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THE EUROPEAN UNION**

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Subject : Recently emerging issues regarding HIV/AIDS  
- Conclusions of the Council and the Representatives of the Governments of the  
Member States meeting within the Council

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At its meeting on 23 April 2007, the General Affairs and External Relations Council and the Representatives of the Governments of the Member States meeting within the Council, adopted the Conclusions set out in the Annex to this note.

**CONCLUSIONS OF THE COUNCIL OF THE EUROPEAN UNION AND THE  
REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES  
MEETING WITH THE COUNCIL**

**on**

**Recently Emerging Issues regarding HIV/AIDS**

1. The Council recalls the goals and objectives set out in the 2000 UN Millennium Declaration, the Declaration of Commitment on HIV/AIDS agreed at the United Nations General Assembly Special Session (UNGASS) in 2001, the Political Declaration on HIV/AIDS agreed at UNGASS+5 in 2006, the European Programme for Action to Confront HIV/AIDS, Malaria and Tuberculosis through External Action (2007-2011) and the ICPD Cairo Agenda and emphasizes the importance of their implementation in order to fight the three diseases successfully and help meet the Millennium Development Goals (MDGs), in particular MDG 6, by 2015.
2. Highlighting the important role the European Union plays in confronting HIV/AIDS, malaria and tuberculosis, the Council welcomes the Presidency Paper on “*Recently Emerging Issues regarding HIV/AIDS*” that focuses on newly emerging issues and barriers that hinder our progress in tackling HIV/AIDS and the effective implementation of the European Programme of Action. The Council recognizes that the fight against HIV/AIDS can only be successful if a comprehensive approach is taken that includes scaling up significantly towards the goal of universal access to prevention, treatment, care and support by 2010.

3. To reverse the current trend of feminization, the Council recognizes the need to eliminate gender inequalities, gender-based violence and abuse as well as to increase the capacity of women and girls to protect themselves from HIV infection through the provision of health care and services, including those related to sexual and reproductive health and rights, as well as full access to education and information. The Council recognises women's right to have control over, and decide freely and responsibly on, matters related to their sexuality in order to increase their ability to protect themselves from HIV infection and calls on the Commission and the Member States to take all necessary measures to promote and support an enabling environment for the empowerment of women and their full economic independence.
4. Whilst these Conclusions focus on the recent trend of feminization, the Council emphasizes the need to also focus on young people, especially young women and girls, children infected with and affected by HIV/AIDS, including children orphaned by AIDS and children and infants in need of treatment, women and girls in conflict situations as well as other key populations at particular risk of HIV infection, including men who have sex with men, injecting drug users, sex workers, prison populations, migrants, refugees, trafficking victims and others and to support their inclusion in the planning of strategies and programmes as well as in the decision making process in order to tackle HIV/AIDS successfully.
5. In light of increasing feminization of the HIV/AIDS pandemic, the Council strongly reaffirms the linkage between HIV/AIDS policies and programmes and sexual and reproductive health and rights (SRHR) policies and services, and their inter-relationships with broader issues of public health, development and human rights, as agreed by the international community as a global effort towards the achievement of the MDGs.

6. The Council recognizes the importance of integrating and mainstreaming the fight against HIV/AIDS within national development priorities, plans and programmes, including in Poverty Reduction Strategy Papers (PRSPs), and in development cooperation programmes of the EC and EU Member States and in donors' recruitment policies when employing local staff. In this context, the Council wishes to recall the commitment in the EU Consensus on Development<sup>1</sup> and the Development Cooperation Instrument<sup>2</sup> to mainstream confronting HIV/AIDS in all activities and recognizes the importance of the ongoing programming process for developing countries in providing an opportunity for making the existing commitments operational and responding to emerging issues in all EC Country Strategy Papers (CSPs), National Indicative Programmes (NIPs), annual action programmes and programme preparation.
7. The Council emphasizes the importance of achieving sufficient, long-term, predictable, sustainable and increased funding to tackle HIV/AIDS in order to build-up and strengthen health and other social services, including basic health services, and to intensify research and development of new, improved and affordable tools of prevention, treatment and early diagnostics, including vaccines, paediatric drugs and microbicides. In this respect, the EU will continue working in the area of HIV/AIDS through a wide array of existing financing instruments at global and country level including the Global Fund to Fight HIV/AIDS, Tuberculosis and Malaria (GFATM). The EU will collectively maintain and increase funding to the GFATM and welcomes also the development and exploration of innovative sources of financing including through such mechanisms as the International Drug Purchase Facility (UNITAID), the International Finance Facility (IFF), Advance Market Commitment for Vaccines (AMC) and others.

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<sup>1</sup> OJ C 46, 24.2.2006, p.1

<sup>2</sup> OJ L 378, 27.12.2006, p.41

8. Recognizing that HIV/AIDS is affecting more and more women and girls, the Council calls upon the Commission and the Member States to:

- Support the adoption and strengthening of legal, policy and administrative measures at country level to promote and fully protect women's and girls' rights and reduce their vulnerability to HIV/AIDS through the elimination of all forms of violence, stigma and discrimination as well as all kind of sexual exploitation of women, girls and boys including for commercial reasons
- Promote and support the enactment and enforcement of legislation in order to uphold and fully protect women's rights and so reduce their vulnerability to HIV/AIDS through improving the status of women in society and strengthening their economic independence, including through the right to own and inherit property, as well as protect women and girls against violence and abuse, including through empowering women, educating the police, the judiciary, social service providers, civil servants and community leaders and through improvement of legal aid services and other forms of support for women and girls to claim their rights
- Confront gender based violence, including female genital mutilation and other harmful traditional and customary practices, through political dialogue at country level and identify and develop social protection mechanisms that benefit households affected by HIV/AIDS and relieve the burden of care for women
- Promote and support increased participation of women where AIDS policies are formulated, agreed and implemented, and funds are allocated, with targets that can be measured and for which there is accountability
- Promote and support the inclusion of the issue of feminization of HIV/AIDS in education programmes in order to raise awareness among girls and boys as well as young women and men of the threat posed by the pandemic
- Strengthen women's organizations to play an active role in developing and implementing such policies

- Reaffirm their commitment to prevention and to focus on aspects of prevention such as SRHR, harm reduction and preventing mother to child transmission (PMTCT), including through actions that support the reversing of the downward trend in financing for SRHR
- Support programmes that work with men and women to address gender and behaviour norms and norms around sexual relations that make women vulnerable to HIV/AIDS infection
- Promote the collection, analysis and use of age and sex-disaggregated data and their inclusion in reporting.

9. Emphasizing the urgent need for much stronger links between HIV/AIDS and SRHR in policies, programmes and services, the Council calls upon the Commission and the Member States to:

- Promote strategies that ensure that HIV/AIDS and SRHR programmes contribute to the overall strengthening and sustainability of health systems including funding and implementation of the European Programme for Action to tackle the critical shortage of health workers in developing countries for the time period 2007-2013
- Promote universal access to sexual and reproductive health services and rights and commodities, including male and female condoms as the most efficient means to reduce the sexual transmission of HIV and other sexually transmitted diseases, and to join efforts and explore ways to fill the commodities gap in this regard
- Promote the greater involvement of potential beneficiaries, including people living with HIV, women and youth groups in the design, programming and implementation of SRHR programmes and HIV/AIDS initiatives
- Ensure that SRHR and HIV/AIDS policies, programmes and services are built on the fundamental commitment to respect, protect and promote human rights
- Promote linkages between HIV/AIDS and SRHR within all existing national development plans and budgets, including health sector reforms, PRSPs as well as sector wide approaches and ensure that the linkages are addressed within EC instruments

- Promote a coordinated and coherent response to HIV/AIDS that builds upon the Three Ones Principles<sup>1</sup> and the harmonization agenda fully supported by the EU.

10. Emphasizing the importance of increasing and improving prevention options and choices of women, the Council calls upon the Commission and the Member States to:

- Working with relevant and interested parties, pursue the dialogue with decision makers in developing countries on the importance of implementing measures to increase and improve affordable prevention options and choices for women, including the female condom and microbicides, and the importance of further research and development of such tools
- Work with existing organisations that currently support microbicide research in order to broaden the donor base and to enhance wider preparedness at local level aimed at improving trial and production capacity, training for medical staff, and development of national awareness campaigns
- Sponsor an EU or international Conference at the expert level with a wide group of stakeholders including representatives of the WHO, the European Medicines Agency (EMA), civil society, including the International Partnership for Microbicides and the Association for Microbicide Development, regulatory authorities from developing countries and the pharmaceutical industry, on expanding HIV/AIDS preventive options.

11. Recognizing the specific vulnerability of children and especially girls to HIV/AIDS and the need to protect them, the Council calls upon the Commission and the Member States to:

- Address as a priority the vulnerability of children affected by and living with HIV/AIDS, providing support to them and their families and caregivers, women and the elderly as well as promoting child-oriented HIV/AIDS policies and programmes and increased protection of children orphaned by AIDS through renewed efforts to develop treatment for children

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<sup>1</sup> **One** national HIV/AIDS framework, **One** broad-based multi-sectoral HIV/AIDS coordinating body, and **One** agreed country-level monitoring and evaluation system

- Provide support to awareness campaigns on linkages between HIV/AIDS and education
- Support developing countries in developing and improving formal strategies for an education sector response to HIV/AIDS
- Support the strengthening of social and legal protection systems as well as the creation of less susceptible livelihoods as an integral part of PRSPs in order to support households caring for orphans and vulnerable children as well as child headed households
- Support comprehensive education programmes which address HIV/AIDS systematically, including the gender dimensions of the HIV/AIDS pandemic and its spread among young people, and provide young girls and boys with information, life skills and opportunities to protect themselves against HIV infection
- Foster the sharing of information and best practices in sectoral approaches to HIV/AIDS
- Support capacity building programmes in the education sector.

12. The Council encourages the Commission and Member States to ensure implementation of existing commitments within the EU Programme for Action on HIV/AIDS, Malaria and Tuberculosis and calls on the Commission and Member States to report on progress, including on these emerging issues regarding HIV/AIDS, in the context of the joint monitoring and reporting on the European Programme for Action in 2008 and 2010.

## REFERENCES

1. Council Conclusions on a European Programme for Action to tackle the Critical Shortage of Health Workers in Developing Countries (doc. 7189/07 of 14.05.2007);
2. Council Conclusions on Combating HIV/AIDS (doc. 9806/05 of 06.06.2005);
3. Council Conclusions on a European Programme for Action to Confront HIV/AIDS, Malaria and Tuberculosis through External Action; (doc. 9278/05 of 24.05.2005);
4. Council Conclusions on a Coherent European Policy Framework for External Action to Confront HIV/AIDS, Malaria and Tuberculosis (doc. 15158/04 of 24.11.2004);
5. A European Programme for Action to Tackle the Critical Shortage of Health Workers in Developing Countries 2007-2013 (doc. 17118/06 - COM(2006) 870 final of 21.12.2006);
6. Communication on Combating HIV/AIDS within the European Union and in the Neighbouring Countries 2006-2009 (doc. 15925/05 - COM(2005) 654 final of 15.12.2005);
7. EU Strategy for Action on the Crisis in Human Resources for health in Developing Countries (doc. 15774/05 - COM(2005) 642 final of 12.12.2005);
8. European Programme for Action to Confront HIV/AIDS, Malaria and Tuberculosis through External Action 2007-2011 (doc. 8689/05 - COM(2005) 179 final of 27.04.2005);
9. A Coherent European Policy Framework for External Action to Confront HIV/AIDS, Malaria and Tuberculosis (doc. 14245/04 - COM(2004) 726 final of 26.10.2004);
10. Update on the EC Programme for Action: Accelerated Action on HIV/AIDS, Malaria and Tuberculosis in the Context of Poverty Reduction – Outstanding Policy Issues and Future Challenges (doc. COM(2003) 93 final of 26.02.2003);
11. A Programme for Action: Accelerated Action in HIV/AIDS, Malaria and Tuberculosis in the Context of Poverty Reduction 2001-2006 (doc. COM(2001) 96 final of 21.02.2001);
12. Accelerated Action Targeted at Major Communicable Diseases within the Context of Poverty Reduction (doc. COM(2000) 585 of 20.09.2000);

13. EU Statement on Tackling HIV/AIDS: Making Further Progress (doc. 15407/06 of 01.12.2006);
  14. EU Statement on HIV Prevention for an AIDS Free Generation (doc. 14925/05 of 01.12.2005);
  15. Presidency Paper on Recently Emerging Issues Regarding HIV/AIDS (doc. 7136/07 of 08.03.2007).
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**STATEMENT BY MALTA**

Malta reiterates its position that any recommendation made by the European Union related to development assistance should not in any way create an obligation on any party to consider abortion as a legitimate form of reproductive health, rights, services or commodities.

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