

“Leaving no one behind?”

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Introduction

- ▶ Realization of the **2030 Agenda for Sustainable Development**
- ▶ Agenda's goals and targets should be met for all nations and people and for all segments of society
 - ▶ Benefits of development are not equally shared
 - ▶ The essence of "leaving no one behind"
 - ▶ Vulnerable groups:
 - ▶ children, youth, persons with disabilities, **people living with HIV**, older persons, indigenous peoples, refugees, internally displaced persons and migrants



Outline

1. Human Rights Framework
2. Sexual and Reproductive Health and Rights (SRHR)
3. Bridge to HIV-AIDS



1. The Human Rights Framework



What are human rights?

▶ **Office of the High Commissioner of Human Rights:**

“Human rights are rights inherent to all human beings, whatever our nationality, place of residence, sex, national or ethnic origin, colour, religion, language, or any other status. We are all equally entitled to our human rights without discrimination. These rights are all interrelated, interdependent and indivisible.”



Human Rights Law

Categorization of rights:

- ▶ Civil rights
- ▶ Political rights
- ▶ Social rights
- ▶ Economic rights
- ▶ Cultural rights

Comprehensive body of human rights law:

- ▶ Universal Declaration of Human Rights
 - ▶ International Covenant on Civil and Political Rights
 - ▶ International Covenant on Economic, Social and Cultural Rights
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- ▶ Mechanisms in place to promote and protect these rights

Rights and obligations

- ▶ Human rights entail both rights and obligations.
 - ▶ States have a duty under international law to respect, protect and fulfil human rights.
 - ▶ **Respect**: States must refrain from interfering with or curtailing the enjoyment of human rights.
 - ▶ **Protect**: States to protect individuals and groups against human rights abuses.
 - ▶ **Fulfill**: States must take positive action to facilitate the enjoyment of basic human rights



2. Sexual and Reproductive Health and Rights (SRHR)

What are SRHR?

- ▶ International Conference on Population and Development (ICPD) in Cairo in 1994 birth of the **SRHR movement**.
 - ▶ ICPD Programme of Action recognized for the first time sexual and reproductive health as a fundamental human rights.
 - ▶ *“policies must be aimed at empowering couples and individuals— especially women—to make decisions about the size of their families, providing them with the information and resources to make such decisions, and enabling them to exercise their reproductive rights.”*
 - ▶ Putting the rights of people, particularly women, at the centre of the agenda.

Which human rights?

- ▶ Committee on Economic, Social and Cultural Rights and the Committee on the Elimination of Discrimination against Women (CEDAW):
 - ▶ women's **right to health** includes their sexual and reproductive health.
- ▶ The Special Rapporteur on the right to health:
 - ▶ women are entitled to reproductive health care services, goods and facilities that are: (a) available in adequate numbers; (b) accessible physically and economically; (c) accessible without discrimination; and (d) of good quality.
- ▶ Despite these obligations, violations of women's sexual and reproductive health rights are frequent.



Which human rights?

- ▶ Women's sexual and reproductive health **is not only related to the right to health**, but also the right to life, the right to be free from torture, the right to privacy, the right to education, and the prohibition of discrimination.
- ▶ Reproductive rights embrace certain **human rights that are already recognized** in national laws, international human rights documents and other consensus documents.



Human-rights based approach

- ▶ **Human-rights based approach:** rights of citizens became central to development
 - ▶ Not new: already in 1997 mentioned by Kofi Annan: people are key actors in their own development and empowered to claim their rights.
 - ▶ Focus on poor and **marginalized people** in order to reduce inequalities and disparities



3. Bridge to HIV/AIDS



Bridge to HIV/AIDS

“There is an assumption that when a woman finds out she is living with HIV her sexual and reproductive life is over.”

Tamil Kendall, Ph.D., of the Women and Health Initiative at the Harvard School of Public Health



HIV/AIDS-related rights

- ▶ Addressing HIV/AIDS is an integral part of addressing SRHR
- ▶ People living with HIV have a right to:
 - ▶ make a free and **well-informed decision** regarding their
 - ▶ sexuality
 - ▶ sexual preference
 - ▶ sexual health
 - ▶ **without any form of coercion**, discrimination and violence
- ▶ HIV-related stigma and discrimination are key obstacles to enjoy SRHR

Human rights related to HIV/AIDS

- ▶ States' obligations to promote and protect HIV-related human rights are defined in **existing international treaties**.
- ▶ HIV/AIDS-related **human rights** include:
 - ▶ *the right to life; the right to liberty and security of the person; the right to the highest attainable standard of mental and physical health; the right to non-discrimination, equal protection and equality before the law; the right to freedom of movement; the right to privacy; the right to freedom of expression and opinion and the right to freely receive and impart information; the right to freedom of association; the right to marry and found a family; the right to work; the right to equal access to education; the right to an adequate standard of living; the right to social security, assistance and welfare; the right to share in scientific advancement and its benefits; the right to participate in public and cultural life; and the right to be free from torture and other cruel, inhuman or degrading treatment or punishment.*



HIV/AIDS-related rights

- ▶ Human rights are **universal** (first point): people living with HIV are human beings and they are entitled to human rights, including sexual and reproductive health rights (second point).
- ▶ **Human rights violations** in the context of HIV can take many forms.
 - ▶ Lack of access to HIV- and related health services
 - ▶ Forced or compulsory HIV testing
 - ▶ Forced, coercive or “unvoluntary” sterilization
 - ▶ Forced virginity examination
 - ▶ Forced abortions



HIV/AIDS-related rights

▶ **Issue at stake: education**

- ▶ There is a lack of up-to-date knowledge about HIV treatment. People are unaware of the <5% risk of mother-to-child transmission when an HIV-positive mother takes antiretroviral therapy (ART) throughout her pregnancy, or that if she continues to have access to ART she can remain in good health and care for her family.



Conclusion



HIV/AIDS-related rights

- ▶ Better integration of SRHR, HIV/AIDS and the human rights-based approach is necessary
- ▶ People living with HIV/AIDS are human beings with dreams:
 - ▶ they have desires
 - ▶ they have the right to enjoy a sexual life
 - ▶ they have the right to get married
 - ▶ they have the right to have children
- ▶ We need to put more effort in making sure that those rights will be realized and we leave no one behind.



Questions?

Thank you!

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