

WRITTEN QUESTION E-1025/09

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to the Commission

Subject: Medical care for migrants in Italy

The examination of Bill No 733 that took place yesterday in the Italian Senate led to the deletion of the provision that 'persons from other countries residing in Italy illegally who are admitted to a healthcare institution cannot consequently be reported to the authorities, unless it is compulsory to do so in line with the laws that apply to Italian citizens'. Should this deletion be confirmed by the Chamber of Deputies, doctors will be authorised to report immigrants in need of medical attention who have no residence permit.

This change in the law would have countless repercussions: it would constitute a blow to every individual's right to health and dignity, a violation of the equality principle, which is enshrined in the Italian Constitution and is a fundamental principle of all the European legal systems, a serious risk for public health due to the increased spreading by contagion of untreated illnesses (the danger of being reported would deter many immigrants from seeking medical assistance, rendering the proper monitoring of disease for the protection of the entire community impossible) and in the end a greater financial burden on health services. A measure of this kind would sanction the demise of the principle of protecting the patient as a human being regardless of any other consideration.

Does the Commission not consider that this amendment goes against the principle of respect for human rights and fundamental freedoms shared by all Member States, and in particular the principles of equality, non-discrimination, human dignity and solidarity?

Does the Commission not consider that this measure violates Articles 1 (human dignity), 2 (the right to life), 7 (respect for private and family life), 21 (non-discrimination), 24 (the rights of the child), 25 (the rights of the elderly) and in particular 35 (the right to health care) of the Charter of Fundamental Rights of the European Union, as well as Article 28 of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, which was adopted by the UN General Assembly on 18 December 1990 and entered into force in July 2003?

Finally, does the Commission not consider that this change would create a serious epidemiological threat at European level, given the absence of internal borders between the Member States?