

# The European HIV Legal Forum 2015-2016

Ferenc Bagyinszky  
AIDS Action Europe  
HIV/AIDS Civil Society Forum meeting  
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# The EHLF network



**SOAIDS**



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# Project objectives

- Deliverables:
  - Legal survey – 10 countries
  - Legal report
    - *main international regulations in favour of the right to healthcare*
    - *leading European Laws Related to the Right to Healthcare*
    - *European case law*
    - *Country Profiles*
  - Collection of good practices
    - *rights literacy*
    - *prevention and treatment literacy*
    - *anti-discrimination tool etc.*
  - Advocacy tool
  - Collaboration with other organizations and networks – national and European level

# Research on access

- RIGHT TO HEALTH – in constitution or other legislation
- UNIVERSAL ACCESS TO HEALTH CARE – how healthcare is structured
- HIV TEST/HIV DIAGNOSIS
- HIV TREATMENT
- STI TEST/STI TREATMENT
- COMM. DISEASES (TB, viral hepatitis)
- EMERGENCY/ACUTE/CHRONIC/PRIMARY CARE

COUNTRY/ACCESS	FR	DE	ES*	UK	GR	HU	IT*	SR	NL	PL
RIGHT TO HEALTH	+	+	+	+	+	+	+	+	+	+
UNIVERSAL ACCESS TO HEALTH CARE	-	-	-	-	-	-	-	-	-	-
HIV TEST	+	+	+	+	+	+	+	+	+	+
HIV DIAGNOSIS	+	+	+	+	+	-	+	-	+	+
HIV TREATMENT	+	-	+	+	+	-	+	-	+*	-
STI TEST	+	-*	+	+	-	-*	+	-	+	+
STI TREATMENT	+	-	+	+	-	-	-	-	-	+
COMM. DISEASES	+	+/-	+	+/-	+/-	-	+*	-	-	+/-
EMERGENCY	+	+	+	+	+	+	+	+	+	+
ACUTE	+	-	+	-	-	-	+	-	-	-
CHRONIC	+	-	+	-	-	-	+*	-	-	-
PRIMARY CARE	+	-	+	+	-	-	+	-	-	-

## European HIV Legal Forum (EHLF) Access to health care services for migrants with irregular status



# Recommendations

- 1. Comply with international obligations at the legislative level, reviewing and/or revising national and regional legislation, and adopting a human right-based approach to healthcare and to fighting HIV/AIDS.
- 2. Ensure that information about what treatment is available to migrants with irregular status is made accessible to these individuals and to healthcare providers.
- 3. Abolish every kind of healthcare provider or public official duty to denounce, as this regulation makes healthcare inaccessible to migrants with irregular status for fear of deportation.
- 4. Protect seriously ill foreigners, including migrants with irregular status, from deportation through domestic laws. Ensure that foreigners are granted an effective permit to stay in the host nation if they are unable to receive effective access to treatment in their country of origin.
- 5. Eliminate or reduce the cost of services.
- 6. Simplify administrative procedures for access to healthcare services.
- 7. Ensure privacy and autonomy of every patient.



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# Future of EHLF

- Promotion
  - PICUM, EUPHA conference, IAS2016
- Collaboration
- Continuation
  - Extension of the network
  - Extension of topics



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