



TRIANGLE
PROJECT

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Lessons Learned

LGBTI refugee programme

1. INTRODUCTION

Triangle Project has been providing services to LGBTI people in the Western Cape for 35 years and we always guide our work by understanding that being an LGBTI person is one element of who you are as a person and that your status as a woman, a non-national or economically disadvantaged would have a huge impact on the way you are able to exercise your freedom. With this in mind, it was unacceptable for the organization to not try to engage with LGBTI refugees living in Cape Town.

This report¹ details the history and context of LGBTI people from other parts of the continent living in South Africa as well as their legal realities. It also gives a brief explanation of the legal status of LGBTI people in selected countries in the rest of Africa. However, the bulk of this document discusses Triangle Project's attempts to forge a new path for LGBTI refugees within our organization and is a frank assessment of our many challenges, successes and failures.

2. ACKNOWLEDGEMENTS

Our first thanks goes to the men and women who took part in our various workshops. You gave freely of your time and ideas and were patient with a long process. Without your work, none of this would be possible. We look forward to working with you and hope we can honor your commitment.

COC Netherlands for their support for this project, financial and otherwise. We thank you.

The Lessons Learned process from COC enables organisations to embark on the types of reflection, learning and development that is so often lacking from fast-paced and resourced constrained organisations. We are privileged to have this opportunity to share our work and to improve on it.

3. OVERVIEW OF PROBLEM AND CONTEXT

3.1. Migration to South Africa

Triangle Project is an LGBTI human rights organization based in Cape Town, South Africa.

We have been providing services to LGBTI people in the city and surrounding areas for over 20 years and have expanded our presence into the province's peri-urban and rural areas through our network of Safe Spaces.

South Africa in general and large cities like Johannesburg, Durban and Cape Town in particular have seen great influxes of people from other parts of the continent following the end of legal apartheid in the early 1990s. South Africa's stable political system, developed economy and relative wealth are attractive "pull factors" for men and women not just from South Africa's neighbouring states but from countries such as Nigeria – which is roughly 4000km away from South Africa. These "pull" factors exist with other "push" factors including conflict, instability and high levels of poverty which have seen communities of people from around the rest of Africa settle permanently in South Africa and join many other immigrant communities from the Asian subcontinent, a growing number from the People's Republic of China as well as immigrants from Western Europe who have made South Africa their home².

There are no hard numbers which we can use to estimate the population of non-South African nationals from other African countries living permanently in South Africa due to what we can only assume are high levels of undocumented status among many migrants and refugees. This uncertainty leads to many unfortunate characterizations of particularly African migrants as "flooding in" or the often used statistic that "Two-three million Zimbabweans live and work in South Africa" despite the fact it is clear that there is no way to substantiate such a claim.³

Claims such as the ones above feed into a dangerous problem of a reductive narrative of people from other African countries who come to South Africa to take jobs, state housing, school placements and other scarce resources from an already needy South African population.⁴ These reasons along with several others are clear drivers of the waves of xenophobic violence South Africa experienced in 2008 and 2015.

3.2 LGBTI refugees living in South Africa⁵

Intersectionality is the understanding of the role a person's personal positioning in society plays in their lives and also understands empowerment – and conversely disempowerment – as existing in multiple and overlapping causes and effects. Therefore, people are not disempowered by one aspect in their lives – even if one aspect is the leading cause of this disempowerment – but rather the intersection of several different aspects.

LGBTI refugees are thus vulnerable as foreign nationals in a county that is often hostile and sometimes violent towards people from other parts of Africa as well as vulnerable in a country with well documented cases of homophobia and transphobia – including targeted rape and murder.

Their status as LGBTI people also can make them more vulnerable as foreign nationals as they often do not have the protections and networks of expatriates that others have access to.

While violence and intimidation driven by their status as LGBTI refugees is an obvious concern, more practical concerns stem from their status as undocumented as they wait for a long and flawed process to run its course through the infamous Department of Home Affairs. Without documentation such as a work permit or permanent residence, securing work is all but impossible as is accessing education and training opportunities, renting accommodation and even seeking accommodation in LGBTI specific and other emergency shelters. While the state apparatus continues to fail to meet the needs of refugees and migrants to South Africa this does not mean that other forms of state action also do not function. Refugees must then contend with a state which is simultaneously failing to deliver services to them but at the same time targeting them for arrest, harassment and possible deportation.

This then means that LGBTI refugees are made more vulnerable by their exclusion from economic activity, which drives some many other forms of risk including being housing insecure, transactional intimate partner relationships or other illegal activity.

4. LGBTI REFUGEES AND ASYLUM SEEKERS

4.1 Legal framework

Refugees and asylum seekers are regulated by South Africa's 1998 Refugees act which describes a refugee as "any person who has been granted asylum in terms of this Act" while defining asylum as "refugee status recognised in terms of this Act." To further unpack exactly what makes a person a refugee in terms of South African law, there are three other sections of the act which must be examined. The first is 'refugee status' in Section 3, which reads:

Subject to Chapter 3, a person qualifies for refugee status for the purposes of this Act if that person -

- (a) owing to a well-founded fear of being persecuted by reason of his or her race, tribe, religion, nationality, political opinion or membership of a particular social group, is outside the country of his or her nationality and is unable or unwilling to avail himself or herself of the protection of that country, or, not having a nationality and being outside the country of his or her former habitual residence is unable or, owing to such fear, unwilling to return to it; or

- (b) owing to external aggression, occupation, foreign domination or events seriously disturbing or disrupting public order in either a part or the whole of his or her country of origin or nationality, is compelled to leave his or her place of habitual residence in order to seek refuge elsewhere; or
- (c) is a dependent of a person contemplated in paragraph (a) or (b).

The final part of this definition is to understand "social group", which is a word with a wide array of understandings, but within this context includes "among others, a group of persons of particular gender, sexual orientation, disability, class or caste."

This means that for LGBTI people from other parts of the continent, it is possible to come to South Africa as a refugee if you have a well-founded fear of persecution because of your sexual orientation or gender identity. It would then need to be established whether an LGBTI people living in the home country of the applicant has a well-founded fear.

4.2 Homophobia and transphobia in other parts of Africa⁶

Attempting to give an overview of the African continent is a task set up for failure due to the diversity in cultures, histories, legal systems and contemporary factors. However, while each country's experience is different, there are a few commonalities which we can draw on. Countries in Africa have, for the most part, inherited some sort of legal prohibition on same-sex sexual activity either through laws which prohibit anal sex between men or general "morality" legislation that is more far-reaching and which were put in place during their colonial period.

While Uganda has become infamous for its brazen institutionalised homophobia, this actually forms part of a larger picture of increasing conservatism across the continent beginning in the 1970s and 1980s.

This trend has many different drivers but one which can be clearly marked out is the role of Christian Evangelicals from the United States.⁷ This move towards conservatism has seen the enforcement of colonial legislation that had been dormant for some time and the politicisation of sexual minorities in those countries.

While the hardening stance both formally and informally in some countries is cause for concern, even the existence of dormant colonial legislation is a very real problem for LGBTI people living in those countries.

This is first because of the climate of uncertainty the existence of this legislation causes with the knowledge that action by the state could theoretically happen at any time. Secondly, even where legislation is being ignored in its application, it still sends a clear message through society – and the institutions of the state – about the position of LGBTI people and could be seen as part of the climate of hostility and dehumanisation which has such a clear link to violent attacks against LGBTI people.

What follows is by no means an exhaustive study of LGBTI human rights across Africa but rather a brief look at legal frameworks and some media portrayals of LGBTI people in three selected countries where many of the men and women we work with are originally from.

Burundi

Burundi is one of the countries where there has been a regression in LGBTI rights in the last years. The Burundian Constitution guarantees the right to privacy), the right to be free from discrimination, and to the rights protected by international conventions to which Burundi is party. Despite these guarantees, an anti-homosexuality law passed in April 2009 following contentious national debate. The law made same-sex sexual practices illegal under the Penal Code – including male and female same-sex sexual practices. The law sets out that the prohibited practices may incur imprisonment for period between 3 months and 2 years and a fine of between 50000 to 100000 Francs.

Zimbabwe

The Criminal Law (Codification and Reform) Act has been effective in Zimbabwe since 2006 and prohibits male same-sex sexual activity. The definition in the act of 'sodomy' goes beyond anal intercourse between men and extends to "physical contact between men that would be regarded by a reasonable person to be an indecent act."⁸

The act provides for possible imprisonment for up to one year and not less than one month.

Malawi

After independence in 1964 Malawi inherited the British colonial legislation against "unnatural acts". Section 20(1) of the present Constitution, adopted in 1994, provides that 'Discrimination of persons in any form is prohibited' and that 'all persons are, under any law, guaranteed equal and effective protection against discrimination on grounds of race, colour, sex, language, religion, political or other opinion, nationality, ethnic or social origin, disability, property or other status'.

Therefore, the inclusion of 'other status' may be a basis for advocating for LGBT rights. However, the constitution stands in open contradiction with the Penal Code, which openly criminalizes homosexuality.

Malawi's Penal Code Amendment of 1974 criminalises "unnatural offences" which includes same-sex sexual activity between men and provides for imprisonment of up to 14 years with a possibility of corporal punishment.

Although in the Penal Code was only referred to male same sex practices, in 2010 Parliament passed a bill amending the Penal Code and criminalising consensual same-sex activity between women. Section 137A, captioned "Indecent practices between females" provides that any female person who, whether in public or private, commits "any act of gross indecency with another female" shall be guilty of an offence and liable to a prison term of five years. This amendment has paradoxically been justified as 'gender sensitive', as it wanted to include women in the criminalisation of homosexuality and avoid any gender-based discrimination.

In November 2012, President Joyce Banda suspended all laws that criminalized homosexuality. In July 2014, the Justice Minister announced that Malawi would no longer arrest people for same-sex sexual activity and review its anti-gay laws.⁹

This comes after strong international pressure in reaction to the trial of a same sex couple in 2009-2010 (see below), but does not correspond to a better practice for the protections of LGBT rights.

On 17 April 2015, The Marriage, Divorce and Family Relations Law came into force. The law is a step forward for preventing child marriage, but at the same time it defines marriages, unions and cohabitation arrangements as being between a man and a woman. It also defines a person's sex or gender as the one assigned at birth, legally rejecting the gender identity of transgender and intersex persons.

4.3 Lived experiences

What the above highlights is that for LGBTI people living in the three countries profiled, it would be possible to show the "well-founded fear" required by the Refugee act. What is much more difficult to capture though is the anecdotal experiences of LGBTI people living in these hostile spaces and the uncertainty and insecurity which arises from having archaic colonial laws which are enforced haphazardly. For instance, Zimbabwean law does not criminalise being a homosexual person but certain sex acts, the fact that the law prohibits sex acts and not the existence of certain sexual orientation does not stop the reported arrests, harassment and abuse of LGBTI people in Zimbabwe by the police.¹⁰

So while many of the laws which criminalise homosexuality may be so under enforced to the point of not existing, their very existence can continue to drive hostility towards LGBTI people.

These laws combine with inflammatory public statements by leading figures in each country to continue to create a climate of hostility, insecurity and hate.

In Burundi, the President of the National Assembly's Human Rights Commission, Fidele Mbunde, a proponent of the amendment, said that he did not intend for arrests to be made under the law, but for it to 'send a message about Burundian values'. The CNDD-FDD Party Chairman, Jeremie Ngendakumana, believes that 'homosexuality is a sin. It is a culture which has been imported to sully our morals and is practiced by immoral people.' Such anti-gay rhetoric is widespread among politicians with the President himself stating on national television that being gay is a 'curse'.

President Robert Mugabe has been particularly vocal on the issue of homosexuality in Zimbabwe since the mid-1990s. An example from one of the first public speeches against homosexuality:

"If we accept homosexuality as a right, as is being argued by the association of sodomists and sexual perverts, what moral fibre shall our society ever have to deny organised drug addicts, or even those given to bestiality, the rights they might claim and allege they possess under the rubric of individual freedom and human rights, including the freedom of the Press to write, publish and publicise their literature on them?"¹¹

Trial against Steven Monjeza and Tiwonge Chimbalanga in Malawi

Arrested after marrying at a symbolic ceremony in 2009, the trial raised a strong national debate, as the couple was the first to openly break the legal provision.¹²

They were both convicted and sentenced to the maximum of 14 years with hard labour. The public prosecutor asked for a heavy sentence because the couple had left "a scar on morality" in Malawi, and the magistrate followed this lead.

The magistrate described their conduct as "against the order of nature" and further stated "I will give you a scaring sentence so that the public be protected from people like you, so that we are not tempted to emulate this horrendous example ... To me this case counts as the worst of its kind and carries a sense of shock against the morals of Malawi. Let posterity judge this judgment."¹³

The trial also raised international attention and pressure on the Malawian government and on 29 May 2010 the then President Bingu wa Mutharika pardoned both individuals.

5. LESSONS LEARNED PROCESS

Triangle Project held a workshop for LGBTI refugees in July of 2015 and this was one of the first structured outreach programmes Triangle Project had embarked on with a focus on LGBTI refugees. Very soon after this exploratory workshop, it was clear that as an organisation, we had over-estimated certain issues and under-estimated others faced by LGBTI refugees. Further, it was clear that the issues that needed the most addressing were not part of our core functions as an organisation and we lacked the resources – both financial and human – as well as the infrastructure and know-how to offer these services in good faith.¹⁴ Therefore, it was necessary for the organisation to learn where our own gaps were in order to develop our engagement with LGBTI refugees.

It was clear that the organisation's outreach to LGBTI refugees would be an obvious fit with COC's Lessons Learned format and provide useful insights into what we as an organisation could have handled better, but more importantly, provide us with an opportunity to lay the foundations for a programme for LGBTI refugees at Triangle Project going forward.

5.1 Triangle Project's previous engagement with LGBTI refugees

Triangle Project has been working in Cape Town for over 20 years and so this is not our first engagement with LGBTI refugees.

As will be explained below, Triangle Project has been doing work with LGBTI refugees in Cape Town for many years as a service provider as well as responding to crises and it is the intention of this programme development to move our engagement from a responsive and ad-hoc one to one aimed specifically at LGBTI refugees.

Health and wellness

Beginning in 1996, Triangle Project's site in Gugulethu in Cape Town opened and offered health services. While this site is no longer in existence, many LGBTI refugees make use of these services at the main office on a regular basis. In many ways, provision of health services has been the main way Triangle Project has worked with LGBTI refugees over the years with consistent usage of the services we provide and including our counselling, group counselling and medical services related to transition for trans women¹⁵ – including referrals for affirming surgeries.

This use of health services and especially the counselling services has historically spiked along with incidents of xenophobic violence in Cape Town, most notably in 2008 where several LGBTI refugees received counselling at Triangle Project.

Collaboration with other organisations

While health services have been a key focus for 20 years now another recurring theme for work with LGBTI refugees is working with other organisations. In interviews with staff, several engagements in the past were discussed including trainings, workshops and other meetings with organisations like PASSOP (People Against Suffering Oppression and Poverty) around issues for LGBTI refugees. While there is a somewhat consistent history of these engagements what they were not was systematic or integrated. This meant that Triangle Project could do this work either when called upon or within a specific small goal in mind but engagement was not organisation-wide and not linked to long-term strategy. Inevitably much of the interventions were often in response to increased xenophobic violence and the need to address the lack of security for LGBTI refugees even within the broader refugee and migrant communities who were displaced in large numbers. At the same time, LGBTI refugees were not represented in other work being done through the organisation like in Safe Spaces.

5.2 2015 engagement

In 2015 Triangle's Community Engagement and Empowerment programme was approached by a small group of LGBTI refugees who were interested in becoming involved with Triangle Project's activities.

This is an engagement we were cautious about and proceeded slowly. Following several meetings with a broader group, it was agreed that we would hold a three day workshop in July 2015 which would be used to introduce the organisation to everyone involved, give participants a chance to meet one another and get to know each other and to begin a process of a needs assessment.

5.2.1 First workshop

The first workshop was held over two days in July 2015 and was facilitated by two staff members. The workshop involved several different activities that allowed people to get to know one another including where they are from and how they came to live in South Africa. This was an important step not just to facilitate good discussions later on, but it was also clear that this was a necessary space to discuss potentially traumatic experiences.

The workshop also involved in-depth discussions around what the group considered to be their most pressing needs.

The findings from the issues mapping are a problem for the organisation, first of all because what we had always assumed was a problem of access to health services for LGBTI refugees and then dealing with issues relating to homophobia and transphobia were completely eclipsed by more practical concerns about issues with documentation and the related problems. In many ways, Triangle Project underestimated just how the intersectional issues of being LGBTI and a refugee would be weighted and, at least for our group, homophobic and transphobic discrimination and victimisation were far less of a concern than victimisation because they are foreign nationals and harassment from the police because of an issue with documentation.

5.2.2 Process following first workshop

Following the first workshop it was clear that the needs of LGBTI refugees are beyond the resources and expertise of the organisation, and that careful introspection and development of strategic partnerships would be essential. Following the workshop process, Triangle Project also suffered an acute but unrelated financial strain which meant that most programme work was suspended for several weeks and existing programme commitments had to be prioritised with scarce resources. For this reason, our programme with LGBTI refugees did not move further than the initial consultation and mapping stage.

5.3 Lessons learned process

The initial workshop had made it clear that far more work would need to be done in order to develop a programme for LGBTI refugees and the lessons learned programme presented a perfect opportunity to not only examine what we had previously done, but to develop a new plan to do this important work.

5.3.1 Overview of plan

An 8 week, 7 step process plan was developed:

Step 1: One-on-one interviews with staff: the purpose of these interviews was to assess engagement with LGBTI refugees previously as well as with the most recent workshop and the experiences learned from them.

Step 2: Understanding the themes: Following the interviews, compiling and analysing of the results would begin and would provide a map for the internal workshop being planned.

Step 3: Following the internal workshop as well as the individual interviews, there is a better idea not only of previous engagement but also how the staff view potential programme development and needs assessment. This is essential not only to understand what kind of programme the staff and the organisation envisioned but also to begin to identify what the gaps in knowledge were for the staff and how partnerships with other organisations could potentially bridge those gaps.

Step 4: The first workshop with the larger group of LGBTI refugees was held with the same staff who attended the initial workshop as well as the facilitator of the process. This workshop was used to explain where Triangle Project was in the process of programme development, to explain past issues and also to explain what role the organisation saw for itself for working with LGBTI refugees. It is also the first time LGBTI refugees ranked their own needs and preferences following the staff doing their own ranking at the internal workshop.

Step 5: This was the process of compiling the information gathered from the two workshops so far with a view of preparing the final workshop. During this period meetings were also held with key staff at organisations identified by participants at both the internal and external workshops as being potential partners.

Step 6: The final combined workshop involved reporting back on the progress made, including meetings with other organisations and the first development of programme plans. Staff and LGBTI refugees worked together to build a programme based on the needs identified in previous workshops.

Step 7: The final process of documentation of the lessons learned.

Overview of workshop methods

The methods used in the interviews and the three workshops are a combination of different accepted and widely used methodologies from project planning and target group involvement. Some of these include open space, world cafe, future workshop and others, elements of each were used in different ways to facilitate a collaborative space for learning and development.¹⁶

The methods aims for participants to be active through the process and participate even though everyone would not always speak in front of the group, but the very physical aspects of participation still ensures that voices are heard and people are able to participate actively. The same purpose is achieved by breaking up into groups.

Since we wanted to capture not just the practical elements of needs assessment which would be useful in programme development, but also to be able to capture and incorporate personal experiences and narratives, these methods were a good fit.

The methods are also underpinned by a specific approach to people and instead of treating the experience like a post-mortem which asks "what went wrong" it instead asks "how can we do better?"

Some other key elements of the methods used include active discussions – in groups and one-on-one – and active development of ideas. Where it would be easy to ask people where they currently live in Cape Town, this method called on participants to mark their locations on a large map. This made it easier for everyone to know where others lived, turned a passive session into an active one and gave people the chance to speak to each other while at the map, for example.

The methods also make use of several different activities – which might otherwise be called "icebreakers" – to introduce people to one another and to give people who are less confident something concrete to add to the discussion.

Adapting Triangle's approach to activism

Triangle Project usually relies heavily on leadership and individual activists whose tireless work and knowledge have made so much of our programme work in the past possible. Over the last 20 years, the organization has established and sustained Safe Spaces (hubs of community activism) in 18 different communities, spanning from the urban townships of Cape Town to rural areas several hundred kilometers outside of the city. These different groups have very different compositions, age structures, language, histories and contexts but most of them function in a similar way and deliver a similar kind of work. Our Safe Spaces typically start when one or two committed and interested activists approach the organization interested in the programmes we run. From there, we rely quite heavily on those activists and their ability to mobilize others in their community to become active and then to be able to hold that momentum. This has been a successful method of community mobilization over many years and it is one that we were trying to emulate with the group of LGBTI refugees to an extent. As an organization, we have found that we were not flexible and responsive enough to adapt this approach when it was clear that it was not working with the LGBTI refugee group.

Another issue that tested previously used methods was the fact that the group of LGBTI refugees was – for a host of different reasons – not able to do the kind of activism we usually expect from the groups we support and collaborate with. Triangle Project is an activist organization but that does not mean there is no value in supporting groups which have a more social function. The challenge to organizing an activist grouping also involved the kind of resources available to the men and women in the group, and in the case of the group in our workshops, that was a very limited. Many of the participants were housing insecure and almost all of them were not formally employed – this meant that nearly everyone in the group was engaged in a daily struggle for essentials like food and shelter. With these kind of restraints, it would be unethical to place too many demands on people and even if ethical, it would not be fruitful.

Some key questions emerged: Do we as an activist organisation support work that is not activism? What kinds of demands can we place on people who are severely resource constrained? How do we balance the need to create ownership and authenticity over the work without over-burdening people?

These are some of the issues that Triangle Project set out to confront in this lessons learned process.

5.4 Staff interview and workshop

Structured interviews were conducted with staff around previous work and potential new programmes. Questions included “Taking into account previous experience, what would need to happen to make future programs succeed?” and “What are the key challenges of working with this specific target group?” at all times dividing focus between what has been done and how Triangle Project intends to take the work forward.

Another important part of these interviews was mapping potential partners and mapping experiences with previous partners. Holding these interviews with individual staff members was also an important tool because it demonstrated the very different experiences each programme area in the organization had had. For instance, the Community Empowerment team were not very optimistic about current or future engagement because their own engagements had left a lot to be desired and they felt they were unable to meet the more tangible needs of the groups. In contrast, the Health team were quite pleased with past engagement and optimistic about future engagement and part of this is the fact that their programme is able to offer tangible, uncomplicated help to people. The interviews then highlighted how important it was to have a more unifying organizational vision of what this programme is intended to be.

Strategic partnerships?

What was interesting though is how many people in the original workshop with LGBTI refugees had had negative experiences working with PASSOP, to the extent that they had said they would not be interested in being involved with the organization again. The issue which was highlighted here by many in the group was that organizations are able to capitalize on LGBTI refugees in order to attract funding and publicize their programme work, but that there are seldom any tangible benefits for the men and women involved. It is not clear whether the negative experience the group has had with PASSOP is the result of poor communication from one or more people, mismatched expectations of collaboration or whether this seeming lapse by the organization stemmed from its own sudden financial insecurity. What was clear was that any future collaboration involving LGBTI refugees in Cape Town would be shortsighted to exclude PASSOP but at the same time a great deal of caution was needed in an approach.

Aside from more targeted partnerships, staff raised the issue of solidifying what are currently ad-hoc referral networks between several different organisations in the city who already do work with LGBTI refugees in one form or another – it was very important to ensure that work was not being duplicated.

Here another ethical issue arises: can we afford to not work with the organization in the city perhaps best placed to be of assistance? Or, put another way: can we afford to jeopardize our relationships with new stakeholders by seemingly ignoring their warnings?

A name which came up frequently was PASSOP, a Cape Town-based NGO working on the issues of refugees and migrants to South Africa from other parts of the continent. Triangle staff had worked with PASSOP and one person in charge of their LGBTI programme in particular. While there was a generally positive experience reported by staff from working with PASSOP, there was concern and uncertainty about their current position.

A funding crisis at the organisation had made it unclear to what extent they were still functioning and, more importantly for our purposes, to what extent their programme specifically relating to LGBTI people was still capacitated.

The aims for the interviews was to find out what had been done in the past but also to find out the ideas the staff had for the future, and through this, to find out what the differences and the similarities are. How do we then work together as an organization and as a staff to have a coherent and unifying idea of what we are doing?

For the next workshop, it was clear that too much was attempted within a too short space of time. The aim here was to discuss and to highlight the fact that what we are doing here is a shared experience of working together but also to make it clear that some of us would have very different ideas about what this work needs to take it forward. This helps for everyone to be open about their plans and their expectations and help with the pursuit of a common goal. This workshop was also the start of a very important process to determine the 'frame' of the organisation. This framing experience would be essential to discuss not only the expectations and needs of individuals but also to more clearly set out the limits of the organisation.

Staff raised the issue of several challenges facing our engagement with LGBTI refugees (and the fact that some of these problems did not have a simple solution). One of the conclusions for this process was to have clear limitations – we need to know from the outset what we can and what we cannot do and most of all, to be upfront about these limitations. Limitations are not simply to be accepted, and through this process it was important to discuss how we can use existing networks and resources to deal with these limitations. These networks must never be fixed but a fluid and reflexive process determined on the needs and resources and most of all must have their usefulness determined by the men and women who are looking to use their services.

When compiling the interviews, several themes emerged around programme development and focus. These themes were then unpacked at the first staff and an activity allowed staff to mark their own priorities.

Each staff member was given the same amount of stickers and told they could put them on several different pieces of paper representing different focus areas. Staff could put all of their stickers on "health" for example, or only use some of their stickers. This is another activity which ensures that even people who do not like taking part in group discussions are able to have their say in a collaborative and interesting way.

Another reason this was a useful activity is that it enabled people to make a clear prioritization (it was not possible to simply rank all of the focus areas equally) and this could combat some of the contradictions which emerged in the interview sessions with staff.

Provide social spaces. 12 sticker

- Support group
- Cluster groups with other spaces
- Quarterly social/community events
- Spaces that allow for social (film screening) as well as engagement

Advocacy (based on target group engagement) 3 stickers

- Desk top research on what has been done around home affairs
- Joint advocacy (re-open local centers)
- Advocacy within department of foreign affairs (DIRCC). Long term
- Advocacy within home affairs. Long term
- Advocacy within Police
- Join advocacy actions with Passop

Support in relation to legal status. 6 stickers

- Comprehensive referral/network list
- Referral networks for legal issues
- Support network
- Staff training on issues
- Training with regards to legal status

Learning spaces for solidarity, engage non-refugee groups (as well). 8 stickers

- Support group
- Engage with other forums, start a support group

Health, SRHR and related support and services. 19 stickers

Promote testing and screening

Promote social support services

Promote health services

Encourage health services

Mobile VCTs, drop off points, barrier methods

Form psycho social support groups for sharing of experiences

Join forces with Desmond Tutu's and/or health for men in having a mobile clinic for testing

SRHR

It is important to note that this ranking does not only reflect what staff considered to be of most need to LGBTI refugees but also what would be practical and sustainable in terms of programme development. For instance, a clear prioritisation was made by staff around the issue of sexual and reproductive health and rights not only because of what we perceived as a clear need but because of the ability of the organisation to offer this service in a professional way. Similarly, the theme 'help with legal status' received a comparatively low ranking not because this is not an incredibly important issue, but rather because the organisation cannot in its current form offer such services in good faith.

The issue of capacity is another recurring one during discussions with staff being frank about their concerns around over-promising and under-delivering, not just because the organisation is already stretched in terms of human and financial resources, but also due to the specialised skills required to make meaningful interventions in this field, including and especially the issues around legal status.

Highlighted areas that needed to be discussed, still didn't have the time to really be discussed, included the challenges. How do we process that kind of frustration? What kind of client support framework? Do we need to develop a new framework? What do we do with ourselves.

Key learnings from workshop and questionnaire

- The needs of the target group reaches outside of the area of Triangle Projects work and has a strong focus around issues like legal status, housing, income generating activities. LGBTI related issues often seem to be secondary to those.
- In order to meet these needs, Triangle needs to find organisations within other areas to cooperate with for referral networks and mutual capacity strengthening etc
- Internal development and learning process within Triangle is necessary for increased knowledge and understanding of the country contexts from which the refugees come as well as the situation and the issues around legal status in South Africa
- Previous engagements have mostly been reactions to other events. A future program should be well grounded and strategically planned and take its departure in the needs and requests expressed by the group themselves.
- There is a worry not to be able to meet the needs or live up to the expectations of the target group. Therefore clear ongoing communication of Triangle's role and what the organisation can and cannot offer is important.
- The staff workshop also created a necessary space to discuss the initial workshop held in July. While the staff involved had spoken about their concerns, there was never a space and time set aside to thoroughly discuss the issues arising and the challenges of continuing the work.

5.5 Workshop with LGBTI refugees

Before this workshop, Triangle Project staff met with some individuals who attended the first workshop and discussed what we were planning and why communication had failed following the first workshop. After this meeting what was clear was the understandable frustration of participants, not just at the poor communication but at their expectations not being met at all. Some of this came from some of their own misperceptions about what the organisation was capable of doing and at how advanced a level the organisation's plans were. Regardless of the reasons behind this frustration, it was real and it would need to be addressed in any future engagements.

At this initial meeting it became obvious that both the lack of knowledge about the way the organisation functions and what it can do, was a potent way to set up expectations which would later not be met. The staff also have concerns about their inability to meet what they see as the obvious need. What is clear though is that, instead of making divisions, it is actually a shared frustration and shared missed expectation.

This meant, what needed to be done in the workshop with the group, apart from trying to find out what they needed from the organisation, but to make it clear what Triangle Project could reasonably offer them. The starting point to this was to discuss exactly what an organisation like Triangle Project is – as this sits at the root of many other limitations which can be encountered.

Some key discussions at the workshop:

- Organisational structures: How does Triangle Project work, how does it make decisions? Linked to this was a discussion about where the power lies in the organisation and what the role of donors was.
- Needs assessment: what needs to be done?
- Needs assessment: what can Triangle Project do, what can others do?
- Organisational mapping: who can provide which services?

The organisational structures discussion is perhaps an odd one for a workshop setting, but previous engagements had made it clear that many people did not fully understand how organisations like Triangle Project function. This matters because it can feed into some of the mismatched expectations between people looking for assistance and organisations which can help. The discussion on the day explained the decision making process at Triangle Project, involving the board, the Director and programme managers all working to meet goals determined on long, medium and short-term basis. What was further discussed is the funding structure in NGOs. This was important because when people seek help with practical issues like transport to organise documentation, it is hard to understand why that money is not available when money is clearly available for venue hire and catering for the workshop you are attending. This discussion was one of the best received of any discussion held during this lessons learned process and clearly spoke to a gap in previous engagements – and not only with LGBTI refugees.

NEEDS ASSESSMENT

The participants discussed in groups about what they need/want/hope for/expect when they go to an organisation. Then we took rounds until there was no more expectations left. Everything was sorted in three categories: Things Triangle can do (can offer services and activities), Things other organisations do (Triangle can cooperate, sensitise for LGBTI, refer) and things no one does, as far as we know (Triangle can try to find out if someone is working with that, work with advocacy around the lack of it). The two latter categories were later put together. The different needs were clustered in to a number of categories and the participants prioritized between the categories with five dots each.

Triangle Project (can offer services and activities)

Engagement – 2 dots

- Find a way to contribute and help

LGBTI rights – 11 dots

- Education about LGBTI rights
- Education, LGBTI activism in SA, history. (To learn and use experiences in other countries)
- Support for human rights violations and hate crime
- Protection from hate crime

Networks and personal development – 2 dots

- Place to be open
- New experiences
- Make new interesting links
- Networks that might lead to jobs, accommodation etc
- Other activities

Health – 3 dots

- General health care
- Counseling for individuals and couples
- Health care for transitioning
- Help for sick LGBTI people

Other organisations and things that no one does (Triangle can cooperate, sensitise for LGBTI, refer, work with advocacy and find new partner organisations that cover other needs)

Accommodation – 4 dots

- Shelter, short term
- Accommodation, long term

Job and education – 6 dots

- Education, skills and training
- Help finding jobs

Legal support – 3 dots

- Support in detention
- Help after arrest

Legal status – 5 dots

- Documents
- Support human rights violations related to legal status
- Support while in transit
- Education, rights for refugees

Economic practical help – 1 dots

- Help with travel costs etc (for visa applications)

The theme giving the highest ranking on the day – with 11 dots – was ‘LGBTI rights’. In this context the theme is about education around rights, potentially facilitating education and training for other organisations and providing assistance when someone has been a victim of hate crime because of their status as an LGBTI person. Apart from that theme, other themes that fall under the heading of ‘things Triangle can do’ got comparatively few votes. Perhaps the most notable ranking here is of health which only received 3 dots, making it one of the lowest priorities among participants, in contrast to the high prioritisation given to the theme by staff at their internal workshop. This does not mean that these services are irrelevant or not a priority as much as it can mean that Triangle Project is already providing these services.

After LGBTI rights, the issues which received the highest ranking were “jobs and education” – 6 dots – “legal support” – 5 dots – and “accommodation” – 4 dots. This means that most of the highest priorities of the participants fell clearly outside of the role of Triangle Project and would need to be met by another organisation. We think that this ranking also points to the success of the engagement regarding organisational structures and frames. Without the discussion we feel that this ranking would have potentially been higher.

Key learnings

- The workshop underscored the difference in the needs assessment conducted by the staff and by the participants.
- Participants have access to extensive networks of organisations including those related to legal status and other assistance, but not in a consistent and coherent way.
- LGBTI refugees are able to access services from these other organisations, but these organisations are themselves not able to always offer the best services due to their own knowledge gaps when it comes to LGBTI people’s needs.
- Strategic partnerships with other organisations would have to be formed but on a continuous basis. This is particularly a concern related to shelter and accommodation, because while there are several shelters which can accommodate LGBTI people in the city, none of them accept people who do not have legal permission to stay in South Africa.
- Lack of networking between organisations means that there is limited information about the services provided and therefore the referral networks are nowhere near as strong as they could be.

5.6 Meetings with other partners

Following the mapping exercise by staff and then by the workshop participants, several organisations were identified for future collaboration, several were approached and meetings held with the following organisations: PASSOP, Pride Shelter, Scalabrini Centre and the Whole World Woman’s Association.

Other organisations were approached but either did not reply or were not able to meet within our deadline. There are plans to continue to approach these organisation including: Sex Workers Education and Advocacy Taskforce (SWEAT) and Gender DynamiX.

The purpose of these meetings was to assess existing programmes for LGBTI refugees in the city and also to gauge interest in developing a specific programme for LGBTI refugees across different organisations with different specialisations.

Scalabrini centre currently provided services only to LGBTI refugees who were in the country legally and did not have any specialised programme for LGBTI people.

In fact, when we asked about LGBTI people using their services, we were told that in the last few months, they had only had 11 people. It is quite unlikely that so few LGBTI people had actually used the services, so more likely that LGBTI people in the space do not feel comfortable making that disclosure. One of the staff at Scalabrini Centre is planning on a specific programme for LGBTI refugees in 2016 but he wasn't able to speak to us in the timeframe of this report. When we did get in touch over email, it was clear the planning of their own programme was at a very early stage.

PASSOP was previously a useful resource for LGBTI refugees in Cape Town but several funding and human resourcing challenges have meant that they do not have a specific programme for LGBTI refugees and the person in the organisation who was best placed to speak to us on LGBTI refugees' issues was a part time volunteer.

Pride Shelter provides emergency accommodation for at-risk LGBTI people in Cape Town for short to medium term. It has had comparatively few LGBTI refugees using the facilities because their intake rules only allow those with legal status to access accommodation and their role as a provider of emergency shelter means that they do not provide shelter to those people who have simply not been able to secure it but generally those people who are faced by an emergency situation which has impacted their accommodation.

Whole World Women Association is an organisation which works on the empowerment of refugee and migrant women living in South Africa. The staff there said they had tried unsuccessfully to create a safe space for LBT women to be involved but each attempt had been unsuccessful for different reasons. They see a clear need for more outreach aimed at the LBT women they work with but need assistance.

Key learnings:

- Strengthening of referral networks: In all cases, the other organisations were aware of the services offered Triangle Project but did not consistently refer LGBTI people they worked with to the organisation. All organisations expressed the need for a better referral system and a comprehensive database of services which could be used by their respective clients.
- Part of strengthening referral networks is outreach on the part of Triangle Project which needs to make its services known not only to staff at these organisations but also to the clients who make use of their services.

- Training and sensitisation: Staff from some of the organisations expressed concerns about their gaps in knowledge and possibility of them being insensitive to the needs of LGBTI clients (perhaps by misgendering a trans person). All organisations were receptive to a skills transfer between organisations with Triangle Project being able to bring its years of knowledge around sensitisation and training for LGBTI people.
- What was clear from all the interactions was a willingness to collaborate and not to reproduce efforts or to claim a competence which was lacking.
- Many organisations are interested in having stronger programmes for LGBTI refugees.

5.7 Final workshop 5 December

Following the previous workshops and the meetings held with key organisations, the final workshop had a plan of programme development. Following a report back of the results of the workshop and the meetings and a recap of some key concerns raised in those spaces, participants broke into groups with representatives of programmes to begin to think around a programme.

The groups that people placed themselves into became "health", "advocacy" and "networks and personal development".

Each group discussed various issues of their focus and developed plans relating to their issue.

ISSUE	RESPONSE	RESOURCE MOBILISATION
Access to healthcare for LGBTI refugees	Promote existing services better in a way which targets LGBTI refugees.	Small advertising campaign including IEC material can be done using existing budgets. Would have to assess impact on budgets of possibly using more doctor and counsellor hours.
Access to healthcare for trans clients	Specific targeting of trans persons to use services at Triangle Project including counselling, medical and other services.	Small advertising campaign including IEC material can be done using existing budgets. Would have to assess impact on budgets of possibly using more doctor and counsellor hours.
Language barriers	Develop stronger ties with particularly French-speaking translators to facilitate access to services and make this available to other organisations.	Possible stipends needed for translators. Use of consultants to translate IEC material also a possibility.
Psycho-social care	Using a method like 'story telling' (an African alternative to group therapy) to help people relay their stories in their own way.	Small outlay of resources and could be done using existing budgets. Would have to assess impact on budgets of possibly using more doctor and counsellor hours.
Skills development	Develop stronger networks with organisations which offer skills and training.	Would require specialised funding.
Social spaces	Provide some help for people to meet one another.	Limited resources required and would rely on individuals.
Information sharing between organisations	Regular meetings between organisations which offer service to LGBTI refugees to discuss trends and issues.	Limited resources needed including human resources.
Outreach	IEC material aimed specifically at LGBTI refugees.	
Staff knowledge gaps	Internal staff learning to better understand issues including legal context.	Human resource costs including possibly using services of outside consultant.
	IEC material explaining different stages of refugee process, different criteria etc.	Limited costs around IEC material.
Status issues: proving status as an LGBTI person and home context	Triangle Project to provide LGBTI refugees with letters of support to help the process with Home Affairs.	Limited resources, but some human resources.
Rules of emergency shelters	Work with shelters to discuss in what way their admittance policies can be more inclusive	Human resources.
Lack of knowledge about services available	Research around available services and creation of a database.	Human resources.

Most of the plans above reflect two factors. The first is that the kind of services Triangle Project can offer are limited given our expertise and second, programme work for LGBTI refugees does not as yet have any secured funding. This means that most of the plans set out above would need to be done – or at least started – using existing resources.

6. CONCLUSION

Developing a new programme is a long and difficult process and includes not just a careful evaluation of the needs of the stakeholders but also at all of the existing resources, networks and expertise of the organisation in question. On another level it also places a tremendous responsibility on the shoulders of the organisation which has now invited people to be part of something new and holds their expectations, needs and hopes.

For Triangle Project this was apparent following our initial workshop in 2015. The work ahead was daunting but the expectations and the need for assistance from the participants was even more so.

The lessons learned throughout this process are detailed throughout this report but some of the lessons which were learned on a more abstract level was our responsibility as an organisation to provide services which were useful, sustainable and geared not towards our narrow interpretation of what needed to be done, but holistically developed by the men and women who would be using the services.

ENDNOTES

1. Compiled by: Matthew Clayton, Elsbeth Engelbrecht, Mabhuti Mkangeli, Hanna Rahm.
2. People from all over the world have moved to and settled in South Africa in the recent past. Many white people came to South Africa from both Western and Eastern Europe, especially after the end of World War II and during South Africa's huge economic expansion in the 1960s and 1970s. While many of these groups would have had the same pull factors they are not a cohesive group in any sense of the world.
3. Africa Check researched this claim and found absolutely no reliable evidence for the claim, and, in fact, found no reliable information on which to estimate the population of Zimbabwean people living in South Africa whatsoever. <https://africacheck.org/reports/how-many-zimbabweans-live-in-south-africa-the-numbers-are-unreliable/>
4. While these attacks are commonly called "xenophobic" it is worth noting that the targets of this violence are bar a few exceptions, people from other parts of Africa. There was not, for instance, destruction of property owned by European immigrants. While we will use the term "xenophobic" in this report, it is worth noting that people's status as poor and African has played a huge role in their vulnerability in previous waves of violence, as much as their status as non-nationals.
5. Except where otherwise indicated, this report uses the term "refugee" to mean every LGBTI person who has come to South Africa out of fear of persecution and violence in their home country, regardless of whether they have undergone a legal process to get that designation from the South African state.

6. With thanks to Lucia Ragazzi for compiling this information during her internship
7. <http://www.independent.co.uk/news/world/africa/how-uganda-was-seduced-by-anti-gay-conservative-evangelicals-9193593.html>
8. https://www.unodc.org/res/cld/document/zwe/2006/criminal_law_codification_and_reform_act_html/criminal_law_codification_and_reform_act.pdf
9. <http://www.pinknews.co.uk/2014/07/15/malawi-to-stop-arresting-people-for-having-gay-sex/>
10. A workshop participant recounted how he was randomly picked up by police in Harare and beaten up for several hours by the police in holding cells on suspicion of being gay.
11. Human Rights Watch, 2003: <https://www.hrw.org/reports/pdfs/g/general/safrighrc0303.pdf>
12. Chimbalanga is actually a trans woman who now lives in South Africa. Her gender identity was not recognized throughout the trial and in the media coverage of it, so often, male pronouns are incorrectly used.
13. Amnesty International https://www.amnestyusa.org/sites/default/files/making_love_a_crime_-_africa_lgbti_report_emb_6.24.13_0.pdf
14. These issues are expanded on below.
15. Very few trans men use the health services at Triangle Project and the organization has never provided health services for refugees who are trans men. This anecdotal evidence agrees with other anecdotal evidence which has seen a very low number of trans men and lesbian and bisexual women refugees seek out the organization. It is not clear at this point how many trans men and lesbian and bisexual women do come to South Africa from other parts of the country.
16. More info on World Café can be found here: <http://www.theworldcafe.com/key-concepts-resources/world-cafe-method/>



Lessons Learned publications in this series:

43. Raising awareness of stakeholders and mobilization of transgender and intersex communities
42. LGBTI refugee programme
41. Advocating against draft anti-LGBT legislation in Kyrgyzstan
40. Integrated Training for Health Care Providers in South Africa
39. A comparison of urban and rural LGBT support groups in Botswana
38. Identifying gaps to focus on in future work through community dialogues with law enforcement, healthcare workers, students and rural villages in Lesotho
37. Creating access to health services for LGBT Community in primary health care settings in the four regions of Swaziland.
36. Lessons learned at Equidad's HIV/STI testing centres for MSM in Ecuador
35. Raising awareness in the face of ignored deficiencies in the National Police Force of Panama
34. Safety for human rights advocates and defenders in the Central American context
33. Health Care Providers' sensitization and capacity development; and community mobilization through arts and theatre in Lusaka (Zambia)
32. Moving beyond individual counselling of LGBTI people to address central psychosocial issues on community level in Tshwane (Pretoria)
31. Bonela Challenging structural barriers through the Gender and Sexual Minority Rights Coalition in Gaborone (Botswana)
30. CEDEP Advocacy Approaches in Malawi
29. GALZ Lessons learnt amongst MSM in the uptake of Male Circumcision (Zimbabwe)
28. Uptake of Post-Exposure Prophylaxis (PEP) by Men who have Sex with Men in Tshwane (Pretoria).
27. OUT's Peer Education Programme for MSM / LGBT's in Tshwane, Pretoria
26. The Pink Ballot Agreement
25. Peer Education Programme (Malawi)
24. Schorer Monitor
23. Health, culture and network: Interventions with homosexuals living with HIV/AIDS at Rio de Janeiro polyclinics
22. Telling a story about sex, advocating for prevention activities – informational materials about safe sex and harm reduction for gay men and MSM from 14 to 24 years.
21. Mainstreaming of LGBTI/MSM/WSW issues in all areas of service provision: Empowering Service Providers and Policy Makers in Botswana through trainings
20. Now we are talking! – Developing skills and facing challenges.
19. Towards a Comprehensive Health Care Service Model for Transgender People in Ecuador
18. Comparative analysis and account of the outreach process to implement a method to change behaviors of youngsters with homo/lesbo erotic feelings in Costa Rica
17. Methodology for behavioral change in teenagers with same sex feelings, from the Greater Metropolitan Area, in Costa Rica
16. Breeding Ideas: building up a young peer educators' network.
15. Prevention Images: notes about a photography workshop with young MSM and people living with HIV/AIDS in Rio de Janeiro
14. Advocacy campaign to prohibit hate lyrics targeted at men having sex with men during a dance hall concert in Suriname.
13. Interactions between young multipliers and young gays and bisexuals in internal and external activities in Rio de Janeiro (Brazil).
12. Information Stands: Prevention Project aimed at young gay men from Tegucigalpa (Honduras)
11. Ndim'lo (This is me) Photovoice with lesbian and bisexual women in the Western Cape, South Africa
10. Me&3 Campaign for lesbian and gay individuals in Pretoria (South Africa)
9. Sensitization of the National Police by transgender organizations in Ecuador
8. Exercising 'Knowledges': Implementing training and prevention activities.
7. Public Incidence Activities: In search of public spaces accessible to teenagers with same sex feelings in the Greater Metropolitan area of Costa Rica. "Specific Case: Incidence with the National Institute for Women - INAMU - Costa Rica"
6. My body, your body, our sex: A Sexual Health Needs Assessment For Lesbians and Women Who Have Sex With Women, Durban, South Africa
5. Working with buddy groups in Zimbabwe
4. 'MAN TO MAN', a joint approach on sexual health of MSM in the Netherlands via the Internet
3. Lessons learned from project "Visual information on sexual health and the exercise of citizenship by the GLBTI beneficiaries of the Organization in Quito, Ecuador".
2. Coffee afternoons: Prevention Project aimed at young gay men from Tegucigalpa (Honduras)
1. Womyn2Womyn (W2W) quarterly open day, for lesbian and bisexual (LB) women at the Prism Lifestyle Centre in Hatfield, Pretoria (South Africa)

available at:

<http://lessons-learned.wikispaces.com/English>

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