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MEETING OF CARIBBEAN LEADERS ON  
THE HIV RESPONSE

The Hon. Michael Kirby AC CMG

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I pay respects to the Ministers gathering to consider the initiatives necessary to respond effectively to the HIV epidemic in the Caribbean.

I send best wishes to Justice Adrian Saunders and other friends, whom I met during earlier visits.

Lately there has been much talk about “an end to AIDS”. Certainly, this goal could be achieved. But, without a pharmaceutical cure or effective vaccine, it will require great leadership on the part of political Ministers and independent officials.

To the standard problems of repealing laws that affect GLBT populations, sex workers and drug users must now be added the extremely grave challenge presented by the need, in many cases, to step up antiretroviral drugs to “second line” and “third line” therapies. These are not off patent. They will therefore add enormously to the costs unless there is reform of the global intellectual property regime. Caribbean leaders should lend their voices in support of the call by the UNDP Global Commission on HIV and the Law (2012). That Commission asked the UN Secretary-General to convene a high level expert group to propose reform of global HIV laws to make sure they are compatible with the fundamental human right of all people to have access to essential health care and pharmaceuticals. This sounds a boring topic. But it is vital not only for treatment of people infected with HIV in the Caribbean, it is also vital because the treatment reduces the capacity to infect others. It thus slows down the spread of HIV.

May I also appeal for a new initiative to repeal criminal laws against gay people. These impede the successful provision of health care messages, vital to life and

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\* Member of the original WHO Global Commission on AIDS (1988-93); Member of the UNDP Global Commission on HIV and the Law (2011-12); Member of the UNAIDS/Lancet Commission on Defeating AIDS - Advancing Global Health (2013-14).

wellbeing. I know the impact of the stigma caused by those laws because I grew up with them myself in Australia. They are cruel, unscientific and unjust to fellow citizens. But they also impede successful health strategies. I disclose my own case because this is how, in Australia, we overcame our demons based on race and skin colour. White Australia was also based on alleged biblical texts. We need to move beyond such cruelty and only political leaders can ensure that this is done. If it is not, many Caribbean citizens will needlessly die and suffer. It is as simple as that.

In Australia, recent news from the Caribbean told of initiatives to claim compensation from colonial governments for the injustices of the slave trade. But another legacy is the injustices of the colonial powers, notably Britain, toward gays. It is within the function of Caribbean leaders today to end this continuing colonial wrong. Simple justice requires it. Science requires it. And so does a successful strategy against HIV.