

SOUTH AFRICA

INITIAL OBJECTIVES

- Strengthen the legal and institutional capacity of the Government through the assistance in implementation of national refugee legislation, institution-building and training.
- Achieve the economic independence of refugees through vocational training and income generating activities.
- Find durable solutions for individual refugees, including voluntary repatriation and resettlement where appropriate.
- Counter increasing signs of intolerance towards foreigners through public information and awareness campaigns.
- Strengthen preparedness for emergencies and response capacity through contingency planning.

MAJOR DEVELOPMENTS, ACHIEVEMENTS AND CONSTRAINTS

UNHCR works closely with the Department of Home Affairs (DHA) on refugee matters. In connection with the entry into force of the 1998 Refugee Act in April 2000, DHA, Lawyers for Human Rights and UNHCR signed an agreement to implement a joint project to clear the backlog in asylum applications at first instance level. The project was initially foreseen to end by December 2000, but was extended into 2001. Some 25,000 cases were reviewed, and of these 6,300 cases were considered to be of no substance. Of the 11,801 decisions made, some 65 per cent of the applications were approved. A further 6,918 cases remain to be determined. UNHCR also offered protection training for government officials.

In May, DHA began to issue identity cards to refugees, as provided for in the 1998

Refugee Act. These documents are expected to make a very important difference in the lives of refugees by enabling them to engage in everyday transactions, such as the opening of bank accounts and post office boxes. Having obtained guarantees from the Government for safekeeping, UNHCR agreed to provide United Nations Convention Travel Documents (UNCTDs) for refugees in accordance with the provisions of the 1998 Refugee Act.

The High Commissioner's review of the Office's programmes (Actions 1 and 2) did not influence significantly the operations in South Africa. However, because of the initial need to block 20 per cent of the 2001 budget, the implementation over the first months of the year, was slower than usual.

A broader review of UNHCR's programme in South Africa was undertaken in May and June, with funding from the Evaluation and Policy Analysis Unit. The exercise included a two-day workshop with all implementing partners to review programmes on unaccompanied minors, refugee women, education, income generation, shelter, food, and health. A set of best practices, based on field experience, and a monitoring tool were developed in the workshop and were circulated to all partners in order to improve and standardise programmes throughout the country.

A study has been carried out to assess the Government's capacity to assume responsibility for key sectors of refugee assistance. Its findings will be presented to the Departments of Health and Social Development to assist them with the development of adequate refugee policies. This initiative was further developed at a World Refugee Day workshop with the participation of UNHCR, NGOs and government departments.

To facilitate the local integration of refugees, UNHCR has been sponsoring vocational skills and language training programmes for refugees and supports 96 students who will be completing their studies this year. The Office also administers scholarships for fourteen refugees studying at South African universities (six of them women). One of these students has been recognised with a distinguished merit award for excellence. The small business loan programme has been put on hold to allow an evaluation and for necessary revisions to make the programme more sustainable. The improved programme is due for re-launch in the fourth quarter of 2001.

Opportunities for voluntary repatriation have been scarce due to the continuing political instability and armed conflict in the refugees' countries of origin. Thus, only 17 persons returned, mainly to Somalia, DRC, Angola and Congo Brazzaville. A significant number of applicants for voluntary repatriation to north-east DRC could not return due to the difficult access to their areas of origin. The issuance of one-way travel documents by countries of origin as well as travel and transit arrangements made by IOM have been running smoothly. Some delays were experienced in the tracing of relatives in countries of origin.

By June, a total of 79 persons of concern to UNHCR had been resettled, and another 95 persons accepted for resettlement were awaiting departure. The majority of those resettled originated from the DRC, Rwanda, Congo, Burundi and Angola. An increasing number of applications and the security risks to staff posed by frustrated refugees pose serious challenges in the resettlement work. The security threats became more acute this year, and UNHCR was compelled to press charges against some refugees. Delays in processing of the resettling countries brought added difficulties. UNHCR is currently revising the resettlement criteria to counter an increasing trend of unfounded applications.

UNHCR works with its partners to target refugee populations with reproductive health information and counselling in their own languages. As part of the same project, a survey on young refugees and reproductive health was carried out and the findings were published in May. Several problem areas were identified, including family violence, rape and child abuse. Focus group discussions are being held with the concerned communities in order to find appropriate ways to address these issues.

In an important development, following an intervention by the South African Human Rights Commission, the Department of Home Affairs reinstated the right to basic education for children of asylum-seekers. However, adult asylum-seekers are still prohibited from studying. Unaccompanied minors have been entering the country in increasing numbers, presenting a challenge for UNHCR and its partners. While family tracing is immediately initiated, it is difficult to find suitable interim care for these children. A working group on unaccompanied minors, established in 2000 and comprised of representatives from UNHCR, NGOs, government departments and other stakeholders, has been meeting regularly to devise strategies for assisting and advocating on behalf of this vulnerable group.

UNHCR's Roll Back Xenophobia campaign (RBX) has continued with a variety of public awareness and advocacy events, including a global community radio project, community meetings and workshops for journalists. In addition, the fourth and final workshop on refugee rights for health care policy-makers was held in Cape Town in March. RBX is also actively involved in the World Conference Against Racism to be held in Durban in September.

The Regional Directorate for Southern Africa has assumed the co-ordinating role in the contingency planning for a possible influx of refugees from Zimbabwe.

Progress as measured against selected indicators

| INDICATORS | PROGRESS |
|--|---|
| Voluntary repatriation: transportation provided on the most direct and economical route from the country of asylum or place of departure to the country of origin for each of the beneficiaries concerned. | 11 cases comprising 17 individuals returned to their countries of origin in safety and dignity. |
| Gap filled for needy refugees in the health sector while working to ensure access to national health care services. | Training workshops held on refugee rights for health care service providers (main provinces); life skills and reproductive health training carried out for young refugees in Western Cape and Kwazulu-Natal; on-going support provided and clients in need of medical attention referred to government hospitals and clinics. |
| Support provided for primary students (200 persons), secondary students (160 persons) and language students (400 students). | Number of students enrolled for 2001 academic year: Primary: 292 students Secondary: 74 students Language training: 305 students (from beginning to advanced levels). |
| Short-term training in vocational skills provided for 50 unemployed refugees. | 43 refugees provided with short-term training, 90 per cent of whom have found employment upon completion of training. |
| Public awareness activities continued to sensitise civil society to refugee issues. | Participated in global community radio programme on racism and xenophobia; organised community meetings (2) and journalist workshops (2); completed 4 provincial health department workshops participation in preparations for World Conference Against Racism. |
| Legal counsellors employed in each region where refugees and asylum seekers reside. | Monthly average of 160 cases seen and assisted by each of four NGO legal counsellors, negotiations for the recruitment of a fifth legal counsellor for Port Elizabeth expected to be finalised in August |
| University scholarships and support given to 14 refugee students (50 per cent women). | 14 students have been receiving support to attend South African Universities, six of them are women. |
| In co-operation with IOM, resettlement of deserving cases expedited through liaison with representatives of resettlement countries and provision of complete and accurate documentation. | 79 persons departed for resettlement from the region to third countries, mainly the US, Canada and Europe; 95 persons accepted for resettlement are awaiting departure. |

REVISED OBJECTIVES AND PRIORITY ACTIVITIES FOR JULY - DECEMBER

The initial objectives of UNHCR in South Africa remain valid. However, a number of activities and areas have been identified for special follow-up:

- The second phase of the exercise to clear the backlog in asylum applications commenced on 4 June and is foreseen to end by 31 October. Some 12,000 cases are to be adjudicated, and it is envisaged that some 30,000 persons will directly

benefit from the project. While UNHCR will adjust resettlement criteria to avoid abuse, the Office will also increase efforts to identify eligible cases by inviting relevant implementing partners to bring such cases to its attention.

- As part of UNHCR's efforts to advocate for the inclusion of refugees in government assistance programmes, the Office will present documents promoting the development of a specific refugee policy to the Departments of Health and Welfare.
- In preparation of the 2002

programme, the Office will undertake a review of 2001 activities with implementing partners and refugee communities to solicit their input and ensure that NGO project

submissions are in line with UNHCR policies and standards. The findings and recommendations from the May to June programme evaluation workshop will guide this process.

FINANCIAL DATA (USD)

| | Initial Budget | Revised Budget | Total Funds Available¹ | Total Funds Obligated |
|-------------------|-----------------------|-----------------------|--|------------------------------|
| APB and TF | 5,412,610 | 4,985,200 | 2,676,934 | 2,280,550 |

¹Includes income from unrestricted contributions, income from contributions restricted to the regional, sub-regional and/or country level, opening balance and adjustments.

Includes administrative costs related to the Regional Director's Office as well as operational and administrative costs in Comoros, Lesotho, Madagascar, Mauritius and Seychelles.