

The Symposium by Gakushuin Women's College,
Waseda University Global COE, and Asian Human Community (AHC)
Supported by the Japan Foundation
Attorney's Group Fund of HIV Litigation for Hemophiliacs

HIV/AIDS in China

Discuss together to avoid repeating the same mistakes

[Time]

November 16, 2008 (Sun.)

[Venue]

Ono Azusa Memorial Hall

[Registration]

Free, not necessary

[Languages]

Chinese, Japanese, English (Simultaneous translation *English only for morning)

[Contact]

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[Hosted by]

The Committee for the Symposium of HIV/AIDS in China

(Gakushuin Women's College, Korekata AIDS Legal Center, Yang Shaogang Lawyer's Office)

Program for Promoting Advancement of Academic Research at Private Universities of MEXT

(Open : 2002—2008)

[Co-hosted by]

AHC Institute

Waseda University Global COE, Global Institute for Asia Regional Integration

[Supported by]

The Japan Foundation, Attorney's Group Fund of HIV Litigation for Hemophiliacs in Tokyo

(Outline)

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|-------------|--|
| 9:40~10:00 | Opening Remarks Amako Satoshi (Waseda University) |
| 10:00~10:25 | Keynote Speech Burris Scott (Temple University)
"An Enabling Environment for HIV: The U.S. Experience." |
| 10:25~10:40 | Keynote Speech Ryuhei Kawada (Member of the House of Councilors)
"HIV/AIDS for Hemophiliacs in Japan" |
| 10:40~12:40 | Session 1 "HIV and Law" |
| 14:00~14:20 | Keynote Speech Satoru Ienishi (Member of the House of Councilors)
"Infectious Diseases Prevention Law in Japan" |
| 14:20~15:50 | Session 2 "HIV and Administrative and Social Support – China" |
| 16:00~17:30 | Session 3 "HIV and Administrative and Social Support – Japan" |
| 17:30~18:00 | Discussion "To Avoid Repeating the Same Mistakes" |

Program Objectives

Many countries, including Japan, have experienced the enormous cost and time consumption that accompanies AIDS litigation, and the extreme burdens such litigation places on AIDS patients, the nation and society as a whole. In China in the 1990s, unsafe blood supply management led to the infection of many with HIV (the AIDS virus), and lawsuits in this regard have increased in recent years. However, because laws and systems are not yet fully established, some cases have merely resulted in increased social anxiety.

Currently in China, many citizens' groups and government organizations are providing legal assistance, but there is a lack of information and specialized knowledge. In particular, there exist many obstacles to the development of human resources. Japan and China are both Asian countries, and their cultures and societies share many common features. As China begins to put systems and laws into place, there is value in looking to Japan for examples. For the sake of the development of China-Japan relations, as well as that of the international community, Japan is in a position to make very significant contributions to the development of laws and legal systems in China, as well as of human resources.

This program has two major goals.

- (1) The exchange of experiences and comparative studies in the area of blood supply management and AIDS-related laws and systems
- (2) Discussions on public assistance for empowering infected and other concerned individuals

- (1) Blood supply management and AIDS-related laws and systems

In China, concerning Regulations on the Prevention and Treatment of AIDS, up until now, a number of research groups have been established and specialists have studied the problems. At the August 2004 Shanghai People's Congress, a special team was established, and in December of the same year, specialists from the United States, Canada and Australia were invited to take part in an international symposium. In May 2005, research groups at the Shanghai Academy of Social Sciences, East China University of Political Science and Law, Shanghai Institute of Politics and Law, and Tsinghua University each presented various draft proposals. The topics discussed included respecting independence and privacy for HIV testing; government management of information disclosure; prevention of discrimination in work, marriage, education, and treatment; the duties of citizens' groups and NGOs; safeguards and assistance for those infected; and insurance coverage for medical staff infected on the job. In January 2006, the Chinese State Council adapted part of these discussions in the form of the Regulation on AIDS Prevention and Control.

The enactment of legislation such as this and the establishment of systems is advanced through the involvement of many groups, from government and government leadership committees to private sector groups and international organizations. To many, those infected with HIV are among society's most vulnerable groups, and taking into account the special circumstances facing them, it is necessary to support them so that they can escape this classification. In order to respond to China's true situation and to develop even better legislation and systems, information and comparative analyses of examples in other countries must be sought.

Another very important matter to address concerning AIDS-related legislation and systems is how to aid people infected through blood transfusions and infected blood products. In the 1990s, Japan became the focus of international attention following its problems with HIV-contaminated blood products, an experience that participants in the program from overseas will also be very interested in. Because the symposium and workshops are being held in Japan this time, there will be opportunities for exchanges with people who were involved in this problem, including government representatives, lawyers, doctors, researchers, citizens' groups and journalists. Of course, the Japanese experience cannot be applied directly to that in other countries, but looking at the problem from all angles and using Japan's experience as a reference will surely result in information and ideas.

(2) Social support to empower people infected with HIV and other concerned individuals

Empowerment is often cited as an idea that it is important for increased development in developing countries. For example John Friedman, in *Empowerment: The Politics of Alternative Development* (Blackwell Pub, 1992) says that three types of power are required for development: (1) social power, (2) political power, and (3) psychological power.

Social power is influenced by access to information, knowledge, technology, participation in social organizations, financial resources and manufacturing infrastructure. Political power involves the ability of individuals to participate in various decision-making processes that have a direct affect on their futures. Specifically, this means the ability to express opinions and participate in collective action and politics. Psychological power is the power to recognize one's own potential. This has the synergistically positive effect of strengthening both social and political power.

Among those infected with HIV, many are low-income earners, sex industry workers, drug users, male homosexuals, and hemophiliacs – in other words, those in weak political, social and psychological positions – and they are often exposed to discrimination. It is necessary to put into place support systems that allow infected individuals to live strongly, such as educational activities and training programs, and to respect the will of infected individuals while providing medical treatment and social support. Chinese specialists have indicated a desire to study the experiences of Japan and other countries in regard to these matters. The goal of this symposium is for politicians, members of citizens' groups and NGOs, specialists and media representatives to gather and discuss in depth topics related to AIDS, such as the roles of organizations and individuals, how best to work together, and which programs have shown concrete results and which have conversely added to the problem.

International Symposium

HIV/AIDS in China

--- Discuss together to Avoid Repeating the Same Mistakes

November 16 (Mon.) Ono Azusa Memorial Auditorium, Waseda University

- 9:40~10:00 Opening Remarks **Satoshi Amako** (Waseda University)
(Introduction **Tomoko Ako** (Gakushuin Women's College))
- 10:00~10:25 Keynote Speech **Scott Burris** (Temple University)
"An Enabling Environment for HIV: The U.S. Experience."
- 10:25~10:40 Keynote Speech **Ryuhei Kawada** (Member of the House of Councilors)
"HIV/AIDS for Hemophiliacs in Japan"
- 10:40~12:40 Session 1 "HIV and Law"
Chaired by Li Dun (Chinese Foundation for Prevention of STD and AIDS)
Panelists: **Yang Shaogang** (Yang Shaogang Lawyer's Office)
Gang Zhiming (Friendship House of Hunan Province)
Sara Meg Davis (Asia Catalyst)
Zhou Dan (Yangshao Gang Lawyer's Office)
Katsumi Ohira (Wingbeat Welfare Project)
Yukihiko Yasuhara (Attorney's Group of HIV Litigation for Hemophiliacs in Tokyo)
Shinichi Sugiyama (Attorney's Group of HIV Litigation for Hemophiliacs in Tokyo)
- 12:40~14:00 Lunch
- 14:00~14:20 Keynote Speech "Infectious Diseases Prevention Law in Japan"
Satoru Ienishi (Member of the House of Councilors)
- 14:20~15:40 Session 2 "HIV and Administrative and Social Support – China"
Chaired by Tomoko Ako (Gakushuin Women's College)
Panelists: **Li Dan** (Koretaka AIDS Legal Center)
Meng Lin (Ark of Love The Organization of Informational Support Network for PLWHA)
Jin Wei (The Central Party School)
Wang Keqin (China Economic Times)
Takefumi Fukuhara (International University of Health and Welfare)
- 15:40~15:50 Break
- 15:50~17:30 Session 3 "HIV and Administrative and Social Support – Japan"
Chaired by Akiko Kakinuma (Wingbeat Welfare Project)
Panelists **Yasushi Sawazaki** (Japanese Foundation for AIDS Prevention)
Yoshihiro Takayama (Saku General Hospital)
Yuzuru Ikushima (Positive Living And Community Empowerment TOKYO)
Hiroshi Hasegawa (JaNP+) **Denemon Sakuraya** (Writer)
Kaku Nobuaki (Waseda University Student Association Qoon)
- 17:30~18:00 Discussion "To Avoid Repeating the Same Mistakes"
Chaired by Shinichi Sugiyama **Panelists** All Panelists
- 18:00~18:10 Closing Remarks **Li Dun**