

## FOR IMMEDIATE RELEASE

10 October 2014

As a transgender organisation we are disappointed at the actions of the Department of Home Affairs for violating Nadia Swanepoel's human rights by refusing to give her an identity document that affirms her gender identity. As SHE we want to alert the community to help fight this discrimination based on gender identity.

This afternoon we learnt that Nadia Swanepoel who has gone onto a hunger strike five days ago has since become very weak and it is feared that she might not pull through. Nadia has been battling to get an appropriate response from the South African Department of Home Affairs about her application for gender amendment of her national identity document. This has proven challenging for transgender people in South Africa, despite the provisions of the Sex Description Act 49 of 2003. The Act states in its provisions:

2. (1) *Any person whose sexual characteristics have been altered by surgical or medical treatment or by evolution through natural development resulting in gender reassignment, or any person who is intersex may apply to the Director-General of the National department of Home Affairs for the alteration of the sex description on his or her birth register.*

Further, the most supreme law of the country, the Constitution of the Republic of South Africa provides:

(a) *Human dignity, the achievement of equality and the advancement of human rights and freedoms;*

(b) *Non-racialism and non-sexism;*

as two founding provisions central to human rights and advancing gender equality.

We appeal to the department of home affairs to act swiftly in this matter. We have engaged with officials from the department telephonically but there has been no concrete actions this far. We appeal to South Africans to engage their local and national political leaders to draw attention to this matter. Speaking on the phone with Nadia this afternoon, she sounded very weak.

Board member for Social, Health and Empowerment, Ms Ayanda Kwinana condemns this lack of response on the part of the Department of Home Affairs. She says: "One needs an identity document for almost all aspects in one's life from health to employment, to travelling. One's identity is linked to accessing necessary services. It is frustrating being without an identity document. This is a human rights issue and I appeal to Home Affairs to take decisive action in this matter".

We call on South Africans to sign the petition for the Director General of Home Affairs to end Nadia's hunger strike:

<https://www.change.org/p/south-african-department-of-home-affairs-emergency-calling-on-sa-govt-to-save-nadia-from-hunger-strike>

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