Management response

**UNDP management response to the Evaluation of the Global Commission on HIV and the Law**

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Input into and update in ERC: Position: Unit/Bureau:

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| **Evaluation recommendation 1.** Use the evaluation report to inform the design and implementation of future partnership initiatives |
| **Management response:**Accepted: The evaluation report can inform how UNDP and other institutions might design and implement future partnerships with global, regional, and local government, civil society, UN, and academic partners to address complex health and development issues. UNDP will apply the lessons learned from the evaluation of the Global Commission on HIV and the Law to future partnerships. Critical to the implementation of this recommendation is the dissemination of the lessons from the evaluation within UNDP and with other stakeholders. A stakeholder meeting to disseminate the findings of the evaluation is planned for 25 May 2021.  |
| **Key action(s)** | **Completion date** | **Responsible unit(s)** | **Tracking\*** |
| **Comments** | **Status (initiated, completed or no due****date)** |
| 1.1 Dissemination of the findings of the evaluation of the Global Commission on HIV and the Law | 30 June 2021 | Health Team | 1. The objectives of the stakeholder meeting are to:
* Discuss evidence, good practice, and lessons learnt from the external evaluation of the Global Commission on HIV and the Law
* Reflect on lessons for strategies to address legal and structural barriers to ending AIDS by 2030 in the context of the Global AIDS Strategy and the 2030 Agenda, the SDGs, and the pledge to leave no one behind
1. Three case studies and a peer review article will be developed as a means of sharing the evaluation findings with broader audience.
2. The evaluation findings will also be disseminated through the website of the Global Commission on HIV and the Law.
 | Initiated |
| **Evaluation recommendation 2.**Apply the lessons to the COVID-19 response and future outbreaks/epidemics/pandemics |
| Management response:Accepted. The lessons learnt documented in the evaluation report can inform the ways in which governments address COVID-19 and future outbreaks/epidemics/pandemics, and how best to strategically engage government as well as civil society and their allies in their response. UNDP and partners are applying lessons from the HIV response and the work to support countries to follow up on the recommendations of the Global Commission to inform COVID-19 responses. This includes highlighting the impact of laws, policies, and gender-related barriers on effective, rights-based pandemic responses to COVID-19.  |
| **Key action(s)** | **Completion date** | **Responsible** | **Tracking** |
|  |  | **unit(s)** | **Comments** | **Status** |
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| 2.1Support evidence- and rights-based legal frameworks for COVID-19 responses | 30 September 2021 | Health Team | Working with WHO, the UNAIDS Secretariat, the O’Neill Institute on National and Global Health Law at Georgetown University, the International Development Law Organisation and the Inter-Parliamentary Union, UNDP has established the [COVID-19 Law Lab](file:///C%3A%5CUsers%5CKenechukwu.Esom%5CDownloads%5Ccovidlawlab.org) to track legal and regulatory responses to the COVID-19 pandemic. The Lab has gathered laws and policies from 190 countries and aims to help countries to establish enabling legal and policy environments to manage the pandemic. The database is publicly available online with a functionality to search for laws and policies by country and across 32 categories and tags. | Completed |
| A multi-country analysis of the legal and regulatory responses to COVID-19 is underway to highlight good practices of evidence- and rights-based legal frameworks for COVID-19 responses.  | Initiated |
| 2.2Address gender-related barriers to COVID-19 response vaccine deployment | 31 May 2021 | Health Team and the Gender Equality Working Group of the SDG 3 Global Action Plan | Drawing from the report of the Global Commission on HIV and the Law and the work to support countries to follow up on the report’s recommendations on gender and HIV, UNDP together with partners developed a [Guidance Note and Checklist for Tackling Gender-related Barriers to COVID-19 Vaccine Deployment](https://www.genderhealthhub.org/articles/guidance-note-and-checklist-for-tackling-gender-related-barriers-to-equitable-covid-19-vaccine-deployment/). | Completed |
| The Guidance Note and Checklist is being disseminated through the platforms of the members of the SDG 3 Action Plan to UN country teams to support the development of national vaccine deployment strategies. A webinar will support further dissemination. | Initiated |
| **Evaluation recommendation 3.**Incorporate approaches, methodologies, and tools in processes to strengthen evidence- and rights-based national laws, policies, and practices |
| **Management response**:Accepted. The Global Commission’s investment in multi-stakeholder and multi-sectoral participation and country ownership its work and follow up has enhanced the sustainability of this work. The evaluation report noted the impact of the methodology of conducting legal environment assessments [LEAs] for engaging a broad range of stakeholders and ensuring country ownership of recommendations for action. UNDP continues to use the LEAs to engage stakeholders and incorporate legal and policy reform efforts into national structures.  |
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| 3.1Strengthening country ownership on advancing enabling legal and policy environments for the HIV response through legal environment assessments | 31 December 2021 | Health Team | UNDP supported governments, civil society, and UN partners in 90 countries in reforming discriminatory laws and policies on HIV, TB and broader health issues that perpetuate exclusion and marginalization and contribute to poor health outcomes. A few examples of incorporating what started as UNDP-supported follow-up work into national strategies, plans and budgets as well as external funding proposals include:* UNDP supported the development of a strategy for mainstreaming HIV and human rights in the legal and regulatory framework in Sudan to ensure a systematic and comprehensive approach in the protection of the rights of PLHIV and key populations.
* In Somalia, the recommendations of the UNDP-led LEA were successfully included in the revised National Strategic Plan and were prioritized in the Global Fund approved grant, which will provide an important opportunity for their implementation.
* In Moldova, national authorities addressed two legal issues concerning the access to health services and family and private life arising from the LEA including enacting a regulation that established a uniform practice and excluded discrimination of people living with HIV in the process of adoption and determining guardianship.
* In Nigeria, recommendations from the Global Commission on addressing human rights-related barriers for key populations access to services were incorporated into the country’s Global Fund HIV/TB grant.
* UNDP is working with Parliamentarians for Global Action to sensitize members of parliament from the Eastern Caribbean region on their role in guaranteeing the rights of LGBTI persons in the region.
 | Completed |
| UNDP will continue to support countries to implement and institutionalise the recommendations of the Global Commissions and national LEAs. For example, through the development of a national strategic plan on addressing HIV-related discrimination in Argentina; the training of correction officers on the treatment of transgender prisoners in Thailand; and supporting the adoption of a judicial curriculum on human rights, gender, HIV and the law in South Africa.  | Initiated |
| **Evaluation recommendation 4.**Sustain and adapt regional level activities |
| **Management response**:Accepted. Sustaining regional programmes, especially on politically sensitive issues, will be important to maximize the overall impact at national level over time. UNDP will continue to strengthen the capacity of national duty-bearers and rights-holders to advance inclusive governance and strengthen HIV-related legal and policy environments, including for key populations who continue to bear a disproportionate burden of new HIV infections. For example, building on lessons from the *Being LGBTI in* regional projects highlighted in the evaluation report, UNDP is implementing the “Inclusive Governance Initiative” in Africa.  |
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| 4.1Sustaining regional activities to advance inclusive governance | 31 March 2023 | Health Team | The aim of the Inclusive Governance Initiative is to support countries in the Africa region to become increasingly accountable to, and inclusive of, their entire populations, including sexual and gender minorities. This in turn will contribute to better laws, more responsive public sector services, and social norms that affirm rights and inclusion for all.Key activities include strengthening the capacity of government officials to collect and analyse data on sexual and gender minorities, and building broad coalitions to promote inclusion for marginalized populations across six countries.  | On-going |
| **Evaluation recommendation 5.**Support capacity building of stakeholders through peer networks |
| **Management response**:Accepted. As noted in the evaluation report, the Global Commission on HIV and the Law supported the creation of peer networks of different types of duty-bearers and rights-holders across regions with the knowledge and commitment to drive work within and across countries to strengthen HIV-related legal and policy environments. UNDP will continue to carry out this work. The African Regional Judges’ Forum highlighted in the evaluation report has proven to be successful for advancing evidence- and rights-based legal environments and the rights of people living with and affected by HIV. The peer network model of the regional judges’ forum has been replicated in Eastern Europe and Central Asia, and in the Caribbean. UNDP will continue to support peer networks of people living with HIV and key populations globally and regionally. |
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| 5.1Addressing discriminatory and punitive law impacting HIV and health through strategic litigation | 30 June 2022 | Health Team | UNDP is strengthening the capacity of national stakeholders including civil society and UN entities to use strategic litigation to challenge the discriminatory and punitive laws impacting HIV and health. Two global seminars bringing together 100 participants have provided opportunities for sharing legal strategies, providing technical support to the development of *amicus* briefs*,* and sharing lessons learned from strategic litigation efforts across five regions. More region-focused strategic litigation seminars and support are planned.  | On-going |

\* Status of implementation is tracked electronically in the ERC database.