

Press Release

National Dialogue to review legal barriers impacting the AIDS response in Papua New Guinea

Port Moresby, 14 June 2011- Since the first reported case of HIV in Papua New Guinea in 1987, a cumulative total of 11,520 people are estimated to have died due to HIV-related illnesses and 5,610 children have become orphans as a result of the epidemic.

In 2011, Papua New Guinea joined the Global Commission on HIV and the Law to remove barriers to progress in the AIDS response, bringing together policymakers, civil society, and faith based organizations and experts for a national dialogue.

At the national dialogue, approximately 250 participants from the four regions discussed and debated on the role of the Law in responding to HIV and AIDS in Papua New Guinea. Retired Judge of Australia, Justice Michael Kirby attended the event as invited guest speaker.

In 2003 Papua New Guinea became the fourth country in the Asia Pacific region to have a generalized HIV epidemic with close to one percent of the sexually active population infected. Gender inequality and gender based violence make women and girls in the country particularly vulnerable to HIV.

Certain provinces such as the highlands are more affected by HIV and in some others the epidemic is on the rise. Much higher HIV infections rates are found among sub-populations such as transactional and cash based sex workers and their clients, men who have sex with men (MSM), and transgender people. For an effective AIDS response in the country it is imperative that we address the increase of HIV infection among these sub-populations.

Dr. Moses Manwau, Chairman of the Special Parliamentarian Committee on HIV and AIDS of Papua New Guinea in his opening remarks said, ***“this forum will help find legal frameworks to better manage HIV and AIDS in this country, we need a diversity of opinions and views and we need to listen to our hearts if we are to address these issues more holistically.”***

Laws that protect the human rights of marginalized and disempowered people have proven to be successful in mitigating the impact of HIV. The Papua New Guinea’s HIV Management and Prevention Act (HAMP Act 2003) that squarely puts human rights at the center of the policy response and makes it unlawful to discriminate against someone on the basis of their HIV status, and or deny a person access to means of protection from HIV infections, is such an example. However, lack of enforcement of the HAMP Act combined with other laws that criminalize those most vulnerable to HIV obstructs the AIDS response in the country.

Justice Michael Kirby said “the Law should be a helper and not a hindrance in the AIDS Response.”

Ana, a mother of 3 representing sexworkers expressed her concerns tearfully, ***“because I am a sex worker my children suffer and are considered criminals because they live from the proceeds of my earnings. Who is going to feed them?, who is going to pay their school fees?, who is going to pay for their clothes?”***

The national dialogue was hosted by the National AIDS Council and its secretariat (NACS), with support from the UN and AusAID.

Note to editors:

- The Global Commission on HIV and the Law was launched in June 2010 by UNDP on behalf of the UNAIDS family to provide global leadership on HIV-related legal and human rights issues by analysing what is known about the interactions between the legal environments, human rights and HIV; fostering evidence-informed public dialogue on the need for rights-based law and policy in the context of HIV; and identifying clear and actionable recommendations with a concrete plan for follow-up.
(www.hivlawcommission.org)
- The members of the Commission are: former President of Brazil, Fernando Henrique Cardoso (Brazil, Commission Chair), Justice Edwin Cameron (South Africa), Ms. Ana Helena Chacón-Echeverría (Costa Rica), Mr. Charles Chauvel (New Zealand), Dr. Shereen El Feki (Egypt, Commission Vice-Chair), Ms. Bience Gawanas (Namibia), Dame Carol Kidu (Papua New Guinea), the Honourable Michael Kirby (Australia), the Honourable Barbara Lee (United States), Mr. Stephen Lewis (Canada), His Excellency Mr. Festus Mogae (Botswana), Mr. JVR Prasada Rao (India), Professor Sylvia Tamale (Uganda), Mr. Jon Ungphakorn (Thailand) and Professor Miriam Were (Kenya).

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