Reviewer's report

Title: When to start antiretroviral therapy in resource-limited settings: a human rights analysis

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Reviewer: John A Bartlett

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Major Compulsory Revisions
The authors have written a provocative piece arguing for a human rights approach to when to start antiretroviral treatment (ART). Compelling evidence is available supporting the early initiation of ART, but implementing this plan is challenging given limited resources. Their arguments are sound with a few minor exceptions outlined in the comments to the authors. However, the authors have failed to consider one major conundrum; pursuing a human rights approach to health should suggest that all forms of treatment for all diseases should be made available to the entire global population. There are certainly profound disparities in access to care and prevention for cardiovascular disease, cancer and many other treatable conditions- why should HIV infection and ART be any different? The authors need to present a logical rationale for this exception.

Minor Essential Revisions
1) On page 2, in the section "When to start antiretroviral treatment", a principal benefit of earlier initiation is improved immune reconstitution and this should be mentioned.

2) On pages 8-10, no mention is made of the potential for HIV/AIDS treatment as a decreasing priority for international funding. Certain programmes such as PEPFAR may be limiting the numbers of persons who may initiate ART. The possibility of declining resources may represent the greatest threat to expanding the pool of treated persons through earlier initiation.

3) In the Conclusions on page 10, there are data regarding cost-effectiveness; the authors should review the CEPAC work by Kenneth Freedberg and others.

Discretionary Revisions
1) On page 4, the most concerning toxicities are long-term and it may be useful to divide them into short-term and long-term categories.

2) On page 7, the generic production of tenofovir has scaled up and competition is resulting in lowered prices.

Level of interest: An article of importance in its field

Quality of written English: Acceptable
Statistical review: No, the manuscript does not need to be seen by a statistician.

Declaration of competing interests:
I declare that I have no competing interests.