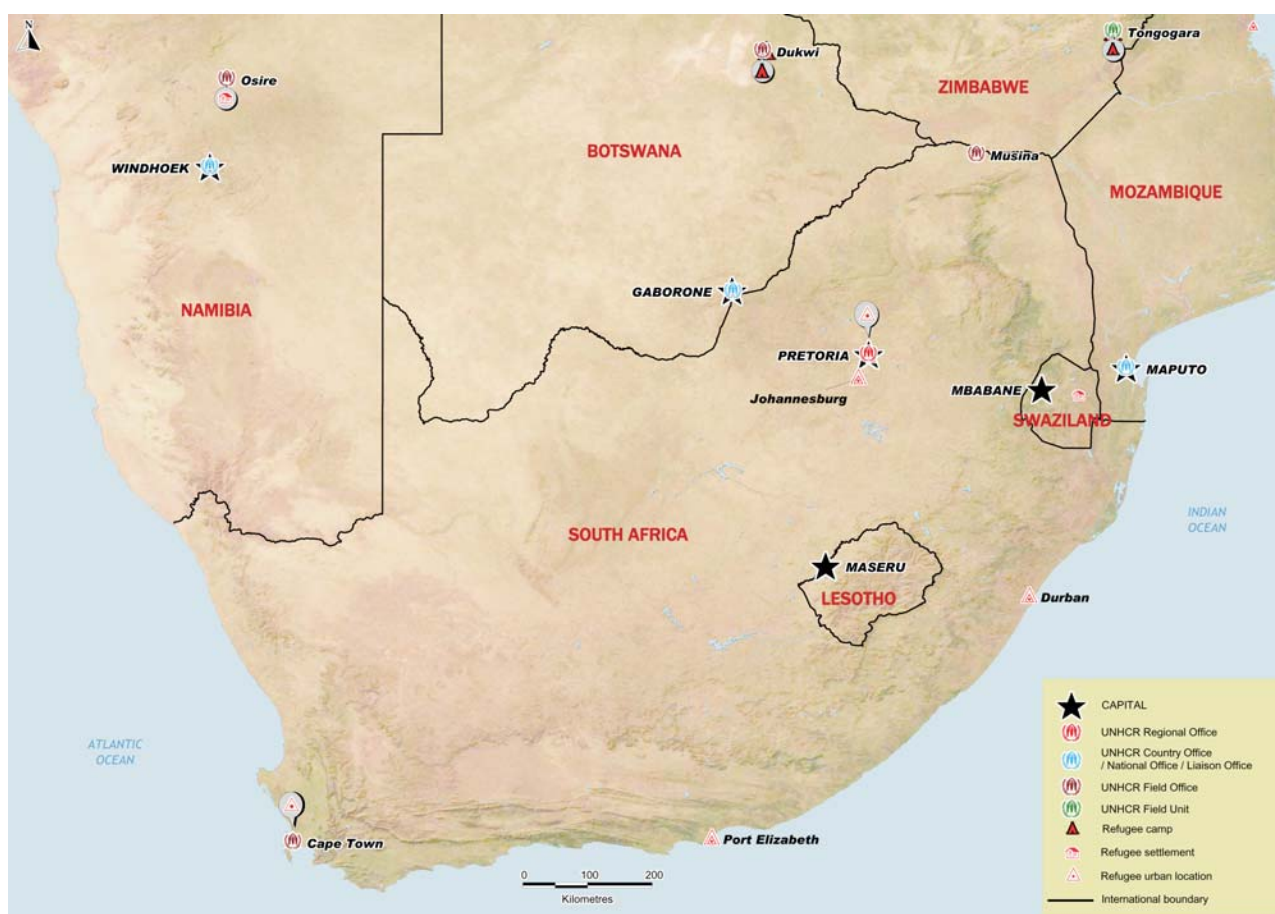


# SOUTH AFRICA



## Operational highlights

- UNHCR's efforts to enhance the fairness of asylum procedures in South Africa resulted in more awareness among government officials of procedural and refugee status determination (RSD) standards, and led to substantial action to deal with existing backlogs.
- As a member of the Protection Working Group, and in collaboration with the South African Police Service, UNHCR worked to prevent potential xenophobic attacks, in particular following the 2010 FIFA World Cup.
- UNHCR also supported community-based anti-xenophobia initiatives to promote tolerance and coexistence.
- UNHCR worked through implementing partners to provide support to nearly 12,000 individuals in the areas of emergency assistance, food, shelter, health, education and self-reliance. In Musina, one of UNHCR's field offices close to the border with Zimbabwe, more than 100,000 hot meals were provided and some 55,000 men and 15,000 women were given temporary shelter at UNHCR-supported institutions.

## Persons of concern

Type of Population	Origin	Total	Of whom assisted by UNHCR	Per cent female	Per cent under 18
<b>Refugees</b>	Somalia	15,200	-	-	-
	DRC	13,000	-	-	-
	Angola	5,800	-	-	-
	Ethiopia	3,400	-	-	-
	Burundi	2,400	-	-	-
	Congo	2,200	-	-	-
	Rwanda	1,400	-	-	-
	Zimbabwe	1,100	-	-	-
	Various	13,400	-	-	-
<b>Asylum-seekers<sup>1</sup></b>	Various	171,700	-	-	-
<b>Total</b>		<b>229,600</b>			

<sup>1</sup> Asylum-seekers (pending cases) refers to an estimated 171,700 undecided cases at first instance at the end of 2009 (no updated information is available).

## | Working environment |

Refugees and asylum-seekers in South Africa have freedom of movement, the right to work and the right to avail themselves of basic social services. However, realizing these rights is difficult owing to high levels of unemployment and difficulties in accessing services.

Most people of concern to UNHCR in South Africa reside in urban areas among migrants and the local population. Competition for jobs, housing, business opportunities and social services has resulted in social tensions, with foreigners sometimes becoming targets of violence.

South Africa attracts a large number of economic migrants every year from other countries, many of whom see an application for asylum as a means of regularizing their stay. The Government is considering legislative and policy measures to address the challenges arising from mixed migration.

The Government announced the end of a moratorium on the deportation of Zimbabwean nationals. At the same time, it launched a regularization process through which Zimbabweans working or studying in the country would be issued with a permit. Although some 275,000 Zimbabweans have applied for permits, only around 50,000 cases had been processed by the end of the year. Any Zimbabweans who wished to apply for asylum were still allowed to do so. The Government indicated that deportations of undocumented Zimbabweans would not begin until all applications had been dealt with; the intention is to identify economic migrants in order to unburden the asylum system.

Some of the proposed changes to the Refugees Act of 1998 are raising concerns. The new draft bill declares, for

example, that a refugee who commits a crime would lose his or her status regardless of the seriousness of the transgression. UNHCR has informed the Government of its concerns over the proposed amendments.

## | Achievements and impact |

### • Main objectives and targets

UNHCR set out to ensure that asylum-seekers and refugees in South Africa have access to asylum procedures, can obtain identity documents, and are protected against *refoulement*. It also sought to help the Government uphold its asylum principles and improve its protection capacity. Another goal was to strengthen partnerships with government departments, NGOs and refugee communities in order to promote a favourable protection environment for refugees and asylum-seekers alike.

Furthermore, UNHCR aimed to provide immediate basic assistance in food, health, education and shelter to the most vulnerable groups. Durable solutions also remained an important priority, while local integration was pursued through advocacy and programmes to encourage greater self-reliance and harmony between refugees and host communities.

### Favourable protection environment

- UNHCR advised the Department of Home Affairs (DHA) on the review of asylum procedures and systems. The Government made substantial efforts to deal with existing backlogs and adjudicated more than 50,000



A Zimbabwean asylum-seeker who completed a catering course funded by UNHCR through its partner, Cape Town Refugee Centre, found work in a local restaurant.

UNHCR / P. RULASHE

individual asylum claims. Applications lodged by certain groups, such as Somali nationals, were expedited, with 65 per cent of applicants granted refugee status. However, with a recognition rate in South Africa of only 9 per cent, UNHCR strove to improve the fairness of asylum procedures by increasing awareness among government officials of procedural, adjudication and RSD standards.

### Fair protection processes

- UNHCR sought to develop the Government's capacity to process asylum applications and undertake RSD within six months of the submission of an asylum application, as stipulated by South African law. Due to the backlog, however, it was difficult for the DHA to process all applications within the time limit. In the context of the amendments to the 1998 Refugees Act, UNHCR provided technical advice and support to the Government.
- A comprehensive training plan for RSD adjudicators was drafted and shared with the Government. Training on refugee law and RSD was also provided to 36 DHA officials. UNHCR provided the Refugee Appeals Board with information on asylum-seekers' countries of origin and legal advice and helped it design case-management software. UNHCR also provided advice and assistance to asylum-seekers throughout the asylum process.
- In addition, UNHCR conducted mandate RSD interviews for almost 100 asylum-seekers with specific protection needs in South Africa and whose cases were eventually submitted for resettlement. A course on refugee law and humanitarian response was prepared and will be offered at the University of South Africa in 2011.

### Security from violence and exploitation

- Joint efforts by civil-society groups and UNHCR resulted in the introduction by the South African Police Services of new prevention and response mechanisms to address incidents arising from xenophobia. These efforts, coupled with community outreach activities and campaigns aired on community radio, resulted in a sharp decrease in violence. Public service announcements to promote tolerance and peaceful coexistence between foreigners and nationals were delivered by prominent South Africans and aired on community radio stations throughout the country in the 11 national languages. A 13-part radio drama series was also produced and broadcast in local languages. Several community outreach events, such as the Township Soccer Challenge, fostered a culture of social cohesion by promoting tolerance for diversity.

### Basic needs and services

- Refugees and asylum-seekers have difficulty in accessing services owing to service providers' ignorance of the rights of people of concern. UNHCR sought to provide direct assistance to 20 per cent of the 320,000 people of concern in South Africa, of whom more than 10 per cent were offered direct legal and social assistance. Many others benefited from general protection advocacy.

- UNHCR supported nearly 7,000 vulnerable families, 1,000 more than initially targeted, with emergency shelter, food and domestic items. It also provided assistance with school fees, uniforms, supplies and transport to some 3,460 primary and secondary-school students. Almost 2,650 individuals benefited from health care. In Musina, near the border with Zimbabwe, over 100,000 meals were provided. In addition, some 70,000 men and women were offered accommodation on a short-term basis at UNHCR-supported shelters.
- The identification of needs and credible training institutions, as well as the availability of self-reliance programmes, resulted in more people of concern obtaining employment and earning an income. Additionally, some 450 refugees were offered grants to support income-generating activities. UNHCR also helped more than 240 refugees to convert their foreign professional certificates into local equivalents.

### Durable solutions

- UNHCR facilitated the voluntary return of 29 refugees to the Democratic Republic of the Congo, 18 to Burundi, two to Uganda and one each to Ethiopia, Sudan and Angola. The decline in return numbers from 2009 is mainly due to the success of local integration, which has been spurred by refugees' understanding that they may request permanent residence after five years' stay in the country.
- Some 390 people were resettled during the year, an increase of 156 per cent since 2009. The number of submissions grew by 6 per cent between 2009 and 2010 to some 830 individuals. Most were critical cases identified through the 2009 protection needs assessment exercise, and referrals by implementing partners. The key target to resettle 2,000 people was not met, mainly due to a lack of capacity and high turnover within the resettlement team.

### Logistics and operational support

- The offices in Pretoria, Cape Town and Musina conducted some 36 financial verifications among 12 partners during 2010. The exercise showed that internal financial control systems had improved; that implementing partners had developed tools to ensure proper financial management; and that they had implemented recommendations made during the audit of the 2009 sub-projects. UNHCR also conducted training sessions for implementing partners to help them improve their reporting skills.

## | Constraints |

Refugees and asylum-seekers are scattered throughout the country, mainly in urban areas, making it difficult to reach all people of concern who may be in need of protection and assistance.

The high number of asylum applications results in long delays in decisions. At the beginning of the year, almost 310,000 asylum applicants were awaiting determination of their refugee claims. The constant stream of people arriving to seek work, who are using asylum as a means to regularize their stay, remains an issue the Government is keen to address. UNHCR has advised the Government to introduce improvements in asylum processing and has also made



substantive comments to the proposed amendments to the 1998 Refugees Act.

The difficulties facing people of concern trying to obtain private and public services, such as banking, insurance, housing, education and medical care, can make integration difficult. Furthermore, delays in issuing asylum-related documents also prohibit asylum-seekers and refugees from accessing services.

## Financial information

Expenditures rose in 2008 and again in 2009 because of the additional needs of Zimbabwean people of concern and to respond to xenophobia. The budget for operations in 2010 included four regional projects: external relations, resettlement, registration and RSD, and voluntary repatriation. But a lack of resources meant UNHCR did not meet the key target of introducing a microcredit programme targeting 15,000 beneficiaries, designed to augment self-reliance and facilitate their local integration.

## Organization and implementation

The regional office in Pretoria coordinated the operations of seven other country offices in Southern Africa (Angola, Botswana, Malawi, Mozambique, Namibia, Zambia and Zimbabwe) and directly addressed protection needs in Comoros, Lesotho, Madagascar, Mauritius, South Africa, Seychelles and Swaziland. UNHCR maintained two field offices in Cape Town and Musina. The regional office was supported by 20 international staff (of whom 16 had regional responsibilities) and 29 national staff.

## UNHCR's presence in 2010

□ Number of offices	<b>3</b>
□ Total staff	<b>57</b>
International	20
National	29
JPO	0
UNVs	3
Others	5

## Working with others

UNHCR worked with 13 implementing partners in South Africa: UN Agencies, local NGOs, civil-society organizations and one international NGO. It continued to chair the Protection Working Group, which includes other UN agencies, NGOs and the police. UNHCR participated in UN Country Team activities related to the FIFA 2010 World Cup. It also collaborated closely with the departments of Home Affairs and Social Development and provincial authorities.

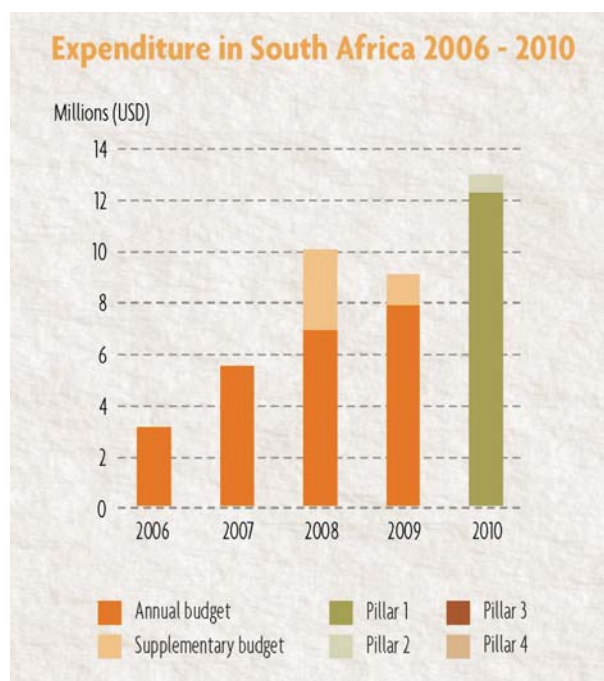
## Overall assessment

UNHCR has helped the Government to maintain a liberal admission policy that benefits refugees and asylum-seekers.

Assistance was provided only to the most vulnerable refugees and asylum-seekers, using strict criteria. Had more resources been available, assistance could have also been provided to others with significant needs.

Although some progress was made towards durable solutions, it was not very significant, particularly with regard to voluntary repatriation.

Partners	
<b>Implementing partners</b>	
<b>NGOs:</b> <i>Bonne Espérance</i> , Cape Town Refugee Centre, CARITAS (Swaziland), <i>El-Shaddai</i> Church, Jesuit Refugee Service, Lawyers for Human Rights, <i>Mthwakazi</i> Arts and Culture Projects, Musina Legal Advice Office, Refugee Aid Organisation, Refugee Social Services, <i>Sediba</i> Hope Centre, <i>Sonke</i> Gender Justice Network	
<b>Others:</b> Nelson Mandela Metropolitan University, UNDP (Comoros), UNDP (Madagascar), Unit for Social Behaviour Studies in HIV/AIDS and Health (USBAH) at the University of South Africa, University of Cape Town (UCT) - Law Clinic	
<b>Operational partners</b>	
<b>Government:</b> Departments of Home Affairs; Social Development; Health; and Education; provincial and local governments; National Disaster Management Centre; city councils of Pretoria, Johannesburg, Cape Town and Durban	
<b>Others:</b> IOM, UNDP, UNICEF, WFP	



## Budget, income and expenditure in South Africa | USD

	PILLAR 1 Refugee programme	PILLAR 2 Stateless programme	Total
<b>FINAL BUDGET</b>	<b>27,556,294</b>	<b>750,000</b>	<b>28,306,294</b>
Income from contributions <sup>1</sup>	467,484	0	467,484
Other funds available	11,798,567	720,993	12,519,560
<b>TOTAL FUNDS AVAILABLE</b>	<b>12,266,051</b>	<b>720,993</b>	<b>12,987,044</b>

## EXPENDITURE BREAKDOWN

<i>Favourable protection environment</i>			
National legal framework	99,468	0	99,468
National and regional migration policy	68,128	0	68,128
Prevention of displacement	106,587	0	106,587
Prevention of statelessness	0	720,993	720,993
Public attitudes towards persons of concern	198,886	0	198,886
<b>Subtotal</b>	<b>473,069</b>	<b>720,993</b>	<b>1,194,062</b>
<i>Fair protection processes and documentation</i>			
Registration and profiling	927,018	0	927,018
Access to asylum procedures	400,449	0	400,449
Fair and efficient status determination	155,058	0	155,058
Individual documentation	210,763	0	210,763
<b>Subtotal</b>	<b>1,693,288</b>	<b>0</b>	<b>1,693,288</b>
<i>Security from violence and exploitation</i>			
Impact on host communities	80,047	0	80,047
Law enforcement	53,057	0	53,057
Non-arbitrary detention	187,216	0	187,216
Access to legal remedies	320,258	0	320,258
<b>Subtotal</b>	<b>640,578</b>	<b>0</b>	<b>640,578</b>
<i>Basic needs and essential services</i>			
Shelter and other infrastructure	668,350	0	668,350
Basic domestic and hygiene items	208,708	0	208,708
Primary health care	50,728	0	50,728
HIV and AIDS	266,079	0	266,079
Education	435,314	0	435,314
Services for groups with specific needs	388,489	0	388,489
<b>Subtotal</b>	<b>2,017,668</b>	<b>0</b>	<b>2,017,668</b>
<i>Durable solutions</i>			
Durable solutions strategy	1,028,334	0	1,028,334
Voluntary return	169,381	0	169,381
Resettlement	507,267	0	507,267
Local integration support	876,067	0	876,067
<b>Subtotal</b>	<b>2,581,050</b>	<b>0</b>	<b>2,581,050</b>

	PILLAR 1 Refugee programme	PILLAR 2 Stateless programme	Total
<i>External relations</i>			
Public information	359,390	0	359,390
<b>Subtotal</b>	<b>359,390</b>	<b>0</b>	<b>359,390</b>
<i>Logistics and operations support</i>			
Supply chain and logistics	388,795	0	388,795
Programme management, coordination and support	2,020,654	0	2,020,654
<b>Subtotal</b>	<b>2,409,449</b>	<b>0</b>	<b>2,409,449</b>
Instalments to implementing partners	1,537,493	0	1,537,493
Other objectives	554,065	0	554,065
<b>Total</b>	<b>12,266,051</b>	<b>720,993</b>	<b>12,987,044</b>

<sup>1</sup> Income from contributions includes indirect support costs that are recovered from contributions to Pillars 3 and 4, supplementary budgets and the "New or additional activities - mandate-related" (NAM) reserve. Contributions towards all pillars are included under Pillar 1.