

UNAIDS 2024

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# Result Area 5: Human rights

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**2022-2023 Results report**



## Result Area 5: Human rights

### Budget and expenditures and encumbrances for all Cosponsors 2022-2023 (in US\$)

Core central and country envelopes		Non-core		Total	
Budget	Expenditures and encumbrances	Budget	Expenditures and encumbrances	Budget	Expenditures and encumbrances
9 035 900	6 619 957	20 533 200	18 639 055	29 569 100	25 259 012

### Joint Programme 2022-2023 results

*Advocacy for, collaboration with and partners convened for supporting countries for the removal and/or amendment of punitive and discriminatory laws and policies relating to HIV and/or develop protective ones.*

The Joint Programme remained a bold and effective advocate for actions to protect, fulfil and promote the human rights of people living with HIV and key populations, including by supporting countries to remove and/or amend punitive laws and policies.

Through advocacy and technical support, the Global Partnership for action to eliminate all forms of HIV-related stigma and discrimination (Global Partnership) supported enactment of a revised law on the rights and obligations of people living with HIV in the Central African Republic and the drafting of revisions to the criminal code in Kazakhstan to decriminalize HIV exposure and transmission. In 2022–2023, UNDP supported 97 countries on HIV and TB-related rights and continued to work with governments, civil society and partners to advance the recommendations of the independent Global Commission on HIV and the Law, including decriminalization. UNDP’s advocacy and technical support contributed to HIV decriminalization in Zimbabwe and the introduction of a human rights-based drug law in Côte d’Ivoire. The work also contributed to decisions by Kenyan and Eswatini Supreme Court judges to affirm the rights of LGBTQI+ organizations to register as NGOs and to the decriminalization of consensual sex between men in the Cook Islands. Through support from UNDP and the Joint Programme, China lowered the minimum age requirement to legally change one's gender from 21 years to 18 years.

#### Indicator progress on human rights (RA 5)

- **69 countries** were supported to **remove or amend punitive and discriminatory laws and policies**, and/or develop protective ones affecting the HIV response
- **69 countries** were supported to **reduce stigma and discrimination** as defined in the Global Partnership for action to end all forms of HIV-related stigma and discrimination.

The Joint Programme played a leading role in responding to the rise of anti-LGBTQI+ sentiment in many countries. It opposed a new law in Uganda which imposes the

death penalty for same-sex intercourse in which HIV may have been transmitted, and it submitted an amicus brief to the constitutional court demonstrating the public health harms associated with such laws. The Joint Programme also responded to HIV-related human rights crises in Ghana, Kenya and the United Republic of Tanzania. UNDP co-sponsored a South-South learning meeting on the anti-LGBTQI+ pushback with “galck+”<sup>1</sup> for civil society, government and UN participants from Ghana, Kenya, Liberia, Nigeria, Uganda, Zambia and Zimbabwe to share strategies and lessons, create new alliances across sectors, and develop action plans. In Uganda this led to the creation of “Convening for Equality” by Ugandan activists and allies. In Ghana, it led to stronger alliances between HIV and LGBTQ+ groups.

In response to the rise of anti-LGBTQ+ sentiment in Kenya, the UNAIDS Secretariat met with 30 legislative staff members to discuss the right to health, judicial responses, key populations and the harmful impact of punitive laws on the HIV response. UNDP developed a strategic plan with “galck+” to respond to the pushback and provide “galck+” with financing for its related engagements with parliamentarians, religious leaders and academics.

Advancing the human rights of women and girls remained a priority of the Joint Programme’s work in 2022–2023. UN Women worked with women’s organizations and networks of women living with HIV in Indonesia, Malawi, Papua New Guinea, Tajikistan, Uganda and Viet Nam to repeal discriminatory HIV-related laws. It supported the national network of women living with HIV in Indonesia to participate in the development of country’s first-ever sexual violence crimes law, which includes measures that treat the forced sterilization of women living with HIV as a form of violence. Support was provided by the Joint Programme to the Ministry of Health of Viet Nam and other partners to draft and promote a new gender affirmation law, as well as to women’s organizations in several countries to strengthen legislation to prevent and respond to violence against women.

In response to an increasing number of human rights threats, the Joint Programme elevated its support for strategic litigation. The Global Partnership aided in the drafting of two petitions to the constitutional council in Kazakhstan to remove legal barriers for transgender people. The Secretariat submitted amicus briefs to courts in Chile and Kenya, each of which found that coerced or forced sterilization of women living with HIV violates human rights. In Tajikistan, UNDP partnered with the Global Fund to support 20 strategic litigation cases related to the criminalization of HIV exposure or transmission, which led to the Supreme Court issuing a resolution emphasizing “U=U”.

The Joint Programme prioritized technical support to enable judicial actors to fulfil their obligations as protectors of human rights. Judges who participated in UNDP-supported regional fora delivered court decisions decriminalizing adult consensual same-sex sexual activity in Mauritius and in Saint Kitts and Nevis. Legal aid desks were established in all four provinces of Pakistan to improve access to legal services among vulnerable and key populations. In 2023, 731 cases of legal assistance in the Punjab and Sindh provinces were reported where people accessed legal advice,

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<sup>1</sup> “galck+”, formerly The Gay and Lesbian Coalition of Kenya, is the national Sexual Orientation Gender Identity and Expression umbrella body representing LGBTQI+ voices across Kenya.

guidance and assistance. UNDP guidance for prosecutors on HIV-related criminal prosecutions was incorporated in a model policy document for prosecutors in Canada, and UNDP also assisted in the development of a training toolkit for prosecutors in Brazil. In Ukraine, UNHCR and ILO collaborated to empower 75 lawyers from governmental Free Legal Aid Centres with essential knowledge on protecting people living with HIV from discrimination and stigma.

The Joint Programme built the capacity of diverse country partners to exercise leadership to protect and promote the human rights of LGBTQI+ people. UNDP partnered with Parliamentarians for Global Action and multiple expert and community stakeholders worldwide to update the “Handbook for parliamentarians” on advancing the human rights and inclusion of LGBTQI+ people. The Joint Programme, in partnership with the Asia-Pacific Forum on National Human Rights Institutions, expanded its work on LGBTQI+ issues in 12 countries.

Increased evidence is available on human rights in the context of the HIV pandemic. During the 66th session of the Commission on Narcotic Drugs, UNODC joined with partners to disseminate evidence regarding the interconnectedness of health and human rights and human rights-based responses to HIV among people who use drugs. At the 32nd Session of the Commission on Crime Prevention and Criminal Justice, UNODC shared experiences and recommendations for addressing the health needs and rights of women, their children and transgender people in prison.

The UN system strengthened its capacity for leadership on human rights in the context of HIV. A new, UN-wide LGBTQI+ strategy and related resources are being finalized. UNDP, UNFPA and UNODC jointly updated an online “in-reach” training course to sensitize UN staff on working with and supporting key populations. A new report, informed by consultations convened by the UNAIDS Secretariat and presented to the 50th session of the Human Rights Council, summarized best practices for accelerating progress towards the 10–10–10 targets, including the removal of punitive laws.

*Technical and policy advocacy provided to support countries on actions to reduce HIV-related stigma and discrimination affecting the HIV response, including through leveraging the Global Partnership for action to eliminate HIV-related stigma and discrimination.*

**Global Partnership.** The Global Partnership (co-convened by UNDP, UN Women, the UNAIDS Secretariat, the Global Fund and GNP+) continues to drive progress on stigma and discrimination. Five additional countries (Brazil, Ghana, Haiti, Peru and Spain) joined the Partnership in 2023, bringing total country membership to 38. A Joint Programme-convened peer learning and exchange on stigma and discrimination helped to guide actions to reduce stigma and discrimination across all six of the domains prioritized by the Partnership. With leadership provided by GNP+, the Global Partnership launched the “#NotACriminal” campaign, with a website that serves as a hub for advocacy for decriminalization.

Notable advances were reported under the Global Partnership umbrella in 2022–2023. Uganda’s Ministry of Gender, Labour and Social Development adopted an

employer manual to combat HIV-related stigma and discrimination in the workplace, while community-level initiatives in Côte d'Ivoire, Democratic Republic of Congo and South Africa led to measurable declines in reported self-stigma. Social media campaigns to increase awareness and reporting on stigma and discrimination reached 10 000 people in the Philippines and Thailand. Jamaica adopted a five-year operational plan on HIV-related human rights. In addition, the Islamic Republic of Iran, with support from the Global Partnership, developed a multi-component protocol to eliminate stigma and discrimination in health-care settings.

Technical support from the Joint Programme built the capacity of country partners to combat stigma and discrimination. The UNAIDS Secretariat and UNDP supported the inclusion of community-led responses to reduce stigma in Global Fund GC7 funding applications (including in Angola, Ghana, Indonesia, Malawi, Nigeria, Pakistan and Venezuela). The Fast-Track Cities initiative provided technical support to address stigma and discrimination in 15 cities, including for a stigma-free spaces project in Kingston, Jamaica. UNDP partnered with governments, civil society and other stakeholders in 84 countries on LGBTQI+ rights and inclusion, including through the "SCALE" initiative. UN Women enabled the participation of women living with HIV in reporting procedures to the Committee on the Elimination of Discrimination against Women (CEDAW), including the development of an alternative CEDAW report in Tajikistan. ILO supported 12 African countries to develop frameworks to protect migrant workers' rights and supported more than 40 countries to strengthen non-discrimination legislation.

Technical support also focused on building the capacity of law enforcement officials and strengthening partnerships between law enforcement and health and other sectors. UNODC organized trainings and consultations for law enforcement officials in Afghanistan, Bangladesh, Belarus, India, Kazakhstan, Kyrgyzstan, Philippines and Uzbekistan. In Bangladesh, UNODC conducted a five-day training for 50 police stations in metropolitan Dhaka, covering topics such as drugs, crime, HIV and human rights.

Informed by the findings of the 50-country [ILO Global HIV Discrimination in the World of Work Survey](#), ILO provided tailored advisory and needs-based support to 20 countries to address stigma and discrimination. This led to several outcomes, including a review of legislation on HIV (Mozambique); the revision and launch of a national HIV workplace policy and implementation guidelines (Nigeria); a review of the national HIV workplace policy (Sierra Leone); and the adoption of an HIV-sensitive non-discrimination, violence and harassment policy by the Kyiv Regional Trade Union's Council (Ukraine). Other outcomes included the finalization and adoption of a national workplace wellness policy (Eswatini), and the development, adoption, gazetting and dissemination of a code of good practice on the prevention and elimination of harassment in the workplace (South Africa).

The Joint Programme helped expand the evidence base for strategic action to reduce stigma and discrimination. The World Bank's "Equality of opportunities for sexual and gender minorities" initiative is producing data that are inclusive of sexual orientation and gender identity. The initiative is being scaled up to 62 countries. UNDP launched the next phase of the LGBTQI+ Inclusion Index, for implementation

in Colombia, Côte d'Ivoire, Kenya, Mexico, Namibia and South Africa. It also publicized the results of a survey in five Central American countries about violence against LGBTIQ+ people. UNDP collaborated with civil society organizations to develop a media toolkit on HIV reporting to help journalists and community advocates cover related issues in an evidence-based and non-stigmatizing manner. UNODC provided technical assistance for harm reduction research in the Philippines, including by developing protocols in consultation with stakeholders, conducting training for local government units, service providers, and law enforcement, and supporting the establishment of governing bodies to oversee the research.



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