

**Refugee Review Tribunal
AUSTRALIA**

RRT RESEARCH RESPONSE

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Questions

1. Please provide information on the treatment in South Africa of citizens of Nibolek ethnicity or, more generally, of immigrants from the Republic of Congo.

RESPONSE

1. Please provide information on the treatment in South Africa of citizens of Nibolek ethnicity or, more generally, of immigrants from the Republic of Congo.

The Central Intelligence Agency's *The World Factbook* lists the ethnic groups in the Republic of Congo as follows:

Kongo 48%, Sangha 20%, M'Bochi 12%, Teke 17%, Europeans and other 3% (Central Intelligence Agency 2009, 'Congo, Republic of the' in *The World Factbook*, Central Intelligence Agency website, 10 February <https://www.cia.gov/library/publications/the-world-factbook/print/cf.html> – Accessed 13 February 2009 – Attachment 1).

An article published in May 2003 on the InterAction website indicates that the Nibolek are a subgroup of the Kongo ethnic group, and that the term "Nibolek" is a recent derivation from the names of the Niari, Bouenza and Lekoumou provinces in the Republic of Congo. According to the article:

Four major ethnic groups make up more than 95% of the Republic of Congo's population: Kongo (48%), Sangha (20%), M'Bochi (12%), and Teke (17%). The groups speak distinct primary languages and are geographically concentrated in discrete areas of the country. The ROC's relatively prosperous south is inhabited primarily by the Kongo, while the Teke

dominate the central region. The Sangha control the northeast, and the M'Bochi inhabit the far north. The greatest inter-ethnic tensions exist between the Kongo and the less economically fortunate northern groups, largely due to the perception that the political and economic liberalization favored by the Kongo and their southern compatriots will endanger northern interests. In addition to disrupting political and social relations within the country, ethnic sympathies have also been responsible for pulling the ROC into cross-border disputes and, alternately, engaging neighboring nations in the country's internal struggles.

...

both Nibolek and Lari are subgroups of the larger Kongo population. A testament to the confusion of ethnic and political loyalties, the term "Nibolek" is a recently coined word derived from the contraction of the names of three southern provinces: Niari, Bouenza, and Lekoumou ('Forgotten People: Republic of Congo (ROC)' 2003, InterAction website, 21 May <http://www.interaction.org/newswire/detail.php?id=1656> – Accessed 9 February 2009 – Attachment 2).

A search of the sources consulted found no specific reference to the treatment of persons neither of Nibolek background nor of migrants from the Republic of Congo, in South Africa.

Discrimination and violence against those perceived to be "foreigners" in South Africa have, however, been widely reported and an RRT Research Response prepared in December 2008 provides detailed information regarding discrimination and violence faced by foreigners, especially non-South African blacks, in South Africa (RRT Research & Information 2008, *Research Response ZAF33995*, 3 December, Questions 2 and 3 – Attachment 3).

Although the sources cited in the abovementioned response generally focus on the treatment of non-nationals in South Africa, the response includes a report by the UN Office of the Resident Coordinator South Africa on a wave of attacks on foreign nationals in May 2008, in which it is noted that "non-Zulu speaking South Africans" also had been targeted for attack:

Attacks have occurred mostly at night and have targeted foreign migrants from Bangladesh, Burundi, DRC [Democratic Republic of Congo], Kenya, Malawi, Mozambique, Nigeria, Pakistan, Somalia, Zimbabwe and other countries as well as non-Zulu speaking South Africans (UN Office of the Resident Coordinator South Africa 2008, 'Situation Report 1 – Violence Against Foreigners – 24 May 2008', ReliefWeb website, 24 May, pp.1-3, [http://www.reliefweb.int/rw/RWFiles2008.nsf/FilesByRWDocUnidFilename/KKAA-7EY2B8-full_report.pdf/\\$File/full_report.pdf](http://www.reliefweb.int/rw/RWFiles2008.nsf/FilesByRWDocUnidFilename/KKAA-7EY2B8-full_report.pdf/$File/full_report.pdf) – Accessed 14 November 2008 – Attachment 4).

The RRT Research Response ZAF33995 also cites a March 2007 response by the Research Directorate of the Immigration and Refugee Board of Canada regarding societal treatment in South Africa of persons from the Democratic Republic of Congo, which includes the following information:

In 22 March 2007 correspondence with the Research Directorate, the Director of the Forced Migration Studies Programme at the University of Witwatersrand, located in Johannesburg, who has published extensively on the treatment of migrants, said:

... almost all foreigners in the country – regardless of refugee status – experience discrimination and harassment from bus drivers, people on the street, landlords, and the police. In addition, given the problems of getting adequate documentation from the Department of Home Affairs and xenophobia within the public sector, they experience difficulty in accessing those services to which they have rights: health care, education, and legal advice. These problems are only aggravated by the

difficulties of language: South Africa has 11 national languages but these do not include French, Swahili, or Lingala. That said, there is no evidence that the Congolese are particularly targeted. Indeed, there seems to be far greater resentment against Nigerians (and other West Africans) and, increasingly, Zimbabweans. All of these groups are subject to general levels of harassment and are occasionally attacked. Since the Congolese tend to congregate in urban centres, they have largely escaped the township violence that has most affected people from neighbouring countries and, over the past year, Somali refugees.

An April 2005 paper published by the University of Witwatersrand on Congolese nationals residing in South Africa, notes that Congolese immigrants and refugees have engaged in public protest against xenophobia (Amisi and Ballard Apr. 2005, 6). The paper describes Congolese nationals as maintaining strong connections with their ethnic origins and resisting assimilation out of necessity, given the “unwelcoming” environment in South Africa (ibid., 17). Congolese nationals interviewed for the paper noted that practicing Christianity and speaking a South African language helped garner acceptance (ibid., 24). The paper comments more generally that “attacks, aggression and name-calling” are daily occurrences for refugees (Immigration and Refugee Board of Canada 2007, ZAF102483.E - *South Africa: Societal treatment of foreigners from other African countries, in particular from the Democratic Republic of Congo (DRC); access to equality courts; availability of state protection (2004 - 2007)*, 29 March http://www.irb-cisr.gc.ca/en/research/rir/index_e.htm?action=record.viewrec&gotorec=451103 – Accessed 25 June 2007 – Attachment 5).

Internet Sources:

Government Information & Reports

UK Home Office <http://www.homeoffice.gov.uk>

US Department of State <http://www.state.gov/>

United Nations (UN)

UN High Commissioner for Refugees (UNHCR) Refworld website

<http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain>

Non-Government Organisations

Amnesty International website <http://www.amnesty.org/>

Human Rights Watch website <http://www.hrw.org/>

International News & Politics

Africa Confidential website <http://www.africa-confidential.com>

All Africa.com <http://allafrica.com>

BBC News website <http://news.bbc.co.uk/>

Mail & Guardian website <http://www.mg.co.za/>

Topic specific

Centre for the Study of Violence and Reconciliation website <http://www.csvr.org.za>

Institute for Security Studies website <http://www.iss.co.za/>

South African Human Rights Commission website <http://www.sahrc.org.za>

South African Institute of Race Relations website <http://www.sairr.org.za>

Search Engines

Copernic search engine <http://www.copernic.com/>

List of Attachments

1. Central Intelligence Agency 2009, ‘Congo, Republic of the’ in *The World Factbook*, Central Intelligence Agency website, 10 February

- <https://www.cia.gov/library/publications/the-world-factbook/print/cf.html> – Accessed 13 February 2009.
2. 'Forgotten People: Republic of Congo (ROC)' 2003, InterAction website, 21 May <http://www.interaction.org/newswire/detail.php?id=1656> – Accessed 9 February 2009.
 3. RRT Research & Information 2008, *Research Response ZAF33995*, 3 December.
 4. UN Office of the Resident Coordinator South Africa 2008, 'Situation Report 1 – Violence Against Foreigners – 24 May 2008', ReliefWeb website, 24 May, pp.1-3 [http://www.reliefweb.int/rw/RWFiles2008.nsf/FilesByRWDocUnidFilename/KKAA-7EY2B8-full_report.pdf/\\$File/full_report.pdf](http://www.reliefweb.int/rw/RWFiles2008.nsf/FilesByRWDocUnidFilename/KKAA-7EY2B8-full_report.pdf/$File/full_report.pdf) – Accessed 14 November 2008.
 5. Immigration and Refugee Board of Canada 2007, *ZAF102483.E - South Africa: Societal treatment of foreigners from other African countries, in particular from the Democratic Republic of Congo (DRC); access to equality courts; availability of state protection (2004 - 2007)*, 29 March http://www.irb-cisr.gc.ca/en/research/rir/index_e.htm?action=record.viewrec&gotorec=451103 – Accessed 25 June 2007.