Parliamentary Assembly
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Recommendation 1080 (1988)[1]

Co-ordinated European health policy to prevent the spread of AIDS in prisons

Parliamentary Assembly

The Assembly,

1. Recalling its Resolution 812 (1983) on the acquired immune deficiency syndrome (AIDS) ;

2. Deeply concerned by the rapid and continuing spread both in Europe and world-wide of the human immunodeficiency virus (HIV) which may cause AIDS and a variety of other diseases ;

3. Realising that, whereas initially only particular risk-groups were thought to be affected by HIV, it is now understood that the virus may strike anyone ;

4. Aware that despite considerable progress in medical research it has not yet been possible to develop an effective treatment of, or a vaccine against, HIV-related illnesses ;

5. Noting that according to all currently available medical evidence HIV can only be transmitted through sexual intercourse, blood, or during pregnancy and the perinatal period ;

6. Convinced that effective measures to contain the spread of HIV infection should be introduced immediately and that existing measures, such as the screening of blood and blood products, should continue to be applied with great care ;

7. Firmly believing that in order to be effective such measures should not be compulsory, but should be based on the voluntary co-operation of the population ;

8. Paying tribute to and supporting the invaluable efforts carried out by the World Health Organisation (WHO) through its special programme on AIDS ;

9. Welcoming Recommendation No. R (87) 25 concerning a common European public health policy to fight the acquired immunodeficiency syndrome (AIDS), adopted by the Committee of Ministers on 26 November 1987, and expressing its full support for the guidelines contained therein ;

10. Considering that particular attention should be paid to the prison population which has a worryingly high incidence of HIV infection ;

11. Considering that the occurrence of homosexual activities and intravenous drug abuse in prisons, both of which entail a considerable risk of spreading HIV infection amongst the prison population and eventually outside prison, must at the moment be accepted as realities ;

12. Convinced that under these circumstances avoiding the spread of HIV infection should be the overriding concern of prison authorities ;

13. Considering that, as in the general population, compulsory measures are likely to be ineffective, discriminatory and invidious,

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1. *Text adopted by the Standing Committee,* acting on behalf of the Assembly, on 30 June 1988. See Doc. 5897, report of the Social and Health Affairs Committee, Rapporteur : Mr Martino, and Doc. 5920, opinion of the Legal Affairs Committee, Rapporteur : Mr S. Gustafsson.

14. Recommends that the Committee of Ministers :

a. invite the governments of member states :

i. to provide regular information to all prison staff about HIV infection and its consequences ;

ii. to provide written information to prisoners, properly translated when necessary, about the modes and consequences of HIV infection, and in particular about the dangers of homosexual contacts and intravenous drug abuse in prisons ;

iii. to make HIV tests and counselling available to all prisoners, whilst ensuring that the results of these tests remain the secret of the authorities directly concerned with the health and management of prisoners ;

iv. to ensure that, unless future scientific findings should indicate otherwise, HIV-infected prisoners are not isolated or segregated, provided they do not act irresponsibly ;

v. to transfer all prisoners who have developed AIDS to specialised hospitals, and to permit final release of fatally ill prisoners on humanitarian grounds ;

vi. to ensure that hygiene and food in prisons are of such a standard as not to increase the risk of developing AIDS in prisoners who are already HIV-infected ;

vii. to make condoms available to prisoners ;

viii. to take active steps to prevent the illicit introduction of drugs and injection equipment into prisons, to offer help to drug addicts and to allow, in the last resort, clean, one-way syringes and clean needles being made available to intravenous drug abusers in prison ;

b. instruct the European Committee on Crime Problems (CDPC) to elaborate urgently standard minimum rules based on the above proposals for the treatment of HIV-infected persons in prison.