



PAP.4/PLN/RES/01/MAY.18

RESOLUTION ON THE ROLE OF PARLIAMENTARIANS ON REALIZING THE RIGHT TO HEALTH AND ACHIEVING HEALTH TARGETS IN AFRICA

CONSIDERING Article 17 of the Constitutive Act of the African Union, which establishes the Pan-African Parliament;

CONSIDERING also Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 3 (a) of the Rules of Procedure of the Pan-African Parliament;

RECALLING the endorsement by African Leaders of the Catalytic Framework to end HIV/AIDS, TB and Eliminate Malaria in Africa by 2030, with clear targets and milestones and focusing on the guiding principles of country ownership and leadership, financial and political commitment, equal access to health services for vulnerable, key and hard-to-reach populations as well as robust surveillance and response systems;

RECALLING also the global goal to eliminate mother to child transmission of HIV and ensure fast identification and treatment of HIV-infected children, the 2016 Political Declaration on HIV/AIDS and AIDS by the UN General Assembly to fast-track progress on ending AIDS by 2030 within the framework of the Sustainable Development Goals (SDGs), in particular SDG 3 relating to Good Health and Well-being and SDG 5 relating to Gender Equality;

CONCERNED that the rapidly changing political and social environment continues to challenge the HIV response due to ongoing or escalating humanitarian crisis in a number of countries; and that access to affordable quality medicines, vaccines and diagnostics remains a major challenge for many people across Africa, therefore national investments and resource mobilization for health financing is crucial to realize the commitment made in the Abuja Declaration targets of 2001 that requires allocation of 15% of national budget to Health;

CONCERNED that punitive and discriminatory laws continue to undermine and block access to HIV and health services for people living with HIV, adolescents and young people, vulnerable groups and key populations; and that Least Developed Countries

(LDCs) are underutilizing the flexibilities that are available to them under the TRIPS Agreement

RECOGNIZING the urgency for developing countries across the African continent to scale up delivery of HIV, Tuberculosis and Malaria diagnostic, medical devices and preventive services to rapidly reduce new HIV, hepatitis, cervical cancer, human papilloma virus (HPV) infections, especially among adolescents, young people and key populations;

RECOGNIZING that the UNAIDS Fast-Track approach to ending HIV/AIDS has facilitated access to life-saving treatment for around 21 million people, representing more than half of all people living with HIV;

RECOGNIZING also that increased high-level political leadership and engagement are needed to reach these ambitious but achievable targets, and that Parliament as an institution, remains a central agent of change to drive social and economic development through oversight and legislative interventions,

STRESSING the importance of building momentum for shared responsibility and global solidarity amongst both governmental and non-governmental entities for concerted efforts to improve the HIV/AIDS situation, TB and other infectious diseases;

TAKING NOTE of the outcomes from the High Level Parliamentary Meeting on “Fast Tracking HIV/AIDS and Leaving No-one Behind”; held on 5 and 6 October 2017 in Midrand, attended by Members of the Committee on Health, Labour and Social Affairs, Committee on Gender, Trade and Finance of the Pan African Parliament in collaboration with the UNAIDS and the African Union Commission, Finance, Trade and Health Chairpersons of National and Regional Parliaments, Regional Economic Communities as well as UN Agencies and Civil Society Organizations;

ACKNOWLEDGING the efforts made over the last decade on the African continent to come up with standard-setting and normative legal instruments such as the SADC Model Law on HIV in Southern Africa; the SADC Model Law on Eradicating Child Marriage and Protecting Children Already in Marriage; the East African Community HIV/AIDS Prevention and Management Act of 2012; the ECOWAS Minimum Legal Framework for Rights-Based Responses to HIV/AIDS, and the African Union Model Law on Medical Products Regulation adopted in 2016,

NOW HEREBY RESOLVES TO:

1. **ADVOCATE** for the fulfilment of the Abuja Declaration targets and sustained investments in the health sector to achieve the AU Catalytic Framework, the Sustainable Development Goals (SDGs) 2, 3, 5, 9 et 17, AU Agenda 2063, the Fast Track targets and the elimination of mother to child transmission of HIV/AIDS;

2. **ADVOCATE** with national parliaments to ratify, and where necessary to domesticate, international human rights treaties and conventions related to health, including the Maputo Protocol;
3. **ADVOCATE** for the establishment of an inter-parliamentary forum to monitor progress and support the domestication and implementation of international, regional and national human rights treaties, resolutions and decisions;
4. **PROMOTE** free access by all to high-quality but low-cost pre-qualified ARVs, anti-TB and anti-malarial drugs, test kits, consumables, vaccines, diagnostics and essential medicines, including the development of a joint Pan-African Parliament continental strategic framework to take full advantage of the TRIPS waivers that are applicable until 2033;
5. **PROMOTE** the enactment of laws that explicitly criminalize all forms of violence against women and girls, including sexual violence, forced sterilization of women and girls living with HIV, forced and early marriage and female genital mutilation;
6. **UNDERScore** the urgency to mobilize national resources by front-loading investments, particularly in the health sector and through innovative mechanisms, including national health insurance, tax and fiscal space, and corporate social responsibility;
7. **ADVOCATE** for the training needs and sensitization of health professionals in addressing stigma and discrimination in health facilities towards people living with HIV/AIDS, TB and Malaria;
8. **SUPPORT** implementation of the Plan of Action of the Africa High level Parliamentary Meeting on Achieving Health Targets and Leaving No One Behind;
9. **STRENGTHEN** partnership with the AUC, UNAIDS and its Cosponsors, civil society, foundations, private sector, national human rights institutions in order to;
 - i. **FACILITATE** the collaboration and exchanges among regional and national parliamentary bodies with a view to enhance the capacity of parliamentarians to monitor all policy and programme areas, as well as the budgetary and legislative activities;
 - ii. **PROMOTE** a reporting mechanism through the Annual Conference of African Speakers of National and Regional Parliaments on the health situation across the continent and the implementation of the Abuja Declaration;

- iii. ADVOCATE for increased pledges from all donor countries during the Sixth Replenishment of the Global Fund to Fight AIDS, Tuberculosis and Malaria in 2019;
- iv. SUPPORT the participation of PAP Parliamentarians in World Health Organization and other United Nations Annual High-Level Meetings on HIV/AIDS, TB and Malaria;
- v. ENCOURAGE AU Member States to establish mechanisms for effective oversight and accountability of African governments in engagement between the Executive and Legislative branches of government and between parliaments and civil society on the HIV/AIDS, Tuberculosis and Malaria responses;

Adopted at Midrand, South Africa

17 May 2018