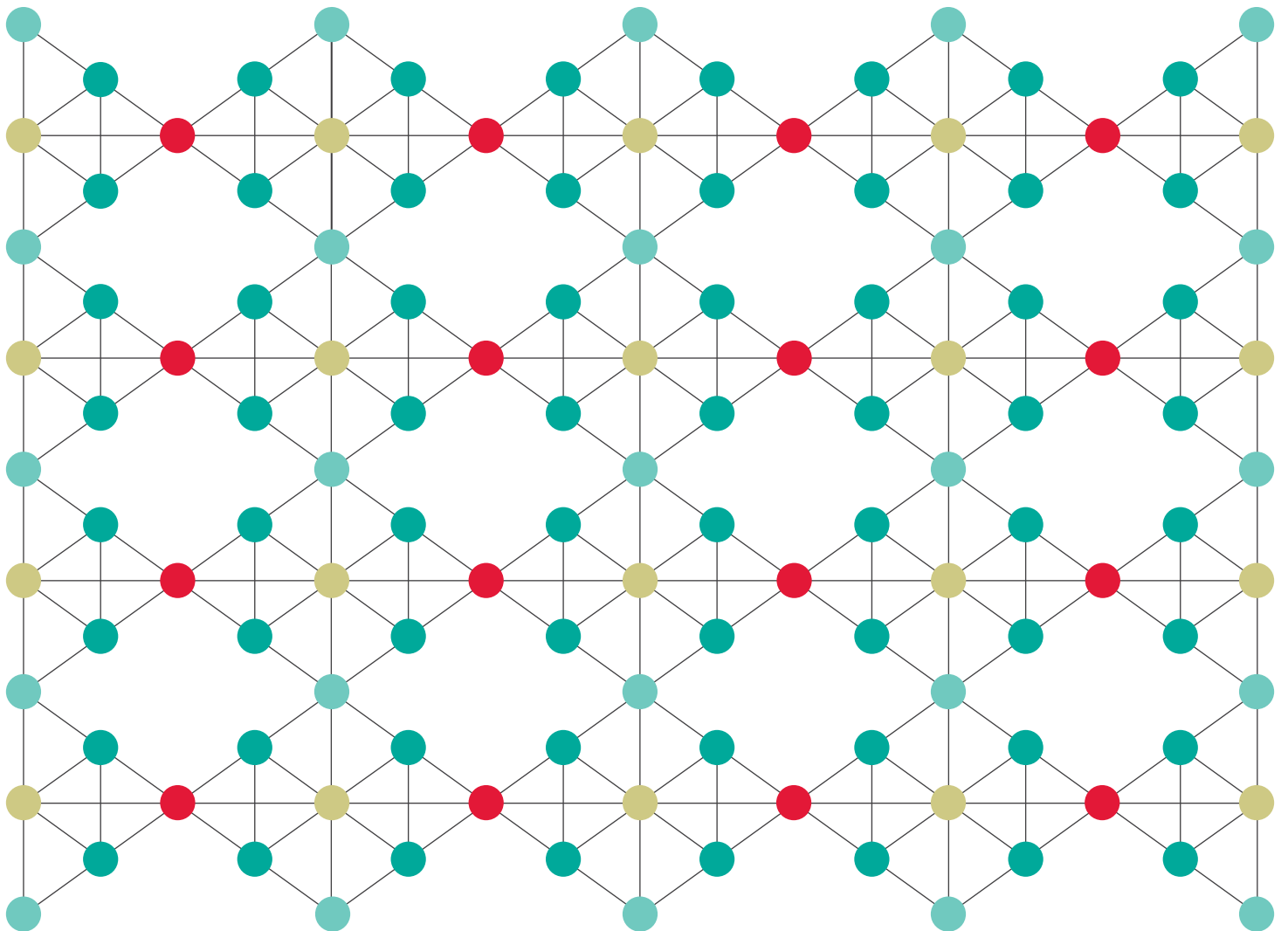


Shoulder to shoulder

Protecting key populations against human rights violations in Tajikistan



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UNAIDS in Focus

The UNAIDS in Focus series features snapshots of the Joint Programme’s work enabling people living with and affected by HIV around the world to realize their right to health.

UNAIDS advocates for a holistic, multisectoral approach to AIDS, with a long history of working across sectors and building multistakeholder partnerships. As a Joint Programme, it uniquely leverages the capabilities and comparative advantages of each of its 11 United Nations (UN) cosponsoring organizations (Cosponsors), as well as civil society, governments and other partners.

This series of case studies captures compelling stories of how Cosponsors, the UNAIDS Secretariat and a wide range of partners join forces to overcome challenges and build solutions to address the needs and protect the rights of people living with, affected by and at risk of HIV at the country, regional and global levels. The case studies depict a wide array of interventions that make a difference, such as creating a coalition of lawyers to provide pro bono services to defend people living with HIV from discrimination, implementing a partnership in southeastern Africa to ensure the continuity of health services for communities suffering from drought, or supporting countries in western and southern Africa to scale up prevention and treatment coverage in countries lagging most behind in their response.

At global, regional and country level, UNAIDS—acting as an advocate, convenor and broker—works to address the obstacles, including legal environments and social determinants, that are hindering access to essential, quality and sustainable care, treatment, support and prevention services through evidence-informed and people-centred approaches. The UNAIDS in Focus series shows how the Joint Programme puts its mission into practice, delivering results for people everywhere, in order to achieve zero new HIV infections, zero AIDS-related deaths and zero discrimination.

HIV in Tajikistan: a heavy burden on key populations

“Without any warning, huge raids at sex work sites were carried out, all at the same time. Within three or four days, more than 500 people had been detained without any sort of protocol. There were grave human rights abuses. Forty people were placed in a single room. Blood was taken by force to test for HIV. As civil society, we completely lost access to our clients—half because they were detained and the other half because they’d gone underground as a result of the detentions.”

Asiya (name changed),
civil society representative
in Tajikistan

Punitive laws, policies and practices fuel sustained and rebounding AIDS epidemics in many contexts and regions, such as eastern Europe and central Asia. In Tajikistan, police harassment, unlawful detention, discrimination and other violations of the human rights of key populations prevent or discourage them from accessing effective HIV-related services. While sex work is not criminalized, female sex workers are especially vulnerable to police practices such as harassment, abuse, financial extortion and demand for sexual services. Political interference also threatens the operation of nongovernmental organizations focused on providing HIV-related services to key populations.

The HIV epidemic in Tajikistan disproportionately affects key populations. An estimated 3.5% of sex workers and 2.7% of gay men and other men who have sex with men in Tajikistan are living with HIV compared to 0.4% of the general population. People who inject drugs face the greatest risk of infection, with 13% living with HIV in 2014. Access to HIV treatment in Tajikistan is also far below the global average, with just one in five people living with HIV receiving treatment in 2015.

Tajikistan recently adopted a set of ambitious targets to end the AIDS epidemic by 2030. Nevertheless, these targets will remain out of reach if the populations most severely affected by the epidemic are prevented from accessing critical HIV services.

As guardians of public safety, the police should be trusted to respect human dignity and uphold the human rights of all people. All around the world, however, police too often evoke fear of violence and repression—a distant cry from their civic and social purpose. The police should treat key populations—including gay men and other men who have sex with men, people who inject drugs, and sex workers and their clients—as human beings with the same rights as others. More often than not, however, police repression is preventing key populations living with HIV from accessing life-saving services.

UNAIDS unites the contributions of 11 United Nations agencies. Through its political advocacy, convening power, knowledge generation, policy guidance and technical leadership, UNAIDS seeks to empower government and civil society partners in Tajikistan to build a human rights-based AIDS response, especially given the recent surge in the targeting of key populations by police.

A coalition of human rights defenders brings change

“UNFPA appreciates UNAIDS’ efforts to coordinate United Nations action, ensure the involvement of community members and sensitize law enforcement to the needs of key populations in Tajikistan. I believe we would never have succeeded as a sole agency and without the leadership and guidance of UNAIDS.”

Aziza Hamidova,
Assistant, Representative
for Tajikistan, UNFPA

In June 2014, more than 500 sex workers and men suspected of ‘homosexual behaviour’ were arrested in a series of police raids in Dushanbe, Tajikistan’s capital for allegedly committing what were deemed “immoral crimes” despite both prostitution and same sex relations being legal in Tajikistan. Detainees reported being treated violently by the police as well as being submitted to compulsory HIV testing (1). Civil society organizations representing sex workers pressed top officials for the grounds for such detention and for information on the detainees. When their requests went unanswered, these organizations turned to UNAIDS for information and support.

In response, the UNAIDS country office in Tajikistan convened the United Nations Joint Team on HIV/AIDS (Joint Team) and a range of human rights organizations to consolidate in-country efforts and form a common position. Together, these organizations articulated a joint statement condemning the crackdown on key populations as a violation of international human rights law. The statement urged the government to consider the health and human rights implications of the raids and their potential diplomatic consequences. Following this meeting, the United Nations Joint Team advocated with government officials at the highest levels on behalf of civil society and the detained sex workers.

With significant support from the United Nations Resident Coordinator’s Office—and with the leadership and technical assistance of UNAIDS—a crisis response team was established to coordinate joint efforts. It was comprised of the United Nations Resident Coordinator’s Office, United Nations Joint Team representatives and about 20 international and local organizations. The team created a mechanism for sharing information to assess the situation, identified official channels for dialogue with government counterparts and developed a plan of action to halt the crisis.

The UNAIDS Secretariat, Cosponsors and partners at the national, regional and global levels—including UNICEF, UNDP, UNFPA and WHO, as well as the Office of the United Nations High Commissioner for Human Rights (OHCHR), the Global Fund to Fight AIDS, Tuberculosis and Malaria (Global Fund) and other international organizations—cooperated closely throughout the crisis. Human rights lawyers were engaged to provide rigorous legal grounding for official United Nations statements on the situation. A special round-table meeting convened by UNAIDS brought relevant stakeholders together to define and reach consensus on a joint action plan.

The rapid and forceful response coordinated by UNAIDS produced an immediate result, as the government—including the Ministry of Health and Social Protection and the Ministry of Internal Affairs—agreed to end the police campaign. As a result, from early autumn 2014, no national law enforcement action was taken against sex workers, gay men and other men who have sex with men and people who inject drugs.

Government readiness and willingness to consider the evidence and take action was instrumental in successfully resolving the crisis. Because of the highly participatory approach and open communication among all stakeholders, human rights actors succeeded in developing the National Strategic Plan on HIV/AIDS for 2015–2017.

The Strategic Plan and recently updated National HIV Law distinctly recognize and promote the rights of key populations. Using the Strategic Plan as a springboard, UNAIDS—in close cooperation with government representatives—conducted training sessions to raise awareness among law enforcement agencies, representatives of decision-making bodies, civil society organizations, regional AIDS centres and communities in order to end HIV-related rights violations among key populations and women and to improve access to high-quality HIV-related services. Through these training sessions, UNAIDS established a stronger and more sustainable partnership with the government, law enforcement agencies and local communities, enabling all actors to prevent and mitigate future HIV-related crises.

Nonetheless, despite these important efforts, human rights violations against sex workers, gay men and other men who have sex with men have continued.

Renewed crackdown

Amid a shifting national and regional political climate, the crackdown restarted in early 2016 when the State Prosecutor's Office in the Sogd region issued warrants to inspect nongovernmental organizations working with sex workers and gay men and other men who have sex with men. Because the state viewed these organizations as promoting and enabling sex work and same-sex sexual relations, the State Prosecutor initiated a campaign to shut them down.

The renewed crackdown likely will have grave effects on Tajikistan's HIV response. Nongovernmental organizations that are led by (and represent the interests of) key populations are essential in advocating for a robust response to the epidemic. They deliver services that can reach everyone in need and tackle HIV-related stigma and discrimination. Working alongside public health, justice and other systems, community responses are critical to the success and sustainability of the Tajik response to HIV. Targeting and shutting down organizations working with key populations in Tajikistan means that HIV prevention services will be harder to reach for the people who need them most. UNAIDS will continue promoting coordinated crisis responses among UN agencies as well as other stakeholders at all levels.

Leaving no one behind: bringing civil society to the table

“We must work to ensure that no one is left behind because of who they are or who they love. Gay men and other men who have sex with men and sex workers everywhere are at high risk of HIV infection and yet continue to be stigmatized, marginalized and unable to access HIV services. This is why, together, we must endeavour to break the bonds of discrimination, prejudice and exclusion.”

Michel Sidibé,
Executive Director, UNAIDS

Building a more inclusive and effective HIV response

Asiya (not her real name), a civil society representative in Tajikistan, says that civil society’s partnerships with UNAIDS are crucial for ensuring their voices are heard at the state level. This is thanks to the influence, legitimacy and capacity of the UN to connect with high-level government officials. UNAIDS is committed to encouraging adequate political space and financial support for civil society to operate and contribute to a people-centred, rights-based AIDS response. Much of the critically important work in the response to HIV—including broadening the reach of services, increasing demand, supporting retention in care, advancing human rights, combating stigma and discrimination, and monitoring quality—can only be achieved with a strong community voice and presence.

To end the latest crackdown in Tajikistan and ensure that HIV services are accessible for the people who need them most, UNAIDS is also working to strengthen public awareness of the HIV epidemic in order to reinforce the capacity of the state to implement an AIDS response that meets the needs of key populations and to sensitize law enforcement. The UNAIDS country office, for example, is carrying out information campaigns in cooperation with state institutions, including the Ministry of Internal Affairs, the National Committee on Women and Family Affairs, local government representatives and international organizations. Together, they aim to strengthen public awareness of HIV-related stigma and discrimination, gender equality and the protection of the rights of people living with and at risk of HIV. UNAIDS is also working with the media to ensure stigma-free and evidence-informed coverage of the epidemic to empower a better-informed public.

To support law enforcement that is in accordance with human rights standards and public health objectives, UNAIDS and national human rights institutions are offering training to police and prison guards to promote their understanding of HIV and to develop the skills and attitudes necessary to protect and promote the rights of people living with HIV, women and key populations.

The international community has committed to the target of ending the AIDS epidemic by 2030 as part of the Sustainable Development Goals. We will not succeed until key populations are able to live free from fear and fully enjoy their rights, including equal access to life-saving HIV services. With a mandate to speak out in defence of dignity, human rights and gender equality—and in solidarity with the people most severely affected by HIV—UNAIDS stands shoulder to shoulder with all people living with, at risk of and affected by HIV. This is a collective and joint struggle to end HIV-related stigma and discrimination.

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UNAIDS/JC2974



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