

## Media Statement

### UNISA Study Exposes Forced & Coerced Sterilisation of HIV-Positive Women: A Call to End the Injustice

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A groundbreaking report titled **Bodies 'at the Altar of Forced & Coerced Sterilisation': Journeys of Strife and Stride of HIV-Positive Women** is reported on by Prof Thenjiwe Meyiwa, UNISA's Vice Principal for Research, Postgraduate Studies, Innovation & Commercialisation; one of the authors of the report.

The study exposes a deeply troubling practice that has violated the dignity, autonomy, and reproductive rights of HIV-positive women in South Africa since 1997. These rights are inclusive of - rights to equality, freedom from discrimination, dignity, bodily integrity, freedom and security over the women's bodies, the right to the highest attainable standard of health including sexual and reproductive rights, as well as to be free from cruel, torturous, or inhuman and degrading treatment (CGE, 2020). Anand Grover, the United Nations Special Rapporteur on torture has also classified forced sterilisation as an act of violence, a form of social control which violates a person's right to be free from torture or other kinds of ill-treatment. Grover served as the UN Special Rapporteur on the Right to Health from 2008 to 2014. In this role, he was responsible for addressing the right of everyone to the enjoyment of the highest attainable standard of physical and mental health globally.

Authored by feminist scholars and activists, Vicci Tallis, Thenjiwe Meyiwa, Puleng Segalo, Azwihangwisi Mavhandu-Mudzusi, Zethu Cakata and Sixolile Ngcobo—the report brings to light the harrowing experiences of women who have endured forced sterilisation, often under coercion or misinformation, in healthcare settings. This study is not merely an academic exercise; it is a moral imperative to confront systemic injustices and deliver justice to the victims. The report is a painful reminder of how deeply entrenched racism, patriarchy, and gendered systemic economic and political inequality remain in our society.

Black impoverished HIV-positive women bear the brunt of this atrocity, their humanity disregarded, and their socio-cultural identities as women and mothers violated. South Africans are urged to stand in solidarity with these women, to challenge societal norms that perpetuate stigma, and to demand systemic change. Commenting on the UNISA report, the United Nations Working Group on Discrimination against Women and Girls, have highlighted that “the practice of coerced sterilisation, particularly of ethnic minority



and indigenous women is also an outcome of the intersectional discrimination and violence experienced by women and girls living in poverty.” The UNISA team of experts further recommended states “to adopt a feminist and human rights-based approach to the measurement of intersecting forms of discrimination to ensure a gender, equality centered and sustainable development approach to poverty, with enhanced attention to the groups of women and girls identified as being in heightened conditions of marginalization and exclusion.”

### ***A Wake-Up Call to Perpetrators***

To the healthcare professionals and institutions complicit in these acts: the report indicates that - your time of operating under the shadow of systemic negligence and abuse is over. The evidence is undeniable. The voices of these women are powerful and unrelenting. This report demands accountability, transparency, and immediate cessation of these violations which are carried out without consent. Imploring healthcare professionals to be ethical in their practice, Grover, the former Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health stressed that “[g]uaranteeing informed consent is a fundamental feature of respecting an individual’s autonomy, self-determination and human dignity in an appropriate continuum of voluntary health-care services”. He has also stressed that “[i]nformed consent is valid only when documented prior to a medical procedure and provided voluntarily; meaning without coercion, undue influence or misrepresentation”. Further emphasised by Grover; this kind of consent “requires disclosure of the associated benefits, risks, and alternatives to a medical procedure”.

### ***An Urgent Appeal to Funders***

Hence, the authors of the UNISA study call upon funding agencies, philanthropists, and private sector entities to rally behind this cause. Resources are urgently needed to establish victim support programmes, including counselling and legal aid. The report underscores the importance of aligning national healthcare policies with international human rights standards. Your contributions can directly influence systemic reform and amplify the call for justice.

### ***To the Victims: You are Heard***

To the brave women who have shared their stories of trauma and resilience: this report is your voice. It acknowledges your pain, amplifies your courage, and pledges to honour your journey by fighting for justice. As Chimamanda Ngozi Adichie powerfully stated, “We are not passive victims but active agents of resistance, navigating systems of oppression with resilience.” Thus, it is crucial that there is redress, restitution, compensation, and rehabilitation of the victims - in line with international and South African law. The United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984) is a treaty aimed to prevent torture and other acts of cruel, inhuman, or degrading treatment or punishment around the world. It obligates states to criminalise torture, take preventive measures, and provide redress to victims. **South Africa is a signatory to this convention.** There also exists the Resolution on Involuntary



Sterilisation and the Protection of Human Rights in Access to Sterilisation Procedures. This regulation was adopted by the African Commission on Human and Peoples' Rights in 2013. This resolution addresses the issue of forced or coerced sterilisation, particularly of vulnerable groups like women living with HIV. It calls on state parties to uphold human rights and ensure consent in sterilisation procedures, in accordance with the African Charter on Human and Peoples' Rights. On the other hand, at national level, the South African law, the Sterilisation Act, 1998 (Act No. 44 of 1998) regulates sterilisation procedures, emphasising informed consent. Another South African law, the Choice on Termination of Pregnancy Act, 1996 (Act No. 92 of 1996); although primarily focused on abortion rights, this Act underscores the importance of reproductive rights and informed consent in medical decisions affecting women. Therefore, the authors of the report assert that any sterilisation without proper consent contravenes this set of regulations.

The findings of this report call for immediate legal and policy reform, echoing the UN Committee on the Elimination of Discrimination against Women on the fifth periodic report of South Africa, where the Committee noted with concern reports of forced sterilisation of women living with HIV/AIDS in public health facilities. In turn the UN Committee demanded the government “to immediately stop the practice of forced sterilisation of women living with HIV/AIDS and to amend the Sterilisation Act (Act No. 44 of 1998) in order to require free, prior and informed consent of the woman”. It is thus befitting that the report calls for accessible, victim-focused, and women-centred mental health and psychological support services, as well as rehabilitation efforts aligned with the Istanbul Protocol's standards for assisting survivors of torture. It also highlights the need for counselling services and awareness campaigns to address and combat stigma effectively. Most importantly, it demands a transformation of healthcare practices to restore dignity and autonomy to those affected. The time to act is now. The stories of these women must not fade into silence but become a catalyst for change. Forced and coerced sterilisation is a scar on our collective conscience. It is a practice that must end—forever.

For more information or to support this initiative, contact the UNISA Research, Postgraduate Studies, Innovation & Commercialisation Office, or Her Rights Initiative, a not for profit, for and by HIV positive women who are victims of forced sterilisations in South Africa partner NGO.

Together, we can turn these stories of injustice into a legacy of empowerment and transformation.

**/Ends.**

#### **ISSUED BY UNISA MEDIA AFFAIRS**

For enquiries, please contact Unisa Senior Media Officers Mr Tommy Huma on 072 218 6197 / 012 429 3981 / [humatm@unisa.ac.za](mailto:humatm@unisa.ac.za) OR Mr Edgar Rathelele on 063 731 5456 / 012 429 3981 / [ratheme@unisa.ac.za](mailto:ratheme@unisa.ac.za)

