

## EXAMPLES OF INNOVATIVE FUNDING: HUMAN RIGHTS APPROACH

### International Treatment Preparedness Coalition (ITPC) and the Eastern Africa Treatment Access Movement (EATAM)

*The International Treatment Preparedness Coalition (ITPC) is a worldwide network of community activists united by a vision of a longer, healthier, more productive life for people living with HIV. ITPC's mission is to enable communities in need access HIV treatment. As a grassroots movement, ITPC is the community's response to HIV and is driven, led by, and committed to the human rights of those most impacted by the pandemic.*

Since its inception in 2003 ITPC has formed 13 regional networks in Africa, Asia, the Caribbean, Eastern Europe, and Latin America, and has made nearly 1,000 grants totalling close to US\$10 million to community-based organizations of PLWHA in almost 100 countries. Many of ITPC's grantees are grassroots groups that have accessed ITPC's support when no other funding was available to them. In ITPC's unique approach to grantmaking, community members who know local epidemics and service gaps best and first-hand govern the regional networks, develop requests for proposals, and select grant recipients.

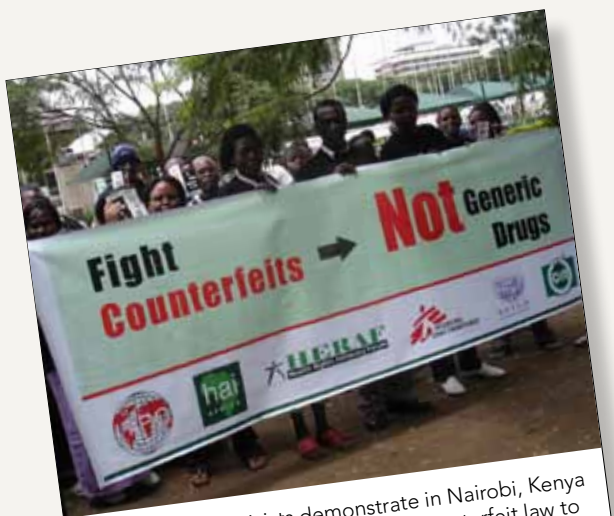
in Djibouti, Eritrea, Ethiopia, Kenya, Somalia, Sudan, Tanzania, Uganda and Zanzibar. Since 2005, EATAM, whose regional membership is composed of ITPC's grantees, has distributed close to US\$1 million to 127 community based-organizations.

A recent achievement is the lawsuit brought by three EATAM members against the government of Kenya to block the implementation of legislation adopted in 2008: the Anti-Counterfeit Act ("A-C Act 2008"). The legislation, also proposed in Uganda, aims to protect consumers against counterfeit medications, which can be unsafe; yet the legislation, yet fails to categorically distinguish counterfeit medications from generic medications.

Over the past decade generic medications for HIV have dramatically reduced the cost of treatment and made the medications more affordable for PLWHA. Kenya is the third and Uganda is the fourth largest African importer of generic drugs. The legislation, if implemented and applied to generic medications, will cause treatment to fail for thousands of PLWHA who depend on low-cost lifesaving generic ARVs. Therefore EATAM members campaigned to have A-C Act 2008 declared unconstitutional on the grounds that it infringes on the right to health of PLWHA.

During the first round of the court case, EATAM activists, wearing t-shirts emblazoned with the message "Fight Counterfeits—Not Generic Drugs," attended hearings and held public rallies to raise awareness and show solidarity. The High Court of Kenya stopped the implementation of the bill with respect to generic drugs. This ruling will stand until the court hears the full case.

After the injunction was issued, Florence Akinyi of DACASA, an EATAM grantee, declared "I would not be alive at this point were it not for the generic ARV drugs I use. This ruling is commendable. We shall soldier on!" And Rose Kaberia, EATAM coordinator, said, "The happiest people in the world are not those who have no problems, but those who learn to live with what others might see as problems. As people living with HIV, we are happy that the court ruling reflects our commitment to continue rising from 'victimhood' to victory, and to lift others as we climb."



Grantees and activists demonstrate in Nairobi, Kenya against application of the national counterfeit law to generic HIV medications in April 2010.

The East Africa Treatment Access Movement (EATAM), a coalition of HIV/AIDS activists who advocate for the right to access prevention, treatment, and care services for PLWHA, is one of ITPC's regional networks. EATAM's work focuses in particular on the human rights of PLWHA