

**Human Rights Watch
Open Society Institute**

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Human rights of drug users in an era of HIV/AIDS

**Opening remarks by Paul Hunt,
Special Rapporteur on the right to health**

Thank you Chair - and good afternoon everyone. I am grateful for the invitation to join today's panel meeting.

The spread of HIV through injecting drug use is an increasingly serious public health problem in many parts of the world. Outside of Africa, around one-third of all new HIV infections are linked to drug use – and of these, an alarming number involve young people. In some countries in eastern Europe and in parts of Asia, the great majority of new HIV transmission is among drug users. Globally, an estimated ten percent of HIV/AIDS is attributed to injecting drug use, and the numbers are continuing to grow. The epidemics are now growing with unprecedented speed.

These issues have clear and pressing public health and human rights implications.

In my brief opening remarks today, I will stress in particular the need to address stigmatization of, and discrimination against, injecting drug users as barriers to the right to health and other human rights. For example:

- Drug users are often stigmatized and are vulnerable to repressive treatment by the criminal justice system in some countries. In many countries, drug addiction is treated primarily as a matter of criminal law rather than a health issue.
- Discrimination against drug users can hinder HIV prevention efforts: people will not seek HIV counselling, testing, treatment and support if this means facing discrimination, lack of privacy or confidentiality, alienation – or in some cases, the threat of incarceration.
- Lack of human rights protection makes it more difficult for drug users to cope with HIV/AIDS. Where drug addiction is met with HIV transmission, those affected can be doubly stigmatized and may suffer discrimination at multiple levels.
- Repressive or coercive public health measures, such as compulsory HIV testing, are often imposed on injecting drug users, who may be even more vulnerable in the context of the criminal justice system.

The human rights challenges are great. However, good practice examples exist for addressing these issues. Effective programmes and policies for combating drug addiction and HIV transmission have been put into practice around the world. Moreover, many are not very costly. For example:

- An HIV/AIDS prevention programme in Bangladesh provides outreach programs for injecting drug users, including needle exchange services, peer education, condom promotion and user-friendly treatment for sexually transmitted infections. As a result of these interventions prevalence among injecting drug users was measured at 7% in 2003, as opposed to the projected estimate of 60%.
- Needle exchange projects in the Ukraine are now reaching about 20% of all drug users, following recent widespread information campaigns and open debate on the issues.
- Clean-needle services in California have resulted in a drop in the percentage of new initiates into injecting drug use and a massive decrease in needle-sharing.

To be effective, human rights sensitive public health strategies should include harm reduction initiatives, as well as commitments to:

- Reviewing anti-discrimination laws to ensure that persons affected by HIV/AIDS and members of vulnerable groups, including drug users, are protected against discrimination;
- Ensuring available and accessible treatment and rehabilitation services for drug users, together with appropriate HIV-related information, education and support;
- Reviewing drug control legislation and practices, to ensure that they do not hinder HIV prevention efforts by perpetuating the stigmatization and marginalization of drug users; and
- Ensuring the participation of injecting drug use communities in the development and implementation of programmes and policies -- consistent with the human right to participate.

These are not easy discussions. Some of these initiatives will be controversial in some societies. But in the context of HIV/AIDS, international human rights law and pragmatic public health goals demand difficult policy decisions. These must include ensuring respect for the human rights of the most vulnerable and marginalized.

Thank you.
