

Vacancy

The CHR is looking for a qualified consultant to conduct research on the social protection accorded to lesbian, gay, bisexual, transgender, intersex and queer (LGBTIQ+) persons, including LGBTIQ+ refugees and asylum seekers, in South Africa.

Overview of the research project

Within the Southern African Development Community (SADC), Angola, Botswana, Lesotho, Mauritius, Mozambique, and South Africa have decriminalised same-sex activities. In addition to decriminalizing same-sex activities, varying levels of measures have been taken within the SADC region to prevent discrimination and violence against LGBTIQ+ persons based on their sexual orientation or gender identity and expression, to protect LGBTIQ+ persons, and ensure their access to social services.

In contrast, same-sex activities are criminalised in other member states of the SADC region. The criminalization of same-sex activities reinforces stigma and discrimination against LGBTIQ+ persons and denies them of protection against threats to their safety and security. This may also result in the deprivation of social services based on the sexual orientation or gender identity and expression of LGBTIQ+ persons.

The Centre for Human Rights, in partnership with the UNHCR Regional Bureau for Southern Africa (UNHCR-RBSA), seeks to commission research on the legal protection given to LGBTIQ+ persons' access to social services in the SADC region. In phase one of the project, the research covers seven countries, namely, Botswana, Malawi, Namibia, South Africa, Tanzania, Zambia, and Zimbabwe.

The research will assess the legal and policy framework concerning LGBTIQ+ persons and determine whether LGBTIQ+ persons' access to social services are protected in South Africa. If their rights to social services are protected, the research will examine to what extent they are protected. In addition, the research will examine whether and to what extent these protections apply to LGBTIQ+ refugees and asylum seekers.

The focus of the research will be on the following types of social services, and will adopt a human-rights perspective:

- I. Health (including sexual and reproductive health rights)
- II. Education, and,
- III. Safety and security.

Responsibilities of the consultant

The researcher will carry out the following key activities:

- I. Analyse the extent of legal protection accorded to the rights of sexual minorities under the domestic laws of South Africa, focusing on access to selected social services.
- II. Determine whether, and to what extent, the protection accorded to LGBTIQ+ persons in the country applies to refugees and asylum seekers

- III. Submit progress reports to the Migrants' Rights Unit of the Centre, incorporate feedback, and present final draft of the research at a validation workshop.
- IV. Under the guidance of the Centre and/or a team of experts drawn from the Centre and UNHCR RBSA, conduct related activities that are necessary to successfully carry out the research

Time frame

10 August-31 December 2024

Requirements

- Masters degree or above in human rights or in a related field
- Familiarity with South Africa's legal and policy framework pertaining to LGBTIQ+ persons
- Experience in legal research
- Knowledge of the global and African regional law on the protection of refugees
- Knowledge of the legal protection of social, economic, and cultural rights under international human rights law and the domestic laws of South Africa.

Application information:

Qualified individuals should send their application, including a motivation letter, CV, and the contact details for two professional or academic references to Abiy Ashenafi at Abiy.ashenafi@up.ac.za

The subject line of the application must read MRURP-South Africa

Shortlisted candidates will be asked to submit a detailed research plan outlining the legal protection accorded to LGBTIQ+ persons and their access to social services as well as whether and to what extent this protection is extended to LGBTIQ+ refugees and asylum seekers.

Deadline for submitting applications: 11 August 2024.

For further information, please contact Abiy Ashenafi
Manager, Migrants' Rights Unit
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