



From the Same Soil

FACILITATOR'S GUIDE

Acknowledgements

Thanks to

All those who made this film possible

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**From
the Same Soil
FACILITATOR'S GUIDE**

Using film as a tool

Learning Cycle

A facilitated screening is based on the Learning Cycle. A film screening is followed by a discussion with the audience. This process helps audiences to watch, reflect, engage with the bigger picture and ultimately, take action. The facilitator guides this learning process.

Watching the Film

The audience watches the film as a group.

Reflect on the film

After the screening, the audience reflects on the film(s), sharing their views, feelings and reactions. Central to this approach is the knowledge that every individual has ideas and holds values that are important to them. Sharing this knowledge and respecting the varied ideas, feelings and values helps audiences to learn from each other.

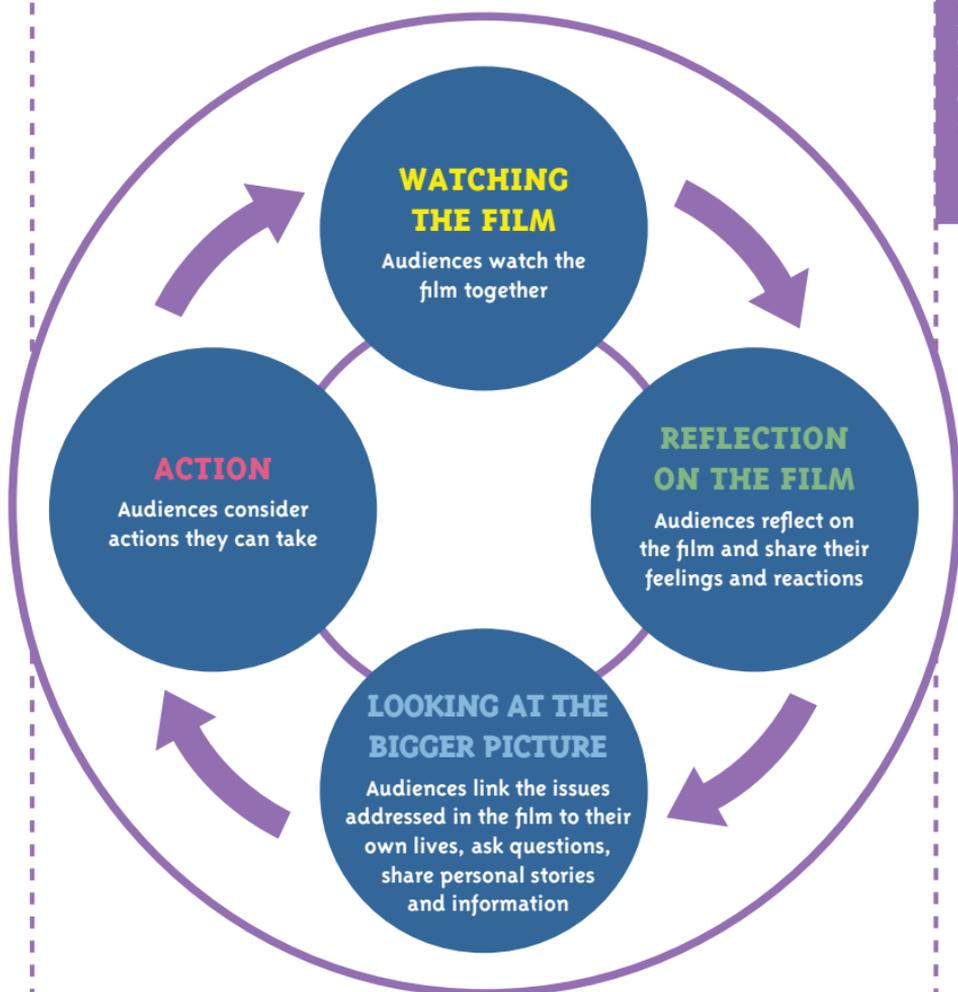
See the bigger picture

During the discussions, participants should examine, debate and analyse the issues raised in the film. To take this further, audiences are then encouraged to link the films and issues to their own lives and add new understanding to the shared knowledge they already have.

Action

Audiences consider actions they could take to address stigmatisation and promote inclusion and acceptance in their own lives and communities and in society as a whole.

Learning Cycle



Facilitation

The facilitator guides the learning process, using techniques that ensure that all ideas and opinions are welcome.

The facilitator needs to create an environment where the participants feel confident and able to voice their opinions and ask for more information.

It is important to build on the knowledge and experience of the audience and respect and acknowledge audience contributions.

The facilitator may need to actively encourage the group to participate in interpreting and discussing the films. The facilitator is there to guide the discussion but they will also be seen as a source of information.

Qualities of a good facilitator

- **Attitudes:** Non-judgemental, respectful, gender-sensitive, non-discriminatory
- **Knowledge:** Issues raised in the film (i.e. LGBTI terminology, refugee rights and referral system)
- **Skills:** Facilitation and communication techniques, dealing with conflicts and emotions

Preparation

Know the films and the issues they might raise. When selecting films and activities, think about:

- **Who are the viewers:** what is their education level, primary language, age?
- **What are their interests and concerns?** What kind of experience might they have had with the issues raised in the films?
- **How might these issues affect their lives, directly or indirectly?**

Facilitation

Methods of reflection

For an effective discussion, consider the size of the group and choose methods that are suitable for the specific audience.

- **Discussion in plenary:** A plenary discussion allows all members of the audience to share and listen to others. However, in a big group only a few people will get to speak.
- **Smaller groups or teams:** The group may be large enough to divide into several smaller groups. This allows more people to participate in the discussion, and encourages those who are intimidated by a big group. Each group should choose someone to report back to the plenary, and rotate this role if there is more than one group discussion.
- **Buzz groups or pairs:** Viewers share their reactions with their neighbours in "buzz groups". This gives everyone a chance to express their reactions.

Checklist for Screening

- Familiarize yourself with the venue
- Make sure that the room is large enough to accommodate the expected audience group
- Check the power points
- If there are windows without blinds or curtains, you will need to cover them with black plastic or cardboard
- Test your screening equipment and sound beforehand to make sure that it is working properly (i.e. television / data projector, DVD player / computer, amplifier, speakers and screen)
- View the film before you screen it

The Film: From the Same Soil

By: Nicky Newman

Length: 28 minutes

Country: South Africa, 2014

Target Audience

Youth (15 years and older) and adults

Key Issues

LGBTI, sexual orientation, gender identity, human rights, refugee rights, migration, homophobia, transphobia, discrimination, persecution, tolerance and acceptance.

Film Outline

The film portrays the lives of two gay men and one transgender woman who left their home countries because of discrimination and persecution. While in South Africa they applied for refugee status on the basis of their sexual orientation or gender identity.

Despite the fact that in South Africa both national laws and international human rights laws protect Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) individuals against any form of discrimination, Flavina, Mussa and Junior have encountered several challenges in their new communities.

The film is an emotional personal journey that shows how stigmatisation, persecution and violence have turned the protagonists into human rights activists.

Film Characters



Mussa is a gay man, who fled Rwanda after the 1994 genocide and moved to the Democratic Republic of Congo (DRC). He's been living in Cape Town since 2010, where he applied for refugee status on the basis of his sexual orientation. He is involved in LGBTI advocacy work and HIV/AIDS awareness raising activities.



Junior is a gay human rights activist from the Democratic Republic of Congo (DRC). His mother is a pastor and is not accepting of his sexual orientation. He suffered discrimination and persecution by his family and decided to flee his country. In 2013 he was granted refugee status in South Africa.



Flavina is a transgender woman from Burundi living and undergoing gender reassignment treatment in Cape Town, South Africa. Despite experiencing destitution and discrimination because of her gender identity, Flavina's positive attitude towards life, helped her to be accepted in her community.

Questions for Discussion

- How does this film make you feel?
- Many people believe that homosexuality is against African traditions and cultures. What are their arguments? Do you agree/ disagree?
- Flavina is a transgender person who was born into a male body but identifies as a woman. How do you feel about this?
- Junior's family did not accept his homosexuality. What do you think made it difficult for them?
- Currently 36 countries in Africa have laws against same sex relationships. If you were a politician would you allow LGBTI people to live freely? Explain
- South Africa is the only country in Africa which accepts refugees based on sexual orientation or gender identity. How do you feel about this?
- What challenges are the three characters facing in South Africa?
- What helped them to become resilient and actively promote LGBTI rights?
- Flavina says: "If you don't respect yourself, nobody else will respect you." How do you feel about this statement?
- Emeritus Archbishop Tutu says: "We should become a society where people are free to be as God made them to be." How can we promote such a society?

Group Activities



ACTIVITY ONE : Statement Game

Put up three signs: Agree, Disagree, and Don't Know.

Read out a statement and ask participants to move to the sign that represents their opinion. Briefly debate their position and move to the other sign if they change their minds.

Example statements:

- Homosexuality is a Western concept
- LGBTI people have the right to be accepted
- Being gay is a sin
- Homosexuality is not "natural"
- LGBTI people can be cured

ACTIVITY TWO : Problem Tree

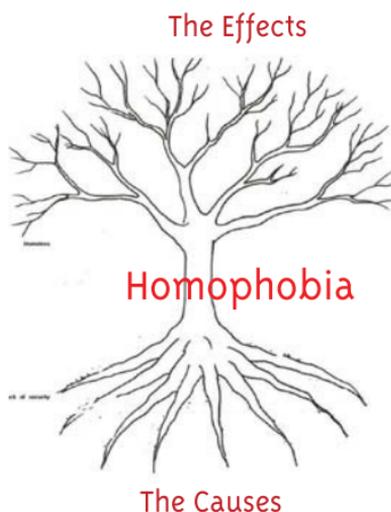
The "Problem tree" can be used to visualize causes and effects of homophobia and to develop strategies for actions.

Draw a tree

Write the word "HOMOPHOBIA" on the tree trunk.

List main causes of homophobia next to the tree roots. List effects of homophobia at the branches. Each cause should have at least one effect.

Discuss actions to address homophobia and add those as "fruits" to the branches. Is it possible to solve the problem of homophobia without tackling the causes?



LGBTI and Human Rights

The content of this section is based on the following documents: Guidelines on International Protection No 9, UNHCR, 2012, www.unhcr.org; Ensuring Lgbti Rights and Protection As Human Rights, SAFAIDS, <http://www.safaids.net>; Understanding the Challenges facing Gay and Lesbians South Africans, OUT, www.out.org.za; A dream deferred, PASSOP Report, 2012, www.refworld.org.

Universal Declaration of Human Rights

All people, including LGBTI people are entitled to enjoy their human rights. The universality of human rights is set out in the Universal Declaration of Human Rights (UDHR), which states that "All human beings are born free and equal in dignity and rights," (Article 1). The UDHR also states that "Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind," (Article 2).

Equality and Non-Discrimination

The rights to equality and to be free from discrimination are also set out in numerous international human rights treaties, including the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, and the African Charter on Human and LGBTI people's Rights.

LGBTI people do not claim any 'special' or 'additional rights' but simply the enjoyment of the same rights as all people are entitled to.

Criminalisation laws

Currently 36¹ of the 54 African countries maintain criminal laws punishing consensual same-sex sexual activity. Penalties include fines, imprisonment, corporal punishment and in four countries even the death penalty. Laws criminalising same-sex sexual activity are a violation of human rights².

Human Rights Violations

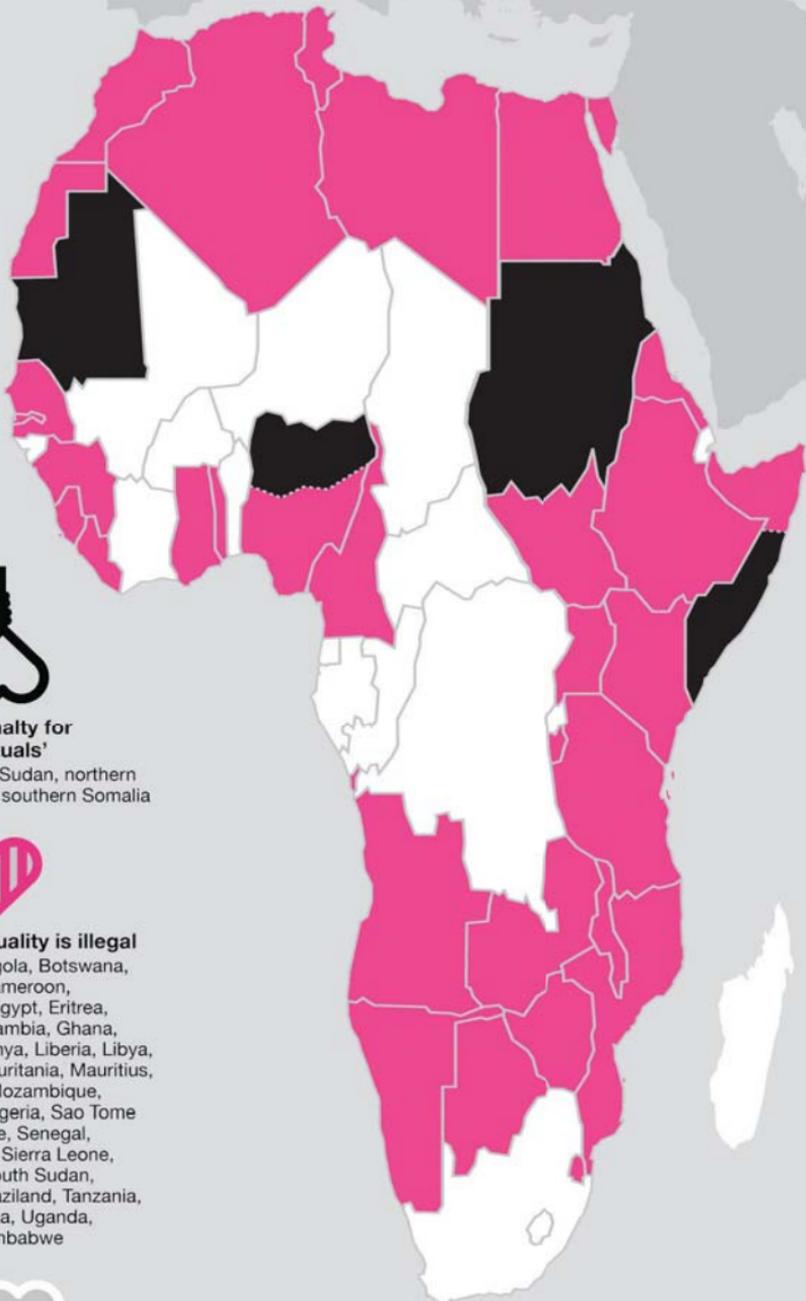
In many countries LGBTI people are denied their right to equality before the law and experience serious human rights violations and abuses. Persecution and violence against people who are or are perceived to be LGBTI is prevalent worldwide.

Many fear being exposed or rejected, are forced to live secret inner lives and have to flee from persecution. LGBTI individuals are the targets of discrimination, accusations of immoral behaviour, sexual and gender-based violence, physical attacks, torture and killings³.

¹ ILGA May 2013 report: STATE-SPONSORED HOMOPHOBIA: A world survey of laws: Criminalisation, protection and recognition of same-sex love, http://old.ilga.org/Statehomophobia/ILGA_State_Sponsored_Homophobia_2013.pdf

² Toonen v Australia (CCPR/C/50/D/488/1992), UN Human Rights Committee, 4 April 1994

³ AI report: Making Love a Crime: <http://www.amnesty.org/en/library/asset/AFR01/001/2013/en/9f2d91b7-bcoe-4ea7-adae-7e51ae0ce36f/afro10012013en.pdf>



**Death penalty for
'Homosexuals'**

Mauritania, Sudan, northern
Nigeria and southern Somalia



Homosexuality is illegal

Algeria, Angola, Botswana,
Burundi, Cameroon,
Comoros, Egypt, Eritrea,
Ethiopia, Gambia, Ghana,
Guinea, Kenya, Liberia, Libya,
Malawi, Mauritania, Mauritius,
Morocco, Mozambique,
Namibia, Nigeria, Sao Tome
and Principe, Senegal,
Seychelles, Sierra Leone,
Somalia, South Sudan,
Sudan, Swaziland, Tanzania,
Togo, Tunisia, Uganda,
Zambia, Zimbabwe



Homosexuality is legal

Benin, Burkina Faso, Cape
Verde, Central African
Republic, Chad, Congo-
Brazzaville, Cote d'Ivoire,
Democratic Republic
of Congo, Djibouti,
Equatorial Guinea, Gabon,
Guinea-Bissau, Lesotho,
Madagascar, Mali, Niger,
Rwanda, South Africa



LGBTI refugees in South Africa

South Africa's Constitution and official legal stance towards LGBTI persons is one of the most progressive in the world which expressly prohibits discrimination on the grounds of sexual orientation. The signing of the Civil Union Act in 2006 brought legal recognition of same sex marriages, positioning the country as the first to do so in Africa.

The Government of South Africa ratified international human rights instruments such as the 1951 Convention Relating to the Status of Refugees and the 1967 Protocol Relating To The Status Of Refugees and domesticated its international obligations through the Refugee Act of 1998. This provides a legal framework for making individualised refugee status determination and protects freedom of movement and includes procedures governing the right to work and study. An applicant's sexual orientation and/or gender identity can be grounds for seeking refugee status where the person has experienced or fears persecution or human rights violations on account of a person's actual or perceived sexual orientation and/or gender identity.

Every year LGBTI refugees from other African countries try to seek asylum in South Africa on the basis of their sexual orientation and/or gender identity. However despite the progressive laws and policies, upon arrival in South Africa, they are faced with new challenges: stigma and discrimination, abuse, hate crimes, murder and xenophobia.

Due to homophobia and xenophobia, LGBTI refugees and asylum seekers often find themselves jobless, homeless, abused, and without police protection or access to justice. For transgender individuals in particular, deprivation of employment, often combined with lack of housing and family support, may frequently force them into sex work, subjecting them to a variety of physical dangers and health risks.

Violence is another problem facing LGBTI individuals in South Africa. Homophobia and hate crimes such as sexual assault and other physical attacks are common, particularly for those living in townships and rural areas. Between June 2012 and July 2013, at least nine LGBTI people were murdered in different parts of South Africa⁴.

While constitutional and legal protection exists, and gives LGBTI individuals the right to take legal action against any discrimination, the reality is that many are unaware of their rights or are afraid to put them into practice, experiencing conditions not unlike those in the countries they fled in the first place.

⁴ Amnesty International South Africa.

Terminology

BISEXUAL

A bisexual person is defined as a person who is attracted to and/or has sex with both men and women.

GAY

The term 'gay' refers to men or women who are primarily physically, sexually and emotionally attracted to people of the same sex. It can refer to same-sex sexual attraction, same-sex sexual behaviour, and same-sex cultural identity. 'Gay' is not gender-specific, in that it can refer to both men and women who experience same-sex sexual attraction or identifies as such. However, in common usage, many people mean only gay men when they say 'gay.'

GENDER AND SEX

The term 'sex' refers to biologically determined differences, whereas 'gender' refers to differences in social roles and relations. Gender roles are learned through socialisation and vary widely within and between cultures. Gender roles are also affected by age, class, race, ethnicity, and religion, as well as by geographical, economic, and political environments. Moreover, gender roles are specific to a historical context and can evolve over time, in particular through the empowerment of women.

GENDER IDENTITY

Gender Identity refers to each person's deeply felt internal and individual experience of gender, which may or may not correspond with the sex assigned at birth, or with the way they are made to express their gender. Gender expression includes the personal sense of the body (which may involve, if freely chosen, modification of bodily appearance or function by medical, surgical or other means) and other expressions of gender, including dress, speech and mannerisms. An individual's gender identity may be male, female, or a gender which is neither male nor female; it may also be more than one gender, or no gender.

HETEROSEXUAL / HETEROSEXUALITY

The term 'heterosexual' is used to refer to people who are primarily physically, sexually and emotionally attracted to people of the opposite sex.

Terminology

INTERSEX

Intersex individuals possess genital, chromosomal or hormonal characteristics which do not correspond to the given standard for 'male' or 'female' categories as for sexual or reproductive anatomy. Intersexuality may take different forms and cover a wide range of conditions.

LESBIAN

The term 'lesbian' refers to a woman who is primarily physically, sexually and emotionally attracted to other women. It can refer to same-sex sexual attraction, same-sex sexual behaviour, and same-sex cultural identity for women.

SEXUAL ORIENTATION refers to each person's capacity for profound emotional, affectional and sexual attraction to, and intimate and sexual relations with, individuals of a different gender or the same gender or more than one gender.

TRANSGENDER people are individuals whose gender expression and/or gender identity differs from conventional expectations based on the physical sex they were assigned at birth.

Commonly, a transgender woman is a person who was assigned 'male' at birth but has a female gender identity; a transgender man is a person who was assigned 'female' at birth but has a male gender identity. However, not all transgender individuals identify as male or female; transgender is a term that includes individuals who identify as more than one gender or no gender at all.

Transgender individuals may or may not choose to undergo some or all possible forms of gender reassignment treatment.

All definitions taken from Amnesty International, Making Love a Crime: Criminalization of Same-Sex Conduct in Sub-Saharan Africa

Where to go for support

SOUTH AFRICA

GAUTENG

OUT LGBT WELL - BEING

Services: Direct sexual and mental services; conducts research; engages in advocacy programmes to promote the health and rights of LGBTI people.

Tel: (012) 344 5108 / Helpline: (012) 344 6500

Email: programmes@out.org.za

Web: www.out.org.za

LAWYERS FOR HUMAN RIGHTS

Services: Legal assistance regarding unlawful, arrest, detention and deportation, assistance with asylum application procedures, appeals and reviews in case of rejected asylum applications.

Tel: (011) 339 1960 / Fax: 011 339 2665

Email: joburg@lhr.org.za

Web: www.lhr.org.za

FORUM FOR THE EMPOWERMENT OF WOMEN (FEW)

Telephone: (011) 403 1906

Email: info@few.org.za

Website: www.few.org.za

TRANSGENDER AND INTERSEX AFRICA (TIA)

Telephone: (012) 797 2612

Email: transgender.intersex101@gmail.com

WESTERN CAPE

DESMOND TUTU HIV FOUNDATION

Services: prevention, treatment, youth centre, maternal & child health

Tel: (021) 650 6966

Email: info@hiv-research.org.za

www.desmondtutuhivfoundation.org.za

TRIANGLE PROJECT

Services: A health clinic, various support groups, outreach programmes as well as public education and training.

Tel: (021) 448 3812

Email: info@triangle.org.za

Website: www.triangleproject.org.za

SCALABRINI CENTRE OF CAPE TOWN

Services: advocacy, welfare, employment desk, counselling, English courses and outreach programmes.

Tel: (021) 465 6433 / Fax: (021) 465 6317

Web: www.scalabrini.org.za

LEGAL RESOURCES CENTRE

Services: Legal assistance to refugees and asylum seekers in class actions or broad public interest matters

Tel: (021) 423 8285

Web: www.lhr.org.za

PEOPLE AGAINST SUFFERING, OPPRESSION AND POVERTY (PASSOP)

Services: LGBTI refugee advocacy, gender rights, anti-xenophobia help desk

Tel: (021) 762 0322 / Fax: 086 517 6812

Email: office@passop.co.za

Web: www.passop.co.za

GENDER DYNAMIX

Services: Resources and assistance to transgender people and their employers, families and partners.

Tel: 083 320 7691

Email: liesl@genderdynamix.org.za

Web: www.genderdynamix.org.za

Where to go for support

KWAZULU-NATAL

DURBAN LESBIAN AND GAY COMMUNITY AND HEALTH CENTRE

Drop-in centre providing legal, personal and health counselling for LGBTI communities.

Tel: (031) 301 2145 / Fax: (031) 301 2147

Helpline: (031) 301 2149

Email: gaycentre@mweb.co.za

Web: www.gaycentre.org.za

COMMISSION FOR GENDER EQUALITY

Tel: (031) 305 2105 / Fax: (031) 307 7435

Web: www.cge.org.za

THE GAY AND LESBIAN NETWORK (PIETERMARITZBURG)

Telephone: (033) 342 6165/ 6500

Email: director@gaylesbiankzn.org

EASTERN CAPE

SOCIAL HEALTH EMPOWERMENT

Telephone: +27 73 811 0789

Email: transfeminists@gmail.com

EASTERN CAPE GAY AND LESBIAN ASSOCIATION

Telephone: +27 78 138 1965

Email: swimstruck@gmail.com

LIMPOPO

LIMPOPO LGBTI FORUM

Telephone: +27 84 372 6049 / +27 78 108 7717

Email: cindymolefeii@yahoo.com

SOUTHERN AFRICA

BOTSWANA

LEGABIBO (LESBIANS, GAYS & BISEXUALS OF BOTSWANA)

Tel: +267 393 2516

Email: legabibo@bonela.org

ZIMBAWE, HARARE

GALZ (GAYS & LESBIANS OF ZIMBABWE)

Tel: +263 741 736

Email: info@galz.co.zw

35 Colenbrander Rd, Milton Park, Harare

MALAWI, LILONGWE

CEDEP (CENTRE FOR THE DEVELOPMENT OF PEOPLE)

Web: www.cedepmalawi.org

MOZAMBIQUE, MAPUTO

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Tel: +258 21 304816

Web: www.lambdamoz.org

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