



Debanuj DasGupta works to protect LGBT and HIV-positive immigrants

May 10, 2007

By: CHRISTOPHER MURRAY

Debanuj DasGupta founded the first HIV/AIDS prevention program for gay men in Calcutta. Since coming to the United States, he has expanded the focus of his activism in his role as immigration policy analyst at Queers for Economic Justice.

A special forum about the federal ban that excludes people with HIV from immigrating to this country - to be held Tuesday, May 15 at 4 p.m. - is his next project. The event will explore the steps necessary to overturn the ban, but also the way that HIV-positive immigrants can access services here in New York City.

DasGupta is on the founding board of Queer Immigrant Rights Project (QuIR), and has acted as the co-coordinator for the National People of Color Organizing Institute of the National Gay and Lesbian Task Force. In that latter capacity, he is working with a nationwide collective of LGBT people of color activists to organize a two-day anti-oppression training institute.

CHRISTOPHER MURRAY: What's the bar on HIV-positive immigrants and what will happen at the forum?

DEBANUJ DASGUPTA: The legislation, known as the "HIV ban," was passed into law in 1993 during the Clinton administration. It marked a significant change in public policy since before that the U.S. Public Health Service had the authority to determine which communicable diseases to consider significant enough to keep someone out of the country. But then HIV was singled out in an unprecedented way, as something akin to a threat to national security.

There are some limited qualifying waivers, available for unmarried children, parents, and heterosexual spouses of citizens, legal permanent residents, and those with visas waiting to process their green cards. But familial relationships that fall outside hetero-normative boundaries aren't recognized. Not only is it impossible for queer or transgender relationships to be recognized, the waivers do not apply to, for instance, siblings.

Under the current law, non-citizens with HIV are subject to deportation to their country of origin if they are discovered to be HIV-positive. If, for example, someone attempts to re-enter the country, even as a legal non-resident alien, and is found with HIV medication, they can be tested and deported. Also, HIV-positive persons entering the States for short terms have to apply for special waivers, creating bureaucratic delays when they attend conferences or meetings like the Gay Games.

At the community forum, we are creating a space for HIV-positive immigrants to share, learn from each other, service providers, activists, and policy makers. We will have a panel discussion featuring policy analysts and community members, and then small group discussions. We will also have speakers who will talk about access to care for HIV-positive immigrants in New York City.

CM: How does the bar hurt individuals and the public health generally?

DD: First of all it creates a climate of fear around HIV within immigrant communities. Typically, individuals are afraid to get tested and treatment, and they delay accessing care. So, by the time they get care, they might be getting sick. If the ban is lifted, people would be able to legalize their status and be able to work, and their health insurance would pay for the medical expenses.

CM: How can people support the efforts to lift the bar?

DD: You can write a letter or call your congressperson and senator asking them to repeal the immigration and travel ban. If you are a service provider, you need to protect the immigration status of your client.

CM: What are the particular issues facing queer immigrants?

DD: Queer immigrants face a multitude of issues, including possibly healing from mistreatment and discrimination in their own country, resettlement in a foreign country, and being unable to sponsor their partners for immigration.

Some of the most vulnerable LGBT immigrants apply for political asylum based on sexual orientation. The process is very bureaucratic, with the entire pressure of proving past persecution on the immigrant. Plus one has to apply within one year of entering the country, which is hard for queer immigrants, since many of them live isolated the first few years and don't know of this provision.

CM: How do queer immigrants assimilate over time differently than other people?

DD: They're usually caught between two communities. We face sexism and racism in the mainstream LGBT community and face homophobia from our communities of origin. LGBT immigrants can go to groups like the South Asian Lesbian and Gay Association, Las Buenas Amigas, Uhuru Wazobia, and Queer Immigrant Rights Project to get access to support and legal services. Over time we build our own communities.

CM: In your personal experience, what was toughest about coming to New York?

DD: Living in an expensive city and going through the immigration process. I was unable to work for several years and had to be a busboy and clean apartments for very little pay.

CM: What helped you the most to acclimate to New York?

DD: Being a member of the South Asian Lesbian Gay Association, finding a large community, and going to South Asian and Arab queer parties really helped. But my first few years in the States were spent in Akron, Ohio, pursuing graduate studies. The fashion on campus was very collegiate. Quickly after moving here, I had to change my entire wardrobe to look like a New Yorker!

CM: You started the first HIV prevention program for gay men in Calcutta. Was there a lot of resistance to that?

DD: Calcutta is a funny city, a city of Marxists and socialists. Initially Marxists thought queerness was a byproduct of capitalism and globalization. We organized with labor unions by talking about poor LGBT folks. I was out publicly and received blackmail phone calls and was beaten up while doing outreach in public parks.

CM: What keeps you energized for your work with Queers for Economic Justice?

DD: The hope that one day we will lift the ban, and get legalization for all immigrants. Most importantly, watching "Queer As Folk."

CM: What do you miss the most about home?

DD: My mum and dad. I have not seen my dad in 10 years, and I dream about him and me walking in Central Park one day.

The Lift the Ban Forum on HIV-Positive Immigrants will take place on Tuesday, May 15 at Gay

Men's Health Crisis at 119 West 24th Street. For more information or to RSVP, call Queers for Economic Justice at 212-564-3608 x16.