Report on the Salient Issues Raised During the TB HIV Concept Note Implementation Arrangement Workshop held at the Silver Springs Hotel Nairobi on 8-9 January, 2014
Table of Contents
Table of Contents ....................................................................................................................... 2
List of Abbreviations .................................................................................................................... 3
Introduction and Background ...................................................................................................... 4
Summary of Presentation and Issues ............................................................................................ 6
  Issues raised by Key Populations .............................................................................................. 6
Conclusion .................................................................................................................................. 9
<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
</tr>
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<tbody>
<tr>
<td>CCM</td>
<td>Country Coordinating Mechanism</td>
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<tr>
<td>FSW</td>
<td>Female Sex Worker</td>
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<td>HOYMAS</td>
<td>Health Options for Young Men on HIV, AIDS and STIs</td>
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<td>ICC</td>
<td>Interagency Coordinating Committee</td>
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<td>ICW-Kenya</td>
<td>International Community of Women Living with HIV Kenya</td>
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<td>KCM</td>
<td>Kenya Coordinating Mechanism</td>
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<td>KESWA</td>
<td>Kenya Sex Workers Alliance</td>
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<td>MoH</td>
<td>Ministry of Health</td>
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<td>MSM</td>
<td>Men who have sex with Men</td>
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<td>PRs</td>
<td>Principle Recipients</td>
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<tr>
<td>PWUD</td>
<td>People Who Use Drugs</td>
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<td>WLHIV</td>
<td>Women Living with HIV</td>
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Introduction and Background

KELIN Kenya has been mandated by the Global Fund to provide technical assistance to four key population groups namely, Women Living with HIV (WLHIV), Female Sex Workers (FSW), Men who have sex with Men (MSM) and People Who Use Drugs (PWUD) around the inclusion of human rights and gender issues in the development the country’s joint Concept Note on HIV & Tuberculosis. This engagement was based on requests for technical assistance made to the Community Rights and Gender Department of the Global Fund by various stakeholders including the Bar Hostess Empowerment & Support Programme, Health Options for Young Men on HIV, AIDS and STIs (HOYMAS), Kenya Sex Workers Alliance (KESWA), International Community of Women Living with HIV Kenya (ICW-Kenya) and Liverpool VCT.

It’s in this regard that on the 18 and 19 December 2014 KELIN organized a two-day consultation forum at the Best Western Hotel in Nairobi. The forum was aimed at providing a chance to the groups mentioned above to analyze the Concept Note and provide useful feedback that would help address their particular human rights and gender needs; while building up on the already existing draft that has been developed by the writing team.

The meeting was further aimed at: engaging the various groups in dialogue as regards the key changes in the New Funding Model, highlighting the country’s strategic plans on AIDS and TB, the contents of the Kenyan Concept Note and discussions centered on identifying key issues of interest to the target communities. The meeting was attended by a wide variety of groups including LVCT Health, International Community of Women Living with HIV Kenya, Muslim Education and Welfare Association, Teens Watch, The Omari Project, Busia Survivors, Bar Hostess Empowerment & Support, Kenya Sex Workers Alliance, Nyanza Rift Valley Western Kenya LGBTI Coalition, Kenya Network of People Using Drugs, Nairobi Outreach Services Trust and Moi University.
During this meeting it was resolved that each constituent group would select a representative to attend a meeting to be organized by the joint TB and HIV concept note secretariat. The following members were selected to represent the different constituent groups:

- Cosmus Maina-PWUD
- Eunice Adhiambo Maimuna-FSW
- Evans Opany-MSM
- Alice Wambugu – WLHIV

It is important to note that the purpose of the constituent representatives attending this meeting is to influence the process and to assist in fleshing out implementation issues that were raised during the December meeting. Constituent representatives will also be able to pick out issues and give their suggestions on implementation activities stipulated in the concept note.

This brief report therefore presents: a summary of presentations made to the joint TB and HIV Concept note secretariat on suggested amendments that were raised during the December 18 and 19 2014 meeting, and some of the salient issues picked up during the 8 and 9 January 2015 TB and HIV joint concept note secretariat meeting.
Summary of Presentation and Issues
On 8-9 January 2014 the TB and HIV joint concept note secretariat convened a meeting at the Silver Springs hotel in Nairobi County. The objectives of the meeting included:

- Developing a harmonized implementation framework for community interventions
- Developing the section on implementation arrangements of the concept note
- Finalizing the budgets per PR and program management section
- Final reviewing of the concept note

The meeting drew participants from KCM, ICC Chairs, TB/HIV secretariat, PRs (Red Cross and AMREF) and Division of Community Strategy and Human Resources for Health- MoH.

Issues raised by Key Populations
The following issues, presented by Mr. Maleche, were identified by Key populations as cross cutting and needed to be included into the concept note:

i. The Research component on the IBBM, which has been factored in the joint concept note, should consider adding a human rights issue concerning the needs of all key populations including women who are living with HIV. This will help to ensure that we have some data around the issues of human rights, given that a full survey would be too expensive to conduct in the limited resources.

With regard to this, the secretariat acknowledged that this was a valid issue and it would be addressed at the implementation level during the design of the research protocol.
ii. There is need for alignment of the activities of all key populations relating to Policy, Advocacy and Legal Rights Sections so that they can be the same across all populations. These should also be considered for women who are living with HIV. It would be also important to consider including trainings for healthcare workers to be more sensitive to the needs of key populations. As pertains to this the secretariat acknowledged the importance of this issue and agreed to include the said recommendations into the concept note.

iii. The presenter mentioned that the policy, advocacy and legal rights sections of the concept note should take into account the devolved structures and should be including Senators, Members of County Assemblies and County Council Askaris in some of the advocacy activities. Members of the secretariat agreed with this recommendation and agreed to include the same.

iv. Another issue of concern was that it would be desirable if additional funding was made available to conduct a baseline for size estimates for key populations including Male and Transgender Sex Workers, levels of knowledge on human rights issues and ability to access institutions providing access to justice. This can be considered as an activity in the incentive funding to the Global Fund. The secretariat team declined to include this because it would be considered as a new activity.

v. An issue as per the members of the key populations was that it would also be desirable to include key populations in all TB interventions as they are also key populations in the context of TB, especially for those who are living with HIV. The secretariat felt that this issue was important and it would be addressed.

vi. Mr. Maleche also raised the fact that in addition to the legal and policy analysis, there is a need to strengthen the component on human rights and gender section to reflect the aspect of access to justice as an important concept. The section should
reflect the possible role to be played by the judiciary, the HIV Tribunal, National Human Rights Institutions and CSOs providing pro bono legal services.

On this issue the secretariat indicated that this issue has been addressed in version 10 of the concept note.

vii. Finally, Mr. Maleche mentioned the aspect of strengthening capacities of key population organisations. He stated that this should run through all the modules for key populations and for women who are living with HIV.

On this the secretariat felt it was an important issue and committed to addressing the same.

Salient issues that arose during the meeting

1. Under Section 4 on Implementation management and risk management. It was agreed in the meeting on Thursday that a sentence will be added to the effect that the PRs are aware of the human rights obligations under the new grant rules. There is need to confirm that the same has been included and measures have been put in place to ensure the capacities of PRs and SRs are built on human rights issues so that they are able to identify violations.

2. Another issue that was noted was the luck of involvement of the counties in the CCM Process. The county governments should be on the CCM and should have been informed about the development of the Global Fund Concept note. Without the buy in of the county, rolling out of services may face resistance.

3. Another important issue was the purchase of medicines by the Ministry of Health on behalf of the counties. Under the Constitution of Kenya 2010 provision of health services including purchase of drugs is a function of the county government. There is need for an inter-governmental agreement between the county governments and the national government to allow the national government to undertake this function.
4. Another issue was; under the risks and mitigation section (section 4 or page 102 of version ten of the concept note). There is need to include a line stating that it’s the first time human rights activities are being implemented by PRs and that PRs do not have experience in implementation of the same. There is need for this risk to be mitigated by indicating that the PRs will ensure they contract or work with partners who have been rolling out human rights work before at the county and national level. Or put measures to ensure all the most qualified partners are selected.

5. A question that arose was the effect of the endorsement of the current concept note yet the Global Fund Country team has called for a dialogue the week of the 19 January 2015. Isn’t it prudent to wait to hear their comments before the concept note is endorsed?

6. The final concern was the lack of programming and budgeting for young women throughout the concept note, while the epidemiology says 21% of new adult infections occurred among young women between 15-24 years. If there are evidences that young females are significantly contributing to high number of young women newly infected, it would be most important to address them in the programming/budgeting.

**Conclusion**

The purpose of this meeting was to foster a unified front to ensure all issues affecting members of the key populations are well articulated, ironed out and properly inserted into the Global fund Concept note. Going forward if the issues raised are all addressed this would ensure the smooth implementation of all activities and positive strides in the fight against TB, HIV and Malaria.