

HIV/AIDS and Human Rights: The Role of National Human Rights Institutions in the Asia Pacific

7th – 8th October 2001, Melbourne, Australia

CONCLUDING STATEMENT

Introduction

1. The regional workshop of the Asia Pacific Forum of National Human Rights Institutions, consisting of the individual Forum members representing the national human rights commissions of Australia, Fiji, India, Indonesia, Mongolia, Nepal, New Zealand, Philippines and Sri Lanka, met in Melbourne, Australia from 7th to 8th October 2001.
2. The Forum expressed its gratitude to the organizers of the 6th International Congress on AIDS in Asia and the Pacific (ICAAP) for the invitation to participate in the Congress. The Forum also expressed its sincere thanks to the Joint United Nations Programme on HIV/AIDS (UNAIDS), the Office of the High Commissioner for Human Rights and the AIDS Council of NSW for co-sponsoring the workshop and their financial and technical support. Forum members and participants also expressed their appreciation for the efforts of the Secretariat of the Forum for their work in the organisation of the meeting.
3. The Forum warmly welcomed the participation of representatives from the Ombudsman of Costa Rica, the Hong Kong Equal Opportunities Commission, the Islamic Human Rights Commission of Iran and Control Yuan of R.O.C. (Taiwan), regional governments, international organisations and international, regional and national non-governmental organisations (NGOs) and other delegates attending ICAAP.

Conclusions

4. Forum members recalled the resolutions of the United Nations Commission on Human Rights¹ and the United Nations Security Council,² as well as the United Nations Millennium Declaration³ and the United Nations General Assembly

¹ UN Commission on Human Rights resolutions 1999/49 E/CN.4/RES/1999/49, 2001/33 E/CN.4/RES/2001/33 and 2001/51 E/CN.4/RES/2001/51.

² UN Security Council resolution 1308 S/RES/1308 (2000).

³ UN Millennium Declaration A/55/L.2.

Declaration of Commitment on HIV/AIDS (2001) which emphasize the increasing challenges presented by HIV/AIDS and the need for intensified efforts to ensure universal respect for and observance of human rights and fundamental freedoms for all, to reduce vulnerability to HIV/AIDS and to prevent HIV/AIDS related discrimination and human rights violations.

5. Forum members welcomed the United Nations International Guidelines on HIV/AIDS and Human Rights⁴ and called on States, international organisations and NGOs to utilise the Guidelines as a tool to promote the realisation of human rights in the context of HIV/AIDS.
6. Forum members also recalled the conclusions of the Sixth Annual Meeting of the Asia Pacific Forum of National Human Rights Institutions, held in Colombo, Sri Lanka from 24th to 27th September 2001 in which Forum members agreed that HIV/AIDS should not be viewed solely as a health issue but also as a human rights issue “because of its serious economic, social and cultural implications. Forum members, therefore, committed themselves to combat discrimination and human rights violations on the basis of HIV/AIDS and called upon the assistance of the United Nations, governments and NGOs in the performance of this task.”⁵
7. Forum members agreed that national human rights institutions for the protection and promotion of human rights, in partnership with people living with HIV/AIDS, the United Nations, States, NGOs and other stakeholders can play a central role in the realisation of human rights in the context of HIV/AIDS as part of the global response to HIV/AIDS.
8. Forum members agreed that the main areas of their focus should be:
 - (i) identifying and advocating legal reform to ensure a supportive legal framework for the protection and promotion of human rights in the context of HIV/AIDS;
 - (ii) strengthening mechanisms for the addressing and redressing HIV/AIDS related human rights violations;
 - (iii) facilitating educational activities to combat HIV/AIDS related stigma and discrimination and protect and promote human rights in the context of HIV/AIDS;
 - (iv) assisting in the building of national capacities for dealing with HIV/AIDS human rights issues; and
 - (v) cooperating and collaborating with each other on issues of common concern.

⁴ Office of the United Nations High Commissioner for Human Rights and the Joint United Nations Programme on HIV/AIDS HR/PUB/98/1.

⁵ Paragraph 10, Sixth Annual Meeting of the Asia Pacific Forum of National Human Rights Institutions, www.apf.hreoc.gov.au.

9. Forum members welcomed the initiative of UNAIDS and the OHCHR to develop guidelines to assist national human rights institutions and requested the Forum Secretariat, in collaboration with UNAIDS, OHCHR and NGOs, to identify, collect, compile and disseminate materials on innovative projects and best practices undertaken by national human rights institutions on human rights and HIV/AIDS.
10. Forum members recalled their commitment to the protection and promotion of the human rights of all vulnerable groups especially those of women and those of children and noted that in the implementation of its projects on both HIV/AIDS and trafficking, due regard should be given to the intersection between these two issues.
11. Forum members requested the Forum Secretariat to develop and seek funding for the implementation of practical projects by Forum members to combat HIV/AIDS related stigma and discrimination and promote human rights in the context of HIV/AIDS at the national level.
12. Forum members requested the Forum Secretariat to continue its focus on human rights and HIV/AIDS issues and report back to the Forum.

The Concluding Statement will be available on the Forum website soon.

<http://www.apf.hreoc.gov.au>