THE BATTLE AGAINST THE HIV EPIDEMIC - IS SOUTH AFRICA WINNING?

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On 1 December 2016, we celebrate World AIDS Day - the global initiative which aims to unite people in the fight against the disease. In the spirit of the day it is perhaps appropriate to take a moment and reflect on the significant advancements made during this year by various role players in the fight against HIV and AIDS.

South Africa has come a long way since the ground-breaking judgment by the Constitutional Court (the Court) in Minister of Health and others v Treatment Action Campaign and Others in 2002 (TAC), in terms of which the Government was ordered to provide the anti-retroviral drug, Nevirapine to all public hospitals and clinics and not only those classified as research sites. The constitutional right to access to healthcare services as provided for in terms of section 27(1)(a) of the Constitution as read with section 27(2) of the Constitution, which provides that the State “must take reasonable legislative and other measures, within its available resources, to achieve the progressive realisation” of this right, was given definition and substance in the TAC judgment. Government has since taken active steps in the fight against this disease.

According, to the latest global AIDS update by the Joint United Nations Programme on HIV and AIDS (UNAIDS), South Africa has nearly 3.4 million people on antiretroviral therapy - which is more than any other country in the world. The number of AIDS-related deaths in Eastern and Southern Africa has also decreased by 36% since 2010. This alone is a remarkable accomplishment. Furthermore, on a global scale, more than 17 million HIV-infected people are currently on anti-retroviral treatment, which is apparently two million more than the initial target for 2015.

However, it is clear from the UNAIDS report that sub-Saharan Africa specifically faces some great challenges in the fight against AIDS. Young women between the age of 15 - 24 appear to be extremely vulnerable to HIV infection and account for 25% of new HIV infections among adults. This specific increase appears to be due to a multitude of factors, such as insufficient access to education, a lack of sexual and reproductive health services, and poverty. In this regard, South Africa has taken some progressive steps in the last year to specifically address this increase in HIV prevalence.

In March 2016, the Minister of Health, Dr PA Motsoaledi, announced the launch of the South African National Sex Worker HIV Plan 2016 - 2019 (the Sex Workers’ Plan). This progressive initiative aims to provide innovative means to reduce the high HIV prevalence in sex workers. According to the South African National AIDS Council (SANAC), a 2013 study indicated there were approximately 153 000 sex workers in South Africa and HIV prevalence among this group ranged from 40% to 88%. In Johannesburg alone, 71.8% of sex workers are infected with HIV.
The Sex Workers’ Plan specifically provides for a coordinated national and regional plan, which not only includes the provision of HIV care, treatment and prevention services but also provides access to justice and legal services. These combined services are referred to as a “core package plan”. The plan also provides for “peer educators”, a unique way to educate sex workers of not only HIV prevention but also of their legal rights, to ensure that harassment and abuse are reported. A “peer educator” in terms of the Plan must be a current or former sex worker who must also be representative of the local sex worker community. This “peer educator model” will hopefully provide a safe community environment to approach sex workers and to provide them with access to healthcare.

South Africa is also taking active steps in providing safe and effective anti-HIV drugs. The Sex Workers’ Plan makes specific provision of the antiretroviral medication, Pre-Exposure Prophylaxis (PrEP), to be provided to HIV-negative sex workers. According to research, PrEP appears to be highly effective against HIV infection and SANAC studies have shown that it can reduce the risk of HIV infection from unprotected sex by 90%. Not only has South Africa been able to secure a generic form of PrEP, but the National Department of Health already announced in June the 10 initial sites for the roll-out of PrEP.

South Africa is also at the forefront of pioneering research in the fight against HIV and especially in the search for a future vaccine. At the International AIDS Conference held in Durban in July 2016, a one-of-its-kind vaccine trial was announced, which according to media reports has been launched at the end of November 2016. This vaccine trial known as HVTN 702 is reported to be a placebo-controlled trial, specifically manufactured for the South African market. This vaccine will be tested on 5 400 HIV-negative men and women over the course of two years at 15 research sites. If successful, it could mean the first preventative HIV vaccine in the world.

Despite the ongoing uphill battle in the fight against HIV and the concerning increase in new infections of the virus among young women, the positive steps taken - especially regarding innovative means to address HIV awareness and prevention - should be acknowledged. The concrete developments pursued by the Minister of Health in order to ensure the “progressive realisation” of the right to access to healthcare services for everyone, as required in terms of sections 27(1)(a) and (2) of the Constitution, are a source of hope in the commitment to end AIDS by 2030. We hope more initiatives and means to address this epidemic, especially in rural areas, will follow.