

MAPPING ANTI-DISCRIMINATION PROTECTIONS FOR SEXUALITY, GENDER IDENTITY, AND HIV STATUS IN SUB-SAHARAN AFRICA

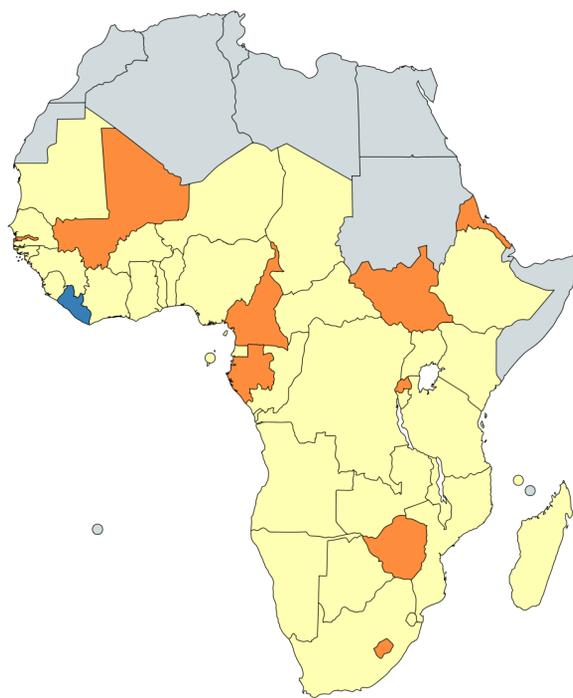
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BACKGROUND

HIV disproportionately affects key and vulnerable populations, and people living with HIV experience several forms of discrimination including on the basis of sexual orientation, gender identity and HIV status that interact to negatively impact HIV outcomes. Given the pervasive nature of stigma and discrimination against marginalized communities even in countries where sexual orientation or gender identity are not criminalized, anti-discriminatory laws are important to protect communities from legal, social and economic marginalization. The second “10” of UNAIDS 10-10-10 targets aims to achieve, by 2025, less than 10% of key populations and people living with HIV experiencing stigma and discrimination. Here, we assess the state of national non-discrimination protection policies in social and work spheres that have been instituted in Eastern and Southern African (ESA) and Western and Central African (WCA) countries.

METHODS

The HIV Policy Lab gathers, summarizes, and visualizes 33 key evidence-based HIV-related policies across 194 countries, and benchmarks national laws and policies against global recommendations set out by multilateral organizations such as UNAIDS and WHO, and that are also in line with ‘Not a Criminal Campaign’ launched by GNP+ among others to inform the alignment of national laws with global recommendations. Using this data, we analyze the proportion of countries in the African region with legally enshrined protections on the basis of sexual orientation, gender identity, and HIV status. Countries that have provisions in national law protecting all three traits are categorized as “adopted”. Countries with protective provisions on at least one of the three traits are considered as “partially adopted”. Countries that do not have protections on any of these traits are categorized as “not adopted”.



■ Adopted
■ Not adopted
■ Partially adopted

CONCLUSION

Most countries in the sub-Saharan African region are out of step with UNAIDS recommendations. Rights affirming laws that outlaw discrimination preserve the social fabric, remove structural barriers and improve HIV outcomes.

RESULTS

Preliminary analysis indicates that worldwide only 25% of Eastern and Southern African (ESA) and West and Central African (WCA) countries have national laws and policies that protect persons from discrimination on the basis of sexual orientation, gender identity, and HIV status. Of the 46 countries in the ESA and WCA region, 10 countries have fully adopted, 28 have partially adopted, and 8 countries have not adopted provisions in their legislations that offer protections on the basis of sexual orientation, gender identity, and HIV status. Of the countries that have partially adopted protections, 4 countries have protections on the basis of sexuality, 8 countries have protections on the basis of gender identity, and 26 countries have provisions made on the basis of HIV status.

Countries	Sexual Orientation	Gender Identity	HIV Status	Final coding
Angola	Not adopted	Not adopted	Adopted	Not adopted
Benin	Not adopted	Not adopted	Adopted	Not adopted
Botswana	Adopted	Adopted	Adopted	Adopted
Burkina Faso	Not adopted	Not adopted	Adopted	Not adopted
Burundi	Not adopted	Not adopted	Adopted	Not adopted
Cameroon	Not adopted	Not adopted	Adopted	Not adopted
Cape Verde	Adopted	Adopted	Adopted	Adopted
Central African Republic	Not adopted	Not adopted	Adopted	Not adopted
Chad	Not adopted	Not adopted	Adopted	Not adopted
Comoros	Not adopted	Not adopted	Adopted	Not adopted
Côte d'Ivoire	Not adopted	Not adopted	Adopted	Not adopted
Dem. Rep. Congo	Not adopted	Not adopted	Adopted	Not adopted
Equatorial Guinea	Not adopted	Not adopted	Adopted	Not adopted
Eritrea	Not adopted	Not adopted	Adopted	Not adopted
Ethiopia	Not adopted	Not adopted	Adopted	Not adopted
Gabon	Not adopted	Not adopted	Adopted	Not adopted
Gambia	Not adopted	Not adopted	Adopted	Not adopted
Ghana	Not adopted	Not adopted	Adopted	Not adopted
Guinea	Not adopted	Not adopted	Adopted	Not adopted
Guinea-Bissau	Not adopted	Not adopted	Adopted	Not adopted
Kenya	Not adopted	Not adopted	Adopted	Not adopted
Lesotho	Not adopted	Not adopted	Adopted	Not adopted
Liberia	Adopted	Adopted	Adopted	Adopted
Madagascar	Not adopted	Not adopted	Adopted	Not adopted
Malawi	Not adopted	Not adopted	Adopted	Not adopted
Mali	Not adopted	Not adopted	Adopted	Not adopted
Mauritania	Not adopted	Not adopted	Adopted	Not adopted
Mauritius	Adopted	Adopted	Adopted	Adopted
Mozambique	Not adopted	Not adopted	Adopted	Not adopted
Namibia	Not adopted	Not adopted	Adopted	Not adopted
Niger	Not adopted	Not adopted	Adopted	Not adopted
Nigeria	Not adopted	Not adopted	Adopted	Not adopted
Republic of Congo	Not adopted	Not adopted	Adopted	Not adopted
Rwanda	Not adopted	Not adopted	Adopted	Not adopted
Senegal	Not adopted	Not adopted	Adopted	Not adopted
Seychelles	Adopted	Adopted	Adopted	Adopted
Sierra Leone	Not adopted	Not adopted	Adopted	Not adopted
South Africa	Adopted	Adopted	Adopted	Adopted
South Sudan	Not adopted	Not adopted	Adopted	Not adopted
Swaziland	Not adopted	Not adopted	Adopted	Not adopted
São Tomé and Príncipe	Adopted	Adopted	Adopted	Adopted
Tanzania	Not adopted	Not adopted	Adopted	Not adopted
Togo	Not adopted	Not adopted	Adopted	Not adopted
Uganda	Not adopted	Not adopted	Adopted	Not adopted
Zambia	Not adopted	Not adopted	Adopted	Not adopted
Zimbabwe	Not adopted	Not adopted	Adopted	Not adopted

