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CSOS WIN COURT BATTLE IN KYRGYZSTAN

Government ordered to provide documents related to procurement of ARVs

Earlier this year, civil society organisations (CSOs) in Kyrgyzstan succeeded in their legal challenge against the Ministry of Health, which had refused to grant access to copies of tender agreements and other documents related to the procurement and distribution of antiretroviral medicines (ARVs). On 26 January 2012, the Bishkek District Court ruled that the government's actions were a violation of the right to access information, and ordered the government to turn over copies of all documents pertaining to the purchase of ARVs between 2009 and 2011.

The court case emerged from a project launched in 2010 by three CSOs in Kyrgyzstan to monitor and analyse the procurement and distribution of medicines purchased with Global Fund grants. The impetus for the project was the fact that even though Kyrgyzstan has received considerable international funding for health, many people are still unable to access lifesaving medicines.

The CSOs are the Harm Reduction Network, the Partnership Network, and Unity of People Living with HIV. The CSOs hope that the monitoring effort will increase the efficiency and transparency of projects that are implemented by the government's AIDS centre, the principal recipient (PR) for Global Fund grants.

The project involves tracking the procurement and distribution of ARVs and of medicines to treat opportunistic infections, as well as supplies that help reduce HIV infection, such as safe injection equipment for people who use drugs. As part of the project, the CSOs are analysing whether the procurement and distribution processes are transparent, are in accordance with Kyrgyz law on public procurement, and are in line with Global Fund procedures.

According to Madina Tokombaeva, director of the Harm Reduction Network (HRN) in Kyrgyzstan, and

Maryam Beishenova, programme coordinator at HRN, the CSOs met with resistance from the Ministry of Health, which refused to release copies of tender agreements and other financial documents pertaining to the AIDS centre. They said that the government claimed that these records are not available to third parties. This is what led to the legal challenge.

Ms Tokombaeva and Ms Beishenova said that the court decision is “a clear victory for transparency and access to information in Kyrgyzstan. Civil society organizations have been energized and we are committed to ensure that government agencies and donors are transparent and efficient.”

The monitoring project continues.

Information for this article was taken from a [blog](#) on the website of Open Society Foundations.

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