

12/21/11 - HIV and Enabling Legal Environments: Summary



SUMMARY OF THE UNAIDS 29TH UNAIDS PROGRAMME CO-ORDINATING BOARD

THEMATIC SEGMENT: HIV AND ENABLING LEGAL ENVIRONMENTS

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LOOKING BACK, AROUND AND FORWARD

We gather in this space to face a continuing global peril and do so in the name of fellow human beings who have no voice. The AIDS epidemic, which first confronted the world 30 years ago, is by no means over. We meet at a time of new crises in sustaining the global mobilisation to overcome the human immuno-deficiency virus (HIV) and to fund the therapies that palliate its cruel impact on our species.

A quarter century ago, at WHO headquarters, I was summoned by a great servant

of humanity, Dr. Jonathan Mann, to serve on the inaugural Global Commission on AIDS. Little did we think, when we assembled not far from this meeting room, that the world would still be confronted by a huge puzzle, a quarter of a century later. In those days, we were so full of hope and optimistic expectations. Participants in the Commission included two fine scientists, Robert Gallo of the United States of America and Luc Montagnier of France, the latter of whom later won the Nobel Prize for Medicine, that a vaccine and a cure for AIDS were only 10 to 20 years in the future. Yet here we are and as yet there is not a reliable vaccine. And although great strides have been made in the development of anti-retroviral therapy (ART) mankind still has no curative medicines to rid the body of HIV.

In the past decade, under the leadership of UNAIDS, a mighty effort has been made to provide ART to more than 7 million human beings on every continent. The Global Fund Against AIDS, Tuberculosis and Malaria (the Global Fund) has been a vehicle to save and enhance the lives of millions. Yet, even as we meet, more than 7 million others, who do not yet have access to ART, depend on our efforts, and those of UNAIDS and the Global Fund, to bring to zero the needless deaths from HIV/AIDS, and the suffering, discrimination, fear and stigma that travel in its wake. On every continent, men, women and children live in fear. The fear is escalated by the global financial crisis which has occasioned cancellation of the replenishment of the Global Fund's resources to bring lifesaving drugs to all of those in need.

In this predicament, UNAIDS and its participating agencies have supported the initiative of the United Nations Development Programme (UNDP) to establish a Global Commission on HIV and the Law. That Commission has been meeting in Geneva this week to bring its unprecedented global enquiry to an early conclusion in 2012. Once again, I am privileged to serve on this body. It is led by fine leaders of great practical and political wisdom: H.E. Fernando Henrique Cardoso (former President of Brazil) and H.E. Festus Mogae (former President of Botswana). The Commission's Vice-Chair is Shereen El-feki (Egypt), who has been present during the deliberations of this forum.

We have travelled down the path of the areas of law that stand in need of re-examination, if humanity is to confront and overcome its current challenges in respect of HIV. The law can be a useful servant of our species, to reinforce its responses to this dangerous virus. But the traditional public health reactions to an epidemic, including quarantine, have long since been invaluable and inappropriate, as HIV has penetrated every nation and every community. New, creative legal responses are needed. But often both new and old laws have been a hindrance in the struggle against HIV.

The law can disempower women and children, and other groups in every society specially vulnerable to infection and loss. The law can also play upon, and increase, stigma and discrimination against vulnerable key populations ? men who have sex with men (MSM), people who use drugs (IDUs), sex workers (CSW), transgender persons (TGP), prisoners, migrants and other minorities. The challenge for the UNDP Global Commission, and for this Thematic Segment, has been to address these vulnerable populations. And to identify the ways in which the burden of law can be lifted and its capacity magnified, to help the global strategy to obtain its goals.

One area of the law, insufficiently addressed during this Segment, but in the forefront of the considerations of the Global Commission, is the law on intellectual property. In the present circumstances of diminution in funds available to underwrite the costs of ART for those in need, thought has to be given urgently to a new world intellectual property regime. This would seek to reconcile the present rules of the international community on patents and copyright, so as to make them more harmonious with the universal human right to access to, and gradual attainment of, the best attainable standards of health care (UDH, Art 24; ICECSR, Art 12).

One of our participants, Julian Hauser (UK), took our minds back to the first time we learned of the existence of HIV, in his case 1985. Because I and several of us were there at that time, we know the hard journey that has been taken over the intervening years. But we derive strength from the progress that has been achieved. And resolution from the dedication of humanity to help relieve suffering, reduce stigma and discrimination and to ensure access to lifesaving treatment for all who seek and would benefit from it. This has been the objective of this Segment. We have engaged together in a great moment of human solidarity to put aside our differences and to explore the ways that law can be a help, and not an enemy to our endeavours.



GETTING BEARINGS, GAINING PERSPECTIVES

During our discussions, one participant, from civil society, Joe Amon (USA), like me a member of the UNAIDS Reference Group on HIV and Human Rights (the Reference Group) insisted on the approach that he declared was proper to our endeavours. This is an approach of respectful consultation and participation together in what is, after all, a common human goal and a great moral imperative. By and large, we have followed this injunction during our discussions. It is one that Jonathan Mann laid down at the beginning of the global response to AIDS. Resting our approaches on empirical data. Seeking, so far as possible, to work together and to learn from one another. Engaging with vulnerable populations and listening to their perspectives.

I congratulate the Polish delegation to this forum for including in their number a member who openly declared that he was living with HIV. His voice was heard, loud and clear. The days of speaking *at* people living with HIV and AIDS (PLWHA) are long since over. More delegations in the future should ensure, and reveal, the participation of PLWHAs in the voices that they bring to HIV policy.

Another member of the Reference Group, Mark Heywood (South Africa) insisted that we should adopt an approach to law in this forum, focused on the reality of its rules and not just on the words in the books of law. His story of the arrest, detention and expulsion of a journalist in a Gulf country for having tested positive to HIV brought home to us the special vulnerability of PLWHAs in many societies. The reality of disempowerment has never been far from our consideration of this forum.

Repeatedly, as in the interventions of The Netherlands delegate, we have heard calls to rest our approach to law, and to its reform, upon the basis of evidence, not intuition or prejudice. This too has been a golden thread in the response to HIV, beginning in the work of the Global Programme on AIDS of WHO and sustained by the untiring efforts of successive Executive Directors of UNAIDS.

On the whole, this forum has been marked throughout by the mutually respectful approach that has been adopted by all participants. Although AIDS is inevitably a subject that raises anxieties and stress, because it is associated with death, suffering, sex and drugs, our voices have been insistent but quiet. They have been free of rancour, insult and blame. Edwin Bernard, from civil society, whilst noting country reports on HIV legislation from many nations, declared that they were frequently "selective". He offered to give examples, if asked. No-one in the forum pressed the questions. We all realise the natural desire of every country to identify good and beneficial legislation and to go lightly on the punitive and occasionally oppressive laws.

The distinguished delegate of Egypt searched in his intervention for ways in which culturally sensitive approaches could be found to deal with some of the populations vulnerable to HIV infection, without necessarily naming them. To name them might sometimes identify and isolate them. The common objective, he said, was to secure the best available therapies for *all* people with HIV, regardless of how they were originally infected. We listened quietly, seeking to learn from these perspectives. Everyone in the forum agreed that there should be no discrimination against the sick and the infected. Everyone enjoys the universal right to basic health care. How we get to that objective may sometimes be contested. Some voices from civil society suggested that, only by naming and confronting stigma, would it be overcome. But we listened and shared our viewpoints. We part to reflect ad act upon our discoveries.

A spokesman from civil society (Thailand) criticised the action of an unnamed foreign country for putting his nation on a 'watch list' because of its lifesaving strategies to provide generic therapies for PLWHAs. Once again, he did not name the country concerned, although most in this hall would have known whom he was

referring to. The respectful dialogue of this forum was a special contribution we all made to seeking out a common ground. And searching for the things that we share in common as human beings, confronted by a tiny virus that is the enemy of the whole human family.

At the outset of the Programme Coordinating Board (PCB), we were reminded by Michel Sidibé, the present dynamic Executive Director of UNAIDS, of the "dark shadow" that has fallen upon humanity at the very moment when lifesaving drugs became possible for many PLWHAs. This shadow is a reflection of the savage turn in the global financial crisis. Countries are delaying or disclaiming commitments they gave for funding of the Global Fund not six months ago at the Special Session of the General Assembly in New York. This dark shadow has been in the mind of every participant in this Segment.

What a shocking thing it will be for humanity if the hopes of "getting to zero" evaporate before our eyes. If the 7 million and more of our brothers and sisters in need of access to ART are turned away. If the Global Fund shrinks in its capacity to deliver lifesaving therapies to all who need them. Even worse, if those currently given access to ART are told that the current or second and third line therapies are not available to sustain the battle. If this happens, there may be serious dangers to international peace and security. Those whose lives have been temporarily released from the shadow of AIDS will not quietly accept the deprivation of drugs that change and sustain their existence. This point was made at the outset of our deliberations by Prasada Rao, Member Secretary of the UNDP Global Commission. He emphasised the challenging economic and social environment in which the Commission is performing its work and considering its findings and recommendations. The same resolution was expressed in the closing statement of UNICEF, on behalf of the co-sponsors of UNAIDS, and supporters of the Global Commission. It is the duty of humanity to lift the dark shadow. But the current economic circumstances are perilous and, at least partly, beyond the immediate control of political leaders, whatever their high aspirations.

From the beginning, participants in this forum have emphasised that law is an important ingredient in the global response to HIV. But law alone is not enough. Veronica Cenac from the Caribbean (also a member of the Reference Group) reminded us of the wise counsel of Martin Luther King Jr. When he was asked whether, in the struggle for racial equality in the United States, law could ensure that white citizens loved black citizens, he acknowledged that it could not. But he went on to declare 'it can certainly stop people lynching one another'. This is the negative and sanctioning aspect of law. Law can be protective. But it can also be a great educator and a restraint from wrongdoing. It can help change people's minds

and thus be positive. It is this positive aspect of law that we have explored in our dialogue.

Getting to positive outcomes depends on securing good legal advice and dedicated commitment. Nick Rhoades (USA) in his powerful statement of the way he was stigmatised and punished in the United States for consensual activity as an MSM, recounted the way law often falls heavily upon minority populations, as it did on him and many others. Even those formally trained in law are not always aware of the way that law can help those struggling with discrimination and disadvantage. Just having laws is not enough. Securing fine lawyers with dedication and imagination is often the challenge.

Yet this challenge is occasionally answered. We heard of the way law has been invoked in many lands to combat discrimination and to advance national efforts against the spread of HIV. In India, the decision of the Delhi High Court in the *Naz Foundation Case* struck down, as unconstitutional, the provisions of the *Indian Penal Code* (s377) criminalising MSM. This colonial relic intrudes the law into intimate, consenting adult conduct in a way that enhances stigma and discrimination and impedes the efforts to contain the spread of HIV. Fortunately, as a result of fine lawyers (one of whom is now the Special Rapporteur on the Right to Health of the Human Rights Council of the United Nations, Mr. Anand Grover) were able to persuade the Indian judges to see the legal issues in a wider, social and public health context. Judges in many lands have been offered similar challenges. We have heard of the test cases brought before the courts in Namibia (on the sterilisation of HIV positive women); in Poland (on the deprivation of employment of uniformed officials who are HIV positive) and in Belize (on the consistency of criminalising MSM with protective constitutional provisions on privacy and equality of citizenship). Law is Janus-faced. It can be an enemy and also an obstacle. But in skilled and enlightened hands, it can be a most useful ally in the struggle against HIV.



LISTENING FOR SOLUTIONS Throughout this dialogue, a feature of the discourse has been its emphasis on positive solutions. On action and what can be done to address the current challenges.

Our distinguished moderator, Riz Khan, spoke from a lifetime's experience at high levels of journalism. He asked how we could get journalists to present the human stories that have been revealed in our exchanges, so as to enhance global understanding and promote global action. Sadly, many of the participants recounted personal experiences of the negative role that contemporary media can sometimes play: with its emphasis upon conflict, disagreement, anger, celebrity and sensation. Yet if only the media could have recorded the dialogue of this forum, it might have contributed to greater understanding of the need for action and of the ways action should be approached. In a sense, the lack of media involvement at this Thematic Segment represented a loss of opportunity. Yet would all participants have spoken so sincerely and directly, under the gaze of the modern global inquisition?

One of the powerful images seared into our minds was the short extract from the film displayed by the Egyptian delegate. The sight of a human family, in a humble

village, confronting the realities of HIV infection, brought us down to earth with a thud. HIV/AIDS is not only a theoretical construct. It is full of human dilemma, burdens, pressures and fears.

If there was one theme that was not sufficiently explored during the dialogue, it was the relevance of law to intellectual property law reform. In the current predicament of the Global Fund and the falling availability of ART, the need to re-align patent law in particular, and to reconcile it with universal human rights is urgent and plain. This was raised by the speaker for EAA, addressing an ecumenical approach to law and HIV. She emphasised the importance of a dialogue between faith-based organisations. Such a dialogue has been attempted by UNAIDS, in a major meeting in Den Dolder in The Netherlands in 2010. Yet finding common ground is sometimes painful because of the common understandings of scriptural texts. Occasionally, these can be put to one side with the embrace of a practical focus upon legal reforms that do not require unsettling explorations of traditional religious perspectives.

From a secular point of view, the delegate of Brazil described the strong initiatives taken by successive governments in that country. More than 200,000 Brazilian citizens are currently on ART treatment. Brazil has led the way in invoking flexibilities under the TRIPS Agreement of the World Trade Organisation. It has issued compulsory licences. It has insisted on fulfilment of the fundamental human rights of its citizens. It showed what can be done in an effective engagement with the HIV epidemic. Several civil society speakers addressed the issue of patent law and HIV. But we will hear more of this in the work of the UNDP Global Commission, for it is in the forefront of that body's deliberations.

New initiatives of many countries, often supported by legal change, were described and listened to for the lessons they hold for us all. Thus the Kenyan delegate described the establishment of the Equity Tribunal in that country which permits ready access to independent decision-makers who will deal with complaints of discrimination and disadvantage towards PLWHAs. The reform of the police and other officials and the education of the public sector, so as to redress stigma, was another lesson that Kenya may have to offer this. When asked why and how these initiatives had been taken, the Kenyan delegate insisted that they were necessary to enhance the basic rights of the 1.6 million citizens of Kenya who are living with HIV.

The delegate of Finland described the facilities of needle exchange and harm reduction for IDU citizens in that country and the provision to them of health advice aimed at reducing the risks of HIV infection. The outcome of this strategy has been a much lower rate of infection that exists in Finland's great neighbour, Russia, just

across the border. Earlier in the week, the members of the PCB heard the distinguished delegate of Russia acknowledging the need of governments everywhere to keep their minds open to new ideas and to new strategies where old ways in the law have not helped, but have hindered, the global and national struggle against HIV.

The delegate of Togo described new laws dealing with domestic violence, which can often expose women to special vulnerability to infection. And laws adopted in that country to safeguard the legal rights of widows, left behind when their husbands have died of AIDS.

Several delegations, including those of Japan and Sweden, emphasised the need to include civil society in the drafting of laws on HIV and in educating the community, including judges and police, in confronting and overcoming stigma so as to reach out to those most at risk and in need.

Many participants from civil society insisted on the need to change laws and prosecution practices so as to stop the reliance by prosecutors on the possession of condoms in order to prove allegations against accused persons of involvement in illegal sex work. To the extent that this becomes a regular process, participants such as Meena Seshu (India), a member of the Reference Group, and Mickey Meji (South Africa) pointed out that such practices diminish the chance that sex workers will carry condoms for their own protection and for the protection of their sexual partners. Heightening risk reduction was a frequent theme throughout the dialogue.

Nick Rhoades called for education of the community and of legislators. But how is this to be accomplished? In many countries, strategic use of popular media, including soap operas on television, has been in a way to convey essential messages in attractive and digestible segments. The messages include the need for respect and acceptance of the legitimacy of populations at risk to HIV, including sex workers, MSM and drug users.

In several countries (including Brazil and The Netherlands), sex work has been recognised by law as a lawful occupation, to be protected and defended against stigma, violence and discrimination. Occasionally, this change must be purchased as a price. The Brazilian delegate explained that Brazil lost \$40 million worth of foreign aid because it refused to sign the anti-prostitution pledge demanded by the government of the United States of America. Meena Seshu insisted that, for many adult sex workers in India there was an urgent need for protection from government and its officials. Yet according to one civil society speaker, only two jurisdictions (New Zealand and New South Wales, Australia) have lately moved the decriminalise

adult consensual sex work. Such moves can significantly reduce the risks of unsafe sexual encounters and thus of the spread of HIV. Whilst they can sometimes be difficult in some conservative cultures, the priority need to reduce infection required completely new approaches, motivated by the primary objective of reducing the risks of HIV transmission.

The possibility of bringing constitutional challenges disproportionate laws or practices was explained. Many instances were given of constitutional and other challenges. But to be successful, these efforts rely on highly talented lawyers and well-motivated activities of civil society, pressing forward the envelope of the law. Only one participant, the delegate of Canada, mentioned one specially vulnerable population under particular review by the UNDP Global Commission, namely children. Children become infected with HIV through birth, breast-feeding and sometimes through sex work at an immature age, resulting from being left orphans in the wake of parental deaths from AIDS. The Canadian delegate described support given to civil society in several African countries, designed to address the laws and policies specially relevant to women and children. One project, in Malawi, had produced a new *Deceaseds' Assets Act*, removing traditional disadvantages suffered in the law by women and children. This was a model for consideration in other countries at risk.

Nick Rhoades and Robert Suttle explained the disadvantages of migrants and minority groups caught up in the cycle of detention, destitution and death, even in the United States. In a powerful intervention, the United States Ambassador acknowledged that wrongs had been committed in his country which the HIV epidemic had finally revealed when the light of knowledge and compassion was brought to bear. Such wrongs included wrongs to the gay community (MSM); wrongs in terms of travel restrictions; counter-productive laws on drug use; and effective discrimination on the basis of gender. The acknowledgement of such wrongs was not a powerful acknowledgement of truth.

Mention was made of the recent speech of the US Secretary of State (Hillary Clinton) to the Human Rights Council of the United Nations, urging the lifting of the shadow of criminalisation and fear that still haunts MSM in 80 countries around the world. Even in countries where the law is neutral on such matters, initiatives are needed to change and enlighten social attitudes. As the US representative acknowledged, each participant in this forum was obliged to reflect upon the fact that similar wrongs have been done in every country. The HIV/AIDS epidemic affords us a global reckoning. Acknowledging wrongs and hastening to repair them can be justified on equality and human rights grounds. But in the urgent state of the current HIV epidemic, there is an additional dynamic at work. It is expressed in the

lives of the human beings exposed to profound and existential risks.

Mark Heywood emphasised the special challenge of securing access to justice, even where the law has been reformed and improved in harmony with urgent needs and growing wisdom. Where vulnerable populations are disadvantaged by identity, class and geography, the challenge of securing change is very great. We must heed Mark Heywood's call to consider ways in which protective laws can be made accessible, affordable, equal and non-discriminatory in their operation.

Many participants echoed Mark Heywood's call for an action plan by UNAIDS, designed to capture the best of the ideas in this Thematic Segment. And to translate those ideas into priority programmes for implementation in the laws and practices of member countries.



LISTENING TO THE VOICES

When we are far from here and have returned to our home countries, images will flash upon the inward eye that remind us of this encounter with the activities of the

AIDS epidemic and its many vulnerable populations as described by the participants:

* We will remember the words of Irena Teplinskaya (Russia) at the beginning of this forum. She told of her hard life as a drug dependent person and user, journeying on a metaphysical vehicle with three wheels which she called 'prison', 'discrimination' and 'death'. But Irene remained optimistic and definitely assertive of her rights as a human being. Things will change, she declared, because "the earth is not flat". Harm reduction will replace punitive and ineffective policies on IDUs. It will do so not only because this was more effective strategy by which to confront HIV. But also because it was less damaging and unkind to human beings, caught up in drug dependence and use;

* We will remember the words and actions of Robert Suttle (United States) holding up his driver's licence with its shocking and excessive endorsement "sex offender", all for adult consensual acts of sexual intercourse, simply because of his HIV status. We will remember his vivid images of prisons in the southern states of the United States, packed with young gay, black men, like himself. Prisoners processed through an ill-focused and disproportionate punitive regime;

* We will hear the voice of Mabel Bianco (Argentina), a past member of the Reference Group. She spoke of the fundamental rights to sexual and reproductive health of women. And of the problems which the deprivation of those rights and the absence of female condoms can present to women confronted by the daily risks of infection with HIV by domestic and other sexual partners, by forced sex and the peril of enforced sterilisation;

* We will remember to words of Jane (New Zealand) describing the package of laws in that country that coincided with the advent of HIV. Laws to remove the crimes imposed on MSM; to afford safe and sterile injecting equipment to IDUs; and decriminalising the work of sex workers (CSW). We will recall her candid acknowledgement of the peculiarities of her country and its effective removal from the main centres of HIV. Her suggestions of legal reform were the more powerful because she did not overstate the case and acknowledged the need for local variations;

* And who of us will not remember the words of the delegate from El Salvador, a country described as conservative and at first resistant to the legal changes demanded by the arrival of HIV. How did that country change its strategy? The delegate appeared to be astonished to be asked such a question. "We are living in the twentieth century. All of us, without exception, have human rights", she

declared. It is this insight that we must spread from El Salvador throughout the region and throughout the world;

* We will also remember Fabian, the spokesman for sex workers in Geneva. He described the industry of sex work in this city as worth CHF3.5 billion a year. Perhaps astonishing to think of it. But when moves were made to remove criminal penalties and to enhance legal protections and true legal respect and protection for sex workers, the result has been the empowerment of those workers and of their capacity to protect themselves and, thereby the community, from the spread of HIV;

* Into our minds will swim the voice of George describing the special burdens of stigma imposed on MSM in many lands by the criminal laws and social attitudes that denigrate this cohort of people by reference to their sexuality and identity. Such laws undermine the ability of MSM to stand up for their rights and to accept the dignity of their existence. In a world of such low self-esteem, HIV is rampant;

* We will remember the answer which Shaun gave to our moderator. Is media part of the solution to HIV? At least in the United States, Shaun declared, it is to the contrary part of the problem. Indeed, he described it as a "horrific problem". The media absents itself from the coverage of matters that should be conveyed to the public. All too often, it chooses, instead, to sensationalise conflict and to denigrate populations already at risk;

* We will recall the insistent demand by Meena Seshu (India) that "sex workers' rights are human rights". And her declaration that sex workers whom she mobilised in India were astonished to hear that they had legal rights. And that police and officials had no entitlement to molest and rape them. We will recall the practical steps she has described to organise and uphold the rights of sex workers, so that they can protect themselves and help protect their clients and their sexual partners;

* We will remember the story of Nick Rhoades hearing in astonishment the judge who sentenced him to 25 years imprisonment for a consensual non-violent sexual act, saying to him: 'I punish you more because you don't look dangerous'. Well, his voice is dangerous indeed. It is a voice that confronts ignorance, wherever it may occur. Including in the higher reaches of the judiciary and of government. There have been many dangerous voices at this forum;

* We will remember the Polish delegate, speaking of his experience as a person living with HIV. He is living proof that Jonathan Mann's instruction in those early days of HIV is still alive in the councils of the United Nations. In future such forums there should be more PLWHAs in national delegations, to enhance the power and

insight of their commentary;

* We will remember the vivid words of Michaela Clayton (Namibia), co-chair of the Reference Group. Her story of judicial ignorance will haunt us whenever we remember the judge in a developed country who expressed his belief that a person before the court, living with HIV, had to be isolated and masked because 'the virus lives in a dried state and needs only a drop of water to be reactivated'. Discouraging ignorance of this kind is the more telling when it comes from the mouths of those who should know better;

* We will also remember the vivid description, read to us, of the life of Raheem, barely surviving in Afghanistan. 'We are the forgotten dirt of Kabul city. We only want a life of love and safety, like everyone else'. Well, Raheem is not "dirt". He is our brother and we must engage with him;

* The prize for the most vivid intervention goes to Violetta Ross Quiroga (Bolivia), a member of the Reference Group and a woman living with HIV. 'I was raped by two men. I got HIV. HIV is a very cruel partner in life', she declared. But she was not focused only on herself. Her concern was with the special burden facing transgender PLWHAs. And the dangers of self-harm, of forced sterilisation and of unending stigma. Who will forget her plea: 'Why is it so difficult to get justice to women?' Who will forget the drawings she presented of women and TPG infected with HIV by way of gang violence? 'What would you do', she challenged us, 'if this drawing were of your daughter? Of your sister? Of your mother?'

It is through the voices of the participants in this forum that the real life experience of HIV has been conveyed to us all. These messages were not overstated. Generally, they were understated. They are simply facts. I pay tribute to the country delegates serving on the PCB, who have stayed with us throughout this Thematic Segment, right to the bitter end. They have listened as we have all listened. Civil society has listened to the country reports. By a process of rational absorption of insights and also of osmotic infusion of ideas, the room has become aware of the realities which HIV daily presents to the lives of millions on our planet.

It is in this way that we, mere humans, find common ground. We learn to set aside any differences. We appreciate the need to explore reforms and innovations. We understand the need to take action which once would have been unthinkable. Our minds are expanded as are our hearts. We know what needs to be done. We realise that action is urgent. We appreciate that we are at a tipping point for this epidemic. Sadly, we are also aware that many citizens and even officials in our countries think that HIV is over. That new and different perils demand the attention

of government. For such thoughts, this Thematic Segment has been a vital antidote.

WITH THANKS AND PRAISE

So I thank the PCB for inviting me and other participants to share this day with members of the PCB. I thank UNAIDS for taking this initiative. I salute Michel Sidibé, Paul De Lay, Susan Timberlake and other officers of UNAIDS for making this day possible. And for shouldering the burden of this global epidemic, day by busy day. Others of us can turn our attention to more manageable problems. I thank Riz Khan for his brilliant moderation of our dialogue. Above all, I thank all of the participants, from government and from civil society. It is through such an interchange that humanity will eventually consign HIV and AIDS to a footnote to human history. In the meantime, there is work to be done. The law has useful work to do. And dangers to avoid before we can rest from these perils.