

# Network news

Issue 18

Canadian HIV/AIDS Legal Network

December 2004

## Network undertakes major push for needle exchange programs in prisons

The Legal Network has called on federal and provincial/territorial governments to set up pilot needle exchange programs in Canadian prisons within 18 months, releasing a ground-breaking report on the subject at a press conference held on 27 October 2004 on Parliament Hill.

*Prison Needle Exchange: Lessons from a Comprehensive Review of International Evidence and Experience* compiles evidence and experience from six countries where prison needle exchange programs exist. It concludes that such programs are a pragmatic and effective public health measure that reduces HIV and hepatitis C transmission in prisons without increasing drug consumption or injecting. Evidence shows that, far from endangering staff or prisoner safety, needle exchange programs make prisons safer places to live and work. The report received national and local media attention.

Prior to the release of the report Network staff Ralf Jürgens and Glenn Betteridge communicated with, met and briefed numerous federal and provincial decision-makers in corrections and in health. Separate teleconference briefings were held for the Federal/Provincial/Territorial (FPT) Advisory Committee on AIDS, community members (including the Prison Networking Group, the Prison HIV/AIDS and Hepatitis C Research and Advocacy Consortium, Canadian Human Rights Commission and the federal Office of the Correctional Investigator), and for the Ontario Ministry of Health. In-person briefings were held with, among others, the Commissioner of Correctional Services Canada, Health Canada officials, the FPT Heads of Corrections Working Group on health, and the federal ministry responsible for corrections. Letters were also sent to federal opposition critics, who were offered the opportunity to be briefed.

The Legal Network will undertake follow up activities with key stakeholders. Since the release of the report, Glenn Betteridge has met with the Ontario minister responsible for corrections, and is scheduled to teleconference with corrections worker representatives of nine provincial unions. We will also engage the unions involved in institutions, and have extended offers to meet with them. We understand that members of these unions may have serious concerns about their health and safety, and will emphasize that there have been



Ralf Jürgens of the Legal Network and Kim Pate of the Canadian Association of Elizabeth Fry Societies at the Prison Needle Exchange press conference on Parliament Hill.

---

Network joins Canadian  
microbicides coalition 3

---

Health Canada funds  
new network projects 3

---

Legal Network joins call  
to strip Thai PM of  
« Forgiveness Award » 5

---

Advocating for Harm  
Reduction in the Ukraine 5

---

Inside the Network 6

---

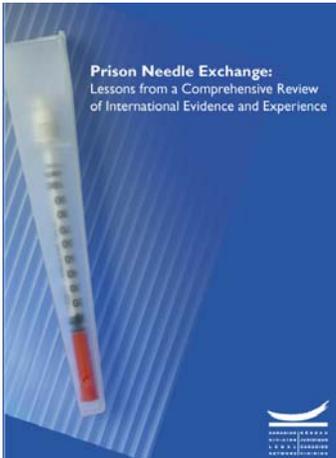
Feedback 10

---

New Resources 10

---

## Needle exchange in prisons *(continued)*



no incidents of needles being used as weapons and that needle exchanges can make prisons safer places to work.

We are also undertaking general and targeted dissemination of the report, and have initiated a letter writing campaign (see below). While we cannot conduct teleconference briefings for prisoners, we are sending copies of the report to prisoner groups in all federal institutions.

We hope that prisoners will get involved in the letter writing campaign, and have provided them with sample letters and envelopes. Other “targets” for dissemination of the report and of our revised prison info sheets, include federal and provincial human rights commissions, ombudspersons, prison administration and prison health care staff.

Finally, we will coordinate with other groups working on the issue, including the Ontario Medical Association, which released a report on prison needle exchange on the same day as the Network. A number of lawyers have also approached the Legal Network to discuss the possibility of litigation. Stay tuned for further developments concerning this prisoner health and human rights issue.

The report and information about the letter campaign are available online at: [www.aidslaw.ca/Maincontent/issues/prisons.htm](http://www.aidslaw.ca/Maincontent/issues/prisons.htm). Print copies of the report can be ordered from the Canadian HIV/AIDS Information Centre: 1-877-999-7740 (toll free within Canada); [aidssida@cpa.ca](mailto:aidssida@cpa.ca); [www.aidssida.cpa.ca](http://www.aidssida.cpa.ca).

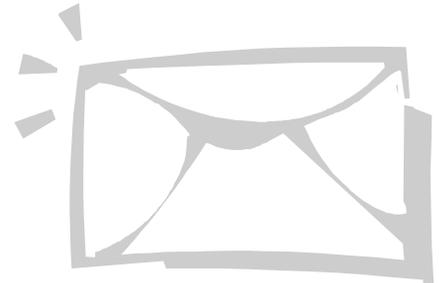
### **Help protect the health of prisoners, prison staff, and all Canadians** *Support the call for pilot needle exchange programs in Canadian prisons*

Write a letter to the federal Minister of Health and Minister of Public Safety and Emergency Preparedness (who is responsible for the federal prison system) and to the ministers in your province/territory responsible for these portfolios.

Send copies of the letters to your MP and member of your provincial/territorial legislative assembly.

Use the sample letter from our website ([www.aidslaw.ca/Maincontent/issues/prisons.htm](http://www.aidslaw.ca/Maincontent/issues/prisons.htm)), where the names and addresses of your elected officials are also available.

For more information, contact Glenn Betteridge, Senior Policy Analyst at [gbetteridge@aidslaw.ca](mailto:gbetteridge@aidslaw.ca) or (416) 595-9976.



© 2004 Canadian HIV/AIDS Legal Network. *Network News* aims to keep readers up to date on activities undertaken by the Canadian HIV/AIDS Legal Network. We encourage the dissemination of the information contained in this newsletter and will grant permission to reprint material provided that proper credit is given.

**Editor:** Elana Wright  
**Lay-out:** Mélanie Paul-Hus

**Translator:** Josée Dussault  
**Contributors:** Thomas Haig  
Ralf Jürgens, Richard Elliott

Canadian HIV/AIDS Legal Network  
417 Saint-Pierre St., Suite 408, Montréal, QC H2Y 2M4  
Tel: 514 397-6828  
[www.aidslaw.ca](http://www.aidslaw.ca)

Fax: 514 397-8570  
[info@aidslaw.ca](mailto:info@aidslaw.ca)

ISSN 1488-0997



Funded by Health Canada, under the Canadian Strategy on HIV/AIDS. The findings, interpretations, and views expressed in this publication are entirely those of the authors and do not necessarily reflect official policy or positions of Health Canada or the Canadian HIV/AIDS Legal Network.

The Canadian HIV/AIDS Legal Network is a charitable organization promoting the human rights of people living with and vulnerable to HIV/AIDS, in Canada and internationally. We accomplish this through research, policy analysis, education, advocacy and community mobilization.



## Network News Flashes

### Network joins Canadian microbicides coalition

The Legal Network has recently become an active member of the **Microbicides Advocacy Group Network** (MAG-Net). Led by the Canadian AIDS Society (CAS) and the Inter-agency Coalition on AIDS and Development (ICAD), with support from the Global Campaign for Microbicides, MAG-Net is a coalition of 30 Canadian AIDS service organizations, sexual and reproductive health organizations, international development NGOs and researchers interested in promoting the development of alternative HIV/AIDS and sexually transmitted infection (STI) prevention options.

MAG-Net provides an opportunity to increase the Network's involvement in microbicide advocacy efforts in Canada, an important complement to our well established advocacy work on vaccines and treatment access. As part of our commitment to promoting greater collaboration among HIV microbicide, treatment, and vaccine ("MTV") advocates, we hope to bring a human rights perspective to MAG-Net.

A recent MAG-Net initiative saw the Network join CAS and ICAD in delivering a letter to Aileen Carroll, Minister for International Cooperation, urging the Canadian government to increase its contribution to the global effort to develop and deliver HIV microbicides.

For more information on microbicides advocacy in Canada and around the world, see:

Letter to Minister Carroll:

[www.aidslaw.ca/Maincontent/issues/vaccines/LetterMinCarroll-Oct604.pdf](http://www.aidslaw.ca/Maincontent/issues/vaccines/LetterMinCarroll-Oct604.pdf)

Canadian AIDS Society:

[www.cdn aids.ca](http://www.cdn aids.ca)

(key word search "microbicides")

Global Campaign for Microbicides:

[www.global-campaign.org](http://www.global-campaign.org)

Joint MTV advocacy: [www.aidslaw.ca/](http://www.aidslaw.ca/Maincontent/issues/vaccines.htm#mtv)

[Maincontent/issues/vaccines.htm#mtv](http://www.aidslaw.ca/Maincontent/issues/vaccines.htm#mtv)

### Health Canada funds new Network projects

In May, the Network submitted seven proposals to Health Canada, under the call for proposals on legal, ethical, and human rights issues. In early November, we received funding for four new projects. Two other projects may also still be funded.

The **first** funded project, entitled "**Greater, Meaningful Involvement of Drug Users in Work on HIV/AIDS: An Ethical and Human Rights Imperative,**" will start immediately and will be concluded by 31 March 2005. We will undertake it in partnership with the Vancouver Area Network of Drug Users, CACTUS Montréal, and the British Columbia Centre for Excellence in HIV/AIDS. Under the guidance of a small project advisory committee, it will produce a short, user-friendly paper with sections on: (a) what is meant by greater involvement of drug users in Canada's response to HIV/AIDS at community and gov-

ernment level; (b) why it is important to include drug users; (c) challenges to implementing greater involvement; (d) ways to overcome these challenges; and (e) suggestions for additional readings. The project's goal is to increase meaningful involvement of drug users in the programs and services that affect their lives.

The **second** project, entitled "**Prevention, Protection: Enhancing HIV Testing, Respecting Human Rights,**" will research and produce a paper that addresses the issue of increasing access to HIV testing in a manner that respects and protects human rights. The last few years have seen numerous new developments in the area of HIV testing: proposals for compulsory HIV testing in circumstances of occupational (and some non-occupational) exposure; amendments to Canadian law and policy that implement mandatory HIV testing

## New Network projects *(continued)*

for all immigrants; the introduction of new “rapid” HIV screening tests (and the current development of additional new rapid tests that may provide confirmatory testing results) and now increasing discussion about whether to move toward over-the-counter “home HIV testing” products; different policy approaches across Canada to HIV testing of pregnant women; policies that mandate pre-employment HIV testing; and a larger debate over the role of human rights in HIV testing policy and practice.

Some analysis of some of these issues has been done previously by the Legal Network, but there have been many new developments in the last years, and it can be predicted that the coming years will see further developments that continue to raise legal, ethical and human rights questions in how Canada regulates those technologies and governs the actual practice of HIV testing.

The goal of the project, which will start in April 2005 and will be undertaken in partnership with the Canadian Public Health Association, is to ensure that Canada’s approach to increasing HIV testing is one that maximizes the prevention, care, treatment and support benefits that can flow from increasing the number of people who get tested, and simultaneously respects and protects other human rights of those who are getting tested or are the focus of HIV testing.

The **third** funded project, entitled “**Research & Policy Development: New and Emerging Issues,**” will also start in April 2005. It will research and produce a short paper that addresses a new, emerging and/or pressing issue in Canada that is related to HIV/AIDS and has legal, ethical and/or human rights dimensions. The paper will provide a human rights-based analysis of the issue, as well as conclusions and recommendations. Those familiar with the Network’s work are well aware of the importance of this type of project that allows us to identify, in consultation with non-governmental and governmental stakeholders, the most important “new, pressing, and/or emerging issue” that arises during a fiscal year, and to address this issue. For example, in 2000/01, with this type of project we produced a report on HIV/AIDS and immigration, which

had a significant impact on Canadian law and policy in this area, including affecting amendments to the law.

The **fourth** project is the **HIV/AIDS Policy & Law Review**. Health Canada will continue to fund it until at least September 2006, albeit at a lower level than in the past.

The two projects that have not yet completed the review process, but should be funded soon, would allow us to do additional work on issues related to HIV/AIDS in prisons and on issues related to drug use and drug policy. We will talk about them in more detail in a future issue of *Network News*, once we have received confirmation of funding.

One Network project was rejected. Entitled “From Global Obligation to Domestic Action: Integrating the Human Right to Health in Canada’s Legal and Policy Responses to HIV/AIDS,” it would have undertaken research and analysis on the scope and content of Canada’s obligations to progressively realize the right to health, and reviewed the interpretation and implementation of that right in Canadian law and policy as it relates to the rights of people living with or vulnerable to HIV/AIDS. The project would have provided policy-makers, community-based organizations and advocates with resources that would have explained how the right to the health can and should inform legal and policy responses to the HIV/AIDS epidemic. We hope we will be able to obtain funding for this important project in the near future.

Finally, the Canadian AIDS Society had submitted another proposal, in partnership with the Network, aimed at producing a paper that would have examined the legal frameworks needed to provide incentives for researching and developing new HIV prevention technologies such as HIV vaccines and microbicides. That project also was not funded, although it would have made an essential contribution to the development and implementation of Canada’s HIV/AIDS Vaccine Plan.

For more information about our new projects, contact Richard Elliott at [relliott@aidslaw.ca](mailto:relliott@aidslaw.ca) or by phone at 416 595-1666.



## Legal Network joins call to strip Thai PM of "Forgiveness Award"

The Legal Network has joined Human Rights Watch and more than 50 human rights and public health organizations in calling for Thai Prime Minister Thaksin Shinawatra to be stripped of an "International Forgiveness Award" granted in September by Italy's Istituzione Perdonanza Celestiniana in recognition of "his government's treatment of drug abusers as patients rather than criminals."

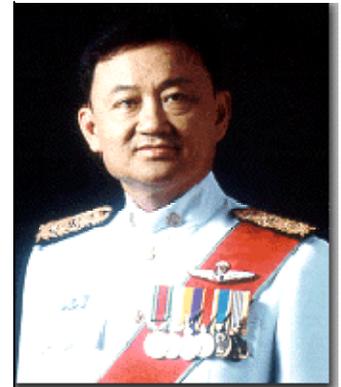
International observers have condemned the systematic and brutal human rights violations that have been perpetrated against Thai drug users under Thaksin's leadership. According to a recent report by Human Rights Watch, Not Enough Graves [<http://hrw.org/reports/2004/thailand0704/>], Thaksin presided over a murderous four-month campaign last year to suppress drug use in Thailand. Within three months, some 2,275 alleged drug offenders were shot dead in apparent extrajudicial executions. Recently, Thaksin vowed to continue this war on drugs (and drug users) despite a promise during the July 2004 International

AIDS Conference – which Thailand hosted – to implement a national "harm reduction" program for injection drug users.

An estimated 100,000-250,000 drug users in Thailand inject heroin. Approximately 40 percent of Thailand's injection drug users are HIV-positive. Organizations from around the world have signed a letter of protest urging Istituzione Perdonanza Celestiniana to publicly retract Thaksin's award, noting that there is still not a single syringe exchange program in all of Thailand and that Thaksin's continual reference to drug users as "patients" seems aimed only at deflecting international criticism of his repressive drug polices.

The letter of protest and the list of signatories can be found at: [www.hrw.org/english/docs/2004/10/04/thaila9441.htm](http://www.hrw.org/english/docs/2004/10/04/thaila9441.htm).

For more information on human rights abuses against drug users in Thailand, see: <http://hrw.org/english/docs/2004/10/05/thaila9445.htm>.



Thai Prime Minister Thaksin Shinawatra

## Advocating for harm reduction in the Ukraine

Ralf Jürgens participated in a conference entitled, "Moving Harm Reduction Policy Forward," in Kiev from 4 to 6 October 2004. The conference brought together 100 human rights organizations, persons living with HIV, and HIV/AIDS and harm reduction activists from seven countries (Russia, Ukraine, Georgia, Lithuania, Poland, Kyrgyzstan, and Tajikistan) and focused on three issues: drug policy reform; access to HIV treatment for drug users; and community mobilization and capacity building. Ralf prepared a background paper for participants (Facing up to an epidemic: drug policy in Canada) and gave a plenary presentation on "What does effective drug policy mean."

While in the Ukraine, Ralf also signed the collaboration agreement between the Legal Network and the Ukrainian prison administration under which the Network will assist in the implementation of methadone maintenance and needle exchange pilot projects in Ukrainian prisons.

Working Plan of collaboration on Project № 30803 "Introduction of modern methods of prophylaxis, treatment and rehabilitations of drug addicts into practical activity of institutions of the penitentiary system of Ukraine with the purpose of effective counteraction to the epidemic of opium drug addiction and HIV/AIDS".		
First vice-chairman Dr. O. Ptashynskiy on behalf of the State Department, Director Mr. V. Serdiuk on behalf of the "Vector" medical information and analytic center and executive director Mr. Ralf Jurgens on behalf of the Canadian HIV/AIDS Legal Network have adopted the indicated Working Plan (addition No1) having in mind the following:		
<ol style="list-style-type: none"> <li>1. The Parties shall join their efforts to strengthen the Project No30803 effectiveness.</li> <li>2. The joint plan foresees the substantial supplement to the Project No30803 by realizing points 1-10 of the Plan (addition No1).</li> <li>3. The Parties consider to be useful to supplement Project No30803 with points 9-12 (addition No1). The indicated measures will solve the problem of non-dissemination HIV/AIDS in the institutions of the penitentiary system of Ukraine.</li> </ol>		
For the State Department of Ukraine for Enforcement of Sentences O. Ptashynskiy	For the "Vector" medical information and center V. Serdiuk	For the Canadian HIV/AIDS Legal Network Ralf Jurgens
		

A copy of the agreement between the Legal Network and the Ukrainian prison administration



# Inside the Network

## Highlights from 2004 AGM

The Legal Network and the Interagency Coalition on AIDS and Development (ICAD) held our first-ever joint AGM and skills-building workshop event, “Promoting Healthy Public Policy in Canada and Around the World,” on 10-12 September 2004 in Montréal. Feedback from participants was enthusiastic (see page 10), and members from both organizations have supported the idea that future AGMs also be jointly organized.

The event began with full-day workshops on two critical topics: HIV/AIDS, drug policy, harm reduction, and human rights; and HIV/AIDS issues faced by communities from endemic countries. Opening presentations by Karyn Kaplan of the Thai Drug Users’ Network and Rev. Ruth Wright of Vancouver’s First United Church provided a wealth of insight on the local impact and global scope of human rights issues faced by injection drug users and the communities where they live. Keynote speeches were followed by presentation of the 2004 Awards for Action on HIV/AIDS and Human Rights. The Canadian Award was jointly presented to Vancouver nurse Megan Oleson and to Pivot Legal Society, also based in Vancouver. The Thai Drug Users’ Network, recipient



Vancouver nurse and activist Megan Oleson accepts the Canadian Award for Action on HIV/AIDS and Human Rights, which she shared with Pivot Legal Society.

of the 2004 International Award, was represented at the ceremony by Karyn Kaplan and Paisan Suwannawong. Presentation of the Awards was followed by a short farewell ceremony to honour the Network’s executive director, Ralf Jürgens, who left his position at the end of October 2004.

AGMs for both organizations were held on Saturday 11 September. The final day featured skills building workshops on action to combat HIV/AIDS-related stigma and discrimination; joint microbicides, treatment, and vaccines advocacy; and international development approaches to HIV/AIDS. A closing plenary on gender and HIV/AIDS provided the opportunity to ‘go beyond the rhetoric’ and to ask what action is needed to respond to the needs of women in the context of HIV/AIDS.

Slide presentations from plenary sessions and workshops are now available at: [www.aidslaw.ca/Maincontent/events/agm2004.htm](http://www.aidslaw.ca/Maincontent/events/agm2004.htm). A transcript of the AGM proceedings is currently being prepared and will be sent to Network members in an upcoming mail-out.

For profiles of the 2004 Awards recipients see: [www.aidslaw.ca/Maincontent/awards.htm](http://www.aidslaw.ca/Maincontent/awards.htm)



Legal Network executive director Joanne Csete speaks during the AGM’s closing plenary on gender and HIV/AIDS.

## “Continuing our commitment to activism”: an interview with Ralf Jürgens

On 1 November 2004, Ralf Jürgens moved on from his position as Executive Director of the Legal Network. Ralf was one of the Network's four founding members in December 1992, became its first President in 1993, and was its first Executive Director from June 1998 to November 2004. Network News asked Ralf about his future plans and his perspective on priorities for HIV/AIDS, human rights, and activism in the coming months and years.

**NN: Over the years, you have shown an unflagging commitment to HIV/AIDS and human rights issues in Canada and around the world. Do you plan to continue working in this area?**

**RJ:** Yes, definitely. I took a lot of time to think about what I wanted to do next. It was always clear to me that I wanted to remain involved in the fight against HIV/AIDS and for the human rights of those most vulnerable to HIV. Over the last months, I decided that I wanted to spend more time in some of the countries that are most affected by the epidemic and are facing even more difficult challenges than Canada, while continuing to live in Canada and remaining involved here in the fight against HIV/AIDS. After years of being an Executive Director, with a lot of time (too much time) devoted to administrative issues, I also wanted to be able to dedicate more time to research and writing, and to providing strategic advice to other organizations working in the areas of HIV/AIDS, human rights, drug policy and prisons. An opportunity arose to do just that working on two projects in Central and Eastern Europe and the former Soviet Union. One of these projects will focus on working with organizations in Russia to increase action in the areas of human rights, drug policy, and prisons. I started being involved in the second (CIDA-funded) project, which aims at increasing access to harm reduction measures in prisons in Central and Eastern Europe and the former Soviet Union, while I was still the Network's Executive Director. But as of February, I will take on primary responsibility for that project. I intend to learn Russian and will spend a considerable amount of time in Russia and other countries in the region. Both of these projects are Legal Network projects, and I will work on them as a consultant for the Network.

While this will be a major focus of my work, I am interested in taking on other work on policy and legal issues related to HIV/AIDS as well.

**NN: What priorities must the federal government address in preparation for hosting the next International AIDS Conference in Toronto in 2006?**

**RJ:** In 2004, just before the elections, Canada announced that it would increase its contribution to the Global Fund to Fight AIDS, Tuberculosis, and Malaria and make a major contribution to the World Health Organization for the “3 by 5 Initiative.” At the same time, Canada became the first country to amend its patent legislation to allow for production of generic medications for export to developing countries. And for the first time in 10 years, federal funding for HIV/AIDS in Canada was increased. These are all steps in the right direction, but both nationally and internationally Canada could do a lot more:

1. In Canada, the increase in funding for the Canadian Strategy on HIV/AIDS (CSHA) is being phased in too slowly. As soon as possible, and certainly before AIDS 2006, the government must finally act upon the recommendation of the House of Commons Standing Committee on Health to increase funding for the CSHA to \$100 million annually.

2. A five-year strategic plan for fighting HIV/AIDS in Canada has been under development for a couple of years. This is a broad plan about what Canada needs to do. The federal government must now show leadership and immediately develop a highly specific plan that clearly defines what its contribution will be in implementing Canada's plan. The federal government's plan, spearheaded by Health Canada and the new Public Health Agency, should include a timetable, performance targets, and accountability mechanisms. The plan should be based on human rights and public health principles, and should focus on those living with HIV and those most vulnerable to HIV/AIDS. It should be a model for the other jurisdictions and stakeholders. It needs to include specific actions that address HIV infection rather than more consultation processes.

## Ralf Jürgens HIV Fund

### Call for Contributions

The Network's board of directors has recently established the **Ralf Jürgens HIV Fund**, a trust fund in his honour that we hope will be a means of support for persons or communities working on the kinds of struggles that the Network has undertaken through Ralf's exceptional leadership.

To make your contribution, please send a cheque payable to the “Ralf Jürgens HIV Fund” to the following address:  
Canadian HIV/AIDS Legal Network,  
417 St-Pierre, suite 408,  
Montréal, QC H2Y 2M4

*Every contribution is important.*

For additional information about the Ralf Jürgens HIV Fund, please contact the Legal Network at [fund@aidslaw.ca](mailto:fund@aidslaw.ca) or by phone (514) 397-6828. Updates on the fund, including information about its beneficiaries, will be available soon on the Legal Network's web site at: [www.aidslaw.ca](http://www.aidslaw.ca).

## Interview *(continued)*

3. Internationally, Canada needs to further increase its contribution to the global fight against HIV/AIDS. We are still doing a lot less than what our fair share would be. In addition, Canada needs to focus on areas that are being neglected by other funders, such as harm reduction interventions, human rights, and the rights of women.

In 2006, at the time of the International AIDS Conference in Toronto, the world will be analyzing Canada's contribution. Unless action and commitment is stepped up in the next years, Canada risks to fail the test.

**NN: Network members, Board and staff have expressed their gratitude for your dedication to the Network and the enormous contribution you have made. How do you feel now that you are departing?**

**RJ:** I will miss the Network, of course, but this is a good time to move on. The Network has great staff and a supportive Board and membership, and it will benefit from the leadership, energy and expertise Joanne Csete will provide as the Network's new Executive Director. I look forward to some time off, and the new challenges that lie ahead!

## Legal Network mourns loss of activist and friend, salutes a life of dedicated advocacy

With deep sadness, the Canadian HIV/AIDS Legal Network mourns the loss of Board member Michael Linhart, one of Canada's finest advocates for the rights and dignity of people living with HIV/AIDS.

Michael served for several years as a beloved member of the Board of the Canadian HIV/AIDS Legal Network, and had just been re-elected to this position in September 2004. At the time of his death, he was in Ottawa to participate in the release of a new Legal Network report providing a comprehensive worldwide review of prison needle exchange programs.

Michael wished to join his voice to the call for federal and provincial/territorial governments to implement pilot needle exchange programs in Canadian prisons. To the end, Michael fought for the right of prisoners living with HIV/AIDS to proper care and for the right of all prisoners to protect their health.

Michael learned he was HIV-positive in 1991 while incarcerated in a federal institution. His diagnosis led him to become an AIDS and prisoners'

rights activist, one of the first inmates in Canada to speak out publicly on HIV in prisons. While incarcerated, he presented at the BC HIV/AIDS Conferences of 1992 and 1994, and the International Conference on HIV/AIDS in Vancouver in 1996. He also contributed to the drafting of the report of the 1992 Expert Committee on AIDS in Prison.

In 1993, Michael helped found the BCPWA Prison Outreach Program and, after being granted parole, went on to become its first coordinator in 1998, continuing the struggle for the rights and dignity of prisoners living with HIV/AIDS. In 2001, he received the Canadian AIDS Society "Leadership in HIV/AIDS" Award. Michael's dedication to the fight against HIV/AIDS was deepened by his own experiences as a former sex trade worker, drug user, gay man and prisoner, and as someone also co-infected with hepatitis C.

We mourn the loss of a passionate activist, a person of great integrity, and a very dear friend. We celebrate his contributions to the Legal Network and to the fight against HIV/AIDS, and will not forget the example he set. We pledge to continue to fight, as did Michael himself, for the rights of prisoners at risk of, and living with, HIV/AIDS.



Ralf Jürgens and Michael Linhart while Michael was in prison in B.C.

## Student interns at the Network

The Network extends a warm welcome to three student interns who will be assisting us with a variety of activities over the coming academic year.

**Barbara Mysko**, a third-year law student at McGill, comes to us from Pro Bono Students Canada – McGill. Barbara has an academic background in international development and has worked at the McGill Legal Info Clinic, Environmental Law McGill, the Nova Scotia Human Rights Commission, Amnesty International, and as a researcher in various fields.

**Arryn Ketter**, also in her third-year of law at McGill, studied Russian and Slavic Studies

and at McGill's Centre of Medicine, Ethics, and Law. She has worked for the Jane Goodall Institute, Royal Victoria Hospital Immunodeficiency Services, the Canadian Biotech Advisory Committee, and the International Journal of Law and Mental Health. Barbara and Arryn will be assisting the Network's Research and Policy Team.

**Steve Baird**, a third-year international development student at McGill, is enrolled in Concordia's undergraduate course on HIV/AIDS, and will be assisting with updates to the Legal Network's resource centre database.

## Network welcomes new researcher

The Network is very pleased to welcome **Richard Pearshouse** to the position of Senior Policy Analyst on our research & policy team, beginning November 2004. Richard moved to Montreal from Dili, East Timor, where he was working as a Legal Advisor to the UN Special Panels for Serious Crimes.

"There are many differences from my work with the UN in East Timor and the work I will be undertaking for the Network. The model legislation project is an exciting challenge, and it's a real opportunity to centralise human rights within the legislative responses to HIV/AIDS. It's a genuine pleasure to begin with the Network."

A citizen of Australia and the United Kingdom, he is a graduate in law from the University of Sydney and holds an MA from the International Centre for Peace and Development Studies at the Universitat Jaume I in Spain.

Before working for the UN, he was a legal research project officer for an East Timorese

human rights NGO and spent several months as a human rights monitor with a Guatemalan human rights NGO. He is the former assistant to the President of the Human Rights and Equal Opportunities Commission in Australia and interned at the Appeals Chamber of the International Criminal Tribunal for the former Yugoslavia in The Hague.

Richard will work primarily on our multi-year project to develop option-based model legislation on HIV/AIDS, which is funded by UNAIDS, International Harm Reduction Development, The John M. Lloyd Foundation and the International Affairs Directorate, Health Canada.



Richard Pearshouse while he was in East Timor.



## Feedback

*Your joint AGM gave me the opportunity to both meet and encounter extraordinary individuals who shared enriching, unique and quality perspectives, and in doing so allowed me to look at my chosen field with new passion, motivation and knowledge. I would like to congratulate you and your staff on a wonderfully successful weekend and thank you for making the event available to members and non-members alike.*

*I would also like to extend my best wishes to you Ralf as you move on from the Legal Network. It would have been impossible not to feel how much you will be missed.*

-Marla Dillabough, graduate student,  
Concordia University

*I really appreciated the workshops on Friday and Sunday. It was really super at every level. Congratulations!*

- Christine Vézina, Program manager, AIDS in the Workplace, COCQ-sida

*This AGM was my first Network AGM – I was very impressed with its format and of course with all the hard work and excellence demonstrated by the staff and Board. I look forward to my continued relationship with the Network.*

- comment from AGM evaluation form

*Bravo! What work you have done! It is always enriching to participate in your workshops, and I am always impressed by the work you accomplish. Thank you and have a good year!!*

- comment from AGM evaluation form



## New Resources



*Prison Needle Exchange: Lessons from a Comprehensive Review of International Evidence and Experience*

<http://www.aidslaw.ca/Maincontent/issues/prisons/pnep/toc.htm>

*Canadian HIV/AIDS Law and Policy Review 9(2)*

<http://www.aidslaw.ca/Maincontent/otherdocs/Newsletter/vol9no22004/issue.htm>

2004 AGM Presentations and Workshop Materials

[www.aidslaw.ca/Maincontent/events/agm2004/wkshop-material.htm](http://www.aidslaw.ca/Maincontent/events/agm2004/wkshop-material.htm)

Presentations at "Moving Harm Reduction Policy Forward," Open Society Institute 2004 Conference, Kiev:

- "Facing up to an epidemic: drug policy in Canada" (17-page background paper) <http://www.aidslaw.ca/Maincontent/issues/druglaws/040924-OSIDrugPolicy-Kiev.doc>
- "What does effective drug policy mean?" (slides) [http://www.aidslaw.ca/Maincontent/issues/druglaws/DrugPolicyCanada\\_Jurgens1004.ppt](http://www.aidslaw.ca/Maincontent/issues/druglaws/DrugPolicyCanada_Jurgens1004.ppt)