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PRESS RELEASE

DISCRIMINATION

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**PRESS RELEASE ON THE MARSEILLES COURT CASE
ON REFUSAL TO OPERATE ON AN HIV-POSITIVE
PATIENT**

Concerned by the subject matter of a hearing at the *Tribunal Correctionnel* [Magistrates' Court] in Marseilles on June 1, 1995, the National AIDS Council :

1. Stresses that there are no grounds for amending either the form or the content of its Opinion of November 20, 1989 concerning the bill on the protection against discrimination for the sick and the disabled. It is certainly the case that there is discrimination against individuals living with HIV as well as those with other health-related handicaps, and such discrimination is reprehensible.
2. Notes with surprise that the representative of the public prosecutor's office feels able to use fear as an argument for the mitigation of culpability for poor medical practice and refusal of care, despite the fact that the public is entitled to expect level-headed competence from its physicians.
3. Draws attention to the fact that considerable numbers of training courses on AIDS have been organized over recent years not only for the benefit of doctors, naturally, but also for members of the judiciary. It is would therefore be reasonable to hope that professionals in this sphere now have a level of knowledge and practice that is at least beyond reproach, and possibly even exemplary.

The case in Marseilles, as reported in the media, offers a deplorable picture of how the social actors are coping with the AIDS epidemic in a region that has been hard hit by the disease, whereas a recent survey on the sexuality of 15-18 year-olds supplies evidence of the excellent level of knowledge and responsible behaviour of young people in this part of France.