

## Press Review 05

13 February until 26 February 2017

# International Asylum Seeker/Refugee Policy Issues

---

## [US to give Uganda \\$25m in aid for refugees](#)

News 24, 14 February 2017

The US ambassador in Kampala announced on Tuesday that the US will give \$25.2 million in humanitarian aid to Uganda, and have praised the country for their progressive, open-door policy towards refugees. The aid is intended to help the Ugandan authorities manage with the influx of refugees fleeing neighbouring countries, and will be used to improve the water and sanitation situation and to fight gender-based violence, among other things.

Currently, Uganda hosts over one million refugees, including 700,000 who have arrived from South Sudan since December 2013. More than 52,000 South Sudanese refugees have arrived in 2017 alone, with News 24 reporting that over 4,000 are now arriving each day. Uganda allows refugees the right to work and to move freely as well as providing land for refugees. However, the Ugandan minister for refugees, said this week that Uganda is struggling to cope with such a large numbers of refugees. Tension has also been reported between some local communities and the newly arrived refugees, with residents clashing with police near the Nakivale refugee camp during a dispute over land allocation to refugees.

US ambassador Deborah Malac has warned that the violence in South Sudan shows no signs of ending anytime soon and implored the international community to step up their response to this crisis.

## [Returnees to get cash under new incentives package](#)

Nasra Bishumba, New Times, 18 February 2017

In an attempt to encourage Rwandan refugees to return home, the UNHCR, in partnership with Airtel Rwanda and I&M Bank, is offering a cash incentive of \$250 to any adult Rwandan refugee and \$150 to any of their children who return home before the end of 2017. In this way, the returnees would be able to use the money how they see fit. This is in line with the UNHCR's current preference for direct cash aid and replaces the distribution of essential items, such as household goods, that returnees used to be provided with. However, to help make their return easier, returning Rwandan refugees would also be provided with a free mobile phone with sufficient credit, free transportation to anywhere in the country, and free medical insurance for one year.

The UNHCR confirm that they have strong mechanisms in place to prevent the possibility of people fraudulently taken advantage of the cash incentive and will work closely with the national office of identification to ensure that only Rwandan refugees will be able to receive the money. The chief executive of I&M Bank has also expressed hope that this partnership will encourage more Rwandans to join the formal financial services sector.

This offer comes after the Cessation Clause for Rwandan refugees came into effect on 30 June 2013. The UNHCR expects at least 20,000 refugees from neighbouring DRC, Zambia and Cameroon, as well as other countries, to return. At the moment, 1,000 Rwandan refugees in the DRC are waiting to return. Since 2009, the UNHCR has helped more than 70,000 Rwandans to return home, with 5,600 returning in 2016.

#### [East Africa: UNHCR hails Ethiopia's refugee handling](#)

Tsegay Hagos, The Ethiopian Herald, 18 February 2017

UNHCR Ethiopia spokesperson Kisut Gebrezgabher has praised Ethiopia for its open-door refugee policy and for ensuring that the basic needs of asylum seekers and refugees are being met. Gebrezgabher particularly singled out the local communities who host refugees for their hospitality and generosity of spirit towards people fleeing their own countries. He also reminded the international community of its responsibility to recognise and support the actions of Ethiopia in light of the massive strain the country is facing in dealing with the growing number of refugees.

A 2016 UNHCR report found that Ethiopia is hosting 800,000 refugees in 25 refugee camps, making it one of the largest refugee-hosting countries in Africa. However, Suleyman Ali, a team leader for the Administration for Refugee and Returnee Affairs Communication and Public Relations, has pointed out that there has been a notable reduction in Somali refugees arriving in Ethiopia due to the efforts of AMISOM in the country.

The UNHCR is already working with the Ethiopian government and other partners to provide basic assistance and services to refugees and asylum seekers, and have just launched alternative energy sources for cooking and lighting in order to reduce the environmental impact.

#### [Uganda: Burundi Refugees Refuse to Return Home](#)

Dicta Asiimwe, The East African, 22 February 2017

The Burundi government has called for Burundian refugees to return home and will travel to neighbouring countries in an attempt to encourage Burundians to return. Burundian officials, including Pascal Barandagiye, the Burundi Minister for Home Affairs, travelled to the Nakivale settlement in Uganda this week. However, their efforts were met with hostility from the refugees, who called for changes before they would return. They demanded justice to be served, the resignation of President Pierre Nkurunziza, and an African Union force to be installed to protect those opposed to the government before they would be willing to return home.

One of the refugees making these demands was Jevunel Gahungu, a former Frodebu Member of Parliament. Gahungu, along with other civil society organisations, accused the government of targeting specific individuals and called for an African Union force to protect those opposed to President Nkurunziza. However, the Burundian government has opposed this suggestion.

Gahungu also emphasised the need for talks between the government and the main political parties including FNL, Frolina, Piebu Abanyeshaka, Radebu and Frodebu as part of the peace building process. These political parties have so far been excluded from the Arusha peace talks led by Tanzanian President Benjamin Mkapa.

#### [Theresa May's closure of child refugee scheme 'creates £20m windfall for people traffickers'](#)

Jon Stone, The Independent, 23 February 2017

Charity representatives told MPs in parliament on Wednesday that the government's decision to stop the child refugee scheme is likely to result in people traffickers earning between £8.7 and £20.3

million in profit. Vulnerable unaccompanied minors who are so desperate to make it to safety, will be forced to turn to organised crime because previous legitimate routes to the UK have been withdrawn, according to Safe Passage UK.

At the beginning of February, the UK government announced that the child refugee scheme, known as the 'Dubs amendment' scheme, would be reduced dramatically. Rather than taking the expected 3,000 unaccompanied refugees that former Prime Minister David Cameron agreed to, the UK will now only take a dismal 350 unaccompanied child refugees. There have been suggestions that the government's U-turn was influenced by the negative reporting by Conservative-supporting newspapers.

Many other charities have echoed the concerns of Safe Passage UK. Lily Caprani, Unicef's executive director lamented the government's decision and drew MPs attention to the fact that there are 2,500 unaccompanied children in Greece and more than 25,000 in Italy, and that the capacity of these two countries are stretched to breaking point, which greatly diminishes the protection that the children can be offered. Melanie Ward, the associate director of policy and advocacy at the International Rescue Committee warns that there are already children either at risk of sex trafficking or 'sleeping rough or in accommodation with strange men.'

The UK government has, in turn, defended its decision to end the child refugee scheme early. Home Secretary Amber Rudd argued that the programme could 'incentivise' children to make the dangerous journey to Europe.

## Regional Displacement Issues

---

### [Congo-Kinshasa: Death Toll Rises in DRC Militia, Military Clashes](#)

Jean Kassongo, CAJ News, 14 February 2017

Clashes between government forces and the Kamuina Nsapu militia over the last few days has resulted in the deaths of over 50 people in the Kasai regions. The protracted conflict in the region has been marked by heinous human rights abuses committed by the militia, including the recruitment and use of child soldiers by the militia and the disproportionate use of force by the FARDC. Maman Sidikou, the special representative of the UN and Head of MONUSCO in the DRC, has condemned the actions of both the militia and FARDC. Since the outbreak of violence six months ago, more than 600 people have been killed and many schools and clinics have been destroyed.

### [Somalia: ICRC assisting 240,000 people affected by severe drought](#)

International Committee of the Red Cross, 16 February 2017

The International Committee of the Red Cross (ICRC) and the Somali Red Crescent Society (SRCS) are distributing food to 140,000 people affected by the drought. The ICRC and the SRCS are distributing food to 114 villages across the Ceel Buur, Mataban, Sool, Sanaag, Nugal, Hiran and Bari regions. In addition to being severely affected by the drought, these regions are also conflict-prone, which reduces the ease at which aid can be distributed there. More distributions are planned for southern and central Somalia in the coming days, reaching the districts of Mataban (Hiraan), Luuq, Bardhere (Gedo), Badhadhe and Kismaoyo (Lower Juba), which have also been affected by the drought. They are also distributing food and other essential items such as sleeping mats and hygiene parcels to around 85,000 vulnerable, internally displaced people. It is expected that the food will provide temporary relief to those affected and last for one month. Thereafter it will be supplemented by cash grants until the rainy season arrives around April or May.

According to Jordi Raich, the head of ICRC's Somalia operations, this situation in Somalia is severe and likely to be prolonged. The distribution assistance is only the first phase of the ICRC's emergency response in Somalia. The ICRC will strengthen their nutritional programmes as well as support nutritional stabilisation centres in hospitals. They will also continue to repair boreholes, provide water troughs for animals and conduct hygiene promotion outreaches in an attempt to combat any potential drought-related epidemics.

#### [Burundi seeks arrest of opposition at Tanzania peace talks](#)

News24, 18 February 2017

In an alleged attempt to resolve the two-year political crisis enveloping Burundi, its government asked Tanzania on Friday to arrest several leaders of the main opposition party attending peace talks in Arusha.

The Arusha peace talks are another attempt by Tanzanian President Mkapa to mediate and resolve the crisis in neighbouring Burundi. However, the Burundian government again refused to participate in the talks and to negotiate with their main opposition, the National Council for the Restoration of Arusha Accord and Rule of Law (CNARED), which is considered a terrorist organisation responsible for a coup plot in May 2015 by the Burundian government and exiled in Brussels. Instead, the Burundian government has asked that Tanzania arrest any wanted member of CNARED who attends the negotiations. This includes most of the seven leading opposition figures that make up the CNARED delegation.

President Mkapa has urged that no changes to the constitution be made until the current situation improves. However, the Burundian government did take steps to begin reforming the constitution on Wednesday, according to News 24, sparking fears that the government is attempting to remove provisions on term limits to allow President Nkurunziza to seek a fourth term in 2010.

#### [Congo probes video showing apparent massacre by soldiers](#)

Eyewitness News, 18 February 2017

This week, a seven-minute video was shared widely on social media which showed about 12 men in Congolese army uniforms shooting a group of apparent militia members armed with slingshots and wooden batons dead. The video shows more than ten people dead and wounded. Where or when the video was filmed remains unclear, but the Democratic Republic of Congo's government confirmed that it was investigating the video on Saturday.

The uniformed men in the video stated that they were involved in an operation against the Kamwina Nsapu militia. Since its leader Kamwina Nsapu was killed in August 2016, Congolese forces have been fighting to suppress an uprising by the militia in the Kasai provinces. According to a UN report this week, the army has killed at least 101 people, including 39 children, during clashes in the region between 9 February and 13 February.

Analysts have warned that militia violence in the country has worsened since President Joseph Kabila refused to step down in December and 'risks spinning out of control'. Equally concerning was the comments made by a UN spokeswoman this week confirming that the events of the last fortnight indicate 'excessive and disproportionate use of force by the soldiers.'

### [25 civilians killed in DRC ethnic attack](#)

News24, 19 February 2017

The Mai-Mai Mazembe militia, made of up members from the Nande ethnic group, killed 25 Hutu civilians in a machete attack in and around the majority-Hutu village of Kyaghala in North Kivu, according to local officials. A local civil society activist has warned that this attack will escalate the inter-ethnic conflict in the region. Tensions between the Nande and Hutu communities have increased for more than a year, with several villages in North Kivu experiencing attacks by militias from both groups. This latest incident in the region follows the December 2016 clashes between the Mai-Mai and Nyatura militias, which killed at least 35 civilians.

The Nyatura militia represents ethnic Hutus, whereas the Mai-Mai militia is composed of people from the Nande, Hunde and Kobe communities who regard Hutus as foreigners. Tensions between the ethnic groups has increased in recent years as a result of Hutu farmers being forced to migrate north due to the pressure from powerful land owners and rising land prices in the south.

### [Suicide Bombing in Somalia Kills Dozens at a Market](#)

Hussein Mohammed and Jeffrey Gettleman, New York Times, 19 February 2017

A suicide bomber drove a truck into the Kawo Godey market in the Medina area of Mogadishu on Sunday killing at least 30 people, with the death toll expected to rise. The attack has been blamed on al-Shabaab and occurred just hours after Somalia's new president Mohamed Abdullahi Mohammed announced a new offensive against the terrorist group.

### [Somalia: Al Shabaab Seized Elhur From Galmudug Forces](#)

Shabelle Media Network, 23 February 2017

On Thursday, Al-Shabaab re-captured the Elhur district, about 45km away from the coastal city of Hobyo in the southern Mudug region from Galmudug state forces. Residents report that the regional forces deserted the area before Al-Shabaab's arrival. In addition to seizing control of Elhur, Al-Shabaab have recently taken control of Amara village near the town of Haradhere from Galmudug forces and has promised to maintain their offenses against the areas under the control of pro-government troops.

### [16 rebels killed in fighting with army in DRC's east](#)

News24, 23 February 2017

The Democratic Republic of Congo's (DRC) army has killed at least 16 M23 rebels after they re-entered eastern DRC. The fighting began on Wednesday this week and by Thursday the army had captured 68 former M23 rebels and 39 others surrendered

The M23 rebellion was crushed by a joint effort by the DRC's army and UN forces in 2013 and many rebels fled across the borders to neighbouring Rwanda and Uganda before the 2013 peace agreement was signed, which disbanded the group. However, in January hundreds of M23 rebels waiting for amnesty in a military camp in Uganda fled. This led the DRC's government to warn that members of the group living in Uganda were re-grouping and crossing back over the board into eastern DRC. News 24 reports that people living in the area are terrified of the M23 returning.

# South Africa

---

## [The long road to SA citizenship for former Angolan refugees](#)

Jan Cronje, News24, 17 February

On 15 February the Scalabrini Centre of Cape Town (SCCT) submitted about 2000 applications of Angolan ex-refugees to the Department of Home Affairs.

Briefly, in 2012 the UNHCR determined that Angola was a peaceful, democratic country after experiencing years of civil war that displaced many people. Consequently, the UNHCR invoked the cessation of refugee status for Angolans. The UNHCR along with the host countries devised plans to manage this change in status. In regards to South Africa, in 2013 the former refugees were given three options. The first was repatriation to Angola, an unpopular option that few former refugees took up. The second was applying for 'continued protection' as asylum seekers. According to home affairs, no former Angolan refugees in South Africa chose this option. The third and most popular option was to be issued with 'special permits' allowing them to remain in South Africa for two years. This was known as an Angolan Cession Permit (ACP). It was a short-term visa which expired in either 2015 or 2016 and could not be renewed, meaning that Angolans found themselves obliged to apply for formal visa types, particular work visas. However, the requirements needed to obtain these visas are beyond the reach of many Angolans, which meant that many faced the risk of being forced to leave South Africa despite having built their lives in the country.

In early 2016, fearing that the former refugees could be deported, The SCCT approached the Western Cape High Court, citing Section 31(2)(b) of the Immigration Act, which lets the Minister grant permanent residency under 'special conditions.' In November, the court granted an order stating that former refugees from Angola could apply to the minister to stay on in South Africa under the exemption section. The SCCT assisted the former refugees during the application process, as requested by the Department of Home Affairs, by collecting evidence of their integration into South African society and submitting the applications to the Department of Home Affairs on Wednesday 15 February. The Minister now has three months to assess each application separately.

## ['We don't burn, we clean brothels'](#)

Govan Whittles, Mail & Guardian, 17 February 2017

A high-level government delegation led by Home Affairs minister Malusi Gigaba has been deployed to Johannesburg south after a spate of targeted attacks on property belonging to Nigerians, which culminated in residents torching close to a dozen homes and a nightclub in Rosettenville at the weekend. The reason for these attacks appears to be the residents' discontent about drugs and prostitution for which Nigerians have steadily been blamed. The Mayor of Johannesburg, Herman Mashaba, organised a specialised team to conduct regular raids on alleged drug dens, while appealing to the community not to take the law into their own hands. Gigaba criticized Mashaba because of his declarations which may have incited the attacks. The Mayor replied that foreigners are welcome when they come to South Africa legally.

Around 100km away in Phomolong (Mamelodi, Pretoria), residents of the informal settlement protested in an anti-immigrant march, mainly against Nigerians, Pakistanis and Zimbabweans. Alleged squatters of RDP housing in Hatherley by Zimbabweans were the driving force of the protests. However, there are indications that the only occupants living in the house, which has yet to have

electricity and water installed, are a security company's personnel. Mamelodi Concerned Residents Association stated that their claims were legitimate and organised another march on 24 February.

#### [Zuma launches Desmond Tutu Refugee Centre](#)

Ivan Pijoo, News24, 17 February 2017

President Jacob Zuma launched the Desmond Tutu Refugee Reception Centre in Pretoria on Friday 17 February. The centre was formerly known as the Marabastad Refugee Reception Centre and has been closed for refurbishment. Some of the improvements include new signage, counters and lighting. A new security system and electrical fencing have been installed while an automated booking system, paperless processes, off-site interpretation services, and an improved registry have been put in place. The centre is named after Desmond Tutu who fought for people's rights and of which the government share an Ubuntu culture.

President Zuma said that South Africa is receiving 60,000 applications per year. Most asylum seekers are Somali, Congolese, Nigerian, Zimbabwean, Malawian and Burundian, and around the age of 35. The Department of Home Affairs has declined 90% of asylum seeker applications.

#### [High Court Rules Govt's Decision to withdraw from ICC unconstitutional & invalid](#)

Barry Bateman, Eyewitness News, 22 February 2017

The High Court in Pretoria ruled on Tuesday that the government's decision to give notice to withdraw from the International Criminal Court (ICC) was 'unconstitutional and invalid' and ordered the government to revoke its notice of withdrawal. Judge Phineas Mojapela, ruling on the matter, noted that parliament is the only body that has the power to draft legislation and that the government's unilateral decision to withdraw from the ICC had direct legal consequences. This means that the government was exercising legislative powers, which is tantamount to a breach of the separation of powers as directed under the Constitution.

This ruling will undoubtedly please the Democratic Alliance, which lodged the application with the High Court on the grounds that parliament was not consulted before the notice to withdraw was issued. In fact, Bateman reported that Judge Mojapela found 'the unexplained haste with which the notice was lodged in itself constitutes procedural irrationality.'

#### [Home Affairs sued over sex description](#)

Ray Mwareya, GroundUp, 23 February 2017

The Legal Resources Centre (LRC), with support by Gender Dynamix, has launched a lawsuit in the Western Cape High Court to demand that the Department of Home Affairs grants married transgender women the right to change their sex status on national identity documents. The three transgender women at the centre of the lawsuit are married in terms of the Marriages Act of 1961. They are demanding that the Department of Home Affairs change their sex status in terms of the Alteration of Sex Description and Sex Status Act 49 of 2003, which the department have so far failed to do. Two of the women were told by Home Affairs to divorce their husbands before they could assume a new sex status, whilst the other simply had her marriage removed from the National Population Register.

According to Home Affairs, they cannot change the sex descriptor because the women are in heterosexual marriages, and so by changing their sex status it would legitimise same sex marriages

under the Marriages Act, when they are only legal under the Civil Union Act. In a press release, the LRC stated that a 'positive outcome in this case will go a long way in realising the rights of transgender persons to dignity, family life, bodily integrity and equal treatment before the law.'

#### [Police make 136 arrests amid xenophobic tensions](#)

Barry Bateman, Eyewitness News, 24 February 2017

Acting National Police Commissioner Kgomotso Phalane confirmed that 136 people were arrested over a 24 hour period following clashes between foreign nationals and South Africans in Gauteng on Friday. Tensions were sparked by an anti-immigrant march organised by the Mamelodi Concerned Residents group. While the Mamelodi group demonstration was peaceful, a group from Atteridgeville was violent, including blocking roads, burning tyres and throwing stones. There were also reports of looting. The group from Atteridgeville also marched to the CBD without permission and clashed with a group foreign nationals. According to Phahlane, the situation is now under control and people who incited violence will be prosecuted.

Despite the violence, the Mamelodi Concerned Residents were pleased that they managed to submit their memoranda listing their grievances against illegal immigrants to the police and the departments of home affairs and labour. President Jacob Zuma, for his part, insisted that the events of Friday were not about xenophobia, but about crime and commented on the well organised nature of the march, regardless of the violent outbreaks.

#### [South Africans are not xenophobic – Gigaba](#)

Lizeka Tandwa, News24, 26 February 2017

Speaking at the Lighthouse Chapel International Church in Pretoria on Sunday, Minister of Home Affairs Malusi Gigaba concurred with President Zuma's affirmation that South Africans are not, by nature, xenophobic. Gigaba said that the vast majority of South Africans are not inherently against immigrants, 'nor do they intimidate them, or loot or burn their property.' He re-emphasised the fact that the majority of immigrants are not criminals, but law-abiding citizens who only want the best for themselves, their families and everyone else around them.

Gigaba also used this platform to blame businesses that exclusively employ foreigners for playing a significant role in fuelling tensions in the country, but cautioned against vigilante activities which result in the targeting of victims of immoral employment practices while excusing the actions of the employers. The media must shoulder some of the blame for recent events as well as their negative reporting has portrayed South Africa badly to the rest of the world, according to Gigaba.