



Refugee Digest 88

November 2024

Migrants, Refugees and Displaced Persons

In 2024 the 16 Days of Activism against Gender Based Violence runs from 25th November to 10th December. The theme for 2024 is *'Towards 30 Years of the Beijing Declaration and Platform for Action: Unite to End Violence Against Women'*. This pernicious form of violence remains all-pervasive in South Africa. In his speech to launch the campaign here on 25th November, Deputy President Paul Mashatile noted that "the HSRC released the results of the first-ever national Gender-Based Violence survey conducted in 2022, revealing that over 33% of South African women have experienced physical violence in their lifetime, while 9.8% have faced sexual violence. Approximately 7.3 million women have experienced physical abuse, while 2.1 million have experienced sexual violations. About 1 in 4 women have been victims of emotional abuse in their lifetime." A sad omission in the speech was any reference to the particularly vulnerable immigrant and refugee women and children. A quick scan of recent literature offers some critical insights into the overlaps between gender based violence and the vulnerability of people, especially women and children, on the move.

<https://www.gov.za/news/speeches/deputy-president-paul-mashatile-16-days-activism-no-violence-against-women-and-0>

It should not be forgotten, of course, that this urgent need to end GBV is related to target 5.2 of the Sustainable Development Goals (SDGs), namely to "Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation." This has obvious reference to people on the move, and the SDGs make no reference to status or legality.

<https://www.who.int/data/gho/data/themes/topics/indicator-groups/indicator-group-details/GHO/sdg-target-5.2.1-eliminate-violence-against-women-and-girls>

To coincide with the start of the 16 Days of Activism, the People's Assembly released a report which included, amongst much useful and practical information, the following insight: "GBV is a public health concern and human rights violation. GBV is a phenomenon deeply rooted in gender and power inequality between women and men, and continues to be one of the most significant human rights violations across societies. GBV is directed against a person on the basis of their gender, and while both women and men experience GBV, the majority of victims are women and girls. GBV is defined as any harmful act based on socially ascribed gender roles and power differences between males and females and includes physical, sexual and mental harm, threats, coercion and deprivation of liberty."

<https://www.pa.org.za/blog/16-days-activism-no-violence-against-women-and-chi>

Sonke Gender Justice has described the situation of women and children on the move, *vis-à-vis* gender based violence, in these words. "In South Africa, asylum seekers and refugees often do not access local services due to legal insecurities, language and cultural barriers, xenophobia and the frequent refusal by health care workers to provide services to which they are legally entitled. Similarly, asylum seekers and refugees are often overlooked in local GBV prevention efforts. Paradoxically, these barriers exist despite a supportive national legal framework, including the Constitution, National Health Care Act and Refugee Act, which recognises the human rights of all individuals living in South Africa."

<https://genderjustice.org.za/project/policy-development-advocacy/migration-gender-and-health/>

In August 2024, the Scalabrini Institute for Human Mobility in Africa said, “though being safe and secure can be a challenge for women who are not migrants, being a migrant tends to exacerbate the challenge. From the moment women leave or flee their homes, they are being exposed to many gender-based safety issues. Gender-based violence (including sexual abuse, physical violence, forced sterilization and contraceptives), xenophobic attacks, deportation, exploitation, and human trafficking are some of the threats many migrant women can face. The movements of migration are constantly changing and that can be a challenge for transit and destination countries while trying to provide protection. Migrants, especially female migrants, are in need of protection from exploitation, violence and discrimination. This is not an easy job, with irregular migration and changing migration patterns, as well as the prevalence of discrimination and xenophobia.”

<https://sihma.org.za/Blog-on-the-move/the-exclusion-of-migrant-women-in-africa-access-to-safety-and-security>

The Scalabrini Centre in Cape Town, as part of their assistance pack for women on the move during the 16 Days of Activism, comments that it is difficult to provide accurate data for how many migrant women and children are affected by sexual and gender based violence (SGBV). “There are many barriers that those trying to report SGBV and inter-personal violence (IPV) have highlighted when trying to access services. Barriers to reporting of SGBV and IPV by migrant women and children include lack of proper documentation, language barriers, or xenophobia. Child asylum seekers and refugees may be especially vulnerable to SGBV during migration, particularly unaccompanied or separated migrant children, according to the UNHCR. Detained children, child soldiers, children with disabilities, working children, and children born to rape victims and survivors are all at a heightened risk of SGBV during the migration process. SGBV against boys is also under-reported and under acknowledged.”

<https://www.scalabrini.org.za/resources/helpinghandssgbv/helpinghandssgbv-information-resources-and-organisations/>

Some months ago The Conversation ran this introspective piece: “South African asylum and refugee policy has been praised in the past for its willingness to integrate gender issues. But there are gaps between intention and implementation. Women seeking protection remain vulnerable and at risk. This creates a ‘continuum of violence’ against asylum seeking and refugee women: different forms of violence intersect and occur across different settings and locations, from women’s countries of origin to their destination, South Africa. Our research examined the specific gendered forms of violence and precarity directed at women asylum seekers and refugees in South Africa. This is not to say men aren’t victimised, too. But our research suggests that women are more vulnerable than men to these kinds of violence.”

<https://theconversation.com/women-refugees-fleeing-violence-seek-safety-in-south-africa-but-they-dont-find-it-189177>

A recent, pioneering and very telling research project has made a critical contribution to the study of vulnerable people on the move, especially with regard to violence. “This is an exploratory study adopting the qualitative research method. The study was conducted in Musina town, Limpopo province. The aim of this study was to investigate the depth of gender-based violence against female immigrants living in South Africa. Findings from this study reveal that the majority of these immigrant women are victims of gender-based violence either in their homes, workplace, or society. It was determined that these women do not feel safe in this country. As a result of these findings, the study recommends that in order to effectively combat and prevent violence against female migrants and young girls, policies and programmes must be strengthened and the provision of essential support to survivors must be improved.”

<https://journals.co.za/doi/abs/10.31920/2634-3622/2024/v13n2a1>

Another critical study published recently looks at violence and foreigners and the intersectionality of several factors. “Sextortion, a gendered form of corruption where sexual favours are the means of exchange, frequently occurs during migration. While the consequences of surviving sextortion are devastating, sextortion remains relatively understudied. Hence, this paper explores the experiences of sextortion of African migrants migrating to South Africa. Based on interviews with experts on migration, corruption, and gender in South Africa, this paper answers the research question: ‘What are the experiences of sextortion for African migrants migrating to South Africa and how are they gendered?’

The results confirm irregular, female migrants are most vulnerable to experiencing sextortion both during their journeys and in South Africa.”

<https://ajrh.info/index.php/ajrh/article/view/3359>

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