

# Network news

Issue 19

Canadian HIV/AIDS Legal Network

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## Action Plan Targets HIV/AIDS-related Stigma and Discrimination

Janice Dayle found out about her husband's HIV+ status a week before his death in 1994. His response to his family's utter shock and dismay was "...I didn't tell you because I did not want to be rejected..." When Janice herself tested HIV+, she experienced the very degradation and ostracism that he had feared so much. "The slaps in the face, the shunning and hateful responses came from the most unsuspecting places," including the first physician to whom she went for treatment, family members, her employer, her landlord, her neighbours, and her children's teachers.

Such patterns of ongoing, systemic discrimination and stigma continue to fuel the HIV/AIDS epidemic in Canada and elsewhere. In an effort to confront this persistent and urgent problem, the Legal Network has released *A Plan of Action for Canada to Reduce HIV/AIDS-related Stigma and Discrimination*, launching a Canada-wide campaign at press conferences held in Ottawa and six other cities on 26 January 2005.

The campaign slogan - *Be Part of the Solution* – encourages Canadians to write to the Prime Minister and their elected representatives to demand concerted government action on this issue.

Endorsed by the Canadian Labour Congress, the United Church, the Canadian AIDS Society, and other national organizations, the *Plan of Action* sets out goals and actions for elected officials, public servants, service providers, advocates, people living with HIV/AIDS, and community organizations to tackle stigmatizing attitudes, promote rights, and improve services.

The *Plan* identifies steps to be taken in areas such as social support, housing, employment, public attitudes, youth education, and immigration. Although all Canadians must take part in reducing HIV/AIDS-related stigma and discrimination, the *Plan* points to government commitment and leadership as essential to achieving these goals.

The *Plan* underscores the need for increased funding to help front-line organizations combat stigma and discrimination at the local level. "Governments need to get resources to organizations and groups of people who are on the front-lines in the fight against HIV/AIDS-related stigma and discrimination," said Glenn Betteridge at the national press conference in Ottawa.



Janice Dayle urges governments to implement the Plan of Action at a press conference on Parliament Hill

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The *Plan of Action* – along with campaign postcards and a short, easy-to-read booklet on putting the *Plan* into action – is available at [www.aidslaw.ca](http://www.aidslaw.ca).

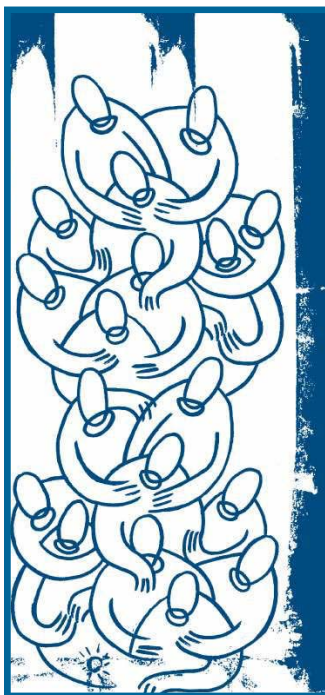
Print copies of these materials can be ordered free of charge from the Canadian HIV/AIDS Information Centre at 1-877-999-7740 or by email at [aidssida@cpha.ca](mailto:aidssida@cpha.ca)



*Representatives from Vancouver's YouthCO speak out against HIV/AIDS-related stigma and discrimination.*

The cross-Canada release of the *Plan of Action* was held thanks to the collaboration of Jamie Myrha and Elgin Lim at YouthCo in Vancouver, Le-Ann Dolan and Eric Berndt at AIDS Calgary, Liz Manning and Roger Procyk at Nine Circles Community Health Centre in

Winnipeg, Hiwot Teffera at People to People Aid Organization in Toronto, Christine Vézina at COCQ-sida in Montréal, and Albert McNutt at Northern AIDS Connection in Truro, Nova Scotia.



## BE PART OF THE SOLUTION

**Governments have a legal obligation to take action on HIV/AIDS-related stigma and discrimination.**

**Join the campaign! Write to Prime Minister Paul Martin and to your elected representatives. Ask them to show leadership by implementing the Legal Network's recently released *Plan of Action for Canada to reduce HIV/AIDS-related Stigma and Discrimination*.**

**See our web site for full details on how to be “part of the solution”:**

**[www.aidslaw.ca/Maincontent/issues/discrimination/action-plan/action-alert.htm](http://www.aidslaw.ca/Maincontent/issues/discrimination/action-plan/action-alert.htm)**

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CANADIAN RESEAU  
HIV-AIDS JURIDIQUE  
LEGAL CANADIEN  
NETWORK VIH-SIDA

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

### What is “MTV” and How Can You Support this Growing Movement?

#### MTV advocacy – (noun)

The catchphrase describing the movement whereby HIV advocates from the fields of microbicides, treatments and vaccines are joining forces to address the broad range of issues common to the three groups, as part of a comprehensive response to HIV/AIDS based on respecting, protecting and fulfilling human rights

#### to do MTV advocacy – (verb)

1. to understand how one's current efforts fit within the broader spectrum of advocacy on each of microbicides, treatments and vaccines; 2. to formally endorse the *Statement of Commitment to Building a Comprehensive Global HIV/AIDS Response*; 3. to collaborate with advocates working in the other complementary fields, and to undertake one's own advocacy in a way that supports and reinforces the work of those other advocacy movements



The MTV advocacy movement is gaining momentum. Find out why community-based HIV/AIDS organizations are getting involved, and how your organization can contribute quickly and easily.

- ◇ For introductory information:  
*What is “MTV Advocacy”? An Introduction to Joint Advocacy on HIV Microbicides, Treatments and Vaccines*
- ◇ For in-depth information:  
*Joint Advocacy on HIV/AIDS Treatments, Microbicides and Vaccines: Developing an Agenda for Action*
- ◇ To take action:  
*Statement of Commitment to Building a Comprehensive Global Response*

Access these documents and more information on MTV advocacy at [www.aidslaw.ca/Maincontent/issues/vaccines.htm](http://www.aidslaw.ca/Maincontent/issues/vaccines.htm).

Or contact: Elana Wright, Community Development Coordinator, by phone at (514) 397-6828 or at [ewright@aidslaw.ca](mailto:ewright@aidslaw.ca).

### Support for Safer Tattooing in Prisons

Correctional Service Canada recently announced that it has begun introducing one-year pilot safer tattooing programs in six institutions across Canada, including a women's institution. Under the programs, funded by the Public Health Agency of Canada, prisoner tattoo artists will be trained in infection prevention and control practices, and have access to sterile tattooing equipment.

The Legal Network expressed its support for the project in a press release on 28 January. “Prisoners have been tattooing for years, despite the risk of HIV and hepatitis C transmission and the fact that possession of tattooing

equipment is illegal in prison,” said Glenn Betteridge, Senior Policy Analyst. “With this program CSC is taking seriously its legal responsibility to provide prisoners with the means to protect their health.”

The press release calls for ongoing consultation with prisoners, prison staff, health care workers and community members throughout the implementation and evaluation of the pilot programs.

For additional details, see: [www.aidslaw.ca/Media/press-releases/e-press-tattoo-jan2805.pdf](http://www.aidslaw.ca/Media/press-releases/e-press-tattoo-jan2805.pdf).

## Needle Exchange in Prisons: Advocacy Update

Since the November 2004 release of *Prison Needle Exchange: Lessons from a Comprehensive Review of International Evidence and Experience*, Legal Network Senior Policy Analyst Glenn Betteridge has been pushing its recommendation on a number of fronts. The sole recommendation in the report was that federal and provincial/territorial correctional services in Canada should immediately take steps to implement multi-site pilot needle exchange programs.

On the federal level, there have been a number of welcome developments. In his annual report, the Correctional Investigator called on Correctional Service Canada to introduce sterile needles for federal prisoners. Minister of Health Ujjal Dosanjh, in public statements on 1 December (World AIDS Day), stated that he supports in principle the idea of prison needle exchange programs as a public health measure and one that fulfills the guarantee of equivalence of health measures for prisoners. Subsequently, Minister Dosanjh and Minister McLellan, who is responsible for federal corrections, have discussed the issue. We have followed up with Ministers McLellan, Dosanjh and Bennett of public health, urging them to work together on this issue, and offered the help of the Network to make prison needle exchange a reality.

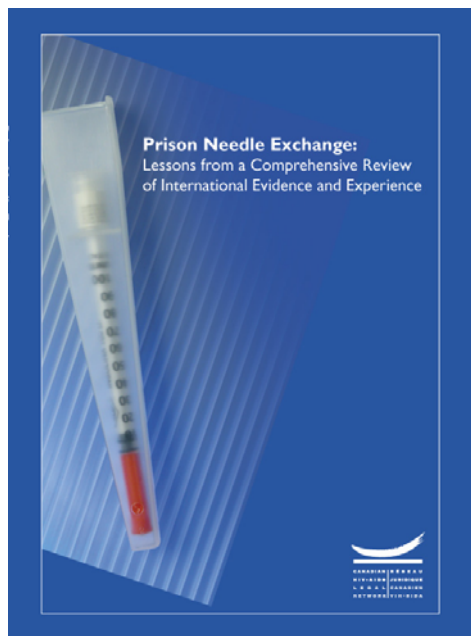
In late January, Glenn attended a meeting of the Ontario executive of the Citizen Advisory Committee (CAC). Under the federal legislation that regulates corrections, each federal prison and parole office has a civilian oversight body called a Citizen Advisory Committee (CAC). One of the roles of each CAC is to advise the Minister responsible for corrections about policies and programs. The Ontario CAC executive has indicated that

it is interested in pursuing the issue, possibly with the National executive and the Minister.

On the provincial front, on 1 November 2004 Glenn met with the Honourable Monte Kwinter, Minister of Community Safety and Correctional Services for the Province of Ontario, and senior ministry staff. While no concrete commitments resulted, the meeting was an opportunity to engage provincial officials, who were well-informed about the issues involved. In late November, Glenn also travelled to Montreal and briefed a working group of Quebec prison administrators and Montreal public health practitioners who are considering the issue.

We have also been in contact with senior officials in British Columbia, and have worked with the National Union of Public and General Employees (NUPGE) to brief members by teleconference. NUPGE represents provincial public sector workers, including correctional workers, in all provinces except Quebec. Some provincial unions were receptive to exploring the benefits of prison needle exchange, while others called the introduction of such programs “a walk-out issue”.

Finally, the Network’s outreach to the Federal/Provincial/Territorial (FPT) Committee on AIDS and to the FPT Heads of Corrections Working Group on Health on this issue has paid dividends. After a joint briefing by Ralf Jürgens, the Network’s outgoing Executive Director, the two groups struck an ad hoc working group of provincial officials to examine criteria for appropriate institutions for pilot projects. Unfortunately, Correctional Service Canada declined to be part of this ad hoc group. The Legal Network will continue to follow up on the report’s recommendation and push for the implementation of pilot projects in prisons throughout Canada.





## New Project to Offer Model HIV/AIDS Legislation

The Legal Network has begun a project to develop options-based model legislation in the context of HIV/AIDS, with start-up funding from UNAIDS and additional support from the John Lloyd Foundation, the International Affairs Directorate of Health Canada and the Hilda Mullen Foundation.

Under the guidance of an international advisory committee, the Network's Senior Policy Analyst Richard Pearshouse will research and draft model legislation in two priority areas related to HIV/AIDS: legal frameworks in the area of illicit drug control that facilitate harm reduction approaches so as to respect, protect and fulfil the human rights of injecting drug users; and legal frameworks conducive to the respect, protection and fulfilment of women's rights.

The model legislation will be informed by the experiences of successful law reform initiatives, and will primarily serve as a resource for developing countries and countries in transi-

tion, incorporating principles contained in international human rights treaties, the UN General Assembly Declaration of Commitment, and the International Guidelines.

In order to allow countries to choose among a range of provisions and adapt frameworks to their context, the model legislation will be "options-based," and annotations will be included to highlight critical issues, areas of potential conflict and possible solutions. Distinct, country-specific versions of the model legislation will also be prepared, accompanied by action plans to address requirements such as capacity-building for state institutions.

The project will involve two periods of international consultation in order to ensure that the process is sensitive to issues of national sovereignty. An initial, formal consultation will take place via an international meeting in the late fall of 2005. A subsequent consultation will take place via solicitation of comments on the draft legislation.



### Inside the Network

## An Interview with Executive Director Joanne Csete

On 1 November 2004, Joanne Csete became the Legal Network's new Executive Director. *Network News* asked her to talk about her new role and upcoming plans for the Network.

**NN: Although you have been Executive Director for just a short time, what is your sense of the challenges facing the Network in the months and years ahead?**

JC: In Canada, as in much of the world, it remains a challenge to keep HIV/AIDS on the agenda and, beyond that, to put a concrete meaning to the idea of a human rights-based approach to HIV/AIDS. Even after all these years, those who portray HIV/AIDS as the disease of people who can't control their behaviour or people who in some sense deserve what they get with HIV/AIDS somehow still manage to dominate certain policy debates and get the headlines.

Structural factors such as human rights violations that constrain people's behavioural choices and put them at risk of HIV or of exclusion from HIV/AIDS treatment and care seem to be of less interest to the public, the press and policy-makers. We have to intensify our work to make these interesting and to explain the link between human rights and HIV/AIDS.

**NN: Your career has included periods of living in the U.S., Kenya, Rwanda, Burundi, and the Congo and shorter periods of work in former Soviet countries. What particularities have you found about working in Canada?**

JC: Well, nothing can prepare a person for winter in Montreal! Seriously, one has high expectations of Canada as a country known

## Interview *(continued)*

internationally for its support of human rights. Even here, though, it's often necessary to keep pressing to see the concrete playing out of a "human rights-based approach to HIV/AIDS." Sadly, women, drug users, Aboriginal people, and sex workers (among others) in Canada seem still to share many of the same day-to-day challenges to their human rights as those faced by their counterparts in countries with poorer human rights records. The willingness of Canada to include civil society in decision-making distinguishes it from many countries, and that is cause for optimism. I think I haven't been here long enough to know how long it takes for inclusive processes to result in better outcomes for the most marginalized and at-risk people in the country.

**NN: What do you see as the key issues facing HIV/AIDS and human rights advocates right now?**

JC: This is a key moment in the history of HIV/AIDS in several ways. The US is mounting an all-out attack on harm reduction, apparently seeking to impose a "gag order" on the UN and other institutions when it comes to any

endorsement of harm reduction measures. The lives of millions of drug users are in the balance. In addition, the US and some of its allies are moving with vast, well-funded programs to placate the current administration's ultra-conservative base by taking sex education and condoms out of reach of young people and others who need them in favour of preaching sexual abstinence outside marriage.

This is a time when homophobia (abstinence-until-marriage programs are inherently homophobic, among other problems), discrimination against and persecution of drug users and sex workers, and lack of respect of the rights of women and girls are perhaps more than ever undermining the struggle against HIV/AIDS in many parts of the world. Canada's voice at home and abroad is a crucial one, especially as global attention will increasingly turn to Canada in the lead-up to the International AIDS conference in Toronto in 2006. Advocates face an urgent challenge to be sure that the human rights-friendly voices are heard above the din of misguided messages of blame and marginalization.

## Farewell to Luke Nicholson

Luke Nicholson brought his good humour, dedication to the cause, and booming voice to the Network for 2 years as part-time office clerk. He has recently accepted a position as teaching assistant for Concordia University's

on-line course on HIV/AIDS, in addition to continuing with his master's degree in Fine Arts. We thank Luke for his contribution and wish him the very best with his studies and new endeavours.



## Coming Soon

### Joanne Csete to speak in Montreal

As part of Concordia University's Community Lecture Series on HIV/AIDS, Joanne Csete will discuss "Missed Opportunities: Are We Losing the AIDS Battle by Ignoring the Human Rights Connection?" on 17 March 2005 at 6:00pm in room H-110 of the Hall Building, 1455 de Maisonneuve W., Montréal. For more information, call (514) 848-2424, ext. 7998.

## Save the dates! 2005 Annual General Meeting and Skills-Building Workshops

For the second year in a row, the Legal Network and the International Coalition on AIDS and Development (ICAD) will jointly hold their AGMs and skills-building workshops, 9-11 September 2005 in Montreal. Save the dates! More details to come soon.



## The Legal Network at the Belfast Harm Reduction conference

Joanne Csete will speak in the first “major session” of the International Harm Reduction Association conference in Belfast on March 21. Her talk, “Human Rights, Anyone?” will highlight the importance of mobilizing the human rights movement around the cause of harm reduction. Joanne and Ralf Jürgens will also participate in a panel on the human rights of drug users and prisoners.



*A Plan of Action for Canada to Reduce HIV/AIDS-related Stigma and Discrimination*  
[www.aidslaw.ca/Maincontent/issues/discrimination/action-plan/report.pdf](http://www.aidslaw.ca/Maincontent/issues/discrimination/action-plan/report.pdf)

*Part of the Solution* (12-page booklet)  
[www.aidslaw.ca/Maincontent/issues/discrimination/action-plan/booklet.pdf](http://www.aidslaw.ca/Maincontent/issues/discrimination/action-plan/booklet.pdf)

*Joint Advocacy on Microbicides, Treatment, and Vaccines*  
[www.aidslaw.ca/Maincontent/issues/vaccines.htm#mtv](http://www.aidslaw.ca/Maincontent/issues/vaccines.htm#mtv)

- *Developing an Agenda for Action*
- *Statement of Commitment to Building a Comprehensive Global HIV/AIDS Response*

*HIV/AIDS Policy and Law Review* 9(3)  
[www.aidslaw.ca/Maincontent/otherdocs/Newsletter/vol9no32004/issue.htm](http://www.aidslaw.ca/Maincontent/otherdocs/Newsletter/vol9no32004/issue.htm)

*Promoting Healthy Public Policy in Canada and Around the World:* Presentations made on the occasion of the Canadian HIV/AIDS Legal Network & Interagency Coalition on AIDS and Development Joint 2004 AGM and Skills Building Workshops  
[www.aidslaw.ca/Maincontent/events/agm2004/AGMProceedings2004.pdf](http://www.aidslaw.ca/Maincontent/events/agm2004/AGMProceedings2004.pdf)

*PROCEEDINGS: Human Rights at the Margins: HIV/AIDS, Prisoners, Drug Users, and the Law, A Satellite of the XV International AIDS Conference*  
[www.aidslaw.ca/bangkok2004/SatelliteProceedings-final.pdf](http://www.aidslaw.ca/bangkok2004/SatelliteProceedings-final.pdf)





## Feedback

*“(The Plan of Action) is very comprehensive, inclusive, participatory and involving of other sectors. It also is consistent with our HIV/AIDS advocacy strategy in that it fleshes out our call for the federal government to strengthen its support for Canadian HIV/AIDS programming to deal with stigma and discrimination as well with prevention and treatment programs.”*

- Jim Marshall, Programme Officer, Economic Justice & Social Well-Being,  
The United Church of Canada

*“We are pleased to add your extremely useful publications to our library collection to make them available for the MLAs and their research staff at the Legislative Assembly here in British Columbia.”*

- Cindy Tanner, Acquisitions Librarian, Legislative Library, Parliament Buildings,  
Victoria, BC



## Legal Network membership renewal time is here!

You may have already received your invitation to renew your membership for 2005 by mail.

Please fill out the form, and return it to us as soon as possible, in order to ensure that you don't miss out on any membership benefits.

If you have any questions about your membership, or if you would like to refer colleagues or friends to us so that we can invite them to become members as well, please contact Elana Wright at [ewright@aidslaw.ca](mailto:ewright@aidslaw.ca), or by phone at (514) 397-6828, ext. 259.