

Executive Summary



Pathways to Achieving the Global 10-10-10 HIV Targets

Pathways to Achieving the Global 10-10-10 HIV Targets: A Review of the Evidence on Key Population and Community-Led Interventions to Address Punitive and Discriminatory Laws and HIV-Related Discrimination¹

The imperative of a protective national law and policy environment in reducing HIV infections is particularly important with respect to key populations (men who have sex with men, transgender individuals, sex workers, and people who use drugs) and people living with HIV. This is because key populations and people living with HIV are more vulnerable to HIV compared to the general population.² In light of this, the international community has agreed to less than 10% of countries having punitive legal and policy environments that deny or limit access to services, less than 10% of people living with HIV and key populations experiencing stigma and discrimination, and less than 10% of women, girls, people living with HIV, and key populations experiencing gender inequality and violence by 2025 (the 10-10-10 targets).³ As of early 2024, no country is on track to meeting the 10-10-10 targets by 2025.

Engaging in legal and policy reform to promote a more supportive environment for key populations and people living with HIV is a complex, long-term process requiring the engagement of a range of stakeholders. However, affected communities, including key populations and people living with HIV, play a particularly integral role in ensuring the legal and policy reform process and outcome are most responsive to their needs. In order to gain a clearer understanding of community-led interventions for effective law and policy reform, a review of the literature was conducted.⁴ The findings identified 14 tactics, strategies and approaches to reform or mitigate the impact of discriminatory or punitive laws and policies.

Key research questions

1. What community-led tactics, strategies and approaches have been used to remove or mitigate the impact of punitive and discriminatory laws and policies?
2. Which tactics, approaches and strategies have been most widely used by key population-led and people living with HIV communities to advance law and policy reform?

Key Definitions

Punitive and discriminatory laws and policies considered in this review:

1. Law and policies related to sex work, same-sex sexual behavior, transgender people, people who use drugs, including the criminalization of the personal possession of drugs.
2. Law and policies criminalizing HIV transmission, exposure and non-disclosure.
3. Laws and policies regarding the age at which young people can independently consent to sexual and reproductive health services.

Methodology

This review included any article or publication published between January 2018 and December 2022 that evaluated, analyzed, assessed, described or reviewed tactics, strategies, or approaches that sought to or removed or mitigated the impact of punitive and discriminatory laws or policies.

Peer-reviewed literature: searches from PubMed, Web of Science, Social Science Research Network (SSRN), Global Health, International Bibliography of Social Science, HeinOnline.

Grey literature: searches from Google Scholar, Scopus, and the quadrennial International AIDS Society Conference abstract database were searched for the grey literature. In addition, UNDP developed an artificial intelligence-assisted web search tool which was used to comb through over 10,000 publications across several internet sources, including Google Scholar, OpenAlex databases, and publications from multilateral organizations.

Study limitations

Though every effort was made to identify a broad range of grey literature, including reports from a diverse set of civil society organizations working to address discriminatory and punitive laws and policies, given the vast amount of grey literature available, it is likely that specific documents were missed.

Key study characteristics

Number: 119 documents identified

Regions: 39 documents focused on Africa

35 documents focused globally

24 documents focused on Asia-Pacific

24 documents focused on Eastern Europe and Central Asia

22 documents focused on Latin America and the Caribbean

14 documents focused on high-income countries

3 documents focused on the Middle East and Asia

Benefits of a supportive legal and policy environment

The benefits to repealing and mitigating the negative impact of punitive and discriminatory laws and policies include the following:

- Increased access to HIV prevention, treatment, care and support services⁵
- Decreased HIV incidence rates amongst key populations⁶
- Ensure countries are meeting their national, regional and global human rights obligations⁷
- Reduced stigma and discrimination against key populations and people living with HIV⁸
- Reduced key populations' and people living with HIV's vulnerability to violence⁹

10 overall findings

1. Fourteen tactics, strategies and approaches were identified:
 - capacity building of rights holders;
 - building the evidence base through research and documentation;
 - training and sensitization of duty bearers;
 - access to and provision of legal services;
 - establishing and working with coalitions, networks and alliances;
 - engaging with international and regional processes and bodies;
 - creating safe space for key populations and people living with HIV to engage with decision makers;
 - community mobilization of key populations and people living with HIV;
 - legal and policy environment monitoring;
 - media-based strategies;
 - strategic litigation;
 - direct action;
 - use of information and communication technology; and
 - enforcing protective laws.

2. There was significant documentation for the following interventions: capacity building of rights holders, building the evidence base through research and documentation, training and sensitization of duty bearers, access to and provision of legal services, and establishing and working with coalitions, networks and alliances.

3. There was minimal documentation for strategic litigation, direct action, using information and communication technology and enforcing protective laws. This is not to say these interventions have not been widely utilized by key populations and people living with HIV as a means to reform and mitigate the impact of discriminatory and punitive laws and policies. However, there was very little documentation of these practices in peer-reviewed and grey literature.

4. Out of the 119 documents identified, 39 were focused on Africa, 35 globally-focused, 24 focused on Asia-Pacific; 24 focused on Eastern Europe and Central Asia; 22 focused on Latin America and the Caribbean; 14 focused on high-income countries; and only 3 focused on the Middle East and North Africa.

5. The evidence indicates that the tactics, strategies and approaches identified in this review were almost always used in conjunction with each other.

6. Many of the cases described in the literature highlighted the fact that law and policy reform is a long, non-linear process, and continued monitoring and advocacy from affected communities is critical to ensuring successes are not reversed.

7. A human rights-based approach, namely meaningful participation of affected communities, equality, and non-discrimination, either explicitly or implicitly, underpinned the use of the tactics, strategies and approaches.

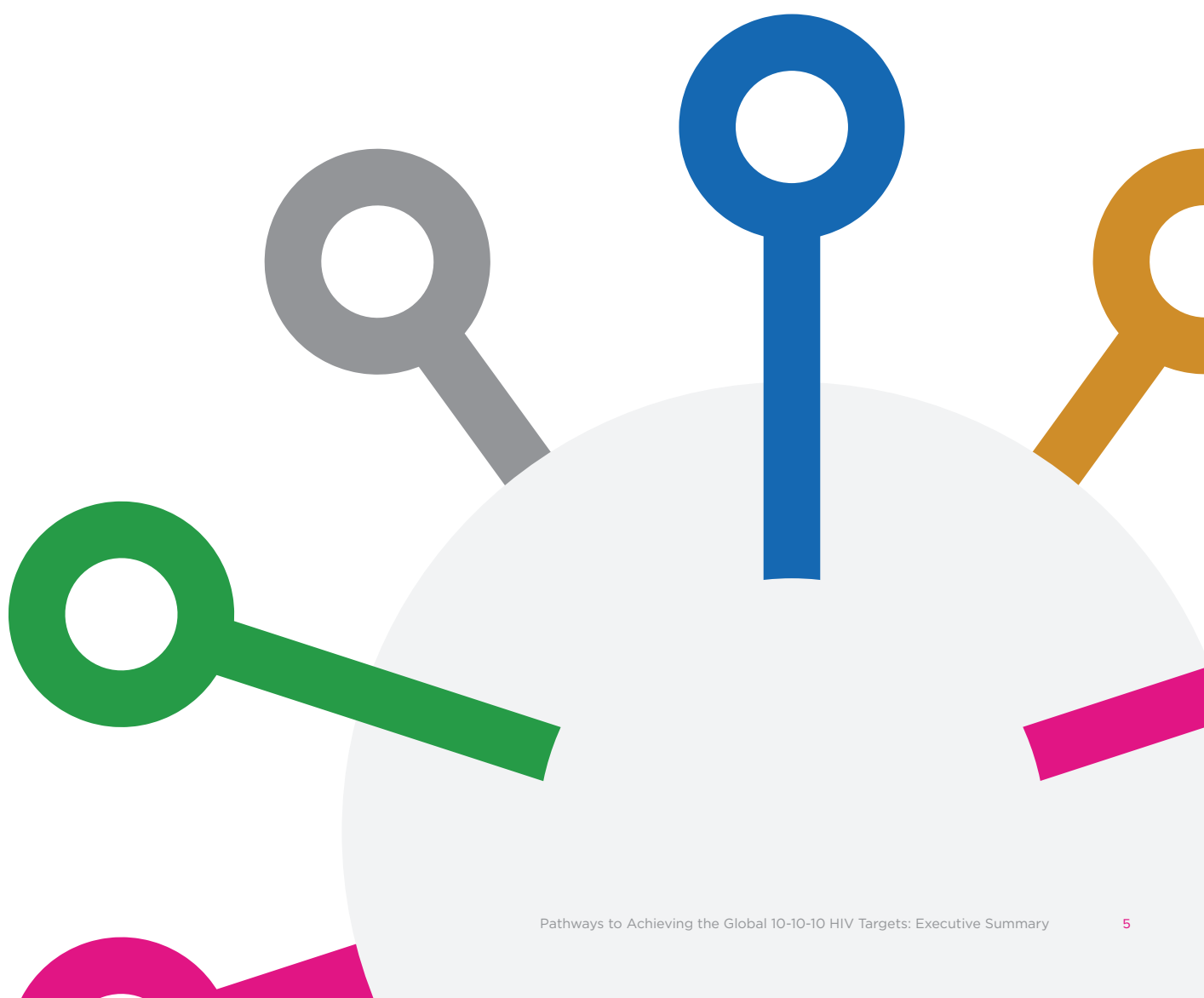
8. The 14 interventions identified have had a tremendous, documented impact on legal and policy environments, including changed laws and policies, increased meaningful participation of key populations and people living with HIV in developing laws and policies, and changed public and decisionmakers' perception of marginalized communities, among others.

9. Further research is needed to better understand the factors that contribute to the success of specific tactics, strategies and approaches, and the social, economic and political contexts in which specific interventions should be used.

10. Those tactics, strategies and approaches that are led by key populations or engage with key populations and people living with HIV, uphold human rights, and build trust between public authorities, other stakeholders, key populations and people living with HIV have been shown to be the most effective and successful.

10 reported outcomes of these tactics, strategies and approaches

1. Increased capacity of key populations and people living with HIV to engage in advocacy for law and policy reform and mitigation, including knowing one's rights and understanding the legal and policy environment.
2. Changes to punitive and discriminatory laws and policies, including preventing the enactment of punitive and discriminatory laws and policies.
3. Helped bolster the efficacy of other tactics, strategies and approaches.
4. Raised awareness of issues or rights violations among stakeholders.
5. Reduced stigma, including through changing public discourse and increasing knowledge among stakeholders.
6. Increased pressure on decisionmakers and built a sense of ownership of legal and policy reform amongst decisionmakers.
7. Strengthened key population and people living with HIV movements, including through increasing membership or broadening the movement to include a wider range of groups.
8. Increased access of key populations and people living with HIV to decisionmakers.
9. Built relationships between stakeholders, champions and unconventional allies.
10. Influenced laws and policies in other countries.



10 key recommendations

For key population-led and people living with HIV communities

1. Scale up the use and documentation of the tactics, strategies and approaches identified in the evidence review, particularly underused or under-documented interventions, including enforcing protective laws, information and communication technologies, strategic litigation and direct action. This is especially necessary in the Middle East and North Africa.
2. Increase collaboration with other key population and people living with HIV communities to build solidarity and amplify advocacy efforts at legal and policy change.
3. Build relationships and work closely with faith-based communities to address barriers to key populations' access to health services and remove stigma and discrimination against key populations.

For donors

4. Take active steps to ensure the systematic inclusion of government representatives from the justice, youth, gender and other relevant sectors in donor and development partner-created decision-making bodies, including technical working groups.
5. Provide technical and financial support to key population-led communities and other partners, especially in the Middle East and North Africa, to engage in and document tactics, strategies and approaches for law and policy reform, especially to enforce protective laws, use information and communication technologies in advocacy, and engage in direct action and strategic litigation.
6. Take active steps to ensure health service delivery programs are integrated and include legal and policy reform such that the legal environment supports and removes any barriers for key populations and people living with HIV to use the services.

For policy makers

7. With key populations, conduct a comprehensive review of the key population-relevant legal and policy environment to identify punitive and discriminatory laws and policies and other gaps in the legal and policy environment.
8. Take active steps to ensure the meaningful participation and inclusion of key populations and people living with HIV in all governmental-led law and policy reform processes, including ensuring key populations have seats on relevant government-convened task forces, advisory or working groups, among other types of bodies or committees.
9. Enact laws and policies which clearly provide for the age to independently consent to health services and repeal laws and practices which prevent or limit the ability of civil society to operate in country.
10. Mainstream programmes aimed at legal and policy awareness and reform within programmes that seek to provide health service delivery.

Overview of evidence review and findings

The table below outlines the outcome(s) of each tactic, strategy or approach, the number of studies documenting the use of the tactic, strategy or approach, and where the tactic, strategy or approach was used and provides illustrative examples of how each intervention was and can be used.

Tactics, strategies and approaches	# of studies ¹⁰	Location of studies	Illustrative examples	Reported outcomes
Capacity building of rights holders	42	MENA: 1 HIC: 6 Africa: 22 Global: 8 EECA: 13 AP: 11 LAC: 6	<ul style="list-style-type: none"> Provision of online training and e-courses on HIV- and key population-related issues. In-person training of key populations and people living with HIV. The drafting and dissemination of publications aimed at building the capacity of rights-holders, including legal literacy ("know your rights") materials. Key population-led organizations training key populations on their rights. Regional key population networks training national key population groups. 	<ul style="list-style-type: none"> Increased capacity of key populations and people living with HIV to engage in advocacy for law and policy reform and mitigation, including knowing one's rights Law and policy reform
Building the evidence base through research and documentation	26	MENA: 1 HIC: 6 Africa: 14 Global: 9 EECA: 10 AP: 6 LAC: 6	<ul style="list-style-type: none"> Community-led documentation of human rights violations, including barriers to access to services. Community-led research on the impact of laws and policies on key population and people living with HIV and their access to services as well as on recommendations for change. Rapid online surveys by key population-led organizations. 	<ul style="list-style-type: none"> Increased capacity of key populations and people living with HIV to engage in advocacy for law and policy reform and mitigation, including knowing one's rights Helped bolster the efficacy of other tactics, strategies and approaches Raised awareness of issues or rights violations Reduced stigma, including through changing public discourse and building the public record and increasing knowledge among duty bearers Increased access of key populations and people living with HIV to decisionmakers Built understanding of the legal and policy environment Built relationships with others
Training and sensitization of duty bearers	25	MENA: 0 HIC: 5 Africa: 13 Global: 5 EECA: 7 AP: 6 LAC: 6	<ul style="list-style-type: none"> A regional network of judges, led and organized by judges to build their understanding and knowledge of the impact of punitive and discriminatory laws. Training private sector lawyers to provide legal services for free to marginalized populations. Provision of internships to police trainees with key population-led organizations to sensitize police trainees to issues affecting key populations. Training programmes, including online, for healthcare workers on issues affecting key population and people living with HIV. Work with duty bearers, such as law enforcement to provide services or limit arrests, even in criminalized settings. (e.g., working with law enforcement to provide needle and syringes despite the criminalization of drugs). 	<ul style="list-style-type: none"> Law and policy reform Reduced stigma, including through increasing knowledge among duty bearers Built understanding of the legal and policy environment Built relationships with others Increased access to justice Reduced violence from law enforcement and others, and increase safety Identified champions

Tactics, strategies and approaches	# of studies ¹⁰	Location of studies	Illustrative examples	Reported outcomes
Access to and provision of legal services	24	MENA: 0 HIC: 4 Africa: 11 Global: 4 EECA: 5 AP: 6 LAC: 3	<ul style="list-style-type: none"> • Civil society organizations directly providing low-cost or free legal services through lawyers or paralegals. • Civil society organizations linking key population and people living with HIV with lawyers or paralegals who offer low-cost or free legal services. • The set-up of one-stop shops where community can access legal, medical, and psychological support services in one place. 	<ul style="list-style-type: none"> • Increased capacity of key populations and people living with HIV to engage in advocacy for law and policy reform and mitigation, including knowing one's rights • Helped bolster the efficacy of use of other tactics, strategies and approaches • Increased access to justice • Reduced violence from law enforcement and others, and increase safety
Establishing and working with coalitions, networks and alliances	24	MENA: 1 HIC: 6 Africa: 8 Global: 8 EECA: 6 AP: 7 LAC: 6	<ul style="list-style-type: none"> • Broad-based coalitions focused on specific advocacy aims. • A coalition of experts providing guidance on best practices. • Regional and global networks of lawyers working with key population and people living with HIV aimed at sharing knowledge and information. • National, regional, and international cross-key population coalitions. 	<ul style="list-style-type: none"> • Increased capacity of key populations and people living with HIV to engage in advocacy for law and policy reform and mitigation • Strengthened key population and people living with HIV movements, including through increasing membership or broadening it to include more groups • Increased access of key populations and people living with HIV to decisionmakers • Built understanding of the legal and policy environment
Engaging with international and regional processes and bodies	20	MENA: 0 HIC: 1 Africa: 6 Global: 6 EECA: 6 AP: 6 LAC: 3	<ul style="list-style-type: none"> • Submissions of information and individual complaints to international and regional bodies highlighting human rights violations by key populations and civil society (e.g., submitting alternate reports to United Nations Human Rights Committee, filing a case before the United Nations Committee on the Elimination of All Forms of Discrimination against Women). • Monitoring of international and regional processes (e.g., observation of the review of a country's human rights record as part of the Universal Periodic Review process). • Engagement in and support for the development of regional strategies and frameworks. 	<ul style="list-style-type: none"> • Increased capacity of key populations and people living with HIV to engage in advocacy for law and policy reform and mitigation, including knowing one's rights • Law and policy reform • Helped bolster the efficacy of use of other tactics, strategies and approaches • Increased access of key populations and people living with HIV to decisionmakers • Built understanding of the legal and policy environment • Built relationships with others • Influenced other countries
Creating safe space for key populations and people living with HIV to engage with decision makers	17	MENA: 1 HIC: 1 Africa: 10 Global: 6 EECA: 4 AP: 4 LAC: 2	<ul style="list-style-type: none"> • National dialogues. • Establishment of regional group of senior policy experts and advisers, including key and affected populations and decision makers. 	<ul style="list-style-type: none"> • Law and policy reform • Increased access of key populations and people living with HIV to decision makers
Community mobilization of key populations and people living with HIV	13	MENA: 0 HIC: 2 Africa: 6 Global: 3 EECA: 3 AP: 9 LAC: 4	Establishment of national or local organizations led by key populations- and people living with HIV, including organizations led by women living with HIV, and youth organizations.	<ul style="list-style-type: none"> • Increased capacity of key populations and people living with HIV to engage in advocacy for law and policy reform and mitigation, including knowing one's rights • Law and policy reform • Helped bolster the efficacy of use of other tactics, strategies and approaches

Tactics, strategies and approaches	# of studies ¹⁰	Location of studies	Illustrative examples	Reported outcomes
Legal and policy environment monitoring	13	MENA: 0 HIC: 0 Africa: 3 Global: 3 EECA: 4 AP: 1 LAC: 2	<ul style="list-style-type: none"> Key populations and people living with HIV working with government and other duty bearers to conduct legal environment assessments. Key population- and people living with HIV-led organizations providing an overview of the state of laws on a particular topic with continued monitoring. 	<ul style="list-style-type: none"> Helped bolster the efficacy of use of other tactics, strategies and approaches Raised awareness of issues or rights violations Increased pressure on decisionmakers and built a sense of ownership of legal and policy reform amongst decisionmakers Increased access of key populations and people living with HIV to decisionmakers Built understanding of the legal and policy environment Built relationships with others
Media-based strategies	11	MENA: 0 HIC: 6 Africa: 5 Global: 3 EECA: 6 AP: 1 LAC: 4	<ul style="list-style-type: none"> Awareness raising and the development of relationships with members of the media. The issuance of press releases and holding of press conferences when seeking to raise awareness and draw attention to specific issues. Publication of opinion pieces in influential media venues. Use of social media to raise awareness among mainstream media and members of the public. Advocacy for the inclusion of positive key population voices or actors in television and other media. 	<ul style="list-style-type: none"> Raised awareness of issues or rights violations Reduced stigma, including through changing public discourse and building the public record and increasing knowledge among duty bearers
Strategic litigation	10	MENA: 1 HIC: 2 Africa: 4 Global: 0 EECA: 3 Asia Pacific: 5 LAC: 4	<ul style="list-style-type: none"> Filing of cases in national, regional, and global courts and judicial bodies directly challenging punitive laws, including laws criminalizing same-sex sexual conduct, sex work, personal drug use and HIV criminalization. Filing of cases in national, regional, and global courts protecting the rights of key population and people living with HIV, including laws affirming the rights of key population and people living with HIV to be free from discrimination. Use of cases to limit the broad application of punitive and discriminatory laws. 	<ul style="list-style-type: none"> Law and policy reform Helped bolster the efficacy of use of other tactics, strategies and approaches Raised awareness of issues or rights violations Reduced stigma, including through changing public discourse and building the public record and increasing knowledge among duty bearers Strengthened key population and people living with HIV movement, including through increasing membership or broadening it to include more groups Built understanding of the legal and policy environment Built relationships with others Influenced other countries

Tactics, strategies and approaches	# of studies ¹⁰	Location of studies	Illustrative examples	Reported outcomes
Direct action	9	MENA: 0 HIC: 2 Africa:1 Global:3 EECA:1 AP: 1 LAC: 1	<ul style="list-style-type: none"> Submission of petitions to decision makers. Organization of rallies, demonstrations, and public protests. Pride marches. 	<ul style="list-style-type: none"> Law and policy reform Helped bolster the efficacy of use of other tactics, strategies and approaches Raised awareness of issues or rights violations Reduced stigma, including through changing public discourse and building the public record and increasing knowledge among duty bearers Increased pressure on decisionmakers and builds sense of ownership of legal and policy reform amongst decisionmakers Strengthened key population and people living with HIV movement, including through increasing membership or broadening it to include more groups
Use of information and communication technology	9	MENA: 0 HIC: 0 Africa: 3 Global: 4 EECA: 3 AP: 4 LAC: 3	<ul style="list-style-type: none"> Use of WhatsApp and other text-based applications to communicate with other key populations to build community and share information to protect themselves from violence and harm. Use of web-based tools to document human rights violations. 	<ul style="list-style-type: none"> Helped bolster the efficacy of use of other tactics, strategies and approaches Raised awareness of issues or rights violations Increased access to justice Reduced violence from law enforcement and others, and increase safety
Enforcing protective laws	3	MENA: 0 HIC: 0 Africa: 0 Global: 1 EECA: 0 AP: 1 LAC: 1	Key population-led organizations using advocacy to enforce laws that permit name changes or prohibit discrimination, among others.	<ul style="list-style-type: none"> Law and policy reform

Endnotes

- UNDP (United Nations Development Programme). 2023. "Pathways to Achieving the Global 10-10-10 HIV Targets: A Review of the Evidence on Key Population and Community-Led Interventions to Address Punitive and Discriminatory Laws and HIV-Related Discrimination" <https://www.undp.org/publications/pathways-achieving-global-10-10-10-hiv-targets>
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- DeBeck K., et al. above n 3; Deering, K.N., Amin, A., Shoveller, J., Nesbit, A., Garcia-Moreno, C., Duff, P. 2014. "A Systematic Review of the Correlates of Violence against Sex Workers." Am J Public Health; 104(5): e42–54.
- Most articles described the use of multiple tactics, strategies and approaches. Thus, the number of studies in the chart exceeds the total number of articles identified.

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