Managing TB from a human rights perspective, the Kenyan experience

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Outline of presentation

• Background

• Interventions

• Results

• Conclusion
LINK TO THE VIDEO

• http://www.youtube.com/watch?v=m01zqVC_C_gk
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 ongoing (21st 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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