

STATEMENT OF THE INTERNATIONAL DEVELOPMENT LAW ORGANIZATION

31ST REGULAR SESSION OF THE HUMAN RIGHTS COUNCIL
THE PANEL DISCUSSION ON THE PROGRESS IN AND CHALLENGES OF ADDRESSING
HUMAN RIGHTS ISSUES IN THE CONTEXT OF EFFORTS TO END THE HIV/AIDS EPIDEMIC
BY 2030

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Geneva

*Delivered by Mr. Julian Fleet, IDLO Permanent Observer to the United Nations and other
International Organizations in Geneva*

Check against delivery

Stigma and discrimination remain the most formidable obstacles to scaling up HIV prevention and care services and eliminating HIV by 2030. As part of IDLO's human rights based approach and in promoting rule of law and access to justice on the ground in every region of the world, we have found that quality, affordable legal services are essential to addressing HIV-related discrimination.

The International Guidelines on HIV/AIDS and Human Rights are a result of UNAIDS' adoption of human rights and gender as cross-cutting program themes in 1996. Twenty years later, we congratulate the UNAIDS Programme Coordinating Board, UNAIDS Executive Director Michel Sidibe, and his staff on their continuing leadership and commitment to human rights-based approaches to the HIV epidemic.

Since 2009, our focus at IDLO has been on Guideline 7: strengthening HIV-related legal services, and the engagement of ombudspersons and human rights commissions in the HIV response.

Legal systems are pluralistic and legal services can be delivered in many different ways – for example through human rights organizations, universities, or AIDS service organizations. Our Legal Service Toolkit, published jointly with UNAIDS and UNDP, identifies 8 different models that can be adapted by governments, civil society and their partners in countries.

Legal services can also generate data for advocacy, showing us where laws are failing to protect women and girls, or driving people away from prevention and care services. Even in a hostile legal environment, skillful lawyers can achieve better outcomes for their clients. They can defend the rights of their clients when faced with hostile landlords and employers, police and prosecutors, doctors and hospitals, judges and tribunals. Legal services can keep vulnerable populations out of prison, keep families together, keep people in work or education, and on anti-retroviral therapy. Strategic litigation can deliver further benefits for thousands outside the courtroom and, in some cases, change the way the law itself is interpreted.

It is still a challenge in many places to find quality, affordable legal services for people living with HIV and key affected populations. Today we understand that to go to scale, we need to engage law students and their professors, and to create and strengthen linkages between faculties of law and medicine and public health.

The law graduates of today are the prosecutors, defense counsel, judges, parliamentarians and policy makers of tomorrow. If they understand HIV, we will get the enabling legal environments we need to end the HIV epidemic by 2030.

IDLO looks forward to continuing its work with UNAIDS under their joint Memorandum of Understanding to help make zero discrimination a reality. Getting to zero requires, as IDLO Director-General Irene Khan has emphasized, “having legal systems that safeguard equality and human rights, judges that do not apply prejudice, empowered citizens, and health services provided without discrimination.”

Thank you.

The International Development Law Organization (IDLO) enables governments and empowers people to reform laws and strengthen institutions to promote peace, justice, sustainable development and economic opportunity.