



Canadian HIV/AIDS Legal Network

Issue 11

27 August 2003

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NETWORK NEWS FLASH

New, Emerging, and Pressing Issue for 2003-2004: HIV and Prostitution

Members of the Canadian HIV/AIDS Legal Network have chosen "Prostitution, Criminalization and Vulnerability to HIV/AIDS" as a pressing issue for research and advocacy in 2003-04. As a result, the Legal Network is launching a project to examine how Canada's criminalization of prostitution-related activities affects vulnerability to HIV/AIDS, and to recommend reforms that would respect, protect and fulfill the human rights of persons living with or vulnerable to HIV/AIDS.

The issue of sex work and HIV is pressing in part thanks to a motion put forward by Libby Davies, MP for Vancouver East, which resulted in the creation of a House of Commons Standing Committee on Justice and Human Rights which will review Canadian criminal laws related to prostitution in late 2003. The Legal Network plans to present a draft report to the Committee. Then, after further research and extensive consultation, we will publish a final report in 2004.

As one Network member wrote when asked about the topic, "Prostitution and HIV is an issue that has not been adequately addressed. Due to past negative experiences with the justice system and healthcare, sex workers' voices are rarely heard. This area needs to be addressed before more damage is done."

This project is funded by Health Canada as part of the Canadian Strategy on HIV/AIDS. A summary of the consultation results is now available on our web site - [click here](#).

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Disclosure of HIV status after *Cuerrier*: issues for people with HIV/AIDS and community-based organizations

In 2003/2004, the Legal Network is partnering with the Canadian AIDS Society and AIDS Coalition of Nova Scotia to develop resource materials to respond to the legal issues surrounding HIV disclosure in Canada. This project responds to a need identified by the CAS PLWHIV/AIDS Forum and through the CAS AGM resolutions process, and a recommendation in the Legal Network's *After Cuerrier* Report (R Elliott, 1999).

As part of the agreement between the Legal Network and our partners, we are adapting resources prepared by the Ontario Advisory Committee on HIV/AIDS (OACHA) for national

INSIDE THE NETWORK

Invitation to participate in the Community mobilization project on stigma and discrimination

Are you concerned about HIV-related stigma and discrimination in your community? Would you like to join with community workers from across the country to share models of responding to stigma, and then take action at the local level to respond to it?

As part of our work to address stigma and discrimination, the Legal Network has begun a one-year project (2003-2004) to work with local community organizations to build capacity to address stigma and discrimination. Under the guidance of an advisory committee made up of representatives from diverse communities across Canada, participants in this project will identify priorities for action at the local level to prevent, reduce, or redress stigma and discrimination as experienced by specific populations in the context of the HIV epidemic, and then develop strategies to address these priorities at a workshop to be held in Montreal in January 2004.

Because stigma and discrimination are experienced differently by each community, the strategies to be developed by community organizations will be varied, and they will respect people with HIV/AIDS' right to privacy and right to control disclosure of HIV status within their communities.

For more information on how to participate in this project, please contact Elana Wright at ewright@aidslaw.ca, or by phone at 514-397-6828, # 259. For more information on the Network's work on stigma and discrimination, [click here](#).

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Thomas Kerr joins Network research team

With over a decade of experience in HIV/AIDS, **Thomas Kerr** joined the Network's Policy and Research Team in August 2003 as a Senior Policy Analyst, bringing his extensive experience as a community health researcher and service provider to the Network. He was recently awarded his PhD in educational psychology at the University of Victoria.

Thomas has worked as a research coordinator at the B.C. Centre for Excellence in HIV/AIDS, and as Coordinator of Professional Practice and Research at the Dr. Peter Centre (Vancouver). He has also developed training materials related to HIV/AIDS and ethics for the Canadian AIDS Society and the Vancouver HIV/AIDS Care Coordinating Committee. Thomas is a recipient of the Canadian Association for HIV Research New Investigator's Award.

use and presenting four workshops at various events and locations across Canada. In June, Glenn Betteridge presented at a workshop in Halifax at the AIDS Coalition of Nova Scotia's annual Skills Building Ceilidh. Workshop participants gained valuable information while giving feedback on the types of resources people living with HIV/AIDS and community based ASOs need to address the issues of confidentiality of health information, counselling, and HIV disclosure. We are also working with a national advisory committee to develop the resources.

Look for further workshops at the Legal Network's upcoming AGM in September, where Glenn and Anna Alexandrova, CAS Programs Consultant, will present on Sunday morning. Glenn and Anna will also be presenting a satellite workshop at the 4th Canadian HIV/AIDS Skills Building Symposium, in Calgary in November. The printed resources should be ready by the end of 2003.

For more information on the *After Cuerrier* project, please email Glenn at gbetteridge@aidslaw.ca. For more information about the issue of disclosure of HIV status, confidentiality of health information and the criminal law, [click here](#).

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Workshop on stigma & discrimination to be held 25-26 October

Representatives from organizations across Canada who are committed to promoting and advocating for action on HIV/AIDS-related stigma and discrimination will come together in Montreal this October as part of a three-year project (2002-2005) to develop and implement an action plan to address stigma and discrimination. For more information on this project, [click here](#).

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Legal Network participates in WHO/UNAIDS consultations on vaccine trials

David Patterson presented a paper on 'Legal and Human Rights Implications' at a WHO/UNAIDS consultation in Geneva on 17-18 July on 'Modalities for access and standard of treatment for participants with intercurrent HIV infection during vaccine, microbicide and other prevention research trials.' Watch for a revised version of this paper [here](#) in September.

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The Legal Network offering capacity-building in Zambia and Kenya

Thomas has been active in advocating for harm reduction services for injection drug users in Vancouver's Downtown East Side, through his community-based research initiatives with Vancouver Area Network of Drug Users (VANDU). He also visited and studied 18 safe injection facilities in Europe. His research and advocacy contributed to the establishment of a supervised injection site in Vancouver, authorized by Health Canada.

Among other things, Thomas will be responsible for an exciting new multi-year Network project, which is an HIV prevention project based in prisons in 14 countries in Eastern Europe and the former Soviet Republics, with funding by CIDA through International Harm Reduction Development (IHRD). Thomas says he is "proud to be working with the Network to address the explosive epidemic in prisons in Eastern Europe, which is an area of outstanding need."

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New staff to begin work at the Legal Network in September

The first week of September brings three new staff to the Network: René Lessard will replace Glen Bugg as Director of Finance; Mélanie Paul-Hus will work on the Legal Network's communications team as Communications Assistant; and Jennifer Nicholls will work on the Program support team as a Program Assistant. We welcome all of them to the Legal Network. Our next issue of Network News will bring you more details on their roles within the Network. Thanks to Glen Bugg for five years of dedicated work with the Network.

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Saying goodbye to the 2003 summer students

In the last issue of Network News, we welcomed 5 summer students to the Legal Network. After mutually-rewarding summers for the students and for the Network, it is time to say goodbye and thank you to:

Collin Smith, who said his experience was "a great opportunity to learn about the diverse range of projects the Network works on, and a lot of fun." Collin worked on several different projects, including an HIV/AIDS course outline, intended to encourage Canadian law schools to offer courses on HIV/AIDS, and modules within other courses which include HIV/AIDS issues;

Derek McKee, who, after working on the writing and editing of the Network's Annual Report, got to work on this year's Emerging Issue, HIV/AIDS and prostitution. Derek has enjoyed researching the topic. He says, "although I knew very

The last issue of Network News reported that Legal Network members have been going to Zambia and Kenya on capacity-building missions. Also as part of this project, Andrew Johnson left for Zambia on 23 August and then will head to Kenya on pro bono missions. He will offer technical assistance in organizational development to two partner organizations, the Kenyan Network on Ethics, Law and HIV, and the Zambian AIDS Law Research and Advocacy Network.

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Ralf Jürgens at Global Reference Group meeting in Geneva

In January 2003, Ralf Jürgens was appointed to the Global Reference Group on HIV/AIDS and Human Rights, which is chaired by Dr. Sofia Gruskin from the Harvard School of Public Health. Some of the other members of the group include Justice Kirby of the High Court of Australia, a frequent contributor to the *Canadian HIV/AIDS Policy and Law Review*, and Mark Heywood of the AIDS Law Project in South Africa.

The group has been formed to provide counsel to the UN system on how to ensure that human rights in the context of the HIV epidemic are protected and respected.

Ralf attended the second meeting of the Reference Group from 25 to 27 August. The Legal Network prepared a background paper for the meeting on rights-based efforts on care and treatment, and Ralf chaired a session on indicators of progress in moving towards a rights-based approach to HIV/AIDS.

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HIV vaccine advocates to meet in Montreal in November

Building on the satellite meetings at AIDS 2000 and AIDS 2002, an **international expert consultation**, co-organized by the Legal Network, the AIDS Law Project (South Africa) and the International Council of AIDS Service Organizations (ICASO), will be held in Montreal, 18-19 November 2003, to create and strengthen partnerships between HIV treatment, microbicide and vaccine community advocates.

A draft background paper on ways to advance joint agendas will be prepared in advance, and discussed, and then recommendations will be made for next steps. A **full report** will be published in English, French, Spanish and Russian. In 2004, the Legal Network will follow-up on this collaboration by hosting a series of web or teleconferences. UNAIDS and the WHO-UNAIDS HIV Vaccine Initiative will sponsor the

little about the issue beforehand, I've found out how complex an issue prostitution is in regards to HIV and the law";

Emmanuelle Marceau, who researched criminal law issues related to disclosure of HIV positive status that have arisen as a result of the Cuerrier case, brought a great energy and enthusiasm to the team;

Eva Gazurek, who has been working on a review of anti-discrimination laws in Canada which will support the Network's work on promoting a rights-based approach to HIV/AIDS in Canada, says her experience at the Network " was very enriching. I learned tremendously, and the work atmosphere was great";

Dan Dan, who did significant research for the Network's Vaccine Project.

For more information about our summer students, [click here](#).

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COMING SOON

Annual general meeting and awards weekend 12-14 September

The Network is busy preparing for our 2003 AGM and Skills Building Workshops, to be held from 12 to 14 September 2003 at the Holiday Inn Montreal-Midtown. Twenty-five scholarships have been awarded to help members from across Canada to attend, and over 100 members have registered for events.

Friday's full-day workshop on "Strategies for Fighting HIV/AIDS-Related Stigma and Discrimination" is now full. We were expecting 40 or 50 participants, and with 90 individuals now registered, we can no longer accept any more registrations.

Friday evening from 6:30 to 9 pm, Network members as well as the general public are invited to attend our opening plenary entitled "AIDS and Human Rights" by UN Special Envoy for HIV/AIDS in Africa, Stephen Lewis, and the presentations of the 2003 "[Action on HIV/AIDS and Human Rights](#)" awards.

The 2003 Awards recipients were selected by the Canadian and International Awards committees in July. Both committees came to unanimous decisions, after considering many outstanding candidates working in the area of HIV/AIDS and human rights.

Janet Rowe of Voices of Positive Women will be co-facilitating the workshop entitled "Women and HIV in

meeting, and CIDA has given an in-principle commitment for support. IAVI is funding the background paper and will also co-sponsor the meeting.

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NEW RESOURCES

"Healthy Public Policy: Assessing the Impact of Law and Policy on Human Rights and HIV Prevention and Care - Summary Report".

For a pdf version, [click here](#).

This summary report of a longer report written by Maria Nengeh Mensah, includes the project's review, summary and synthesis of literature about the impact of laws and policies on health, in relation to HIV/AIDS. The paper was funded by Health Canada under the Canadian Strategy on HIV/AIDS through the National Health Research and Development Program.

The **Canadian HIV/AIDS Legal Network Annual Report 2002-2003** is now available on our website - [click here](#). Take a look to see an overview of what the Network has accomplished in the last year.

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FEEDBACK

Hello to you who I discovered thanks to a writer on the radio who spoke specifically about your wonderful work. Just a note to wish you bravo for all of your work!

F.M., France

This is all very useful. Thank you so much for your timely assistance.

Geetanjalee Khosla, Canadian International Development Agency

I found the document "A Human Rights Approach to HIV/AIDS" on your website very accessible and helpful, and have distributed it to the rest of my colleagues at the ALP. I had to present a lecture on "HIV/AIDS and Human Rights" at a Good Governance course at the University of Pretoria and I gave your document as a hand-out to the class. Network documents are very useful as per usual."

Marlise Richter, AIDS Law Project, South Africa

Canada: Legal and Policy Issues" with Tasha Yovevitch.

For more information and to register, [click here](#).

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Skills 2003 in Calgary from 20-23 November 2003

The Legal Network is very active preparing for its two satellites and six workshops at the **4th Canadian HIV/AIDS Skills Building Symposium**, to be held from 20-23 November 2003 in Calgary, Alberta. Don't miss this great opportunity to attend these presentations on the Network's latest research projects.

The Network is presenting the following two satellites:

- Theodore deBruyn & Ruth Carey (Board member), Taking Action on HIV/AIDS-Related Stigma and Discrimination.
- Glenn Betteridge & Anna Alexandrova (CAS), Disclosure of HIV Status After *Cuerrier*: Issues for People with HIV/AIDS and Community-Based Organizations

The following workshops will be given:

- Jessica Leech (AIDS Calgary) & Theodore deBruyn, A Human Rights Approach to HIV/AIDS: Learning from the Experiences of AIDS Calgary
- Richard Elliott, Where to Now? TRIPS from Doha to Cancun ... and Beyond
- Glenn Betteridge, Disability & Income Security for People Living with HIV/AIDS
- Tasha Yovetich (Legal Network consultant) & Janet Rowe (Voices of Positive Women - Ontario), Canadian Women and HIV: Taking a Second Look at Legal Decisions, Policies and Practice
- Ralf Jürgens & Rick Lines (prison issues consultant), Advocating for Needle Exchange Programs in Canadian Prisons - International Models & Best Practice Advocacy
- Glenn Betteridge & Ruth Carey, HIV/AIDS, Privacy & the Disclosure of Health Information

For more information on Skills 2003, watch for updates at: www.hivaids-skills.ca. The deadline for early bird registration, which qualifies you for a discount, is 26

We are very pleased that the Canadian HIV/AIDS Legal Network is undertaking this project (Stigma & Discrimination Project) which will also significantly contribute to the dissemination at country level of UN policies in the area of Human Rights and HIV/AIDS.

Miriam Maluwa, Law and Human Rights Advisor, UNAIDS

I'm currently trying to arrange a staff workshop for Corrections in BC. I have read through everything on your website and attended the conference in Vancouver last October. I saw a number of very resistant staff change their feelings on needle exchange programs and safe injection facilities after the conference here.

Terry Howard, Prison Outreach Coordinator, BC Persons with AIDS Society

September 2003.

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Funded by Health Canada, under the Canadian Strategy on HIV/AIDS.

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