

BARELY SURVIVING: REPORT

Barely Surviving

Day-to-Day Experiences
of Sexual and Gender
Minority Migrants in
South Africa

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ABOUT

Since 1996, South Africa's constitutional guarantees of nondiscrimination on the basis of gender and sexual orientation have attracted sexual and gender minority (SGM) individuals from at least 30 African countries.¹ Many of these countries criminalize same-sex sexual behavior and expose SGM to systematic human rights violations, such as stigma and discrimination, violence and victimization, and forced concealment of sexual orientation. There are more than 4 million migrants in South Africa,¹ and although official figures do not exist, human rights reports indicate that significant numbers of SGM people from across the African continent flee to South Africa to start a new life where they can live freely and openly.

In June 2019, two researchers from the United States partnered with PASSOP to conduct a study to examine the experiences and to understand the needs of SGM migrants in Cape Town. Focus groups that began in the morning and continued in the afternoon (for a total of 5 hours) were conducted with 30 participants, across 6 groups. Participants were between the ages 21 and 42 ($M = 29.57$), and 27 participants reported that they lived in South Africa between 6 months and 17 years ($Mdn = 6$ years). (Three participants did not report how long they had lived in South Africa). Fourteen participants identified as gay men, 2 as bisexual men, 1 as a queer man, 1 as a queer bigender person, 1 as a gay gender nonconforming person, 3 as gay women, 2 as lesbian women, 1 as a woman who loves woman, 3 as gay transwomen, 1 as a bisexual transwoman, and 1 as a transwoman (sexual orientation was not reported). Participants' countries of origin included Burundi, Democratic Republic of Congo, Lesotho, Malawi, Tanzania, Uganda, and Zimbabwe. Below we discuss the findings that from the focus group data.



**FOCUS GROUPS
WERE CONDUCTED
WITH 30
PARTICIPANTS
ACROSS 6 GROUPS**

KEY FINDINGS

1 Almost all study participants migrated to South Africa to escape abuse, violence, and stigma and discrimination related to their sexual and gender identities. Participants reported experiences including:

- Abuse and/or rejection by family members;
- Harassment, physical, and sexual violence;
- Forced heterosexual marriage;
- Shunning;
- Religious exorcism rites designed to “cast out the demon” that was purportedly making them gay.

2 While most participants migrated to South Africa to primarily escape persecution due to their SGM identities, some acknowledged also migrating for economic opportunities, or to escape war and political strife.

3 The majority of participants were undocumented when they arrived in South Africa, and 80% were still undocumented at the time of the study, including a participant who had migrated to South Africa at a young age. Six participants had some type of protected status (a work permit, permanent residency, or refugee/asylee status). Precarious immigration status led to:

- Significant difficulties finding housing and securing employment;
- Going without food for days and chronic food insecurity;
- Living in unsafe accommodations in the townships due to lack of financial resources and, prejudice by some landlords against foreigners.

These hardships continued over time, with some reporting that the freedom to live authentically in South Africa came with a price—they oftentimes gave up their freedom to choose a life they wanted or risk extreme poverty.

4 Participants, who most likely qualified for protected status under the laws of asylum, experienced major difficulties navigating asylum processes in South Africa. They reported:

- Long waits, confusion about asylum requirements and what was needed to actually apply;
- Logistical and practical barriers (e.g., not having money to travel to government offices in Johannesburg where one must apply for asylum; lacking funds for legal representation).
- Feelings of helplessness and hopelessness.

Many of these participants gave up on the asylum application process altogether. This meant that they were relegated to living in the shadows, with few, if any, opportunities to create the lives they had dreamed about when they left their countries of origin.

KEY FINDINGS

- 5** Participants reported day-to-day victimization experiences, frequently precipitated by intersecting identities. For example, participants experienced:
- Stigma and discrimination from the mainstream community because they were sexual and gender minorities, and foreigners, and undocumented;
 - Feeling unwelcome by other migrants from their countries of origin because of prevailing negative attitudes towards sexual and gender minorities;
 - Isolation, alienation, and loneliness.

These multiple forms of stigma and discrimination negatively affected participants' ability to develop social networks that might have helped them locate safe housing and steady employment, and establish a sense of belonging and connection.

- 6** In order to survive in South Africa, almost all participants engaged in transactional sex (i.e., exchanging sex for money or other material goods). Doing so left them vulnerable to:
- Exploitation and violence, HIV and other sexually transmitted infections, and a reactivation of psychological trauma precipitated by experiences of abuse in their countries of origin;
 - Coerced unprotected sex or illicit drug use in order to complete the transaction and secure the promised money, when partners threaten to withdraw the offer of money and find someone else to meet those demands.

- 7** Participants reported that they would benefit greatly from legal, social, health, and mental health services to help them cope with the myriad of challenges that they experienced. However, they reported that few services existed in Cape Town.

Support groups, mental health care, housing, and employment services have been shown to be important for assisting SGM newcomers in adjusting and integrating into host communities. However, with limited resources in South Africa and broken family ties, participants were left to fend for themselves in an environment that could be hostile and unwelcoming, especially to foreigners.



BARELY SURVIVING: BRIEF

The Details

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PURPOSE

1

To educate immigration and refugee services personnel, NGO staff, and policy makers about the risks, vulnerabilities, and distinct challenges faced by SGM migrants in Cape Town, South Africa.

2

To provide evidence-based recommendations for policies, programmes, and best practices for working with SGM migrants in Cape Town.



**PURPOSE AND
FOCUS OF THIS
BRIEF**

KEY CHALLENGES



1. Meeting basic needs (food, housing, and employment).
2. Managing stigma and discrimination, including violence victimization, based on multiple, marginalized identities (sexual and gender minority, 'foreigner,' undocumented status, race/ethnicity, religion, socioeconomic status).
3. Facing major challenges navigating the asylum process in South Africa, including long waits, complicated administrative procedures, and practical and logistical barriers (e.g., lack of money to travel to asylum office).
4. Experiencing isolation, loneliness, and alienation (rejected by co-ethnic migrant communities in South Africa; marginalized by South African LGBTQ community).
5. Encountering lack of opportunities to participate in the mainstream economy, leading to survival sex, sex work, or low wage, temporary, 'off-the-books' employment.
6. Lacking access to essential health, mental health, legal, and social services, as well as a lack of information about how to effectively navigate the asylum process, denying SGM migrants the basic human right of applying for safety and protection in South Africa.

RESILIENCE AND STRENGTHS

OF SEXUAL AND GENDER MINORITY MIGRANTS



- 1** Determination to live in a free society, despite multiple losses and sacrifices.
- 2** Desire to achieve self-sufficiency and contribute to their new society.
- 3** Commitment to helping other SGM individuals in their countries of origin.
- 4** Creativity, talent, and openness to learning and personal development.
- 5** Capacity to create chosen family networks.

Artwork by Linda:
"This is home. A place that I will never, never even go back... And to the river, a frog inside, so that means I forgot everything. That I am here, but in my happy place."

RECOMMENDED BEST PRACTICES

1

SGM Migrants need access to stable, safe housing; secure and reliable sources of healthy food; language classes; education/job training; and, employment - free from harassment, exploitation, and discrimination



GOALS AND STRATEGIES

Goals

Ensure SGM migrants have access to permanent housing in safer areas.

Increase availability of consistent sources of quality nutrition.

Expand opportunities for safe education and training.

Enhance access to sources of employment that utilize fair hiring practices.

Strategies

- Advocate for the creation of low-income housing in safer areas.
- Develop relationships with landlords willing to accept SGM migrant tenants.
- Create financial assistance programmes for SGM migrants to increase the affordability of better housing options.
- Advocate for the creation of food assistance programmes that do not exclude undocumented migrants.
- Develop relationships with food providers (particularly restaurants, religious groups, food banks) willing to engage in low-cost or free meal programmes that are inclusive of undocumented migrants.
- Give financial assistance (cash or vouchers) to SGM migrants, to support access to food.
- Advocate for the development of nondiscrimination policies in the educational sector.
- Develop relationships with SGM- affirming educators who are willing to work with undocumented migrants.
- Advocate for the expansion of the Employment Equity Act to include protections for SGM, migrant, and undocumented individuals.
- Develop connections with employers willing to hire SGM migrants, including those who are undocumented.

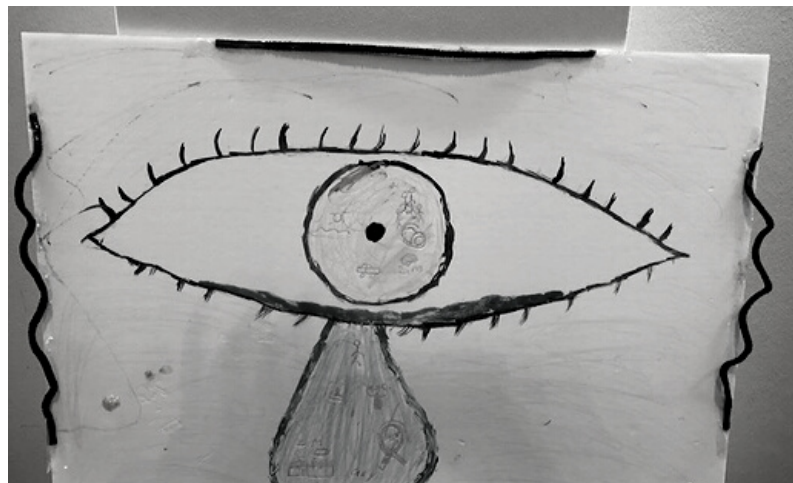
RECOMMENDED BEST PRACTICES

2

Immigration policies should take into account the barriers in place for SGM migrants to apply for permanent asylum in South Africa and enact procedures to ensure asylum officers are trained in the particular needs of SGM applicants

Artwork by Shelton:

"It's my eye and then, if you look close there, are the things that I am looking forward to in my life. Marriage, a family, a car, and this is [my country of origin] where gays are allowed...I've had to cry. I've had to cross the border to come into South Africa, leaving my family behind."



GOALS AND STRATEGIES

Goals

Enhance the comprehensibility of the asylum application process.

Improve physical access to asylum office locations.

Increase opportunities for legal representation.

Educate asylum officers on culturally competent practices when working with SGM migrants.

Strategies

- Disseminate clear guidelines on the requirements for asylum application to migrants, upon first contact with workers involved in the asylum process.
- Ensure guidelines are available in all of the languages most commonly spoken by migrants in South Africa.
- Advocate for the use of publicly provided professional counselors and translators to guide applicants through the application process.
- Advocate for the creation of public transportation/temporary lodging programmes for asylum applicants to travel to and from asylum offices.
- Provide travel and lodging vouchers to asylum applicants who must travel to Johannesburg office.
- Advocate for re-opening a Cape Town office for asylum claims.
- Support the extension of South Africa's public defender system to include work with asylum applicants.
- Develop financial assistance programmes to allow migrants to access paid legal representation.
- Conduct systematic training to give workers a better understanding of the specific challenges SGM migrants commonly face, prior to and upon arriving in South Africa.
- Provide asylum officers with foundational training on sexual orientation and gender identity.

RECOMMENDED BEST PRACTICES

3

SGM migrants require health education about preventing and/or treating HIV, as well as information about safe sex practices

Artwork by Jay (study participant):
"The guy [kicking] represents the society where I come from and this guy [with handbag] represents myself ... I wanted people to understand how we are treated... this guy [with handbag] is just being himself, the other is raising his leg to kick him, but he doesn't care ..."



GOALS AND STRATEGIES

Goals

Educate SGM migrants on safer sex practices.

Disseminate specific information on HIV prevention and treatment to SGM migrants.

Strategies

- Encourage the creation of free public classes on safer sex practices.
 - Ensure organizations that commonly work with SGM migrants make information on safer sex practices readily available.
 - Engage in public awareness campaigns on safer sex practices, emphasizing media likely to be visible to SGM migrants.
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- Develop free education programmes focusing on the nuances of HIV prevention and treatment, including information on PrEP.
 - Make targeted information on HIV-related topics available at organizations serving SGM migrants.
 - Include HIV prevention and treatment in broader public awareness campaigns for sexual health.

RECOMMENDED BEST PRACTICES

4

SGM migrants may benefit from specialized mental health and psychosocial support from trained professionals and/or peer support workers to help manage day-to-day discrimination combined with lingering emotional challenges triggered by past traumas, loss of family and home, and current instability and uncertainty.



GOALS AND STRATEGIES

Goals

Improve the ability of SGM migrants to access culturally competent professional service providers.

Increase the availability of peer support services.

Strategies

- Advocate for expanding training requirements for mental health and health care professionals to include education on the needs of SGM migrants.
- Create professional development programmes to train established professionals on the specific issues faced by SGM migrants.
- Develop relationships with providers demonstrating culturally competent care when working with SGM migrants.
- Encourage professionals and organizations who work with SGM migrants to develop professional or peer-led group support programmes.
- Develop relationships with existing services that connect SGM migrants with each other for support.



SUMMARY

Our study suggests that SGM migrants in South Africa often face dire circumstances. Separated from families and communities and lacking emotional and practical support in their chosen homeland, SGM migrants in South Africa may find themselves in a day-to-day struggle to survive. Without a clear path to asylum claims and, ultimately, South African citizenship, SGM migrants live in limbo, unable to see a way forward to support themselves and contribute to their new society.

"LEFT UNADDRESSED, THESE RISKS NOT ONLY NEGATIVELY IMPACT SGM MIGRANTS' WELFARE, BUT COULD ALSO IMPACT THE COUNTRY AS A WHOLE."

Although they appreciate the chance to live authentically in South Africa, without legal immigration status or steady employment, they may face major difficulties making ends meet. This means that they may have little choice but to accept survival strategies that could jeopardize their health and well-being. While adaptive in the short-term, survival strategies such as transactional sex places SGM migrants at increased risk of exploitation, violence and victimization, and health conditions such as HIV. Left unaddressed, these risks not only negatively impact SGM migrants' welfare, but could also impact the country as a whole.

Findings in this report underscore the need for establishing/expanding programmes for SGM migrants in South Africa that provide medical care, social services and psychological counselling, and prevention/or treatment of HIV. Furthermore, the findings support actions to reduce and eliminate the multiple barriers SGM migrants face in seeking asylum in South Africa. Such supports and actions could enable eligible SGM migrants to pursue a pathway to citizenship -- with the ability to make their own choices and take control of their lives -- and become productive members of society.



REFERENCES

1. Mendos, L. R. & International Lesbian, Gay, Bisexual, Trans and Intersex Association [ILGA](2019). State-sponsored homophobia 2019. Geneva, Switzerland: ILGA.