

Human Rights and the Implementation of the Global Plan Towards the Elimination of New HIV Infections Among Children by 2015 and Keep their Mothers Alive



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The Global Plan towards Elimination of New HIV infections among Children by 2015 and Keeping their Mothers Alive (the Global Plan)

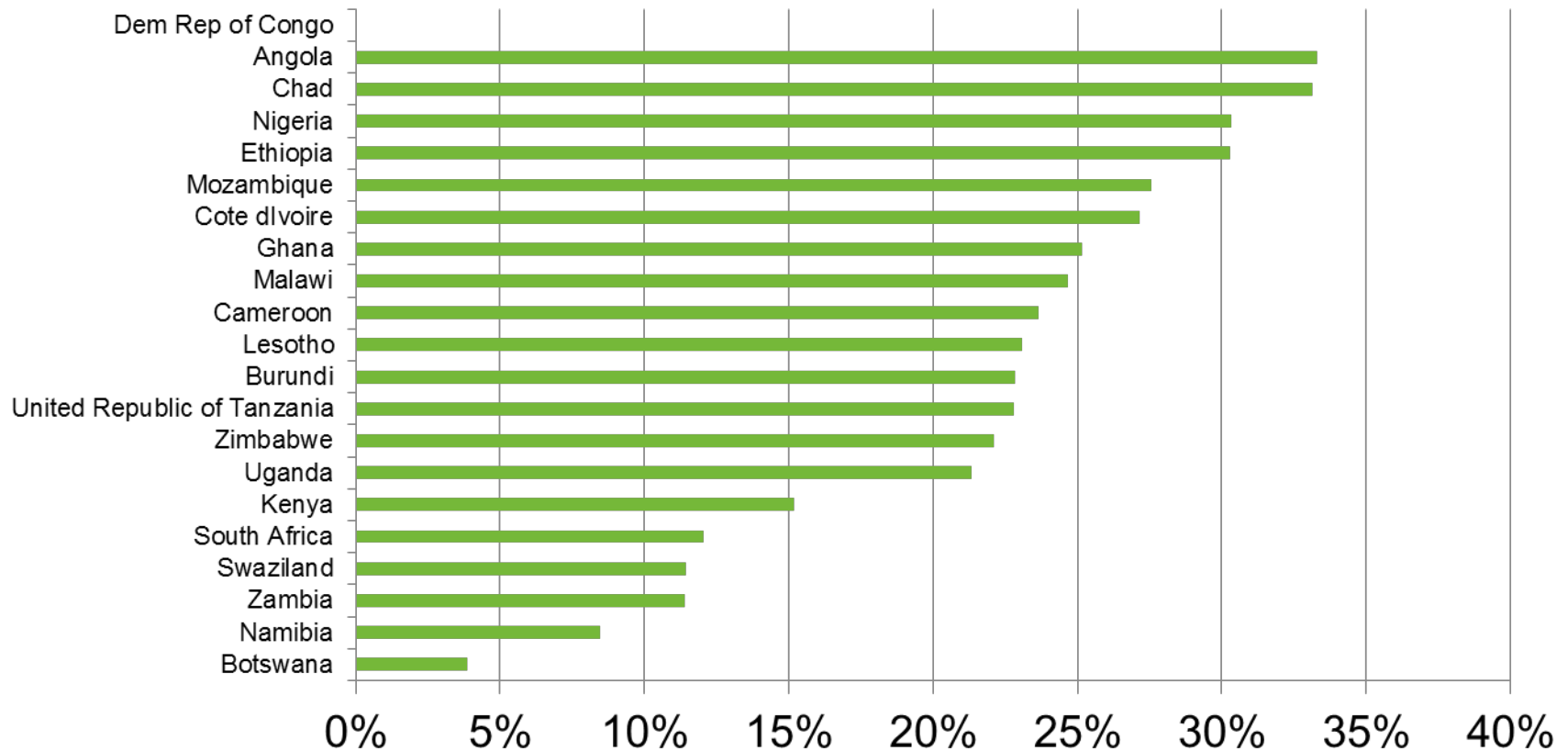
Roadmap that provides the foundation for country-led movements to ensure that children are born without and remain free of HIV and their mothers are supported to remain healthy

2 Global targets:

- 1. Reduce the number of new HIV infections among children by 90%**
- 2. Reduce the number of AIDS-related maternal deaths by 50%**

MTCT transmission rates are still high

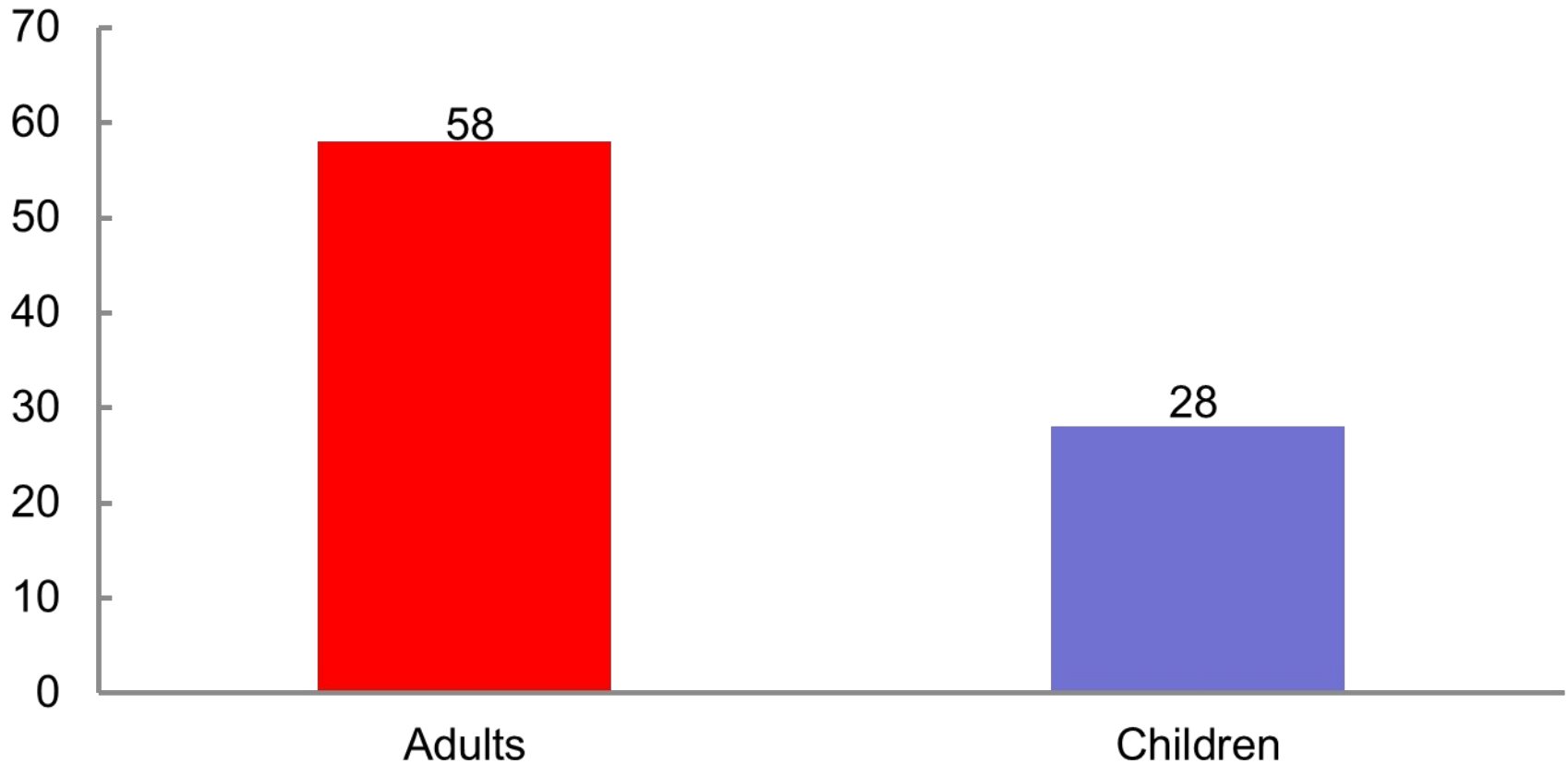
MTCT rate (percent)



Source: UNAIDS Estimates 2012

Percent of those eligible receiving ART for their own health

ART coverage (percent)



Source: UNAIDS estimates 2012

Key actions needed to reach the Global Plan goals

- Strengthen all efforts but pay special attention to the lagging countries
- Strengthen efforts to reduce unmet need for family planning
Limited data on unmet need among women living with HIV
- Increase coverage of prophylaxis during breastfeeding
- Ensure eligible children receive ART
 - Increasing early infant diagnosis from 35% to higher levels will improve ART uptake
 - Ensure diagnosis is linked to treatment

International human rights law



National constitution



National laws & policies



State practice



CEDAW

Article 12 States Parties shall

- 1. ensure...access to health care services, including those related to family planning.**
- 2. ensure to women appropriate services in connection with pregnancy...granting free services where necessary, as well as adequate nutrition during pregnancy and lactation.**

Human Rights:

- The right to life, survival, and development
- The right to equality and freedom from discrimination
- Freedom of movement
- The right to bodily integrity and security of the person
- The right to an identity
- The right to privacy
- Freedom to seek, receive & impart information
- The right to informed consent
- The right to food
- The right to social security
- Freedom from torture & inhuman & degrading treatment
- The right to association
- The right to the benefits of scientific progress
- The right to education
- The right to participation

Challenges to accessing health services

- **Low socio-economic status of women in many settings**
- **Harmful gender norms and cultural barriers to equality in public and private spheres**
- **Discriminatory legal and social norms, including in family law, inheritance and property rights**
- **Women lacking power and agency to make independent, informed decisions about sexual and reproductive health**
- **Women lacking knowledge of their rights to demand and access appropriate and quality health care services**

Elements of the Right to Health

- **Availability**
 - Sufficient quantity
- **Accessibility**
 - Affordability; non-discrimination; physical accessibility; information accessibility
- **Acceptability**
- **Quality**

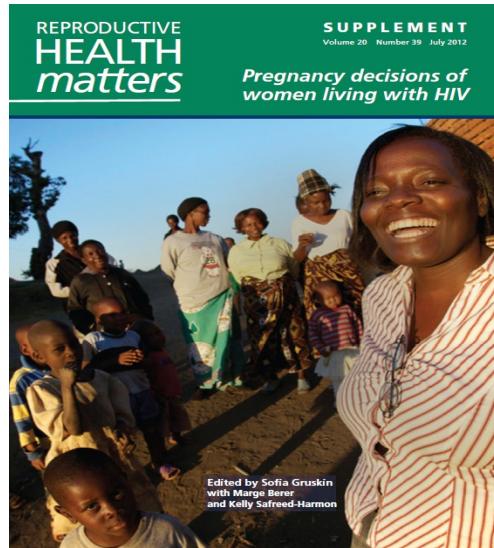
(General Comment 14, CESCR)

Principle of progressive realization

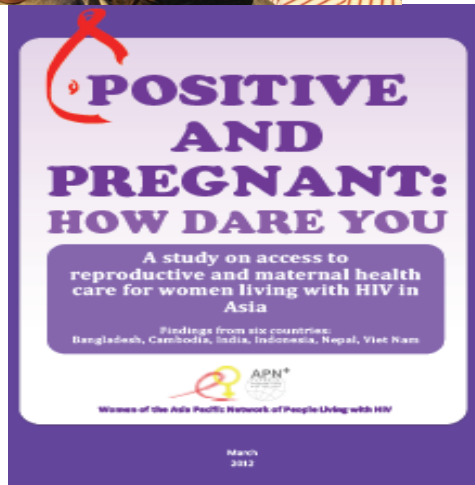
- **Obligation to take steps using the maximum available resources with a view to achieving progressively the full realization of the rights**
- **Deliberate, concrete & targeted steps**
- **Important to distinguish government *incapacity vs. unwillingness***
- **Use indicators (structural, process & outcome) and benchmarks**



Human rights in the context of services



- **Stigma, judgemental, condemnatory, discriminatory, neglectful attitudes and behaviours towards pregnant women living with HIV in health care facilities**
- **Insufficient info and counselling on full range of sexual and reproductive health issues**
- **Sterilisation or abortion without their informed consent**
- **Lack of informed consent to HIV testing and treatment**
- **Lack of confidentiality**



Why address human rights challenges in the context of HIV treatment?

- **Women living with HIV have human rights**
- **Govts obligated to respect, protect and fulfil human rights**
- **No evidence that coercive legal and practices help to reach eMTCT goals**
- **Deter women from seeking services due to fear of judgement, breach of confidentiality, coercion, or involuntary sterilisation**
- **Distrust towards health care workers and eMTCT compromise uptake and adherence, and may increase loss to follow-up**
- **Programmes to support human rights are necessary to critically enable effective biomedical programmes**

Ways forward ...

- **Making available integrated and quality health services**
- **Training of health care workers on non-discrimination, confidentiality, informed consent and other human rights and ethical principles**
- **Empowering women living with HIV to know their rights and local laws through legal literacy, patient rights information, and legal services programmes**
- **Addressing and reforming laws, policies and practices that negatively impact human rights in the context of HIV treatment**



To advance human rights...



- **Engaging community-based organisations, including networks of women living with HIV, to support patients and health care workers in improving access, uptake, quality and effectiveness of services**
- **Meaningfully engaging women living with HIV, human rights groups and women's organisations in the development and implementation of treatment programmes**
- **Monitoring and evaluating human rights issues within eMTCT programmes to ensure that they are documented and addressed**

Thank You!