

LNN

LEGAL NETWORK NEWS

First Annual Symposium
on HIV, Law and Human Rights 3

Compulsory drug
treatment in Thailand:
raising human rights
concerns 4

Issue 32 | April 2009



Most children living with HIV in developing countries must take unpleasant and problematic paediatric syrups
(Photo: © UNICEF/NYHQ2005-0870/)

Broad action to fix CAMR, treat children

The Legal Network's persistent push to have Canada's Access to Medicines Regime (CAMR) amended is starting to pay off.

On March 31, Senator Yoine Goldstein introduced legislation which largely reflects recommendations made by the Legal Network. This news on the parliamentary front followed a week of meetings between the Legal Network and a dozen Members of Parliament and participation in an Expert Panel in Ottawa, hosted by the Senator.

CAMR has the potential to save lives but the legislation is flawed. It's only been used once in nearly five years of existence for a single shipment of medicines to one country, Rwanda. Meanwhile, thousands of people with HIV in developing countries, including children, face death.

"One in two children with HIV in the developing world dies before reaching his or her second birthday, in part because less than 15 percent of them receives the treatment they need," said Cailin Morrison, the Legal Network's Legal Advisor in Trade and Intellectual Property Law. "If Canada's law were simply streamlined according to the Legal Network's recommendations, this unconscionable situation could be turned around."

Last year's use of CAMR was the result of four years' intensive work by the government of Rwanda, various non-governmental organizations and the Ontario-based generic pharmaceutical manufacturer, Apotex, Inc.

"It's an unnecessarily cumbersome process for both suppliers and purchasers — and it's the patients, including children, who end up suffering," said Cailin. "We met with Apotex and they agreed in principle to manufacture a fixed-dose combination pill for children, but only if the government streamlines CAMR."

With Apotex on board, Cailin travelled to New York to meet with officials at UNICEF world headquarters, placing in their hands *Delivering on the pledge, treating the most vulnerable*, a new Legal Network backgrounder highlighting the urgency of reforming CAMR to help treat children with HIV. As a result, UNICEF agreed to provide valuable technical support to the Legal Network in the scale-up of treatment for children living with HIV.



INSIDE

- 5 Profile | Gilles Marchildon
- 6 Women's rights legislative resource previewed
- 6 HIV and the law, post-Jane Doe
- 7 Yukon gets reprieve on forced HIV testing
- 7 Legal Network in the news
- 8 Treatment or Torture
- 8 Canada's UN review
- 8 Prisoners' voices strengthen case for PNSPs
- 9 Cross-Canada fora on HIV disclosure and the law
- 9 Joint statement to UN gender equality commission
- 9 Letter to G7 receives broad sign-on
- 10 National lawyers' referral list
- 10 Staff at large
- 11 Membership Announcement
- 12 New Resources




Using a "Wheel of Life," a volunteer (in white coat) explains the geographical inequality of HIV treatment to passersby outside Queen's Park in Toronto, during the Legal Network's National Day of Action and Awareness for CAMR

As details began to emerge back home about a possible private members' bill proposing reforms to CAMR, the Legal Network focused attentions on Parliament Hill. In the last week of March, Cailin and Executive Director Richard Elliott met one-on-one with a number of parliamentarians from all four federal parties in a bid to raise awareness and build support. This culminated in an expert panel on CAMR hosted by Senator Yoine Goldstein at the National Press Theatre, and featuring Richard Elliott alongside Stephen Lewis (former United Nations special envoy for HIV/AIDS in Africa), Nigel Fisher (President and CEO, UNICEF Canada), and Peggy Edwards (Co-Chair, National Advocacy Committee of Grandmothers to Grandmothers Campaign).

"It is incumbent upon my fellow parliamentarians to join me in fixing CAMR so these life-saving medicines can get to the people who need them," said Senator Goldstein

during the panel. "This is action we can take immediately — at no cost to Canadians."

The tabling on March 31 of Senator Goldstein's bill proposing amendments to CAMR was particularly well-timed: the Legal Network had already planned a country-wide National day of Action and Awareness for the following day. Using an internet-blitz of social-networking sites, Outreach and Development Coordinator Eowynne Feeney and Administrative Assistant Gilleen Witkowski mobilized student and community groups to hold awareness-raising activities in six major Canadian cities and launch the "Children Can't Wait!" postcard campaign. These events transformed April Fool's Day into a day to highlight the foolishness of inaction in the face of preventable suffering.

To learn more about the Legal Network's CAMR-related work, visit www.aidslaw.ca.camr. 

LNN

LEGAL NETWORK NEWS

Editor: Gilles Marchildon

Contributors: Sandra Ka Hon Chu, David Cozac, Vajdon Sohaili

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 1917-4365

© 2009 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

First Annual Symposium on HIV, Law and Human Rights

The Legal Network is breaking new ground this year by hosting the First Annual Symposium on HIV, Law and Human Rights — a day of workshops and panels, featuring a faculty of luminaries in the field of HIV and the law. The Symposium — titled “From Evidence and Principle to Policy and Practice” — will take place in Toronto on June 13, the day before the Legal Network’s Annual General Meeting on June 14.

Events get underway the evening of June 12 with a reception at

meet Justice Cameron and mingle with some of the top legal minds in the field,” said Richard.

In addition to the public lecture, Justice Cameron will also participate in a panel during the Symposium on the following day. He will keep company with an impressive line-up of other presenters, including Senator Pierre Nolin — who chaired the Senate Special Committee on Illegal Drugs in 2002 and supported the committee’s recommendations to fully decriminalize and legalize

agencies with skills for media advocacy, effective lobbying and practical strategies for doing HIV work in prisons.

“The workshops and panels at the Symposium will address a range of legal developments related to HIV,” said Outreach and Development Coordinator Eowynne Feeney, who has taken the lead on pulling together this multi-day event. Topics include the criminalization of HIV transmission and exposure, prisoners’ right to HIV prevention,

“It’s a great honour to have Justice Edwin Cameron on hand to inaugurate the Symposium.”

Osgoode Hall, the heritage building in downtown Toronto that houses the provincial Law Society and the Ontario Court of Appeal. The highlight of the evening is a public lecture by Justice Edwin Cameron, an internationally renowned human rights advocate and openly HIV-positive Justice of the Constitutional Court of South Africa, as well as an honorary advisor of the Legal Network. The reception will also honour the recipients of the 2009 Awards for Action on HIV/AIDS and Human Rights.

“It’s a great honour to have Justice Cameron on hand to inaugurate the Symposium,” said Executive Director Richard Elliott. In his lecture, Cameron will take up a topic of growing concern in Canada and internationally: the criminalization of HIV transmission and exposure. “This is a unique opportunity for people to

the use of marijuana in Canada — and legal experts, such as Marlyns Edwardh, senior counsel for a number of AIDS organizations who intervened in *R. v. Cuerrier*, the Supreme Court of Canada’s 1998 precedent-setting case on criminal charges for HIV exposure, and John Conroy, Q.C., counsel to the Vancouver Area Network of Drug Users (VANDU), in the ongoing litigation over Insite, Vancouver’s supervised injection site. Leading researchers, community workers and members, including Shelley Tomic, one of the plaintiffs in the court case to keep Insite open, will bring additional perspectives to the discussion of “hot topics” related to HIV and the law.

Panel discussions will be complemented by a series of hands-on workshops aimed at equipping frontline workers from community

developments in Canadian policy on illicit drugs and Canada’s law on global access to medicines. A full program is available at www.aidslaw.ca/symposium.

Though attendance at the public lecture is included with a symposium registration, places are limited at both events, and Eowynne encourages early registration. Those who register before April 30 will also be entered for a draw to win a first-class train trip for two, within the Windsor-Quebec corridor, thanks to generous support from Symposium sponsor VIA Rail Canada. Other key sponsors include the Ontario HIV Treatment Network, the Ontario Trillium Foundation, the Law Foundation of Ontario and Adair Morse LLP.

For more information and to register, visit www.aidslaw.ca/agm or www.aidslaw.ca/symposium. **LNN**

Compulsory drug treatment in Thailand: raising human rights concerns

With generous support from the Levi Strauss Foundation, the Legal Network has been able to undertake important research into the conditions faced by people who use drugs in Thailand, where the development and scale-up of harm reduction programs faces significant operational and political obstacles, and a new national drug strategy relies heavily on a system of compulsory drug dependence treatment.

“We have been hearing a number of reports of human rights violations,” said former Director of Research and Policy Richard Pearshouse, who travelled to the region on two separate occasions in the latter half of 2008. “So far, these violations do not seem to be on the scale of the 2003 ‘war on drugs’ that resulted in hundreds of extra-judicial executions — but nonetheless, advocates on the frontlines are concerned about the implementation of the new national drug strategy.”

Particular concerns centre on compulsory drug treatment programs. Though the number of people in such programs has sharply increased since 2002’s passage of the *Narcotic Addict Rehabilitation Act*, there has been relatively little attention given to intended or actual operational procedures.

“There was scant information available on the system and almost no discussion of how it accorded with human rights norms,” said Richard. “At the outset, we were unsure whether we would even be able to gain the access required for

the field research.”

However, thanks to careful diplomacy, Richard was able to meet with government officials, who approved his application to visit a number of treatment facilities, both more and less intensive, including those run by the Department of Probation and the Royal Thai Army. In addition, he conducted some fifteen detailed interviews with

interviewed reported forms of punishment that were cruel, inhuman and degrading,” said Richard.

These testimonies form a key component of the report, *Compulsory Drug Treatment in Thailand*. Along with a series of info sheets on drug use and HIV in Thailand, the report has been translated into Thai and will be launched at Harm Reduction 2009,



Richard Pearshouse (right) meets with officials from the Department of Probation and the Royal Thai Army at a drug treatment centre run by the Royal Thai Army, near Chiang Mai, northern Thailand

people who had passed through the compulsory treatment centres, both in Bangkok and Chiang Mai.

“Although Thai law deems that people who are dependent on drugs should be ‘treated as patients and not criminals,’ a number of those

the 20th annual conference of the International Harm Reduction Association, taking place in Bangkok in late April.

To read the report and info sheets, visit www.aidslaw.ca/drugpolicy > Publications. **LNN**

Profile | Gilles Marchildon

In January, after an extensive search, the Legal Network welcomed Gilles Marchildon as Director of Communications, formerly Director of Communications and Development at World University Service of Canada (WUSC). In addition to joining the Legal Network's management team, Gilles fills one of three directorships in the organization, and manages two staff members: the Communications Specialist and the AIDSLEX Project Coordinator.

this day.

"Every couple of weeks, we came down to a sit-in in front of the Minister of Education's office at Queen's Park," recalls Gilles of his involvement in what came to be known in national headlines as the "Penetang school crisis." "One of my first trips to Ottawa was to take part in guerrilla theatre on Parliament Hill."

Fittingly, Gilles went on to

Director of Egale Canada and helped spearhead a history-making three-year campaign for the right of same-sex couples to marry.

"After several very intense years at Egale, I was ready for a new opportunity," said Gilles. While at WUSC, he immersed himself in international development issues such as global poverty, women's rights and HIV/AIDS.

Since being at the Legal Network,

“There’s a learning curve for any newcomer to the organization, but I have to say the position fits me to a T.”



Born to a francophone home in Penetanguishene, Ontario, Gilles Marchildon received an early education in the power of protest. In his first year of high school, he joined 53 other students to stage a boycott of the supposedly bilingual high school in order to pressure the school board into building a French-language facility. What was planned as a two-week protest ended up lasting the entire year, saw the establishment of an “illegal” high school, and culminated in the capitulation by the authorities to build a French-language institution that exists to

study Political Science at the University of Ottawa, though his interest in arts and culture would guide his early career. A variety of arts management positions led to the creation of his own communications, marketing and event-planning firm in Winnipeg called People and Ideas, and allowed him to pursue his social justice interests through a number of high-profile board appointments.

It was not long before these activities would draw him once again into the political scene. In 2003, Gilles was appointed Executive

Gilles has made significant strides in government relations by orchestrating a number of in-person meetings with parliamentarians to discuss the issue of Canada's Access to Medicines Regime (see “Broad action to fix CAMR, treat children,” p. 1); he has also offered advice and expertise on the Legal Network's outreach and development activities.

“Obviously there’s a learning curve for any newcomer to the organization,” he admits. “But I have to say I’m feeling really comfortable here — the position fits me to a T.” **LNN**

Women's rights legislative resource previewed

While final pre-publication touches are being made to the Legal Network's forthcoming legislative resource in key areas affecting women's rights and their vulnerability to HIV, the Legal Network is actively promoting and publicizing the document, including at several key international conferences.

In December, Senior Policy Analyst Alison Symington — co-author of the resource — travelled to Dakar, Sénégal for the 15th International Conference on AIDS and STIs in Africa (ICASA), where she presented research in two different sessions: an oral abstract session explored the provisions of the legislative resource dealing with inheritance and property rights, while a poster presentation summarized the issues surrounding marriage and divorce.

"Women's issues received a lot of attention at the conference," said Alison, pointing to sessions on testing of pregnant women, violence against women, and reproductive rights. "However, the attention given to human rights could have been stronger."

Fortunately, Alison was able to raise human rights considerations, particularly in discussions related to the proliferation of the N'Djamena model law, with its harmful provisions on the criminalization of HIV exposure and transmission.

"Civil society voiced opposition to these provisions, but it soon became clear that there was a split between civil society and the parliamentarians in attendance," said Alison, who also took part in a press conference to launch the Open Society Institute's discussion paper, "Ten Reasons to Oppose the Criminalization of HIV Exposure or Transmission."

Two months later, Alison was in Cuernavaca, Mexico, presenting the women's rights research at "Sex, Rights and Law in a World with AIDS" — one of several meetings planned by aids2031, a consortium of partners to study lessons learned about the AIDS response and to consider implications of the changing world around AIDS.

"The Mexico conference featured three panels," said Alison. "Presenters, moderators and discussants examined existing


studies and projects and used them as a springboard to look at longer-term, structural issues around sex, sexuality, sexual identity and HIV vulnerability and risk." Alison contributed by presenting the women's rights legislative resource provisions dealing with family and property issues.

"Discussions were extremely interesting, forcing participants to think about what we would be doing differently today if our timeline for change was 20 years, rather than a one- or two-year project cycle," said Alison. "We were encouraged to consider multiple, reinforcing, parallel interventions rather than focus on one specific issue or project."

A paper synthesizing the meeting and making recommendations will be prepared by the conference organizers.

To read "Ten Reasons to Oppose the Criminalization of HIV Exposure or Transmission," go to

www.soros.org/initiatives/health/focus/law.


For more information on aids2031, visit www.aids2031.org. 

HIV and the law, post-Jane Doe

In early March, the Legal Network presented research at "Sexual Assault Law, Practice and Activism in a Post-Jane Doe Era," a conference hosted by the University of Ottawa's Faculty of Law, Common Law and Civil Law Sections. The conference was timed to use the tenth anniversary of the

decision in *Jane Doe v. Metropolitan Police Force* to assess the state of policing and the legal regulation of the crime of sexual assault, as well as feminist activism in response. ("Jane Doe" successfully sued the Toronto police for violating her constitutional right to equality and for breaching the duties they owed

her as an identifiable target of a serial rapist.)

The conference brought together a diverse mix of presenters, including lawyers, professors from a variety of disciplines, rape crisis centre workers, and anti-violence advocates. Topics addressed a 

number of sexual violence-related issues with reference to specific vulnerable communities, as well as relevant legal issues, such as access to justice, women's activism, and policing practices.

Senior Policy Analyst Alison Symington participated in a panel entitled "Criminalized Women and Women's Agency," in which she delivered a presentation on the use and implications of sexual assault charges in the criminalization of HIV. Her presentation introduced participants to the law around HIV non-disclosure in Canada, and raised questions about how this area of law is developing and what might be its implications for sexual assault law and for women in Canada. **LNN**

LEGAL NETWORK IN THE NEWS

- Coverage received in 109 news stories (both electronic and print media) since October 1, 2008
- The top 5 stories were on: criminalization of HIV exposure, harm reduction in prisons, cuts to federal AIDS funding (in October during federal election), our complaint to the Ontario Judicial Council about a judge's discrimination against a witness with HIV (early in the new year), and Canada's Access to Medicines Regime (CAMR)
- The issue of criminalization leads the pack in terms of media interest: 36 inquiries resulting in 49 mentions.
- Our push to reform CAMR garnered coverage for the Legal Network in the influential *Embassy* newsmagazine, *The Toronto Star* and *The Globe and Mail*.

Yukon gets reprieve on forced HIV testing

News in March of the Yukon territorial government's decision to defer forced HIV testing legislation was welcomed with delight by the Legal Network and other advocates. While the exact future of the bill remains unclear, the delay opens the door to changes.

The *Mandatory Testing and Disclosure Act*, introduced in late 2008, would have given emergency responders, including police, firefighters and paramedics, the power through a judge to demand a blood test from someone in the event they come in contact with that person's bodily fluids.

As with similar laws previously passed in certain Canadian provinces, the Legal Network opposed the legislation on the grounds that such measures violate a person's bodily integrity, and fail to provide any real support to emergency workers. In the present case, the Legal Network was joined in dissent by member organization Blood Ties Four Directions Centre; reports also indicated that the Yukon Medical Association, the Yukon Privacy Commissioner and the Office of the Ombudsman all raised concerns with the legislation.

Making its case to the territory's Ministry of Justice and members of its Legislative Assembly, the Legal Network delivered a submission in January highlighting the unjustified and unnecessary violation of rights inherent in the proposed legislation.

"Legislation that authorizes compulsory blood testing is not a measure needed to prevent the spread

of HIV, nor is it necessary to ensure quality HIV testing, counselling, care, treatment or support for those exposed to the risk of infection," said the Legal Network's brief. "Furthermore, compulsory blood testing is not a measure that respects and protects the right of people living with or vulnerable to HIV infection."

"I know that [the Legal Network's] efforts added to the voices of reason against a bill that simply wasn't good for Yukoners."

While in Whitehorse in February to attend the 2nd Northern Harm Reduction Conference, Executive Director Richard Elliott was able to follow up personally with policymakers. Richard met the Minister of Health and Deputy Minister of Justice, and members of the opposition from the Liberal Party and New Democratic Party, to discuss the testing bill; he also gave several media interviews on the issue and on harm reduction.

Patricia Bacon, Director of Blood Ties Four Directions Centre, was grateful for the Legal Network's expertise and in-person support.

"I know that those efforts made a difference and added to the voices of reason against a bill that simply wasn't good for Yukoners," she said.

To read the full text of the Legal Network's submission to the Government of the Yukon, visit www.aidslaw.ca/testing > Publications. **LNN**

IN BRIEF

Treatment or Torture

In November 2008, the Legal Network participated in an international consultation in Geneva to look at the issue of human rights in the context of treatment for drug dependence. Executive Director Richard Elliott presented “Treatment or Torture,” a discussion paper exploring how certain types of abusive drug dependence treatment could be characterized as torture or as otherwise cruel, inhuman or degrading treatment — and thereby be challenged using international human rights law mechanisms. A final paper will be released later this year. The meeting was hosted by the Open Society Institute’s (OSI) Public Health Program. For more information about this issue, see the OSI fact sheet, “Human Rights Abuses in the Name of Drug Treatment: Reports from the Field” at www.soros.org/initiatives/ihrd > Publications.

Canada’s UN review

In February 2009, Canada was reviewed for the first time by the UN’s new Human Rights Council. This process, called the Universal Periodic Review (UPR), involves a peer review of countries’ human rights records. The Legal Network jointly signed a submission by close to 50 NGOs but also prepared its own, in which it outlined five key human rights concerns that Canada should address in order to adhere to, and fulfill, its human rights obligations, both domestically and internationally: fix Canada’s law on access to medicines in developing countries; restore funding cuts from the federal AIDS strategy; improve access to harm reduction services

for people who inject drugs; ensure prisoners’ access to HIV prevention measures such as sterile injection equipment; and decriminalize sex workers to protect their health and safety.

Prisoners’ voices strengthen case for PNSPs

From Vancouver to Halifax and points in-between, the Legal Network has been interviewing federal prisoners and ex-prisoners in every region of the country to learn about their experiences with injection drug use behind bars. The results, transcribed and commissioned as affidavits, tell an urgent national story about the need for prison needle and syringe programs (PNSPs) in Canada’s prisons.



Prison Needle Syringe Programs (PNSPs) are not available in Canadian prisons

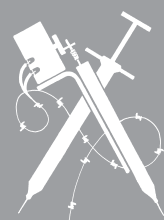
“Many of those we interviewed described a history of addiction,” said Senior Policy Analyst Sandra Ka Hon Chu, who has been conducting interviews since last November, and has more lined up for the coming months. “Almost everyone confirmed the widespread sharing of needles or makeshift implements to inject drugs in

prison.”

These findings, as well as other research on the need for PNSPs, were presented by Executive Director Richard Elliott at the 10th Annual Alberta Harm Reduction Conference in March, at which he was also the closing speaker.

With generous support from the M·A·C AIDS Fund, the affidavits will be excerpted into an anthology and paired with the scientific evidence and human rights arguments for implementing PNSPs. Publication and Canada-wide distribution is planned for later this year.

While in Vancouver collecting affidavits in December, Sandra also attended the Canadian Prison-Academic-Community Health and Education Conference, where she delivered presentations on the case for PNSPs and on *Hard Time*, the Legal Network’s 2007 joint report with member organization PASAN. Before an audience of prisoners and ex-prisoners, prison outreach workers, prison health academics, prison health professionals, and provincial and federal correctional staff, Sandra outlined some of the Canadian and international legal arguments for PNSPs and shared some of the best practices in prison harm reduction, as identified in *Hard Time*.



To read *Hard Time: HIV and Hepatitis C Prevention Programming for Prisoners in*

Canada, please visit www.aidslaw.ca/prisons.

“The presentations were well-received, though there was a palpable sense of frustration over the government’s resistance to comprehensive harm reduction measures in Canadian prisons,” said Sandra. “We hope that the vivid personal accounts in the affidavit project will raise awareness of the issues faced by people who inject drugs in prisons and strengthen the case for PNSPs,” added Sandra.

Cross-Canada fora on HIV disclosure and the law

In February and March, the Legal Network partnered with the Canadian AIDS Treatment Information Exchange (CATIE) and local organizations across the country to deliver a series of in-person workshops on HIV disclosure and the law.

CATIE obtained funding through the Public Health Agency of Canada to work with 11 local and regional partner organizations, from Vancouver to Halifax. COCQ-Sida delivered the workshops in Quebec. The Legal Network provided its expertise in criminal law, public health law and privacy law related to HIV and HIV non-disclosure.

Working as a consultant with CATIE’s educators and local partners, former Legal Network staff member Glenn Betteridge structured workshops that would meet the needs of community members as well as staff and other service providers. Some local AIDS service organizations used the workshops to provide community members with basic information about the law, while others included information

on the relevant policy issues and highlighted the advocacy efforts underway in their community and across the country.

“The workshops were incredibly well received,” said Glenn. “HIV disclosure raises complex legal issues and the criminalization of HIV non-disclosure is incredibly stigmatizing to PHAs [people living with HIV/AIDS]. But people realize these issues are not going away — PHAs and organizations need to know what the law says and where they stand legally.”

Joint statement to UN gender equality commission

In its capacity as a non-governmental organization in special consultative status with the United Nations Economic and Social Council (ECOSOC), the Legal Network joined with Human Rights Watch, the Law and Health Initiative of the Open Society Institute Public Health Program, and the Huairou Commission to issue a statement to the 53rd session of the Commission on the Status of Women (CSW), which met in early March.

Established in 1946, CSW is a functional commission of ECOSOC, dedicated exclusively to gender equality and advancement of women, and the principal global policy-making body on the issues. Representatives of Member States gather annually to evaluate progress on gender equality, identify challenges, set global standards and formulate concrete policies. The theme of this year’s meeting was the equal sharing of responsibilities between women and men, including



care-giving in the context of HIV/AIDS.

The Legal Network’s joint statement argued that such sharing of responsibilities does not just mean jointly caring for family members, but must also include equal rights and responsibilities with respect to property, land, housing and inheritance, so that women can enjoy the same access to resources as men. Concluding with several recommendations, the statement called on Member States to review their legislation related to women’s property rights, and to repeal or amend “all national laws that violate housing and land rights of women and girls, and allow for unequal inheritance.”

To read the joint statement, go to www.aidslaw.ca/women > Publications.

Letter to G7 receives broad sign-on

The Legal Network joined over 300 international civil society groups, health organizations, and faith-based groups in signing its name to a letter urging the leaders of G7 countries to move immediately to fill the funding gap faced by the Global Fund to Fight HIV/AIDS, Tuberculosis and Malaria.

Addressed to Canadian Minister of Finance Jim Flaherty and his

IN BRIEF

counterparts in G7 countries, the letter was spearheaded by Advocacy to Control Tuberculosis Internationally (ACTION), an international partnership of advocates working to mobilize resources to treat and prevent the spread of tuberculosis. Its delivery was timed to coincide with the G7 Finance Ministers' and Governors' Meeting, hosted in Italy in early February.

Read the letter in a number of different languages at www.action.org.

National lawyers' referral list

The Legal Network is establishing a country-wide list of lawyers able and willing to handle HIV-related cases, in order to support AIDS service organizations and people living with HIV/AIDS (PHAs) find the right lawyers in their communities when they need help.

"Annually, the Legal Network receives almost 500 inquiries on a range of legal issues, both general and specific," says Outreach and Development Coordinator Eowynne Feeney. "Though we do community legal education and provide information when possible, we are unable to administer direct legal services to individual clients. But, we hope the Lawyers' Referral Database will help to fill this need."

The Database will connect lawyers with potential clients; in some cases, it will also connect lawyers with other experts in the field who can assist in handling a client's case.

Suzan Krieger, an Individual

Advocate with the British Columbia Persons with AIDS Society, welcomed the initiative. "It is not only essential to know where to send people living with HIV and AIDS for legal expertise — it is critical."

For more information and for lawyers to sign up, please visit www.aidslaw.ca/lawyers after May 1.

Staff at large

Despite full rosters of work on Legal Network projects, staff-members still find time to chalk up some noteworthy, extracurricular achievements.

In April, Senior Policy Analyst Sandra Ka Hon Chu saw the publication of *The Men Who Killed Me* — a book collecting the harrowing testimonies of survivors of sexual violence in the 100-day Rwandan genocide of 1994. Co-edited by Sandra with her former colleague in The Hague, the book also features extraordinary black-and-white photographs taken by Samer Muscati, a Canadian lawyer and freelance photographer. More information on the book is available via www.menwhokilledme.com.



Marie Claire, one of the survivors profiled in The Men Who Killed Me (Photo: Samer Muscati)

Meanwhile, AIDSLEX Project Coordinator David Cozac had a personal reason to celebrate when Chinese journalist Jiang Weiping was reunited with his wife and daughter in Toronto in early February. Weiping had been imprisoned for six years by Chinese authorities for reporting on government corruption. While with his former employer, PEN Canada, David had worked closely on the successful campaign to shorten Weiping's sentence — and since leaving PEN, through quiet diplomacy, David continued his efforts to see Weiping reunited with his family.

HELP KEEP US INFORMED:

If you or clients of your organization

- are being investigated by police
- have been criminally charged by police, or
- have been convicted and are considering an appeal

the Legal Network wants to hear from you.

We are tracking cases across the country in order to better understand and respond to trends and legal developments. While we cannot offer direct legal advice, we can provide background materials and information to assist accused persons and their lawyers.

Please send relevant information and inquiries to criminallaw@aidslaw.ca.

MEMBERSHIP ANNOUNCEMENT: Thank You!

The arrival of our Outreach and Development Coordinator, Eowynne Feeney, has provided an opportunity to evaluate and revamp membership at the Legal Network. We sent out a survey to find out what you value in your membership, and we will use the results to maintain an efficient and engaging programme.

We would like to extend our heartfelt thanks to those who have been long-term members with us. You have worked with and shown support for the Legal Network since its days as a much younger and smaller organization. With your help, the Legal Network continues to grow.

Honorary Members:

Joanne Csete

Ralf Jürgens

Members for 10 years or more:

ACCESS AIDS Network

AIDS Coalition of Nova Scotia

AIDS Committee of Ottawa

AIDS Committee of Toronto

AIDS Community Care Montréal

AIDS New Brunswick

AIDS Vancouver Island

Canadian AIDS Society

Theodore de Bruyn

David Garmaise

HIV & AIDS Legal Clinic (Ontario)

Members for 5 years or more:

Action Séro Zéro

Barry Adam

AIDS Bow Valley

AIDS Coalition of Cape Breton

AIDS Committee of Durham Region

AIDS Committee of York Region

AIDS PEI Community Support Group

AIDS Programs South Saskatchewan

AIDS Saint John

Alberta Community Council on HIV

Alix Adrien

Dan Allman

Joan Anderson

Asian Community AIDS Services

Atlantic Centre of Excellence for Women's Health

Michael Battista

BC Centre for Excellence in HIV/AIDS

Line Beauchesne

Glenn Betteridge

Blood Ties Four Directions Centre

Bureau local d'intervention traitant du SIDA

Bureau Régional D'Action SIDA

British Columbia Persons with AIDS Society

Glen Brown

CACTUS Montréal

Canadian Harm Reduction Network

Canadian Treatment Action Council

CARE Canada

Ruth Carey

Casey House

Central Alberta AIDS Network Society

Centre des R.O.S.É.S. de l'Abitibi-Témiscamingue

Coalition des organismes communautaires québécois de lutte contre le sida

Coalition sida des sourds du Québec

Jonathan Cohen

Canadian AIDS Treatment Information Exchange

Joseph Cox

Jean Dussault

Josée Dussault

EMISS-ère

Dionne A. Falconer

Jacqueline Gahagan

HIV Network of Edmonton Society

Interagency Coalition on AIDS and Development

Lethbridge HIV Connection Society

Maria Nengeh Mensah

Mouvement d'information et d'entraide dans la lutte contre le sida à Québec

Diane Nielsen

Northern AIDS Connection Society

Oasis Program

David Patterson

John C. Plater

Positive Women's Network

Prisoners' HIV/AIDS Support Action Network

Red Road HIV/AIDS Network

Sidaction Trois-Rivières

Sida-Vie Laval

Stella, l'amie de Maimie

Streetworks

Vancouver Area Network of Drug Users

Victoria AIDS Resource & Community Service Society

YouthCO AIDS Society

NEW RESOURCES

Reports

- Compulsory Drug Treatment in Thailand: Observations on the *Narcotic Addict Rehabilitation Act B.E. 2545 (2002)* (also available in Thai)
www.aidslaw.ca/drugpolicy > Publications

Info sheets

- Drug Use and HIV/AIDS in Thailand — a series of 6 info sheets (also available in Thai)
www.aidslaw.ca/drugpolicy > Publications

Q&A

- Distributing safer crack use kits in Canada: Questions and Answers
www.aidslaw.ca/drugpolicy > Publications

Briefing papers

- Delivering on the pledge, treating the most vulnerable: Ensuring affordable AIDS drugs for children in the developing world by streamlining Canada's Access to Medicines Regime
www.aidslaw.ca/camr

Journal articles

- Effects of UN and Russian Influence on Drug Policy in Central Asia — *At What Cost?: HIV and Human Rights Consequences of the Global "War On Drugs"* (Open Society Institute, March 2009)
www.aidslaw.ca/drugpolicy > Publications

Advocacy

- Children Can't Wait! Dying for Drugs in Developing Countries — Postcard campaign
www.aidslaw.ca/camr
- The Proposed "Mandatory Testing and Disclosure Act": An Unjustified and Unnecessary Violation of Rights — Submission to the Yukon Department of Justice and Members of the Legislative Assembly
www.aidslaw.ca/testing > Publications

HIV/AIDS Policy & Law Review

Available at www.aidslaw.ca/review

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

News releases

Available at www.aidslaw.ca/media

- March 26, 2009 — Expert Panel Launches Campaign to Reform Access to Medicines Regime
- March 24, 2009 — Expert Panel to Discuss Reforming Access to Medicines Regime (Media Advisory)
- March 4, 2009 — The Rights of People Who Use Drugs in Prisons at Alberta Harm Reduction Conference (Media Advisory)
- January 22, 2009 — Canada Faces Review by United Nations Human Rights Council
- January 12, 2009 — Judge Admits Inappropriate Treatment of HIV-positive Witness
- October 9, 2008 — Canada Needs New Direction on Key Health Issues
- October 8, 2008 — Release of New Poll Results Highlights Health Issues Absent From Federal Election Campaign: National Drug Strategy and Funding For AIDS (Media Advisory)
- October 1, 2008 — Major Federal Parties Respond to Election Questionnaire on AIDS