

6 The United Nations General Assembly (UNGASS)

The full text of the UNGASS Declaration of Commitments on HIV/AIDS is reproduced in **Core document 14**

The General Assembly held a special session on HIV/AIDS in 2001, on the 20th anniversary of the first medical recognition of AIDS. The result is a *Declaration of Commitments* adopted by UN member States. Although this Declaration is not binding, it is a clear statement on what States agreed on fighting HIV/AIDS pandemic.

<http://www.ohchr.org/english/issues/hiv/ungass.htm>

For further information on the role of the UNGASS in the field of HIV/AIDS and the full text of the **Declaration of Commitments**

The Declaration recognizes clearly the connection between the prevention, care and treatment of HIV/AIDS and the protection of human rights and fundamental freedoms:

*Paragraph 16 - **The full realization of human rights and fundamental freedom is an essential element in a global response to HIV-AIDS [...] it reduces vulnerability to HIV/AIDS and prevents stigma and related discrimination against people living with or at risk of HIV/AIDS.***

The Declaration speaks out against discrimination and stigmatization of people living with HIV/AIDS and calls upon States to strengthen and enforce by 2003:

*Paragraph 58 - ... **legislation, regulations and other measures to eliminate all forms of discrimination against and to ensure the full enjoyment of all human rights and fundamental freedoms by people living with HIV/AIDS and members of vulnerable groups, in particular to ensure their access to, inter alia, education, inheritance, employment, health care, social and health services, prevention, support and treatment, information and legal protection, while respecting their privacy and confidentiality; and develop strategies to combat stigma and social exclusion connected with the epidemic.***

With respect to the most vulnerable groups, the Declaration does not explicitly mention men who have sex with men (MSM) but explicitly states that the vulnerable should be given priority in the prevention, care and treatment of HIV/AIDS. Paragraph 62 mentions activities which place individuals at HIV risk, such as risky and unsafe sexual behaviors. States are called upon to put in place:

*... **strategies, policies and programmes that identify and begin to address those factors that make individuals particularly vulnerable to HIV infection, including underdevelopment, economic insecurity, poverty, lack of empowerment of women, lack of education, social exclusion, illiteracy, discrimination, lack of information and/or commodities for self-protection, and all types of sexual***

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exploitation of women, girls and boys, including for commercial reasons. Such strategies, policies and programmes should address the gender dimension of the epidemic, specify the action that will be taken to address vulnerability and set targets for achievement

Furthermore, States committed themselves to develop or strengthen, by 2003, policies and programs:

to promote and protect the health of those identifiable groups which currently have high or increasing rates of HIV infection or which public health information indicates are at greatest risk of and most vulnerable to new infection as indicated by such factors as the local history of the epidemic, poverty, sexual practices, drug-using behaviour, livelihood, institutional location, disrupted social structures and population movements, forced or otherwise

See **Support document 52**, which is the **Progress Report on the Global Response to the HIV/AIDS Epidemic, 2003**

In June 2006, the General Assembly held a high level meeting on AIDS, on the fifth anniversary of the Declaration of Commitments, in order to review progress achieved and to make a new commitment adopting the Political Declaration which reconfirmed the main points of the 2001 Declaration, such as the connection between HIV/AIDS and human rights and the importance of fighting discrimination against people living with HIV/AIDS. The Declaration stressed the importance of access to medication in AIDS treatment. The 2006 report mentions men who have sex with men, sex workers, prison populations and injecting drug users as being groups who are “most at risk”.

http://data.unaids.org/pub/Report/2006/20060615_HLM_PoliticalDeclaration_ARES60262_en.pdf

Resolution adopted by the General Assembly 60/262. **Political Declaration on HIV/AIDS**