

Всеукраїнська
Мережа
ЛЖВ



All-Ukrainian
Network of
PLWH

Right to Health in Prisons of Ukraine (Case of Igor)

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Case

- Convict Igor applied to the lawyers of the Network as the chief of the prison did not allow him to go to the hospital in order to receive medical services.
- Igor's health worsen dramatically. He complained about high temperature, swollen limbs, pain in chest and belly and many other health problems.
- A lawyer of the Network called the chief of the prison. He complained that Igor's behavior is not good.



Application of law

- Lawyer of the Network explained that according to the Article 49 of the Constitution of Ukraine everybody should have right to health and medical assistance.
- Also, according to the Article 17 of the Law of Ukraine on AIDS, HIV-infected people should have all rights provided by the Constitution and laws of Ukraine.
- Thus independently on the behavior of the convict Igor, he should be provided with diagnostics and treatment.



Immediate results

- Less than in an hour Igor called and told that thanks to intervention of the lawyer of the Network and her talk to the chief of the prison the case is resolved.
- Officers of the prison came and took Igor to escort him to the hospital.



Two tendencies

- This case clearly reveals to important tendencies about treatment of HIV-positive convicts in Ukraine
- **1. There is lack of sources to provide effective treatment for prisoners.**
- Very often there is no qualified doctor in a prison who could survey and prescribe treatment of HIV, TB and opportunistic infections. Of course, there is often no medical equipment.
- Thus it's necessary to escort a convict to a public hospital. But it demands sources – a vehicle, petrol, officers for escort, time, desire etc. There is often lack of these sources.
- Thus a convict stays unsurveyed and untreated.



Two tendencies

- **2. Law protection interventions may be extremely effective.**
- If state officers feel that any human right organization is interested in a case, they immediately try to treat a convict the best they can, because they are afraid of making the case public.
- They may also be afraid of inspections, reaction of the line (high) management, court cases etc.



Thanks for your attention! 😊

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