



**Supreme Court
of the Republic of Tajikistan**

Programme of the National Forum on HIV, Human rights and Law

24-25 February 2022 г.

Dushanbe

Venue: Serena hotel

<i>Day 1</i>			
<i>24 FEBRUARY 2022., THURSDAY</i>			
Time	Topic	Moderators/speakers	Notes
<i>8:30-9:00 (30 min)</i>	Registration and opening		
<i>Moderator from the Supreme Court</i>			

Session 1: Opening and greeting

9:00-10:00 (60 min)	Ishoki Amirkhon Nusratullo - Deputy Chairman of the Supreme Court of the Republic of Tajikistan Ashurzoda Gulbahor - Deputy Chairman of the MN MO Committee on Social Issues, Family and Health Rofizoda Mirzoamon - Deputy Prosecutor General of the Republic of Tajikistan Amirzoda Abdukholik Amir - Deputy Minister of Health and Social Protection of the Republic of Tajikistan Lenny Montiel - UNDP Resident Representative in Tajikistan
10:00-10:30 (30 min.)	Coffee break/group photo
<i>Moderator from the Supreme Court</i>	

Session 2: HIV epidemic in Tajikistan, review of the legal environment and access to justice

10:30-11:40 (70 min.)	HIV and legislation in Tajikistan: a brief overview The speaker gives a brief overview of the HIV epidemiological situation in the country and the response to HIV infection (10 min); The speaker provides an overview of the HIV legal environment and outlines legal barriers and discriminatory law enforcement practices in an effective HIV response in Tajikistan (15 min). Speaker highlights public health and human rights implications of HIV criminalization (15 min)	Speakers: Yokubov Izzatullo Republican AIDS center Larisa Aleksandrova, NGO « Human rights center» Pulod Jamolov NGO SPIN PLUS
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	<p>Speech of victim of HIV criminalization</p> <p>Rights of representatives of the key population groups</p> <p>Activity of the law enforcement services in the field of protection of life and health, rights, freedom of man and citizen from wrongdoing, prevention, prevention of crimes and other offenses.</p>	<p>NGO SPIN PLUS</p> <p>Saodat Oripova, NGO AFIF</p> <p>Nuriddin Najmudinzoda Deputy Chief of the Medical Department of the Ministry of Internal Affairs of the Republic of Tajikistan</p>	
<p>Session moderator: 15 minutes for questions and answers on the session. Moderator opens the session, introduces the topic of the session and the speakers</p>			<p><i>Moderator from the Supreme Court</i></p>
<p>Session 3: International legal regulation of HIV decriminalization; experience on decriminalization</p>			
<p>11:40-12:30 (50 min.)</p>	<p>International legal regulation of HIV criminalization: existing instruments, status, gaps</p> <p>Overview of international standards and guidelines (hard and soft law) regarding the criminalization of HIV transmission and exposure and points out the existing gaps, international experience in decriminalization of HIV in the EECA region (15 min)</p> <p><i>Global HIV Partnership goals, access to justice for people living with HIV and key populations (10 min);</i></p>	<p>Speakers:</p> <p>Timur Abdullaev, International consultant UNDP</p> <p>Vera Ilyenkova, UNAIDS Regional office</p>	<p>Online</p> <p>Online</p>
<p>12:30-13:30 (1 час)</p>	<p style="text-align: center;">Lunch</p>		
<p style="text-align: center;"><i>Moderator from the Supreme Court</i></p>			
<p>Session 4: Grading and Risk Assessment in the Context of HIV Risk and Other Acts</p>			

<p>13:30-14:30 (1 час)</p>	<p>Risk gradation in the context of HIV infection and other acts</p> <p>The overview of the oversight over the accurate, uniform implementation of laws by bodies of inquiry, preliminary investigation and for the observance of human and civil rights and freedoms on HIV issues;</p> <p>Gradation of HIV transmission risks under different circumstances (condom use, ART, etc.) and compares these risks with the risks that are part and parcel of everyday life, experience with law enforcement and the courts.</p> <p>Risks that are sufficient to use the criminal law and impose criminal penalties.</p> <p>Risk Assessment in the Context of HIV Risk and Other Acts</p> <p>Guidance on risk assessment in cases of HIV exposure</p>	<p>Выступающие:</p> <p>Zaymuddinzoda Qutbiddin Prosecutor of the Office for Supervision of Enforcement of Laws in Internal Affairs and Drugs</p> <p>Alijon Soliev, Republican AIDS center</p> <p>Taqdirsho Sharipov Law faculty of the Tajik National University</p> <p>Sharof Alanazarzoda, Judge of the Supreme Court of the RT</p>
<p>14:30-15:00 (30 min.)</p>	<p>Coffee break</p>	
<p><i>Moderator from the Supreme Court</i></p>		
<p><i>Session 5: HIV in the Context of Criminal Procedure Law</i></p>		

<p>15:30-16:00 (30 min)</p>	<p>HIV in the Context of Criminal Procedure (Confidentiality in Proceedings)</p> <p>Issues related to confidentiality in hearings in cases where one or more participants are HIV-positive.</p>	<p>Speakers :</p> <p>Iskandarov Zayniddin Law faculty of the Tajik National University</p> <p>Gulomzoda Safarbek , Judge of the Supreme Court of the RT</p>
<p>Q&A, Closing the first day The moderator summarizes the first day's discussions and opens the Q&A session</p>		<p><i>Moderator from the Supreme Court</i></p>

<p>Day 2</p>			
<p>25 February 2022 г., Friday</p>			
<p>ВРЕМЯ</p>	<p>Topic</p>	<p>Moderators / speakers</p>	<p>notes</p>
<p>8:30-9:00 (30 min)</p>	<p>Registration</p>		
<p>Session Moderator: Opening of Day 2 The moderator recalls the main points of the first day and briefly introduces the second day's program. The moderator then opens the session, introducing the topic of the session and the speakers</p>			<p><i>Moderator from the Supreme Court</i></p>
<p>Session 6: HIV Status in the Context of Civil Procedure: Access to Justice</p>			
		<p>Speakers:</p>	

<p>9:00-9:40 (40 min)</p>	<p>International legal regulation of civil law aspects of HIV: existing instruments, current status, gaps</p> <p>Provides an overview of international standards and guidelines (hard and soft law) in relation to HIV and civil law and points out the existing gaps</p> <p>HIV Status in the Context of Civil Law Procedures: Access to Justice</p>	<p>Sharof Alanazarzoda, Judge of the Supreme Court of the RT</p> <p>Vahobzoda Shakhlo, Judge of the Supreme Court of the RT</p>
<p>9:40-10:10 (30 min.)</p> <p>Coffee break</p>		
<p>Moderator opens session, presents the main topic and speakers</p>		<p><i>Moderator from the Supreme Court</i></p>
<p><i>Session 7: Civil Law and HIV</i></p>		
<p>10:10-11:30 (80 min.)</p>	<p>The Right to Confidentiality: Implementation Mechanisms</p> <p>Speakers discuss law cases on the rights to confidentiality of HIV-positive status</p> <p>Compensation for material and moral damages in civil cases of HIV-infection Speakers discuss issues related to compensation for moral and material harm in civil cases related to HIV</p> <p>Practice on PLHIV cases on disclosure of status</p>	<p>Speakers:</p> <p>Pulodi Mavjuda, Judge of the Supreme Court of the RT</p> <p>Pulodi Mavjuda, Judge of the Supreme Court of the RT</p> <p>Zebo Kasymova, Lawyer NGO Human Rights Center</p>
<p>Moderator opens session, presents the main topic and speakers</p>		<p><i>Moderator from the Supreme Court</i></p>

Session 8: Family Law and HIV

<p>11:30-12:30 (60 min.)</p>	<p>Adoption and Guardianship by People Living with HIV Speaker shares experience on court cases related to the rights of PLHIV to become adoptive parents/guardians.</p> <p>The speaker shares experience in proceeding of PLHIV to become adoptive/guardians and HIV as a barrier to marriage and grounds for dissolution of marriage, thus moving on to the next segment of the session.</p> <p>HIV as an Obstacle to Marriage and Grounds for Dissolution of Marriage The presenter explains the impact of mandatory HIV testing prior to marriage on the right of people living with HIV to found a family.</p> <p>Case studies of PLHIV on marriage</p> <p>Speaker from community representative/activist</p> <p>Speaker presents case law on divorce cases in which HIV was used as a ground for divorce.</p>	<p>Speakers:</p> <p>Oymahmadzoda Mahmadjon, Judge of the Supreme Court of the RT</p> <p>Khakim Rukhshona, Judge of the Supreme Court of the RT</p> <p>Larisa Aleksandrova Legal expert of the NGO Human Rights Center NGO Equal Opportunities</p>
<p>12:30-13:30 (1 час)</p>	<p>Lunch</p>	
<p>Session moderator: presents questions from the chat and invites speakers to answer. The moderator then invites the participants to ask questions and passes the microphone to the speakers to answer.</p>		<p><i>Moderator from the Supreme Court</i></p>
<p>13:30-14:30 (1 час)</p>	<p>Session 9: HIV and Employment: Labour Disputes Speaker presents judicial protections for HIV-related workplace discrimination cases</p> <p>Community representative/activist speech</p>	<p>Kamarzoda Roshidin, Judge of the Supreme Court of the RT</p> <p>NGO Equal Opportunities</p>

	Q&A	
14:30-15:00 (30 min.)	Coffee break	
Moderator opens session, presents the main topic and speakers		<i>Moderator from the Supreme Court</i>
15:00-16:00	<p>Plenary discussion: Next steps and opportunities for greater national cooperation, discussion on the final forum document Plenary Discussion: Next Steps and Opportunities for Enhancing Cooperation, Concluding Remarks Acknowledgment</p> <p>Ways to implement national strategies and programs, strengthening the interaction of ministries, departments, government, non-governmental and international organizations in the prevention and fight against HIV in the Republic of Tajikistan.</p> <p>The importance of the implementation of global challenges, the relationship between organizations and support from UNDP to Tajikistan.</p> <p>Closing remarks Expression of gratitude</p>	<p>Avgonov Ziyovuddin Tulforovich, Secretary of the National Coordinating Committee for the Prevention and Control of HIV, Tuberculosis and Malaria in the Republic of Tajikistan</p> <p>Rosemary Kumwenda, UNDP Regional Head for HIV, Health and Development</p>
Summary of the Forum and discussion of Resolution		