

## ADF Year End Statement

This time of the year many migrants travel back home to meet family despite the hard economic and political conditions in the parent countries. We also know that travelling expenses rise by double to triple the price paid now during the festive season than at any other time. We urge all those travelling to be safe, cautious and be on the lookout for unusual behaviour or anything suspicious as this often spell out trouble seeing so much criminality often sprout during this season.

There are many challenges in the new year that relate to school fees, rentals and other financial commitments that people often forget about or shelve during the excitement of festive spending. This often leads to over-indebtedness in the new year and problems with handling finances throughout the course of the following year. This may lead to loss of property due to repossession and failure to honour the financial obligations and as a result we want to encourage everyone to be sober because the festive season like any other come and go but decisions we make during the excitement could have far reaching implications.

It is with this in mind that we urge all people to exercise restraint and prudence in making financial decisions including travelling arrangements. Do not travel because of pressure from family or to do it because everyone else is doing it. Do not travel simply because you want to be at home and yet you know there are risks of you getting arrested when you get back to your home country. Do not get out of the country if you do not have the correct travelling documents because you may find yourself stuck and unable to come back to work or your business. Asylum papers and many refugee IDs are not travelling documents and cannot allow you to cross borders.

Many will be saying we crossed illegal before and will do so on the return, and this is a risk not worth taking. Many other countries if they give you temporary or permanent residence on political persecution, they are most likely and reasonably so not to understand that you still want to risk your life to go back to the same country to visit remaining family. As much as we take this risk the issuing authority will not see that your life is in danger if you keep sneaking in and out of that country. They will not easily accept that you are merely taking a risk because you want to keep contact with the family at large.

It is therefore wise to allow yourself such time when you have proper travelling documents than to force and find yourself in worse problems. Colleagues, we implore you to ensure that we do not try and flout the laws for the sake of things that are not worth the risk. Laws still need to be tabled and discussed with authorities on the ability of refugees, migrants under restrictive agreements that do not recognise the need to occasionally visit family, to allow such holders to have travelling documents so that they are not confined to the host county.

As we get into the new year 2019, we have a lot of challenges that the migrant community is facing which include new regulations proposed in 2018 about the registration of births and birth certificates for children born to migrant parents. This means children born to migrants will not easily go to school due to lack of documentation as they become irregular

even if born to regular parents. Children of asylum seekers and refugees who cannot go back to their countries are in worse situations because they have no means of getting anything from their parent countries. This means 2019 will be a very busy year for the migrant community to try and secure their stay and access to services in South Africa and particularly education for children.

The law now makes it difficult for students without IDs to write matric and this means the many years of schooling could and as has already happened yield to nothing. It is with this in mind that we are appealing to all migrants whose children cannot go to school or have been removed from schools due to lack of papers or failed to write matric because they did not have IDs, to contact our office as we map a way forward. We have already sought an audience with the Minister of basic education on this matter and hopefully this meeting will take place before year end or at least as early as the new year begins.

We are also in the process of gathering information on similar challenges faced by migrant students at tertiary institutions where it is alleged, they are required to pay 70% of the fees as they start their studies and further that their fees are much higher than those of locals. We are hoping to get an audience that will ensure that being a migrant does not mean that learners must therefore pay more. People are ordinarily trying to get their children the best education and charging these exorbitant prices seems like clearly a means of depriving them of the education without a just cause and surely this constitutes unfair discrimination in our view.

Further to that, 2019 being an election year, as already has been seen that politicians have begun hitting under the belt and using the migrants as a tool to win elections based on the populist rhetoric of broken borders, overburdened service delivery systems and high crime. We have and continue to engage with Chapter 9 institutions including the IEC to ensure that politicians are held to account for all their political statements that violate human rights and we are set to be approaching the equality court should this continue because there is so much hurt speech by some prominent politicians against migrants, it has gone beyond being xenophobic but it's a human rights issue, and hurt speech must be punished by the courts.

We wish you all a festive, responsible and courteous festive season and a prosperous 2019.

**Dr Vusumuzi Sibanda**  
**ADF Chairperson**