



20th March 2008

Submission by Consortium for Refugees and Migrants in South Africa to the Parliamentary Portfolio Committee on Home Affairs: 25 - 26 March 2008

The Consortium for Refugees and Migrants in South Africa (CoRMSA) welcomes the opportunity to make this submission before the Portfolio Committee on Home Affairs. As the national network of refugee and migrant service providers in South Africa, CoRMSA has an interest in ensuring that the rights of both South Africans and foreign nationals in the country are protected. Specific changes to the Refugees Amendment Bill have been handled in the submission by CoRMSA member Lawyers for Human Rights. This submission will deal with some of the challenges surrounding the implementation of policy.

Whilst the Refugees Act of 1998 provided good policy, many challenges were presented in the implementation of the legislation. It is important that the challenges around implementation are considered in the process of considering amendments to the Act. CoRMSA welcomes the Turnaround Strategy initiated by the Director-General of the Department of Home Affairs and trusts that current challenges such as access to the Refugee Reception Offices (including location), security inside and outside the Refugee Reception Offices and delays in the process in adjudicating asylum applications will be addressed by this Strategy. It is vital that during this transition period strong partnerships are formed between government and civil society to ensure that any concerns or shortcomings in the process are addressed constructively. This requires an improved level of communication between the Department of Home Affairs, other government departments and civil society.

Migration poses both opportunities and challenges. Current challenges include the spate of violent xenophobic attacks on foreign nationals taking place across the country as well as the challenges posed by increased numbers of Zimbabwean nationals in South Africa. These issues require strong leadership by government to stamp out such xenophobic attacks and present a clear and feasible policy with regards to regularizing the stay of large numbers of Zimbabwean and other nationalities who are currently in the country without documents. Through partnerships between government and civil society on such issues, we can turn such challenges into opportunities that will aid South African and regional development and safeguard the rights of all within the country in line with the rights provided by the Constitution. We look forward to working with the Department of Home Affairs and other government departments to this end.