



## Refugee Digest 80

November 2023

### Migrants, Refugees and Displaced Persons

Policy insecurity, the vulnerability of the mobile community, and anti-migrant narratives and actions continue to hold sway in the political domain and, most particularly, in the policy realm. It is increasingly clear that the various strands come together around a common idea or understanding of exclusion. We need to keep in mind that, as national elections draw near, political parties which have sensed that a percentage of the electorate hold anti-migrant sentiments will stress policies that favour that position. In this Digest we focus mainly on aspects of exclusion and we provide links to policies and regulations from the Department of Home Affairs.

The long-awaited *White Paper on Citizenship, Immigration and Refugee Protection* has at last been published.

<https://www.moneyweb.co.za/news/south-africa/overhaul-of-border-control-and-immigration-laws-on-its-way/>

<https://www.sanews.gov.za/south-africa/white-paper-set-overhaul-migration-system-says-motsoaledi>

<https://www.dailymaverick.co.za/article/2023-11-12-motsoaledi-advocates-for-review-and-temporary-withdrawal-from-two-international-agreements-on-refugee-protection/>

One much spoken of area of exclusion is the bid to close spaza shops owned by undocumented foreign nationals. Many groupings, ranging from Operation Dudula to political parties such as the EFF and the ANC, have taken outspoken stands on the issue. The voice of the ANC, since it is in government, is particularly worrying in this regard. It is difficult not to link the impunity with which groups attack foreign owned spaza shops with the comments being made about them by political and other influencers.

<https://www.sabcnews.com/sabcnews/sa-faces-challenge-of-undocumented-foreign-spaza-shop-owners/>

<https://ewn.co.za/0001/01/01/govt-wants-to-clamp-down-on-spaza-shops-run-by-illegal-foreign-nationals>

[https://www.youtube.com/watch?v=K\\_uP1d7qBcQ](https://www.youtube.com/watch?v=K_uP1d7qBcQ)

<https://www.iol.co.za/the-star/news/close-all-foreign-owned-spaza-shops-says-notinmyname-500d3222-944c-4d35-98d0-4fe66e44e23f>

<https://www.news24.com/news24/southafrica/news/community-raids-of-foreign-owned-spaza-shops-could-fuel-xenophobia-as-residents-await-toxicology-reports-20231112>

Human Rights Groups have warned that if the proposed audit of spaza shops was confined to 'foreign owned' shops then it would be unconstitutional and illegal.

<https://radioislam.org.za/a/human-rights-groups-up-in-arms-at-govts-proposal-to-audit-foreign-owned-spaza-shops/>

<https://www.news24.com/news24/politics/government/human-rights-groups-sound-alarm-at-govts-proposal-to-audit-foreign-owned-spaza-shops-20231107>

For those seeking some background literature/studies on this issue, the following could assist.

[https://www.researchgate.net/publication/338256542\\_Lessons\\_from\\_Foreign\\_Owned\\_Spaza\\_Shops\\_in\\_South\\_African\\_Townships](https://www.researchgate.net/publication/338256542_Lessons_from_Foreign_Owned_Spaza_Shops_in_South_African_Townships)

<https://www.econ3x3.org/article/why-are-foreign-run-spaza-shops-more-successful-rapidly-changing-spaza-sector-south-africa>

<https://sajbm.org/index.php/sajbm/article/view/1295/1385>

Increasingly, the contested area of artisanal mining and the status and nationality of such miners is becoming conflated in public discourse, allowing for the scapegoating of foreigners for continuing this activity. We already see signs of xenophobia in many mining towns. In August, a Parliamentary Portfolio Committee Group visited the sites of such activities. More recently, the President deployed the army to help deal with this ongoing activity.

<https://ewn.co.za/2023/11/10/modise-sends-warning-to-foreign-nationals-involved-in-illegal-mining-in-sa>

<https://thetruthpanther.co.za/2023/11/defence-minister-thandi-modise-reveals-the-foreign-nationals-are-dominating-the-illegal-mining-out-of-2739-suspects-arrested-only-63-were-south-african/>

<https://www.702.co.za/articles/488967/illegal-mining-is-multinational-in-nature-with-over-300-convictions-modise>

<https://clubofmozambique.com/news/south-africa-at-least-79-mozambicans-detained-for-illegal-mining-in-last-12-months-242430/>

<https://www.enca.com/news/illegal-mining-lesotho-govt-talks-tough-zama-zamas-sa>

<https://www.gov.za/speeches/mineral-resources-and-energy-committee-set-embark-oversight-visits-illegal-mining-hotspots>

<https://www.barrons.com/news/south-africa-deploys-military-to-tackle-illegal-mining-d2ac79c0>

Another process which accentuates exclusion is the tardiness and lack of political will around issuing documents, increasing the obstacles to lawful emigration in the process. In recent weeks the issues of work permits, the critical skills list, and the negative impact of the government's dilatory attitude on the economy have been underlined.

<https://issafrica.org/iss-today/south-africas-visa-regime-keeps-badly-needed-skilled-workers-out>

<https://www.workpermitsouthafrica.co.za/critical-skills-crisis-exacerbated-by-dha-challenges-but-hope-is-on-the-horizon/>

<https://businesstech.co.za/news/government/724734/big-win-for-visas-in-south-africa/>

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