

Women living with HIV continue fight against forced sterilisation

[Eunice Stoltz](#)



Women living with HIV demand justice — and autonomy over their bodies. A year after the Commission for Gender Equality released a [report](#) on its findings on how women living with HIV are forced to sterilise in public health facilities across South Africa, survivors are demanding change for all women.

As human rights month draws to a close, two feminist activist groups, [Her Rights Initiative \(HRI\)](#) and Positive Women’s Network (PWN), claim the government “has done nothing to bring the medical butchers responsible for human rights violations to book”.

In fact, since the commission’s 2020 report, more women have come forward to testify how their rights were allegedly violated by health personnel they thought should protect them.

Awareness of how the rights of women living with HIV were violated under the public health system was first raised by Her Rights in 2008.

A study conducted by the initiative found that women living with HIV were “forced to consent to sterilisation in circumstances that undermined their ability to act voluntarily and amounted to cruel or degrading treatment”.

In 2015 the [Women’s Legal Centre](#) partnered with Her Rights, the International Community of Women Living with HIV Southern Africa, and 48 individuals to [lodge a complaint](#) with the Commission for Gender Equality.

Almost five years later in 2020, the commission finally found that:

- The complainants’ right to dignity, bodily integrity and freedom and security over their bodies, were violated;

- They were not provided with adequate knowledge on the sterilisation procedure before being asked to consent, thus violating their right to information;
- The complainants were subjected to cruel, torturous or inhuman and degrading treatment; and
- The complainants had their right to equality and freedom from discrimination violated.

Working for justice

Despite the 2020 report suggesting the department of health should recommend measures, ways and means to eliminate the practice of forced and coerced sterilisation on women living with HIV, Her Rights fears little has been done to address the human rights violations.

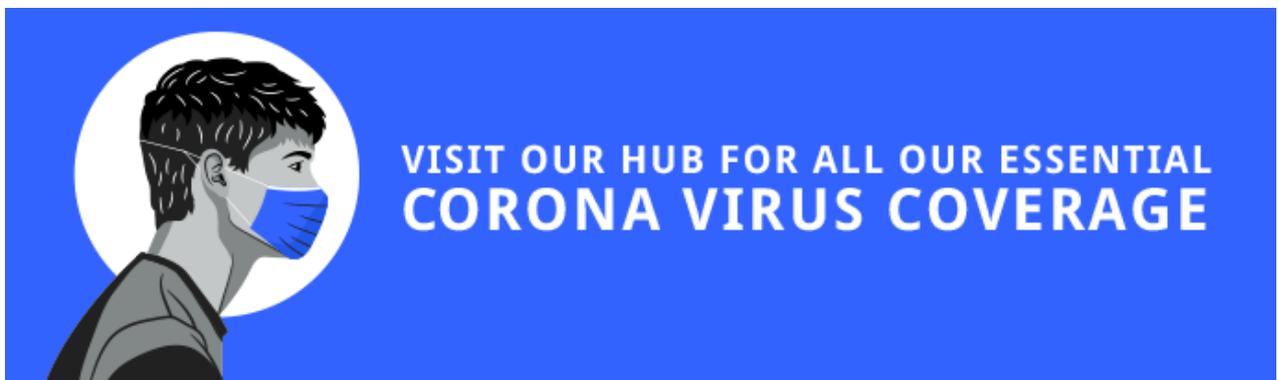
“For too long as HIV-positive women, we have been silenced through the health system, in clinics and hospitals. We have been silenced by whispers and stigma in communities. Now we have been silenced by the justice system, which has failed to provide recourse for the many violations we faced at the hands of healthcare workers,” says Sethembiso Mthembu, the initiative’s founder.

In November 2020 the department of health offered a redress package to the 48 complainants.

Her Rights and legal representatives rejected the package.

Reasons for the rejection include that the package focuses only on the 48 women who were part of the complaint; stakeholders were not consulted during the process of compiling the package; and the redress package does not speak to the findings of the commission’s report.

“The government must come to us. They must see how hurt we are,” says Lindiwe Mahlangu, a survivor of forced sterilisation.



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