

Portfolio Committee on DHA Engagement with NGOs. On Matters Affecting, Citizens, Refugees and Migrants.

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Brief CoRMSA Background:

- The Consortium for Refugees and Migrants in South Africa (CoRMSA) is a national network of organisations working with refugees, asylum seekers and migrants in South African the Region and globally.
- Our 25 Member Organisations are based in Western Cape, Eastern Cape, Limpopo, Gauteng and Kwa-Zulu Natal Province.
- Our objective and mandate; is the promotion and protection of human rights of asylum seekers, refugees and migrants.



CoRMSA Programme of Work:

- Network Coordination and Strengthening (solidarity)
- Advocacy and Lobbying (policy submission and effective implementation, access to justice etc.).
- Capacity Building and Trainings (human rights protection and accountability).
- Rights Education, Awareness Raising and Educational Material Development for distribution.

Issues that Affect Asylum Seekers, Refugees and Migrants in SA.

Thought: The New South was built on a culture of inclusiveness, tolerance and human rights, embodied in its 1996 Constitution.

- 1. Denial Access to Refugee Reception Centres** around the country.
 - High Application Rejection Rate – leading to:
 - Growing number of undocumented migrants, Asylum Seekers and refugees (arrest and detention).
 - Lack of integration of migrants and refugees in communities.
 - Migrants and refugees seen as problem for SA development.
 - and Stateless

Issues that Affect Asylum Seekers, Refugees and Migrants in SA Continue..

2. Denial of Access to Critical and Life Saving Basic Services:

- Denied:**
- Access to basic health care service
 - Access to basic education
 - Access to employment i.e. Exploitation, UIF etc.
 - Access to banking
 - Access to shelter
 - Enabling and verifiable documents (birth certificate, permits etc.).

Issues that Affect Asylum Seekers, Refugees and Migrants in SA Continues...

3. Ongoing Xenophobia

- South African leadership and its government should and must accept and admit that “Xenophobia” does exist.
- Admitting the existence of the “**Problem**” will give ways on how the problem can be addressed.
 - Scapegoating service delivery against migrants and refugees.
 - falls and unverified statements about migrants and refugees (taking of jobs etc.).
 - Access to justice for the Victims of Xenophobia
 - Lack of accountability on perpetrators of xenophobia.
 - Displacement and human rights violations.

Issues that Affect Asylum Seekers, Refugees and Migrants in SA Continues...

4. Migrant and Refugee Policy Developments:

- Very limited time for public comments and submissions
- Development of Anti-migrants and refugee policies i.e. Refugee Amendment Bill and White paper on International Migrants etc.
- Public-Servants sense of entitlement – Refusal of service based on nationality.
- Implementation of draft policy proposals by public servants before policy adoption.
- Lack of migrant, refugee and local community integration policy.

Issues that Affect Asylum Seekers, Refugees and Migrants in SA Continues...

- 5. Growing Gap and Unwillingness of Government to Engage with CSOs and Rights Holders.**
- 6. Intentionally ignorance and disrespect the rule of law i.e. In-Contempt of Court by the government department. (closure of RROs).**
- 7. And lack of political willingness to debate migration and its characteristics.**

Possible Solutions:

- For government to see refugees, asylum seekers and migrants as part of the larger community – Not Aliens. – Admitting that Xenophobia does exist.
- On policy development, reasonable time should be allocated for public comments and submissions.
- Development of a more Integrative Approach by all stakeholders to ensure that refugees, asylum seekers and migrants are managed within a human rights based framework.
- Addressing bureaucratic and abusive processes at Refugee Reception Centres.
- Holding those involved in discrimination and xenophobia accountable.
- Enhancement of Independent Electoral Commission Code of Conduct.
- Promotion of Migration friendly Media Reporting Framework.
- Strengthening of Chapter 9 Institutions to enforce and monitor human rights violation.

Possible Recommendations for CSOs and Committee on Interacting.

- The Committee to engage, monitor and listen to the CSOs pleas on issues they raise including policies.
- Committee to conduct physical study visits (consultation) to CSOs to conversant with the people and assess the impact of delivery of service by different Govt Departments.
- Promotion of linkages between CSOs and Legislator - to engage the Committee on any possible policy changes or development. (New spaces of engagement)
- Introduce deliberative democratic model: CSOs take a more active role in setting the agenda for the Committee policy disc

Are we fighting the Winnable battle...?

- **Yes if :**

- Decision makers joins the debate
- Actors live up to their expectation
- Rights holders are empowered to claim their rights

Civil Society lets keep soldiering otherwise No One will....

Thank you.

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