

HUMAN RIGHTS IMPERATIVE

THE HIV LEGAL NETWORK IN
EASTERN EUROPE AND CENTRAL ASIA



HIV Legal Network Overview

Why Here?

Respect. Protect. Fulfill.

You can help challenge wrongs, advance rights, and transform lives.

In countries of the Eastern Europe and Central Asia (EECA) region, people who use drugs are routinely denied basic healthcare and harm reduction services. They are unfairly targeted by police and subjected to torture. Parents face losing custody of their children. There are currently more than a million people living with HIV in the region — and without access to harm reduction services, the number of cases linked to injection drug use continues to grow. This is the reality we are working to change.

At the HIV Legal Network, our mission has always been to create a world where the human rights and dignity of people living with and at risk of HIV are fully realized, and where governments don't just protect these rights, but actively promote them. It's not only the right thing to do, it's also a necessary part of an effective response to the HIV epidemic, which thrives on injustice and exacerbates inequality, especially now with the COVID-19 pandemic highlighting these systemic problems.

Building a Better World

The HIV Legal Network has challenged injustice in the EECA since 2003, using scientific evidence and legal advocacy to defend rights and advocate for policies that will help us overcome the HIV epidemic. From our early efforts to implement harm reduction in EECA prisons to our more recent work on removing legal barriers to medical and social support for people most at risk of HIV, we have always centred human rights for all.

In Eastern Europe and Central Asia, the HIV epidemic is exploding — this region has one of the fastest-growing HIV rates in the world. Taken together, Russia and Ukraine account for more than 85% of the people living with HIV in the region. This is largely driven by the sharing of used drug injection equipment because of a lack of harm reduction services, among other factors. Severe human rights abuses against marginalized populations — such as the prohibition of or significant obstacles to access to opioid agonist therapy for people who use drugs — are both normalized and often legalized in EECA countries, making it an important region in which to focus our efforts.

EECA countries have a long history of repression and harsh criminal laws, including laws that target people who use drugs. This has a profound impact on the quality of life of people who use drugs — and their life expectancies. Russia has the highest incarceration rate among the Council of Europe member states. And more than 25% of all prisoners in Russia identify as people who use drugs. These severe penalties can result in people using substances in unsafe circumstances and in secret, leading to a devastating loss of life. The number of fatal overdoses is growing but naloxone, a drug that reverses opioid overdoses, continues to be classified as a prescription drug, making it unavailable for many.

What We Do

To defend human rights in the EECA, we need to first challenge the status quo. To date, our work in the region has included:



Building a network of community “street lawyers” in Russia that helps some of the most marginalized people defend their rights and gain access to health services.



Advocating for the rights of women who use drugs to retain custody of their children.



Going to court to challenge harsh penalties and restrictions imposed upon people convicted of drug offences.



Ensuring that people living with HIV and tuberculosis (TB) have access to life-saving medicine.



Helping local lawyers bring strategic cases to regional and global human rights treaty bodies, including the United Nations Human Rights Committee, the European Court of Human Rights, and the Committee on the Elimination of Discrimination against Women.

Our Impact

One of our major initiatives in the region was our “street lawyers” program in St. Petersburg, Russia. Through 2021, we trained community legal workers to help their peers overcome legal barriers to HIV services, across the continuum from testing to antiretroviral treatment and other care. This included making sure that people jailed or detained on drug charges didn’t lose access to their HIV and TB treatment and medication, as is unfortunately common in EECA countries. Over the span of the project:

968 clients with HIV benefitted from such legal support, of whom

615 received access to antiretroviral treatment and

288

achieved an undetectable viral load.

A further 200 clients with HIV and TB were able to successfully complete their TB treatment, avoiding the common health complications that can develop in people with these complex diagnoses. A legacy of the program is ensuring that people on the ground have the knowledge and skills to continue this work even after the program has wrapped up.

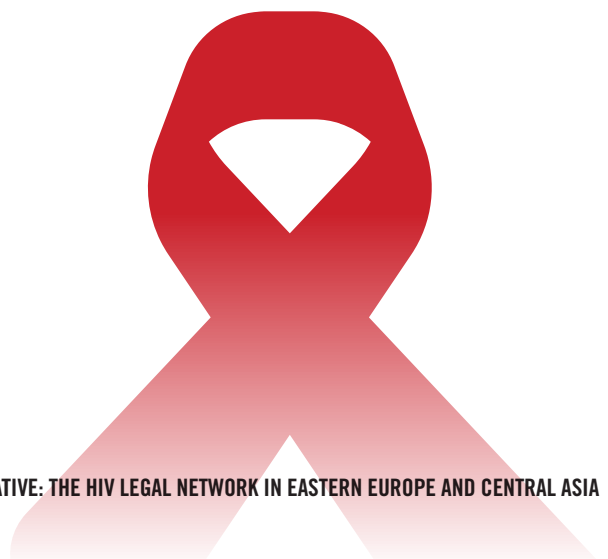
From 2017 through 2021, we helped civil society organizations in Russia, Ukraine, Kazakhstan, and Estonia secure recommendations from UN Human Rights Treaty bodies to decriminalize drug possession and ensure better access to harm reduction services. In February 2020, we helped Russian partners in *Y.I. v. Russia*, leading to victory at the European Court of Human Rights. In this case, the European Court panel unanimously declared that a mother who had been deprived of her parental rights because of her drug dependence had suffered a violation of her right to privacy and family life. In September 2021, Y.I. was reunited with her children after eight long years apart.

How You Can Help

Since 2012, Russia has adopted laws that significantly limit the role of civil society. This is especially true for non-governmental organizations working with marginalized populations — survivors of domestic violence, people living with HIV, and people who use drugs, among others. These new laws impede the dissemination of reliable, accurate, and life-saving information about substance use, and preventing the transmission of HIV, viral hepatitis, and TB. The HIV Legal Network strives to ensure that people from key affected communities, as well as decision makers and the general public, can access this vital information. To do this, we have planned multiple outreach activities, including launching a new web portal that will include information about laws and policies that target HIV and TB and key populations in the EECA, preparing various advocacy documents aimed at decision makers, and strengthening our work in social media and across other communication platforms to reach affected communities and the public. These efforts will foster open dialogue about drug policy and human rights not only in Russia, but also in other countries of the EECA region. Many of these countries use Russia as a role model when creating their own laws, ultimately worsening the situation for people who use drugs and other communities affected by HIV.

We will also continue work on important and ongoing legal cases in the region, challenging laws that discriminate against people who use drugs and deny them their rights. We have several strategic cases pending before the European Court of Human Rights, the UN Committee on the Elimination of Discrimination against Women, and the UN Human Rights Committee. Through these cases, we will address violations of the right to be free from discrimination, the right to respect for private life, and the right to be free from ill-treatment and arbitrary detention. People who use drugs need support to prevent their human rights from being stripped away — and alongside our EECA partners, the HIV Legal Network is at the forefront of this work.

You can help us with these initiatives by sponsoring a piece of work or donating through our website at www.HIVLegalNetwork.ca/Donate.





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The HIV Legal Network promotes the human rights of people living with, at risk of, or affected by HIV or AIDS, in Canada and internationally, through research and analysis, litigation and other advocacy, public education and community mobilization.

The Legal Network acknowledges that the land on which we live and work is traditionally known as Turtle Island and home to the Haudenosaunee, the Wendat and the Anishinaabe, including the Mississaugas of the Credit First Nation. We are all Treaty People. As settlers and as human rights advocates working for health and justice, we are called to honour the Calls to Action of the Truth and Reconciliation Commission in our work. We must do our part to address the ongoing injustices and resulting health inequities faced by Indigenous Peoples, which contribute to the disproportionate impact of the HIV epidemic on Indigenous communities. We are actively committed to this effort, working in collaboration with our Indigenous colleagues and others.