

# Deepening human Rights in South Africa through community activism on Gender-Based Violence, LGBTI, Xenophobia, Racism and Hate Speech



*On the 21<sup>st</sup> of February 2019, the Southern African Liaison Office (SALO) held a dialogue on gender-based violence (GBV), LGBTQI, xenophobia, hate crimes and hate speech. The event was aimed at promoting civil society engagement, as well as dialogue on issues of human rights and GBV. The workshop sought to provide a platform to raise awareness and help deepen human rights activism in South Africa through community activism and to allow for introspection on how different communities are affected by these respective issues. Amongst the invited key speakers were Ms. Sandra Lamola, Head of LGBTQI - ANC Tshwane and Mantle Maketa, from #NotInMyNameBasadi organisation. The main speakers of the day were Ms Rebone Tau, an African National Congress Youth League activist as well as a SALO Associate and Lebogang Phiri, from South African Civic Organisation.*

Key outcomes of the discussion include:

- ❖ Participants found the dialogue was more informative and had helped to build confidence amongst victims who participated in the dialogue to stand up in defence of human rights.
- ❖ Three participants who were not openly gay and lesbian were able to openly disclose their sexual orientation and they thanked SALO for giving them the platform to proudly accept themselves in front of everyone and declared their lives will never be the same again.
- ❖ Participants in the meeting strongly condemned xenophobic and anti-LGBTI sentiments and have called for more human rights defenders to organise themselves in their community to protect the innate rights of the LGBTQI community.
- ❖ There were calls to involve the police in such dialogues as they might assist the law enforcers to find different ways to prevent Human rights violations and bring to book human rights offenders.

## Key issues:

### **There is a connection between hate crimes, GBV and people's identity**

The speakers noted that intolerance towards one's sexual orientation, religion, and nationality are the key underpinning causes of hate crimes in South Africa. Hate crimes against the people who identify as LGBTQI emanates from how we have been socialized to think and perceive the LGBTQI community. Therefore, if one's sexual orientation is viewed in a prejudiced and hostile manner by certain sectors of society, it heightens the risk of hate crime.

The use of derogatory terms like '*Makwerekwere*' to refer to foreign nationals is hateful and inhumane. Xenophobia is not just a South African issue, even Ireland experiences these issues. Influential leaders have also been responsible for reckless remarks against foreign nationals. Johannesburg Executive Mayor Herman Mashaba attributed the waste management issue in the township of Alexandra to foreign nationals. His remarks on Twitter marginalizes foreign nationals and works against social cohesion.

It was noted that there is little spoken about sexual gender-based violence when young boys are victims. It builds on the culture of toxic masculinity in later years, and compounds sexual gender-based violence in our society. There must be safe spaces for men to be counselled through their lived abuse.

Hatred towards "others" comes from stereotypes and fears that are projected onto minority groups and we thus need to collectively build our society against misinformed prejudices. This is the same with people living with albinism, who often get marginalized and discriminated against. People must also be informed that being gay or lesbian is not a choice and the LGBTQI community has innate rights like everyone else and this is reflected in the Universal Declaration of Human Rights and protected in South Africa's constitution.

## **The hate crimes also involves issues of human rights abuse**

One speaker said everyone has the same rights and responsibilities. No one has the right to violate another person's rights. These rights need to be protected. LGBTQI rights need to be protected and respected as natural human rights. People generally struggle with the concept of being different and thus project hate towards people that are different to them.

One's sexual orientation should not limit basic rights and freedoms. The LGBTQI community are humans before they define their identity according to their sexual orientation. Access to basic rights and freedom should not be determined by social status, race and creed – we all have equal rights, no rights are superior to the other. We must live in a society that is free from prejudice against minority groups and these must always respect and tolerate their rights.

Immigrants, refugees and asylum seekers are protected by the law and should be treated with dignity and respect. The South African government has a responsibility to ensure that the rights of foreign national are protected according to international regulations and the constitution of the country. Xenophobia needs to be addressed in our communities as 'Afrophobia' – the hostility is not the same towards European foreign nationals in the country.

## **Using social media to create awareness on social issues**

Movements such as #NotInMyName are safe spaces for young people dealing with gender-based violence in their communities and give platform for peer-to-peer discussions to openly speak about their challenges and to learn and resolve challenges in their communities.

The ostracization of Caster Semenya by the International Association of Athletics Federations (IAAF) is a rallying point against the discrimination of the LGBTQI community. It also highlights the plight of intersex peoples and the constant discrimination they face. South Africa tabled a resolution to support Caster Semenya – the UN Human Rights Council adopted the resolution.

The Hate Crimes and Hate Speech Bill will be coming to effect when South Africa's 6<sup>th</sup> administration approves it. People like Penny Sparrow who went viral on social media for her racist remarks will be held accountable for discriminatory utterances. The Bill makes hate crimes and hate with the intent to harm a prosecutorial offence. This is in accordance with the South African Constitution and international human rights standards.

A speaker noted that there is a general deterioration of our social fabric when church leaders sexually violate young girls in places that are meant to be safe. The Omotoso trial has opened the debate on sexual gender-based violence in churches and the abuse of power by church leaders such as Omotoso. The outcry against the Nigerian born pastor has also evoked xenophobic sentiments that need to be monitored.

## **Social cohesion is important to build a better South Africa**

The speakers shared the sentiment that our societies need to be conscientized on gender-based violence, xenophobia, racism and LGBTQI issues for the purpose of social cohesion and building our

communities to be tolerant and mindful of our innate human rights. This was received well by learners who wanted to be informed about these issues that are not frequently addressed. Moreover, young people wanted to contribute to making a change in their communities through dialogue on human rights issues.

## Recommendations:

- ❖ SALO must continue organising these dialogues where the LGBTQI people share ideas on how to tackle issues affecting them in their communities and to educate communities on the issue of human rights and tolerance
- ❖ In schools, sex education needs to be part of Life Orientation to better understand and address issues of sexuality and sexual orientation.
- ❖ Addressing GBV is a complex issue requiring multi-faceted responses and commitment from all stakeholders, including government, civil society and other citizens.
- ❖ There should be more public hearings and inquiries to probe human rights violations and utilise media awareness to make people aware of their rights.

\*List of speakers:

1. Ms Lebogang Phiri, South African Civic Organisation
2. Ms Rebone Tau, ANCYL Activist and SALO Associate
3. Ms Montle Maketa, #NotInMyNameBasadi
4. Ms Sandra Lamola, LGBTI Soshanguve Activist

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*The analysis and recommendations included in this Policy Briefing do not necessarily reflect the view of SALO or any of the donors or conference participants, but rather draw upon the major strands of discussion put forward at the event. Participants neither reviewed nor approved this document. The contents of the report are the sole responsibility of SALO, and can under no circumstances be regarded as reflecting the position of the donors who provided financial assistance for this policy dialogue session.*

### About the Southern African Liaison Office:



The Southern African Liaison Office (SALO) is a South African-based not-for-profit civil society organisation which, through advocacy, dialogue, policy consensus and in-depth research and analysis, influences the current thinking and debates on foreign policy especially regarding African crises and conflicts.

*SALO would like to thank*

**Irish Aid and the Embassy of Ireland, Pretoria  
for their direct support for this event**

