



## Report of the Black Sash, CoRMSA and Oxfam Monitoring Team

De Doorns, Western Cape

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*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.*

Report 6

12<sup>th</sup> March 2010

### INTRODUCTION

The Black Sash, accompanied by the Gender Advocacy Programme and the African Disabled Refugee Organisation, carried out three days of monitoring in the De Doorns area from 10<sup>th</sup> March – 12<sup>th</sup> March 2010. In November 2009, De Doorns saw an outbreak of xenophobia, resulting in the displacement of the area's Zimbabwean residents to a temporary site. During this time, the Black Sash, in partnership with the Consortium for Refugees and Migrants in South Africa (CoRMSA) and Oxfam visited De Doorns to monitor the conditions of the temporary site and assess how plans for re-integration were forming. The purpose of this project in March 2010 was to follow up on the monitoring carried out in November and December and to evaluate how the situation has developed during the past four months. The monitoring parties considered how the immediate needs of Internally Displaced Persons (i.e. the conditions of the temporary sites) are being met; and how the process of reintegration is being addressed. To do this, the monitors conducted interviews, carried out site visits and met with community leaders. Research was carried out in both the temporary site and in the area's townships, so that the perspectives of both the Zimbabweans and the South Africans could be equally assessed.

### SUMMARY OF FINDINGS

- 1) The conditions in the displacement site seem more stable in comparison to the emergency situation in November and December. Those displaced have returned to work and are sustaining themselves by buying their own food, as opposed to relying on food parcels. Basic services in the form of toilets, water supply and refuse collection are available in a higher proportion at the site than in the area's townships.
- 2) The Zimbabweans are anxious for the process of reintegration to be underway as soon as possible, due to the harvest season ending in April. Their prospects look bleak if they have no employment and no homes by this time. Still, they also want compensation from the government for all the damage caused to their belongings when they were evicted.

3) From a South African standpoint, the issue of reintegration has been inextricably linked to issues of service delivery. The South Africans in De Doorns are not willing to accept the return of the Zimbabweans to the townships until adequate water supply, toilets, refuse removal and electricity are in place. Site visits illustrated that the availability of basic services in the De Doorns' informal settlements of Hasie Square, Stofland and Ekaumphumaleni is severely lacking. Consequently, it will take a large amount of time and money if their demands of 'service delivery before reintegration' are to be met.

4) Another problem identified in the reintegration process is that, in these four months of separation, a meeting bringing the two sides together has not been arranged. Although reintegration meetings have been held by the municipality's politicians and officials, the community leaders from both sides have not been included.

## **CONDITIONS AT THE DISPLACEMENT SITE**

### *Sanitation and Water Supply*

The temporary site has 90 toilets for around 1,200 people. The toilets are cleaned on Mondays, Wednesdays and Fridays. There are eight showers – four for men and four for women. The showers for each gender are next to each other and divided by a thick fabric partition. According to the security guard guiding the site visit, many people choose to wash themselves with large tubs of water instead of using the showers.

There are six standpipes serving the whole site. They are clustered in one location to the east of the tents, so people camping on the opposite side have to carry water across the site.

### *Refuse Collection*

The site has both large black wheelie bins and smaller green bins in which those displaced can deposit refuse. The large bins are emptied daily by the Worcester municipality. The smaller bins are emptied daily by the local municipality.

### *Food Supply*

The displaced are no longer receiving food aid. Rather, they are maintaining their own food supply. The site has a small number of stalls selling apples, tomatoes, eggs, crisps and drinks. The Zimbabweans were also observed returning to the site with groceries from the town's shops.

### *Security*

There are seven security guards working on the site. Security is heaviest at the entrance on the tennis court side, because that area sees the most traffic going in and out. There is also a police presence at the weekends to help maintain peace at the site. Alcohol is prohibited on the site but there are times when drinking and fighting occurs. Friday and Saturday nights tend to be the most problematic. However, on the whole, the site is usually calm.

### *Organisation*

The displacement site has a number of organising committees for running the site. There is an executive committee comprising of a chairperson, deputy chairperson, secretary, public relations officer, secretary to the public relations officer, communications and external affairs officer, and a women's and children's issues

officer. In addition to the executive committee are housing, security, public relations, food and environment and health committees.

### *Childcare*

The site has three informal 'crèches.' The children in the crèches are aged four years and under. The crèches cost between R7 and R10 per day, depending on the age of the child. The older children in the site (aged five and above) were back in school.

### *Employment*

The right of those displaced to work is no longer denied. At the height of unrest in November 2009, it was often the case that South Africans were preventing the Zimbabweans from going to work by blocking the labour trucks. At the time of monitoring in March, however, the Zimbabweans were back to work without any prevention from the South Africans. The only factor preventing those displaced from working at the time of the visit was the rain.

The interviewees outside the displacement site confirmed that the Zimbabweans and South Africans were working alongside each other on the same farms. At the time of the monitoring, a number of the labour trucks had already collected South African workers before picking up the Zimbabweans, indicating that the two groups also often travelled to work together. One interviewee explained that, despite language differences, the Zimbabweans and South Africans were conversing with each other while at work. Labourers' primary languages are usually Xhosa, Afrikaans or Shona, but workers managed to communicate with each other on a limited basis through their knowledge of English.

### *Social Activity*

The Zimbabweans in the displacement site have very little in the way of entertainment or social activity once they have returned home from work. A limited degree of entertainment is provided by a handful of radios. These are powered by generators. In addition to the radio is reading: according to town's library staff, the Zimbabweans – both adults and children – were using the library heavily. The displaced group has also established four churches within the site where they can worship.

It seems that those displaced are not welcome to socialise in the town. Interviewees said it was dangerous to go out at night because many residents in De Doorns are still hostile towards them. It is only those in relationships with South African residents who tend to mix in the community after work.

### *Attitudes towards Reintegration on the Site*

The representatives of the displaced group were unhappy that many NGOs are visiting the site and making unfulfilled promises. The leaders were initially hostile to Black Sash because, according to the interviewees, the previous representatives had promised to arrange a meeting or forum between them and South African residents' representatives, but had not kept in contact. Once this hostility was resolved, the representatives were more forthcoming.

The Zimbabweans are frustrated with the lack of official communication they have received regarding reintegration. Although representatives from the municipality do visit, they tend to focus on the conditions of the site and not on plans for reintegration. The displaced group has not been included in discussions surrounding reintegration, nor have they been kept well-informed of how plans are developing. The representatives of the displaced group were aware of meetings taking place by politicians and officials, but as the displaced group was not included, they did believe there could be much validity in the outcomes of

these meetings. Not once has a mediator or political leader brought representatives from the two sides together to discuss their issues. Although the Provincial Speaker has met with South African and Zimbabwean representatives, he spoke to each side separately and did not bring them together.

The representatives of the displaced group are anxious that the reintegration process should get underway before the working season ended in April. A few men may be able to get work from tree-cutting, but most will be without employment. This unemployment, coupled with a lack of permanent accommodation, means the Zimbabweans will be facing an even grimmer situation by the time work becomes scarce in May.

The closure of the displacement site at Blue Waters caused worry among the displaced persons in De Doorns. The Zimbabweans had looked towards the Blue Waters site as an example of others sharing a similar plight. However, with the Blue Waters closure, the displaced group are concerned and uncertain about how secure their future now is on the site. Moreover, they currently do not have any legal representatives who can represent them should they be faced with eviction from the site in the future.

There is also a sense of anxiety among the Zimbabweans because many are unaware of their rights in South Africa. According to the interviewees, some were considering going back to Zimbabwe once the season ends in April and then returning to South Africa for the new season. There did not seem to be sufficient awareness that going to Zimbabwe and then returning to South Africa on an Asylum Seeker Permit was illegal. Furthermore, it seems to be the case that all, or at least the vast majority, are in South Africa on Asylum Seeker Permits rather than Work Permits. Some Zimbabweans expressed their preference for Asylum Seeker Permits as they are valid for longer. The Black Sash suggested that the Zimbabweans request a briefing to inform them of their rights as asylum seekers. The Black Sash also suggested the group looks for legal representation in the event that there is a threat of eviction from the site.

Although they are keen to go back to where they were living before, the displaced group also want compensation from the municipality for all their belongings that were damaged and lost when they were displaced in November.

## **PERSPECTIVES FROM SOUTH AFRICAN RESIDENTS**

At a residents meeting, the monitoring team was introduced to residents by a local leader who praised the neutrality of the monitoring team and recognised the importance of the role being played by the monitors.

The Black Sash met with three representatives of South African residents: Gerry Kolase, Anele Nyembe and Vuyiswa Ndleeni. These three representatives have been working together since their *ad hoc* committee was formed on November 12, 2009. Mr Kolase and Ms Ndleeni were elected; Anele Nyembe was co-opted due to his experience as a local councillor.

The *ad hoc* committee has inextricably linked the reintegration process to service delivery. The South African residents want to see adequate service delivery before they will accept the return of the Zimbabweans to the townships. A walkabout tour of the area's townships demonstrated that basic services are severely lacking in De Doorns.

### *Sanitation*

In Stofland, there are seventy-five toilets. This number is insufficient, considering there are at least three-hundred families living in the area. Similarly, Hasie Square has only four standpipes and five flushing toilets for the whole settlement. This is also an inadequate amount to cater for the number living in there. Moreover, as the water and toilets are clustered in one location, those living further away have to walk a considerable distance to collect water or to relieve themselves.

### *Refuse Removal*

Waste removal occurs every two weeks. This is not frequent enough to keep the area clean. As a consequence of overflowing bins and their uneven distribution around the area, residents dump their refuse in ditches or in the river. At the time of the site visit to Hasie Square, a large collection of rubbish was dumped near the standpipes. This obviously causes problems for maintaining a hygienic water supply. Refuse removal was also evidently lacking in Stofland, as rubbish was piled into ditches in the area.

### *Electricity*

Despite a promise by the Mayor to electrify all of Stofland by 1<sup>st</sup> March 2010, much of the area was still without electricity. A number of the shacks were seen to be using fire for energy at the time of the visit.

### *Reintegration and Service Delivery*

The poor level of service delivery is a key cause of resentment towards the Zimbabweans. According to the De Doorns residents' representatives, the municipality is unable to provide a sufficient amount of basic services because the area is too overcrowded. This overcrowding problem was blamed on the high population of Zimbabweans packed into the settlements' shacks. Consequently, this was a crucial driving force behind the removal of the Zimbabweans in November 2009.

The residents' representatives recognised that South Africans themselves perpetuate the problem of overcrowding. Many South Africans who have been given houses from the municipality choose to rent them out and instead stay in a shack. Rents for Zimbabweans were around R100-R130 per week, so municipal home-owners often packed in a high number of people to profit from their property ownership. As many as ten or twelve people could be crammed into one room, meaning that there could be between forty and fifty people in one building. The lack of monitoring by the municipality meant this trend was not curbed.

### *Reintegration and Employment*

In addition to frustration over basic services, the issue of Zimbabweans and employment in De Doorns is another source of friction. According to the De Doorns residents' representatives, Zimbabwean workers are preferred over South Africans because they are willing to work for lower wages, as well as on Sundays, public holidays, Christmas Day and other days traditionally recognised as non-working days. As many South Africans did not want to work on these days, they were often replaced by Zimbabweans.

Mr Nyembe explained that, although South Africans and Zimbabweans are working alongside each other again, this is not a sign of an improvement in their relationship. Both parties must put their differences aside in the interest of employment, because any person who causes trouble while at work will lose their job. Mr Nyembe identified that the greatest source of hostility in the relationship is when the South Africans and Zimbabweans *live* together, rather than *work* together.

The committee members explained that another source of tension stemmed from the ongoing court case against those charged with crimes relating to the xenophobic unrest. They believe it would be unwise to reintegrate the Zimbabweans before the case is resolved, because it is still a key cause of hostility. The committee and local residents are supportive of those who are on trial. A collection fund was organised to fund the legal costs of those who have been charged. Around R30,000 was collected, which has been used to pay for bail (set at R15,000 and a lawyer costing R5,000).

### *Action taken by South African Residents*

The South African Human Rights Commission (SAHRC) assisted the *ad hoc* committee in making a written submission which outlines their recommendations for reintegration. This was submitted to Parliament at the Provincial Public Hearings from 22<sup>nd</sup> – 24<sup>th</sup> February 2010. There were two crucial elements underpinning their submission. Firstly, that service delivery was essential before reintegration was acceptable. Secondly, that there should be a forum bringing together all the relevant parties – the municipality, police, schools, local businesses, HTA, sports, churches, local community leaders, non-nationals and farmers' associations – so that all parties can understand each other better, all opinions can be voiced and a solution can be worked out together.

The document has been circulated to the Mayor, the Speaker of the Province and the local ward councillor. All three tiers of government – national, provincial and local – have copies. However, the committee has not received feedback from any persons representing these tiers.

Like the Zimbabweans, the South African residents' representatives have not been included in official discussions over reintegration. They were not officially invited to the reintegration workshop held at the end of January in Worcester. They only attended after intervention by the Black Sash. The *ad hoc* committee has not been included in any other meetings held after this.

### **CONCLUDING COMMENTS**

Members of the displaced group are now back and work and sustaining themselves on the site. Still, this is a temporary situation which needs to be resolved in the near future. The Zimbabweans are eager to return to the townships before the season ends. However, until the issue of service delivery in the townships has been addressed by the municipality, it is unlikely that De Doorns' South African residents will accept the reintegration of the Zimbabweans.

Official communication with the displaced group and the South African residents has been poor. Both sides feel ill-informed and excluded from the process. It is intended that during the second visit (taking place from 23<sup>rd</sup> March – 25<sup>th</sup> March 2010) the monitors will meet with officials and municipal representatives. This will provide the monitors with the opportunity to share their findings. It is also hoped that these meetings will shed more light on how the government is addressing the issue of reintegration.

*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.*