

Statement from Paul Thorn of The Tuberculosis Survival Project
Read by Lucy Chesire of Kenya AIDS NGO Consortium at the Pacific Health Summit during the Working Lunch session on June 17, 2009, Seattle, USA

RE: US Ban on HIV-positive people entering country

I would like to apologise that I couldn't make it to Seattle and the Pacific Health Summit to be a commentator on this particular session. I am most disappointed. The reason I am not in Seattle is that my application for a visa was turned down because I am HIV-positive. In spite of interventions from U.S. Senator Patty Murray and U.S. Representative Jim McDermott from Washington state and appeals to the US Consulate in London, it was rejected. The US government give people who have HIV one of two choices. The first is to actually be dishonest on the visa application or visa waiver form, commit a felony by lying to US immigration, and become a criminal and if caught be denied from entering the US ever again. The second choice is to be honest, and have a visa rejected because you are considered an undesirable person, and unfit to enter the US. To my mind either being a criminal, or an undesirable isn't much of a choice. I don't want to be either, but being an undesirable seemed like the lesser of the two evils, so I decided to be honest.

I have had some time to ponder what has happened. There are many reasons why legislation discriminating against people who are HIV-positive is wrong, and a couple of things really stood out to me.

Firstly, there must be many people who are unknowingly HIV-positive who actually enter the US every year. The difference between them and me is that I have had an HIV test and know what my HIV status is. The US government actively discriminates against people who have been tested for the HIV virus and have been diagnosed HIV-positive. Ignorance is not bliss in the case of HIV, ignorance kills. Making a decision to have an HIV test or not shouldn't be influenced by having to consider what types of discrimination one might face if found to be HIV-positive. The US ban on people with the HIV virus entering the US is just one more reason why someone who believes that they may be HIV positive, would just rather not know, putting themselves and others at risk of ill health and possibly an early grave.

Secondly, if the US government wants to demonstrate its leadership on HIV/AIDS and global health, such as by hosting health related meetings, then they need to accept that non-US citizens with HIV are going to need to be there and participate.

The ban on people who know that they are HIV positive entering the United States is wrong and people with the virus should not be discriminated against on the grounds of their HIV-status alone. I ask that those participating in the Pacific Health Summit discuss the ban, and think of what they can do to change it as part of their own efforts to address stigma and discrimination against people with HIV. I urgently call on President Obama and his Administration to fully eliminate the government's unjust ban of entry for people living with HIV/AIDS. I also urge the World Health Organization, U.S. government, and other governments to consider the implications of their policies to control tuberculosis and the spread of drug resistant strains of TB that risk the denial of people's human rights and dignity for infection control policies rooted in fear.

I would like to thank the people who tried to make my attendance at the Pacific Health Summit a reality. We need to keep that kind of pressure up to change this awful piece of legislation. I may be an undesirable in the eyes of the US government, I could have been a criminal by being dishonest on my visa waiver application, and I could have been a smuggler trying to bring in my anti-retrovirals. But personally I don't think that people with HIV are any of these things. I suppose it could have been worse, one of the other questions was "Had I been a Nazi between 1933 and 1945". At least I was able to say "no" to that question.

I wish you all a productive Summit.

Paul Thorn