



Gauteng to close refugees shelters

The Gauteng provincial government believes it has done all it can to help reintegrate people displaced by xenophobic violence, and will close all its shelters on Friday, as supported by a court ruling.

"Really, they have been given enough time ... and it was extended for a few days. We think that is enough time to arrange alternative accommodation," spokesperson Thabo Masebe said on Tuesday.

Earlier on Tuesday, the Pretoria High Court dismissed an urgent application to keep temporary refugee shelters open for a while.

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 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.

Lawyers for Human Rights said in a supporting affidavit that some people had lost the tools of their trade, they had no transport money to go anywhere else, and did not have friends or family to help them rebuild their lives.

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.

The refugees knew the shelter was 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.

Masebe said that provincial officials had worked at telling communities not to chase them away from their homes, and that they had done enough to create an environment of peace and security for them in their communities.

"We are convinced that conditions do exist for people to now safely return."

He said some had also been helped with the rebuilding of their homes.

He had heard that people had lost shops and tools, but said the government was not liable for this.

"We are not liable for all of those things, but because we care about the wellbeing of people we help where possible, but now, we are not going to be buying tools."

Meanwhile, home affairs spokesperson Siobhan McCarthy said the department's mandate was limited to processing paperwork.

They fast tracked the asylum seeker verifications of the people arrested outside the Lindela repatriation facility on the West Rand and, she said, some did not qualify for asylum, and some had fraudulent papers.

They are in a 10 day appeals process in which they can challenge the rejections.

In an aside, she said that in response to complaints about poor conditions at the Crown Mines Home Affairs offices, they were ordering toilets to be erected outside, organising outside cleaning and crowd control specialists and hoped the renovations that had confined the available space, would be complete by October.

In Cape Town, people sheltering in community halls have until August 31 to find somewhere else to live, and on September 3, the disaster declaration period ends, said Palesa Moduru, a communications co-ordinator for the displaced people.

She said they had facilitators helping people with reintegration or repatriation, deciding which option the residents there chose.

They were also collecting information on the reasons why people did not want to leave the shelters.

"We are trying to find out why they are not reintegrating," she said.

It was not yet clear which date the other sites would close.

The Treatment Action Campaign said it was concerned that people were being "evicted" from the shelters and said an Angolan man was murdered on Saturday while on his way back to the shelter.

While they did not make a specific link to xenophobia, they believed foreign nationals were "particularly vulnerable" to violent crime. - Sapa

Published on the Web by IOL on 2008-08-12 13:58:41

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