AGENDA ITEM 4: THEMATIC DISCUSSION ON VIOLENCE AGAINST MIGRANTS, MIGRANT WORKERS AND THEIR FAMILIES

Sub-themes: Prevention of the problem

Good morning Madam Chairperson, honourable delegates. It is my privilege to participate in the discussion on violence against migrant workers and their families and in particular the ways in which South Africa has sought to prevent this phenomenon.

In addressing the victimization and exploitation of migrants, migrant workers and their families, the Government of South Africa has conferred the mandate to regulate and facilitate immigration to the Department of Home Affairs. The Department of Home Affairs is a key enabler of human rights and the determination of the status of foreign nationals and the issuance of visas and permits are important in defining their legal status and thus in protecting their rights, which are guaranteed by the Constitution. South Africa has recognized that the secure and effective management of foreign migration is essential for the economic, social and cultural development of the region and the continent. The Department of Home Affairs is leading the development and implementation of a comprehensive immigration policy, which is aimed at the secure, humane, efficient and holistic management of immigration. The areas receiving focused attention include establishing a new immigration paradigm and a shift of public consciousness in this regard. Specific areas include economic migration, the management of asylum seekers and assistance to refugees, citizenship and the integration of migrants.

The challenges of unemployment, poverty and inequality have led to xenophobic tendencies among South Africans. Government has put several measures in place to mitigate the scourges of xenophobia which include among others, visible policing, community awareness programmes, promotion of tolerance and cultural diversity. All allegations of cruel, inhumane or degrading treatment or punishment are reported to the South African Police Service for criminal investigation and, where appropriate, referred to the National Director of Public Prosecutions for prosecution.

Madam Chair in trying to improve in reporting and collecting crime and victimization data to better understand trends, forms, causes and consequences of violence against migrants, migrant workers and their families

The South African Police Service has strengthened its capacity to respond to challenges of mixed migration having bearing on human rights and their protection in a sensitive manner, and this has been done at grass roots level. The SAPS is also engaging with human rights institutions in monitoring human rights of migrants and also responding to reports of abuse. Data on human rights abuse and violation is collected, analysed to better understand trends, forms, causes and consequences and reports are given to the
respective Embassies and High Commissions through DIRCO. South Africa fully complies with its international obligations insofar as persons deprived of their liberty are concerned.

Madam Chair, coming to Crime prevention strategies, measures, mechanics and tools, including raising awareness and better coordination of Government institutions and civil society.

Law enforcement Agencies in South Africa have a responsibility to protect all inhabitants in the country, including foreign nationals. South African laws allow foreign nationals to receive protection as victims or witnesses of crime and receive protection from crime. Foreign nationals have become part of many South African communities and the SAPS is mandated to build trust and positive relations with all members of the communities that they police. Foreign nationals are therefore encouraged to become members of Community Police Forums that work closely with SAPS to improve policing and address crime. The SAPS and other government departments also work closely with the following stakeholders in the interest of protecting the rights of foreign nationals residing in South Africa: South African Human Rights Commission
• Lawyers for Human Rights
• United Nations High Commission for Refugees
• Refugee and Migrant Rights Monitoring Project
• Consortium for Refugees and Migrants in South Africa

In conclusion Madam Chair South Africa is committed to fight violence against migrants, migrant workers and their families by;
1. facilitating societal dialogues at various areas around the country involving police, churches, community policing forums, other key government role players and non governmental organisations
2. encouraging communities to blow the whistle against any criminals disguising behind xenophobia.

I thank you.