Statement by **Dr Margaret Chan**, Director-General, **World Health Organization**

World AIDS Day 2010

On **World AIDS Day 2010**, the **global community is focusing attention on protecting human rights of all people affected by HIV** .

Health, HIV and human rights are inextricably linked. HIV responses need to ensure that human rights are protected and promoted. At the same time, the promotion and protection of human rights reduces HIV risk and vulnerability and makes HIV programmes more effective. Those populations most vulnerable and at risk of HIV are often the same populations prone to human rights violations. HIV policies and programmes in the health sector must promote human rights and empower individuals to exercise their rights.

The right to health is central to the HIV response. While we are encouraged by news that HIV epidemics are stabilizing in most regions of the world, it is clear that too many people still do not have access to essential HIV services that can prevent HIV infections and save lives. Antiretroviral treatment is still only available to one third of people in need. Even with the

expansion of programmes to prevent mother-to-child transmission of HIV, in 2009 only 53% of pregnant women living with HIV were able to access treatment to prevent their infants from becoming infected.

Populations most at risk of HIV infection, including injecting drug users, sex workers, men who have sex with men and transgender people are also those populations who have the least access to much needed HIV prevention, treatment and care services. For example, coverage of harm reduction programmes remained limited in 2009. Among 92 countries that reported, 36 had needle and syringe programmes and 33 offered opioid substitution therapy.

People living with HIV should not only enjoy their right to health but also their right to access crucial social services such as education, employment, housing, social security and even asylum in some cases. Ensuring the rights of people living with HIV is good public health practice, by improving the health and well-being of those affected and by making prevention efforts more effective. A wide range of countries have enacted legislation to prevent discrimination against people living with HIV. However, in many cases, there is poor enforcements of such laws and stigmatization of people living with HIV and most-at-risk populations persist.

HIV-related stigma and discrimination continue to undermine HIV responses. The fear of being shunned by their families and friends, marginalized in their communities or denied employment and other services is often the reason why people do not present for HIV testing or attend HIV services. All too often it is the negative attitudes and behaviours of health workers that make health services inaccessible and unacceptable to those people at greatest risk of HIV infection and in greatest need of prevention, treatment and care services. People living with HIV, drug users, sex workers and men who have sex with men should be able to attend health services where they feel safe and are ensured the best possible and non-judgmental care.

The failure to promote and protect human rights increases vulnerability and can drive HIV epidemics. In sub-Saharan Africa, women and girls are particularly vulnerable to HIV; 80% of all women living with HIV are in this region. In Eastern Europe, over 50% of HIV cases are among people who inject drugs. In France, Netherlands and Spain, between 1/3 and ¾ of new HIV infections are concentrated among migrants.

On the eve of a new decade, we need to address laws, policies, and regulations that increase HIV vulnerability and risk, impede access to health services or infringe on human rights, particularly for vulnerable and most-at-risk populations. In nearly 80 countries, same-sex sexual relations are criminalized, with 6 countries applying the death penalty. In over 50 countries and territories, there are restrictions on travel and residence for people living with HIV. In many countries drug users are sent to prison or compulsory rehabilitation programmes rather than being provided with effective treatment. The health sector has a critical role to play in promoting public health approaches and arguments when laws are made and strategies developed by other sectors.

Today, I call on all sectors to protect human rights, including the right to health, and to combat discrimination. Working with people living with HIV is critical for an effective HIV response and Member States need to be mindful of the commitments made in the 2006 Political Declaration on HIV/AIDS to promote better legal and social environments for people to access HIV testing, prevention and treatment.

WHO is firmly committed to the goal of achieving universal access to key HIV services. However, this will not be possible unless we make sure that the human rights of everyone, everywhere, are protected and promoted.