



CANADIAN | RÉSEAU
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Annual Report

1999/2000



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

1999/2000 was a year of growth for the Network as we worked, first and foremost, to strengthen our national presence. This was our second year with a national Board, and we worked together to significantly increase our membership – and the diversity of views represented by our collective voice – across the country.

The Network's Board, staff, and members all participated in a vigorous strategic planning process that began at our Board and staff retreat in June 1999, continued and was reviewed with our members at the Annual General Meeting in September 1999, and culminated with our January 2000 meeting of Board and staff. We are confident that we have emerged from that process with a renewed vision that will provide meaningful guidance to the Network in our work over the coming years.

We have also further strengthened our ability to provide timely guidance to policymakers about new, emerging, and pressing issues related to HIV/AIDS. This year, the emerging issue we chose to address, following consultation with our members, was the introduction of rapid HIV screening at the point of care. From November 1999 to March 2000, we engaged in intensive research and consultation with a wide variety of interested persons to produce a thorough legal and ethical analysis that was published in March 2000. This enhanced capacity to respond promptly and thoroughly to new and emerging issues was developed in direct response to feedback from our members and, based on the response to our work on rapid testing this year and the *Cuerrier* decision last year, it is clear that we are fulfilling an important role in this regard.

Another direction in which the Network has experienced significant growth is internationally. Our renewed vision explicitly incorporates the need to work in the international forum, so as to both contribute to and learn from the experiences of our partners in the fight against HIV/AIDS throughout the world. As this Report goes to press, our preparations are virtually complete for the first-ever satellite conference on legal, ethical, and human rights issues to take place in Durban, South Africa, just prior to the XIII International AIDS Conference. We are proud of this product of our partnership with the AIDS Law Project, South Africa.

In 1999/2000, the Network was honoured by UNAIDS' characterization of our efforts as representing international "best practice." This is certainly the standard we strive to meet, at home and internationally. We are grateful for your support and participation in our efforts, and hope that you share our enthusiasm for meeting the challenges of the coming year and the years to come.



Lori Stoltz

1999/2000 Board of Directors

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Legal and policy responses to HIV/AIDS in Canada have so far been rational and respectful of the rights of the public *and* of people with HIV/AIDS and those otherwise affected by the disease. For the most part, governments have avoided taking unjustified, repressive and coercive measures against those living with HIV/AIDS, acknowledging that prevention of the spread of HIV is better achieved through collaboration with those infected and affected, and through the protection and promotion of their rights. However, right-wing agendas increasingly appeal to Canadians, and many fear that governments may abandon their current cautious approach and be pressured into introducing legislation that, while doing little to stem the spread of HIV, would suggest more decisive government action. This does not bode well for the protection of the rights of people with HIV/AIDS and those most affected by the disease: gay men, injection drug users, Aboriginal people, the poor, prisoners, sex workers, and, generally, the most vulnerable in Canadian society.

There are many reasons for concern. A private member's bill that proposes to permit forced blood testing of persons for HIV or hepatitis B or C where peace officers, firefighters, and other emergency services personnel or other health-care workers may have been exposed to the risk of infection, was introduced in the House of Commons. Health Canada is considering making HIV testing mandatory for all potential immigrants to Canada, and to exclude all those testing HIV-positive. Discrimination continues, or indeed seems to be on the rise, as a study recently undertaken in New Brunswick shows. And the availability of new treatments has led to an acceleration of the trend toward a medicalization of HIV/AIDS, although there has been early recognition that the "old public health," with its focus on the individual, cannot appropriately deal with an epidemic fueled by social injustice, and that new approaches are needed.

At the Legal Network, we are ready to face these challenges, and will continue to place human rights at the centre of strategies and interventions to fight the HIV/AIDS epidemic. We are proud of the work described in this report, and confident that we will continue making a difference. My thanks go to the staff for making this work possible, to the Board for its guidance, dedication, and vision, and to all our members for their input and support.



Ralf Jürgens

A Short History

Founded in 1992, the Network has an eight-year history of addressing the needs of people with and 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, and by the results of the capacity-building initiative we undertook in 1999: 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 recently contracted the Network to develop a policy options document on HIV/AIDS and criminal law, and included our activities in its collection of “best practices.” The *Canadian HIV/AIDS Policy & Law Newsletter* 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, with funding from Health Canada, Justice Canada, and the Correctional Service of Canada. As part of this Project, the Network
 - 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
 - has undertaken **follow-up** on the recommendations made in the final reports.
- Work on legal issues relating to Aboriginal people and HIV/AIDS, most recently 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.

I would also like to express my thanks for the comprehensive reports and background papers relating to HIV/AIDS that your organization has published over the past few years. In particular, HIV/AIDS in Prisons: Final Report, has been very useful to us in raising awareness, as well as assisting us to develop policy in this area.

– Gord Mackintosh, Minister of Justice & Attorney General of Manitoba,
10 January 2000

- 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, starting multi-year projects in two new areas: care, treatment, and support; and HIV vaccines.
- Developing a plan for capacity-building initiatives on legal, ethical, and human rights issues related to HIV/AIDS.
- A project to increase access on the Internet to materials on legal, ethical, and human rights issues raised by HIV/AIDS, with funding from the United Nations Programme on HIV/AIDS.
- Publishing and distributing the quarterly *Canadian HIV/AIDS Policy & Law Newsletter*.
- 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 and systematizing our resource centre, the largest and most comprehensive publicly accessible documentation centre in Canada in the area of legal, ethical, and policy issues raised by HIV/AIDS.
- Entering into a partnership with the AIDS Law Project, South Africa.

1999/2000 Highlights

1999/2000 has been another busy year for the Network. Highlights include the following:

- we released our report on *Injection Drug Use and HIV/AIDS: Legal and Ethical Issues*, receiving a huge amount of attention in the media, as well as the attention of Minister of Health Alan Rock, who promised to provide a detailed response to the recommendations in the report;
- we conducted an investigation of the need for and feasibility of building the capacity of community-based organizations and lawyers to address legal, ethical, and human rights issues related to HIV/AIDS, developed a plan for capacity-building initiatives, and started to act on it;
- we established a national Advisory Committee for our new, multi-year project on legal, ethical, and policy issues related to access to care, treatment, and support for people with HIV/AIDS, and started work on that project;
- we started a project on legal and ethical issues related to the development and eventual availability of a vaccine for AIDS, which we are undertaking in partnership with the Centre for Bioethics of the Clinical Research Institute of Montréal;
- after undertaking extensive consultations, including a national workshop with close to 50 participants, we released a report on *Rapid HIV Screening at the Point of Care: Legal and Ethical Questions*, just one week after Health Canada issued a licence to BioChem Immunosystems Inc to sell the first rapid HIV screening test kit that provides a result in 15 minutes;
- we established a joint committee with the Canadian AIDS Society to consider possible joint interventions in legal cases, and to develop a proactive litigation strategy;
- Board and staff undertook a visioning exercise, identifying key directions for the Network's work in the next years;
- with our partner organization, the AIDS Law Project, South Africa, we started organizing *Putting Third First – Critical Legal Issues and HIV/AIDS*, a one-day satellite conference on legal, ethical, and human rights issues, to take place just prior to the XIII International Conference in Durban, South Africa;
- we completely redesigned our website to make it even more user-friendly;
- we wrote an article on HIV/AIDS and discrimination for the United Nations Educational, Scientific and Cultural Organization (UNESCO), which was translated into 27 languages and published in all editions of UNESCO's *Courier*;
- we undertook our first-ever membership drive, and now have over 130 members across Canada.

The accomplishments of the Canadian HIV/AIDS Legal Network in the past year are impressive. The Network continues to display leadership on the issues of legal, ethical and human rights both here in Canada and around the world.

– Martin Méthot, Senior Advisor on International HIV/AIDS Issues, Health Canada, 17 August 1999

New Work on Care, Treatment, and Support

In keeping with other reports produced by the Network, the document [Injection Drug Use and HIV/AIDS: Legal and Ethical Issues] is comprehensive, thought provoking and challenging.

– Halvar C Jonson, Minister of Health of Alberta, 15 December 1999



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 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 that are 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 has been highly praised by participants in the 1998 national consultations on legal, ethical, and human rights issues raised by HIV/AIDS. Many pointed out that the role we play here is quite 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 1999/2000, as suggested during the 1998 national consultations, we started a three-year process of in-depth analysis and consultation on “the issue of care and treatment because of its high priority to people with HIV/AIDS and to health-service providers, and of its growing legal, ethical, and human rights implications in the face of changing testing and treatment technologies.” This involved

- establishing a 12-member advisory committee for this project that includes representation from the Community AIDS Treatment Information Exchange (CATIE), the Canadian AIDS Society, the Canadian Treatment Advocates Council (CTAC), the Canadian Aboriginal AIDS Network, people with HIV, and others with expertise in the area;
- drafting a short paper canvassing the main legal, ethical, and human rights issues raised by providing care, treatment, and support, the questions raised by these issues, and suggestions for work that could be undertaken; and
- organizing a national workshop with the members of the Advisory Committee and selected other participants to discuss the issues and questions, and identify “top priority” issues for further analysis.

In addition, we produced a draft of a paper on “Complementary Medicine and HIV Health Care: An Ethical Perspective.” The paper, originally conceived as a stand-alone project, was re-conceived as the first of a series of papers in the Network's care, treatment, and support series. It will be released in early 2001.

Being Proactive: Work on HIV Vaccines

During the 1998 national consultations on legal, ethical, and human rights issues raised by HIV/AIDS, participants suggested that in each year of the Canadian Strategy on HIV/AIDS some work should be undertaken on issues that are not yet regarded as priorities, but are likely to become so in the future – proactive work, or visioning.

Participants highlighted that, as in many other areas of the Strategy, work in the area of legal, ethical, and human rights issues risks being reactive rather than proactive – there is always too much work to be done at any given time, and this often prevents individuals and organizations from working proactively on issues that we know will become high-priority issues. Often we do not address these issues until it is (too) late in the day, until we have to react to an already existing problem.

Therefore, in 1999/2000, we entered into a partnership with the Centre for Bioethics of the Clinical Research Institute of Montréal, to start proactive work on legal, ethical, and human rights issues raised by the development and eventual availability of a vaccine for HIV/AIDS. The first step in this two-year project was to produce a discussion paper to

- further debate on legal, ethical, and human rights issues raised by the development and eventual availability of a vaccine for HIV/AIDS, including issues involved in clinical vaccine trials;
- be proactive in the area of HIV prevention by identifying critical issues in the area of vaccine development and availability; and
- develop an ethical framework to guide vaccine trials and efficacy studies in populations at risk for HIV infection in Canada.

In addition, in conjunction with the AIDS Law Project, South Africa, we prepared a short document on legal, ethical, and human rights challenges in HIV vaccine research, with a particular focus on research in developing countries. This will be discussed at the XIII International AIDS Conference in Durban, South Africa, in July 2000, and will then be finalized and widely distributed.

Both documents will be a critical contribution to discussion in Canada and internationally about the legal, ethical, and human rights issues raised by the development and eventual availability of a vaccine.

Responding Rapidly to Rapid HIV Test Kits

Each year, we undertake analysis of one new, emerging, and pressing issue, complementing our in-depth research and consultation on priority legal and ethical issues and our work on critical future issues. A flexible capacity to provide prompt analysis (analysis that is more narrow in scope, but comparable in depth) is necessary because the epidemic evolves quickly, and because legal and ethical questions related to HIV/AIDS are often raised as a result of new technical or scientific developments.

Rapid HIV screening test kits provide a good example. In March 2000, Health Canada approved the first such kit that can be used in a health-care professional's office to provide test results within minutes. Rapid test kits raise important legal and ethical questions. We started analyzing them in the fall of 1999, knowing that approval of the kits was imminent.

On 22 March 2000, we released our report on *Rapid HIV Screening at the Point of Care: Legal and Ethical Questions*, just one week after Health Canada's approval of the first rapid test kit. The report contains 23 recommendations directed to federal and provincial/territorial policymakers, health-care professionals, professional associations and regulatory bodies of health-care professionals, and those providing HIV testing and counseling and working in the field of public health. It is the result of extensive consultations, and benefited from the input of close to 50 participants at a two-day national workshop organized by the Network and held on 21-22 January 2000 in Toronto.

The report and its recommendations received a lot of attention in the media – in the press, on radio, and on TV. The policymakers and others to whom we directed recommendations started using the report almost immediately, and the Network's quick response to the availability of the new test has been essential to help clarify the legal and ethical issues raised by the test, and to reduce the potential negative impacts on the quality of HIV testing and counseling in Canada.

As we work through how point of care testing will be introduced and subsequently available in B.C., I found myself needing and using your manual [Rapid HIV Screening at the Point of Care: Legal and Ethical Questions] for reference.... You did a great job and have a well designed, user friendly manual to show for it.

– Daphne Spencer, British Columbia
Centre for Disease Control, 17 May 2000

Ensuring Follow-Up

One of the main lessons we learned from our previous activities is that work on issues (such as HIV/AIDS in prisons, criminal law and HIV/AIDS, testing and confidentiality, etc) needs to continue even after the release of one of our “final” reports. These documents must be widely distributed in order to help inform laws, policies, and practices. Follow-up work is needed to ensure that recommendations are indeed implemented. We must monitor legal and policy developments, and sometimes this may require reexamining earlier conclusions and recommendations.

In 1999/2000, our follow-up activities focused on the area of injection drug use and HIV/AIDS. We prepared a series of info sheets and launched it together with the report and volume of background materials on legal and ethical issues related to injection drug use. We strategically disseminated the report, background materials, and info sheets; prepared articles on the report for publication in a variety of newsletters and journals; gave numerous presentations; and reprinted 2000 copies of the report.

In addition, work also continued in the area of:

- HIV/AIDS in prisons (including many meetings with staff of the Correctional Service of Canada, a presentation to the Commissioner’s Forum on 9 November 1999, the writing of articles for publication in the *Canadian HIV/AIDS Policy & Law Newsletter* and other publications, and further dissemination of the series of info sheets on HIV/AIDS in prisons);
- criminal law and HIV/AIDS (including many presentations at local, provincial, national, and international meetings, writing of regular updates on criminal law and HIV/AIDS for the *Canadian HIV/AIDS Policy & Law Newsletter*; and further dissemination of the revised series of info sheets on criminal law and HIV/AIDS, and of *After Cuerrier: Canadian Criminal Law and the Non-Disclosure of HIV-Positive Status*); and
- HIV testing and confidentiality (we developed and started implementing a plan for follow-up activities; gave presentations at a variety of meetings and conferences; and wrote to the Minister of Justice to raise concerns about Bill C-244, which proposes to permit forced blood testing of persons for HIV or hepatitis B or C where peace officers, firefighters, and other emergency services personnel or health-care workers may have been exposed to the risk of infection).

Again, thank you for all the work you are doing on this and other issues. We all benefit greatly.

– Joanne McAlpine, Executive Director,
HIV/AIDS Regional Services, Kingston,
21 January 2000

Building Capacity

I ... have just returned to find a copy of the excellent research paper on "Building Capacity to Address Legal, Ethical, and Human Rights Issues Related to HIV/AIDS in Canada." ... Best of luck with the next steps in the implementation of the recommendations.

– Mary Jane Mossman, Professor of Law,
Osgoode Hall Law School,
25 February 2000

The component on legal, ethical, and human rights issues raised by HIV/AIDS is a new component in the Canadian Strategy on HIV/AIDS. We are the only organization in Canada, and one of the few organizations internationally, working exclusively in the area of policy, legal, ethical, and human rights issues related to HIV/AIDS. As our reputation has grown, so has the number of invitations and opportunities to provide expertise and advice to others.

Participants in the 1998 consultation on legal, ethical, and human rights issues identified the “need to affirm and strengthen the central role that the Legal Network has played in the area of legal, ethical, and human rights issues,” but also spoke of the need to strengthen the capacity of other organizations to undertake activities in this area of the Canadian Strategy on HIV/AIDS.

In 1999/2000, we therefore conducted an investigation of the need for, and the feasibility of, building the capacity of community-based organizations and lawyers to address legal, ethical, and human rights issues related to HIV/AIDS. The investigation involved interviews with selected individuals; the preparation of a draft plan discussed at a national workshop and circulated to selected commentators for feedback; and the preparation of a final plan and framework for future activities. The plan, released in January 2000, proposes a variety of concrete activities that could be undertaken to design capacity-building initiatives for community-based organizations; develop the capacity of lawyers and paralegal workers; and strengthen the links between community-based organizations, the legal profession, and the Legal Network.

We have started implementing some of the activities proposed in the plan. In particular, we are going ahead with plans to establish a listserv to facilitate exchange of information between lawyers, paralegal workers, community-based workers, and others on legal, ethical, and human rights issues related to HIV/AIDS. This listserv will be launched in September. In addition, the Network and the Canadian AIDS Society have established a joint litigation committee. Finally, we are developing a list of lawyers with expertise in HIV/AIDS, and have added a skills-building component to our 2000 Annual General Meeting in Toronto.

The plan will also help us in planning our many activities for the coming years. But making progress will require the initiative and participation of many organizations and individuals. We look forward to partnerships that will build the capacity of community-based organizations to address legal, ethical, and human rights issues, as well as educate those in the legal profession about HIV/AIDS.

A World of Resources

On 1 June 1999, we opened our Resource Centre to the public. The Resource Centre is the largest and most comprehensive publicly accessible documentation centre in Canada in the area of legal, ethical, and policy issues related to HIV/AIDS, and probably one of the largest worldwide. It houses thousands of documents: academic literature, books, court decisions, community reports, conference proceedings, government documents, newsletters, position papers, and unpublished research. Over 2000 documents have been entered into an electronic library catalogue, and we will soon provide access to the catalogue on our website.

The scope of our collection reflects the Network's very broad understanding of legal, ethical, and policy issues. Whether the matter relates to HIV testing and confidentiality, human rights and discrimination, prisons and HIV/AIDS, new testing technologies, or debates on the criminalization of HIV transmission, we carry a wealth of documentation on the subject. Broad geographic representation is another asset of our Resource Centre: materials may be from Canada, the United States, Europe, Australia, South Africa, from many other countries, or from international organizations.

We provide on-site space for reading and studying all written documentation. Requests for information can also be made by telephone, email, or fax. Our aim is to make information as accessible as possible to those enquiring about legal, ethical, and policy issues related to HIV/AIDS, and to bridge an important gap in existing collections elsewhere. The materials we have gathered over the years are not otherwise readily available in one place, such as universities, government libraries, or AIDS service organizations – where else can 449 documents on HIV/AIDS in prisons be found, or 356 documents on HIV/AIDS, discrimination, and human rights?

Many thanks for all the help in sending articles and info relating to hep C and IDUs in Canada. It was really very helpful.

– Lynne Leonard, Professor, Department of Epidemiology and Community Medicine, University of Ottawa, 21 May 2000

Providing Information – Now in 27 Languages!

It is a challenge to make the often difficult and complex information on legal, ethical, and policy issues related to HIV/AIDS easily accessible and understandable. The Network has developed a range of different publications, striving to meet the needs of the various individuals and organizations who use our resources. In 1999/2000, one of our articles, on HIV/AIDS and discrimination, was translated into 27 languages and published in UNESCO's newsletter, the *Courier*. Other documents have been translated into Russian and Spanish. Here are a few other highlights:

The best resource on AIDS law on the Web comes not from the U.S. but rather from its neighbor to the north. The Canadian HIV/AIDS Legal Network provides an extensive collection of AIDS law materials ...

– Review of our website by LEXIS Publishing, at www.lexis.com/lawschool

I just got my copy of the [Canadian HIV/AIDS Policy & Law] Newsletter today, and I must say it's excellent... [A]ll the articles I've read show a very high standard, and are full of useful information.

– Lee Zaslofski, AIDS Committee of Toronto, 12 July 1999

- **www.aidslaw.ca.** In March 2000, our website received over 80,000 hits, up from 21,000 hits in March 1999, and under 4000 hits in April 1998. The frequency of hits, files sent (over 60,000 in March 2000), and page views (over 28,000 in March 2000) continues to increase every time a new publication is released. Recognizing the importance of our website, we have totally redesigned it in 1999/2000 to make it even more user-friendly. The new site will be launched in June 2000.
- **Info Sheets.** We released and distributed thousands of copies of our new series of 11 info sheets on HIV/AIDS and injection drug use. People and organizations really like our info sheets, which provide concise, easy-to-read, and up-to-date information on often difficult issues.
- **Canadian HIV/AIDS Policy & Law Newsletter.** We introduced several improvements to our *Newsletter*, such as a regular column on HIV/AIDS in Canadian courts. A name change is planned, to reflect that the *Newsletter* is no longer the newsletter it was when we launched it in 1994, but a journal, and a reader survey will be undertaken so that we can further improve this publication and make it even more relevant to our readers.
- **Legal and Ethical Issues Raised by HIV/AIDS: Literature Review and Annotated Bibliography.** We produced an updated annotated bibliography and literature review, as well as an info sheet with essential resources on **HIV/AIDS and Prostitution**; and added hundreds of entries to other sections of the annotated bibliography, in particular the sections on “Access to Care and Treatment/Health-Care Issues,” “Discrimination and Human Rights,” “Public Health,” and “Women and HIV/AIDS.”

International Collaboration

The Network has always incorporated international activities into our work, recognizing not only that we can contribute to work being done internationally, but also that there is much we can learn from work in other countries. In recent years, we have significantly strengthened the international component of our work.

In November 1998, the Network became the first Canadian AIDS service organization to enter into a formal partnership with an organization in a resource-poor country, the AIDS Law Project (ALP), South Africa. The International Affairs Directorate of Health Canada agreed to support the formalization of the relationship as a case study of “twinning in action.” A Partnership Agreement was prepared and adopted by both organizations, a declaration of global solidarity and intent to work together for mutual benefit; and the Agreement was made part of the day-to-day work of the Network and ALP.

In November 1999, ALP staff lawyer Anita Kleinsmidt visited the Network. Anita gave presentations on “Where are my human rights? Mother-to-child transmission of HIV in South Africa” at seminars in Montréal, Ottawa, and Toronto, and met with representatives of Health Canada, the Canadian International Development Agency, and numerous community groups. Together with Network staff, she attended the Canadian Skills Building Symposium in Winnipeg, where she participated in many events, including a workshop on “twinning projects” and a workshop on access to treatment in developing countries. For the Network and for ALP, this was a successful visit, and an important milestone in our collaboration. For some participants in the workshop on “twinning projects” it was an inspiration. They have since followed the example of the Network and ALP, and started developing their own partnerships with organizations in developing countries.

The Network and ALP have also started organizing *Putting Third First*, a one-day satellite meeting on legal, ethical, and human rights issues related to HIV/AIDS, to take place just prior to the XIII International AIDS Conference in Durban, South Africa, in July 2000. This will be the first time that a full-day meeting on legal, ethical, and human rights issues will take place at an International AIDS Conference. The meeting is co-hosted by the Joint United Nations Programme on HIV/AIDS (UNAIDS), and will bring together a hundred people from across the world to discuss four issues in greater depth: access to treatment, HIV/AIDS vaccines, vulnerability of women and the role of the law, and criminal law and HIV/AIDS.

In the first edition of UNAIDS' *Booklet of Best Practices*, the Network's work was one of only two activities in the area of “human rights, ethics, and law” selected as international “best practice.”

Impacts

I am trying to get ten copies of this report – Injection Drug Use and HIV/AIDS: Legal and Ethical Issues – for our constituents. It was a terrific report!

– Libby Davies, Member of Parliament,
Vancouver East, 9 December 1999



Most important, we are making a difference.

On 24 November, at a press conference in the House of Commons, the Network released its report on *Injection Drug Use and HIV/AIDS: Legal and Ethical Issues*. On the 23rd, the report and its recommendations had already received a huge amount of attention in the media, opening CBC’s radio news. Coverage of the report continued for over a week, in the press, on the radio, and on TV. Highlights included hours of in-depth coverage on CBC Radio One, many TV interviews on both CBC and CTV, and articles in many newspapers, including a full-page article on the report in the *Globe and Mail* on World AIDS Day.

Significantly, only one week after the release of the report, on World AIDS Day Minister of Health Alan Rock reacted publicly to the report and its recommendations. During question period in the House of Commons, Rock responded to a question by Bloc Québécois health critic Réal Ménard, saying that the Network report contains “interesting and important recommendations,” that these recommendations are now “under consideration,” and that he made a promise to “provide a detailed response to the recommendations in the months to come.” Earlier on the same day, during a speech marking the release of his yearly report on HIV/AIDS, Rock had also mentioned the report and made a commitment to respond to its recommendations, saying that “if the Minister of Health of the country is not prepared to look at the options and consider them seriously and discuss them, then how can we marshal a decent response to the needs of this marginalized group [injection drug users]?” The Minister went on to say that “we have to look beyond the addiction. We have to see the person. And we have to be prepared to craft a response which reflects our decency as people.”

Since then, federal and provincial policymakers have been working on a response to the Network’s report. When the response is released in the coming months, much work will remain to be done. However, as was the case in areas such as HIV/AIDS in prisons, our work will have made a difference, and will lead to policy changes resulting in better prevention, and provision of better care, treatment, and support to those with HIV or AIDS.

Acknowledgments

The generosity of our supporters ensures the success of the Canadian HIV/AIDS Legal Network's programs and projects. Without them, we could not accomplish our work.

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Canadian HIV/AIDS Legal Network, Inc.

Financial Summary for the Fiscal Year Ending March 31, 2000

Financial Position

	2000	1999
Current Assets		
Cash	\$ 79,382	\$ -
Money market fund	39,987	112,399
Accounts receivable	22,803	29,304
Contributions and grants receivable	<u>22,070</u>	<u>109,021</u>
	164,242	250,724
Capital Assets	<u>11,334</u>	<u>14,563</u>
	<u>\$175,576</u>	<u>\$265,287</u>
Current Liabilities		
Bank overdraft	\$ -	\$ 11,568
Accounts payable and accrued charges	50,248	214,287
Deferred revenue	5,690	-
Deferred grants	<u>74,791</u>	<u>3,105</u>
	130,729	228,960
Net assets		
Invested in capital assets	11,334	14,563
Unrestricted net assets	<u>33,513</u>	<u>21,764</u>
	44,847	36,327
	<u>\$175,576</u>	<u>\$265,287</u>

Operations

	2000	1999
Revenue		
Memberships and subscriptions	\$ 4,787	\$ 8,697
Contributions and grants	755,058	784,742
Miscellaneous	8,767	2,406
Interest	<u>2,588</u>	<u>2,399</u>
	\$771,200	\$798,244
Expenses		
Operational Funding	\$279,149	\$211,106
Legal and Ethical Issues Project	447,855	508,816
Enhancing Capacity - Network/ALP Partnership	16,400	-
Durban Satellite	7,961	-
Research Seminar Series	3,105	3,042
Legal Network Other Projects	8,210	4,290
Annotated Bibliography - UNAIDS	-	19,780
Publication of Papers - UNAIDS	-	15,674
International Inventory	-	9,300
Twinning in Action: A Case Study	<u>-</u>	<u>6,350</u>
	\$762,680	\$778,358
Excess of revenue over expenses	<u>\$ 8,520</u>	<u>\$19,886</u>

Audited financial statements are available upon request.