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Human Rights

# Epidemic of Inequality

**Women's Rights and HIV/AIDS  
in Botswana & Swaziland**

An Evidence-Based Report on the Effects of  
Gender Inequity, Stigma and Discrimination

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An Evidence-Based Report on the Effects of  
Gender Inequity, Stigma and Discrimination

A Report by Physicians for Human Rights

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# PHYSICIANS FOR HUMAN RIGHTS

**P**hysicians for Human Rights (PHR) mobilizes health professionals to advance health, dignity, and justice and promotes the right to health for all.

Since 1986, PHR members have worked to stop torture, disappearances, and political killings by governments and opposition groups and to investigate and expose violations, including: deaths, injuries, and trauma inflicted on civilians during conflicts; suffering and deprivation, including denial of access to health care caused by ethnic and racial discrimination; mental and physical anguish inflicted on women by abuse; exploitation of children in labor practices; loss of life or limb from landmines and other indiscriminate weapons; harsh methods of incarceration in prisons and detention centers; and poor health stemming from vast inequalities in societies.

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# GLOSSARY

## Definitions

**Agency:** Having the empowerment and authority to make decisions and act on one's own behalf.

**Batswana:** Persons from Botswana (plural of Motswana).

**Discrimination:** Unfair or bad treatment directed at those who belong to, or are perceived as belonging to, a marginalized group, such as women or people living with HIV or AIDS. Discrimination reinforces social stereotypes and inequities and, for populations marginalized on more than one basis (for example, women living with HIV/AIDS), it has a harmful multiplicative effect.<sup>1</sup> Discrimination based on "race, color, sex, language, religion, political or other opinion, natural or social origin, property birth or other status" is prohibited under international human rights law.<sup>2</sup>

**Food Insufficiency:** The condition of not having a quantity of food available to meet the hunger or nutritional needs of an individual at any time in the past 12 months.

**Gender:** A social and cultural construct; the widely shared expectations and norms within a society about appropriate male and female behavior, characteristics, roles and relationships.<sup>3</sup>

**Hunger:** The uneasy or painful sensation caused by the lack of food.

**Routine Testing:** In general, HIV testing in the context of a health services visit for primary care or other routine clinical care, such as antenatal appointments. Routine testing can be "opt-out" (health worker-initiated testing which is done unless the patient refuses) or "opt-in" (testing to which the patient affirmatively consents). This is a broad policy category encompassing many definitional variables, including the existence or types of symptoms presented by the patient, the national context (HIV prevalence and treatment availability, for example) and standards for counseling and informed consent. The chief distinction is with voluntary counseling and HIV testing (VCT), which takes place in a stand-alone facility created exclusively for the purpose of HIV testing, and in some contexts, follow-up AIDS treatment or other HIV-related care.

**Sex:** A biological category, defined by characteristics related to reproduction (e.g., male or female).

**Sexual Risk-Taking:** Practices or circumstances that are likely to expose an individual to the risk of HIV transmission through sexual intercourse; markers or predictors for sexual intercourse without a condom with a person infected with HIV. These include having multiple sexual partners, having a relationship with an older and more experienced partner ("intergenerational relationships") where the younger partner is also likely to lack control over condom use and other aspects of the relationship, and other intimate relationships where the partner, and not the individual herself, makes decisions regarding sexual matters ("lack of control").

**Stigma:** A loss of status and the social sanctioning of prejudice, domination and inequity based on membership in a particular group.<sup>4,5</sup> Stigma arises when a community or authority links social differences to negative stereotypes and categorizes these "others" as different from and inferior to themselves. HIV-related stigma developed out of an early association of AIDS with already marginalized populations — the poor, ethnic minorities, women, men who have sex with men, sex workers and IV drug users — as well as the association of AIDS with death.<sup>6</sup>

**Southern Africa:** This region includes Angola, Botswana, Lesotho, Malawi, Mozambique, Namibia, South Africa, Swaziland, Zambia and Zimbabwe. Some lists also include Madagascar.<sup>7</sup>

**Sub-Saharan Africa:** This region encompasses forty-seven countries including the southern African countries.<sup>8</sup>

**Vulnerability:** The risk of being exposed to HIV infection, including due to social factors and determinants in the external environment which are beyond an individual's control. Women and girls are a population group with an elevated vulnerability to HIV infection as a result of unequal gender relations and entrenched gender inequity and sex discrimination.<sup>9</sup>



## Acronyms

**ACHPR:** African “Banjul” Charter on Human and Peoples’ Rights

**ACRWC:** African Charter on the Rights and Welfare of the Child

**AIDS:** Acquired Immune Deficiency Syndrome

**AOR:** Adjusted odds ratio

**ARV:** Anti-retroviral

**CEDAW:** Committee on the Elimination of Discrimination against Women

**CHR:** UN Commission on Human Rights

**CI:** Confidence interval

**CRC:** Committee on the Rights of the Child

**CSO:** Civil society organization

**GDP:** Gross domestic product

**HIV:** Human Immunodeficiency Virus, the cause of AIDS

**ICCPR:** International Covenant on Civil and Political Rights

**ICESCR:** International Covenant on Economic, Social and Cultural Rights

**NACA:** National AIDS Coordinating Agency (Botswana)

**NERCHA:** National Emergency Response Council on HIV/AIDS (Swaziland)

**NGO:** Non-governmental organization

**PEPFAR:** (United States) President’s Emergency Plan for AIDS Relief

**PHR:** Physicians for Human Rights

**PLWA:** People living with HIV or AIDS

**PMTCT:** Preventing mother-to-child transmission

**PPACHPR:** Protocol to the African Charter on Human and People’s Rights on the Rights of Women in Africa

**SADC:** Southern African Development Community

**TCM:** Total Community Mobilization

**UDHR:** Universal Declaration of Human Rights

**UNAIDS:** The Joint United Nations Programme on HIV/AIDS

**UNDP:** United Nations Development Programme

**UNFPA:** United Nations Population Fund

**UNICEF:** United Nations Children’s Fund

**VCT:** Voluntary counseling and HIV testing

**WFP:** World Food Programme

**WHO:** World Health Organization

**WLSA:** Women and Law in Southern Africa Research Trust

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