



**UNITED NATIONS**

**Office of the Resident Coordinator  
South Africa**

**Situation Report 14 – VIOLENCE AGAINST FOREIGNERS IN SOUTH AFRICA –  
3 OCTOBER 2008**

**HIGHLIGHTS**

- The Constitutional Court postponed its decision on whether or not to close the Centres of Safe Shelter (CoSS) until 20 November 2008
- Despite this, the Gauteng government proceeded with the closure of the Centres of Safe Shelter (CoSS) on 30 September 2008.
- About half of the IDPs have now received an exit cash grant from either UNICEF or UNHCR in Gauteng Province and a food parcel from the South African Red Cross Society (SARCS).
- Despite these efforts, reintegration challenges remain in all provinces.
- A number of organisations, including Amnesty International, have expressed concern about protection issues especially for Somali nationals in the light of a number of recent deaths.

**SITUATION – NATIONAL**

Table 1 – Location, number of sites and displaced population as of 3 October 2008

Province	Municipality	Sites		Population displaced	
		May	Oct	May	Oct
Gauteng	None	48	0	17,548	0*
Western Cape	City of Cape Town	90	3	19,654	2,146
Kwa-Zulu Natal	Ethekwini (Durban)	2	0	1,650	40**
<b>TOTAL</b>		140	3	38,762	2,186

**Gauteng Province**

On 30 September 2008, the Gauteng Provincial government closed the remaining CoSSs. Other ad-hoc sites not under government management including, Akasia, Malas and Stanza remain occupied. Last week, the government distributed an information pamphlet informing IDPs that the sites would close on 30 September 2008. In reaction to the closure of the sites, the Consortium for Refugees and Migrants in South Africa (CoRMSA), the plaintiff in the court case against the Government, issued a press statement indicating that the decision to close the sites was in breach of the Constitutional Court order, which postponed the hearing on the matter until 20 November 2008.

Source: DMC from WC

\* This excludes other ad hoc sites which did not fall under government management such as Akasia

\*\* Figures received from UNHCR, IDPs are in Albert Park

## **Western Cape**

More than 2,000 IDPs remain in three sites in Western Cape Province. Harmony Park is the largest with a total number of 738 IDPs, followed by Youngsfield with 610 IDPs, and then Blue Waters (sites B and C) with 798 IDPs.

The Department of Home Affairs (DHA) has now completed status determination of IDPs who applied for asylum. While official figures are not yet available from DHA, the applications of more than 90% of those who applied for asylum have been rejected; this is comparable with Gauteng Province where the rejection rate was 95% to 97%. Those whose applications have been rejected have between 14 to 30 days to appeal the decision. The rejection decision may invalidate the six month temporary protection residency permits, which were granted to allow time for them to many IDPs earlier.

Concerns have been raised that the DHA status determination interviews have been undertaken by unskilled interviewers in a place without privacy and often without translators. There have been further concerns that IDPs have not been informed about their rights and that the information they provided in interviews is being misinterpreted or misrepresented.

A large number of Somalis have expressed their interest in being repatriated. Additionally, about fifteen Burundians have already been repatriated while another fifteen are waiting for documentation from the embassy of Burundi in order to leave. Repatriations are being undertaken with support from IOM, UNHCR and the NGO Africa Diaspora.

The Somali community have expressed fears that they are at particular risk and require additional protection. On 22 August, a letter issued by a group named "The Zankhanyo Retailers Association" was distributed to Somali shop owners in Khalyelitsha Township ordering them to close their business by 14 September 2008. The Provincial Government and the Police Department issued a statement condemning this threatening letter. The Chairperson of the Zankhanyo Retail Association was arrested and remains in custody.

According to various media reports and various civil society groups, including Amnesty International<sup>1</sup>, 21 Somalis have been murdered and 28 seriously wounded in attacks since June 2008. These attacks took place mainly in Western and Eastern Cape and in the North West Province. The South African Police Services (SAPS) says this trend is not indicative of xenophobia but rather of criminality. Although the definition of xenophobia remains ambiguous.

## **Kwazulu Natal:**

About 40 people continue to reside at Albert Park. One family has now requested assistance with accommodation. The rest continue to reject UNHCR reintegration packages which have been offered to them on the ground that they want to be resettled. Three families continue to reside in churches, with one family requesting relocation to Dukwi Refugee Camp in Botswana.

The Department of Social Development (DSD) has yet to assess the situation of some 15 children residing in Albert Park. People, who received assistance from UNHCR's implementing partner, the Refugee Social Services (RSS) continue to approach the UNHCR office for additional assistance.

## **NATIONAL RESPONSE**

### *Western Cape:*

The Provincial Disaster Management Centre (PDMC) has begun drafting a contingency and response plan. The plan is intended to support operational agencies and government departments in the reintegration effort. OCHA is providing technical advice and guidance on the plan.

On 27 September 2008, local councillors, and faith-based organizations facilitated an anti-xenophobia and reconciliation event in the Strand, Western Cape. The event included prayers led by ministers

<sup>1</sup> Amnesty International, South Africa "Talk for us please" LIMITED OPTIONS FACING INDIVIDUALS DISPLACED BY XENOPHOBIC VIOLENCE, September 2008

and Imams from the area, speeches by political leaders, displaced foreigners, and community leaders.

*Kwazulu Natal:*

Faith-based organizations are establishing a city development programme to provide IDPs and refugees with shelter and skills training.

## INTERNATIONAL RESPONSE

*Gauteng Province:*

UNICEF supported the distribution of the first instalment of the exit cash grant in all CoSSs on 30 September 2008. The UNICEF exit cash grant benefited 719 single persons and 198 families including 398 children. The package included a one-time payment of ZAR 500 (approx USD 60) for single men and women, ZAR 800 for families with one child and ZAR 1,250 for families with two or more children. In addition the South African Red Cross also distributed a food parcel to IDPs upon exit.

UNICEF plans for a second distribution of assistance were cancelled by the government. UNICEF plans to use an implementing partner to trace and track extremely vulnerable cases in order to provide further assistance and protection. This may prove challenging given that many have already left the sites to unknown destinations without any support.

So far, since the start of the crises UNHCR have assisted a total number of 3,023 people nationwide. 899 people were provided with assistance in Johannesburg; 1,174 in Pretoria; 198 in Durban and lastly 752 in Cape Town.

On behalf of the UN Gender Task team, UNFPA facilitated a joint training for government officials and NGOs, on Sexual Gender Based Violence (SGBV) issues. UNFPA supported the provision of information on SGBV made available at the "help desks" established to assist IDPs with reintegration.

Oxfam and the Anglican Church Diocese will support a three-month urban reintegration pilot project. A building has been identified to host about 80 people: 30 from Rand Airport, 30 from Boksburg and 20 from Rifle Range. The people benefiting from the project have been selected based on criteria determined jointly by Oxfam and IDP leaders. Skills training will be provided to encourage people to sustainably reintegrate and become self-sufficient.

*Western Cape:*

UNICEF and the UNHCR implementing partner, the Cape Town Refugee Centre (CTRC) carried out registration and determination of vulnerability in the three sites to determine the numbers of IDPs who want to receive the exit cash grant. The number of people willing to take the assistance was found to be much lower than expected, with only about 930 people applying. The distribution of funds will start at Harmony Park on 9 October 2008, followed by Youngsfield on 16 October and then finally Blue Waters on 30 October. The timing of these disbursements will coincide with the planned closure dates for the sites.

## GAPS

Approximately half of the residents of the CoSSs in both Gauteng Province and Western Cape did not apply for assistance from UNICEF or UNHCR. It appears that distrust of government and the perceived inadequacy of the package to cover rental costs have discouraged many IDPs applying for support. In addition of those who received assistance, some have been forced to use the funds for surviving and therefore have no money left for accommodation as many as 1,000 people are estimated to be in need of further assistance according to the Anglican Church.

Protection concerns remain high for a significant proportion of those displaced; however, there has been limited tracking of these people since they left the sites in Gauteng and, to date, there is no organization with adequate capacity to meet this gap. To address this need, it has been proposed to

continue the services of the “help desk” which was set up in the sites. This could continue to provide referrals, information and support to those in need.

Attacks against Somali's should be closely monitored and efforts made to establish if attacks are evidence of xenophobia or are indeed purely criminal in nature. In addition, continued advocacy with the government of South Africa is needed to ensure adequate security and protection of this group.

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