

# ENSURING A RIGHTS-BASED APPROACH TO HIV TESTING

*UNAIDS Reference Group on HIV/AIDS  
and Human Rights*

The global scaling up of the responses to AIDS, particularly in relation to HIV testing as a prerequisite to expanded access to treatment, must be grounded in sound public health practice and also respect, protection, and fulfillment of human rights norms and standards.

The voluntariness of testing must remain at the heart of all HIV policies and programmes, both to comply with human rights principles and to ensure sustained public health benefits.

The following key factors, which are mutually reinforcing, should be addressed simultaneously:

1. Ensuring an *ethical process for conducting testing*, including defining the purpose of the test and the benefits to the individuals being tested; and assurances of linkages between the site where the test is conducted and relevant treatment, care and other services, in an environment that guarantees confidentiality of all medical information;
2. Addressing the *implications of a positive test result*, including non-discrimination and access to sustainable treatment and care for people who test positive;
3. Reducing *HIV/AIDS-related stigma and discrimination* at all levels, notably within health care settings;
4. Ensuring a supportive *legal and policy framework* within which the response is scaled up, including safeguarding the human rights of people seeking services;

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*The UNAIDS Reference Group on HIV/AIDS and Human Rights was established in 2002 and serves as an advisory body to the UNAIDS Secretariat and Cosponsors.*

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5. Ensuring that the *healthcare infrastructure* is adequate to address the above issues and that there are sufficient trained staff in the face of increased demand for testing, treatment, and related services.

**Document Source**

This guidance appears as Appendix 1 of the *UNAIDS/WHO Policy Statement on HIV Testing* (Geneva, Switzerland: June 2004). Available at <http://www.who.int/hiv/pub/vct/statement/en/>.