



## GLOBAL COMMISSION ON HIV AND THE LAW

UNDP, HIV/AIDS Practice  
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### Officials, experts call for better HIV law, action in Latin America



*Credits: Daniel de Castro*

*Sao Paulo, Brazil, 27 July 2011*—Eighty-nine officials and experts from 18 Latin American countries concluded two days of talks here Monday calling for an end to violence and discrimination against people living with HIV and better access to potentially life-saving HIV treatments.

*“It is no coincidence that the Global Commission on HIV & the Law is convening its regional dialogue in Brazil,”* Heraldo Munoz, Director of the UN Development Programme (UNDP) Regional Bureau for Latin America & the Caribbean, told a Global Commission on HIV & the Law Regional Dialogue here June 26-27.

“Brazil’s commitment to respecting human rights and addressing the underlying inequalities that fuel the epidemic has set their HIV prevention and treatment efforts apart from those of many other countries and, most importantly, have led to tangible reductions in infection rates.”

Representatives from Argentina, Brazil, Bolivia, Chile, Columbia, Cuba, the Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay, and Venezuela all took part in the fourth of seven regional dialogues convened by UNDP on behalf of the Joint UN Programme on HIV/AIDS (UNAIDS).

The discussions, moderated by former CNN Español journalist Jorge Gestoso, will inform deliberations by the Global Commission on HIV & the Law. A town hall-style format aims to foster genuine dialogue in which all participants may share experiences, views, and concerns and identify innovative ways in which law and policy can effectively contribute to achieving better HIV, health, and development outcomes.

*“If we don’t confront the uncomfortable inequalities, injustices, and stigmatizing norms of our societies and institutions which have been long denied, our fragile HIV and development gains will be lost and the cost—human and financial—will exact a terrible toll, which could have been prevented,”* Commissioner Ana Elena Chacon Ecchevaria of Costa Rica said.

#### **Participants concluded that:**

- Countries must invest in implementing laws to protect people who are stigmatized, discriminated against, and criminalized
- Criminalization of people living with HIV—including women, youths, male, female, and transgender sex workers, and gay and transgender people—remains a barrier to effective HIV responses and is linked to increased violence experienced by these groups
- Violence against people living with HIV—including women, youths, male, female, and transgender sex workers, and gay and transgender people—remains a major barrier to effective HIV responses and must be stopped, with zero tolerance for police violence



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- Where laws are causing harm and legal contradictions result in increased vulnerability and human rights violations, these laws must be changed
- Religious and cultural influences on laws and law enforcement that result in greater HIV vulnerability and risk must stop
- Intellectual property law and policy must not impede universal access to life-saving anti-retroviral treatment

Although UNAIDS says that HIV is a relatively stable epidemic in Latin America, the number of people living with HIV increased from 1.1 million to 1.4 million, from 2001 to 2009. Key populations such as men who have sex with men, trans people, sex workers, and drug users continue to experience much higher rates of HIV than the general population. One-third of all HIV-positive people in the region live in Brazil, and an estimated 550,000 women are living with HIV in Latin America.

*“If laws are not able to express a modern thought, that is humane, a thought that takes into account human rights and eliminates repressive policies and practices, we will not see progress in HIV and development,”* former Brazilian President Fernando Henrique Cardoso, chair of the Global Commission on HIV & the Law, noted in his remarks.

