



To:

- His Excellency Ing. Jan Fischer, Prime Minister of the Czech Republic,
- His Excellency PhDr Jan Kohout, Deputy Prime Minister and Minister of Foreign Affairs of the Czech Republic
- His Excellency Ing. Martin Pecina, Minister of Interior of the Czech Republic
- His Excellency Michael Kocáb, Minister for Human Rights of the Czech Republic

Brussels, June 10, 2009

Excellencies,

The European AIDS Treatment Group, the pan-European European patient-led advocacy organisation for people with HIV, strongly condemns the introduction by your Government of a visa entry requirement that would completely exclude from entry to the Czech Republic people from certain countries with HIV, tuberculosis and syphilis.

The European AIDS Treatment Group's mission is to achieve the fastest possible access to state of the art medical products, devices and diagnostic tests that prevent or treat HIV infection or improve the quality of life of people living with HIV or who are at risk of HIV infection.

Last week, the Minister of Foreign Affairs of the Czech Republic, Mr. Jan Kohout, announced to journalists that effective June 1, Czech visa applicants from Congo, Kenya, Moldova, Mongolia, Nigeria, Pakistan, Tajikistan, Turkmenistan, Ukraine and Vietnam are required to present health certificates stating absence of tuberculosis, syphilis and HIV infection.

We are shocked and appalled that the Czech Republic, currently holding the EU Presidency, has introduced measures that have no precedent in the European Union. The list of countries affected by the new regulation is completely arbitrary, as people with HIV live in every country on this planet, including the European Union. Implementation of your measures is not even possible, as other Schengen Area countries do not have such regulations.

EUROPEAN AIDS TREATMENT GROUP

Experts in infectious diseases and public health have made it clear that HIV does not pose a threat to public health in relation to travel and mobility because the virus cannot be transmitted by the presence of an HIV-positive person or by casual contact. ^{i, ii, iii}

As early as 1988, the World Health Organisation (WHO) stated that “since HIV infection is already present in every region and in virtually every major city in the world, even total exclusion of travellers (foreigners and citizens travelling abroad) cannot prevent the introduction and spread of HIV”. ^{iv} It also said “HIV screening of international travellers would be ineffective, impractical and wasteful. Rather than screening international travellers, resources must be applied to preventing HIV transmission among each population, based on information and education, and with the support of health and social services”. ^v

In the same year, the World Health Assembly urged Member States “to protect the human rights and dignity of HIV-infected people... and to avoid discriminatory action against and stigmatisation of them in the provision of services, employment and travel.” ^{vi}

In 2008, the International Task Team on HIV Related Travel Restrictions convened by UNAIDS issued new recommendations in this respect:

1. The International Task Team on HIV Related Travel Restrictions urges all States with HIV-specific restrictions on entry, stay and residence, in the form of laws, regulations, and practices, including waivers, to review and then eliminate them, and ensure that all people living with HIV are no longer excluded, detained or deported on the basis of HIV status.
2. The International Task Team on HIV Related Travel Restrictions urges all States to ensure the full protection of the human rights of people living with HIV in the context of mobility, under the international human rights framework.

The International AIDS Society and the Global Fund to fight Tuberculosis, Malaria and AIDS have introduced policies not to hold any meeting in countries having policies restricting the entry of HIV-positive people. ^{vii, viii}

In the past few years, countries such as El Salvador and India have repealed previously enforced restrictions for entry and stay of people living with HIV.

The Czech Republic and the city of Prague are symbols for freedom, human rights and liberty of movement to the world. The next International AIDS conference is in Vienna in 2010; its location in a neighbouring country may expose the new regulations to media attention and damage the reputation of your country.

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EATG is also a non profit NGO in Belgium (AISBL)

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The European AIDS Treatment Group urges the Government of the Czech Republic to repeal the new measures with immediate effect. We will use every occasion to oppose your policies, which we perceive as ill directed, ineffective as a strategy to fight HIV and abusive towards HIV-positive people.

Sincerely yours,



Anna Zakowicz, Chair

European AIDS Treatment Group

Cc:

- European Commission (Directorate-General for External Relations, Directorate General for Health and Consumers, HIV/AIDS Think Tank, Civil Society Forum)
- Embassy of Congo Republic in Belgium
- Embassy of the Republic of Kenya in Belgium
- Embassy of Moldova in Belgium
- Embassy of Mongolia in Belgium
- Embassy of Nigeria in Belgium
- Embassy of Islamic Republic of Pakistan in Belgium
- Embassy of Tajikistan in Belgium
- Embassy of Turkmenistan in Belgium
- Embassy of Ukraine in Belgium
- Embassy of Vietnam in Belgium
- World Health Organisation, Regional Office for Europe, Copenhagen
- UNAIDS, Geneva
- Global Network of People Living with HIV/AIDS (GNP+)
- International AIDS Society, Geneva
- International Organisation for Migration, Geneva
- European AIDS Clinical Society
- Members of the European Parliament from the Czech Republic

ⁱ World Health Organisation, (1987), "Report of the Consultation on International Travel and HIV Infection", Geneva, 2-3 March 1987, WHO/SPA/GLO/87.1.

ⁱⁱ World Health Organisation (1988), *Statement on screening of international travellers for infection with Human*

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Immunodeficiency Virus, WHO/GPA/INF/88.3.

ⁱⁱⁱ Joint United Nations Programme on HIV/AIDS and International Organisation for Migration, (2004), *UNAIDS/IOM Statement on HIV/AIDS-related Travel Restrictions*. Available online: http://www.iom.int/jahia/webdav/site/myjahiasite/shared/shared/mainsite/activities/health/UNAIDS_IOM_statement_travel_restrictions.pdf

^{iv} World Health Organisation (1988), Statement on screening of international travellers for infection with Human Immunodeficiency Virus, WHO/GPA/INF/88.3

^v Ibid.

^{vi} “Avoidance of discrimination in relation to HIV-infected people and people with AIDS” (1988), World Health Assembly Resolution 41.24.

^{vii} www.iasociety.org/Web/WebContent/File/ias_policy%20paper_07%2012%2007.pdf

^{viii} www.theglobalfund.org/documents/board/18/GF-B18-12_ReportInternationalTaskTeamHIV-relatedTravelRestrictions.pdf

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