

**National Reviews  
and  
Consultations  
on Legal and  
Policy Barriers to  
Universal Access  
to HIV Services-  
Lessons learnt  
and Way Forward**

*4-5 March, 2014  
Pattaya, Thailand*

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# Legislative, Administrative, Social, Religious and Economic Factors continue to Fuel Stigma and Discrimination in Bangladesh.....



**Social, religious and economic factors:** Drive stigma and discrimination and impedes access to HIV services

**Legislative Barriers:** Provisions of existing laws which are hindering the HIV Response in Bangladesh .Some of these Laws empower the police to arrest any person including vulnerable groups for HIV without warrant.

**Practice Barriers:** Executive practice by police, doctors, immigration and prison officers are working as barriers. (Example: Arbitrary arrest of vulnerable groups by police.)

**Gaps in Protective Laws:** Protective laws related to key populations are weak across the board. There is no specific legislation and policy to protect the rights of PLHIV

## However Bangladesh is Serious on Addressing Stigma and Discrimination



- Bangladesh has been implementing targeted high impact interventions including OST, for IDUs, MSM, sex workers, Transgender and Hijra.

- This has kept the epidemic  $<0.1\%$

- Bangladesh recognizes that a range of punitive

laws are limiting the scale up of interventions

- To address this, in early 2013, Bangladesh held a national consultation on HIV and the Law. This was an inclusive process involving key populations, FBOs and a broad range of civil society, Government, academia and UN partners.



# Consultation Meeting- Objective



To identify the laws prevailing that are hindering the AIDS response in Bangladesh.

To build consensus on reforms needed to create an enabling legal environment for access to HIV services, and

To develop a time-bound action plan of identified priorities to address the punitive and discriminatory legal environment that is impeding the AIDS response in Bangladesh

# Consultation Meeting Expected Outcome



Guided by the Global Commission on HIV and the Law, the consultation unanimously adopted a time bound action plan to address the policy and legal environment.

Action plan to remove or address legal and policy barriers to access to HIV services for PLHIV and key populations (MSM, TG, sex workers, people who use drugs, migrants).

The State Minister of Law and Justice promised to see the plan being implemented. Ministry of Law and Justice will convene a multi-sectoral working committee to oversee and support the implementation of the action plan.

# Bangladesh is progressing



Judicial decisions recognizing and protecting some rights of Hijras, sex workers and women.

In a landmark decision, the Government of Bangladesh has approved a policy of the social welfare ministry to identify “Hijra” as a third gender identity in 2013.

Roopban, the first magazine for gays, lesbians launched in Bangladesh in 2014





# Challenges

A 250-year-old brothel in the district town Madaripur was attacked allegedly by Islamist activists and nearly 500 sex workers were forced out on August 27<sup>th</sup>. 2013. They beat up at least 30 women who did not want to leave, looted and vandalized the brothel



## Priority Actions to be Implemented



- A regional or Universal Convention/Treaty may be adopted for protection of Migrant workers.
- Laws and policies hindering AIDS program should be reviewed and addressed, as should law enforcement practices and access to justice.
- Framing of a separate and independent legislation to protect the rights of people living with HIV and key populations are important step to strengthen the AIDS response.
- Global co-operation should be increased to eradicate poverty, prevent Human Trafficking, proper implementation of Laws.
- Increase engagement of police, judiciary, Parliamentarians, National Human Rights Institutions, FBOs and other influential stakeholders in dialogue about stigma and discrimination and actions to address it.



# Conclusion



- We do hope that the Countries of the Asia and Pacific should be more sincere, active, co-operative to raise progressive response to the HIV program.
- A Country like Bangladesh needs global support to eradicate or eliminate stigma and discrimination and to make progress HIV program at Country level.

Government of Bangladesh committed to remove all legal and policy barriers



**We dream for a HIV free World.**

**Thank You!**