



Working environment

The context

South Africa has the most developed economy in Africa and, plays a key role in diplomacy and development on the continent. It also attracts migrants and asylum-seekers from virtually every country in Africa and beyond.

South Africa is a party to the 1951 Refugee Convention, its 1967 Protocol and the 1969 OAU Convention regarding Specific Aspects of Refugees in Africa. Its Refugee Act came into force in 2000.

South Africa hosts some 40,000 refugees and over 100,000 asylum-seekers. They come from 52 countries, but most are from Angola, Burundi, the Democratic Republic of the Congo (DRC), Rwanda, Somalia and Zimbabwe. The majority live in the main urban centres, such as Cape Town, Durban, Johannesburg, Port Elizabeth and Pretoria.

South Africa currently receives the largest number of asylum claims in Africa, placing the national asylum system under tremendous strain. The Department of Home Affairs (DHA) has worked to reduce the number of pending asylum applications through its Backlog Project, which, by the end of March 2008 had cleared 110,000 asylum claims that had accumulated before 2006. However, with close to 100,000 new applications lodged since January 2006, the backlog remains considerable.

Zimbabweans have sought asylum in South Africa in growing numbers since the disputed March 2008 elections in their country. They join the very large community of Zimbabweans already living in South Africa, many of whom have no legal status and suffer great hardship. UNHCR has contingency plans and emergency preparedness arrangements in place to face any mass influx of refugees from Zimbabwe to South Africa. It has also expanded its assistance programmes for Zimbabweans.

Refugees and asylum-seekers in South Africa enjoy freedom of movement. But the challenges they face when trying to integrate into local communities were highlighted by the xenophobic attacks on foreigners in May 2008. These resulted in the deaths of more than 60 people and the displacement of some 46,000 others in Cape Town, Durban, Johannesburg and Pretoria.

The Government of South Africa responded with a three-pronged strategy: first, bring an end to the violence and prevent further attacks; second, provide temporary emergency and humanitarian assistance to the victims; and third, reintegrate the displaced into local communities.

In cooperation with other UN agencies and NGO partners, UNHCR has given direct support to those displaced and helped them with integration. The Office has also provided technical expertise to the Government in areas such as registration and the coordination and management of temporary sites of refuge.

The needs

UNHCR and its implementing partners conduct participatory assessments in order to gauge protection risks and find durable solutions for refugees, using an age, gender and diversity sensitive approach. UNHCR also runs an annual workshop for those working for the displaced, including government departments and refugee communities, to discuss strategic plans.

The top needs identified for refugees in South Africa include documentation, employment, shelter, food and education. The refugee programme for 2009 will address these needs.

Ensuring access to the national asylum procedure remains a challenge. The Government's new initiatives

in this regard include the opening of a refugee reception office in Musina, near the border with Zimbabwe. This will help reduce the time required to process asylum applications, and thereby ensure more effective protection.

Even after gaining access to the asylum system, many refugees and asylum-seekers face difficulties in gaining access to health care, education and other essential services.

Main objectives

Annual programme

- Ensure that asylum-seekers and refugees in the country have access to asylum procedures, identity documents, and protection against *refoulement*.
- Help the Government to uphold asylum principles and enhance its protection capacity.
- Pursue durable solutions for refugees by promoting voluntary repatriation, local integration and the strategic use of resettlement.
- Strengthen partnerships with government departments, NGOs, human rights organizations, refugee communities and others to increase the well-being of refugees and asylum-seekers in the country.

Supplementary programme

- Ensure refugees and asylum-seekers displaced by xenophobic attacks receive adequate material and legal assistance to help them reintegrate into local communities.
- Combat intolerance of refugees and asylum-seekers and improve conditions of asylum in the country.

Planning figures

Type of population	Origin	Jan 2009		Dec 2009	
		Total in country	Of whom assisted by UNHCR	Total in country	Of whom assisted by UNHCR
Refugees	Burundi	3,500	800	4,000	1,000
	DRC	18,000	2,500	20,000	3,000
	Somalia	15,000	1,200	17,000	1,400
	Various	20,570	1,200	28,070	1,600
Asylum-seekers	DRC	15,000	2,500	10,000	1,500
	Somalia	12,000	500	5,000	300
	Zimbabwe	45,000	3,000	35,000	2,000
	Various	8,000	2,000	5,000	1,800
Total		137,070	13,700	124,070	12,600



People displaced by xenophobic violence queue for food at Jeppe police station.

UNHCR/J. Oatway

- Focus on emergency preparedness and response to cope with any large-scale refugee influx from Zimbabwe.
- Should the political climate in Zimbabwe improve, repatriate Zimbabwean refugees and other people with specific needs.

Key targets

- Access to the asylum system is improved. Refugee status determination (RSD) is conducted within six months of an asylum application and identity documents are issued thereafter, as stipulated by South African law.
- Support the Government to raise its capacity to process asylum applications and conduct RSD.
- Approximately 2,500 refugees from the DRC, Somalia, Zimbabwe and other countries are repatriated.
- Some 500 refugees from Burundi, the DRC, Ethiopia, Rwanda, Somalia and Zimbabwe are resettled.
- Refugees and asylum-seekers gain better access to socio-economic services such as education and health, including HIV and AIDS services.
- Refugees and asylum-seekers displaced by attacks return safely to local communities.

Strategy and activities

In 2009, UNHCR will continue to give priority to legal support for refugees and asylum-seekers in South Africa. It will focus especially on building the capacity of government institutions, in particular the Departments of Home Affairs and Social Development. UNHCR will work with the Government to improve the asylum system by training RSD officials, providing information on countries of origin, and offering technical advice and support to Refugee Reception Offices.

Working closely with civil society, academic institutions and human rights organizations, the Office will promote refugee rights and obligations and help the general public become more aware of refugee issues.

Apart from protection-related and emergency assistance, the Office will address refugee employment needs, language and vocational skills training, small business development and education. It will also work with the relevant authorities to promote the local integration of some refugees in the country.

Constraints

South Africa attracts people from other countries, including asylum-seekers and refugees. Over the past few years, the country has received an average of some 50,000 asylum applications annually. Economic migrants often use asylum procedures to regularize their

stay in the country, a trend that has overburdened the national asylum system and given rise to negative perceptions of refugees.

Growing concern over the ongoing influx of foreigners is a major obstacle to the local integration of refugees in the country. While violence in the past primarily targeted refugee businesses, the May 2008 attacks also affected foreigners living alongside the local population in townships or informal settlements. Although the Government is working to build tolerance among the public, the root causes of violence remain. Many of those displaced by the violence are afraid to return to their former homes and communities.

The HIV and AIDS pandemic in South Africa, where government statistics show that more than 18 per cent of adults carry the infection, continues to haunt the country's economic and social life. Refugees and asylum-seekers from countries with lower HIV infection rates face a higher risk of contracting the virus in South Africa.

Organization and implementation

UNHCR presence	
Number of offices	1
Total staff	43
International	19
National	22
JPOs	2

UNHCR's Regional Representation in South Africa coordinates operations in all countries in southern Africa—including Zambia, which will come under Pretoria's oversight as of January 2009. The Office oversees UNHCR activities in Angola, Botswana, Malawi, Mozambique, Namibia and Zimbabwe, and is directly responsible for refugee protection in Swaziland, Lesotho and the Indian Ocean islands of Madagascar, Comoros, Mauritius and Seychelles. UNHCR does not have a presence in the latter States.

Pretoria has 11 international professional posts which have regional responsibilities for protection, programme management, community services, public information, supply and procurement, health and HIV and AIDS, registration, information technology and refugee database management.

Coordination

UNHCR shares the responsibility for protecting and assisting refugees with the Government and other organizations. South Africa has a large number of active

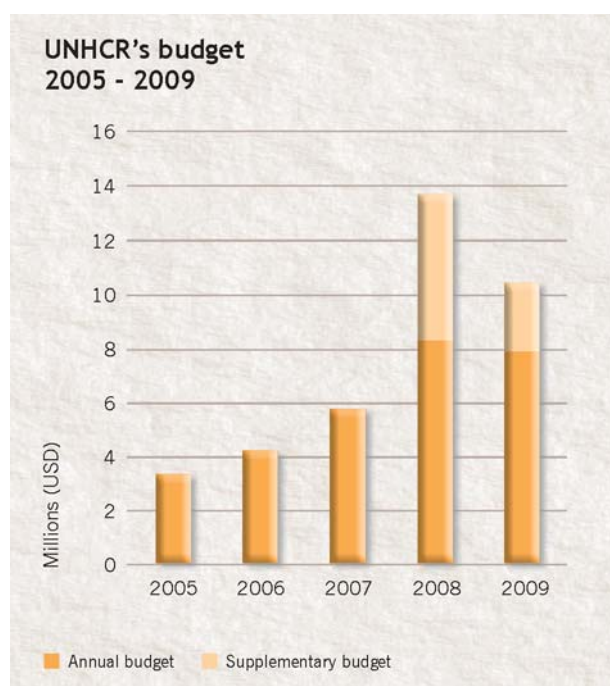
NGOs, human rights and civil society organizations, as well as academic institutions, which provide humanitarian assistance to refugees, asylum-seekers and migrants. They also contribute to public debate on humanitarian issues in the country.

UNHCR cooperates closely with the UN Country Team, particularly with respect to contingency planning, implementation of the 2006-2011 UN Development Assistance Framework, the UN Thematic Group on HIV and AIDS, and the UN Regional Inter-Agency Coordination and Support Office (RIACSO) in Johannesburg.

Partners
Implementing partners
NGOs: Jesuit Refugee Services, Cape Town Refugee Centre, Refugee Social Services, Lawyers for Human Rights, University of Cape Town, Sonke Gender Justice, Bonne Esperance, Sediba Hope, CARITAS Swaziland
Others: UNDP Madagascar, UNDP Comoros
Operational partners
Government agencies: Departments of Home Affairs, Social Development, Health, and Education; Provincial and Local Governments; the National Disaster Management Centre; and the City Councils of Pretoria, Johannesburg, Cape Town and Durban
NGOs: Oxfam, Save the Children (UK), South Africa Red Cross Society, Islamic Relief, Scalabrini, ARESTA

Financial information

The annual budget for South Africa, which includes projects for the Southern Africa subregion, has increased since 2005. The increases are mostly attributed to mixed migration, which has made South Africa a



destination for large numbers of refugees and asylum-seekers originating from the Great Lakes region and the Horn of Africa.

The total budget in 2008 almost doubled from the previous year because of the Office's response to the civil unrest that erupted in a number of townships in South Africa against foreign nationals, including refugees and asylum-seekers. An operation of some

USD 3.8 million was established to cater for this emergency, in addition to assistance provided to Zimbabweans who were forced to leave Zimbabwe following the economic and political unrest during the general elections in March and June 2008. The 2009 annual budget reflects an increase of 10 percent over the 2008 annual budget because some activities related to the Zimbabwean situation previously in the supplementary budget have been mainstreamed.

Budget (USD)						
Activities and services	2008			2009		
	Annual budget	Supplementary budget Zimbabwe Situation	Total	Annual budget	Supplementary budget Zimbabwe Situation	Total
Protection, monitoring and coordination	1,055,744	1,612,150	2,667,894	1,221,915	668,334	1,890,249
Community services	324,283	0	324,283	324,503	122,667	447,170
Domestic needs	242,996	0	242,996	261,117	787,942	1,049,059
Education	340,490	0	340,490	385,861	0	385,861
Health	150,250	3,761,682	3,911,932	159,073	97,677	256,750
Income generation	95,072	0	95,072	120,250	0	120,250
Legal assistance	434,950	0	434,950	423,841	322,180	746,021
Operational support (to agencies)	611,963	0	611,963	625,355	231,729	857,084
Total operations	3,255,748	5,373,832	8,629,580	3,521,915	2,230,529	5,752,444
Programme support ¹	3,871,411	0	3,871,411	4,344,012	0	4,344,012
Total	7,127,158	5,373,832	12,500,990	7,865,927	2,230,529	10,096,456

¹ Includes programme support for regional activities in Southern Africa, such as HIV and AIDS, refugee women and children, registration, protection and supply chain. Note: Supplementary programme budgets exclude 7 per cent support costs that are recovered from contributions to meet indirect costs for UNHCR.