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**Judicial interventions and upholding the rights of people living with HIV/AIDS to combat stigma and discrimination: Judicial dilemmas and rays of hope****Edward Premdas Pinto***Azim Premji University, India*

Human Immuno Virus (HIV) became the focus of public health policy and programmes in India in the mid-1990s. The civil society organisations were fighting a dual battle that included educating the civil society on the adverse impacts of stigma and discrimination faced by the People Living with HIV/AIDS (PLHAs) on the one hand, and demanding treatment without discrimination in the public health system on the other. Using judicial power to strengthen citizen rights that included patient rights was one of the key strategies of this advocacy. Litigations that came before the courts highlighted primarily the transgression of civil rights of infected persons and the issues of systemic gaps that manifested in making health care available to patients. This paper, part of a larger research on health justice analyses 19 litigations, 7 from the Supreme Court of India and 12 from the High Courts. The analysis brings out the palpable tension inherent in resolving conflicts of rights and striking a balance between protecting personal rights and addressing the concerns of the health of the public, as exemplified in the issue of right to privacy and confidentiality vis-à-vis the disclosure that is required to protect others. In the early years, a primitive jurisprudence emerged which made individual dignity, right to privacy and confidentiality subservient to public health. This in some ways had the tendency to condone systemic discrimination and stigma. However, over two decades, a more mature jurisprudence was eventually laid down within the framework of personhood jurisprudence. The insights from this analysis reflect an evolving understanding of the public health issues by the judiciary and its influence on the interpretation of the constitutional principles in their application to the specific issues in public health care.

**Biography**

Edward Premdas Pinto, is a human rights lawyer and public health scholar engaged in processes and social justice issues of the marginalized communities in India for the last 30 years. His academic journey includes multi-disciplinary scholarship – social sciences, philosophy, law - from eminent institutions combined with strategic action to uphold the rights of the disadvantaged. His praxis of social justice includes engaged with the dam displaced tribals, Dalit women and several social movements that directly and indirectly engage with the issue of wellbeing, dignity and justice. His doctoral work was on health care jurisprudence in India. He has published over 20 papers and is the author of the book, *Health Justice in India: Citizenship, Power and Health Care Jurisprudence* (Springer 2021). Currently he is an associate professor in Azim Premji University, Bangalore (India) and teaches development and public health.