



B L A C K S A S H
MAKING HUMAN RIGHTS REAL

Report of the Black Sash, CoRMSA and Oxfam Monitoring Team

De Doorns, Western Cape

The Consortium for Refugees and Migrants in South Africa (CoRMSA), the Black Sash and Oxfam have put together a team of independent monitors to assess conditions in the temporary safety site as well as in areas outside the site that relate to the current displacement of Zimbabwean nationals in De Doorns. This monitoring team will collect information on conditions and processes at the safety site as well as on information from areas beyond the site so as to provide information that will be useful in developing ways to resolve the current displacement crisis. This information will be distributed to key role players and will also be published on the CoRMSA website.

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8th December 2009

MONITORING AT THE SAFETY SITE

1: SHELTER:

Problems with allocation of tent space appear to persist. On 1st December monitors interviewed one site resident who said that she had been in the site since its inception but her name was not on the list and so she had not been given a tent. She reported that she slept in a tent with 4 other women and 3 children, but there was no room in the tent for her belongings.

Tents of former committee members are now occupied by other IDPs, but the tents have no numbers so the occupants have expressed concern that they will be left out of resource distribution.

2: FOOD & NUTRITION:

There have been some concerns raised that the food being served to site residents is not culturally appropriate. To solve queuing problems, it was decided, on 1st December, to serve the food directly to residents at the tents, with the help of volunteers organised by the Department of Social Development. Site residents expressed appreciation for the fact that they did not have to wait in the queues and that this procedure appeared to stop individuals taking several plates of food for themselves.

It was reported that Red Cross would shortly be stopping distribution of hot meals and that food parcels would be distributed to site residents so that they could do their own cooking.

3: WATER & SANITATION

Taps that have been installed without adequate drainage arrangements are to be moved to a more appropriate location on the safety site. Mobile toilets are reportedly being cleaned every second day, and the sewage is collected every day. However, observations indicated the toilets to be very dirty.

It was reported on 1st December that the mobile toilets would be in place for one further week. It was also reported that the concrete showers were not to be used any more. The open shower areas for women still had drainage problems and there was rubbish being blown around the site.

4: PROVISION OF SPECIAL ASSISTANCE for the MOST VULNERABLE:

No further report available.

5: HEALTH CARE

It is reported that a mobile clinic comes daily to the safety site. People who are sick also get referred to the local clinic. There is a Red Cross Ambulance permanently at the site.

6: UNACCOMPANIED MINORS & SEPARATED CHILDREN

No report available.

7: INFORMATION PROVISION TO THE DISPLACED

UNHCR officials addressed site residents on 30th November and highlighted the temporary nature of the safety site. UNHCR has stated its preference for communicating directly with safety site residents rather than doing so through multi-stakeholder committees. Monitors noted, on 1st December, that the chair of the IDP committee was providing feedback from the morning meeting to site residents through the loudspeakers. In particular, he confirmed that it was not safe to go back to the communities.

8: SECURITY PROVISION AT DISPLACEMENT SITES

The UN reported (on 1st December) that registration forms had been taken to Pretoria and it was anticipated that cards (to be used for site access control) would be issued by Sunday 6th December. UNHCR report that their registration activity that took place one week after the attacks indicated just under 1200 IDPs. More recent figures from Red Cross, linked to food distribution on consecutive days, suggest 1,200 or 1,400 or 1,600 IDPs. On 2nd December Province reported that there were 1400 at the site. Social Services have been asked to do a head count at the site every morning.

UNHCR undertook to take photos of the IDPs in the safety sites who have registered for their access IDs during the weekend.

On 1st December it was reported that access control to the site would be improved. Controls aimed at limiting drunkenness at the site would also be improved.

Monitors noted that media had been given access to the safety site on 1st December.

9: ACCESS to JUSTICE for VICTIMS who HAVE LAID CHARGES:

No further reports.

11: INCLUSION OF DISPLACED in PLANNING PROCESSES:

No further reports.

12: PROTECTION PLANNING of the SITE:

No report available.

13: NON FOOD ITEMS:

No further report available.

14: REINTEGRATION

A Secretariat to address reintegration was set up on Thursday 26th November. On 1st December government officials stated that the crisis had now moved from the Emergency Phase to the Recovery Phase and that reintegration had to commence on 11 December. Municipal officials further emphasised at a Community Police Forum meeting (1st December) their strong desire to see Zimbabweans reintegrated as soon as possible. However, it was noted that there is still anger, as well as strong resentment and tensions in the community.

To this end, they advised that:

- There will be an exodus from the region due to the upcoming festive season. It is reported that work ceases on 24th December.
- New arrivals of Zimbabweans to the safety site are to be verified.
- Government officials reported that they had had a meeting with some 200 farmers on 30th November in which the farmers were requested to provide accommodation for the displaced Zimbabweans. There are 822¹ displaced Zimbabweans staying on farms. It is anticipated that the farmers will comply with this request. It is hoped that this temporary solution will buy time (3 to 4 months) for reintegration negotiations to continue with local communities
- Municipal officials have indicated that one of their concerns to hasten reintegration is so as to allocate the money that is currently being spent on maintaining the safety site to community development. It was pointed out that the large tents that were initially used had reportedly cost more than R200,000 per week whereas weekly municipal costs for, for example, fire brigade were R24,000 and for toilets were R27,000. The fact that the fire season, with its related costs, is about to begin is a major concern.

It has been stated that the necessary prerequisites for reintegration to take place on 11th December are:

- A proper list of IDPs
- Verification of where displaced people lived prior to their displacement
- Reconstruction of their shacks
- The provision of reintegration kits

Issues that were identified by stakeholders as needing further consideration included:

¹ This represents the number registered through the DHA registration process.

- Some of the Zimbabweans were living in 'shack hotels' that accommodated up to 40 people. It is unclear who is going to fund the reconstruction of such structures.
- Meetings needed to be facilitated between leaders of the local community and the Zimbabwean community.
- Clarification of the nature of local government's ongoing activities to address the underlying issues in the local communities.
- Whether hosting displaced Zimbabweans on the farms might not cause further conflict, particularly in view of the evictions of local workers from the farms in the early 1990s.

Although some government officials have stated that Zimbabweans currently displaced are ready to go back to live in the communities, monitors report that not all Zimbabweans are confident about their return. For example:

A resident of the safety site reported feeling frustrated and sad. *'My heart is sore, I am traumatized and scared. I lost everything. These people won't reconcile'*. This individual reports that he had a large structure with many rooms and his own tap and toilet. He had bought the home and had registered it with the municipality, and was paying for municipal services. However, the whole structure of his dwelling was removed—windows, doors, clothes, beds, blankets. He explained that *'They came around 9 am, chanting political songs, saying that everything belonged to them'*. He said that *'I went back to the place to have a look, but it was terror. There was nothing. Only ground level. Now I lost everything. I worked four years for nothing. ... What hurts me most is that I lost everything and that now someone else is using my clothes, my bed, my wardrobe. ...Now they say they are sorry, but what kind of friendship is this? Like the rider and the horse, we are the horses and they the riders.'* This man's children are no longer attending school as they are afraid.

15: LIVELIHOOD MAINTENANCE:

The Department of Social Development is running an education program for 10 women to run a crèche on site.

16: SCHOOLING:

The Department of Social Development has been taking care of children between the hours of 10.00 and 13.00.

17: ACCOUNTABILITY:

The new Displaced Persons Liaison Committee has been formed, consisting of 3 women and 11 men. There was to be a meeting on 1st December to allocate functions to committee members.

Monitors report that organisations working at the safety site include Black Sash, Red Cross, UNHCR, UNICEF, IDASA, Peace Initiative, ADRA-SA, PASSOP, DCAS, Medecins sans Frontiers, Catholic Welfare and Development, Refugee Rights Project, WFP, CWGD, Women on Farms, International Organisation for Migration, Health Care, South African Human Rights Commission, Cape Town Refugee Centre, Early Childhood Development, Child Welfare SA and FAMSA. Government departments include Department of Education and Department of Social Development. Pick n Pay representatives have also been on the site.

18: DOCUMENTATION:

The Department of Home Affairs and the Department of Transport were reported to have put in place provisions for undocumented displaced Zimbabweans to be assisted with documentation at the DHA office in Maitland on Saturday and Sunday (5th and 6th December).

MONITORING OUTSIDE THE SAFETY SITE

Local community leadership: Monitors noted that a Crisis Committee Meeting on 1st December, described by the Chair as a consensus-seeking platform to alleviate the plight of displaced Zimbabweans, was taken up with the issue of reintegration but there were no local community representatives at the meeting. At a subsequent meeting of the Reintegration Committee the issue of local community leadership participation was addressed. The Committee was advised, by a local community member, that they should write a letter to the local community leadership requesting a meeting following the court case due on 4th December. The South African Human Rights Commission (SAHRC) agreed to draft the letter and arrange for its delivery to the police station, where the community leadership had said they would collect it. It was decided that if this process does not bring about a productive meeting the Committee should seek more direct ways to engage with the relevant communities.

There are concerns that certain 'non-cooperative' local community leaders are stalling the process of reintegration by 'gate keeping' local communities and by indulging in political manoeuvring. One government official stated that there were moves to turn each issue into a political one, with each party wanting to forward their own agenda and, in the process, causing further conflict. There are also allegations that local government personnel are implicated in the attacks against the Zimbabweans.

Provincial officials expressed frustration at the reluctance of local leaders to engage with government and reported that, despite many attempts to meet to gain some understanding of underlying issues, they were still unclear (after 19 days) as to exactly who community leaders were. Despite the Provincial Government's desire that local people take ownership of the processes necessary to resolve the conflict, their impression, they have reported, is that local people are not ready to commit to such initiatives.

Monitors report that (as at 1st December) there had been no direct communication between local communities and the Reintegration Committee, although it was said that a communication strategy was in the process of being drafted. Initiatives under consideration were a knock-and-drop using pamphlets, a 'leadership walk-through' and a peace concert. There has been a call from government representatives for a meeting to be held with communities in Ekupumeleni and Stofland, both to inform them on relevant issues and to learn what the true feelings of people on the ground are.

It has been reported by several different roleplayers that tensions and rifts exist within and between the Stofland, Hasie Square, Ekupumeleni and Maseru communities in De Doorns. There are tensions between 'Coloureds' and Africans², and within the African communities themselves (between those who participated in strikes and those who did not). One community member reported that Xhosa speakers, 'Coloureds' and Zimbabweans each worked as groups separate from each other.

It was noted by stakeholders that there appeared to be little evidence of leadership on these matters from religious leaders.

² The use of this terminology reflects the terms used by those interviewed by the monitoring team.

From the councillors' perspective, one reported that he had engaged with UNHCR in the early days of the crisis. However, he was then accused of being involved with the attacks and since then he sees himself as being targeted by police and other roleplayers. From this person's perspective, he received complaints from community residents over a period of time and attempted to get the Mayor and senior police personnel to resolve tensions. According to his account, when told by community members that they wanted to forcibly remove the Zimbabweans he advised them that Zimbabweans with asylum papers had the right to work in the area and that he would not condone their forcible eviction. This individual reported the local problems as being due to (1) poor service delivery; (2) the presence of DHA in De Doorns and (3) labour issues. When engaging with local people, he suggested that these three issues should be separated from the issues related to the arrest of the detainees.

Labour issues: The HDA have reiterated that they do not have authority to dictate to labour brokers but may merely advise them on their practices. It has been stated that the problem of Zimbabwean labour brokers must be addressed. There are repeated reports of one Zimbabwean labour broker whose practices (unrelated to labour) are regarded as particularly problematic. The HDA are to meet with the Department of Labour.

Statistics provided by HDA for the Breede River Valley:

<p><u>IDPs on farms:</u></p> <p>Number of farms : 18</p> <p>Adults : 296</p> <p>Children : 26</p> <p>Total : 322</p>	<p><u>Workers on farms:</u></p> <p>Seasonal workers : 8,783</p> <p>Permanent workers : 5,337</p> <p>Total : 14,120</p>
<p><u>Seasonal workers on farms</u></p> <p>Locals : 5,701</p> <p>Zimbabweans : 1,558</p> <p>Sothos : 630</p> <p>Other : 894</p> <p>Total : 8,783</p>	<p><u>Number of contractors:</u></p> <p>Local : 845</p> <p>Xhosa : 167</p> <p>Sotho : 90</p> <p>Zimbabwean : 250</p> <p>Other : 40</p> <p>Total : 1,392</p>

A representative from Province stated that they consider the conflict to be a labour issue, but that it has to be upheld that everyone has a right to work and to contest openly in the labour market. The Department of Labour has reportedly done audits and inspections, which have revealed that there have been irregularities regarding the protection of workers' rights. The Department of Land Affairs in Worcester stated that in the current era farm evictions take place according to legal processes and the official interviewed was not aware of any cases of illegal evictions.

On the question of labour practices:

- Some Stofland residents indicated that they did not like working through labour brokers and preferred the working arrangements that existed prior to the advent of labour brokers.
- Monitors did also speak with some farm workers who informed them that they were still being paid directly by the farmer.

- A group of women farm workers admitted that they were not sure how much they were being paid an hour and were therefore unable to say how much they should be earning for overtime.
- The same group also indicated that they needed more information with regard to their rights as workers. They particularly mentioned the issue of UIF and sick pay.
- A group of young women shared that they work from 7.00 to 18.00 for R60 a day, with 15 minutes tea break and 1½ hours for lunch. Two other women reported that they get paid R56 a day. They receive their wages every two weeks and sometimes they receive an extra R50. They had previously lived on the farms and were then paid R45 per day.
- Complaints about job reservation practices included that municipality workers gave jobs to members of their family and to friends, and that farmers preferred to employ women rather than men.
- A registered labour contractor from Stofland reported that workers have no written employment contracts and no payslips and their wages are received in brown envelopes.
- This practice was confirmed by four farm workers who reported that they simply receive a weekly wage of R275 in a brown envelope. They reported that those workers who live on the farms are considered permanent employees. It was reported that these workers are paid less as deductions are made for accommodation, water and electricity.

Monitors were told that there were some 20 labour contractors living in Stofland.

A contractor, who said he organises labour on the farm *'while the farmers are sitting in their house drinking coffee and paying us peanuts'*, expressed great anger at the legacy of treatment by farmers in the area. He told monitors that they should inform media and police that the farmers should *'consult history'* as *'we'll take the farms as the Frelimo did in Mozambique [in 1974]'*. He stated that the attack on the Zimbabweans was the *'first step'*, reporting that

'We just demolish their properties and go. The second step will be taking their farms. This is not a xenophobic case. How can you let these people work for R60 from 6am to 6 pm? This is the first step to revise their [the farmers'] minds and revisit history, for history repeats itself'

This informant expressed great anger that there should be what he regarded as job reservation for Zimbabweans in his own country, South Africa, and that different salaries were paid for the same job. He also expressed upset at the detention of the 24 community members *'without trial'* and stated that the situation resembled that of the Rivonia trial.

It was reported that some of the workers who had participated in the march on Monday, 30th November, were chased away from the farms the following day.

Labour issues in De Doorns are reportedly now being dealt with by National Department of Labour.

Municipal Service Delivery Challenges: Constraints on service delivery were explained by municipal and provincial government officials.

- *Water, sanitation & electricity:* In terms of the provisions of the Integrated Development Plan (IDP) the municipality is responsible for local services, which include water, sanitation and electricity.
- The Municipality currently buys all their water from HDA but would like to build their own dam in the future. Water has been purchased to the value of R5million this year, sufficient for 35,000 people.
- The Sotho settlement of Maseru does not have water. Not only does this affect sanitation but, as monitors observed, residents do not have the capacity to douse shack fires. The fire brigade also had difficulty in gaining access as there are no demarcated roads (neither tar nor gravel).

- As elsewhere, Eskom has been unable to sustain a satisfactory delivery of electricity to housing units in the area. Houses built in flood plains will not be supplied with electricity, for safety reasons. The municipality reported they have a project with a partner to supply one box per unit.
- It was noted that a pipe burst on 1 December in Stofland was attended to with exceptional speed and efficiency, contrary to the usual very poor service delivery response.
- *Housing and job provision:* are not the direct responsibility of the municipality, although programmes channelled through Local Economic Development do have an effect on these aspects.
- 198 housing units were erected over the past four years in the Orchard Community, at a cost of R34 million. It is reported that the local communities have not been advised of the anticipated time it will take to meet the housing demand, resulting in unrealistic expectations. The municipality have stated that there is currently no record of ownership of properties, but that an audit will be undertaken in the near future. However, although local residents express displeasure that Zimbabweans take their houses, there are South Africans who profit from renting their houses to Zimbabweans and other foreigners.
- *Tax base:* It is reported that there are 24,000 SARS registered tax payers out of 106,000 inhabitants in the Breede River Valley.
- *Program Priorities:* Current municipality priority programs include 'war on poverty' and neighbourhood development programs.

Monitors were unable to clarify who is responsible for allocation of land. An official at the Department of Land Affairs in Worcester said it was a municipal responsibility, and that only in the case of dispute would Province be involved. In contrast, monitors were told by a municipal official that distribution and allocation of land was the responsibility of Provincial government.

The Department of Social Development have stated that their service delivery package for De Doorns is to be designed in cooperation with NGOs.

Site visit to Stofland: Monitors spoke with several groups of residents in the community, which is an informal settlement that was established in 2006 when people moved from the adjacent areas of Ekuphumleni, Maseru and Selfbou. Monitors observed visible structures of dismantled shacks, and ashes of burnt shacks.



Image 1: In Stofland



Image 2: Remains of a burnt shack

Some of those interviewed complained about the lack of services and facilities in Stofland. Comments included:

- frequent complaints about the toilets—that they had to be shared between 6 other people; between 9 other people; with four other households which could (in the case of some of the Zimbabwean households) house up to 20 people; that access to toilets is controlled by those that clean them; that women were scared to use the toilets as they might contract diseases and they would rather use a bucket; that children break the toilets constantly and then the community has to fix them as the municipality takes too long to attend to them; some residents stated that some people enclose taps and toilets in the area and make it difficult for others to use.
- Houses are without electricity. Residents have to use candles. People reported that they had been promised electricity, but that it had not been provided, despite the fact that they had heard that it was being provided in Worcester.
- Taps are also in short supply—one resident reported that a single tap was shared by 4 households
- The lack of a service for receiving letters in Stofland (houses cannot be identified for direct delivery).
- There is no signal for any radio station other than KFM.

The Stofland community does not have:

- schools, crèches and recreational facilities in the area
- dump containers where everyone can dump their trash

Department of Social Services comes to the area on certain dates for grants and other services. There is a clinic within 5 kms of Stofland.

Attitudes to displaced foreign nationals: Some respondents from Stofland said they felt that the area was much calmer without the Zimbabweans. Zimbabweans were accused of:

- Having ‘a history of buying people out of their places’—as they had done to farmers in Zimbabwe and were now doing in Stofland.
- Being careless neighbours. ‘They just take a bath anywhere, they don’t care who is looking or who is walking by and then they throw the water just on the street. They don’t keep the place clean’.
- Taking the ‘sisters and girlfriends’ of South Africans, and engaging in drinking in Stofland on the weekends.

- Of erecting shacks where one of the local councillors had already recently removed locals (under the power lines). One Zimbabwean was said to have bought and built 16 shacks, which he is now renting out.
- A councillor observed that the practice of having as many as 60 Zimbabweans registered under one address was 'inhuman'.

Some residents of Stofland claimed they had not had problems with the Zimbabweans. Residents claimed:

- *'We don't have any problems with them. They are human being just like us, made by God'.*
- Sadness at the absence of Zimbabwean friends and romantic partners
- A local business person expressed displeasure at the displacement of Zimbabweans as the local economy was suffering from the reduction in spending. He admired Zimbabwean nationals for being hard workers, good people, very sociable, not criminally oriented, industrious, and knowing what they want. He observed that they save their money and then spend it on household goods, such as music systems and furniture which, he said, was unlike nationals. Another man who had rented shacks to Zimbabweans reported feeling 'hurt' that they had been moved out of the community. He stated that the attacks were the result of jealousy—South Africans *'are jealous of the Zimbabweans who have TVs and DVDs'.*

Some of those initially arrested in connection with the displacement expressed strong views—at times accompanied by violent threats—against Zimbabweans reintegrating in the communities. Amongst the many views expressed:

- The Zimbabweans came to South Africa illegally and have no legal documents and it is therefore incomprehensible how they are able to have shacks and houses in De Doorns.
- If any of the shacks belonged to Zimbabweans, the municipality is guilty of corruption as the Zimbabweans are illegal immigrants
- At a meeting with municipal management, the mayor and stakeholders prior to the violence, they were advised that there was no ready solution to the concerns raised and that over-population of the area met that their demands could not be met. For this reason it made sense to take the initiative to forcibly remove the Zimbabweans.

Some of the resentment expressed around the presence of Zimbabweans was in fact directed at government. For example, it was said:

- *'Government has spent a lot of money at the safety site, wasting South African tax payers money on Zimbabweans. They should rather take that money and pay train, buses and all kinds of transport to take the Zimbabweans back to Zimbabwe. The government is treating Zimbabweans better than us but we are nationals.'*
- *'Government can't build houses, but they spend so much money to pay for tents for the Zimbabweans. The last time houses were built for local communities here was in 1994.'*
- The Department of Home Affairs was cited as one of the major causes of the problems De Doorns communities are facing. It was alleged that Zimbabweans claim that they lost their papers and the DHA is now replacing them. In contrast, it takes ages for a South African to get an ID.
- A local councillor claimed that the DHA came to Worcester at the instigation of the HDA, and had contributed to the escalation of the numbers of Zimbabweans coming to the area.
- *'The Government is taking us for fools. They have failed us dismally. Let them take the Zimbabweans to Worcester and see what will happen to them.'*

- One woman reported that she had been refused help at the Department of Social Development, who had informed her they would only be able to assist her once the safety site was closed.
- A Stofland resident reported that he was among 7 people whose homes burned down on earlier this year. Although they were promised compensation, he claims that it has not been paid to date. In contrast, he noted, when the Zimbabweans suffered the government assisted them without delay.

Aware of this kind of resentment, government officials have been keen to emphasize that the municipality's relationship with the UN had helped access resources for assisting non-nationals. Further, they have stated that it is important to remember how highly the South African human rights system was regarded by international observers.

Resistance to reintegration: On the question of reintegration, monitors report comments from one set of interviews as:

- reintegration will not take place as government arrested people who were on the reintegration committee
- Community members were arrested *'because of Zimbabweans'* and so they cannot be allowed back into the community.
- Zimbabweans have no claim to be living in De Doorns.
- *'If they are brought back, then real xenophobia will happen again. The community speaks with one language and you saw how many people were at the meeting on Monday morning, we don't want them, Zimbabweans, to come and stay here. Local people were evicted from the farms they stayed in for years. Even if the farmers can take them into their farms, what will happen to those local people who were evicted from the farms? This is a labour related problem, taking Zimbabweans into their farms will make things worse'*
- Rather than reintegrate, some felt that Zimbabweans should, as one man who had been without farm work since January, *'go back to Zimbabwe'*. Like others, this man stated that farmers prefer Zimbabwean workers.

In contrast, a government official stated that Zimbabwean nationals were not the enemy, but rather that the recession and competition had created conflict between people. He further confirmed that Zimbabweans are in South Africa legally and deserve to be able to seek and obtain work here. This official reminded listeners that *'we fought hard for our freedom and need to protect it'*, rather than return to apartheid type divisions in communities.

De Doorns Waste Dumping site: Monitors visited the site to follow up on earlier reports that indicated that families were having to look for food at the dump. The site is used by trucks from various companies, farms and the municipality. It was explained that cans and tin pots, cardboard and plastics are each separated, bagged in large white tough plastic bags and piled in pre-allocated different places in the site, prior to collection by trucks from a Worcester based recycling company. Money for these products is paid to the site manager, who then pays the woman who supervises the site. People from the local community also sort rubbish in order to get income. The supervisor does not live on the site but has the use of a recently installed container at the site that has a door and windows but no toilet or water supply. There is no water at the site and people working there either bring water with them or obtain it from a structure adjacent to the dump. There were also cows on the dumping site.

One elderly woman from Stofland who was working on the site explained to monitors how her social grant had not been paid as her medical certificate needed to be renewed. She is also excluded from making application to grants that she should have access to as her ID book records her age as

younger than it should. This woman explained that her only income is from collecting cans, tins, copper and iron from the dump to sell to a recycling company from Worcester. She reported that although she collects 14 to 15 sacks full in a month she does not make more than R100. With this she can afford 10kg of mealie meal, 2 litres of paraffin, a packet of onions and a litre of fish oil.

Children are not allowed on the site, although they do in fact gain access through the site supervisor. Monitors were told that there are people who are permanently staying at the site and making a living there.

Treatment of Detainees: In contrast to the views of some of the community members that monitors spoke with, a municipal official advised that the 25 people who were arrested were given access to call whomsoever they wished and were given a fair bail hearing. Further, the 13 who remain in detention continue to be held as, according to this official, there is evidence against them.

Monitors met with 10 of the men who had been released from detention. They informed the monitors that three among those originally detained had been appointed as community representatives by a councillor, although they had not sought leadership positions nor had they been elected. Their role was to voice the concerns of the communities in meetings with local and municipal government. Prior to their arrest they had been at meetings, with the Mayor, to discuss service delivery and labour issues in the communities. The men made several complaints about their arrests and subsequent treatment:

- that they were arrested in the early hours of the morning
- that if the police had video and photographic evidence of their participation in the dismantling of the shacks, as they claim they do, then why were they not arrested at that time
- that police forced them to sign papers without explaining what they were for, and threatened to beat them up if they refused to do so. They claim that they only later found out that they were confession statements.
- One of the arrested was taken separately and forced by police to reveal the names of others who had been involved in the violence
- The conditions were appalling in the holding cells in De Doorns
- The woman who was arrested had no change of clothes
- There was a delay before they were allowed to make phone calls
- They objected to the fact that police were heavily armed in the court. The stated: *"They treated us like we were criminals"*. *"The Zimbabweans have more rights than us"*. *"We are refugees in our own country"*.
- They were concerned that the arrests and subsequent detention will damage their chances of finding employment in the future and that they have lost current employment opportunities through being detained.

It is reported that local community leaders have made demands for the remaining detainees to be released and all charges to be dropped. In response, an official from Province holds that due process should be followed through the courts and that local communities must come to realise that 'we are not at war'.

Community Security: It was reported that the police had made a call for all illegal firearms to be handed in but that, as at 1st December, none had been handed in.

Community Events:

It was reported that the Minister of Labour and the President of the ANC Youth League, Julius Malema, were expected to visit the region during the first week of December.

Planned events included:

- 2nd December: Meeting of all ward councillors
- 3rd December: Public Meeting on the sports field, with Mayor present
- 4th December: Political Management Meeting (Mayor and councillors)
- 5th & 6th December: Women from local communities to pay a visit to Zimbabwean Women
- 7th December : Outreach programme by Government
Meeting of Crisis Committee
Meeting to consider increase of government investment in De Doorns
- 12th December: Walkabout of may and other government leaders through the community

Free Peace Concert

It was reported that a private company had agreed to donate 1000 food parcels to South Africans in the area and that instructions had been issued to identify the most vulnerable families to be recipients.

Provincial officials stated that they would arrange that farmers drop their workers at the sports field one day after work so that members of the integration committee could talk with them.

Possible return: A Zimbabwean (currently resident at the safety site) explained to monitors how he had lived peacefully with his South African landlord. However, his landlord had told him he was being harassed for renting accommodation to a Zimbabwean and had advised him to leave on the day of the attacks. This man has been able to check that his possessions are still safe and has been told by his landlord to move back to his former home. However, he feels that he will wait until the community leaders declare it is safe to go back as he still fears further attacks.

This briefing report was compiled by Vicki Igglesden from monitoring reports dated Tuesday 1st and Wednesday 2nd December 2009. The monitoring reports are compiled by a team of independent monitors and do not necessarily reflect the view of CoRMSA, the Black Sash or Oxfam.