

Joint Statement on HIV Testing in the Context of Resettlement

Issued by the United Nations High Commissioner for Refugees (UNHCR)
and
the International Organization for Migration (IOM)
and
the Joint United Nations Programme on HIV/AIDS (UNAIDS)

It is often the most vulnerable among refugees, displaced persons and other individuals compelled to leave their homelands - women and children - who suffer the human rights violations, including sexual violence, exploitation and family separation, which make them vulnerable to HIV infection¹. These vulnerable refugees, displaced persons and other individuals compelled to leave their homelands may have protection needs for which resettlement is one of the solution².

Acknowledging the potential for conflicts and disasters to create situations which increase risks of vulnerability to HIV infection, the 2001 Declaration of Commitment on HIV/AIDS by the United Nations General Assembly³ calls on countries to integrate actions to deal with HIV infection in programmes and action plans for emergency situations and humanitarian relief efforts⁴.

There are refugees living with HIV who are in need of resettlement on core protection grounds unrelated to their HIV status. Others might be in need of protection and resettlement because of human rights violations related to their HIV status. In both situations, HIV status should not adversely affect their right to access protection and appropriate durable solutions. At present, some resettlement countries require refugees, displaced persons and other individuals compelled to leave their homelands to undergo pre-departure health-screening, including HIV testing, as part of the resettlement process.

Noting the obligation of all parties concerned to meet international HIV counseling and testing standards, UNAIDS UNHCR and IOM, are jointly calling on resettlement countries and other member countries to ensure adequate resources are provided, and quality assurance is in place, for HIV activities. Such activities, including HIV testing, pre- and post- test counseling for resettlement applicants, should follow UNAIDS and WHO international policy guidance for testing⁵ and UNHCR⁶ and IOM⁷ resettlement guidelines. This would facilitate promotion and management of the health and well-being of refugees, displaced persons and other individuals compelled to leave their homelands in the context of resettlement.

¹ UNHCR: Note on HIV/AIDS and the Protection of Refugees, IDPs and Other Persons of Concern. Geneva, 2006.

² The constitution of IOM.

³ United Nations General Assembly Special Session on HIV/AIDS, Res.S-26/2, 27 June 2001.

⁴ UNAIDS: Uniting the world against AIDS, Emergency and humanitarian response, Technical policies of the UNAIDS Programme.

⁵ UNAIDS/WHO Policy on HIV Testing, 2004 The conditions of the '3 Cs', ,continue to be underpinning principles for the conduct of HIV testing of individuals.Such testing of individuals must be:

- o **confidential**
- o be accompanied by **counselling**
- o only be conducted with informed **consent**, meaning that it is both informed
- o and voluntary.http://www.who.int/rpc/research_ethics/hivtestingpolicy_en_pdf.pdf

⁶ UNHCR Resettlement Handbook, UNHCR, 2004

⁷ IOM: Guide for HIV counselors in the context of migration health assessment, May, 2006.