

# SOUTH AFRICA



## Operational highlights

- UNHCR advocated intensively with the Government to suspend the deportation of Zimbabweans and offer them temporary stay in South Africa under the immigration laws, while keeping the national asylum system open to Zimbabweans needing protection as refugees.
- A protection working group led by UNHCR, with membership from NGOs and other UN agencies, was established in Pretoria to coordinate the inter-agency response to the outbreak of xenophobic attacks against foreigners in various townships and informal settlements of South Africa.
- UNHCR supported the Government's efforts to register and document victims of violence and also assisted staff at the Department of Home Affairs (DHA) with material and human resources, training, technical expertise on registration and documentation procedures and coordination functions.
- UNHCR established a continued presence at the Zimbabwe border town of Musina to address the protection needs of Zimbabweans, as well as another field office at the same time in Cape Town to address xenophobia and monitor progress.

- The Government's Backlog Project, to clear an estimated 110,000 pending asylum applications, was completed in March 2008 with only 8,000 applications remaining.

## Working environment

South Africa saw wide-spread violence against foreigners in 2008. Mobs attacked documented foreigners, as well as those illegally present in the country. Many long-time residents with citizenship similarly became victims. The official number of foreigners displaced between May and August was 46,000, while other estimates placed the figure much higher. Sixty-two people lost their lives, including 23 South Africans. The displaced foreigners were accommodated at more than 80 temporary sites in Cape Town, Durban, Johannesburg and Pretoria. By end of the year, only a few hundred remained at the temporary sites, while the majority had returned to their communities.

Criminality remains a matter of grave concern in South Africa and is more prevalent in the bigger cities due to the lack of job opportunities, large disparities in income and the inability of the criminal justice system to cope with these challenges. There is continuous migration from rural areas and from other countries to South Africa's major urban



A refugee women waits for news on her future in a refugee shelter in Johannesburg, South Africa

UNHCR / J. OUTWAY

areas. It is estimated that foreign migrants in the country number between 3 and 5 million. As a result, competition for jobs, housing and social services is particularly intense in the urban areas.

The Government Backlog Project, which began in 2006 to clear pending asylum applications, was completed in March 2008. Of the initial estimate of 110,000 pending applications, some 8,000 remained after the completion of the project. More than 60,000 applicants did not show up for interviews despite mass information campaigns in the media, and their applications were treated as abandoned. UNHCR provided input to the Refugee Amendment Bill 2008, which streamlined the processing of appeals, abolished unnecessary procedures and gave the Department of Home Affairs more power to deal with asylum applications

## Achievements and impact

### ● Main objectives

UNHCR's main objective was to ensure that asylum-seekers were admitted and refugee status claims were reviewed in accordance with international standards. Secondly, it sought

to increase the capacity of the Government and implementing partners to deal with mixed migratory flows by providing training, technical advice and legal support, as well as monitoring the implementation of refugee laws and policies. UNHCR also aimed to develop and strengthen partnerships with NGOs, civil society and the refugee community; combat intolerance and xenophobia; address sexual and gender-based violence, HIV and AIDS; and protect refugees with specific needs.

Other priorities of the Office included ensuring that refugees and asylum-seekers enjoyed social and economic rights, such as education, health services and other government assistance; and that asylum-seekers and refugees were protected against *refoulement* and had access to registration, RSD and documentation. Finally, UNHCR aimed to pursue durable solutions for refugees by promoting voluntary repatriation and local integration, as well as the strategic use of resettlement.

### ● Protection and solutions

During the xenophobic violence, UNHCR delivered assistance at temporary sites in Cape Town, Durban, Johannesburg and Pretoria through its implementing

Persons of concern			
Type of population	Origin	Total	Of whom assisted by UNHCR
Refugees	DRC	11,000	-
	Somalia	8,500	-
	Angola	5,800	-
	Burundi	2,200	-
	Rep. of the Congo	1,300	-
	Rwanda	1,300	-
	Various	13,500	-
Asylum-seekers	Various	227,100	18,400
<b>Total</b>		<b>270,700</b>	<b>18,400</b>



partners. A protection working group led by UNHCR was established in Pretoria, which also included other UN Agencies and NGOs. The working group highlighted protection issues and appropriate courses of action were determined and implemented. Concerns were shared with the authorities at all levels.

Refugee concerns were addressed by UNHCR protection staff through individual and group meetings at the temporary sites. Legal assistance was also provided through implementing partners. UNHCR supported the Government's efforts to register and document victims of violence and also assisted relevant staff at the DHA with material and human resources, training, technical expertise on registration and documentation procedures and coordination functions.

South Africa currently has a non-encampment policy and refugees and asylum-seekers are free to move and live anywhere in the country, including in the five major cities where DHA refugee reception offices are located. UNHCR established a presence at the border town of Musina, in Limpopo Province, in June 2008 in order to address the protection needs of Zimbabweans crossing the border.

### ○ *Activities and Assistance*

**Community services:** Through its partners, UNHCR assisted some 580 children with specific needs. The support included placement of separated children in foster care, rental allowances and food coupons for foster families and the facilitation of family reunification. UNHCR also assisted some 370 refugees with specific needs, including the elderly, the disabled and the chronically and terminally ill. Furthermore, the Office supported 61 women with food, shelter, skills training and child care to enhance their self-reliance.

**Domestic needs and household support:** UNHCR provided some 4,070 refugees and asylum-seekers with emergency assistance. About 56 per cent of the beneficiaries were women, who in addition to food and shelter assistance also received sanitary materials. UNHCR assisted 250 Zimbabwean asylum-seekers per day, on average, for six months at the Musina reception centre with food and shelter. Following the xenophobic violence, the Office donated non-food items including tents, blankets, sleeping mats and mattresses for 15,000 people. Through its partners, UNHCR also assisted about 5,000 displaced persons with food and shelter for two months and gave cash grants to those who wanted to return to their local communities.

**Education:** UNHCR assisted some 1,580 refugee children (46 per cent girls) in primary education and some 950 in secondary education (47 per cent girls) with school fees, uniforms, stationery and other necessities for the learning process. Language skills training was provided to more than 1,100 refugees, of whom 31 per cent were women. In addition, some 1,300 refugees, of whom 32 per cent were women, received vocational training in various skills to enhance their self-reliance.

**Health and nutrition:** UNHCR assisted some 1,330 refugees with specific health needs. In some hospitals, interpreters were hired to help refugees overcome the language barrier.

UNHCR partners helped about 42,400 refugees, of whom 39 per cent were women, with Information, Education and Communication (IEC) sessions covering maternal care, family planning, health, hygiene, life skills, reproductive health and HIV and AIDS awareness. UNHCR also conducted six workshops on refugee rights, targeting health service providers, to dispel xenophobic feelings. Some 60 chronically ill refugees received home-based care in Pretoria.

**Income generation:** Some 240 refugees were provided small-business grants. UNHCR assisted 210 refugee professionals, such as doctors and nurses, with their English proficiency exams and the translation of their professional qualification certificates. In addition, some 820 refugees were assisted to find jobs.

**Legal assistance:** UNHCR partners assisted more than 12,000 refugees and asylum-seekers. Implementing partners conducted protection and refugee law training workshops for 27 paralegal officers and 30 Zimbabwe border staff of IOM. UNHCR also facilitated the voluntary return of some 190 refugees and asylum-seekers, mostly to the Democratic Republic of the Congo (DRC) and Burundi, and the resettlement of some 310 refugees in third countries.

**Operational support:** UNHCR covered the operating costs of implementing partners, strengthening their capacity to deliver quality services to the population of concern.

### ○ *Constraints*

In 2008, South Africa faced the complexity of two major simultaneous developments. The first was the on-going mixed movement of asylum-seekers and migrants into the country, requiring an interdisciplinary response to address issues beyond the domain of asylum and refugee management.

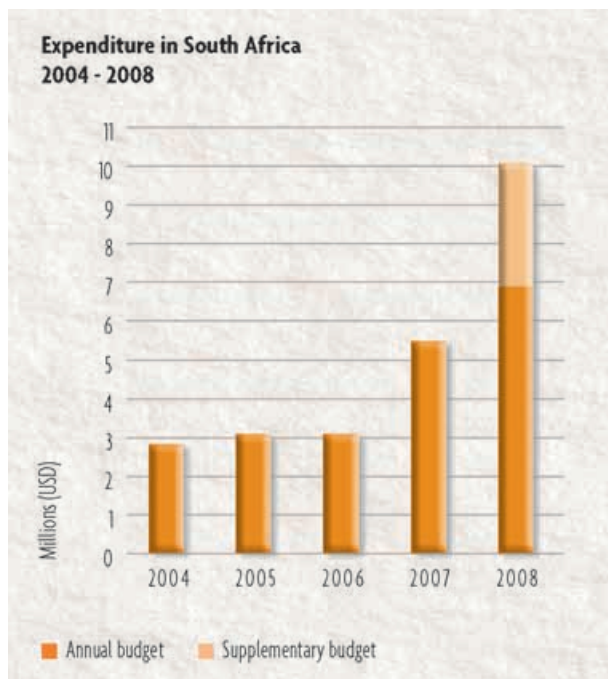
The second development, which was in part linked to the challenge of mixed migration, was the xenophobic violence that broke out in May 2008 and which caused widespread displacement of foreigners. This was a major setback to the self-reliance and local-integration efforts of refugees and asylum-seekers, many of whom lost their livelihoods during the attacks.

The South African national asylum system continued to be burdened by large numbers of foreign migrants who lodged applications for refugee status as their only option to legalize their stay in the country.

## | Financial information |

UNHCR's annual programme expenditures remained steady from 2004-2006. Expenditures rose in 2007 and 2008, largely due to assistance extended to Zimbabweans with specific needs as well as new and unplanned programmes related to the xenophobia crisis.

Due to the crisis in Zimbabwe and related unplanned expenditures, the budget for the South Africa operation was increased significantly at mid-year under a supplementary programme created to meet the needs of the most vulnerable Zimbabweans who continued to stream into the country.



## Organization and implementation

The regionalization of UNHCR's operations in Southern Africa continued in 2008. One more country, Angola, was added to the 11 others already under the purview of the regional office in Pretoria, South Africa. Two field offices were opened, one in Cape Town and the other in Musina, a small town on the border with Zimbabwe. The operations in South Africa and the sub-region are now supported by 50 UNHCR staff members, 22 international and 28 national, with 10 of the international personnel holding regional positions.

## Working with others

In 2008, UNHCR worked with 20 implementing partners in South Africa. The Office collaborated intensively with the South African Department of Home Affairs. UNHCR continued to participate in the UN Country Team and maintained close contact with a range of local NGOs and faith-based organizations.

## Overall assessment

UNHCR was confronted with a challenging working environment in 2008, with the continued influx of Zimbabweans and an unprecedented outbreak of xenophobic violence resulting in large-scale displacement. While responding to this situation, refugees who wished to return home were assisted, and some were resettled in third countries. Although the South African Government views local integration as an option for refugees, it was still difficult for many refugees to obtain residence permits.

Following the outbreak of xenophobic violence, UNHCR worked closely with NGOs and community and faith-based organizations. Some civil society groups expressed concern over UNHCR's response to the crisis, leading the High Commissioner to launch an inquiry. The inquiry panel found some areas for improvement, but also linked the dissatisfaction to misconceptions among civil society groups regarding the scope of the Office's mandate responsibilities in such mixed displacement situations.

### Partners

#### Implementing partners

**Government:** None

**NGOs:** *Bonne Espérance*, Cape Town Refugee Centre, Caritas Swaziland, Jesuit Refugee Services, Lawyers for Human Rights, Mennonite Central Committee, Musina Legal Advice Office, Planned Parenthood Association of South Africa, Sediba Hope, Sonke Gender Justice

**Others:** *El-Shaddai*, IOM, Global Ministries, Mthwakazi Arts and Culture, Musina Catholic Church, UNDP Comoros, UNDP Madagascar, United Reformed Church, University of Cape Town Legal Clinic, Southern African Women's Institute for Migration Affairs

#### Operational partners

**Government:** Department of Education, Department of Health, Department of Home Affairs, Department of Social Development, Municipality of Cape Town, Municipality of Durban, Municipality of Johannesburg, Municipality of Musina, Municipality of Pretoria, National Disaster Management Centre

**NGOs:** Black Sash, Consortium for Refugees and Migrants in South Africa, South Africa Red Cross Society, WITS Forced Migration Studies

**Others:** Central Methodist Church in Johannesburg, UNDP, UNICEF, UNFPA

### Budget, income and expenditure in South Africa (USD)

	Final budget	Income from contributions	Other funds available	Total funds available <sup>1</sup>	Total expenditure
Annual budget	7,211,700	617,133	6,269,884	6,887,017	6,883,226
Zimbabwe Situation SB	5,123,832	142,158	3,035,381	3,177,539	3,154,546
<b>Total</b>	<b>12,335,532</b>	<b>759,291</b>	<b>9,305,266</b>	<b>10,064,557</b>	<b>10,037,772</b>

Note: Supplementary programmes do not include seven per cent support costs that are recovered from contributions to meet indirect costs for UNHCR. Income from contributions includes contributions earmarked at the country level. Other funds available include transfers from unearmarked and broadly earmarked contributions, opening balance and adjustments.

<sup>1</sup> Total funds available include currency adjustments.

Financial report for UNHCR's operations in South Africa (USD)

Expenditure breakdown	Current year's projects			Prior years' project
	Annual programme budget	Supplementary programme budget	Total	Annual and supplementary budgets
Protection, monitoring and coordination	1,254,864	436,585	1,691,449	0
Community services	323,427	0	323,427	56,945
Domestic needs and household support	189,410	1,815,206	2,004,616	29,556
Education	207,831	0	207,831	32,185
Health and nutrition	167,272	21,303	188,575	29,265
Income generation	53,349	0	53,349	11,861
Legal assistance	200,223	98,818	299,041	0
Livestock	0	0	0	0
Operational support (to agencies)	344,487	579,012	923,499	34,121
Instalments to implementing partners	470,685	203,622	674,307	(193,933)
<b>Subtotal operational activities</b>	<b>3,211,548</b>	<b>3,154,546</b>	<b>6,366,094</b>	<b>0</b>
Programme support	3,671,678	0	3,671,678	0
<b>Total expenditure</b>	<b>6,883,226</b>	<b>3,154,546</b>	<b>10,037,772</b>	<b>0</b>
<b>Cancellation on prior years' expenditure</b>				<b>(6,582)</b>
<b>Instalments with implementing partners</b>				
Payments made	1,776,411	1,629,219	3,405,630	
Reporting received	(1,305,726)	(1,425,597)	(2,731,323)	
<b>Balance</b>	<b>470,685</b>	<b>203,622</b>	<b>674,307</b>	
Outstanding 1st January				723,550
Reporting received				(193,933)
Refunded to UNHCR				(91,305)
Currency adjustment				0
<b>Outstanding 31st December</b>				<b>438,312</b>