



Migration Policy Brief

Cessation of the international protection of Angolan refugees in South Africa

The objective of this migration policy brief is to present the findings of a survey carried out among Angolans living in Cape Town. The study gathered data using a structured questionnaire on 131 individuals. Interviews were conducted at SIHMA's and Scalabrini Centre in Cape Town.

The survey established that Angolans are reluctant to return to their home country. Most of the respondents have lived in South Africa since the late 90's and have established family and cultural connections in the country. Having lived in South Africa for so many years, Angolan refugees have established their roots and families in the country. Those born outside Angola or left Angola at a very young age are no longer in touch with their family members in Angola. A relatively high number of Angolans have not only culturally integrated into South African society but also developed strong affiliation to the country. Moreover, the majority of the respondents have not made any meaningful savings in South Africa or investments in Angola that could help their settlement and reintegration into the Angolan society.

Cessation of refugee status?

The *1951 Convention relating to the Status of Refugees* recognises that refugee status ends under certain clearly defined conditions. This means that once an individual is determined to be a refugee, their status is maintained unless they fall within the terms of the cessation clauses or their status is cancelled or revoked.

Under Article 1C of the 1951 Convention, refugee status may cease either through the actions of the refugee (contained in sub-paragraphs 1 to 4), such as by re-establishment in his or her country of origin, or **through fundamental changes in the objective circumstances in the country of origin upon which refugee status was based** (sub-paragraphs 5 and 6).

The latter are commonly referred to as the "ceased circumstances" or "general cessation" (UNHCR Guidelines 1, 2003).

Contextual Background

In May 2013, the South African government declared the cessation of the international protection to Angolan refugees who fled a long civil war that ended in 2002. This announcement came in the wake of the 2011 United Nations High Commissioner for Refugees (UNHCR)'s declaration that conditions in Angola have improved and that it was safe for refugees to return. This followed the political and economic stabilization of Angola as well as improvement in peace and security in the country over the last few years. Since then, the UNHCR has given Angolan refugees wishing to return an offer of assistance in voluntary repatriation. The South African government's Department of Home Affairs (DHA) initially gave all recognized Angolan refugees (5 700) who did not want to opt for voluntary repatriation nor to continue with their refugee status eight months to regularize their stay by obtaining an Angolan passport and applying for one of the following five visas: *study, work, business, elderly person or spousal/dependent*. These visas, issued under *relaxed conditions* in terms of the Immigration Act, are valid for a period of 24 months and will start expiring from June 2015.

Currently 10.7% of respondents do not have a valid document or are undocumented

Documentation and Employment

Documentation before cessation: The majority of Angolan refugees (almost 96%) were properly documented and had regularised their stay in South Africa prior to the declaration of cessation. Many of them (89%) had refugee status (Section 24) permits and 11% had asylum seeker temporary permits (Section 22). Very few (less than 4%) were undocumented. Being properly documented, Angolan refugees are easily accountable. They are largely responsible citizens who do not pose any security threat to the country.

The study also indicates that 97.7% of the respondents hold an Angolan passport and that 67.2% applied for passports during the cessation.

Current documentation: 71.8% of the respondents currently hold temporary residency work visas, 7.6% business visas, 4.6% study visas, while **10.7% stated that they do not have valid documentation or are undocumented**

Contribution to South African economy and society: A very high percentage of Angolan refugees, **89.3% according to our survey findings, are gainfully employed.** Many of them (80%) are in full-time employment, while 20% are on fixed-term contracts. Those not formally

employed are sustaining themselves through self-employment in the non-formal sector. A significant number of these businesses, almost 54%, also employ South Africans. Angolans are therefore not only financing their stay in the country but also contributing towards the fiscus through payment of taxes.

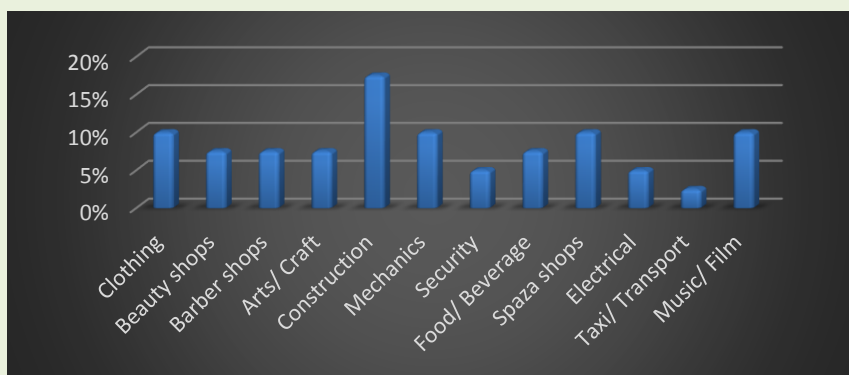
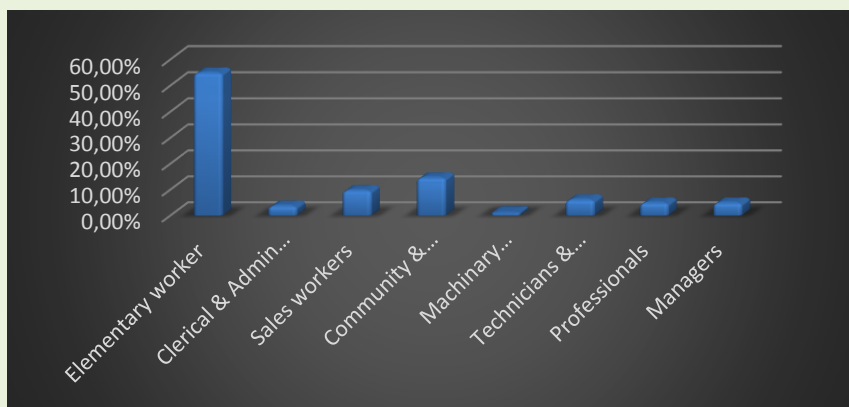
Like many other African immigrants and refugees in South Africa, Angolans are also applying their skills in establishing small businesses, and in the process, creating jobs for themselves and for unemployed South Africans.

According to our survey findings, a very high percentage of Angolan nationals (89.3%) are gainfully employed. Many of these refugees (80%) are in full-time employment

Cultural Alienation

Having lived in South Africa for a significantly long period, a relatively high number of Angolans have not only culturally integrated into South African society but also developed a strong affiliation to the country. Whereas 59.5% of the interviewed refugees still consider themselves as Angolans, almost a quarter (24.4%) of the respondents consider themselves as South Africans and 13.7% view themselves as both South African and Angolan. The adoption of a South African national identity is particularly strong among the younger generation of Angolan refugees, especially those who came to South Africa young or were born in South Africa. About 62% of the children of all adult Angolans interviewed identified themselves as South Africans, while only 21% identified themselves as Angolans. The majority of young Angolans surveyed for this study therefore identified more with their host country culture and national identity than that of their homeland.

Respondents' job category and type of business



Source: Angolan Cessation Research Project: Survey, 2015



Challenges of Establishing Themselves in a Rapidly Changing Context

Furthermore, many Angolan nationals have mixed feelings about returning to Angola and their connection with their respective extended families and relatives living in Angola is weak. Those born outside Angola or left Angola at a very young age are no longer in touch with their family members in Angola, with some even indicating that they did not know any family members living in Angola. Clearly, such individuals now have little or no connection with their 'mother country', and are in a difficult position to return to Angola. Even those who left Angola as adults no longer have strong connections with their relatives back home and have developed new and stronger connections in South Africa. According to the survey results, 16% of Angolan refugees no longer have any family relatives in Angola at all, while 17.6% only have extended family members left. South Africa has become home to them and Angola is a strange place.

Many refugees have lost touch with Angola because Angola has been undergoing rapid political, economic and social change in the last few decades and many refugees have not been going back regularly since they left. When asked whether they travel to Angola or not, 64.9% answered negatively while 35.1% replied positively. Moreover, 58.7% indicated that they had travelled to Angola only once since their arrival in South Africa, while the rest visited very rarely. Having lost touch with developments and family connections in Angola, many will therefore struggle to re-establish themselves in Angola and integrate into the broader society.

Uprooting Families

Angolan refugees have established roots and families in the country during the long time they have been in South Africa. More than half of the interviewed Angolans are married, with 25% of them either married to or living with a South African spouse. A significant number of them have their immediate family members in the country and children in South African schools. The percentage of respondents with children is 82.2%. For those Angolans who are either married to South African spouses or have children in South African schools, the challenge of integration into Angolan society is much greater because of cultural and linguistic differences. Angola is a predominantly Portuguese speaking country. The alternative for some of these Angolans is to leave their spouses and children behind to go and work in Angola, but many do not want to be separated from their families.

Non-Angolan spouses of former Angolan refugees who acquired asylum seeker permits or refugee status through their spouses, no longer have valid permits or are currently undocumented because their Angolan spouses no longer hold refugee status.

Against this backdrop, the South African government needs to seriously consider extending work, business and study visas under the same *relaxed conditions* and consider granting permanent residency to Angolans born here or married to South Africans.

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With limited savings in South Africa and no investments in Angola, Angolan nationals will struggle to settle in their homeland

Financial Insecurity

A serious problem posed by relocating Angolan refugees back to their country is the disruption it will cause to their economic wellbeing and financial security. The majority of these Angolan refugees have not made any meaningful investments in Angola that could help their settlement and reintegration into Angolan society. **Only 5.3% of interviewees own some form of property in Angola.**

A significantly high number of Angolan refugees do not earn enough to make meaningful life investments. Only 10.9% of those in formal employment fall in the income bracket of R 8000 and above per month; the majority (66.3%) earn a monthly salary of between R3000-8000 while the rest (22.8%) earn less than R3000 a month.

Those in self-employment do not earn much either. The majority of their businesses generate an average monthly income of between R3000-8000, and only 34.3% of the businesses generate R8000 and above per month.

Most Angolans seem to spend their limited earnings in South Africa. Only 30.5% of the respondents remit money to Angola, while the other 69.5% do not send money to Angola. Even those who send money home send very small amounts. Among those who send remittances, the flows are intermittent. With limited savings in South Africa and no investments in Angola, Angolan refugees will struggle to settle in their homeland.

Conclusions and Recommendations

Former Angolan refugees are easily manageable because they are a relatively small number (5 700 at the time of the cessation) and properly documented, with many having regularised their stay in South Africa and others acquiring Angolan passports during cessation registration. They can easily be integrated into South African society and absorbed into the South African economy. A very high percentage of Angolans are gainfully employed and are taking care of themselves and are not a financial burden on the state. The majority are in full-time employment while others are self-employed. Angolans are contributing towards the fiscus through payment of taxes.

Having lived in South Africa for many years, Angolan refugees have established themselves and their families in the country. Those born outside Angola or left Angola at a very young age are no longer in touch with their family members in Angola. Having been in South Africa for a long time many Angolans have not only culturally integrated into South African society but have also developed strong affiliation to the country. Others have lost touch with Angola because Angola has been undergoing rapid political, economic and social change in the last few decades. Moreover, the majority of Angolan nationals have not made any meaningful savings in South Africa and investments in Angola that could help their settlement and reintegration into Angolan society. With limited savings in South Africa and no investments in Angola, Angolans will struggle to settle in a country where opportunities for employment and business have remained limited and many returnees have struggled to establish themselves and encountered challenges in accessing basic services such as health and education.

In view of the situation presented here, there is scope for the South African government to consider extending work, business and study visas under the same *relaxed conditions*. It is our view that Angolans who have lived in the country for a long time should have also been given the option to apply for permanent residency based on humanitarian grounds. In the past, Liberian refugees in West Africa who wished to remain in their host countries were allowed to stay. The Zambian government has offered to integrate up to 10,000 Angolan refugees, while Namibia in 2014 granted permanent residence to 2,400 former Angolan refugees. As has been the case with Angolan refugees in other countries like Namibia and Zambia, Angolan refugees who wish to remain in South Africa should be given the option of a durable integration.

It is also appropriate to review the validity and the efficacy of voluntary repatriation programmes due to the fact that, in many circumstances, return is neither desirable nor possible. Therefore the notion of 'return' needs to be reconceptualised and reshaped towards more flexible forms of return involving periods of dual residence and back and forth movements. These would, in fact, be more viable options to a permanent, one-time repatriation.