

**AFRICAN
THINK TANK**
ON HIV, HEALTH AND SOCIAL JUSTICE



INAUGURAL MEETING OF THE REGIONAL THINK-TANK ON HIV, HEALTH AND SOCIAL JUSTICE

MARCH 18-20, 2015
ROSEBANK, JOHANNESBURG, SOUTH AFRICA

MEETING REPORT

1. INTRODUCTION

In 2014, the UNAIDS Regional Support Team for Eastern & Southern Africa (RST ESA), in collaboration with cosponsors and other regional partners, launched the Regional Strategy for Preventing and Responding to Human Rights Crises and Violations in the ESA Region. The overriding purpose of the strategy was to strengthen the effectiveness and impact of efforts that promote and protect the human rights of people living with HIV and other key populations and vulnerable groups within the national and regional level responses to HIV.

In addition to people living with HIV, key populations include lesbians, gays, bisexuals and transgendered persons. Vulnerable groups include women and girls, adolescents and young people, prisoners, migrant and mobile populations, people with disabilities, and refugees and other displaced persons.

To coordinate implementation of the strategy, the UNAIDS RST ESA proposed the creation of a Think-Tank on HIV, Health and Social Justice to provide a platform for country- and regional-level advocates to develop stronger, more coordinated approaches to promoting health and addressing HIV for people living with HIV, key populations and vulnerable groups.

During a regional consultation on human rights and social justice in the context of HIV, convened in November 2014, the creation of the Think-Tank was formally endorsed, with the inaugural meeting to take place in Johannesburg, South Africa, in March 2015. From 18 to 20 March, 2015, 20 leading strategic thinkers and advocates from across the ESA region gathered in Johannesburg to launch the Think-Tank and to set out a plan of action for its first year.

This brief report highlights the main deliberations, decisions and outcomes of the meeting.

2. PURPOSE AND OBJECTIVES OF THE MEETING

The main purpose of the inaugural meeting was to convene the Think-Tank and to set out its primary strategic directions and proposed activities. The objectives and tasks to be addressed were the following:

- To finalize and endorse the purpose of the Think-Tank
- To review and validate the findings of a rapid assessment on current trends and issues related to human rights and social justice for people living with HIV and other key populations, and vulnerable groups across the region
- Identify strategic opportunities and actions for the Think-Tank to undertake to accelerate progress on human rights and social justice in the context of HIV across the region based on the findings of the assessment
- To finalize and endorse the operating modalities for the Think-Tank.

The detailed agenda for the meeting is included at Attachment A.

3. PARTICIPANTS

The participants at the inaugural meeting of the Think-Tank included proposed members as well as partners and other observers.

The members of the Think-Tank included representatives from different constituencies of key populations and vulnerable groups as well as leading strategic thinkers and advocates on human rights and social justice from across the region.

Partners and observers included representatives from UNAIDS, cosponsors, bilateral and multi-lateral funders, technical partners, and other regional stakeholders active on human rights and social justice issues in the context of HIV and more broadly.

The deliberations of the Think-Tank were supported by a facilitator and a technical consultant engaged on behalf of the group by UNAIDS.

The list of participants is included at Attachment B.

4. FIRST CLOSED SESSION

The three-day meeting began with a closed session for Think-Tank members only. The overall purpose of the session was to give members of the Think-Tank an opportunity to come together for introductions and initial discussion before convening with the larger group of observers and partners.

Following introductions and brief statements about the motivations of the members to be part of the group, a purpose statement was presented and discussed, along with proposed objectives or activities.

The final approved version of the purpose statement for the Think-Tank is as follows:

In reflecting on the purpose of the group, the members highlighted that there is an urgent need at this critical point in the HIV response to have the time, space and support to consider what has been achieved in terms of HIV-related human rights and social justice, what has worked, what has not worked and what needs to be done to accelerate and expand a rights-based approach to HIV in the context of a new global strategy for HIV and development in general. The Think-Tank will need to focus on where it will add value and be innovative and distinct from current or previous regional and global efforts with a similar theme. In this regard, the emphasis should be on the critical thinking component of the Think-Tank. Critical thinking will catalyse action and activism at regional and country levels.

To deepen the understanding and agreement on purpose, the group proposed objectives and activities. The following points were addressed:

- The Think-Tank should not be an implementer but should catalyse, guide and support the work of other actors and stakeholders at regional and national levels.
- The Think-Tank should be independent; its work should fully reflect the diversity of the views of its members, as well as consensus reached, and should never be dominated by the needs or strategic agenda of any member or sponsor.
- The Think-Tank should focus on addressing the conceptual and strategic challenges that affect human rights and social justice work in the context of HIV. This includes considering and articulating an overall theory of change and shared vision on what it will take to protect and expand human rights and social justice in the context of HIV specifically in the Eastern and Southern African regions.
- The Think-Tank will focus on exploring a common understanding of the trajectory of human rights and social justice work across the region, starting from a shared understanding of what has happened to this point, how the worked has both succeeded and failed in its goals, and where the current, collective strategic approach is headed.
- In considering future actions, distinctions should be made between what is appropriate and doable for the non-implementing Think-Tank and what should be addressed by other partners and stakeholders, including UNAIDS.

The group agreed that it would revisit the purpose and proposed strategic priorities for the group at a second closed session on the third day of the meeting.

As the last item of business for the closed session, the Think-Tank members selected session chairs to ensure efficient use of time and effective decision-making throughout the meeting. Mr Mark Heywood was selected to chair the first day of the meeting, Justice Oagile Dingake the second day, and Ms Wanjiku Kamau the third day.

5. OFFICIAL WELCOME AND OPENING REMARKS

Following brief welcoming remarks by the session chair, Mr Mark Heywood, Professor Sheila Tlou, regional director for UNAIDS in the ESA region, formally opened the inaugural meeting.

Professor Tlou emphasized the legacy and achievement of work in the region to promote and protect the human rights of people living with HIV and other key populations and vulnerable groups since the beginning of the regional HIV response. She highlighted challenges and the areas in which progress was failing, for example, legal and policy barriers to key populations.

She stressed that the regional HIV response, in line with the global response, is at a critical juncture. Unlike the rest of the world, however, the region cannot afford to lose the sense of importance and urgency needed to continue to make progress in the post-2015 regional and global development agenda. Although she acknowledged the need for ongoing strategic thinking and guidance she said timely, urgent action was also critical.

In closing, she called attention to the recently released UNAIDS Fast-Track strategy and the critical opportunity this provides for the Think-Tank to guide and catalyse action on human rights and social justice to achieve fast-track targets for the region and maintain and accelerate regional momentum towards ending HIV.

6. FINDINGS FROM THE REGIONAL RAPID ASSESSMENT

To support deliberations at the inaugural meeting, the Think-Tank commissioned a regional rapid assessment on current issues and trends in human rights and social justice in the context of HIV for people living with HIV and other key populations and vulnerable groups. The rapid assessment was carried out during January and February 2015, by technical consultant, Mr Russell Armstrong, who was appointed by UNAIDS. In addition to tabling a written summary with the group, Mr Armstrong gave a brief presentation of the findings of the assessment.

Mr Armstrong noted that work on human rights and social justice in the context of HIV takes place against a background of trends and issues that affect regional and continental human rights and social justice. Factors include ongoing, deeply entrenched social and economic inequality, slow progress in achieving gender equality; poor governance practices (particularly corruption and graft); cultural and religious conservatism; scepticism regarding the 'Africanness' of core concepts and ideas regarding human rights and social justice; war and conflict; and slow progress in addressing gaps in the technical and operational capacities of both national and regional level human rights mechanisms. These factors all influence the progress of work to advance human rights and to bring about social justice in the context of HIV.

Against this background, the rapid assessment identified the following achievements, challenges and trends regarding work to advance on human rights and social justice for people living with HIV and other key populations and vulnerable groups across the region:

Achievements and positive trends

- **Pride, resilience and courage:** Daily life for key populations is harsh and punitive in almost all countries included in the assessment. Despite this, in 2014 alone, groups and individuals survived deregistration, police harassment, including physical and sexual assault, imprisonment, wrongful prosecution, public exposure and victimization to emerge proud, resilient and courageous.
- **Visibility, voice and inclusion:** The voice and presence of people living with HIV and other key populations, and for some (not all) vulnerable groups has increased in the region. For example, people living with HIV and representatives of other key populations are being included in country coordination mechanisms, and there is strong advocacy and support from PLHIV networks.
- **Movement-building and broadening the constituency:** The immense and sustained effort that resulted in Resolution 275 at the African Commission on Human and People's Rights in 2014 exemplifies this trend. At national level, work on decriminalization of sodomy (Malawi) and addressing stigma, discrimination and state-sponsored violence of sex workers (Kenya) are other examples.
- **Increasing capacity:** Technical capacity to identify, articulate and move forward on human rights and social justice issues and concerns is improving across the region.
- **Technical and financial investment:** There are fora to address a range of general and specific human rights and social justice issues across the region.

Ongoing challenges and negative trends

- **Fragmentation, polarization and marginalization** refer to the splitting of human rights and social justice issues and the difficulties of different stakeholders working in human rights to recognize common cause in a shared struggle.
- **Challenges to reaching consensus on vulnerabilities and determining priorities for action.** There is ongoing debate – both conceptual and practical – about vulnerabilities regarding HIV that must be addressed with strategies and approaches that are grounded in human rights and social justice concepts.

- Human rights are limited to access to health care. HIV has provided an unprecedented opportunity for human rights and social justice issues to be brought to the fore of national and regional level public health responses. However, many of those affected by HIV seek recognition and protection of all human rights. These rights should not be limited to non-discrimination and non-violence in the context of health care alone.
- Human rights and social justice issues are conceived as chiefly legal issues pertaining to law reform, police practices and access to justice. Some critical issues that prevent progress of the regional HIV response cannot be changed using this approach.
- Limited technical capacity: Although there are tangible improvements in the technical capacity to identify and move forward on human rights and social justice issues in the context of HIV, there are still substantial gaps among all stakeholders in all sectors.
- Shrinking technical and financial investment: Shifting investment priorities regarding HIV responses are limiting opportunities for human rights and social justice work.

Assessment of regional strategies and approaches

The rapid assessment considered the current range of strategies and approaches used by regional stakeholders to make progress on human rights and social justice within the context of HIV for people living with HIV and other key populations and vulnerable groups. These included the following:

- Regional and global human rights mechanisms
- Strategic and technical guidance at regional and country levels
- Stigma Index surveys
- Legal environmental assessments and national dialogues
- Strategic litigation
- Training and sensitization of the law enforcement agencies (judiciary and police)
- Training and sensitization of parliamentarians and legislators, and religious and cultural leaders
- Advocacy and awareness-raising
- Coalition-building and community mobilization
- Research and documentation

The assessment found that the collective impact of efforts to advance HIV-related human rights and social justice challenges is insufficient, and needs urgent discussion and action. It also found that current levels of technical and financial investment cannot sustain current effort and momentum to achieve lasting impact across the region.

Strategic opportunities for further progress

The findings of the rapid assessment revealed the following strategic opportunities to enhance progress and impact.

- **Strategic implementation support that responds to the needs of a country** requires additional financial and technical investment for country-defined human rights and social justice priorities, some of which are shared or common across the region.
- **Strengthening collaboration and linkages at regional and country levels.** While best-practice exists in some countries – Malawi, Kenya and Uganda, for example – other countries do not yet have effective national platforms for coordinated action on human rights and social justice priorities.
- **Strengthening monitoring and accountability.** There is a need for a shared regional results framework to monitor progress on human rights and social justice challenges in the context of the HIV response.

- **Facilitating regional dialogue on ‘reframing’.** There is a need for an entity to facilitate and convene key actors to bring about collaboration and consensus on more inclusive, engaging ways to frame and state human rights and social justice issues. At the same time, reframing should neither obscure the lived experience of the denial of rights of people living with HIV and other key populations and vulnerable groups across the region nor lower international standards.
- **Strengthening regional advocacy.** According to some participants in the assessment, the UNAIDS secretariat and the cosponsors have yet to bring their full institutional weight to the ongoing advocacy efforts for law and policy change at both national and regional levels. In some countries, the UNAIDS secretariat is showing exceptional leadership in convening and facilitating coordinated action and speaking out on what the evidence says regarding protection and promotion of human rights and the effectiveness of HIV responses. However, this is not consistent across the region. The UNAIDS secretariat and the cosponsors can increase voice and leadership in advocacy, particularly political advocacy, at regional and national levels.
- **Work to sustain and increase financial and technical support for human rights, social justice and community empowerment.** Human rights and social justice that affect and changes daily realities for people living with HIV and other key populations and vulnerable groups cannot advance without strong and effective support of, and organization emerging from and led by, these same groups. Without funding and political support, efforts lack potency and cannot expand.

In the broad-ranging discussion that followed the presentation, a number of key points were highlighted.

- Do we sufficiently understand the nature of our successes and our failures? This concern addressed whether sufficient critical analysis had been undertaken to understand how achievements had come about and what has led to failures or lack of progress. One participant noted, “In explaining our achievements, it’s not as simple as we were right and they were wrong.” There is a need to examine and interrogate more critically what has fostered achievements in human rights and social justice, in the context of HIV and more broadly, and, conversely, what has impeded further achievement and progress. Without this analysis it is difficult if not impossible, to understand the history of the HIV response and determine which strategic directions and actions to pursue in the next critical years to accelerate and expand human rights and social justice in the context of HIV.
- Are we too exceptional or insular in our conceptualizations, terminology and/or approaches to human rights and social justice? It was noted that the prevailing ways of conceptualizing and discussing human rights and social justice in the context of HIV often appears to be directed at a closed group and does not communicate effectively or motivate for the broader human rights and social justice constituency. It was also stated that there were still challenges to articulate core concepts of human rights and social justice using African, regionally situated terminology and contexts that are integral to indigenous cultural and religious traditions, for example. Finally, the group discussed and agreed to broaden the dialogue and focus out to ‘social justice’.
- Are we not listening closely enough to, or understanding well enough, those we need to influence? Many participants noted that there was still work to do to understand the contexts within which political, religious or cultural leaders operate more clearly and define ways to advance human rights and social justice within these environments. The ‘ballot box’ case for example, or the economic case for progress in these areas, have still not been articulated in ways that are usable and effective for politicians or policy makers.
- Have we strained, or lost, the link to the daily lived realities of those in most need of rights fulfillment or the realization of social justice? Much of the terminology and tone of the discourse on human rights and social justice in the context of HIV has become very technocratic and is not easily linked back to the daily realities of people living with HIV and other key populations and vulnerable groups whose rights have been infringed or whose access

to social justice has been curtailed. One participant noted, for example, that because sexual identities are about sex and desire they are fundamentally disruptive to entrenched concepts of gender, power and authority across the region. To neutralize this idea using bland, technocratic language distort the lived reality of those who seek the dignity and freedom in their daily lives to exist and to live out their identities and their truths.

- Has our strategic thinking been corrupted or unduly influenced by competing agendas or vested interests? Analysis and commitment on human rights and social justice have become prerequisites in several HIV-related contexts, particularly regarding access to external financing. The issue was raised that these opportunities are defining the problem analysis and separating it from what is truly happening or not happening in the daily lived realities of those whose human rights are denied. This distortion may be a cause of the growing stagnation of results and progress.

The session closed with an acknowledgement that the rapid assessment had raised critical issues for the Think-Tank to address, including the need to deepen the analysis of trends and challenges over the course of its deliberations.

Finally, a critical point was made by some participants of the need to distinguish human rights defenders, particularly those who are also members of key populations or vulnerable groups, as a distinct grouping in need of protection and support across the region. One participant shared an account of her own challenges in protecting herself and her family from state harassment and persecution when she undertook to challenge her government over the de-registration of a key-population organization in which she was active.

7. PANEL DISCUSSION WITH REGIONAL STAKEHOLDERS: PRIORITY ISSUES FOR THE THINK-TANK TO ADDRESS

The meeting continued with a panel discussion involving a selection of key regional stakeholders addressing human rights and social justice in the context of HIV. The panelists included representatives from the AIDS Rights Alliance for Southern Africa (ARASA), United Nations Development Programme (UNDP), International HIV/AIDS Alliance, Southern African AIDS Trust (SAT), Southern African Litigation Centre (SALC), Open Society Institute for Southern Africa (OSISA), and African Men for Sexual Health and Rights (AMShER).

Panelists were asked to answer two questions:

- What are the regional priorities the Think-Tank should address?
- How should that Think-Tank move these priorities forward?

In the view of the panel, the priorities that the Think-Tank should address included the following:

- Greater consistency of approaches to addressing human rights and social justice that were relevant and effective within regional contexts.
- Improve access to justice and other mechanisms for redress.
- Improve the quality and effectiveness of bilateral relationships between civil society and government, particularly with respect to advancing law and policy change regarding not only HIV-specific issues but also the right to health more generally.
- Ensure that all key populations and vulnerable groups are represented and have voice at both country and regional levels in the context of all HIV-related matters.
- Define new and different ways to strengthen transparency and accountability on HIV-related human rights and social justice commitments.
- Working to 'de-exceptionalize' HIV-related health and social justice issues such as denial of service and position them as broader challenges for the health-care sector.

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- Work on ways to popularize human rights and social justice work to engage broader constituencies, particularly young people.
- Work to support the foundations of health equity and overcome inequalities of wealth and privilege, for example, to subsequently advance and sustain gains in health equity.
- Find ways to re-articulate human rights and social justice work so that it speaks to hearts and minds as well as policies and instruments; finding ways to articulate the work that link to values and beliefs that resonate with communities.
- Work to articulate human rights and social justice challenges in the context of HIV that highlight ‘intersectionality’ with broader struggles for rights and justice across the region.
- Facilitate movement-building and connections to avoid working in silos and fragmentation of efforts.
- Find ways to position the realities of failing health-care systems and denial of service across populations that create a sense of outrage that catalyses effective action.

When determining how the Think-Tank should move these priorities forward panelists highlighted:

- Focus on critical thinking across the different experiences, approaches and types of expertise represented by the Think-Tank to understand what has been done and how it could be done better.
- Undertake an in-depth contextual analysis to critically examine the emergence of human rights and social justice achievements and failures specific to Eastern and Southern Africa.
- Share intelligence, not just information, to better grasp how certain achievements come about and why other attempts at moving forward have not worked.
- Facilitate the articulation of a collective theory of change to understand what we want to achieve over the next 10 years.
- Develop different political and economic case statements for human rights and social justice priorities that will resonate with politicians, religious and traditional leaders, young people and other key stakeholders.
- Catalyse stronger, more effective engagement of civil society.
- Work to catalyse stronger, more effective action at national level by providing strategic thinking and critical analysis.
- Create a stronger sense of shared purpose and solidarity across the region through collective leadership.

In the discussion that followed, a number of additional observations were made:

- The human dimension or lived reality of human rights and social justice for key populations and vulnerable groups needs to remain at the forefront. Change must be measured at this level. What is considered evidence must include stories of lived experience.
- The idea that there is an ‘African language of human rights’ must be interrogated. African struggles for independence were advanced based on universally recognized human rights and not on something external or foreign.
- The experience of work on HIV with people with disabilities has been guided by a ‘twin-track’ approach focusing on ensuring people with disabilities are integrated within HIV responses while ensuring that broader efforts addressing the rights and entitlements of this group include a component on HIV. The lessons learned with this approach are applicable more broadly regarding positioning human rights and social justice work in the context of HIV.

- There is a need to find ways to articulate human rights and social justice issues so that they inspire and empower people in communities to rise up and demand their rights.
- There is need to connect more strongly with the realities of governance and politics across the African continent to provide effective strategies and tools for parliamentarians who want to advance human rights and social justice for key populations. The reality across the continent is state governance dominated by single parties and majority rule rather than a more sophisticated balancing of interests in order to recognize and protect the rights and realities of minority groups.
- The need that the Think-Tank members express for an open space for critical thinking and shared contextual analysis is an important one. However, the strategic thinking it undertakes must also catalyse strategy and action. There must be a balance.

8. DETERMINATION OF PRIORITIES FOR THE THINK-TANK TO ADDRESS

In small-group work, participants debated initial priorities for the Think-Tank to address. The groups were instructed to consider all that had been put on the table up to this point in the meeting and to choose a maximum of three priorities. The following is the list of priorities generated by the small group discussions:

- Reframe the human rights and social justice paradigm beginning with an analysis and re-articulation of HIV and vulnerability specific to the regional context.
- Identify priorities for strategic investment beginning with the issue of access to justice.
- Develop a regional rapid-response mechanism to support country level action on human rights violations against key populations and vulnerable groups.
- Develop a shared contextual analysis, focusing on identifying and understanding the counterforces inhibiting work on human rights and social justice, critically analysing what has not worked to date in the region, and proposing or strengthening a shared narrative on what equality and social justice is in the regional context.
- Gather and share political intelligence to position the work of rights holders for greater relevance and effectiveness.
- Articulate whatever change is collectively desired and gather the evidence required to guide action to make it come about.
- Interrogate the concept of social justice within the regional context with a view towards working out of silos, building stronger coalitions and finding intersectionalities.
- Craft different discourses or specific narratives of human rights and social justice, especially political, economic, social and religious.
- Undertake a shared contextual analysis to better target efforts where they will win battles (create a strategic map arising from the contextual analysis).
- Work strategically with cultural and religious leaders to better frame human rights and social justice needs in their contexts for more relevance and impact.

After a long and substantive debate, participants agreed it was urgent to move forward on developing a shared contextual analysis that critically analysed what had and had not worked in the region and provided clear direction for strengthening advocacy and activism.

It was strongly argued by some participants that, without this foundation, it would not be possible to reposition collective efforts on achieving human rights and social justice for greater relevance and impact across the region.

9. PANEL DISCUSSION ON SYNERGIES WITH PARTNERS

In a second panel discussion during the meeting, regional technical partners were offered an opportunity to draw links between their ongoing work and opportunities to support and extend the work of the Think-Tank.

Panelists included representatives from UNICEF, the Southern African Development Community Parliamentary Forum (SADC-PF), Hivos, UNAIDS, the Global Fund to Fight AIDS, Tuberculosis and Malaria (Global Fund), the International Labour Organisation (ILO), and the President's Emergency Plan for AIDS Relief (Pepfar).

In terms of links between the work of the Think-Tank and the regional and global work of partners, the panelists highlighted the following:

- In line with its new corporate strategy Pepfar will keep investing in capacity-building at the community level. In addition to service delivery, Pepfar is working to build capacity for advocacy and engagement. However, the key challenge is to find a way to measure the impact of advocacy to attract more investment.
- In December 2014, Unicef released a discussion paper on the issues of some key populations (lesbian, gay, bisexual, and transgender) in the context of families, children and youth, and particularly explored the connection between children and youth who are members of these key populations. The paper is an opportunity for broader engagement with the agency on these issues. UNICEF has also generated important strategic information on the impact of social protection linked to addressing vulnerabilities pertaining to health and well-being. There are lessons to be shared more broadly regarding the potential for utilizing this approach with key populations.
- The SADC Parliamentary Forum contends with the daily realities facing parliamentarians across the region. Given the nature of political systems, the challenge is constant turnover; sensitization and capacity-building work is always being initiated. The Forum needs additional tools, as well as a source for critical thinking and advice that can be used by parliamentarians. However, tools and advice must also be relevant to the unique contexts in which parliamentarians function. The Think-Tank could assist SADC in this regard, and ensure that work is done with all three branches of government.
- The Global Fund has made good progress realizing the human rights objective in its 2012–2016 strategy. In the region, many concept notes in the New Funding Model contain good analyses of human rights and key population issues and there is presence and voice of key populations and vulnerable groups in several country dialogues. However, the next challenge is to move from analysis to specific programmes and resource commitments as grants are negotiated and signed. Although the Technical Review Panels have done well they need more human rights and social justice experts. The Think-Tank can articulate context-specific regional guidance on how to move from concept note analysis to effective strategies and action. The Global Fund began a new strategy-development process in 2015; an important regional opportunity for input by members of the Think-Tank.
- Hivos noted the importance of engaging with communities at the grassroots level and looking for ways to enable change in this context. Engaging local religious and cultural leadership was critical in this regard. There would be important synergies with the work of the Think-Tank and the ongoing work of Hivos particularly if the group could remain connected to these on-the-ground realities.
- From the perspective of ILO, the critical success factor in addressing human rights and HIV-related challenges has been the multi-sectoral approach which engaged stakeholders and actors beyond just the health sector. Human rights and social justice work in the context of HIV must be cast more broadly in order to achieve more. The challenge for the Think-Tank is where to engage beyond the traditional links with the health sector. Private business and trade

unions, for example, offer additional critical entry points for advancing on human rights and social justice challenges.

- UNAIDS is in the process of articulating a new global strategy with which to address the HIV epidemic – a critical opportunity for all stakeholders to engage in determining the regional and global agenda for HIV in the post-2015 development context. Addressing discrimination – and the broader role of human rights and social justice to enable further progress in HIV globally and regionally – remains critical. However, pressure is needed to sustain the investment in these areas alongside the need for ongoing investment in treatment and prevention. New targets for the zero discrimination pillar of the global strategy are being proposed; regional engagement to define and operationalize them is critical.

In the discussion that followed, these points were highlighted:

- The Think-Tank must safeguard its independence and range of movement. Although working with partners to define strategies and priorities is critical, the group must not become co-opted or overly burdened by the agendas of others. It was recommended that opportunities and requests be mapped for the group to decide where to engage and where to allow others to take the lead.
- It was also noted that the group should frame its agenda according to the results of bold critical analysis rather than framing issues and results in political correctness or language that is palatable to donors but not true to the lived realities of key populations and vulnerable groups.
- A few participants spoke of their experiences when the concept note was being developed. They acknowledged the analysis of human rights and key population issues in the final submissions but noted a lack of corresponding commitment on the part of governments and stakeholders to take effective action to address these issues and included a gap in some submissions as to what actions would be taken and resources allocated.
- There is both opportunity and need for UN agencies to play a stronger role in the region, particularly in countering false statements and distortions of facts and realities with evidence and authority. The UN was not always responsive or vocal enough and consequently not accountable or committed enough to addressing human rights and social justice challenges across the region.
- Finally, the immense leverage in the region of partners like PEPFAR and the Global Fund was noted, and the group felt that more could be done to incentivize countries for more specific progress and action on human rights and social justice for key populations and vulnerable groups.

The session closed with all participants noting the critical opportunities for synergies, input and collaboration between the Think-Tank and the regional partners, at both the regional and global levels. It was also acknowledged that certain opportunities were timely and urgent and that the Think-Tank consider this as it set out its priorities and working modalities.

10. WORKING MODALITIES FOR THE THINK-TANK

In small-group work, participants discussed working modalities in four core areas: membership, engagement, interaction with partners and stakeholders and upcoming strategic opportunities. The following reflects the consensus of the participants on working modalities for the group in these core areas.

Membership

- It was agreed that certain voices should be added or strengthened within the membership of the Think-Tank. This included adolescents and youth, young women, prisoners, transgendered people and people with disabilities.

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- It was agreed that the Think-Tank should limit itself to a maximum of twenty (20) members.
- Members were invited to participate on the Think-Tank in their individual capacities as critical thinkers, leaders, change agents and experts.
- Selection criteria should be clarified and formalized before additional members are appointed. In addition, terms of office and accountabilities should also be specified. Finally, it was recommended that, at some point in the future, there be an external evaluation process both at the individual and collective level.
- The categories of observers and experts should be left flexible and should be based on the needs of the Think-Tank for additional expertise and support depending on the issues or priorities it is addressing.
- The Think-Tank should have co-chairs selected within the group. The group could also benefit, particularly in the first year, from the ongoing support of a meeting facilitator distinct from the co-chairs.

Engagement

- It was recommended that, resources permitting, there should be two additional face-to-face meetings in 2015. Thereafter, there should be two face-to-face meetings a year.
- Between face-to-face meetings, there should be mediated engagement of the members on specific issues and priorities using appropriate and accessible technology.
- The work of the Think-Tank should be supported by a full-time secretariat.
- In developing inputs to support strategic thinking (issue papers, etc.), the Think-Tank should engage regional institutions and experts as a priority.
- The Think-Tank should also work to engage constituencies and communities by, for example, rotating the location of its meetings and working to schedule these sessions in conjunction with other opportunities for strategic engagement (other regional meetings, conferences, etc.).
- While it is envisioned that the Think-Tank will produce publications, further discussion on outputs and outcomes is required. The need for effective dissemination strategies, to ensure that the work of the Think-Tank is available and accessible down to community levels, was highlighted.
- While the need for the Think-Tank to speak with a collective voice was highlighted, the modalities for doing this were not discussed and the issue was deferred for deliberation at a future meeting.
- The need to measure the relevance and impact of the work of the Think-Tank was also highlighted but not discussed. This too was deferred for deliberation at a later meeting.

Interactions with partners

- The need to work in close collaboration with regional and global partners was emphasized by the participants.
- It was recommended that, based on the mapping contained in the rapid assessment, the Think-Tank would prioritize how to focus its efforts to link with partners for maximum synergies and collective impact.

Strategic Opportunities

Several opportunities for engagement by the Think-Tank were highlighted, including the following:

- Development of the new UNAIDS corporate strategy
- Development of the new Global Fund corporate strategy
- Development of Country Operational Plans across the region under Pefpar
- Several conferences and regional meetings to take place on key populations

- International Conference on AIDS and STIs in Africa (ICASA) scheduled for November 2014 in Tunisia.
- A UNDP-convened judges' forum to take place later in the year
- International AIDS Conference to take place in Durban, South Africa in July 2016

It was agreed that the Think-Tank would need to urgently prioritize which of these opportunities were strategic and how it would effectively participate and have input in the various fora and events.

11. NEXT STEPS

During an extended discussion on next steps, it was agreed that the full report of the rapid assessment would be shared with the participants once it was finalized. In addition, a meeting report and the revised Terms of Reference for the Think-Tank would also be distributed following the meeting. Additional discussion of next steps was deferred to the second closed session of the Think-Tank.

12. FINAL REMARKS FROM PARTNERS AND OBSERVERS

Before the official closure of the meeting, partners and observers were offered a final opportunity to comment. All partners, including Global Fund, PEPFAR, UNDP, Hivos, Unicef, UNAIDS, ILO, and the regional representative for the Office of the High Commissioner on Human Rights (OHCHR) expressed strong support for the creation of the Think-Tank and looked forward to strong links and synergies as the group moved forward on its agenda. The importance of timely, ongoing engagement at the country level and with important strategic processes at the regional and global levels was also highlighted.

13. CLOSING REMARKS FROM UNAIDS

Dr. Pierre Somse, Deputy Regional Director, offered closing remarks on behalf of UNAIDS. He emphasized the strategic moment regionally and globally for the HIV response, with 2015 marking both the introduction of the UNAIDS Fast-Track approach throughout the HIV response, as well as the transition to the post-2015 era of strategic development goals (SDGs) and a new global development architecture.

Within this context, he noted, the Think-Tank will need to work fast to establish its relevance and to provide the strategic guidance needed to ensure that human rights and social justice work in the context of HIV remained high on the regional and global agendas. Most importantly, the Think-Tank will need to quickly find a balance between the need for thinking and development of new concepts, language and approaches, while at the same time working to actively change the context for the HIV response at national and regional levels. In closing, he assured the group of the ongoing support of UNAIDS.

14. SECOND CLOSED SESSION

In the final closed session of Think-Tank members only, the following agreements were reached:

- On an interim basis, Justice Oagile Dingake, Mark Heywood, , and Wanjiku Kamau would function as co-chairs. The primary responsibility of the co-chairs would be guiding and supporting the group and UNAIDS to prepare for the next meeting of the group. The co-chairs would also be responsible for fully engaging the Think-Tank members in these preparations and preliminary discussions.
- Under the guidance of the co-chairs, UNAIDS would work to develop a concept outline and critical path for undertaking the contextual analysis, including the development of issues papers and other resources necessary to support this priority.
- A revised version of the rapid assessment would be prepared and circulated by UNAIDS for final review and comment by the Think-Tank members during the next four weeks.
- A summary meeting report would also be prepared and circulated.
- A revision of the Terms of Reference will be prepared and circulated by UNAIDS at the same time as the meeting report.
- The name of the group will be the Think-Tank on HIV, Health and Social Justice.
- A communiqué was discussed and approved for release following the close of the meeting (see Attachment C).
- The next meeting of the Think-Tank will be targeted for June. However, UNAIDS will work with the co-chairs to make a specific proposal on dates for this session in the coming weeks.
- The session closed with a vote of thanks to Susan Timberlake, facilitator, Russell Armstrong, technical consultant and rapporteur, and to the UNAIDS Support Team for their work on the logistics to convene the meeting. Finally, special thanks and acknowledgement were given to Bechir N'Daw for his vision and commitment in creating the Think-Tank and in convening the inaugural meeting.

ATTACHMENT A: MEETING AGENDA

Wednesday, March 18

	Time	Task	Presenter/Facilitator
1	8:30	Closed session with group members Discuss purpose of the group and expectations for the meeting	Facilitator
2	10:30	Registration of all participants	UNAIDS RST
10:30: Coffee break			
3	10:45	Welcome and introductions	UNAIDS, Mark Heywood, Chairperson
4	11:00	Opening remarks	Sheila Tlou, Regional Director, UNAIDS RST ESA
5	11:15	Framing of group: presentation of proposed group objectives and agenda for meeting Discussion	Group member / Susan Timberlake, Facilitator
6	11:45	Presentation of findings from Rapid Assessment	Russell Armstrong, Consultant/Rapporteur
7	12:00	Discussion	Chairperson/Facilitator
13:00: Lunch			
8	14:00	Possible priorities on HIV, human rights & social justice for Group action [Davos-style discussion on major priorities/needs that could be focus of support by the Group.] Discussion	Panellists: UNDP, ARASA, AMSHeR, SALC, SAT, African Sex Worker Alliance, OSISA/OSIEA, International AIDS Alliance Chairperson/Facilitator
9	16:00	Working Session One: Identification of major obstacles to expanding human rights action/success and action the Group can take to address these Report back	Buzz groups at table Facilitator
10	17:30	Closing of day	Chairperson
Thursday, March 19			
11	09:00	Opening of Day Two	Oagile Dingkake, Chairperson
12	9:15	Review of outputs of Working Session One Discussion	Rapporteur/Facilitator
11:00: Coffee break			
13	11:30	Synergies with partners: Global Fund; PEPFAR/USAID/CDC; HIVOS; Ford Foundation; SADC; UNAIDS Davos-style panel Discussion	Chairperson/Facilitator
13:00: Lunch			
14	14:00	Working Session Two Modalities of the Group – interrogating how the Group will function, based on Terms of Reference as starting point Working Groups	Chairperson/Facilitator
15:30: Coffee break			
15	16:00	Report backs from Working Groups Plenary Discussion	Group facilitators and participants
16	17:30	Closing of day	Chairperson
	17:30-19:30	Special Reception for the Group and Launching of a book about the history of the AIDS Law Project called <i>Speaking Truth to Power</i> . With special guests and refreshments	All participants

INAUGURAL MEETING

Friday, March 20

	Time	Task	Presenter/Facilitator
17	09:00	Overview of Day Three	Wanjiku Kamau, Chairperson
18	09:15	Review and consolidation of results of Days 1 and 2 Identification and agreement on next steps <i>Discussion</i>	Rapporteur/Facilitator
19	10:30	Final comments and observations from observers & guests	Chairperson/Facilitator
20	10:45	<i>Closing remarks</i>	Pierre Somse, Deputy Regional Director, UNAIDS
11:00: Coffee break			
21	11:30	Closed session with members of the Group Meeting synthesis, adoption of a Communique, any other business <i>Discussion</i>	Chairperson/Facilitator
13:00: Lunch			

ATTACHMENT B: LIST OF PARTICIPANTS

Think-Tank Members

Name and Surname	Organization	Country
Prof. Nana Poku	Executive Director, Health Economics and HIV AIDS Research Division (HEARD)	Regional/South Africa
Ms. Wanjiku Kamau Co-Chair of the Think-Tank	Eastern African Harm Reduction Network, HIV/AIDS Alliance	Regional/Kenya
Mr. Mark Heywood Co-Chair of the Think-Tank	Executive Director, Section 27	South Africa
Ms. Cindy Kelemi	Executive Director BONELA	Botswana
Ms. Daughtie Ogutu	Africa Coordinator, African Sex Workers Alliance (ASWA)	Continental/Kenya
Hon. Dr. Oagile Key Dingake Co-Chair of the Think-Tank	Honourable Justice	Botswana
Rev. MacDonald Sembereka	Director of MANARELA/Faith-based Leader	Malawi
Ms. Lois Chingandu	Executive Director, SAfAIDS	Regional/Zimbabwe
Ms. Dawn Cavanagh	Director, Coalition of African Lesbians (CAL)	Regional
Mr. Geoffrey Mujisha	Chief Executive Officer, Most-At-Risk-Populations Network	Uganda
Mr. Kene Esom	Director of Programmes, AMSHeR	Regional
Ms. Michaela Clayton	Executive Director, ARASA	Namibia
Mr. Nguru Karugu	Health and Rights Consultant, Open Society Initiative for Eastern Africa (OSIEA)	Regional/Kenya
Ms. Helgar Musyoki	Program Manager for Key Populations, NAC (NASCOP)	Kenya
Mr. Nicolas Ritter	Executive Director, PILS	Mauritius
Hon. Justice Dunstain Mwaungulu	Honourable Supreme Court Judge	Malawi
Rev. Kapya Kaoma	Political Research Associates	Zambia/US
Ms. Fatma Mrisho	Director, TACAIDS	Tanzania
Ms. Martha Tholana	ICW/GALZ Chairperson	Zimbabwe

Observers and guests

Ms. Tilly Sellers	Team Leader HHD (UNDP Regional Centre for Africa)	Regional
Mr. Amitrajit Saha	Senior Human Rights Adviser, UNDP	Regional
Ms. Boemo Sekgoma	Director Programmes & HIV/AIDS Policy Advisor, SADC PF	Namibia
Mr. Ian Southey-Swartz	LGBTI, Health Rights Programme Manager, Open Society Initiative for Southern Africa	South Africa
Ms. Anurita Bains	Regional Adviser, HIV/AIDS, UNICEF ESARO	Kenya
Ms. Jacqueline Nzoyihera	Regional Human Rights Officer, OHCHR	South Africa
Ms. Kate Thomson	Head Community, Rights and Gender and Civil Society Hub, Global Fund	Switzerland/Geneva
Ms. Maeve Mckean	Senior Advisor for Human Rights, PEPFAR	USA
Ms. Anneke Meerkotter	Ligation Director, SALC	South Africa
Ms. Annabel Raw	Health Programme Lawyer, SALC	South Africa
Ms. Luisa Cabal	Chief, Human Rights and Law Division, UNAIDS HQ	Switzerland/Geneva
Mr. Paul Jansen	Director, HIVOS	South Africa
Dr. Jill Hanass-Hancock	Senior Researcher, HEARD	South Africa
Mr. Simphiwe Mabhele	HIV/AIDS Technical Specialist	South Africa
Ms. Patricia Machawira	Regional HIV and Health Education Advisor	South Africa
Ms. Tlangelani Shilubane	UNFPA ESARO	South Africa

UNAIDS RST

Mr. Bechir N'Daw	Senior Human Rights & Law Advisor	South Africa
Prof. Sheila Tlou	Regional Director	South Africa
Dr. Pierre Somse	Deputy Regional Director	South Africa
Ms. Susan Timberlake	Facilitator	Geneva/Switzerland
Mr. Russell Armstrong	Technical consultant & rapporteur	Lesotho

ATTACHMENT C: MEETING COMMUNIQUÉ

FOR IMMEDIATE RELEASE

March 20, 2015—Johannesburg, RSA

Regional Think-Tank on HIV, Health and Social Justice Convenes First Meeting

Following a regional consultation on HIV, human rights and social justice, which took place in November 2014, leading human rights and social justice experts, advocates and activists from the Eastern and Southern African region and beyond, gathered in Johannesburg from March 18 to 20, for the first meeting of the Think-Tank on HIV, Health and Social Justice. Members of the Think-Tank include advocates and activists on human rights and social justice, justices, lawyers, members of key population networks and organisations, academics, and law and policy makers.

The members of the Think-Tank have come together with the shared recognition that Africa - and the world - is entering a decisive phase in the response to HIV where human rights gains may be under significant threat at the very moment when they need to be strengthened. This reality dictates that we re-consider and reframe the challenges in the response to HIV and health, with a continued commitment to human rights while also embracing wider principles of social justice.

At its first meeting, the Think-Tank agreed on the following purpose to guide its work:

To provide a platform for strategic thinking, leadership and collaboration to support, expand and accelerate action and results on human rights and social justice in the context of HIV across the Eastern and Southern African regions.

The Think-Tank will create a space for urgently needed critical analysis of both achievements and failures in advancing human rights and social justice in response to HIV. The Think-Tank will act and speak with an independent voice, drawing on the different perspectives, expertise and experiences of many working for human rights and social justice in the context of HIV and health in Eastern and Southern Africa.

Based on the findings of a recently completed rapid assessment on HIV, health and social justice, commissioned by the UNAIDS RST ESA, the Think-Tank will work to catalyse a much needed strengthened human rights and social justice response in the region. At the outset the Think-Tank will undertake a contextual analysis, through a uniquely African lens, to assess the key enablers and impediments to the expansion of human rights and social justice in the response to HIV in the region.

This analysis will initially focus on the lived realities in the realisation of health and social justice for people living with HIV, key populations (including men who have sex with men, sex workers, people who use drugs, lesbians and transgendered persons) and vulnerable groups (including women and girls, adolescents and young people, prisoners, migrant and mobile populations, people with disabilities, and refugees and other displaced persons).

In addition, the Think-Tank resolved to begin to consider the following critical questions regarding the achievement of further progress on health, human rights and social justice in the context of HIV across the region:

1. What hypothesis or theory of change guides the current HIV, health and rights discourse in the region?
2. What is needed to catalyse country level efforts that are action-oriented and which advance human rights and social justice?
3. What will it take to advance human rights and social justice agenda in the region?
4. How can the Think-Tank build and sustain action that embraces a wider coalition of social justice actors?
5. What approach resonates broadly, inspires and stimulates institutional and political change within the region in support of human rights and social justice?

The Think-Tank resolved to undertake its work with urgency and integrity. Many lives depend on a more targeted and effective human rights and social justice approach to HIV and health in the region.

UNAIDS RST ESA has kindly agreed to act as the Secretariat of the Think-Tank.

Thus agreed, on this 20th of March 2015, by the members of the Regional Think-Tank on HIV, Health and Social Justice in Eastern and Southern Africa.

Co-Chairs' Contact details:

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Hon. Justice Oagile Key Dingake: oagiledingake@gmail.com

Mr. Mark Heywood: heywood@section27.org.za

UNAIDS RST ESA (Secretariat): Mr. Bechir N'Daw: ndawb@unaids.org

