

# Managing TB from a human rights perspective, the Kenyan experience

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# Outline of presentation

- Background
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- Results
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# LINK TO THE VIDEO

- [http://www.youtube.com/watch?v=m01zqVC\\_C\\_gk](http://www.youtube.com/watch?v=m01zqVC_C_gk)

# Background

- In 2010 KELIN received reports that three TB patients in a local town called Kapsabet had been arrested and consequently imprisoned for failing to take their treatment
- One of the patients was too sick to stand trial and was taken to hospital
- The other two were jailed for a period of 8 months to coincide with the treatment for TB
- The public health officers relied on the provisions of the Public Health Act

# Interventions

- *A urgent court case to secure the release of the two patients*
- Trainings at the community level with all stakeholders involved in TB care and management
- Community dialogue forums with all stakeholders involved in TB care and management
- National advocacy with TB department officials and civil society members
- Public interest litigation to challenge the provisions of Section 27 of Public health

# What do we want the court to do?

- Declare that prison is not the best place for confining TB patients for treatment purposes.
- Declare that the imprisonment of the two TB patients amounted to a violation of their human rights .
- An order that cabinet secretary of health issues a circular within 14 days to all public health officers to the effect that prison is not the contemplated place of isolation.
- Damages for the unlawful confinement

# Results

- Petitioners released after 6 months
- Community members trained and empowered on the use of the rights based approach in TB care and management
- Challenges among the community members on TB issues identified and consensus reached
- Public interest litigation on going (21<sup>st</sup> November 2013 main hearing.)

# Conclusion

- A rights based approach in TB and HIV responds to patients needs and delivers better outcomes in public health laws and objectives.



# Thank you

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