

Press Release

South Asian Legal Fraternity and Communities gather to discuss Human Rights Challenges Faced by Key Populations at Higher Risk of HIV

Kathmandu, 9 November 2011. The International Development Law Organization (IDLO) in collaboration with the legal apex body for the South Asian Association for Regional Cooperation (SAARCLAW), United Nations Development Programme (UNDP), UNAIDS, and the World Bank; will co-host a South Asian Roundtable Dialogue on HIV and the Law at the Yak and Yeti Hotel, Kathmandu from 8-10 November 2011.

The Roundtable will bring together 75 delegates from across South Asia including community advocates, lawyers, judges, representatives of human rights institutions, parliamentarians and government agencies.

Across the region, people living with HIV and populations at higher risk of exposure to HIV including men who have sex with men, transgender people, sex workers and people who inject drugs, routinely face human rights violations. These violations include police harassment, sexual assault and violence, as well as discrimination, job dismissal, unequal access to education, housing and reduced access to HIV treatment.

The objectives of the Roundtable: *Legal and Policy Barriers to the HIV Response* are to identify legal and policy barriers to HIV prevention, treatment and care services for people living with HIV, men who have sex with men (MSM), transgender persons, sex workers and people who inject drugs. The Roundtable aims to identify and analyze strategies and initiatives to address these barriers and strengthen the rights-based response to HIV in their respective countries.

The Roundtable commenced on 8 November 2011 with a welcome reception and formal address by Vice President of SAARCLAW, Honourable Justice Kalayan Shrestha of the Supreme Court of Nepal. Hon Justice Shrestha emphasized the role of the state in the legal response to HIV, stating 'No philosophy, no religion and no culture which reinforces discrimination against and denies human rights to [people living with HIV] is acceptable. The state must defend [people living with HIV],... complacency of any form on the part of the state is also a form of discrimination.'

President of SAARCLAW, Hon. Chief Justice Sonam Tobye of Bhutan echoed the importance of the rights of people living with HIV and key populations at higher risk of exposure to HIV, stating 'the Roundtable Dialogue symbolizes the universal and eternal message of hope and joy in life to the multitude of [persons] affected by HIV in the region.'

The Roundtable is a direct follow up to the Asia Pacific Regional Dialogue of the Global Commission on HIV and Law convened by the UNDP in February 2011 in Bangkok. The Roundtable will support the commitments to advance human rights to reduce stigma, discrimination and violence related to HIV as well as the region-specific commitments, which were adopted, by the Economic and Social Commission for Asia and the Pacific (ESCAP) in Resolutions 66/10 and 67/9. It will also

emphasize the need “to ground universal access in human rights and undertake measures to address stigma and discrimination, as well as policy and legal barriers to effective HIV responses, in particular with regard to key affected populations.”

Over two days delegates will share regional lessons in human rights based interventions and initiatives. In addition to those noted above, formal speakers during the Roundtable include Hon. Justice Shiranee Tilakawardane of the Supreme Court of Sri Lanka; Vice President of SAARCLAW, Hon. Justice Umesh C Banerjee (retd), Supreme Court of India and President of the SAARCLAW India Chapter; the Hon Sapana Pradhan Malla, Member of Parliament Nepal; and Secretary General of SAARCLAW, Mr Hemant Batra.

Participants will also hear from Vice President of SAARCLAW and President of SAARCLAW Bhutan Chapter, Hon. Justice Tshering Wangchuk; Secretary General of SAARCLAW Nepal Chapter, Mr Purna Man Shakya; SAARCLAW Executive Council Member, Registrar General of the High Court of Bhutan, Ms Pelden Wangmo.

The Roundtable is supported by the World Bank, UNDP, the Global Fund for AIDS Tuberculosis and Malaria and OPEC Fund for International Development (OFID).

For further information, please contact:

Ms. Naomi Burke-Shyne

Legal Officer, Asia Pacific Region

Health Law Program, International Development Law Organization

Tel: (+39) 345 917 4889/ (+977) 9813 281203

Email: nburkeshyne@idlo.int

Edmund Settle

HIV Policy Specialist

UNDP Asia Pacific Regional Center

Email: edmund.settle@undp.org

IDLO is a non-partisan, intergovernmental organization that promotes legal, regulatory and institutional reform to advance economic and social development in post-crisis and developing countries. Founded in 1983 and one of the pioneers of rule of law advocacy, IDLO uses its access to governments and interest groups of differing ideologies, as well as its expertise and vast stakeholder network, to create opportunity for those most in need. Visit IDLO website at <http://www.idlo.int>

UNDP's support for this initiative is provided under the South Asia multi-country Global Fund (GFATM) programme on HIV, men who have sex with men and transgender persons.

Funding for the IDLO Health Law Program and related initiatives is provided from IDLO core funds and by the OPEC Fund for International Development (OFID). OFID is the development finance institution of OPEC Member States, established to provide financial support for socio-economic development, particularly in low-income countries.



Funding for the IDLO Health Law Program South Asian regional initiatives are supported by the World Bank.