

## **Kenyan HIV+ Woman Wins Land Mark Case**

In a landmark decision issued on 18<sup>th</sup> March 2008, by the High court of Kenya after 5 years of prolonged litigation. The court, by way of consent filed in court by parties to the case, made the following declarations. That the testing of an employee or prospective employee for HIV without his or her consent constitutes an invasion of her right to privacy. That disclosure of an employees HIV status to the employer without her consent is unlawful. That termination of an employee on the basis of his/her HIV status only is unlawful. Though no liability was attributed to the defendants in the consent they agreed to pay the sum of \$30,000 as damages. LAHI/OSIEA grantee, Kenya Legal & Ethical Issues Network on HIV & AIDS, provided probono research services to the lead Advocate Mr. Otiende Amollo (KELIN Board Member) who conducted the case through the firm of Rachier & Amollo advocates on a probono basis. Commissioner Catherine Muyeka Mumma (KELIN Board Member) also served as an expert witness on HIV and Human rights issues. For additional information please contact [amaleche@kelinkenya.org](mailto:amaleche@kelinkenya.org)