

GOVERNANCE OF HIV/AIDS RESPONSES

Issues and Outlook



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FOREWORD

Since the advent of AIDS 25 years ago the disease has evolved from primarily a public health concern into a major development challenge of crisis proportions. Today we are at a crossroads: every day almost 12,000 new infections occur worldwide, every hour nearly 500 new infections. Nearly 40 million people are currently living with HIV and about 25 million of people have died of AIDS-related illnesses. We have effective prevention and treatment technologies but the toll continues to rise especially for the poorest. We have learnt that AIDS unequivocally exacerbates existing development challenges, cause a decline of social systems and threaten governance in many countries. We have also learnt that strong leadership, openness and commitment—together with broad participation in decision-making—can improve the effectiveness of the AIDS response.

In his last message for World AIDS Day (WAD), Secretary General Kofi Annan stressed that the challenge now is to deliver on all the promises that have been made—including the Millennium Development Goals (MDGs), agreed upon by all world governments, of halting and beginning to reverse the spread of HIV by 2015. The theme of WAD—“accountability”—applies not only to those who hold leadership positions but to all. Accountability also requires the achievement of global and national governance.

Further, it is becoming clear that effective governance is now a key and decisive factor in the outcome of efforts to respond to the AIDS epidemic at both global and national levels. It is therefore important to understand the relationship between governance and AIDS response: how does AIDS affect governance or capacity to govern, and what type of governance structures and mechanisms are needed for an effective AIDS response? Recognizing the vital importance of effective governance, the UN General Assembly Special Session on HIV/AIDS in June 2006 concluded that sound governance is essential for an effective response to AIDS, and that governance issues are critical to global, regional and national efforts to address the AIDS epidemic due to the large number of stakeholders.

As a co-sponsor of UNAIDS and the lead agency within the UN system for coordinating development and related MDG activities, UNDP has initiated action for improving governance in support of effective national responses to HIV/AIDS. *Governance of HIV/AIDS Responses: Issues and Outlook*, a paper issued by the Bureau for Development Policy (BDP), UNDP, offers a rare opportunity to explore critical elements of governance as related to AIDS responses and provides strategic options and recommendations on the role of the UN system in addressing governance and AIDS.

It is my sincere hope that this timely document will lead those who govern and are governed to approach the myriad challenges in implementing AIDS strategies with renewed insight and energy and to truly undertake the steps that consolidate improved governance for AIDS responses.



Shoji Nishimoto

Assistant Administrator and Director, Bureau for Development Policy, UNDP

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INTRODUCTION: THE IMPORTANCE OF GOVERNANCE IN AIDS RESPONSES

Issues of governance are critical to global, regional and national efforts to address the AIDS epidemic. This is due in part to the large number of stakeholders and cash flows involved. It is also a reflection of the intrinsic link between institutional capacities, broad-based participation and accountability, on the one hand, and evidence of progress in responding to AIDS on the other. How society is organized for governance in terms of the “pact” or relationship between those who govern and those whom they govern is now a key factor in the outcomes of the AIDS response. After more than 25 years of addressing AIDS, there is now a growing body of evidence from national experiences, as well as consensus in global public policy circles, that *effective* governance is essential for an *effective* response to AIDS.

This issues paper builds on such evidence and capitalizes on previous discussions that have primarily focused on the impact of AIDS on development, and its implications for governance. The paper continues to explore the close linkages between AIDS, development and governance, but above all identifies a number of critical governance requirements for an effective AIDS response. Recognizing the limitations posed by definitions, we nonetheless approach the *governance* of the AIDS responses from the perspective of the conditions that are necessary for ensuring an effective and harmonized national response to AIDS and developing and strengthening partnerships between key stakeholders, especially government and civil society.

The linear relationship between governance and AIDS is most evident from the conclusions of the latest UN General Assembly Special Session on HIV/AIDS (UNGASS), which took place in New York in early June 2006. Delegates reviewed progress in the global and national responses since UNGASS 2001, when over 150 world leaders committed their governments to intensify and scale up action against the epidemic. The official UNAIDS report prepared for the June 2006 session and statements made at that session clearly indicated unacceptably slow progress in the implementation of the goals outlined in the “UNGASS Declaration of Commitment on HIV/AIDS.” Further, it was observed that limited progress by many governments in implementing the commitments that they made in 2001 was not essentially due to a lack of awareness of the gravity of AIDS and its impact on society, or even a lack of political will or financial resources in some cases. Rather, it resulted from a failure to put in place and/or use appropriate governance structures and mechanisms to contain and reverse the spread of the epidemic and to mitigate its impact.

Since the advent of AIDS about 25 years ago, the disease has evolved from a public health concern into a major development problem of crisis proportions. Yet many governments are still treating AIDS as simply a public health issue rather than a broader development challenge. Consequently, little attention is paid to governance issues in AIDS responses, such as ensuring the rights of the individuals affected by HIV are balanced with the need for population-wide intervention. This challenge illustrates the importance of governance in the context of AIDS responses, as it affects the way a government manages the response in its relationship with the population, and can have a

significant impact on the outcomes of national, regional and global efforts to respond to AIDS. For example, at the national level, having laws that guarantee access to antiretroviral therapy (ART) matters little if there are no facilities nearby that provide the service. Such laws matter even less when most people living with HIV are allowed to die, while life-saving preventive interventions and drugs are kept out of their reach because of weaknesses in the existing system of global governance pertaining to international trade in pharmaceuticals.

Research into the impact of AIDS on society has yielded valuable insights into the linkages between the epidemic and other development challenges such as poverty, gender inequality and social exclusion.¹ This underlines the multi-sectoral nature of the relationship between good governance and effective AIDS responses. Various studies have yielded compelling evidence that AIDS can actually exacerbate existing development challenges, ranging from the “deterioration of public services and governance to humanitarian emergencies such as food insecurity and conflict,” and is further compounded by the multiplicity and complexity of inter-linked development problems.² At the same time there is also ample evidence that proper and adequate governance institutions and structures and broad-based participation in the development process can improve the effectiveness of AIDS responses. Sound governance at all levels is essential to the achievement of human development, security and the protection of human rights.

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