



August 23, 2006

The Hon. Peter MacKay
Minister of Foreign Affairs
House of Commons
Ottawa, Ontario
K1A 0A6

Dear Minister:

As you are undoubtedly aware, South Africa is the country most heavily affected by HIV/AIDS on a per capita basis. Every day, roughly 800 South Africans die from AIDS and another 1000 are infected — all this despite the fact that South Africa has a strong economy and a constitutionally enshrined guarantee of health care for its people.

As was repeatedly noted at the XVI International AIDS Conference in Toronto, the Government of South Africa has a shameful record of denial and inaction in the face of the AIDS pandemic. President Thabo Mbeki and Health Minister Manto Tashabalala-Msimang have proclaimed that HIV does not cause AIDS, suggested that antiretroviral drugs are ineffective against HIV/AIDS, and recommended dietary remedies such as lemon juice and garlic for people living with HIV/AIDS.

It took a court decision to oblige the South African government to provide one of the most cost-effective AIDS services, prevention of mother-to-child transmission, and still that service is unavailable to many South African women. A recent court order requires the government to provide AIDS treatment for prisoners who need it. Government delaying tactics have blocked the execution of that order, and prisoners are dying as a result.

Shamefully, AIDS activists continue to be arrested and put in jail in response to peaceful demonstrations, including in the last few days as the Treatment Action Campaign (TAC) has called the government to account for its inaction in the prison case and other negligence. This is no way to show leadership in the fight against AIDS, which has in nearly all countries been led by civil society.

TAC has called for a day of solidarity and action this Thursday, August 24 to protest the harmful actions of the South African government with respect to the epidemic. TAC is a broad-based South African NGO that has been working courageously on behalf of people living with AIDS since 1998. In solidarity with TAC, we respectfully request your assistance in the following areas:

- Canada should call on the South African government to respect its constitutional obligations to provide essential HIV/AIDS services to its people and to discontinue its defiance of South African courts, which have pronounced on the need for scaling-up services. Canada should also speak out on the continued persecution of AIDS activists who should not be jailed for expressing their concerns. Canadian representatives in Pretoria should be asked to monitor the treatment of arrested activists to ensure that their right to free expression is not undermined by the South African government.
- You and Prime Minister Harper should communicate directly with your South African counterparts to inform them that Canada considers Pretoria's counterproductive actions with respect to HIV/AIDS to be against the letter and spirit of the United Nations General Assembly Declaration of Commitment on HIV/AIDS.
- Foreign Affairs and International Trade Canada should insist that Canadian businesses operating in South Africa provide comprehensive HIV/AIDS services to their South African-based employees and their families.

Although the Prime Minister chose not to attend AIDS 2006, it is not too late for your government to champion Canada's long-held view that action against AIDS must be based on scientific evidence and human rights. AIDS knows no borders — and South Africa's continuing neglect of these life-and-death issues can no longer be considered a purely domestic South African concern.

Thank you for your attention to this matter.

Very truly yours,



Joanne Csete
Executive Director
Canadian HIV/AIDS Legal Network



Michael O'Connor
Executive Director
Interagency Coalition on AIDS and
Development