



VIOLENCE AGAINST FOREIGNERS IN NORTHWEST PROVINCE

MIGRANT RIGHTS MONITORING PROGRAMME
OCCASIONAL REPORT

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Migrant Rights Monitoring Programme Occasional Reports

As South Africa has become a primary destination and transit point for migrants from Africa and Asia, there has been a growing awareness of the gap between the rights which foreigners theoretically enjoy and their practical access to these rights. But those working to counter these problems are faced with a shortage of information about who these affected people are, how they interact with South Africans and South African institutions, the specific rights violations they face, and the reasons behind these violations. Without such insights, neither government nor advocacy groups can effectively promote the rights and welfare of non-citizens and those amongst whom they live.

The Forced Migration Studies Programme's (FMSP) *Migrant Rights Monitoring Project* builds upon the programme's record of research and advocacy on migrant rights with sustained, rigorous research into migrants' access to basic human rights, the way immigration policy is being implemented, and the nature of human rights abuses against foreigners.

To address some of these limitations, the FMSP has expanded its monitoring activities across a number of areas. Through our *Migrant Rights Monitoring Project*, the FMSP will:

- Evaluate the performance of government on refugee and migrant issues;
- Assess officials' adherence to relevant international and domestic laws and instruments;
- Assess progress towards the realisation of refugee and migrant rights in South Africa;

The Occasional Reports series provides regular updates from this monitoring work.

VIOLENT ATTACKS ON FOREIGN-OWNED BUSINESSES IN SCHWEIZER-RENEKE

Report of the Research Visit by Busani Tshabangu, Xolani Tshabalala and Jean Pierre Misago

Background

The fear of violence haunts all South African residents. Massive economic inequalities, undercapacitated legal services, and ineffective policing strategies mean that many, especially those who can not afford private security services, become victims of violent crime. Over the past five years, we have seen an increase in the number and severity of violent crimes aimed specifically at non-citizens living in South African communities. These include, among many others:

- October 2000: Fighting between South African and Zimbabwean residents wracked Zandspruit informal settlement near Johannesburg.
- August 2005: Zimbabwean and Somali refugees were beaten in Bothaville, in the Free State.
- December 2005: violence in Olievenhoutbosch, a community near Centurion in Gauteng Province, included groups of South Africans chasing foreign Africans living in the Choba informal settlement in the township from their shacks, shops and businesses.
- July 2006: Somali shop owners in a township outside Knysna were chased out of the area and at least 30 spaza shops were damaged.
- August 2006: During a period of just over a month, somewhere between 20 and 30 Somalis were killed in townships surrounding Cape Town.
- February 2007: In Motherwell, a township close to Port Elizabeth in the Eastern Cape, violence triggered by the accidental shooting of a young South African man resulted in the looting of over one-hundred Somali-owned shops in a 24 hour period.

In many of these incidents, police officers have either been directly involved or stood by while the violence continued. In some instances, local officials and councilors have been implicated in fomenting anti-foreigner violence.

Research in Northwest Province

In late May the Forced Migration Studies Programme began receiving reports of similar attacks on foreign-owned businesses in the Northwest Province. As part of its mandate under the Migrant Rights Monitoring Programme, FMSP planned a two-day (2-3 June, 2007) field visit to get detailed information (from residents, community leaders/local authorities, the police and the victims) on the recent violent attacks against foreign business owners in different 'locations' surrounding the Schweizer-Reneke town in the North West Province. Researchers made recordings of conversations and took photographs of some of the results of the unrest. The following report summarizes the actions taken by the research team before outlining the accounts of different relevant parties on the nature and amplitude of the events, the causes, interventions, attitudes and providing some preliminary suggestions on the way forward.

Summary of Activities

Day One 2 June 2007

Contacts

Before we arrived in Town, we called a number of local and provincial authorities as well as police officials to secure interviews:

- Captain Reestang was willing to talk to us but was away in a meeting in the Provincial capital, Potchefstroom;
- The Mayor, Deliwe Chope, answered her phone briefly as we introduced ourselves, but her phone immediately went off and we were not able to re-establish contact with her for the duration of the visit;
- The Acting Municipal Manager, Mr Motlashuping was in Mafikeng on official business for the duration of the weekend. He agreed to talk to us over the phone.

Arrival in town

When we arrived in town, we went to the main police station (Schweizer-Reneke) and asked to talk to the officer in charge about the incident. We were told that the events took place in the Ipelegeng Township, just outside town and were advised to contact the local police

station. At Ipelegeng Police Station we met Captain Motibi. Captain Motibi first phoned Superintendent Jacobs to seek permission to talk to us about the events. Superintendent Jacobs asked to speak to Jean Pierre and told him that he had received the application from Darshan and had sent it to the provincial office and that until they get authorization from the provincial office they are not allowed to discuss the issue with us. He however authorized Captain Motibi to take us to the scenes of the violence. He firstly took us to Tlotlo Tavern (on Serame Riekert Street) in front of which, it is believed, people gathered for the first time to plan the attacks. He then gave us a tour around the township, showing us burnt and/or broken into shops, roads barricaded with boulders and stones, and remains of burnt tires. He did not allow us to take photos as he felt that it could re-ignite the violence.

Day Two, 3 June 2007

We went back to the location early morning (8 am) to take photos of the destroyed shops and all other evidence of the violence. We managed to take photos although we could not remember the way to all the shops we were shown the previous day. We also started talking to people and as the day progressed, we took photos as we were conducting the interviews.

Findings

The events: what happened?

Residents, the police and the victims agree that the violence started on Tuesday the 29th of May, at around 15h00 in the township of Ipelegeng, but that the actual looting and torching started at around 18h00 and continued until Wednesday morning. Shops owned by Bangladeshi, Pakistani, Somali and Ethiopian nationals were attacked, looted and some torched in different areas and sections of the Township. Shop owners who normally live in their shops were not present when their shops were attacked as they had been alerted by the police to flee from their shops and 'save' their lives because something was about to 'happen' to them. That is probably the reason why there were no casualties recorded. The investigating officer, Constable Mogale however denied that the shop owners were asked to flee for their lives; rather they were alerted to close burglar/security doors as they were suspecting robberies. Otherwise, he said, they could have mobilized forces to prevent the attacks. Nobody, including the investigating officer seemed to know exactly how many shops were attacked or how many foreign business owners were living in the area. One Bangladeshi shop owner estimated that 35 to 40 shops were broken into and, 'systematically looted, left empty'. Other shop owners interviewed said that about 60- 80 foreign-owned shops were attacked. All sources agree that three (3) shops were torched by residents using paraffin. The shops were scattered across the Township and some were located/isolated

'deep' in the location surrounded by shacks. No single shop owned by an 'Asian'¹ was spared.

Apparently, shops were attacked simultaneously and residents barricaded roads leading to those shops with rocks and burning tyres to prevent a potential police intervention. Signs of those barricades are still visible until now. Constable Mogale said that the damages caused by the attacks are estimated at R 250 000.

Some shops visited (photos available):

- National Store: torched (door) and looted;
- Elias Cash Store: broken into looted;
- Dipone Mini Market: torched and looted, burglar bars broken showing signs of people going in through the window;
- Rajah Mini Market: locks, doors forced, looted;
- Leps Café: looted, 'Go Home' written on the front wall of the shop;
- Jackpot Special SM, windows broken, looted;
- A number of other small shops without names in different sections.

Importantly, this research questions two claims previously reported in the newspapers:

- The attacks on shops did not take place in Schweizer-Reneke but were confined to the Ipelegeng township;
- There were no reported instances of non-nationals themselves being physically attacked – only goods and premises were affected.

Interventions

A local resident and owner of one of the premises rented to a Bangladeshi national that were looted and torched told us that people started looting the shop at 6 pm and the police only arrived at 3am. Constable Mogale said they tried everything they could but they could not get to all the shops at the same time as they did not have enough resources. The intervention was also hindered by members of the crowd who were throwing stones at the police and blocking roads. It is only after they received support from other police stations including Vryburg, Amalia, Potchefstroom, Bloemhof that they were able to organize a proper intervention that helped a few shop owners to take their goods to safety. The victims believe that the police did not do enough to protect their property as they were aware that

¹ Bangladeshi, Pakistani, Somali and Ethiopian nationals are referred to as 'Asians' by the local residents

the attacks were going to happen, nor did they do enough to alert them to save their property before the attacks. Some claim that the police stood by while their shops were being looted and burnt down. According to Constable Mogale, the police did not get any support from community and political leaders. No community meetings have been organized so far. According to the Acting City Manager, meetings were scheduled last Friday to calm the situation but they were no longer needed because the situation had already normalized. The ANC Councilor for Ward 4 was planning to organize youth and mass meetings to find out the real causes of the unrest. We were recently advised by the Department of Home Affairs that a public meeting was being planned in Wolamaramstad for 4pm Wednesday 13 June. This meeting would aim to discover whether the violence in Ipelegeng was tied to other instances of unrest in the Province.

Perpetrators

All the people interviewed agreed that the majority of the perpetrators of the violence were male youths aged 15 to 25. The investigating said that eight women are among those who were arrested for public disorder and theft. In total, 30 people (22 males and 8 females) were arrested and 10 were released on a 1000 bail. It is also a general agreement that the youths were sent in to cause trouble by adults.

Causes

According to the resident youths, the shop owners were 'killing' local business, since they would sell at very subdued prices. They also 'did not avail any employment opportunities for the local people'. Only one person in this group voiced an opinion that the locals were 'jealous' of the success of the foreign businesses and that the attacks were a clear case of 'xenophobia.'

From a lengthy interview conducted with a landlord who leased a structure to one of the victims (recording available), the violence was instigated by the local failed black business people who thought the only way of getting back in business was to forcibly chase the foreign nationals out of the community. . According to him, 'jealous individuals who could not compete with their equals' are behind the violence.' He claims that he is aware that a meeting for local business owners was recently organized and in that meeting a "Bank Manager" (he did not want to reveal from which Bank) promised them credits from the Bank if they chase away foreigners and claim back the control of the business affairs. This, he believes, may have been one of the major causes of the violence. To the question that foreigners were 'killing' local people's businesses, he said that there was no business before

they came, and that is the reason why he rented out his store himself as he was not able to do business in the area.

The investigating officer was not aware what the possible cause of the violent attacks was. He alluded to a rumor that the shop owners had illicit relationships with (underage) girls and were having babies with them; something he believes could have angered some in the community.

The ANC councilor for ward Four agreed with the landlord that the violence could have been started by individuals who were pushing the youths to lead the attacks. He told us that he is aware that the president of a local business forum, speaking about the events at a funeral, expressed his relief that the 'Bangladeshis' had been 'removed' from the township. The councilor however believes that the hostilities may have been imported from neighboring townships such as Wolmaranstad where similar incidents took place in the recent past.

Two women from Ipelegeng interviewed said that the community simply did not want the foreigners in the township, without saying why this was the case.

The victims said that they are not aware what the problems could have been, since they had good relations with the community, (in some cases even selling merchandise on credit to some members of the community), but thought that the attacks could have been triggered by the fact that they were foreign nationals. This view is shared by an established businessman (a Pakistani who is now a permanent resident) who operates in town, and described the events as sad and 'not good for South Africa'. Some believe that the violence could have been caused by jealousy but do not agree that 'cheap prices' could have been the cause. They trust that South Africans understand that competition is allowed in an open market economy and that cheap pricing helps the majority poor in the locations.

Attitudes toward the events

Different people view the violence in a number of different ways. The police said that this was a criminal act, for which the culprits will be brought to justice. The youth predominantly said that the events were justified, since this will ensure that locals also get the chance to be in business. However one among the youths we spoke to condemned the violence, mentioning that "us South Africans are xenophobic and lazy, and we do not want to work for our own things". The councilor spoke of a number of bad issues affecting the township and how the 'Asians' were helping to improve these by operating their businesses in the township. Although, he thought that the foreign business operators were indeed killing

business for their competitors, he also mentioned that through the rentals they paid, they helped the residents in the residences they operated from by providing them with well needed income. He mentioned that some of the operators even sent some of the children in these families to school, something that would have been impossible were it that they were not there. The victims thought that they felt betrayed by the police, 'who could not do their job' and help them when they most needed them. They thought they had a good relationship with the majority of the population and they were in a state of shock as to why the community could just suddenly turn at them without warning. They also said they would have been happy to discuss the issue of pricing with the local businesses if indeed this was the cause of the violence.

The victims, their whereabouts and their goods

The victims were Pakistani, Bangladeshi, Somali and Ethiopian nationals. No women among them. Some businesses owned by Black foreigners (two shops) and a White Portuguese (one big shop) in the same township were not touched, according to the victims. Apart from the councilor and the landlord, no one seemed to know where these people had gone. The investigating police officer said that he was to find out about their whereabouts the following Monday (04 June), since over the weekend he was off duty. This sounds rather strange as communicating with victims could have helped in the investigation. The residents only said that they had not seen them since their flight. We found most of the victims in the Schweizer-Reneke town, some living in a garage behind one store and another group in a Mosque nearby. They told us that we were the first people to talk to them since the days of the violence, although the councilor claims that he, together with the Mayor and Capt Motibi, met with them and offered to help them with tents for shelter. The councilor said the offer was declined as the victims said they could take care of themselves.

The investigating officer said that some victims came to collect some of their goods rescued by the police but he could not show us where the goods were recorded or where the owners signed for collection. He however showed us a registry in which goods taken from arrested people were listed. They will be used as exhibits in court.

What happens next?

The investigating officer thinks these people should not return to the location as their security cannot be guaranteed: the local police do not have enough resources. He would advise them to open businesses in Town and not in the township. The local community in general said that they thought that the operators will not come back to the township, although they conceded that life was a bit easier with the businesses operating in the township, since now

they had to pay an extra R8 (taxi fare) to get the same things in town. The councilor, condemning the events, said that he was in the process of organizing meetings to try and resolve the issues. The victims, looking after a few of the things they could salvage from the looting, said that they were in a state of desperation, and that since they lost 'everything that they had', did not know where they would go, nor what they would do next. A few among them however, said that if they were to be guaranteed protection, they were willing to go back to the township to continue with what constituted their only source of livelihood.

They did not think it worth the trouble to go to the police because they do not trust them. In the past, they reported robbery incidents and in some occasions took armed robbers to the police only to see them released after two days. The fact that the police stood by and watched their shops being looted also convinced them that they would not get any kind of assistance from them.

Conclusion

The general situation when we left the town was calm, although it was our feeling that this was in great part due to the fact that the victims were not in the community anymore. The impressions from what we gathered from the visit are that there is general resentment for the foreigners, and a number of reasons come up to justify this. Among them is the fact that the police seem not to have done enough to prevent the violence. (The fact that some reports indicate that the police told the foreigners to run for their lives some hours before the open violence took place, yet nothing was done to protect the premises that would be targeted). The police had also not followed through with a thorough investigation. (Important details were still missing, yet the investigating officer still had the pleasure to retire for the weekend). Most youths seemed to be happy that the business operators were now out of town. This would indicate that they preferred not to have them in the community. The police officer handling the case expressed the view that the foreign nationals would be better off operating in town, 'away from these people'. The councilor however took pains at the fact that people had not yet learnt to live with each other peacefully, while also bemoaning the fact that 'these things' preoccupied the community, instead of the service delivery that was going down and the people who were largely unable to fend for themselves. In an interesting digression, he indirectly indicated that this resentment was so pervasive that it was also affecting other nationals of South Africa, alluding here to people from the Transkei who were regularly falling victim to threats from the 'locals'. Community and political leaders do not seem to be concerned, as no intervention from their side has been recorded so far.

Most people we talked to share the view that these events are fast spreading and will happen in other cities and towns if no effective and immediate interventions from all relevant authorities are organized.

For further information and photographs, please contact:

Dr. Darshan Vigneswaran

P: +27 11 717 4031

E: Darshan.Vigneswaran@wits.ac.za