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# **CALL TO ACTION**

## **SUNDAY 20 AUGUST 2006**

**TAC CALLS FOR A GLOBAL DAY OF ACTION ON THURSDAY 24 AUGUST 2006**  
**END 1000 NEW HIV INFECTIONS DAILY – END 800 HIV DEATHS DAILY IN SOUTH AFRICA**  
**BUILD A GLOBAL UNITED FRONT FOR HIV PREVENTION AND TREATMENT**

On 20 August 1983, the United Democratic Front was born inside South Africa to unify all individuals, communities and organisations under a common banner to end apartheid and poverty. The vision of the ANC's Freedom Charter became the bedrock of struggles to end apartheid over the next ten years.

On 27 April 1994, South Africa gained its freedom and the ANC became the first legitimate government in our history. The ANC government faced many challenges – inequality, injustice, race discrimination, a mismanaged economy, gender violence as well as extreme poverty. HIV/AIDS became the crisis that exacerbated almost every one of these factors.

Since July 1999, under President Mbeki and **his** Health Minister Manto Tshabalala-Msimang, HIV/AIDS has become an area of contestation. Today, we face a crisis of HIV infection, illness and death. Above all, we face a crisis of governance. Despite enormous financial investment and some advances (a result of civil society struggle) in treatment of HIV – more than 1000 new infections occur every day and more than 800 deaths occur every day.

The cruel, unnecessary and preventable death of MM, an inmate at Westville Correctional Centre in Durban, South Africa, is the tip of an iceberg in relation to HIV/AIDS. MM and other inmates were forced to resort to the courts to demand access to treatment. Tragically, the government has seen fit to appeal the order, including the urgent interim order to provide the prisoners with treatment. Government delays, inaction and deceit combined with a misrule of law have forced us to call for mass protests.

We call on all people, locally and globally, to join our campaign based on the following demands to President Mbeki and Deputy President Mlambo-Ngcuka:

The Treatment Action Campaign (TAC) demands that President Mbeki and Deputy President Mlambo-Ngcuka:

**1. CONVENE A NATIONAL MEETING AND PLAN FOR THE HIV/AIDS CRISIS NOW!**

Convene an **immediate** national meeting to implement an emergency HIV/AIDS plan and a long-term HIV/AIDS plan to deal with the underlying drivers of our twin crises of HIV infection and HIV related death. These include the crises of governance, social security, gender inequality and violence that drive the epidemic. The meeting should put an end to the unnecessary conflict surrounding HIV/AIDS in South Africa. Every civil society organisation, business, trade union, faith-based organisation and health professional **not implicated in AIDS denialism** must be invited, together with UNAIDS.

**2. END DEATHS IN PRISONS – PROVIDE NUTRITION, TREATMENT AND PREVENTION!**

Take immediate action to end the suffering of inmates at Westville Correctional Centre that will allow the Treatment Action Campaign, the AIDS Law Project and doctors to assist with an emergency plan on HIV testing, counselling, treatment literacy, nutrition and access to treatment, including antiretroviral therapy. We also call for the development and immediate implementation of a plan for all prisons. We offer our help, but TAC will pursue this matter through the Courts and the streets, because the delay is leading to unnecessary and preventable death and infection.

**3. DISMISS HEALTH MINISTER MANTO TSHABALALA-MSIMANG**

Dismiss Health-Minister Manto-Tshabalala-Msimang and her director-general Thami Mseleku immediately. Since her appointment in 1999 and reappointment in 2005 by President Mbeki, she has: failed to address the HIV denialism in the Presidency; delayed and undermined prevention programmes on mother-to-child HIV transmission; undermined the government ARV plan; placed unrealistic conditions on accreditation of ARV treatment sites; allowed our country to suffer under a higher maternal mortality rate, infant mortality rate, rate of TB and death rate than under apartheid. Today, under this Health Ministry and Department, the majority of people who die in South Africa die before they reach the age of fifty. The Health Minister has undermined science, the Medicines Control Council, the Medical Research Council, the courts and the Health Professions Council. **She has misrepresented government policy on nutrition and HIV/AIDS.** These are all violations of the Constitution and good governance. In terms of section 92 of the Constitution “Members of Cabinet must act in accordance with the Constitution.” All people are equal before the law and section 83 of the Constitution requires President Mbeki to “uphold, defend and respect the Constitution as the supreme law of the Republic.” President Mbeki owes our country a clear duty to dismiss this Minister of Health.

**4. RESPECT THE RULE OF LAW AND THE CONSTITUTION**

Government must respect the rule of law, the authority of the courts and constitutional rights of all people to health, life and dignity, and abide by the interim execution order to provide ARVs to the inmates at Westville prison.

**5. HEALTH FOR ALL – END HEALTH APARTHEID, BUILD A PEOPLE’S HEALTH SERVICE**

Work together to ensure health for all people and to end health inequalities between rich and poor, rural and urban, children, adults and seniors, men and women. This can only be done with civil society and business under government leadership. The Treatment Action Campaign restates our longstanding commitment to work tirelessly with government to implement this agenda.

The United Democratic Front, the ANC and the international anti-apartheid movement is our beacon and model to help democratic South Africa and the African continent struggle against HIV/AIDS, social injustice and gender inequality. The world has a duty to prevent a holocaust against poor people.

Members and supporters of TAC will stage mass protests across South Africa on 24 August 2006. We ask the local and global community to take action. You can undertake one or more of these actions to support us:

1. Speak to your sports, religious, business, school and workplace representatives, friends and neighbours.
2. Join our demonstrations on Thursday 24 August – details will be sent out on Tuesday 22 August.
3. Call and write to the office of the President in Pretoria in support of the above demands.
4. Write to all multinationals doing business with South Africa to support our demands and ask them to write to President Mbeki to commit to these demands.
5. Write to all business leaders in South Africa
6. Write to your Member of Parliament, your Premier, your Prime Minister, and councillors asking them to take action.
7. Write to the Secretary-General of the United Nations and to UNAIDS in Geneva and in your country.
8. Write to your local newspapers to support these demands.
9. Call radio stations to support these demands.

[ENDS – Newspaper reports follow below.](#)

#### Editorial from the Sunday Times – 20 August 2006

### Time to sack Health Minister

20 August 2006

‘AS PRESIDENT of the Republic I have come to the conclusion that the circumstances dictate that, in the interest of the Honourable Deputy President, the government, our young democratic system, and our country, it would be best to release the Hon Jacob Zuma from his responsibilities as Deputy President of the Republic and member of the Cabinet.’

This is what President Thabo Mbeki said as he dismissed his deputy after Judge Hilary Squires had condemned what he called a generally corrupt relationship between Zuma and his financial adviser, Schabir Shaik.

This was a brave move by the president, a clear indication that he was not prepared to keep in his Cabinet a politician who was compromising the integrity of our government.

It is a move that he should perhaps repeat.

It is tragically ironic that a country like South Africa, which has one of the largest antiretroviral programmes to combat the spread of HIV/Aids, is the country with the highest number of Aids deaths in the world.

South Africa’s Comprehensive Plan for Management, Care and Treatment of HIV and Aids is supposed to

give hope to more than five million people living with HIV/Aids in this country.

But when there are only 141000 receiving treatment out of the 453000 people targeted by the plan for the current year, it becomes difficult to figure out whether it is political posturing or a lack of political will that is responsible for this sorry state of affairs.

This partly explains the bizarre exhibition of garlic, lemon, African potato and beetroot displayed by Health Minister Manto Tshabalala-Msimang at the 16th International Aids Conference, which ended on Friday in Toronto, Canada.

Tshabalala-Msimang has become a comic figure who comes across as a clown, if her behaviour in Toronto is anything to go by.

For how long must South Africans suffer the embarrassment of a senior Cabinet minister who does not appear to take her work seriously?

Few people, if any, deny that nutrition is an important weapon in the arsenal to combat HIV/Aids.

However, pretending that antiretrovirals come second when there are so many people infected and dying of this epidemic is dangerous.

Why Tshabalala-Msimang chose not to display her own government's comprehensive plan for HIV/Aids treatment at the conference boggles the mind.

The silence by President Thabo Mbeki in the face of the embarrassment dished out by Tshabalala-Msimang in Toronto this week begs the question of whether he agrees with his Health minister.

It is now time Mbeki took action against Tshabalala-Msimang. ENDS

City Press – 20 August 2006

### **Third Eye: Manto turns SA into a joke**

Khathu Mamaila

THERE are times when being South African can be embarrassing, nay, depressing.

This week was such an occasion. And the star of the show is one Dr Manto Tshabalala-Msimang, who earns a living by occupying the office of the health minister.

In full glare of the international media, some of whom have written us off as a dark continent with no prospect of recovery, Tshabalala-Msimang scored a deliberate own goal in the country's attempt to shed its poor image of failing to address the HIV/Aids pandemic.

Tshabalala-Msimang's department of health put garlic, lemon and beetroot on display at the stand which was to tell the world how South Africa was dealing with HIV/Aids.

Antiretrovirals, the key treatment of the pandemic in terms of government policy, were an afterthought.

In fact, it was a damage-control exercise after Aids activists raised alarm.

To be fair to Tshabalala-Msimang, not that she deserves it, there is no cure for Aids. She has tried

to communicate the ABC message for a long time.

To avoid HIV infection, people should abstain from sex. But of course this is like climbing Mount Kilimanjaro.

So, those who give in, should use a condom. And they should also be faithful to one partner. Practising ABC is a matter of individual choice. But that does not mean the health minister has no role in the fight against Aids. She is supposed to provide leadership. She must also champion the supply of antiretrovirals. Tshabalala-Msimang has failed to provide that leadership.

She has been correct to say that people should adhere to a good diet. They should eat vegetables such as beetroot to boost their immune system and exercise. Perfectly correct.

Sibani Mngadi, Tshabalala-Msimang's spin doctor, would readily submit that it was appropriate for the department to display garlic, beetroot and lemon because they form part of a comprehensive programme. Really?

It is a matter of context. Tshabalala-Msimang has no such luxury.

Since her appointment she has frustrated the roll-out of antiretrovirals.

Despite mounting evidence that showed the efficacy of the drugs, she adopted a maverick approach, insisting the drugs were toxic.

Of course, like many other drugs, the antiretrovirals have side-effects, but they do work.

She had to be taken to court to supply the drugs to people who were dying of Aids-related diseases.

It took the Treatment Action Campaign to force the government to change its Aids policy. Finally the government agreed.

Government policy changed but Tshabalala-Msimang did not. She remained stubborn, using virtually every possible opportunity to state her views which downplay the effect of antiretrovirals.

After a protracted struggle, government was beginning to change public perception on HIV/Aids. The denialist view was evaporating.

Then came Toronto, Canada, this week when thousands of scientists and Aids activists across the globe gathered to look at progress made in fighting HIV/Aids.

It was a perfect opportunity to silence sceptics and the doubting Thomases that South Africa has the most comprehensive HIV/Aids treatment in the world.

But no.

Tshabalala-Msimang squandered this golden opportunity. She reduced South Africa into an international joke.

She may be under the impression that this is what her boss, President Thabo Mbeki, expects of her.

If she is wrong, and I hope she is, Mbeki must do the honourable thing and "release" her from his Cabinet.

Tshabalala-Msimang has proven beyond doubt that she has an interest in beetroot, garlic and

lemon.

Maybe she should be allowed to work for the department of agriculture.

Our country cannot afford to retain its newly found status as the polecat of the world. ENDS

## TAC forces government into showdown

August 20 2006 at 02:51PM

By Chiara Carter

The Treatment Action Campaign is forcing a showdown with the government by sending three doctors to the Westville Prison on Monday to treat 46 HIV-positive inmates who are critically ill and want anti-retroviral treatment.

This comes after the death of one of 15 inmates who, with TAC help, won a court order to force the department of correctional services to implement an ARV programme.

The department has stalled by appealing against the judgment and no programme has been started. In the interim, applicant seven, known only as MM, has died.

### 'Prisons are not designated ARV sites'

The TAC will take the matter to court again this week to force the government to obey the interim order before the appeal is heard.

The ministry of correctional services reiterated that it would not provide ARVs for the inmates because the prison had not been accredited as an ARV site, and prisoners who needed medication had to get it from accredited state hospitals.

A meeting is to be held on Monday with the Human Rights Commission and the Judicial Inspectorate of Prisons at which the TAC will ask that the two bodies investigate MM's death as well as those of 110 other prisoners which the TAC claims died over the past year of Aids-related illnesses.

TAC chairperson Zackie Achmat said the TAC also wanted help from these two bodies to facilitate the provision of private doctors for critically-ill prisoners.

Inmates may receive private medical care if they request this and the TAC does have a medical care programme.

KwaZulu-Natal TAC spokesperson Lihle Dlamini said the TAC would send three doctors into Westville on Monday to treat 46 inmates who are critically ill.

Achmat said: "There are seven ARV sites near this prison, yet the prisoners are suffering from Aids-related illnesses and not getting the treatment they need.

"We want an emergency plan from government to deal with the situation of critically-ill inmates, not only at Westville, but across the country. Then we'd like a comprehensive strategy to follow."

Achmat was one of 44 TAC protesters who were arrested for trespass in Cape Town on Friday after they entered a provincial government building and demanded that health minister Manto Tshabalala-Msimang and her counterpart at correctional services Ngconde Balfour be charged with culpable homicide.

Their action was praised at the closing session of the International Aids Conference in Toronto this weekend, where the UN special envoy for Aids in Africa, Stephen Lewis, lambasted South Africa's response to HIV, calling it "worthy of the lunatic fringe".

He told the conference that South Africa could "never achieve redemption" for its HIV and Aids policies as 600 to 800 people a day died of Aids.

from 20 000 delegates.

On Saturday, the health department hit back at Lewis, saying he was "not Africa's Messiah" and did not understand the country's Aids programmes.

Achmat said the TAC intended to stage further protests this week.

The first will be at the Cape Town magistrate's court where the protesters will appear on Tuesday.

On Thursday, there will be countrywide protests when the TAC will call on its supporters and the public to demand that President Thabo Mbeki either fire the health minister or explain why he keeps her on.

"We need government to unambiguously state that people should take their medication - and that, while a healthy lifestyle is desirable, it can't be a substitute.

"We need moral leadership to challenge a situation where our maternal and infant mortality rates are higher than under apartheid, and young adults are dying at an unprecedented rate," Achmat said.

Balfour's spokesperson Lumphumzo Kebeni said that correctional services had no intention of changing its stance on the matter.

"We've made our viewpoint very clear.

"Prisons are not designated ARV sites and we cannot distribute this medication - it's not within our mandate and would be illegal and unconstitutional to do so.

"This matter is now in the hands of the courts," Kebeni said.

The department of health earlier this week said that in order to be accredited officially by the department, prisons would have to have a proper nutrition programme, trained health officials and counsellors, proper data and stock-taking management systems, effective referral systems to laboratories, patient information management systems and HIV and Aids programmes.

- This article was originally published on page 1 of [Cape Argus](#) on August 20, 2006

## **Death sentence still alive in SA prisons**

REHANA ROSSOUW

WHEN the death penalty was abolished in SA in 1997, former president Nelson Mandela vowed that the African National Congress would never bring back the gallows. Mandela had himself faced the possibility of death by hanging during the Rivonia Trial.

Newsflash: government has virtually reintroduced the death penalty for some at prisons across the country. Members of the Treatment Action Campaign (TAC) this week occupied offices of the Human Rights Commission following the horrific death of an inmate at Durban's Westville Prison.

They are demanding that Health Minister "Dr Beetroot" Manto Tshabalala-Msimang and Correctional Services Minister Ngconde Balfour be charged with culpable homicide, and a judicial inquiry into the death.

The TAC says the prisoner entered Westville Prison "a healthy man" in 1996, but by March he had a CD4 count of 86 and "numerous afflictions" including tuberculosis and septic sores all over his body.

The AIDS Law Project brought and won an application in the Durban High Court in April, on behalf of 15 HIV-positive inmates at Westville — including this one, dubbed "MM" in court

papers— for antiretroviral drugs to be provided immediately.

MM was given the drugs, but had already suffered kidney failure. He died on August 6.

Antiretroviral drugs are usually dispensed when a CD4 count drops to 200.

The correctional services department has appealed against the court's ruling that the Westville prisoners receive treatment, saying they would prefer to wait for a comprehensive programme for all prisons. Government has been providing antiretroviral drugs to the rest of the population since November 2003.

The judicial inspector of prisons, Judge Hannes Fagan, says the death rate in prisons has escalated from 1,65 deaths per 1000 prisoners in 1995 to its current level of 9,2 deaths per 1000 prisoners. This is despite the fact that the law provides for terminally ill prisoners to be released on medical parole.

Does the correctional services department instruct prison officials to not provide medical treatment to prisoners with heart conditions or diabetes?

SA has 250000 new TB cases every year and only 40% of patients are cured. Why are HIV-positive prisoners with TB not given treatment when they are kept in what Fagan describes as "awful", overcrowded conditions?

The 75% of South Africans who, surveys consistently show, support the reintroduction of the death penalty, should be rejoicing that government is, at least, allowing some prisoners to pay the ultimate penalty for their crimes.

## **Manto's HIV salad gets dressing-down**

Scorn is poured on SA government's 'grocery stand' at international Aids indaba in Canada

August 20, 2006 *Edition 1*

### **Rick Westhead, Chiara Carter and Eleanor Momberg**

South Africa's "salad stand" at the international HIV/Aids conference in Toronto, Canada, along with a damning indictment of the government by the United Nations envoy for Aids in Africa, have thrust South Africa's response to the pandemic back into the global spotlight.

Leading figures in the fight against HIV/Aids, headed by UN envoy Stephen Lewis, have lambasted the government's response to the crisis. And locally, the Treatment Action Campaign (TAC) is taking its battle with the government over the provision of anti-retroviral drugs (ARVs) to the prisons, streets and courts this week and is demanding that President Thabo Mbeki explain why, in the face of the HIV/Aids crisis, he does not fire Manto Tshabalala-Msimang, the health minister.

The catalyst for the TAC going head to head with the government is the state's refusal to implement an interim high court order that the department of correctional services immediately supply ARVs to critically ill HIV-positive inmates at Durban's Westville Prison.

The government is appealing against the Durban high court's ruling, but the TAC is going back to

the court on Wednesday to challenge, in turn, whether the government may ignore an interim order.

This follows the death earlier this month of one of 15 prisoners who, with the TAC, took the departments of correctional services and health to court on the issue. Achmat said the TAC intended staging further protests this week: at the Cape Town magistrate's court on Tuesday, and countrywide on Thursday when the TAC intends calling on supporters and the public to demand that Mbeki fire his health minister or explain why he keeps her on.

"We need government to unambiguously state that people should take their medication and that while a healthy lifestyle is desirable it cannot be a substitute. We need moral leadership to challenge a situation where our maternal and infant mortality rates are higher than under apartheid and young adults are dying at an unprecedented rate," Achmat said.

At the Toronto conference this week the centrepiece of scorn poured on the South African government was the country's makeshift display at the city's downtown convention centre, which features glitzy exhibits built by pharmaceutical companies.

Tucked away in the bowels of the exhibition hall, South Africa's stand was stocked with several bowls of beetroot, garlic and lemons, alongside containers of anti-Aids medicines.

"It is a joke that South Africa still talks about the benefits of traditional medicine and puts out garlic and lemons like this when there is science that is so consistent about the benefits of anti-retroviral therapies," said Ed Mills, an Aids researcher and professor at Canada's McMaster University.

A steady stream of TV camera crews, Aids campaigners and journalists has scoured the sprawling convention centre in search of South Africa's booth. Some wanted to see whether rumours about bowls of fruit and vegetables were true.

ENDSThe controversy over the exhibit was covered by news organisations such as London's Daily Telegraph and the BBC, Canada's Globe and Mail and Toronto Star newspapers and ABC News in the United States.

**Rapport Editorial – Beet Red with Shame – Editorial states that the Minister of Health is not a joke or funny. She only carries part the blame – President Mbeki is responsible and he should dismiss her**

### **Beetrooi van skaamte**

Dis goed en wel om dr. Manto Tshabalala-Msimang, die minister van gesondheid, se jongste kaperjolle by die internasionale vigskonferensie in Toronto af te maak met grappige verwysings na "dr. Beet" se selle ou storie, maar dit doen afbreuk aan die erns van die situasie.

Die gebeure in Toronto klink inderdaad soos grepe uit 'n klugspel: 'n Suid-Afrikaanse stalletjie met knoffel, suurlemoen, beet en die Afrika-aartappel as voorbeele van vigsmedisyne; die land se eie vigsaktiviste wat byna die stalletjie platloop; en, die ergste van alles, die minister, nogal self 'n dokter, wat reguit vra om nie verwar te word oor die nuutste navorsing oor vigsvoorkoming nie. Daarby kom, te midde van die RGN se nuwe weersprekende navorsingsresultate, haar wanvoorstelling van die Suid-Afrikaanse vigsvoorkoms.

By Suid-Afrikaners vir wie hul land se stryd teen die vernietigende pandemie 'n ernstige saak is, sal dit egter nie eens die wrangste glimlagte ontlok nie.

Die vernedering van 'n minister van een van die lande met die hoogste voorkoms van vigs wat só 'n algehele gek van haarself maak by 'n konferensie waar die wêreld se voorste skenkers, navorsers en aktiviste teenwoordig is, is erg genoeg. Dis ondenkbaar dat hierdie mense die regering se stryd teen vigs hierna ernstig kan bejeën. Dis te sê indien hulle dit ooit gedoen het, die presidensiële en ministeriële dwalinge in dié verband die afgelope jare in ag genome.

Maar belangriker is dat die spektakel in Toronto vir Suid- Afrikaners bevestig wat hulle nog altyd vermoed het: dit sit nie in hierdie regering se klere om vigs doeltreffend te bestry nie.

Hiervoor dra Tshabalala-Msimang net 'n deel van die verantwoordelikheid. Vir die res moet die vinger reguit na pres. Thabo Mbeki gewys word, en nie net oor sy eie, verwronge benadering nie. Dis immers hy wat die minister aangestel het en in sy kabinet hou. Dis ondenkbaar dat hy nie bewus kan wees van haar ondoeltreffendheid, haar dwalinge en die totale disrespek waarmee sy internasionaal en onder Suid-Afrikaanse vigskenkers bejeën word nie.

As die stryd teen vigs vir hom hoegenaamd 'n saak van erns is, sal hy Tshabalala-Msimang onverwyld afdank.

Ends