



## **Refugee Digest 75**

**April 2023**

### **Migrants, Refugees and Displaced Persons**

Any survey of mobile people's issues will show just how important the issue of documentation is. We know that correct documentation, and the political will to issue it, is a key indicator of security for mobile people. On the other hand, the failure to supply such documentation increases vulnerability at all levels. Various recent court cases are integrally linked to the matter of documentation.

There has been considerable interest in the litigation around the Zimbabwean Exemption Permits. The case was heard in the Gauteng High Court over four days in April, the court reserving judgement. The Helen Suzman Foundation argued that the Minister's withdrawal of the permits did not follow proper process and, therefore, that the decision was invalid and should be set aside. The Foundation further argued that the ZEP holders qualified for permanent residence.

<https://www.sabcnews.com/sabcnews/high-court-to-hear-arguments-challenging-zimbabwean-exemption-permit-decision/>

<https://www.news24.com/news24/southafrica/news/zimbabwean-exemption-permit-withdrawal-high-court-considers-if-motsoaledis-decision-is-irrational-or-executive-action-20230413>

<https://www.news24.com/news24/southafrica/news/motsoaledis-decision-to-terminate-zep-unfair-and-irrational-helen-suzman-foundation-tells-court-20230411>

<https://www.news24.com/news24/southafrica/news/why-is-south-africa-not-renewing-160-000-zimbabwean-work-permits-20230410>.

The DHA, on the other hand, argues that the termination of the ZEP is positive, as it opens the way for people who are in SA temporarily to find more permanent visas so that they can remain in the country securely.

[enca.com/news/zim-exemption-permit-termination-a-positive-move-home-affairs-dept](https://enca.com/news/zim-exemption-permit-termination-a-positive-move-home-affairs-dept)

The next article makes an interesting comparison between the ZEP and the similar Angolan permits.

<https://m.youtube.com/watch?v=pSikuBn6l0A>

The Gauteng High Court also upheld the right of all pregnant women, lactating mothers and children under the age of six, who are not beneficiaries of medical aid schemes and who have not come to South Africa specifically for medical care, to have access to medical care irrespective of nationality or documentation status. The Gauteng provincial government had, via a regulation, made it necessary for such categories of people to be screened and made liable to pay for such services.

<https://www.dailymaverick.co.za/article/2023-04-18-high-court-upholds-right-of-pregnant-women-young-children-to-free-health-services-regardless-of-documentation-status/>

<https://www.businesslive.co.za/bd/national/health/2023-04-18-court-upholds-healthcare-rights-of-pregnant-women-and-children-migrants/>

<https://www.medicalbrief.co.za/landmark-ruling-confirms-all-pregnant-women-children-have-right-to-free-healthcare/>

<https://www.dailymaverick.co.za/article/2023-04-24-migrant-health-rights-struggle-far-from-over-after-landmark-ruling/>

After almost a decade of litigation, promises, pressure, and hardship for refugees and asylum seekers, the Refugee Reception Office in Cape Town has finally (re-)opened.

<https://ewn.co.za/2023/04/25/home-affairs-re-opens-cape-town-s-refugee-reception-office>

A note on the background to the battle over this issue:

<https://www.groundup.org.za/article/home-affairs-refugee-office-to-reopen-in-cape-town-ten-years-after-it-was-first-closed/>

<https://www.scalabrini.org.za/the-cape-town-refugee-reception-office-closure-case-explained/>

A recent study, corroborated by much anecdotal support, has shown an alarming rise in digital xenophobia in South Africa.

<https://blogs.lse.ac.uk/africaatlse/2023/03/07/digital-xenophobia-is-on-the-rise-in-south-africa/>

There has been a strong call recently for the many and various refugee groups to make common cause and to speak with one voice especially in South Africa as more and more anti-immigrant voices take centre stage.

<https://www.groundup.org.za/article/refugee-organisations-encouraged-to-speak-with-one-voice/>

Recently, the groups of refugees who camped for a time outside the UNHCR offices in Cape Town and Pretoria protested against removals, apparent pull-backs on promises, and the failure of attempts to reintegrate them into host communities.

<https://www.dailymaverick.co.za/article/2023-04-19-refugees-return-to-limbo-status-at-wingfield-camp-citing-resettlement-issues/>

<https://www.timeslive.co.za/news/south-africa/2023-04-20-asylum-seekers-at-unhrc-offices-in-tshwane-defy-court-order/>

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