



16th October 2008

Press Statement from Dr Loren Landau, Chair of CoRMSA Executive Committee

Consortium for Refugees and Migrants in South Africa Withdraws Constitutional Court Case; Calls for a Thorough Review of Disaster Management Mechanisms

The Consortium for Refugees and Migrants in South Africa (CoRMSA) has withdrawn its Constitutional Court case against the Gauteng Provincial Government in which CoRMSA was seeking a comprehensive plan for ensuring the peaceful and sustainable reintegration of those displaced during those two horrible weeks in May. This was informed by the fact that the 'safety camps' have already been arbitrarily closed in contravention of the Constitutional Court's ruling and despite the many challenges that former residents of these camps still face to this day. For many, seeing the camps packed up and the case withdrawn marks the end of a shameful chapter in South Africa's post-Apartheid history. But let us not be deafened by our collective sigh of relief.

The case CoRMSA brought to the Constitutional Court was always about more than the migrants languishing in Gauteng's camps. It was also about ensuring that Government takes responsibility for everyone in our society, regardless of their origins. While foreign nationals have not always been welcome in South Africa, their labour has helped build our schools, roads, and hospitals. Closing our borders will not now keep them away. Having contributed to our prosperity, they will always be attracted to it.

Rather than chasing foreign nationals out of our communities, we must find constructive and politically palatable ways to make them safe within them. In the long term, this will only make us stronger. As long as any section of our population is insecure, we are all at risk. And what starts as attacks against foreign nationals can, as they did in May, quickly spread to violence against other unpopular groups whether they are Venda, Shangaan, Coloured, Indian, or White.

Beyond findings ways of protecting foreign nationals attacked by angry mobs, the case was about trying to make sure the government is able to protect you. Under the Disaster Management Act, the Provinces are responsible for managing an integrated and co-ordinated disaster management policy that focuses on preventing or reducing the risk of disasters, mitigating the severity of disasters, *and rapid and effective response to disasters and post-disaster recovery*. This means that if there is ever a flood, a fire, an earthquake, or another form of civil unrest, Provincial Government is responsible for your security and for helping you get on with your life in a dignified and sustainable way.

During the crisis, we saw just how frail Gauteng's disaster management systems are. Despite being the richest Province on the continent, it barely managed to provide tents and toilets for those who were displaced. Only after being pressed by civil society and international

organisations did many of those in charge of the relief effort take a glance at the international standards for humanitarian assistance. Without the generous support of South African citizens, many more would have suffered from further deprivation and disease.

In establishing the camps, the Government made a deal. While you spend a cold winter sleeping in tents, we will find ways to ensure this never happens again. Over the last few months, neither Provincial nor National government has done much to ensure that people can leave the camps secure in the knowledge that their lives and property will be safe. Sure, there have been a few edicts telling locals to be more tolerant. In a few instances, there have been community meetings and touching moments of reconciliation. But what has happened with the prosecutions of those guilty of assault, rape, and murder? And what about an investigation into the role local government officials, ward and street committees, and community organisations played in fomenting the violence? In many instances, the same people who chased the foreign nationals away are now being asked to protect them.

Gauteng has a new Premier. So does the Western Cape. For all of our sakes, let us hope that Ms. Brown and Mr Mashatile will take their responsibilities to protect disaster victims more seriously than their predecessors. Who knows, maybe one day you will need their help.

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The Consortium for Refugees and Migrants in South Africa (CoRMSA) is dedicated to strengthening partnerships among refugee and migrant service providers to support strategic advocacy and action to defend the rights of migrants and the communities in which they live.