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CRISIS OF IMMIGRATION IN SOUTH AFRICA

Botswana's GDP per capita is bigger than that of South Africa. According to the latest figures, Botswana's GDP per capita is 6 910 US dollars while that of South Africa is 6 061 US dollars. This means that life for an average person in Botswana is better than that of an average person in South Africa. Economic migrants tend to move to countries with better economic prospects than their own.



Given the facts above, Botswana ought to be attracting a huge number of economic migrants than South Africa, relative to its population. South Africa has a serious problem of illegal immigrants but Botswana does not have such a problem. Of course, South Africa has a bigger economy than Botswana but the reason why the latter has no problem of illegal immigrants is quite simple. Botswana enforces the laws of the country!

When you enter Botswana illegally, you get arrest-

ed and get deported back to your country. If you want to be a refugee in Botswana, you have to make an application and demonstrate that you are fleeing from a war situation in your country. You will be processed and if you qualify to attain a refugee status, you are taken to a refugee camp in Dukwi, in the most remote part of that country. There you become the responsibility of the United Nations High Commissioner for Refugees (UNHCR).

If for whatever reason, you want to leave the camp to go to Francistown, situated about 125km from Dukwi, you will need to apply a day before. The application may be rejected without any explanation. If granted, you will be given a permission in writing stating that you are allowed to be in Francistown from 8am to 2pm on that day. The following day, you will be transported with other refugees, who would have been granted permission to leave the camp. Before the truck leaves the camp, the Settlement Commandant would call names of people who should be on the truck. If your name is not called, you cannot get onto the truck even if you have the written permission to leave the camp. While the truck is on its way to town, it may be stopped at a road-block. Everybody who is on the truck should be on the list carried by the driver. Those who are not on the list would be arrested immediately.

This does not mean that Botswana does not allow visitors. If you are visiting a relative or a friend in Gaborone, you will be allowed into the country. However, the police would verify your location against the submission of your destination you would have made when you entered the country. The law enforcement agencies in Botswana ensure that everybody in that country is accounted for. In the rural areas, the presence of any visitor or stranger has to be reported to the traditional leader.



The situation in South Africa is quite chaotic. Home Affairs Minister Aaron Motsoaledi was once asked on national television about the numbers of illegal immigrants in South Africa. He said he did not know because people who entered the country illegally do not want to be known. He said it was like asking the police how many drug-lords there are. If police knew of drug-lords they would simply arrest them, he correctly argued.

While there are no official records of illegal immigrants, they are estimated to be in their millions.

There are few reasons why illegal immigrants would find South Africa to be an ideal destination. The first is that unlike in Botswana, South Africa does not have refugee camps. If you are an economic migrant wanting to settle in South Africa, you do not even have to risk your life by crossing crocodile-infested Limpopo River or risk being mauled by lions by crossing through the Kruger National Park. You simply approach

any immigration centre at the border post and indicate that you want to apply for asylum in South Africa. The immigration officer will then give you a document stating that your application for asylum is being processed. This document makes your stay in South Africa legal. Because there are no refugee camps in South Africa, you are then free to be in South Africa and can pretty much carry out whatever activities you would have wanted to commit in the country.

Should your application, which can take years to be processed be declined, you can appeal. The backlog of such applications runs into hundreds of thousands. There are people who have been living in South Africa for more than 15 years waiting for their applications to be finalised.

This is the crux of the matter. The problem is not so much the porous borders as we are told. Yes, the borders are porous and this should also be addressed. Yes, there is rampant corruption at border posts by officials who receive bribes to give people documents that they should not be giving. But the real issue is the system of immigration in South Africa that allows economic immigrants unlimited stay in the country.

In terms of the laws of the country, once an immigrant is in South Africa, he or she enjoys all the rights that are enjoyed by citizens except the right to vote. They can look for employment and they can also open businesses. Little wonder that the small businesses in the country are in the hands of foreigners.

The retail industry is awash with foreigners in a country with youth unemployment of over 70 percent. Of course, business prefer cheap labour to maximise profit. This is why the farm owners along the Limpopo valley prefer hiring Zimbabweans to locals because the Zimbabweans would not join a labour union and demand prescribed minimum wages. The situation applies even in big corporates where foreigners are preferred for upward mobility because they would not insist on broad economic empowerment and transformation. This is why many huge South African companies are run by foreign nationals.

Over the past few weeks there have been reports of children dying after eating poisoned snacks acquired in spaza-shops owned by foreigners. This has led to raids of some spaza-shops in different parts of the country.

Some of the raids were led by ordinary residents. This is dangerous as the owners of the spaza-shops may resort to violence to defend their businesses. It should not be the responsibility of ordinary citizens to enforce the law. The state should enforce the law and protect citizens.



When the citizens feel that the State is failing them and that they should act to defend their interests, it is a recipe for anarchy.

It is not enough for the Cabinet to issue a statement expressing its concern over the deaths of children who had eaten expired food. Like in Botswana, the State should safeguard the interests of its citizens.

There are low hanging fruits here. One of these would be to establish refugee camps. People who are coming to South Africa because they are legitimately running away from war or persecution in their countries should be welcomed and be assisted in refugee camps, supported by the UNHCR. This move will help sift economic immigrants who are flooding South Africa to pursue economic opportunities. The incentive of coming to South Africa would be completely removed if the idea was to use asylum as a cover to get into the coun-

try to seek employment or to open a spaza-shop.

Failure to close this loop-hole creates serious tensions between locals and the immigrant community as the poorest in our communities have to be pitted against each other in desperate competition for the minimum resources and the few jobs.

Failure to introduce and to implement effective laws to regulate immigration will undermine the long term political and economic stability of the country. As it is, there are areas in some cities and towns that are dominated by foreign drug-lords and criminal syndicates.

Illegal immigration is a ticking time bomb. It has to be defused as a matter of urgency. No proper planning and service delivery can happen when the State does not know the number of people who require the service. There will always be shortage of medicines in hospitals, shortage of housing accommodation, jobs and many other social needs when there is no accurate information of who is in the country.

Some may argue that focusing on economic migrants is an easy way out of a complicated and deeper problem. They may argue that the majority of economic migrants come to South Africa not because they want to be here but there are push factors that drive them out of their countries. They may assert that focusing on economic immigrants amounts to effectively further victimisation of the victims of political and economic mismanagement in their respective countries.

In the case of South Africa, for instance, the majority of economic migrants are from Zimbabwe. Many of these people believe that South Africa has been complicit in keeping the Zanu-PF in power despite its dismal record in running the economy of the country. This view fails to take into account one important factor. Zimbabwe is a sovereign country. South Africa cannot and should not dictate how Zimbabwe is governed.

As much as there is moral justification why South Africa should help immigrants who find themselves in the country, there cannot be any argument that the government's first priority should be towards its citizens. No single country can resolve the immigration crisis, which is a global problem.



Misguided political correctness, advocating a borderless Afrika, can only serve to create further instability in the country, making the country to be a source of regional political instability.

For the State to retain legitimacy in the eyes of the population, it must be seen to be championing the interests of its citizens. When it comes to immigration in South Africa, the government has not covered itself in glory. What makes the situation even worse is that even the courts appear to be making judgments that undermine the State in favour of immigrants. For instance, the Minister of Home Affairs has lost his bid to terminate the Zimbabwe Exemption Permits (ZEP). The ZEP was a temporary arrangement that gave Zimbabweans a special permit to work in South Africa. It has been extended several times but when the Minister decided to end the temporary deal, the court ruled against him. Reason? He should have first consulted all the 148 000 ZEP permit holders, basically asking them to motivate why the temporary permits should not be ended.

While the courts should not be expected to be

populist, their legitimacy and their ability to reflect the will of the people is paramount to prevent jungle justice whereby people feel they should take the law into their own hands.

The truth is that South Africa is facing an immigration crisis. We can talk about it and establish commissions, as we are good at talking about crises, or we can follow the example of Botswana. They have effective laws and they simply apply them.