

# Off the Map

## Abstract

*Off the Map* explores the ways in which HIV/AIDS stakeholders are denying a basic set of human rights to same-sex practicing people in Africa and potentially jeopardizing overall efforts to combat the AIDS epidemic. The report examines the ways in which same-sex desire and behavior have been simultaneously erased and criminalized in Africa and looks at the small, but important body of knowledge regarding same-sex transmission of HIV on the continent. The report shows that same-sex practicing men and women are at increased risk of contracting HIV not solely because of bio-sexual vulnerabilities, but as a result of an interlocking set of human rights violations that prevent access to effective HIV prevention, voluntary counseling and testing, treatment, and care. IGLHRC offers a set of detailed recommendations for African governments, foreign donors, international private voluntary organizations, and domestic AIDS service organizations designed to assist HIV/AIDS prevention and mitigation efforts among same-sex practicing people as well as in the broader community.

## Executive Summary

### INVISIBLE LIVES

With slightly more than ten percent of the world's population, Africa is home to 60 percent of those living with HIV (Human Immunodeficiency Virus)—more than 25 million people. The epidemic has changed the social, economic, and political landscapes of the entire continent.

Throughout Africa, HIV is having a decidedly harsh effect on same-sex practicing people. Lesbian, Gay, Bisexual, and Transgender (LGBT) communities are being decimated with a speed and breadth reminiscent of the impact of the epidemic on gay men in New York, San Francisco, and other North American and European cities in the 1980s.

But nearly a quarter of a century into the epidemic, there is a wall of silence that surrounds AIDS and same-sex practices that may prove to be a significant obstacle to

conquering the disease. Far too little research has been conducted on the role of same-sex HIV transmission in Africa, but studies in Senegal, Ghana, and Kenya indicate HIV seroprevalence rates significantly higher among men who have sex with men than in the general population.

While African lesbians may have lower HIV seroprevalence rates than heterosexual women, same-sex practicing African women have self-reported HIV seroprevalence rates substantially higher than one might expect. The vulnerability of same-sex practicing men and women is not due to any biological predisposition, but is the result of an interlocking set of human rights violations and social inequalities that heighten HIV risk. Anti-gay discrimination is fueling the African HIV/AIDS epidemic.

Despite increasing evidence of the need for HIV-related interventions for same-sex practicing people, there are scarcely more than a handful of formal HIV prevention, testing, treatment, or care programs targeting men who have sex with men in Africa and even fewer for same-sex practicing women. Unless there is a dramatic increase in resources, less than one percent of the needs of African same-sex practicing men will be met. Without immediate attention to this human rights crisis, efforts to effectively combat the AIDS epidemic in Africa may be seriously challenged. According to Dr. Dela Attipoe, of the Ghana National AIDS/HIV/STI Control Programme, lack of attention to same-sex practicing men in Ghana could “reverse any gain made in the fight against HIV/AIDS.”<sup>1</sup>

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<sup>1</sup> Dela Attipoe, “Fighting HIV in Ghana Requires Addressing Homosexuality,” Ghana AIDS Commission, March 2004.

Why are there so few interventions for men who have sex with men in Africa? Why is so little funding, from both domestic and international sources, being channeled into HIV/AIDS interventions for same-sex practicing men and women in Africa? Why are the sexual health needs of African women who have sex with women completely ignored by HIV policymakers, funders, implementing agencies, and community-based organizations?

There are a number of troubling explanations for this lack of response on the part of key HIV/AIDS stakeholders:

- Homophobic stigma and denial have pushed the issue of same-sex HIV transmission in Africa firmly into the closet. The needs of African same-sex practicing people are off the map that government and civil society have drawn to guide national and regional HIV strategies.
- Restrictive international reproductive health policies of the largest foreign donor of HIV/AIDS funding, the United States, are compromising the sexual rights of all. Many of these policies lead to the further stigmatize homosexuality and promote conservative dogma over proven best practices in HIV prevention.
- International and domestic non-governmental organizations (NGOs) have a mixed record with regard to responding to the needs of same-sex practicing people. Some have evidenced blatant homophobia in their HIV/AIDS programming, while others are hampered by their preemptive capitulation

to the conservative social agendas of African governments and the restrictive funding policies of the United States.

- Most LGBT organizations in Africa have not yet developed sufficient skills and resources, or lack the political space in which to effectively advocate for access to HIV-related services and other health-related human rights at the domestic, regional, and international levels.

#### KEY RECOMMENDATIONS

#### **IGLHRC calls upon the governments of Africa nations to:**

- Repeal all laws that criminalize same-sex consensual conduct in keeping with international human rights law. These laws contribute to HIV vulnerability for same-sex practicing people by driving them underground and supporting their marginalization. In countries that have no anti-homosexuality laws, end arrests, harassment, and persecution of people on the basis of sexual orientation.
- Prosecute physical and verbal attacks, expulsion from schools and housing, and other forms of harassment, persecution, and abuse of same-sex practicing people. Extend the equality provisions of national constitutions to include sexual orientation. End impunity of law enforcement officials and private individuals for homophobic discrimination and violence.

- Build relationships with local LGBT and sexual rights organizations and provide funds for the scaling-up of successful HIV prevention, VCT, treatment, and care programs for same-sex practicing people through direct government grants and contracts. Work collaboratively with organizations that have experience implementing such programs.
- Make condoms, dental dams, and latex-compatible lubricants available in jails and prisons; offer comprehensive HIV prevention education to people who are incarcerated.

**IGLHRC calls upon the United States Government to:**

- Launch Requests for Applications (RFAs) in Africa specifically for HIV prevention, care, and treatment programs for men who have sex with men and women who have sex with women. Ensure that successful applicants have experience implementing similar programs, preferably in Africa, and that they partner with local LGBT organizations.
- Fund a comprehensive study of HIV transmission between women and the HIV vulnerabilities of same-sex practicing women in Africa.
- Stop the exportation of homophobia by removing restrictions on international reproductive health funding that increase stigma against sexual minorities. Rescind the Mexico City Policy (Global Gag Rule) and the requirement of the Prostitution Pledge. Modify the implementation of the ABC policy to eliminate the supremacy of abstinence-only until marriage programs. Promote comprehensive HIV risk reduction education.

- Include lubricants and dentals dams as part of supplies that can be funded under PEPFAR and other U.S. funding programs; ensure that condoms are readily available for distribution by governments and NGOs without complicated warnings of their supposed ineffectiveness.
- Create a small grant fund with which African LGBT organizations can implement HIV pilot projects; provide organizational and programmatic capacity building in the form of training and technical assistance to increase the success of these initiatives. Use these projects to gather information on the effectiveness of various techniques and strategies for decreasing HIV transmission among same-sex practicing people.

**IGLHRC calls upon foreign governments, foundations and corporate donors, including the U.S., to:**

- Increase funding to African government agencies, international, and local organizations ready to implement programs for same-sex practicing people in Africa. Encourage grantees implementing broad-based HIV public education campaigns to investigate the needs of same-sex practicing people and adjust their approaches to be more inclusive.
- Refrain from funding any project or organization that openly discriminates against LGBT people or preaches hate against anyone due to their membership in the social categories protected by the ICCPR.
- Fund a comprehensive study of HIV transmission between women and the HIV vulnerabilities of same-sex practicing women in Africa.

**IGLHRC calls upon Private Voluntary Organizations working against HIV/AIDS**

**in Africa to:**

- Undertake appropriate consultations with LGBT organizations and leadership in Africa and as quickly as possible in order to jointly launch HIV prevention, treatment and care programs that specifically target same-sex practicing people.
- Ensure that same-sex practicing people are not excluded from the messages contained in generalized HIV/AIDS public education programs. Promote images of individuals and their relationships that are representative of the broad spectrum of human sexuality.
- Work with country-level staff to develop policies that promote equality and respect for same-sex practicing people who access programs and services.
- Staff programs that target same-sex practicing individuals with self-identified same-sex practicing people. Make training opportunities available to help these individuals to adequately fulfill their roles. Offer them adequate and appropriate support to withstand the homophobia they are likely to face from within and outside of the organization.

**IGLHRC calls upon Domestic AIDS Service Organizations working against**

**HIV/AIDS in their countries to:**

- Develop policies that promote equality and respect for same-sex practicing people who access programs and services.

Off the Map  
Executive Summary

- Ensure—through invitations, advertising, community fora, promotional materials, and other means—that same-sex practicing people are welcome participants in organizational programs and events. Reach out!
- Assist LGBT organizations in designing and managing AIDS prevention, care, and treatment programs to serve their own communities. Partner with LGBT organizations to access funding and implement HIV programming for same-sex practicing people and LGBT communities.
- Increase the availability of condoms, including female condoms. Ensure that latex-compatible lubricants and dental dams are part of standard “safer-sex kits” available to all recipients.