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# Speech by Mark Heywood at UNGASS Civil Society meeting

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SPEECH BY MARK HEYWOOD FOR CIVIL SOCIETY HEARING ON ?ACTION FOR UNIVERSAL ACCESS 2010: MYTHS AND REALITIES?

10 JUNE, 2008

Friends and comrades. Good morning.
My theme is: Human Rights ? do we believe in them and what if we do? My name is Mark Heywood. I am one of the leaders of the Treatment Action Campaign and the Deputy Chairperson of the SA National AIDS Council.

We are all equals in this meeting. We each have a responsibility for human rights. Some of you, particularly from government, have power and resources to better people?s lives. Some of you have little power, but come from communities whose rights are violated daily. But whether from government or civil society we must admit that we are failing many, many people. This is because in most parts of the world human rights violations that increase the risk of HIV infection, and those that follow after HIV infection are getting worse.
Hundreds of thousands of children still are being born with preventable HIV infection ? hardly making them equal. People are dying of preventable illnesses. People are being confined in squalid prisons for drug resistant TB ? with no concern for their dignity - in the name of ?public health?. Woman and children are raped in frightening numbers. Rich people live with HIV -- and poor people die, usually after a period of added pain and indignity.

Regrettably ? in China, Zimbabwe and other countries - many who fight for rights ? or expose their violations - find themselves the victims of their governments or their self-serving officials. We call on China to free Hu Jia now. We have to ask: do our governments really believe in human rights? In the last 20 years nearly one third of UN Members have adopted new Constitutions, many of which explicitly protect human rights. But this legal commitment is meaningless unless these rights are given effect to. This is a duty of governments ? not a choice. And it is the duty of civil society to hold governments up to the standards they have accepted on paper. Poor people cannot afford lip service to human rights from civil society either. When civil society is snared in endless conferences and flattered at ?consultations? we become part of the problem. When we gratefully accept the hand-me-downs of government, we leave the poor and vulnerable, defenseless, and eventually very uncivil ? as we have seen in the horrific xenophobic violence of South Africa that has displaced 50,000 people.

We say to civil society leaders: work with and assist your governments, but do not trust their promises. There is a direct link between the degree to which human rights are protected and your pressure on government and its institutions. We have learnt this from experience in South Africa. For example:

- Despite our liberation, it took 14 years until a court eventually ordered our national defence force to end the mandatory exclusion of people with HIV from all positions.
- In South Africa it takes pressure from community activists to get the police to investigate and the courts to effectively prosecute murder, rape and domestic violence.

- In South Africa officials of my government (some probably sitting among you) still persecute doctors for carrying out WHO recommendations on the prevention of mother to child HIV transmission and reducing maternal mortality.

Unfortunately, human rights violations are the global reality, especially when people lack power and organization to fight back. Therefore civil society must recognize that human rights have to be demanded, fought for, won and then held onto. This can be done through systematic community organisation, demonstration, legal action, treatment and prevention literacy, human rights education and by demanding to be meaningfully involved at every level of policy-making.

To the democratic governments here today we say: recognise us as equals. Account to us. The response to HIV will be better for that. When you exclude us from planning or implementation, or dismiss our demands, you betray a solemn pact to govern with stalwart adherence to democratic principles, which are the foundation for respect, protection and fulfillment of human rights. Where governments are not democratic and suppress and torture us we call on the UN to end its policies of quiet diplomacy. This meeting must not make any more false promises. Human rights will not be realized if they are delivered in e-mailed Declarations from New York.

Finally this High Level Meeting must reconfirm the principle that Universal Access by will not be achieved without human rights. So we call on you to:

- Demand an urgent increase in development aid to meet the commitments that have already been promised, particularly by OECD countries; This is not a favour to us, but a human rights duty.
- Devise and implement systems that measure and monitor human rights;
- Have the courage to openly denounce countries such as Zimbabwe that violate rights to health;
- Demand investment in justice systems that poor people have access to.

Finally, end the distracting talk of AIDS ?exceptionalism?. Every threat to life and dignity of poor people, be it through a disease or other causes, should generate an exceptional response. We call on the UN and the WHO not to relegate the response to AIDS to the level of your past failures, such as TB or your mute witness to the demise of our health systems. Instead, raise the response to other challenges to the level we seek to achieve with AIDS.

Good luck and thank you.

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