



# A Fact Sheet on HIV/AIDS, Women, and Human Rights

The AIDS pandemic is not simply a health concern. The right to health of those at risk for HIV/AIDS and those who already suffer from it is inextricably linked to other fundamental human rights. Discrimination against women means that women lack power in society. This decreases the amount of agency women have over their bodies and in decision-making, and increases their risk of violence. Both of these factors increase women's susceptibility to infections. Given the devastating force of HIV and AIDS, gender inequalities have become fatal.

## Impact of HIV/AIDS on Women (UNAIDS)

- By December 2002, 42 million people worldwide were living with HIV/AIDS; 19.2 million were women aged 15-49.
- 2 million women were newly infected with HIV in 2002, and 1.2 million died of AIDS that year.
- 2.5 million of the 200 million women who become pregnant each year are HIV-positive.
- Of the 14,000 new daily HIV infections each year, more than 1600 occur during pregnancy, childbirth and the postnatal period.
- Women are four times more likely to contract HIV from infected males than vice versa.
- Women make up 50% of those suffering from HIV worldwide. In Africa, women are 58% of those infected. In South Asia, women constitute up to 35% of new HIV infections. In 1999, American girls aged 13 to 19 represented the majority of new HIV infections in the United States in their age group (Center for Disease Control).
- Girls age 15-19 in sub-Saharan Africa are six times more likely to be HIV positive than boys the same age!

## International Human Rights Standards

- The **International Covenant on Economic, Social, and Cultural Rights** guarantees the "right of everyone to the enjoyment of the highest attainable standard of physical and mental health." This includes "the prevention, treatment and control of epidemic, endemic, occupational and other diseases."
- The **United Nations HIV/AIDS and Human Rights International Guidelines** emphasizes the multi-faceted nature of HIV/AIDS: "States should establish an effective national framework for their response to HIV/AIDS which ensures a coordinated, participatory, transparent and accountable approach, integrating HIV/AIDS policy and programme responsibilities across all branches of government."
- The **Committee on the Elimination of All Forms of Discrimination Against Women** has stated that gender-based violence is a critical health issue for women: "Programmes to combat AIDS should give special attention to the rights and needs of women and children, and to the factors relating to the reproductive role of women and their subordinate position in some societies which make them especially vulnerable to HIV infection."

## Discrimination

Discrimination is integrally linked to women's experiences with HIV/AIDS. Women, who are typically on the social and economic margins of society, are often denied access to their most basic human rights, which include equality, education, physical integrity, health care, and economic security. This discrimination renders them more vulnerable to HIV, as they are less able to protect themselves from infection. Once infected with the HIV virus, women are often socially ostracized and subjected to assault or abandonment by family members. Pregnant women who are HIV positive may be subjected to forced sterilization or abortion. HIV test results are often not given to pregnant women, but are instead released to the women's husbands, as it is assumed that the husbands will decide whether or not to continue the pregnancy. The fear of discrimination may discourage women from disclosing their status or seeking testing or treatment, thus exacerbating the impact of the disease.

## Cultural Norms

Cultural and gender norms that limit women's sexuality prevent women from availing themselves of information on sexual and reproductive health. Discussion of sex-related matters is generally a taboo before and even after marriage. Women are often valued for their fertility, and are abused, repudiated, and ostracized if they are unable to bear children. This cultural viewpoint, and the perception that condom use is often associated with sex work (European Commission/UNFPA Initiative for Reproductive Health in Asia), lead women to risk HIV infection by forgoing the use of condoms. Cultural practices, such as Female Genital Mutilation (FGM), also increase women's risk of HIV infection. For example, FGM involves group rites where the same cutting implement is used on many girls without sterilization between victims, thereby risking transmission of the disease among the entire group.

Cultural norms that promote male sexuality also serve to promote the transmission of HIV. Men are not only allowed, but even encouraged, to seek multiple sex partners. When men become infected in extra-marital sexual relations, they will likely transmit the infection to their wives, who are often unable to negotiate protected sex. The notion of male aggressiveness and female passivity promotes the notion that women must submit to the sexual desires of their husbands, even in instances where sexual relations are unsafe.

## **Lack of Power**

The cultural norms that relegate women to a subservient status often mean that women are not in positions to negotiate conditions of sex or demand the use of condoms by their sexual partners. Women's status, and their ability to protect themselves from infection, is largely determined by their access to education, employment, and political representation. These factors are compounded by identities such as race, ethnicity, class, caste, religion, sexual identity, social status, and age, which may further marginalize women.

Women who are economically marginalized are often only able to support themselves and their children by exchanging money for sex. In these situations, women may be unable to control the conditions under which to have sex, and therefore may take part in unprotected sexual activity. Despite the fact that these women may have no other option but to engage in sex work, they are stigmatized by society. Trafficked women face similar situations of disempowerment.

## **Sexual Violence**

Sexual violence serves to make women more vulnerable to HIV infection. Women who are trafficked as sex workers, who are married as children, and who constantly endure marital rape cannot negotiate the conditions under which to engage in sexual relations due to the power constructs of the relationships between themselves and their male partner. Women who are raped by strangers or acquaintances do not have the possibility of protecting themselves from the diseases of their perpetrator, and thus often must suffer the consequences of HIV infection in addition to the trauma of the sexual violence. In all instances of sexual violence, the tearing of vaginal tissue that results from the force of the violence makes the transmission of HIV more likely.

## **Myth of Virginit**

The myth that engaging in sexual relations with a virgin will cure an individual of AIDS has led to increased sexual violence in all parts of the world. Targets of sexual violence have become younger, in order to ensure that they are virgins, and that the "cure" will work. As a result, young women have increasingly become targets for sex work, to satisfy clients who now demand younger sexual partners.

The desire for young girls as sexual partners has devastating effects on the girls themselves, as it increases their susceptibility to the disease: *"Women of all ages are more likely than men to become infected with HIV during unprotected vaginal intercourse. This vulnerability is especially marked in girls whose genital tract is still not fully mature. Compounding their biological vulnerability, women often have a lower status in society at large and in sexual relations in particular. This gender vulnerability, again, is particularly acute for young girls"* (Report on the Global HIV/AIDS Epidemic, UNAIDS, June 2000).

## **Impact on Economic and Social Rights**

AIDS is eroding the skills, experience and networks necessary for the economic survival of communities. When a woman must care for a sick family member, or when she falls ill herself, the time she can devote to activities such as planting, harvesting, working outside the home, and running the household is reduced. As household earnings shrink, families' livelihoods disintegrate.

When a woman's husband dies, she is often deprived of land rights, credit, and/or distribution networks. AIDS as a deadly disease thus plays a part in creating a situation where women are left without the financial caretakers on which they are financially dependent, thereby further weakening their economic status and ability to provide for themselves and their children.

More often than not it is the female child that is taken out of school to help ailing family members or to work to provide for the family. This undermines girls' rights to education, and furthers the cycle of inequality that is already pervasive. This lack of education has profound economic, social, and health implications, notable in the weakening of girls' future abilities to protect themselves against AIDS.

## **The Right to Health**

Marginalized women often lack access to medical treatment for HIV/AIDS. Women in prisons, for example, are often denied the life-saving drugs they require. Rape survivors are burdened by shame and the fear of social ostracism, and therefore often do not seek medical attention. Sex workers are discriminated against in all parts of society, and therefore may not undergo medical treatment in order to avoid potential harassment.

The use of anti-retroviral prophylaxis within 72 hours after a rape or unprotected sex with an infected individual can reduce the probability of infection. The stigmatization of marginalized women in society and in hospitals is such that women do not seek assistance, and therefore do not learn of this protective treatment. This is compounded by the fact that some governments are unwilling to give these treatments to marginalized women, due to the high costs involved. Policies such as this serve to further stigmatize and subordinate already marginalized women.

**HIV/AIDS is a women's human rights issue. Gender inequality and the disempowerment of women and girls have contributed significantly to the rampant spread of HIV. Only by viewing HIV/AIDS infection as inextricable from other women's rights issues can HIV/AIDS truly be combated.**

For more information visit the Amnesty International USA Women's Human Rights Program at [www.amnestyusa.org/women](http://www.amnestyusa.org/women) or contact us at 5 Penn Plaza-14th floor, New York, NY 10001 or at (212) 633-4292.