

GENERAL ASSEMBLY



FORTY-THIRD REGULAR SESSION
June 4 to 6, 2013
La Antigua, Guatemala

OEA/Ser.P
AG/doc.5388/13
30 May 2013
Original: Spanish

Item 21 on the agenda

DRAFT RESOLUTION

PROMOTION AND PROTECTION OF HUMAN RIGHTS OF PEOPLE VULNERABLE TO,
LIVING WITH, OR AFFECTED BY HIV/AIDS IN THE AMERICAS^{1/}

(Considered by the Permanent Council at the meeting held on May 28, 2013 and referred to the General Committee of the General Assembly, *ad referendum* of Ecuador)

THE GENERAL ASSEMBLY,

DEEPLY CONCERNED by the rate of new HIV infections, as well as the number of people vulnerable to, living with or affected by HIV/AIDS in the Americas, in particular women and girls;

RECOGNIZING:

The importance that the member states have assigned to fighting the Human Immunodeficiency Virus and the Acquired Immune Deficiency Syndrome (HIV/AIDS) in the Americas, and to the promotion and protection of the human rights of those people vulnerable to, living with or affected by HIV/AIDS;

That it is necessary to increase the participation of people vulnerable to, living with or affected by HIV/AIDS in the design and execution of mass information campaigns for preventing and treating this disease, within a framework of protection of human rights and social inclusion, combating exclusion and discrimination;

That people living with HIV/AIDS face a series of obstacles, including stigmatization and discrimination from community and religious leaders, service providers, state agents, and even their own relatives; a lack of access to adequate medical insurance and health services; the loss or denial of employment; and, as a consequence, reduced access to credit, the loss of family and social ties, as well as other obstacles;

BEARING IN MIND:

The adoption, through resolution AG/RES. 1732 (XXX-O/00), of the Inter-American Program on the Promotion of Women's Human Rights and Gender Equity and Equality (PIA),

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1. The delegation of Saint Vincent and the Grenadines recognizes the extremely valuable work of the Pan American Health Organization (PAHO) in its holistic approach as it regards efforts to reduce ...

whereby the OAS member states undertook to develop decisive strategies to integrate a gender perspective in all spheres of public life as a way of attaining the ultimate goal of promoting and protecting women's human rights and gender equality;

The adoption by the United Nations General Assembly of the "Declaration of Commitment on HIV/AIDS" (2001) and the "Political Declaration on HIV/AIDS" (A/RES/60/262, 2006) , in which the Member States committed to eliminating all forms of discrimination and ensuring the full enjoyment of all human rights and fundamental freedoms of people vulnerable to, living with or affected by HIV/AIDS;

The adoption by the United Nations General Assembly of the "Political Declaration on HIV and AIDS: Intensifying Our Efforts to Eliminate HIV and AIDS" (A/RES/65/277, 2011), in which the Member States also committed to intensifying "...national efforts to create enabling legal, social and policy frameworks in each national context in order to eliminate stigma, discrimination and violence related to HIV and promote access to HIV prevention, treatment, care and support and non-discriminatory access to education, health care, employment and social services, provide legal protections for people affected by HIV, including inheritance rights and respect for privacy and confidentiality, and promote and protect all human rights and fundamental freedoms, with particular attention to all people vulnerable to and affected by HIV" (par.77);

The adoption by the Assembly of Delegates of the Inter-American Commission of Women (CIM) of the Declaration of San Salvador on Gender, Violence, and HIV [CIM/DEC. 4/07 (VII-E/07), 2007], in which the CIM delegates undertook to intensify efforts to eliminate violence and discrimination against women, adolescents, and girls living with HIV/AIDS;

RECALLING:

The work of the Inter-American Commission on Human Rights (IACHR) and of the CIM in recognizing the risk, social stigma, discrimination, and violence faced by people vulnerable to, living with or affected by HIV/AIDS;

The efforts of the IACHR and the CIM to analyze the legal and regulatory framework surrounding HIV/AIDS and to identify the obstacles faced by people vulnerable to, living with or affected by HIV/AIDS in attaining the full enjoyment of their human rights; and

The Regional Strategic Plan on HIV/AIDS and STIs 2006-2015, adopted by the Pan American Health Organization (PAHO);

The work and progress made by civil society and other social actors at the national and regional levels in connection with an effective response to the needs of people vulnerable to, living with or affected by HIV/AIDS;

CONCERNED at the exorbitant costs of antiretrovirals and other treatments that enable people living with HIV/AIDS to fully enjoy their human rights; and

DEEPLY CONCERNED at the scarcity of financial resources available in the region for education, awareness, and behavior change initiatives necessary to curtail the rate of new HIV infections;

RESOLVES:

1. To reaffirm its commitment to the promotion and protection of all the human rights of people vulnerable to, living with or affected by HIV/AIDS, in accordance with the provisions of the “Political Declaration on HIV and AIDS: Intensifying Our Efforts to Eliminate HIV and AIDS” (A/RES/65/277, 2011);

2. To continue supporting the efforts of the IACHR and the CIM to analyze the legal and regulatory framework governing HIV/AIDS, in the context of the international and inter-American commitments acquired by the member states to promote and protect human rights and fundamental freedoms, with particular attention to people vulnerable to, living with or affected by HIV/AIDS.

3. To urge member states to:

- a. continue their efforts to guarantee the drafting and enforcement of laws and public policies to protect the human rights and fundamental freedoms of people vulnerable to, living with or affected by HIV/AIDS, in particular their right to enjoy the highest attainable standard of physical and mental health and to just and favorable conditions of work, including fair wages and equal remuneration for work of equal value;
- b. redouble their efforts to guarantee access for pregnant and/or lactating women living with HIV to the tests, education and information, treatment and care, including pediatric treatment and secondary prevention measures, to prevent mother-to-child transmission.
- c. promote the equal access, participation, representation, leadership, and influence of people vulnerable to, living with or affected by HIV/AIDS in decision-making and in the drafting and enforcement of policies and programs dealing with HIV/AIDS, from a participatory approach of diversity and pluralism.

4. To urge the General Secretariat to strengthen cooperation with the international agencies working on topics related to HIV/AIDS through the exchange of experiences and best practices and the organization of joint activities, coordinating efforts and combining capacities to attain the greatest possible impact.

5. To urge the General Secretariat to strengthen its cooperation with the Pan American Health Organization and the Joint United Nations Programme on HIV and AIDS (UNAIDS), in the framework of the “Political Declaration on HIV and AIDS: Intensifying Our Efforts to Eliminate HIV and AIDS” (A/RES/65/277, 2011) by means of a cooperation agreement, and to develop a plan of action that includes, among others, the following objectives:

- a. support for member states in developing public policies regarding access to antiretroviral drugs and adequate production of medicines;
- b. incorporate a gender perspective, focused on the protection and promotion of the human rights of women and girls;
- c. review, as appropriate, laws and policies that adversely affect the successful, effective, and equitable delivery of HIV prevention, treatment, care, and support programs to people living with and affected by HIV;^{2/}
- d. eliminate stigma and discrimination against people vulnerable to, living with or affected by HIV/AIDS;^{3/}
- e. prepare a joint report on the social and human rights dimensions of HIV/AIDS in the Americas.

6. To urge the General Secretariat to include projects and programs for people vulnerable to, living with or affected by HIV/AIDS, in its fund-raising for specific projects.

7. To urge the General Secretariat to continue encouraging the participation of people vulnerable to, living with or affected by HIV/AIDS in OAS fora and meetings.

8. To work with the Pan American Health Organization in the framework of its Directing Council to declare 2015 the “Inter-American Year to Promote the Human Rights of People Vulnerable to, Living with or Affected by HIV/AIDS” and to urge OAS member states and the General Secretariat to participate in its commemoration with political and cultural activities geared toward promoting and protecting the human rights and fundamental freedoms of these people.

9. To request the Permanent Council to report to the General Assembly at its forty-fourth regular session, on the implementation of this resolution. The execution of the activities contemplated in this resolution shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

2. [Political Declaration on HIV and AIDS: Intensifying Our Efforts to Eliminate HIV and AIDS -par 78]

3. [Political Declaration on HIV and AIDS: Intensifying Our Efforts to Eliminate HIV and AIDS -par 39]

FOOTNOTE

1. ... the high rate of infection of HIV/AIDS in the Hemisphere. Saint Vincent and the Grenadines considers that PAHO's education and awareness campaigns and support for access to affordable treatment and the general wellbeing of people living with and affected by HIV/AIDS already encompass strategies to reduce stigma associated with and eliminate discrimination against the same. These strategies address public policies and laws, as necessary.