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Legislative provisions connected with the entry into force of Book II of the new Code of Penal Law specify the categories of foreigners sentenced to prison terms likely to be deported from national territory on completion of their sentence.

Such deportation is often applied to individuals whose state of health requires major levels of healthcare that they were receiving in France, notably in prison, and where it is certain, given the special and costly nature of the treatment, they would not benefit from equivalent provision in the countries to which they are returned. This notably applies to HIV/AIDS sufferers, but it is also true of other serious medical conditions.

While not wishing to interfere in areas outside their remit, the signatories nonetheless recommend with some insistence that the authorities responsible for application of the law pay special attention to the cases of individuals suffering from grave medical conditions, refraining from deportation wherever, due to lack of resources and inadequate health infrastructures, the sufferer would not be able to continue to receive medical treatment in the country to which he or she would be sent. Such a policy would avoid deportations that would result in consequences out of all proportion to the original grounds for deportation.

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