

PART A



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Introduction

2009 Policy Analysis Report on the HIV/AIDS
Response in Thailand: A Civil Society Perspective
By the Thai NGO Coalition on AIDS (TNCA)

Thailand embarked on efforts to address HIV/AIDS more than 20 years ago. A number of civil society organizations have taken part in the HIV/AIDS response, including NGOs (non - governmental organizations), CBOs (community - based organizations) and individuals as well as working groups belonging to 15 - 18 networks coordinated by the Thai National Coalition on AIDS (TNCA). These groups have understood the need to advocate more intensively for policy change in order to address HIV/AIDS-related issues in Thailand more effectively.

Activism on HIV/AIDS in the past two decades has drawn on scientific knowledge and epidemiology to develop and

monitor both policy and the response to HIV/AIDS. It is agreed within the civil society sector that the national response to HIV/AIDS has to rely on different bodies of knowledge, including the field of socio - cultural studies and a rights-based approach. This will allow the national response to HIV/AIDS to integrate knowledge from the areas of pathology, socio-cultural studies and human rights.

One of the major modes of HIV transmission in Thai society is through sexual relationships. Meanwhile, the HIV/AIDS response in tends to adopt a segregated approach, focusing on different populations, which in the long run is not helpful in creating safe sexual health for everyone.

Epidemiological knowledge and tools are useful for estimation and surveillance purposes. They allow us to identify HIV transmission patterns among various groups of populations. However, finding appropriate solutions requires us to address sexual relationships in the context of biological sex, gender and sexuality. Awareness of these concepts has to be fostered in light of existing values as well as social and cultural definitions in order to address HIV/AIDS and promote sexual health that is both enjoyable and safe in the long term.

Representatives of civil society believe that respect of sexual rights is key to helping people understand notions of biological sex, gender and sexuality beyond typical female and male sexual identities. This should lead to universal protection and respect for human dignity. It would also contribute to reducing problems stemming from sexual inequality and developing effective, successful solutions in addressing HIV/AIDS.

Sexual rights include respect for the right to one's body, human dignity and respect for sexual rights. The concept covers three dimensions, including *biological sex*, inherited since birth and discernible by scientific knowledge; *gender*, defined by social and cultural roles, based on upbringing and socialization within fundamental institutions such as the family and social institutions such as one's nation, religion and education; and *sexuality, defining* one's sexual life and focusing on issues concerning the body, related beliefs and concepts, and how one conducts one's living in relation to biological sex and gender.

In 2009-2010, civil society campaign agendas that include [sexual and AIDS rights in which human rights are applied to foster mutual respect and understanding, safety, and happiness](#). These areas can be described as follows;

Human rights

These are the rights inherited since birth, enabling one to conduct one's life based on human dignity and equality.

Sexual rights

Almost all people are born with genitalia, but our sexual identity – that is, feelings, perceptions and sexual orientation – may be different from the genitals each one of us has at birth. Gender, femininity, masculinity and sexuality are constructed by social and, cultural values and beliefs, and are subject to the control of social institutions; this can produce diverse social relations and sexual orientations.

Sexual rights are a fundamental human right. They are concerned with the freedom to have choices related to sex, sexual orientation and sexual roles. These rights have to be respected and treated equally and universally.

Every person is entitled to learn about sex, his/her right to sexual health, and reproductive health and protection, in order to allow him/her to experience sexual relations without violence, in happiness and safety.

In other words, every individual, regardless of gender or sexuality, shall be accorded the rights explained above, equally and universally.

AIDS rights

Having HIV in our body is similar to suffering from a chronic disease. Every human being has the chance to become infected with the virus from having sexual relationships or sharing needles when using drugs with a person who is HIV-positive (or person living with HIV, PLHIV). A PLHIV is a human being whose rights need to be protected similar to other patients, including freedom from discrimination, labeling, stigmatization and other preferences due to the gender or sexuality of a PLHIV. Any other kind of treatment would be considered a violation of human rights.

The best prevention of HIV transmission is through the protection of sexual and AIDS rights.

Women are generally prohibited by social norms from talking or expressing interest in learning about sex. They are expected to be cautious and careful in their sex life, and thus many of them have received the virus from having sex only

with their sexual partners, the persons they trust and share their lives with.

Meanwhile, males are socially expected to take leadership and assume responsibility. They are supposed to be knowledgeable in sexual issues though much of the knowledge and beliefs they have are actually misconceptions about sex and sexual relations. Without the awareness that everyone should have an equal right in developing one's sexual relationship as one sees fit, it is the rights of women and sexual partners that are infringed upon. Many adults tend to think teenagers are too immature to discuss sex. As a result, no communication around sex takes place within families or the larger community. There is simply no safe space for youth to learn about and understand issues concerning their body, emotions, feelings, identity, and the desirable sexual orientation. People are forced to express themselves according to their "natural" sex (i.e. based on the genitalia they were born with, which impedes the search for sexual needs and satisfaction.

There are people with diverse sexualities who are able to express themselves, and show imagination as well as emotions and feelings. Some choose to have sexual relationships with

those of the same sex (homosexual). Unfortunately society fails to give these individuals the space to stand tall with dignity, without being condemned and discriminated against.

Under the current reproductive health system, women are not allowed to control their own pregnancies, pregnancy spacing, child rearing or the termination of pregnancy when they are not ready to bear children.

It is held as a common notion that a “perfect” family consists of a father, a mother and children, including both boys and girls; thus family life, especially the bearing of children, becomes regulated by social limitations. However, when PLHIV marry or live in a partnership, these same social “rules” are reversed and they are told to follow a different line. They are expected to not have children, fear HIV transmission and disclose their HIV status to their sexual partners.

This case reflects the diversity that exists within the context of sex and sexuality and allows us to see the problems arising from a stereotypical gender perspective dominated exclusively by male-female sexual relations, i.e. heterosexual relationships. The fact that individual human beings are denied the opportunity make their own decisions regarding sexuality

that break with traditional gender notions has led to sexual inequalities, a lack of respect for one's rights, sexual labeling and stigmatization, and the violation of sexual rights as well as HIV infection. This occurs when one has no power to choose and negotiate sexual matters.

Promoting communications around sexual rights can enhance self-awareness and understanding, and helps one to come to terms with causes that dominate gender notions based on social norms, beliefs, culture and customs. It enables one to choose one's preferred sex life. It is essential to challenge society to create more opportunities for openly discussing and communicating around sex, and to raise awareness of sexual rights. Broadening the safe space for diverse sex lives thus becomes a tool to protect sexual rights. Sexual diversity will be considered "normal" and can eventually sustain itself. All of this can make it possible for society to peacefully co-exist in

Respect The humanity of individuals from all genders, ages and classes

Understanding Sexual diversity, gender and sexuality

Safety

A safe space to enhance learning about sex, communication and to make possible equal sexual relationships

Happiness

The confidence to choose one's own sexual preference, to enjoy a safe sex life, and be happy with one's sexual identity

