

# "Where Public Health Meets Human Rights: Protecting the Human Rights of Men who Have Sex with Men and Transgender People in South Africa.

Raymond Chimatira<sup>1</sup>; Edward, M. Sibanda<sup>1</sup>; Thandu Thengwa<sup>1</sup>; Dumo Jebese<sup>1</sup>; Joram Chikwanda<sup>1</sup>; Ignatius Mnisi<sup>1</sup>; Bulumko Futshane<sup>1</sup> and Sisanda Gaga<sup>1</sup>  
<sup>1</sup>Beyond Zero, East London, South Africa

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## CONTACT

Dumo Jebese-Mfenge  
 dumoj@beyondzero.org.za

## ISSUES

Key populations face human rights violations (HRVs), e.g., harassment, discrimination, and violence, which negatively impacts their access to critical interventions for HIV prevention, treatment, and related services. To strengthen its human rights programming, Beyond Zero, a Global Fund Principal Recipient, developed a system for recording and responding to HRVs against men who have sex with men (MSM) and transgender persons (TG). All MSM and TG sub-recipients (SRs) use standardised tools to routinely screen, document, and report HRVs experienced by their beneficiaries. Data are used to inform action by SRs and BZ. Reports are also shared with the Community Response and Systems (CRS) module, for dissemination among key stakeholders, e.g., Provincial Councils on AIDS (PCAs), and civil society sector representatives.

## METHODS

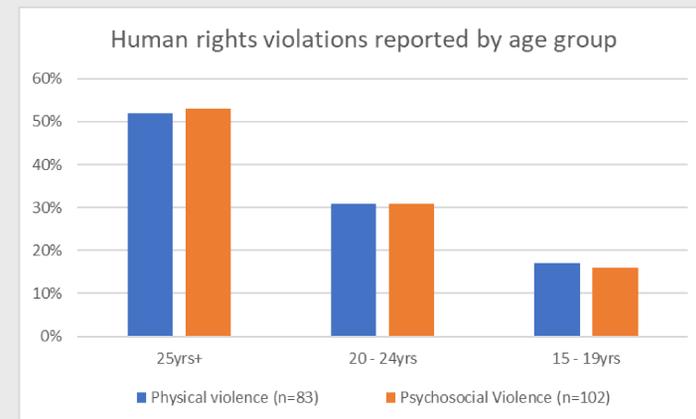
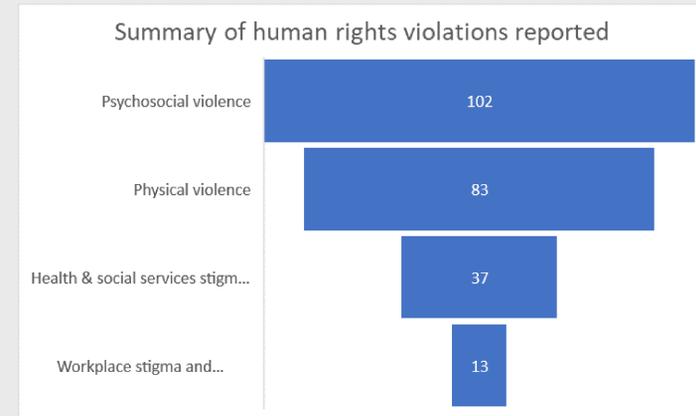
All data were submitted anonymously using SurveyCTO and analysed using descriptive statistics. We examine reasons the nature and types of HRVs against MSM and TG who reported HRVs between 01 December 2020 and 31 May 2021.

## RESULTS

Between 01 December 2020 and 31 May 2021, 168 cases of HRVs were reported.

83 beneficiaries experienced physical violence. 52% (43) were 25 years or older, 31% (20–24) and 17% (15–19). 40 (48%) of the incidents occurred in the home, with the perpetrators known to the victim in 61 (73%). 17 (20%) incidents were reported to the South African Police Service (SAPS). Fear of homophobic or transphobic violence remains a major barrier to victims reporting incidents. 102 beneficiaries experienced psychosocial violence, with 8 (8%) reporting the incident to the authorities. 53% (54) were 25 years or older, 31% (20–24) and 15% (15–19). The incidents occurred equally in the home (32%) and streets (33%), with the perpetrators known to the victim in 77 (75%). Insults (76) and humiliation (59) were the most common forms of psychosocial harassment.

142 (85%) accessed healthcare or social services (education, home affairs, places of worship, etc.). 37 (26%) experienced stigma and discrimination based on sexual orientation/identity. Of 65 (39%) beneficiaries who were employed in the previous 12 months, 13 (20%) experienced stigma and discrimination in the workplace and 28 (43%) concealed their sexual orientation.



## LESSONS LEARNED

The majority of HRVs occurred at home, or within family and community settings. Most incidents were not reported to the authorities for action or mediation. Hence key populations must be linked to legal services by a trusted mediator. In addition, while the legal basis for redress is necessary, developing the capacity of community-based monitoring systems and structures for mediation is critical.

## ACKNOWLEDGEMENTS

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