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PRESS RELEASE
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DISCRIMINATION
PRESS RELEASE ON THE SAN FRANCISCO
CONFERENCE

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The National AIDS Council wishes to express its deep concern and shock at the declared intention of the American authorities, in connection with the Conference, to enforce the Immigration and Nationality Act of 1952, which bars "foreign nationals infected by dangerous and contagious diseases of any kind" from entry into the United States.

In its session of February 1, the National AIDS Council made clear that any recourse by the American authorities to legislation that has fallen into disuse but has never been repealed would constitute an affront to basic human dignity, and contravene medical ethics, the principle of medical confidentiality, and the freedom of movement which should prevail in any democratic country.

The Council emphasizes the inconsistent character of such a step, since this is a disease that is not contagious in the strict sense of the term, but one which is transmissible, meaning that it is under the responsible control of the infected individual. The Council also points out the ineffectiveness of this measure in terms of public health.

The National AIDS Council supports the efforts of the World Health Organization, the International Red Cross Movement and the National AIDS Commission of the United States to ensure that these provisions are repealed ; and, for its part, the Council recommends that the participation of French researchers should be made conditional on such repeal.

As early as November 1989, not-for-profit associations defending the rights of homosexuals and HIV-positive individuals, in conjunction with the World Health Organization, alerted public opinion and public authorities to these American legislative provisions, and the declared intention of applying them during the VIth International AIDS conference. The Council was initially informed that negotiations were in progress, notably between the United States government and the WHO, with the aim of ensuring that the measures would be withdrawn. It was only when it became apparent that the discussions would be unproductive, at least on the substantive issue involved, despite the granting of limited concessions linked to the current context, that the Council approved the above release.

Note :

In 1987, the American Congress put the AIDS virus on the list of contagious diseases barring all access to the United States. The American authorities relaxed their position on April 13, 1990 by announcing that a special ten-day visa would enable foreign nationals to enter the United States for a conference "in the public interest" without their being required to declare HIV-positive status. This concession was considered insufficient by the twelve ministers of the EEC and associations engaged in the combat against AIDS. On May 17, 1990, the Health Ministers of the twelve EEC Member States announced unanimously that they would not personally take part in the San Francisco AIDS Conference.