Transcript: Human Rights Struggles Define AIDS Fight

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At the XVII International AIDS Conference in Mexico City, David Evanstalks with Sofia Gruskin, JD, MIA, associate professor of health andhuman rights at Harvard University, about the impact of human rightsstruggles on the AIDS epidemic, progress finally being made, and thelegacy of Dr. Jonathan Mann. Click here for the video.

David Evans: Hi, with me today is Sophia Gruskin. She is an associate professor of Health and Human Rights and the director of the program on International Health and Human Rights at Harvard school of Public Health. Welcome

Sophia Gruskin: Thank you very much.

DE: So human rights is huge;; it encompasses so much. I'm wondering if you can distill down a little bit and say are there particular communities or parts of he world that are receiving a lot more emphasis at the conference this year?

SG: Oh, that's an interesting question. It seems as though, for many of us who have been attending AIDS' conferences for a very long time, that while those of us who are working in the global networking zones and those of us who are working amongst community activist and other NGOs, we were talking about sex workers, we were talking about drug users, we were talking about men who have sex with men- we were of those communities. The fact is, is that those communities were not so well represented before on the plenary, and so what's fabulous about this conference is really the active engagement on the plenary of people representing these communities.

DE: Absolutely. I mean, it was amazing to me that at the opening ceremonies that, I believe, Calderon and Ban Ki–Moon both said"'sex workers" and "men who have sex with men."

SG: Absolutely, no absolutely. But I think, I don't know if you heard the sex worker plenary yesterday.

DE: I didn't; I missed it.

SG: She was unbelievable, I mean unbelievable -she had the audience in tears. She was so

incredibly moving and incredibly powerful, and that had not yet happened. And so, as much as one tends to think that these topics are being covered at these conferences, it was always in a scientific way, what was really nice is that it became in a person way.

DE: You know, since this is really right in your hot zone, what has been the impact of the PEPFAR (Presidents Emergency Plan for AIDS Relief) regulations on groups not being able to have any kind of favorable stance on sex work?

SG: Well, I mean, I think that one of the things to think about is the ways in which the country's where this has really impacted is that often there are other donors that have been willing to step in where PEPFAR has been a problem. I think that one of the issues has been we need absolutely to change PEPFAR's policy but we need also to be really grateful for communities who have been smart enough to figure out their ways around it, in some places I don't want to name, in terms of how to be able to do that.

DE: In terms of the human rights struggles of sex workers in various parts of the world, what are some of the main issues and the policies and laws that really need focus and change.

SG: Well, I think, one of the big issues is criminalization. Criminalization in terms of sex work, in terms of drug use, in terms of men who have sex with men, I mean criminalization in general, as well as now criminalization in terms of HIV transmission- criminalization is a huge issue that we all need to be paying attention to. One of the other issues that has to do with particularly in terms of people who want to offer good HIV prevention, or care and treatment services for vulnerable populations, realizing that there are often laws and policies that get in the way there being able to do that. So, for example, even if you have a fabulous VCT (Voluntary Counseling and Testing) site that's there, the fact is that the government has a larger policy that says any sex worker's name has to be reported in, sex workers aren't going to come forward even though the intervention is there. So it's just a larger legal and policy context that really matters.

DE: In other words, when countries have laws against these vulnerable communities, they become invisible and almost impossible to reach.

SG: Absolutely, and not only do they become invisible, it's a vicious cycle and one of the things that happens is that the stigma increases. We know it all already and why it is that these laws and policies continue is one of those things that's beside me. One of the really nice things thought that I want to say is the fact that countries reported this year for the UN general assembly special session, they had to report on a number of indicators, one of the indicators they had to report on was laws and policies that they thought were causing problems for them to be able to deliver effective prevention and care to vulnerable populations. 63% of countries in this world themselves put forward to report that they knew they have laws and policies that are problematic.

DE: That's amazing.

SG: That's amazing. Now what's really going to be more amazing if community groups take that up and now do advocacy around that to change those laws and policies, but we have the data now, in way coming straight from the government, so we need to work with that.

DE: I mean, even in the United States there are still laws, obviously, against sex work.

SG: Sodomy.

DE: Sodomy. Can the average viewer of POZ, someone who is living with HIV in the US, what can they do to impact the human rights issue, globally and within the United States?

SG: It sounds silly but I think he most important thing to start with is to be aware of these things and to be paying attention and to realize that because maybe your own situation is okay, to recognize that there's a broader situation for other people living with HIV, that may not be so okay and how it is that we're all one community and to be able to think to work together. One of the things that's important to be aware of the really good work that a lot of human right's organizations are doing, the fact that this information is being documented, that there are recommendations to go forward. Sometimes it's about letter writing, sometimes it's about demonstrating, sometimes it's about activism but I think that one of the things that is very important is for example in a lot of the work that's done, the very positive work that's on the community level in the US around AIDS awareness, is some of the AIDS awareness work could in fact focus on where there's discrimination and where there's violation of human rights and integrate that more fully into what people are doing.

DE: One aspect of human rights I wanted to touch a little bit on is CHAMP , a prevention group in the United States that's been really focusing in terms of prevention on the issue of social justice and the fact that there are so many social determinators, that may not be written into law, that dramatically effect HIV and HIV transmission. For instance, the fact that on average African-American men in the United States, as much as, I believe, are about 40% more likely to be incarcerated for a crime than their white counterparts- so it's not a law per say, but the application. I'm wondering how we approach issues of social justice as oppose to laws?

SG: Well, I think that one of the things has to do by what do we mean by defining human rights and for me, human rights is more than just about law and policy and fields very much in terms of the frame work of social justice that you're talking about. One of the things that we need to be able to think about then is how is it that we advocate, how is it that we work for change? Again, it's the issue about what does work for change mean? Part of it about raising awareness but part of it also about being willing to say something and so when you see these things are occurring being willing to talk because I think a lot of us see it, the issue is knowing that when you're in a public space being able to raise those issues even when you're uncomfortable and being able to talk about those things even when it's uncomfortable in order to be able to kind of move it forward.

DE: And also, even with family and friends because you never know who's holding the ideas

SG: Absolutely, absolutely, absolutely. I wasn't even going at the very soul level but yeah.

DE: This is the tenth anniversary of Jonathan Mann's death and I'm wondering if you could talk a little about his contribution to the issue of human rights and HIV?

SG: Yeah, I mean with pleasure actually. I think one of the things that's really important to remember is that the AIDS response could have been very different if Jonathan Mann had not been the person in charge of the Global Program. And, in fact, one of the things to remember is the fact that there was initially a push to treat HIV the way other diseases, infectious diseases, were being handled. It was Jonathan that brought attention to the fact that human rights were important. The fact that we so comfortably now talk about human rights and the AIDS response, might not have been the case at all, we could have been dealing with it very, very different. Now that framework is being applied, thank goodness, to a whole lot of other diseases but it's really because of HIV and it's really because Jonathan to begin with and I'm very happy talk about that.

DE: Well thank you very much. I hope you enjoy the conference.

SG: Thank you very much.

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