

25 May 2022.

### **CoRMSA Position on Xenophobia.**

The Consortium for Refugees and Migrants in South Africa (CoRMSA) is a national network of twenty-five (25) member organisations in good standing whose main objectives and mission are the promotion and protection of the human rights of asylum seekers, refugees and other international migrants in ways that promote the well-being of all in South Africa, the SADC region and globally. CoRMSA's work on migration includes engaging in advocacy and lobbying; coordination and network building; capacity building and training; rights awareness and information sharing. It is of this mandate that CoRMSA and its Members have deemed it fit and acceptable to develop a common position on xenophobia and related intolerances in South Africa.

#### **Contextualisation:**

The Consortium for Refugees and Migrants in South Africa (CoRMSA) has witnessed and observed with sadness and regrets the South African community's antipathy towards foreign nationals since the transition to democracy in 1994. According to available evidence, attacks and or threats on non-nationals have been monitored across South Africa since 1994 (Xenowatch report, African Centre for Migration and Society). This trend has continued to date with widespread violent attacks which erupted in May 2008, where it was alleged that 62 foreign nationals were killed, around 700 injured, and an estimated 35 000 foreigners were driven from their homes. However just a year later, in 2009, it was alleged that over 3000 Zimbabweans were displaced due to threats and attacks directed at them and their properties. Further, in April 2015, a wave of xenophobic attacks swept across was at its worst in Durban which extended to some parts of Johannesburg, where thousands of immigrants, particularly from Africa, were attacked by South Africans and their businesses were looted. It was also reported that several people, both foreign and South Africans alike, were killed with some of the killings captured on camera. It was reported that more than 62 people were killed, 500 people displaced, and more than 300 properties destroyed. The 2015 incidents led to the brutal murder of a Mozambican man (Emmanuel Sithole) who was killed in Alexandra township, allegedly by a group of men who were caught on camera. Post 2015, between 2018 and 2019 violence by South Africans against foreign nationals erupted again in the eastern eThekweni municipality that led to more than 200 people, mostly foreign truck drivers killed in South Africa. Xenowatch on its report of between 1994 to May 2022 reported that a total number of 919 incidences have taken place resulting to 123 326 displacements, total of 2844 shops looted and 624 deaths.

Between the year 2020 to date, xenophobic violence has continued to erupt in South Africa, in a cycle that is now being fuelled by politicians and anti-migrant social movements ramping up anti-immigrant rhetoric in a country where migrants are easy targets. CoRMSA continues to witness the emanation of anti-migrants' social movements such as Operation Dudula and Put South African First that problematises migration rather than the construction of meaning that precedes it. Under these two social movements, CoRMSA has witnessed with regrets rampant and uncalled for xenophobic actions coupled by lawlessness, vigilantism, abuse of migrants.

1. Safer Spaces (<https://www.saferpaces.org.za/understand/entry/xenophobic-violence-in-south-africa>).
2. Matthew Beeter (2019): A contextualisation of the 2008 and 2015 xenophobic attacks: Tracing South African necropolises.
3. Human Rights Watch Report (2019): Xenophobic Attacks on Foreign Nationals (<https://www.hrw.org/world-report/2020/country-chapters/south-africa>).
4. Xenowatch: <https://www.xenowatch.ac.za/statistics-dashboard/>
5. Mail and Guardian (April 2022): <https://mg.co.za/africa/2022-04-22-mourners-at-elvis-nyathis-memorial-vent-anger-at-zimbabwe-ambassador-service/>

violation of migrant rights, fatalities and displacement of person on the move. A clear example of lawlessness and vigilantism is the brutal killing of Mr. Elvis Nyathi in Diepsloot Township. Mr Nyathi was beaten and burnt to death by about 30 people who went around Diepsloot asking migrants to show their documents that permit them to be in South Africa legally. This kind of lawlessness and vigilantism needs to be stopped.

**On a serious note of the above, CoRMSA calls and recommends the following actions:**

1. CoRMSA strongly condemns and rejects all forms of xenophobic actions and discriminations directed to non-nationals in South Africa.
2. The government and police need to publicly acknowledge the existence of xenophobic attacks on foreign nationals and their property and take decisive action.
3. Strengthening and ensuring proper police investigations of xenophobic crimes and holding those responsible to account.
4. Political leaders and organised reactionary forces like Operation Dudula inciting xenophobic violence, hate speech or promoting discrimination should be strongly condemned.
5. South African Human Rights Commission to enforce and hold the executive to account for the implementation/and recommendations outlined on the Investigation into Issues of Rule of Law, Justice and Impunity arising out of the 2008 Public Violence against Non-Nationals
6. Non-governmental organisations in South Africa to work in collaboration with international organisations for a greater impact to support and protect all migrants.
7. It is critical that other government services should be involved in fighting xenophobia in order to enhance on going responses and contribute to prevent and protect African immigrants from xenophobic violence.
8. We call for a directive from the Department of Justice and Constitutional Development to set out the adherence to the National Action Plan to Combat Racism, Racial Discrimination, Xenophobia and Related Intolerance.
9. We call on the President of SA to make good on his words in the preamble to the NAP:
  - a. *The time has come for us to shed all shackles of prejudice and discrimination so that we can fulfil the promise of building a united, non-racial, non-sexist and prosperous country in which all who live in it are not just entitled to equality, but experience equality in their daily lives.*

End!

For more information: [thifulufheli@cornsa.org.za](mailto:thifulufheli@cornsa.org.za) and [advocacy@cornsa.org.za](mailto:advocacy@cornsa.org.za)

Consortium for Refugees and Migrants in South Africa (CoRMSA)

87 De Korte Street, Heerengracht Building

5<sup>th</sup> Floor, Office No 501, Braamfontein.

Tel: +27 11 403 7560

Fax: +27 11 403 7559. Website: [www.cornsa.org.za](http://www.cornsa.org.za)

- 
1. Safer Spaces (<https://www.saferpaces.org.za/understand/entry/xenophobic-violence-in-south-africa>).
  2. Matthew Beeter (2019): A contextualisation of the 2008 and 2015 xenophobic attacks: Tracing South African necropolises.
  3. Human Rights Watch Report (2019): Xenophobic Attacks on Foreign Nationals (<https://www.hrw.org/world-report/2020/country-chapters/south-africa>).
  4. Xenowatch: <https://www.xenowatch.ac.za/statistics-dashboard/>
  5. Mail and Guardian (April 2022): <https://mg.co.za/africa/2022-04-22-mourners-at-elvis-nyathis-memorial-vent-anger-at-zimbabwe-ambassador-service/>