



Court rules on refugees' application

A Pretoria High Court judge on Tuesday dismissed an urgent application to keep temporary refugee shelters open for the time being.

Judge Ephraim Makgoba said the government was not violating any rights of the more than 4 000 refugees presently housed in temporary refugee shelters in Gauteng, and was under no obligation to come up with a re-integration plan.

The ruling meant that the government would be able to go ahead with its plans to dismantle the camps by Friday.

The judge remarked that it was not as if government had not been managing the disaster - which followed in the wake of wide-spread xenophobic attacks on foreigners in the country - but said "it had to end somewhere".

The Consortium for Refugees and Migrants in South Africa (CoRMSA) and the Wits Law Clinic launched the application on behalf of the province's refugees. They said the government could not simply leave these disenfranchised people to fend for themselves without coming up with a proper re-integration plan.

CoRMSA said it had approached the government on numerous occasions in an attempt to assist with such a plan, but was simply ignored.

Counsel for the applicants, Nadine Fourie, argued that the government had not acted in good faith as it had undertaken to re-integrate the refugees into society in a humane manner, but now simply sat back and left it to them to sort out.

She said the refugees would be attacked again if they simply returned to their communities. There was no suggestion that they could return to their own countries, where their friends and families were attacked and killed.

Counsel for the government, Mike Sawyer, in turn submitted that the refugees had no rights in terms of either the Disaster Management Act or the Refugees Act to be sheltered for longer than a period of three months.

He said it was a "faceless force of people", not the government, who was violating the rights of the refugees.

Sawyer pointed out that the refugees were aware that the shelters were temporary, but had taken no steps to make their own way and were now simply sitting back and trying to make their problem the government's problem. - Sapa

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