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Economic and Social Commission for Asia and the Pacific

Joint United Nations Programme on HIV/AIDS

United Nations Development Programme

Expert Group Meeting on the Implementation of the Outcome of the Asia-Pacific High-level Intergovernmental Meeting on the Assessment of Progress against Commitments in the Political Declaration on HIV/AIDS and the Millennium Development Goals

11 December 2013

Bangkok

**REPORT OF THE EXPERT GROUP MEETING ON THE IMPLEMENTATION OF
THE OUTCOME OF THE ASIA-PACIFIC HIGH-LEVEL INTERGOVERNMENTAL
MEETING ON THE ASSESSMENT OF PROGRESS AGAINST COMMITMENTS
IN THE POLITICAL DECLARATION ON HIV/AIDS AND
THE MILLENNIUM DEVELOPMENT GOALS**

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I. BACKGROUND

1. The Expert Group Meeting on the Implementation of the Outcome of the Asia-Pacific High-level Intergovernmental Meeting on the Assessment of Progress against Commitments in the Political Declaration on HIV/AIDS and the Millennium Development Goals, was organized by the Economic and Social Commission for Asia and the Pacific (ESCAP) in cooperation with UNAIDS and UNDP, on 11 December 2013 in Bangkok.

2. The Meeting was attended by experts and stakeholders from the United Nations system as well as regional networks of civil society organizations (CSOs). The list of participants is attached as Annex I.

II. OVERVIEW OF THE MEETING

3. On behalf of the organizers, Mr. Srinivas Tata, Chief, Social Policy and Population Section, Social Development Division (SDD), ESCAP, welcomed participants and partners to the Meeting. He briefly outlined the background, main objectives and the proposed structure of the Meeting. The objectives of the Expert Group Meeting were to take stock of the current status of the implementation of the ESCAP Roadmap to 2015, and to discuss status of other relevant region-specific and international processes affecting the delivery on HIV-related commitments, including the Eleventh International Congress on AIDS in Asia and the Pacific and the discussions of the Open Working Group on Sustainable Development Goals. Mr. Tata noted that the expected outcomes of the Meeting included an increased awareness among stakeholders from the Asia-Pacific region of the implementation of the Outcome of the Asia-Pacific High-level Intergovernmental Meeting on the Assessment of Progress against Commitments in the Political Declaration on HIV/AIDS and the Millennium Development Goals, including the key legal and policy barriers to universal access to HIV and AIDS prevention, treatment, care and support; and a draft strategy for the organization of the 2014 inclusive regional intergovernmental meeting on national efforts and progress to address the HIV epidemic, and its preparatory process.

4. Ms. Maren Jiménez, Social Affairs Officer, SDD, ESCAP, explained that, during the High-level Intergovernmental Meeting on Assessment of Progress against Commitments in the Political Declaration on HIV/AIDS and the Millennium Development Goals, held from 6 to 8 February 2012 in Bangkok, Asia-Pacific countries adopted a regional framework for action on HIV and AIDS. Ms. Jiménez explained that this framework, or “ESCAP roadmap to 2015”, was designed to support the ESCAP members and associated members in the implementation of the 2011 Political Declaration on HIV/AIDS and ESCAP resolutions 66/10 and 67/9. The presenter noted that the ESCAP roadmap included an inclusive regional intergovernmental review meeting on national efforts and progress to address the HIV epidemic to be convened by ESCAP in late 2014. Ms. Jiménez ended by noting that the outcome of the regional intergovernmental review meeting would be submitted for consideration by the Commission at its seventy-first session in 2015. The Commission, at that session, could decide to submit a regional input for the 2015 General Assembly global review of progress in achieving the Millennium Development Goals.

5. The participants agreed that the ESCAP roadmap should serve as a tool to bolster civil society advocacy efforts at the national level in order to remind countries of the commitments made in the ESCAP resolutions.

6. In the discussion that followed, a question was raised regarding plans for a survey on the implementation of the 2011 Political Declaration on HIV/AIDS and ESCAP resolutions 66/10 and 67/9. There was consensus that the planned survey on the implementation of ESCAP resolutions 66/10 and 67/9 should focus on commitments included in the ESCAP resolutions not reviewed in depth in the mid-term review of implementation of the Declaration, such as progress towards addressing critical legal and policy barriers to HIV services, coverage of key populations and the financing of HIV responses. In addition, it was mentioned that, where possible, synergies should be ensured with other ongoing processes, such as the 2014 review of the implementation of the Beijing Platform for Action in Asia and the Pacific. It was also recommended that the planned survey methodology draw upon lessons learned from previous experiences, such as the recent survey on

disability in the Asia-Pacific region, in which both Governments and civil society provided responses.

7. In addition, UNDP reported that it had recently conducted a review on lessons learned in achieving Millennium Development Goal 6, particularly with regard to HIV and governance. Among the findings highlighted was the success in meeting Millennium Development Goal 6 through strong national leadership, the participation of people living with HIV and AIDS and community-based organizations, and the focus on the social determinants of health. It was suggested that the findings of the forthcoming white paper on this issue could inform the planned survey on the implementation of ESCAP resolutions 66/10 and 67/9.

III. COUNTRY EXPERIENCES IN CONDUCTING NATIONAL REVIEWS AND CONSULTATIONS ON LEGAL AND POLICY BARRIERS TO UNIVERSAL ACCESS TO HIV SERVICES

8. The session was facilitated by Mr. Edmund Settle, Policy Adviser – HIV, Rights, Law and Sexual Diversity, UNDP Asia-Pacific Regional Center.

9. Ms. Brianna Harrison, Human Rights and Law Advisor, UNAIDS Regional Support Team for Asia and the Pacific, presented the progress made in conducting national reviews and consultations on legal and policy barriers to universal access to HIV services. She stated that a variety of different approaches and models had been used in the 18 countries in Asia and the Pacific that had conducted at least one national review or consultation. The presenter mentioned that some countries had only conducted the written review to date, whilst others had moved straight to the consultation stage; most countries had, however, linked the two processes. The organizers noted that documentation from national reviews and consultations were available through the AIDS Data Hub website (aidsdatahub.org/thematic-areas/legal-environment) and ESCAP website (<http://www.unescapsdd.org/hiv/reviews-consultations-legal-barriers-hiv>).

10. She noted that intellectual property issues were generally not well covered in the national reviews and consultations as they were perceived to be too technically complex and/or requiring the involvement of different stakeholders. Thus, addressing intellectual property issues during the national consultations would risk the loss of focus on targeted interventions for key populations. Recognizing this, Ms. Harrison informed the Meeting that UNDP and UNAIDS had been supporting governments to hold separate consultations on intellectual property issues, including the Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPS), as legal and policy barriers to access to treatment, and to link these dialogues with broader processes. Reviews or consultations specific to intellectual property issues had been held in several countries in the region, including China, Cambodia, Indonesia, Myanmar, Papua New Guinea, and Viet Nam.

11. Ms. Harrison reviewed the successful aspects of the national consultations conducted in the region to date, including Government leadership and participation in steering committees to organize national reviews and consultations in countries such as Bangladesh, Cambodia, Indonesia and Myanmar, the pooling of funding and leveraging of resources, the active engagement of communities in planning and participating in consultations, and the creation of linkages with existing national coordination mechanisms. Additionally, the Ad Hoc United Nations Regional Interagency Team on AIDS (UN-RITA) on Enabling Legal Environments, chaired by UNDP and ESCAP and supported by the UNAIDS Regional Support Team for Asia and the Pacific, had proved a successful mechanism for information sharing and coordination of support to legal reviews, consultations and related programmatic efforts at the regional level.

12. Ms. Harrison emphasized that most of the national consultations had resulted in a consensus-based action plan for addressing priority legal and policy barriers by 2015, supported by various multi-stakeholder coordination mechanisms, which were in turn, vested with a mandate to ensure the implementation of the action plan. She noted that certain challenges remained around maintaining momentum, focus and ensuring an inclusive process in the implementation of the national action plans. The Expert Group Meeting on the Implementation of National Reviews and Consultations on Legal and Policy Barriers to Universal Access to HIV Services to be

organized by ESCAP, UNAIDS and UNDP during the first quarter of 2014 would support countries in the region to plan and implement concrete actions to address legal and policy barriers to achieving universal access to HIV and AIDS prevention, treatment, care and support. A regional strategy for United Nations support to countries in conducting and following up with national reviews and/or consultations on legal and policy barriers to universal access to HIV services would also be agreed upon during the course of that Meeting.

13. Ms. Harrison ended by indicating the achieved impact in the region so far, including improved strategic information on the impact of legal environments on HIV responses at the country level, legal reforms in countries such as Bangladesh and Viet Nam, policy reforms in countries including Solomon Islands and Vanuatu, and the increased engagement of key partners.

14. In the discussion that followed, it was recommended that the discussion on HIV services should be two-pronged. One area of focus should be the affordable access to HIV drugs, whilst the other should focus on legal and policy barriers to HIV services, such that the former does not dominate the latter. In addition, it was cautioned that countries should be encouraged to allow for sufficient time to ensure an effective, high-quality review and consultation process. Furthermore, the Meeting emphasized that it was critical to ensure the involvement of parliamentarians and to consider the strategic value of the involvement of the media in the consultations. The Meeting also suggested that it would be useful to have a preparatory meeting with civil society representatives prior to national and regional consultations in order to allow representatives of key populations time to discuss and refine their positions. In this regard, it was reiterated that national consultations on legal and policy barriers were an ongoing process and thus, future consultations could be improved as a result of past experience.

15. There was an observation made that, given the difficulty in changing laws themselves, efforts should be focused on identifying where there was a lack of protective legislation, areas for strengthening the enforcement of existing protective laws, and improving access to justice as a means of changing how existing laws were being applied, including by working with police and health care providers. In

addition, it was remarked that issuing executive orders or directives could improve the way that laws were enforced or implemented. Additionally, it was highlighted that supporting changes in local laws and local ordinances were also very effective strategies for creating enabling legal and policy environments.

16. During the Meeting, the case of Mongolia was highlighted as a good practice for two reasons. First, although the country had not held a national consultation on legal and policy barriers as set out in the Guidance Document¹, there had been an ongoing dialogue involving parliamentarians and the LGBT community on reviewing existing punitive measures and the criminal code. Second, the country had innovatively used funds earmarked for activities focusing on men who have sex with men (MSM) and transgender persons as an entry point for engaging with other key populations. It was emphasized that success stories such as this helped to build the momentum for advancing enabling legal and policy environments for the HIV and AIDS response in the Asia-Pacific region. The Meeting noted that regional partners had an opportunity to use the results of national consultations as an evidence base for governments and CSOs to access resources from the Global Fund to Fight AIDS, Tuberculosis and Malaria's new funding model. Supporting national stakeholders to integrate the outcomes of the national reviews and consultations into national planning for HIV responses and funding proposals would be key to ensuring impact and leveraging the resources needed for follow up.

IV. THE HIV AND AIDS RESPONSE IN ASIA AND THE PACIFIC: UNTIL 2015 AND BEYOND

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_5827

