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Human rights and refugee protection in South Africa (1994-2004)

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2006-10-31T12:06:12Z
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Chapter One: Introduction

1.1 Background

The process of developing a body of international law, conventions[1] and standards to protect refugees only began in the 20th century despite the ancient nature of forced displacement and refugee movements. The international community, governments and civil society became more involved as the problem of forced migration escalated becoming "an international political issue requiring international legal instruments and political agreements as the framework for their solutions."[2] The incidence of forced displacement and its associated problems have affected many nations including developed, developing and underdeveloped countries either as refugee producing or receiving countries or both, depending on the phenomena.

People have abandoned their homes for safety elsewhere to escape persecution, armed conflict and political instability[3] or other phenomena that threaten human lives and breed insecurity such as ethnic hatred, discrimination, inter-tribal wars, diseases, natural disaster or environmental degradation. Historically, many religious groups have shown great passion and sympathy for refugees. They have provided humanitarian assistance, hospitality and relief packages as part of their religious doctrines and practices to help refugees survive or restart their lives. This attitude towards refugees is based on some compassion to alleviate the plight of people who are forced to flee from imprisonment, torture or death[4] emanating from natural or man made catastrophes. Martin notes that "individuals who have been granted refugee status are in a privileged category as it is an entitlement that allows them to move to a safe country for protection and assistance"[5] and they are protected by international law compared to illegal and undocumented migrants. This assumption may be true in theory but practically refugees have also suffered like the

[1] UNHCR, The 1951 Refugee Convention: Questions and Answers, Switzerland .2001. p4
[2] Daniele Joly et al, Refugees: Asylum in Europe? Minority Rights Publications, London.1992. p5
[3] UNHCR, The State of the World's Refugee: 50 Years of Humanitarian Action, Oxford University Press, United Kingdom.2000.p1
[4] Hayter Teresa, Borders: The Case Against Immigration Controls, Pluto Press, and USA.2000. p65
[5] Martin. D, The Refugee Concept: On definition, Politics and the careful use of a scarce resource in Hussein Solomon, Of myths and Migration: Illegal Immigration into South Africa, University of South Africa Press, 2003. p9

aforementioned groups of migrants and sometimes lumped together. It is important to note that refugees have been forced to abandon their ancestral homes and country of origin, economic resources, established lifestyle, culture, social relations and environment to save their lives. Similarly, refugees choose to leave because conditions in their home countries are inadequate and deteriorated to the extent that it becomes unbearable for them to remain there.[6] In escaping from a dangerous and life-threatening situation, refugees enter into a new sphere of life[7] in their countries of asylum where they face other problems. Human Rights Watch observes that "the right to asylum is a matter of life and death and cannot be compromised"[8] and calls on governments to uphold their obligations. Hence, the United Nations High Commissioner for Refugees (UNHCR) has recognized the problems of refugees today and tagged the 2005 Refugee Day "Courage" to stress the bravery it takes to survive as a refugee.

Until 1951, when the United Nations promulgated the Convention Relating to the Status of Refugee, there was no international law or standards for the protection of refugees and asylum seekers. Rather, assistance by states and humanitarian organizations was basically voluntary and based on the state sovereignty and protection of national interest. This assistance was insufficient to address the problems of forced displacement, and as a result "governments had to find ways of working together to address the problems of refugees and displaced persons that outstripped the capacity of individual states."[9]

The period of the League of Nations (1918-1946) witnessed sporadic interventions and appointment of High Commissioners and envoys to deal with the aftermath of the first and Second World War displacement of people in Europe. In 1921 Fridtjof Nansen was appointed a High Commissioner on behalf of the League of Nations in connection with the problem of Russian refugees in Europe and his appointment marked the emergence of the first formal attempt to establish an international system to deal with refugee issues.[10]

[6] "To Be a Refugee in South Africa", http://ccrweb.ccr.uct.ac.za/archive/two/9_3/p12_refugee_in_sa.html
[7] Chesang Godfery. K, Refugee, International Citizen or Trans-Territorial Citizen? University of the Witwatersrand, 2002. p5
[8] Refugee and Displaced People http: hrw.org/doc/?t=refugees&document_limit=0,2
[9] Daniele Joly et al, Refugees: Asylum in Europe? Minority Rights Publications, London.1992. p7
[10] Ibid. p7

Nansen was given a clear mandate to seek the repatriation of refugees, but he insisted that repatriation much be voluntary and this later became central for refugee law and practice.

The aftermath of the 2nd World War led to the immense task of finding a secure home for millions of displaced people and refugees.[11] The United Nations Relief and Repatriation Administration (UNRRA) was set up in 1943 to help resettle refugees but was later replaced in 1947 by the International Refugee Organization (IRO) which had the mandate to register, protect, resettle and repatriate refugees. None of these bodies were created to tackle refugee problems on permanent and global level. Rather, they were established to attend to temporary and specific objectives within a stipulated time frame. Nevertheless, these bodies were engulfed by acrimonious ideological debate between the Western and Eastern bloc countries. This political dichotomy and the "Cold War ideological tensions affected the function of (IRO) and permeated negotiations within the United Nations on the formation of a new UN refugee body."[12] Countries like the United States and the former Soviet Union were very skeptical about the new body and according to one analyst "the severe limitations on the UNHCR's functional scope and authority were principally the result of the desire of the United States and its Western allies to create an international refugee agency that would neither pose any threat to the national sovereignty of the Western powers nor impose any financial obligations on them."[13]

The establishment of the (UNHCR) in 1950 laid the milestone for adoption of UN Convention Relating to the Status of Refugees on 28 July 1951, which set out the universal standards to tackle the problems of refugees on a global scale. By 2001, out of 189 countries in the world, 140 countries including African states have ratified the convention.[14] The Convention clearly spells out who is a refugee and the kind of legal protection,

[11] UNHCR, The 1951 Refugee Convention: Questions and Answers, Switzerland .2001.
[12] UNHCR, The State of the World's Refugee: 50 Years of Humanitarian Action, Oxford University Press, United Kingdom.2000. p19
[13] Loescher.G, American Foreign Policy, International Politics and the Early Development of UNHCR; Paper presented at conference on 'The Uprooted: Forced Migration as an International Problem in the Post-War Era, Lund, 19-21 Aug. 1998. p2-3
[14] Motha Sarah, Forced Migration and Social Integration in a Host Community: A Study of Ekulindeni Village, Mpumalanga Province South Africa, University of the Witwatersrand.2003. p21

assistance and social rights he or she should receive from state parties to the document[15] and this has inspired regional instruments such as 1969 OAU Refugee Convention and the Cartagena Declaration adopted by Organisation of American States (OAS) in 1985 and other national policy documents for refugee protection. It also provided some obligations for refugees and asylum seekers within the state and obliges them to respect those obligations in respect of what is expected of them in their country of asylum.

The UNHCR has been charged with the responsibility to promote and monitor states' compliance with the refugee convention as well as assist states provide adequate protection to refugees and asylum seekers in their territories. The UNHCR has faced many challenges in carrying out these enormous responsibilities over the years, intensified by the escalation of violence in many parts of the world and the inability of some governments to use peaceful means to resolve internal and external conflicts. Today, some states in Europe and North America are increasingly strengthening restrictive asylum policies and are very reluctant to accept and protect refugees. Despite these challenges, the UNHCR still remain committed to refugee protection and has also expanded its functions to assist the internally displaced people, who were originally not within the framework of the 1951 UN Convention and UNHCR's mandate. The UNHCR has also promoted the adoption of more comprehensive and holistic approach in finding solutions to the problems of refugees which include prevention, protective intervention, protection and solution.[16] Initially, refugees in Europe were regarded as invaluable economic asset in providing labour force for countries devastated by the two world wars. According to Hayter they "provide an extremely vulnerable and highly exploitative workforce"[17] and were regarded as assert rather than liabilities and countries granting refugee status to people viewed them as index of power and national greatness.[18]

[15] UNHCR, The 1951 Refugee Convention: Questions and Answers, Switzerland .2001. p4
[16] Rutinwa Bonaventure, International Refugee Policy for the 21st Century: Which Way Forward in Majodina Zonke The Challenges of Forced Migration in Southern Africa, Africa Institute of South Africa. 2001. p15
[17]Hayter Teresa, Open Borders: The Case Against Immigration Controls, Pluto Press, USA.2000. p64
[18] Loescher G, Beyond Charity: International Cooperation and the Global Refugee Crisis, Oxford University Press. London.1993. p 32-33

South Africa's involvement in refugee protection since 1994 is a recent development though the country has a long migration history. This involvement is part of the democratisation project geared towards given effect to the realisation of its international obligations. It is important to note that people have entered South Africa for decades from Angola and Mozambique and other countries to seek asylum but were denied because of the South African anti-refugee policies. Unlike the apartheid era, the democratic government in South Africa has developed refugee law and has shown some commitments towards the protection of refugees and asylum seekers in the country. Development of domestic law for refugee protection remain important and is seen as part of the panaceas in achieving internationally acceptable principles pertaining to the protection, treatment and recognition of refugees and asylum seekers in the new South Africa.

1.2 Aim and Objectives

The aim of this research is to assess the compliance of South Africa with international refugee law since the present democratic dispensation took effect in 1994. In achieving this aim, the research examines the provisions of international refugee and human rights law, which South Africa has ratified and the implementation of domestic refugee law in South Africa.

In summary, the general objectives of this study include:

a) Identify South African legal and policy framework towards refugees and how its implementation complies with international law and standards in protecting refugees.
b) Examine the role of non-state actors and the use of human rights for a greater push for refugee protection in South Africa.

1.3 Rationale

Refugee phenomenon has increasingly become an important national and international issue due to the intensification of violence and has affected Africa and other developing countries on a large scale. The African continent remains the most adversely affected as persistent conflicts have "caused and still causing widespread human rights violation and

displacement."[19] In the 1960s, there were almost one million refugees on the African continent[20] and the number has increased over the years. According to the United Nations High Commissioner for Refugees (UNHCR) "there are about 6.5 million refugees and displaced persons in Africa, out of the worldwide total of some 18 million."[21] African countries host more than 45% of the world's refugees and 35% of the world's displaced people.[22] Refugee issues have become a major political agenda and have attracted significant attention in South Africa since 1994, particularly with the increasing number of refugees entering and present in the country. David Simon argues that the "influx is linked to political liberalisation in 1990 and the formation of the new democracy South Africa in 1994."[23] With the abolition of apartheid, the birth of a new political order, growing economy and the fact that South Africa has been re-admitted into the international community, South Africa is experiencing a new influx of economic migrants and asylum seekers.[24]

A new political and economic dispensation comes with expectations of improved quality of life and there are expectations from South Africans and the international community that the new democratic environment will usher in the rule of law, respect for human rights and commitment to international law. Harris argues that "the major factor which may motivate immigrants to South Africa may be associated with the country's internationally recognised democracy and freedom."[25] Harris goes further to explain that "many expect to find protection, tolerance and opportunities in South Africa"[26] but "refugees express surprise

[19] Nartea Alexandru, Compliance with International Human Rights and Refugee Rights Principles: A Case of Myanmar and its Refugees in Thailand. Linkoping University.2003. p6
[20] Statement by United Nations Commission for Refugees, Ms. Sadako Ogota, African Refugee Day, Uganda, 2000
[21] Sisulu, L.N, Meeting the Challenges of Forced Migration in Majodina. Z, Challenge of Forced Migration in Southern Africa, Africa Institute of South Africa, 2001. p3
[22] Ibid
[23] Simon David, (ed) South Africa in Southern Africa: Reconfiguring the region, Ohio University Press, USA. 1998. p187
[24] United Nations High Commission for Refugees, 1995. p190
[25]Harris, Bronwyn 2001.A Foreign Experience: Violence, Crime and Xenophobia during South Africa's transition. http: www.csvr.org.za/papers/papvtp5.htm
[26] Ibid

and shock at having their expectations of humane treatment according to democratic norms dashed"[27] by the incidence of xenophobia, violence and intolerance in the country.

South Africa has been committed to building democratic values and human rights culture since 1994, which is anchored on the principle of tolerance and protection of the rights of all South African citizens and foreign migrants living within its borders. This calls for human rights education which according to Robinson is "a vaccine against intolerance, animosity and conflict in our communities and empowers individuals to stand up for their rights and those of others."[28] The South African Constitution guarantees some social rights such as rights to education, health care and social grants to vulnerable citizens and refugees are entitled to these rights. According to the South African Refugee Act, 130 of 1998 section 27(f & g) refugees are entitled to seek employment and have the same basic health services and primary education, which the inhabitants of the Republic receive from time to time[29] but high level of unemployment and xenophobia have made life extremely difficulty for refugees and asylum seekers in the country. Unlike other African countries, South Africa does not have refugee camps.[30] Asylum seekers and refugees live mainly in urban areas and survive largely without government assistance in terms of meeting their socio-economic needs but they survive solely through personal efforts and in engaging in other means of livelihood.

However, ten years after the transition to democracy in South Africa, it has become necessary to examine the realisation of the rights of refugees and asylum seekers. This is to find out whether refugee protection in South Africa conforms to international standards of treatment and protection of refugees. Refugees have been identified by the United Nations as belonging to a category of marginalized and vulnerable group that must be protected by international law. Refugees are uprooted from their homes and may remain vulnerable in

[27]Hayter Teresa, Open Borders: The Case Against Immigration Control, Pluto Press, USA.2000. p74
[28]Robinson, R. (ed) A Human Rights Message in Ministry Foreign Affairs Sweden, 1998. p13
[29] South African Refugee Act 103 of 1998
[30] Refugee and Asylum –seekers, 29 October 2004, http: southafrica.info/public_services/foreigners/immigration/refugees_asylum.htm

their countries of destination[31] and asylum. Refugee groups include all classes of persons such as women, children, old people, the young and the destitute. Fulfilling South African obligations, granting asylum and "protection of refugees in South Africa is an essential part of securing human rights protection"[32] and part of the process of building a new democratic South Africa.

There are prevailing perceptions that extensive refugee migration to South Africa places a strain on the national resources but little or no research has been conducted to support this claim, examine the skills and qualifications of refugees, and explore how this can meaningfully help to alleviate the skill shortage in South Africa.[33] There are also allegations by some section of South African population that foreigners including refugees take their jobs, increase crimes and cause diseases. According to Ransfort Danso and David McDonald, "it is apparent that South Africans as a whole carry strong anti-immigration sentiments, with fully 25% of the population calling for a complete ban on migration into the country and approximately half (45% in 1997 and 53% in 1998) calling for a strict limit on the number of foreigners allowed into the country"[34] particularly African migrants. African migrants are perceived to be responsible for stealing jobs and causing crimes as well as carrying diseases such as HIV/AIDS.[35] The former Deputy Minister for Home Affairs, Sisulu argues that "societal perception of refugees in South Africa appears to be narrow-minded, making refugees susceptible to xenophobia and discrimination and therefore more vulnerable."[36]

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[31]Beiger.G, Modern Patterns of International Migratory Movements, in Migration, Jackson. J C (ed) Cambridge University Press, New York, 1969

[32] The White Paper for Refugee Affairs Task Team, Draft Refugee White Paper, http: www.polity.org,za/html/govdocs/white_papers/refugees.html?rebookmark=1

[33] Palmary Ingrid, Refuges, Safety and Xenophobia in South African Cities: The role of local government. http: www.csvr.org.za/papers/papalm4.htm

[34] Danso, R and McDonald, D.A Writing Xenophobia: Migration and Print Media in Post Apartheid South Africa in Crush et al (ed) Africa Today: Peace Issues, Evaluating South African Immigration Policy After Apartheid, Africa Today Inc, South Africa. 2002. p115

[35] Danso, R and McDonald, D.A Writing Xenophobia: Migration and Print Media in Post Apartheid South Africa in Crush et al (ed) Africa Today: Peace Issues, Evaluating South African Immigration Policy After Apartheid, Africa Today Inc, South Africa. 2002. p116

[36] Sisulu, L.N, Meeting the Challenges of Forced Migration in Majodina. Z, Challenge of Forced Migration in Southern Africa, Africa Institute of South Africa, 2001

There have been a number of studies on refugees and asylum seekers in South Africa prior to the fall of apartheid and since 1994. For instance Hathaway (1991), De la Hunt (1998), Crush (1998 & 2000), Handmaker (2001), MacDonald (2002), Klaaren (2004), Landau (2005), etc. These studies have provided insight into the field of refugee protection and have contributed to the on-going debate in relation to refugee protection in a democratic South Africa. This research, given the theoretical milieu, extends the existing body of knowledge on refugee protection in South Africa. It also explores the factors that have shaped the protection of refugees and asylum seekers in the present democratic political environment in South Africa. Many studies have been unable to explore the achievement of socio-economic rights of refugees and asylum seekers in the country but have much concentrated on status determination and as such, this study hopes to investigate the realisation of some basic socio-economic rights of refugees and asylum seekers in South Africa and the problems impeding it.

South Africa's pursuit of viable democratic values requires commitment to international law and its standards, which shapes its relationship with other countries and the international community. Refugees have rights and should be respected prior to, during, and after securing asylum in another country.[37] Wallenberg argues that respect for human rights is a necessary condition for both preventing and solving today's refugee flows[38] and the protection of refugees can be viewed in the broader sense as protection of human rights. Importantly, the research findings provides information for policy formulation, implementation and intervention which are needed by researchers and more specifically by the Department of Home Affairs, the South African Police Service, Civil Society, NGOs and refugees themselves.

The research also raises new questions in relation to the current refugee policies and practices in South Africa, contributing to the theoretical understanding of treatment and protection of refugees. Government policy statements for implementing and complying with refugee standards are investigated and form the basis for assessing the impact of

[37] Wallenberg R, Human Rights and Humanitarian Law, United Nations Centre for Human Rights, Lund, 1994. p306
[38] Ibid

refugee protection in South Africa. The thesis stimulates and facilitates further researches in the field of forced migration in South Africa since empirical research in this area is still evolving and requires urgent attention. The research therefore seeks to discover and analyse data in order to address the problems of refugees and asylum seekers in South Africa and ensure that protection of refugees is in conformity with international standards.

1.4 Research Questions

Within the framework of this research, three fundamental questions need to be posed:

1) What are South Africa's obligations to refugees according to international law, and to what extent has South Africa complied with these obligations?

2) What is the impact of South African policies on refugees and its implications on the rights refugees?

3) How does the debate on refugee protection shape the protection of refugees and asylum seekers since 1994 and what challenges does this debate pose to the government and international community?

1.5 Outline of Chapters

The research is divided into six chapters taking into cognisance the aim and objectives of this research and in answering the research questions. Chapter one sets out the background of the study, the aim and objectives, rationale, research questions, research methodology, data collection, data analysis and limitations.

Chapter two covers the literature review and embodies the theoretical framework. These include refugee policy debate, acquiring refugee status in South Africa, refugee law in South Africa, refugees and human rights, and the compliance based-theory.

Chapter three deals with International Refugee Law and Standards. These include the 1951 UN refugee convention and its protocol, 1969 OAU refugee convention, human rights

instruments for refugees, role of UNHCR in South Africa, and compliance based-theory and refugees in South Africa.

Chapter four explores South Africa and Refugee Protection. These comprise the compliance with international refugee law, rights-based strategy, roles of refugee NGOs in South Africa, courts and refugee protection in South Africa.

Chapter five covers the Major Problems of Refugees in South Africa. These include policy implementation, xenophobia, and access to basic rights, corruption and human rights awareness to find out the extent refugees and asylum seekers have enjoyed their rights in South Africa and problems impeding it.

Chapter six includes conclusion, recommendations and areas for further research.

1.6 Research Methodology

This section consists of the methodology used for data collection and analysis. These methods and approaches help to interpret the issues of refugee protection in a democratic South Africa. The section also discusses the limitations and the problems encountered in this research.

1.6.1 Data Collection

The qualitative method of data collection was fundamentally useful and was adopted for the purpose of this research, which helped in exploring issues relating to refugee protection in South Africa. These involve semi-structured interviews, questionnaire and the study of relevant literature and policy documents. The data collection made the findings possible and facilitated the development of better understanding of government policies and practice, and the protection of refugees and asylum seekers in South Africa. Interviews formed primary data collection while the secondary data consisted of review of relevant literature and policy documents including journals, newspapers and magazines, theses and dissertations, unpublished works and internet sources.

In respect to interviews, three categories of respondents were interviewed and these include officials of the Department of Home Affairs, an official of South African Human Rights Commission (SAHRC) and three officials representing non-governmental organizations (NGOs), as well as refugees and asylum seekers which helped in sampling the protection of the rights of refugees and asylum seekers in South Africa. Except for Majodina Zonke, the Deputy Chairperson of SAHRC and Ndessomin Dosso, the Coordinator of Coordinating Body for Refugee Communalities (CBRC), other respondents were not identified other than as officials of the Department of Home Affairs, NGOs or as refugees or asylum seekers in order to guarantee confidentiality and as a strategy to encourage the respondents to open up and respond to the questions posed.

1.6.2 Respondents Interviewed

- **Officials of the Department of Home Affairs:** Interviews were conducted with two officials of the Rosettenville Refugee Reception Office in Johannesburg after getting authorization from Busisiwe Mkhwebane-Tshehla, the Director of Refugee Affairs (DRA) in the Department of Home Affairs, Pretoria. These interviews involved semi-structured questions and face-to-face interactions with respondents which helped to gather relevant information on how the Department of Home Affairs is complying with the implementation of refugee law, practice and standards, and at ensuring that the rights of refugees and asylum seekers are protected in South Africa.

- **Officials of SAHRC and NGOs:** The researcher also conducted interviews with the Deputy Chairperson of the South African Human Rights Commission and three officials of NGOs, which include Lawyers for Human Rights (LHR), Coordinating Body for Refugee Communities (CBRC) and the Wits Law Clinic as stakeholders and service providers to refugees and asylum seekers. These officials have some contacts and dealings with refugees and asylum seekers and seek to assist in the protection of their rights. In-depth interviews were conducted with these officials on face-to-face basis and semi-structured questions designed for the purpose of the interviews were sent to them beforehand to ensure some kind of preparation for the

questions. In these interviews, most respondents have crowded programmes and busy schedules, but allowed the interviewer only one chance to interview them and each of the interview lasted for about one hour. This made the interviewer to articulate the questions with the help of interview guidelines and concentrate on those important questions. The interviews centered on the major interventions and the techniques that have been adopted to ensure the protection of refugees and asylum seekers in South Africa, and the reasons behind such interventions.

- **Refugees and Asylum seekers:** Questionnaires and in-depth interview were used and administered to ten refugees and fifteen asylum seekers in the process of gathering data and relevant information about their experiences and responses on the protection of their rights in South Africa. Open-ended and (closed-ended) questions were used in the questionnaires to interview refugees and asylum seekers in order to enable them provide more descriptive data and information on their own words about their experiences and pressing needs to survive in South Africa. The questionnaires were structured in four parts and administered to refugees and asylum seekers in Braamfontein and Rosettenville Refugee Reception Office. The respondents comprise refugees and asylum seekers from six countries namely Democratic Republic of Congo, Somalia, Zimbabwe, Ivory Coast, Ethiopia and Nigeria. Purposive and snowball sampling were used for their selection. De Vaus argues that purposive sampling is useful in generating a range of responses and ideas that people have about the research from a few in-depth cases. Also, a snowball sampling method was adopted in the selection of those interviewed and this method is relevant because it helped the researcher to locate a network of people who shared similar characteristics and experiences. The age distribution of respondents ranges from 24 to 53 years and involves seven female and eighteen male respondents.

1.6.3 Data Analysis

The data gathered for the purpose of this research was analysed qualitatively and thematically focusing on the aim and objectives of the study. The in-depth interviews and

questionnaires were analysed in themes as well as semi-structured interviews, which helps for better understanding and assessment of refugee protection in South Africa.

1.6.4 Limitations and Problems Encountered

This research is limited in a number of ways and does not in any way seek to make total generalisations. The choice of 25 refugees and asylum seekers as respondents and two respondents from the Department of Home Affairs, and four other respondents from NGOs and service providers are not sufficient representatives of all the stakeholders in refugee protection in South Africa. Selection of six countries from where the respondents come from also limits the extent of this research. Hence, it would be unrealistic to generalise the outcome of this research but the samples were used to make a case study in this research for the purpose of investigation and research findings.

There were also difficulties in obtaining authorisation from the Department of Home Affairs to interview its officials. The researcher was granted permission to interview officials of the Rosettenville Refugee Reception Office on 5th September 2005 after three months of persistent communication and dialogue. The delay can be attributed to tight schedules and bureaucratic procedure which form part of the public service practice. The researcher was also interested in interviewing some officials from the Refugee Reception Office in Pretoria since new asylum seekers from Johannesburg were referred to Pretoria to obtain their asylum permit but the researcher was unable to obtain official permission from the Director of Refugee Affairs, Busisiwe Mkhwebane-Tshehla to do so.

In effect, voices of the new asylum seekers are not covered in the present research though some observations were made on my visit to the Refugee Reception Office in Pretoria. This research therefore concentrated on recognised refugees and asylum seekers still struggling to survive in South Africa. The researcher would have conducted more interviews with the officials of the Department of Home Affairs if the difficulties in obtaining permission were ameliorated.

Similarly, some respondents were suspicious and reluctant of answering some questions and this may have affected the outcome of their answers in responding to the questions posed. Some refugees and asylum seekers complained of being tired of participating or answering questions from university students for research purposes and asked several questions before they were convinced to participate in filling the questionnaire and answering relevant questions. The researcher also faced serious financial problems in the conduct of this research and all the genuine efforts made to seek financial assistance from relevant authorities proved futile and this may have affected the capacity and extent of this research.