



POLICY Project's Approach to HIV/AIDS

ANSWERING the *Call*

Human Rights, Stigma, and Discrimination

Protecting the human rights of those infected and affected by HIV/AIDS has been a key problem since the beginning of the epidemic. Discrimination affects those who are infected with HIV, members of groups that are believed to be high risk, and families and friends of people living with HIV/AIDS (PLWHA). Essential human rights should not be denied to those affected by the epidemic. A supportive human rights environment is also necessary for an effective prevention program.

POLICY conducts several activities that are intended to provide guidance to programs in understanding, assessing, and improving the human rights environment and ensuring that policymakers and program managers understand human rights concerns. In addition, POLICY provides assistance to public and private sector institutions to strengthen their capabilities to contribute to the development and implementation of effective HIV/AIDS policies and programs. Some of these activities are discussed below.

Legal reviews and recommendations for policy and legislative reform. POLICY collaborates with in-

country partners in assessing the HIV/AIDS legal and regulatory environment. For example, POLICY worked with the Tanzanian Women Lawyers Association on a review of existing laws and regulations and recommended specific changes to improve the human rights environment.

Development of indicators to measure human rights abuses and evaluate programs on the basis of human rights criteria. POLICY co-chairs the USAID stigma and discrimination working group which has developed indicators for the USAID expanded response to HIV/AIDS initiative. POLICY developed the HIV/AIDS Legislative Score (HALS) which is an indicator for discrimination provisions in national or subnational HIV/AIDS legislation.

Advocacy and awareness raising to reduce stigma and discrimination associated with HIV/AIDS; capacity development to help PLWHA confront stigma and discrimination. POLICY supported development of a media campaign on employment discrimination with partner groups, Women and Law in Southern Africa Research and Educational Trust (WLSA) and the Network of Zambian People Living with HIV/AIDS (NZP+). The campaign explained rights regarding employment and HIV status and encouraged people to get more information and help by visiting NZP+. Counselors at NZP+ provide immediate assistance or refer clients to one of several legal service organizations that are part of the project network.

Facilitating an ongoing discussion of human rights issues through providing current information to staff and organizational partners. Information is shared in the form of PowerPoint presentations from field staff and other experts, select on-line and hard-copy publications, and monthly speaker sessions. Topics have included "Intellectual Property Rights and Human Rights;" "Access to Treatment: Country Experiences;" "HIV/AIDS, Stigma and Discrimination;" and "Human Rights & the Involvement of PWAs in Cambodia & Viet Nam."

Citizens' groups confront stigma in Mexico

In July 2001, the Yucatán State Commissioner on Human Rights, Lic. Omar Ancona Capetillo, made a series of discriminatory statements about persons living with HIV/AIDS (PLWHA) in an interview with a local newspaper. The Multisectoral Citizens' Group (MCG) in the state of Yucatán undertook a series of advocacy activities over the next 10 months in direct response to the Commissioner's statements.

At the request of the MCG, the POLICY Project provided small amounts of funding for selected activities. The MCG collaborated with local, national, and international organizations in its efforts to denounce the Commissioner's statements and fight for change in the State Commission, state law, and the overall environment for PLWHA in Yucatán.

The MCG/Yucatán's advocacy campaign included:

- *letters* to high-ranking federal and state authorities and elected officials;
- *press conferences* in Yucatán and in the Federal District with NGOs and a letter of support from CENSIDA to denounce the Commissioner's statement and the overall environment of discrimination against PLWHA in Yucatán;
- filing *formal complaints* to the National Commission on Human Rights, protesting discriminatory practices in the state and alleging violation of PLWHA rights at O'Horan Hospital, where two PLWHA were refused appropriate medical attention and then died of their illnesses;
- consistent *pressure in the media* over the course of the year;
- presenting *proposals* at a consultative forum with the state legislature reform the law that created the State Commission on Human Rights; and
- securing the previously unheard-of *participation of high-ranking state officials* in the AIDS Day Walk in early December 2001, and obtaining a promise from the State Secretary of Health to organize and carry out the next annual March for Life on World AIDS Day, December 1, 2002.

As a result of the MCG campaign, the National Commission on Human Rights issued a formal recommendation to the state of Yucatán, citing discriminatory practices and violations of the two patients' rights to health protection (April 23 2002, Recommendation #9/2002). Another outcome of the campaign is that the NGO Indignacion, a member of the MCG, also filed *formal complaints* to the National Commission on Human Rights on its own behalf. These complaints alleged ill-treatment of prisoners, drug trafficking in jails, and discrimination against PLWHA prisoners (10/26/01); and ill-treatment, abuse and torture of minors by the Yucatán State School of Social Education for Underage Criminals (4/29/02).

Further, the state legislature held a consultative forum on September 25, 2001, to gather proposals and recommendations to add to and reform the law that creates the Yucatán State Commission on Human Rights. Of 46 proposals presented, one that was well received proposed that the legislature consult with civil society prior to appointing a head of the State Commission. On November 25, 2001, the State Congress voted to reform 17 laws, including the State Law on Human Rights; the new law is expected to be in 2002.

A third result came on November 29, 2001, with a Congressional announcement of a consultative forum to discuss modifications to the state civil registry laws; the forum will be held in 2002.

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