



Investing in our future

The Global Fund

To Fight AIDS, Tuberculosis and Malaria

Statement of the Chair, Vice-Chair and Executive Director of The Global Fund to Fight AIDS, Tuberculosis and Malaria on the Right to Travel of People Living with HIV

The purpose of the Global Fund¹ is to attract, manage and disburse additional resources through a public-private partnership that will make a significant and sustainable contribution to preventing infections, illness and death thereby mitigating the impact caused by AIDS, Tuberculosis and Malaria. In building this global public-private partnership, the Global Fund Board regards the full and equal participation of people living with the diseases at all levels of the Global fund business model as a key component in achieving its goals.

This includes participation in the CCMs at the country and regional levels, on the Board and its committees and within the Secretariat. The Global Fund is therefore committed to addressing any factors that prevent this participation and actively identifying and implementing solutions to remove restrictions where possible.

Travel restriction for people living with HIV can prevent their participation in Board and Committee meetings of the Global Fund. At the same time, travel restrictions can prevent participation of people living with HIV in regional and national meetings and the exchange of experiences and expertise between NGO's and communities.

We recognize the body of evidence which concludes that HIV-related travel restrictions do not have public health value but instead are stigmatizing, and undermine the human rights of people living with HIV. The Global Fund fully supports the current body of scientific evidence, public health 'best practices' and humanitarian principles associated with this subject, and endorses the relevant recommendations by WHO, UNAIDS and the IOM².

During the preparation of the 16th Global Fund Board Meeting travel restrictions for people living with HIV/AIDS have been extensively discussed between the Global Fund and the host country China. The Chinese authorities have worked very closely and constructively with the Fund to find solutions for the existing concerns. In this context the Chinese authorities have confirmed to the Global Fund in their letter of 17 October 2007, that the Chinese Frontier Health and Quarantine Law is currently being amended and is expected to be submitted in the first half of 2008. The amended Law, in its revised version, will not restrict travel of people living with HIV. The letter furthermore reiterates that the unexpected introduction of the new visa application form is regretted and does not in any way indicate that a stricter policy is introduced and that the new law will not discriminate against people living with HIV and will not require them to declare their HIV status.

We acknowledge and support the serious reservations expressed by Board

¹ As laid down in the Framework Document

^{2,2} WHA41.24 Avoidance of discrimination in relation to HIV-infected people and people living with AIDS, 1988

² HR/PUB/98/1 Report of the Consultation on International Travel and HIV Infection, 1987.

² UNAIDS/IOM Statement on HIV/AIDS-related Travel Restrictions, June 2004.

constituencies with regard to the use of waivers that temporarily allow people with HIV to enter a country for a specific purpose and limited time period. Waivers do not address the overall problem related to travel restrictions, and only provide an interim and short term measure for the duration of the meeting. It also implies that people with HIV are “allowed” to enter the country for the duration of the meeting, but once the meeting was over, and therefore the waiver expires, the ability to enter was no longer valid. Waivers by definition typically require applicants to disclose their HIV status, further increasing the risk of stigma and discrimination.

Taking the above into account we will advise the Board of the Global Fund Board to decide not to hold its Board and Committee Meetings in countries that restrict short term entry of people living with HIV and/or require prospective HIV-positive visitors to declare their HIV status on visa application forms or other documentation required for entry into the country.

Furthermore, we will advise the Global Fund Board to request its partners – UNAIDS and WHO – to convene an International Task Team, including constituencies represented at the Global Fund Board, to address the issue of travel restrictions, review with member states legislation that restricts travel of people living with HIV and support the revision of such legislation. The International Task Team would report back to the Board, other interested bodies and at appropriate international meetings.

The Global Fund’s mission can only be achieved if the fight against the three diseases is implemented on the basis of a true partnership that involves all stakeholders, including the implementing countries, donors, international partners, civil society and the private sector. It is in the spirit of true partnership that the Fund seeks to address the issue of travel and entry restrictions and will continue contributing to solutions that will be beneficial to people living with the diseases and all other stakeholders.

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