

Text of the Economic and Social Council resolution E/2009/L.23 adopted by the Council on 24 July 2009:

Joint United Nations Programme on Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome (UNAIDS)

The Economic and Social Council,

Recalling its resolution 2007/32 of 27 July 2007,

Welcoming the report of the Executive Director of the Joint United Nations Programme on HIV/AIDS (UNAIDS) and *appreciating* the concerted efforts of the UNAIDS Secretariat and its Cosponsoring agencies in fighting against HIV/AIDS,

Recalling the goals and targets set forth in the Declaration of Commitment on HIV/AIDS, adopted by the General Assembly at its twenty-sixth special session in 2001, the 2005 World Summit Outcome and the Political Declaration on HIV/AIDS adopted by the High Level Meeting of the General Assembly in 2006 as well as HIV/AIDS-related goals contained in the United Nations Millennium Declaration of 2000,

Recognizing that HIV/AIDS constitutes a global emergency and poses one of the most formidable challenges to the development, progress and stability of our respective societies and the world at large, and requires an exceptional and comprehensive global response, while acknowledging the timely need to maximize synergies between the AIDS response and the broader health and development agendas;

Expressing serious concern about the continued global spread of HIV/AIDS, which exacerbates poverty and gender inequalities, and poses a major public health challenge and threat to economic and social development and to food security in heavily affected regions,

Further expressing serious concern about the lack of progress in developing effective prevention technologies, including an HIV vaccine, 28 years into the HIV/AIDS pandemic, and recognizing that ensuring sustained financial and political support for research and development over the long-term is a critical factor in finding effective prevention technologies,

Acknowledging the adverse impact of the global economic and financial crisis on funding for the AIDS response, and the need to mitigate its impact on the existing gap between available resources and those human, technical and financial resources necessary to combat HIV/AIDS,

Recognizing the contribution of new, voluntary and innovative financing approaches and initiatives, such as UNITAID, as well as the need to support and strengthen existing financial mechanisms, including the Global Fund to Fight AIDS, Tuberculosis and Malaria, and relevant United Nations organizations, through the provision of funds in a sustained manner to address the funding gap for an effective and successful response to the HIV/AIDS pandemic,

Reaffirming the importance of global coordination efforts to scale up sustainable, intensified and comprehensive HIV/AIDS responses, in a comprehensive and inclusive

partnership as contained in the Political Declaration, with people living with HIV, vulnerable groups, most affected communities, civil society and the private sector, within the framework of the “Three Ones” Principle,

1. *Urges* UNAIDS and other relevant organizations and bodies of the United Nations system to intensify their support to Governments, with the view to achieving the goals contained in the United Nations Millennium Declaration, as well as the goals and targets contained in the 2001 Declaration of Commitment on HIV/AIDS, the 2005 World Summit Outcome and the 2006 Political Declaration on HIV/AIDS;
2. *Commends* UNAIDS support to the process of achieving universal access to prevention, treatment, care and support by 2010, in particular the assistance to countries in setting their national targets for universal access;
3. *Welcomes* the submission by Member States of 147 country progress reports in 2008, as part of the reporting process set out in the Declaration of Commitment on HIV/AIDS, which provided the most comprehensive overview to date of the response at country level, and *encourages* all Member States to provide full support to the next reporting due on 31 March 2010;
4. *Acknowledges* the insidious and persistent drivers of the epidemic, in particular stigma, discrimination, gender inequality, socio-economic inequality, and lack of respect for human rights, *also acknowledges* that in some cases such as food insecurity and displacements can lead to increased vulnerability, and *encourages* intensified analysis and advocacy by the Joint Programme to ensure that underlying obstacles to universal access, including services to underserved and vulnerable populations, are understood and appropriately addressed at all levels and in all settings;
5. *Emphasizes* the importance of comprehensive, evidence-informed HIV prevention programmes as an essential element of national, regional and international responses, whereby actions and policies are tailored to the local profile of the epidemic, and *commits* to further intensify efforts in this regard;
6. *Welcomes* the UNAIDS Outcome Framework for 2009-2011 for moving towards the goal of universal access including the recognition by the Joint Programme of: the need to improve the effectiveness of efforts to prevent the sexual transmission of HIV; the elimination of vertical transmission from mother to child and, the importance of linking HIV and sexual and reproductive health;
7. *Recognizes* the need to link the AIDS response more closely with the overall response to achieving the Millennium Development Goals, particularly those related to health;
8. *Further acknowledges* the need to address the underlying obstacles to the achievement of the goal of universal access to prevention, treatment, care and support, including the gap in available human, technical and financial resources, as well as inadequately functioning health systems, in order to ensure an effective and successful response to the HIV/AIDS;
9. *Reaffirms* the right to use, to the full, the provisions contained in the World Trade Organization TRIPS Agreement, the Doha Declaration on the TRIPS Agreement and Public Health, and the decision of the World Trade Organization’s General Council of 30 August 2003 and, when formal acceptance procedures are

completed, the amendment to article 31 of the Agreement, which provide flexibilities for the protection of public health, and in particular to promote access to medicines for all, and also *calls* for a broad and timely acceptance of the amendment to article 31 of the TRIPS Agreement, proposed by the WTO General Council Decision of 6 December 2005;

10. *Recalls* the Global Strategy and Plan of Action on Public Health, Innovation and Intellectual Property adopted by the World Health Assembly, and *urges* States, the relevant international organizations and other relevant stakeholders to support actively its wide implementation;
11. *Urges* Governments to prioritize and expand access to the prevention and treatment of HIV-related opportunistic infections, to promote access to and the effective use of safe and effective antiretroviral drugs of assured quality, at affordable prices, and to support both biomedical and socio-economic research on: new products to prevent HIV infection, including those controlled by women; diagnostics; medicines and other treatment commodities; and technologies related to HIV;
12. *Urges* Governments, donors and other stakeholders to continue to provide financial and political support towards research and development of an effective HIV vaccine;
13. *Encourages* the strengthening of the United Nations response to AIDS at the country level, the UNAIDS Technical Support Division of Labour, and the concept of a joint United Nations team and programme on AIDS with the aim of harmonizing technical support, strengthening programmatic coherence and improving the collective accountability of the United Nations system at the country level;
14. *Further encourages* UNAIDS to fully participate in the process of the reform of the United Nations operational activities, including in the context of progress made in increasing coherence in the UN's delivery of development assistance, in particular in the programme country pilots within the framework of UNAIDS' role as the coordinator for responses to HIV/AIDS;
15. *Urges* Governments, donors and other stakeholders including UNAIDS to promote coherence in the support to and alignment with national HIV/AIDS response strategies in a transparent, accountable and effective manner within the framework of the 'Three Ones' Principle;
16. *Acknowledges* the critical importance of people living with HIV to all aspects of national AIDS responses, global advocacy efforts, and the work of the United Nations system on AIDS and *encourages* increased support to civil society's capacity for programme implementation and advocacy, towards the goal of universal access to prevention, treatment, care and support;
17. *Encourages* improved collaboration between UNAIDS and the Global Fund to Fight AIDS, Tuberculosis and Malaria, aimed at strengthening the meaningful participation of African States through the pilot initiative to be monitored and potentially extended to other regions, in the UNAIDS Programme Coordinating Board and the Board of the Global Fund to Fight AIDS, Tuberculosis and Malaria;

18. *Welcomes* the report of the International Task Team on HIV-related Travel restrictions and further encourages all countries to eliminate HIV-specific restrictions on entry, stay and residence and ensure that people living with HIV are no longer excluded, detained or deported on the basis of HIV status;
19. *Recognizes* the need for UNAIDS to significantly expand and strengthen its work with national governments and to work with all groups of civil society to address the gap in access to services for injecting drug users in all settings, including prisons; to develop comprehensive models of appropriate service delivery for injecting drug users; to tackle the issues of stigmatization and discrimination; and to support increased capacity and resources for the provision of a comprehensive package of services for injecting drug users including harm reduction programmes in relation to HIV as elaborated in the WHO/UNODC/UNAIDS: “*Technical Guide for countries to set targets for Universal Access to HIV prevention, treatment and care for injecting drug users*”, in accordance with relevant national circumstances;
20. *Welcomes* the promulgation of the “*UNAIDS Action Framework: Universal Access for Men who have Sex with Men and Transgender People*”, and the follow-up action that is already under way, and *calls* on UNAIDS and other partners to support further action and strengthen partnerships to address the political, social, legal and economic barriers to universal access, as part of the agreed Unified Budget and Workplan priorities;
21. *Recognizes* the inter-related nature of health- and gender-related Millennium Development Goals and *welcomes* the progress by UNAIDS in assisting countries to accelerate action on women, girls and gender equality within the context of AIDS, including the appointment of an advisory group under the leadership of the Executive Director, to develop, implement, and monitor an operational plan in relation to a strengthened inter-agency strategy (UNAIDS Action Framework);
22. *Looks forward* to the consideration of a report at the 25th meeting of the Programme Coordinating Board on the anticipated impact that the global financial and economic crisis will have on countries’ ability to meet their universal access targets and to include recommendations and mitigation strategies;
23. *Calls* on UNAIDS for a critical, constructive, inclusive and transparent response to the Second Independent Evaluation of UNAIDS to be presented to the 25th meeting of the UNAIDS Programme Coordinating Board in December 2009;
24. *Requests* the Secretary-General to transmit to the Economic and Social Council, at its substantive session of 2011, a report prepared by the Executive Director of UNAIDS, in collaboration with its Cosponsors and other relevant organizations and bodies of the United Nations system, on progress made in implementing a coordinated response of the United Nations system to the HIV/AIDS pandemic.

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