

Press Release
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IDLO PUBLISHES GUIDEBOOK ON 'HIV/AIDS AND THE LAW' IN CHINA

The International Development Law Organization (IDLO) has published a "Guidebook to HIV/AIDS and the Law" in China, as part of a pilot initiative to increase access to justice for people living with HIV and AIDS (PLHIV) in the Yunnan Province, which is currently facing an advanced HIV epidemic.

The guidebook has been compiled in conjunction with the Yunnan Daytop Drug Abuse Treatment Center and the Yunnan Righteous Law Firm and will be distributed to HIV support groups, community organizations, hospitals and Harm Reduction Centers, as well as legal aid centers and law firms in the Province. The guidebook is available in Chinese online at www.idlo.int.

The Director of the IDLO Asia-Pacific Regional Center, Hongixa Liu, explained the critical need for this new resource:

"Despite the fact that China has relatively sound legislation at both national and provincial levels designed to protect those with HIV, a lack of awareness and information among the judiciary, police, employers, health care and insurance providers means that these laws are very often not enforced. Wide-spread ignorance of the medical facts relating to HIV and AIDS and the legal rights of PLHIV leads to frequent discrimination in all walks of life.

"As many of the countries most severely affected by the rapid spread of HIV, China lacks an adequate number of civil and corporate lawyers with the capacity to provide specialist counsel to patients, families, local authorities, and businesses. Legal communities very rarely have a network of experienced lawyers, especially pro bono lawyers, working in this field and there are very few professional resources available on the legal issues specific to HIV and AIDS."

The IDLO pilot initiative is funded by the Bill and Melinda Gates Foundation, and in addition to producing the new guidebook, it has included:

Training on HIV and AIDS: key legal issues, relevant legislation and polices for staff from Yunnan legal aid centers and NGOs, legal academics and law society members on HIV and AIDS issues and relevant legislation. The Asia Pacific Council of AIDS Service Organizations (APCASO) contributed to the training which included advice on how to communicate with PLHIV and key populations at higher risk, such as sex workers and drug users.

The establishment of a formal network of pro-bono lawyers within the Yunnan province which identifies those able to advise on the legal rights of PLHIV in areas such as medical care and treatment, insurance, education, and employment.

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IDLO has been working on HIV and AIDS-related legal issues since 2003. The Organization hopes to extend its China pilot to five different regions in the developing world, with a program designed to address some of the most significant legal challenges relating to HIV, such as establishing a legal framework and regulation for the distribution of pharmaceutical and enhancing gender-related legal protection and rights issues.

IDLO future program activities will seek to:

- improve legal sector awareness of current scientific and practical knowledge
- support governments, local authorities, NGOs and support networks to develop sound and responsive policies and legal frameworks which promote and sustain international standards on HIV and AIDS
- provide public-interest lawyers, government officials, prosecutors and judges with the capacity to enforce national regulation and policies on HIV and AIDS
- support NGOs and local authorities in providing HIV and AIDS-related education and raising public awareness of the legal rights of PLHIV.

IDLO also plans to provide training to legal aid centers, pro-bono departments in private law firms and University legal clinics to enable them to pursue high-profile pro-bono cases defending the rights of PLHIV against discrimination.

The Organization is still working closely with development agencies on obtaining full funding for the program, which is due for implementation in 2008.

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NOTES

For copies of the guidebook or further information on IDLO Programs on HIV and AIDS-related legal issues, please contact:

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IDLO (International Development Law Organization) is an international, inter-governmental organization with a mandate to promote the Rule of Law and good governance in developing countries, countries in economic transition and countries emerging from post-conflict situations. Since its establishment in 1983, IDLO has worked with more than 18,000 lawyers, magistrates and officials from approximately 176 countries.

IDLO has its Headquarters in Rome, Italy and two Regional Offices; in Cairo, Egypt, covering Arabic-speaking countries and in Sydney, Australia, covering the Asia Pacific area. IDLO currently operates Project Offices in Afghanistan, Indonesia and Kyrgyzstan.

IDLO is funded by contributions from its 18 Member States and other donors.

For detailed information on IDLO and its activities, please refer to our website at www.idlo.int.