

**Re: International Human Rights Internship at SECTION27 Johannesburg, South Africa**

Date: 8 September 2011

From: Danielle Glatt

For: Renu Mandhane

I spent this past summer working at SECTION27, the former AIDS Law Project in Johannesburg, South Africa. SECTION27 is named after the section of the South African Constitution that enumerates the right to health. SECTION27 is a public interest law center and NGO that protects and promotes the advancement of social and economic rights of South Africans through legal means. In addition, it conducts and publishes research in order to assist with policy formulation and the development of appropriate legal and regulatory frameworks needed to respect, protect, promote and fulfill human rights.

Thanks to the International Human Rights Program, I had the opportunity to work with amazing attorneys and advocates as well as civil society leaders and activists. I have not only learned about the importance of law as a means for advancing human rights but have also seen the benefit of partnering with grass roots civil society organizations in order to create momentum in a social movement. For example, the partnership of SECTION27 and The Treatment Action Campaign (TAC) is largely responsible for the roll out of anti-retroviral treatments in South Africa. The fact that these two organizations were capable of creating such support when up against the ANC --- given what the ANC means to South Africans, shows the power and strength of their campaign and both their legal and political strategy.

SECTION27 has shown me how a strong social movement is organized and structured and how litigation and advocacy can play a central role in strategically moving a movement forward. The lessons I have learned in strategy will no doubt be valuable in the advocacy and litigation work that I will do in Canada. Even in Canada, we still have a long way to come in protecting and realizing basic social and economic rights for our citizens. Not only in terms of health issues such HIV/AIDS, but also in terms of labour and housing sectors.

In my time at SECTION27, I gained valuable legal research and writing skills. I have worked with the organization's attorneys to prepare memorandums and legal opinions. I have

drafted letters and met with clients. I have also participated in strategic litigation sessions and been involved in drafting guidelines for medical practices. I have worked on many different issues including: the legality of blanket refusals and loaded premiums in the context of Life Insurance for people living with HIV/AIDS. I have done comparative work on South African and North American labour law and minimum service level agreements in the health sector. I have also had the chance to look at the human rights issues involved in involuntary detainment of MDR-TB patients. In terms of policy research, I was able to contribute to a legal and ethical guideline on blood transfusions for people living with HIV/AIDS and wrote a detailed memorandum on the development of a National Patient Safety Agency in South Africa.

In addition to the practical skills I have built, the learning opportunities that I have had at SECTION27 have been numerous and varied. I attended workshops on Competition and Intellectual Property Law. In June, I attended the 5<sup>th</sup> South African AIDS conference in Durban and had the opportunity to hear lectures and presentations on various legal, medical and socio-economic issues in the struggle against HIV/AIDS. At the conference I was able learn about the vast improvements that have been made in HIV/AIDS law and policy but was also reminded that there is a great deal of work still to be done. SECTION27's director Mark Haywood was asked to be the main speaker on the first evening. The key note speaker that same evening was then Chief Justice Ngcobo.

Chief Justice Ngcobo's address would come to hold great significance for me later in the summer, as SECTION27 intervened in a Constitutional Court case that would decide whether the President had the power to extend the Chief Justice's tenure. It was a case that came to fruition quickly. I was fortunate to be able to sit in on strategy sessions and contribute a memorandum on relevant Canadian law pertaining to suspensions of invalidity and interim relief. It was incredibly rewarding to sit in the Constitutional Court and watch George Bizos, our senior council, present oral arguments on a case that we had all worked so hard on. George Bizos is one of South Africa's most prolific human rights advocates. He represented Nelson Mandela in the Rivonia trials and was an integral part of the post-apartheid Truth and Reconciliation Commission. Listening to him argue was one of the highlights of my summer. In

addition to seeing Bizos advocate, I also had the opportunity to attend a talk by Archbishop Desmond Tutu.

I was also invited to attend policy meetings at the South African Commission for Human Rights regarding the development and implementation of the next National Strategic Plan for HIV/AIDS and TB. SECTION27 played an integral role in drafting the current NSP 2007-2011 and have joined with SANAC and the SACHR to make the next NSP a more effective tool to combat the HIV/AIDS and TB epidemic. SECTION27's focus with regard to the NSP is on respect for and the promotion of human right, as well as the building and/or strengthening of SANAC structures to ensure good governance and accountability. They are also working on ensuring appropriate budgeting for and expenditure in relation to ARV treatment and other key interventions identified in the NSP, so that there is a sustainable uninterrupted provision of ARV treatment.

I truly believe that SECTION27 is essential to the continuing efforts in South Africa to secure constitutionally mandated socio-economic and health rights. Their projects that I have been fortunate enough to contribute to this summer, also attempt to address broader issues of openness, accountability and the regulation of both public and private power. It was an honour to contribute to their work.

