



World Refugee Day

"We cannot forget the millions of asylum seekers, refugees and displaced persons in other parts of the world, who desperately need to be welcomed, protected and loved.

"Pope Francis, May 2022¹

1. Introduction

In this comment, Pope Francis touches on the very core of this year's World Refugee Day theme. Every year the United Nations observes World Refugee Day on 20th June.² The UN describes this day as one that "shines a light on the rights, dreams and needs of refugees, helping to mobilise political will and resources so that refugees cannot only survive, but thrive."³ The UNHCR states that there are at present around 100 million displaced persons in the world.⁴ It is also deeply worrying that around 50% of refugees worldwide are under the age of 18.⁵ It should be noted that the Roman Catholic Church observes World Migrant and Refugee Day on the last Sunday in September annually.⁶

The international theme for the 2022 reflection focuses on the right of all mobile people to seek safety. It is stated as *'Whoever. Whatever. Whenever. Everyone has the right to seek safety.'* The UN, in its literature leading up to the day, points out that seeking safety and experiencing basic protection is a fundamental human right and is thus non-negotiable, irrespective of who they are or the threat they are fleeing from.⁷ From a theological perspective, responding to this

challenge is deeply linked to the principle of human dignity: protecting and promoting dignity remain realities that are best nurtured in conditions of safety. Pope Francis is on record as saying: "The principle of the centrality of the human person obliges us to always prioritise personal safety over national security."⁸

In the light of today's theme, it is worth noting the Pope's extended remarks. His statement includes specific, practical remedies to address the current poor treatment of migrants, such as ensuring that border agents are properly trained in order to guarantee the dignity and safety of migrants. He also said that migrants, asylum seekers and refugees should be guaranteed access to basic services, and that political leaders need to develop "alternative solutions to detention for those who enter a country without authorisation".⁹

2. Background

A close reading of literature in the refugee sector underlines that safety is linked to the following:

- The right to seek asylum, which translates into the right that all who are fleeing persecution, human rights abuses, and

conflict (which includes widespread gang violence and domestic violence and, increasingly, the abuse following on from environmental degradation), have a right to seek protection in another country.

- Safe access, which especially refers to borders being opened to those fleeing. Even more fundamental is the insistence on non-discrimination at border posts, but also by law enforcement agencies when once people have passed through borders. Discrimination which quickly escalates into xenophobia and violence remains one of the greatest threats to safety for mobile people. In South Africa this is sadly true. This is also referred to in some literature as the principle of humane treatment.
- The principle of non-refoulement remains paramount. This simply means that refugees or asylum seekers cannot be pushed back into countries where they will be subject to the persecution or dangers that they have escaped from. Any action which prompts this is a fundamental threat to safety.

In addition to the usual difficulties and obstacles for mobile people, the long shadow of the COVID pandemic still adds an additional burden. At present there are still some twenty countries around the world which are using measures taken during the pandemic, on grounds of public health, to restrict entry into their countries of refugees and asylum seekers. The UNHCR used the occasion of World Refugee Day to call for an end to this practice, which prevents mobile people from accessing safety. UNHCR Commissioner Filippo Grandi stated: "I appeal to the states that continue to maintain these restrictions to lift them urgently, in order to enable people to seek safety and protection. With wars and violence raging across the world, and people fleeing from persecution, these measures deny the fundamental human right of people to seek asylum. Women, men and children continue to be turned away at land borders and sea; or are returned or transferred to countries where they may face threats to their life or freedom."¹⁰

This World Refugee Day also comes at a time when there seems to be a 'refugee fatigue'¹¹

internationally, and some very worrying schemes by governments to absolve themselves from responsibilities for the safety and prosperity of mobile people. The UK government's plan to shift refugees to Rwanda is one example.¹² The Catholic Bishops of England and Wales have called this plan 'shameful' and have pointed out that it increases refugees' difficulties (which includes safety) without resolving the issues that force them to flee. They quote Pope Francis' condemnation of the "loss of the sense of responsibility for our sisters and brothers". These sentiments speak powerfully into the theme of the 2022 World refugee Day.¹³

3. World Refugee Day and South Africa.

It is estimated that there are some 8.4m forcibly displaced and stateless persons in the Southern Africa region.¹⁴ Marking the day, the South African government issued a brief, somewhat bland, 14-line statement praising refugees for their resilience and courage and noting that 2001 marked the fiftieth anniversary of the Convention Relating to the Status of Refugees. It also noted that the AU agreed to observe Africa Refugee Day together with the International Day.¹⁵ It gave no indication of its commitment to support refugees, to sort out some of the obstacles in the path of refugees in South Africa, or of any particularly positive future orientation. This seemed to be a missed opportunity for reassuring those who feel unsafe and vulnerable in South Africa as xenophobic tensions increase.

The *Economist* recently spoke of the "dangerous turn to xenophobia" in South Africa.¹⁶ It points out that this direct threat to the safety of foreigners has deepened an already dangerous narrative of blaming foreigners for South Africa's self-inflicted problems, and in doing so makes solving them more difficult. It further stresses that one of the additional new dangers in the xenophobic narrative is the high profile presence of active political voices. Hitherto, formal political parties had not added to the incendiary language, but more recently some political parties had made such language a part of their political agendas. The article also quotes Nelson Mandela's words in Alexandra in 1995, which have a prophetic ring to

them: "It saddens and angers me to see the rising hatred of foreigners [...] We cannot blame other people for our troubles."¹⁷

Reflecting on World Refugee Day and the issues of safety for mobile people in South Africa, Dr Kallixte Kavuro says very tellingly:

"In a recent academic paper, I demonstrated how the government is distancing itself from its commitments and promises to take in refugees and asylum seekers as its own people and to protect them. Such a move can be linked to the global trend of asylum fatigue, which is exacerbated by a growing concern that economic migrants use the asylum system to enter South Africa to gain access to basic services and to get jobs, thereby presenting a potential threat to the preservation of national interests, including national resources, national security and public safety. Nowhere is South Africa's asylum fatigue more evident than in the amendments to the [...] Refugees Act. With these amendments the government wants to make it difficult, if not impossible, for individuals escaping persecution and seeking asylum to enter the country, to gain access to its national resources, and to enjoy the refugee rights that are – owing to their universal nature – entrenched in the Bill of Rights. We fool ourselves if we think they are about closing gaps and shortcomings in the protection offered by the Act."¹⁸

He goes on to quote a paper by Crush, Skinner and Stulgaris.

"In their article *'Rendering South Africa Undesirable: Critique of Refugee and Informal Sector Policy'*, Jonathan Crush, Caroline Skinner and Manal Stulgatis have also demonstrated how national authorities impose limitations on the ability of refugees and asylum seekers to find safety and security in South Africa. They argue that these limitations are gradually imposed 'as an effort to make the country an undesirable destination for asylum-seekers and refugees'. South Africa is being made into an undesirable destination through frustrating refugees and asylum seekers by restricting their access to refugee protection and rights flowing from

their refugee status. These restrictions have gradually diminished the significance of refugee rights."

The creeping limitations to which the authors refer are widespread, and include some of the obvious restrictions envisaged in law, for example the introduction of a quota system or the high bar for the employment of foreign nationals, as proposed in the Draft National Labour Policy 2021.¹⁹ Other limitations are tied to passive lack of political will in places where positive attitudes and decision making could make a difference, while yet others are rooted in administrative ineptitude which leads to frustration and vulnerability as it leaves people without the one defence they have against vulnerability, namely documents. These attitudes and actions, or lack thereof, make the lives of mobile people dangerous and unpredictable. And these various points of stress often converge, creating a formidable, 'thick' culture of exclusion and vulnerability. This, together with the ever present danger of hostility and xenophobia, seriously negates any form of safety for mobile people in South Africa.

Local refugee communities are reported as having said that they have no reason to celebrate World Refugee Day as their appalling situations continue. They claim that the government has lost interest in them and that they had expected the government to facilitate their movement to other countries.²⁰ However, some reports suggest that, despite the dismal outlook, migration into South Africa is likely to continue to rise in the foreseeable future.²¹

4. World Refugee Day and the Church in South Africa.

In a press statement for World Refugee Day, the Southern African Catholic Bishops' Conference Migrants and Refugees desk picked up on some of these issues from the point of view of South Africa being a host country.²² They raised critical questions about whether we have complied with our national and international obligations in this regard. In much the same way as the articles quoted above, they found the situation wanting. The statement is premised on the understanding

that all too often, “forcibly displaced people have been thoroughly victimised and turned into scapegoats for the short-comings of the socio-economic system and political leadership of South Africa. On the whole, people on the move strongly feel that their human rights are trampled upon and their human dignity violated”.²³

They point to the fact of the right to work, which refugees in South Africa enjoy, but also point to the growing danger faced for example, by foreign truck drivers while executing their duties.²⁴ We have seen vigilante type attacks on foreign nationals at work, in their shops and on the streets, all of this increasing the insecurity of the mobile communities. There is an intense contestation around scarce resources and around economic possibilities. This is acknowledged in the statement. It also points out that these communities bear the brunt of the violence meted out by local communities and goes on to make the very important and challenging point that those who have been victimised have a deep desire to confront their fellow believers alongside whom they often worship, about perpetuating and acting on these negative images and the pain they endure.²⁵ The statement challenges the church to provide platforms for such encounters.²⁶ This is probably an encounter that is long overdue, and which religious communities are very well placed to offer.

Archbishop Buti Tlhagale who issued the statement, closes by pointing out that “members of the host country, on this Refugees Day, should humbly recall that all human beings have been created in the image of God and that we are our brother’s and sister’s keeper. This imposes a biblical and moral obligation on us all to be inclusive in our relationships with each other, especially concerning refugees”.²⁷

5. Conclusion

Around the world the spectre of violence threatens the security of mobile communities, and increasingly politicians are exploiting these fears and negative perceptions for short term political gains. In South Africa there are strong attempts to normalise the xenophobic mentality and this has a direct, dangerous effect on the safety of mobile people. Yet, in the words of UNHCR Southern Africa, World Refugee Day “is intended to be a celebration of the human spirit and of the strength of the millions who, despite being displaced and dispossessed, relentlessly strive to improve their lives and those of their families and communities.”

In a curious sense, while no one should be allowed to suffer in the way mobile people do, and nobody should fear for their lives or possessions, the very adversity has also shown forth incredible courage and hope. In the past three years the number of forcibly removed persons has increased by 60% in the Southern African region and is set to continue growing in 2022 and 2023²⁸, so we must expect that with this growth will come an increase in tensions and thus in threats to safety. Ours then is the task of intensifying an alternative narrative to the one of exclusion, of supporting mobile communities as they equip themselves to participate meaningfully in their host countries, and of highlighting the difficulties – often intentional – in bureaucratic procedures and in issuing documents that are vital for the safety of mobile people. In the light of this we need to be more determined, in the words of Pope Francis quoted above, to offer a sincere welcome, well thought-through and long-term protection, and love. And we then need to continue to explore how these values manifest themselves in policy options, and be resolute in advocating for them.

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⁴ <https://www.enca.com/news/more-100-million-people-forcibly-displaced-un-0>

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