

**Universal Periodic Review of Namibia**  
**38<sup>th</sup> Session**  
**April – May 2021**  
**Joint Stakeholder Submission**

**Positive Vibes Trust (PV)**

Positive Vibes is a Namibian registered trust that has been operating nationally since 2008 and in the SADC region since 2012. Its footprint has expanded to include West and North Africa and since 2019, South East Asia. Positive Vibes works in the field of health and human rights in Africa, in solidarity and partnership with marginalized and vulnerable communities. All PV's work aims to disrupt othering, marginalization and exclusion – in spaces where those marginalised live, and in the larger system that surrounds them.

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**Women's Leadership Centre (WLC)**

The Women's Leadership Centre is a Namibian-based feminist organization. Our overall strategy is to educate women, in particular young women, on their rights as guaranteed under national laws and policies as well as international instruments ratified by the state, and to provide safe spaces within which young women can relate these rights to their own lives, develop a feminist intersectional analysis of why these rights are not yet realised, and develop individual and collective power and agency to hold the state accountable in claiming their rights as equal citizens of their country.

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**Young Feminists Movement Namibia (Y-Fem)**

Y-Fem Namibia is an activist-led feminist women's human rights organization. Our aim is to build an inclusive and intersectional feminist movement among young women and girls in Namibia, so they know and can claim their full human rights as persons and as active citizens. We raise consciousness among young women of all forms of discrimination and oppression that have an impact on their lives and choices.

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**Coalition of African Lesbians**

The Coalition of African Lesbians is a feminist, activist and pan Africanist network of 14 organisations in 10 countries in sub-Saharan Africa committed to advancing freedom, justice and bodily autonomy for all women on the African continent and beyond.

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**AIDS and Rights Alliance for Southern Africa (ARASA)**

Established in 2002, the AIDS and Rights Alliance for Southern Africa (ARASA) is a regional partnership of 115 non-governmental organisations (NGOs) working together in 18 countries in southern and east Africa, to promote a human rights approach to HIV, AIDS and tuberculosis (TB) through capacity strengthening and advocacy.

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**Sexual Rights Initiative**

The Sexual Rights Initiative is a coalition of national and regional organizations based in Canada, Poland, India, Argentina, and South Africa that work together to advance human rights related to sexuality at the United Nations.

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**Key words:** Sexual and reproductive health and rights, comprehensive sexuality education, abortion, decriminalization, bodily autonomy and integrity, social and cultural norms and stereotypes, harmful cultural practices, forced and child marriage, sexual violence, sex workers.

### **Executive summary**

1. This report is submitted by Positive Vibes (PV), the Women's Leadership Centre (WLC), and the Young Feminists Movement Namibia (Y-Fem), with technical support from the Coalition of African Lesbian (CAL), the AIDS and Rights Alliance for Southern Africa (ARASA) and the Sexual Rights Initiative (SRI).
2. This report focuses on the right to bodily autonomy and integrity under the following themes:
  - Criminalisation of and discrimination against same-sex conduct
  - Violence against women and girls
  - Protection of women's and girls' rights
  - Protection of the rights of indigenous persons
  - Right to health and access to health services

### **THEME 1: CRIMINALISATION/DISCRIMINATION OF SAME-SEX CONDUCT**

**Namibia received and noted seven recommendations during the last UPR cycle regarding the rights related to sexual orientation and gender identity, including:**

- Bring its law in conformity with its international human rights obligations by repealing all laws which result in, or are likely to result in the discrimination, prosecution and punishment of people solely for their sexual orientation or gender identity (Netherlands)
- Strengthen existing mechanisms within its institutional infrastructure to eradicate discriminatory, cultural or based on customary laws, practices to the detriment of women, children, minorities and LGBT groups (Honduras)
- Adopt further measures to combat violence and sexual abuse against girls and women, as well as violence and discrimination based on sexual orientation (Brazil)

3. As none of these recommendations were accepted, no steps have been taken towards implementation.
4. Same-sex conduct between men is criminalised in Namibia. The common law offence of sodomy is defined as "unlawful and intentional sexual relations per anum between two human males." (Criminal Procedure Act 51 of 1977 CHAPTER 26. 269. Sodomy). Anal sex within heterosexual or lesbian relationships is not criminalised. Sodomy is also listed as a Schedule 1 offence, together with other crimes such as treason, sedition, murder, culpable homicide, rape, indecent assault, bestiality, robbery, kidnapping, child stealing, human trafficking and assault. This law may be out-dated, but it is also weighty.
5. The criminalisation of sodomy has a significant and persistent negative impact on the lives of Namibian citizens who identify as Lesbian, Gay, Bisexual or Transgender (LGBT) and the lives of their families and friends. It contributes to the on-going stigmatisation of the Namibian LGBT community, which has negative impacts on their right to life and dignity. This, in turn, negatively

impacts upon the ability of LGBT Namibians to obtain adequate access to services such as healthcare, education and protection from violence, and to fully engage with the broader Namibian community in a way in which Namibians who do not identify as LGBT take for granted.

6. Remnants of this Roman-Dutch law - the Sodomy Offence – and others including the Combating of Immoral Practices Act 27, directly infringe upon the attainment of human rights for LGBT+ persons and sex workers, limiting the right to dignity, privacy, freedom of association, and bodily autonomy. During the revision of the Labour Act (No. 11 of 2007), all mention of ‘non-discrimination on the basis of sexual orientation’ was removed. Same-sex relationships are not regarded as domestic relationships under the Combating of Domestic Violence Act (Act of 2003) and are thus not protected. Operating a brothel, living off the proceeds of sex work, and solicitation are further criminalised in the Combating of Immoral Practices Act. The rights to marriage and family are also limited: marriage and adoption rights have not been extended to LGBT+ persons.
7. Ombudsman John Walters indicated that a moratorium has been placed on the use of the sodomy law as grounds for prosecution – a statement echoed publicly by the Law and Reform Development Commission Chairperson, Yvonne Dausab, and the First Lady of Namibia, Madam Monica Geingos. However, the detrimental impact of the law continues, even if no active prosecutions have been made under it. It is still used as grounds to exclude LGBT+ persons from national policy and the national response. For instance, Namibia’s National GBV action plan (2019-2022) makes no mention of lesbian, bisexual or queer women, or sexual and gender minority youth. Decision makers in the Ministry of Gender argued that they had to operate within the legal framework of Namibia. Similar sentiments are echoed by prisons’ staff when questioned about the lack of condoms and other preventative commodities in both male and female prisons.
8. The sodomy law is conveniently used as a cover for people’s prejudice and fear. This results in stigmatisation, discrimination and all forms of violence experienced by LGBT person in their everyday lives, and demonization by many churches.
9. This crime and crimes classified as “unnatural sexual offences” are unnecessary, irrelevant and outdated. The Combating of Rape Act of 2000 covers a wide range of intimate sexual contact in circumstances that involve force or coercion, including oral sex, anal sex and genital stimulation between people of the same sex or different sexes. It protects children below the age of 14 against all such sexual activity, while the Combating of Immoral Practices Act gives additional protection to children up to age 16.
10. However, elements of the Combating of Immoral Practices Act also have a negative impact on LGBT people’s lives. This Act contains criminal offenses that apply to both men and women, irrespective of sexual orientation, gender identity and expression. It also contains specific crimes related to sex work, such as prohibitions against operating a brothel, living off the proceeds of sex work, and solicitation. For example:
  - Any person who in any public street or place entices, solicits or importunes or makes any proposals to any other person for immoral purposes; and wilfully and openly exhibits himself in an indecent dress or manner at any door or window or within view of any public street or place or in any place to which the public have access, shall be guilty of an offence

and liable on conviction to a fine not exceeding two thousand rand or to imprisonment for a period not exceeding two years or to both such fine and such imprisonment.

- Any person who in public commits any immoral act with another person shall be guilty of an offence and liable on conviction to a fine not exceeding three thousand rand or to imprisonment for a period not exceeding three years or to both such fine and such imprisonment.

11. These crimes limit the expression of gender and sexuality, infringe upon the rights of LGBT persons to dignity and privacy, and limit their freedom of association and expression. The Immoral Practices Act takes away the choice of young individuals embarking on their journey of discovery, identity formation and sexual development: to be oneself might be to risk contravening this Act. Further, in an economy that offers strictly limited employment opportunities, the Act criminalises those who turn to sex work as one of the only viable options for their livelihood.

### Recommendations

- Repeal all laws that criminalize and discriminate based on sexual orientation, gender identity and orientation, including Sodomy under Schedule 1 offences in the Criminal Procedures Act 51 of 1977 and the Labour Act 11 of 2007.
- Amend and expand on the definition of domestic relations and all relating protections to include LGBT couples in the Combating of Domestic Violence Act 4 of 2003.

### THEME 2: VIOLENCE AGAINST WOMEN AND GIRLS

**Namibia received and supported 23 recommendations in the last UPR cycle regarding gender-based violence and discrimination against women and girls, including:**

- Strengthen existing mechanisms within its institutional infrastructure to eradicate discriminatory, cultural or based on customary laws, practices to the detriment of women, children, minorities and LGBT groups (Honduras)
- Explicitly prohibit traditional practices that put at risk the physical and psychological integrity of women and girls (Argentina)
- Take measures to prevent all incidents of violence against women, in particular in rural areas; and ensure effective interventions by law enforcement officials responding to allegations of violence committed by intimate partners; and prosecute perpetrators (Canada)
- Establish a mechanism under which victims of gender-based violence can file for protection orders in towns and villages where there is no magistrate, and under which protection orders can be filed outside of designated court hours (United States of America)

12. Namibia has adopted progressive laws and policies to promote gender equality and combat all forms of violence, including the Combating of Rape Act of 2000 and the Combating of Domestic Violence Act of 2003. However, the protection orders provided for under the latter are still not available to rural women residing far from magistrate's courts, despite efforts by the Legal Assistance Centre. Same-sex couples are also explicitly excluded from protections under this Act.

13. The Prioritised National Plan of Action on Gender-Based Violence adopted in 2019 has no budget for implementation. This plan exclusively focuses on cisgender, heterosexual women, to the exclusion of lesbian, bisexual and queer women, as well as sex workers. This is based on discriminatory social norms and gender stereotypes that perpetuate discrimination against women. For example, some lesbian women are raped with the excuse that this will 'cure' them.
14. Although there is reference to changing cultural norms in the Plan, there is no analysis of the many harmful cultural practices that subject women and girls to all forms of violence, for example in the Zambezi Region.<sup>1</sup> Many of these practices involve making girls' and women's bodies sexually pleasurable and available to men, for example, through elongation of the labia minora starting long before puberty; violence during the *sikenge* initiation ritual at puberty to train girls to be submissive and obedient wives and daughters in law, sexual readiness testing by male relatives during initiation into 'good womanhood,' dry sex and scarification, all of which expose girls and women to pain, humiliation, violence as well as HIV and Aids.
15. Gender-based violence continues to be extremely high in Namibia. Unfortunately, the database on GBV planned by the Ministry of Gender has yet to be implemented, leading to the referencing of out-dated statistics. The 2013 demographic health survey showed that one in four young women had experienced intimate partner violence. 86 percent of sexual and domestic violence survivors were women; and 93 percent of perpetrators were men.
16. In the past few months there has been a dramatic rise in rape and other gender-based violence cases. Media houses continually reported rape and murder cases in the country, including numerous cases of intimate partner violence. Many of these cases are shocking: a 12-year-old girl gang raped at gunpoint in front of her mother; a girl raped by an ambulance driver in COVID-19 quarantine facilities;<sup>2</sup> and a two-week-old baby raped by her father, resulting in her death.<sup>3</sup>
17. There is also a growing concern about the high number of GBV cases that are withdrawn after reporting. According to figures from the Namibian police, 7,127 cases of GBV were lodged in 2019 countrywide, but 2,595 were withdrawn.<sup>4</sup> There is a need for an intersectional analysis to understand the withdrawal of cases, and for increased governmental intervention to provide and improve services for the protection of women and girls who have experienced violence, and also to support them through the trauma of having their cases go through court proceedings.
18. All the above is evidence to the deeply rooted patriarchal dominance in Namibian society, and the use of violence by men as a form to control women and girls, denying them bodily integrity and autonomy.

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<sup>1</sup> [https://www.wlc-namibia.org/images/downloads/violence\\_is\\_not\\_our\\_culture\\_eng.pdf](https://www.wlc-namibia.org/images/downloads/violence_is_not_our_culture_eng.pdf);  
<https://www.lac.org.na/laws/annoSTAT/Namibian%20Constitution.pdf>;  
<https://www.namibian.com.na/201489/archive-read/Rape-rampant-over-weekend>;  
<https://www.facebook.com/namibiadaily/photos/12-years-old-girl-raped-in-the-presence-of-the-motherwindhoek-sept-15-namibian-p/1350826738444583/>.

<sup>3</sup> <https://www.namibian.com.na/202757/archive-read/Man-denied-bail-for-rape-death-of-baby>

<sup>4</sup> <https://confidentenamibia.com/over-2500-gbv-cases-withdrawn-2019/#:~:text=According%20to%20statistics%20provided%20to,2%20606%20cases%20where%20withdrawn>

## Recommendations

- Allocate significant budget and human resources to the Prioritised National Plan of Action on Gender-Based Violence and update it with regards the exclusion of LBQ women, transgender persons and sex workers.
- Establish and keep up-to-date a national database on cases of gender-based violence, including a sex offender's registry. Introduce effective measures to support women through their court cases.

## THEME 3: PROTECTION OF WOMEN' & GIRLS' RIGHTS

### **Namibia received and supported many recommendations made in the last UPR cycle regarding the protection of women's and girl's rights, including:**

- Adopt, as soon as possible, the draft laws that promote the rights of women in marriage, marital property and divorce (Uruguay)
- Abolish laws and practices discriminating against women and girls (Panama)
- Abolish all discriminatory customary laws and practices that violate the rights of women, in accordance with international obligations under the Convention on the Elimination of All Forms of Discrimination against Women (Iceland)
- Step up efforts to eliminate discrimination against women and girls in law and in practice also by adopting the pending Bills that have impact on the enjoyment of women's rights related to marriage, recognition of customary marriage, procurement, marital property, divorce and intestate succession (Slovenia)
- Implement awareness-raising campaigns and education programs, working closely with traditional authorities, to promote and protect the rights of women and girls (Australia)

19. By ratifying CEDAW in 1992, the Namibian state has the obligation to protect women's and girls' human rights in public and private settings, as well as to challenge and change the gender stereotypes that perpetuate discrimination and violence against women and girls. Disappointingly, none of the above recommendations from the last UPR cycle have been implemented, with the exception of the adoption of the Child Care and Protection Act of 2015, which came into operation in 2019. There has also been little state action over the past four years to implement the National Gender Policy and Action Plan 2010 – 2020, which expires in 2020.
20. The draft bill on the Recognition of Customary Marriages has been on the table for many years but has not moved forward, and there is currently no formal procedure for recognising customary marriages and no general protection for property rights. As a result, women married under customary law continue to be vulnerable both during the marriage and when the marriage ends by divorce or the death of their spouse.
21. The failure to reform the archaic law on divorce, which is fault-based, makes it difficult and expensive to obtain a divorce, forcing many women to remain in violent relationships. It also means that some couples separate without obtaining a formal divorce, which means that legal protections for property rights are not implemented and there is no monitoring of the best interests of the children of the marriage.

22. The current law on birth registration makes it difficult to register a child when the parents are unmarried. The current law is also gender-biased, as single fathers cannot register the births of their children on their own. There is an urgent need to adopt and implement the Civil Registration and Identification Bill.
23. The Child Care and Protection Act of 2015, which came into operation in 2019, forbids child marriage by making it a crime for marriage or engagement for children below 18, and also if the children do not consent to the marriage or engagement. In June 2017, the Ministry of Gender Equality and Child Welfare announced plans to conduct a study into the extent of child marriages in Namibia with a view to raise public awareness and developing programmes. This research has not yet been published and no programmes have been developed and implemented to end child marriage in Namibia.
24. According to the UNICEF State of the World's Children 2017 report, 7 percent of girls in Namibia are married before the age of 18 and 2 percent are married by the age of 15.<sup>5</sup> A newspaper reported recently that parents in Kunene Region are allegedly marrying off and selling their underage daughters as "cash cows" while others are being trafficked to older men and tourists.<sup>6</sup>
25. Despite participation in a National Dialogue on the Prevention of Harmful Cultural Practices in the Zambezi Region conducted by the Women's Leadership Centre in 2017, there has been no engagement by state actors to protect the dignity and rights of women and girls impacted by practices such as forcing young girls to pull their labia minora and endure emotional, physical and sexual violence during the *sikenge* initiation ritual.<sup>7</sup>
26. Harmful cultural practices based on deep-rooted patriarchal stereotypes regarding the role and responsibility of women and girls in the family and society deprive women and girls of their right to freedom and autonomy over their bodies and their lives.

## Recommendations

- Expedite the adoption and implementation of the draft bill on the Recognition of Customary Marriages, the draft bill on Divorce and the Civil Registration and Identification Bill.
- Develop programmes to protect adolescents by preventing early forced marriage and all other harmful cultural practices.

## THEME 4: PROTECTION OF THE RIGHTS OF INDIGENOUS PERSONS

**The following recommendations were made to Namibia in the past UPR cycle regarding the protection of the rights of indigenous persons:**

- Take effective measures to eliminate discrimination against the children of indigenous peoples, in particular the Himba and San communities (Uzbekistan)

<sup>5</sup> <https://www.girlsnotbrides.org/child-marriage/namibia/>

<sup>6</sup> <https://confidentenamibia.com/kunene-parents-using-girls-as-cash-cows>

<sup>7</sup> <https://www.namibian.com.na/171180/archive-read/Zambezi-calls-for-dumping-of-harmful-cultural-practices>

- Namibia’s education policies which were designed for inclusivity, be evaluated by the Government for effectiveness in relation to access and affordability for minority cultural groups (Fiji)
- Promote the effective access to basic social services for the indigenous minority including San and Himba on an equal footing with the rest of the society, as well as rapid adoption and effective implementation of the “White Paper on Indigenous Rights” drafted by the Ombudsman Office (Spain).

27. The “White Paper on Indigenous Rights” has not been adopted, and little effort has been made by state actors to implement the other recommendations.

28. The Women’s Leadership Centre has worked since 2014 to build women’s leadership among San young women in seven villages across Namibia, and some have held protests against the violence and discrimination experienced by San girls in their local schools.<sup>8</sup>

29. The situation of extreme poverty and marginalisation leads to forced early marriage, co-habitation with men with income out of desperation, and early pregnancy among San girls, forcing them to drop out of school and become young mothers. Schools do not welcome and accommodate the knowledge, experiences and needs of San children, and few San children receive formal education in their mother tongue. The school dropout rate of children in indigenous communities thus continues to be high despite primary and secondary education being free. Few San children gain access to higher education as parents cannot afford transport and hostel fees. Despite the provision of government scholarships, there are many reports that these are not paid on time, forcing students to drop out.

## Recommendations

- Adopt the UN Declaration on the Rights of Indigenous Peoples and the White Paper on Indigenous Rights, and implement after meaningful consultation with indigenous people.
- Take immediate steps to guarantee the right of education for indigenous women and girls and implement protections from ethnic discrimination and violence.

## THEME 5: RIGHT TO HEALTH & ACCESS TO HEALTH SERVICES

**The following recommendations were made to Namibia in the past UPR cycle regarding the right to health and access to health services:**

- Continue to promote access to health (Pakistan)
- Issue clear directives to health officials to prohibit the sterilisation of women living with HIV/AIDS without their informed consent (Canada)
- Intensify the efforts in fighting against HIV/AIDS, in particular, to improve access to health-care services in rural areas (Ukraine)
- Continue to strengthen the appropriate health care provided to women, in particular in rural areas (Egypt)

<sup>8</sup> [https://phia.icap.columbia.edu/wp-content/uploads/2018/10/33462%E2%80%A2NAMPHIA-SS\\_A4\\_B.v41.pdf](https://phia.icap.columbia.edu/wp-content/uploads/2018/10/33462%E2%80%A2NAMPHIA-SS_A4_B.v41.pdf)



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30. The fight against HIV/AIDS is high on the government agenda. However, there are still serious challenges with access to health services for rural women and girls and their communities, as well as for sexual and gender minorities.
  31. Teenage pregnancy is a concerning issue in Namibia. In 2019, from September to December, Namibia recorded 2,934 teenage pregnancies. Under the COVID-19 lockdown regulations, the number of teen pregnancies has increased dramatically. In the Kavango East Region, since the start of the lockdown in March 2020, 97 girls have dropped out of school due to pregnancy-related reasons. Sanet Steenkamp, the Executive Director of the Ministry of Education, stated that the lack of access to sexual and reproductive health services is one of the major contributing factors to the rising teenage pregnancies.<sup>9</sup>
  32. Access to health for indigenous women and girls is also a major concern. Through its work in San communities, the Women's Leadership Centre has heard numerous testimonies about health professionals stigmatising and discriminating against young women and girls trying to access health services. Health care workers in the remote San communities are from other ethnic groups and do not speak their languages. Some even shame and mock the languages spoken by San people.
  33. Adolescent girls and young women, including sex workers, are disproportionately affected by HIV: young women aged 15 - 24 years old still have a far higher HIV incidence rate (0.99 percent) than young men of the same age (0.03 percent). Female sex workers were found to be four times as likely to be living with HIV than young women not engaged in sex work.
  34. The health of girls and women in Zambezi Region is seriously impacted by harmful cultural practices that expose them to high risk of HIV infection, such as cutting and scarring, dry sex, rape in the name of 'sexual readiness testing' and widow cleansing through sexual intercourse. The bi-annual Sentinel Surveys of the Ministry of Health and Social Services show that the HIV prevalence rate among women and young women tested in Zambezi Region ranges from twice to three times the national average.<sup>10</sup>
  35. Under the Namibian Abortion and Sterilization Act of 1975, abortion is illegal for women and girls, except in extreme cases such as rape, incest, or when the mother or child's life is endangered. In 2018 the former Minister of Health, Dr. Bernard Haufiku, reported 7,000 unsafe abortions and up to 10,000 unreported cases, for women below the age of 25.<sup>11</sup>
  36. In July 2020, a petition was launched calling for the guaranteed right to access legal and safe abortion, and comprehensive sexuality education. This petition received over 40,000 signatures. This was followed by a public protest by civil society, academics, medical doctors, artists and activists. The Deputy Minister of Health, Esther Muinjangu, finally tabled a motion on legalising abortion in Namibia in the National Assembly to push for a debate. Due to COVID-19 regulations, this debate has not taken place yet.

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<sup>9</sup> <https://confidentenamibia.com/teenage-pregnancies-spike-during-lockdown/>

<sup>10</sup> [https://phia.icap.columbia.edu/wp-content/uploads/2018/10/33462%E2%80%A2NAMPHIA-SS\\_A4\\_B.v41.pdf](https://phia.icap.columbia.edu/wp-content/uploads/2018/10/33462%E2%80%A2NAMPHIA-SS_A4_B.v41.pdf)

<sup>11</sup> <https://www.namibian.com.na/162911/archive-read/Unsafe-abortion-reach-7-000-mark>

37. The right to access quality services, non-discriminatory care and information, and essentially, the highest attainable standard of health, is a privilege of the rich. For instance, Namibian women with means can easily travel to South Africa and safely and legally terminate an unwanted pregnancy. Women with limited resources, especially black women from disadvantaged backgrounds, have to resort to unsafe abortions, often leading to ill-health and sometimes imprisonment.
38. Sexual and reproductive health services, policies and strategies integrating gender considerations almost always assume women are cisgender and heterosexual. Women, and their sexuality, their bodies, are functions of men; unless they are having sex with a man, they are not considered as a candidate for policy and or strategic address. This lack of acknowledgement fuels the never-ending cycle of limited national budgeting for LBQ women and transmen, lack of focused interventions, procurement of SRHR related commodities and development of communication materials specific to these groups.
39. In addition to the lack of information, access to dental dams, finger condoms, PEP and PREP is under sourced for LBQ women and transmen. Health facilities often do not know the function of dental dams and finger condoms, or why these specific commodities would be required by these particular groups, despite presenting significant risk of HIV and STI acquisition and transmission.
40. This erasure of LBQ women and female bodied transdiverse persons is linked to the lack of data on these groups: what we don't know, we cannot programme for. Data on LBQ women and transmen is subsumed within data sets that make heteronormative assumptions on what constitutes womanhood. Research interventions have favoured men who have sex with men, and female sex workers and transwomen – largely due to their prioritisation as key populations in the national HIV response. However, a 2010 study on forced sex and health outcomes of lesbian and bisexual women showed obvious links between forced sex and high HIV prevalence. There are also high levels of self-reported HIV prevalence among lesbian and bisexual women – with a prevalence rate of 9.8 percent.<sup>12</sup> Unless the purpose of a study is specifically to explore the vulnerabilities, needs, and context of LBQ women and transmen, most studies revert to heteronormative assumptions relating to the types of sex women have, the types of reproductive and sexual needs women have, and their relationships, which in turn influences the kinds of questions we ask to formulate results. These assumptions then translate into policy and strategy. For example, the SADC SRHR strategy makes no mention of LBQ women or female bodied transdiverse persons. When it mentions transgender people, this often translates to interventions targeting transwomen, and transmen are ignored.

### **Recommendations**

- Abolish the out-dated apartheid Abortion and Sterilization Act of 1975.
- Provide targeted and comprehensive sexual and reproductive health care and information to all women, including LBQ, female bodied transdiverse and rural women, as well as transmen.

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<sup>12</sup> Sandfort et al. 2015. Histories of forced sex and health outcomes among Southern African lesbian and bisexual women: a cross-sectional study *BMC Women's Health* (2015) 15:22  
<http://bibliobase.sermais.pt:8008/BiblioNET/Upload/PDF12/009213%20BMC%20Women's%20Health%202015d.pdf>

- Provide training and education of non-discrimination at all levels of government, with a focus on highlighting the erasure of LBQ women and transmen. Ensure that government studies and policy processes take everyone into account, regardless of their sexual orientation, gender identity and expression.