



RIGHTS, EVIDENCE ACTION

(REAct):

Human Rights Violations

ANNUAL REPORT 2018

KP REACH

POSITIVE VIBES TRUST

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FOREWORD



It has been really exciting for us to see REAct develop and grow over the past three years, as REActors and their organisations took the methodology and integrated it into their work and contexts; really engaging with the process and its outcomes and making it their own.

This is a key process that both documents human rights violations to contribute to the growing evidence base around the experience of LGBT+ and sex worker communities; as well as providing a roadmap for referral processes and advocacy and programme planning and design.

It is sad to see our work with partners ending through KP REACH, but we are proud that there has been such a strong, voiced commitment to continuing to utilise this documentation approach in their work.

Annah Kahari
REAct Coordinator, KP REACH
Positive Vibes Trust



REAct has been both an eye opener for us as activists on the ground, and a ray of hope for human rights abuse survivors. It has created a popular platform for rebuilding the confidence of key population (KP) community members in distress, and has

helped KPs gain agency in terms of pursuing redress and recognition of their entitlements.

REAct has strengthened the KP movement in Malawi through enhanced contact and solidarity, and has helped open a new geographical reach which had not been mapped in terms of KP population availability.

Granted, the program has had its own challenges in terms of sustainability and exit strategies that we hope will be better planned and executed in the future, but overall, this was a very huge success in terms of the attainment of its objectives.

Aniz Mitha
Director
Community Health Rights Advocacy (CHERA),
Malawi

OVERVIEW

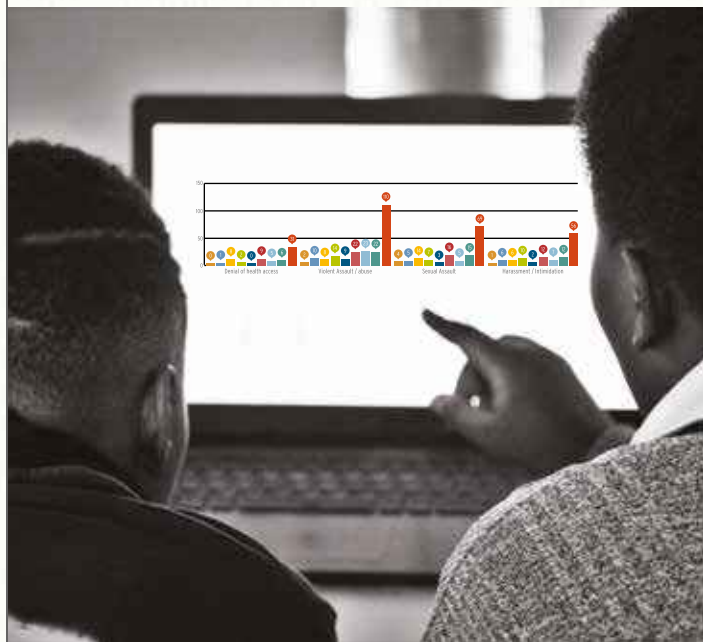
The criminalisation of same-sex, sexual conduct and sex work in many countries in the Southern African region fosters a climate of state-sanctioned homophobia and discrimination, resulting in abuse and often violence against lesbian, gay, bisexual, transgender (LGBT+) and sex worker communities.

Maintenance of these laws is itself a human rights violation, and enables further human rights violations because of the stigma and culture of impunity these laws create. Criminalisation has been found to violate the rights to: privacy; equality before the law and equal protection of the law; non-discrimination; and dignity. Criminalisation also engages the rights to: freedom from inhumane and degrading treatment; freedom of expression, assembly and association; freedom from arbitrary detention; health and other economic and social rights; and freedom from persecution.

Collecting evidence of human rights violations is a vital component of the work of activists working across the LGBT+ and sex worker sectors. It is hard to reject advocacy work that is based on hard facts about the reality of sex workers and LGBT+ people's lives. It tells the story of why change is needed. When human rights violations are documented, it gives credibility to LGBT+

and sex worker organisations and communities asking for change.

Documenting human rights violations helps trigger reactions or responses that can help prevent such violations from being repeated. It also provides a mechanism with which to monitor states' compliance with international standards and keep track of how situations on the ground are changing.



RIGHTS, EVIDENCE, ACTION (REACT)



Monitoring is a key means of collecting information: by tracking media reports, attending events, exchanges with peer organisations, etc, but also through the systematic collection of targeted data. There are many monitoring systems that collect data on human rights violations. REAct is a secure, IT-based human rights monitoring and response system owned and managed by community-based partner organisations, based on principles of south-south peer learning exchange.

Set up globally by the International HIV/Aids Alliance and adapted for use in the Southern African context by the AIDS Legal Network (ALN) in 2016, REAct helps respond to human rights barriers to accessing HIV, healthcare and community support services by collecting relevant evidence to identify and provide or refer for individual emergency support, human rights-based HIV programmes and to generate evidence for advocacy. The data collected builds the body of evidence on the impact of human rights violations that in turn, impact on the effectiveness of the HIV response, and provides a mechanism to inform and improve human rights-based HIV programming. This evidence is essential for advocacy

and influencing governments and other actors to promote policy change and legal reform, and to support the rights of all people to access quality HIV, healthcare and community support services freely, a huge barrier for LGBT+ and sex worker communities in particular.

At a country level, REAct can help extend and improve the efficacy of partner organisations' human rights programmes, including legal services, 'know your rights' initiatives, engagement with law enforcement officers and public health care officials, advocacy, programmes to address gender-based violence, gender inequality and harmful gender norms, and programmes to reduce stigma and discrimination by providing an evidence base for REAct.

REAct, through the KP REACH programme, was delivered by PV's local partner organisations in Zimbabwe, Malawi, Botswana, South Africa, Zambia, Swaziland, Lesotho and Namibia from 2016-18. The system will be retained by these organisations beyond the life of KP REACH to continue to inform and support their programming and advocacy initiatives.



PROGRAMME SUMMARY

The three-year KP REACH programme comes to its conclusion at the end of 2018. PV's role over this time has been to provide capacity strengthening support to four 'key population' (KP) networks and deliver REAct and the Key Correspondent (KC) initiatives, drawing on its particular and unique approach to partnership and accompaniment. PV's primary way of working is to facilitate the co-creation and delivery of effective programmes and interventions to achieve mutual goals—including contributing to long-term impact at the level of individuals, organisations, communities, service providers, and at a higher level, improved development practice and just, constructive national policy.

The focus for the delivery of REAct in particular has been on improving the use of data collection/evidence, findings, knowledge management, and the scaling up and duplication of best practice for more responsive national-level programming and policies.

CAPACITY DEVELOPMENT

Activities since the programme commenced in 2016 include the selection process, where community-based

partner organisations nominated representatives to become 'REActors'. Fifty-nine (59) REActors were selected and trained in October and November 2016 over five days by ALN on human rights principles and responses, collecting evidence, managing information, implementing REAct: structures and budget allocation and Emergency Fund guidelines and in the case management IT system itself.

A REActor feedback survey conducted in August-September 2018 found that, of surveyed REActors, 76% 'strongly agreed' that the training helped them to identify human rights violations:

"Before attending the trainings I didn't even know that when someone has discriminated you it was a violation, I'm glad now I know and I'm no longer turning a blind eye to it."

"They helped to identify the human rights violations, how to address the issues that are affecting key populations in different ways either by involving police, health providers or lawmakers."



REActors at training in October (left) and November (right) in Johannesburg, 2016.

In addition, a Directors' Connect was held in May 2017 to specifically engage the directors of the in-country partners hosting REActors (and Key Correspondents) to highlight the benefits of the KP REACH programme and get their input and buy-in to better implement it within their organisation and context.

"It was interesting to meet and get valuable views from other partners."

Subsequent activities, above and beyond supporting the data collection itself, included REAct 'refreshers' in May-June and August of 2017 to re-connect and welcome new REActors, and introduce an important trauma support component along with additional interview skills training. This sought to enable REActors to feel more confident conducting interviews in a more natural way, rather than just asking the many questions covered in the

questionnaire in a rote fashion. A section on skills for emotional first aid for survivors was also included.

These additional components of the training were designed and delivered by PV, drawing from the 'Looking In, Looking Out' (LILO) suite of curricula PV has developed, and respond to the needs expressed by REActors after their initial training and collecting their first stories. REActors found themselves often overwhelmed by the trauma of the survivors in the recording process. They felt they had little understanding of trauma from a psychological perspective, and they felt ill-prepared to support survivors or to even adequately refer them to the correct services because they didn't always know what their needs were. At times, survivors broke down and were overcome with intense emotions while they were telling their stories and the REActors found themselves weighed down by these emotions and

felt unsure about how and when to proceed. They also realised their own stories of trauma surfaced as they heard the stories of others, and often found themselves shaken after recording a particularly painful story. In addition, there were incidents of suicide of survivors occurring just weeks after the story collection. This left REActors feeling guilty that they had not been able to offer more help; and inadequate to perform this role. Reflecting on the value of this additional training, 56% of surveyed REActors found this 'extremely useful' and 32% found it 'very useful'. To that end, PV recommends this component be included in all future REAct training.

EVIDENCE-BASED ADVOCACY

REAct Committees are in-country groups made up of partner organisations hosting REActors and other strategic partners, and a strong foundation was set by their initial meetings, with locally-driven action plans informed by the REAct data being developed, proving the value of using community-based monitoring systems to develop evidence-driven programming and advocacy initiatives.

Examples of the types of challenges identified by these Committees include in South Africa, plans to make use of the media to engage with the community on violations and educate the community on their rights and on the laws protecting them; in Malawi, strategies to better manage the emergency response fund, and a plan to hold quarterly 'talking sessions' with the aim of encouraging more LGBT+ and sex worker community members to come forward and report cases; in Zambia, actions such as partnering with key stakeholders to facilitate dialogues with healthcare workers and lawyers

and engaging with regional police commissioners, as well as developing rapid response initiatives to mitigate the current wave of homophobic, transphobic media scandalising and unethical reporting in the country; and in Zimbabwe, a contextual analysis was planned as part of a broader advocacy strategy, which included better utilising WhatsApp as a vehicle to share information about human rights violations.

REActors saw great potential in the Committee approach, 'strongly agreeing' (54%) or 'agreeing' (33%) that these are a useful way of using the country data to inform country-level advocacy and programmatic activities, as well as a way to support activists working on these issues in different organisations:

"The committees helped to share stories of violations from in country, it also helped to share solutions with fellow REActors."

"The committees, used meaningfully, do indeed create an opportunity for triangulation of cases and advocacy efforts."

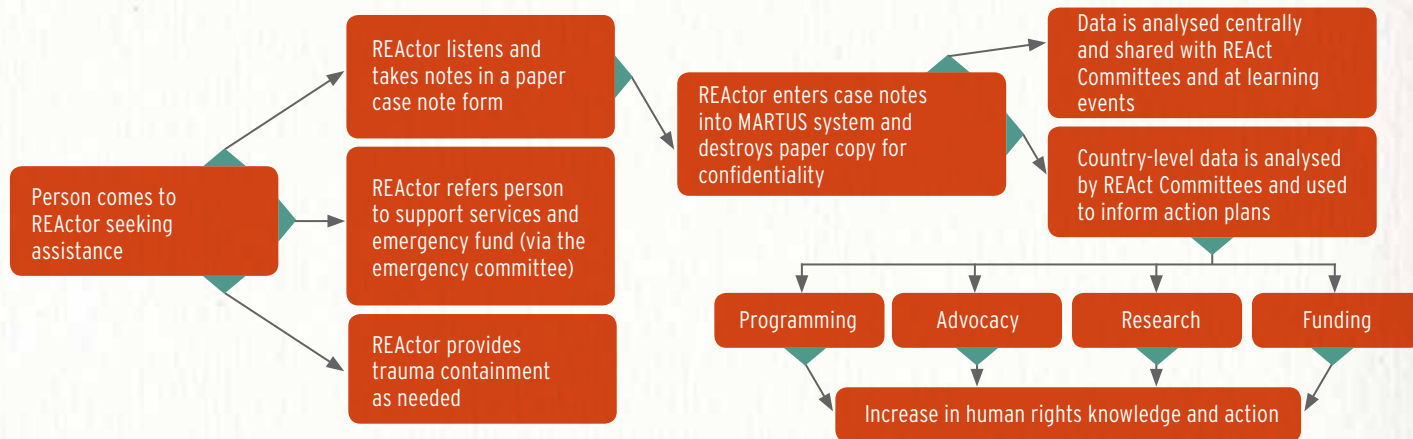
"The REAct committee meetings were so helpful. When we meet as a country each organisation reports on the cases they documented and then, as a country, we see which community has some common abuse and we draw some advocacy activities and strategies also do some future programmes that can address these issues."

"If the committee is active, sharing of stories will ease burn out."

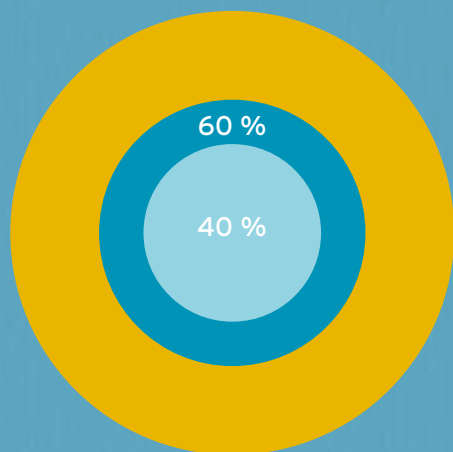
HOLISTIC SUPPORT

In addition to the data collection and analysis aspects of the documentation process (see diagram below), community members who have experienced human

rights violations are also provided with additional support in the form of referrals to support services, and access to emergency funds for basic, immediate needs.



The overall response rate is depicted below:



● Percentage of cases that did not receive responses
● Percentage of cases that receive responses

REFERRALS

The referrals to justice and health services are a direct emergency response to the human rights and violence-related needs of affected persons. These referral networks draw from existing relationships held by the local organisations REActors are based in and have been strengthened by the networking opportunity provided by the LLEs where strategic partners and REActors from the same country were brought together. Surveyed REActors found these networking opportunities and the information received supported them to extend their referral network 'a great deal' (45%), a lot (20%) and a moderate amount (29%).

"Learning new methodologies of doing this added so much learning."

"it helped us in building good collaboration with other NGOs that provided services in our country. and it also helped the organisation to identify the gaps where the advocacy work is being needed."

"We are now looking into having referrals on a demand method. This is not just looking at one area, it looks at: if referred, has the human completed the service and understanding why has sessions not been completed. Also understanding how we can reach out to a broader service with the help of greater referrals, like having databases of existing services."

"This enabled us to carry on cases to other organisations when the other got problems. Also to see clients getting further help when we came in with lack of needed assistance."

EMERGENCY SUPPORT

An emergency grant, administered by country level committees was also provided for basic needs. Over the three years of the programme, 76% of partner organisations hosting REActors (who responded to the REAct feedback survey) accessed the fund. Of those surveyed, the majority (74%) found it efficient.

"I was able to give out help to the survivors in time and this made their lives easier even though it was for a short period of time, it was all worth it and it meant a lot to them just knowing that out there someone cares for their wellbeing."

"When we did use the fund, we were able to assist the survivor in a short space of time."

The Zambian Sex Worker Alliance successfully secured accommodation using the emergency fund for a transman who had been disowned by his parents.

In this case, the transman's parents had gone to his school and told him they no longer regarded him as their own because of his chosen identity. This left him homeless while trying to complete his last semester in school.

With the accommodation provided, he managed to complete his studies and was given a short-term contract afterwards, enabling him to support and establish himself in the community.

This experience highlights the risks of 'coming out' and being outed by the community and family. As a survivor, he is now a strong supporter of LGBT+ rights and key member of the organisation, supporting others in the community. And happily, through ongoing engagements and counseling, he has reconnected with his family.

"The emergency fund was efficient as ... we managed to pay rentals for two survivors and some food ... for two months. We also managed to refer one sex worker to undergo [a] safe abortion."

Some of the challenges identified by surveyed REActors related to delays with international bank transfers

between PV (based in Namibia) and other countries, which meant that:

“sometimes the emergency funds were not quite emergency due to the process of having these released to us.”

In addition, a Rapid Response Fund (available in 29 countries in Africa and the Caribbean and funded by the Elton John Foundation) can be accessed to respond to situations or events that threaten the provision, access and uptake of HIV services for men who have sex with men (MSM) and LGBT+ people. For more information, see <http://www.aidsalliance.org/rapidresponsefund>.

LINKING AND LEARNING EXCHANGES (LLES)

PV takes an adaptive learning approach to all its programme work, monitoring and documenting lessons ‘real time’ and adapting implementation activities in response. In KP REACH, the team developed a ‘linking and learning exchange’ concept to bring together partners, REActors and Key Correspondents (KCs) to share learning from their activities in order to have more impact across the programme. LLEs are hosted in individual countries, with lessons from each shared at the following country’s meeting, and so on. Nine were held in all countries from 2017-2018.

The LLE aims are to form a learning community and strengthen relationships between KCs, REActors and in-country partner organisations; explore strengths,

achievements, challenges, opportunities and learnings that have arisen from our work so far; make clear plans to address challenges and maximise strengths and to work together effectively and creatively; strengthen collaborations and address coordination challenges; and explore opportunities for sustainability beyond 2018.


The LLEs take this approach to learning to partners, KCs and REActors. REActors who responded to the 2018 feedback survey found the LLEs ‘useful’ (50%), ‘supportive’ (33%), informative (12.5%) and ‘reassuring’ (4%).

“It was my first time attending a PV meeting and I have learnt new things.”

“It was easy to share at the LLE. I enjoy the opportunities that PV provides us.”

“I liked the space created! Thank you, PV, for bringing this into our country programme.”

Some examples of the kind of sharing that happens in these Exchanges is how partners are using REAct data to inform their own activities. One partner organisation shared how funds meant for their outreach campaigns were redirected to conduct sensitisation training workshop for Heads of Police. These sessions greatly assisted shifting behaviours and attitudes, evident when the same organisation was invited by the Chief of Police to sensitise more police officers in different districts of the country, resulting in the organisation then being able to sensitise community members



through mainstream media without fear of being raided by the police afterwards. Another organisation, after realising how useful the REAct data is, started building up evidence for advocacy, integrating the documentation process into the work done by peer educators, who are spread throughout the country and able to reach out to more communities.

KCs also benefitted, linking to REActors in the same country and forming networks to share information about possible stories to report on as part of their work to change the narrative and negative discourse around LGBT+ and sex worker communities, as well as being able to access data to ensure their stories are supported by a strong evidence base.

The value of the LLE initiative and process, which draws a direct link to PV's ways of working and approach to working with partners, continues to be felt and gave the KCs and REActors an opportunity to meet crucial in-country partners. Partner organisations remained in contact with these external partners beyond the actual workshop connection itself, which has helped strengthen the programme's implementation in the eight countries and create

important links to strengthen referral networks and look for collaboration opportunities in terms of programming and advocacy efforts. This was supplemented by a Director's Connect, designed along similar lines, to bring together partner organisations' leadership and look at ways to better integrate REAct into their own programming and planning processes.

This learning will continue beyond the scope of the KP REACH programme, thanks to the inclusion in 2018 (the final year of the programme) of discussions on sustainability, where organisations have agreed to continue documenting cases; look at ways of leveraging alliances formed through this and other work to continue the work; absorb REActors and KCs at least as part of the community liaison; train community outreach workers using the trained REActors; where possible, mainstream the REAct community documentation process within existing or future programming; use the Rapid Response Fund to assist with emergency cases; and keep writing stories to share with in-country media and other information outlets.



ADVOCATING FOR SEX WORKER RIGHTS

Sex work is still criminalised in Botswana, so many sex workers are afraid to report instances of abuse. This is highlighted in the story below from Success Capital, who works to build evidence on human rights issues; share this knowledge and empower young people for civic action.

Many unfortunate cases have been brought forth indicating the severity of police officers in attacking sex workers and arresting them and never addressing any case which include a sex worker. To address this issue, REActors organised dialogues with police officers about human rights and in particular, working with sex workers. Many organisations were engaged and the media picked up the stories. As a result, cases of such abuse and arrests of sex workers declined and sex workers are beginning to report instead cases of the clients and police officers being cooperative in investigations. In addition, Success Capital has recommended that a particular police officer works with sex workers to ensure greater confidentiality in regards to sex worker issues.

WHERE WE ARE NOW

ZIMBABWE

LOCAL PARTNERS HOSTING REACTORS

- 5**
REACTORS
- Gays and Lesbians of Zimbabwe (GALZ)
 - Sexual Rights Centre
 - Trans Research, Education, Advocacy and Training (TREAT)

MALAWI

LOCAL PARTNERS HOSTING REACTORS

- 4**
REACTORS
- Community Health Rights Advocacy (CheRA)
 - Centre for the Development of People (CEDEP)
 - Female Sex Worker Alliance

BOTSWANA

LOCAL PARTNERS HOSTING REACTORS

- 7**
REACTORS
- Lesbians, Gays and Bisexuals of Botswana (LeGaBiBo)
 - Health Empowerment Rights
 - Success Capital

LESOTHO

LOCAL PARTNERS HOSTING REACTORS

- 5**
REACTORS
- The People's Matrix Association

SWAZILAND

LOCAL PARTNERS HOSTING REACTORS

- 5**
REACTORS
- Rock of Hope
 - Trans Swati

SOUTH AFRICA

LOCAL PARTNERS HOSTING REACTORS

- 7**
REACTORS
- Sex Workers Education and Advocacy Taskforce (SWEAT)
 - Zonwabele

NAMIBIA

LOCAL PARTNERS HOSTING REACTORS

- 3**
REACTORS
- Out-Right Namibia



ZAMBIA

LOCAL PARTNERS HOSTING REACTORS

- 10**
REACTORS
- Treatment Advocacy and Literacy Campaign
 - Friends of Rainka
 - Zambia Sex Worker Alliance
 - TransBantu Association of Zambia

HUMAN RIGHTS VIOLATION DATA SUMMARY

The data collection process is locally-driven, owned and responded to. The system works based on a REActor's understanding of human rights violations, hence the emphasis on this in the initial training.

Data analysis happens at multiple levels (see diagram below). The data is owned by each partner organisation, who uses it for analysis to inform their internal planning.

For example, in Malawi, CEDEP reviews the data on a monthly basis to inform their own action plans. The REAct Committees review the data on a quarterly basis to develop and inform advocacy action plans for KP REACH partners. The KP networks also use the data to inform their meaningful dialogue, representation and advocacy (MDRA) action plans.

Partner organisation's use the data to inform their programming and advocacy planning and actions

REAct Committees, at country level, use the data to inform national KP REACH partner advocacy action plans

Regional networks use the data to inform their MDRA action plans.

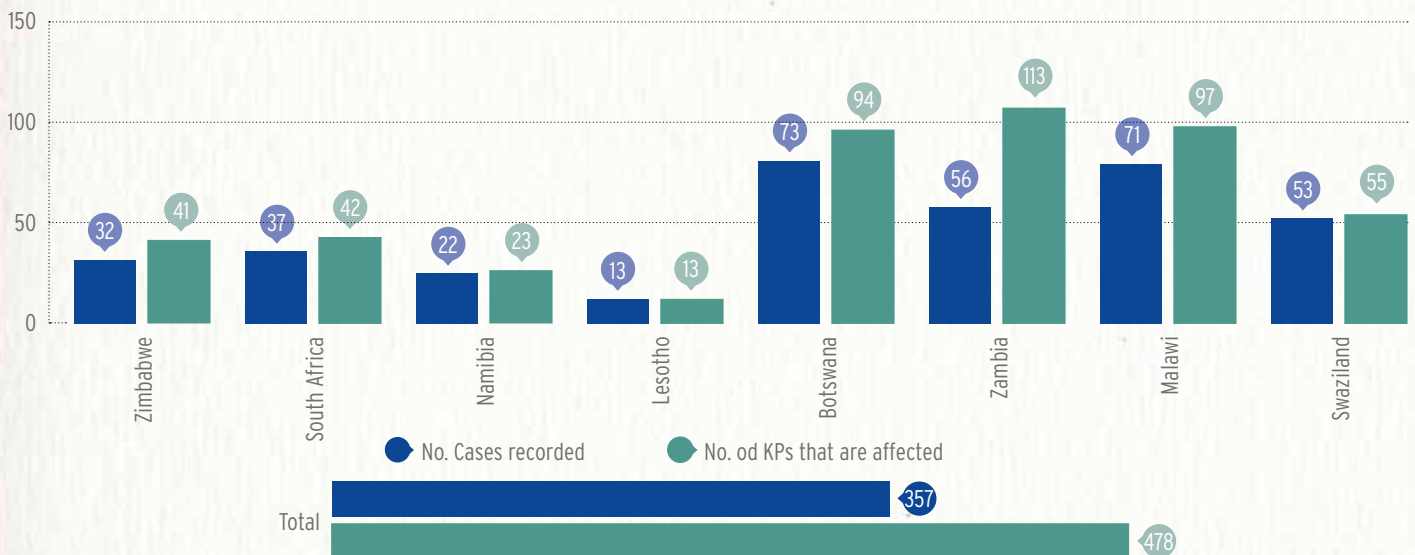
PV uses the data to inform regional LLE-type events and workshops, KC stories and videos, as well as publications and reports.



For the period December 2016 to September 2018, a total of 357 cases were collected by REActors across the eight countries, with a total of 478 affected individuals.

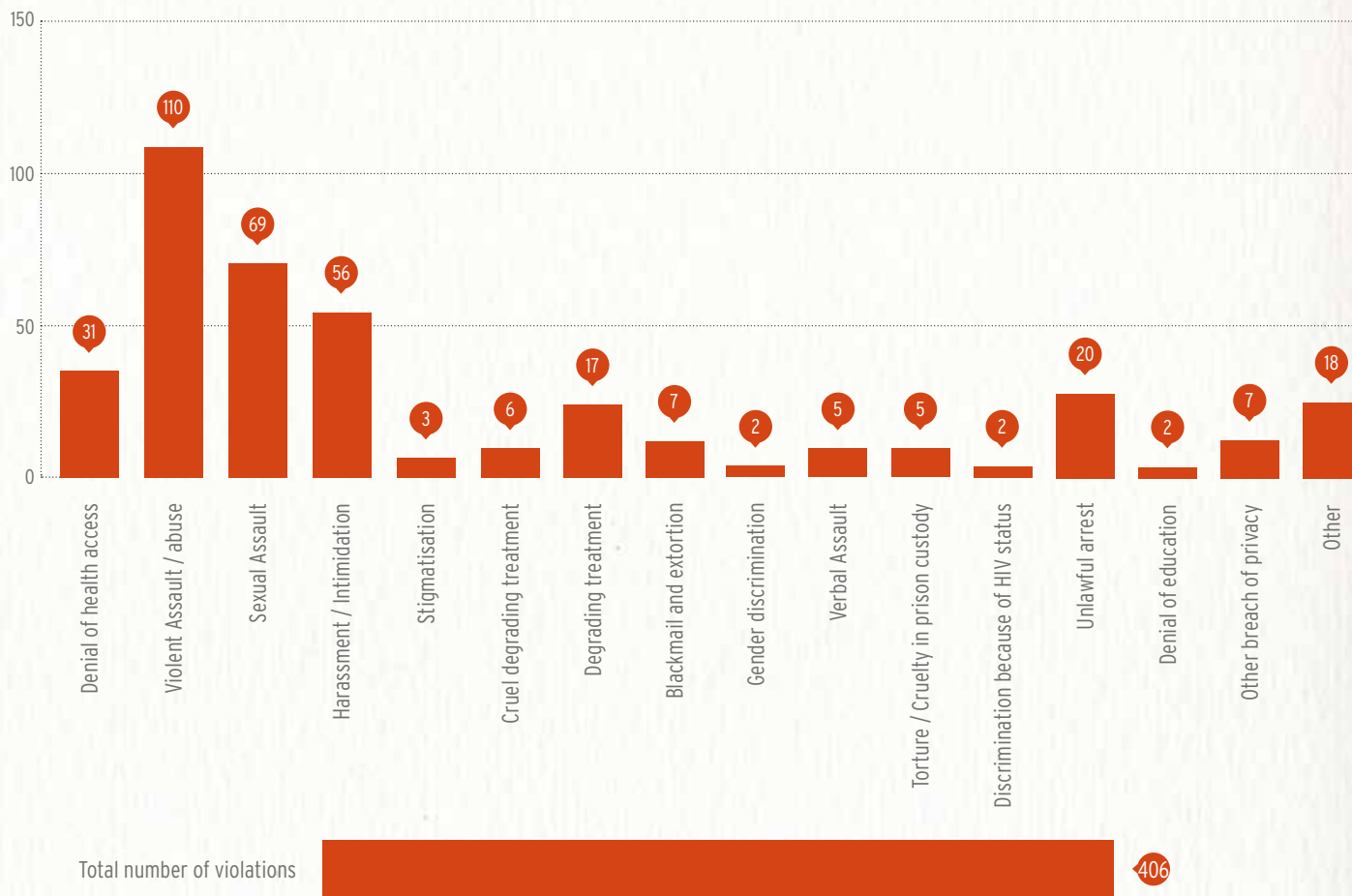
(Note: there are more people affected than cases collected as more than one person can be affected in a case.)

Number of cases recorded by REActors and members of the LGBTI+ and SW communities affected



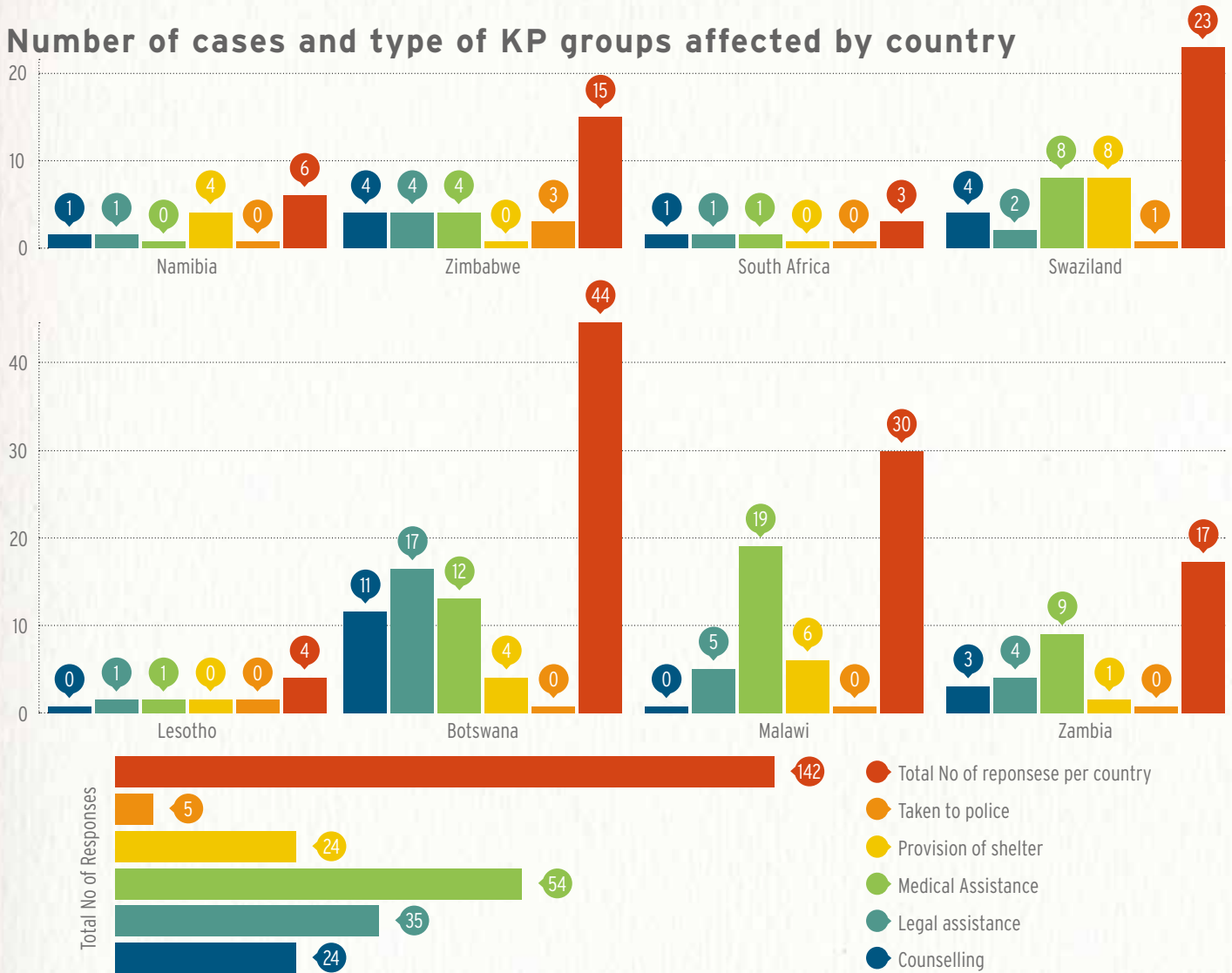
The most commonly experienced human rights violations recorded by REActors include: violent assault or abuse (27%), sexual assault (17%), harassment and intimidation (12.5%), and denial of health access (7.81%).

HRV Recorded Across 8 countries



One hundred and forty two (142) responses were provided, including legal (25%) and medical (38%) assistance, counselling (17%), shelter (17%) and assistance in reporting to police (4%).

Number of cases and type of KP groups affected by country



LIMITATIONS

It is important to note however, that the data described is geographically limited to the partner organisations' reach and the small number of REActors on the ground. This is one of the limitations of the short timeframes for

the programme and limited funding; that those using the data have had to be careful how the data is talked about so it isn't misrepresented as a 'whole of country' situation.

CASE STUDY EXAMPLES

SOUTH AFRICA

LEGAL CONTEXT: *South Africa's post-apartheid Constitution was the first in the world to outlaw discrimination based on sexual orientation; it was the fifth country in the world, and the first—and, to date, only—in Africa, to legalise same-sex marriage. Same-sex couples can also adopt children jointly and access IVF and surrogacy treatments. LGBT+ people enjoy constitutional and statutory protections from discrimination in employment, provision of goods and services and many other areas; although enforcement can vary. Nevertheless, LGBT+ South Africans, particularly those outside the major cities, continue to face challenges, including homophobic violence (particularly corrective rape), and high rates of HIV/AIDS infection.*

Currently, South Africa fully criminalises sex work – both buyers and sellers. This has resulted in stigma and discrimination against sex workers; extraordinarily high levels of violence; exploitation of minors, and lack of access to health and legal services for sex workers. In December 2017, the African National Congress (ANC) announced it plans to fully decriminalise sex work in South Africa. This would see criminal penalties being removed for sex workers as well as those making use of their services. However, this has yet to see any legislative action.

Zonwabele is a community-based, non-profit organisation that works to raise awareness and educate communities on LGBT+ issues. It runs weekly support groups and refers to support services as needed, as well as undertaking advocacy work. One of the issues they recently dealt with relates

to the challenge lesbians in peri-urban and rural communities face: multiple levels of persecution through the intersectionality of gender roles, sexual orientation and race. 'Corrective rape' and other extreme forms of violence continue to be perpetuated.



Zinzi would visit her partner every Thursday evening, and had done so for a year and a half. Her partner was only 15 minutes away from her home and she used the same pathway every time. However, one night, she crossed paths with three men. She greeted them and they responded in kind, but she was then approached by one of them with a knife, demanding she remove her pants. She refused, and even called out to one guy by name, who responded by saying, “today we will see how it is to sleep with a woman who is a virgin and only sleep with fingers”. Zinzi refused but they were bigger and overpowered her. Afterwards, one of the men said: “now you know how it feels to sleep with the real man, not this mickey mouse sex that you do”.

Once home, Zinzi told her aunt, her told her to go to hospital, where she was assisted and advised to report the incident. She laid a charge and at the same time, community activists worked to find the perpetrators. The next evening, Zonwabele reported a lead to the police.

Initially they were ignored, but they phoned the Station Commissioner who met them at the police station and demanded a search be organised. A few hours later, early Saturday morning, one of the perpetrators was arrested, with the others arrested on Sunday night.

A bail hearing was scheduled and then postponed. When it finally happened the accused were denied bail, with the trial scheduled for October. Zonwabele is working on the case with support from the Commissioner on Gender Equality. They have referred Zinzi to their partners for psychological support and continue to advocate against such hate crimes within the communities they work in.





ZAMBIA

LEGAL CONTEXT: *Zambia attained independence from Britain in 1964, and chose to embrace colonial laws such as the Penal Code that criminalises same-sex relationships, sexual conduct and the visibility of LGBT+ people. Its Constitution defines Zambia as a Christian country. The argument that homosexuality is un-Christian and un-African is backed up by efforts to suppress and deny the existence and practice of homosexuality, denying the human rights of LGBTI people .*

Buying sex is not illegal but it is illegal to live off the earnings of a prostitute to procure a woman for prostitution and to keep premises for the purposes of prostitution. Sex work is not defined in Zambian legislation but courts have recognised it as lewdness for money on a habitual or vocational basis. Sex workers have reported abusive and inconsistent law enforcement and made allegations of police corruption .

Friends of Rainka (FOR), aims to protect, advance and promote the human rights of sexual minorities in Zambia particularly, by engaging law and policymakers in legal reform, building capacity to undertake effective advocacy, establishing member services based on identified needs and priorities, and researching, gathering, analysing and disseminating information. FOR shares two cases from its advocacy and legal support work below.

Gemima, a young transwoman, had recently began expressing as a female but was not in the process of obtaining any surgeries. After enrolling with a prestigious college in Lusaka, she attended the first day of school expressing as male in an effort to fit in. After growing more confident in the school system, she decided to express as her true identity.

Sadly, she was met with apprehension and confusion by her classmates and some of the lecturers.

The day progressed and the mood around her was quickly taking a turn for the worst. She decided to speak to a lecturer she had grown close to, who she believed would stand up for her and protect her. He asked her some questions in an effort to seek clarity and went to call the school nurse. While he was away, Gemima's classmates harassed her verbally and physically assaulted her. By the time she made it to the nurse's office, she was bloody and scared. The nurse proceeded to make her feel worse by searching her genitals to see if she was a boy or a girl. She was bandaged and asked to go home. Her classmates were waiting to harass her some more until she reached the bus station. Gemima decided to study from home for the rest of the semester but as a result of the incident, failed her exams that year and dropped out.

Gemima took a lead role with FOR to host a series of sensitivity trainings at the university and while the school culture is not perfect yet, it is more accepting to members of the LGBT+ community. Since the trainings, there has yet to be a report of harassment or abuse of LGBT+ persons from the college.

Andrew is a gay man who lives in Lusaka. He considers himself openly gay to his friends but acknowledges that his community is not safe for him to live 'out and proud', and as such, he keeps to his group of friends and takes extra precautions to be safe. In July 2018, he escorted a female friend to the market to procure face powder and showering slippers. They had just arrived at the market when a stranger began screaming that

Andrew is gay and sleeps with men. Andrew chose not to respond as it could endanger him even more and attract a crowd.

The following day, Andrew went back to the market to find the stranger that was screaming at him. He asked the people that had been sitting with him who informed him of the man's name.

Subsequently, Andrew went to the Magistrate's Court and procured a Summons. He was granted a case of defamation of character. The case was tried five days later. The accused admitted to the offence and judgment was passed that very day. Andrew was awarded an initial judgment of K8,000.00 to be paid every month for eight months, however, as the accused's is a student and his family is not well off, the judgment was reduced to K6,000.00 to be paid in six months. The court also instructed the accused not to harass Andrew or risk being arrested and going to jail.

This case proved to other LGBT+ community members that the law can work in their favor and as such, perpetrators can be held accountable and brought to justice.

FOR supported Andrew throughout the process of the arbitration, and informed the LGBT+ community through its social media outlets of the victory. This has sparked an interest in the law and understanding how it works, with LGBT+ community members now more confident in the power of the law.

STORIES FROM THE GROUND

Stories and storytelling are a way of documenting not just learning, but experiences that happen within programmes/projects or activities that may fall outside of standard reporting, data and case studies. A story telling approach allows for any type of change—expected or unexpected, positive or negative—to be documented and shared.

A good story and the way it is told is more vivid, alive, and captures something essential, characterising not only the facts but a feeling or experience; something significant. A story well told expands and makes more visible or 'feel-able' the meaning that lies inside. To that end, the stories that follow capture some of the experiences of the REActors, in their own words, at different levels: personal; programmatic and organisational. They speak to the training itself, and the subsequent process of documenting peoples' experiences.

NO TEARS WITHOUT UNDERSTANDING

Sexual activity between women is legal in Namibia. Sexual acts between men remains a crime in the country

according to the Roman-Dutch common-law. Namibia kept this law on the books after it became independent in 1990, and while there are no cases in which this law was ever enforced, LGBT+ people face discrimination, harassment and violence.

Soliciting for sex in public places is illegal, but buying sex is not illegal. Public order offenses are cited by police when they arrest detain or fine sex workers .

Out-Right Namibia (ORN) works diligently towards the attainment of the full constitutional equality and equity of sexual diverse people though strategic advocacy, lobbying, evidence based interventions and movement building. An ORN REActor reflects on their experiences and learning below.

Getting to know the [REAct] system, I saw stories through the documentation done by the REActors in the field. Each day I grew closer to each piece of paper of a violation and saw my heart racing in pain of knowing these people are just human, but they get treated as if they don't belong.



Namibia's Constitution protecting human rights had me asking, how is this possible, that a young person is evicted by family—not just any but a mother or a father—and how is it that a transwoman is victim too. If it's not gang rape then it is being attacked for being different.

In each violation captured my heart drifted, understanding the suicides of LGBT+ people. But none of these are in the records of our gate keepers. REAct exposed me to the literature of human rights [that] I never thought I'd ever understand. My realisation came when I saw how Namibia still has a long way to go to make people understand that these people violated are human too.

The decriminalisation [conversations] that took place twice in 2017 and this year [in 2018] made space for interrogation and understanding how we need to address the sodomy laws.

It has been a great leap of success for Namibia to have her own evidence [through REAct] to show that LGBT+ people do exist and the violence towards them is real. Most violations are not reported because they don't get to the stage of a case being opened for the human who got violated, so with REAct we will see changes not just in mindsets but in the actions of law enforcers, medical professionals. Already schools are implementing SOGIE in the life skills part of curriculum at high school level. These are but part of the successes REAct has supported.

This good work is being shared out in the community through the regional work of ORN. My life as a [REActor] has been so awesome, but also seeing the reality of suffering, I see how I want to do more. No tears without understanding.



LEARNING TO BE RESILIENT AS AN ACTIVIST FIGHTING FOR HUMAN RIGHTS

In 2012, male same-sex activity was legalised in Lesotho. Female same-sex sexual activity has never been outlawed. However, same-sex marriage and child adoption are limited to heterosexual couples.

Sex work is illegal and the law is silent while sex workers experience violence from the police, the public, their clients and often their partners. They are repeatedly beaten up by police, robbed of their money and raped.

The People's Matrix Association advocates for the rights of the LGBT+ community in the hope of building a society in Lesotho that is free from discrimination, abuse and stigma. One of their REActors speaks to the personal changes they have experienced as a result of their role and engagement with affected community members.

The REActor training helped me to be resilient in the face of the challenges I encountered working with different people with different stories. For instance,

to be energetic to dig a client out of the bad situation they are in, but also to build up my team to work hand-in-hand with clients, in their interests and also in our organisation's interest to keep our flag hosted higher.

I learnt how to be patient, create a good personal connection with people, meet them at their level with the aim of making them feel free to share their stories so we can support them with referrals and linking if possible. Creating a safe space all the time that makes it easy for a client open up, feel comfortable to share and discuss issues that are too personal or sensitive. I also learnt how to respect the pronouns people need to be called regardless of their appearance and sexual identity.

The trauma training really plays a vital role in my life. During the process of capturing clients stories I am able to be creative, use relevant tools to win the heart of the client. Things like good listening skills and a persuasive way of communicating to get full details. It is being empathetic not sympathetic.



A HOLISTIC APPROACH

In Malawi, same sex acts are criminalised in the penal code on unnatural offences, indecent practices between males, and indecent practices between women respectively, with penalties of up to 14 years imprisonment. The Marriages, Divorce and Family Relations Act bans all same-sex marriages and unions, and makes it illegal to claim a gender identity other than that assigned at birth. Malawi's regional and international human rights obligations also require equality of human rights protection. In 2015, at its second review before the United Nations Universal Periodic Review, Malawi unprecedentedly conceded to protect LGBT+ persons from violence and guarantee their effective access to HIV services. However, it continues to reject all calls to repeal anti-gay laws.

Sex workers routinely face abuse and wrongful arrest by police leaving them vulnerable to violence, because they can't rely on police assistance when their clients assault them. In fact, police have wrongly arrested sex workers using the 'rogue and vagabond law', which allows them

engaging in illegal or disorderly activity or under section 146 of the penal code, which prohibits someone from living on money made through prostitution. In 2016, local advocacy organisations appealed the convictions of 19 sex workers for living on the earnings of prostitution, and in January 2017, the rogue and vagabond law was declared unconstitutional and invalid.

The story below, from the Centre for the Development of People (CEDEP), speaks to the value add of REAct's holistic approach to their work. CEDEP's mission is to protect and defend the rights of sexual minority and other vulnerable populations in Malawi.

The way the REAct programme has been designed and planned is unique. The approach is holistic to meet both the needs of the victim, and the REActor assisting them. REAct focuses not only on documentation of the human rights violations, but also on providing emergency support, such as referrals to access health or justice services, and social support in the form of basic needs



such as food, shelter and transport. Support for the REActors themselves took the form of training in documentation of human rights violations, as well as trauma support as well as learning from other countries and organisations through the Linking and Learning Exchanges.

The programme has increased the levels of reporting cases of human rights abuses by community members as they are aware that they will be heard and supported with referrals to access justice and health services. The increase in case evidence has informed advocacy work to create an enabling environment for the affected community members in Malawi to demand justice.

EVIDENCE-BASED ADVOCACY WORKS

In Zimbabwe, laws passed in 2006 criminalise any actions perceived as 'homosexual', i.e. it can be a criminal offense for two people of the same sex to hold hands, hug, or kiss. The 'sexual deviancy' law states that sodomy is any "act involving contact between two males

that would be regarded by a reasonable person as an indecent act" punishable by up to 1 year of imprisonment and/or a fine.

Sex work and related acts, including solicitation, procuring, and keeping a brothel, are illegal but thriving. Police can arrest any woman walking (in the streets) after 7pm.

Gays and Lesbians of Zimbabwe (GALZ) is a membership-based organisation that promotes the rights of the LGBT+ community as equal citizens. Here they share their recent experiences engaging in advocacy to promote LGBT+ rights.

GALZ has been existence for the past 28 years and has often been subject to raids and abuse from state machinery in that time because of its support for the LGBT+ community. The former President, Mugabe, was known for his hard stance on the LGBT+ community, at one point referring to them as "worse than pigs and

dogs". It is not surprising then that most members of the LGBT+ community choose to be in the closet, fearing the police and laws against homosexuality. The LGBT+ community has long been victims of verbal attack from the Zimbabwe African National Union - Patriotic Front (ZANU PF), particularly at the party's rallies and during the election campaign in 2013, where they spoke against the LGBT+ community. It is against this background, prior to the 2018 harmonised elections, that GALZ chose to engage all political parties.

GALZ wrote and sent 22 letters to different parties during the pre-election period, requesting different manifestos from the political parties and information on their plans for the LGBT+ community. GALZ also asked for protection of the LGBT+ community pre and post elections.

The ruling party was the only political party who contacted GALZ to request a meeting to discuss the

letter. The then Home Affairs minister announced to the media that they were going to host GALZ, saying that, as a party, ZANU PF is welcoming everyone; unlike the previous government. The GALZ programme manager and two other team members attended the meeting with ZANU PF senior party members, including the war veterans' leadership. During the meeting, ZANU PF expressed its willingness to treat all Zimbabweans with dignity and without stigma and discrimination.

Most people were shocked by the new stance of the ruling party, since it used to speak so strongly against the LGBT+ community. REAct played an important role in this development since two of the organisation's officers are REActors who were able to collect evidence of stigma and discrimination, unfair treatment practices in hospitals and human rights violations which were then raised by the team to ZANU PF.



TOLERANCE AND AN OPEN HEART LEADS TO ACCEPTANCE


Both female and male same-sex, sexual acts are illegal in Botswana with penalties of up to 7 years imprisonment. However, in recent years, the LGBT+ community has become more visible and accepted among Botswana's population. The country's courts have also issued two landmark pro-LGBT+ human rights rulings: one ordering the Government to register Botswana's main LGBT+ organisation and another recognising a transgender person's constitutional right to change their legal gender.

Health Empowerment Rights (HER) works to amplify the voices of marginalised women (lesbian, bisexual, women living with HIV, trans-diverse, women who have sex with women and young feminists) in Botswana. Here they share their experiences of working on issues of faith and sexuality.

"...Marginalisation starts with realising the 'otherness' of people, then comes exclusion, judgement, etc. If we start to understand the 'otherness' of people we learn to tolerate and open the heart, this leads to acceptance..."

Change is something that we all know does not happen overnight. As they say, Rome was not built in a day. Our religious leaders have mentioned that most LGBT+ community members face discrimination and the unfriendly attitudes that service providers have towards the transgender and gender-diverse community in our country. This is one aspect that is very crucial for our community, even though most of them do not go out and seek assistance and help.

Throughout most of church history, there has been a deeply rooted belief that same sex relationships are incompatible with a Christian lifestyle. Lately, the broader community has become more aware of homosexual, bisexual and transgender life. Given most



of our victims/survivors are Christians and grew up knowing church heals them, it's where they go to cry, to laugh, to sing, to praise, to be loved and where they get their sense of belonging, it was felt necessary to have a meeting with religious leaders to seek inclusion for all LGBT+ persons in churches. We also wanted religious leaders to tell us how to work together and a way forward.

In the subsequent workshop we had with religious leaders, we unpacked the acronym 'LGBTI' by introducing the binary box. To our surprise, they thanked us and some emphasised that it makes it a lot easier to understand the difference between sex ,sexuality and gender. They also said it makes easier to accept homosexuals and transgender people because often the reason why most have a problem with acceptance is because they don't know or understand. Quotes from different participants included:

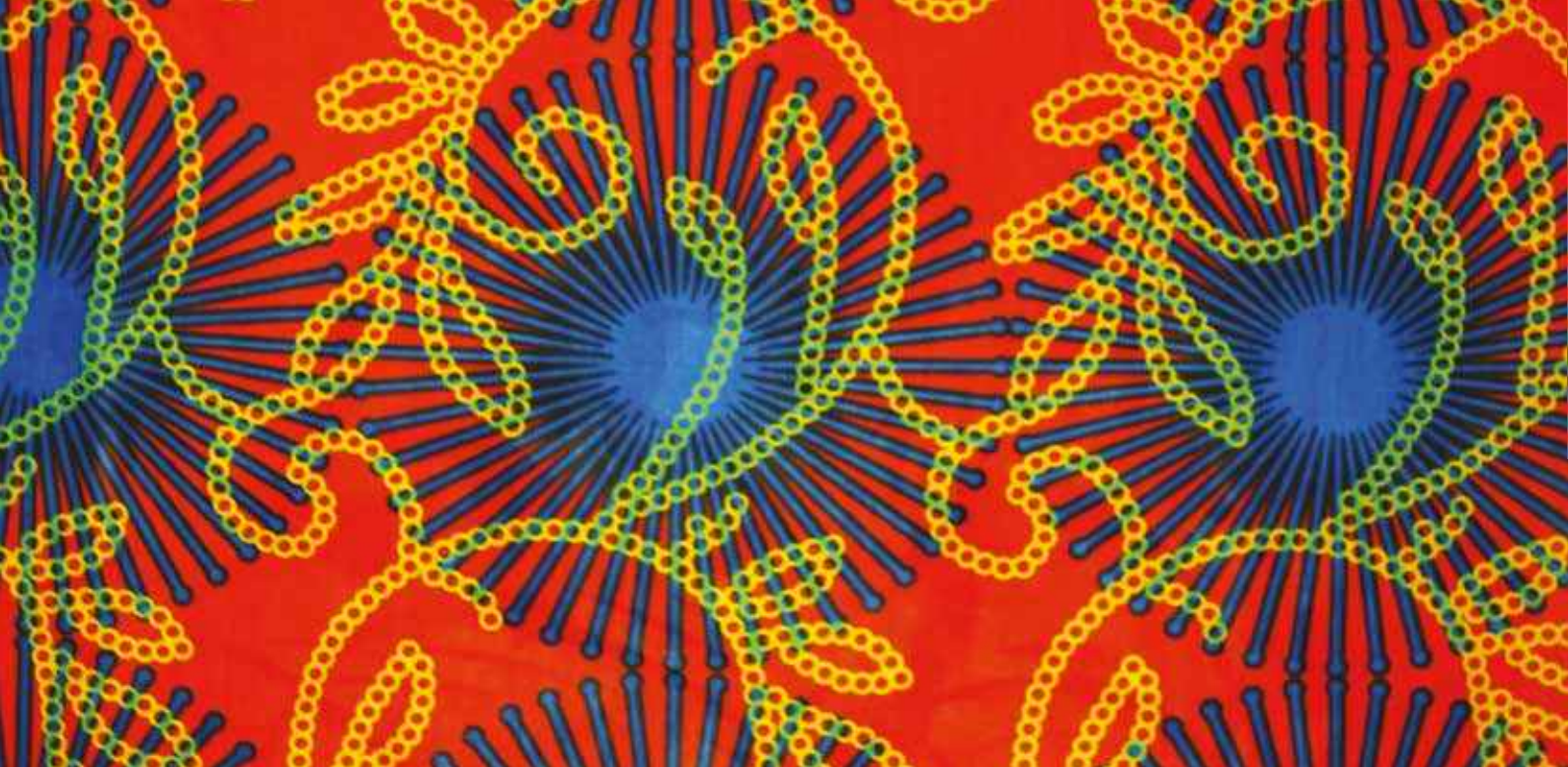
"... The first step is to meet people on where they are in their journey, education and life-stories is very important..."

"...your organisations should be able to connect with leaders who are willing to help, and also help your organisations build and engage in dialogue with different church fraternities..."

After the meeting, it was agreed that all Botswana Council of Churches (BCC) members should stop stigmatising and discriminating LGBT+ members of church. We were asked to encourage HER members to report such acts to the Leaders of BCC, "because church is open to everyone".

PERSONALISATION IN ACTION

Sodomy is a common-law crime in Swaziland, with no other legislation recognising LGBT+ persons or protecting the right to a non-heterosexual orientation and gender identity. Same-sex couples cannot marry or adopt children. There are high levels of discrimination against the LGBT+ community resulting in many LGBT+ persons concealing their sexual orientation, yet often, they are 'outed by family members. Sex work is illegal.



Trans Swati shares a story about the challenges of 'coming out' as trans to families and the ripple effects that can have into the community in terms of acceptance.

There has been an ongoing battle between a trans woman and her mother, who tells her that being transgender puts a bad picture for the family and herself in the community. The mother has always known her child is transgender as she says she grabbed dolls and all the 'girly stuff' the moment she started walking as a child. They both have had a good relationship, but the mother has been questioned by her community as to why she would let her child be this way. This puts pressure on her which she then put back on her daughter.

The transwoman, being a REActor, finally spoke up to both parents about the kind of work she does and who she is. This is a clear indication example of how the REAct process supports transformation within REActors themselves, prompting them to sensitise within their families. These talks have led to the mother better understanding her daughter's plight, and she is now able to stand up for her child. This has brought peace within the family, which extends to the whole community. This transwoman is an example of change which enables her work to be done with ease. She has also been used by the Ministry of Health in most sensitisation programmes, which is a sign of progress in the ESwatini community.

FINAL REFLECTIONS

FROM PARTNERS

REActor feedback on the programme and partnership with PV has been positive, with the majority of surveyed REActors indicating they were either 'very satisfied' (44%) or 'satisfied' (48%) with the REAct documentation process and tools, and that they found PV was a 'supportive' (72%) partner.

The value of REAct as a human rights violation monitoring tool to gather evidence for advocacy and programming initiatives can clearly be seen in the stories and anecdotes shared throughout this report, and this impact is felt at an individual level, as well as organisational, and community. This is further seen in the commitment from partners expressed during the last LLEs in 2018 to continue documenting, identifying perpetrators, referring survivors to services, and using the evidence to inform their advocacy work and programming.

"[REAct] gave me a very clear understanding on Human rights violations in relation to promoting, respecting and protecting our human rights."

"People were more open and encouraged to speak about violations because of the help that came with the REAct programme."

"It has helped me to be able to be voice of the voiceless in relation to respond to Key Populations' Human Rights violations."

FROM PV

The first eighteen months of implementation had a heavy focus on set up, training and ironing out processes and systems, laying a solid foundation for the actual delivery of REAct (supporting clients through the documentation process but more importantly, directing them to services and emergency assistance) in the remaining eighteen months of the programme. It has been very positive to see such important data gathered across the region, which is starting to be used for evidence-based programming and advocacy action plans (examples of which have been shared in this report), in collaboration with country-based partners and services, and regional KP networks.

The funding limitations, such as the exclusion of the original human rights programming funding support component in the KP REACH design made it very challenging to take the advocacy and programme initiatives forward; the emergency fund simply wasn't enough. This has highlighted how important supportive resources are, as REAct cannot be implemented as a standalone programme; it is a methodology of collecting data. However, this makes the way it was implemented—adaptation to the Southern African context; REActor capacity development, including addition of PV methods such as trauma support; the Director engagement; and the linking and learning exchanges—a solid foundation for the REActors and partner organisations hosting them to continue implementing the tool and using it to inform their work in their context.

SOURCES:

- 1) http://theotherfoundation.org/wp-content/uploads/2017/02/Canaries_Zambia.pdf
- 2) <http://spl.ids.ac.uk/sexworklaw/countries>
- 3) <http://www.barefootguide.org/stories-of-change.html>
- 4) <http://spl.ids.ac.uk/sexworklaw/countries>
- 5) Wikipedia and <https://hrcessex.wordpress.com/2017/04/26/why-malawi-is-not-currently-repealing-anti-gay-laws/>
- 6) https://www.huffingtonpost.com/entry/protecting-malawi-sex-workers-from-police_us_598f2a5ce4b08a247274a7c8



