criminalise people living with HIV for alleged non-disclosure, exposure or transmission? Do these laws apply to breastfeeding?
9. Is anything that Mwayi experienced similar to something you have experienced? How are your experiences similar or different?
10. Is the story of this film unique to rural Malawi or could the story of this film have taken place in another country or setting?
11. After watching the film, are you inspired to take any action with respect to HIV criminalisation? If so, what action? How will you get started? Who should be involved? What do you hope to accomplish?



¹ This Discussion Guide is not medical advice. Please consult reputable medical sources for information to inform your infant feeding decisions.

Further resources

- HJN feature story on the case in Malawi: www.hivjustice.net/news/featu...
- Press release on the amended HIV law in Malawi: www.hivjustice.net/news/malaw...
- Breastfeeding Defence Toolkit: academy.hivjustice.net/toolkit/breastfeeding-defence/
- HIV Justice Academy: academy.hivjustice.net/
- “When law and science part ways: The criminalization of breastfeeding by women living with HIV” by A. Symington, N. Chingore-Munazvo & S. Moroz:
journals.sagepub.com/doi/10.1177/20499361221122481

Links

- Phathu Designs: www.phathudesigns.co.za/
- Upile Chisala: upilechisala.org/
- SALC: www.southernafricalitigationcentre.org/
- ARASA: arasa.info/
- The Gender and Justice Unit, Malawi: genderandjustice.org
- The Elizabeth Taylor AIDS Foundation: elizabethtayloraidsfoundation.org/
- Robert Carr Fund: robertcarrfund.org/
- HIV Justice Network (HJN): www.hivjustice.net
- HIV JUSTICE WORLDWIDE: www.hivjusticeworldwide.org



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