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MONTREAL POLICE DISCRIMINATE AGAINST PEOPLE LIVING WITH HIV/AIDS

Community Groups Demand Human Rights Commission Inquiry

4 June 2004 - COCQ-sida (Québec's coalition of community AIDS groups) and the Canadian HIV/AIDS Legal Network filed a formal request today at the Quebec Human Rights Commission. They are asking for an inquiry into the hiring practices of the Montreal Police (SPVM), as well as into the admission criteria of the École nationale de police du Québec (ENPQ).

The police force's recruitment standards and the school's admission criteria stipulate explicitly that all candidates who test HIV-positive are to be rejected, regardless of the particular aptitudes and competence they may have for the job. For anyone living with HIV/AIDS, it is another slap in the face.

"These standards are completely unjustifiable; they bear the stamp of ignorance," said Ralf Jürgens, the Legal Network's Executive Director. "This kind of discrimination is a real setback for the cause of HIV education in Quebec. People living with HIV/AIDS are already stigmatized. This only makes it worse," he added.

Lyse Pineault, Executive Director of COCQ-sida, agrees: "Why single out people living with HIV/AIDS? It is totally inappropriate – and illegal – especially given that so many of them are in excellent physical shape. How can you justify barring their access to a career in the police force if in every other way they possess the aptitudes and qualities the job requires?" Moreover, they would be able to fulfill their duties without posing any risk to the public or to fellow officers. Even if the risk were real, it would mean that all police officers would have to be tested, because testing only applicants wouldn't guarantee the kind of protection these policies aim to provide.

"In accordance with Quebec law, hiring criteria have to be based exclusively on the aptitudes and qualities required for the job, whereas the admission criteria of the ENPQ and the hiring standards of the SPVM are based on elements which have nothing to do with that. An individual's serological status, in and of itself, has no impact whatsoever on a given candidate's physical or mental capacity to undergo police-patrol training, or to fulfill the duties of a police officer. What the ENPQ and the SPVM are doing, in fact, are flagrant examples of direct discrimination, of the kind formally prohibited both by the Charter and by the Supreme Court of Canada. No one, not even the police, can break those laws," declared Mme Christine Vezina, COCQ-sida's lawyer, who also heads up their "AIDS in the Workplace" programme.

In 2004, discrimination against people living with HIV/AIDS remains widespread in Canada. We cannot let such injustice run rampant. The consequences for anyone in Québec living with HIV/AIDS are serious, and we must hope that the Québec Human Rights Commission will launch an inquiry as soon as possible.

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About the Canadian HIV/AIDS Legal Network

The Canadian HIV/AIDS Legal Network (www.aidslaw.ca) is a national organization engaged in education, legal and ethical analysis, and policy development. Founded in 1992, the Network promotes responses to HIV/AIDS that respect human rights; facilitate prevention efforts and access to care, treatment and support; 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. The Network is an NGO in Special Consultative Status with the Economic and Social Council of the United Nations. Its work has received national and international recognition, and the United Nations Joint Programme on HIV/AIDS has included the Network's activities in UNAIDS' collection of "best practices."

About COCQ-Sida

COCQ-Sida (www.cocqsida.com) is a coalition of 35 Quebec community organizations involved in the fight against AIDS. This coalition acts as the voice of these groups both within the province and across Canada. Its mandate is to represent member organizations and thereby promote co-ordinated action in areas of shared interest. To help ensure its members are involved or consulted when policies to address HIV-AIDS issues are planned, implemented or evaluated, COCQ-SIDA fosters awareness of the expertise and contribution of community and non-governmental organizations in the fight against AIDS.