



JUSTICE AND PROTECTION FOR ALL

INTERNATIONAL DAY AGAINST HOMOPHOBIA, TRANSPHOBIA AND BIPHOBIA, 17 MAY 2019

Around the world, Lesbian, Gay, Bisexual, and Transgender people are denied access to HIV prevention and treatment simply because of who they are. This briefing highlights how we tackle human rights violations and discrimination, as well as what governments can do to prevent it.

THE STATISTICS

GLOBAL LGBT RIGHTS

- **70 UN member states** still criminalise homosexuality.ⁱ
- **45 countries** outlaw sexual relationships between women.ⁱⁱ
- **9 countries** impose the death penalty upon LGBT people.ⁱⁱⁱ
- **Only 42 states** actively protect against hate crimes based on sexual orientation.^{iv}

IMPACT ON HIV AND AIDS

- Globally, men who have sex with other men (MSM) are **28 times more likely** to contract HIV than the general population.^v
- An estimated **10% of all new infections** each year occur amongst MSM.^{vi}
- Transgender people are **49 times more likely to be living with HIV** compared to the general population.^{vii}

DISCRIMINATION = INCREASED RATES OF HIV

How a lack of justice and protection can lead to increased rates of HIV

HIV is still a heavily stigmatised epidemic – and overlapping social, legal and economic discrimination makes LGBT people significantly more vulnerable to infection, and inhibits their access to effective HIV treatment and care.

LGBT communities across the world face unprecedented exclusion and violence. They are often rejected by friends and family, may engage in sex work to earn a living, and encounter discrimination when accessing basic goods and services (including specialised health care and education).

Laws which discriminate, stigmatise and/or criminalise LGBT communities globally can prevent people from accessing appropriate HIV information and services. Additionally, LGBT people are more likely to be excluded from housing and employment opportunities and a lack of legal protection is often a driver to increasing migration which can further heighten a person's vulnerability to acquiring HIV.

As a result, HIV proliferates within these communities and the path to prevention, treatment and care remains inaccessible to most. Many LGBT people unknowingly live with HIV or are diagnosed too late, when HIV is hardest to treat. Furthermore, the provision of HIV services specific to the requirements of LGBT people remains inadequate in many countries, and where it does exist, most programmes focus on medical interventions without sufficiently considering the surrounding stigma and human rights issues.

DEFENDING AGAINST HUMAN RIGHTS VIOLATIONS: THE RAPID RESPONSE FUND

Crisis support for LGBT human rights defenders

Frontline AIDS is dedicated to challenging harmful systems and practices in the long term, and tackling the root causes of the HIV epidemic, which take time. But we also realise there are urgent situations that need our support now. One way we do this is through the Rapid Response Fund (the RRF). Funded by the Elton John AIDS Foundation, the RRF is the only fund in the world that provides emergency support to grassroots LGBT communities who are vulnerable to HIV. We provide crisis funds to LGBT organisations across Africa and the Caribbean, aimed at mitigating immediate threats to LGBT people, (providing food, shelter, post-violence psychosocial support or urgent HIV medication). We also challenging new or worsening situations which are urgent but where actions may take a number of months. For example, engaging the local government to respond to legal, political or social barriers or a possible change in the law.

CASE STUDY: JUSTICE

Supporting Kenya's civil society to challenge discriminatory laws and practices

Between 2010 and 2014, close to 600 men in Kenya were charged with having 'carnal knowledge against the order of nature and indecent acts between adults'. Kenya's National Gay and Lesbian Human Rights Commission (NGLHRC) is now challenging this and other discriminatory laws. For instance, in March 2018, with Rapid Response Fund support, NGLHRC successfully challenged the practice of forced anal examinations on people who are accused of same-sex relations.



CASE STUDY: PROTECTION

Supporting Jamaica's homeless transgender community

Sasha was disowned by her parents at a young age for being a trans woman, and had no option but to live in one of Kingston's underground storm drains, where many of the city's homeless transgender women resort to living for their safety. During her time selling sex to afford basic essentials, Sasha contracted HIV, and was routinely assaulted, including one attack in which she was stabbed six times by a group of men. After seven years of living in the storm drain, the Larry Chang Foundation began working with Sasha, and requested a grant from the Rapid Response Fund to cover her HIV treatment, and 12 months of her living costs in one of its safe homes.

RECOMMENDATIONS FOR STATES

- Introduce **comprehensive anti-discrimination legislation** in line with international human rights standards and norms.
- **Minimise structural barriers** that restrict the rights of LGBT communities in order to prevent their forced migration.
- **Provide emergency funding** to the LGBT community, for interventions that respond to new or regressive human rights situations.
- Encourage and support communities to **challenge discriminatory laws and policies**, which criminalise same sex relations, or/or gender identity.
- Provide **legal aid services and human rights monitoring**, which support a 'community empowerment' approach to decriminalisation.

RECOMMENDATIONS FOR THE UK GOVERNMENT



- **Create clear guidelines for UK missions in Commonwealth countries** to encourage reform and/or repeal laws which restrict or criminalise LGBT people.
- Lead as a **global advocate for all governments** to reliably and responsibly collect disaggregated data and research on LGBT populations, in order to better inform national LGBT programmes.
- **Engage LGBT communities in** design and implementation of HIV programmes and policies, and ensure their voices are heard.
- Ensure the principle of **'Leave no one behind'** in the Agenda 2030 prioritises LGBT populations and the specific issues faced by them

WHO WE ARE

Frontline AIDS wants a future free from AIDS for everyone, everywhere. Around the world, millions of people are denied HIV prevention, testing, treatment and care simply because of who they are and where they live.

As a result, almost 2 million were infected with HIV in 2017 and almost 1 million died of AIDS-related illness.

Together with partners on the frontline, we work to break down the social, political and legal barriers that marginalised people face, and innovate to create a future free from AIDS.

Please visit [our website](#) to learn more.

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