



CANADIAN | RÉSEAU
HIV/AIDS | JURIDIQUE
L E G A L | CANADIEN
NETWORK | VIH-SIDA

Annual Report

2001 / 2002



Our Mission

The Network is a charitable organization engaged in education, legal and ethical analysis, and policy development. We promote responses to HIV/AIDS that

- implement the International Guidelines on HIV/AIDS and Human Rights;
- respect the rights of people with HIV/AIDS and of those affected by the disease;
- facilitate HIV prevention efforts;
- facilitate care, treatment, and support to people with HIV/AIDS;
- minimize the adverse impact of HIV/AIDS on individuals and communities; and
- address the social and economic factors that increase vulnerability to HIV/AIDS and to human rights abuses.

We produce, and facilitate access to, accurate and up-to-date information and analysis on legal, ethical, and policy issues related to HIV/AIDS, in Canada and internationally. We consult, and give voice to, Network members and a wide range of participants, in particular communities of people with HIV/AIDS and those affected by HIV/AIDS, in identifying, analyzing, and addressing legal, ethical, and policy issues related to HIV/AIDS. We link people working on or concerned by these issues. We recognize the global implications of the epidemic and incorporate that perspective in our work.



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Message from the President

The past year has been exceptionally dynamic, with respect both to the wider activities and accomplishments of the Network and the composition and role of the Board.

Perhaps most importantly, 2002 marks the 10th anniversary of the founding of the Canadian HIV/AIDS Legal Network. On behalf of all Board members, I would like to express my gratitude to all those whose contributions – over the years and in so many ways – have enabled the Network to make a difference in the lives of Canadians and people around the world who are living with and affected by HIV/AIDS.

In March 2002, Lori Stoltz stepped down as Board president to accept a position as Senior Policy Advisor to the Federal Minister of Health. Lori has been a true leader on the Board, and will be missed by all those who have had the pleasure to work with her. The Board also welcomed its first international member, Joanne Csete, Director of the HIV/AIDS and Human Rights Program at Human Rights Watch. The addition of an international perspective will help the Board ensure strategic integration and complementarity between the Network's activities within Canada and the work we undertake in other countries.

The Network continued to increase its membership in 2001/2002, growing from 200 to over 250 members across the country and internationally. The range, scope and impact of the Network's activities also continued to develop, further strengthening our relationship to the community we serve: people living with HIV/AIDS in Canada and in other parts of the world.

As the Network expands both in size and in the range of its activities, the Board has undertaken to ensure it plays a role that best serves the organization at this stage. In 2001/2002, we made significant progress in this regard, developing a new approach to Board governance that focuses more on strategic thinking and policy development and less on operational involvement. We put in place a series of policies to support this model, as well as identifying key Board committees (Executive, Board Development, Fund Raising) for which we developed terms of reference.

In 2002/2003, the Board will continue refine the broad, strategic role that it intends to play within the Network's overall activities. In particular, we look forward to the launch of a new, Board-led strategic planning process that will guide the Network's work over next five years.

We would like to thank the Network's staff for their many achievements and ongoing commitment this year; our fellow Board members for their hard work in continuing to play an integral part in our success; and, finally, our membership for the vital and impassioned guidance and support they provide.

We look forward to further collaboration and achievement over the next year.



Kevin Midbo

2001/2002 Board of Directors

Lori Stoltz, *President*
until 12 March 2002 (Ontario)

Kevin Midbo, *President*
since 12 March 2002
(formerly *Treasurer*) (Prairies)

Stefan Matiation, *Vice-President*
(Ontario)

Barney Hickey, *Secretary* (Pacific)

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Joanne Csete
since 12 March 2002
(International)

Marlene Daley, (Québec)

Thomas Kerr (Pacific)

Michael Linhart (Pacific)

Renée Masching (Atlantic)

Caroline Ploem (Atlantic)

Darlene Steele
until 12 March 2002 (Pacific)

Message from the Directors

In December 1992, a small group met in Montreal to produce a bilingual newsletter on HIV/AIDS-related legal issues, and to create what would later be named the Canadian HIV/AIDS Legal Network. Ten years later, the Network has grown dramatically and made significant contributions to the Canadian and international AIDS movements.

Two decades of HIV/AIDS have confirmed that the virus spreads along and widens society's fault lines of stigma, discrimination, and marginalization. Measures that respect, protect and fulfil universal human rights are fundamental to any effective, sustainable response. This global emergency demands leadership, vision, and solidarity with people whose human rights are violated in ways that increase their vulnerability to, and the impact of, HIV/AIDS.

However, this lesson has yet to be taken seriously at the highest levels. With some notable exceptions, the world's leaders have been largely indifferent, and in some cases overtly hostile, to basing global and national responses to HIV/AIDS on human rights principles and to making the necessary political and financial choices. Even as the UN General Assembly adopted a Declaration of Commitment on HIV/AIDS in June 2001, some countries opposed any express acknowledgement of certain groups particularly vulnerable to HIV/AIDS. Most governments remain unwilling to seriously address the poverty and gender inequality which fuel the epidemic. The wealthiest countries, including Canada, have failed to devote adequate resources, either at home or abroad, to fighting the worst public health crisis in history. This failure of real commitment is irrational, immoral, and unacceptable.

As of May 2002 over seventy countries, including Canada, had filed reports with the United Nations for the first annual review of the implementation of the Declaration. The Network will work with others to hold governments to their promises. Our recent accreditation as an NGO in special consultative status with the UN's Economic and Social Council will assist.

The Network is committed to undertaking strategic, targeted research and action that will have the greatest impact on the lives of people living with and affected by HIV/AIDS. We will continue to produce quality analyses of HIV/AIDS-related legal issues, to keep our members and partners informed of legal and policy developments, and to equip communities with information and tools for human rights education and advocacy. We will strengthen our international program, sharing our expertise and also learning from experiences elsewhere. Communications and information technology allows us to work with Canadian and international colleagues in ways not anticipated ten years ago. We will continue to develop the Network's website, an immensely valuable knowledge base, while ensuring maximum accessibility for those with limited resources and internet access.

We are proud of the Network's achievements, and we thank our co-workers for their committed team work, the Board for its guidance, dedication and vision, and our members for their support.



Ralf Jürgens



Richard Elliott



David Patterson

Network Staff

Ralf Jürgens, Executive Director

Richard Elliott, Director of Policy & Research

David Patterson, Director,
International Programs &
Capacity Building

Glen Bugg, Finance & International Programs

Terry Gould, Office Support and Resource Centre Coordinator

Thomas Haig, Communications & Project Coordinator

Éric Nolet, Project & Publications Coordinator

Anne Renaud, Office & Project Coordinator

William Hamilton,
Financial Coordinator

10 Years of Action on HIV/AIDS and Human Rights

Founded in 1992, the Network has a ten-year history of addressing the needs of people living with or vulnerable to HIV/AIDS. Interest in our work has been overwhelming, and the many resources we have produced have been well received and much in demand. This is best measured by the results of a national consultation on legal, ethical, and human rights issues raised by HIV/AIDS that we undertook on behalf of Health Canada in late 1998, by the results of the capacity-building initiative we undertook in 1999, and by an evaluation of selected Network projects undertaken in 2001: people with HIV/AIDS, AIDS service organizations, national and international non-governmental organizations, lawyers and staff of legal clinics, human rights commissions and organizations, experts in research, ethics, and law, addiction/substance use, professional associations, health and public health practitioners, and government officials spoke highly of our work and said they want and need more work in this area.

Our work has also received international recognition. Among other things, the United Nations Programme on HIV/AIDS has funded several Network projects and continues to contract the Network to develop policy option documents (such as on HIV/AIDS and criminal law and on HIV testing of peace-keeping forces), and included our activities in its collection of “best practices.” The *Canadian HIV/AIDS Policy & Law Review* is mentioned in the UN’s *International Guidelines on HIV/AIDS and Human Rights* as a model of community activity that governments should consider funding.

During the last years, the Network’s activities have included:

- A Joint Project on Legal and Ethical Issues Raised by HIV/AIDS, undertaken in part with the Canadian AIDS Society. As part of this Project, we
 - published and widely distributed discussion papers and final reports on HIV/AIDS in prisons, criminal law and HIV/AIDS, gay and lesbian legal issues and HIV/AIDS, and HIV testing and confidentiality;
 - published and widely distributed a discussion paper on HIV/AIDS and discrimination;
 - held workshops on HIV/AIDS and prisons, gay and lesbian legal issues, criminal law and HIV/AIDS, testing and confidentiality, and HIV/AIDS and discrimination; and
 - have undertaken follow-up on the recommendations made in the final reports.
- Work on legal issues relating to Aboriginal people and HIV/AIDS, in partnership with the Canadian Aboriginal AIDS Network.
- An analysis of key legal and ethical issues associated with (1) providing HIV/AIDS care, treatment, and support to drug users, and (2) preventing the transmission of HIV through drug use, with numerous recommendations to governments, health-care and social service providers, and researchers.
- A strategic planning process to reassess which legal, ethical, and human rights issues require most attention, and the development of an action plan for work on these issues in Canada for the period 1998-2003.
- As a result of the planning process and plan, undertaking multi-year projects in two areas: care, treatment, and support; and HIV vaccines.

“*Since the presence of the Legal Network on the Canadian and global scenes, significant changes have occurred. As a result of their work we now have enhanced or new rights for those with HIV/AIDS, better access to treatment, more attention to social, legal, ethical, human rights issues. Their presence has totally impacted the way we look at HIV/AIDS in Canada.*”

Their credibility, at the national level, is incredibly high. Without their ongoing efforts, many advancements would not have happened. No other organization takes on the task in the way they do. Their role is key.

– Comments made to the evaluation team by people interviewed during the evaluation of the Network’s programs, 2001

- Each year, undertaking analysis of one new, emerging, and pressing legal, ethical, and human rights issue related to HIV/AIDS.
- Developing a plan for capacity-building initiatives on legal, ethical, and human rights issues related to HIV/AIDS, and undertaking various such initiatives.
- Publishing and distributing the *Canadian HIV/AIDS Policy & Law Review*.
- Public seminars on law, ethics, and HIV/AIDS, with partial funding from the Québec Ministry of Health and Social Services.
- Maintaining a website of resources on current legal, ethical, and human rights issues raised by HIV/AIDS (www.aidslaw.ca).
- Building up, systematizing, and maintaining our resource centre, the largest and most comprehensive publicly accessible documentation centre in Canada in the area of legal, ethical, and policy issues related to HIV/AIDS.
- Entering into a partnership with the AIDS Law Project, South Africa (ALP).
- Organizing, together with the ALP, the Lawyers Collective HIV/AIDS Unit (India), and UNAIDS, satellite conferences focusing on legal and human rights issues, held in conjunction with the International AIDS Conference in Durban in 2000 and in Barcelona in 2002.
- Creating an International Program in 2001, adopting guiding principles for it, and vastly expanding our international activities.
- Undertaking a project on global access to treatment.
- Launching a listserv dedicated to the discussion of legal, ethical, and policy issues related to HIV/AIDS.
- Establishing, together with Human Rights Watch, the “Awards for Action on HIV/AIDS and Human Rights,” to recognize individuals or organizations in Canada and internationally that have made an outstanding contribution to addressing HIV/AIDS and human rights issues.

2001/2002 Highlights

2001/2002 has been another busy year for the Network. Highlights include the following:

- We actively participated in the UN General Assembly Special Session on HIV/AIDS.
- After undertaking extensive consultations, including a national workshop, we finalized and released three documents on “HIV Vaccines in Canada: Legal and Ethical Issues.”
- We produced a report on “Establishing Safe Injection Facilities in Canada: Legal and Ethical Issues” and released it jointly with organizations in Calgary and Vancouver.
- We produced a paper on “Ethical and Legal Issues for People Providing Services to People Who Inject Drugs.”
- Based on the results of a consultation with our members and other stakeholders, we organized a national workshop and worked on a paper on “privacy and confidentiality” issues as the “new, emerging and/or pressing issue” in our 2001/2002 workplan.
- We organized a two-day regional capacity-building workshop on HIV/AIDS and drug laws and on HIV/AIDS and HCV in prisons in Red Deer, Alberta, in partnership with the Alberta Community Council on HIV, the Saskatchewan AIDS Network, and the Manitoba AIDS Cooperative.
- After releasing our report on complementary/alternative health care and HIV/AIDS, we worked on a second priority legal, ethical, and human rights issue related to care, treatment, and support of persons living with HIV/AIDS: drug pricing.
- In February 2002, we presented three briefs to parliamentary committees: a brief to the Standing Committee on Justice and Human Rights on Bill C-217 (“Blood Samples Act”); a brief on “Injection Drug Use, HIV/AIDS, and HCV” to the Special Committee on Non-Medical Use of Drugs; and a brief on the regulations made under the *Immigration and Refugee Protection Act* to the Standing Committee on Citizenship and Immigration.
- As part of our monitoring and evaluation program, we worked with a team of consultants to follow up on the results of last year’s evaluation of selected components of our work, and developed an evaluation plan for 2001/2004.
- We continued the Network’s campaigning efforts on the issue of global access to treatment, in particular in the lead-up to the WTO Ministerial Conference held in Doha in November 2001.
- We undertook many new activities under the Network’s International Program, including preparing a background paper for UNAIDS on developing model legislation on HIV/AIDS; organizing a conference on legal, ethical, and human rights related to HIV vaccines and global access to treatment at the XIV International AIDS Conference in Barcelona; organizing an international expert meeting on “HIV vaccines for developing countries: advancing research and access”; and starting new projects with organizations in Zambia and Kenya.
- We established the “Awards for Action on HIV and Human Rights.”
- Our membership increased from 200 to over 250.

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No other group has managed to sustain work on the social front as they have.

– Comment made to the evaluation team by people interviewed during the evaluation of the Network’s programs, 2001

Demanding Action on Safe Injection Facilities in Canada

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Thanks to the Legal Network, we have now moved beyond the paralyzing question of “can this really be done?” toward a renewed optimism that harm reduction is at last moving forward in Canada. Following the release of the report on safe injection facilities, front line workers in British Columbia and Manitoba have come forward to announce they have been supervising consumption of illicit drugs in their course of their clinical practice. In both instances, the individuals involved cited the Legal Network’s report as being the critical factor in their decision to disclose their activities.

– Thomas Kerr, Vancouver-based researcher and member of the Board of the Canadian HIV/AIDS Legal Network, August 2002

Canada has an ethical and legal obligation to step up its efforts to prevent further needless illness and death as a result of unsafe drug use, yet the public health crisis with respect to injection drug use in this country continues. The response by governments thus far has been inadequate and undermines the harm reduction objectives that supposedly underlie Canada’s Drug Strategy.

This year, as part of the follow-up to our 1999 final report on legal and ethical questions related to injection drug use and HIV/AIDS, we published *Establishing Safe Injection Facilities in Canada: Legal and Ethical Issues* as well as a revised and updated version of our series of info sheets on injection drug use. The report outlines arguments commonly made for and against the introduction of safe injection facilities; canvasses the successful implementation of such facilities in Europe and Australia; addresses legal issues related to their establishment; and concludes that government policymakers have a legal and moral obligation to allow and support trials of safe injection facilities in Canada. It includes six recommendations for immediate action by government(s).

The report received extensive media coverage and public attention when released to the public at press conferences in Ottawa and Vancouver on 11 April 2002. Indeed, on that date our website recorded its most active day ever, receiving a total of 25,337 hits (more than twice our daily average). The report has since been sent to a broad range of individuals and organizations working in areas related to drug use, harm reduction, and HIV/AIDS, as well as to government policymakers, health care professionals and associations, law enforcement officials and associations, researchers, and advocates.

The Network will continue to undertake follow-up activities aimed at securing the introduction of innovative harm reduction measures in Canada such as a multi-site trial of safe injection facilities. This will include presentations to legislative committees and policy makers, as well as skills-building workshops on legal, ethical and human rights issues related to injection drug use and HIV/AIDS to facilitate the efforts of individuals and organizations advocating on these issues.

For more information, consult the Network’s website at www.aidslaw.ca/Maincontent/issues/druglaws.htm or contact Ralf Jürgens at ralfj@aidslaw.ca.

Research and Consultation: HIV Vaccines

The Network is known for producing reports and papers on a variety of legal, ethical, and policy issues related to HIV/AIDS, providing an in-depth analysis of these issues, and making recommendations for change. Producing these documents involves a unique process of research, consultation, and revision, a process that combines rigorous legal research with consultation with a broad spectrum of people and organizations affected by the legal and policy decisions made. We are proud of the process used, because it ensures both that the legal analysis is accurate and up to date, and that it is grounded in the reality of the people it affects.

Our capacity to undertake in-depth analysis and consultation on a wide range of legal, ethical, and human rights issues raised by HIV/AIDS was praised by participants in the 1998 national consultations on legal, ethical, and human rights issues related to HIV/AIDS, and by those who were interviewed during the 2001 evaluation of selected Network programs. Many pointed out that the role we play here is distinct from that of other organizations, and complements their work. People also pointed out that the value of the Network's documents lies in their breadth and depth of analysis, including our effort to canvass not only one particular viewpoint, but to consider the different views on a particular subject in formulating conclusions and recommendations.

In 2001/2002, we finished a three-year process of in-depth analysis and consultation on "HIV Vaccines in Canada: Legal and Ethical Issues." After undertaking extensive consultations, including a national workshop, we released a series of eight info sheets, a 50-page overview document, and a 400-page background report on these issues. Our most significant conclusion is that Canada needs a formal HIV vaccine plan. We thus called on Health Canada to coordinate, and provide funding for, a Canadian HIV Vaccine Plan. We have already had some success: On 5 July, the federal government announced that it "plans to open discussions with the provinces and other involved groups to develop a national AIDS vaccine strategy."

For more information, consult the Network's website at www.aidslaw.ca/Maincontent/issues/vaccines.htm or contact Ralf Jürgens at ralfj@aidslaw.ca.

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*One of the Legal
Network's strengths is their
consultative process. I learn as
I contribute.*

– Comment made to the evaluation
team by people interviewed during the
evaluation of the Network's programs,
2001

Fighting Irrational, Unjust, Unethical Legislation

Congratulations on continuing the fight with excellence in research, documentation and ongoing advocacy. I applaud and thank you all for your passion and dedication!

– Paul Kenney, Director, Canadian HIV/AIDS Clearinghouse, 22 June 2001

[The withdrawal of Bill C-217 is] a victory indeed. You are great advocates and we certainly appreciate the efforts you make to ensure fair and accessible treatment, care & support services without discrimination. Thank you

– HIV/AIDS Regional Services (HARS), Kingston, Ontario, 6 March 2002

In 2001/2002, we witnessed initiatives, at both the federal and provincial levels, to introduce legislation providing for compulsory HIV testing in cases of occupational or other exposure. The Network responded to those proposals with solid legal and ethical analysis, arguing that the harms of such legislation to those tested (particularly those testing HIV-positive) outweigh any limited benefit they may offer to workers or others who may have been occupationally exposed to the risk of infection. We also undertook initiatives to equip other advocates with the information and tools needed to respond to such proposals.

Federal private member's Bill C-217 was reintroduced in the House of Commons in February 2001. It proceeded to committee hearings in October 2001. That same month, a similar proposal (Bill 105) was introduced in the Ontario legislature. Within weeks of these developments, the Network released a backgrounder and a series of 7 info sheets on *Testing of Persons Believed to be the Source of an Occupational Exposure to HBV, HCV, or HIV*, which we distributed widely to federal and provincial Ministers and legislators, among others. We wrote directly to relevant Ministers expressing our opposition to such legislation and made our case to the public through the media. With regular e-mail alerts and mailings, we kept our members and community-based HIV/AIDS organizations informed about developments.

In February 2002, the Network appeared for a second time before the House of Commons Standing Committee on Justice and Human Rights, where we presented oral submissions and a written brief outlining why Bill C-217 should not proceed. Several other organizations also spoke against the bill, and ultimately it was withdrawn upon the Committee's recommendation.

Unfortunately, Bill 105 was passed by the Ontario legislature in December 2001, with no public notice or consultation and against the advice of the province's own Chief Medical Officer of Health. The Ontario bill has not yet been proclaimed into force, meaning it may still be possible to prevent it from taking effect. However, some legislators in other provinces may be considering the introduction of similar bills. For education purposes, and to equip other advocates to respond to such proposals, the Network has produced another easily accessible document, in "Question & Answer" format, explaining why laws allowing for forced HIV testing should be rejected.

We know this issue will continue to require attention in coming years. The Legal Network will monitor developments, analyse any proposed legislation, keep our members and partners informed, and challenge such irrational, unjust and unethical proposals.

For more information, consult the Network's website at www.aidslaw.ca/Maincontent/issues/testing.htm or contact Ralf Jürgens at ralfj@aidslaw.ca.

Our International Program Grows

International Program – the First Year

We have always incorporated international activities into our work both in the recognition that we can contribute to work being done internationally, and because there is much we can learn from our work in other countries. In 2001/2002 we continued to strengthen the international component of our work, both inside and outside of Canada, following creation of the International Program in February 2001 and the adoption of principles to guide its work.

In early 2001 the Network participated as an accredited non-governmental organization in the preparatory meetings for the United Nations General Assembly Special Session on HIV/AIDS (UNGASS), and in June 2001 at the General Assembly meeting in New York. In November 2001 the Network endorsed the Declaration of Commitment adopted by the General Assembly, and will work in coming years to ensure that the Canadian and other governments are held accountable for meeting the targets and keeping the promises contained in the Declaration.

Our international perspective, our commitment to human rights, and our partnership with the AIDS Law Project (ALP) in South Africa have provided inspiration and opportunities to advocate, both in Canada and abroad, for global access to treatment for people living with HIV/AIDS. We highlighted this issue at the UN and in Canadian media during the UNGASS in June 2001. We presented a workshop on international trade law, patents and access to medicines at the Canadian HIV/AIDS Skills Building in July 2001. The theme of our 2001 Annual General Meeting was “human rights, global responsibility and access to treatments in the developing world”, and we published the presentations made by our numerous speakers, including activist Mark Heywood of the ALP and the Treatment Action Campaign in South Africa. In 2001/2002 we helped create a network of Canadian NGOs interested in domestic advocacy for global treatment access and undertook joint campaigning activities related to the World Trade Organization’s agreement on drug patents, the Global Fund to Fight AIDS, Tuberculosis & Malaria, and the G8. In early 2002, the Network spoke on a panel at the UN Commission on Human Rights on developments regarding access to treatment and the role of civil society.

In January 2002, with funding from the Open Society Institute, the Network organized a study tour of prisons in Québec and Ontario for Polish prison officials. The tour included meetings with corrections officers, politicians, NGOs and academics on drug policies, prisons and imprisonment.

In February 2002 the Network concluded an agreement with the Canadian International Development Agency (CIDA) whereby the Network will provide financial and technical support to the Kenyan Network on Ethics, Law

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At law school we were surfing the web looking for legal materials on AIDS. The Network’s web site inspired us to start our own AIDS-law group in Zambia.

– Kaumbu Mwondela, Co-ordinator,
Zambia AIDS Law Research and
Advocacy Network (ZARAN),
December 2001.

and HIV (though the Kenyan AIDS NGOs Consortium) and the Zambian AIDS-Law Research and Advocacy Network (though the International HIV/AIDS Alliance). Commencing in 2002/2003, technical support will be provided *pro bono* by Network members on priority issues identified by the local partners. In March 2002 we were contracted by the Caribbean Community Secretariat (CARICOM), again with CIDA funding, to provide technical assistance in the implementation of the Caribbean Regional Strategic Framework for HIV/AIDS.

Policy development continued throughout 2001/2002, with an options paper on model legislation, a background paper on legal and human rights issues arising in proposed HIV testing of United Nations peacekeeping forces, and a policy paper on criminal law, public health and HIV, all developed for UNAIDS. In April 2002 the Network held an international expert meeting on HIV vaccines which focused on the legal issues affecting the development of and access to HIV vaccines suitable for developing countries / countries in transition.

The Network's international program has grown substantially in its first year, both in the number and range of the activities undertaken. There is increasing demand for our expertise. Our present challenge is to develop an achievable multi-year plan of research, policy development and technical assistance at both global and country levels that promises the most impact for people and communities living with and affected by HIV/AIDS, while complementing our activities inside Canada.

For more information, consult the Network's website at <http://www.aidslaw.ca/about.htm#ic> or contact David Patterson at dpatterson@aidslaw.ca.

A Meeting with the Prime Minister – the Network Campaigns for Global Access to Treatment

The vast majority of people living with HIV/AIDS live in developing countries, with little or no access to medicines and adequate health care. As a human rights organization, the Network promotes the human right, recognized in international law, to enjoy the highest attainable standard of health. Over the past year the Network has increasingly taken up the issue of access to treatment in developing countries.

The Network has played a leading role in stimulating greater advocacy within Canada on this issue. In May 2001, we hosted two lawyers representing the AIDS Law Project, our partner organization in South Africa, who met with representatives from several federal government departments to discuss developments in South Africa related to treatment access. They also participated in a day-long meeting, co-hosted by the Network and the Interagency Coalition on AIDS & Development (ICAD), that brought together a variety of organizations to discuss possible strategies for domestic advocacy.

Following that initial meeting, in mid-2001 the Network joined with others to form a loose affiliation of Canadian NGOs collaborating on the issue of global access to treatment. The member organizations of the Global Treatment Access Group (GTAG) are continuing their joint efforts to improve Canada's response to the global epidemic. At the outset, the group took up the issue of international trade agreements on patents hindering access to more affordable medicines in developing countries. This issue was high on the agenda of the 4th World Trade Organization Ministerial Conference in November 2001. In the lead-up to that meeting, the Network undertook numerous activities:

- We partnered with Médecins Sans Frontières Canada (MSF) to produce an info sheet explaining why changes are needed to the WTO's agreement on patents to improve access to treatment.
- In conjunction with other GTAG members, we initiated a campaign calling on the Canadian government to shift its position at the WTO to support developing countries in accessing more affordable medicines. We joined five other NGOs in submitting a brief to the Prime Minister and Cabinet, as well as sending an "open letter" to all Members of Parliament.
- Representatives from the Network and MSF met with the Prime Minister and the Minister for International Trade to discuss these concerns in the days before the WTO meeting.
- We produced a paper setting out the case in international law for such trade agreements to be interpreted and applied in a manner consistent with countries' human rights obligations.

In early 2002, the Network continued working with other GTAG members in the lead-up to the G8 Summit in Kananaskis, Alberta in June 2002, advocating additional concrete steps the Canadian government should take, such as increasing its contributions to official development assistance and to the Global Fund to Fight AIDS, Tuberculosis and Malaria.

The Network will continue working on the issue of global treatment access in the coming years, with other interested organizations in Canada and internationally, as part of a growing global movement to realize the fundamental human right to health.

We, the staff at AIDS Calgary, would like to thank you for the work you have done around the WTO/TRIPS Campaign. Due to your efforts we were able to send letters in response to these important issues. Your guidance has made it possible for us to be involved on a global level.

– Kevin Midbo, Executive Director, and
Le-Ann Dolan, Community Developer,
AIDS Calgary, 15 November 2001

For more information, consult the section of the Network's website on global access to treatment at www.aidslaw.ca/Maincontent/issues/care-treatment.htm#B2, or contact Richard Elliott at relliott@aidslaw.ca.

Continuing to Build Capacity

Thank you so much for your comprehensive [information on HIV/AIDS and discrimination]. This will be a great support to branch staff.

– Janis Leiterman, Director, Clinical Services, Victorian Order of Nurses for Canada

[This workshop] provided people with some tangible tools that we can take back to advocate for issues in our province.

– comment from participant at 1st Prairies Regional Capacity-Building Workshop, Red Deer, Alberta, March 2002

The component on legal, ethical, and human rights issues raised by HIV/AIDS remains a relatively new component in the Canadian Strategy on HIV/AIDS. From the outset, in the 1998/99 consultations on legal, ethical, and human rights issues related to HIV/AIDS, participants identified the need to build capacity in Canada to address these issues. Therefore, in 1999/2000, we developed a plan on *Building Capacity to Address Legal, Ethical, and Human Rights Issues Related to HIV/AIDS in Canada*. In addition, in 1999/2000 we developed a new vision for the Network. One of three strategic initiatives we undertook to carry out in the next years is to “enhance the capacity of others to change and influence law and policy, nationally and internationally (community development).”

In 2000/2001, as part of our capacity-building initiatives, we launched the AIDSPOLICYLAW list, the first Canadian *listserv* dedicated to discussion of legal, ethical, and policy issues related to HIV/AIDS. Since then, over 200 people have subscribed to the list.

In 2001/2002, our *Resource Centre* has continued to grow, as have requests for information and consultation from members and others working on legal, ethical, and human rights issues related to HIV/AIDS. Soon, the Resource Centre database will be available on-line.

In 2001/2002, we started two important new initiatives: a two-year *capacity-building project among the legal profession*, and the development and organization, in partnership with local or regional organizations, of *regional capacity-building workshops*. The first such workshop took place in Red Deer, Alberta, from 15 to 17 March 2002. Organized in conjunction with the Alberta Community Council on HIV, the Saskatchewan AIDS Network, and the Manitoba AIDS Cooperative, the workshop focused on HIV/AIDS and drug laws and on HIV/AIDS and HCV in prisons. According to participants, the workshop provided “a great education and networking opportunity” and they “would highly recommend participation in this workshop.” Thanks for this feedback! In 2002/2003, regional workshops will be held in Vancouver and Montréal.

For more information about the AIDSPOLICYLAW list, the Resource Centre, and our other capacity-building initiatives, contact Thomas Haig at thaig@aidslaw.ca.

Drawing Attention to the Issues

Making difficult and complex information on HIV/AIDS legal, ethical, and policy issues easily accessible and understandable can be a challenge, be it for our own membership, for policy-makers, or for journalists. In 2001/2002, we continued to refine our strategies and improve our publications to ensure they meet the needs of the various individuals, organizations and audiences who use our resources. From organizing press conferences, to producing a print flyer summarizing the Network's mission and activities, to reorganizing the editorial structure of the *Canadian HIV/AIDS Policy & Law Review*, this has been an active year in the area of communications and media outreach. Here are some of the highlights:

- **www.aidslaw.ca.** User statistics for the website suggest that it continues to serve the purpose of making our reports, other publications and workplans easily accessible, enhancing communication with and beyond our large and diverse membership. From January to mid-March 2002, for example, the site received a total of 862,750 hits (up from just under 600,000 hits for the same period in 2001), and was consulted by nearly 17,000 unique users each month. On 11 April 2002, following the release of our report on *Establishing Safe Injection Facilities in Canada*, the site recorded its most active day ever, receiving a total of 25,337 hits (more than twice our daily average).
- **Info Sheets.** We continue to receive positive feedback about our info sheets, which provide concise, easy-to-read, and up-to-date information on often difficult issues. In 2001/2002, we released and distributed thousands of copies of a new series of info sheets on *Testing of Persons Believed to be the Source of an Occupational Exposure to HBV, HCV, or HIV*, a new series of info sheets on *HIV Vaccines in Canada*, an info sheet on *Patents, International Trade Law and Access to Essential Medicines* co-published with Médecins Sans Frontières, and an updated version of our info sheets on HIV/AIDS and injection drug use (including a new info sheet on safe injection facilities). We also printed our first-ever general information flyer explaining the Network's mission and activities.
- **Canadian HIV/AIDS Policy & Law Review.** To further improve the *Review* and make it even more relevant to our readers, we implemented a number of editorial changes in 2001/2002. The *Review* will now be published three times a year, its main sections have been reorganized, and we have strengthened our coverage of Canadian and international news with addition of two new editors.
- **Media relations.** In 2001/2002, Network once again achieved remarkable level of media presence and interest. Canadian and international journalists frequently call upon us for an informed point of view on the many legal, policy, and ethical and human rights issues that our work addresses. Through press conferences and media releases, we were also successful in proactively drawing media attention to a number of critical issues including access to methadone in prisons, safe injection facilities, HIV vaccine research, and global access to treatment.

You, to me, are on of the greatest finds of the century! Thank you for dealing with so many of the topics I am interested in. ... You can't imagine how happy I was to discover [your website].

– Comment by Mary Ellen Kerrigan, submitted on website on 28 May 2001

For more information about the Network's communication activities, contact Thomas Haig at thaig@aidslaw.ca.

Awards for Action on HIV/AIDS and Human Rights

As HIV continues to spread throughout the world, shadowed by increasing challenges to human rights, a growing number of courageous and dedicated people are taking action to defend the rights of those most vulnerable to and affected by HIV/AIDS. Many do so at great personal risk and far from the spotlight, daring to organize communities, undertake advocacy and develop life-saving services where others might prefer to look the other way.

In 2002, the Network collaborated with Human Rights Watch to establish the *Awards for Action on HIV/AIDS and Human Rights*. Co-sponsored by the International Harm Reduction Development Program, the Hilda Mullen Foundation, and Mark Gallop, the Awards are intended to highlight outstanding contributions by individuals or organizations who have worked to decrease vulnerability to HIV/AIDS and protect the rights and dignity of those infected and affected.

Recognizing excellence and long-term commitment to work having a direct impact on HIV/AIDS and human rights issues – in particular work that is of direct relevance to marginalized individuals and communities – an award will be presented annually in each of two categories:

- a person residing in Canada or a non-profit organization based in Canada;
- a person or non-profit organization from another country.

The 2002 call for nominations was distributed broadly within Canada and internationally. Nominations were invited both for individuals and organizations working at the community level and for those operating at national and international levels. Close to fifty nominations were received, and two advisory committees, composed of individuals familiar with HIV/AIDS and human rights issues, undertook to select the award recipients.

The 2002 *Awards* recipients will be recognized at a ceremony during the Network's Annual General Meeting on 13 September 2002 in Montréal. Profiles of this year's recipients as well as information on how to submit a nomination for the 2003 *Awards* will be available on the Network's web site following the ceremony.

For more information about the Awards, consult the Network's website at www.aidslaw.ca/Maincontent/awards.htm or contact Anne Renaud at arenaud@aidslaw.ca.

Acknowledgments

The generosity of our supporters ensures the success of our programs and projects. Without them, we could not accomplish our work.

We gratefully acknowledge all *individual* contributions received during the 2001/2002 fiscal year. Many of our individual donors have requested to remain anonymous. Other donors include: Joan Anderson, Line Beauchesne, Glenn Betteridge, Garry Bowers, William Bromm, Glen Brown, the Comeau family, Theodore de Bruyn, Jean Dussault, Richard Elliott, Mark Gallop, David Garmaise, William D Karchner, Stephanie Nixon, Sheila Norquay, Marie-Josée Paquin, Violette Pedneault, Jeff Richstone, Yolaine Rioux, Patrice Savard, Gail Skutezky, Michael Sobota, Nicci Stein, Lori Stoltz, Bruno Turmel, and Matthew Weait.

Their donations have allowed us, among other things, to establish a scholarship program for people attending of our Annual General Meeting; and to support our Resource Centre, our work on ethical issues for persons who provide services to people who inject drugs, and the establishment of the Awards for Action on HIV/AIDS and Human Rights.

We would also like to thank The Alder Group; Beaton, Derrick & Ring (Halifax); Matthew Wilton & Associate (Toronto); McCarthy Tétrault (Toronto); Goodman and Carr LLP (Toronto); Mary Thompson, McCarthy Tétrault (Toronto); Bruce Lemer, Grant Kovacs Norell (Vancouver); Earl Cherniak, Lerner & Associates, Toronto; Oracle Corporation Canada; and Nota Bene Communication for generous *corporate* donations.

We would like to acknowledge the following contributions from pharmaceutical companies: Bristol-Myers Squibb contributed to the Resource Centre, the scholarship fund for the Annual General Meeting and the regional capacity-building workshops, and to the Network's participation at the XIV International AIDS Conference. Boeringer Ingelheim Canada and GlaxoSmithKline in partnership with Shire Biochem contributed to the Network's participation at the XIV International AIDS Conference.

Many thanks to our landlord, Mr Denis Leblanc, for donating part of our rent.

Particular thanks go to Health Canada, which provided core and project funding under the Canadian Strategy on HIV/AIDS; the International Affairs Directorate, Health Canada; the Canadian International Development Agency; the Québec Ministry of Health and Social Services; the Ontario AIDS Bureau; the Joint United Nations Programme on HIV/AIDS; the WHO-UNAIDS HIV Vaccine Initiative; Human Rights Watch, the Hilda Mullen Foundation, the Leonard Foundation; the International Harm Reduction Development Foundation, Open Society Institute; the International AIDS Vaccine Initiative (IAVI); and The POLICY Project, a five-year project funded by the United States Agency for International Development and implemented by The Futures Group International in collaboration with Research Triangle Institute (RTI) and The Centre for Development and Population Activities (CEDPA), for their support of Network projects and programs.

Canadian HIV/AIDS Legal Network, Inc.

Financial Summary for the Fiscal Year Ending March 31, 2002

Financial Position

	2002	2001
Current Assets		
Cash	\$ 20,500	\$ 68,708
Money market fund	8,886	73,543
Accounts receivable	30,165	17,859
Contributions and grants receivable	379,747	160,500
Prepaid Expenses	6,053	-
	<u>445,351</u>	<u>320,610</u>
Capital Assets	12,321	8,637
	<u>\$457,672</u>	<u>\$329,247</u>

Current Liabilities

Accounts payable and accrued charges	\$244,027	\$186,674
Deferred revenue	11,043	8,952
Deferred grants	109,003	72,290
Deferred restricted donation	16,186	-
	<u>380,259</u>	<u>267,916</u>
Net assets		
Invested in capital assets	12,321	8,637
Unrestricted net assets	65,092	52,694
	<u>77,413</u>	<u>61,331</u>
	<u>\$457,672</u>	<u>\$329,247</u>

Operations

	2002	2001
Revenue		
Memberships	\$ 16,577	\$ 10,424
Contributions and grants	1,080,825	790,278
Donations	14,666	14,487
Miscellaneous	3,720	3,851
Interest	342	3,556
	<u>\$1,116,130</u>	<u>\$822,596</u>
Expenses		
Operational Funding	\$ 374,877	\$286,666
Legal and Ethical Issues Project	409,367	377,863
Capacity Building Among Lawyers	44,602	-
Community Based Research	20,779	-
Other Network Activities - Canada	9,593	14,979
International Program	240,830	126,604
	<u>\$1,100,048</u>	<u>\$806,112</u>
Excess of revenue over expenses	<u>\$ 16,082</u>	<u>\$ 16,484</u>

Audited financial statements are available upon request.