Seeking Refuge in South Africa: 
The Victimization of Vulnerable Persons

CHADLEY JAMES*

M any Africans confront and deal with very trying situations in their countries that are very different from the comforts enjoyed in developed parts of the world. Labeled as a ‘traumatized continent’ (Norridge, 2013: 64), many Africans motivated by the basic human necessities for food and safety flee their countries, seeking refuge in South Africa. The large influx of refugees has given rise to invalid concerns from the government and the ‘champions’ of their interest (Mauss, 1975: 10), the media. These concerns have spurred changes in the practice of the asylum system which are aimed at targeting refugees, rather than improving their situation, increasing the vulnerability of persons already fleeing persecution: the refugees, the victims. The aim of this paper is to analyze the problem from a victimological stand point, and draw attention to the issue that more research needs to be conducted with victims to improve our understanding of the impacts these practices have.

Keywords: South Africa, asylum seekers, refugees, victimization.

Introduction

South Africa, in 1994 became a new nation. With a commitment to democracy and a respect for a culture of human rights, the new South Africa represents a fundamental shift in the social, political and geographical landscapes of the past. Unity has replaced segregation, equality has replaced legislated racism, and democracy has replaced apartheid, at least in terms of

* Dr Chadley James is Assistant Professor, Department of Criminology, California State University, Fresno, USA. E-mail: chadleyj@csufresno.edu.
the law (Harris, 2002; Klein, 2007). Characterized for its multiculturalism and diverse population, the new South Africa is referred to as the Rainbow Nation. Since its emergence, the country has enjoyed a peaceful transition and steady growth in its economy. It is now one of the largest economies on the African continent. However, despite the country’s successful transition and economic growth, many problems still plague the country. High levels of unemployment, prejudice and violence remain all too common.

While many South Africans may not be satisfied with the current state of their society, people in many other African countries face even more trying circumstances. Relatively poor economic and political conditions persist in many of the countries bordering South Africa. As a direct consequence, scores of desperate people have left and continue to leave their countries in the hope of finding safety and better economic opportunities in South Africa. According to a report issued by the United Nations High Commissioner for Refugees (UNHCR, 2013; 2016), South Africa for several years (2008–2012) received the largest number of new asylum applications. These numbers have since dropped, but the total asylum-seeker population in the country remains relatively high, and is estimated to be around 218,300 (UNHCR, 2016).

The large influx of refugees into the country has raised concerns particularly with the inability of rural areas, towns and cities to provide services and jobs for an increasing population, the lack of employment opportunities in a stagnant economy, the prevalence of informal work, and strong gendered differentials in accessing the labor market (Lehohla, 2017). Added to this is the history of anti-immigrant violence, where there is apperception that immigrants illegally cross the border are criminals, who deal in drugs, traffic children, facilitate and exploit the informal economy, and take opportunities away from South Africans (Alfaro-Velcamp, Shaw, 2016). These rising concerns have prompted the South African government to review and consider implementing changes to the practice relating to immigration and international migration. The proposed changes have been detailed in a Green Paper on International Migration in South Africa (2016), and a White Paper on International Migration (2017). Both these papers have highlighted a need to find a balance between the liberalization of immigration policy and government regulation of domestic communities. Among the policy changes being considered are to set up processing and detention centers for asylum seekers near the borders, and to only grant asylum seekers the right to work under exceptional circum-
stances. The proposed changes in the papers have been heavily criticized for being exclusionary and seen as a move by the government to move away from an integration approach to more of a containment and repulsion approach. This seems to follow global state-led trend, which seeks to inhibit access to physical territory and refugee protection systems through erecting physical, economic and social barriers to entry (Crush, Skinner, Stulgaitis, 2017).

To date, the policy changes detailed in the Green and White papers have not been legislated; however, many changes in the asylum system are being executed in advance of legislation, increasing the vulnerability of those already in precarious situations. The changes of concern include denying entry of persons, limiting access to permits and the rights of asylum seekers to work and to education, and the closing and relocation of Refugee Reception Offices (RRO). This has resulted in many persons being forced to enter the country illegally, exposing them to human trafficking and the accompanying victimizations of theft, rape, assault and possible death during passage (MSF, 2009, 2010; Alfaro-Velcamp, Shaw, 2016; Alfaro-Velcamp et al., 2017).

This paper provides a brief overview of the asylum system in South Africa and discusses how the changes in the practice of the asylum system are in fact aimed at targeting refugees, rather than improving their situation. The paper then details the context in which these changes occurred and lists the ways in which the refugees – the victims – are suffering their effects. The information in this paper is drawn from a variety of sources including: Government and Non-governmental Organizations (NGOs) reports dealing with asylum seekers and refugees, scholarly articles and media publications. It is important to note however, that drawing information from these sources does have limitations. Some (or much) of the analysis drawn from these sources, is unsubstantiated by police data and government officials. This may be due in part to the fear of reporting by refugees, and the political will of the government to comprehensively investigate the problem.

Nonetheless, what is presented does suggest that research is desperately needed to substantiate the consequences of the changes in practice of the asylum system that appear to have grave outcomes for those trying to entry the country.

1 The paper does not deal with all aspects of the asylum process. Specifically, it does not deal with the administrative and implementation challenges in the status determination process, as this is not a change in practice, but rather a longstanding concern.
The South African Asylum System

As a signatory to the instruments of international refugee law, most notably, the 1951 United Nations Convention Relating to the Status of Refugees, which obliges states to provide protection to those persons fleeing persecution and to prevent refoulment, South Africa has two primary acts that serve as the foundation of its asylum system. These are the Refugee Act (1998) and the Immigration Act (2002). A principle of the above-mentioned UN convention and found within the above legislation, is that no limitations are placed on who may apply for asylum in South Africa. Moreover, it clearly asserts that “no asylum seeker may be denied entry at the border post, and that each individual’s application must be judged on its individual merit and not according to any group-based characteristics. A priori limitations on the right to apply for asylum based on nationality or on proximity or distance of the country of origin from South Africa are therefore prohibited” (Ngwato, 2013: 20). Evaluated in accordance with international principles of refugee law and human rights instruments, South Africa’s asylum policy system is argued to be one of the more progressive systems in the world (Klaaren, Handmaker, de la Hunt, 2008).

The progressive nature and intent of these laws are however, largely overshadowed by their poor and ineffective implementation (Handmaker, 2002; Crush et al., 2017; Crush, Skinner, Stulgaitis, 2017). Challenges that have and routinely affect their functional implementation are: poor access to RROs (limited locations), corruption, accumulation of applications and appeals, and poor judgment in determining refugee status (Klaaren, Handmaker, de la Hunt, 2008; Landau, 2008; Crush et al., 2017). Even turnaround programs by independent evaluators which furnish assessments and recommendations to better implement the laws have been largely ignored (Ngwato, 2013). The current asylum system is broken and failing those who need it most. The failure of this system and the erosion of the protective and progressive refugee policy approach, coupled with the changes in its practice already mentioned above, place already vulnerable persons at an increased risk of victimization (MSF,

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2 Refoulment is defined as the returning of a person to a place where they may face persecution. Non-refoulment is the axiom that no country shall return a person to a place where they may face persecution (Ngwato, 2013: 20).

3 Turnarounds are programs that make assessments and identify specific shortcomings and ineffective procedures within systems. Based on these assessments, specific recommendations are made to return the system to a sustainable operational position (Sloma, 2000).
2009; 2010; Alfaro-Velcamp et al., 2017). These actions (and or inactions) prevent opportunities for good governance and highlight the immigration challenges South Africa faces and the vulnerability of immigrants coming to the country.

**Developments Leading to Changes in the Asylum System**

Positions in society on specific issues such as political arrangements are shaped by a “set of general abstract beliefs or assumptions about the correct or proper state of things” (Miller, 1973: 142). These positions are known as our ideologies. Ideologies are inextricably linked to our thoughts and behaviors. They form the lens in which we view and react to politics, economics, philosophy, criminology and victimology (van Dijk, 1998; Kirchhoff, Khan, 2012; Boudon, 2013). Thus, when discussing issues of social control – of which current changes in practice within the asylum system are most certainly about social control – ‘social control is all about ideology’. Two major developments in South Africa resulted in the changes in practice in the asylum system: an increased focus on security and a concern about the increase in the number of asylum seekers (Ngwato, 2013). These will now be detailed.

**Focus on security**

Over the last several years the South African government under the leadership of the African National Congress (ANC), has persistently raised questions related to asylum seekers and security (Amit, 2010; 2012). Underlined in a policy document entitled *Peace and Security* (ANC, 2012), the ANC detailed the most important objectives for the Department of Home Affairs (DHA): achieve national security and public safety. The ANC document is not a government policy statement representing the government’s final position on a problem; rather, it represents the leading party’s internal dialectics on a problem and the intended strategic orientation. The document indicates the extent to which the issue of security takes precedence over the other directives of the DHA. The document reveals that the orientation of the ruling party is to have an asylum system focused on protecting South Africa, rather than helping those in need of protection. Furthermore, this focus on security and protection has resulted in the DHA being moved from the administrative branch of
government to the department of justice and crime prevention (Amit, 2012; Ngwato, 2013). This orientation arose despite a significant lack of evidence to suggest that the country is in need of protection… and from what?

Refugees and immigrants are continuously being linked to labor market competition and national security threats (Alfaro-Velcamp, Shaw, 2016; Crush et al., 2017). The rationale given for these threats is based on the premise that those not recorded on the country’s national identity and fingerprint databases pose a threat to the country’s security. The sheer lack of substance to this argument is deplorable in itself; but more important, there is no evidence to suggest how asylum seekers, along with those who are undocumented, constitute a threat to South Africa’s security. There is also little evidence to suggest that a disproportionate number of asylum seekers are convicted of crimes (apart from administrative arrests relating to residence status) (Mutongwizo, 2010; Singh, 2011; Makhada, Roelofse, 2013; Ngwato, 2013). Instead, there is substantial evidence to demonstrate that changes to the asylum system, despite not being sanctioned, are already being implemented. Limitations on access to the country for asylum seekers have been put in place in ways that coincide with insufficient protection for these vulnerable persons (Misago, Landau, Monson, 2009; Kavuro, 2015; Crush et al, 2017). Implementing changes to an asylum policy with a focus on security is attributed to the concerns about the number of refugees seeking asylum in South Africa.

Concerns about numbers

The second motivating factor for the changes in the asylum system is the preoccupation with the number of refugees entering the country (Klaaren, Handmaker, de la Hunt, 2008; Ngwato, 2013; Kariithi, Mawadaza, Carciotto, 2017). Discussed earlier in the paper, South Africa over the past seven years has received some of the highest annual flows of asylum seekers in the world (UNHCR, 2016). This tide of humanity has received a great deal of attention by the government and the media. Both have resorted to sensationalist language to characterize the situation (Kariithi, Mawadaza, Carciotto, 2017).

The use of negative, sensationalist language like: influx, flood, pour, waves, hordes and descend, has been used by the government and media to depict the number and the dire implications of refugees arriving in the country (Kariithi, Mawadaza, Carciotto, 2017). The use of such negative representations of asy-
lum seekers creates the impression of an uncontrollable or unstoppable process (Sontag, 1988). It further suggests, implausibly so, that foreigners are the cause of chaos and the high levels of victimization in the country (Mutongwizo, 2010; Alfaro-Velcamp, Shaw, 2016; Alfaro-Velcamp et al., 2017). The overtly misleading representations of the situation and perceptions of the other is arguably one of the causes of the high levels of xenophobic violence in the country (Harris, 2002; Pretorius, 2004; Sharp, 2008; Misago, Landau, Monson, 2009; Martin, 2010; Singh, 2011; Foster, 2012; Ngwato, 2013; Patel, 2013; Hickel, 2014; Alfaro-Velcamp, Shaw, 2016; Alfaro-Velcamp et al., 2017; Crush et al., 2017). The language of the media and the government also has bolstered the idea that South Africa needs to be protected (Harris, 2002; Misago, Landau, Monson, 2009).

However, the notion that South Africa is overflowing with refugees is false and stems from a misinterpretation of the numbers. According to the UNHCR (2011) Statistical Yearbook, choices related to administrative categorization are the reason for why South Africa ranks so highly, when the number of persons fleeing persecution is actually higher in other countries (UNHCR, 2016). Although there may be numerous reasons for the change in practice in the asylum system, the focus on security and a concern for the number of people are argued to be of particular significance. As mentioned already, the changes of concern have included denying entry of persons by nationality (notably Zimbabweans, Somalis and Ethiopians), limiting access to permits and the rights of asylum seekers to work and to education, and the closing of Refugee Reception Offices (RRO) and relocating them. These changes in practice will now be detailed along with their implications.

**Changes in the practice of the asylum system**

Africa is a ‘traumatized continent’ (Norridge, 2013: 64). Many Africans face trying situations in their country that are often very difficult to comprehend by those in developed parts of the world. The large influx of refugees has raised concern and resulted in many changes in the practice of the asylum system; however, despite changes being outlined in the Green Paper on Inter-

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4 Xenophobia is defined as “a negative attitude towards foreigners, a dislike, a fear, or hatred. Xenophobia is posited to be more than an attitude – it is an activity, as in South Africa evidence shows that it becomes a violent practice that results in bodily harm and damage” (Foster, 2012: 49).
national Migration in South Africa (2016), and in the White Paper on International Migration (2017), these have not been legislated, or reviewed for the possible consequences of their implementation (Crush et al., 2017). These changes are broken down into three subsections, individually detailed with their rising concerns and serious implications.

Denial of entry

According to the Refugee act (Section 2) of 1998, preventing asylum seekers from accessing protection in South Africa is a violation of the law, and a contravention of the Universal Declaration of Human Rights (UN, 1948). Elphick (2011) comments that the Refugee Act stipulates: no person/s other than a Refugee Status Determination Committee (RSDC) is sanctioned to determine the validity or otherwise of an individual's asylum claim prior to them being granted access to the country and representation in front of the RSDC. Both the Refugee Act (1998) and the Immigration Act (2002) therefore state, that any person/s presenting themselves with the intention to seek asylum must be issued with a Section 23 permit. This permit enables asylum seekers to travel into the country to the nearest RRO to make their application for asylum.

It has been established that immigration officers have been actively denying entry to persons. Between March 2011 and July 2012 no Zimbabwean asylum seekers at the RRO in Musina were found to have a Section 23 permit. These asylum seekers were initially denied entry into the country based on the argument that they were not genuine asylum seekers, and were instead economic migrants (Amit, 2012; Crush et al., 2017). This practice has since stopped; however, it meant that decisions to grant Section 23 permits to persons are being made by immigration officers, which is in violation of the decrees of the laws (Amit, 2012; Ngwato, 2013). It additionally means that these Zimbabweans had to enter the country illegally and purchase immigrant documents through corrupt Department of Home Affairs officials (MSF, 2009; 2010; Alfaro-Velcamp, Shaw, 2016). Furthermore, there is evidence to suggest that South Africa is actively applying what is known as a ‘first or third safe country principle’ without any formal policy document (Amit, 2011). A first safe country principle argues that an asylum seeker is expected to apply for asylum in the first safe country where they have the opportunity to do

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5 Musina is city located 18 Kilometers from the border between South Africa and Zimbabwe.
so. If they first apply for asylum in a subsequent country, then that country can return them to the first country in order to examine their claim. A third safe country principle implies that a destination country can return an asylum seeker to another country through which they passed if there is a safe third country agreement with that country (Hathaway, 2005). First or third safe country principles are based on bilateral agreements between countries and not enshrined in international law.

This does not make the principles unlawful, but it does raise concerns over the obligation the country has to protect and prevent refoulment – stipulated in the Refugee Act (Hathaway, 2005; Kavuro, 2015). As such, a key feature in the law is the right of the refugee to protection and resisting movement to a third country (Amit, 2011). However, further evidence of asylum assessments made by immigration officers and a simplified first safe country implementation has resulted in the denial of entry to a person at border posts between South Africa and Zimbabwe (IRIN, 2011).

These practices have dire consequences. The denial of entry into South Africa for asylum seekers is in violation of the country’s domestic and international legal obligations. This practice invites international scrutiny and condemnation for its protection of vulnerable persons. More important, forcing desperate people to take desperate actions places them in a more precarious situation when they enter the country illegally.

Limitations of rights to work and to education

Enshrined in South Africa’s constitution and Refugees Act (1998), is the right for asylum seekers to work and study. This right to work includes within its description the ability to enter into employment, as well as start a business (self-employed) (Kavuro, 2015; Crush et al., 2017). The right to work is of particular significance in the South African context, as it enables refugees to earn a living without state support. However, cases have been reported of South African Police Service (SAPS) officers contacting UNHCR officials for confirmation of the legality of an order issued by the DHA to close down foreign-owned businesses (Ngwato, 2013; Gastrow, Amit, 2015; Crush et al.,

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6 The right to work does not include within its definition the right to work in the medical professions. Those with medical qualifications need to complete a qualifying exam and be registered with the Health Professionals Council of South Africa (HPCSA), before working in this field (HPCSA, 2013).
The fact that the DHA is already acting on these changes despite the absence of any official sanction is of grave concern, as the evidence suggests that the police are harassing asylum seekers. Moreover, harassment aggravates an already fragile relationship between police and foreigners in South Africa (Konanani, Odeku, 2013; Tomchak, 2014). Furthermore, the proposed changes to limit the right to work and to education would drastically affect the self-sufficiency of asylum seekers. It would in fact place greater burden on the government, which currently does not provide any support to asylum seekers, to provide them with welfare assistance. Such support would include shelter, food, and basic services in either camps or detention centers. Providing this type of support would place South Africa more in line with asylum practices in other countries (i.e. Japan). However, such a change in policy has been opposed by NGO’s and human rights groups stating that South Africa would not be able to afford the necessary protection of refugees outlined in its domestic and international legal obligations (de Haas, Natter, Vezzoli, 2016; Crush et al., 2017), as it places already vulnerable people in more vulnerable situations.

Closure of RRO’s

All the asylum applications, asylum permit renewals, refugee status determination interviews, refugee status renewals and appeal hearings are conducted at RRO’s. They are the most important point of contact between asylum seekers and the DHA (Misagot, Landau, Monson, 2009). The Consortium for Refugees and Migrants in South Africa (CoRMSA, 2011; 2012) point out that RRO’s have been situated in the larger city centers of the country: Johannesburg, Pretoria (nation’s capital), Cape Town, Durban and Port Elizabeth. One RRO was also situated in Musina close to the border between Zimbabwe and South Africa.

The DHA in 2011 decided to close RRO’s in Johannesburg, Cape Town and Port Elizabeth; it also announced plans to relocate all existing RRO’s to the country’s international land borders. This was done with little or no notification to those affected. The closure of existing offices and the intended move is one that detrimentally affects the asylum system (CoRMSA, 2012; Brown, 2013). The detrimental effects include reduced ‘access (for initial applications, renewals, status determination interviews and appeals), administrative efficiency and fairness, and the economic and safety implications for asylum
seekers’ (Ngwato, 2013: 37). These changes also contravene existing domestic and international laws. The DHA has ignored court orders to reopen RRO’s, thereby showing no regard for the rule of law (CoRMSA, 2012; Chirume, 2016).

The ramifications of these closures are that an already large number of refugees in the country are likely to become undocumented – unnecessarily and unlawfully, exposing their already fragile position in South African society and increasing their chance of arrest and deportation (leading to refoulement) (CoRMSA, 2012; Brown, 2013; Alfaro-Velcamp, Shaw, 2016). Withal, if the proposed plan moves forward to relocate the RRO’s to international land borders, it will place greater financial burden on the refugees and violate their constitutional right to administrative action by the government that is fair and rational. These decision by the DHA and the lack of judicial enforcement for the rule of law by the government leaves many refugees in a perilous position.

The victims of the changes in practice of the asylum system

Negligent actions by responsible authorities have real life consequences. These consequences are experienced by those already most vulnerable: the refugees themselves. The details of the victimization experienced by the refugees will be divided into two subsections.

Irregular Entry

Discussed in the changes in the practice of the asylum system section of this paper is the denial of entry of person into the country. The refusal of entry, despite being a breach of legal obligations has meant many persons find irregular ways to enter the country.

Crossing into the country illegally along South Africa’s borders (Botswana, Mozambique, Namibia and Zimbabwe), has led many to encounter gangs known as ‘gumaguma’ (Misago, Landau, Monson, 2009; Masawi, 2016). These gangs situated along the border prey on persons trying to enter the country. They have consistently, with very little coherent action by the authorities, exposed these persons to sexual and gender-based violence in which both men and women are robbed of their belongings and raped (Misago, Landau, Monson, 2009; MSF, 2009; 2010; Masawi, 2016). According to an MSF briefing
paper (2010), these gangs rape both men and women and force men to rape kith and kin. A 27-year-old Zimbabwean man describes his ordeal:

“I crossed the river with a group of four people. We were met by a gang of seven gumaguma on the South African side who were armed with knives and guns. They forced me to have sex with the women in my group and I refused. Then one of the gumaguma forced his penis into my anus and ejaculated inside. I don’t actually know how many forced themselves on me because I was confused by the whole incident. I fainted and when I woke up they were nowhere to be found” (MSF, 2010: 2).

These encounters clearly have the potential to be traumatizing and constitute significant invasions into the self for the victims (Kirchhoff, 2005). Such invasions call for crisis intervention; however, given their illegal status (undocumented), these persons too experience institutional victimization when they are denied medical treatment at clinics and hospitals (MSF, 2009; 2010) or have required to pay excessive fees for treatment (Skonsana, 2016; Alfaro-Velcamp et al, 2017). Often the sexual victimization is carried out without condoms, increasing the risk of pregnancy and HIV/AIDS (Misago, Landau, Monson, 2009). A 28-year-old woman describes what happened to her:

“I went to a public clinic for an incomplete miscarriage but the nurse told me they only do abortions for South African people. After they asked me for ZAR 400 (26.27 Euro), which I didn’t have, I went to an N’anga (traditional healer) who helped me with the abortion. Later I went to the same clinic because I had severe abdominal pain. They asked me again for my passport and ZAR 140 (9.19 Euro), which I did not have. I walked out and bought antibiotics and painkillers” (MSF, 2010: 2).

Not all those that experience such victimization are undocumented. Reports have also been made by foreigners being denied treatment or made to feel unwelcome by public health officials simply because they cannot speak the language (Crush et al., 2017). This further forces the victims into silence and increases a sense of helplessness.
Police harassment

The increased focus on security, a concern for the number of people seeking asylum, and changes in the practice of the asylum system has led to an increase in the police harassment of foreigners. This harassment has been demonstrated by three highly publicized cases of police brutality: one involving police officers stripping a Nigerian man and beating him in full view of the public (Tomchak, 2014), the second and third cases both involving police officers handcuffing and dragging men behind their vehicles (Clayton, 2013; Siddique, 2013). In the one case a Mozambican man died as a result of his injuries (Siddique, 2013). According to Alfaro-Velcamp and Shaw (2016), policing foreigners appears to be a relatively safe space for police work because there is little resistance from communities, particularly in places where the police may ordinarily struggle to enter and make arrests. Because of foreigners’ often ambiguous legal status, they become ‘easy arrests’, which lead to them being targeted, arrested and detained deliberately (Alfaro-Velcamp, Shaw, 2016). The fact that already vulnerable people are being victimized by those persons meant to protect them is of grave concern. Moreover, such circumstances destroy trust and public confidence in officials (Ngwato, 2013), ostracizing a community further and in this case, causing those fleeing persecution – to live in constant fear of persecution.

Conclusion

The country of South Africa despite having its own problems is seen as a viable destination for many persons fleeing much more deplorable circumstances. The UNHCR (2016) has revealed that for a number of years, South Africa, compared to the rest of the world, has received some of the largest numbers of new asylum applications. The large influx into the country has led to spurious concerns for security and misrepresentations of the number of foreigners in the country by the government, its leadership and the media. These concerns have ushered in unofficial changes to the practices in the asylum system. As stipulated in legislation, the asylum system in South Africa is often thought to be one of the most progressive systems in the world, but it is now failing those who need it most. Denying the entry of persons into the
country, limiting access to permits and the rights of asylum seekers to work and to education, and closing of RRO’s and relocating them have proceeded without much consideration to their implications, and are in contravention of domestic and international legal obligations.

The consequences of these changes have been grave: forcing persons to enter the country illegally and exposing them to victimization by gangs who prowl the borders. Furthermore, closures of RRO’s means refugees in the country are more likely to remain and/or become undocumented – increasing their chance of arrest and deportation. These changes in addition to the original life situation, which caused them to seek asylum, have resulted in greater police harassment and institutional victimization by clinics and hospitals which deny foreigners treatment, in some cases simply because they cannot speak the language.

Changing the practices in the asylum system will not act as a deterrent to new arrivals. Instead, these changes increase the victimization, fear, and anxiety of those already fleeing persecution – the refugees – the victims.

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Traženje utočišta u Južnoj Africi: Viktimizacija ranjivih osoba

Mnogi Afrikanci se suočavaju sa različitim izazovima i teškim situacijama u svojim državama, koje se u mnogome razlikuju od udobnosti koju uživaju građani u razvijenim delovima sveta. Kako je okarakterisan kao ‘traumatizovan kontinent’ (Norridge, 2013: 64), mnogi Afrikanci, motivisani osnovnim ljudskim potrebama za hranom i sigurnošću, napuštaju države u kojima žive i utočište traže u Južnoj Africi. Povećan priliv izbeglica doveo je do neopravdane zabrinutosti vlasti i ‘šampiona’ interesovanja (Mauss, 1975: 10), medija. Ova zabrinutost je podstakla izmene sistema azila u praksi, koje pogađaju izbeglice umesto da dovedu do poboljšanja njihovog položaja, povećavajući ranjivost ljudi koji već beže od progona: izbeglica, žrtva. Cilj rada je analiza ovog problema s viktimološkog aspekta i skretanje pažnje na činjenicu da je neophodno više istraživanja koja bi obuhvatila žrtve kako bi se unapredilo razumevanje uticaja koje ovakve prakse imaju.

**Ključne reči:** Južna Afrika, tražioci azila, izbeglice, viktimizacija.

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*Dr Chadley James je docent na Odeljenju za kriminologiju, California State Univerzitet, Fresno, SAD. E-mail: chadleyj@csufresno.edu.*