



## Emphasis on voluntary HIV testing vital for fighting AIDS

It has been recommended that emphasis for women including those living with HIV to be treated in the same sections of maternal clinic is important for overcoming Human Rights violation and stem out stigma and discrimination.

Presenting the findings of the validation of Legal Environment Assessment (LEA) Action Plan to HIV and AIDS stakeholders, the lead consultant, Daniel Lema, said the study was based on Human Rights approach in Tanzania legal framework on responding to the issue of HIV and AIDS.

"Observation on Peoples HIV and AIDS Related Rights highlights attending HIV pregnant women in different health facilities for maternal clinics face violation of their rights to privacy and subject them to stigma and discrimination," emphasize Lema.

The report emphasizes limitations within HIV Specific Legislation in testing of pregnant mothers which is different in practice. HIV and AIDS Prevention and Control Act (HAPCA) Section 15 (5) and Section 25 state among other things that:

"Every pregnant woman and the man responsible for the pregnancy or spouse and every person attending a health care facility shall be counseled and offered voluntary HIV testing".

However, on Voluntary Counseling and Testing, he said, observations show pregnant mothers are compelled to undergo HIV testing when receiving maternal health services.

"There should be a deliberate campaign emphasizing that, HIV counseling and testing is voluntary



*Dr. Fatma Mrisho, TACAIDS Chairperson*

and not otherwise. Anyone who breaches this provision should be penalized regardless of his or her status," LEA said.

On Peoples' HIV and AIDS Related Rights, he said the study observed that disclosure of the HIV status to couples, especially married women makes women victims of violence and abuse.

The LEA report recommendation is to the effect that the provision of the HIV Prevention and Control Act (HAPCA) which requires mandatory disclosure to the couple should be amended to make the disclosure voluntary.

Lema hinted that in the community, there were some demand for

testing and disclosure of HIV results by and to religious leaders before marriage, which in his view, violates right to voluntary counseling, testing and privacy.

"The study recommendation is that the provision on the non-discrimination should be well articulated to ensure it states among other things that no one can be discriminated based on his or her true or perceived HIV status.....also should state that, no one should be denied any service because of his/her true or perceived HIV status," Lema said.

He said that on Voluntary Counseling and Testing, the Law Prohibits testing for the people below 18 which denies people below that age

HIV related services despite of been sexually active.

"We've in this report recommended that the provision of Section 15 (2) of HAPCA that makes accessibility of HIV services at the age of 18 to be lowered to at least 16 to make this provision to be in conformity with the current HIV trends in the country. In this way, the laws will effectively respond to the HIV epidemic than the way it is at the moment," he said.

Even though Care and Treatment Clinics (CTC) and Antiretroviral Therapy (ART) Centers are available in many parts of the country, LEA's recommendation is that in rural areas they are scattered and located far away from the community.

"There should be deliberate efforts by the Government through Tanzania Commission for AIDS (TACAIDS) and National AIDS Control Programme (NACP) to ensure availability and accessibility of the CTCs and ART Centers in all parts of the country" adding that:

"One of the costs effective efforts should be to ensure all established dispensaries and health facilities in all wards offer counseling and testing services together with all other HIV related services," LEA report recommends.

Other recommendations that contain in the report is to strengthen and coordinate among Tanzania institutions that deal with the epidemic by harmonizing their work to increase capacity to meet their obligations.

Tanzania HIV and AIDS Response Institutions recommended to be coordinated are the Tanzania Commission for AIDS (TACAIDS), Zanzibar AIDS Commission (ZAC), National AIDS Control Programme (NACP) and Zanzibar AIDS Control Programme (ZACP).

SOURCE: BENEDICT SICALIWE, AJAAT



Susan Rice, President Barack Obama's national security adviser.

## U.S. plans to spend \$300m to fight HIV in africa

The Obama administration said on Saturday it was allotting an additional \$300 million to the effort to reduce HIV infection among girls and young women in 10 sub-Saharan African coun-

tries.

The sum would help the main U.S. program for fighting AIDS in Africa to meet goals including providing antiretroviral treatment to 12.9 million people

by the end of 2017, said Susan Rice, President Barack Obama's national security adviser.

"No greater action is needed right now than empowering adolescent girls and young women

to defeat HIV/AIDS. Every year, 380,000 adolescent girls and young women are infected with HIV," she said in a statement.

The President's Emergency Plan for AIDS Relief, working with partner countries, now provides antiretroviral treatment for 7.7 million people worldwide, Rice said.

The program, known as PEPFAR, was launched in 2003 by former President George W. Bush and has provided billions of dollars for antiretroviral drugs and treatment in Africa.

By 2017, Rice said, PEPFAR also aims to "provide 13 million male circumcisions for HIV prevention, and reduce HIV incidence by 40 percent among adolescent girls and young women within the highest burdened areas of 10 sub-Saharan African countries."

The countries at the focus of the program are: Kenya, Lesotho, Malawi, Mozambique, South Africa, Swaziland, Tanzania, Uganda, Zambia and Zimbabwe.

SOURCE: REUTERS

It has been observed that there is close relationship between law, human rights and efforts to respond to HIV and AIDS as communities who are able to realize their human and communal rights, HIV vulnerabilities are automatically reduced.

The observation was made recently by Tanzania AIDS Commission (TACAIDS) Executive Chairperson Dr. Fatma Mrisho in her opening remarks on validation of Legal Environment Assessment (LEA) Action Plan study to HIV and AIDS partners' meeting held in Dar es Salaam.

She said the government grateful appreciates UNDP for funding that study, which she believes will be a key instrument in initiating review of HIV and AIDS related laws.

She said drafting of the LEA Action Plan is a stepping-stone towards the implementation of the findings, adding that recommendation of the report provides a lot of information in respect to what is

## LEA action plan human rights stepping-stone

transpiring in our society.

LEA report examined among other things Policies and Laws that Play Significant Role in Ensuring Access to Services. She added that policies and Laws may also be stumbling blocks in ensuring access to services as evidenced in "Evidence of the Global Commission Report on 'Epidemic of Bad Laws' that fuels HIV transmission" and the need to conduct the same in Tanzania.

The study cover Human Rights Concerns of Key Populations (KPs), analyzing the root causes, offers viable approaches and connection between safeguarding rights and vulnerability to HIV. International standard's definition of key population refers to the populations who are at high risk of exposure to HIV or for transmitting HIV.

However, in the Tanzanian context, Key populations include all PLHIV, as well as serodiscordant

couples, sex workers and their clients, men who have sex with men, women who have anal sex, and people who inject drugs.

Other vulnerable groups are those at higher risk for HIV exposure or transmission, include women and girls, youth, people in conflict and post-conflict situations, refugees and internally displaced persons, migrant labourers, and people working in mining and fishing industry and their surrounding communities. LEA study general observation on KPs is presence of punitive laws that hinder effective responses to HIV and AIDS particularly for the most at risk populations.

Key population groups are limited by stigma, criminalization and risky behaviour practices towards cross-infection among key population groups and the general population which is high.

"Despite the existing Criminal Laws that criminalize certain conducts of KPs, Government should ensure access to services by these groups," LEA report emphasized.

Observation to Sex Workers is that Criminal Laws prohibits both in Tanzania Mainland and Zanzibar and it has been recommended that health care workers should be urged to comply with the law and the guidelines with regard to service provision by providing such services without discriminating

"Implementation of the Current Laws should not jeopardize Key Populations such as Sex workers' access to services, but reasonably accommodate their needs" it was observed.

On people who Practice Anal Sex and the effect that Criminal Laws prohibits consensual anal sex among the adults, it was also rec-

Continue on pg3

# Dar yashika nafasi ya sita maambukizi ya VVU Afrika

Wakati kasi ya maambukizo mapya ya Ukimwi ikipungua nchini, tafiti zimebainisha Jiji la Dar es Salaam linashikilia nafasi ya sita miongoni mwa majiji yaliyoathirika

Takwimu hizo zipo kwenye ripoti ya utafiti uliofanywa na Shirika la Kimataifa la Wahamiaji (IOM) uliofanywa kwenye Bandari ya Dar es Salaam na kuangalia namna jamii za watu wa maeneo ya bandari walivyo na uwezekano wa

kupata maambukizo mapya ya ugonjwa huo kutokana na mwingiliano wa mataifa mbalimbali.

Mshauri wa Mipango wa Shirika la Umoja wa Mataifa linaloshughulikia masuala ya Ukimwi (UNAIDS), Marie Engel katika uwasilishwaji wa ripoti hiyo uliofanyika leo jijini Dar es Salaam alisema ingawa maambukizi yamepungua nchini, bado Dar ni miongoni mwa majiji yaliyoathirika zaidi.

“Dar es Salaam ni jiji la sita kati ya 10 yaliyoathirika zaidi Afrika ikiwa na asilimia 6.2 za maambukizi mapya kwa mwaka. Maambukizi ya ndani yamepungua kwa kiasi na mpaka mwaka jana yalikuwa asilimia tano maeneo ya mjini na 7.2 vijijini huku wastani kwa nchi nzima ukiwa asilimia tano,” alisema Marie.

Alifafanua kwamba vita dhidi ya ugonjwa huo vinaendelea na kwamba jamii



Rais wa Jamhuri ya Muungano wa Tanzania Mh. Dr. Jakaya Mrisho Kikwete

ya kimataifa inaamini mpaka mwaka 2030 utakuwa historia ingawa kuna kazi kubwa inahitaji kufanywa ili kufikia lengo hilo la kuukabili Ukimwi ulianza kuenea miaka ya 1980.

Chanzo: MWANANCHI

## IEA action plan human rights stepping-stone

Continue from pg2

ommended that HAPCA should be specific and categorical to allow services to all persons regardless of their sexual orientation in order for these people to access the HIV and AIDS related services which are their rights. On injecting Drug Users which is a criminal, the report recommends that the IDU's as all other key populations should be accorded an opportunity to access HIV related services safely.

“There should be specialized programs and services targeting the IDU's while at the same time encouraging them to undertake VCT services”.

On migrants or long distance truck drivers who the immigration laws do not explicitly guarantee them rights, the report recommends that the government, through Immigration department, should make efforts to identify Migrants especially those illegally residing in the country to align and integrate them in HIV and AIDS services.

On prisoners' limited access to HIV related services, it was recommended that HIV and AIDS services should be improved and made readily accessible to the prisoners, including specialized services within the surrounding environment of prisons.

The study also recommends that, Prison officers should be trained on how to handle PLHIV prisoners taking into account key issues such as privacy of their status. “There should be concerted efforts towards devising a mechanism of dealing with same sex intercourse that happens in prison settings. This is due to the fact that though Tanzania Laws forbid and penalize such practices they still occur and are among the fuelling factors of the epidemic”.

SOURCE: BENEDICT SICHALWE, AJAAT



Mkurugenzi wa Shirika la Afya Duniani (WHO), Dr. Margaret Chan

## WHO yatoa mwongozo matumizi ya ARV

Idadi ya watu wanaotumia dawa za kufubaza makali ya Virusi vya Ukimwi (ARV), inatarajia kuongezeka baada ya Shirika la Afya Duniani (WHO), kutoa miongozo mipya inayotaka watu wenye maambukizi kuanza kuzitumia.

Hivi karibuni WHO lilitoa miongozo mipya ikizitaka nchi zote zianze kuwapa dawa watu wanaogundulika na VVU bila kujali kiwango cha kinga ya mwili (CD4)

Mwaka 2003, WHO ilitoa miongozo kuwa watakapopewa ARV ni wajawazito

na wale amabao kinga zao za mwili zimeshuka hadi kiasi cha CD4 500 au chini ya hapo.

Akitoa maoni yake kuhusu miongozo mipya ya WHO, Mfamasia wa kituo cha Kudhibiti Magojwa kilicho chini ya Wizara ya Afya, Charles Lyimo alisema ingawa miongozo hiyo ina nia njema, lakini ni vigumu kutekelezeka kwa sababu ya gharama kubwa.

“Mtu mmoja anaweza kutumia takribani Sh. 50,000 kila mwezi, kuna gharama za daawa, ushauri na vipimo... hii ni gharama kubwa na

tukisema watu wote wenye VVU waanze tiba mapema, serikali itakuwa na mzigo mzito” alisema.

Alisema ugumi mwingine wa miongozo hiyo ni kuwa watu ambao virusi havijaanza kuwatafuna wanapoanza dawa mapema ni rahisi dawa hizo kuanza kuwa sugu. “Kama huna magonjwa nyemelezi, ni rahisi kutumia dawa kiholela, ukifanya hivyo dawa hizo zitaota usugu na baadaye ukianza kuzitumia zinaweza kukukataa” alisema Lyimo.

Chanzo: Mwananchi