



I N I N G I Z I M U A F R I K A

“Sizokukhombisa ukuthi Ungowesimame”

Udlame kanye NoBandlululo koNgqingili AbaMnyama abangabesimame ‘lesbians’ kanye Nabelilisa Abazikamela Eyabo iNdlela ngokuKhombisa Ubulili eNingizimu Afrika

H U M A N
R I G H T S
W A T C H



“Sizokukhombisa ukuthi Ungowemame”

UDlame kanye noBandlululo nokuCaswa ngoBulili UBandlululo

KoNgqingili AbaMnyama Abangabesimame kanye

Nabesilisa Abazikamela eyabo indlela ngokukhombisa

ubulili eNingizimu Afrika

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“Sizokukhombisa ukuthi Ungowesimame”

Ukuhlukumeza kanye NoBandlululo koNgqingili AbaMnyama ‘Lesbians’
kanye Nendlela Abanye Abantu Besilisa Abakhombisa Ngabo Ubulili
eNingizimu Afrika

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UHlu Lwamagama

UBulili ngokwe-Bhiyoloji: Ukwehlukwaniswa kwemizimba ngokwehlelwa kwe-bhiyoloji ukwahlukaniswa kwemizimba njengokuthi owesifazane noma owesilisa, okwasekwe umumo wezitho zomzimba ezibonakalayo zobulili, kanye nezitho zomzimba ezingabonakaliyo zokuzala, ama-hormone, kanye nama-chromosomes.

Abantu abashintsha ubulili ngokuthanda: Umuntu oba nesifiso sokuthandana kanye nothanda ukuba nobudlelwano ngokocansi ngekufanayo kwabesimame kanye nabesilisa.

Abantu AbaMnyama: Kulo mbiko sisebenzisa igama “abantu abamnyama” ukukhoma abantu abamnyama baseAfrika.

Onjengowesilisa ‘Butch’: Ukuzikhombisa ngokobulili ukuthi ungowesilisa; igama elijwayelekile kongqingili ‘lesbian’ kanye nemiphakathi ezikamela eyayo imingcele ngokobulili ukuchaza ongqingili ‘lesbians’ abakhombisa ubulili obunjengendoda.

Abafihlayo/: Umuntu ongathandi ukuvuma ukuzizwa kwakhe ngokobulili. Abantu bangazifihla “ngokugcwele” (abangasho ngokuzizwa kwabo ngokobulili kwabanye), abazivezayo ngokuzizwa kwabo ngokobulili, noma abamaphakathi nendawo ngokuzizwa kwabo ngokobulili.

Ungqingili wesiwame ‘l-Femme’: Ukuzikhombisa ubulili njengowesimame; igama elijwayelekile kubantu abanganongqingili ‘lesbian’ kanye nemiphakathi ezikamela eyayo imingcele ukuchaza ongqingili ‘lesbians’ kanye nongqingili ababa abesimame baphinde babe ngabesilisa.

Ungqingili ongowesilisa ‘Gay’: Elinye igama elisho abantu abathanda abantu abafana nobulili babo emhlabeni jikelele; kulombiko, kusetshenziswa ukukhomba indlela abanye abantu abakhombisa ngabo ubulili nendlela yokuzikhombisa ukuthandana kumanye amadoda.

UBulili: Amakhodi osikompilo abantu (angahambisani ngokobulili ngokwe-biological sex) asetshenziswa ukwahlukanisa phakathi kwendlela abantu bebona “owesimame” kanye “nowesilisa.”

Indlela abanye abantu abakhombisa ngabo ubulili: Ubunjalo bomuntu kanye nendlela aziphathat kuchaza umuntu njenge “wesimame,” “ukuba nesimo esikhomba ukuthi umuntu ungowesimame kanye nokuba ngowesilisa,” noma “unjengendoda,” kubalula izinto ezifana nendlela okugqokwa ngayo, ukuziphatha, ukuhlelwa kwezinwele, amaphethini, kanye nondlela abantu benza ngayo kanye nokuxhumana. “Indlela yokugqoka njengowesilisa,” “abazenza abesilisa ngokusezingeni,” kanye “nabazenza abesifazane” izibonelo zezindlela zokuhlukanisa ubulili.

Ukuzikhombisa ngokokubulili: Indlela umuntu azizwa ngayo, ukuzizwa ngokujulile kumuntu ukuthi ungowesimame noma owesilisa, kokubili, noma okunye okungale komuntu wesifazane kanye wesilisa.

Ukuhlukunyezwa okungenxa yendlela yokukhombisa ngokubulili: Ukuhlukunyezwa nabantu abazikamela eyabo imingcele ngokobulili. Ukuhlukunyezwa kungabalulwa ukuhlukunyezwa ngokucansi, ukuhlukunyezwa kwasemakhaya, nokuhlukunyezwa ngokwengqondo, ukusebenzisa abantu ngokwecansi, ukwethusa ngokocansi, imikhuba yamasiko eyingozi, kanye nokubandlulula kubhekiswe kubulili. Amagama achaza ukuhlukumeza abantu besimame kodwa manje kuhlukanisa ukuhlukumeza kubheke abesimame, nabesilisa abazikamela eyabo imingcele ngokobulili, ngoba ngenxa yendlela abanye abantu abakhombisa ngabo ubulili nendlela yokuzikhombisa bona uqobo.

Abathanda abantu bobulili obungafani nobabo: Umuntu othanda abantu abanobulili obungafani nobabo.

Ukwesatshasiswa ngokubulili: Ukwesatshiswa kanye nokunganekiseki kwabantu abulili obubodwa bethandana, ngokwejwayelekile kubhekiswe ezintweni okucatshwangwa ukuthi zinjalo ‘stereotypes’ mayelana nobulili.

Abantu bobulili obubodwa abathandayo: Indlela abanye abantu abakhombisa ngabo ubulili lapho ubulili bomuntu bumenza athanda abantu bobulili obufana nobakhe.

Ubulili obungajwayelekile lapho umuntu abangowesilisa abuye abe owesimame: Amagama elisho izimo ezahlukahlukene lapho izitho zomzimba zokuzala zomuntu kanye/noma izitho zomzimba zokuthola abantwana azihambisani nendlela okuvame ukuchazwa ngayo “owesimame” noma “owesilisa.”

Ungqingili ‘lesbian’: Indlela owesimame akhombisa ngabo ubulili othanda abanye abantu abanobubili obufana nobakhe.

I-LGBT: i-lesbian, i-gay, i-bisexual, kanye izigameko zokuhlukunywezwwa ebantwini abulili bunye kanye nendlela abantu abakama eyabo umngcele ngokubulili ngamaqembu kanye nendlela abanye abantu abakhombisa ngabo ubulili uqobo banikwa igama leqembu elaziwa nge-"sexual minorities."

Ukukhishwa inyumbazane: lokhu kusho ukuba sesimeni lapho indlela abanye abantu abakhombisa ngabo ubulili iyaziwa futhi yamukelwe, noma ukwenza ngenxa yendlela abanye abantu abakhombisa ngabo ubulili noma izigameko zendlela abanye abantu abakhombisa ngabo ubulili (mhlawumbe ngendlela engabonakaliyo) ngamazwi noma izezo, noma lapho umuntu evezwa ngomunye umuntu ukuba uthanda abantu abafana naye noma uthanda abantu abafana naye ashintshe abe owesilisa abuye abe owesimame ngaphandle kwemvume yabantu.

Ukwedluliswa indlela lapho umuntu abakhombisa ngakho, kanye/noma/ubhekwe ngumphakathi ewuhlobo oluthile lobuzwe, ubulili, indlela abanye abantu abakhombisa ngabo ubulili, noma nokukwazi, kubonakala ngabanye noma bonke kungokwabanye. Kulo mbiko, izigameko zoku dlulisa abantu abazalwe ngowesifazane bengabesilisa ngenxa yendlela abazikhombisa ngayo ubulili babo, nezigameko lapho abantu abaziwa ngongqikili bebonakala bengabantu abathandana njengabantu abathanda abantu abangafani nabo, nanokuthi ngokwejwayelekile ngenxa yendlela abanye abantu abakhombisa ngabo ububulili.

Indlela umuntu abanye abantu abakhombisa ngabo ubulili .: Lokhu kuchaza ukuba ingabe umuntu uthanda umuntu wobulili obufanayo, noma kokubilili obungafani.

- **Abantu abashintsha ubulili ngezikhathi ezithile :** Igama eliyisiphawulo elichaza ubulili babantu obungahambisani (ngendlela yobulili ngesikhathi bezalwa) abuhambisani nendlela bona ababubona/noma ubulili ababucabangayo (ubulili abantu abahambisana nabo noma abazikhombisa ngabo, uma benikwe ithuba lokuzikhethela).
- **Umuntu ozikamela eyakhe imingcele ngokobulili:** uvama ukuthatha indlela noma angathanda ukuthatha indlela ukuzikhombisa ubulili ehambisana nobulili abathandayo, kodwa angeke athande ukushintsha ngokugcwele izimo zemizimba yabo ukuze kuhambisane nendlela yobulili ababuthansayo.

- **Abantu abazikamela eyabo imingcele ngokobulili :** Umuntu nabantu abazikamela eyabo imingcele ngokobulili, futhi abazibona bengabesilisa kanye nokuhlala njalo bezikhombisa ubulili abuthandayo ngendlela agqoka ngayo kanye nendlela yokuziphatha.
- **Ukwesaba kokushintsha ubulili:** Ukwesaba kanye nokunganeleiseki nabantu abazikamela eyabo imingcele ngokobulili nabantu abazikamela eyabo imingcele ngokobulili nabantu abashintshayo ubulili babo ezikhathini ezingafani.

Ibalazwe laseNingizimu Afrika



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Ukufinqa

Ngonyaka ka-1996, eminyakeni emibili yokuphela ngokusemthethweni kobandlululo, umthetho sisekelo waseNingizimu Afrika waba ngowokuqala emhlabeni ukuba ufake umthetho sisekelo ongahambisani nobandlululo ngenxa yendlela abanye abantu abakhombisa ngabo ubulili. Lokhu kuvikeleka kwabeka ngobuhe kwi- “Equality Clause” weBhili lamaLungelo.

Ngaleso sikhathi, izikhalazo zokulingana kanye nokungabandlululi kongqingili, abazenza abesilisa kanye futhi nabesimame, kanye nabazikamela indlela nge-(LGBT) kanye nabalelwa amalungelo obulili ahlangelele nokuhambisana nepolitiki zezakhiwo zezinhlangano kanye namaqembu. Njengalokhu isifundiswa saseNingizimu Afrika sisho, “Ingxoxo yokwahlukana, ukujabulla ukwahlukana kanye, nokubalulekile, ukuba nenkululeko ngenxa yendlela abanye abantu abakhombisa ngabo ubulili kuvikelwa njengengqinamba yokwakha umphakathi ongafanani, umphakathi onhlobohlobo.”¹

Umthethosisekelo usilandisa ngokwakhiwa kwezindawo zemfundo eziyisithupha ukweseka uhulumeni wentando yeningi womthethosisekelo, kubalula uKhomishana yokuLingana ngokubulili kanye neKhomishana yamaLungelo aBantu eNingizimu Afrika. Eminyakeni eyishumi elandelayo, imiphakathi ye-LGBT yaseNingizimu Afrika yawina izimpi zokomthetho, kubalula ukungahambisani nemithetho “yaseSodomu”, ukuthola amalungelo ukwazi uku-adopt umntwana, i-medical aid, amandla okongamela umntwana, umshwalense, ukukwazi ukuhamba uye kwamanye amazwe, ukushintsha ukuchazwa kobulili kanye nobulili bomuntu, ukuthola ifa, kanye nokwamukela kwahulumeni umshado wabantu ababili abanobulili obufanayo.

Noma-ke lokhu kuyizinto zokuqhubekela phambili ezibalulekile, ongqingili, ongqingili besilisa, kanye nabantu abazikamela eyabo imingcele ngokobulili eNingizimu Afrika baqhubeka nokubhekana nobutha kanye nendluzula. Indlela umphakathi oziphatha ngawo: uphenyo lomphakathi olusanda kwenzeka lukhombisa ukwahlukana okukhulu phakathi kwemibono yomthethosisekelo kanye nendlela abantu abaziphatha ngayo. Indlela yomphakathi yokubheka kabi abantu bobulili obubodwa abathandanayo kuyahambisana nobandlululo, indluzula, inzondo, kanye nokubandlululwa kwabantu abaziwayo noma okucatshangwa ukuthi bangongqingili, ongqingili, kanye nabantu

¹ U-Jacklyn Cock, “Ukuhlukumeza amalungelo ONgqingili abangama-Gay nama-Lesbian: the I-Equality Clause KuMthethosisekelo waseNingizimu Afrika,” *I-Forum Yomhlaba EFundisa NgabesiMame*, 2003, vol. 26, inombolo. 1, amakhasi 35-45.

abazikamela eyabo imingcele ngokobulili, nalabo abangahambisani nobulili kanye nemigomo yobulili yokubukeka komuntu noma indlela aziphatha ngayo (njengebesimame abadlala ibhola, abagqoka njengamadoda, kanye nabangavumi ukujola nabesilisa). Kanye nokuvikela ngokomthethosisekelo okwehliswa ukwahluleka kwahlumeni ukugcina ukulandelwa kwalemithetho.

Lo mbiko uhlelwe njengomgingo obhale phansi ubandlululo kanye nokuhlukunyezwa kongqingili 'lesbians' abamnyama, amadoda azikamela eyabo imingcele ngokobulili, kanye nabantu, abazalwe bengabesimame, abahambisani nendlela yokuziphatha njengo bulili besimame kanye nokulindelekile kubo. Laba bantu kanye namaqembu azithola ebandlululwa, ekhathazwa, kanye nokuhlukunyezwa ngabantu abahlukene ngesinye isikhathi abasebenzi bakahlumeni. Bangaxoshwa emakhaya; bagconwe futhi bahlukunyezwa esikoleni; bakhathazwe, bathukwe, futhi bashaywe emigwaqeni, esonteni, emsebenzini; futhi basatshiswe omakhelwayo kanye nabantu abangabazi. Ukuhlukunyezwa ababhekana nako kungaba yinkulumo, okomzimba, noma ngokocansi, futhi kungenzeka kugcine ngokubulala omunye umuntu. Lokhu akufani mpela nesethembiso sokuthi abantu bayalingana kanye nokubandlulo osisekelo salo "ngexa yendlela abanye abantu abakhombisa ngabo ubulili" njengalokhu kukumthetho sisekelo.

Umnotho kanye nesikhundla ngokwehlalinisana kongqingili 'lesbian, nongqingili anangabesilisa ama- 'gay', nabazibona bengamabesilisa kanye nabasimame 'bisexual', noma nabantu abazikamela eyabo imingcele ngokobulili 'transgender people' kunegalelo elikhulu olwazini lwabo eNingizimu Afrika. Labo abakwazi ukuphila impilo yabantu elimaphakathi nendawo 'abantu abaphathi nendawo ngokwempilo' bangeke babe nolwazi olufanayo ngokulinyazwas kanye nokubandlululwa ngenxa yendlela abanye abantu abakhombisa ngabo ubulili. Kodwa kulabo abalizwa ismo senhlao kanye nesomnotho, isithombe sakhona asisihle. Ukungabi sesimeni sokuba nezindlu kanye nezinto zokuhamba kwenyusa izinga kubantu lokuzithola sebhulukunyezwa. Abantu abaningi okukhulunye nabo kulo mbiko bangabantu abangongqingili abasebenzayo 'working-class lesbians', abesilisa abazikamela eyabo imingcele ngokobulili, kanye nabantu abangahambisani nendlela aabantu abahambisana ngayo mayelana nokobulili, abaningi babo asebeke bahlukunyezwa, ukwesatshiswa, ukuhlukunyezwa, kanye nokubandlululwa impilo yabo yonke, futhi banezinsiza few ezincane zokubasiza ekunciphiseni kwabo ukulimazeka.

Abantu abaningi kwabangu-121 okwakhulunye nabo mayelana nalo mbiko basitshela ukuthi amasiko kanye nendlela engajiki abantu abahlala ngayo owesilisa wempela futhi kwenza ukuthi benza okwabesilisa kubadonsela amazi ngomsele futhi bahlale beziqaphile ukwenza kwabo, ngesinye isikhathi kubaphazamisa ukuba bangakwazi ukuqeda isikole

nokuthola futhi bagcine umsebenzi wabo kuvimba nokwazi kwabo ukuqeda isikole noma ukuhlala emsebenzini, kanye nokubaveza ekubeni babe nkomo eyodwa nasekugconeni emphakathini kanye nasemakhaya. Amacala enziwa kubona awabikwa emaphoyiseni. Amacala amaningi enziwa kubo awabikwa emaphoyiseni. Kunjalo nasemacaleni with okuhlukunyezwa ngokwecansi kumphakathi wonkana, ukwesaba kanye isihlamba esikhona uma umuntu ehlukenyezwe ngokwecansi kwenza kube lula ukuba la macala angabikwa. Abantu abambalwa abawabikayo amacala okuhlukunyezwa kanye nendluzula bahala njalo bezondwa, kanye nokuhlukunyezwa ngamaphoyisa kanti ngesinye iskhathi ubandlululo lwamaphoyisa kanye, ngesinye, isikhathi kubantu abanikezela ngezinsiza.

Lo mbiko ugxila emiphakathini ecindezelwe ngokumnotho yeminyaka ngoba imibiko yokuhlukumeza njengoba ishicilelwe phansi yinhlangano yamalungelo abantu i-LGBT esikhathini esyimonyaka engamashumi amabili kukhombisa ukuthi, ngenxa yomlando, ongqingili abamnyama kanye nabesilisa abazikameli eyabo imingcele abahlala emalokishini, ezabelweni kanye nasemakhaya, nezinye izindawo ezingahlekile zibalwa njengezindawo ezicindelezekile kanye nanye namalungu alimazeka kalula ayisibalo saseNingizimu Africa. Iqiniso ukuthi lombiko ugxila kakhulu ezentweni ezenziwa kongqingili abamnyama, abantu abaphila njengabesilisa nanjebemame, kanye nabesilisa abazikamela eyabo imingcele ayiqondisiwe ukusho ukuthi ubandlululo, ukuhlukumeza, kanye nendluzula ngenxa yendlela abantu abakamele indlela ngokubulili kanye/noma indlela yokuzikhombisa ngokokubulili ayihlukaniseki kunokuba, noma “okwadlulelwa”, ukuhlukumezeka okubhekana ngamaqembu abantu abacindezelelwa, njengabantu abathengisa umzimba, abantu bokuhamba, abantu abakhubazerkile, abantu abasululekile ngegciwane lengculazi with HIV, kanye nabesifazane jikelele. Kodwa kunalokho, kuhlose ukuqonda ukuhlukumeza kanye nendluzula ebhekiswe kubulili babantu kubhekwa ukubandlulula kanye nokungabi sendaweni ebavunayo.

Okuningi mayelana nabezindaba ababika ngokuhlukunyezwa kongqingili kanye nabantu besilisa abazikamela eyabo imingcele ngokokubulili kunezimiso zokulungisa okugxile “ekulungiseni ngokudlwengula,” lena yinto lapho abesilisa bendlwengula abantu abacabanga noma abaziyo ukuthi bangongqingili ‘lesbians’ ukuze “babashintshe” babe abantu anathandana nolunye uhlobo lomuntu olungafani naye. Ngesikhathi kugxilwe “ekulungiseni ngokudlwengula” kwenza ukuba sibheke ukuthi uhlangothi olubalulekile lwenkinga, lokhu kuba sekwenza ukuba siyeke ukubheka ukubheka ezintweni ezinkulu eziqhubela phambili indluzula kanye nokubandlulula ongqikili ‘lesbians’ kanye nabantu besilisa abazikamela eyabo imingcele ngokokubulili. Ukugxila ngokunganaki ku-“kulungisa ngokudlwengula” kungenza kubonakale ngazathi “ongqingili abesilisa ‘butch lesbians’” bayahlukunyezwa ngokwecansi, noma ukudlwengula yiyonanto engabhekwa, noma ukuthi

ukuhlukunyezwa ngokwecansi ngongqingili okwenziwe kubona kwahlukile kakhulu kunokuhlukunyezwa okunesisindo kunokuhlukunyezwa ngokwecansi komuntu ongeyona ungqingili 'lesbian'. Amakhampeni asezingaweni eziseduzane kanye namakhampeni omhlaba bagwebe indlela uhulumeni enza ngayo base begxila kulokhu okwaziwa ngokuthi "ukulungisa ngokudlengula." Ngenxa yophenyo olwenziwe ezifundazweni eziyisithupha, lo mbiko ukhulisa izinga lwenkinga okuzogxwilwa kuyo ngokuthi kubhekwe nxazonke ukuthi udlame lwenzani kubantu, ukubandlulula, kanye nokunganaki kukahulumeni kongqingili 'lesbians' kanye nabantu besilisa abazikamela eyabo imingcele ngokobulili.

* * *

Umbiko uqala ngokubheka ubandlululo kane nendluzula ebhekene nongqingili lesbians kanye nabantu abazikamela eyabo imingcele ngokobulili, nokubheka indluzula kanye nokuhlukunyezwa kweNingizimu Africa, kubalula ukuhlukunyezwa ngokocansi, kanye nokuqeda ukuhlukunyezwa kwabesimame kanye nezikhungo zomphakathi eNingizimu Afrika.

Okulandelayo, lombiko ulanda ngokuhlukunyezwa nokwenkulumo, okomzimba, kanye nokwesatshiswa ngokuhlukumeza ngokwecansi, ukuhlukumeza, kanye nendluzula ebhekene nongqingili 'lesbians', nabantu besilisa abazikamela eyabo imingcele ngokobulili, kanye nabantu abahambisani nobulili ngendlela abantu ababona ngayo. Njengoba ubufakazi bukhombisa lana, le ndluzula ivamisile ukuba yenziwe ngabesilisa abangaziwa ukuthola ukuthi lokhu abakubuka kungalungile "okulungile" ukuthi kwabesimame, kodwa futhi kuqhutshekiswa phambili ngabantu ababaziyo, abangani, kanye nomndeni. Lo mbiko ulanda ngesimo sokwesaba kanye nokungesabi ukujeziswa lapho ongqingili 'lesbians' kanye nama nabantu besilisa abazikamela eyabo imingcele ngokobulili abazama ukulungisa isimo sabo sokuhlala bephephile, ngesinye iskhathi uma benza umsebenzi ojwayelekile njengokuthenga isinkwa esitolo esikhoneni. Kubuye kugqamise amanye amasu abawasebenzisayo ukuvikela ukuba bangahlaselwa.

Isiqephu esilandelana sibheka ukwahluleka kanye nokungathandisisi kwamaphoyisa ukunikezela usizo nokuthi lokhu kuqedwe ukuhlukumeza. Isiqephu esilandelayo sibheka ukwahluleka kwamaphoyisa ukunikezela ngezinsiza kongqingili nabantu besilisa abazikamela eyabo imingcele ngokobulili, kanye nokuthi lokhu kuqhubekisa kanjani ukulimazeka. Lesi siqephu sibheka ukuphelelwa yithemba kongqingili kanye nabantu abazikamela eyabo imingcele ngokobulili, emaphoyiseni, lapho abantu abaningi besaba khona ukuhlukunyezwa kunokuvikela. Loku kukhathazeka akunakho izizathu eziqinile; ezikhathini eziningi, bazigade bona uqobo kubasusi bodlame.

Izinyathelo zomthetho zivimbela ubandlululo emisbenzini kanye nasezikoleni kodwa, njengoba lo mbiko ukhombisa, le mithetho iyaqaliswa nendlela eshintshshintshayo. Okukugcina, umbiko ubheka ezibophezelweni zaseNingizimu Afrika zomthetho emakhaya, kuzifunda, kanye namaforamu asemhlabeni jikelele futhi enze izincomo ezibonakalayo kubantu abahlukene abaneqhaza kulokhu, kubala iminyango eminingi kuhulumeni wase Ningizimu Afrika.

Ningizimu Africa isivele isinayo imithetho kanye nemigomo ukubhekana nokuhlukunyezwa ngokwecansi kanye nobandlululo; okudingekalayo kakhulu ukuqalisa ukunikezelelwa kwalezi zidingo. Kufanele-ke ukuthi uhulumeni waseNingizimu Afrika ukuthi athathe izinyathelo ezisheshayo ukugcina izethembiso zakhe zokuthatha izinyathelo ezisheshayo ukugcina izethembiso zokulingana kwawo wonke umuntu, ukungabandlululi muntu, kanye nempilo yokuhloniphka yongqingili 'lesbians', onqingili besilisa 'gay men', kanye nongqingili abangabesilisa kanye nabesimame kanye nabantu abazikamela eyabo imingcele ngokobulili; ukuhluleka ukwengahambisani nomthethosisekelo, nomungenisa amalungelo amalungelo abantu bonke baseNingizimu Afrika.

IziNcomo EziBalulekile

KuMongameli wase Ningizimu Africa kanye NabaHoli BakaHulumeni

- Gweba indluzula ebhekiswe kumphakathi wobulili obuthile, kubalula izigameko zokuhlukunyezwa ebantwini abulili bunye kanye nabantu abakama eyabo umngcele ngokubulili, bese kuqaliswa imfundo yomphakathi ukwandisa ukwazi kuwo wonke amazinga e-Equality Clause yoMthethosisekelo kanye nemigomo yokungabandlululi.
- Ukuqalisa izinhlelo zokuqapha kanye nokuhlola kuminyango kahulumeni eyahlukene kubala nomnyango wezimfundo, ezempilo, amaphoyisa, amakhosikazi kanye nezingane, kanye the Neziphathimandla ZokuShushisa ZikaZwelonke—ukuqinisekisa ukuqalisa kwemithetho ekhona engahambisani nobandlululo kanye nemigomo.

KuMnyango wezoBulungiswa kanye NokuThuthukiswa KoMthethosisekelo

- Sungulani iNhlango YokuPhatha KwaMandla OkuShushiswa KuZwelonke ukulungisa izihibe zokushushisa amacala okuhlukunyezwa ngokocansi kanye nangokuhlukunyezwa ngokomzimba, kubalula ngenxa yendlela abanye abantu abakhombisa ngabo ubulili nabantu abazikamela eyabo imingcele ngokobulili, futhi ukuqinisekisa ukuthi kanye nokuqinisekisa ukuthi la macala ayathethwa ngesikhathi esifanele.
- Thuthukisani IziPhathimandla ZoMnyango WezoBulili kuhlangele nenhlango yomphakathi esungulwe uhulumeni, uhlelo lukazwelonke lokuqinisekisa ukuthi abasemame kanye nabantu abazikamela eyabo imingcele ngokobulili bayahlinzekiswa ngokomthethosisekelo wamalungelo abantu kuya kumuntu ngamunye, imfundo, okuyimfihlo, kanye nokukhuluma ngokukhululeka ukukhuluma noma yini kanye nokwazi ukuhamba noma yikuphi endaweni yangakubo, esifundazweni, kanye nasemazingeni omhlaba emazingeni kazwelonke.

KuPhiko LwezokuVikela eNingizimu Afrika

- Qoqani ulwazi ngokuhlukunyezwa komzimba kanye nokuhlukunyezwa ngokocansi, kusinikezela ngemininingwane ukulandela izigameko zokuhlukunyezwa ebantwini abulili bunye kanye nabantu abakama eyabo umngcele ngokubulili.
- Qinisekisini ukuthi zonke iziteshi zamaphoyisa ngazo zonke izikhathi zinephoyisa eliqeqeshiwe futhi elaziyo neliqondayo ngaso sonke isikhathi, kanye nokubhala

phansi, kanye nokuphatha kahle kwamacala okuhlukunyezwa ngokwecansi— kubalula nalapho abantu bezibona noma bezizwa ngokobulili ngendlela abayithandayo kanye nokuzikhombisa ngokubulili ngendlela abayithandayo — ngendlela yokungahluleli muntu.

KuMnyango WezeMpilo

- Xoxisanani nezinhlangano zomphakathi ezisungulwe uhulumeni ukuqiniseka ukuthi bonke abasebenzi bezempilo baqeqeshiwe ezimeni ezimayelana nokuzizwa kanye nokuzibona ngokobulili kanye nokuzikhombisa ngobulili nendlela abazizwa ngayo bona uqobo lwabo.

KuMnyango Wezabesifazane, IziNgane, kanye nabantu AbaKhubazekile

- Xoxisanani nezinhlangano zomphakathi ezisungulwe uhulumeni ukuthuthukisa ukuqeqeshwa kanye nezinsiza kufunda ukuze zisetshenziswe ezinhlweni zemfundo yomphakathi kubulili izinhlelo zokufundisa ngokulingana ngokobulili kanye namalungelo abesimame kanye nabantu abazikamela eyabo imingcele ngokobulili.

KuNingizimu Afrika nakuKhomishani AmaLungelo ABantu

- Akuqaliswe inhlangano yomphakathi esungulwe uhulumeni ezimele ezoba iqembu elisebenza ukubheka futhi nokulungisa zokuhlukunyezwa ngokwenkulumo, umzimba, kanye nokuhlukunyezwa ngokwecansi ngenxa yendlela abanye abantu abakhombisa ngabo ubulili nendlela yokuzikhombisa bona uqobo lwabo kanye kanye nokuzizwa kwabo ngokobulili.
- Akwakhiwe kanye nokugcina idathabhesi kazwelonke elanda ngokuhlukunyezwa ngenxa yokuhlukumezwa ngenxa yendlela abanye abantu abakhombisa ngabo ubulili nendlela yokuzikhombisa bona uqobo.

Indaba kaBoipelo

UBoipelo ukhule ehlala nogogo wakhe elokishini lasePietermaritzburg ephulovinsi yaKwaZulu-Natal, empumalanga neNingizimu Afrika. Ngonyaka ka-1997, ngesikhathi eneminyaka engu-13, kwatholakala ukuthi ungunqingili. Umzala wakhe omdala wayehlala nabo ekhaya elilodwa. Wayecasulwa ukubukeka kaBoipelo njengomfana kanye nangendlela enza ngayo efuna amenzela imisebenzi yakhe. UBoipelo wayenqaba kodwa wahlela njani embhekisisa futhi emgeka. “Kungani evunyelwa ukuba azenze umfana?” wayethanda ukubuza lokho.

Ngelinye ilanga uBoipelo nodadewabo abancane behleli ekhaya bodwa kanye nomzala wabo, umzala wabo wamdlwengula kaningana. “Ngatshela umama nogogo ngesikhathi bebuya,” kusho uBoipelo. “Lolu daba lwaphathwa umndeni. Kwadinga ukuthi singabambelani amagqubu.” Ngonyaka ka-2003, ngesikhathi uBoipelo eseneminyaka engu-19 wavelwa amaqhubu kanye nezilonda futhi kwatholakala ukuthi usululekile ngegciwane leSandulela Ngculazi wavelwa amaqhubu kanye nezilonda futhi watholakala ukuthi unegciwane le-HIV.

Ngathola ngaleso sikhathi ukuthi umzala wami usululekile ngegciwane leSandulela Ngculazi. Ngathola emveni kwalokho ukuthi umzala wami wasulelekile ngegciwane lengculazi. Umama wami wabe azi kodwa akazange angitshela. Wayeselokhu ehlala nathi umzala wethu naleso sikhathi.

Kuwo lowo nyaka, wango-2003, umzala ka Boipelo kanye nomama wakhe bashona futhi wabe esepheleleka ukuba ayeke isikole ngenxa yempilo eyabe ingeyinhle. Manje wayesencike kumalume wakhe owathola ifa lendlu kagogo wakhe.

Impilo kaBoipelo yaba ngconywa ngonyaka olandelayo wabe eseqala ukubhala ibhola lezinyawo ngonyaka olandelayo, umdlalo ayewuthanda ngaphambi kokugula. Ngonyaka ka-2004, uBoipelo, owayeseneminyaka engu-20, wayejwayele ukuchitha isikhathi nomqeqeshi wakhe, owayazi ukuthi ungunqingili ‘lesbian’. Ngelinye ilanga ngesikhathi esendlini yomqeqeshi wamtshela, umqeqeshi wamtshela ukuthi usekhokhile izinkomo zamalobola kumalume wakhe futhi wagcizelela ukuthi kumele alale naye.

Umqeqeshi washo ukuthi akangithandi njengesitabani kodwa wayefuna ukuba ngibe ngunkosikazi wakhe khona ngizoyeka ukuba isitabani Ukhoshi wathi akathandi ukuba mina ngibe ungunqingili ‘lesbian’ futhi ufuna ukuba ngibe ngunkosikazi khona ngizoyeka ukuba ungunqingili ‘lesbian’.... Ngesikhathi ngithi “cha” futhi ngizama nokubaleka, wangishaya ngehenga yezingubo eyabe iqondisiwe. Wabe-ke esengidlwengula kaningana, ubusuku bonke.

Ngakusasa ekuseni umqeqeshi wambisa kumalume wakhe, wakhononda ngokuthi akagculisekile ngezocansi, wabe esethatha ilobolo lakhe. UBoipelo wakhulelwa wathola umntwana ngonyaka ka- 2005. Ngaleso sikhathi umalume kaBoipelo wasaba ihlazo wabaleka wayohlala kwelinye ilokishi wamshiya ukuba akhulise ingane yakhe kanye nodadewabo ababili abancane. “Uma ufuna ukuba umuntu kumele uzinakekele,” washo njalo umalume wakhe. “Angeke ngisakunakekela manje.”

Ngonyaka ka-2007 uBoipelo wayeseqeda isikole kungunyaka wakhe wokugcina esikoleni; wayesehlala futhi endlini kamalume wakhe. Umfundisi wasendaweni ayesemejwayele watshela uBoipelo ukuthi wayemuthanda futhi angamukhombisa “kunjani ukuba nomuntu wesilisa.” Wamutshela ukuthi yena Wamutshela ukuthi wayengungqingili.

Ngelinye ilanga indoda, engumfundisi, yafika lapho ngihlala khona....
Ngamutshela ukuthi makahambe. Wathi uzoxolisa. Wangena waxolisa. Wabe esethi kodwa usangithanda namanje. Wathi ufuna ukungikhombisa ukuthi angiyena owesilisa kodwa ngingowesimame. Wangidlwengula ngalelo langa.... Ngaya [emtholampilo oseduzane] ngayohlola ukuba kungabe ngikhulelwe yini. Usista owayephetha wathi akakwazi ukungisiza ngikhiphe isisu ngoba akuhambisani neSonto lakhe.

UBoipelo wavulela icala umfundisi emaphoyiseni aseduzane. Umfundisi wakhokha ilobola kumalume wakhe, umalume kaBoipelo wabe esmutshela ukuba uzomxosha uma engavali icala. UBoipelo walivala icala akabange esakwazi ukuqedela isikole ngenxa yempilo encikinciki.

UBoipelo uneminyaka engu-26 manje, waziwa njengengqingili ‘lesbian’, kanti futhi unabantwana ababili abancane. Uthola ukwelashwa kanye nokuvolontiya esikhungweni sokubheka abantu abaphila negciwane le-HIV kanye ne-AIDS. Uthola imali elincane evela kuhulumeni eyisibonelelo yabantwana bakhe. Umsebenzi wakhe wokuvolontiya umnikeza ukuhlonipheka emphakathini wangakubo uBoipelo, kodwa lincane kakhulu lelo holo kodwa akakwazi ukugcina izidingo zakhe zonke, akazange akwazi ukuqedela isikole, kanti futhi ubhekene nokugconwa ngoba kungenxa yendlela azikamela ngayo imingcele ngokobulili. “Kodwa namanje,” uthi, “izinto ‘azizimbi kangako.’”

Ingxoxo phakathi kwe-Human Rights Watch kanye noBoipelo (akulona igama lempela), e-Pietermaritzburg, ngoAgasti 4, 2010.

UkuHlukunyezwa NgeNkulumo, UMzimba, kanye nokuHlukunyezwa ngokoCansi: Ukulimazeka

Ongqingili ‘lesbians’, abesimame abangabesimame baphinde futhi babe abesilisa, nabantu abazikamela eyabo imingcele ngokobulili, kanye nabesilisa abathandana nabanye abesilisa, abantu abangahambisani nendlela abantu abazikamelo ngayo ubulili babhekana nokuhlukunyezwa kanye nokubandlululwa nsuku zonke komakhelwano, izihlobo, abangani, kanye nabantu abangabazi. Lesi siqephu sikhombisa lokhu kuhlukumezeka.

Okukuqala, ibheka izindlela zokuhlukunyezwa examines common forms of verbal abuse against lesbians and transgender men, kanye nokufanana kanye nokwahlukana kwezinto phakathi kwabantu abaqondiwe ukuba bangangongqingili ababesilisa ‘butch lesbians’, abantu besilisa abazikamela eyabo imingcele, kanye nabesimame abangongqingili kanye nabesimame ababuye bazikhombise njengabesilisa.

Okulandelayo, kulandela ukulandisa kokuhlukumeza ngokuhlaselwa kongqingili kanye nabantu abazikamela eyabo imingcele ngokobulili kanye ne nabantu abazikamela eyabo imingcele ngokobulili, nokukhombisa umehluko ngenxa yendlela abanye abantu abakhombisa ngabo ubulili. Kube sekuqala amacala okuhlukunyezwa ngokwecansi kanye nongqingili abangabesilisa ‘butchy lesbian’ nongqingili abangabesimame ‘femme lesbians’ kanye nabantu besilisa abazikamela eyabo imingcele ngokobulili, kubhekwa amaphethini okuhlukunyezwa ngokwecansi, njengesikhathi lapho abesilisa befunda knona ukuhamba kanye nendlela abenza ngayo ongqingili abangahambisani nemingcele ekanywe ngabanye abantu ngokokubulili, ongqingili ‘lesbians’, noma abesilisa abazikamela eyabo imingcele ngokobulili, nabesilisa abazikamela eyabo imingcele ngokobulili ngaphambi kokubabamba; izigameko lapho abesilisa bejikela abangani babo abayingqingili ‘lesbian’ ngaphandle kokubaxwayisa; kanye nasezimeni lapho abesilisa ezenza ngazathi angongqingili ukuze bathole ukwethembe kongqingili.

UkuHlukumeza ngeNkulumo, UkuGcona, UkuKhathaza, kanye NoKwesatshiswa

Cishe bonke abantu okwakhulunywa nabo ku-Human Rights Watch bathi bonke bahlukunyezwa, bagcona, noma bathuswa ngesinye isikhathi empilweni yabo—noma, ngenxa yabantu ababalulekile, ezimpilweni zabo zonke—ngoba ngenxa yendlela abanye abantu abakhombisa ngabo ubulili nendlela abantu abazikamela eyabo imingcele ngokobulili.

Ukuhlukunyezwa ngokwenkulumo kanye nokukhathazwa komoya kwenza ukuba ongqikili abangama 'lesbians' kanye namadoda azenzela eyawo imingcele ngokobulili asabe futhi acophelele ngokunathumeli imiyalezo engathandwa abantu emiphakathini yabo. Ua kunganakwa, lokhu kungabi nozwelo kuhamba kusabalale futhi kuqinise ubandlululo emphakathini. Ukuhlukumeza ngokweNkulumo kanye nokukhathezeka komoya kwabantu ababhekana nabo ngenxa yendlela yokuzikhombisa ngokobulili kanye/noma ukuzizwa nokuzibonisa komuntu ngokobulili kungenza noma kukhulisa indlela embi yokubuka komuntu, nokwakha imibono yomphakathi, ukufaka uvalo kanye nokuzinyeza kubantu, kanye nokubavimbela ukuziveza emphakathini kanye nokufuna seek ubulungiswa noma ukunquma ngokomthetho. Lokhu kudala futhi kuqinise isimo isimo sokungesabi ukujeziswa, njengoba umbiko ucacisa, izinga lokuhlukunyezwa lingakhula kusukela ekukhazweni ngenkulumo kanye nokuhlukunyezwa kuze kufike ekuhlukunyezweni ngokomzimba kanye nokuhlaselwa ngokwecansi.

Abantu abaningi ababonwa babuye babuzwa imibuzo yi-Human Rights Watch cishe basho bonke ukuthi abesilisa abangabazi kanye nabangani babo bahlale bebabiza ngamagama ayiziswana kanye nokunye ukuhlukumeza okongekona okomzimba, lapho futhi izikhathi eziningi abakwazi ukukhuluma ngenhloso yokuziphendulela ngoba bezivikela.

UNontle, oneminyaka engu-34, ukhule ejola nabafana, kodwa kusukela ngonyaka ka-2005, ngesikhathi ethola umntwana wayekade ejola nabesifazane. Ngesikhathi sixoxisana naye wayenentombi ebukeya njengowesimame, noma uNontle yena eqokise okwendoda. Bahlale njalo bekhathazwa emoyeni futhi bahlukunyezwe uma ngabe enentombi yakhe. UNontle uthi,

Abantu bathi ngathi: "Abantu abanadimoni, osathane [babantu], sizonibulala, sizonigwaza".... Lezi zinto ziyenzeka ngaso sonke isikhathi. Abesilisa bayasilandela uma siyogibela itekisi. Bazama ukugxavula intombi yami. Bathi bazosigwaza [ngoba] sithatha izintombi zabo.

Abantu abadlula ngamatekisi bayamumemeza uNontle kanye nabantu esingabazi bahlale besho izinto njalo. "Uma ngigqoke izinto ezinkulu futhi ngingena esitolo, kuyenzeka ngaso sonke isikhathi," kusho uNontle.²

UNaledi, oneminyaka engu-24, uhlala njalo ebuziswa ngokubukeka kwakhe nsuku zonke.

² Ingxoxo phakathi kwe-Human Rights Watch interview noNontle (akulona igama langempela), e-East London, ngoJuni 29, 2010.

Abantu bathi, “Kungani ubukeka njengomfana kodwa ube uyintombazane. UNkulunkulu akadalanga abemame ukuthi bathandane kanye nabesimame kowa wadala u-Adamu noEva.” Abesilisa abaphuzayo emgwaqeni bahlala besho kanjena. Nginyaqhubeka nokuzihambela ngingasho lutho.³

UNonyameko, oneminyaka engu-28, uhlala njalo etshelwa ukuthi akahambisani nosiko.

Abanye abantu bathi, “Akulona usiko lwethu ukuba uba njena. Ufanele ukuba ube namadoda. Kuleminyaka kungani ungenabo abantwana? Kungani ungathandani kanye nenye indoda?”⁴

Ongqingili abangabesilisa ‘abesilisa abangongqingili’ kanye nabesilisa abazikamela eyabo imingcele bahlale bebhokene nokuhlukunyezwa okuqinisa ukusabwa kokuhlukunyezwa ngokomzimba and kongqingili. Ukuzikhombisa ngokumzimba omkhulu kusho ukuthi basheshe babonakale ukuthi bangongqingili abaziwa ngokuthi “ngongqingili” kanye nokuba khona kwabo emphakathini kwenza ukuba bagconwe bese bayahlukunyezwa.

U -Lee, oneminyaka engu-21 ubudala, uthanda ukubukeka njengomfana futhi uhlale ebhekana ehlukenyezwa ngenkulumo kanye nokwesatshiswa cishe zonke izinsuku kubantu angabazi kanye nakubantu abajwayele ngokufanayo.

Stabane [kusho umuntu onezitho zomzimba ezimbili ezahlukene zokuzala; igama elicwas abantu abathanda abantu abafana nabo] igama lakhe engethiwa lona. Zonke izinsuku ngibizwa ngeganyana.... Bathi, “Iphi inyoka, iphi inyoka?⁵ Uma uthatha intombi yami, Ngizokwenza lokho okwenza kubo”.... Uma ngihamba nentombi yami, abesilisa bathi kuye, “Asikwanelisi yini? Kungani ufuna ukuthola iminwe nje? Kungani uhambe nongqingili?”⁶

UNosizwe, oneminyaka engu-25, ubudala wadlwengulwa ngabesilisa abane ababexakekile futhi bathukutheliswa umzimba kaNosizwe obukeka ungowesilisa. Ukubukeka kwaNosizwe kusho futhi indlela abukeka ngayo futhi kusho ukuhlukunyezwa ngokwenkulumo.

³ Ingxoxo phakathi kwe-Human Rights Watch interview noNaledi (akulona igama langempela), e-Katlehong, ngoJuni 14, 2010.

⁴ Ingxoxo phakathi kwe-Human Rights Watch noNonyameko (akulona igama lakhe lempela), eKhayelitsha, ngoJuni 21, 2010.

⁵ Abantu abaningi okwaxoxwa nabo bakhuluma ngenkoleloze eyokuthi ongqingili abangama-lesbian “banenyoka”

⁶ Ingxoxo phakathi kwe-Human Rights Watch no-Lee (akulona igama lakhe lempela), eLusikisiki, ngoJulayi 2, 2010.

Abantu bangibuza ukuthi kungabe ngingowesilisa noma owesifazane. Ngivele ngingabanaki. Uma ngibanaka, bazongihlanyisa. Abantu bathi kimi, “Uneminyaka engu-25, ubudala unguhlobo olunjani lomuntu? Uziphathisa okwendoda. Kungani ungabi owesimame?” Impilo yami ngihlale ngizwa lezi zinto.⁷

UNbushe uhlala njalo ehlukenyezwa ngabaqembu amadoda awodwa nsuku zonke, futhi uyazi ukuthi indlela yokuhlukumeza engaba ukuhlukumezwa ngokomzimba.

Ukubizwa ngesistabane, yinto yansuku zonke. Angisacabangi nokucabanga ngayo. Abanye abantu bathi kimi uma ngihambe nentombi yami, “Ubani ongumfana?” noma “Ubani indoda?” Abaselisa ababodwa bahlale besho zonke izinto ngathi. Angiphephile. Angifuni ukuhlangana nabo ebusuku.

Kongqingili abaningi abangabesilisa kanye ngenxa yendlela abanye abantu abakhombisa ngabo, lolu lwazi lokuhlukunyweza ngokwenkulumo kubukeka kujwayelekile ngendlela yokuthi abanye ababoni ngathi ukuhlukunyezwa.UMosa, oneminyaka engu-23, ubudala wathi:

Angikaze ngihlukunyezwe ngenkulumo.... Uma ngiya emoli, ngibizwa ngamagama ayiziswana —stabane—noma abesilisa basibiza “amadoda.” Uma ngihamba nentombi yami, abesilisa bayasishaya, nongqingili abangabesilisa ‘butches’, abesilisa abalinda emakhoneni.⁸

Akekho noyedwa okungakutholi ukuhlukunyezwa. UThanda, oneminyaka engu-19 ubudala, ukukhuluma nokwesatshiswa kanye nokuhlukunyezwa.

Abashayeli bamatekisi, emigwaqeni, bacabanga ukuthi ngibathathela izintombi zabo. Abashayeli bamatekisi nabasizi babo bayangimemeza. Bazama ukungishaya.... Ngezenzo zami kanye nokukhuluma kwabantu bonke abantu bayazi ukuthi ngingungqingili ngezenzo zami kanye nokutshelana kwabantu, abantu bayazi ukuthi ngingungqingili. Abesilisa bayeza kimi bangibuze ukuba ngiyungqingili ‘lesbian’. [Abantu basho njalo] Ngidinga indoda ezongifundisa; ukuba beyikhona indoda, bengizofunda

⁷ Ingxoxo phakathi kwe-Human Rights Watch no Nosizwe (akulona igama lakhe lempela), e-Tzaneen, ngoJuni 15, 2010.

⁸ Ingxoxo phakathi kwe-Human Rights Watch noMosa (akulona igama langempela), eKatlehong, ngoJulayi 13, 2010.

ukuhlonipha usikompilo. Abesimame bathi ngiyihlazo ngiyihlazo kwabesimame bebonke.⁹

Abangani ababili bakwa Kefilwe bashaywa futhi badlwengulwa yisigejana samadoda ngoba babengongqingili ‘butch lesbians’. Abasinda behlukunyezwa babona amadoda abadlwengula ngokuphindelela endaweni abahlala kuyo kaningana emuva kwesigameko sokuhlaselwa. Abadlwenguli batshela abangani bakwa Kefilwe ukuthi,

Labo ngqingili batsatsarahi—phambili; bayaziqhenya. Ababingeleli izinsizwa. Lokhu esekwenza, sizokwenza futhi. Sizoniqondisa.¹⁰

Abesilisa abandlwengula ongqingili bayaziwa kodwa hhayi kuphela ukwenza amacala obugebengu emphakathini, kodwa abanye babalula ukuzimisela kwabo ukudlwengula futhi, njengalokhu besho, ukuthi ongqingili abahloniphi “abesilisa” ngendlela efanelekile. Ukwedlwengula ungqingili kungenza amadoda abukeke “njengamaqhawe” emphakathini bese bebhebhethekisa isimo lapho ukuhlukunyezwa ngokwecansi kuba kuningi. Umngani omkhulu kaZebo, ongunqingili, wahlukunyezwa kabuhlungu igenge ekupheleni kuka-2008 futhi owashiywa ukuba afe ngabanye besilisa endaweni yangakubo. UZebo wathi, “Abesilisa kule ndawo baphatha abesilisa [abadlwenguli] njengamaqhawe. Babashayela izandla ... [ba-] khululekile futhi besabisa ukuphinda lokho abakwenzayo [kumngani wami] kanye nakubo bonke benze okufanayo zonke izinsuku kongqingili.”¹¹

Ukuhlukumeza okungapheliyo ngenkulumo kanye nokwesatshiswa kwakha isimo esihlale njalo siqashiwe kanye novalo. UMasego, oneminyaka engu-26, uthi:

Kuyoba njani ngelinye ilanga uma umuntu ezama ukungibonisa ukuthi bacabanga ukuthi owesimame kufanele aphaathwe kanjani? Akubona abesilisa kuphela abasho lezi zinto. Ngesinye isikhathi abesimame bathi, “Muntu wesimame, awazi ukuthi yini ekulahlekelayo.” Kuyenzeka kube umuntu engingamazi noma umuntu engimaziyo. Kunzima ukubona ukuba bayadlala noma baqinisile yini. Ngesinye isikhathi bakhuluma ngathi

⁹ Inxoxo phakathi kwe-Human Rights Watch noNthanda (akulona igama langempela), e-Pietermaritzburg, ngoJulayi 13, 2010.

¹⁰ Inxoxo phakathi kwe-Human Rights Watch noKefilwe (akulona igama langempela), eKathlehong, ngoJulayi 13, 2010.

¹¹ Inxoxo phakathi kwe-Human Rights Watch noZebo (akulona igama langempela), Kwa-Thema, ngoMashi 13, 2009.

angiyena umuntu Ngezinye izikhathi bakhuluma ngathi thina asibona abantu. Ngihlambalaziwe futhi ngiyesaba.¹²

UZebo uyabonakala kalula futhi masinyane ukuthi ungunqingili emphakathini wangakubo. Umngani wakhe ongunqingili wesilisa wahlukunyezwa kabuhlungu futhi washaywa ngamadoda lapho ahlala khona bamushiya ukuthi afe, umzimba wakhe wawulenga ocingweni ocingweni oluhlabayo futhi linogesi. UZebo uhlala yedwa endlini, indlu yangasese ingaphandle enkompolo, ngaphandle kwethu.

Ezinye izinsizwa lapha ngihlala khona zithi [kimi] zizolala ngaphezulu kophahla kwendlu bese ziyangibamba uma ngiya endlini yangasese bese ziyangidlwengula ngaphakathi endlini. Bahlale besho uma ngiya ethaveni nomngani wami. Abesilisa bahlale bephawula ngokugqoka kwethu, besethusa, [kanye] we leave.... Ngiyabazi abaselisa abasisabisayo. Emuva kwalokho okwenzeka [kumngani wami], Ngesatshiswa ngokuthi ngizolandela. ... Bathi, “Akukakapheli, kusengokuqala.”¹³

Ngesinye isikhathi, ukuhlukunyezwa ngenkulumo kusabisa ngendlela yokuthi yenza abantu ukuba bashiye amakhaya. kusho uNthanda:

Ngonyaka ka-2006, abesilisa kumphakathi wangakithi [eThekwini, lapho uThanda wayehlala khona] babezihlalele ngaphandle. Enye insizwa yayihlala ithi, uma ngingendoda ngabe ngingowesimame wempela. Wathi uzongifundisa, angikhombise, angikhombise ubuqotho kanye nokuhlonipha. Lokhu kwenzeka isikhathi esiyizinyanga eziyisithupha, zonke izinsuku.... Umama wami wangitshela ukuthi ngiyekele. Ngabe sengihamba sengiya eGoli.¹⁴

Indaba KaKatlego

Ngesikhathi ekhula, uKatlego, oneminyaka engu-21, wayeba ngesinye isikhathi owesimame ongunqingili, ngesinye isikhathi abe ngumfana. Namhlanje wonke umuntu uyazi ukuthi ungunqingili ngenxa yendlela agqoka ngayo kanye nendlela akhuluma ngayo.

¹² Ingxoxo phakathi kwe-Human Rights Watch no Masego (akulona igama langempela), e-Nelspruit, ngoJulayii 11, 2010.

¹³ Ingxoxo phakathi kwe-Human Rights Watch noZebo (akulona igama langempela), Kwa-Thema, ngoMashi 13, 2009.

¹⁴ Ingxoxo phakathi kwe-Human Rights Watch noNthanda (akulona igama langempela), e-Pietermaritzburg, ngo-Agasti 4, 2010.

Omakhelwano bamtshela ukuthi, “Wawuyintombazane elungileyo, kwase kwenzekalani? Kwenzekani?” Abesilisa bathi, “okudingayo ukuthola okusanduku bese uyalunga. Umama wakho uvuma kanjani lezi zinto?”

Sonke isikhathi uma ngihamba bahlala besho lokhu. Sengihlala ngisekhaya. Entombini yami, bathi, “Ubonani kulo? Ufunani kulona ngoba akanayo ilokhuza?”

Amanye amadoda ayethusa ontanga bakaKatlego, abantu akhula nabo, abnye badala kunaye. Omunye wesilisa wamxayisa wathi, “Uma ngihlangana nawe ebusuku ngizokudlwengula khona uzoqonda futhi.” Kusho Katlego:

Angisho lutho. Ngesinye isikhathi, uma ngihamba, ugxavula isandla sami angivumi ukuthi ngendlule. Uma ngihlangana naye emgwaqeni uthi kimi. Angizange ngitshele muntu.... Ngesikhathi isikhathi, ngiyaye ngifune ukukhala noma ngimemeze.... Ugxavula isandla sami bese ethi, “Namuhla uzohamba nami.” Ubamba isandla sami bese ezama nokungiqabuza. Unamandla. Ngiyaye ngithi, “Ngizomtshela ubaba,” ebese ethi akanandaba nawe.

UKatlego unesizathu sokuhlala enovalu; umngani wakhe ongunqingili wesilisa wadlwengula abesilisa ayekade ecabanga ukuthi bangabangane bakhe. UKatlego uyabazi abadlwenguli futhi uhlala ebabona.

Bamdlwengulela ekamelweni lakhe. Bazenza sengathi bangabangani bakhe yilokho-ke okwabenza ukuba bamthole.... Bathi kuye, “Ungazenzi ngathi ungumfana, ngoba salala nawe .”

Ngesikhathi uKatlego ezama ukusiza umngani wakhe omkhulu wathi kuye, “Uma ngi nenqwaba yabesilisa, ngiyokuthathat uphume endlini ngikuthathe siye [endaweni yelokishi okuhlalwa kumatasasa] bese ngiyakudlwengula futhi ngikubulale.” UKatlego uhlala njalo esekhaya ukuze “angahlangabezani nalezi zinto.”

Abesilisa abadlwengula umngani kaKatlego abazange bafihle noma baphike abakwenzile; kunalokho, benza ubugebengi, futhi bathathwa njengezibonelo ezinhle kubanye besilisa.

Ingxoxo phakathi kwe-Human Rights Watch kanye noKatlego (akulona igama lempela), eKathlehong, ngoJulayi 13, 2010.

Ongqingili ababukeka bengongqingili, bahlale bebukeka njengebathandana nabantu abangafani nabo ngabantu abangabazi, nabo bayahlukunyezwa ngokwecansi njengalokhu kubhekiswe kwabesimame bonke; kodwa- ke, bezwa okunye ngaphezu kwalokhu.

UNkosazana wathi:

Uma ungowesimame uyathuswa ngaso sonke isikhathi, ikakhulukazi uma bazi ukuthi ungongqingili. Baye bathi, “Singakukhombisa ukuthi indoda yampela ingenzani, esikhundleni seminwe nolimu. Sizokukhombisa ukuthi indoda yamampela injani.”¹⁵

Abantu abangahambisani nendlela yokubukeka njengongqingili abangabesimame kungasho ukuthi “benziwa inyambazane” uma benabantu abanabantu, ababukeka bethandana nabo, ungqingili ongowesilisa noma owesilisa ozikamela eyakhe indlela. Uma ungqingili ongowesimame ekade enziwa inyumbazane, ukuhlukunyezwa akutholayo kungaba okufanayo njengalokhu kuziwa ngongqingili abangabesilisa. NgokukwaDenise, oneminyaka engu-21 ubudala:

Bathi nginenyoka. Angihambi ebusuku kakhulu ngoba [abesilisa lapho ngihlala khona] bahlala bethi bazongidlwengula.... Angibazi kodwa ngiyazi ukuthi baqinisile.... Abesilisa abayaye bangigcone, bayaye baxwayise abesefizane ukuthi bangazihlanganisi nami.¹⁶

UVikhi uthola njalo “ukuhlukunyezwa ngokwenkulumo” emarenki amatekisi.

Baye bathi, “Weneliswa kanjani umunwe nolimu? Udinga umpimpi.” Ngelinye ilanga owesilisa waveza isitho sakhe sangasese wathi, “Nakhu okudingayo.”¹⁷

U-Dorothy uhlala ethukile njalo uma ehamba ngaphandle.

Ngokwejwayelekile... owesilisa uzama ukukweshela uma uhamba. [Bathi,] “Woza lana. Uyintombazane, awukwazi ukubhebha.” Bayabona kodwa

¹⁵ Ingxoxo phakathi kwe-Human Rights Watch noNkosazana (akulona igama langempela), e-Pietermaritzburg, ngo-Agasti 4, 2010.

¹⁶ Ingxoxo phakathi kwe-Human Rights Watch no-Denise (akulona igama langempela), eLusikisiki, ngoJulayi 2, 2010.

¹⁷ Ingxoxo kwe-Human Rights Watch noVikhi (akulona igama langempela), e-Pietermaritzburg, ngo-Agasti 4, 2010.

ukuthi ungunqingili ... [kodwa bathi,] “Awuyena owesilisa. Uyawusaba umpimpi.... Uyabaleka kodwa lokhu yikona okufanele ukwenze.”

UkuHlaselwa Umzimba

Abantu okwakhulunywa nabo—kakhulu kodwa kungebona abesilisa abongqingili kuphela kanye nabesilisa abazikamela eyabo indlela ngokukhombisa ubulili—bekuhlala kunguhlukumeza ngokomzimba ngenxa yendlela abakhombisa ngayo ubulili kanye nendlela yokukhombisa ukuzikhombisa ubulili kanye nendlela abazikamela indlela yokukhombisa ubulili. Bahlala belwa ngezinye izikhathi uma behlaslwa ukuze bazivikele, abangani babo, kanye nabathandana nabo.

Abantu abaningi ababizwa ngamaganyana noma bahlukunyezwa abaphenduli ngoba bayazi ukuthi kungenzeka kube khona impi. UTau, oneminyaka engu-16 ubudala, wahlakaselwa eduzane ne-carwash ngesikhathi ehamba nangani bakhe abathathu. Indoda yababiza ngamamofini [igama lokwedelela abaselisa abongqingili kanye nezitabane. Uma uTau embuza ngalokhu, wamfusha wabese emshaya. Ekuhambeni kosuku ngalelo langa uTau wahamba nobhuti wache waya kulona owesilisa ukuyomqonda. Indoda yathi, “Ngimshaye ngoba uzama ukuzenza umfana; akayena umfana.”¹⁸

U-Vinny washaywa ngumndeni wentombi yakhe. Ngo-Novemba ka-2008 abanye babangani bakhe bavela kuthelevishini basho ukuthi bangongqingili. Ngenxa yalokhu, u-Vinny wabe esekhishwa inyumbazane emphakathini wakhe ngoba wayebonakala ehlala enabo njalo esikhathini esiningi ound 7:00 p.m. ngalobo busuku, [intombi yami] umama, ubhuti, nabanye abantu bomphakathi ngesikhathi beza endlini yami bephethe izinduku kanye namatshe. Intombi yami yayigcwele igazi. Bangena endlini. Umama watshela abafana ukuba bangibambe, base bayangishaya kakhulu. Bangephula ingalo yangokwesonxele. Abanye abantu abawumphakathi bafika wngesikhathi bezwa umsindo, ngabaleka.... Akekho owayengikhulumisa inyanga yonke.¹⁹

UMontsho uyazama ukulwa uma bemulwisa kuye ngokuthi angakwazi yini ukuzivikela angalimali kakhulu.

When [intombi yami nami] sasihamba ndawonye, owesilisa owazi mina, bazama ukumeshela.... Esikhathini esedlule, ngalahlekelwa izinyo.

¹⁸ Ingxoxo phakathi kwe-Human Rights Watch noTau (akulona igama langempela), eKhayelitsha, ngoJuni 22, 2010.

¹⁹ Ingxoxo phakathi kwe-Human Rights Watch no-Vinny (akulona igama langempela), eLusikisiki, ngoJulayi 2, 2010.

Ngesinye iskhathi kusuke kukhona abesilisa ababili, ngesinye iskhathi kube nje oyedwa. Ngilwa nabo.²⁰

Abantu bebehlaselwa emizini yabo. Ngobunye ubusuku ngenyanga ka Meyi 2008 amadoda amahlanu ahlomile agqekeza angene ekhaya lakubo Khaya lapho ahlala khona khona nomama wakhe. Owesisafazane oneminyaka engu- 26 wathi:

Bathatha umama wami bambopha bamusa kwelinye ikamelo. Abathathu balawa madoda bangithatha bangise kwelinye ikamelo. [Babethi,] “O, uyindoda wena? Ucabanga ukuthi uyindoda?” ... Bangishaya, bencingqubuza obondeni ngekhandana namahlombe obondeni ngesibhamu. Bacishe bangidlwengula ... kukhona okwenzeka base benquma ukuba bahambe. Anginaso isiqinisekiso sokuthi kwenzekani Kodwa ngabona ngathi yimina onephutha ngandlela thize. Uyabona, uma ugqoke kanjena uzoba ithagethi ngokugqoka kanjena.²¹

Ongqingili besifazane ngesinye isikhathi babhekana nokuhlaselwa kwabesilisa abahluana nabo, ababala, noma abangavumanga uma beshelwa. U-Gloria wahlaselwa owesilisa angafunanga ukumqoma. “Wonke umuntu uyazi ukuthi ngingungqingili ngendlela engigqoka ngayo. Omunye wesilisa wangeshela; ukuze angicasule. Ngamtshela ukuthi ‘cha’ wabe esezama ukumshayi.”²²

U-Abigail, oneminyaka engu-37, kanye nomngani wakhe wesilisa bahlale bezithola bebhakene nezimpi.

Ngelinye ilanga intombi yami nami sasisebha. Kukhona insizwa eyayifuna ukukhuluma nami.... angizange ngiyinake. Yasuka yeza kimi yathi, “Awuboni ukuthi ngiyakubiza?” Wayefuna ukuba sixoxe ngasese. [Intombi yami] yangenelela kulolu daba. Waqala ukummemza futhi wantshela ukuthi akanake izindaba zakhe. Wathi mina ngiyi ndaba yakhe. Waqala-ke wasishaya. Abanye abantu bazama ukulamula sakwazi nokubaleka.²³

²⁰ Ingxoxo phakathi kwe-Human Rights Watch noMontsho (akulona igama langempela), eKathlehong, ngoJulayi 2, 2010.

²¹ Ingxoxo phakathi kwe-Human Rights Watch noKhaya (akulona igama langempela), e-Pietermaritzburg, ngo-Agasti 4, 2010.

²² Ingxoxo phakathi kwe-Human Rights Watch no-Gloria (akulona igama langempela), e-Nelspruit, ngoJulayi 11, 2010.

²³ Ingxoxo phakathi kwe-Human Rights Watch no-Abigail (akulona igama langempela), e-East London, ngoJuni 29, 2010.

Ukuhlukunyezwa ngokwemzimba kuvamisile ukuphezelwa ngokuhlukunyezwa ngokwecansi. U-Oyama wayehamba nentombi yakhe ngobunye ubusuku ngo Mashi ka -2009.

Kwakuthule ngesikhathi sihamba emgwaqeni. Izinsizwa ezine zeza kithi zathi kwenzeka kanjani ukuba ngithande intombazane nami ngokwami ngiyintombazane. Lezi zinsizwa zangishaya. Oyedwa kulezi zinsiawa wathatha intombi wayoyidlwengula. Babengikhahlela esifubeni ngezinyawo zabo. Izinsizwa ezintathu zazingishaya. Ngezwa ngathi isikhathi eside. Izimbambo zami zazibuhlungu, zezwakal ngathi ziphukile, angikwazanga ukuphefumula. Uma sebeqedile ngakwazi ukusukuma ngihambe, kodwa kwakubuhlungu. Angizazanga lezi zinsizwa. Le nsizwa eyathatha intombi yami, ngangke ngayibona maduzane nekhaya lentombi yami.... Ngangikwazi ukubabona [abanye] abasilisa. Sehlukene nentombi yami emavikini amabili edlule.²⁴

Ukuhlukumezeka Ngokocansi

Uphenyo iphakamisa ukuthi abasemame abathandana nabantu abangabesilisa babuye babe ngabesilisa bayahlukunyezwa ngokushaya futhi bahlaselwa abathandana nabo, abaethandana nabo, noma amalunga omndeni kanye nabangani babo emakhaya abo noma nasemakhaya omakhelwano; ingxenye yokuthathu ihlaselwa ngabantu engabazi.²⁵ Ukuqhathanisa, uphenyo lukhombisa ukuthi ongqingili kanye nabesilisa abazikamela eyabo indlela ngokobulili bahlaselwa abantu abangabazi, abangani abasanda kubazi, kanye ngesinye isikhathi ngabangani; ezikhathini eziningi, ukuhlaselwa kwenzeka ezindaweni ezingenabantu noma ezindaweni eziyimfihlo lapho bethathwa ngokungeyona inhloso yabo.

Ngesikhathi eneminyaka engu-15, ngonyaka ka-2000, uNosizwe, enomzimba omkhulu, “wayegqoke amacici kanye nezingubo zabesilisa. Ngangidlala kanzima .” Ngomunye

²⁴ Ingxoxo phakathi kwe-Human Rights Watch no-Oyama (akulona igama langempela), eKathehong, ngoJulayi 7, 2010.

²⁵ Bona i-CSVR, “Tracking Rape Case Attrition in Gauteng: The Police Investigation Stage,” http://www.csvr.org.za/index.php?option=com_content&view=article&id=1498%3Atracking-rape-case-attrition-in-gauteng-the-police-investigation-stage&Itemid=2, (yatholakala ngoEphreli 1, 2011), ikhasi. 18, bheka izinombolo ezikhomba ukuthi okungenani amaphesnti angamashumi angu-50 okwedlwengula kwabantu besifazane ebantwini abathandanayo abangebona ubulili obufanayo kwenzeka ngaphakathi emakhaya, lokhu kukhomba ukuthi ukuqapha kwamaphoyisa ndendlela yakudala kungabi nempumelelo kula macala. Phinda ubone i-CSVR, “A State of Sexual Tyranny: The Prevalence, nature and the causes of the sexual violence in South Afrika,” http://www.csvr.org.za/index.php?option=com_content&view=article&id=2453%3Aa-state-of-ukucindezelwa-ngokwecansi-izinga-lalezi-zenzo-ubunjalo-kanye-nembangela-yokuhlukunyezwa-ngokwecansi-eningizimu-afrika&Itemid=2, (kwatholakala ngo-Ephreli 1, 2011), izibalo kanye nokuhlaziya okunzulu kwenkinga yoku hlukunyezwa ngokwecansi eNingizimu Afrika,.

uMgqibelo ebusuku, ngesikhathi ebuya ekhaya eqhamuka emdlalweni wesikole yedwa, uNosizwe walandelwa iqembu lamadoda amane ayengawazi.

Ngesikhathi ngibendlula, bangibuza ukuthi ingabe ngiyintombazane yini. Ngaphendula ngathi, “cha.” “Ungumfana wena?” Ngathi, “yebo.” Ngabandlula, omunye wabo wabe esethi, “lena intombazane. Awuthi ngikukhombise ukuthi uyintombazane.” Bangilandela, bangidonsa; baqala bangishaya.... Bangidlwengula—abathathu noma ababili noma bonke, angisakhumbuli. Ngavuka ekuseni. Izimpahla zami zidabukile. Kwakugcwele igazi. Ngangibuhlungu kakhulu.

Ngazizwa ngathi angiyena umuntu. Angizange ngiphume ekhaya izinsukwana. Ngangicabanga ... ukuthi kuzokwenzeka futhi.²⁶

Ukudlwengula kwashintsha impilo kaNosizwe. UNosizwe wakhulelwa wathola ingane manje umama wakhe ukhulisa ingane yakhe.

U-Farai, owayeneminyaka engu-32, ovela eLusikisiki, idolobhana elincane eMpumalanga neKoloni, naye wahlaselwa ngenxa yendlela akhombisa ngayo ubulili—ikakhulukazi, uthi, yingoba yindlela ayegqoka ngayo. Ngonyaka ka-2000, ngesikhathi eneminyaka engu-22, u-Farai wandlengulwa isigejana sabafana ngesikhathi ezigijimela.

Omunye umfana weza ukuba axoxe nami. Ngangingafuni ukuxoxa naye wabe eseqala ukwenza izinto ezingasile sase siqala [ukulwa]. Wangishaya. Omunye umlisa, engangimazi wayengumdlwenguli [wayaziwa eLusikisiki njengo] umdlwenguli kanye nesela. Ngangilwa kakhulu ngalesi sikhathi. Angazi ukuthi ukuthi waqhamukaphi owesithathu. Babethi bazongifundisa ukuthi umuntu uziphatha kanjani uma engowesimame. Bathi akumelana ngizenza umuntu onamandla. Babethi, “Ucabanga ukuthi ungubani?” Ngangilwa nabo bonke futhi ngibahlule. Kodwa owesilisa owesihlanu ... kungaleso sikhathi bengithola. Waqhamuka ngemuva kwami wangishaya. Kungaleso sikhathi ngawa phansi, ngicabanga ukuthi ngaquleka.

Owesilisa owayendlula wanithola emveni kwamahora amaningana wangithatha wangisa ekhaya. Ngangiphethwe ikhanda elibuhlungu izinsuku

²⁶ Ingxoxo phakathi kwe-Human Rights Watch noNosizwe (akulona igama langempela), e-Tzaneen, ngoJuni 15, 2010.

ezine ... Ngangicabanga ukuthi ngiyopha. Uma ngifika ekhaya ngageza kodwa ngangilokhu ngingazizwa kahle. Ngaphinda ngageza futhi. Yingaleso sikhsathi lapho ngabona khona ukuthi angopho. Bangithela ngophethiloli emzimbeni wami. ... Angitshelanga muntu ngoba ngacabanga ukuthi akekho owayezongikhohla. Ngacabanga ukuthi ngizokhohlwa.²⁷

Abanye abantu okwaxoxiswana nabo bayashaywa, ngezinye izikhathi kaningana, ngabantu abangabazi kanye nabangani babo. U-Onalenna, ohlala e-Tzaneen esifundazweni saseLimpopo, wadlwengulwa ngonyaka okukuqala ka- 1994, ngukhoshi wakhe webhola likanobhutshuzwayo, eneminyaka engu-15, okwesibili kwakungunyaka ka-1996, lapho amadoda amathathu, ambiza ngo-‘monnamusadi’ (“owesilisa-osawesimame”) amdonisa kanye nomngani wakhe bamusa emahlathini ngobunye ubusuku ngesikhathi beya ePolokwane, idolobhana elisduzane. Baphinda bamudlwengula okwesithathu ngo-Ephreli ka -1999, ePolokwane futhi, ngamadoda ayekade egade izindlela zakhe ase ehlela ukumhlasela ukuze “amfundise” isifundo bese bemshintsha ukuba abe “owesimame wangempela.”²⁸

Ingozi yokuhlaselwa emabha kanye nasezindaweni zomphakathi isikhathi esiningi ziphoqa ongqingili kanye nabesilisa abazikamela ngokwabo indlela yobulili ukuhanbisana nendlela abaphila ngayo nezindlela abaphilisana ngayo; ezikhathini eziningi, bakhetha ukuphuza bajabule ngokuphepha kanye nemindeni yabo. Nasemakhaya ngokunjalo akuphephile. Ekuseni ngovivi ngonyenga kaFebruwari zingu-23, ngonyaka ka-2008, u-Frances wayelele ekhaya kubo Kabokweni, idolobha eliseduzana ne-Nelspruit esifundazweni saseMpumalanga, lapho amadoda amabili —oyedwa wabo amuzwa ngezwi njengomuntu owayehlala embuza njalo ukuthi kungani ephila “njengowesilisa”—bagqekeza indlu. Indoda ayeyazi yamphoqa ukuba aphume endlini njengoba yayiphethe umese, futhi yamthatha yamusa emfuleni owawuseduze cishe amamitha angu-300, lapho amgwaza khona ekhanda futhi wadlwengula isikhathi esiyihora nohhafu. Umakhelwano watshela kamuva u-Frances ukuthi umhlaseli ubemtshelile ukuthi uzomfundisa ukuthi “angazenzi indoda.”²⁹

²⁷ Ingxoxo phakathi kwe-Human Rights Watch no-Farai (akulona igama langempela), e-Pietermaritzburg, ngo-Agasti 4, 2010.

²⁸ Ingxoxo phakathi kwe-Human Rights Watch no-Onalenna (akulona igama langempela), e-Tzaneen, ngoJuni 15, 2010.

²⁹ Ingxoxo phakathi kwe-Human Rights Watch no-Frances (akulona igama langempela), e-Nelspruit, ngoJulayi 11, 2010.

Indaba kaDumisani

UDumisani sebemdlwengule ngaphezulu kwesikhathi esisodwa, ngabantu angabazi kanye nabangani besikhashana ababefunda izindlela zakhe.

Ngezingu- 12 kuSeptemba, ngonyaka -2005 ngo-6:00 p.m., UDumisani—owayeniminyaka engu- 17 ngaleso sikhathi—wayehamba eduzane nekhaya lakhe eMdantsane, eMpumalanga neKoloni okungelinye lamalokishi aseNingizimu Afrika amakhulu, indoda yaqala ukumkhulumise.

...indoda yangibuza ukuba ngiyayithanda yini. Ngangingazi ukuthi ukhuluma ngani. Ngavela ngathi “cha” ngazama ukubaleka kodwa wangivimba. Kwasekumnyama manje. Ngase ngikhala futhi ngamtshela ukuba angiyekele. Waqala ukungishaya. Wakhipha ummese. Ngabaleka kodwa ngawa wabe esengithola.

Wayezazi izinto ngami. Wayazi ukuthi ngihlala kuphi nokuthi ngifika nini ekhaya, nokuthi obani abaye bangivakashele ekhaya, nokuthi abangani abanjani enginabo. Ubabonile abangani bami abangongqingili ‘lesbian’ befika ekhaya futhi wakhuluma ngokuthi sonke sigqoka njengamadoda.

Wamdonsela ehlathini, wamshaya, emundlwengula kwaze kwahla kakhulu ebusuku, wabe esthi uzongiphelezela ngiye ekhaya. UDumisani wasaba ukuya emaphoyiseni ngoba kwacaca ukuthi umdlwenguli uhlala eduzane naye, wambheka zonke izindlela zakhe, futhi wayaziwa endaweni ukuthi uyingozi. Uthisha owabona ukuthi kukhona okungalungile waththa uDumisani wamuyisa emapho yiseni, ukuba bayohlola igciwane le-HIV, nokuthi babone ukuthi ingabe wayekhulelwe yini. Kwamjabulisa ukwazi ukuthi aziswe ukuthi akakhulelwa kodwa amaphoyisa awazange abophe muntu noma wakwazi ukusho ngubani umuntu owayendlwengulile, wase ephinde embona kamuza kuleyo ndawo.

Ngangizonda ngaleso sikhathi.... Kuze kube namuhla, angikwazi ukuqhubekela phambili ngempilo. Angikwazi ukukhohlwa. Uma abesilisa bekhuluma nami, lokhu kungikhumbuza okwenzeka. Kukhona okuthintekayo bese ngiyathukuthela. Nginentukuthelo naphakathi kimi. Ngiba nentukuthelo bese ngikhathazeka kakhulu ngize ngigule.... Angifuni ukuba nabantu, Ngifuna nje ukuba ngiphuze utshwala knona ngizokhohlwa yonke into.

Kodwa okukhulu kwakuseza. Ngolunye uLwesiHlanu ebusuku ku-Okthoba ka-2009 uDumisani wayebuya ekholishi e-East London, wabese esdlula lapho kuphuzwa khona. Amadoda amabili amlandela ase emdonsela ehlathini elaliseduze:

Bashintshana ngami. Ngangibancenga ukuba bangiyeke kodwa abafunanga ukungiyeka. Ngalizwa izwi loyedwa. Babengishaya. Ngangilwa ngiphinde ngilwe. Yonke into yama nsi.... Yonke into yama nsi.

Ngangingazi ukuthi ngizokwenzenjani. Babeningi abesilisa futhi ababeseduzane, futhi bazana. I know [ukuthi] labo besilisa bayangazi. Babefuna ukwenza lokhu kungqingili onjengowesilisa 'butch lesbian'. Ngesikhathi bengidlwengula, omunye wesilisa wathi, "Ucabanga ukuthi uqinile, ucabanga ukuthi ungowesilisa, uwudodi kangingqingili 'lesbian'." Uma ngivula icala, ngiqinisekile, bangaboshwa kodwa [bayobe] benabo abanye besilisa aboyongilandela. Ngiyazi bayongithola.

UDumisani wakhipha isisu ekupheleni kuka-2009 futhi uhlala njalo enza ukuhlola igciwane le HIV.

Ingxoxo phakathi kwe-Human Rights Watch kanye noDumisani (akulona igama langempela), e-East London, ngoJuni 28, 2010.

Kaningi ningi, njengoDumisani, abantu abahlukunyenziwa bahlale njalo behlukumezeka lapho bebona abahlaseli babo njalo; Lokhu futhi kwenza ukuthi besabe kakhulu kuphela nethemba elincane ebebe nalo ngamaphoyisa kanye nohlelo lobulungiswa. Le nkinga ijwayelekile, ayigcini kuphela ekudlwengulweni kongqingili 'lesbians'.

UMusa wadlwengula ngumakhelwano owaziwa ngokuthi nguMatlosana ngonyaka ka-2003 ngesikhathi ehlala e-Klerksdorp, indawo engamamayela angu 125 eningizimu yentshonalanga yeGoli esifundazweni saseHawutengi. Emuva kokumdlwengula, owesilisa wathi: "Khumbula,uma ukhuluma kulungile, ngizoya ejele, kodwa ngiyothola abantu bazokubulala, futhi necala liyonyamalala." Ethukile, uMusa watshela umama wakhe ukuthi kwenzekeni ezinsukwini ezintathu ezendlule, baseke behamba beya emaphoyiseni akwaKanana esiteshini samaphoyisa ukuvula icala lokudlwengula. Umdlwenguli waboshwa kodwa wakhishwa ngebheyili ngesikharhi uMusa essibhedlela eyohlinzwa lapha alimala khona ngesikhathi edlwengula. Waqala wamthusa uma ebuya ekhaya. UMusa wathola 'incwadi yomthetho yokuvikeleka' emaphoyiseni.

Akusheshwangwa ukuthethwa kwecala futhi ezizwa engaphephile ngoba ehlala eduze komdlwenguli, uMusa nomama wakhe bathutha baya eLusikisiki eMpumalanga neKapa. Amaphoyisa amtshela ukuthi uzokwethula ubufakazi eHawutengi. Maphakathi nonyaka ka-2004 wathola ukuthi wayesesulelekile ngegciwane le-HIV. Ngesinye isikhathi ngo-2005, ngesikhathi eseMpumalanga neKapa, umphenyi wecala wambiza wamutshela ukuthi kwakudingeka ukuba ayofakaza enkantolo eHawutengi ngelanga elilandelayo.

Wayengenayo imali, ngakhoke uMusa akakwazanga ukuhamb ibanga elingamayela angu-400 (acishe abe u-700 wamakilomitha) emva kokuzwazisa elangeni elilodwa; akazi ukuthi, uma kwaba khona, okwenzakalayo, noma okwenzeka ecaleni ngoba amaphoyisa awabe esemazise futhi wase eyayekela.³⁰

Njengasecaleni likaMusa, umphumela ngokwengqondo kanye nangokomzimba alokhukhulasela ayengakumele ayibanga mihle. USadeni, oneminyaka engu-19, owayenimiyaka engu-6 ngesikhathi abangane bakhe bamundlwengula ngonyaka ka-2007 esifundazweni saseLimpopo, wathola ukuthi ukuhlukunyezwa kwakhe kumenze wasululeka ngegciwane le-HIV. Amaphoyisa ala ukubhalisa icala lokudlwengulwa lapho uSadeni eyovula icala ngoba kwakungendlela ayezikamela eyakhe imingcele ngokobulili babengakholwa ukuthi uSadeni wayengeyona owesilisa kodwa amkhathaza futhi amgcona ngendlela kwakhe ngokomzimba. Njengamanje uthatha ama-anti-retroviral.³¹

U-Lee, owayaziwa njengengqingili 'lesbian' owadlwengula ngabesilisa abayisishagalombili ephathini ngonyaka ka-2006, wagcina engethambi muntu emuva kokuhlaselelwa wabese eseqala ukuphuza ngokweqile. Wakhulelwa ngenxa yokwedlwengula.

Ngangifuna ukukhipha isisu. Ngaya esibhredlela esizimele. Umluleki wezengqondo wathi ufuna ukungibuza imibuzo emibili. "Okokuqala, uyokwazi ukuhlala wazi ukuthi ubulele umntwana? Okwesibili, uyocabanga ukuthini njalo uma ubona ingane?" Ngangifuna ukubulala ingane nje.... KwakunguDisemba ngonyaka ka-2006 [lapho] ngahamba ngayo kwelulekwa ngokwengqondo. Ngabuyela esibhedlela sekudlule izinyanga ezine. Kwakusekho okwakungeziwa mayelana [nokuhushula isisu]. Umama uyayinakekela ingane.³²

³⁰ Ingxoxo phakathi kwe-Human Rights Watch noMusa (akulona igama langempela), eLusikisiki, ngoJulayi 2, 2010.

³¹ Ingxoxo phakathi kwe-Human Rights Watch noSadeni (akulona igama langempela), eTzaneen, ngoJuni 15, 2010.

³² Ingxoxo phakathi kwe-Human Rights Watch no-Lee (akulona igama langempela), eLusikisiki, ngoJulayi 2, 2010.

U-Carol, oneminyaka engu-35 ubudala, owahanjwa ngemuva ngumzala wesifazane ngesikhathi eneminyaka engu- 19 ubudala. U-Carol ubehlala njalo ezenza ungqingili wesilisa ‘butch’ futhi nomzala wakhe akazange amukela indlela u-Carol nabantu azikamela ngayo imingcele ngokobulili.

“Wayeye athi kimi, ‘Kungani uzenza umfana,’” U-Carol uthi. umzala wakhe u-Carol wamumema ephathini wamenza ukuba aphuze utshwala. U-Carol wathola ukuthi kamuva umzala wakhe wafaka okuthile kubhiya wakhe ngalelo langa. Umzala kabhuti wesoka lakhe wamudlwengula uCarol ngesikhathi equlekile.

Ngavuka ngakusasa ekuseni ngikwenye indlu, nginqunu, kwakugcwele igazi yonke indawo kimi. Kwakukhona imali ngaphansi komqamelo. Ngangikhala. Usisi wami omdala wafika ekhaya ngamtshela ukuthi kukhona okwenzekile. Ngangineminyaka engu-19 ubudala.... Ngathola ukuthi ngikhulelwe. Ngafuna ukuzibulala ngaleso sikhathi.³³

Ingane kaCarol iseneminyaka engu-15 ubudala futhi ikhuliswe umama wakhe.

NgoJanuwari ngonyaka ka-2009 uNkosazana wahamba evakasha nomngani wakhe kanye nesoka lomngane wakhe, owaletsa umngani wakhe womfana. Umngani womfana washela uNkosazana kaningana mayalana nangalobo busuku; wamala izikhathi ezinangana. Ethukuthele, owesilisa wamusa elokishini elalikude nekhaya lakhe Imbali, esifundazweni saKwaZulu-Natal, maphakathi nobusuku wamphonsa ngaphandle kwemoto. Kwakuwumgwaqo ongetshenziswa njalo futhi ungahambi abantu abaningi lapho alahla khona uNkosazana; amadoda amabili amedlula, amthatha emusa emkhukhwini owawuseduzane, lapho amudlwengulela khona. Akakaze akwazi ukwamukela lokho okwenzeka kuye. Uthi, “Ukudlwengula kubuya njalo kimi futhi ngibe sengiphatheka kabi nginge ngimemeze; ngangihlanza; ngangingadli; angikwazanga ukulala.”³⁴

U-Ashanti, oneminyaka engu-39 ubudala, ohlala Kwa-Thema, ilokishi elisedizane neGoli. Eminyakeni eminingi eyedlule, wabhekana nokuhlukunyezwa ngokwenkulumo, ukwesatshiswa, ukuhlaselwa emzimbeni, kanye nokuhlasela emakhaya ngenxa yokuthi bathandana ngobulili obufanayo; kodwa-ke, ukuhlaselwa okwamkhubaza kakhulu yilokhu

³³ Ingxoxo phakathi kwe-Human Rights Watch no-Carol (akulona igama langempela), e-Ermelo, ngoJulayi 10, 2010.

³⁴ Ingxoxo phakathi kwe-Human Rights Watch noNkosazana (akulona igama langempela), e-Pietermaritzburg, ngo-Agasti 4, 2010.

okwenzeka emaweleni akhe angamantombazane aneminyaka engu-13 ubudala ngelinye ilanga ngonyaka ka- 2001 ngesikhathi ebuya emncintiswaneni wendawo yonobuhle.

[Amadodakazi ami] awafikanga ekhaya. Ngabacinga yonke indawo. Ngo 3:00 a.m., ekuseni ngahluleka ukuzibamba. Ngatshela umama ukuthi kukhona into engalungile ... kukhona okungalungile. Ngelanga elilandelayo, ngeSonto, ngo- 11:00 a.m., amadodakazi ami afika ekhaya; iziketi zabo zabe zimnyama. Ngesikhathi abesilisa bedlwengula amadodakazi ami, bathi kubo, “Senza lokhu khona uzokwazi ukuthi ufanele uma usukhula wazi ukuthi kufanele ulale namadoda.”

Omunye wamadodakazi wazi wazibulala emva kwezinyanga eziyisithupha. Wayefuna ukuba mina ngimbulale. Wayengakwazi ukumelana nezinto abantu abazishoyo kuye. Ngalahlekelwa kanjalo yingane yami. Ngiyazisola. Kungenxa yami. Ukuba nje [azange] ngibakhombise indlela yokubangqingili [ubungqingili], ngabe basaphila namhlanje.

Kusukela ngaleso sikhathi u-Ashanti usezama ukuzibulala kahlanu, okukugcina bekungunyaka ka-2007. Indodakazi yakhe enye nayo ike yazama ukuzibulala.

Kuyazenzekalela, awukwazi ukukugwema.... Lona owayethanda kakhulu ukukhuluma, futhi eziqhenya kakhulu ngomama wakhe, washona. Angifuni ukukhuluma ngakho. Angikwazi ukukundlulisa.³⁵

Nakuba ongqingili besifazane ‘femme lesbians’ babuka engathi bathandana nabantu abangafani nabo futhi nabo bazithola besenkingeni njengabesifazane, uma indlela abazikamela yona yemingcele ngokobulili yaziwa kungenza ukuba bazithole besenkingeni enkulu yokuzithola behlukunyezwa ngokwecansi.

NgoNovemba ka-2007, uPuleng, ungqingili owesimame ‘femme’ lesbian owakade ejola nabafana ngaphambili futhi onengane nesoka lakhe lakudala, wayehlala eMbalenhle, esifundazweni saseMpumalanga. Wayebuya e-night club ehamba nomzala wakhe wesifazane, owayengakuthandi ukuba ngungqingili kukaPuleng, ngesikhathi abesilisa abane bemthatha bese bemdlungula emahlathini aseduzane. Umzala wakhe wamshiya kanjalo. UPuleng wathi:

³⁵ Ingxoxo phakathi kwe-Human Rights Watch no-Ashanti (akulona igama langempela), KwaThema, ngoMashi 18, 2009.

Bathi kimi “Sizokukhombisa ukuthi ungowesimame”.... Ngicabanga ukuthi mhlawumbe ngokutshela umzala wami, ukuthi ngingungqingili wesimame; ngabacukuluza.... Bakholelwa ekutheni abesimame kumele bahlale nabesifazane....³⁶

U-Abigail, owayeniminyaka engu-37, wayehlala edolobheni elincane eMpumalanga neKapa lapho abantu babazi ukuthi ungunqingili ‘lesbian’. NgoMashi kanye no-Epreli ngonyaka ka-2010 wayeseThekwini, KwaZulu-Natali, eyoqeqeshwa khona, kulapho ahlangukhona umngani wakhe nensizwa eyamthshela ukuba iyamthanda. Umngani ka-Abigail watshela owesilisa ukuthi u-Abigail wayengungqingili.

Sahamba sivakasha.... Wazama ukungikhulumisa, eshela, ngathi, “Cha.” Wangibuza ukuthi, “Uyangithanda yini noma awungithandi nhlobo?” Ngamthshela ngathi, “Ungowesilisa othandekayo, kodwa angibathandi abantu besilisa.”

Ngesikhathi egibeza u-Abigail ebuyela emuva, indoda yamlutha ukuba baye naye endlini yakhe Ngesikhathi sebelapho wadlwengula, u-Abigail wabe eseyalala. U-Abigail wabaleka. “Ngangihamba, ngingazi lapho ngiya khona, izinja zikhokhonta,” wathi. “Ngangigqoke okwangaphezulu kuphela, ngingqunu ngezansi ngaphandle kwento yangaphansi. Ngangilokhu ngihamba, ngithandaza ukuthi kube khona ongibonayo....”³⁷

Nakuba u-Abigail wavula icala lokwedlungula futhi wanikezwa inombolo yecala engu-(140), watshelwa ngumphenyi wecala ukuthi icala lakhe lalibhaliswe njengo nombolo-139, futhi kwakungabhalwangwa ukuthi icala lakhe elokudlwengula. U-Abigail akakwazanga ukushintsha icala liye eMpumalanga yeKapa, lapho ehlala khona, noma akwazi ukuthi ekugcineni ukbhalisa njengecala lokudlwengula. Ummangalelwa wathi ngesikhathi kuthethwa icala babevumelene ukuba balalane, kwathi, ngoJulayi ngonyaka ka-2011, inkantolo yesifunda eThekwini yathola ummangalelwa engenalo icala ngenxa yobufakazi obabungenele. U-Abigail watshela i-Human Rights Watch ukuthi ijaji laphawula ukuthi ubufakazi buka-Abigail bokuthi ingabe babevumelene yini ngokulalana noma cha babungakhoklakali ngoba wanquma ukuba usengungqingili emveni kokuthola abantwana abathathu.

Ngonyaka ka-Januwari 2006 uNontle wadlwengula isoka lakhe lakudala ngesikhathi elishiya eseyothandana nowesimame.

³⁶ Inxoxo phakathi kwe-Human Rights Watch noPuleng (akulona igama langempela), e-Ermelo, ngoJulayi 10, 2010.

³⁷ Inxoxo phakathi kwe-Human Rights Watch no-Abigail (akulona igama langempela), e-East London, ngoJuni 29, 2010.

Isoka lakhe elidala lacabanga ukuthi wabe esengungqingili. Ngangigqoke ijini enkulu, isikipa, amateki [amasinikha], isigqoko sebheshibholi, namadredi. Wangixavula wabe eseqala ukungishaya. ... Ngangazi ukuthi akulunganga kodwa kwakungesize ukuya emaphoyiseni. Wabuya ngeviki elilandelayo engikhomba ngesibhamu esho nokusho ukuthi angangibulala uma ethanda.³⁸

U-Vicki wayehlala njalo edlwengula umnyeni wakhe, owabe azi kahle ukuthi ungunqingili. “Wangibiza ngesistabane, wangishaya, wangidlwengula, ethi ungikhombisa ukuthi ngabe ngithola kanjani ubumnandi,” usho njalo. Wadlwengula futhi ngonyaka ka-1995, ngesikhathi eneminyaka engu-20 ubudala ehlala eMgungundlovu, KwaZulu-Natali. Umdlwenguli kwakungani wakhe omkhulu wesilisa owamuhlasela ephathini emuva kokuba embone eqabula omunye wesimame.

Wathi, “Ake sihambe nje kancane, sibheme ijoyinti” ... Sahamba ke kuleli khaya wabe esngidlwengula. Ngesikhathi engidlwengula, “Yilokhu-ke okufanele ngabe uyakuzwa. Ngiyethemba ukuthi manje uzokuba nendoda.” Umlomo wami wadabuka. Wangishaya ngekhanda. Ngase ngimazi iminyaka eminingi.

U-Vicki wakhulelwa ngemuva kokwedlwengula wathola umntwana ohlala nomama wakhe. Abazali bomngani wakhe omdala, owadlwengula uVikhi, bahlala eceleni kwabazali bakhe.³⁹ UVikhi akazange avule ngecala ngokudlwengulwa kwakhe umnyeni wakhe noma umngani wakhe omdala.

URutendo wakhulela e-Pietermaritzburg. Wabe azi ukusukela eminyakeni engu-14 ubudala ungunqingili ‘lesbian’, wayesaba ukuthi aziveze kodwa wajoyina ikilabhu yabantu abebengafuni ukwenza ucansi ngenjongo yokwenza ukuthi angalwenzi ucansi namadoda. Wadlwengulwa umngani womndeni esondelene kakhulu nabo, njengo Musa, uTendai, kanye noSadeni, umdwenguli wamesulela ngegcwane le-HIV. Owesilisa owamdlwengula wamengumngani womndeni owayehlala eduzane nekhaya labazali bakhe.

Ngakhulelwa futhi umama wakwazi lokhu. Wazama ukuba ngigane owesilisa owayengidlwengulile. Ngala. Umama wajabula lapho ngikhulelwe. Owesilisa waxolisa; wayefuna ukungishada. Ngala.

³⁸ Ingxoxo ye-Human Rights Watch noNontle (akulona igama langempela), e-East London, ngoJuni 29, 2010.

³⁹ Ingxoxo phakathi kwe-Human Rights Watch noVikhi (akulona igama langempela), e-Pietermaritzburg, ngo-Agasti 4, 2010.

Ngacabanga ukukhipha isisu. Ngazama ukuphuza amaphilisi ngizama ukuzibulala mina kanye nengane kodwa ngagcina sengisesibhedlela. Ngangizonda umzuzu nomzuzu wami. Angifunanga ukuncelisa umntwana. Wayengikhumbuza okwenzeka kimi njalo. Ufana naye umuntu owangidlwengula. Umama wami wathi kumele akhokhe isondlo, kodwa wathi ufuna umntwana.

Ngangifuna ukuba ngimuhambise athole abanye abazali ‘adoption’, abangongqingili ‘lesbian couple’. Kodwa wagula umntwana enamaviki amabili kwase ehlole igciwane lengculazi [kwatholakala ukuthi usulelekile ngegciwane le-HIV].... Ngithatha ama-ARVs manje [i-anti-retroviral therapy]. Indodakazi yami nayo yeseluleke ngegciwane le-[HIV]. Unenkinga yezinso kanye nenkinga yenhliziyi.⁴⁰

Ngonyaka ka-2002 uLefu wasebenza ebha yongqingili ‘gay’ eGoli. Othengisayo ebhe igama lakhe lingu-Patrick wamshela ukuthi yena ungungqingili ‘gay’ futhi base beba abangani. Ngelinye ilanga ngonyaka ka-2002, uLefu kanye nomngani wakhe ongowesilisa ongungqingili ‘gay’ bahamba bavakasha no-Patrick kanye nomngani wakhe wesilisa. U-Patrick wabasa eflethini elisebhilidini elingenabantu yilapho baqala khona ukuba nodlame baqala bashaya oLefu kanye nomngani wakhe. ULefu, emangele, wabatshela ukuba ababavumele ukuba bahambe. U-Patrick wakhapha isibhamu:

Wathi kithi: “Uma ningibheka, nicabanga ukuthi ngingungqingili ‘gay’? Nginonkosikazi. Nginezingane. Yini lena eyenza ucabange ukuthi uyindoda?... ‘Lento le’ [nithana nabantu abafanayo ngokubulili] ayinangqondo.... Lokhu kuyisono, uNkulunkulu akakuthandi.”

U-Patrick kanye nomngani wakhe badlwengula uLefu kanye nomngani wakhe wesilisa ongungqingili ‘gay’ izikhathi eziningana futhi babebenza bageze eshoweni ngaphambi kokuba bahambe. Ngesikhathi bebuyela emakhaya, umngani kaLefu wamtshela ukuthi, “Uma ngabe kukhona obatshelayo, ungangibali mina.” ULefu ukhuluma ngosizo okuzwa ukuhliselwa empilweni yabo:

Ezinye izimo azindluli kalula.... Zihlala njalo zibuya. Akuhambanga kahle ezifundweni zami; babezohoxisa ukufunda kwakhe ngaphandle

⁴⁰ Ingxoxo phakathi kwe-Human Rights Watch noRutendo (akulona igama langempela), e-Pietermaritzburg, ngo-Agasti 4, 2010.

kokukhokha [umfundaze]. Ngalahlekelwa ukuzethemba. [Ngazizwa sengathi] abantu [ba-] ngenza noma yini ababeyifuna ngami; Angikwazanga ukwenza noma yini [ukubavimba]. Kwaba nomthelela nobudlewano enginabo nabantu. [Uma] umuntu engikhulumisa, Ngangingakwazi ukuthi ngithi “cha.” Ngangihlukumezekile. Ngezwa ngingcolile. Ngazizwa sengathi abantu babengibukela phansi, ngoba bazi ukuthi kwakwenzekeni kimi.⁴¹

Abanye abantu okwakhulunywa nabo babika ukuthi izintombi zabo zidlwenguliwe ngoba zingongqingili ‘lesbians’. Owayeyintombi kaTheri wahlaselwa elokishini laseGugulethu ngaphandle kwase-Cape Town ngonyaka ka-2004 ngesikhathi ehamba eya ekhaya ephuma emsebenzini. NgokukaTheri:

Wahlaselwa abasilisa abahlanu.... Babemazi. Bathi bafuna ukumfundisa ngabantu besilisa futhi bathi kumele ayekele amantombazane phansi. Wayedlala ibhola lezinyawo. Wonke umuntu wayazi [wayecabanga] ukuthi wayengungqingili ‘lesbian’.... Wayengathandi ukuxoxa [ngokundlwengulwa]. Waya emtholampilo kodwa akalivulana icala ngoba wayngazimisele kangako futhi [ubulili bakhe basebuzohlala obala] base buzokwazi yinoma ubani.... Umndeni wakhe awukazi namanje.⁴²

Intombi eyayithandana noTumeleng bayidlwengula ngoMashi ka-2008 abesilisa ezabe zazi uTumeleng ngegama kuphela futhi zatshela intombi yakhe “ungabohamba namantombazane.”

Akazange atshele muntu. Udinga ukwelulekwa ngokwenqondo. Uyayizonda impilo yakhe. Usola wonke umuntu. Useqale ukuphuza kakhulu. Usezame ukuzibulala izikhathi ezimbili, okukugcina ngo-Januwari 2010.... ngaya kolulekayo ngenqondo (ikhansela)...owayenenhloso ngokwazi kabanzi ngobulili bami kuphela; akuzange kungisize nakancane. Walokhu engibuza ukuthi kungani ngijola nabesimame, nokuthi silwenza kanjani ucansi, njll.⁴³

Owayeyintombi kaMasego waphunyulwa ngenhlanhla ekubeni adlwengulwe isigejana sandoda amvimbezela ngesikhathi esehamba kwamngane wakhe uMasego ayekade amvakashele. UMasego wathi:

⁴¹ Ingxoxo phakathi kwe-Human Rights Watch noLefu (akulona igama langempela), eGoli, Mashi 17, 2009.

⁴² Ingxoxo phakathi kwe-Human Rights Watch noTheri (akulona igama langempela), eKhayelitsha, ngoJuni 22, 2010.

⁴³ Ingxoxo phakathi kwe-Human Rights Watch noTumeleng (akulona igama langempela), e-East London, ngoJuni 29, 2010.

Babekade bebonile ukuthi siyathandana base bethi kuye, “Ubukeka uqondile.” Bazama ukumgwaza kodwa insizwa eyayiseduzane yamsiza yamphephisa. Wabe esehlukana name ukuze aphephe. Wabe esethi usebuyela ekujoleni nezinsizwa.⁴⁴

Ukwesaba, UkuLinyazwa, kanye NokuHlala UPhephile

Ongqingili ‘lesbians’kanye nabantu besilisa abazikamela eyabo imingcele ngokobulili bahlala njalo bethukile ukuba bangakhathazwa kanye nokuhlukunyezwa komzimba kanye nangokocansi. Lolu uvalo lugcwele yonke indawo ngendlela yokuthi nalabo esebe bahlukunyezwa abakhulumi ngakho ngaphandle kokuthi babuzwe ngqo ngakho. Isibonelo, uNkosazana, oneminyaka engu-25 ubudala, owadlwengulwa ngonyaka ka-2009 futhi manje ongungqingili emphakathini, ukhuluma ngokukhathazwa kwakhe okubukeka ngathi “kujwayelekile.”⁴⁵ Ngaphandle kwezinye izigameko, bonke abantu kwakhulunywa nabo bachaza ngokuhlukunyezwa ngokwecansi njengesisusa sokwesaba kwabo.

Ongqingili abaningi, abantu besiliosa abazikamela eyabo imingcele ngokobulili, kanye nabantu abangahambisana nomthetho wobulili okwakhulunywa nabo bathi kukho konke abangakwenza abakwazi ukungazivikeli ukuba badlwengulwe. uNombeko, oneminyaka engu-18 ubudala othandana newesilisa ongungqingili, wathi:

Ngiyadlwengula ngoba ngingqingili ‘lesbian’. Intombi yami ihlala yodwa.
Wonke umuntu uyakwazi lokhu. Ngiqinisekile, kukhona abakuhlelayo.
Wukuthi ilanga alikafiki nje. Angifuni abesilisa bazi emphakathini wami bazi uma [ngisekhaya kubo ntombi yami]. Bayofika uma ngikhona.
Bayosidlwengula sobabili.⁴⁶

USibonakaliso, oneminyaka engu-25 ubudala, naye, ubonakala sengathi usekwamukele ems to have ukuthi kungenzeka ukuthi bangamdlwengulwa ngenxa yendlela azikamele ngayo umngcele ngokobulili, uyazama ukwehlisa noma ezama ukunciphisa izinga lokuzithola kulokhu ngokufihla ubuhlobo anabo nentombi yakhe.

Ngelinye ilanga [ukwendlwengula] kungenzeka kimi. Ngiyakwazi lokhu.
Ngingentombi [kodwa] ngitshela abantu ukuthi ungumngani wami nje.

⁴⁴ Ingxoxo ye-Human Rights Watch noMasego (akulona igama langempela), e-Nelspruit, Julayi 11, 2010.

⁴⁵ Ingxoxo phakathi kwe-Human Rights Watch noNkosazana (akulona igama langempela), ePietermaritzburg, ngo-Agasti 4, 2010.

⁴⁶ Ingxoxo ye-Human Rights Watch noNombeko (akulona igama langempela), eKhayelitsha, ngoJuni 21, 2010.

Ngizwa izindaba zongqingili ‘lesbians’ bayahlaselwa, bayadlwengulwa, bayabulawa.... Ngelinye ilanga lokhu kungenzeka kimi.⁴⁷

USiboniso, oneminyaka engu-41 ubudala, uzizwa ephephile kuphela uma ehleli nongqingili ‘lesbians’.

Angihlali sekuhlwile [ezindaweni zomphakathi]. Angibathembi nje abesilisa, kanye ngokunjalo nabesimame—banamasoka noma abangani babasilisa. Bangangidlwengula, bazongidlwengula.⁴⁸

Njengoba behlala bethukile kanye nezizathu ezingenele zokukholelwa ekutheni amaphoyisa noma ubani omunye uyangenelela ukubavikela, ongqingili ‘lesbians’ kanye nabesilisa abazikamela eyabo imingcele ngokobulili bazakhela amasue abo kanye namasu abo bonke ukuba bakwazi ukuhlala bephephile. Amanye alamasu ajwayelekile—futhi nza ukuba inkululeko yabo inciphe—kubala ukuba ngabodwana emphakathini, ikakhulukazi emuva kokushona kwelanga; kanye nokungenzi ngezindlala ezidonsa ukubhekwa ngabesilisa; ukungalokothi uye noma kukuphi ngaphandle kokuba nento yokuhamba; ukukhetha ngokucophelela izindawo lapho bezijabulisa khona; kanye noku ngajoli nabantu basendaweni eyodwa khona bezonciphisa amathuba okuthi baziwe ngabaningi njengongqingili ‘lesbian’.⁴⁹

UKefilwe, umngani wabandlwengula, akaphumi ekhaya sekuhlwile noma abe kude nekhaya.

Abesilisa [abadlwengula abangani bami]... bayazi ukuthi bangawabalekela kanjani amaphoyisa. Akekho owaziyo ukuthi kahle hle bahlala kuphi. Selokhu kwenzeka lokhu senginqume, [ukuthi] uma ngihambile, ngiya eduzane ngisheshe ngibuye ekhaya ngabo 10 [ebusuku].... Angisafuni nokuya esitolo. Uma zingibona lezi zinsizwa ... Ngiyazi kuzoba yini engilandelayo.⁵⁰

Abanye abantu baziphephisa ngokunciphisa izindlela zabo, abanye abantu bathola isisombululo sokuthi bamane bahlale emakhaya (nakho lokhu okungenzeka ukuba kungeke kwaba nokuphepha njengoba kungabonakala kungaphephile, njengalokhu ubufakazi obendlulile bukhombisile). kwasho uMusa:

⁴⁷ Ingxoxo phakahi kwe-Human Rights Watch noSibonakaliso (akulona igama langempela), eThohoyandou, ngoJuni 14, 2010.

⁴⁸ Ingxoxo phakathi kwe-Human Rights Watch noSiboniso (akulona igama langempela), Kwa-Thema, ngoMashi 18, 2009.

⁴⁹ Ingxoxo phakathi kwe-Human Rights Watch noTendai (akulona igama langempela), e-East London, ngoJuni 29, 2010.

⁵⁰ Ingxoxo phakathi kwe-Human Rights Watch noKefilwe (akulona igama langempela), eKathlehong, Julayi 13, 2010.

Ngihlala ngisekhaya, ngenza izinto ekhaya noma lapho ngihlala khona.
Angikwazi ukuhamba selishonile ilanga, ngoba kubobungozi ngaphandle
lapha.⁵¹

⁵¹ Ingxoxo phakathi kwe-Human Rights Watch noMusa (akulona igama langempela), eKathlehong, ngoJulayi 13, 2010.

IziNcomo

Uhulumeni waseNingizimu Afrika kufanele athathe izinyathelo ezisheshayo ukulungisa lesi simo sendluzula ebhekiswe ngobulili, kubalula inkulumo, umzimba, kanye nokuhlukunyezwa ngokocansi nabantu abazikamela eyabo imingcele ngokobulili nangenxa yendlela abanye abantu abakhombisa ngabo ubulili, ngabantu abahlukahlukene kanye nakubantu ngabanye kanye nezisebenzi bahulumeni.

KuMongameli wase Ningizimu Afrika

- Gweba emphakathini indluzula esuswa ngubulilil, ibalula izigameko zokuhlukunyezwa ebantwini abulili bunye kanye nabantu abakama eyabo umngcele ngokobulili, kanye nokuqinisekisa imigomo yomthethosisekelo yokulingana kwabantu kanye nokungabandlulwa kwabantu kubo bonke abantu base Ningizimu Afrika.

KuMnyango WezokuShushisa

- Qinisekani ukuthi ukuthi wonke amacala okuhlukunyezwa ngokocansi kanye nendluzula kubesimame kanye nabantu abazikamela eyabo imingcele athethwe ngesikhathi kanye nabashushisi baqhube amacala phambili ameyalane nokuhlukanyezwa ngocansi.
- Xoxisanani nenhlangano yomphakathi esungulwe uhulumeni ezimele elisebenza ukuqeqesha abasebenzi beminyango eyahlukene ngenxa yendlela abanye abantu abakhombisa ngabo ubulili nendlela abanye abantu abazikamela eyabo imingcele ngokobulili.
- Qalisani izinto zokuqinisekiso ukuthi abahlukunyeyiwe kanye nobufakazi nezinjongo zendluzula kanye nokusaba ubungozi ziyabhekwa uma kwenziwa ukuthetha kwamacala kanye nenqubo, kubalula ukuhlela ibheyili yomumangalelwa, futhi kube khona nokuthatha kwezithombe, kanye nokuvikela abahlukunyezwayo kanye nabasekeli babo kanye nabangani komangalelwa kanye nemindeni yabo nabangani.
- Thathani izinyathelo zokuqinisekisa ukuthi abahlukunyeyiwe ngokocansi, abangani, kanye namalungu omndeni, kanye nanokuthi ofakazi basenkantolo bangasatshizwa noma bethuswa abahlukumezi noma abangani babo kanye namalunga emindeni ngaphambi kwecala, ngesikhathi secala, kanye nangemuva kwecala.

- Qinisekani ukuthi ngokuhlanganyela nenhlangano yomphakathi esungulwe uhulumeni ukuthi bonke abashushisa bayafundiswa njalo njalo ngoku nabantu abazikamela eyabo imingcele ngokobulili ngenxa yendlela abanye abantu abakhombisa ngabo ubulili kanye nangendlela abanye abantu abakhombisa ngabo ubulili, kanye nezindlela izigameko zokuhlukunyezwa ebantwini abulili bunye kanye nabantu abakama eyabo umngcele ngokobulili ngendluzula, kanye nokuhlukunyezwa ngokocansi ngokwejwalekile.

KuHulumeni wase Ningizimu Afrika

- Gwebani kakhulu njalo njalo emphakathini izigameko zokuhlasela izigameko zokuhlukunyezwa ebantwini abulili bunye kanye nabantu abakama eyabo umngcele ngokobulili ngendluzula, kanye nendluzula ebhekiswe kubantu bobulili obuthile.
- Nikezelani umphakathi amaforamu kuzifunda kanye nasemhlabei wonke jikelele ukugcina imigomo yaseNingizimu Afrika yomthethosisekelo ukungacwasi kanye nokulingana kwabantu.
- Thathani izinyathelo zokwandisa ukwazi ngokwe-‘Equality Clause’ kanye nemigomo yomthetho sisekelo yokungabandlululi kuyo yonke imikhakha yabantu ngokuba kusungulwe ukufundiswa komphakathi, kubalula abezindaba zomphakathi, futhi kunikezelwe ngezinsiza ezanele uma kwabilwa imali ngonyaka ukuze kuqhutshwe lezi zinhlelo.
- Sungulwa kwezinhlelo eziqapha futhi zihlole iminyango kahulumeni, kubala noMyango wezeMfundo, ezeMpilo, ezokuPhepha, azabesiMame kanye nabantwana, kanye neSishayaMthwethwa sokuShushisa sikaZwelonke, ukuqinisekisa ukuqaliswa kwemithetho ekhona yokungahambisani nobandlululo kanye nemigomo yawo.

KuMnyango WezoBulungiswa kanye NokuThuthukiswa KoMthethosisekelo

- Qinisekisini ukuthi wonke amacala okuhlukunyezwa ngokocansi kanye nangokuhlukunyezwa ngokomzimba ezinkantolo, kubalula abantu abazikamela eyabo imingcele ngokobulili nangenxa yendlela abanye abantu abakhombisa ngabo ubulili, axazululwa ngokushesha.
- Qalisani kuhlengenwe nenhlangano yomphakathi esungulwe uhulumeni ezimele ezoba iqembu elisebenzisana neminyango ukubheka indluzula kubantu ngenxa yendlela abazikamela eyabo imingcele ngokobulili kanye ngenxa yendlela abanye

abantu abakhombisa ngabo bese ibika ngezikhathi ezithize kuKhomishani YamaLungelo ABantu eNingizimu Afrika.

- Qinisekisini ukuthi iqembu elisebenzayo linezinsiza ezanele ukugcina umsebenzi walo emazingeni aphansi kanye nasemazingeni kazwelonke.

KumaKholishi EzoBulungiswa

- Qinisekisini ukuzibandakanya komphakathi ngokuzibandakanya kwenhlangano yomphakathi esungulwe uhulumeni ukuthi wonke amalungu azobulungiswa ayafundiswa ngezindaba zezindlela abanye abantu abakhombisa ngabo ubulili kanye nabantu abazikamela eyabo imingcele ngokobulili, kanye nendlela izigameko zokuhlukunyezwa ebantwini abulili bunye kanye nabantu abakama eyabo umngcele ngokobulili izigameko zokuhlukunyezwa ebantwini abulili bunye kanye nabantu abakama eyabo umngcele ngokobulili, kanye nokuhlukunyezwa ngokwecansi jikelele.

Ku-Gender Directorate, UMnyango WezobuLungiswa & NokuThuthukiswa KoMthethosisekelo

- Xoxisanani nenhlangano yomphakathi esungulwe uhulumeni, ukuthuthkisa izinsiza kufundisa ezisiza iminyango ethile kuhulemeni, kubalula nomnyango yobulungiswa, imfundo, police, impilo, abesimame kanye nezingane, kanye NoMnyango KaZwelonke WezokuShushisa. Lezi zinsiza kufunda zibhekisa endleleni yenkulumo, ukuhlukunyezwa komzimba, kanye nokuhlukunyezwa kocansi nabantu abazikamela eyabo imingcele ngokobulili ngenxa yendlela abanye abantu abakhombisa ngabo ubulili.
- Thuthukisani kwehlanganisa inhlangano yomphakathi esungulwe uhulumeni ezimele ezoba iqembu elisebenza ukubheka ukuqalisa kwamalungeli abantufu ngokomthethosisekelo ukba abantu baphephe bonke, nempilo efanelekile, imfundo, ngasese, kanye nenkululeko yokusho loku umuntu akuthandayo kanye nokukhululeka kokuhamba kwabesimame kanye nabantu abazikamela eyabo imingcele ngokobulili ezindaweni zangakubo, kuzifundazwe, kanye namazinga esizwe, njengengxenywe yokuqalisa ISu LikaZwelonke LokuQeda Ukuhlukunyezwa ngokoBulili.

KuMnyango WezokuVikela eNingizimu Africa

- Qinisekisini ukugada kanye nezinyathelo zokuqondisa izigwegwe ukuqinikesika izinyathelo zithathelwa amaphoyisa ngokushesha akhathazanga, ukwesabiswa,

noma ahlukumeze abavula amacala, kubhekiswe kakhulu kwabesimame kanye namalungu omphakathi we-LGBT.

- Dlulisani imininingwane ngokuhlukunyezwa ngokomzimba kanye nangokocansi by kanye nobulili kanye nezimo zobulilil babantu abahlukunyezwayo kanye nokulandela inani lezigameko zokuhlukunyezwa ebantwini abulili bunye kanye nabantu abakama eyabo umngcele ngokubulili.
- Khulumisanani nenhlangano yomphakathi esungulwe uhulumeni ngokuqeqesha njalo njalo zamaphoyisa ezindabeni ezimayelana nobulili babantu kanye nendlela ababona ngayo ubulili babo, kubalula indlela abantu abazikamela eyabo imingcele ngokobulili ngenxa nangendlela abanye abantu abakhombisa ngabo ubulili.
- Qinisekisini ukuthi sonke isiteshi samaphoyisa sinephoyisa ngaso sonke isikhathi elikwazi ukuqonda, futhi kubhalwe phansi, kanye nokwazi ukuphatha kahle amacala okuhlukunyezwa ngokocansi ngaso sonke isikhathi —kubalula nabantu abazikamela eyabo imingcele ngokobulili nangenxa yendlela abanye abantu abakhombisa ngabo ubulili —ngendlela engahluleli.
- Qalisani izinhlelo sokubheka iziteshi zamaphoyisa mayelana nezinto eziphathalene nokuhlukunyezwa ngokocansi ngendlela engahluleli futhi enempumelelo.
- Qalisani izinhlelo zokuqapha njalo njalo ukubheka amaphoyisa aphenya amacala kubalula ukuhlukumeza ngokocansi.

Ku-Independent Complaints Directorate

- Phenyani izigameko zokunganaki, ukushaywa, kanye nokuthathwa kwemali ngokumthetho, ukuhlukumeza, kanye nokungakwazi ukunikezela nensiza f services by amaphoyisa emacaleni obandlululo kanye nokuhlukunyezwa ngokucansi nendluzula, kubalula indlela abanye abantu abakhombisa ngabo ubulili nendlela nabantu abazikamela eyabo imingcele ngokobulili.
- Qinisekisini ukusebenza ngempumelelo ngokushesha kanye nakalula izinhlelo zokubhalisa kwamacala, abantu bakwazi ukubhalisa izikhalazo zokuhlukunyezwa kodwa bengazazisi ukuthi bawobani, ukukhathwazwa, ukubandlululwa, kanye nokuthathwa kwemali ngamaphoyisa ngokungafanele kudluliselwe masinya nakalula ku-Independent Complaints Directorate, bese lezi zindlela zishicilelwa.

KuMnyango WezeMpilo

- Qinisekani ukuthi zonke izibhedlela kanye nemitholampilo banaye umuntu okwazi onekhono lokuqonda kanye nokwelapha izigameko zokuhlukunyezwa ngokocansi kubalula, indlela abanye abantu abakhombisa ngabo ubulili nendlela abanye abantu abazikamela eyabo imingcele ngokobulili, ngendlela yokungabahluleli.
- Qinisekani ukuthi ukuthi abantu abahlukunyeziwe ngokocansi banikezelwa kuzo zonke izibhedlela kanye nemitholampilo ngasese.

KuMnyango WezabesiMame, IziNgane, kanye naBantu AbaKhubazekile

- Gwebani emphakathini indluzula ebhekiswe kongqingili 'lesbians', amadoda abazikamela eyabo imingcele ngokobulili, kanye nabantu abangahambisani nendlela ejwayelekile ngokobulili.
- Akukhonjiswe ukuhlanganyela nongqingili 'lesbians' kanye nabesilisa abazikamela eyabo imingcele ngokobulili ngenxa yemizamo kangqongqoshe ukulwa gender nendluzula esukela ebulilini.
- Xoxisanani nezihlangano yomphakathi esungulwe uhulumeni ezimele ezoba iqembu ezisebenza ukubheka izimo ngenxa yendlela abanye abantu abakhombisa ngabo ubulili kanye nendlela abantu abazikamela eyabo imingcele ngokobulili ukuthuthukisa ukuqeqesha kanye nezinsiza zokufundisa ukulingana ngokobulili kanye namalungelo abasefazane kanye nabantu abazikamela eyabo imingcele ngokobulili, futhi kunikezelwe ngezinsiza ezanele zokuthi kuqhutshekwe nezihlelo zokufundisa njalo njalo.
- Xoxiswanani nenhlangano yomphakathi esungulwe uhulumeni ukuthuthukisa, uhlelo lwezifundo ngocansi kanye nezihlelo zokufundiswa ngobulili kuzo zonke izikole, kubalula izinsiza ngendlela abanye abantu abakhombisa ngabo ubulili kanye nendlela abantu abazikamela eyabo imingcele ngokobulili.

KuMnyango WezeMfundo

- Thuthukisani kuxoxiswana nenhlangano yomphakathi esungulwe uhulumeni ezimele ezoba iqembu elisebenza ukubheka futhi izinsiza zokufundisa ngendlela abanye abantu abakhombisa ngabo ubulili kanye nendlela abanye abantu abazikamela eyabo imingcele ngokobulili ukuze zisetshenziswe "ezifundweni zamaKhono Empilo" kuzo zonke izikole.

- Fakani nezinsiza kufundani ngendlela abanye abantu abakhombisa ngabo ubulili nendlela abanye abantu abazikamela eyabo imingcele ngokobulili kanye nendlela abazibona ngayo bona uqobo lwabo ekusebenziseni izinsiza zokufundisa othisha.
- Qinisekisini ukuthi wonke zonke amakhansela ezikole athola ukuqeqeshwa ngezindaba ezimayelana nendluzula ngokobulili, kubalula imininingwane ngendlela abanye abantu abakhombisa ngabo ubulili kanye nendlela abanye abantu abazikamela eyabo imingcele ngokobulili.
- Sungulani izinhlelo zokuqapha ukuqinisekisa ukuqalisa okunempumelelo kwemigomo engabandlululi, njengo cingo lwamahhala ukubika imibiko yokuhlukunyezwa ngenkulumo, umzimba, kanye nokuhlukunyezwa kwabafundi behlukunyezwa othisha kanye nezinye iziphathimandla.

KuKhomishana YamaLungelo ABantu ENingizimu Afrika

- Qalisani inhlango yomphakathi esungulwe uhulumeni ezoba iqembu elisebenzayo, kubalula izinhlangano zomphakathi ezisungulwe uhulumeni ezingamaqembu asebenzayo kuzo zonke izifundazwe, ukuqapha kanye nokubheka izigameko zokuhlukunyezwa ngenkulumo, ngokomzimba, kanye nokuhlukunyezwa ngokwecansi ukuhlukumeza kanye nokwesatshiswa nangenxa abanye abantu abazikamela eyabo imingcele ngokobulili nangenxa yendlela abanye abantu abakhombisa ngabo ubulili.
- Xoxisanani namaqembu asebenzayo, ukuthuthukisa kanye nokubungaza idathabhesi kazwelonke ngenxa yendlela abanye abantu abakhombisa ngabo ubulili nendlela abazikamela eyabo imingcele ngokobulili kanye nokuzikhombisa kwabo uqobo.
- Khiphani imibiko miyaka yonke ngokusebenza kanye nengqubekela phambili yamaqembu asebenzayo futhi bameme amalungu kahulumeni awongqongqoshe kanye nezinhlangano zomphakathi emhlangweni wonyaka ukuze kuxoxwe ngemibiko.
- Qalisani inhlango yomphakathi esungulwe uhulumeni ezimele elisebenza ukubheka futhi izigameko zokuhlukunyezwa ebantwini abulili bunye kanye nabantu abakama eyabo umngcele ngokubulili futhi kucindezelwe iziphathimandla ukuba zithathe isinyathelo esifanelekile.

KuKhomishini Emele UkuLingana Kwabantu ngokukubulili

- Xoxisanani nenhlango yomphakathi esungulwe uhulumeni ukuveza izigameko ukubheka futhi izigameko zokuhlukunyezwa ebantwini abulili bunye kanye

nabantu abakama eyabo umngcele ngokubulili futhi kucindezelwe iziphathimandla ukuba zithathe isinyathelo esifanelekile.

- Qaphani amacala ngaphambi kwezinkantolo endluzula kanye nobandlululo ngenxa yendlela abanye abantu abakhombisa ngabo ubulili kanye/noma nabantu abazikamela eyabo imingcele ngokobulili ngenxa yendlela abantu abazikamela eyabo imingcele ngokobulili. nabantu abazikamela eyabo imingcele ngokobulili kanye nendlela abazibona ngayo bona uqobo.
- Xoxasanani nenhlangano yomphakathi esungulwe uhulumeni ezimele ngokusebenza futhi libheke amacala ezinkantolo okuhlukunyezwa ngokocansi kanye nabantu abazikamela eyabo imingcele ngokobulili.

KuNhlangano Yomphakathi ESungulwe Uhulumeni kaZwelonke Kanye Kanye neNhlangano Yomphakathi Ezimele Yezifundazwe (Provincial Non-LGBT Civil Society Organizations)

- Makufakwe izinsiza kufunda mayelana nendlela abantu abazikamela eyabo imingcele ngokobulili nendlela abanye abantu abakhombisa ngabo ubulili emsebenzini yabo bonke abantu, kuzo zonke izindawo.
- Azisani isitafu kanye nabanye abasebenzi ngezimo nabantu abazikamela eyabo imingcele ngokobulili ngenxa yendlela abanye abantu abakhombisa ngabo ubulili other ngokubaqeqesha njalo nihlangene kanye nenhlangano yomphakathi esungulwe uhulumeni esebenza mayelana ne-LGBT kanye nokubheka izindaba zamalungelo abesimame.

Ku-LGBT Yomhlaba Jikelele kanye nabaXhasi BamaLungelo Obulili Abantu kanye nama-NGO

- Sekani umsebenzi wenhlangano i-LGBT ngokunikezela izinsiza, kubalulalu ukusetshenziswa kwezemali kanye nokweseka nendlela yokuhanjiswa komsebenzi, uma kudingekile.
- Khulumani ngezinto zendluzula kanye nobandlululo ngenxa yendlela abantu abazikamela eyabo imingcele ngokobulili nangenxa yendlela abanye abantu abakhombisa ngabo ubulili kumaforumu omhlaba jikelele kuxoxiswanwa nezinhlango zangaphakathi.

KuNhlango Yomhlaba kanye neNhlango Ebumbene Yase-Afrika

- Sekani uhulumeni waseNingizimu African ukulwa nendluzula ebhekiswe kubantu ngokobulili, kubalula indluzula kanye nobandlululo ngenxa yendlela abanye abantu abakhombisa ngabo ubulili nendlela yokuzikhombisa nangendlela abantu abazikamela eyabo imingcele ngokobulili, ngokunikezela ngosizo kanye nangokunikezela ngezinsiza, uma kudingekile.
- Enzani iNingizimu Afrika izibophezele kuzibopho zayo zomhlaba wonke jikelele mayelana nokungabandlululi kanye nokulingana.

Ukubonga

Lo mbiko ubhalwe ngu- Dipika Nath, umncwaningi koNgqingili abango-Lesbian, ama-Gay, AbaShintha UBulili ngokuthanda, kanye NabaziKamela eyabo indlela ngokoBulili i-(LGBT) IziNhlelo ZamaLungelo e-Human Rights Watch. Umbiko ususelwa kuphenyo obeluphethwe nguSiphokazi Mthathi, owayengumqondisi wehhovisi le-Human Rights Watch eNingizimu Afrika, noDipika Nath. Ihlolwe futhi yalungiswa ngu-Graeme Reid, umqondisi WeziNhlelo ZamaLungelo e-LGBT Rights Program; uSiphokazi Mthathi; u-Juliane Kippenberg, umphenyi omkhulu kumalungelo ezingane 'uPhiko LwaMalungelo EziNgane; u-Diederik Lohman, umphenyi omkhulu kweZempilo kanye noPhiko LwaMalungelo Abantu; u-Liesl Gerntholtz, umqondisi wamaLungelo Abantu besifazane; no-Rona Peligal, ongusekela lomqondisi woPhiko lwase-Afrika. U-Danielle Haas, umhleli omkhulu eHhovisi LweziNhlelo, ohlele lombiko. U-Aisling Reidy, ongumluleki omkhulu womthetho, nobhekisisa ukusebenza ngokomthetho. U-José Luis Hernández uhlelile, washicilela, futhi wasiza ngokuhlela i-logistics; u-Grace Choi, u-Kathy Mills no-Fitzroy Hepkins basiza ngokushicilela. U-Scott Long, ongumsunguli nomqondisi wongqingili abangama-Lesbian, ama-Gay, amabanga-Bisexual, NeziNhlelo ZamaLungelo Zabantu Abazikamela Eyabo ImiNdlela NgokuBulili kuze kube maphakathi no-2010, ubheke umsuka wezinyathelo zale-project.

I-Human Rights Watch ifisa ukwedlulisela ukubonga kwayo kubo bonke abantu abasixoxele izindaba zabo. Noma kuzanywa ukuqapha amaphutha kanye nokusalelayo kulo mbiko, kdwa-ke, lokhu kubhekwe kakhulu i-Human Rights Watch, kuwumphumela yokusebenza ngokuyalelwa abangama-activists abaningi, abaphenyi, kanye nabameli abakhulu eNingizimu Afrika. Basize ukususa phansi i-project kuze kufikwe lapho kwenziwa khona izingxoxo kanye nokuthola izinsiza ezigciniwe, ukuhlanganyela kwalaba banyu kutholakale kuzo zonke zophenyo kanye nombiko. Amagama abo alandelana ngohlelo lwe-alifabhethi:

U-Dawn Cavanagh, u-Emily Craven, u-Susan Holland-Mutter, u-Wendy Isaack, uNomfundiso Joseph, u-Melanie Judge, uBusi Kheswa, uThobeka Khoza, u-Nancy Castro Leal, u-Steve Letsike, uThuli Madi, uTebogo Makhalemele, u-Pretty Makhanya, uPhindi Malaza, uThandi Maluka, uKwezilomso Mbandazayo, uPhumi Mtetwa, uZamanguni Mzimela, u-Akona Ntsaluba, uNomacotsho Pakade, u-Antje Schumann, u-Carrie Shelver, uFuneka Soldaat, uKodwa Tyiso, no-Fikile Vilakazi.

Inhlangano kanye nabahlangene nabo esixhumene nabo futhi elungiselele lolu phenyo o-: i-Behind the Mask (BTM), i-Coalition of African Lesbians (CAL), i-Eastern Cape LGBT Group

(EC LGBT), i-Forum for the Empowerment of Women (FEW), i-Free Gender, i-Gay no Lesbian Memory in Action (GALA), i-Gay ne Lesbian Network, yase Pietermaritzburg (GLN), i-Gender Dynamix, i-Joint Working Group (JWG), i-Katlehong LGBT Group, i-Lesbian and Gay Equality Project (LGEP), Lexit, i-Lowveld LGBT Group, i-One in Nine Campaign, OUT LGBT Well-Being, i-People Opposing Women Abuse (POWA), ne-Treatment Action Campaign (TAC) amahhovisi eLusikisiki (eMpumalanga Kapa) ne-Ermelo (eMpumalanga).

“Sizokukhombisa ukuthi Ungowesimame”

Udlame kanye NoBandlululo koNgqingili AbaMnyama abangabesimame ‘lesbians’ kanye Nabesilisa Abazikamela Eyabo iNdlela ngokuKhombisa Ubulili eNingizimu Afrika

Ukucaswa kongqingili abangabesimame, ongqingili besilisa, kanye nabantu abazikamela eyabo indlela ngokukhombisa ubulili kuvamisile kakhulu eNingizimu Afrika noma izwe linemithetho eminingi eminingi engahambisani nokubandlulula okubhekiswe kwindlela abantu abaziveza ngazo ngokobulili. Ongqingili besimame, abesimame abangoncukumbili, abantu besilisa abashintsha ubulili ngokuthanda kwabo, kanye nabanye abantu abangahambisani nendlela ejwayelekile yokubheka ubulili eNingizimu Afrika babhekene nokubandlululwa okugcwele yonke indawo, ukuhlukunyezwa, kanye nendluzula. Bayaxhoshwa emakhaya abo; bayesatshiswa futhi bahlukunyezwa esikoleni; bayakhathazwa futhi bethukwa emigwaqeni, emasontweni, emisebenzini; futhi besatshiswe ngomakhelwano kanye futhi nabantu abangabaziyo. Ukuhlukunyezwa kungaba ngokwenkulumo, ngokomzimba noma ngokwecansi—futhi kungenzeka kuze kugcine kubulawe umuntu.

“Sizakukhombisa ukuthi Ungowesimame” lo mqulu ulandisa ngezigameko zodlame kanye nokuhlukunyezwa komphakathi omnyama ongabasebenzi ongongqingili besimame kanye nabesilisa abazikamela eyabo indlela ngokobulili, kanye nabantu abangahambisani nendlela abangahambisani nendlela ejwayelekile yokuveza ubulili, abangabasesebenzi eNingizimu Afrika, kanye nangesimo sansuku zonke sokuhlalela ovalweni kanye nendlela abazama ngayo ukuhlala bephephile. Ikhombisa ezinye zezinto ezithile ezenza ukuba babesengozini enkulu kubalula nokwanda kwezibalo ezethusayo zokuhlaselwa okubhekiswe kakhulu kubulili babantu.

INingizimu Africa isivele isibeke imithetho eminingi kanye nemigomo engahambisani nodlame ngenxa yobulilil kanye nokucaswa ngokobulili; okungakakwazeki nhlobo ukukwazi ukuqalisa ukusetshenziswa kwalezi ziphakamiso. Lo mbiko uphetha ngokuveza izincomo kongqongqoshe kanye neminyango kahulumeni waseNingizimu Afrika ehlose ukuba kugadwe amalungelo kanye nokuphepha kongqingili besimame kanye nabesilisa abazikamela eyabo indlela ngokobulili.

Abasimame ababili abakhombisa ukukhalaza kwabo ngaphandle kwenkantolo e-Johannesburg High Court ngonyaka ka-2009 bakhombisa ngeculo (lesiXhosa “Kungani?”) “Kutheni” elaqajwa uMamela Nyamza. Lokhu kukhalaza kukhombisa ukunganeliseki kwabo kokubam-bezeleka kwamacala okudlwengula ahlelwe i-One in Nine Campaign, okuyinhlangano engatholi nzuzo yaseNingizimu Afrika exoxisana ngezenzo ezibonakalayo, uphenyo, ukuqhakambiswa kwabezindaba, kanye nokwesekwa kokulungiswa kwesimo sokuhlukunyezwa ngokwecansi.

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