

South Africa



Operational highlights

- Proposed amendments to South Africa's refugee legislation, which would have given the authorities sweeping new powers to arrest and deport asylum-seekers, were dropped after UNHCR voiced its concerns.
- Some 800 refugees were provided with certification allowing them to apply for permanent residency in South Africa. For the first time, Congolese were among the beneficiaries.
- 30,000 pending asylum claims were cleared under the Government's Backlog Project.
- The age, gender and diversity mainstreaming initiative was launched in South Africa. Key protection risks and solutions were identified in participatory assessments that involved UNHCR, the Government, NGOs and refugees.

Working environment

The Government continued to maintain a liberal asylum regime in 2006, including freedom of movement, access to employment and the provision of many health and education services for refugees and asylum-seekers. The total number of refugees and asylum-seekers was estimated at 160,000, with the majority living in urban centres.

As part of the Government's ambitious plan to clear a backlog of some 110,000 pending asylum claims, new asylum-processing facilities were established in the five main urban centres in the country. During the course of the year, the Government succeeded in clearing 30,000 cases. However, this progress was overwhelmed by 53,000 new asylum claims, representing a near doubling in numbers from 2005. The difficulty for foreigners to obtain work permits in South Africa continues to put pressure on the asylum regime, as many economic migrants attempt to regularize their stay by claiming asylum. This tendency was further manifested by the recognition rate of only 15 per cent of the cases finalized during 2006.

The presence of economic migrants slows down the asylum process and makes it more difficult for those with a legitimate refugee claim to have their applications assessed within a reasonable period of time. The High Court in Pretoria appointed a special investigator to review the Government's network of Refugee Reception Offices. The interim report, which the Government is now studying and on which UNHCR has commented extensively, called for drastic changes, including a fast-track system under which a decision would be made on all applications within one day.

UNHCR noted an increase in xenophobia in the country in 2006, as foreigners were increasingly blamed for spiralling crime and reduced employment opportunities for South Africans. Of particular concern were five attacks in which 20 Somali refugees and asylum-seekers lost their lives.

Achievements and impact

Main objectives

UNHCR's main objectives in South Africa were to support the Government in clearing the backlog of pending asylum claims and to ensure a more rapid review of new claims, build the capacity of government and civil society partners to provide protection and assistance to refugees. The objectives also included promoting access to locally available services for refugees to facilitate self-reliance, addressing the basic needs of vulnerable groups, and facilitating durable solutions for refugees.

Protection and solutions

The major protection issue in the country remains the mixed migration flows into the country. As refugee

status determination (RSD) is administered by the Government, UNHCR focused on training new eligibility and immigration officers recruited by the Department of Home Affairs. UNHCR successfully lobbied for the retraction of proposed amendments that would have substantially tightened the country's asylum legislation, thereby creating hardship for asylum-seekers. The Government subsequently agreed to work closely with UNHCR in the development of revised amendments in 2007.

UNHCR took action to meet gaps identified during the launch of the age, gender and diversity mainstreaming strategy in South Africa, including the funding of interpreters for the Backlog Project, certification of refugee education and technical qualifications and support for refugee-run day-care centres to enable refugee mothers to work. Significantly, a number of initiatives were taken by UNHCR's partners, including the Cape Town City Council supporting a group of refugee women living in the *Bonne Espérance* shelter to provide catering services to the council.

The Standing Committee on Refugee Affairs issued certificates allowing some 800 Somalis and Congolese to apply for permanent residency, a major step forward for local integration. Refugees also benefited from self-reliance initiatives including vocational training, language training and small business loans.

In spite of a meeting of the Angola-South Africa-UNHCR Tripartite Commission in 2006, which aimed at reviving interest in voluntary repatriation, there was almost no interest among Angolans in returning home. UNHCR proposed that the Government adopt a similar approach as it did in the 1990s with Mozambican refugees by offering permanent residency to those who wish to remain. Seventy refugees departed South Africa for resettlement in third countries in 2006.

Persons of concern					
Type of population	Origin	Total	Of whom assisted by UNHCR	Per cent female	Per cent under 18
Refugees	DRC	10,800	2,400	-	-
	Somalia	7,800	1,000	-	-
	Angola	5,800	300	-	-
	Burundi	2,200	700	-	-
	Rwanda	1,300	800	-	-
	Republic of the Congo	1,200	400	-	-
	Various	6,100	300	-	-
Asylum-seekers	Various	131,100	20,700	-	-
Total		166,300	26,600		

Activities and assistance

Most of the activities listed below, although carried out in South Africa, have been budgeted and accounted for as regional activities, and therefore the relevant financial report is included in the Southern Africa chapter.

Domestic needs/household support: UNHCR assisted some 2,600 refugees with emergency assistance (food and shelter) allowing them to meet their basic subsistence needs over a three-month period.

Health and nutrition: Referral of refugees to public clinics and hospitals and constant lobbying and advocacy for refugee access to public health services, resulted in a decrease of major health incidents among the refugee population, including now near universal access among HIV-positive refugees to antiretroviral treatment. More than 170 HIV and AIDS reproductive health education sessions were organized; information, education and communication workshops reached over 20,000 refugees and asylum-seekers; and over 80,000 condoms were distributed.

Community services: UNHCR assisted some 180 refugee children with special needs and 85 severely disabled and terminally ill refugees, allowing them to meet their basic subsistence needs. About 100 refugee women were accommodated at *Bonne Espérance* shelter where they received skills training.

Education: UNHCR helped more than 1,700 refugee children to attend primary and secondary school through the payment of fees, while many others were exempted from paying fees, resulting in a significant improvement in refugee access to education in 2006. Over 300 refugees received vocational skills training and over 560 participated in language courses, while more than 300 refugee children were placed in day-care centres, allowing their mothers to work.

Income generation: Eight workshops to improve job interview skills were organized and around 70 refugees were provided with small business loans. UNHCR assisted a dozen refugees, including doctors, engineers and accountants, with certification of their education documents allowing them to practice their trade in South Africa.

Legal assistance: Legal assistance was provided to some 6,200 refugees through the network of legal counselling services, enabling them to appeal negative decisions, access public services and obtain the certification required to apply for permanent residency. Training sessions, aiming at increasing respect of asylum-seekers' rights upon arrival in the country, were organized for Department Home Affairs and Police Service staff.

Operational support to agencies: UNHCR provided a basic level of operational support costs, including for staff development, to partners to deliver an adequate level of service to refugees.

Transport and logistics: UNHCR provided repatriation assistance to different groups of refugees within the region.

Constraints

The main constraint in South Africa remains the high number of economic migrants, which puts a strain on the asylum system. Until this issue is definitively resolved through the clearance of the large backlog of pending claims and a more rapid processing of new claims, the impact of UNHCR's efforts to assist refugees will be reduced.

The Office's efforts to focus increasingly on repatriation for refugees in South Africa continued to be thwarted by the lack of interest among the generally well-integrated refugee populations from countries such as Angola and the Democratic Republic of the Congo.

The suspension of the Government's smart card system for refugees due to technological complications dealt a major blow to access to documentation, one of the major gaps identified during the introduction of age, gender and diversity mainstreaming.

Financial information

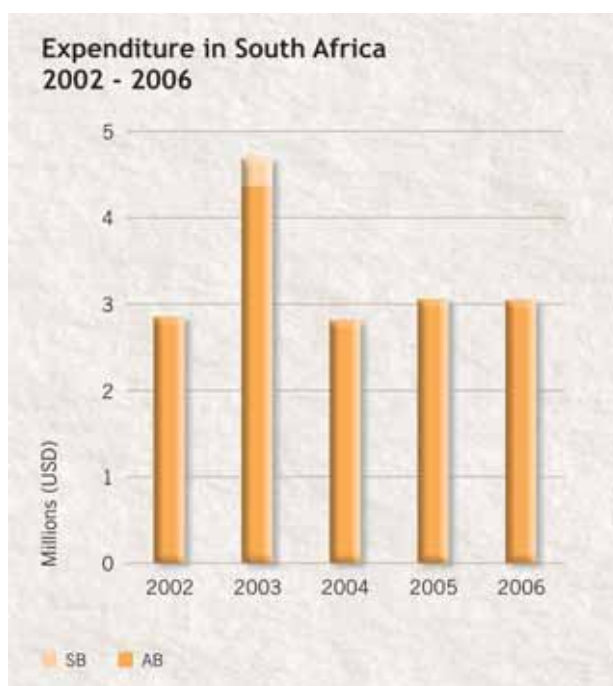
UNHCR's budget in 2006 was not enough to meet even the most critical needs of the increasing number of refugees and asylum-seekers in the country. In total, UNHCR was only able to provide a minimum level of assistance to approximately ten per cent of the refugees and asylum-seekers in the country. Activities which suffered from significant shortfalls in 2006 included support to unaccompanied minors, primary education, vocational training, emergency assistance and legal advice.

In spite of a doubling of the population of concern, UNHCR's expenditure in South Africa has remained steady over the past three years after a sharp drop in 2004 due to funding constraints. Consequently, the number of refugees and asylum-seekers with specific needs not receiving assistance in vital areas, such as emergency assistance, education and income generation, has substantially increased.



UNHCR/J. Recoden

An art therapy project for refugee children produced the painted suitcases shown here. The project also resulted in a book, *The Suitcase Stories - Refugee Children Reclaim their Identities*, where children tell of their lives in words and pictures.



subregion. The operation was supported by 32 staff (12 international and 20 national). Preparations also began for the Office to assume a substantially strengthened regional role in 2007, including responsibility for UNHCR's operations in Mozambique, Botswana, Namibia, Malawi and Zimbabwe.

Working with others

In 2006, UNHCR worked with nine implementing partners in South Africa, including two international and four national NGOs. The Office pursued its close cooperation with key government departments, particularly the Department of Home Affairs, while cooperation with IOM and UNAIDS continued. UNHCR also maintained close contact with a wide range of local NGOs and faith-based entities as part of the various regional refugee networks in the main urban centres in South Africa.

Organization and implementation

Management

The Regional Office in Pretoria covered South Africa, Lesotho, Swaziland and four Indian Ocean States and provided technical support to UNHCR's operations in Botswana and Namibia in 2006. In addition, five staff members with regional responsibilities provided technical support to the entire Southern Africa

Overall assessment

UNHCR reached its objective of facilitating self-reliance for refugees as access to health and education services increased, the number of refugees receiving certificates to apply for permanent residence rose and a new initiative in endorsing vocational and education qualifications was launched.

On the other hand, while gains were made in addressing the backlog of pending asylum claims, progress was not as substantial as had been expected and a more rapid review of new claims was not introduced.

UNHCR succeeded in introducing a more participatory methodology in its programming through the introduction of its age, gender and diversity mainstreaming strategy, as testified by the implementation of several small but important initiatives filling some of the identified gaps. The impact of this approach was also felt in increased cooperation among UNHCR, NGOs, government entities and refugees.

UNHCR's repatriation and resettlement targets were not met as planned. The difficult socio-economic conditions in Angola combined with the relatively high level of integration in South Africa resulted in fewer returns than expected.

Partners	
Implementing partners	
NGOs: <i>Bonne Espérance</i> , Cape Town Refugee Centre, Jesuit Refugee Service, Lawyers for Human Rights, Mennonite Central Committee, National Consortium on Refugee Affairs, Planned Parenthood Association of South Africa, <i>Sediba Hope</i> .	
Others: Legal Aid Clinic, University of Cape Town.	
Operational partners	
Government agencies: Department of Education, Department of Health, Department of Home Affairs, Department of Social Development.	
Others: IOM, UNAIDS.	

Budget, income and expenditure (USD) Annual programme budget				
Final budget	Income from contributions ¹	Other funds available ²	Total funds available	Total expenditure
4,179,708	48,609	3,031,637	3,080,246	3,047,637

¹ Includes income from contributions earmarked at the country level.

² Includes allocations by UNHCR from unearmarked or broadly earmarked contributions, opening balance and adjustments.

Financial Report (USD)		
Expenditure breakdown	Current year's projects	Previous years' projects
	AB	AB and SB
Protection, monitoring and coordination	509,363	0
Operational support (to agencies)	810	0
Transport and logistics	124,902	0
Sub-total operational activities	635,075	0
Programme support	2,412,562	0
Total expenditure	3,047,637	0
Cancellation on previous years' expenditure		(5,639)
Instalments with implementing partners		
Payments made	0	
Reporting received	0	
Balance	0	
Previous years' report		
Instalments with implementing partners		
Outstanding 1st January		0
Reporting received		0
Refunded to UNHCR		0
Adjustments		0
Balance		0