The Global Coalition on Women and AIDS (GCWA) welcomes the recently released UN Women report “2011-2012 Progress of the World’s Women. In Pursuit of Justice.” The report highlights that, despite some successes, every region of the world still has laws that discriminate against women. Women’s and girls’ access to justice is intrinsically linked to their ability to cope with the HIV pandemic as women and girls living with HIV are particularly affected by discriminatory laws and practices. In turn, discriminatory laws on gender based violence, sexual and reproductive health and rights, access to information, age of marriage, property and inheritance make women and girls more vulnerable to HIV, as the report notes.

With 63 countries having HIV specific criminal laws on the books, which in some cases explicitly criminalize vertical transmission, of key concern is the compounded stigma and discrimination women and girls face. Criminalization also affects communities of women who already face pervasive stigma and discrimination, such as women who use drugs, women who engage in sex work and women who have sex with women. The report notes that, globally, women are imprisoned for drug offences more than for any other crime and are overrepresented among those held in pre-trial detention. It must be a priority to move away from a punitive approach towards an evidence based public health response to drug use and sex work. The report also highlights what GCWA has been bringing attention to for several years, that unequal gender power relations place women and girls at greater risk of HIV infection, and that violence against women and girls acts as both a cause and a consequence of HIV.

While highlighting existing challenges, the report, however, also gives us hope. Governments and civil society are investing in innovative approaches to ensure that women in all their diversity can access justice. Some of the ways in which justice is being actively pursued for and by women includes gender-sensitive law reform, providing reparations for women, ensuring women are in parliaments, and represented in the judiciary and pursuing strategic litigation.

As underscored in the new joint report by UNAIDS and the ATHENA Network “Community Innovation: Achieving Sexual and Reproductive Health and Rights for Women and Girls through the HIV response”, there are pioneering community undertakings to advance women’s sexual and reproductive health and rights through the HIV response and vice-versa, which can and must be urgently resourced and scaled up. In addition to the establishment of laws which uphold the rights of women and girls, greater efforts are needed to ensure the implementation of these in a way which are accessible and effective for all women, particularly those most affected.

These case studies contribute towards improving gender sensitive responses to HIV and ultimately the achievement of the Millennium Development Goals, particularly 3, 4, 5 and 6. An effective response to HIV, as these case studies indicate, must include the empowerment and inclusion of women in all their diversity, dedicated attention to sexual and reproductive health, including improvements in maternal and child health, addressing the socio-cultural practices underlying gender inequality. Such a response is also called for by the “UNAIDS Strategy 2011-2015: Getting to Zero”, which has identified gender equality and human rights as the third pillar of an effective HIV response.

The GCWA joins UN Women in calling to put gender equality at the heart of the Millennium Development Goals, including in our responses to HIV.