



**INTER-PARLIAMENTARY UNION  
OFFICE OF THE PERMANENT OBSERVER TO THE UNITED NATIONS**

**2008 High-level Meeting on AIDS  
Uniting the world against AIDS**

Statement by James Jennings  
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Mr. President,  
Distinguished Ministers,  
Excellencies,  
Ladies and Gentlemen,

Over the last two days, as we take stock of our promises, ambitions and targets, we have heard much about the epidemic that has brought us all to this High-Level meeting in New York. Without doubt, an enormous amount has been achieved since we last met here in 2006. And, as we have heard, a huge amount remains to be done if we are to have any chance of meeting the goal of universal access to prevention, treatment, care and support by the year 2010. Those whose fate it is to live and work in the most marginalized areas of society continue to be desperately vulnerable to the epidemic.

Rather than elaborating on the details of the global picture, I would like, on behalf of the Inter-Parliamentary Union, to say a few words about the role of parliaments in that picture. To some this role may be obvious, to others it is less so. In that respect, it is noteworthy that the Report of the Secretary-General on the Declaration of Commitment on HIV/AIDS and the Political Declaration on HIV/AIDS makes no reference whatsoever to parliaments or to parliamentarians.

The work carried out in parliaments is fundamental to any successful programme in the field of HIV and AIDS. Every agreement that is forged at the intergovernmental level ends up, sooner or later, on the table of the legislator for debate, possible amendment, and adoption. The enabling legislation that is essential to breaking the barriers of prejudice and fear that drive this epidemic is forged in parliament. The budgets that will be devoted to each country's HIV and AIDS programme are tabled and adopted in parliament.

Evidence of parliamentary interest in this major event is to be found in the large number of members of parliament who have joined their national delegations to the High-Level meeting. On Monday, before the opening of this Meeting, the IPU gathered together more than one hundred of the parliamentarians present for a briefing here in the United Nations. After an informative session with senior representatives of UNAIDS and UNDP, the parliamentarians went on to discuss the question of HIV-related travel restrictions and the need for more enlightened legislation in this field, centered on human rights.

The parliamentarians debated their role in the intergovernmental process and the need to engage, as politicians, with the political declaration. Turning to their own institution, they agreed on the need for more leadership by parliamentarians and for more searching examination of how the epidemic is handled within the parliament. This is a contentious area: there are many places in the world where the moral slur of openly declaring one's status can cause a parliamentarian to lose his or her seat at the next elections.

The IPU has given new impetus to its HIV and AIDS activities since the last UNGASS in 2006. A small Advisory Group of qualified parliamentarians has been set up to spearhead the work among the 150 IPU member parliaments. Last year, on the eve of World AIDS Day, the Group organized the first ever Global Parliamentary Meeting on HIV/AIDS, in Manila. Invaluable support was provided by our partners in UNAIDS and UNDP.

The conclusions of that Meeting included a resolve by the parliamentarians, as leaders in society, to do everything possible to break the silence about HIV/AIDS and encourage

openness when discussing the epidemic. They agreed to provide strong, informed and committed leadership on HIV prevention and to speak out openly about the need for action to prevent the spread of HIV and encourage voluntary HIV testing and counselling.

Turning to the question of the affordability and accessibility of treatment for persons living with HIV/AIDS, they said that particular attention should be paid to reforming national intellectual property laws to ensure that TRIPS flexibilities are incorporated fully into legislation. For instance, LDCs should take advantage of the WTO Doha Declaration on the TRIPS Agreement and Public Health which exempts them from granting pharmaceutical patents until 2016. Pointing out that bilateral trade agreements sometimes include provisions with more extensive patent protection than what is required under the TRIPS Agreement, they urged parliamentarians in developing countries to discourage their governments from entering into such agreements.

On the difficult issue of the criminalization of transmission, they declared that before rushing to legislate, parliaments should give careful consideration to the fact that passing HIV-specific criminal legislation can further stigmatize persons living with HIV; provide a disincentive to HIV testing; create a false sense of security among people who are HIV-negative; and, rather than assisting women by protecting them against HIV infection, impose on them an additional burden and risk of violence or discrimination.

Turning to stigma and discrimination, they resolved to strengthen legislation, regulations and other measures to eliminate discrimination against people living with HIV and members of vulnerable populations, and ensure that those laws are properly enforced. They also agreed to work to eliminate travel restrictions for people living with HIV/AIDS and oppose mandatory HIV testing of immigrants and refugees.

Mr. President,

There will be no informed legislation without knowledgeable legislators. The IPU is grateful to its United Nations partners for helping it to promote sound HIV and AIDS-related laws. There is much ground that has to be covered in the parliamentary sphere, but parliaments are committed to playing their part in this endeavor, and the IPU will do all it can to assist them. Thank you