

SANDF HIV Discrimination Case

In May 2008, the High Court ruled against the South African National Defence Force's discriminatory policy of excluding HIV-positive persons from recruitment, external deployment and promotion in the military. The AIDS Law Project, representing the South African Security Forces Union and HIV-positive soldiers, had taken the SANDF to court because the matter is of national and international significance. The Court's order means that:

- The SANDF can no longer automatically exclude HIV positive people from recruitment, external deployment and promotion;
- That the individual applicants are entitled to immediate relief. In particular T.C.M. is to be employed as a trumpeter and Sipho Mthethwa is to be immediately reconsidered for external deployment; and
- The SANDF must amend its health classification policy within six months to allow for individualised health assessments of recruits and current members of the armed forces.

Further resources:

- The [ALP's statement](#) upon winning the case
- The [Court's full judgment](#)

- [SANDF](#)

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