



African Diaspora Forum
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24/01/2015

To : His Excellency Jacob Zuma, President of the Republic of South Africa

**Cc: Minister of Home Affairs, Honorable Malusi Gigaba
Minister of Police, Honorable Nkosinathi Nhleko**

His Excellency

Re: Increase xenophobic violence in South Africa: Concerns of the African Diaspora Forum (ADF)

We have been engaged in working for a society free of xenophobia and all forms of discrimination since 2008. At our level, with little resources, we have managed to reach out to communities in Alexandra, Orange Farms, Katlehong, Diepsloot, Thokoza, Primrose, etc. to appease the violence and build cohesive societies. Today, we are deeply worried about the current course of violence across the country and the lack of effective response from the government to deal with xenophobia. The cost of the violence has been estimated to many losses of lives, millions of Rands lost during the looting and thousands of displacements since 2008. Moreover, the reputation of South Africa as a united and rainbow nation is now questionable. Between 2008-2014, we have registered dozens of attacks on foreign nationals from various parts of South Africa. Although the police was deployed and is working tirelessly to restore peace, there are no accountability structures for perpetrators. We appeal to you to assist in building structures that can restore cohesion and peace in our respective communities.

Despite the escalation of violence over the past 6 years causing numerous deaths, the government has denied that there is xenophobia in South Africa, always questioning the nature of this violence and attributing it to 'crime', instead of recognizing it for what it is – xenophobic violence. e.g. crime targeting foreigners. We are still to hear top members of government, condemning the current xenophobic violence. This attitude, from our perspective, has condoned the violence and allowed it to reach institutional heights making things even more difficult for foreign nationals living in South Africa, but also for South Africans wishing for social peace and integration.

For example, we and several other organisations assisting migrants have reported high levels of corruption and inhuman treatment in government structures like Refugee Reception Offices and hospitals where migrants are treated like animals, but our concerns have received little attention.

Increasingly, stringent legislation makes it almost impossible for migrants to legally conduct business and reside in the country. Even migrants who want to comply are discouraged to do so by non-realistic regulations and impractical institutions. Far from diminishing migration, this only increases 'illegal' migrants in the country and fuels tensions. It detracts the police services from fighting crime, and pushes them instead in tracking migrants that have been rendered illegal through the system and legislation. New rules barring foreigners from



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meaningfully participating in the economic and political life of South Africa are also fueling the division between residents in this country along nationality lines – An example of this is Gauteng legislation prohibiting foreigners from occupying executive positions in Community Policing Forum (CPF).

It is unfortunate that Government has not put its full energy in creating a terrain where foreign nationals can access documentation, basic services, and protection as stipulated in the South African Constitution; where they can be encouraged and supported in meaningfully contributing to South African nation-building. The South African government has instead created a favorable environment for the *making of illegal immigrants* (treated as ‘criminals’) in its impossible attempt to reinforce its border control. As a result, the police and most of the governmental structures have entered to a war against foreigners instead of providing service to the population in terms of fighting real crime. That might explain why some foreigners hesitate to call the police when confronted to attacks, and resort to self-defense leading to the dramatic consequences we are facing today.

We are not only back to a 2008 situation.

We have done a lot of great works with some police officers in Gauteng especially the Hillbrow Cluster, to improve lives of both South Africans and migrants locally: together we focused on fighting the real crime affecting the community. We would like this example of responsible policing to be rolled out around the country.

But in reality and in spite of these courageous efforts, we are worse off as a society than in 2008, as xenophobic attitude and speeches have now penetrated state institutions and affected both the basis and the top of the state.

Besides the work of a few individual police officers, there are big issues with policing in the country. SAPS has an agreement with Home Affairs and often conduct joint operation to track illegal immigrants. SAPS officers on the ground as a consequence resort to the most xenophobic practices, in line with what has now become a disproportionate part of their mandate. Xenophobic behavior and attitude of police officers, incitement to violence in communities, are constantly reported by our members.

City of Johannesburg officials in charge of economic development are also working with Home Affairs, to try and track foreign informal traders, rather than focusing on a developmental agenda for informal traders that would benefit the whole society.

More symbolically, the City of Johannesburg refused to involve the City in hosting the World Social Forum on Migration, an international event held in Johannesburg in December 2014. What a symbol for a City that aims to be the gateway to Africa!

We could multiply such examples.

Generally, why are politicians and state officials today arguing about the nature of the current violence, with no one condemning xenophobic behavior, firmly and strongly? What are they waiting for?

His Excellency, we humbly request:

- A Strongly and unequivocally condemnation of xenophobic violence in all its forms.



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- Any public official or politician making xenophobic statements should be held accountable and strongly sanctioned, as all officials and politicians have a leadership role to play
- A focus on combatting crime and fighting for social cohesion through job creation while allowing the contribution of migrants in formal and informal sector.
- An engagement at policy level, reconsidering migration policy, which would stop criminalizing foreigners and emphasize the benefits of working together embracing diversity.
- Reconsidering the current focus on directing so many state's efforts and resources tracking 'illegal migrants', and instead diverting state resources to real ills of the South African society – inequality, unemployment...etc.

We thank you for the attention you will give to this matter and we are looking forward to building a South Africa where migrants and South Africans can live together and build a better Africa for all.

Respectfully,

On behalf of the African Diaspora Forum (ADF)

Marc Gbaffou, Chairperson