

Human Rights and HIV

Ensuring the Right to Economic
Development

for the Poorest and Most Vulnerable

International law protects 2 major categories of human rights:

- Civil and Political rights
- Economic, Social, and Cultural Rights

One Kind of Right: Negative Rights

- So called, b/c usually require the State or other Actor to refrain from doing something
- Example: autonomy of the person, founded on the security of the individual person
- State or other Actor not allowed to infringe on the autonomy of the person (I.e., through compulsory testing, examination, or treatment programs)

Another Kind of Right: Positive Rights

- So called b/c recognize the obligation of States and other Actors, within constraints of available resources, to provide basic support and opportunities to the individuals who make up the community
- Examples: the right to work, and the right to development so that the poorest individuals and families can lift themselves out of poverty

Another Kind of Right: Non-Derogable Rights

- So called b/c they are so fundamental to individual dignity and well-being that they are treated as absolute
- Example: freedom from discrimination

How are these Rights protected?

- International Treaties
- National-level laws and regulations
(sometimes even state/province-level laws,
or local laws)

NGO's have been the actors that
have pushed the agenda of Health
and Human Rights

Including in the area of HIV and
Human Rights

Microcredit: Microcredit services are intended to provide the poorest individuals and families with access to credit for self-employment and are based on the principles of non-discrimination and equal access. (Microcredit Summit 1997)

Business Responds to AIDS

- Business' recognizing need to address HIV/AIDS within context of understanding that HIV exists among their work force, and will exist for foreseeable future
- Viewing workers with HIV as WORKERS with HIV, NOT as people with HIV who should be kept out of workforce

Marc B. Nathanson

- Chairman, Broadcasting Board of Governors (supervises U.S. civilian international broadcasting services)
- Vice President of a Venture Capital Firm and runs a hedge fund
- 1994 Inc. Magazine “Entrepreneur of the Year”
- recognized by VOA’s “Partners Against AIDS in Africa” for his outstanding contributions in the business field in the fight against HIV/AIDS