

South Africa



Main objectives

UNHCR's main objectives for South Africa were to build the capacity of governmental and civil society partners to provide protection and assistance to refugees; promote access to locally-available services for refugees to facilitate self-reliance and address the basic needs of vulnerable groups; facilitate durable solutions for refugees; and increase public awareness of the circumstances of refugees.

Impact

- 800 Somali refugees were issued with certificates permitting them to apply for permanent residence status in South Africa.
- Refugee children had increased access to education and 3,300 refugee children were integrated into the public school system. Refugee parents were eligible for and obtained foster care grants from the Government for orphaned refugee children in need of care.
- Access to public health care substantially improved for refugees and asylum-seekers.

- With the continued implementation of the "Turn Around Strategy" of the Department of Home Affairs (DHA), refugees and asylum-seekers received improved services at refugee reception centres and "smart card" identity documents.
- The Government launched a project aimed at substantially reducing the backlog of asylum applications in the country.
- UNHCR assisted 48 refugees to return home and 107 refugees were resettled to third countries.
- Regular monitoring was carried out at refugee reception centres, border areas and the main deportation facility.
- More than 500 government social workers, immigration officers, and eligibility officers were trained in refugee law and refugee matters.

Working environment

The context

South Africa maintained its liberal asylum regime in 2005. Refugees and asylum-seekers had unrestricted



In South Africa, UNHCR, together with its partners, launched activities that foster refugee self-reliance. With such help, this Angolan refugee was able to set up his small business in Cape Town. *UNHCR/ P. Rulashe*

freedom of movement, access to public health and education services and the job market. The South African Government demonstrated an increased commitment to asylum issues, deploying additional staffing in reception centres, taking key preparatory steps to clear the backlog of pending asylum claims, restructuring the DHA and maintaining a continuous dialogue with UNHCR on asylum issues.

In 2005, the total number of persons of concern in South Africa increased from 142,000 asylum-seekers and refugees to over 168,000, of whom approximately 30,000 were refugees. A total of 3,400 refugee status determination decisions were taken, representing nearly a 100 per cent increase over 2004. However, the backlog of pending asylum claims also continued to grow, with 28,000 new applications during the year. Zimbabwe was the largest source of applicants (more than 8,000 cases), followed by Ethiopia and Somalia, while the sharpest decrease in applicants was among those from the Democratic Republic of the Congo (DRC).

The Government estimated that more than 110,000 cases were still pending determination at the first instance level.

Constraints

The phenomenon of mixed flows of migrants and asylum-seekers continued to pose a major challenge to the protection of refugees. In spite of a thriving economy and high demand for labour, work permits were difficult to obtain. These were available only outside the country, for a fee. This situation was thought to have contributed indirectly to the abuse of the asylum system by economic migrants attempting to regularize their stay in South Africa, as evidenced by the high number of pending claims from countries such as India, Kenya, Nigeria and Pakistan.

Economically-motivated claims clogged the asylum system, with some 70 per cent of pending applications considered unlikely to be supported by genuine asylum claims. Meanwhile, asylum-seekers with a legitimate claim were unable to access many services until they were granted refugee status. For UNHCR, it was extremely difficult to provide assistance to them while they waited for their cases to be examined. While employment was accessible in principle to asylum-seekers, in reality many employers restricted job opportunities to those with refugee documentation.

As the population of concern was scattered across different parts of the country, the provision of protection and assistance was not straightforward. Most refugees and asylum-seekers were located in the urban centres of Johannesburg, Cape Town, Port Elizabeth, Durban and Pretoria. In addition, an increasing number were found in various provinces where neither UNHCR nor its partners had a presence.

Persons of concern					
Type of population	Origin	Total in country	Of whom UNHCR assisted	Per cent female	Per cent under 18
Asylum-seekers ¹		139,900	10,800	-	-
Refugees	DRC	10,600	2,200	-	-
	Somalia	7,600	400	-	-
	Angola	5,800	300	-	-
	Burundi	2,200	800	-	-
	Rwanda	1,300	800	-	-
	Republic of the Congo (Roc)	1,200	100		

¹ Includes asylum-seekers from Angola, Bangladesh, Bulgaria, Burundi, Cameroon, China, Comoros, Côte d'Ivoire, DRC, Egypt, Eritrea, Ethiopia, Ghana, India, Kenya, Liberia, Malawi, Mozambique, Nigeria, Pakistan, RoC, Rwanda, Senegal, Sierra Leone, Somalia, Sudan, the United Republic of Tanzania, Uganda, Zambia, Zimbabwe, and others.

Funding

Lack of funding continued to be a major constraint in 2005. It became possible to transfer some funds from the regional repatriation budget to the country operation, as a consequence of lower than anticipated returns, but reductions still had to be made. These reductions affected assistance to at-risk populations (particularly female-headed households and children), as well as self-reliance activities and legal assistance partners, who had helped UNHCR to open up access to social services and permanent residency for refugees and asylum-seekers.

UNHCR's operations in South Africa rely heavily on human resources, particularly in the protection sphere. Many UNHCR staff spent a large proportion of their time providing direct technical assistance to the Government to strengthen the asylum regime; lobbying authorities to facilitate permanent residency as a key component of local integration and to improve refugee access to the impressive array of social programmes; and building a stronger relationship with civil society. However, financial constraints limited the human resources that UNHCR was able to operate with in 2005.

Achievements and impact

Protection and solutions

UNHCR provided technical training to 200 new eligibility and immigration officers recruited by DHA, as well as to immigration and military officials in border areas in order to accelerate access for refugees and asylum-seekers to the asylum procedure and enable them to obtain documentation. It is expected that once asylum claims are processed faster, attempts to abuse the system will decrease.

Steps were taken by the Government to improve the protection environment for refugees and asylum-seekers. A ministerial directive outlawed detention of children and pregnant women, and a screening system was put in place to ensure that asylum-seekers and refugees were protected from deportation. The use of administrative fines for asylum-seekers who did not use designated entry points was abolished. In response to the substantial increase in asylum-seekers from Zimbabwe, UNHCR stepped up monitoring at Beit Bridge, the main land border crossing.

The issuing of certificates by the Standing Committee on Refugee Affairs to 800 Somali refugees, permitting them to apply for permanent residency, represented a major step forward for Somali refugees in South Africa, for whom local integration was the most viable durable

solution. At the same time, intolerance towards refugees and asylum-seekers was observed to be on the rise, particularly towards those from the East and Horn of Africa. UNHCR was aware of at least one major attack targeting Somali refugees. To counter discrimination against refugees, UNHCR, in collaboration with the National Consortium on Refugee Affairs, revised its "Roll Back Xenophobia" campaign. The initiative was widely supported by the South African Human Rights Commission and DHA. Under the "Roll Back Xenophobia" campaign, 50 journalists were trained on aspects of xenophobia relating to refugees, and a radio spot was widely broadcast during prime time. It is estimated that over a two-week period several million listeners tuned in to stories describing life as a refugee in South Africa.

Activities and assistance

Community services: Over 370 social workers from government and non-governmental institutions received training on refugee issues, bringing to 800 the total number trained over the past two years. As a result, refugees gained increased access to social services in 2005.

Domestic needs and household support: The basic needs of the majority of those considered to be most at risk were met for an initial three-month period. This emergency assistance, based on strict criteria of vulnerability, reached over 2,400 beneficiaries, 60 per cent of them women.

Education: A total of 3,300 refugee children were helped by UNHCR to attend school through the payment of school fees, transport, school books or uniforms. More than 400 students were exempted from or paid reduced school fees, and as part of a new initiative, grants were provided to selected schools to encourage them to take in more refugee students.

Health and nutrition: Professional home care services were provided to 43 chronically and terminally ill refugees. Some 16,500 refugees were educated on the prevention of HIV/AIDS and in reproductive health.

Income generation: More than 2,000 refugees and asylum-seekers were supported with English-language lessons, vocational skills training, business training, job placement and business loans.

Legal assistance: Over 1,700 refugees and 2,800 asylum-seekers received legal assistance; legal proceedings were started on eligibility for foster child grants; health facilities were lobbied for increased access to refugees and asylum-seekers, and 200 new RSD staff at DHA were trained. As a result, refugees and asylum-seekers obtained speedier access to RSD and documentation. Refugee parents became eligible for the first time to

apply for foster child grants to look after orphaned refugee children. Refugees and asylum-seekers had increased access to public health facilities and asylum-seekers became eligible for antiretroviral treatment. UNHCR continued to work closely with the Refugee Appeal Board and the Standing Committee, providing legal advice at regular meetings.

Operational support (to agencies): Administrative costs of implementing partners were covered by UNHCR to ensure timely and efficient service delivery to beneficiaries. Some funds supported the World Refugee Day celebrations.

Transport and logistics: UNHCR assisted some 86 voluntary repatriation movements out of the country.

Organization and implementation

Management

The Regional Office in Pretoria covered South Africa, Lesotho, Swaziland and four Indian Ocean States and provided technical support to the UNHCR operations in Botswana and Mozambique. In addition, five staff members with regional responsibilities provided technical support to the entire Southern African region. The operation was supported by 32 staff (12 international and 20 national).

Working with others

In 2005, UNHCR worked with ten implementing partners in South Africa and Swaziland, including two international and five national NGOs. UNDP provided assistance to refugees on behalf of UNHCR in Madagascar and Comoros, while IOM provided services related to repatriation from South Africa to various countries of origin and resettlement to third countries. UNHCR increased its cooperation with key government departments, including the Department of Home Affairs. The Department of Social Development was UNHCR's direct counterpart on issues of asylum and access to social services. Moreover, UNHCR maintained close contact with a wide range of local NGOs, faith-based entities and refugee NGOs as part of the various regional refugee networks in main urban centres in South Africa.

Overall assessment

UNHCR achieved its objective of promoting asylum-seekers' and refugees' access to locally-available social services, with a notable rise in assistance provided by

both governmental and non-governmental entities. However, with budget reductions imposed during the year, UNHCR was unable to bridge the gap between social services provided by the Government and civil society to refugees and asylum-seekers and the critical needs of the refugees and asylum-seekers. While UNHCR was able to make a substantial contribution to building the capacity of the authorities in providing protection, the results of this investment will only be seen in 2006, given the enormity of the backlog of pending asylum claims.

UNHCR did not meet its expectations with regard to voluntary repatriation from South Africa in 2005. In particular, few Angolans returned home, citing as reasons not only the harsh conditions of life in Angola, but also a relatively high degree of local integration in South Africa. Despite the signing of a tripartite agreement with Rwanda, very few Rwandans wished to return home.

Through the expansion of social services available to refugees and asylum-seekers from the Government and civil society, UNHCR envisions a progressive withdrawal from the provision of direct assistance, and an increased focus on protection.

Offices

Pretoria

Partners

Government agencies

Department of Education
Department of Health
Department of Home Affairs, South Africa
Department of Social Development
Ministry of Home Affairs, Swaziland

NGOs

Bonne Espérance
Cape Town Refugee Centre
Caritas (Swaziland)
Jesuit Refugee Service
Lawyers for Human Rights
Mennonite Central Committee
National Consortium on Refugee Affairs
Planned Parenthood Association of South Africa

Others

IOM
UN Theme Group on HIV/AIDS
UNDP (Madagascar and Comoros)
University of Cape Town, Legal Aid Clinic
University of Witwaterstrand, Law Clinic

Budget, income and expenditure (USD)¹ Annual programme budget

Final budget	Income from contributions ²	Other funds available ³	Total funds available	Total expenditure
3,278,523	0	3,055,409	3,055,409	3,055,409

¹ These figures do not include regional activities.

² Includes income from contributions earmarked at the country level

³ Includes allocations by UNHCR from unearmarked or broadly earmarked contributions, opening balance and adjustments.

Financial Report (USD)¹

Expenditure breakdown	Current year's projects	Prior years' projects
	Annual programme budget	Annual and supplementary programme budgets
Protection, monitoring and coordination	489,746	0
Community services	269,245	97,693
Domestic needs and household support	142,598	33,926
Education	368,689	109,484
Food	0	50
Health and nutrition	152,243	23,226
Income generation	30,272	10,572
Legal assistance	515,220	81,937
Operational support (to agencies)	607,050	153,915
Shelter and infrastructure	0	3,716
Transport and logistics	366,311	118,720
Water	0	5,234
Instalments with implementing partners	588,686	(638,473)
Sub-total operational activities	3,530,060	0
Programme support	2,380,931	0
Total expenditure	5,910,991	0
Cancellation on prior years' expenditure		(56,633)
Instalments with implementing partners		
Payments made	1,971,837	
Reporting received	(1,383,151)	
Balance	588,686	
Prior years' report		
Instalments with implementing partners		
Outstanding 1st January		728,379
Reporting received		(638,473)
Refunded to UNHCR		(92,882)
Adjustments		5,368
Balance		2,392

¹ Includes expenditure of USD 2,855,582 for regional projects in Southern Africa.