

# LNN

LEGAL NETWORK NEWS

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## Women’s rights consultation in Johannesburg

What does a domestic-violence bill protecting women’s rights in the context of HIV/AIDS look like? What sort of procedural protections do survivors of sexual violence require in the criminal-justice system? What are some examples of programs designed to protect women from violence and from HIV transmission?

These questions and more formed the basis for an October consultation meeting in Johannesburg, South Africa. Organized by the Legal Network as a critical component of its draft-legislation project on women’s rights, the two-day meeting assembled human-rights experts from sub-Saharan Africa to provide feedback on the resource before its publication.

“The draft legislation is intended as an advocacy resource for developing countries and countries in transition,” said Senior Policy Analyst Alison Symington, one of the document’s authors, “so it’s essential that we hear from our colleagues who are living and working in the region.”

Following a detailed review of the first two modules (which address rape and sexual assault, and domestic violence), participants provided comments, suggestions and examples from their own jurisdictions as to how the notes and provisions could be strengthened. They also strategized around possible next steps and ways to ensure that this project makes a tangible contribution to existing or future law-reform efforts.

“The discussions were intense, detailed, technical and grounded in the experience of the participants working on the ground in their own countries on these issues,” said Symington. “Their passion and enthusiasm — for their work, for this project, and for advancing women’s rights — were infectious. It was a really enriching experience, and I’m really looking forward to the next consultation meeting.”

A second consultation meeting in January 2008 will address the remaining two modules, which focus on marriage and divorce, and property and inheritance.



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— Senior Policy Analyst Alison Symington

In addition to helping refine the text of the draft legislation, the meeting also strengthened partnerships between the Legal Network and advocates and NGOs working on sexual violence and HIV/AIDS issues in sub-Saharan Africa — partnerships the Legal Network hopes will result in national-level collaborations to achieve legislative reforms. One such collaboration is already underway: coming out of this meeting, the Legal Network is

at work with the Botswana Network on Ethics, Law and HIV/AIDS (BONELA) on a domestic-violence bill that is before the Parliament of Botswana.

“This is where the project really takes on a life of its own,” said Symington, “in effecting concrete changes that will protect women, empower them, and advance the human rights of those affected by HIV/AIDS.” **LNN**

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The Canadian HIV/AIDS Legal Network promotes the human rights of people living with and vulnerable to HIV/AIDS, in Canada and internationally, through research, legal and policy analysis, education, and community mobilization. The Legal Network is Canada’s leading advocacy organization working on the legal and human rights issues raised by HIV/AIDS.

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## Feature | Going global: AIDS law portal project lifts off

On the eve of the XVI International AIDS Conference (AIDS 2006), the Legal Network invited over 50 leading AIDS and human-rights experts from around the world to brainstorm ideas for a global, on-line, information-sharing platform on AIDS law and human rights.

Now, with funding from UNAIDS and the United Nations Development Programme (UNDP), the ideas and recommendations from that satellite



During the first phase of the project — to span the next 18 months — David will chart a blueprint for what is currently envisioned as a multilingual website or portal that will allow people around the world — lawyers and other advocates, judges, and policy-makers, for example — to not only use it to get information on AIDS law and human rights, but to contribute to it. To this end, an international advisory

“Our goal is to get the buy-in and involvement of key players across the globe, so that the resource meets the needs of, and ‘belongs’ to, the very people it’s being built for.”  
 — Project Coordinator David Cozac

meeting are becoming a reality. Guiding this ambitious project to life is the full-time job of Project Coordinator David Cozac, the Legal Network’s newest Communications Unit staff member.

“There are so many directions this project could grow in,” says the Toronto native and graduate of the University of Windsor and Queen’s University. “My job for now is identifying the possibilities and matching them with the needs of the people and organizations around the world that will use this resource.”

Fluent in three languages (English, French and Spanish) and with over

a decade of experience working in human rights, David is uniquely qualified to helm such a project. His work at the International Freedom of Expression eXchange (IFEX), a coalition of about 100 international free-expression groups, contributed to the set-up of a multilingual website for networking, information-sharing and capacity-building.

“IFEX has been bringing together member groups and activists from around the world for ten years,” says David. “In these terms, I definitely think it can serve as a basic model for filling the gap in the world of AIDS, human rights and the law.”

committee will be formed to make it a project developed both for and by stakeholders worldwide.

“The Legal Network is spearheading this initiative, but this project will eventually be a global collaboration,” says David. “From the outset, our goal is to get the buy-in and involvement of key players across the globe, so that the resource meets the needs of, and ‘belongs’ to, the very people it’s being built for.”

To read the report from the AIDS 2006 satellite meeting (“Global Networking for AIDS, Law and Human Rights”), visit [www.aidslaw.ca/aids2006](http://www.aidslaw.ca/aids2006). **LNN**

## Moving on | Leon Mar

*In late December, Executive Director Richard Elliott announced the resignation of Leon Mar as Director of Communications of the Legal Network. Leon's last day at the Legal Network was February 8. Before leaving to assume his new position as Director, Marketing & Communications, at the Ontario College of Art & Design (OCAD), he reflected on his time here.*

As I told the staff, the decision to leave the Legal Network was not an easy one to make. There's so much that I'll miss. Working on issues-driven communications that have a direct impact on people's lives was what attracted me to this job in the first place; that hasn't changed in the

to whom I owe a special debt of gratitude. Joanne Csete and Richard Elliott, the Legal Network's past and present executive directors, respectively, took a leap of faith in hiring me. When I applied for this job, I was an outsider, not just to the Legal Network, but also to the AIDS

Vajdon Sohaili has very capably and patiently been my right-hand man — and my rock. I know that without him, it would've been much harder to rise to the challenges (and there have been many) I faced from the start — and a lot less fun. I am so very proud of what we, together, have achieved.



“It's been truly humbling to work with such intelligent, dedicated and passionate individuals.”

— Leon Mar

over two years I've worked here.

But, as is usually the case in organizations of the Legal Network's calibre, it's neither the nature of the work nor the work itself that I will miss the most; rather, it's the people I've been so privileged to call my colleagues. It's been truly humbling to work with such intelligent, dedicated and passionate individuals.

There are three people in particular

and not-for-profit sectors. Joanne and Richard provided all the support, encouragement and time I needed to tackle what was a dauntingly steep learning curve; most importantly, they inspired me. They are easily the two most intelligent people under whom I have ever worked and two of the best teachers I have encountered in my life. I hope that I was deserving of the faith they put in me.

For most of my time with the Legal Network, Communications Specialist

And so, thanks to you all — my colleagues here in the Toronto office, our board members, and my counterparts in our member organizations across the country. It's been both an honour and a pleasure.

## Kudos | Thomas Kerr

Congratulations to Legal Network President Thomas Kerr, who travelled to Ottawa in November to accept the CIHR Knowledge Translation Award from the Canadian Institutes of Health Research. The award recognizes an exceptional individual or team involved in a health research project that advances and expands “knowledge translation.”

Kerr’s research evaluating Insite, the supervised injection facility in Vancouver’s Downtown Eastside, has contributed significantly to academic, public and government discussions, both nationally and internationally, on the subject of injection drug use and HIV/AIDS.

“Thomas turns groundbreaking

research into evidence-based action,” said Executive Director Richard Elliott in a November 20 news release. “His work, dedication and leadership have benefited more people than he or we will ever know.”

Speaking at the awards ceremony, Kerr drew attention to critical areas in public health where gaps exist between the best scientific evidence and public policies.

“Few areas suffer from this concern more than the response to the illicit drug problem,” said Kerr. “Despite the existence of 25 peer-reviewed studies documenting the benefits of Insite, the facility continues to be the subject of considerable controversy. However, this controversy has occurred largely



*Legal Network President Thomas Kerr*

outside of the scientific community.”

He closed his acceptance speech with an impassioned plea to the federal government to support both evidence-based public-health policy and Insite.

To read Kerr’s biography, please visit [www.aidslaw.ca](http://www.aidslaw.ca) > *Who We Are* > *Board of Directors*. **LNN**

## MEDIA SCAN

The following facts and figures provide a snapshot of the Legal Network’s media activities from October 1 to December 31.

**48** Total number of media requests from outlets big (Canadian Press, Associated Press, CBC Newsworld, Radio Canada International) and small (Toronto’s *Eye Weekly* and Quebec television network TVA), as well as U.S. e-newsletters *Drug War Chronicle* and *FDAnews*

**6** Number of back-to-back interviews reacting to the National Anti-Drug Strategy done by Director of Communications Leon Mar in a two-hour period on CBC Radio One drive-home shows in Toronto, Ottawa, Victoria, Québec City, Whitehorse and Yellowknife

**2** Number of live-to-air, prime-time television appearances by Legal Network staff (Executive Director Richard Elliott on TVO’s *The Agenda with Steve Paikin* on December 12, and Director of Communications Leon Mar on CTV Newsnet on October 4)

**5** Number of talk-radio interview requests from programs in Calgary (AM 770’s “The World Tonight with Rob Breakenridge”), Winnipeg (CJOB’s “Richard Cloutier Reports”), Ottawa (580 CFRA’s “Afternoon Edition”) and Montréal (AM 940’s “The Joe Cannon Show”)

**9** Increase in the total number of news reports and programs in which Legal Network staff were cited, seen and heard, compared to the previous quarter

## Human rights guidelines for pharmaceutical companies

In September, Executive Director Richard Elliott participated in a daylong expert consultation at the University of Toronto on an initial draft of UN human-rights guidelines for pharmaceutical companies.



“Some two billion people around the world lack access to essential medicines,” said Elliott. “While international human rights law makes governments the primary actors, with legal obligations to ensure access to medicines for every person, a critical factor is also the role that the pharmaceutical industry has played, and should play, in addressing this inequity.”

The 48 draft guidelines — authored by the UN Special Rapporteur on the right to health, law professor Paul Hunt — deal with issues such as pricing, practices related to intellectual property, ethical marketing, clinical trials, corruption, and research and development for neglected diseases. Through non-binding language, they aim to assist both pharmaceutical companies, as well as those

monitoring their activities.

“The UN has enshrined the right of every person to the highest standard of attainable health,” said Elliott. “These draft guidelines recognize how the actions of pharmaceutical companies can significantly support or hinder the full realization of this right.”

A revised draft of the guidelines incorporating recommendations from the consultation was tabled in the UN General Assembly at the end of October for further comment; a final version is expected to be released in 2008.

*To read the draft guidelines, visit [www2.ohchr.org/english/issues > Health](http://www2.ohchr.org/english/issues/Health).*

## Legal Network supports Caribbean activist coalition

In September, Executive Director Richard Elliott co-facilitated a workshop in the Dominican Republic for HIV and human rights advocates from numerous Caribbean countries. He was joined by Veronica Cenac, a former board member and volunteer legal counsel of the AIDS Action Foundation in St. Lucia.

The three-day meeting was convened by the regional office of the United Nations Development Programme (UNDP) and the Caribbean Vulnerable Communities (CVC), a coalition of organizations and individuals working in rights-based HIV prevention, care, treatment and support.

“The participants came from about a dozen countries,” said Elliott. “They came to learn about international and regional human rights law, and to talk

about HIV and human rights issues in their countries.”

The workshop used case studies on access to HIV/AIDS treatment, and on the rights of sex workers, people who use drugs, prisoners, and lesbian, gay, bisexual and transgender people, to spark discussions on advocacy strategies at the regional and national levels in the Caribbean.

“Ultimately, the aim is to form a human rights working group within the CVC to kick-start efforts to address HIV-related legal and human rights challenges,” explained Elliott.

*For more information on the CVC, visit [www.cvccoalition.org](http://www.cvccoalition.org).*

## World Bank conference in Uzbekistan

In October, Senior Policy Analyst Leah Utyasheva delivered a presentation to the Inter-Country Consultation on HIV and Injecting Drug Use in Tashkent, Uzbekistan.

The two-day meeting, organized by the World Bank, followed the completion of a series of studies that mapped population groups vulnerable to drug use and HIV infection in Kyrgyzstan, Tajikistan, Uzbekistan and Afghanistan. The studies, conducted jointly by the World Bank and the United Nations Office on Drugs and Crime (UNODC), also looked at knowledge levels, attitudes and practices in relation to HIV/AIDS among these population groups. Meeting participants, including top officials from drug-control agencies, lawyers, medical officers and decision-makers from all four countries, reviewed the results of the research and discussed the

ramifications within South and Central Asia.

Utyasheva's presentation suggested possible approaches to law reform in the context of HIV/AIDS and drug use.

"Everyone acknowledged that sound legal frameworks are needed to combat HIV/AIDS," said Utyasheva. "They specifically highlighted the need for law reform in the area of stigma and discrimination against at-risk groups."

Many participants also commented on the importance of a UNODC-sponsored review of legislation currently under way in Central Asian countries. The Legal Network is an expert consultant on the review, which studies how existing legislation in the region affects access to prevention and treatment programs for members of at-risk communities.

## Communicating harm reduction

Over three days in November, the Legal Network funded a communications workshop in Bangkok for 12 HIV and drug-use advocates from diverse backgrounds and experiences.

Entitled "Communicating Harm Reduction," the workshop was organized by Pisan Suwannawong and Karyn Kaplan of the Thai Drug Users Network (TDN) and the Thai AIDS Treatment Advocacy Group (TTAG), and facilitated by Fiona Lloyd, a South Africa-based communications and media specialist who runs programs for journalists and HIV/AIDS activists in Africa and Asia.



Participants at the "Communicating Harm Reduction" workshop

Participants honed their communication skills, identified a range of key harm-reduction messages relevant to the Thai context, and explored the potential and challenges of using media to communicate harm-reduction messages.

Participant feedback from the workshop was uniformly positive, attesting not only to its appropriateness within the Thai context, but also to the necessity for such training on a broader scale.

## Counterfeit drug strategy?

In November, Director of Communications Leon Mar spoke to a group of 45 health-care professionals at the South Riverdale Community Health Centre in Toronto. The presentation, organized by the Centre's COUNTERfit Harm Reduction Program, focused on the federal government's new National Anti-Drug Strategy.

Mar gave an overview of the strategy and the Legal Network's reaction to it, and explained the possible impact it may have on community-based harm-reduction programs and services such

as COUNTERfit.

"Obviously, one of our main concerns is the complete omission of funding for harm reduction in the new strategy. This might not have an immediate impact on programs like COUNTERfit, but we're afraid it may eventually have a chilling effect on such programs at the provincial and municipal levels," said Mar.

The new strategy funds law enforcement, prevention and treatment programs — three of the four so-called "pillars" common in many drug strategies. But the fourth pillar, harm reduction — which includes needle exchanges, methadone clinics and safe-injection facilities — has been eliminated.

Even worse, Minister Clement is sowing confusion by claiming that other measures, such as law enforcement, constitute harm reduction in their own right.

Mar expressed concern about the lack of detail on exactly what kinds of programs will be funded by the new strategy.

"Will we see money going to 'Nancy-Reagan-redux' programs, whose infamous 'just-say-no' approach has been a proven failure? Or will successful, pragmatic and evidence-based programs receive the funding they so desperately need? The answers to these questions are far from clear," warned Mar. [LNN](#)

## READER FEEDBACK

We welcome your feedback on our stories. Send your letters to the editor by e-mail to [LNN-NRJ@aidslaw.ca](mailto:LNN-NRJ@aidslaw.ca).

## NEW THIS QUARTER

## Reports

- Hard Time: HIV and Hepatitis C Prevention Programming for Prisoners in Canada  
[www.aidslaw.ca/prisons](http://www.aidslaw.ca/prisons)
- Civil Society Perspectives on Canada's Global Engagement on HIV and AIDS  
[www.aidslaw.ca/publications](http://www.aidslaw.ca/publications)
- Access to Medicines and Intellectual Property: An International Expert Meeting on Canada's Access to Medicines Regime, Global Developments, and New Strategies for Improving Access  
[www.aidslaw.ca/treatment](http://www.aidslaw.ca/treatment)

## Info sheets

- Promoting HIV and hepatitis C prevention programming for prisoners in Canada: Strategic directions for action  
[www.aidslaw.ca/prisons](http://www.aidslaw.ca/prisons)

## Q&A

- Forced HIV Testing: Questions and Answers  
[www.aidslaw.ca/testing](http://www.aidslaw.ca/testing)

## News releases

Available at [www.aidslaw.ca/media](http://www.aidslaw.ca/media)

- November 29, 2007 — National AIDS Organizations Call on Ottawa to Guarantee Current Funding for Local AIDS Programs and Services
- November 20, 2007 — Legal Network President Named National Recipient of Canadian Institutes of Health Research Award
- November 20, 2007 — New Anti-Drug Bill Likely to Lead to More Cases of HIV
- October 2, 2007 — Insite Extension a Political Manoeuvre Instead of a Public Health Decision — Existing evidence shows supervised injection facility should be permanent
- October 1, 2007 — Ottawa Adopting Failed U.S.-style “War on Drugs” — New National Anti-Drug Strategy plays politics with people's lives