

**Change of penal code and implications
for HIV prevention among of Gay men
and for MSM civil society organizations**

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Introduction (1)

- Homosexuality has been one of the most controversial issues regarding minority rights in Mozambique since the colonial era.
- In December 2014, Mozambique became one of the African countries to decriminalize homosexuality.
- This was possible thanks to the revision of the Mozambican Penal Code which entered into effect in June 2015, where homosexuality is no longer be considered a crime.

Introduction (2)

- In the revision of the Penal Code, articles that cast doubt on measures to be applied in the case of same-sex relationships were revoked.
- The Penal Code dates from 1886 and urged the application of security measures "to those who engage in vices against nature".
- The interpretation of these articles could lead to the criminalization of same-sex relationships with forced labor up to three years jail sentences.

MSM Civil Society Organizations (1)

- Civil society organizations, specifically LAMBDA, played an important role in forcing the government to undertake the revision.
- LAMBDA aims to be an association of Mozambican citizens who advocate for the recognition of the Human Rights of lesbian, gay, bisexual and transgender (LGBT) people.
- This organization has struggled for its own legalization and recognition by the state for 10 years. To date, they have not been granted this right.

MSM Civil Society Organizations (2)

- In recent years the work of the Mozambican Lambda association, was fundamental to raise awareness among other civil society organizations and state institutions.
- However, LAMBDA warns that, although from June 2015 onwards same-sex relationships became legal, "this does not mean that the rights of LGBTI people are safeguarded with equality.
- FDC, MSF and others have enabling environment to develop their activities with MSM.

Activities (1)

- Most of them are under Global Fund grant 2018-2020 (main grant and matching funds for human rights) and COP 18:
 - Civil society and the MOH reviewed and guaranteed the inclusion and participation of MSM in health sector planning and implementation mechanisms at the community level.
 - MSM representatives will be trained on advocacy and linked to health committees which plan to meet jointly with community-level workers for monthly reviews.
 - Intervention to address stigma, discrimination, and violence against MSM and their partners are being implemented.
 - Condoms and lubricant programming for MSM are provide.

Activities (2)

- Most of them are under Global Fund grant 2018-2020 (main grant and matching funds for human rights):
 - Behavioral interventions for MSM and their partners.
 - MSM are being offered testing in hotspots and other venues, and those testing positive are being followed up, provided psychosocial support and cascaded through the Test and Start services through trained providers and peer networks.

Challenges

- Stigma, discrimination and limited access to health services.
- Harmful laws, policies and practices.
- Legal literacy and access to legal services.
- Gender inequality, harmful cultural norms and practices related to gender.

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Thank You