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People living with HIV celebrate United States lifting HIV travel and immigration ban

The United States Government today announced the lifting of HIV related entry, stay and residency restrictions. The ruling confirmed that HIV infection will be officially removed from the definition of communicable diseases of public health significance as of January 1st, 2010. The Deutsche AIDS-Hilfe (DAH), European AIDS Treatment Group (EATG) and the Global Network of People living with HIV (GNP+) congratulate the United States Government on fulfilling its promise and completing the legal procedure that was started by former President Bush on World AIDS Day 2007.

“This is a great victory for the fight against the worldwide discrimination of people living with HIV”, says Peter Wiessner from the Deutsche AIDS-Hilfe: “I remember times where we never thought that this would happen. This is an emotional moment and it feels a bit like the fall of the Berlin wall.”

DAH, EATG and GNP+ have long argued that HIV specific restrictions on entry, stay and residence are not only stigmatizing and discriminatory, but are also ineffective for public health protection and prevention purposes.

“Lifting the ban is a great step forward in the battle against stigma and discrimination against people living with HIV,” stated Kevin Moody, International Coordinator and CEO of GNP+.

“This groundbreaking move is the result of joint advocacy efforts by countless activists in the United States and around the globe over many years,” reported David Haerry of the EATG. “It is a strong message to other countries maintaining stigmatizing restrictions today, such as Russia, China, Australia and Canada.”

DAH, EATG and GNP+ commend the United States Government for its commitment to lead diplomatic efforts to lift HIV specific entry, stay and residency restrictions in other countries. There are multiple countries that could be spurred to deliver on their commitments: For example, China never delivered on the promises made in 2007 to the Global Fund to Fight AIDS, TB and Malaria to lift immigration restrictionsⁱ and both Namibia and South Korea have not yet fulfilled their promise to review their restrictive legislationsⁱⁱ.

“Let’s not forget that even after the United States decision, we count more than 60 countries having stigmatizing entry or residency restrictions, including some in Western and Eastern Europe,” Peter Wiessner said: “27 countries deport people on the grounds of having an HIV infection.”

While the lifting of the United States entry ban is an important decision, there remain many loose ends. According to DAH, EATG and GNP+, the United States government should direct its immigration services to protect privacy and erase all information with regards to the HIV status of people from its immigration databases.

In addition, it is hoped that the United States criminal justice system is paying close attention. Kevin Moody: “We hope realistic information on the ways HIV gets transmitted will also filter through to United States criminal justice system, where saliva of a person living with HIV is still regarded as a deadly weapon, often resulting in ridiculously long prison sentences for spitting or biting.”ⁱⁱⁱ

DAH, EATG and GNP+ want to recognize the enormous efforts by activists and diplomats inside the United States as well as outside to change these legislations. Precious support was provided by Congress woman Barbara Lee (California) and Senator Kerry. Special mention should be made of the Government of Norway and UNAIDS, that jointly led the International Task Team on HIV-related Travel Restrictions.

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The Deutsche AIDS Hilfe and EATG collaborate with the International AIDS Society IAS on the *Global Database of HIV-specific Travel Restrictions* www.hivtravel.org

DAH, EATG and GNP+ have been regular partners advocating against HIV related discriminatory measures such as travel restrictions.

ⁱ DAH, EATG (2009). *Peoples Republic of China: Unmet promises to the Global Fund*. <http://www.aidshilfe.de/media/de/DAH-EATG-letter-China.pdf>

ⁱⁱ GNP+ (2009). Namibia will lift Travel Restrictions for PLHIV. <http://www.gnpplus.net/content/view/1492/34/>

ⁱⁱⁱ On October 27, 2009, a woman living with HIV in Pennsylvania got sentenced for up to ten years imprisonment for spitting at another person. Last year a person living with HIV got sentenced to thirty years imprisonment for the same offence. More cases can be found at: <http://criminalhivtransmission.blogspot.com/search/label/spitting>