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of the Global Fund

DO PREVENTION AND TREATMENT PROGRAMMES IN DRUG TREATMENT CENTRES IN VIET NAM DO MORE HARM THAN GOOD?

HRW takes the Global Fund to task, and Kazatchkine responds

Human Rights Watch (HRW) and the Global Fund disagree concerning whether the Fund's support for HIV prevention and treatment in Viet Nam's drug treatment centres is doing more harm than good.

In a report released in September 2011, HRW said that Viet Nam's system of drug treatment centres is ineffective in treating drug addiction, and is characterized by forced labour and inhumane and abusive treatment of detainees. HRW also said that support from the Global Fund and other donors for HIV prevention and treatment programmes in these centres raises questions about the effectiveness of these programmes and about the ethics of addressing HIV while seeming to ignore serious human rights abuses.

HRW called on the Global Fund – as well as other donors and NGOs providing assistance to Viet Nam on drugs or HIV/AIDS issues – to review their assistance to ensure that no funding is supporting policies or programmes that violate international human rights law.

However, in a letter to HRW dated 11 June 2011, Global Fund Executive Director Michel Kazatchkine said

although the Fund believes that detention centres for drug users do not provide effective treatment and rehabilitation, “depriving detainees from accessing life-saving treatments and the means to protect themselves from HIV and other preventable conditions is inhuman. Until these centers are closed, the Global Fund will not exclude funding effective, evidence-based HIV prevention and AIDS treatment in the centers if detainees are otherwise unable to access these services.”

Nevertheless, Kazatchkine revealed that the Global Fund had decided to fund a more restricted range of services in the drug treatment centres than had previously been funded. (See below for details.)

The system of drug treatment centres has expanded over the last decade. In 2000, there were 56 drug detention centres across Viet Nam; by early 2011 that number had risen to 123. Between 2000 and 2010, over 309,000 people across Viet Nam passed through the centres.

According to the HRW report, most people enter the centres on a compulsory basis after being detained by police or local authorities. However, even those who enter the centres voluntarily are often not permitted to leave. The report recounts the experience of one such person, Que Phong, who was told that his time in “drug treatment” was extended, first by an extra year, then by an extra three years. Throughout, Que Phong continued to work and receive beatings. On one occasion, when caught playing cards with other detainees, centre staff tied his hands behind his back and beat him with a truncheon for an hour.

HRW said that abuses such as arbitrary detention, torture, inhuman and degrading treatment, and forced labour are illegal under Vietnamese and international law.

HRW said that the Global Fund, PEPFAR (the U.S. President’s Emergency Plan for AIDS Relief) and the World Bank were among the most significant donors providing funding support for activities inside Viet Nam’s drug detention centres. According to HRW, both the Global Fund and PEPFAR plan to expand their funding of projects in the centres.

(Money from the Global Fund’s Round 9 HIV grant supports activities in approximately 30 detention centres, provides antiretroviral treatment to approximately 1,250 patients, and provides voluntary counselling, testing and other services to 13,500 patients. Money from the Fund’s tuberculosis grants supports activities in approximately 35 detention centres and provides direct services to 6,000 detainees. A Round 10 HIV grant, not yet signed, would expand support for services in 30 more centres.)

In an article on 27 October 2011 in the Washington Blade, a gay newspaper, Joe Amon, Director of the Health and Human Rights Division at HRW, said,

“It’s easy to understand why the donors are there. The government centers hold thousands of drug users,

and it's harder to reach drug users outside of detention when they live in fear of being arrested. Donor agencies told us that they couldn't turn their back on people in these centers, who might die without their support.

“Yet donors are turning their backs when it comes to documenting abuses in the centers, and demanding that the Vietnamese government shut them down. Without doubt, HIV treatment can be life-saving. However, under Vietnamese law, HIV-positive people in detention have a right to be released if drug detention centers can't provide appropriate medical care. Donor support for expanded HIV treatment inside centers can have the perverse impact of enabling the government to continue detaining people living with HIV, maximizing profits while still denying detainees effective drug dependency treatment.”

In its report, HRW also said that the failure of donors and the implementing partners to monitor the human rights conditions of detainees “renders impossible any accurate assessment of the impact of donor's humanitarian assistance.”

According to Amon, In 2009, more than \$100 million was provided by international funders for AIDS programmes in Vietnam. He said,

“That sort of money should buy a lot more accountability than has been seen. The centers have been shown repeatedly to be ineffective at treating drug dependence and should be immediately shut down. Until they are, donors should demand that Vietnam stop detaining new drug users and release all those currently living with HIV. Donors should support community-based drug treatment, which is less expensive, more effective and more respectful of human rights.”

In his June 2011 letter, Kazatchkine said that since September 2010, the Global Fund had taken several measures to ensure that all activities in Viet Nam implemented with Global Fund money are compliant with human rights laws, norms and obligations. Kazatchkine said that existing grants were reprogrammed such that they focus only on support, treatment and prevention of HIV and TB in detention centres. In addition, Kazatchkine said, when the Round 9 grants were signed in early 2011, the Global Fund committed to undertake a thorough review of activities conducted with grant funds in Vietnamese detention centres once the Round 9 grants had been implemented for six months.

Finally, Kazatchkine said, in May 2011, the Global Fund initiated a broad consultative process that “will result in a further reprogramming of Global Fund grants in Viet Nam aimed at disallowing all peripheral activities in detention centers.”

“The Rehab Archipelago: Forced Labour and Other Abuses in Drug Detention Centres in Southern Vietnam,” HRW, September 2011, 127 pages, is available [here](#). The 11 June 2011 letter from Global Fund Executive Director Michel Kazatchkine is cited in the HRW report. The Washington Blade article is available [here](#).

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