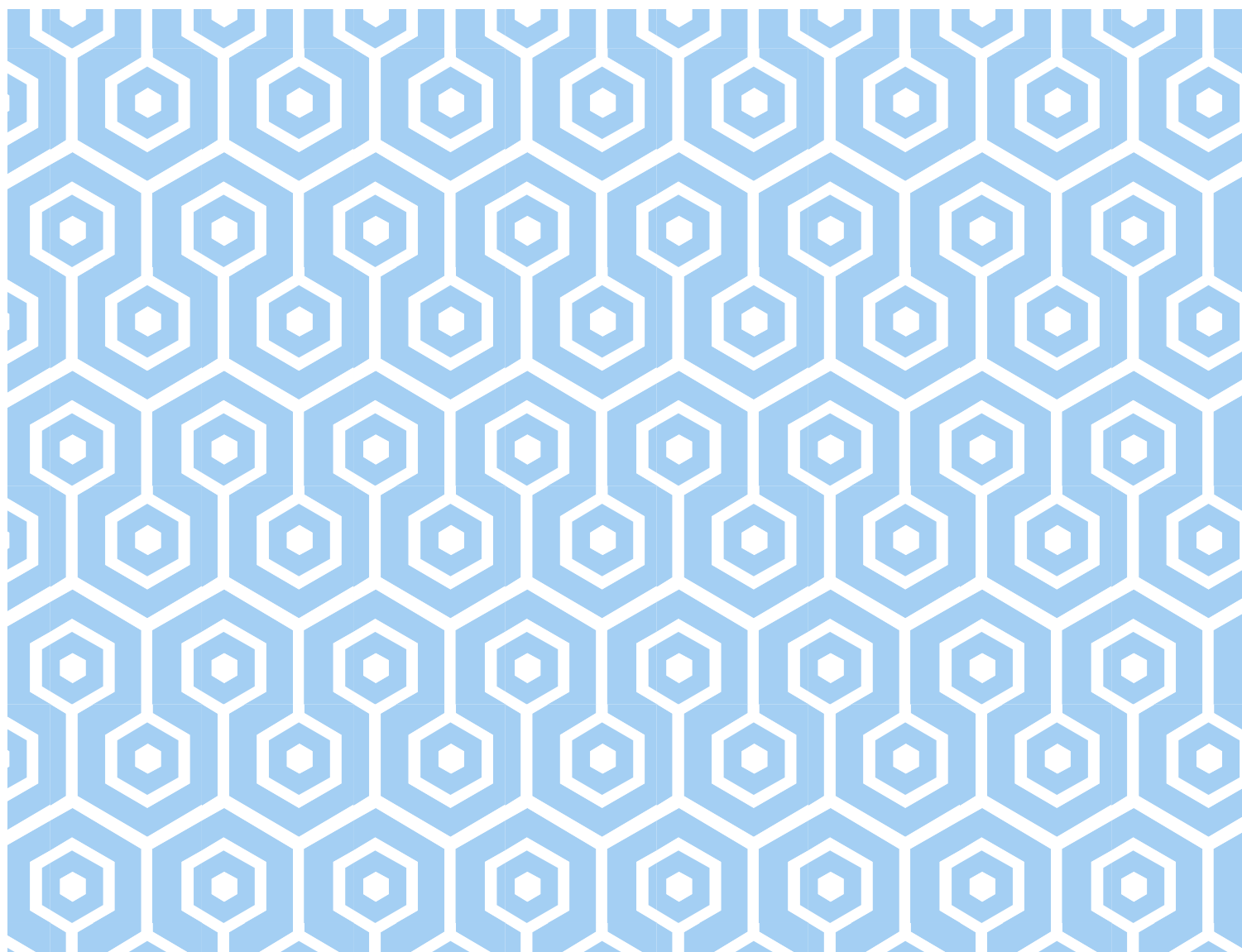


SNAPSHOT | #HLM2016AIDS

Ending AIDS, realizing rights



Unequal progress due to human rights barriers

In the past 15 years, global progress against AIDS has been significant. Yet achievements have been unequal. Throughout the world, stigma, discrimination and exclusion, as well as imbalanced power and gender relations, continue to make women and girls, young people and key populations vulnerable to HIV and hinder access to HIV prevention, treatment and care services.

Sustained and rebounding AIDS epidemics in many contexts and regions, such as the Middle East and North Africa and eastern Europe and central Asia, are fuelled by punitive laws, policies and practices that deny access to effective services to the people who need them most, including key populations.

An unprecedented opportunity to advance inclusion and social justice

Recognizing the importance of human rights and enabling political, legal and social environments for the response to HIV must now translate into effective programmes. To date, the promotion and protection of human rights and social justice in the AIDS response has been spearheaded by civil society and people living with HIV.

Their struggles and successes in breaking the conspiracy of silence on AIDS, demanding access to medicines and calling for global solidarity are the foundations upon which the AIDS response is anchored. While many governments have been leaders in promoting human rights in the AIDS response, much more commitment is needed from governments, donors and other stakeholders to ensure that human rights are central to efforts to end AIDS.

The AIDS response has demonstrated the importance and feasibility of overcoming human rights, gender-related and legal barriers to HIV services. The vision of zero discrimination put forward in the UNAIDS 2009–2015 Strategy and endorsed by the 2011 Political Declaration on HIV and AIDS has inspired action in advocacy, litigation and law reform for the right to health, including access to essential medicines.

The United Nations General Assembly High-Level Meeting on Ending AIDS, set to take place 8-10 June, offers a critical opportunity to ensure that efforts to end AIDS leave no one, no population and no location behind.



“The 2030 Agenda for Sustainable Development provides an unprecedented imperative and opportunity to expand rights-based HIV responses and strengthen links with human rights, social justice and rule-of-law movements. Leadership at all levels and across sectors must rise to the occasion.”

Ban Ki-moon, United Nations Secretary-General

No end of AIDS without Zero Discrimination

Efforts to end the AIDS epidemic will depend on political momentum for expanding the approaches and programmes that work to advance social justice and equality in the AIDS response and in global health.

Existing legal obligations and political commitments for human rights and gender equality—especially the rights to access health-related information and services, autonomy in decision-making and non-discrimination—must be translated into concrete strategies, programmes and actions. HIV testing, prevention, treatment and care programmes should be grounded in human rights principles and approaches.

Human rights programmes must address the misuse of the criminal law and its impact on human rights, public health and the AIDS response. Evidence-informed and rights-based responses call for an urgent reconsideration of the criminal law on the basis on justice, health and dignity.

Placing human rights at the centre of the AIDS response requires engagement at the highest levels among executive branches, members of parliament, political, religious and other community and health-care leaders and the judiciary. It also requires actions to engage stakeholders in health-care, workplace and educational settings to eliminate HIV-related stigma and discrimination. The voice and leadership of people living with HIV and other key populations remains essential to these efforts.

A survey of civil society organizations implementing HIV-related human rights programmes indicated that funding is insufficient and many organizations are under threat of downsizing or on the verge of extinction. Scaling up resources for human rights programmes and for community engagement will be critical.

Upholding the values of inclusion and social justice championed by civil society is fundamental to creating peaceful and stronger communities that advance dignity and share the benefit of wealth and health for all.



Human Rights Council guidance

In March 2016, the United Nations Human Rights Council held a panel mandated by resolution 30/8 to review the challenges and opportunities in advancing human rights in the AIDS response. The council stressed the following as guiding priorities to inform the discussions at the High-Level Meeting on Ending AIDS and negotiations of the Political Declaration on Ending AIDS:

- The AIDS epidemic is today more than ever characterized by stigma and discrimination. People living with HIV and the people most vulnerable to HIV, including, among others, women and girls, sex workers, lesbian, gay, bisexual and transgender people, people who inject drugs, and people in detention, face high levels of stigma and discrimination. Addressing stigma and discrimination in all aspects of life and society, including in health-care settings, is therefore essential for ending AIDS by 2030.
- Ensuring universal health coverage is fundamental to an effective AIDS response, and every person should have access to appropriate medical attention and services. Special approaches are needed to reach marginalized groups and other populations being left behind, since they face greater barriers to accessing health care, and these groups should be engaged to participate in the design and implementation of policies to respond to HIV.
- Access to medicines for all is essential to ending AIDS and to realizing the right to health. Scientific freedom, which has led to the advancement of health products and technologies, comes with the associated right for all to enjoy its benefits and applications. Intellectual property rights must not be allowed to take precedence over public health and the right for all people living with HIV to have access to life-saving medicines.
- It is essential to maintain efforts to review and reform laws, policies and practices that adversely affect the successful, effective and equitable delivery of HIV prevention, treatment, care and support programmes to people living with HIV and key populations, including criminalizing legislation against, among others, drug users, same-sex sexual relations, sex workers and HIV non-disclosure, exposure or transmission.
- Human rights programmes that have proven successful in addressing vulnerability to HIV and barriers to access to HIV services need to be scaled up and adequately funded. This should include programmes aimed at eliminating stigma and discrimination against people living with and affected by HIV and their families, including by sensitizing police and judges, training health-care workers in non-discrimination, confidentiality and informed consent, supporting national human rights learning campaigns, legal literacy and legal services, and monitoring the impact of the legal environment on HIV prevention, treatment, care and support.

KEY FACTS

1 in 8

The number of people living with HIV who report being denied health care

68%

The percentage of countries reported to have non-discrimination laws or regulations that specify protections for people living with HIV in 2014.

75

The number of countries that criminalize same-sex sexual relations.

72

The number of countries with laws specifically criminalizing HIV non-disclosure, exposure or transmission.

35

The number of countries that impose HIV-related travel restrictions.

Unless otherwise indicated, all data from April 2016

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