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“Refugees who flee from home fear stay in South Africa”

By Roger-Claude Liwanga

The dilemma for refugees is whether to face the war back home or to face persecution in our “new country”.

Indeed, in terms of the 1998 Refugee Act 130¹, a refugee is a person who is outside their country and who has a well- founded fear of being **persecuted** on account of his/ her race, religion, nationality, political opinion or membership in a particular social group; or who is outside their home country and whose life, physical safety or freedom is threatened on account of external aggression, occupation, foreign domination or other events seriously disturbing or disrupting public order in either part or whole of that country.

History bears testimony and it is no secret to anyone that **war** is the major causal agent for refugees all over the world. People flee night and day from their countries as the result of interminable war that causes solemn damages, both humane and material. Therefore, war, which can be defined as a state of conflict between parties within a state carried on by fighting², is the biggest scourge that characterizes currently African countries. Citizens have only one choice - flee in order to save themselves and avoid to be persecuted. **Persecution** is nothing else than an act that is offensive to any ordinary person, a violation of a basic human right. It is a serious harm that someone is experiencing or he/she fears may happen to him/her.³

However, sometimes, in running away war from their home country, refugees unfortunately meet “persecution” along the way and especially within their “new country”. And here is the dilemma, to face the war back home or to face persecution in their “new country”. Is there really a choice? It is very difficult to make an appropriate choice. This is the situation that many refugees, especially from African countries, are experiencing in South Africa, their “new country”.

Besides fleeing from the war at home, refugees are daily persecuted in their new country in terms of xenophobic sentiments, murder, abuse, rape, illegal detention, inhumane treatment by Department of Home Affairs (mostly relating to the callous

delay in documentation for their legal stay in SA) and even threats from the police.

Should this situation really prevail? Not if we all, South Africans in particular, regard Africa as a home for all who live in it.

¹ The Refugees Act 130, 1998, Chapter 1

² Chambers Concise Dictionary

³ The Trauma center, Refugee handbook, p.6