



Scalabrini
Centre of Cape Town

ADVOCACY

IMPACT REPORT 2019



THE ADVOCACY PROGRAMME'S CHILDREN'S PROJECT ACHIEVED A NOTABLE SUCCESS BY SECURING THE GRANTING OF PERMANENT RESIDENCE TO FOUR UNACCOMPANIED FOREIGN CHILDREN

The Advocacy Programme assists refugee and migrant clients to ensure their access to documentation and human rights in South Africa. We run a paralegal assistance desk, allowing for one-on-one consultation, as well as a Children's Project which assists with accessing birth registration processes, protection and documentation for unaccompanied and separated foreign children.

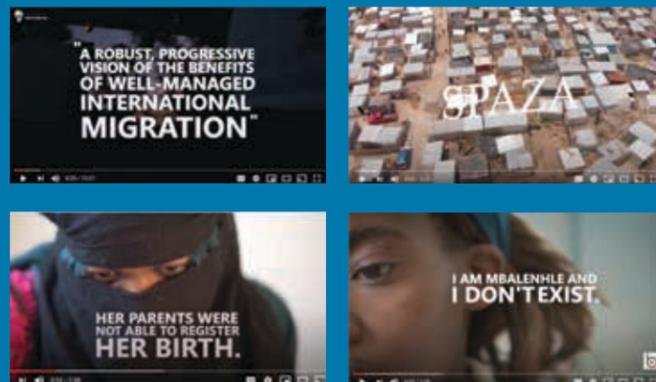
The aim of the Advocacy Programme is to promote and strengthen the rights and integration of migrants and refugees in South Africa. We use different ways to achieve this. Aside from legal advice, we publish research, raise awareness, and advocate for legislative and policy reform and its proper implementation.

OVERVIEW

During the past year, the Advocacy Programme added an extra service: the Mobile Office. This remote advice team provides legal services to communities that are not able to travel to our offices in the city centre. The variety of work that we do, in order to achieve our aim, results in a multi-faceted and vibrant workload.

All of this work and these services are aimed at ensuring that migrants, refugees and asylum seekers have the relevant documentation that they need so that they can access their human rights, and thus be better placed to integrate into South Africa. With proper documentation, the social and economic benefits of migration for South Africa and the region can start to be realized and celebrated.

RELEASED FOUR SHORT DOCUMENTARIES: SPAZA, A FILM TO THE PARLIAMENT COMMITTEE, MBALENTLE AND RABIYAH



MEDIA HIGHLIGHTS

FEATURED IN

167

NATIONAL OR INTERNATIONAL MEDIA PIECES

HIGHLIGHTS

- Continued paralegal services at our central office and at the Somali Association of South Africa (SASA), in Belville.
- Adding a further mobile advice office, operating from a venue kindly made available by St Peter's Catholic Church in Strand.
- Finalizing strategic litigation on Family Unification, in which a set of reasonable and progressive Standard Operating Procedures were confirmed, that the Department of Home Affairs must implement in respect of refugee and asylum seeker dependents accessing documentation.
- Presenting to the Parliamentary Portfolio Committee for Home Affairs about systemic barriers experienced by our clients in respect of South Africa's asylum system.
- Launching the Journalists Guide to Reporting on Migration, prior to the South African General Election – during which we led a volunteer team of non-South African electoral observers.
- Successfully assisting several clients in accessing their UIF benefits, as well as submitting comments to the Department of Labour in respect of the new UIF Regulations related to claims made by asylum seekers and refugees.
- Making written submissions to Parliament on the National Health Insurance Bill.
- The Advocacy Programme's Children's Project achieved a notable success by securing the granting of Permanent Residence to four unaccompanied foreign children. This matter took two years to finalise, but the children involved now have documentation and certainty, and after five years they will be entitled to apply for citizenship.
- Five unaccompanied and separated foreign children were assisted to obtain refugee and asylum documentation. These children had been without any documentation. The Children's Project sought the assistance of the Children's Court, and after several years, they were able to access documentation services through Home Affairs. Two of these children had to be accompanied by a Scalabrini Staff member to the Durban Refugee Reception Office in order for them to obtain documentation.
- The Advocacy Programme released 4 short documentaries: Spaza, a Film to the Parliament Committee, Mbalentle, and Rabiyah.



FUTURE PLANS

The new year ushers in new challenges. As of 1 January 2020, new laws in respect of asylum seekers and refugees in South Africa came into effect. The Advocacy Programme is concerned; the new laws are restrictive and undermine the rights of asylum seekers and refugees in South Africa. We plan to react, in all the different spheres of Advocacy's skillsets and outputs, to these new laws - and fight for a better, fairer South Africa for all.

STATISTICS

1764 New clients assisted

CLIENT VISITS

4339 including repeat visits from new clients as well as continued visits from old clients

TYPES OF VISITS AND QUERIES

- 652 queries related to documentation
- 33 queries related to DHA status investigation
- 22 queries related to Standing Committee possibly withdrawing their refugee status
- 258 family joining-related queries
- 31 protection-related issues, includes following up with SAPS, or providing assistance in accessing justice relating to hate crimes
- 603 related to assistance or advice regarding permits first issued at an RRO outside of Cape Town
- 195 education access related client visits
- 223 health access related visits
- 258 birth registration related client visits
- 17 banking issues or bank access related queries
- 127 labour related queries, such as accessing UIF
- 218 queries relating to clients who had received a rejection/final rejection on their claim
- 229 queries relating to clients who needed renewals after expiry date of the permit, or with additional challenges
- 100+ Angolan Special Permit related queries

10 formal submissions on legislation or to various human rights bodies

8 trainings sessions on foreign children in South Africa made by The Children's Team

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SUCCESS STORIES

WAR, SEPARATION AND RECONNECTIONS: DOCUMENTING YOUNG LIVES WITH ADVOCACY

If you had visited the city of Bukavu, in eastern Democratic Republic of Congo, in 2004, you might have met the Pierre family living there. The parents had three children: Bulu, Jean and Eve*. Little did this family know that, over the next four years, they would be subject to unimaginable loss, conflict and separation. Their story ends in unbelievable coincidences— and brings us to Cape Town, South Africa, and the involvement of Scalabrini's Advocacy team.

Loss in Eastern DRC

Jean, Eve and Bulu were orphaned by the time they were teenagers. With the help of their uncle, the children continued to live in Bukavu until war broke out in 2003. During attacks, and in a panic, the siblings scattered. Bulu, the oldest of the three, was separated from Jean and Eve. Jean and Eve sought refuge in the forests near Rwanda.

Rebel activity was rife. People living in the forests were regularly abducted. Once again, Jean and Eve fled. Over the course of several months, they joined various groups of people fleeing across southern Africa. They did not know where they were going, but ended up in South Africa.

A miracle in Durban

The Congolese community took Jean and Eve under their wing and – whilst attempting to apply for asylum in Durban, an interpreter noticed their surname and contacted a friend – with the same surname – living in Cape Town. Miraculously, it turned out to be Bulu. In haste, bus tickets were bought and the siblings were reunited on the concrete pavements of Cape Town bus station.

Purpose and direction

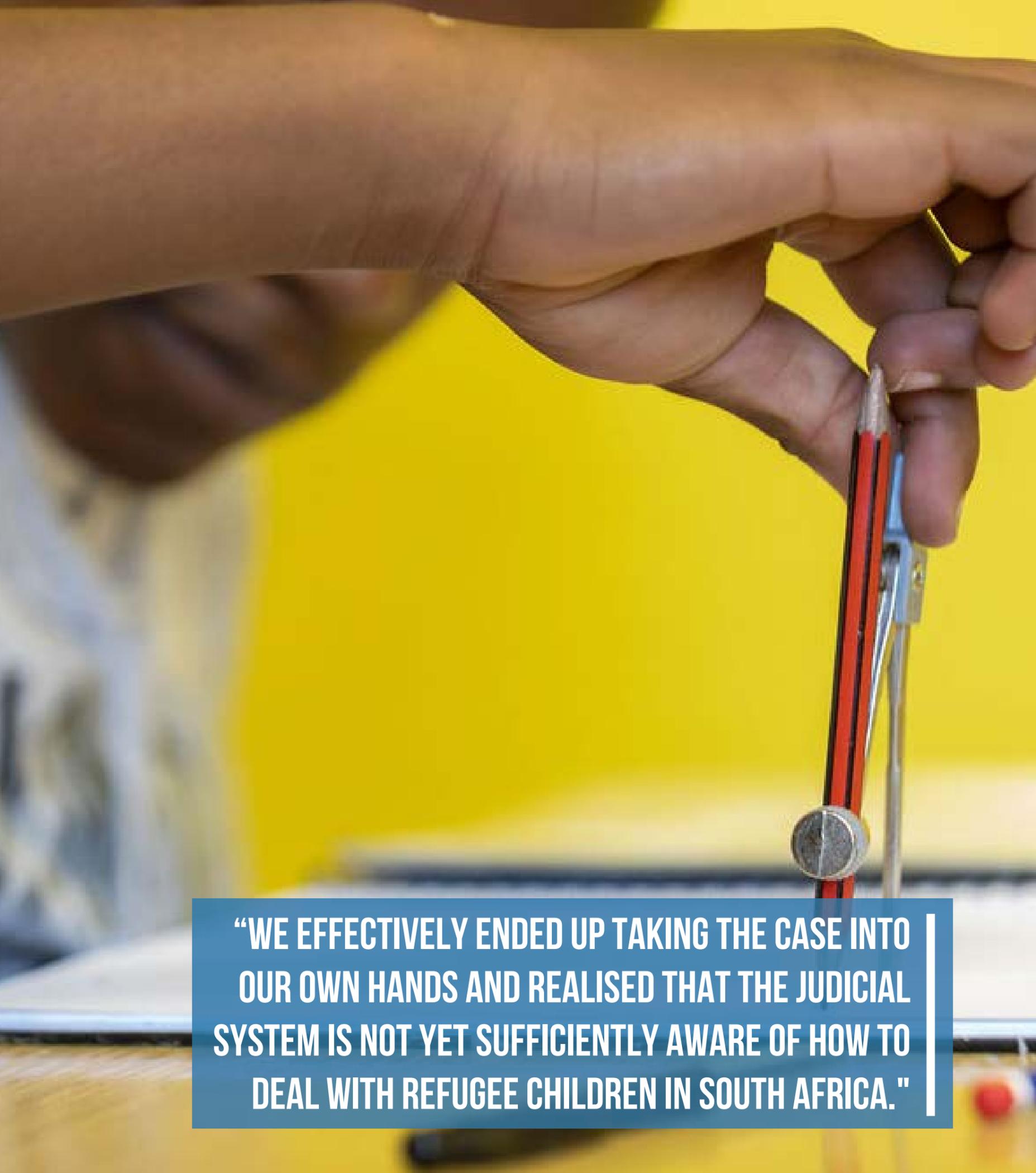
In South Africa, dependents of refugees can be documented in the same asylum file. Bulu, finding it difficult to navigate the complex processes regarding refugee children and the Department of Social Development, approached Scalabrini for support. 'This case was an example of what separated children go through: the trauma of loss. The loss of parents dying, of being separated from each other and the loss that comes with forced migration,' says Sindi of the Advocacy team.

The Advocacy team – then equipped with a social worker of its own – assisted the family to approach the Children's Court. In a long, tricky process, the Children's Court issued an order that the children be documented within Bulu's asylum file.

The documentation process could only take place in Pretoria. Through tireless meetings with the Refugee Reception Office in Cape Town, an appointment was set down at Pretoria Refugee Reception Office. Lumka, of the Advocacy team, travelled with the three siblings to Pretoria Refugee Reception Office by bus, where they were successfully documented as dependents of Bulu.

'It was a real struggle to get these children documented. It took a year', explained Sindi, 'but it was a real team effort. We effectively ended up taking the case into our own hands and realised that the judicial system is not yet sufficiently aware of how to deal with refugee children in South Africa.' Armed with their new refugee statuses, Jean, Eve and Bulu returned to Cape Town from Pretoria. And – as they now held documents – they were able to return by aeroplane, for the first time in their lives.

*Names and some place-names have been changed to protect identities.



“WE EFFECTIVELY ENDED UP TAKING THE CASE INTO OUR OWN HANDS AND REALISED THAT THE JUDICIAL SYSTEM IS NOT YET SUFFICIENTLY AWARE OF HOW TO DEAL WITH REFUGEE CHILDREN IN SOUTH AFRICA.”



The centre is registered with the South African Department of Social Development as a non-profit organisation (021-079 NPO), as a youth and child care centre (C7569) and as a Public Benefit Organisation with the South African Revenue Services (930012808) and governed by a Trust (IT2746/2006).
Auditors: CAP Chartered Accountants.

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