



Solly
Msimanga

We treat all in the city fairly, equally

THE City of Tshwane is strategically placed in that it attracts talent from all over the country and the world. These are people who migrate to our city to seek out opportunity for a chance to improve their lives.

Many of them are domestic migrants taking up jobs in the city. We know from data provided to us by the Gauteng City-Region Observatory's (GCRO) Quality of Life survey that the biggest percentage of migrants generally come from Limpopo and Mpumalanga.

However, the city also attracts a significant number of foreign nationals, many of whom have often fled their countries due to conflict or a lack of opportunity.

Those that come to our city, particularly from other African countries, sometimes often have nothing to go home to and have chosen South Africa as the place from where they want to make a fresh start.

Many of them are able to achieve this. The GCRO data for 2015 shows that in Gauteng, international migrants were actually more likely to own a business (16%) than people born in Gauteng (7%).

We welcome these people, they have come to South Africa as entrepreneurs and their drive to make a better life for themselves often means that they will employ local talent in their businesses which channels back into our communities.

As the Capital City, we are host to one of the largest collections of embassies and foreign missions in the world. The universities around the city also play a crucial role in attracting international talent as foreign students are drawn to our academic institutions. All of which contributes to the cosmopolitan feel and diversity that makes Tshwane unique.

Immigration and the role of foreigners in South Africa have over the last few years become highly politicised issues. It is not a unique trend to our country. Around the world, discussions concerning immigration have drawn media attention and been the focus of political debates. What is disturbing is the gross exaggerations that often occur with regards to the actual number of immigrants present in the country.

Again, let me quote the recent data from the 2015 GCRO Tshwane survey. They interviewed 7 242 people from across the city, of which 411 were foreigners. That is 6%; in fact more specifically it is 5.7%.

It is a shame that despite their contribution to our society foreign migrants have in the past been victims of xenophobic attacks.

In some cases we have seen how service delivery protests are hijacked by criminals who use them as a platform to attack and rob foreign nationals. Collectively as a society we must do more to protect our neighbours from these attacks regardless of whether they are locals or foreigners.

As a city through the use of the Tshwane Metro Police Department and joint actions with the South African Police Service there are continuous operations to safeguard our residents. In doing so the law is applied equally to all those that live in the city.

In conducting these criminal operations there are occasions when the perpetrators might be foreigners who are here legally or in some cases they are here illegally and undocumented.

However, there is a tendency in the country to associate specific groups of people whether it be through race or nationality with specific types of crime.

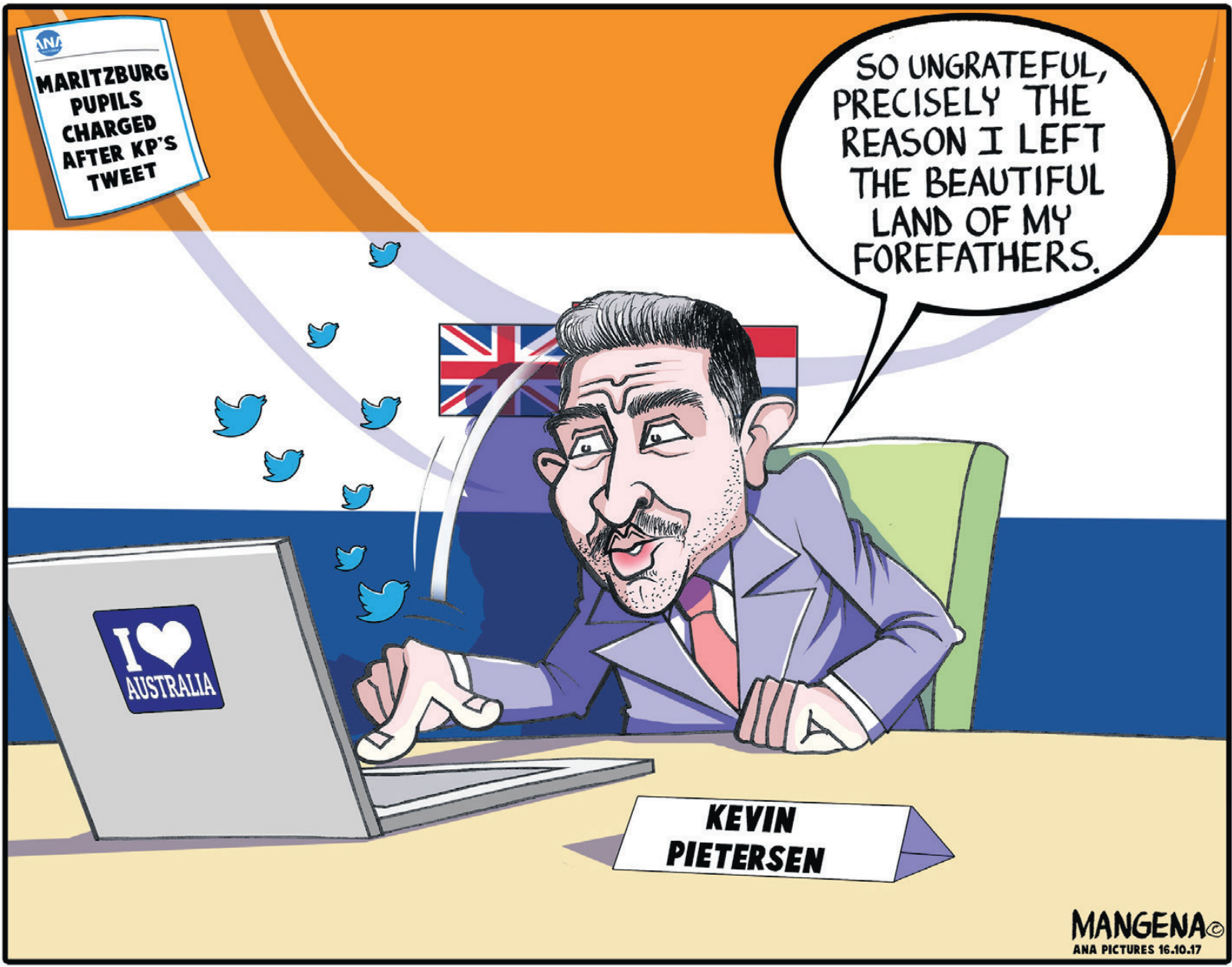
This is simply nonsense: criminals are found in various different groups, men/women, white/black, South African or non-South African.

When we as the City are policing crime we are not going after a specific group or nationality, we are targeting criminality as a whole in whatever form it may appear. If you are drug dealer and you are a South African, or a foreign national or an undocumented foreign national you will be arrested all the same and face the full might of the law.

The DA-lead administration is committed to ensuring that rule of law reigns supreme in this city so that all residents are treated fairly and equally.

Tshwane belongs to all those who live in it.

●Solly Msimanga is the executive mayor of Tshwane



Refugee rulings undermine policy

South Africa's obligations include the duty to share the responsibility of hosting refugees fleeing persecution and insecurity. From 2006 to 2015, it received about 1.08 million asylum seekers, compared with 3.7 million for the 28-member EU, an average of 132 000 persons for each European country for that period.

Without doubt, South Africa carries a fair share of the burden of displaced persons. Since 2010, we have afforded work and study permits through sequential special permit regimes to 280 000 Zimbabweans seeking jobs here.

International law does not require refugees to seek asylum in any particular country. There is, however, the principle of "first country of asylum", which directs countries to welcome refugees fleeing from persecution in a neighbouring state. This principle has developed so that, in practice, an asylum seeker who had the opportunity to claim asylum in another country is liable to be returned to the neighbouring country to have his or her claim determined there.

The UK unsuccessfully tried to invoke this principle during the exodus of Syrian refugees, returning them to first safe countries like Greece while shutting their borders to the newcomers who resorted to camping in the French city of Calais. Despite resource and capacity challenges related to managing migration, SA has not closed its ports of entry to asylum seekers. Consequently, much of our resources have been diverted to dealing with challenges arising from so-called "mixed-migration".

This refers to migration motivated by a variety of reasons, including insecurity, persecution and better economic prospects. It also includes irregular (or illegal) migration, as well as the heinous practice of trafficking. Irregular migration is not benign to a mixed economy such as ours and the strain on the Health Department's resources is evident in Gauteng, where most undocumented migrants are concentrated.

South Africa's post-apartheid human rights orientation does not sit comfortably with the notion that poor people



Fatima
Chohan

Court rulings are threatening South Africa's policy of processing refugees at border centres, which may even affect our safety

looking for a better life should be dealt with as criminals to be arrested and deported. South Africans understand and can relate to the plight of poverty and human aspiration to seek new pastures. However, our constitution itself is a law and an essential principle of any constitutional state is respect for the law.

Our Bill of Rights reserves the right to enter and reside in the country only to citizens. Everyone else is required to enter the country in accordance with immigration laws. If you enter illegally, you should surely not have an automatic right to remain in and have equal access to state resources. As a country we must strike a balance between our humanitarian values and our responsibility to ensure safety and security for all citizens, as well as migrants and refugees who comply with our laws.

This emphasis is increasingly being overlooked in subsequent court-made policy decisions. Notwithstanding the fact that a correct interpretation of the Bill of Rights would be to ensure no room for contradictions of its provisions, the state is increasingly being directed by the courts to afford rights to persons who have entered and remain in the country illegally. In this regard, it has previously been understood that the separation of powers doctrine retains the executive's remit in relation to the deployment of



A file picture of asylum seekers outside the Department of Home Affairs in Marabastad. PICTURE: OUPA MOKOENA/ANA

state resources. Increasingly, the executive is made to give effect to court-made policies that have serious implications for the deployment of scarce resources and entail the reprioritisation of budgets determined by cabinet. In some instances, these court determinations result in the direct displacement of government policy.

Placing the refugee reception centres at the land borders in the north, is one such policy. The UNHCR Report on Protection delivered in Geneva on October 5 states: "UNHCR recognises the legitimate security concerns of states in managing their borders. Protecting refugees and ensuring security are compatible and even complementary goals. Protecting sensitive border management systems and effective screening and referral mechanisms allow for those persons in mixed flows who need international protection to be detected and referred to the appropriate services, while simultaneously advancing national security. The orderly processing of asylum claims... enables states to be confident about who is on their territory and... safeguards the rights of refugees and asylum seekers."

Similar considerations prompted the governing party's policy conferences since 2012 to affirm government's intention to relocate the refugee reception centres to our northernmost land borders.

Statistics and strategic analysis indicate that a new refugee centre at the border with Mozambique, together with the Musina Refugee Reception centre will be able to process most newcomers.

Given the blatant corruption experienced in the Port Elizabeth Reception Refugee centre in 2011, the director-general announced its closure to all newcomers. Likewise, a later decision was taken to close the Cape Town Refugee Reception centre to new asylum seekers. Resident refugees in both those cities would continue to be serviced by those centres operating leaner bureaucracies.

Due to court challenges by NGOs, our courts have ordered the Department of Home Affairs to re-open both centres to first-time applicants. Meanwhile, the department's resources have come under strain, due to budget cuts. This means any further resources acquired by the DHA will have to be prioritised towards the re-opening of these centres, far from where most new arrivals enter the country. This deals a blow to the protection of asylum seekers and constrains the state's attempts to contain illegal movement, undermining our collective security. This benefits neither our humanitarian values nor our aspiration for greater safety.

●Chohan is the Deputy Minister of Home Affairs

Letters TO THE EDITOR

Your cringeworthy columnist

YOUR columnist Azad Essa is so anti-European that he makes me cringe when reading some of the drivel in many of his columns. But this time I feel I just have to say something.

In his column, "Money cometh to Africa – but why so expensive to send it?", which appeared in the Pretoria News on Wednesday, there are more than a couple of sentences that show his complete hatred of Europeans and their values. He says "I figure now is as good a time as ever to clarify that there was never a migrant or refugee crisis in Europe."

What? My God, man, did you not see the hundreds of thousands of refugees flocking into Europe. Are you so blind? As for the next paragraph: "It was

just European whiteness afraid of its own shadow. Those who drowned off the coast of Europe were murdered by Fortress Europe."

This is ludicrous. Europe did its utmost to rescue and care for thousands of boatloads of refugees and migrants off its coast, while many more hundreds of thousands who made their way into Europe on foot were given the best care that they could be given under the circumstances.

Maybe Essa should have a rethink and direct his attack at the tyrants in Africa and the Middle East who caused and are still causing the mass exodus from their war-ridden and corrupt countries. Peace, Pretoria

Companies, look to keep and nurture your talent

I AM A big fan of the "K-word" column and believe it is one of the best reads in the Pretoria News.

So, allow me to comment on "I'll sacrifice the stripes for the money any (working) day..." (October 11), because it is not only young blacks who work "twice as hard" and feel their salaries are inadequate to meet their needs. Kabelo raises a point that applies to many young people of all races in this country who have studied and worked hard to get a job,



Kabelo Chabalala

and want to do well. Some may have commitments to pay it forward, while others simply want to stop being a financial burden on their parents and get on with their own independent lives.

Companies that want to keep talent should find and strive to keep it; if they don't, do not be surprised if dynamic young people get restless and

move on for more money. Employer, Pretoria

PRETORIA NEWS

Policies must reflect social justice or fall

COMPASSION is a given expectation in any decent or fair society.

Where rules and regulations exist and must be respected, the over-riding hope is that they can be bent every now and again when the need arises.

Hospitals, for example, have visiting hours which must be adhered to, not because managers are mean but to allow the normal flow of medical care to continue unhindered.

But when a patient is on their death-bed and the family is called in to say their good-byes, compassion dictates that they are allowed in, even if for a short while.

The Pretoria News reported last week about a city woman, Laetitia Musiker, whose mother died at Steve Biko Hospital while she was outside pleading with security to let her in. Hospital staff had called her and told her to rush there, but the men at the gate refused to let her enter.

They would not even accept the call from medical staff urging that Musiker should be allowed in. Instead they were in uniform and officious and told her: "rules are rules".

Although we await official comment from the health department, it is clear that Musiker was wronged.

Emphasising the difficulty of accepting death, a spokesman at the hospital said it was important to allow people the chance to say goodbye: "Family is allowed in, with their choice of spiritual leaders and given the privacy they deserve," he confirmed. "This not only helped deal with the death, but assured them the person was at peace."

As we empathise with Musiker, so too must we support the families of 141 patients who died in the Esidimeni tragedy who only now are seeing some remorse and apology by the health authorities for the terrible treatment of their loved ones.

Is it a lack of compassion? Is it heartlessness?

Surely it cannot be being principled and "doing what is right" when lives are lost and family members are left with questions that may never be answered.

TODAY IN HISTORY

1917 Mati Hari, a Dutch dancer who spied for the Germans, is executed by firing squad outside Paris.

1946 The former head of the Nazi air force, Hermann Göring, is sentenced to death as a war criminal.

1989 President FW De Klerk, promises to open public facilities to all South Africans.

2003 Pope John Paul II celebrates the 25th anniversary of his election as pope, making him the fourth longest-surviving pope in Roman Catholic church history.

2010 Officials warn some flights landing at France's main airport to come with fuel to get back home as they brace for a possible fuel shortage after a few rounds of protests against plans to raise the retirement age to 62.

2012 With polls showing a dead heat three weeks before election day, President Barack Obama and Republican nominee Mitt Romney meet for their second debate.

2013 Several rebel groups in Syria break away from main opposition in exile, creating a setback to Western efforts to unite moderates battling President Bashar al-Assad's regime.

BIRTHDAYS

Kaizer Motaung, founder of Kaizer Chiefs FC, 73.

Suzanne Somers, US actress, 71.

David Zucker, US director/producer, 70.

Jacques Kallis, former South African cricketer, 42



Kaizer
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