



CoRMSA NEWSLETTER

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Closure of the Musina Showgrounds Site

A number of recent developments have occurred in Musina in response to the ongoing humanitarian crisis there. A decision was taken by a number of government departments to close the Musina Showgrounds site where between 3000-4000 Zimbabwean nationals were spending each night, many whilst waiting to receive documentation from the Department of Home Affairs' (DHA) Refugee Reception Office that was based there.

The large numbers of people based there resulted in numerous concerns including health risks, cases of sexual or gender-based violence, as well as basic concerns such as access to food and shelter. Those without documents were also effectively confined to the Showgrounds site as the Musina South African Police Service (SAPS) had agreed not to arrest anyone who remained within a 100 metre radius of the site. Many therefore supported the decision to close the Showgrounds but it was not clear what alternative shelter and assistance arrangements would be made.

At this time, there are still a number of options being discussed. Some in government had raised concerns regarding the centralization of services at the Showgrounds and therefore it was felt that there was a need to decentralize services such as the provision of documentation, food, non-food items and medical care to prevent large numbers of people congregating in the same site. However, the centralization of services was only one reason for people to remain in the same site as the threat of arrest for those without documents moving beyond 100 metres of the site meant many were restricted to the Showgrounds for long periods. Prior to an additional intervention by the DHA, individuals were waiting around four weeks to be able to access documentation due to the large numbers of new arrivals and the low capacity of the Refugee Reception Office.

All services apart from the Refugee Reception Office have not been removed from the Showgrounds and people are not allowed to sleep at the site any more. A limited amount of shelter is being provided at the Roman Catholic Church which has the capacity to accommodate up to 50 women, the I Believe in Jesus Church which can accommodate up to 300 people and the United Reform Church which runs a shelter for abused women and a separate shelter for children. Discussions around alternative shelter provisions still continue and a number of proposals have been made by local

civil society organisations and there is hope that an intervention to cater at least for those who are newly arrived will be resolved soon. In the meantime there is concern amongst civil society members that many of those who were previously sleeping in the Showgrounds are now sleeping in the bush making them vulnerable to a number of risks.

DHA Services in Musina

Whilst the Showgrounds site has been closed to other services, the DHA's Refugee Reception Office will continue to provide its services at this site for the time being. Proposals have been made for the office's relocation but this is being addressed with a number of other responsible government departments.

During the closure of the Showgrounds, DHA staff provided a number of those at the site with Section 22 asylum seeker permits. Those whose asylum applications it was not able to process immediately were issued with Section 23 transit permits that allow the bearer 14 days to approach a Refugee Reception Office and apply for asylum. DHA has confirmed that the Section 23 permits were a temporary measure to provide undocumented non-nationals with some form of documentation to prevent their arrest and deportation prior to accessing Section 22 permits. This is a welcome initiative. Despite concerns to the contrary, those holding Section 23 permits will not be forced to leave Musina and apply for refugee status at one of the five Refugee Reception Offices elsewhere in the country. Section 23 permit holders can still apply for refugee status in Musina.

In addition, DHA has announced that the Musina Refugee Reception Office is now linked to the databases of the other five Refugee Reception Offices. As a result, those who applied for asylum in Musina can continue with their applications at any other Refugee Reception Office in the country. This means that permit renewals, follow up interviews and other procedures can be conducted at whichever Refugee Reception Office is closest. This is again a welcome initiative.

Whilst there has been much discussion around some alternative form of documentation for Zimbabwean nationals in the country under the provisions of Section 31 (2)(b) of the Immigration Act, there are not yet concrete developments in this regard. This process is being addressed within a number of relevant government departments.

Unaccompanied Children in Musina

The presence of a large number of unaccompanied children in the Musina area has been the source of major concern for many. Various efforts have been made by a variety of stakeholders from government and non-government actors to address this situation and find a way to effectively assist the children.

In a joint initiative between the Department of Social Development (DSD), DHA and Save the Children UK a large number of the children have been issued with Section 22 permits thus protecting them from the threat of arrest and deportation. Previously, a

large number of unaccompanied children were being taken to the Musina detention facility at the Soutpansberg Military Grounds (SMG) and then being deported. During CoRMSA's February visit, on consecutive days 27 and 50 children were in detention at the facility.

The intervention to provide documentation to many of the children is thus a welcome initiative and one that needs to be sustained effectively. Despite this, a smaller number of children have since still been found in the facility during monitoring by Lawyers for Human Rights and there is a need to ensure that no further unaccompanied children are taken to this facility. It is illegal to deport unaccompanied children and this was made clear in the ruling in *Centre for Child Law vs Min of Home Affairs 2005 (6) SA 50 TPD*.

In response to a report sent by CoRMSA to the SAPS Limpopo Provincial Commissioner, the Commissioner has given the instruction that unaccompanied children located by SAPS officers in the province are not to be taken to the SMD detention facility but must instead be brought to the attention of DSD officials for assistance. CoRMSA welcomes these instructions from the Provincial Commissioner.

Access to school for non-nationals children in the Musina area however remains a major concern. A task team from the civil society network in Musina is to explore proposals of how to address the issue.

CoRMSA Report on the Humanitarian Crisis in Musina

During CoRMSA's visit to Musina in February, local network members raised a number of concerns regarding the conditions in the Musina Showgrounds and elsewhere. These concerns, together with information obtained during site visits and other meetings, formed the basis of a 25 page report which was submitted to a number of government departments on 23rd February. CoRMSA took a decision not to make the report public until the 18th March so as to provide time for constructive discussion with the relevant government departments without the departments perceiving the report as simply criticism. The report raises concerns regarding issues such as shelter, water and sanitation, access to documentation, access to food, access to health, unaccompanied children, and arrests, detention and deportation. The report is now available on CoRMSA's website at www.cormsa.org.za.

There have been positive responses from a number of government departments to the report. The Department of Provincial and Local Government has convened a Coordinating Task Team which includes national, provincial and local government representatives and CoRMSA, UNHCR and the South African Human Rights Commission have been invited to participate in this Task Team. An initial meeting was held in Polokwane on 10th February and discussions were constructive with a number of proposals being made and an agreement for government departments and civil society to work together to address the crisis.

The Limpopo Provincial Police Commissioner has instructed the Limpopo SAPS offices to comply with the reports recommendations 18-20 to the SAPS regarding bringing

unaccompanied children to the attention of DSD rather than deporting them. Recommendation 20 requests SAPS officials to query DHA over the validity of an individual's documentation if the official has concerns, rather than arrest and attempt to deport the individual. This was in response to Lawyers for Human Rights finding a number of people holding valid Section 22 permits in the SMG detention facility. Again, this intervention by the Provincial Commissioner is welcomed. The DSD's national office has also written to CoRMSA and indicated that has noted the concerns and is making provisions to address those relating to unaccompanied or separated children in Limpopo.

South African Human Rights Commission Visit to Musina

The SAHRC also visited Musina in the same week as CoRMSA in February. The SAHRC delegation included Chairperson Commissioner Jody Kollapen, Deputy Chairperson Commissioner Zonke Majodina, Head of SAHRC Non-Nationals Desk Ms Joyce Tlou and Head of Limpopo Provincial office Mr Jeffrey Nkuna. The delegation spent three days in the area and conducted a number of site visits including to the detention facility, met with local and international organisations based in Musina and met with local government officials. This resulted in the SAHRC releasing a report with its findings from the visit. The report focused on three primary areas of concern: the humanitarian situation at the Showgrounds; the lack of clear lines of responsibility being taken by government departments in addressing the crisis; and a number of issues relating to the detention facility. The report is available on request from Ms Tlou at jtlou@sahrc.org.za.

Lawyers for Human Rights Take Action over Musina Detention Facility

Lawyers for Human Rights (LHR) has approached the North Gauteng (formerly Pretoria) High Court to seek urgent action over the detention facility that is currently being operated in the Soutpansberg Military Grounds (SMG) outside Musina. Despite numerous efforts to engage with government departments over the conditions at the facility, little consistent improvement had been witnessed. Conditions fell far below minimum standards and at the time of CoRMSA's visit to the facility in 2008, urine and faeces were evident on the floor as detainees alleged they were not given sufficient access to the toilets located outside the facility. Numerous children have been detained in the facility and around 15 000 Zimbabwean nationals are deported from the centre each month.

LHR's application indicates that those arrested on immigration charges in the border area have little access to due process and the procedures under immigration and refugee legislation. The centre is currently being operated by the SAPS and not DHA, which alone has the mandate to manage immigration detention facilities. LHR is asking the court to

- a) declare the operation of the facility unlawful in terms of the Immigration Act;
- b) declare the conditions of detention as unlawful and unconstitutional;
- c) declare the detention and deportation of unaccompanied children as unlawful;

- d) direct the Director-General of Home Affairs to either designate the facility an immigration detention facility and drastically improve conditions in compliance with the law or to close the facility down within 30 days.

The matter was due in court on 24th March.

Concern over Numbers of New Arrivals at the Central Methodist Church

The lack of effective nation-wide assistance plan for displaced Zimbabwean nationals in South Africa has meant that many arrive in Musina with a primary aim of traveling to Johannesburg or Pretoria to seek employment. Employment is critical for those in South Africa to be able to support themselves as well as any family members that may remain in Zimbabwe. Many in Zimbabwe are estimated to be dependent on financial remittances from South Africa and elsewhere. These remittances also allow many to stay in Zimbabwe without the need to also seek income in South Africa or elsewhere in the region.

Many people arriving in Musina spend only the necessary time there to obtain documentation before moving on to Gauteng or elsewhere. Many without money or whose money was stolen during the border crossing spend time in Musina or the surrounding area seeking employment in order to raise enough money to move on from Musina.

To assist people move on beyond Musina, UNHCR has recently funded its partner Musina Legal Advice Office to provide transport for some Zimbabwean nationals to either Pretoria or Johannesburg from where people can decide to stay or move on elsewhere. Whilst some have family or friends in Gauteng and meet up with them many find themselves seeking shelter at the Central Methodist Church in central Johannesburg. The increase in numbers of people sleeping in and around the church has led to complaints from local business owners and this has led to the removal of the portable toilets that were located outside the church.

Attorneys based in the Pitje Chambers have currently taken the matter to court. They are asking the court to order the City to provide accommodation for those currently staying in the church as well as to remove the mobile toilets from outside the church. The toilets have since been removed. The Legal Resources Centre is representing the Central Methodist Church as well as those registered to stay in the church whilst Lawyers for Human Rights is representing those currently sleeping outside the church.

Concerns have also been expressed by the Gauteng Provincial Government regarding the situation at the church. The City of Johannesburg is in discussions with the Central Methodist Church regarding the provision of additional space in one of the City's vacant buildings and this may assist in easing the congestion. The Gauteng Provincial Government's Department of Local Government has requested increased screening of people in Musina to ensure that those intending to travel to Gauteng have a place to stay and some way of supporting themselves.

A proposal has now been developed whereby six sites have been suggested that could potentially accommodate some of those from the church, at least on a temporary basis. Oxfam and Bishop Verryn are due to visit and assess the sites on 25th March.

Closure of Akasia Settlement

On Monday 2nd March, the City of Tshwane ordered the closure of the Akasia informal settlements in Klerksoord, Pretoria where hundreds of people had found shelter during and since the xenophobic violence of 2008. Despite the City playing a useful role at times in trying to resolve the concerns of those staying at the site, the manner in which the site was closed was extremely inappropriate with force being used on an obviously vulnerable population. The few remaining shelters were burnt and residents claimed to have been assaulted and sprayed with pepper spray. Whilst the City was entitled to close the site, steps must be taken to ensure the manner of the site closure is not repeated.

The Akasia site had a long and complicated history with people originally being moved to the site after camping outside UNHCR's Pretoria office seeking resettlement after the Pretoria xenophobic violence in March 2008. Services in the camp were initially provided by City of Tshwane which requested the camp to be administered by Gauteng Provincial Government (GPG) following the violence of May when other temporary safety camps were set up elsewhere in Gauteng. Services were soon withdrawn by the City of Tshwane but the GPG never took ultimate responsibility for the site and did not provide the same services as in the other camps. An agreement was made by the state's advocates and CoRMSA's advocates during CoRMSA's High Court and then Constitutional Court challenge of the closure of the other camps that GPG would take responsibility for the site and that the agreements relating to the other camps would be extended to Akasia. This was not honoured by the GPG. When the GPG contravened the Constitutional Court's orders in September and October 2008 in closing the other camps, it also then removed the structures around the Akasia site but did not evict people thus leaving an informal settlement that at times included more than 2000 people.

A number of organisations including Tshwane Leadership Forum and religious organisations continued to provide the only form of humanitarian assistance to those in the site and Doctors without Borders (MSF) provided access to medical care as people with a range of interests continued to stay in the site. Some sought resettlement to a different country where they felt they would not face the same risks. Others indicated that they wished to return to their own countries yet no international organisation can facilitate return to Somalia given conditions in the country. Some appeared open to the possibility of reintegration but needed assistance with a number of items including access to documentation as well as material assistance.

Towards the end of 2008, large numbers of people continued to remain in the site and there were tensions between groups with competing interests. Attempts by a number of organisations to intervene and assist were refused and thus a number of these organisations wishing to assist withdrew their services.

In this climate, CoRMSA approached Professor Mary Metcalfe of the Wits University's Department of Education and Bishop Paul Verryn of the Central Methodist Church and asked them to mediate in trying to see how the interests of those at the site could be addressed. In a process that included the SAHRC, UNHCR, LHR amongst others and included contact with a number of government departments Professor Metcalfe and Bishop Verryn were able to assist a number of people in accessing documentation through an arrangement with the DHA whereby the DHA agreed to open its Marabastad Refugee Reception Office on a Saturday. UNHCR and its implementing partner Jesuit Refugee Service were able to assist a number of people who wished to find alternative accommodation. Efforts to assist all were not successful given the range of interests in the site and as a result the City decided to close the site before the mediation process could be concluded.

UCT Law Clinic Brings Equality Court Case Against Police in Western Cape

The University of Cape Town's Law Clinic has approached the Equality Court on behalf of eleven non-national residents whose property was destroyed in xenophobic violence in Zwelethemba near Worcester in the Western Cape in March 2008. The complainants claim that local police had discriminated against them during the looting, the attacks and subsequent investigations into the attacks. The eleven are claiming R5.7 million in damages from the government and have requested an "unconditional apology" from authorities. This is after police allegedly stood by as the shops of non-nationals were attacked and looted. Some were accused of encouraging the looters and laughing as this went on.

The principal respondents in the case are the Minister of Safety and Security, the national and provincial police commissioners and the station commissioners of Worcester and Zwelethemba police stations. The court is being asked to force the respondents to comply with their duties to provide safety and security to all including non-nationals in the area and to begin an investigation into unlawful conduct towards non-nationals. The court is also being asked to prevent the respondents from unfairly discriminating against non-nationals in the future as well as provide compensation for damages and the loss of past and future earnings.

In court papers, it is stated that a number of the complainants locked themselves inside their supermarket whilst a mob went on the rampage outside. During this time, calls to the Worcester police station met with little response. When the mob eventually broke into the supermarket, this was observed by police officers who were stationed at the South-African owned liquor store next door and despite pleas for the intervention no action was taken. Another complainant was informed by officers at the Zwelethemba police station that the police would guard her store, yet no such protection was provided and the store was looted. The court papers further allege that a number of South African-owned businesses were protected by police but no such protection was provided to stores owned by non-nationals. The matter is due to be heard on 20th April in the Worcester Town Hall.

SAHRC Investigation into the 2008 Xenophobic Violence

The SAHRC is completing its preparations for its investigation into the causes and the official responses to the xenophobic violence of 2008. This follows a request made in December 2008 to the SAHRC by CoRMSA after no inter-departmental investigation into the violence was undertaken by government more than six months after the violence. The SAHRC is in the final phases of its preparations and will make a public announcement regarding the investigation in the near future.

Seven Zimbabwean Burnt to Death in Western Cape

On the night of 22nd February, seven Zimbabwean nationals were burnt to death in a shack in the informal settlement of Stofland, near De Doorns on the N1 highway between Cape Town and Bloemfontein. The seven were reportedly locked in the shack whilst they slept and the shack was set alight. Local community members at the time expressed outrage and one person has now been arrested in connection with the seven murders. Some sources suggested that a group of youths was responsible for the fire with some alleging that a group of youths armed with knobkerries and sticks had surrounded the shack before setting it on fire. A 26 year-old man has appeared in the De Doorns magistrate's court in connection with the murders.

Since the murders, more than 300 non-nationals have been arrested on immigration charges in the area. One Zimbabwean informed the media that the raid was conducted at 2am and that the group had been held in police cells without information about what was to happen to them. He told the media that he had approached the Cape Town Refugee Reception Office on four occasions without success to try to apply for asylum. A police spokesperson reported that the group had not been arrested but were being held at the station to receive 'assistance from the Department of Home Affairs'.

UCT Law Clinic has been able to engage the DHA and the parties agreed to the release of the undocumented Zimbabwean nationals who requested to access the Refugee Reception Office. Those with expired permits were released or fined. UCT Law Clinic continues to engage DHA on the issue of the fines given the challenges of access to the Refugee Reception Offices for the purposes of renewal. UCT is also following up on the whereabouts of the smaller number of non-Zimbabweans who were also arrested.

Daily Dispatch Focus on Xenophobia

In an exciting new initiative funded by the Taco Kuiper Fund for Investigative Journalism at Wits University, East London daily newspaper the Daily Dispatch has launched a new series of articles focusing on xenophobia in South Africa and profiling particular incidents where non-nationals have been attacked. In the first article published on 3rd March, the story focused on attacks on Somali nationals in the East London area. As part of a four month investigation by journalists into attacks on Somalis in the area, journalists lived with Somali nationals, conducted hours of interviews with a man convicted of a number of murders of Somali nationals, and interviewed police and various independent experts on the subject. This is an exciting initiative that provides

greater public insight into the vulnerability of non-South Africans due to their exclusion from many facets of 'normal' life in South Africa. Read the articles and find out more at <http://blogs.dispatch.co.za/dying/>.

Politicians Commit to Not Campaign on Anti-Immigration Platform

On 4th March, the Forced Migration Studies Programme (FMSP) and Fray Intermedia in partnership with the Canadian High Commission hosted a debate between representatives of leading political parties on the topic of xenophobia and migration in South Africa. Deputy Minister of Home Affairs Malusi Gigaba represented the African National Congress, Sandy Kalyon represented the Democratic Alliance, Dr Mario Ambrosini-Oriani represented the Inkatha Freedom Party, Lance Greyling represented the Independent Democrats and Lyndall Shope-Mafole represented the Congress of the People. Parties outlined their stance on migration with many recognizing the need for South Africa to utilize the skills of migrants to meet its skills shortages.

A commitment was then made by all parties that its members would not campaign on a platform of anti-immigration. A request was made that any local leaders campaigning on this platform must be reported to senior party members.

International Organisation for Migration Release Report on Xenophobia

The International Organisation for Migration (IOM) has released a report examining the causes of the xenophobic violence which raises serious concerns regarding the role of local leaders in communities during the violence. The research, conducted by FMSP, was conducted in several sites over a period of five months and included both sites where violence occurred as well as two where no violence occurred. The study also found that:

- a lack of effective conflict resolution mechanisms in many areas leads to vigilantism and mob justice;
- institutionalised practices exclude foreigners from political participation and justice;
- political vacuums and competition in community leadership encourages the emergence of unofficial, illegitimate and often violent forms of local leadership that enhance their authority and power by reinforcing communities' resentment towards what is perceived as 'non-compliant' foreign nationals;
- there is a culture of impunity with regard to public violence in general and xenophobic violence in particular that encourages the ill-intentioned to attack non-nationals and other outsiders for personal and/or political gain.

The report is an important read for anyone interested in or working on xenophobia and is available from the IOM website at www.iom.org.za.

The IOM has also launched its 'One Movement' campaign which is described as 'a social change campaign that seeks to reverse attitudes that result in discrimination, xenophobia, racism and tribalism'. Further information on the campaign is also available from the IOM's website.

FMSP Release Report on Access to the Refugee Reception Offices

On 13th March, FMSP held a closed door roundtable discussion with DHA officials following the release of FMSP's report on access to the Refugee Reception Offices in South Africa. The study indicates that challenges at the offices such as problems with access, service delivery, inadequate staff training, and prejudice among staff at the reception offices is resulting in severe violations of asylum seeker rights. It also highlights that the failures in the status determination process are creating an unmanageable backlog within the Refugee Appeal Board. The report noted that the status determination officers at the reception offices were unable to conduct extensive interviews, do adequate country research and issue individualized, well-reasoned decisions.

At the meeting, whilst acknowledging that the refugee system will continue to struggle to meet demand until the government introduces fundamental reforms of immigration policy, stakeholders agreed on a set of temporary measures to improve the protection of asylum seekers. These include: 1) increasing the capacity of the Refugee Reception Offices and the Refugee Appeal Board and 2) working with civil society to develop measures to combat corruption and deal with the long queues outside the reception offices. Participants at the meet agreed that an independent research unit should be established to provide relevant and up to date country information in order to address these deficiencies and ensure that asylum seekers who face grave dangers are not improperly returned to their home countries in violation of the law. Recognizing that the limited research capacity of individual status determination officers contributed to the poor quality of asylum decisions, stakeholders at the meeting expressed their willingness to assist if called upon to build the DHA's research capacity. Copies of the report can be downloaded from the FMSP website at www.migration.org.za.

Disaster Coordination Initiatives

The post-xenophobic violence review report compiled by FMSP on behalf of Oxfam GB suggested the urgent need for improved coordination between civil society actors and government to prevent further humanitarian disasters as well as better manage future disaster relief efforts. As a result, CoRMSA, Oxfam GB and OCHA are to convene an initial meeting of nationally based organisations that can play a role in establishing a forum to coordinate civil society disaster prevention and relief efforts. The forum is intended to provide a structure that can coordinate training needs, establish effective communication with national disaster management structures, help develop provincial civil society disaster management structures and engage various organisations that may be able to play a role should any further disasters of any kind occur. Further information on this process will be made available once the process develops.

Consultative Meeting Held with Migrant Youth on Xenophobia

On 18th March, Save Zimbabwe Now, FMSP and CoRMSA held a joint consultative meeting with migrant youth in Johannesburg to discuss perceptions of current levels of

xenophobia. Those attending the meeting reported a series of negative experiences including people spitting at them telling them to 'go back to Zimbabwe', threats of violence when using public transport and generalized threats being made about potential violence against non-nationals after the elections next month. A report of the workshop is being compiled and the findings will be followed up by the relevant organisations.

NPA Response on Prosecutions

There has been much discussion regarding the prosecutions of offenders charged in connection with the xenophobic violence in 2008. To clarify the speculation, CoRMSA wrote to the National Prosecuting Authority (NPA) in January requesting further information regarding the numbers prosecuted, the establishment of special courts and other details.

The NPA has responded and clarified that 1 627 people were originally arrested in connection with the violence. 105 cases out of a total of 469 have now been finalized with 70 returning a guilty vote. 208 cases have been withdrawn so far with reasons including the complainant no longer being interested in the case, the complainant not being traced, remand being refused by the magistrate and the inability to locate an interpreter. Three special courts were set up in the Western Cape and prosecutors in the other provinces were instructed to prioritize xenophobia-related cases.

ICD Response on Central Methodist Church Raid

A number of organisations had raised concerns with CoRMSA regarding what they perceived as a failure by the Independent Complaints Directorate (ICD) to investigate police conduct during the raid on the Central Methodist Church in January 2008. As a result, CoRMSA has written to the ICD requesting information regarding the investigation. The ICD has since clarified that no complaint was laid with it requesting an investigation despite its efforts to follow this up and as a result no investigation has been conducted. CoRMSA has passed this information on to Bishop Verryn.

Grahamstown High Court Grants Work Permit to Zimbabwean Teacher

The Legal Resources Centre (LRC) in Grahamstown have succeeded in obtaining a work permit for Zimbabwean teacher Zwelani Ncube after he had spent more than a year trying to obtain a work permit through the Queenstown Department of Home Affairs (DHA) office. The LRC then approached the court for assistance as Mr Ncube had been offered a job as a teacher at a local high school more than a year ago. In a time when South Africa desperately needs teachers to fill empty positions in many schools, Mr Ncube's phone calls were not returned, his passport was confiscated and it took nine months before he was eventually informed that his application for a work permit had been turned down.

Mr Ncube brought a successful high court application against DHA in December 2008 which resulted in a first judge granting him a work permit. But DHA announced that it

intended to apply for leave to appeal and therefore no work permit could be issued pending the outcome of the appeal. The effect of this was that the school remained without an English teacher and Mr Ncube remained unable to support his family.

With the assistance of the LRC and advocate Steven Budlender, Mr Ncube then brought a Rule 49” application for the terms of the judgment to be implemented despite the appeal still pending. Passing judgement, Judge Pickering stated “If [Mr Ncube] is granted a work permit now, he can support himself and his family while performing a useful service to the community.” He further termed DHA opposition to the Rule 49 application as “baseless” and ordered DHA to pay Mr Ncube’s legal costs.

Nelson Mandela Foundation Launch Programme to Tackle Xenophobia

The Nelson Mandela Foundation has launched a programme of community conversations to promote peace in communities that witnessed xenophobic violence during 2008. The programme will run over two years with conversations being conducted in various identified communities across five provinces. The programme focuses on community dialogues utilising local partners in an attempt to promote healing and peaceful co-existence in areas affected by violence.

Scalabrini Teacher Volunteer Project Enjoys Success

Scalabrini's Employment Help Desk is currently running a pilot project which entails placing qualified Zimbabwean teachers as volunteers in schools where such skills are needed. The objective of the project is to provide Zimbabwean teachers with local teaching experience and secure an opportunity to prove their aptitude and commitment to teach, after which they may stand an improved chance of finding employment.

The basis for initiating the project was the realization that qualified teachers constitute the largest cohort of non-nationals that approach Scalabrini seeking assistance to secure employment, yet statistics show a very low success rate in securing them employment through the normal application process, such as by responding to advertised vacancies or through registration with the Western Cape Education Department. This program has been running for approximately two months, since the beginning of the year and has a registry of 52 teachers from Zimbabwe with Section 22 asylum seeker permits whereby twelve teachers have been placed in voluntary positions with schools in the greater Western Cape Region. Out of the twelve, three teachers have benefited by receiving small stipends from the schools as a reward for their assistance which ranges from day to day assistance to the fulltime teachers, to replacement teachers for durations of up to two weeks. Two teachers have been promised temporary employment in a few months time at a private school, one teacher has secured a contract position at a private school based on the experience she was getting as a volunteer, and two teachers were considered for full time positions, although they were unsuccessful because they are yet to receive their SAQA evaluation results. Despite the challenges that the teachers face such as their subsistence and transportation costs, this exercise is certainly benefiting local schools through the

addition of increased experience and is a further example of how migration can contribute towards development.

Standard Bank to Open Non-National Accounts

CoRMSA continues to engage the various banking institutions with regards to their policy on banking services for asylum seekers and refugees. To that end, CoRMSA is pleased to inform that Standard Bank has informed us that they have reviewed their banking policy in this regard and are now again opening bank accounts for both refugees and asylum seekers.

They are currently in the process of finalising their revised policy. In the meantime however, when asylum seekers and refugees experience problems in opening accounts at any Standard Bank branch, the branch should be advised to contact Thirusha Pillay on 011 354 6177 or at Thirusha.Pillay@standardbank.co.za and she will refer them to the relevant schedule within the bank's policy.

Department of Social Development Registers Social Workers

The National Department of Social Development has embarked on a process of compiling a national database of social workers in the country who are currently unemployed. This process is aimed at understanding the extent of unemployment of social workers in the country. Findings from this exercise will inform the implementation of the Department's Recruitment and Retention Strategy for Social Workers. This includes social workers with foreign qualifications and not registered with the South African Council for Social Service Professionals, social workers who might be registered with the Council but are unemployed and retired social workers willing and able to provide direct services or supervision. DSD requires the following details from social workers:

Personal details: Name and surname of social worker, date of birth, place of birth, citizenship, gender.

Contact details: Physical address, postal address, telephone, fax and email.

Career: qualification and duration, place and year obtained, previous experience, if actively seeking employment (please provide province) and reason for unemployment.

For more information on this process, contact Ms Civil Legodu at 012 312 7548 ext 7437/7588/7134. Information can be posted to National Department of Social Development, Private bag x901, Pretoria, 0001. The closing date is 31st March 2009 at 12pm.

Cape Town Applies for Eviction Order of Blue Waters Residents

The City of Cape Town was to apply for an eviction order to seek the removal of the final group of 394 residents of the Blue Waters site near Muizenberg. Many of those at the site as well as those at the Youngsfield site have refused to return to the communities where they lived prior to the violence of last year. Some have indicated

that they would prefer to return to their original countries yet no international organisation is able to assist with return to Somalia given the conditions in the country. Volunteers working at the site have described the group as extremely vulnerable and cited their fears for their safety should they reintegrate. Some have reportedly attempted to reintegrate on more than one occasion before returning to the site.

Identification Certificate Available for Temporary Residence Permits

CoRMSA has been informed that in cases where a non-national is entitled to a temporary residence permit but does not possess the passport necessary to attach the permit, DHA can now issue a special identification certificate. The Identification Certificate for Affixing a Temporary Residence Permit applies to cases where a non-national is either married to or is the child or parent of a South African citizen or permanent resident. In such cases, a person would be entitled to apply for a temporary residence permit. If the person is able to demonstrate why he/she is unable to obtain a passport, this certificate can be issued by DHA and the original birth or marriage certificate must then be attached to the Identification Certificate. The Identification Certificate is not valid for travel purposes.

Invitation to Workshop on Labour Rights of the Migrant, Asylum Seekers and Refugees in SA

The Black Sash is hosting a workshop on labour rights and social insurance for refugees, asylum seekers and migrants in the workplace. The workshop aims to provide sufficient knowledge that will enable the participants to take action and claim their rights in their respective workplaces. The workshop will be held on 26th March at the Ikhaya Lethemba Building, 176 Smit Street, corner of Biccard, Braamfontein from 8.30am to 1pm. Those interested in attending are requested to RSVP to Thifulufheli Sinthumule at Thifulufheli@blacksash.org.za or on 011 834- 8361/5.

City of Joburg Stakeholder Meeting

The City of Joburg will hold its Annual Stakeholder Summit on Saturday 28th March from 9am to 2pm at the Johannesburg Expo Centre at the corner of Randshow and Nasrec Roads, Nasrec. The meeting will discuss the Mayor's mid-term report as well as the City's plans for 2010. This is a useful opportunity for all stakeholders including non-nationals to have their say in shaping the City's plans. Transportation will be provided from a number of points around the city including the Yeoville Recreation Centre with buses leaving at 7am and returning at 3pm.