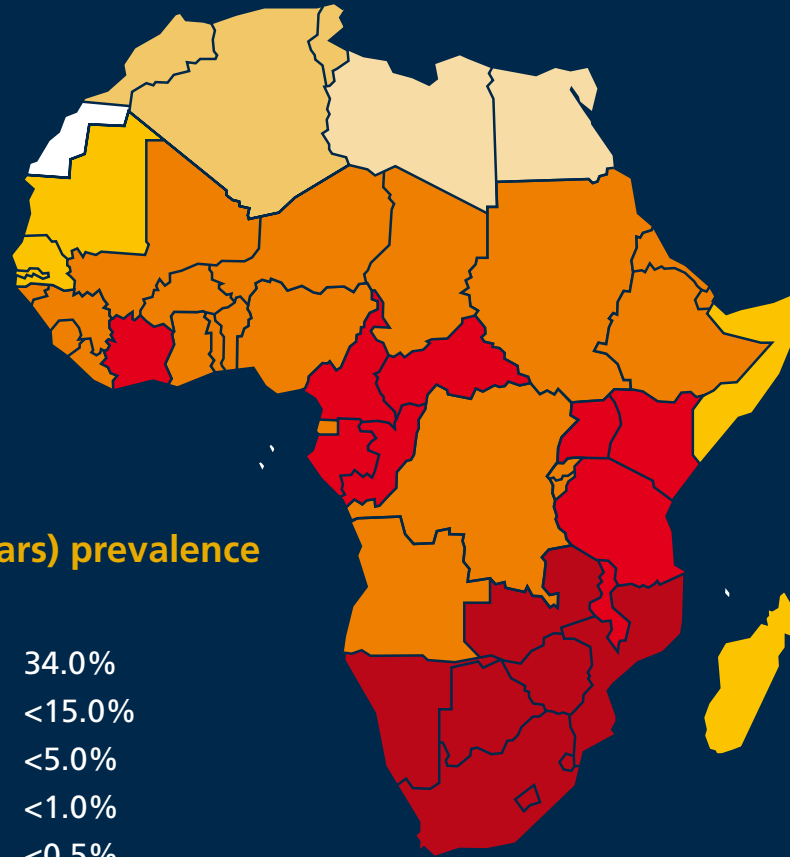
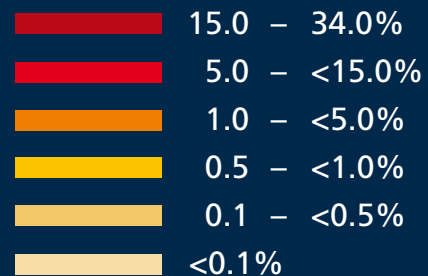


Supporting the response  
to the HIV epidemic in  
Eastern and Southern  
Africa through the  
international human  
rights framework



# The HIV epidemic in Eastern and Southern Africa

## Adult (15-49 years) prevalence % in 2005



## Number of children (0-17 years) orphaned by AIDS in selected countries in 2005

Angola	160 000
Botswana	120 000
Burundi	120 000
DRC	680 000
Kenya	1 100 000
Malawi	550 000
Mozambique	510 000
Rwanda	210 000
South Africa	1 200 000
Uganda	1 000 000
Tanzania	1 100 000
Zambia	710 000
Zimbabwe	1 100 000



Source: UNAIDS, 2006 report on the global AIDS epidemic



# Human rights and human rights law

## Human rights

Universal – birthright of all human beings

Inherent dignity and equal worth of all human beings

Inalienable, indivisible and interdependent

## Human rights law

Performance standards for duty-bearers at all levels of society, but especially organs of the state

Grants justiciable legal guarantees to every individual as a rights-holder

Serves as a basis for accountability

Codified in international, regional and national legal systems





# HIV and human rights

International  
human rights  
law norms

Treaties (with general comments)

Declarations and similar documents

Human rights  
obligations

Respect: Obligation not to infringe on the rights

Protect: Ensure protection against violations from others

Promote: Create enabling environment for the rights to be enjoyed

Fulfil: Provide for the actual enjoyment of the right by people





# Linkages between HIV and human rights: HIV is a gendered and human rights issue

Human rights violations lead to spread of HIV



## Human rights violations

- Stigma, discrimination
- Marginalisation and denial of health and other services based on HIV status

## HIV infection

- Those at risk of HIV unable to protect themselves and others
- Effective HIV prevention, treatment and care services are undermined



HIV leads to human rights violations



# Human rights and HIV

## Human rights under threat in the context of HIV

- Calls for a return to ‘**traditional public health response**’
  - Routine testing
  - Compulsory disclosure / shared confidentiality
  - Criminalisation of HIV transmission
- Coercive measures lead to symbolic actions and **Highly Ineffective Laws (HIL)**
- Coercion will have very limited success to address root causes
- **Individual autonomy** is the basis of a **human rights-based approach**





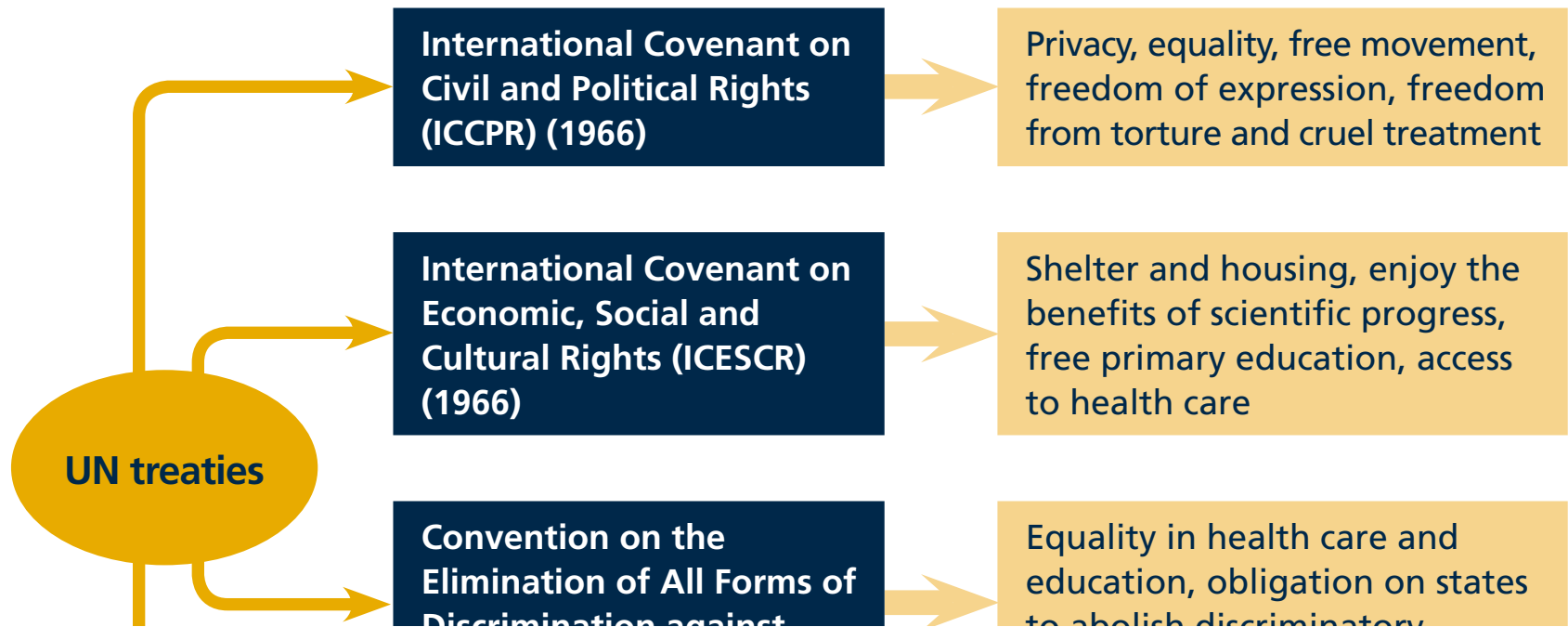
# An overview of the three levels of international human rights

Level	Organisation/agency	Documents
Global level	United Nations (UN)	Common documents: Can be adopted within <b>all</b> these organisations <ul style="list-style-type: none"> <li>• Treaties (binding documents)</li> <li>• Resolutions and similar documents (non binding documents)</li> </ul>
	International Labour Organisation (ILO)	
	World Trade Organisation (WTO)	
Regional level	African Union (AU)	Specific documents: Can be adopted or issued by specific organs within <b>some</b> (not all) of these organisations <ul style="list-style-type: none"> <li>• General comments</li> <li>• Concluding observations</li> </ul>
Sub-regional level	Common Market of Eastern and Southern Africa (COMESA)	
	East African Community (EAC)	
	Intergovernmental Authority on Development (IGAD)	
	Southern African Development Community (SADC)	



# Human rights standards at the global level

## UN treaties



预览已结束，完整报告链接和二维码如下：

[https://www.yunbaogao.cn/report/index/report?reportId=5\\_12916](https://www.yunbaogao.cn/report/index/report?reportId=5_12916)

