

NEWSLETTER #8
TO ALL DISPLACED PEOPLE LIVING
IN CAMPS IN THE WESTERN CAPE



This newsletter covers the reports written by civil society released at a press conference on Thursday 18 September 2008, the current role of civil society and TAC in the camps, the Rapid Status Determination planned by the Department of Home Affairs for next week, and some other general updates and information.

CIVIL SOCIETY TASK TEAM

At the meeting of civil society on 11 September 2008, the future role and purpose of civil society meetings was discussed. Civil society organizations have been meeting weekly at the Human Rights Commission offices in Cape Town. Representatives from government and the UNHCR have also attended the second half of these meetings, where concerns have always been raised, and questions asked of government regarding their plans for displaced people.

It was acknowledged at the meeting that government has failed to engage meaningfully with civil society at these meetings, and that they have failed to act on concerns raised. It was decided that they would be sent a letter expressing this, and telling them that they should no longer come to these meetings until such time that senior decision makers are sent who are able give proper undertakings.

It was also decided that civil society organizations who are still involved in assisting displaced people in any way should rather attend the Friday meeting together with displaced people , as this would be more fruitful than continuing with several parallel meetings.

This does not mean that civil society is no longer involved with displaced people, but rather that it is necessary to work closely with displaced people , so that issues are identified and addressed by them.

TAC: WHY ASSESS SITES?

Initially TAC was sending site assessors to gather information about the camps and safety sites both to assist with provision of humanitarian aid, and to provide information for the Displaced Person's Report which was distributed to the media, government and many interested organizations and individuals on a regular basis.

As government has a duty to take over all humanitarian relief, and the smaller sites have mostly been consolidated into three camps, many are asking 'why do TAC people still come to the camps.

The reason is simple: The information that the assessors for TAC gather by speaking to displaced people is recorded, and usually takes the form of a report. These reports may not achieve results in terms of visible change immediately, but it is essential to have facts, data and a record of real events in order to pinpoint problem areas so that government and international agencies can be held accountable. Also, if we have to go back to court at least we will have a record of conditions.

TAC assessors and volunteers are also there to ensure that government maintains its' commitment to providing food and shelter to people in the camps, and also to monitor other processes, for example, activities of government departments such as the Department of Home Affairs. Obviously, displaced people in camps don't have regular access to legal assistance and other support, so it is helpful to have TAC volunteers available to displaced people so that many issues can be resolved. TAC does not work for government, but is there to make sure that government keeps up its' responsibilities and obligations.

It has been reported that government is not providing adequate food and other supplies, which is both unlawful and unfortunate.

TAC, when it was providing humanitarian aid was using funds donated during the crisis for supplies and food. When these funds were finished, TAC no longer had money available for supplies, but continued to call on government to fulfill its' responsibilities. This may not be the case everywhere but it is our job to highlight problem areas.

At all times during the crisis, TAC has worked with displaced people, especially with the representative leadership, in an attempt to represent the concerns, demands and dissatisfaction of those living in camps and safety sites. TAC continues to work with the leadership, and will continue to tackle government, the UNHCR and other organizations whose responsibility it is to protect the rights of refugees, asylum seekers and other displaced people.

REPORTS BY CIVIL SOCIETY ON THE CURRENT CONDITIONS FOR DISPLACED PEOPLE IN THE WESTERN CAPE:

At a meeting of civil society organizations on Thursday 11 September 2008, it was decided that a joint report was necessary on current issues facing displaced and reintegrated people in the Western Cape. The report was written and compiled by several civil society organizations, including the

South African Human Rights Commission, Sonke Gender Justice, TAC, Cosatu, the AIDS Law Project and EDICo. It covered different areas such as education, conditions in the camps, consolidation of camps, reintegration and repatriation, violence, documentation, the labour market and the role of the UNHCR.

All of these topics have been central to the crisis. It was necessary to write a report which can be submitted to government, the media and other agencies, so that all concerned are informed about up to date problems.

The main purpose of the report is to convince decision-makers in government that the crisis has many issues which need attention before any attempt can be made to close the camps. This is to avoid government closing the camps before issues such as continuing xenophobia, outstanding documentation and repatriation challenges have been resolved. The second purpose is to inform the Department of Home Affairs of the situation on the ground before they embark on Accelerated Rapid Status Determinations processes.

It is clear from the reports done by all the different civil society organizations that the crisis is still very much alive, and that there are real problems that need to be addressed.

EDUCATION CONTACTS

Should you wish to apply for an adult education bursary, the following contact numbers and addresses may be helpful. According to the Department of Education website, bursaries are particularly available to those wishing to have careers as teachers or engineers. Visit www.capegateway.gov.za/education, for enquiries, contact Gert Witbooi: 082 550 3938, or gwitbooi@pgwc.gov.za. Visit the website: <http://wced.wcape.gov.za>

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DEPARTMENT OF HOME AFFAIRS ACCELERATED STATUS DETERMINATIONS

In Gauteng a team of DHA interviewers were sent to camps to conduct rapid interviews with people applying for refugee/asylum seeker status. These interviews were very short, and were conducted over a period of a week.

According to Amnesty International, 98% of applications for refugee/asylum seeker status were rejected, leaving those who had applied 30 days to appeal before being deported. There are reports that there were no mobile appeals teams sent to the camps and that applicants were left to their own devices if they wished to appeal without proper access to interpreters and information.

This same team of interviewers is coming to Cape Town during the next few days to conduct Accelerated Status Determinations in the camps. Today civil society met with the Department of Home Affairs to discourage this process following the same route as Gauteng, and to insist that all applicants are given information, have access to translators and have their legal rights under the Refugee and Immigration Acts as well as the Constitution respected. We hope to get the schedule of the visits soon. We are working with other legal partners to get access to the camps while the interviews proceed, to help with the interviews, with information and with the appeal processes. We have been told by the DHA that this process will not be forced upon anyone.

If you already have refugee status, this will not change.