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11 June 2008

The Western Cape Province
Att: Premier Ebrahim Rasool / Acting-Premier Leonard Ramathlakane
Ms. Virginia Petersen
Provincial Government of the WC
Wale Street
CAPE TOWN

URGENT: BY HAND & PER FAX: (021) 483 3421

RE: CURRENT CRISIS AT SOETWATER

Dear Premier Rasool, Mr Ramathlakane, Ms Petersen

I refer to our previous conversations with your offices in the last few days and in particular my conversation with Ms. Zelda Holtzman earlier this morning at about 11h30.

SOETWATER:

1. As you are well aware we fully support provincial government efforts to close Soetwater and other refugee camps. We supported the Province

when it brought urgent legal action (Tuesday at 00h40) against the City of Cape Town to make alternative shelters available for use by displaced people in the Western Cape with certain conditions. We undertake to continue to provide such support.

2. In my conversation with Ms Holtzman this morning she indicated that the following is taking place at the Soetwater camp:
 - a. Intimidation by certain groups who are preventing men, women and children from leaving the camp. In particular, 56 Somali women want to leave the camp but are being prevented from doing so by a small group of others.
 - b. That people in the camp have called the Province for assistance to leave to a different shelter but are being intimidated and being forced not to leave.
3. If the above is true as Ms Holtzman assured and I have no reason to doubt her, we believe that the Province should seek an appropriate protection order against such intimidation and execute it accordingly. However, for this to be effective, proper communication is necessary coupled with independent monitors from the SAHRC, UNHCR and multi-faith based organisations.
4. Independent monitors will assist the credibility of this process and allow the state to fulfil its obligation to displaced people towards whom it owes a duty of protection.
5. Please also note that last night and this morning it was alleged that, at present, officials acting under the instructions of the provincial government, with the SAPS, have undertaken forced bussing of people from the Soetwater camp. Further, allegations that the Province have made a threat that unless people agree to be bussed to alternative places

of shelter (identified by the province in the urgent court application as Annexure 'X') that the 'the province would not assist them' with food and shelter any longer.

6. We do not believe that the Province made such threats and cannot verify if this indeed happened. In fact, Ms Holtzman assured me that there were no such threats from the PGWC. We do however attach an e-mail communication dated 11 June 2008 indicating that such threats were made. We hope that you can set the matter straight in a private communication with the people concerned who have worked as volunteers at the Soetwater camp.
7. We believe that if the UNHCR fulfilled its international obligations to protect and properly communicate with individual refugees and asylum-seekers much of the burden could be alleviated.
8. In addition, there is a serious lack of proper communication, and this, coupled with already high levels of trauma, worsening conditions at the camp, the attempted suicides and the 3-day hunger strike (apparently now called off) makes the situation even more volatile. It also increases security problems.
9. We therefore want to work with you in making sure there is proper communication in the camps so that people understand the impact of the decision to close the camp and why they are being moved (in fact, many people have called us to tell us that they are afraid that the buses are there to deport them).
10. We also agree with Ms Holtzman that no-one should be forced to move against their will.

11. We hope that the Province appreciates that displaced people have a legitimate and real fear of going to centres and halls in the townships. Even though a small group of xenophobic gangs perpetuated threats and attacks there (and not the entire community) people are genuinely afraid of going there.
12. The central issue here is the opening of additional community-based shelters, in particular, the civic centres in the Southern Suburbs, the City and the Atlantic Seaboard. The danger of the miscommunication from Soetwater is that the City's responsibility for this crisis is obscured. We all have a duty to focus on the real issues such as the inadequate housing, sanitation and health services in mega-camps.
13. And critically, the failure to provide for family reunification and the protection of women and children in this context increases vulnerability and insecurity of all.
14. This is why opening additional places of shelter in other areas is urgent. But, this issue is something we will address in a separate letter to your offices by 17h00 today. We especially want to thank Ms Petersen for the assistance with the Caledon Square group.
15. We hope that you will respond as a matter of urgency to the issues raised in this letter and to our previous request for civil society representation at the Joint Operations Centre (JOC).

Sincerely



Zackie Achmat

Deputy Secretary General (TAC)