

# MIGRANTS *against* HIV/AIDS

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**PRESS RELEASE – WEDNESDAY 26 AUGUST 1998**

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## **Mister Mfumu, a young Congolese man living with HIV in Switzerland, has been denied treatment for 55 days**

FOR TWO MONTHS, Mister Mfumu, a young Congolese man living with HIV in Switzerland, has been denied the right to go to the hospital to see his doctor or to renew the prescription for the combination therapy which he took for two years. The denial of treatment he is facing will eventually result in his death – this is the harsh reality of his situation.

Mister Mfumu is now dependent on combination therapy, and intensive and constraining treatment. Without the best medical supervision available from doctors who specialise in HIV care and treatment, Mister Mfumu will face treatment failure. This means that the combination therapy will not work as well or at all: the progression of the HIV infection will accelerate rapidly toward an AIDS diagnosis.

If Mister Mfumu is today facing denial of treatment, it is because the Swiss Federal Office of Refugees (OFR) is determined to deport him to the Democratic Republic of Congo (DRC), his country of origin, since they rejected his claim for asylum in Switzerland.

On 18 June 1998, the Swiss Asylum Appeals Commission refused to suspend Mister Mfumu's deportation for health reasons. The Commission stuck to the OFR's absurd position, which considers that combination therapy is not "extremely intensive" care, using this criterion as one basis for denying Mister Mfumu's appeal. But the OFR also requires that the treatment required be a "cure" or lead to a "substantial improvement in health," and considers that combination therapy does neither.

Without combination therapy, Mister Mfumu would probably be facing AIDS as well as HIV. But requiring that HIV treatment be a "cure" is both cruel and cynical. Furthermore, deporting people living with HIV to countries where HIV treatment, medical and science infrastructure, and medical supervision don't exist also means sending people to their death.

The Federal Office for Refugees committed itself to providing treatment to Mister Mfumu *after* deportation, recognising its responsibility in ensuring that HIV treatment is not interrupted. However, in 53 days it has done nothing so that Mister Mfumu may resume care. Will he have to wait until he is gravely ill or dead until the Federal Office takes any action? Making care and treatment conditional on the acceptance of deportation is a form of blackmail which is inadmissible on the part of a government which hosted the 12th World AIDS Conference and its theme of "Bridging the Gap" of reducing the North-South AIDS gap.

**Mr Arnold Köller, Chief of the Federal Dept of Justice and Police, and Mrs Ruth Dreifuss, Chief of the Federal Dept of the Interior, received a letter this morning from Migrants against HIV/AIDS, co-signed by a group of Swiss, Third World, and international AIDS and immigrant rights organisations.**

**Migrants against HIV/AIDS demands that leave to remain, with suspension of deportation, be immediately granted on an emergency basis to Mister Mfumu so that he may get the care and treatment his life depends on.**

Geneva, 24 July 1998  
Migrants against HIV/AIDS

**SIGNED BY:** Act Up (Paris) ■ African Health Team (Stockholm) ■ African Foundation for AIDS Prevention and Counseling (Amsterdam) ■ African HIV Steering Group (UK) ■ Afro-Swedes (Stockholm) ■ ATT Association des Travailleurs Turques (Paris) ■ East London African Forum on AIDS (London) ■ FTCT Fédération des Tunisiens pour une Citoyenneté des Deux Rives (Paris) ■ George House Trust (Manchester) ■ Greater Manchester Immigration Aid Unit – No One Is Illegal (Manchester) ■ NCADC UK National Coalition of Anti-Deportation Campaigns (Birmingham) ■ *Regards Africains* (Genève)