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Media Release

The Community Constituency Covid-19 Front calls for the SA government to safeguard the rights of refugees, asylum seekers and undocumented migrants

With the alarming spread of Covid-19 across the globe, refugees, asylum seekers and undocumented migrants in South Africa are experiencing challenges linked to their legal status in the country and the national lockdown regulations. There are approximately 270 000 refugees and asylum seekers from different African countries residing in South Africa and yet the government has been silent on relevant measures, accessibility to socio-economic rights and equality rights of this vulnerable group during the pandemic.

With the recent drop in income and unemployment for the general population, the South African government has made strides to mitigate the spread of the virus while simultaneously trying to maintain the livelihood of South Africans. The government has, however, abstained from taking social responsibility for the livelihood and wellbeing of refugees, asylum seekers and migrants. Due to lockdown restrictions, national borders are closed and therefore, foreign nationals who need to return to their country of origin cannot do so.

The Covid-19 Frontline Constituency pleads with the government to acknowledge the rights of immigrants in South Africa and to furthermore act per its obligation to fulfil values of the South African Bill of Rights. Undocumented migrants, refugees and asylum seekers are entitled to equality, dignity, and access to health in an enabling environment. We furthermore plead for the government to observe relevant human rights treaties such as the Universal Declaration of human rights 1948 and the African Charter on Human and Peoples' Rights.

We emphasis on the following challenges being experienced by undocumented migrants, refugees and asylum seekers and provide recommendations.

1. Access to shelter

Recent global research has found that migrants and refugees are vulnerable to contracting Covid-19 through poor living conditions that make social distancing and good hygiene practices impractical. Refugees often live with multiple family members in high population-density conditions or on the streets due to homelessness. In Cape Town it has been reported that groups of refugees who were living on the street for some months were allocated as part of measures to comply with the National State of Disaster and the associated regulations. There have also been medial reports of homeless refugees, asylum seekers and migrants being turned away from shelters because they are not South African. The Covid-19 Constituency recommends an expansion of shelter services to accommodate migrants.

2. Social assistance

Social assistance and state funding is currently prioritising citizens and therefore leaving non-citizens to fend for themselves. Refugees live in conditions that make them particularly vulnerable to Covid-19 and spreading the virus within their communities. Undocumented migrants have had difficulty in accessing social assistance because most of them do not qualify for the existing Covid-19 relief measures. Many rely on informal businesses to maintain their livelihood and undocumented persons are excluded from the status as essential workers. SASSA grants require individuals to possess South African identification. We recommend that the government provides funding to local non-governmental organisations working with refugees and migrants to administer food packages and hygiene assistance.

1. Healthcare services

Testing and services must be provided to everyone within a geographic region, regardless of whether an individual is a national of South Africa or a refugee or asylum seeker. Lockdown regulations place migrants and refugees at increased risk of stigma and discrimination when accessing health services and Covid-19 testing services. In addition to the issues of inequity, differentiating makes no public health sense. Refugees, migrants and asylum seekers must be equipped with personal protective equipment and must have access to hygiene facilities. We recommend that health services are all-inclusive and do not exclude any members of the population.

1. Equality and non-discrimination

Considering that foreign nationals have been subjected to xenophobic attacks and discrimination in recent years, the Constituency recommends that undocumented migrants, refugees, and asylum seekers are treated equally when accessing services. Are treated with dignity within their communities and have access to safe environments free from discrimination and unfair treatment. Foreign nationals must have the support and legal recourse from the state in instances of hate crime and

unfair discrimination and must be protected from violence, unfair and degrading treatment. Many are vulnerable to xenophobic attacks and human violations because of reasons related to citizenship, birth, culture and their role in South Africa's warfare for resources.

1. Permit

Currently, the Department of Home Affairs is not providing services to migrants and refugees to alter or apply for temporary or permanent residence in South Africa. State officials must recognise these regulations and respect them. Undocumented citizens are free from arrest or detention based on their legal status in the country and the government must upscale efforts to ensure this information is available to the public.

Human rights violations, violence and exclusion should not be condoned amid the pandemic. Global pandemics leave vulnerable groups particularly at risk of infection and lack of access to basic human rights such as food, shelter, and health services. Covid-19 is a disease that does not discriminate against people. Everyone is at risk of contracting and spreading the virus and measures must be taken to promote the livelihood of every person residing in South Africa.

Ends

About the Community Constituency Covid-19 Front

The Community Constituency Covid-19 Front was established as a formal advisory body to facilitate the participation of civil society sectors and networks, including those represented in the national response and implementations of Community-Based Measures in response to the novel Coronavirus (Covid-19).

The Community Constituency Covid-19 Front promotes an inclusive, competent and responsive civil society that effectively serves the needs of communities by linking and diversifying civil society actors, expanding the sector's response and ensuring better coordination, thus improving operations, and enhancing connections between civil society organisations with government, business labour, their stakeholders and beneficiaries.

The Covid-19 Front aims to provide a hub of information and contacts for distribution and engagement through our members across the country.

For more information and queries, please contact:



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