



RESPONSE

June 25th, 2014

World Refugee Day

World Refugee Day is commemorated around the world on June 20th every year. This year also marked, on the same date, the 40th anniversary of the OAU's adoption of The Convention Governing Specific Aspects of Refugee Problems in Africa.

The UN High Commission for Refugees' *Global Trends*, issued recently, observed that the past year has seen the highest number of forcibly displaced persons in the world since World War II. 51.1 million people were displaced, 6 million more than 2012. This figure was broken down into the following categories: 33.3 million were internally displaced; 16.7 million were refugees; and 1.1 million were asylum seekers. It is reported that refugees fleeing Syria and the Central African Republic contributed to this high tally.

In South Africa the discourse around refugee, migrant and displaced persons continues to be highly contested. On World Refugee Day, the Director General of Home Affairs restated his Department's commitment to securing legal protection for refugees under the provisions of international law and South Africa's Bill of Rights. He reiterated that refugees could apply for their documents and for smart ID cards at any Home Affairs office. The DG also spoke of the steps being taken to ensure that all communities contributed to the development of a more enduring social capital which would, presumably, enhance a sense of belonging and commitment to the country.

However, Lawyers for Human Rights, among other organisations, have pointed out that many obstacles undermine the provisions contained in the Bill of Rights and in specific refugee-related legislation. They referred, for example, to the fact that despite court orders, nothing has transpired with regard to re-opening the metropolitan refugee reception offices that were closed over the past few years. They also hold that the relocation of refugee processing offices to the border areas has caused delays and practical difficulties for refugees, just as the difficulties of accessing bigger metropolitan offices such as the Refugee Reception Office in Marabastad, increases the risk of becoming undocumented or facing fines for having overstayed permit stipulations. One of the constant challenges in the system has been the extraordinary long delays in the work of the Refugee Appeal Board and the Standing Committee for Refugee Affairs, due largely to the lack of capacity in both institutions. This leads to great and unnecessary anxiety amongst refugees. There are also many allegations of corruption which are said to seriously dog the process and, perhaps worst of all, refugees are subject to physical violence by security staff at Home Affairs offices.¹

Two small but hopeful signs have emerged. The Minister of Home Affairs has announced unscheduled visits to various Home Affairs offices, in order to observe some of the problems and the

institutional culture in those offices. Recently, the Minister of Social Development, Bathabile Dlamini, urged parents who are in the country illegally to nonetheless register their undocumented children with the Social Security Agency so that they would, despite their parent's status, be eligible for child support grants. This indicates the political will to ensure that the provisions of the Bill of Rights, and the state's actual practise, are brought closer together for the good of the child.

Pope Francis, in his message for World Refugee Day, called for a change in attitude toward migrants and refugees around the world, moving away from attitudes of "defensiveness and fear, indifference and fear," typical of a "throwaway culture." Migrants and refugees are not pawns on the chessboard of humanity.

Peter-John Pearson
Director

ⁱ *Treated like scum*, The Times, Monday June 23rd, 2014. An investigation is to be conducted into the sjambokking and pepper-spraying of refugees at the Marabastad reception office last week.