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MINUTES OF THE NACC/NEPHAK MEETING HELD ON MAY 27, 2015 AT 10:00 A.M. IN THE NACC BOARDROOM ON 9TH FLOOR

PRESENT

- 1. Prof. Mary N. Getui Outgoing Chairperson, National AIDS Control Council
- 2. Dr. Nduku Kilonzo Director, National AIDS Control Council
- 3. Ms. Dorothy Onyango Board Member, NACC {Representing Women Fighting HIV in Kenya and the Network of People Living with HIV in Kenya (NEPHAK)}
- 4. Ms. Maureen Milanga NEPHAK
- 5. Mr. Franklin Magaju Alternate Member to Principal Secretary, Ministry of Health, NACC Board
- 6. Mr. Daniel O. Bolo Alternate Member to Principal Secretary, Ministry of Interior and Coordination of National Government, NACC Board.

AGENDA

- 1. Prayers
- 2. Appointment of a Chair
- 3. Introductions
- 4. Remarks by the Chair
- 5. NEPHAK letter to NACC

This is the exhibit marked "X/K007" referred to in the annexed affidavit / declaration of Dr. Nduku Kilonzo sworn / declared before me this 17th day of August 2015 at NBI
 Commissioner for Oaths

MIN 1: 27/5/2015: PREAMBLE

The meeting commenced with a world of prayer by Mr. Daniel Bolo.

MIN 2: 27/5/2015: APPOINTMENT OF A CHAIR

Prof. Mary Getui was appointed the Chair of the meeting by the members.

MIN 3: 27/5/2015 INTRODUCTIONS

- Members present introduced themselves.
- Ms. Dorothy Onyango noted her potential conflict of interest noting that she was a Board member representing Women Fight AIDS in Kenya (WOFAK), which is a constituent member of NEPHAK.

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MIN 4: 27/5/2015 REMARKS BY THE CHAIR

The Chair thanked the members present and noted the objective of the meeting as being a response to NEPHAK on their letter dated April 2, 2015.

The Chair noted that on receipt of the letter from NEPHAK, she had informed the Executive Committee of the Council of NACC who had recommended for this meeting; and subsequently the Full Council. This was a reflection of the NACC's appreciation of NEPHAK as a key stakeholder in the HIV response.

The Chair appreciated the concerns raised by NEPHAK regarding the Presidential Directive. She noted that following its issuance, the NACC had engaged the relevant authorities and continued to provide both verbal and written advise and was engaged in high level deliberations.

MIN 5: 27/5/2015 NEPHAK LETTER TO NACC

NEPHAK noted challenges that were experienced as a result of the Directive including:

- a. Placing parents who had not disclosed their status and children's HIV status in traumatic and challenging situations.
- b. Increasing stigma and discrimination in schools as the education system is currently not prepared.
- c. The challenge of collecting names from the communities may further alienate those who are not on treatment and who were the primary target.

NEPHAK reiterated their request to have the data that was in NACCs custody destroyed in public and further acknowledged recognition that this request would need to be handled delicately in order to retain the good will of Government for NACC and the community of People Living with HIV (PLHIV).

Members noted that it was important to keep reminded of the intent and good will of the President in issuing the Directive. Following the launch of the All In Campaign, the President was interested in ensuring that all children living with HIV have access to treatment and related services and that stigma and discrimination are reduced.

NEPHAK appreciated the intention, but also noted that the good intention, where not well executed such as in this case could result in increased stigma and discrimination, quoting past experience from organizations such as WOFAK and Action Aid through provision of uniforms to the infected.

Members further enquired about the status of the Court petition under preparation on the Presidential Directive. NEPHAK noted its position as that preferring dialogue with the Government, cultivating existing good will and therefore had made a Board decision not to enjoin the case. However, NEPHAK

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indicated that they had no control over individual persons living with HIV on the matter at hand.

Members discussed options that would resolve the situation:

- a. Undertake a Rapid Results Initiative for HIV Testing and Counselling in collaboration with NEPHAK, who would use their members for mobilization and as index clients.
- a. NACC to explore the opportunity for a Steering Committee to facilitate adolescents and stigma reduction having in mind the stigma reduction index.
- b. NACC to engage with relevant authorities on the request to destroy the names in its custody.
- c. A formal brief of the meeting be made to the Cabinet Secretaries Ministry of Health and Interior and Coordination of National Government.
- d. NACC to support a national meeting of persons living with HIV to discuss their issues and challenges.
- e. NEPHAK to communicate to its networks through its options such as the NEPHAK weekly bulletin the decision not to enjoin the case and recommend dialogue with all stakeholders.
- f. NEPHAK to give feedback to NACC following engagement with its members and the broader civil society.
- g. NEPHAK to inform NACC on support needed if any that will lead to sorting out the issue amicably while retaining the existing goodwill.

There being no other business, the meeting ended at 11:30 a.m.

SIGNED

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Chairperson

Mary Getu

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Date

12-6-2015

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Secretary

[Signature]

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Date

12/6/2015