

**MEMORANDUM TO THE MINISTER OF EDUCATION FROM THE JOINT
REFUGEE LEADERSHIP COMMITTEE OF THE WESTERN CAPE
24 JULY 2008**

It has been two months since thousands of foreign nationals were displaced in Cape Town by violence. At least 4973 people remain displaced, more than 200 of them children. At eight sites, children have had no access to education.

As the Joint Refugee Leadership Committee of the Western Cape representing displaced people in camps and halls, we have urgent concerns regarding the failure of the department to provide access to education for displaced learners in camps and halls, as well as discrimination and bullying of those displaced learners who have been reintegrated and returned to schools.

THE RIGHTS TO EQUALITY, DIGNITY AND EDUCATION

1. Displaced learners are a vulnerable group because of their age and lack of documentation. These children have rights to both education and equality (Section 28 of the South African Constitution of 1996). The Department of Education must ensure that these rights are protected.
2. Despite calls on the Department of Education to provide displaced learners with access to education and transport to schools, no provision has been made on their behalf. It was requested that the Department of Education liaise with the Department of Transport to ensure that this took place. (Letter from TAC, addressed to Minister Pandor, 05 June, 2008).
3. No child should be excluded from activities or unfairly discriminated against.

**WE MAKE THE FOLLOWING SPECIFIC REQUESTS TO THE
DEPARTMENT OF EDUCATION:**

4.1 Schools must respond to the particular needs of displaced learners. We urge the Department of Education to ensure that special attention is given in schools to the protection and safety of displaced learners against bullying and victimisation. In this regard, we ask that assemblies and special classes be called to address the equality, dignity and freedom of all people, especially those that are exceptionally vulnerable: refugees, displaced people, immigrants and all other foreign nationals.

4.2 We urge the Department to issue a circular to all schools, addressed to all learners, parents, educators and principals stating that no child should be excluded from activities or discriminated against on the basis of nationality and ethnic group. This is in line with Department of Education policy, and such a circular may already exist.

4.3 Many children have suffered trauma as a result of displacement and their current living conditions. Teachers should be sensitive to this concern, and make every attempt to refer such children to trauma counselling services. Should such services not be available, we ask that the Department of Education provide these, and that a referral list be circulated to schools.

4.4 As referred to in paragraph two, we urge the Department of Education to assist with transport of learners from camps and shelters to schools. Where this proves impossible, we ask that the Department provide educators able to assist with educational support. This will ensure that no child remains without access to education while undergoing either the process of reintegration, repatriation or resettlement.

4.5 The current crisis represents a critical opportunity to engage learners in a meaningful, educational way about xenophobia. This will assist with the reintegration process, and help to prevent such attacks in the future. Therefore we urge the Department of Education to dedicate lessons and assemblies to addressing the issue of xenophobia and hate crimes, and to provide literature about the same. While we acknowledge that xenophobia resource packs have been distributed to some schools, these packs have not reached the entire school-going population, and we therefore ask that better distribution take place.

ADULT EDUCATION AND BURSARIES

Refugees are entitled to the same education that locals receive, and all the rights stated in the Constitution. Therefore:

5.1 Refugees should not be excluded from school bursaries, scholarships and other financial aids offered by institutions and NGOs because we do not hold South African identity documents.

5.2 We request that government allow all those displaced holding temporary residence documents to be given the opportunity to use all documentation regarding educational qualifications achieved in other African countries to seek employment in their respective fields of qualification and expertise in South Africa.

We acknowledge the efforts made by the Department of Education to reach all displaced learners, but Cameron Dugmore's suggestion that 'assessment of needs would take place when reintegration is complete' (Cape Times, June 30 2008) is not reasonable, due to the protracted time-frame surrounding the reintegration process.

We acknowledge the important role that the Department of Education has in assisting displaced people and foreign nationals with integration with South African society. We firmly believe that urgent action regarding these concerns and requests will be of benefit to all living in South Africa, regardless of their origin.

Signed By:

The Joint Refugee Leadership Committee of the Western Cape

Blue Waters

Caledon Square Group

Chrysalis

Harmony Park

Pinelands

Silwerstroom

Soetwater

Solomon Mahlangu Hall

Summergreens (including Tableview, Bothasig and Richwood

Youngsfield