

# RIGHT TO HEALTH RIGHT TO LIFE

HIGH LEVEL MEETING ON HIV AND HUMAN RIGHTS IN THE EUROPEAN UNION AND ITS NEIGHBOURING COUNTRIES

Brussels, 27-28 May 2013



## Concept Note and Agenda

### **“Right to health, right to life” High Level Meeting on HIV and Human Rights in the European Union and its neighbouring countries**

**Brussels, 27-28 May 2013**

**Centre de Conference Albert Borschette, room 0A  
36, Rue Froissart, Brussels**

#### **Introduction and context**

Across Europe the human and economic costs of the HIV epidemic place a considerable burden on the lives of people affected by HIV as well as on the national social and health systems, further accentuated by the economic hardship and increasing rates of infection especially in neighboring countries. Meanwhile policy and legal barriers continue to hamper effective investments in the HIV response, and the economic and social potentials of ensuring full inclusion of people living with HIV in society remains unleashed by the persistence of strong stigma and discrimination.

The importance of protecting and promoting human rights for an effective HIV response is broadly recognized and has been reaffirmed in a series of recent strong commitments at European and international level.

At the 2011 UN General Assembly High Level Meeting on AIDS in New York, the world leaders through the adoption of the Political Declaration on HIV/AIDS reaffirmed that the full realization of all human rights and fundamental freedoms for all and addressing stigma and discrimination for people living with or affected by HIV are essential elements in the global response to AIDS. They also made a series of specific commitments, including towards revising laws and policies that adversely affect an effective response; elimination of travel restrictions, stigma and discrimination against people living with and affected by HIV, and elimination of gender inequalities, gender-based abuse and violence.

The European Union is firmly committed to respect human rights and is a defender of human rights in its internal and external affairs. On 7 December 2000 the European Parliament, the Council of Ministers and the European Commission solemnly proclaimed The Charter of

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Fundamental Rights of the European Union<sup>1</sup>, which enshrines political, social, and economic rights for EU citizens and residents into EU law.

The European Parliament adopted in 2010 a resolution on a rights-based approach to HIV/AIDS<sup>2</sup> and called in a resolution on the EU response to HIV/AIDS in the EU and neighbouring countries adopted 1 December upon Member States to take all necessary action to end discrimination against people living with HIV/AIDS and to promote and protect all human rights and fundamental freedoms<sup>3</sup>. Similarly, recent statements of the Council of the European Union in 2010 and 2011 emphasized the importance of rights-based approaches and included a series of specific commitments to advance human rights in the context of HIV/AIDS<sup>4</sup>.

In its Communication Combating HIV/AIDS in the European Union and neighbouring countries, 2009-2013<sup>5</sup>, and the accompanying Action Plan<sup>6</sup>, the Commission made commitments on actions to tackle stigma and discrimination and promote respect for human rights, including organizing a high level conference on HIV and human rights.

## Aim and objectives

In the context of the 2011 Political Declaration on HIV/AIDS, the purpose of this meeting is to promote and protect human rights and get towards zero discrimination in the EU and neighboring countries. Specific objectives are:

- to reaffirm and rejuvenate European commitments to promote and protect human rights in the context of HIV, including by:
  - ensuring the right to health
  - strengthening rights-based approaches to HIV and
  - creating enabling and supportive legal environments
- To identify progress made, gaps and challenges
- to highlight evidence and best practices;
- to determine next steps for the EU, its Member States, neighbouring countries and civil society in promoting and protecting human rights in the context of HIV across the region

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<sup>1</sup> [http://www.europarl.europa.eu/charter/pdf/text\\_en.pdf](http://www.europarl.europa.eu/charter/pdf/text_en.pdf)

<sup>2</sup> European Parliament resolution of 8 July 2010 on a rights-based approach to the EU's response to HIV/AIDS

<sup>3</sup> European Parliament resolution of 1 December 2011 on the EU response to HIV/AIDS in the EU and neighbouring countries, mid-term review of Commission Communication

<sup>4</sup> EU statement for World AIDS Day 2010, Statement of the EU and its Member States on World AIDS Day 2011

<sup>5</sup> Combating HIV/AIDS in the European Union and neighbouring countries, 2009 -2013

<sup>6</sup> EU HIV/AIDS Action Plan

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## AGENDA

**27 May 2013**

### **16:30 – 19:00 Opening**

**Chair:** Michael Cashman (UK), Member of European Parliament

16:30 – 16:40 **Introduction**

16:40 – 17:40 **Welcome notes**

**Tonio Borg**, Commissioner for Health and Consumer Policy

**Andreas Lykourntzos (GR)**, Minister of Health

**Luis Mendao (PT)**, GAT - Grupo Português de Activistas sobre Tratamentos de VIH/SIDA

17:40 – 18:00 **Key note speech**

HIV/AIDS and human rights – the road to equity in health and social justice

**Luiz Loures**, UNAIDS, Deputy Executive Director

18:00 – 18:10 **Final remarks by the Chair**

18:10 – 19:00 **Reception**

**28 May 2013**

### **09:30 – 11:15 – Session 1: The right to health - translating commitments into health results and outcomes**

EU Member States and neighbouring countries have made a series of commitments at EU and international level to honor the right to health of all EU citizens in the context of HIV/AIDS. On the basis of monitoring reports of Member States and neighbouring countries (follow up of Dublin Declaration and the 2001 and 2011 Political Declarations on HIV/AIDS), this session will review progress made, identify major gaps and challenges, and discuss ways forward in ensuring the right to health for all citizens in the EU and its neighbouring countries. Particular focus will be given to access to treatment, and to prevention for the key populations affected by HIV as well as to the diversity in epidemiological situation and response across the region. During economic hardship, what are the economic and public health benefits of investing in HIV? Where and how should investments be made to ensure effective, efficient and sustainable responses to HIV and optimal health outcomes?

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**Chair:** **John F. Ryan**, European Commission, Acting Director for Public Health

09:30 – 09:45 Barriers of access to treatment, prevention and care in Europe  
**Roberto Bertolini**, WHO, Chief Scientist and Representative to the EU

09:55 – 10:10 Health and HIV policies for Key populations  
**Laurette Onkelinx (BE)**, Minister of Social Affairs and Public Health

10:20 – 10:35 Intervention by **Raisa Bogatyryova (Ukraine)**, Minister of Health

10:40 – 10:55 Key populations: Access to health for IDUs and Prisoners in Eastern Europe  
**Sergey Votyagov (RF)**, Eurasian Harm Reduction Network, Executive Director

10:55 – 11:15 General discussion – and recommendations by the chair

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**11:15 – 11:30 coffee break**

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## **11:30 – 13:00 – Session 2: Making laws right – Promoting enabling legal frameworks for HIV and human rights**

EU Member States have on several occasions (e.g. EU Statements for World AIDS Day 2010 and 2011) called for decriminalization of homosexuality and the removal of punitive laws, which they found neither to represent the adequate response to the epidemic nor the right support to vulnerable groups. This session provide an overview of the situation in EU and neighbouring countries of key legal barriers for an effective response to HIV, present examples of how such barriers can be successfully addressed, and discuss which steps Member States and neighbouring countries can take to promote enabling and supportive legal and policy frameworks for HIV responses and human rights.

**Chair:** **Claudiu Ciprian Tănăsescu (RO)**, Member of European Parliament

11:30 – 11:50 HIV/AIDS and the law  
**Petra Bayr (AT)**, Member of Parliament

11:55 – 12:15 Times of crisis: legal and political environment to address HIV/AIDS in Portugal  
**R. Baptista Leite (PT)**, Member of Parliament

12:20 – 12:40 Criminalisation of HIV transmission  
**Henriette Laursen (DK)**, Danish AIDS Foundation, Director

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12:40 – 13:00 General discussion and recommendations by the chair

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***13:00 – 14:00 lunch break, buffet lunch provided in front of the meeting room***

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## **14:00 – 15:30 – Session 3: Living with HIV – Stigma and Discrimination**

EU Member States and neighbouring countries have repeatedly assured their willingness and strong commitments to address stigma and discrimination against people living with HIV. However, there are strong indicators that stigma and discrimination remain forceful barriers for effective investments in the response to HIV, and for harvesting the economic and social benefits of the full inclusion of people living with HIV in society. In the context of existing directives and the Commission's proposal for a new directive on equal treatment, this session will discuss how countries can better monitor and address stigma and discrimination of people living with HIV in areas such as access to employment, health care, sexual and reproductive health and rights, education, social protection, housing and freedom of movement.

**Chair:** **Cihan Sultanoğlu** (UNDP, Assistant Administrator and Director of the Regional Bureau for Europe and the Commonwealth of Independent States)

14:00 – 14:20 HIV – Multiple stigma, multiple discrimination

**Morten Kjaerum**, EU Fundamental Rights Agency, Director

14:25 – 14:45 Providing a supportive legal framework to address stigma and discrimination of people living with HIV in relation to employment, health care and freedom of movement

**Andrei Usatîi (Moldova)**, Minister of Health

14:50 – 15:10 The Stigma index

**Jekaterina Voinova (EE)**, Estonian Network of People Living with HIV

15:10 – 15:30 General discussion and recommendations by the chair

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***15:30 – 16:00 coffee break***

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## **15:45 – 17:00 – Session 4: Rights based responses to HIV - the role of Europe** **– Panel debate**

In its new Strategic Framework on Human Rights and Democracy the EU makes a strong commitment to ensure universal and non-discriminatory access to basic services, with a particular focus on poor and vulnerable groups, reinforcing its previous commitments to rights based approaches to HIV made in resolutions of the European Parliament and statements of the EU Council. In neighbouring countries access to treatment is among the lowest in the world, and the coverage of HIV prevention among key populations such as people who inject drugs, their sexual partners and men who have sex with men remains limited. As HIV responses in neighbouring countries are strongly dependent on international financing, the withdrawal from the region of the Global Fund to Fight AIDS, Malaria and TB and other donors is further aggravating the situation. Reviewing this situation, this panel debate will explore possible action of the EU Member States and institutions to uphold the right to health for people living with HIV and key populations, and promote approaches based on evidence and rights in response to HIV in neighbouring countries.

**Moderation:** **Michel Kazatchkine**, Special Envoy of the UN Secretary-General on HIV/AIDS for Eastern Europe and Central Asia

**Panel:** **Heidi Hautala (FI)**, Minister for International Development

**Martin Seychell**, European Commission, Deputy Director General Health and Consumers

**Ines Perea (DE)**, Ministry of Health

**Nikos Dedes (GR)**, Positive Voice, Chair

**Raminta Stuikyte (LT)**, European AIDS Treatment Group

**Ton Coenen (NL)**, Aids Fonds & STI Aids Netherlands, Executive Director

**Brendan Barnes**, European Federation of Pharmaceutical Industries and Associations, Director

## **17:00 – 17:30 – Closing remarks and recommendations**

**Chair and recommendations:**

**Yusef Azad (UK)**, National AIDS Trust, Director of Policy and Campaigns

**Closing remarks:**

**Lella Cosmaro**, co-chair EU HIV/AIDS Civil Society Forum

**Martin Seychell**, European Commission

**Luiz Loures**, UNAIDS