



**September 1, 2005**

**Newsletter of the ABA-SIL International Health Law Committee – September 2005  
ABA Section of International Law**

The following news items may be of interest to members of the ABA Section of International Law - International Health Law Committee. Submissions are welcome and can be sent to the address provided at the end of this message under "Reminder."

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**1. AVIAN FLU**

**RESEARCHERS SAY AVIAN FLU COULD INFECT HALF THE WORLD'S POPULATION IN A YEAR**

An outbreak of flu in rural south-east Asia could spread around the globe in three months and infect half the world's population within a year, unless strict measures to contain it are introduced, scientists said yesterday. The warning comes from researchers who used computer models to investigate what would happen if the avian flu virus, which is currently rife among poultry in areas of China, Cambodia, Thailand and Vietnam, mutated into a form that spread easily among humans. Scientists believe it is only a matter of time before the virus, known as H5N1, mutates to become more infectious to humans, possibly by swapping genes with the human flu virus.

[http://www.guardian.co.uk/uk\\_news/story/0,,1542147,00.html](http://www.guardian.co.uk/uk_news/story/0,,1542147,00.html)

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**EUROPE HUNT WIDENS FOR INFECTED BIRDS**

Fears that mild strains of bird flu can mutate and fatally infect humans have prompted the UK to push for the early adoption of a new Europe-wide initiative to combat the threat. The present European Commission directive designed to curtail the threat of bird flu is concerned only with 'high pathogenic' strains, but there are growing concerns that these can originate from 'low pathogenic' strains which can be transmitted to poultry from wild birds. The UK, which took

over the EU presidency last month, has made introduction of a new bird flu directive, which is due to come into force on 1 January, 2007, a key priority. The new legislation will establish the compulsory surveillance of wild birds in an attempt to catch mild strains before they mutate.

<http://www.guardian.co.uk/birdflu/story/0,14207,1558043,00.html>

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### **DRUG FIRM BOOSTS BIRD FLU WAR CHEST**

A drug company recently agreed to donate 3 million treatments to the WHO "rapid response stockpile" to combat a major outbreak of avian flu. The WHO welcomed the pharmaceutical company Roche's pledge to provide courses of the antiviral drug Tamiflu - known generically as oseltamivir - in order to try to contain a pandemic. The WHO is seeking to build up international reserves ahead of an anticipated further outbreak of the flu, which has already hit parts of Asia, Russia and Kazakhstan.

<http://www.guardian.co.uk/birdflu/story/0,14207,1555570,00.html>

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### **SCIENTISTS FEAR PIGS MAY PLAY ROLE IN BIRD FLU**

Government officials are in discussions with farmers about restricting the movement of pigs as well as poultry as they prepare for the possible arrival of avian flu in the UK. Powers to cull and control poultry as well as remove potentially infected birds from the food chain are already available but talks are under way on whether further measures might be necessary. Scientists fear that pigs can act as "mixing vessels" for flus that would otherwise be mainly harmful to birds - although humans in close contact can be infected and killed by such viruses - and turn them into a highly contagious disease that spreads easily between humans.

<http://www.guardian.co.uk/birdflu/story/0,14207,1555121,00.html>

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### **RUSSIAN BIRD FLU HEADS WEST**

Russia's bird flu epidemic continued westwards following an outbreak of the disease in Siberia in mid-July, raising fears that it could spread across Europe. About 112,000 birds in Russia have been slaughtered and incinerated to prevent the disease from spreading. The European Union has banned imports of feathers and live birds from Russia since August 12.

<http://www.guardian.co.uk/birdflu/story/0,14207,1551425,00.html>

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## **2. HIV/AIDS**

## **U.S. BLAMED FOR CONDOM SHORTAGE IN FIGHTING AIDS IN UGANDA**

A top United Nations official and a number of advocacy groups for AIDS patients charged that Bush administration policy had led to a shortage of condoms in Uganda, increasing the risk of infection for many people, particularly married women and adolescents. But the charges were disputed by the Ugandan government and an official of President Bush's emergency plan for AIDS relief, known as PEPFAR. The plan emphasizes a policy known as ABC, which stands for abstinence, be faithful and use condoms. The dispute comes less than a week after the Global Fund to Fight AIDS, Tuberculosis and Malaria, a public-private partnership based in Geneva, suspended \$201 million in grants to Uganda because of government mismanagement.

<http://www.nytimes.com/2005/08/30/international/africa/30aids.html>

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### **3. STEM CELL RESEARCH**

#### **FIRST DOG CLONED**

The South Korean researchers who announced earlier this year that they had successfully derived stem cells from a cloned human embryo have now created the first-ever dog clone, a male Afghan hound. The puppy—named Snuppy for the researchers' Seoul National University—was born by cesarean section on April 24 to a yellow Labrador surrogate mother and turned 100 days on August 2, 2005. A second cloned dog lived just 22 days before succumbing to aspiration pneumonia. A postmortem analysis showed no signs of any congenital defect due to cloning. A third pregnancy resulted in a miscarriage.

<http://www.the-scientist.com/news/20050803/01>

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#### **HWANG PLANS WORLD STEM CELL HUB**

Hwang Woo Suk, a pioneer in cell nuclear transfer and cloning, is developing plans with the government of South Korea to launch an international stem cell research center in his hometown of Seoul later this year. The project, which is likely to be called the World Stem Cell Hub, is being conceived as something like a stem cell version of The Jackson Laboratory in the United States. The Jackson Laboratory, based in Bar Harbor, Maine, is a nonprofit institute that supplies researchers around the world with some 2 million mice annually, but also provides training and conducts research.

<http://www.the-scientist.com/news/20050815/01>

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#### **UK LAUNCHES CONSULTATION ON EMBRYO LAW**

On August 16, 2005, The British government launched a major consultation on the laws governing the technology and techniques used to assist human reproduction and embryo research.

The consultation will seek views on a host of topics, including the rules governing screening and selecting embryos for medical purposes, the definition of an embryo for research purposes, and the regulation of research into mitochondrial disease. The consultation follows a government commitment in January 2004 to review and update the Human Fertilisation and Embryology Act, originally written in 1990.

<http://www.the-scientist.com/news/20050816/01>

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#### **4. OTHER HEALTH-RELATED NEWS ITEMS**

##### **INDONESIA LAUNCHES COUNTRY'S LARGEST-EVER IMMUNIZATION CAMPAIGN TO TACKLE EXPANDING POLIO EPIDEMIC**

To combat Indonesia's largest recorded polio epidemic, which now threatens a broad swath of countries across Asia, on August 30, 2005, 24 million children were immunized during the country's largest-ever mass immunization campaign. Since March 2005, 225 children have been paralysed, due to a poliovirus imported into the country earlier this year. Initially restricted to two provinces on Java island (Banten and West Java provinces), the outbreak is geographically expanding, recently infecting the country's capital Jakarta, as well as Sumatra and Central Java.

<http://www.who.int/mediacentre/news/releases/2005/pr37/en/index.html>

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##### **EUROPEAN COURT OF JUSTICE CONFIRMS VALIDITY OF CONTROVERSIAL EU FOOD SUPPLEMENTS RULES - RESTRICTIONS APPLY FROM 1 AUGUST 2005**

The European Court of Justice (ECJ) recently ruled that a controversial Directive on food supplements remains valid. Consequently, as of 1 August 2005, Member States of the EU must prohibit trade in food supplements that do not comply with the Directive. Companies interested in marketing food supplements containing vitamins and minerals that are not included on the list of permitted substances should consider filing a request with the European Commission to modify the list.

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##### **ENTRENCHED EPIDEMIC: WIFE-BEATINGS IN AFRICA**

Domestic violence in Africa is presenting significant concerns for women in Africa. Wife-beating is accepted practice among many areas in sub-Saharan Africa; in Nigeria, one in three women, including wives of government officials, report having been physically abused by male partner; in Zambia, nearly half of women surveyed say a male partner beat them; in South Africa, researchers estimate that a male partner kills girlfriend or spouse every six hours; in Zimbabwe's capital, Harare, domestic violence accounts for more than 60 percent of murder cases in court; women's rights organizations say most women remain silent about abuse and that help is typically not easy to find and that many women are raised to believe that wifely transgressions justify beatings. Nigeria's penal code in the Muslim-dominated north specifically allows husbands to discipline their wives.

<http://query.nytimes.com/gst/abstract.html?res=FB0F13F83F5A0C728DDDA10894DD404482>

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**CHOLERA KILLS HUNDREDS IN WEST AFRICA**

Cholera outbreaks caused partly by heavy rains battering West Africa have killed hundreds of people in the last few months, prompting appeals for medicine to help thousands of sufferers. The number of recorded cholera cases in West Africa this year is 24,621, with at least 401 deaths in Burkina Faso, Guinea, Guinea-Bissau, Liberia, Mali, Mauritania, Niger and Senegal, according to United Nations data. In Guinea-Bissau, the hardest hit, cholera deaths have more than doubled since August 9, rising to 188 from 84. An official in the Health Ministry in Bissau, the capital, which has borne the brunt of the epidemic, said more than 9,000 cases had been recorded and that the disease was spreading rapidly in the provinces.

<http://www.nytimes.com/2005/08/28/international/africa/28cholera.html>

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