



Refugee Digest 79

October 2023

Migrants, Refugees and Displaced Persons

The tragic fire that engulfed a block of flats in Central Johannesburg in August and left 48 dead, many of them foreign nationals with various degrees of documentation, has again become an issue where blame has been laid at the door of undocumented foreigners and civil society organisations. The scapegoating of foreigners has become one of the most dehumanising and demeaning signs of the times in contemporary South Africa. Some of the statements bore a strong xenophobic branding.

<https://www.dailymaverick.co.za/article/2023-08-31-city-of-johannesburg-points-finger-at-ngos-and-foreign-nationals-after-deadly-fire/>

<https://www.nytimes.com/2023/09/08/world/africa/south-africa-fire-immigrants.html>

<https://www.enca.com/opinion/joburg-fire-foundation-human-rights-calls-humanity>

In the midst of the tragedy, some political parties found it expedient to fan the flames of xenophobia and thereby gain political points. This type of reprehensible behaviour seems to have become embedded in the electioneering landscape prior to the 2024 elections.

<https://www.dailymaverick.co.za/article/2023-09-07-joburg-fire-disaster-being-used-to-fan-flames-of-xenophobia-ahead-of-2024-elections/>

One of the worst statements with regard to scapegoating foreign nationals in the whole fire situation was that of the Minister in the Presidency, Khumbudzo Ntshavheni, who linked the fire to the presence of undocumented foreign nationals, and blamed the Courts for blocking the deportation of illegal foreigners and not protecting the borders. Some of her comments came even before any full assessment could be reasonably made of the situation.

<https://www.iol.co.za/news/south-africa/gauteng/joburg-cbd-fire-presidency-minister-lashes-courts-for-blocking-deportation-of-illegal-immigrants-080328da-fd2e-4923-9662-f40a26c06646>

The contested issue of the Zimbabwe Exemption Permits, which has in many ways become the lightning rod of debates around immigration in SA, is set to continue as the Department of Home Affairs challenges the June judgement of the full bench of the Pretoria High Court. The judgement was critical of the legality of the decision to suspend the ZEPs.

<https://www.businesslive.co.za/bd/national/2023-09-17-home-affairs-wants-to-appeal-against-zimbabwean-permit-judgment/>

<https://ewn.co.za/2023/09/18/home-affairs-minister-to-appeal-court-s-zep-ruling>

The Helen Suzman Foundation, which first took DHA to court on the ZEP matter, has indicated that they will approach the Courts again to ensure that the Minister has regard for the conditions imposed by the Court, such as not effecting any deportations or any interference with the rights of ZEP holders.

<https://tinyurl.com/mvnjbhrk>

<https://www.iol.co.za/the-star/news/mass-deportation-of-illegal-immigrants-opposed-8c307b57-087d-4dbb-a36d-93429e5cdd7a>

On 18th September Minister Aaron Motsoaledi spoke in a television interview on new measures to secure the country's borders and on the backlog in processing asylum permits. He indicated that SA deports between 15 000 and 20 000 foreigners per annum.

<https://www.youtube.com/watch?v=OoKtx46cmsw>

It is interesting to note that ActionSA, one of the more virulent voices in the anti-immigrant debates, has recently appeared to be taking the middle ground in its approach to immigration issues. Its leader, Herman Mashaba, admitted that there were extremists in the party who sought extreme solutions but said that at its policy conference it had opted for a more middle of the road approach.

<https://www.dailymaverick.co.za/article/2023-09-12-actionsa-will-take-middle-ground-on-immigration-says-mashaba/>

The ANC Youth League, on the other hand, has called more vociferously for stronger measures against illegal foreigners, and has even demanded the deployment of the military in this regard.

<https://www.iol.co.za/news/politics/ancyl-president-collen-malatji-calls-for-military-police-and-home-affairs-to-deport-illegal-immigrants-from-south-africa-b6c6ae48-0028-4b8a-9d6f-4ace586144c5>

The very outspoken anti-immigrant group Operation Dudula, which in May 2023 refashioned itself from a local group to a national political party, said in an interview with the BBC on 17th September that most of the problems in South Africa were caused by the influx of foreigners. Zandile Dabula, the president of Operation Dudula, said that foreign nationals were working on a "twenty year plan" to take over South Africa.

<https://www.bbc.com/news/world-africa-66808346>

Lastly, in a statement with regard to the recent arrest of 100 undocumented foreigners, the Minister indicated that some of those arrested were in fact victims of human trafficking.

<https://www.iol.co.za/the-star/news/mass-deportation-of-illegal-immigrants-opposed-8c307b57-087d-4dbb-a36d-93429e5cdd7a>

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