



[National Programme on HIV / AIDS](#)

[National Malaria Programme](#)

[National Programme for TB](#)

[Reports](#)

[Home](#)

Legislation

[Position](#)

[Structure](#)

[Secretariat](#)

[Documentation](#)

[TWG at NCC](#)

[Newsletters](#)

[Our staff](#)

[Contacts](#)

[SAC Meeting \(archive protocols\)](#)

[Workplans NCC](#)

Subscribe

Leave
NCC Letter



LAW REPUBLIC OF TAJIKISTAN

[On prevention of human immunodeficiency](#)

[Acquired Immunodeficiency Syndrome](#)

Tajik Law "On Combating Human Immunodeficiency Virus and Acquired Immunodeficient Syndrome" had been enacted on Dec. 28, 2005 the President of the Republic of Tajikistan Rakhmon.

With the adoption of epidemiological spread of the disease there is a need for making amendments and additions to the law. Thus, the President of the Republic of Tajikistan Rakhmon 31 December 2008 signed the Law of the Republic of Tajikistan "On Making Amendments and Addenda to the Law of the Republic of Tajikistan" On Combating Human Immunodeficiency Virus and Acquired Immunodeficiency Syndrome. "

The text of proposed law amendments and additions, as would be attached Tajik Law on Amendments and Supplements to the Law of the Republic of Tajikistan "On Combating Human Immunodeficiency Virus and Acquired Immunodeficiency Syndrome" at number 476 on December 31, 2008.

LAW REPUBLIC OF TAJIKISTAN

[On prevention of human immunodeficiency](#)

[Acquired Immunodeficiency Syndrome](#)

(As amended by the Law of RT as of 31.12.2008, № 476)

This Act, regulating the legal framework for the implementation of integrated response to the epidemic of human immunodeficiency virus and acquired immunodeficiency syndrome, covers issues of civil, political, economic, social and cultural rights and fundamental freedoms, and is aimed at preventing the spread of human immunodeficiency virus, reducing vulnerability to infection, providing skilled care to persons with immunodeficiency virus and mitigate the effects on individual and societal level.

CHAPTER I

GENERAL

Article 1. Concepts

Basic concepts used in this Act:



NEWS

21/04/2010

Approval for the extension of funding the 2nd phase of the GF grant

Republican marathon to mark World Day to combat HIV / AIDS

Launch of joint programs to integrate AIDS into poverty strategy

Central Asian Regional Programme on HIV / AIDS (CARHAP) announces a competition for small grants

CALENDAR OF EVENTS

April 2010													
Mon	Tues	Wed	Thurs	Fri	Sat	Sun							
29	30	31	1	2	3	4							
5	6	7	8	9	10	11							
12	13	14	15	16	17	18							
19	20	21	22	23	24	25							
26	27	28	29	30	1	2							

By the epidemiological assessment of ways and factors of HIV infection in the Republic of Tajikistan

- Human immunodeficiency virus** - Human immunodeficiency virus;
- human immunodeficiency virus** - Chronic disease caused by human immunodeficiency virus;
- human immunodeficiency virus** - Persons infected with human immunodeficiency virus (human immunodeficiency virus and acquired immunodeficiency syndrome);
- Acquired immunodeficiency syndrome** - Terminal (final) stage of immunodeficiency virus;
- patients with acquired immunodeficiency syndrome** - Persons with clinical manifestations of the disease, characterized by profound impairment of the immune system of the human immunodeficiency virus;
- antiretroviral** - Drugs affecting the human immunodeficiency virus, allowing to drastically reduce the virus content in human blood and to extend the full life of a person infected with human immunodeficiency virus.

Article 2. Legislation against Human Immunodeficiency Virus and Acquired Immunodeficiency Syndrome

Legislation against human immunodeficiency virus and acquired immune deficiency syndrome based on the Constitution and consists of this Law and other regulations of the Republic of Tajikistan, as well as international legal acts recognized by Tajikistan.

Article 3. Application of this Act

This law applies to citizens of the Republic of Tajikistan, foreign citizens, refugees, internally displaced and stateless persons.

This Act applies to duly registered in the territory of the Republic of Tajikistan, institutions, organizations and businesses, regardless of their organizational - legal form.

Article 4. State Policy of the Republic of Tajikistan in combating the human immunodeficiency virus and Acquired Immunodeficiency Syndrome

Public policy of the Republic of Tajikistan in combating the human immunodeficiency virus and acquired immunodeficiency syndrome realized under this Act, other laws and with regulations of the Republic of Tajikistan, adopted in accordance with this Law.

The State guarantees:

- Epidemiological surveillance human immunodeficiency virus and acquired immunodeficiency syndrome in the Republic of Tajikistan in the light of respect and human rights priority, anonymous testing and adherence to the principles of confidentiality in its conduct;
- provision of free high-quality and scientifically sound professional medical and psychosocial assistance to persons with human immunodeficiency virus and the syndrome of confidentiality in its conduct; **(PFA № 476, 31.12.08)**
- availability and security of medical examinations to detect human immunodeficiency virus, including anonymous;
- providing means of prevention, diagnosis and treatment of human immunodeficiency virus, as well as control over the safety of medicines, biological fluids and tissues used for diagnostic, therapeutic and scientific purposes;
- Development of scientific research on human immunodeficiency virus and acquired immunodeficiency syndrome;
- Regular public awareness on issues related to human immunodeficiency virus and acquired immunodeficiency syndrome, including through the media;
- promote international cooperation and regular exchange of information in international programs on Human Immunodeficiency Virus and Acquired Immunodeficiency Syndrome;
- availability and timeliness of medical and psychosocial care;
- Adoption of the periodic state program to combat human immunodeficiency virus and acquired immunodeficiency syndrome. **(PFA № 476, 31.12.08)**

Measures to combat Human Immunodeficiency Virus and Acquired Immunodeficiency Syndrome implemented by the Government and local authorities. In the implementation of measures to counter the Human Immunodeficiency Virus and Acquired Immunodeficiency Syndrome can participate enterprises, institutions, social organizations, regardless of the organizational - legal forms, including international ones, as well as individuals, including foreign nationals. The State guarantees the support of these individuals and entities in the implementation of these programs.

Article 5. Funding for Anti-Human Immunodeficiency Virus and Acquired Immunodeficiency Syndrome

Financing for the Integrated Anti-Human Immunodeficiency Virus and Acquired Immunodeficiency Syndrome is a priority.

Financing of the responses to the epidemic of human immunodeficiency virus and acquired immunodeficiency syndrome is carried out through:

- state budget;
- trust funds;
- Funds allocated to voluntary and compulsory health insurance;

- Voluntary contributions and donations from individuals and legal entities;
- Other sources not prohibited by the laws of the Republic of Tajikistan.

Funding for prevention and control of human immunodeficiency virus and acquired immunodeficiency syndrome in accordance with Tajik law by raising funds from the National Foundation of acquired immunodeficiency syndrome (hereinafter - the Fund), which is regulated according to the Regulations approved by the Government of the Republic of Tajikistan. **(PFA № 476, 31.12.08)**

CHAPTER 2

Prevention, diagnosis and surveillance of persons

Human immunodeficiency virus

Article 6. The right to prevention of human immunodeficiency virus and acquired immunodeficiency syndrome

Citizens of the Republic of Tajikistan, foreign citizens, refugees, internally displaced and stateless persons are guaranteed the right:

- on a regular basis to obtain full and correct information about transmission of human immunodeficiency virus and methods of prevention of human immunodeficiency virus and acquired immunodeficiency syndrome;
- for preventive monitoring with the principles of confidentiality, anonymity and voluntary testing in the manner determined by the Ministry of Health of the Republic of Tajikistan; **(PFA № 476, 31.12.08)**
- on a voluntary and anonymous medical testing for human immunodeficiency virus and examination of medical institutions, regardless of ownership;
- to obtain information about the results of the survey and recommendations for the prevention of HIV infection;
- To receive regular information about the prevention of human immunodeficiency virus and acquired immunodeficiency syndrome, through the media of existing programs and services for prevention, human rights, associated with human immunodeficiency virus and acquired immunodeficiency syndrome, as well as treatment, care and support persons infected with human immunodeficiency virus and acquired immunodeficiency syndrome;
- The provision of mass education activities, including meetings, seminars, promotions, and the creation of the circles associated with human immunodeficiency virus and acquired immunodeficiency syndrome among the population.

Vulnerable groups provided specific information and services, aimed at changing risky behavior.

In order to prevent the spread of human immunodeficiency virus and acquired immunodeficiency syndrome and other diseases transmitted through blood, the Ministry of Health jointly with the Ministry of Justice shall develop and implement programs to provide information and education in institutions of the penal system. **(PFA № 476, 31.12.08)**

These rules provide skilled medical care, creating a sufficient network of institutions for the prevention and treatment of human immunodeficiency virus and acquired immunodeficiency syndrome.

Measures to combat the human immunodeficiency virus and acquired immune deficiency syndrome conducted by the Ministry of Health, its local bodies, state bodies and institutions, organizations and enterprises, regardless of ownership.

Article 6 ¹. The priority of human immunodeficiency virus and acquired immunodeficiency syndrome

Prevention of human immunodeficiency virus and acquired immunodeficiency syndrome in the Republic of Tajikistan is one of the priorities of public authorities.

These actions are based on the principles of humanism and respect for human rights and implemented in accordance with the procedure established by the Ministry of Health, taking into account the recommendations of the specialized agencies of the United Nations.

The subjects of human immunodeficiency virus and acquired immunodeficiency syndrome in the Republic of Tajikistan are institutions and organizations of health, education, social services, regardless of the organizational and legal forms, initiative groups and individual citizens. **(PFA № 476, 31.12.08)**

Article 7. Medical examination

A medical examination is conducted in public or private health care facilities licensed in accordance with the legislation of the Republic of Tajikistan. Mandatory medical examination shall be conducted confidentially. **(PFA № 476, 31.12.08)**

A medical examination is carried out voluntarily and anonymously, except in cases provided for in Article 9 of this Act.

A person undergoing a medical examination, has the right to presence at the same time his legal representative.

Medical examination of minors and persons found in the manner prescribed by law incapable, may be conducted at the request or with the consent of their legal representatives, who are entitled to be present during medical examination.

The results of the survey are given passed examination or his legal representative in the manner prescribed by the Government.

A person that has passed a medical examination, is eligible for re-medical examination in the same institution, as well as an institution the public health system, regardless of the elapsed after the survey period.

Order a medical examination to detect human immunodeficiency virus, accounting, medical examination with human immunodeficiency virus and preventive surveillance is determined by the Government of the Republic of Tajikistan.

A person who identified the human immunodeficiency virus, is given full information about the state guarantees, rights, freedoms and responsibilities associated with the life of the human immunodeficiency virus, as well as social services, psychological support and support groups infected with human immunodeficiency virus.

Article 8. Voluntary medical examinations

Citizens of the Republic of Tajikistan, foreign citizens and stateless persons residing or located in the territory of the Republic of Tajikistan, a medical examination is carried out voluntarily and anonymously in specialized medical institutions, at the request of Oswy-detelstvuemogo person or with his consent.

Article 9. Compulsory medical examination

Compulsory medical examination to be donors of blood, body fluids, organs and tissues.

Those who refuse compulsory medical examination can not be donors of blood, body fluids, organs and tissues.

Mandatory, confidential testing for human immunodeficiency virus to be individuals on epidemiological indicators defined by the Government of the Republic of Tajikistan.

Foreign nationals arriving in Tajikistan on work, study, permanent residence or for another purpose, for a period exceeding three months, within ten days from the date of arrival, except for those who arrived with a certificate of survey on human immunodeficiency virus and acquired immunodeficiency syndrome, should undergo medical examination.

Persons whose applications for refugee status are registered, are subject to compulsory medical examination in the manner prescribed by the health authorities.

Diplomatic staff of foreign diplomatic missions and consular posts, as well as those who use the territory of the Republic of Tajikistan diplomatic privileges and immunity, can be demonstrated confidence in the identification of human immunodeficiency virus only with their consent.

Article 10. Medical surveillance of persons infected with human immunodeficiency virus

Medical surveillance of citizens of the Republic of Tajikistan, foreign nationals, refugees, internally displaced and stateless persons residing or staying in the Republic of Tajikistan, the human immunodeficiency virus (Viral and sick), strictly for epidemiological purposes on an anonymous basis, by the relevant government agencies Health in the manner prescribed by the Ministry of Health.

Received by the Ministry of Health data can not be transferred to other entities, except as prescribed by court order or by request of investigative bodies, and can not be used for criminal or administrative prosecution of individuals. **(PFA № 476, 31.12.08)**

Article 11. Confidentiality

For information about the infection of a person with human immunodeficiency virus or the disease it acquired immunodeficiency syndrome are kept confidential by law.

CHAPTER 3

Rights and welfare of people living

Human immunodeficiency virus syndrome

ACQUIRED IMMUNODEFICIENCY

AND MEMBERS OF THEIR FAMILIES

Article 12. The rights of persons infected with human immunodeficiency virus and acquired immunodeficiency syndrome

Persons infected with human immunodeficiency virus and acquired immunodeficiency syndrome, have the right:

- on the humane treatment of society, excluding the humiliation of human dignity;
- require the secrecy of information about his health, if the conditions and peculiarities of their life and work do not threaten to infect other persons with human immunodeficiency virus. Transmission of the information on the health status of patients with these diseases, without their consent is possible only by court order or by request of investigative agencies; **(PFA № 476, 31.12.08)**
- To recover damages related to the disclosure of information about these individuals that are infected with human immunodeficiency virus;
- The professional activities of their chosen profession, with the exception of work on professions and positions established by the special list;
- to free all types of qualified and specialized medical care and medications;
- to protection from discrimination, including in access to treatment;
- to participate actively in determining treatment goals, including the timing and method of treatment, and its termination. **(PFA № 476, 31.12.08)**

Not be denied admission to medical institutions, in providing emergency assistance to persons infected with human immunodeficiency virus and acquired immunodeficiency syndrome.

Article 13. The ban on restricting the rights of persons infected with human immunodeficiency virus

Do not be dismissed from their jobs, the refusal to hire, refusal to work in educational institutions and agencies providing medical assistance, and restriction of other rights and legitimate interests of persons infected with human immunodeficiency virus, on the basis that they have the infection, as well and limited housing and other legitimate rights and interests of family members living with human immunodeficiency virus.

Use of persons infected with human immunodeficiency virus, as objects for testing medical devices and methods, scientific study or educational process is prohibited.

Any discrimination based on HIV status.

It is illegal to commit any public act of incitement to hatred and contempt spread person on the basis of actual or perceived HIV status;

Any restriction of rights and freedoms of people infected with human immunodeficiency virus and acquired immunodeficiency syndrome should be justified only in order to ensure public health, rights and freedoms of others. **(PFA № 476, 31.12.08)**

Article 14. Medical and psycho-social assistance to persons infected with human immunodeficiency virus and acquired immunodeficiency syndrome

Medical and psycho-social assistance to persons infected with human immunodeficiency virus and acquired immunodeficiency syndrome appears in public health institutions with a license.

All kinds of medical care are people with human immunodeficiency virus and acquired immunodeficiency syndrome in the general practice of clinical indications.

All kinds of skilled and specialized care, including medication, are provided by public health agencies for persons with human immunodeficiency virus and acquired immunodeficiency syndrome free.

Psycho-social assistance to persons with human immunodeficiency virus and acquired immunodeficiency syndrome appears in public and private health care, education, social protection, and appropriately licensed (accredited), working in collaboration with community organizations and representatives of communities living with human immunodeficiency virus acquired immunodeficiency syndrome.

Article 14 ¹. Medical treatment and preventive measures in the institutions of penal

A person test for human immunodeficiency virus which has been positive and has the right to appropriate medical care, counseling and referral to other support services, and while in custody or detention.

Prisoners and detainees are entitled to free confidential testing for human immunodeficiency virus and to the consultation on the basis of informed consent, as well as information on health status. Health information should be contained in the documents that are available only for medical personnel and shall be disclosed only with the consent of the prisoner or the need to ensure the safety of other inmates and prison staff.

Any discrimination made on the basis of their HIV status. (PFA № 476, 31.12.08)

Article 15. Social protection of persons living with human immunodeficiency virus and acquired immunodeficiency syndrome and their families

Governance of social protection, in collaboration with health authorities, Education, Labor and Employment shall develop and implement programs on social support for people living with human immunodeficiency virus and acquired immunodeficiency syndrome and their families, including the appointment and payment of pensions and benefits, providing Socio-home care, assistance in obtaining education, retraining and job placement.

Governance of Education, Health and Social Welfare shall develop and implement programs of social support for children orphaned or left without parental care due to human immunodeficiency virus.

Persons with infections which occurred as a result of medical procedures performed in an official, established pension and entitled to priority in obtaining housing in the event of his absence or, if necessary, improvement of living conditions in the manner prescribed by law.

Children under 16 years are infected with human immunodeficiency virus or acquired immunodeficiency syndrome, is appointed a monthly state allowance.

The procedure for allocating grants, the amount and sources of payment are determined by the Government of the Republic of Tajikistan.

Ministry of Education of the Republic of Tajikistan and the Ministry of Health organized for children and adolescents living with human immunodeficiency virus and acquired immunodeficiency syndrome who are in health care facilities or home environment, education, special programs at secondary school.

Article 16. The rights of parents whose children are infected with human immunodeficiency virus or acquired immunodeficiency syndrome

Parents of children infected with human immunodeficiency virus or acquired immunodeficiency syndrome, and persons in loco parentis, are entitled to:

- rooming-in hospital with children (under 14 years) with the release this time from work and payment of temporary disability benefits;
- preservation of one of the parents of seniority in the event of dismissal from his work in caring for a child under the age of 16 for charge temporary disability benefits subject to income on the job until the child reaches that age;
- Free travel from a parent or a legal representative of a child infected with human immunodeficiency virus at the age of 18 when he accompanied to the place of treatment and vice versa.

Mothers with children under the age of 16 years infected with human immunodeficiency virus or acquired immunodeficiency syndrome, are entitled to annual leave in the summer or convenient for them. In the absence of the mother and the upbringing of the child's father or other person, this right is granted to such persons.

Article 17. Compensation for damage caused to the health of persons infected with human immunodeficiency virus and acquired immunodeficiency syndrome

Compensation for damage caused to the health of persons infected with human immunodeficiency virus and acquired immunodeficiency syndrome as a result of improper performance of their duties medical personnel agencies, health care providers, made in accordance with the legislation of the Republic of Tajikistan.

CHAPTER 4

Social protection of workers at occupational risk of human immunodeficiency virus

Article 18. Assignment of the human immunodeficiency virus and acquired immunodeficiency syndrome in occupational diseases

Infection with human immunodeficiency virus medical, pharmaceutical and other employees in the performance of their duties refers to the category of occupational diseases.

Article 19. Social protection of workers exposed to occupational risk of human immunodeficiency virus

Workers in the provision of medical care, laboratory and scientific research on human immunodeficiency virus and acquired immunodeficiency syndrome and production of virus preparations, as well as donors, social workers and other persons involved in the relief of persons infected with human immunodeficiency virus and patients Acquired Immunodeficiency Syndrome, are subject to compulsory state insurance in case of infection with human immunodeficiency virus in the performance of their duties, as well as offensive in this regard, disability and death from acquired immunodeficiency syndrome. The order of compulsory insurance of these categories of employees is determined by the Government.

Administration medical facilities, workers who carry out diagnostic tests for human immunodeficiency virus, providing medical assistance to persons infected with human immunodeficiency virus and acquired immunodeficiency syndrome, and also have contact with blood and other materials from infected persons are obliged to provide these workers with the necessary means of protection , their systematic survey to identify the human immunodeficiency virus.

Article 20. The rights of health workers infected with human immunodeficiency virus and acquired immunodeficiency syndrome

Health workers who were infected with human immunodeficiency virus or acquired immunodeficiency syndrome became ill as a result of proper execution of official duties, are entitled to:

- on the priority the improvement of housing conditions in the manner determined by law;
- to a retirement pension on preferential terms, the payment in case of death of acquired immunodeficiency syndrome, an allowance of 100 percent of wages of their disabled family members and children under the age of majority;
- On annual leave of not less than 36 working days with him in the summer or other time convenient to them;
- The annual get treatment in sanatoria and health resorts, regardless of their affiliation;
- damages, the amount and order is determined by law.

In the case of human immunodeficiency virus in professional misconduct, in breach of the rules and safety standards through the fault of the employee entitled to worker's compensation is determined by the legislation.

Article 21. Benefits Employment

Workers in the provision of medical, social and other assistance to persons infected with human immunodeficiency virus or acquired immunodeficiency syndrome, laboratory diagnosis of human immunodeficiency virus, research using infected material, producing biological products for the diagnosis and treatment and prevention of Acquired Immune immunodeficiency have the right to:

- retirement in accordance with the list of № 1 production, jobs, professions, posts and underground work, work in difficult conditions, amusement which entitles you to a retirement pension on preferential terms;
- co-payment of wages in the amount of 100% to her;
- annual leave of up to 56 working days;
- shorter working day (6 hour working day).

CHAPTER 5

FINAL PROVISIONS

Article 22. Coordination, monitoring and evaluation of the effectiveness of countering

human immunodeficiency virus and acquired immunodeficiency syndrome

Coordination of actions to prioritize action on the epidemic of human immunodeficiency virus and acquired immunodeficiency syndrome, developing programs and plans, preparing financial plans, monitoring and evaluating performance at all levels to implement the National Coordination Committee, comprising representatives from the executive and legislative authorities, NGOs, communities people living with human immunodeficiency virus and acquired immunodeficiency syndrome and other agencies, organizations and businesses actively involved in efforts to combat human immunodeficiency virus and acquired immunodeficiency syndrome at an appropriate level.

Monitoring implementation of plans and programs, assesses the effectiveness of anti-human immunodeficiency virus and acquired immunodeficiency syndrome for national and regional levels is carried out on a regular basis by authorized an appropriate multisectoral commissions, working groups and institutions at appropriate levels.

The results of monitoring the spread of human immunodeficiency virus and acquired immunodeficiency syndrome, plans and programs, as well as evaluation of the effectiveness of anti-human immunodeficiency virus and acquired immunodeficiency syndrome, including in the framework of international treaties, on time and in full, published in the media media.

Article 23. Cross-sectoral cooperation in combating the human immunodeficiency virus and the syndrome of acquired immunodeficiency.

All educational establishments include educational plans and educational activities promoting the issues of healthy lifestyles and provide students with complete, high quality and accessible information about ways of HIV transmission and prevention methods of human immunodeficiency virus and acquired immunodeficiency syndrome.

Public institutions of education and social protection in conjunction with health agencies and subdivisions of public order, in collaboration with community organizations to develop and implement programs for HIV prevention for street children and adolescents.

Public health agencies in partnership with institutions exercising control over drug trafficking and public security, in collaboration with community organizations to develop and implement programs to prevent human immunodeficiency virus infection for injecting drug users and other particularly vulnerable groups.

Article 24. International cooperation

International cooperation in combating the spread of human immunodeficiency virus and acquired immunodeficiency syndrome is part of the international programs and other international legal acts recognized by Tajikistan, including the exchange of knowledge and experience on the protection of human rights in the context of human immunodeficiency virus and acquired immunodeficiency at the national and international level.

Article 25. Responsibility of persons infected with human immunodeficiency virus

A person who knew of the presence of his human immunodeficiency virus and deliberately endangering infections or infect other person (or a few individuals) of human immunodeficiency virus, shall entail criminal responsibility established by the legislation of the Republic of Tajikistan.

The person who reimburses the damage caused in connection with the provision of an infected person medical and social assistance, in accordance with the legislation of the Republic of Tajikistan.

Article 26. Medical Malpractice

Employees of public health institutions have committed negligence in their professional duties, resulting in infection of another person (or more persons) of human immunodeficiency virus, prosecuted in accordance with the laws of the Republic of Tajikistan.

Article 27. Responsibility for violation of this Act

Violation of this law entails in the prescribed manner to disciplinary, administrative, criminal and civil liability.

Article 28. On the Invalidation of the Law of the Republic of Tajikistan "On prevention of AIDS (acquired immunodeficiency syndrome)"

Law of the Republic of Tajikistan on 27 December 1993 "On prevention of AIDS" (Bulletin of the Supreme Council of the Republic of Tajikistan, 1994., № 2, Art. № 34; Akhbori Majlisi Oli of the Republic of Tajikistan 1996, № 3, st.48, 1997 city, 323-24, art. ZZZ) is repealed.

Article 29. The introduction of this Act

This Act shall enter into force after its official publication.

**PRESIDENT
REPUBLIC OF TAJIKISTAN**

Rakhmonov

**Dushanbe, 28 December 2005
№ 150**

L A W

REPUBLIC OF TAJIKISTAN

On Amendments and Additions to the Law of the Republic of Tajikistan "On Combating Human Immunodeficiency Virus and Acquired Immunodeficiency Syndrome"

Article 1. The Law of the Republic of Tajikistan on 28 December 2005 on combating the human immunodeficiency virus and acquired immunodeficiency syndrome (Akhbory Majlisi Oli, 2005, № 12, Art. 662), the following amendments:

1. The text of the Law of the acronym "HIV" and "AIDS" with the words "human immunodeficiency virus" and "acquired immunodeficiency syndrome."
2. From the fourth paragraph of Article 1 words "(henceforth AIDS)" be deleted.
3. Article 4:
 - second and third paragraphs of the second read as follows:
"- Implementation of epidemiological surveillance of human immunodeficiency virus and acquired immunodeficiency syndrome in the Republic of Tajikistan in the light of respect and human rights priority, anonymous testing and adherence to the principles of confidentiality in its conduct;
 - provision of free high-quality and scientifically sound professional medical and psychosocial care to persons with human immunodeficiency virus and acquired immunodeficiency syndrome;
 - the second part add the following paragraph:
"- The availability and timeliness of medical and psychosocial care;
 - adoption of the periodic state program to combat human immunodeficiency virus and acquired immunodeficiency syndrome.
4. Article 5 is supplemented by the third part as follows:
Financing activities for the prevention and control of human immunodeficiency virus and acquired immunodeficiency syndrome in accordance with Tajik law by raising funds from the National Foundation of acquired immunodeficiency syndrome (hereinafter - the Fund), which is regulated according to the Regulations approved by the Government of the Republic of Tajikistan ".
5. Article 6:
 - second paragraph of the first part to read as follows:

"- On preventive monitoring compliance with the principles of confidentiality, anonymity and voluntary testing in the manner determined by the Ministry of Health;

- third paragraph of the first part before the words "medical examination" to add the words "voluntary and anonymous;

- in the fifth paragraph of the first part after the word "human immunodeficiency virus and acquired immunodeficiency syndrome" add "the media";

- added to Part the sixth paragraph to read:

"- To carry out mass education activities, including meetings, seminars, promotions, and the creation of circles associated with human immunodeficiency virus and acquired immunodeficiency syndrome among the population";

- part of the second and third read as follows: "The vulnerable population is given specific information and services, aimed at changing risky behavior.

In order to prevent the spread of human immunodeficiency virus and acquired immunodeficiency syndrome and other diseases transmitted through blood, the Ministry of Health jointly with the Ministry of Justice shall develop and implement programs to provide information and education in institutions of the penal system. ";

- part of the second and third, respectively, considered part of the third and fourth.

6. Act to add Article b¹ follows:

"Article B ¹. The priority of human immunodeficiency virus and the syndrome Acquired immunodeficiency.

Prevention of human immunodeficiency virus and acquired immunodeficiency syndrome in the Republic of Tajikistan is one of the priorities of public authorities.

These actions based at Principles of humanism and respect for human rights and implemented in accordance with and procedures established by the Ministry of Health of Tajikistan, with the advice of the specialized agencies of the United Nations.

The subjects of prevention virus immunodeficiency Rights and acquired immunodeficiency syndrome in Republic Tajikistan are institutions and organizations sphere Health education, social services, regardless of organizational-legal forms, initiative groups and individuals "

7. Part II of Article 7 complete proposal follows:

"Mandatory medical examination shall be conducted confidentially."

8. Part of the seventh article 9 deleted.

9. Article 10:

- after the words "(Viral and sick)," add the words "strictly for epidemiological purposes on an anonymous basis;

- story add the second part of the next Content:

"These Ministry of Health data can not be transferred elsewhere, except in cases established by court order or at the request of the investigating authorities, and can not be used for criminal or administrative prosecution of a person. "

10. Article 12:

- second paragraph of the first to add the following sentence:

"The transfer of information on health status of patients with these diseases, without their consent is possible only by court order or by request of investigative bodies";

- added to Part the sixth and seventh paragraphs to read:

"- To be protected from discrimination, including in access to treatment;

- to participate actively in determining treatment goals, including the timing and method of treatment, as well as its termination.

11. Article 13 of the supplement parts of the third, fourth and fifth, to read:

"Any discrimination based on HIV status.

It is illegal to commit any public act of incitement to hatred and contempt spread person or group of persons on the basis of actual or perceived HIV status.

Any restriction of rights and freedoms of people infected with human immunodeficiency virus and acquired immunodeficiency syndrome, should be justified only in order to ensure public health, rights and freedoms of others ".

12. Supplement Article 14¹ follows:

"Article 14¹. Medical treatment and preventive measures in prisons administered by criminal penalties.

A person who tests for human immunodeficiency virus which has been positive

and has the right to appropriate medical care, counseling and referrals to other support services while in prison or detention.

Prisoners and detainees are entitled to free confidential testing for human immunodeficiency virus and to the consultation on the basis of informed consent, as well as information on health status. Health information should be contained in the documents that are available only for medical personnel and shall be disclosed only with the consent of the prisoner or the need to ensure the safety of other inmates and prison staff.

Prohibited discrimination against prisoners on the basis of their HIV status.

13. In the first part of Article 22 the words "Inter-sectoral Commission" replaced by "National Coordinating Committee.

Article 2. This Law shall enter into force after its official publication.

**President
Tajikistan Rakhmon**

Dushanbe, 3 I December 2008

№ 476

 Ask an Expert

 CONTACT

 ABOUT

 LINKS

The Web site was developed with the support of the CAPACITY Project funded by the U.S. Agency for International Development (USAID), and AIDS Control Project in Central Asia, funded by the World Bank (WB) and DFID. The responsibility for the content of the material is the NCC Secretariat and it does not always reflect the views of USAID, WB and DFID.

 Hot/Cool
7585 +15



design@caftar.com