



ARESTA's Community Education Campaign



Community Education Campaign

Goal: To build bridges and promote social cohesion between local communities and refugee and asylum seekers through information sharing and education

UNHCR
The UN Refugee Agency

Tolerance Workshops and Peace Ambassadors

- ARESTA works with the United Nations High Commissioner for Refugees (UNHCR) to implement school workshops designed to educate students on refugee issues, decrease discrimination, and teach conflict management
- After the workshops, each student writes a response essay on the material that was covered
- Based on the essays, we select promising students to train as “peace ambassadors” with the French Embassy in South Africa, and help them form “peace clubs” at their schools, so that they can relay the information to their peers



Peace Networks in Communities

ARESTA also undertakes cultural diversity, conflict transformation programmes, and other community peace building and social cohesion interventions as well as advocacy to prevent and respond to xenophobia-related violence



Community Peace Monitors

Part of “Ubuntu Has No Borders” also involves the training of community “peace monitors”, who are adult community leaders. They participate in workshops focusing on human rights, preventing social conflicts, and creating cohesive and peaceful communities.



ARESTA STAFF TRAINING PEACE MONITORS





Progress



Peace Ambassadors finishing their training – ready to start peace clubs in their schools





Engaging with Stakeholders

Involving the community leaders



Constraints



Challenges



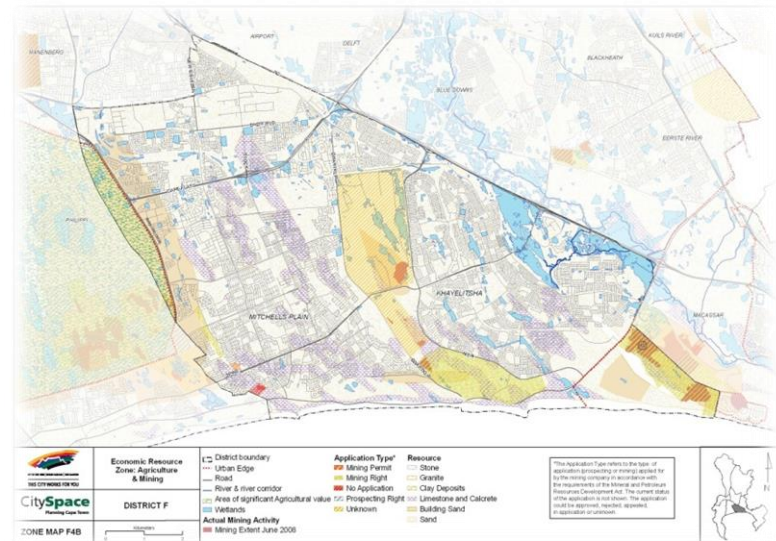
Politics



Reaching more areas

Before taking the Community Education Campaign to a new community, we conduct a preliminary mapping process

Mapping is important because it gives us the possibility to reach more areas and see which areas that are in need as well as tailoring the programmes.





Solutions

- creating peace networks



Cultural Diversity

Our cultural diversity festivals feature rich cultural performances of many different backgrounds while promoting peace and unity within our communities





Peaceful Demonstrations

The Campaign organizes peaceful marches, speeches, and other demonstrations in our communities in order to raise awareness of the violence caused by xenophobia

"Kicking for Peace"

The Community Education Campaign holds soccer tournaments in our communities with players from many different cultural backgrounds, promoting diversity and teamwork through the sport



WORLD REFUGEE DAY 2014 COMMEMORATION





THE WESTERN CAPE NETWORK FOR
COMMUNITY PEACE & DEVELOPMENT



ARESTA and the Community Education Campaign appreciate the strong support of our partners, including the Catholic Committee against Hunger and For Development (CCFD), The United Nations High Commissioner for Refugees (UNHCR), the French Consulate to the Western Cape, the International Organization for Migration (IOM), The Western Cape Network for Community Peace and Development (WCNCPD), The Department of Higher Education and Training, Quadrem®, Violence Prevention Through Urban Upgrading (VPUU), and the South African Police Service. Their support is essential to building our program and further benefitting our community.



Thank you very much

Enkosi kakulu

Merci Beaucoup



The South African Human Rights Commission

Presentation for the UCT Refugees Rights Unit Sustained Advocacy for Empowered Refugees Course – 16 July 2014





The Commission

- Is not a Government Department;
- Reports directly to Parliament;
- Derives its powers from Constitution; Human Rights Commission Act;
- Responsible for Chapter 2 - Bill of Rights ;
- Additional responsibilities in terms of Promotion of Unfair Discrimination Act (PEPUDA); Promotion of Administrative Justice Act (PAJA); Promotion of Access to Information Act (PAIA).
- Decisions of the Commission can only be taken on review to a court of law.

HUMAN RIGHTS

These are set out in the Bill of Rights (Chapter 2 of the Constitution) and include the following rights:

Human
Dignity

Education

Arrested,
detained
and accused
persons

Access to
healthcare

Freedom of
expression

Equality

Freedom of
Religion,
belief and
opinion

Access to
sufficient
food and
water



Mandate

The role of the Commission is to :

- promote respect for human rights and a culture of human rights;
- promote the protection, development and attainment of human rights;
- monitor and assess the observance of human rights.



Functions of the Commission

○ PROTECT

- to **investigate** human rights violations on receipt of complaints or to initiate investigations on its own accord; and to **take steps to secure appropriate redress where human rights have been violated**;
- **Powers:** search and seizure; subpoena; conduct hearings.
 - to make findings and recommendations;
 - to mediate and conciliate;
 - to refer matters to the Equality Court and to litigate - get orders.



FUNCTIONS OF THE COMMISSION

- **PROMOTE**

- Through advocacy, education and training;

- **MONITOR**

- To carry out research;
- Receive reports from Government in terms of Section 184 (3) – on steps relevant organs of state have taken towards realization of rights in the Bill of Rights concerning housing, healthcare, food, water, social security, education and the environment;
- Submit reports to Parliament: the Commission shall submit to the President and Parliament quarterly reports on the findings in respect of functions and investigations of a serious nature which were performed or conducted by it during that quarter; or at any time, submit a report to the President and Parliament if it deems it necessary. (section HRCA Sect 15)

Powers

- Section 9(1) of the HRCA empowers the Commission to require any person by notice in writing ... to appear before it at a time and place specified in such notice and to produce to it all articles or documents in the possession or custody or under the control of any such person and which may be necessary in connection with that investigation...

- In addition, Section 10 of the HRCA provides that
Any member of the Commission, or any member of the staff of the Commission or a police officer authorised thereto by a member of the Commission [sic], may, subject to the provisions of this section, for the purposes of an investigation, enter any premises on or in which anything connected with that investigation is or is suspected to be.



COMPLIANCE ISSUES

OBLIGATIONS OF GOVERNMENT DEPARTMENTS

Section 4 of the HRCA states further states that:

- (2) No organ of state and no member or employee of an organ of state nor any other person shall interfere with, hinder or obstruct the Commission, any member thereof or a person appointed under section 5(1) or 16(1) or (6) in the exercise or performance of its, his or her powers, duties and functions.*
- (3) All organs of state shall afford the Commission such assistance as may be reasonably required for the protection of the independence, impartiality and dignity of the Commission.*

Section 18 Offences and penalties:

.....shall be guilty of an offence and liable on conviction to a fine or to imprisonment for a period not exceeding six months.

How the Commission works

- Complaints handling:
 - ❑ Assessment : rejected/accepted/referred
 - ❑ Investigation: subject to nature of complaint
 - ❑ Conciliation, Mediation, Arbitration/ Litigation
 - ❑ Finding
- Interventions/ Stakeholder Engagements
- Hearings



How to file a complaint with the SAHRC

- Written or verbal complaints
- Require full details of the alleged human rights violation and the person(s) or institution etc who is alleged to have violated the right(s)
- Complaint is assessed and may be accepted for investigation
- Complaints can be accepted, rejected or referred

Continued

- If accepted investigation will be conducted
- Respondent afforded the opportunity to respond to the allegations
- Complainant may be required to then give further comment
- Remedies – conciliation/mediation, drafting of finding alternatively institution of court action
- Prescribed time frames ito CHP



The South African Human Rights Commission

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ROLE OF UNHCR IN SOUTH AFRICA

UNHCR Global Strategic Priorities

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- ❑ Favourable Protection Environment
- ❑ Fair Protection Processes and Documentation
- ❑ Security from Violence and Exploitation
- ❑ Basic Needs and Services
- ❑ Community Participation and Self Management
- ❑ Durable Solutions:

Role of UNHCR Cape Town- Overview

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- Primarily, FO CT serves as a liaison with Parliament to positively influence legislation that affects persons of concern (POCs).
- Involved with Prevention and Response to xenophobic attacks directed at POCs
- Provide guidance and assistance to UNHCR Implementing Partners to ensure smooth delivery of services to beneficiaries
- Establish a network of mutual trust and efficient coordination with and between DHA, Prov. & City gov authorities, civil society, UN agencies and other stakeholders.
- Support Gov, especially DHA in fulfilling its obligations towards POCs through technical advice, capacity

OVERVIEW

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UNHCR's implementing partners in Cape Town provide direct assistance on UNHCR's behalf.

The IPs in Cape Town consist of:

- Cape Town Refugee Centre (CTRC),
- University of Cape Town's Refugee Rights Project,
- Agency for Refugee Education, Skills Training and Advocacy (ARESTA)

Objectives of UNHCR Cape Town

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- Establish a network of mutual trust and efficient coordination with and between Provincial and City governmental authorities, civil society, UN agencies and other stakeholders.
- Support Government in fulfilling its obligations towards persons of concern
- Engage with press and media

Role of UNHCR FO Cape Town

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- Assist DHA with technical advice, help the authorities to continue building the capacity of RROs and train their personnel. Encourage the implementation of fast and fair asylum processes
- Protection delivery to persons of concern through the implementation of intakes on a weekly basis, monitoring of the xenophobia incidents, trends and making the necessary follow ups through our xenophobia data base. Plus protection field visits to verify protection incidents. Plus regular protection needs assessments.

Role of UNHCR FO Cape Town

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- Pursue all three durable solutions for refugees, supporting voluntary repatriation, seeking to expand local integration, and using resettlement for individuals for whom no other options are available.
- Continue to work with Government, provincial authorities and other stake holders to build tolerance toward refugees and asylum-seekers through public information campaigns against xenophobia and interventions at the community level to facilitate dialogue. UNHCR co – chairs the social conflict task team together with the Provincial Disaster Management Centre.

Finding Durable Solutions

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- There are three durable solutions:
 - Voluntary Repatriation
 -
 - Local Integration in country of asylum
 - Resettlement to third country

Voluntary Repatriation

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UNHCR works with the country of origin and host countries to help refugees return home.

Local Integration

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Integration of refugees in the host community allows recipients to live in dignity and peace

Global Role of Resettlement

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- Resettlement is part of UNHCR's responsibility in assisting Governments to find permanent (durable) solutions for refugees (*1950 UNHCR Statute*)
- Mainstreaming of resettlement into everyday protection/community services activities
- Resettlement given due consideration when assessing durable solutions, i.e. local integration and voluntary repatriation

Global Role of Resettlement

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- Resettlement as a tool of protection and durable solution:
 - Refugees denied human rights in the country of asylum
 - Lives and freedom of refugees threatened
 - Authorities fail or are unable to protect refugees
 - Protracted refugee caseloads

Global Role of Resettlement

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- Burden-sharing mechanism
- Strengthening of asylum system and opening-up opportunities
- Resettlement is not a right embodied in international law; no country is legally obliged to resettle refugees

Role of Resettlement in South Africa

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- South Africa is party to the International and Regional Refugee Instruments and has incorporated principles of international refugee law into national legislation
- In principle, South Africa offers opportunities for integration, especially socio-economic, not found in most African countries
- However, Xenophobia past and present has created obstacles for integration of refugees

Role of Resettlement in South Africa

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- Mainly used to address the needs of the most vulnerable sectors of the refugee population
- Limited places and opportunities are made available for resettlement
- No application or appeal process/ not to be equated with applying for asylum

Resettlement Criteria

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- Resettlement criteria guides decisions by UNHCR staff on the need for resettlement intervention
- Criteria should not be interpreted as “Blue Print” for resettlement
- Criteria in the Resettlement Handbook was developed in cooperation with Resettlement Countries and NGOs
 - Resettlement countries have other specific criteria they apply, as per established policy and legislation

Resettlement Criteria

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- UNHCR interprets and applies criteria in light of asylum conditions and general profile of the refugee population and persons at-risk
- UNHCR does not use integration potential – resettlement is a protection tool not immigration programme

UNHCR Resettlement Criteria

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- Legal and physical protection needs
- Survivors of violence and torture
- Medical needs
- Women-at-risk
- Family reunification
- Children and adolescents
- Elderly refugees
- Lack of local integration / solution prospects



Introduction to the International Organization for Migration (IOM) and Cape Town programs

Zoe Rohde
July 2014



International Organisation for Migration

- Founded in 1951; headquarters in Geneva-Switzerland
- 156 member states
- Over 440 field offices in over 100 countries
- More than 8400 IOM staff globally
- Mandate: to promote humane and orderly migration, through provision of services to governments and migrants for the benefit of all



International Organisation for Migration

IOM works with partners, government and civil society to:

- Assist in finding practical solutions to migration challenges
- Advance understanding of migration issues and its impact of society
- Encourage social and economic development through migration; and
- Uphold the human dignity and well-being of migrants and mobile populations through provision of services



International Organization for Migration (IOM)

South Africa: Regional office in Pretoria which manages the organization's projects in the entire SADC region

- Country Office for South Africa also in Pretoria with sub-offices in Durban, Cape Town and Musina

South and East Africa: Offices in Angola, Botswana, Burundi, Ethiopia, Democratic Republic of Congo, Kenya, Lesotho, Mauritius, Mozambique, Namibia, Rwanda, Swaziland, Tanzania, Uganda, Zambia and Zimbabwe



International Organisation for Migration

IOM in South Africa works in six areas

- Migration and Health
- Regulating Migration
- Movement and Resettlement
- Assisted Voluntary Returns
- Counter Trafficking
- Emergency and Humanitarian Response



Migration Health

- Migration and Health initiatives are aimed at addressing the health vulnerabilities and challenges faced by migrants and migration affected communities by responding to their health needs throughout all phases of the migration process.



Migration Health

- IOM promotes Healthy Migrants in Healthy Communities through:
 - Service Delivery and Capacity Building;
 - Advocacy for Policy Development;
 - Research and Information Dissemination;
 - Regional Coordination



Regulating Migration

Aimed at developing an increased understanding of and responses to mixed/irregular migration

- Enhancing regional dialogue through MIDSA;
- Building capacity of governments through training of officials
- By providing communities in South Africa with tools to create harmony and peace by creating a network of social mediators;
- By carrying out cultural diversity training for various stakeholders;
- Specific project addressing responses to unaccompanied and separated migrant children
- Direct assistance to migrants - AVR



Assisted Voluntary Returns

- Voluntary repatriation to vulnerable stranded migrants:
 - UAMs, VoTs, medical cases, victims of xenophobia
 - Requires formal referral, assessment, health checks, family tracing, liaising with embassies to secure travel documents, escorts/medical escorts



Resettlement

- Organizing the transportation of refugees and migrants for the purpose of resettlement is a core activity of IOM in Southern Africa. Working closely with the UN Refugee Agency (UNHCR), IOM coordinates pre-entry medical assessment and the transport logistics for refugee resettlement cases. Refugees are commonly resettled to the United States, Australia, Canada and Norway.



Counter Human Trafficking

IOM has been working to counter trafficking in persons since 1994:

- It has implemented more than 800 projects in over 100 countries
- provided assistance to approximately 20,000 trafficked persons globally
- SACTAP program in South African (2003-2010)



Counter Human Trafficking

IOM works to:

- Provide protection and empower trafficked women, men, girls and boys (protection)
- Raise awareness and understanding of the issue (prevention)
- Bring justice to trafficked persons (prosecution)
- Develop coordinated response (partnerships)



Emergency and Humanitarian Assistance

- Provides emergency and humanitarian assistance to migrants and displaced people
- Enhances preparedness and early warning systems and initiates early recovery for disaster risk reduction and community stabilization in areas affected by natural and unnatural disasters.



Emergency and Humanitarian Assistance

- IOM in South Africa works to coordinate responses at national, regional and international level with respect to supporting reconstruction efforts, demobilization of former combatants, and reintegration of Internally Displaced Persons (IDPs) and the repatriation of refugees.



IOM Cape Town Office

- Assisted voluntary return (84 cases since October 2013)
- Facilitation of resettlement
- Capacity Building of government and civil society organizations
- Social cohesion activities
- Counter human trafficking activities
- Emergency response – 2008, De Doorns



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