

LNN

Legal Network
participates in UN review 3
of global drug policy
Hard Time gets national 4
launch
Students bring the world 5
to the Legal Network

LEGAL NETWORK NEWS

Issue 30 | July 2008



Peter Collins, Canadian recipient of the 2008 Awards for Action on HIV/AIDS and Human Rights

Prisoner health activist honoured at AGM

Over two June days in Ottawa, the Legal Network, the Canadian Working Group on HIV and Rehabilitation and the Interagency Coalition on AIDS and Development convened their annual general meetings — an opportunity to reflect on past work and plan for the coming year. Attendees at the joint event were also treated to a day-long workshop and consultation entitled “HIV/AIDS, Disability and Human Rights: International and National Dimensions” — an effective dovetailing of issues relevant to all three organizations.

The Awards for Action on HIV/AIDS and Human Rights — given jointly by the Legal Network and Human Rights Watch — were once again a highlight of the opening plenary, this year honouring the work of Peter Collins, a health activist and prisoner at Bath Institution, near Kingston, Ontario.

INSIDE

- 6 Media Scan
- 7 The AWARE-HIV/AIDS law: a negative role-“model”
- 7 Cautious optimism greets Regime breakthrough
- 8 Fine-tuning draft legislation on women’s rights
- 8 Barcelona: Harm Reduction 2008
- 9 “AIDSLEX” gathers momentum
- 9 CAHR 2008
- 10 Harm reduction in the heartland
- 10 UNAIDS immigration task team
- 10 Eastern Europe and Central Asia AIDS Conference
- 11 New board members
- 12 New This Quarter

“When it comes to harm reduction programming in prisons, such as needle exchange or safer tattooing, the Canadian federal government has categorically refused to act, rejecting the recommendations of medical experts, UN agencies and its own Public Health Agency,” said Legal Network Executive Director Richard Elliott, addressing an audience over 100 members from the three organizations, as well as media representatives and members of Peter’s family. “This deadly disregard for prisoner health — and consequently for public health — becomes increasingly indefensible.”

With a slideshow of Peter’s prolific artwork unspooling behind her, Giselle Dias, of the Prisoners’ HIV/AIDS Support Action Network (PASAN) and a long-time friend of his, described in detail some of Peter’s extraordinary contributions to advancing the health and human rights of prisoners. Chief among these have been the establishment (against persistent odds) of a peer health education office in his prison and his collaboration on a PASAN report that led to the 2004 introduction by Correctional Services Canada of the Safer Tattooing Practices Initiative — a demonstrably effective program axed by the current federal government in 2006.

Although Peter was restricted from attending the ceremony, his voice





© Peter Collins

“One day when we elect government leaders with the moral integrity to follow expert advice and the humanity to impose life-affirming change, our society will be closer to a place where we can all be proud and safer.”

— Peter Collins,
Canadian recipient of the
2008 Awards for Action
on HIV/AIDS and
Human Rights

was heard in a moving pre-recorded acceptance speech.

“I gratefully accept this honour and recognition on behalf of all those silenced by resistance and a lack of action displayed by our collective governments,” said Peter. “One day when we elect government leaders with the moral integrity to follow expert advice and the humanity to impose life-affirming change, our society will be closer to a place where we can all be proud and safer.”

Greeted by standing applause, Peter’s father, Michael Collins, accepted the award on behalf of his son. “This justifies his commitment and dedication,” he said. “It tells him that there is hope.”

Strong media interest accompanied the award as well as the larger issue

of HIV in prison. Both print and broadcast outlets featured national and local coverage before and after the event, and Richard Elliott was invited to a meeting of the editorial board of the *Ottawa Citizen* — a valuable opportunity to inform the opinions of an influential newspaper working close to the seat of government.

For more information on the AGM, including downloadable documents and presentations, please visit www.aidslaw.ca/agm. To find out more about the Awards for Action, go to www.aidslaw.ca/awards. To hear Richard Elliott’s conversation with the editorial board of the Ottawa Citizen, visit www.ottawacitizen.com/worldnextdoor, scroll down to the Archives box in the right-hand navigational column and go to the June 27 entry. **LNN**

LNN

LEGAL NETWORK NEWS

Editor: Vajdon Sohaili

Contributors: Sandra Ka Hon Chu, David Cozac, Vajdon Sohaili, Alison Symington, Leah Utyasheva

Translators: Jean Dussault and Josée Dussault

Design: Leon Mar and Vajdon Sohaili

Layout: Vajdon Sohaili

Legal Network News

c/o Canadian HIV/AIDS Legal Network
1240 Bay Street, Suite 600
Toronto, Ontario M5R 2A7

Telephone: +1 416 595-1666

Fax: +1 416 595-0094

E-mail: LNN-NRJ@aidslaw.ca

Website: www.aidslaw.ca/LNN

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.

ISSN 1488-0997

© 2008 Canadian HIV/AIDS Legal Network.

Funded by the Public Health Agency of Canada. 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 the Public Health Agency of Canada.



Canadian
HIV/AIDS
Legal
Network

Réseau
juridique
canadien
VIH/sida

Feature | Legal Network participates in UN review of global drug policy

In 1998, the UN General Assembly declared the goal of achieving a “drug-free world” within a decade. The 51st session of the UN Commission on Narcotic Drugs (CND) in Vienna in March 2008 initiated a year-long review of UN action on drug control. A “High-Level Meeting” of UN Member States is scheduled for March 2009 — in conjunction with next year’s CND session — and countries will adopt formal UN documents shaping future

discuss Canada’s policy positions on a variety of issues, as well as the recent criticisms of Canada by the International Narcotics Control Board (INCB). In its Annual Report, the body responsible for overseeing the UN’s drug conventions had reiterated its criticism of Insite — Vancouver’s supervised injection facility — while adding new censure for Canada’s having tolerated the distribution of safer crack kits by various municipalities.

analyzing UN systems of drug control and setting out recommendations to prevent the ongoing subversion of human rights.

“States have a legal duty to implement harm reduction measures that are known to protect and promote health,” said Richard in remarks delivered at the event. “If laws and policies aimed at controlling illicit drugs adversely affect health, then states must change those laws and

“If laws and policies aimed at controlling illicit drugs adversely affect health, then states must change those laws and policies.”

global action in responding to “the world drug problem”.

“This review process is an opportunity to call attention to human rights and public health concerns — including HIV — and ensure these issues are given primary consideration in evaluating the success or failure of the predominantly prohibition-based approach to drug policy that we’ve seen so far,” said Executive Director Richard Elliott, who attended this year’s CND session on behalf of the Legal Network — a non-governmental organization (NGO) in Special Consultative Status with the UN Economic and Social Council.

In addition to contributing to a day-long NGO forum, Richard met with the Canadian delegation to

“Yet again, the INCB shows itself to be dangerously blinkered by ideology and out of step with common sense, good science and sound public policy,” said Richard. For the benefit of the Canadian delegation, he highlighted that the INCB’s claim that supervised injection facilities breach the conventions is contradicted by the UN’s own legal advisors, who have concluded that such sites are legal under the treaties.

The Legal Network also co-hosted a well-attended side event on human rights, public health and drug control with Human Rights Watch (HRW), the Beckley Foundation Drug Policy Programme, and the International Harm Reduction Association (IHRA). The occasion marked the launch of *Recalibrating the Regime*, a report co-authored by the four organizations,

policies in order to comply with their human rights obligations.”

The Legal Network is working with the Open Society Institute, IHRA, HRW and others to follow up on outcomes of the CND so as to ensure that human rights dimensions of drug control policy are addressed. Richard returns to Vienna in July to attend “Beyond 2008”, a global forum of roughly 300 NGOs from all regions of the world to debate civil society resolutions that will feed into the decision-making by UN Member States as they complete the 10-year review, and chart a course for the future of UN policy and action on drugs.

To read *Recalibrating the Regime*, visit www.aidslaw.ca/drugpolicy > Publications. **LNN**

Feature | *Hard Time* gets national launch

Hard Time: HIV and Hepatitis C (HCV) Prevention Programming for Prisoners in Canada — the joint report by the Legal Network and Prisoners' HIV/AIDS Support Action Network (PASAN) — was the subject of a plenary presentation at the annual British Columbia Corrections Health Care Conference and at a separate meeting of the Federal, Provincial and Territorial (FPT) Heads of Corrections Working Group on Health meeting, both in April in

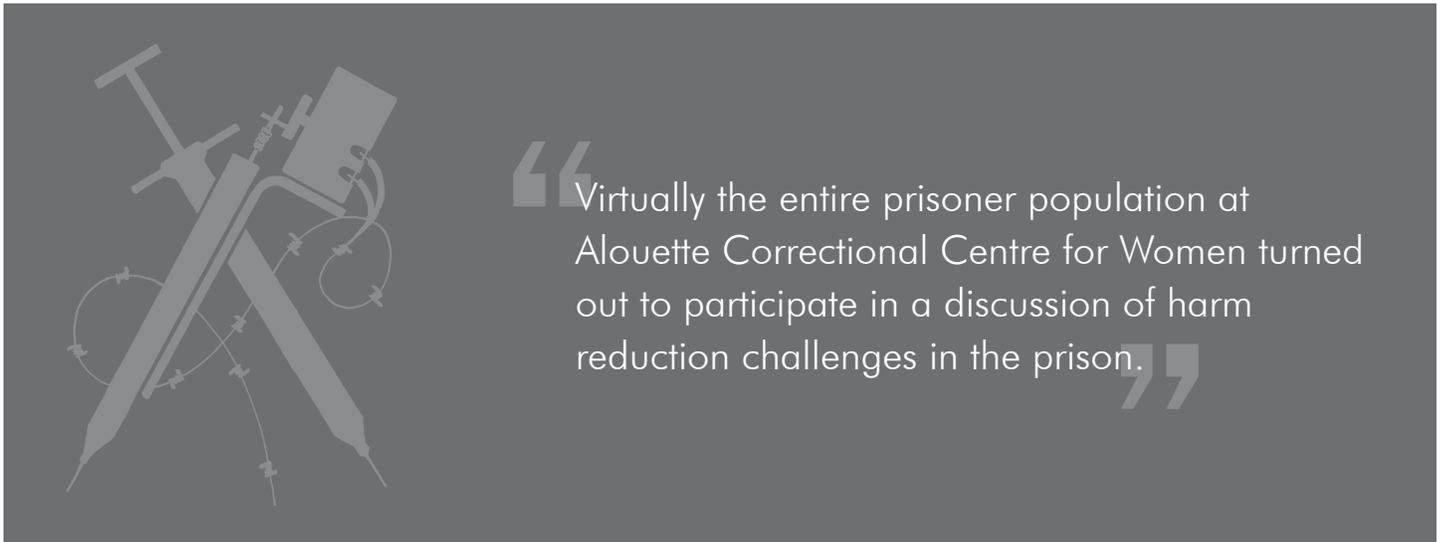
to begin by acknowledging the challenges faced by health care staff in providing comprehensive HIV and HCV prevention programs for prisoners.”

The presenters shared some of the best practices identified in the report, highlighting several examples from B.C. jurisdictions, to a largely encouraging audience response.

The subsequent presentation to some

HIV/HCV prevention and harm reduction.

Concluding the trip, Terry Howard, Prison Outreach Coordinator at British Columbia Persons With AIDS Society, organized prison visits in order to present *Hard Time* to prisoners. Unfortunately, lockdowns precluded presentations scheduled for the two federal men's prisons, but the Legal Network and PASAN did meet with women at



Vancouver.

At the Health Care Conference, the report's co-authors — Glenn Betteridge, former senior policy analyst with the Legal Network, and PASAN consultant Giselle Dias — presented the key findings and recommendations to an audience principally composed of corrections health care workers and corrections staff.

“Given the audience,” said Senior Policy Analyst Sandra Ka Hon Chu, also in attendance, “it was important

15 representatives of the 21-member FPT Working Group explored the recommendations and priorities for action laid out in *Hard Time* and initiated a discussion of the relationship between correctional health care authorities, civil society and community/public health. Also discussed was the possibility of adopting more concrete strategic activities for 2008–2009, such as organizing a national conference on health care in correctional settings (with HIV and HCV a major theme) and formulating national policy guidelines on best practices for

Alouette Correctional Centre for Women.

“Virtually the entire prisoner population turned out to participate in a discussion of harm reduction challenges in the prison,” said Sandra. “And when it was done, Glenn and Giselle were able to reconnect with some prisoners and prison staff who had been involved in the research for *Hard Time*.”

To read *Hard Time* and other prison-related materials, please visit www.aidslaw.ca/prisons. **LNN**

Profile | Students bring the world to the Legal Network

The three law students who joined the Legal Network in May — part of the annual summer internship program — bring not only passion for the issues of health and human rights and track records of meaningful community engagement, but also more than a little flavour of the international.

Hailing from Uzbekistan, **Feruza Djamalova** already boasts two graduate degrees: one in Comparative, European and International Law from the University of Maastricht in The Netherlands and another in International Law from the University of Toronto, where she will soon begin her doctorate of law. But it was during her undergraduate studies at the Tashkent State Institute of Law that she discovered her interest in human rights.

“Because of the post-Soviet attitude to human rights in Uzbekistan, many of my classmates were drawn to this issue,” says Feruza. However, when a friend and former supervisor seroconverted and requested Feruza’s help establishing an organization of people living with HIV, she saw how HIV and human rights are intertwined.

“It was almost impossible at the time,” Feruza recalls. “The Ministry of Justice had forbidden the registration of all non-governmental organizations.” Finally registering it under the name “Hope and Life”— still the only NGO in the country — the founder invited Feruza to join the staff as a legal advisor, providing the recent graduate with a valuable frontline glimpse into the experiences of vulnerable groups.



Left to right: Feruza Djamalova, Yin-Yuan (Y.Y.) Chen and Eric Boschetti

For **Yin-Yuan (Y.Y.) Chen**, a native of Taiwan, his undergraduate studies in biology and sociology at Emory University in Atlanta, Georgia and his Master of Social Work at the University of Toronto seemed to be preparing him for a future as a health care professional. But a two-year stint at the Committee for Accessible AIDS Treatment — where he coordinated research on improving access to mental health care for HIV-positive immigrants, refugees and people without status — deepened an already burgeoning interest in policy-related work.

“It was such a fascinating cross-section of issues,” says Y.Y., who just completed his first year of law at the University of Toronto. “I saw how HIV can work across multiple layers — not just health-related, but legal too.”

Though Y.Y. devotes one day a week

to managing a caseload at Advocates for Injured Workers, a student-run legal clinic, his focus continues to be on research related to health and policy.

“This is what I see myself doing ten years from now,” he says. “Being able to step back and take a macro-level view of policies and practices — I couldn’t imagine anything more suited to me.”

One of **Eric Boschetti**’s original interests was in commercial law — but during undergraduate work in economics, French and specifically international relations at the University of Pennsylvania in his native Philadelphia, he started seeing the human rights aspect of the issues.

“It’s about the desire to defend others and see things from other people’s point of view,” he says. “You really

have to step outside yourself more to do this kind of work.”

McGill University’s Faculty of Law became an ideal choice for Eric for a number of reasons — not only for its bilingualism and its trans-

a Legal Network member-organization — for whom Eric was official representative at the Legal Network’s annual general meeting in Ottawa (see “Prisoner health activist honoured at AGM,” p. 1).

Over the course of the summer, the students will contribute to a variety of projects under the supervision of the research and policy team. Feruza will devote her time exclusively to work related to former Soviet Union countries (supervised by Senior

“This is what I see myself doing ten years from now — being able to step back and take a macro-level view of policies and practices. I couldn’t imagine anything more suited to me.”

systemic approach to instruction, but also because it allowed him many opportunities for volunteerism. A dedicated activist in the LGBT community, Eric is co-coordinator of OutLaw, McGill’s student-run legal clinic and a volunteer with Fréquence VIH — a Montréal-based francophone network of people living with HIV and

“I see HIV as a way to bridge certain LGBT-specific issues with the larger issues of rights and the law,” says Eric. “Sometimes I can’t believe how incredibly lucky I am to be doing this work at the Legal Network!” — a statement to which Feruza and Y.Y. add their enthusiastic agreement.

Policy Analyst Leah Utyasheva), while Eric and Y.Y. will participate in critical fine-tuning of the imminent women’s rights draft legislation project (see “Fine-tuning draft legislation on women’s rights,” p. 8) and assist with research on several other projects. [LNN](#)

MEDIA SCAN

The following facts and figures provide a snapshot of the Legal Network’s media activities from January 1 to June 30 (two quarters).

25

Number of Legal Network media hits related to the Canadian Award for Action on HIV/AIDS and Human Rights (see cover story) — including stories in *The Globe and Mail*, *Toronto Star* and *Ottawa Citizen*; coverage of the award ceremony by Ottawa’s A-Channel; and a segment of CBC Radio’s national broadcast, *Sounds Like Canada*, featuring Executive Director Richard Elliott and sister of the recipient, Lucy Collins

15

Total number of Legal Network media hits (9 print and 6 broadcast) related to Rwanda’s successful use of Canada’s Access to Medicines Regime — as close to home as *The Globe and Mail* and as far afield as Contact-FM, a radio station in Kigali, Rwanda

74

Total number of media requests from outlets including CTV, Global Television, CBC Radio, *The Globe and Mail* and *Toronto Star*

7

Number of news releases issued by the Legal Network, including two criticizing the federal government’s blinkered approach to drug policy in light of the B.C. Supreme Court’s decision in favour of Insite

14

Number of media requests regarding the Legal Network’s joint letter of complaint with HALCO to the Ontario Judicial Council recommending disciplinary action after an Ontario judge ordered a witness living with HIV and HCV to be masked or testify from another room

The AWARE-HIV/AIDS law: a negative role-“model”

The Legal Network continued its efforts to counteract some of the damage done in west and central Africa by the harmful “model law” drafted by the Ghana-based, USAID-funded organization AWARE-HIV/AIDS. Acting as a legislative template, the “model law” continues to influence national HIV laws, though it is poorly drafted and holds little regard for key human rights norms and international policy guidelines on good legislative approaches.

“The ‘model law’ is silent on such critical issues as the rights of women and of prisoners,” said Director of Research and Policy Richard Pearshouse. “In other instances, its lack of precision or specificity is dangerous — for example, it opens

the door to dangerously broad criminalization of HIV transmission.”

At the request of the UNAIDS Regional Office for West Africa, the Legal Network wrote an analysis of the model law and the first wave of seven national laws that it spawned. Since then, a number of other countries — including the Democratic Republic of the Congo and Burkina Faso — have passed HIV laws based on the “model law”. Additional countries — including Senegal, The Gambia, Liberia and Côte d’Ivoire — have developed draft bills, on which the Legal Network has presented detailed comments and alternative legislative provisions, travelling to the region several times to present these tangible, rights-

friendly options to lawmakers.

Small gains were seen in amendments made to Senegal’s Bill, but much more is hoped for in the remaining four countries at drafting stage. To this end, Richard conducted a three-hour training at the Regional Management Meeting of the UN in Dakar in June with the purpose of building awareness and capacity among staff of UNAIDS and the United Nations Development Programme (UNDP).

“There’s still plenty that can be done in the four remaining countries with bills pending,” said Richard. “But success is going to require a far greater engagement at the country-level.” **LNN**

Cautious optimism greets Regime breakthrough

Pills could finally start flowing from Canada to Rwanda in the first-ever successful use of Canada’s Access to Medicines Regime, the law intended to make generic drugs more accessible to developing countries.

The news came after a competitive tendering process in which Rwanda’s Government chose to purchase a fixed quantity of a low-cost AIDS drug from Ontario-based generic pharmaceutical manufacturer Apotex, Inc. — the culmination of four years of intensive work by the company and various non-governmental organizations.

“This is great news and we hope supplies will start moving soon,” said Executive Director Richard Elliott in

a May 7 news release. “But Canada’s law is riddled with unnecessary hurdles. This [amount of work] is not sustainable.”

Last year, the Legal Network presented the government and

Parliament with a submission containing 13 concrete amendments they could pass immediately in order to make the law truly workable so that it is likely to be used again. But in December 2007, the Minister of Industry tabled a long-overdue report in Parliament indicating the government had no plans to make any changes.

“We did their homework for them,” said Richard, “but so far the government has refused to act. What we need is a straightforward system that is user-friendly for both developing countries and for generics manufacturers in Canada.”

To find out more about the Legal Network’s advocacy on the Regime, go to www.aidslaw.ca/treatment. **LNN**



IN BRIEF

Fine-tuning draft legislation on women's rights

Bringing its much-anticipated draft legislation project on women's rights nearer to completion, the Legal Network hosted a second consultation meeting in Johannesburg that assembled 16 experts from around sub-Saharan Africa to review and further develop the resource.



The first such consultation took place in October 2007, focusing on two of the draft legislation's four modules — those addressing rape and sexual assault, and domestic violence. The remaining two modules — on marriage and divorce, and property and inheritance — took centre-stage at the January 2008 two-day follow-up meeting.

“For women living in sub-Saharan Africa, laws regarding marriage, divorce, property and inheritance are of critical importance in terms of the impact of HIV/AIDS,” said Senior Policy Analyst Alison Symington, one of the document's authors. “However, these laws often fail women.”

One component of the resource therefore sets out draft provisions and accompanying commentaries for legislation that protects women's rights in each of these areas.

Lawyers and activists attending the consultation contributed insights into and examples of experiences defending women's rights and advocating for progressive legislation in their home countries. Convening into working groups, participants grappled with drafting corrective provisions on key issues where existing legislation can contribute to human rights violations, poverty, violence and the spread of HIV.

“These invaluable discussions will enrich the final resource,” said Alison. “But no less significantly, they strengthened relationships with key players in the region — paving the way for future collaborations that will use the draft legislation as a tool in law reform advocacy.”

The final women's rights draft legislation resource will be launched in a pre-publication version at the XVII International AIDS Conference in Mexico City in August and promoted at other strategic events over subsequent months.

Barcelona: Harm Reduction 2008

“Harm Reduction 2008: IHRA's 19th International Conference” was the venue the second year running for a Legal Network-hosted pre-conference satellite meeting on HIV and hepatitis C (HCV) in prison settings.

Organized by Legal Network



Barcelona, host city of “Harm Reduction 2008: IHRA's 19th International Conference”

consultant and former executive director Ralf Jürgens jointly with the Open Society Institute (OSI) and the International Centre for the Advancement of Addiction Treatment, and with the sponsorship and support of nine NGOs, UN and government agencies, the satellite gathered over 200 researchers, advocates, health care workers and others from a wide range of countries. Presentations and discussions centred on harm reduction and access to HIV testing, counselling and treatment in prisons. Director of Research and Policy Richard Pearshouse presented on legislating alternatives to imprisonment, and the importance of involving prisoners in addressing HIV and HCV in the prison setting was stressed.

At the main conference, Executive Director Richard Elliott joined a group of human rights and harm reduction advocates for a meeting with Paul Hunt, UN Special

READER FEEDBACK

We welcome your feedback on our stories. Send your letters to the editor by e-mail to LNN-NRJ@aidslaw.ca.

Rapporteur on the Right to the Highest Attainable Standard of Health — also the conference's keynote speaker — to discuss human rights issues and drug policy.

Both Richard Elliott and Richard Pearshouse presented posters on Legal Network research around drug addiction treatment and human rights standards — and Senior Policy Analyst Leah Utyasheva gave an oral presentation on preliminary results from the UNODC project on Azerbaijan and Central Asia (see “Eastern Europe and Central Asia AIDS Conference,” p. 10).

In collaboration with OSI's International Harm Reduction Development Program and the International HIV/AIDS Alliance, the Legal Network used the conference as a platform to launch the new international edition — in English and Russian — of *Nothing About Us Without Us*, its groundbreaking 2004 report on the greater involvement of people who use drugs.

To read the agenda of the satellite meeting and view key presentations, go to www.aidslaw.ca/barcelona.

To read the international edition of Nothing About Us Without Us, go to www.aidslaw.ca/drugpolicy.

“AIDSLEX” gathers momentum

With new funding pledges from the Levi Strauss Foundation and the MAC AIDS Fund, the Legal Network's project to build a multilingual web-based portal on AIDS and the law — under the working title of “AIDSLEX” — continues to make strides towards its

mid-2009 launch date.

A key element in tailoring AIDSLEX to its end-users was the establishment of a 12-person global steering committee to advise the Legal Network at each step of the way via information-gathering teleconferences.



“Members hail from across five continents and bring a wealth of expertise in a range of fields, including human rights, HIV-related law and internet technology,” said Project Coordinator David Cozac. “Their generous involvement helps to ensure that the final resource will be built by and for its intended audiences.”

On the technical front, the project's development was added to the roster of Toronto-based internet design and technology company, Version 5.1, which will oversee the creation of the site's architecture and design.

“A resource of this scale requires a contractor with extensive experience in developing large databases in multiple languages,” said Cozac. “We conducted a rigorous search and managed to have all our technical needs met in

one place.”

Following a June survey of prospective users of the website, responses are currently being analysed to help frame its structure and features, while research continues to assemble the library of international materials that will be a key component of AIDSLEX.

To sign up for updates on AIDSLEX, go to www.aidslex.org after August 1.

CAHR 2008

Senior policy analysts Sandra Ka Hon Chu and Alison Symington travelled to Montréal in April to showcase the Legal Network at the 17th Annual Canadian Conference on HIV/AIDS Research (CAHR 2008).

Keeping with the conference's focus on HIV prevention, Legal Network researchers delivered an oral presentation on legal and human rights issues related to the criminalization of HIV transmission, as well as poster presentations on the distribution of safer crack use kits in Canada, and on the evidence and experience favouring prison needle exchange programs.

The event also provided an opportunity for Sandra and Alison to learn about new and innovative HIV research being undertaken across the country and to network with diverse HIV/AIDS researchers, activists and community members.

A key theme that arose during the conference was the importance of linking socio-economic determinants of health with HIV risk behaviour. Discussions highlighted the need to address underlying factors such as sexual abuse, the disenfranchisement

IN BRIEF

of Aboriginal youth, gender analysis around risk behaviour (especially condom use and drug use), poverty and unstable housing as elements of comprehensive HIV prevention strategies.

Harm reduction in the heartland

Several hundred participants from around Alberta and the rest of Canada — mostly front-line service-providers — travelled to Red Deer in March to attend the 9th Annual Alberta Harm Reduction Conference.



On-hand to represent the Legal Network was Executive Director Richard Elliott, who delivered three oral presentations on harm reduction-related research — a discussion of barriers to access to needle syringe programs (based on the Legal Network’s 2007 report *Sticking Points*); an explanation of legal issues related to the distribution of safer crack kits (based on research for a forthcoming Q&A on this subject); and a description of key legal and human rights

challenges related to hepatitis C in Canada.

This last presentation was based on “*Viral time bomb*”, a report jointly published with Centre for Addictions Research of B.C. and released soon after the conference.

To read “Viral time bomb” and other resources related to drug policy and harm reduction, please visit www.aidslaw.ca/drugpolicy.

UNAIDS immigration task team

Since the beginning of the HIV epidemic, governments and the private sector have implemented travel restrictions on people living with HIV — raising serious human rights concerns about discrimination in today’s highly mobile world.

In 2007, the United Nations Joint Programme on HIV/AIDS (UNAIDS) created the International Task Team on HIV-related Travel Restrictions to address these concerns and move toward their elimination by positioning them on international and national agendas.

Comprised of two working groups focusing on short-term and long-term restrictions, the Task Team held its second meeting in Geneva at the end of March — and the Legal Network was there. Executive Director Richard Elliott delivered a presentation on the experience of changing Canada’s policy on requiring disclosure of HIV status by short-term entry applicants in the lead-up to the XVI International AIDS Conference in Toronto in 2006.

As part of its effort to convince states to remove such restrictions, the Task Team focused on its goal of getting the issue on the agenda of the UN’s High-Level Meeting in June 2008 as well as at the XVII International AIDS Conference (AIDS 2008) in Mexico City in August — where Richard will present on the human rights, ethical and legal considerations in a special session devoted to HIV-related travel restrictions.

To find out more about the Legal Network’s activities at AIDS 2008, please visit www.aidslaw.ca/aids2008.

Eastern Europe and Central Asia AIDS Conference

In May, Senior Policy Analyst Leah Utyasheva joined more than 2000 participants at the Second Eastern Europe and Central Asia AIDS Conference in Moscow — the largest AIDS-focused conference to date in the region.



Moscow, host city of the Second Eastern Europe and Central Asia AIDS Conference

“The region is experiencing one of the world’s fastest growing HIV epidemics,” said Utyasheva. “The conference allowed advocates to highlight some of the principal aggravating factors — such as injection drug use, the lack of prevention programming in prisons and the prevalence of HIV-associated co-infection with tuberculosis and viral hepatitis.”

Utyasheva presented Legal Network research in two poster presentations — one promoting the recent Russian translation of *Dependent on Rights: Assessing Treatment of Drug Dependence from a Human Rights Perspective*, and another describing preliminary results in a legislative analysis project focusing on the five countries of Central Asia and Azerbaijan.

This latter project is supported by the United Nations Office on Drugs and Crime (UNODC). The Legal Network is providing expertise to national assessment teams in the 6 countries as they analyze legislative barriers to effective HIV prevention and treatment for prisoners and people who use drugs; the teams are formulating recommendations for legislative and policy reform to support effective scale-up of the response to HIV among these particularly vulnerable populations. This work formed the basis for Utyasheva’s oral presentation at a UNODC-organized satellite meeting at the Moscow conference.

“The ultimate goal is to create a positive policy environment in the region to improve HIV prevention and care for these two vulnerable populations,” said Utyasheva of the project, a final report on which she is preparing for release later this year.



To read the Russian version of *Dependent on Rights* and other Russian-language resources, visit www.aidslaw.ca/ru.

New board members

At the 2008 Annual General Meeting in June, three new members of the Legal Network’s board of directors were acclaimed.

Liesl Gernholtz fills one of two positions reserved for international members. In May 2008, she assumed the role of director of the Women’s Rights Division of Human Rights Watch, having previously been Executive Director of the Tshwaranang Legal Advocacy Centre to End Violence Against Women in Johannesburg. Liesl was also manager of the legal unit of the AIDS Law Project of South Africa, and between 1998 and 2000, she was the head of the Legal Department at the Commission on Gender Equality, also in South Africa.

Ryan Peck is Executive Director of HALCO, the HIV & AIDS Legal Clinic (Ontario), where he was previously both an articling student and a staff lawyer. He has worked as a staff lawyer at both the Advocacy Centre for the Elderly and in the Tenant Duty Counsel Program at the Advocacy Centre for Tenants Ontario. He has also served as Criminal Duty Counsel at Toronto’s Old City Hall in

several different courts, including the Drug Treatment Court.

Christine Vézina works with the Coalition des organismes communautaires québécois de lutte contre le sida (COCQ-sida), doing research for advocacy projects and for the program on « Sida en milieu de travail » [“AIDS in the workplace”] (SMT). She has developed and presented a Quebec-based training program for members of COCQ-sida and their partners to address issues related to employment and disability.

Our thanks go to outgoing board member **Anna-Louise Crago** — who served from 2006 to 2008 — for her dedicated service.

For more information on our board of directors, visit www.aidslaw.ca > *Who We Are* > *Board of Directors*.

THE LEGAL NETWORK AT AIDS 2008

From August 3 to 8, 2008, Mexico City will host the XVII International AIDS Conference (AIDS 2008) — and the Legal Network will be there. In addition to delivering both oral and poster presentations on a range of issues, we will be co-hosting (with the Open Society Institute) the “Human Rights Networking Zone” in the Global Village.

For highlights of our activities, please visit:

www.aidslaw.ca/aids2008

NEW THIS QUARTER

Reports

- Recalibrating the Regime: The Need for a Human Rights-Based Approach to International Drug Policy
www.aidslaw.ca/drugpolicy > Publications
- Nothing About Us Without Us — Greater, meaningful involvement of people who use illegal drugs: A public health, ethical, and human rights imperative (International edition)*
www.aidslaw.ca/drugpolicy > Publications
- “Viral time bomb”: Health and human rights challenges in addressing hepatitis C in Canada
www.aidslaw.ca/drugpolicy > Publications

Info sheets

- Criminal Law and HIV — series of 5 info sheets
www.aidslaw.ca/criminallaw > Publications
- HIV and Hepatitis C in Prisons — series of 13 info sheets
www.aidslaw.ca/prisons > Publications

Briefing papers

- Opioid Substitution Therapy in Prisons: Reviewing the Evidence*
www.aidslaw.ca/drugpolicy > Publications
- Needle and Syringe Programs and Bleach in Prisons: Reviewing the Evidence*
www.aidslaw.ca/drugpolicy > Publications

Annual Report

- Annual Report 2007–2008
www.aidslaw.ca/annualreport

HIV/AIDS Policy & Law Review

Available at www.aidslaw.ca/review

- *HIV/AIDS Policy & Law Review* 13(1) — July 2008
- *HIV/AIDS Policy & Law Review* 12(2/3) — December 2007

News releases

Available at www.aidslaw.ca/media

- June 16, 2008 — Health Activist in Prison Wins 2008 Human Rights Award for HIV/AIDS Work
- May 29, 2008 — Insite Court Decision Confirms Canadian Drug Policy At Odds With Public Health and Human Rights
- May 27, 2008 — Court Ruling Shields Vancouver’s Supervised Injection Site
- May 5, 2008 — Canada Finally Poised to Deliver on Promise of Affordable Medicines to Developing Countries?
- April 16, 2008 — Manitoba Forced HIV Testing Law Based on Flawed Rationale
- March 14, 2008 — Mandatory Minimum Sentences for Drug Offences Counter-Productive to Public Health and Human Rights
- March 4, 2008 — Latest Report from United Nations Drug Control Body Misses the Mark

* Also available in Russian