

# HUMANITARIAN ASSISTANCE TO INTERNALLY DISPLACED PERSONS IN SOUTH AFRICA

LESSONS LEARNED  
FOLLOWING ATTACKS ON  
FOREIGN NATIONALS IN MAY 2008



## EXECUTIVE SUMMARY AND RECOMMENDATIONS

JANUARY 2009

## FORCED MIGRATION STUDIES PROGRAMME

University of the Witwatersrand



This report was produced by the **FORCED MIGRATION STUDIES PROGRAMME** at the University of the Witwatersrand. The research for this report was conducted by Vicki Igglesden. The report was written by Tamlyn Monson (Chapters 1, 2 & 3), Vicki Igglesden (Chapter 4 - 9) and Tara Polzer (Chapter 10), with Tamlyn Monson and Tara Polzer providing overall editing.

This report was commissioned by Oxfam GB in South Africa. All statements of fact and expressions of opinion in the report are the sole responsibility of the authors and do not necessarily reflect the views of Oxfam GB.

**Note on the authors:**

**VICKI IGGLESDEN** is a social anthropologist who has been doing research and advocacy work with foreign national communities in the Western Cape since 2002. [V.igglesden@polka.co.za](mailto:V.igglesden@polka.co.za)

**TAMLYN MONSON** is a Researcher with the Wits Forced Migration Studies Programme. [Tamlynmonson@gmail.com](mailto:Tamlynmonson@gmail.com)

**TARA POLZER** is a Senior Researcher with the Wits Forced Migration Studies Programme and has conducted research on emergency preparedness and response in several countries. [Tara.polzer@wits.ac.za](mailto:Tara.polzer@wits.ac.za)

**Acknowledgements:**

to the many hundreds of displaced people, volunteers, members of the public and officials whose statements have contributed to this report, through their participation in meetings, workshops and other forums and through making time to be interviewed for the research project.

to the numerous authors of formal and informal reports and documents relating to conditions, actions and events relevant to the disaster and its aftermath.

to those who have assisted directly in the design, conduct and completion of the research. In particular: Jean-Pierre Misago, Duncan Breen, Adeda Bhamjee, Jonathan Klaaren, Loren Landau, Shula Mafokoane, and Angela Tait.

**Cover photo:**

The cover illustration was developed from a photograph of Soetwater Centre of Safe Shelter, Western Cape, taken by Elroy Paulus of Black Sash.

## CONTENTS OF COMPLETE REPORT

ABBREVIATIONS.....	5
EXECUTIVE SUMMARY.....	6
CHAPTER 1: INTRODUCTION .....	14
CHAPTER 2: CONTEXT .....	17
Migration to South Africa .....	17
Disaster Management Legal and Institutional Framework.....	18
Government .....	18
Civil Society.....	19
The Nature of the May 2008 Violence and Displacement.....	19
CHAPTER 3: DESCRIPTION OF THE HUMANITARIAN RESPONSE .....	21
The Humanitarian Response in Gauteng .....	22
The Humanitarian Response in the Western Cape.....	36
Expenditure on Humanitarian Aid .....	50
UN Agencies and INGOs.....	50
The National Government Response .....	52
CHAPTER 4: EVALUATION OF THE HUMANITARIAN RESPONSE.....	56
Norms and Standards for Humanitarian Response .....	56
Contingency Planning for Social Conflict .....	57
National Versus International Norms .....	57
Focus of the Evaluation.....	58
CHAPTER 5: EVALUATION – MATERIAL WELFARE .....	60
Site planning .....	60
Provisioning.....	65
CHAPTER 6: EVALUATION – PERSONAL WELFARE.....	71
Privacy.....	71
Health and Psychosocial Support.....	72
Child welfare .....	77
CHAPTER 7: EVALUATION - PROTECTION.....	82
Security .....	82
Livelihood Opportunities .....	86
CHAPTER 8: EVALUATION – ACCOUNTABILITY BETWEEN SERVICE PROVIDERS AND BENEFICIARIES .....	88
Communication.....	90
Consultation and Participation .....	98
Monitoring and Redress.....	106
CHAPTER 9: EVALUATION – COORDINATION AND COOPERATION AMONG SERVICE PROVIDERS.....	111
Government: Internal Coordination and Cooperation .....	111
Government and International Agencies: Coordination and Cooperation.....	119
Government and Civil Society: Coordination and Cooperation.....	120
Civil Society: Internal Coordination and Cooperation .....	123
International Agencies: Coordination and Cooperation.....	130
IDP Communities: Coordination and Cooperation .....	131
Conclusion: Coordination and Cooperation among Service Providers.....	133
CHAPTER 10: JUSTICE AND DURABLE SOLUTIONS .....	135
Deportation and “Voluntary” Repatriation.....	135
Justice.....	137
Documentation .....	139
Reintegration .....	144
CHAPTER 11: CONSOLIDATED RECOMMENDATIONS.....	148
Key Recommendations and Action Points .....	148
Material Welfare.....	149
Site planning.....	149

Provisioning .....	150
Personal Welfare.....	151
Protection .....	155
Accountability between Service Providers and Beneficiaries.....	156
Coordination and Cooperation among Service Providers .....	158
Justice and Assistance for Durable Solutions.....	164
TERMINOLOGY USED IN THE REPORT .....	166
ANNEXURE A: CATEGORIES OF MIGRANTS IN SOUTH AFRICA.....	168
ANNEXURE B: METHODOLOGY & INTERVIEW LIST .....	170
ANNEXURE C: INTERNATIONAL STANDARDS RELATING TO THE PROVISION OF HUMANITARIAN ASSISTANCE TO INTERNALLY DISPLACED NON-NATIONALS .....	174
ANNEXURE D: THE DISASTER MANAGEMENT ACT / FRAMEWORK .....	176
ANNEXURE E: ASPECTS OF FOOD PROVISION STRATEGY.....	181
ANNEXURE F: A SELECTION OF DOCUMENTS USED IN THE COMPILATION OF THE REPORT .....	184

## CONTENTS OF EXECUTIVE SUMMARY AND RECOMMENDATIONS

---

ABBREVIATIONS.....	4
EXECUTIVE SUMMARY.....	5
CONSOLIDATED RECOMMENDATIONS.....	13
Material Welfare .....	13
Site planning .....	13
Provisioning .....	14
Personal Welfare .....	15
Protection .....	19
Accountability between Service Providers and Beneficiaries .....	20
Coordination and Cooperation among Service Providers .....	22
Justice and Assistance for Durable Solutions .....	28

## ABBREVIATIONS

---

CBO	Community-Based Organisation
CoSS	Centre/s of Safe Shelter
DHA	Department of Home Affairs
DM	Disaster Management
FBO	Faith-Based Organisation
IDP	Internally Displaced Person
INGO	International Non-Governmental Organisation
NGO	Non-Governmental Organisation
OCHA	Office for the Coordination of Human Affairs
TAC	Treatment Action Campaign
UN	United Nations
UNHCR	United Nations High Commissioner for Refugees

## EXECUTIVE SUMMARY

---

This report documents civil society's and government's humanitarian responses to the displacement of thousands of people in South Africa as a result of widespread attacks against foreigners in May 2008. This was the first such internal displacement crisis since South Africa's transition to democracy in 1994, and both governmental and civil society structures were ill-prepared to provide appropriate humanitarian assistance. The aim of evaluating these responses is to learn lessons for future disaster management and increase the effectiveness of future emergency responses.

In common with many other disasters, the initial humanitarian response was chaotic. There was consensus among agencies that the quality and speed of response must be improved should similar humanitarian disasters occur in the future. Without exception, agencies involved in the response identified lack of preparedness, coordination and communication as key determinants of the quality of humanitarian assistance provided.

It is likely that large-scale displacement, whether man-made or caused by natural disaster, will occur in South Africa again. It is therefore crucial that lessons are learned from this experience. Towards this aim, the Wits Forced Migration Studies Programme monitored humanitarian responses by government and civil society in Gauteng and the Western Cape – the provinces where the magnitude of displacement was the greatest – and this report evaluates these responses in relation to international best practice guidelines.

Some of the characteristics of the May 2008 disaster response are specific because most of the internally displaced persons (IDPs) were foreign nationals. However, many of the technical and organizational lessons apply to all humanitarian emergencies regardless of the population affected. Hence this report and its recommendations are written with the prospect in mind that South African citizens might well predominate amongst beneficiaries in future complex humanitarian disaster scenarios.

Given the likelihood of future displacement, it is concerning that much of the momentum and experience gained in the months following May already seems to have dissipated. It is encouraging that many institutions in government, civil society and the UN system have carried out evaluations of their own responses, some of which have been made public, and there have been some cross-sectoral 'lessons learned' exercises.<sup>1</sup> However, many civil society organisations dropped out of the disaster response even before the displacement shelters were closed due to exhaustion and lack of funds, and many municipal and provincial governmental actors were similarly keen to 'get back to their real work' and leave the emergency mode behind. More importantly, the fledgling coordination structures which had developed within civil society and between government and civil society – including regular forums and information sharing websites – have collapsed, returning the sector to a similar state of fragmentation as before the disaster. In addition, rather than building mutual knowledge and trust, the often ad hoc interactions between disaster response actors in many ways led to an increase in frustration and suspicion between government and civil society, between civil society and the UN, within civil society, and within government (for example, between municipal, provincial and national actors). This lack of trust and communication needs to be overcome through regular structured interactions if future disaster responses are to be more effective.

This report, therefore, has three main aims:

- To provide a **comprehensive record**, as far as possible, of the disaster response by government and civil society actors, linking the experiences of many disparate organisations and integrating these experiences from the perspective of an overall disaster response 'sector', thereby identifying complimentary and clashing institutional roles, provision gaps, and coordination and communication needs;

---

<sup>1</sup> Recommendations stemming from Lessons Observed Response to Internal Displacement Resulting from Xenophobic Attacks in South Africa May- December 2008, UN OCHA Regional Office for Southern Africa.

- To act as a **reference work**, in tandem with existing humanitarian standards documents such as the *Sphere Handbook*,<sup>2</sup> for South African disaster management practitioners on common problems to be avoided and factors to take into account in relation to material welfare provision, personal welfare provision, and protection as well as accountability, coordination and communication structures;
- To provide a **basis for continued discussion** among disaster response actors in government and civil society towards the development of robust communication and coordination processes and structures for disaster preparedness and response in South Africa.

With regard to all three aims, we hope therefore that this report will be used and engaged with as an active document by the following readers:

- Government officials from all spheres of the South African government,
- South African NGOs, CBOs, FBOs and individuals involved in the disaster response,
- INGOs working in South Africa,
- Private sector disaster management practitioners, and
- The media.

### *The Study and the Structure of the Report*

The research for this report was commissioned by the South African office of Oxfam Great Britain and conducted by the Forced Migration Studies Programme in the University of the Witwatersrand. The findings of the study arise from field work conducted between June and October 2008. This included reviewing meeting minutes and reports compiled by various organisations, attending meetings, visiting Safety Sites and interviewing key actors in civil society, government and international organisations (see Annex B for more detail concerning the research methodology and the list of interviews conducted). The research was confined to events in Gauteng and the Western Cape Provinces, where the majority of displacement occurred.

Six aspects of the response were evaluated:

1. **Material Welfare:** including site planning and provisioning,
2. **Personal Welfare:** including privacy, health and psychosocial support, and child welfare,
3. **Protection:** including security and livelihood opportunities,
4. **Accountability:** including communication, consultation and participation, and monitoring and redress among service providers and beneficiaries,
5. **Co-ordination and cooperation** within and between among service providers, and
6. **Justice** and humanitarian assistance for **durable solutions**, such as repatriation and reintegration.

The report has the following **structure**:

- For readers not familiar with the South African context and the May 2008 outbreaks of violence, the report commences with a brief Chapter (2) on the context of migration and disaster management in South Africa, including the legal and institutional frameworks for governmental and civil society disaster response. The violent events of May 2008 leading to the displacement of tens of thousands of people are described.
- Chapter 3 documents the principal humanitarian assistance interventions and the parties to those interventions in chronological order for Gauteng and the Western Cape, identifying problems as they arose.
- Chapters 4 to 10 evaluate key aspects of the humanitarian response and the coordination of its delivery during the disaster, arranged by assistance theme (e.g. material welfare, protection, coordination, etc.). Recommendations are made in each sub-section of the evaluation chapters.
- Chapter 11 consolidates all the recommendations made throughout the report.

---

<sup>2</sup> The Sphere Project's *Humanitarian Charter and Minimum standards in Disaster Protection* (the *Sphere Handbook*)  
<http://www.sphereproject.org/index.php?option=content&task=view&id=27&Itemid=84>

- The report ends with several Annexes providing more information on terminology, methodology, humanitarian standards, law, food provisioning and a selective bibliography.

### *Key Findings*

The humanitarian response to the displacement caused by the May 2008 violence against foreign nationals can be divided into three phases: an initial phase of emergency assistance, a core phase of providing structured shelter and welfare assistance to the displaced, and a closing-down phase aimed at 'reintegrating' the displaced.

In many ways, South Africa's human response to the crisis was laudable. Especially in the initial emergency phase, the police, churches, and individuals provided shelter and NGOs, FBOs, and individuals provided large amounts of donated food, clothes and other goods to the displaced. The role of civil society organisations in reacting quickly and flexibly to the humanitarian need and providing a wide range of crucial services must be recognised. There were also many government employees who invested time, energy and care beyond their formal duties.

Nonetheless, from an organisational point of view, the initial humanitarian response was characterised by 'chaos'. Throughout all response phases and in both affected provinces, it is clear that issues of **coordination and communication were both the most important and the least effectively managed**. This includes coordination and communication within government and within civil society, as well as between the sectors.

While a lack of immediate coherence is normal to some extent in disaster situations, there were several reasons for the high levels of initial disorganisation:

- **Lack of experience and established systems**

South Africa's Disaster Management Act (2002) and Disaster Management Framework (2004) are relatively new and they were untested for such a case of large-scale displacement. There was also no significant operational presence of international humanitarian actors in the country, with UN agencies and international NGOs predominantly focussed on regional work or domestic developmental (rather than emergency) programming. The experience of Cape Town city's disaster management structures in dealing with annual flood and storm-related displacement proved useful to some extent, especially through the ability to quickly activate existing relationships with some civil society organisations. However, there are several key ways in which the existing disaster management structures and experiences failed as a guide for the May 2008 disaster response:

- The current Disaster Management Act and Framework focus on displacement caused by natural disasters and technology-related disasters (nuclear stations, aviation, etc.) but do not specifically include planning for **displacement and humanitarian needs caused by civic disturbances and violence**. The kinds of responses required for violent displacement are different and so should be planned for explicitly.
- The Disaster Management system enables local municipalities and provinces to declare and act upon localised disasters, but there was no effective **national coordination** of responses from government, leading to a lack of coordination between Gauteng and the Western Cape in this case. This led to differences of response standards, waste of time and resources due to the duplication of structures and processes, and confusion concerning the rights of the displaced.
- **Civil society** actors were not included in a regular **consultative capacity** in governmental disaster management structures, either at national, provincial or municipal level (although a very small number of organisations had local relationships as contractors). This had several consequences, including that civil society and government could not exchange information for early warning; that neither governmental nor civil society organisations had good information about each other's

mandates and modes of operation; and that relationships and modes of communication and cooperation had to be constructed during the emergency rather than existing in advance.

- In practice, there were no **generally accepted norms and standards for humanitarian service provision**. There was no document outlining South Africa's own levels of service provision standards, nor were widely accepted international standards, such as the *Sphere Handbook*, known or used. Even most permanent disaster management staff lacked knowledge of international standards, and there had been no regular training or even emergency training of other governmental officials or civil society actors in common standards. The lack of common standards led to: inadequate levels of basic service provision and protection of the displaced in some places; different levels of service provision in different locations; difficulties in effectively monitoring and coordination service provision; and difficulties in communicating and justifying levels of service provision for the displaced to the general population. Some UN agencies and INGOs conducted training on standards in the wake of the May disaster response.

- **Lack of government leadership**

One of the most important barriers to effective disaster response in May was the lack of government leadership. This was due both to a lack of clarity in the Disaster Management Framework and to problems of political leadership. As noted above, the Disaster Management Framework is not clear on how to respond to violent displacement and which government department is the lead agency in such a case. The fact that most of the displaced were foreign nationals complicated the adoption of overall responsibility and political dedication in this case, as discussed further below. The lack of a clear and pro-active governmental lead agency hindered effective coordination between:

- Municipal, provincial and national levels of government;
- Different operational government departments (e.g. Health, Social Development, SAPS, DHA);
- Governmental and civil society actors.

- **Fragmentation of civil society**

Since there have not been similar disasters in the country before (at least since democratisation in 1994), South African civil society does not have professional disaster response experience or capacity. In contrast to the governmental Disaster Management Act and Framework, there is no institutionalised basis for the coordination of civil society for disaster response. Civil society organisations from a wide range of sectors contributed to the disaster response, dedicating staff time and resources, usually without specific funding for such work, in high volumes and over long periods of time. The organisations involved came from a variety of backgrounds, including faith-based groups, social movements, migrant rights legal organisations, health and trauma organisations, and individual volunteers. Most of these organisations had never done emergency welfare work or monitoring before and most had never worked together, having different structures, mandates and approaches. The lack of existing disaster response capacity in civil society and its fragmentation as a sector had several consequences:

- Various **coordination and information sharing mechanisms** were established by civil society during the disaster response, including regular meetings, working groups, and email and web-based forums. While these mechanisms were valuable for exchanging information and to some extent planning a division of labour, they did not result in (and were not intended to result in) a unified civil society position, the appointment of overall civil society spokespersons and representatives, or mechanisms for evaluating and holding civil society actors accountable for their emergency work. Various governmental actors, as well as some international agencies, repeatedly called for a single 'civil society representative' to act as spokesperson or contact person, and expressed frustration with the multiple voices from civil society. This call, however, misunderstood the nature of civil society with regard to disaster response (a largely ad hoc collection of diverse bodies volunteering their time and resources) and the nature of existing coordination structures (equally ad hoc).

- Levels of coordination and leadership in civil society were significantly different in the Western Cape and in Gauteng. In the Western Cape there was a strong single organisation – the Treatment Action Campaign – which took on the leadership and coordination role, while in Gauteng such a civil society lead agency was absent (although the South African Human Rights Commission tried to some extent to take on this role). While stronger leadership in the Western Cape led to more effective civil society coordination than in Gauteng, it also in some ways contributed to a more confrontational relationship with governmental actors.
  - Civil society actors took on a range of **roles and strategies in relation to the government’s disaster response**, including direct welfare provision and monitoring roles. While the welfare provision roles were largely carried out in tandem with government welfare provision (often filling gaps), the monitoring roles often increased suspicion and distance from government. This was especially the case in the last phase of the response (the ‘reintegration’ phase) when civil society in both Gauteng and the Western Cape turned to litigation or threatened litigation regarding levels of provision to and the planned closure of the ‘safety sites’.
- **Confusion regarding the rights of (foreign) displaced**

The disaster response was in many ways affected by the fact that most of the displaced persons were not South African citizens. In a strict humanitarian sense, the nationality of the affected persons, and indeed their legal status, should be irrelevant, since humanitarianism is based on the concepts of **human rights and non-discrimination**. International guidelines concerning internally displaced persons also proscribe discrimination by nationality or legal status, as does South Africa’s Constitution when it comes to basic rights to life, dignity, food, etc. Nonetheless, the foreignness of most of the displaced impacted on the response in several ways:

- Apart from the general lack of clarity concerning a **governmental lead agency**, as noted above, there was confusion about the roles of the Department of Home Affairs (DHA) and the United Nations Office of the High Commissioner for Refugees (UNHCR) in the disaster response. DHA is often assumed to be responsible for all aspects of life regarding foreign nationals, while DHA itself has no welfare provision capacity and generally restricts itself to interventions relating to documentation.
- There were sensitivities about **public perceptions of the response**. Government (and some civil society) actors argued that it might fuel further resentment or violence against foreign national if they were seen to be receiving more assistance from government than citizens. In addition, various government actors, not least the police and elected municipal and provincial officials were concerned about their own legitimacy with voters if they were seen to be championing the rights of foreign nationals and spending resources on providing assistance to them.
- Government and civil society are not separate from the general population and so **xenophobic attitudes** existed among some governmental (and civil society) actors. While civil society actors who were unwilling to assist the displaced simply stayed away, governmental officials were required to provide services which they may not have personally agreed with.
- The **continuation of ‘immigration control’ approaches** during the initial phases of the emergency led to break-downs in protection. This included the arrest and deportation of some displaced persons who did not have documentation. Even the ‘voluntary’ return of victims of the attacks to their home countries represented a breakdown in protection and compromised the implementation of justice against perpetrators.
- **Solutions for ending the emergency situation and response** were especially affected by questions of legal status for the displaced. The most significant and at times violent conflicts between government agencies and the displaced concerned questions of documentation, including anxieties by IDPs who had existing refugee or asylum seeker documentation that temporary documents would reduce their rights, and vulnerability by previously undocumented IDPs concerning the quality and time-period of protection they would receive from temporary documents once they left the camps and ‘reintegrated’.

- **Consultation and participation of the displaced** in planning, implementing and monitoring the humanitarian responses were woefully inadequate, both by government and by civil society, although IDPs were more effectively included in civil society structures in the Western Cape than elsewhere. Such consultation and participation is very important in any intervention and is often overlooked, even where the affected persons are citizens. However, such consultation was complicated by the diversity and fragmentation of the displaced in terms of nationality, language and legal status. There was no ready-made representative IDP 'leadership' to consult with.

### *Lessons Learned*

The evaluation of the humanitarian response highlights six key areas of focus for future interventions.

#### **1. Communication**

The majority of conflicts between government, UN agencies, civil society and IDPs, and within each of these sectors, could have been avoided through more open and effective communication. Communication from government to IDPs, from government to civil society and from UNHCR to IDPs was especially problematic, but there was also a lack of communication between different levels of government and between different government departments. Problems included the timeliness and consistency of information concerning government policy and interventions, especially relating to the movement of IDPs into 'safety sites', levels of basic service provision, documentation options and reintegration options.

Communication is a basic element of accountability. The effects of a lack of effective communication included serious delays in basic service provision in many instances, and almost all the litigation by civil society against government could have been avoided through better government communication of its plans. The impact of a lack of communication on IDPs was increased trauma and an inability to plan for the future as well as frustration and in some cases aggression against government actors.

#### **2. Consultation and Participation**

There was inadequate cross-sectoral consultation and participation: consultation of civil society by government, and consultation of IDPs by both government and civil society actors. Government structures often rejected consultation with and participation of IDPs and civil society actors by arguing that particular individuals or organisations were not 'representative' of the wider IDP or civil society constituency. While issues of representativity and accountability are real concerns and difficulties, it is important to develop flexible and supportive inclusive structures. The consequences of a lack of consultation and participation included inappropriate shelter site selection; inappropriate food provision; and preventable tensions and conflicts between IDPs, shelter management and government, among others.

Consultation and participation is especially important in relation to mechanisms for monitoring humanitarian service provision during and after an emergency. There should also be clear modalities for IDPs to report abuses and seek redress.

Communication and consultation failures were both the result and the cause of distrust between the various sectors involved in the emergency response.

### 3. **Coordination**

For any complex and multi-sectoral intervention such as a humanitarian responses, effective coordination mechanisms are the backbone. Without coordination, there are inevitably service gaps and duplications, as well as wastage of resources. The absence of effective communication and information-sharing noted above were central factors in hampering the coordination of humanitarian relief. In addition, modes of engagement, dictated by differences of style and ethos and by historical relations between government and civil society actors as well as among different civil society actors, had a profound effect on the extent to which coordination took place. The lack of a clear overall lead agency in government, and the lack of a recognised basis for civil society organisations to claim a coordination mandate, also undermined the establishment of generally recognised coordination mechanisms.

Given government's disaster management mandate and its response capacity, a primary coordination hub for any disaster response should be located in government, with a clear lead agency which maintains overall authority even when implementation responsibility passes from one level of government to another (such as from municipal to provincial). This hub should be inclusive of civil society and IDP representatives. Civil society should also develop its own coordination hub to feed into government structures and to coordinate civil society's specific monitoring roles.

### 4. **Information Collection and Management**

The functions of coordination and communication depend on the effective collection and dissemination of information concerning the needs of the displaced, the mandates and capacities of responding organisations, and the ongoing levels of service provision. A key problem during the disaster response was the lack of standardised information collection and the lack of clear and broad information sharing and dissemination processes and mechanisms. While some INGOs and UN agencies assisted government and civil society organisations by providing information collection models, and while web-based information sharing portals were established, these need to be generally agreed upon and maintained in advance of the next emergency.

### 5. **Emergency preparedness & contingency planning**

All of the above functions need to be developed through an effective and inclusive emergency preparedness and contingency planning process. This process should apply to all kinds of disasters, but explicitly include planning for civil conflict. Such planning would provide the opportunity to develop relationships among a range of government and civil society actors to overcome the lack of knowledge and suspicion currently undermining effective communication, consultation and coordination. It would build technical capacity in government and civil society and would lead to shared norms and standards, protocols, databases of stakeholders, data collection formats, etc. all of which would greatly increase the speed and effectiveness of future disaster responses.

### 6. **Evaluation and learning**

There have already been several 'lessons learned' exercises with civil society (of which this report is one) and by UN and government actors. It is important that these exercises result in concrete changes within institutions and in the development of effective structures to connect the diverse institutions involved in disaster response and management. Civil society and government actors should openly share their internal evaluations and incorporate criticism as a constructive effort to improve service in the disaster response sector overall.

*KEY RECOMMENDATIONS***TO GOVERNMENT**

- Conduct an evaluation of the governmental disaster response to the May 2008 violence. This evaluation should include the actions of all levels of government (municipal, provincial and national) and especially the interactions between them. The findings of this evaluation should be made public and discussed with civil society.
- Review the National Disaster Management Framework in relation to its applicability to civic disturbances and displacement due to violence. In particular, a clear lead department should be defined for such cases.
- Include civil society representation on governmental DM structures both prior to and during disasters and develop clear protocols for information exchange and coordination with civil society.

**TO CIVIL SOCIETY**

- Establish a standing disaster management structure or network dedicated to early warning, capacity building, information sharing and – in the case of an ongoing disaster – coordination, communication and monitoring. This structure should also act as the mechanism through which civil society representatives on governmental DM structures are identified and/or held accountable.
- Engage constructively with governmental DM structures towards the development of clear protocols for information exchange and coordination both prior to and during disasters.
- Find ways of building an operational domestic disaster response capacity within civil society, especially expertise and experience in the provision of material and personal welfare. Such capacity can either be built through new programmes within existing civil society organisations, or else through the establishment of new institutions.

**TO INGOs AND UN AGENCIES**

- Assist government and civil society to build DM capacity by offering ongoing and ideally joint training in international humanitarian standards, and by facilitating practical learning experiences in other parts of the region and continent.

**TO GOVERNMENT, CIVIL SOCIETY and INTERNATIONAL ACTORS**

- Conduct a joint evaluation of the post-emergency reintegration process and mechanisms.

## CONSOLIDATED RECOMMENDATIONS

This chapter consolidates all the detailed recommendations made throughout the report, section by section. While some of the recommendations are addressed specifically to either governmental, civil society or international actors, most apply to all actors working together in a disaster situation.

### Material Welfare

#### *Site planning*

Recommendations to supplement the Sphere guidelines on material welfare issues follow. However, all readers should refer to the *Sphere Handbook*, particularly the sections *Common Standards; Shelter and Settlement; Water supply, Sanitation and Hygiene Promotion*; and *Non-Food Items* on the following issues:

- Location of sites,
- Refuse,
- Water Supply, Sanitation and Ablution,
- Suitability of accommodation (structure and layout, and additional facilities),
- Laundry, and
- Power supply.

#### LOCATION OF SITES

- In assessing site location, include proximity to communities of origin, schools and workplaces. Where transport routes are unsuitable, provide shuttles to key transport nodes.
- Include IDP leadership, stakeholders with local knowledge, and adjacent communities in consultation before finalising site choice.

#### LAUNDRY

- Where practicable, provide a laundry area with adequate drying lines.
- Where communal sinks for laundry are absent, provide each family unit with a large plastic laundry bucket.
- Provide each family unit with a pack of clothes pegs.
- Women and adolescent girls should be provided with an area specifically set aside for washing underwear and sanitary cloths in privacy.
- Inform IDPs of appropriate methods of grey-water disposal.

#### LIGHTING

- In physical planning of sites, provide for adequate lighting of living areas, public areas and ablution facilities.
- Regularly check and maintain lighting equipment.

#### POWER SUPPLY

- Provide safe power supplies for cellular phone charging as soon as possible after a displacement.
- Provide generators if sufficient grid connections are not available.

*SECURITY: ACCESS CONTROL*

- Establish clear protocols for systematic access control to sites and communicate them to all residents and personnel. This should include a system of identity cards or passes for residents and accredited service providers, implemented at the earliest opportunity.
- Establish a protocol for central accreditation of service providers and volunteers for access. Procedures for establishing accreditation should be clear and simple to follow.
- Volunteers working on sites must be affiliated with, or seek affiliation with, an organisation that is accredited by the site manager for the provision of services to site residents.
- The access protocol should define the conditions under which an accredited organisation may be barred from the site, and should specify the need to inform the organisation in advance.
- Monitor the effectiveness of the access protocol in consultation with IDPs.
- Establish a procedure for rapid registration of IDPs who arrive at the site after initial registration and for IDPs transferred to the site from other sites.
- Establish an agreed procedure for entry of ad-hoc visitors, in consultation with IDPs.
- Monitor all access points on a 24-hour basis using security personnel.
- Conduct regular security patrols of site perimeters.
- Train gender-diverse security staff to meet the standards of the access protocol.

*SUITABILITY OF ACCOMMODATION: ADDITIONAL FACILITIES*

- If possible, provide dedicated spaces for receiving visitors, engaging in recreational activities, holding meetings, and engaging in religious or spiritual practice, in consultation with IDPs.
- Consider allocating a specific area for feeding children, particularly if targeted feeding is planned.

**Provisioning**

Recommendations to supplement the Sphere guidelines on provisioning issues follow. However, all readers should refer to the *Sphere Handbook*, particularly the sections *Non-Food Items*, *Food Aid* and *Nutrition*, on the following issues:

- Food and nutrition,
- Bedding, and
- Clothing and other NFIs.

*GENERAL PROVISIONING*

(GENERAL RECOMMENDATIONS THAT RELATE TO FOOD, BEDDING AND NON-FOOD-ITEM PROVISIONING)

- Centralise the collection and distribution of material donations (food and NFIs).
- Encourage the public to deliver material donations to identified collection points in order to facilitate centralised management of the collection and distribution of goods by Disaster Management.

*FOOD AND NUTRITION*

- Develop an approach to food provision in an humanitarian emergency based not on an idea of charity and dependence but on the rights of IDPs and the goal of advancing self-sufficiency.
- Standardise procedures concerning the provision of food across sites in terms of quality, quantity and time of delivery.
- Assess food aid needs as early as possible in the response process (see Annexure B).
- Complete a process of registration as early as possible (see Annexure B). Consider issuing ration cards to aid food distribution. Ration cards should specify the name, tent number, name of head of family, and total number in the family. There should be a stamp or mark to prevent forgery.
- Make all stakeholders aware of the norms and standards governing food provision from the outset. Informing populations of their entitlements assists with reducing abuses and contributes to self-policing.
- Food serving points should have a separate entrance and exit.
- To minimise waiting times consider serving several queues at the same time. Provide personnel for crowd control and to check cards, in addition to distributing the food.
- Where IDPs are cooking for themselves, provide basic kitchen sets and cooking pots for each family unit.
- Provide sufficient water and fuel for independent cooking.
- Limit the use of fires to designated areas for safety reasons. Discourage the use of open fires, and make fire-fighting equipment available on the premises.
- Ensure contracts with organisations providing food are sufficiently flexible to allow for changes in the form, method and content of food assistance.

*CLOTHING AND OTHER NON-FOOD ITEMS*

- Record provision of bedding on the registration card of each IDP.
- Donations of toiletries and sanitary goods should be made to a central donation point identified by Disaster Management in order to (a) ensure that collection and distribution are efficient, and (b) support disaster management procurement planning. Details of the central donation point should be widely publicised to assist an effective and efficient distribution process.
- Consider appointing an experienced agency, such as the Salvation Army, or a suitable recycling depot, to manage clothing collection and sorting.
- Access to clothing should be gender equitable.
- Maintain a consistent and adequate supply of sanitary materials, including soap and underwear, and ensure that female staff distribute these materials to women and girls.
- Keep a comprehensive centralised record of distribution of non-food items to ensure that residents across all sites receive not only adequate but comparable supplies.
- Set up a mechanism for centralised reporting of clothing and other NFI needs as soon as practically possible and diligently record the satisfaction of those demands to ensure efficient distribution of supplies.

## Personal Welfare

Recommendations to supplement the Sphere guidelines on personal welfare issues follow. However, all readers should refer to the *Sphere Handbook*, particularly the sections *Shelter and Settlement*; *Water Supply, Sanitation and Hygiene Promotion*; *Nutrition*; and *Health Services*, on the following issues:

- Privacy,
- Health support,
- Psychosocial support, and
- Child Welfare.

*PRIVACY*

- Ensure that tents are treated as private homes and that permission to enter is explicitly sought.
- Make prior briefing<sup>3</sup> and consultation a precondition of entry to sites for members of the media and those bringing cameras on-site.
- No recordings of IDPs should be made without permission.
- Service providers should avoid bringing people with no service delivery function onto sites.

*HEALTH SUPPORT*

- Health NGOs should establish a sectoral coordinating structure to organise monitoring of health provision into sub-districts that parallel health service districts. They should aim to build strong relationships with the Department of Health (DoH) at district level through the identification of civil society points-persons to deal with each set of city/provincial sub-district managers. Each point-person should establish what sort and level of information sub-districts need to act on a request. They should monitor the DoH's response to requests.
- Monitor on-site health services to ensure provision is respectful and non-discriminatory.
- Ensure that on-site health facilities are clearly identifiable to IDPs and their existence communicated through the site coordinator and designated communications personnel. Ensure that hours of provision are as regular and consistent as possible, possibly using a raised flag to indicate when healthcare services are open.
- Ensure sensitive, early identification of IDPs requiring chronic medication.
- Where off-site medical attention is necessary, provide reliable and safe transport both to and from off-site facilities.
- In the case of marginalised groups such as migrants, ensure ongoing education of health service providers about the group's equal rights to healthcare.

*PSYCHOSOCIAL SUPPORT***GENERAL**

- Integrate understanding of the particular mental health (MH) needs of IDPs into all sectors of the humanitarian response, at all phases of its delivery.
- Recognise the high levels of trauma prevalent in IDP populations, and the potential for secondary trauma in refugee IDP populations.

**COORDINATION**

- Establish a single coordination structure, with a mandated lead agency (or agencies). Government and civil society stakeholders should be represented and roles and responsibilities defined at local and regional levels.
- Mental health and psychosocial support providers should support a coordinated disaster response and seek to work in complementary relationship with partner organisations, in accordance with the ethical practices and accountability requirements of the Principles of Partnership (PoP) developed by the Global Humanitarian Platform.
- Make information-sharing among partner organisations and other relevant humanitarian actors a guiding principle of service provision.

<sup>3</sup> Briefings should cover the vulnerability of displaced populations, the illegality of photographing children in distress, the need to request permission to interview, photograph or enter the homes of IDPs, and a suggested method of approaching IDPs in a sensitive manner that respects their dignity and privacy. Media should be advised of the dangers of sensationalising IDPs' lives or of disseminating information that may expose them to further vulnerability.

### SITE MANAGEMENT

- Site management should support and promote the provision of psychosocial support services at sites. To this end, they should:
  - Provide clear information on the availability of psychosocial support services.
  - Provide a dedicated space for private counselling for individuals or groups.
  - Prevent arbitrary barring of psychosocial support workers from sites.
  - For large sites, encourage an organisation with experience in community MH (or a person attached to such an organisation) to take on specific responsibility for the coordination of psychosocial services on the site, to channel information, and to protect the displaced.
- Recognise the value of social and spiritual activities in promoting the mental wellbeing of IDPs. Actively encourage and support activities which have a unifying popular appeal, and over which the IDPs themselves have a measure of control on the choice and nature of activity (art, music, drama, sport, child care, etc).
- Site management should be aware that current realities have a significant effect on the MH of IDPs and that psychosocial counselling will not substitute for the harmful effects of information poverty, inadequate living conditions, and lack of participation in processes that define the current and future opportunities of IDP site residents.

### ASSESSMENT, MONITORING & EVALUATION

- Conduct assessment of MH and psychosocial needs using culturally appropriate tools designed for use in emergencies in the local context.
- Coordinate assessments between service providers to avoid duplication.
- Develop strategies, indicators and tools for monitoring and evaluation and disseminate them to partner organisations.
- Disseminate assessment, monitoring and evaluation information among partner organisations and appropriate stakeholders.

### STANDARDS

- Ensure that psychosocial service provision aims to be compatible with the provisions of the IASC *Guidelines on Mental Health and Psychosocial Support in Emergency Settings*.
- Regularly monitor provision of psychosocial support to ensure that it reaches agreed standards. Put procedures in place to protect the IDP community from potentially harmful practices.
- Make psychosocial support non-stigmatising, culturally relevant and available to all individuals (especially survivors of violence). Where appropriate, make psychosocial support available for children, in consultation with their caregivers.
- Establish effective systems for referring and supporting severely affected people.
- Funders and programme planners should take account of the fact that, while numbers of IDPs may reduce as a disaster progresses, a concentration of extremely vulnerable people is likely to remain in sites until the very end, being the least able to find alternative solutions.

### PARTICIPATION

- Establish psychosocial support services in participatory, safe and socially appropriate ways that protect people's dignity and strengthen social support and self-help mechanisms.
- Interventions should facilitate conditions for appropriate communal, cultural, spiritual and religious healing practices.
- Encourage provision for the special needs of young children and their caregivers, including the provision of opportunities for appropriate activities that support children's need for self-expression. Pressure should be brought upon education authorities to recognise the psychosocial benefits of facilitating the early return of schoolchildren to school.
- Psychosocial support should help people to identify their own priorities and sustainable strategies for protection and security.

*PSYCHOSOCIAL SUPPORT (cont.)*

- Psychosocial support workers should assist government officials and other service providers in understanding and accommodating the difficulty for victims of violent displacement of making major life decisions while in the midst of loss and grief.
- Undertake mass communication on constructive, positive coping methods and activation of social networks. The details of this should be developed with stakeholders.

**PERSONNEL**

- Where possible, ensure psychosocial workers and volunteers have some understanding of the cultures of the IDPs, as well as of mental health provision in the state public health system.
- Ensure that all counsellors have been trained in the general ethics of counselling.
- Ensure that all support workers and volunteers sign an agreed code of conduct.
- Ensure that support workers and volunteers are supervised and regularly monitored.
- Ensure that psychosocial support workers and volunteers have regular debriefing sessions, at least weekly.

*CHILD WELFARE***EDUCATION NEEDS**

- Complete an educational needs assessment as soon as possible to identify the numbers of children, their current school grades, and the school at which they are registered.
- Take steps to register children who are not yet registered at any school.
- Restore children's full-time attendance at school as soon as possible. If it is considered unsafe for them to travel on public transport, arrange dedicated school transport, with informal on-site schooling provided only as a temporary measure where this is not possible.
- Due consideration of parents' and children's fears and anxieties about schooling should be acknowledged and accommodated in planning and decision-making processes.
- Allow IDP families to participate in decisions regarding the education of their children. Identify education representatives or, for larger sites, form an education committee, to participate in identifying and negotiating for their education needs. Representation should aim at gender equality.
- Children of families who have fled their homes may have lost their uniforms and basic school equipment. Make arrangements for replacement of these items to avoid further stigmatisation and educational disadvantage accruing on their return to school.
- Ensure that mealtimes accommodate the school travel schedules of children so that they do not miss meals – especially breakfast. Include items for school lunches in food provisioning.
- Ensure that all teachers working at sites are trained in the prevention of sexual exploitation and abuse, and have signed a code of conduct.
- Where possible, obtain UNICEF lap desks for schoolchildren living in crowded sites.
- Encourage schools adjacent to IDP sites to provide support in terms of materials and expertise to on-site schooling facilities.
- The Department of Education should ensure that special provision is made for IDP children not to be penalised for their enforced absence from school and for every assistance to be provided for learners to make up for the school time lost.

**SOCIAL NEEDS**

- Set aside recreational spaces where children may play in safety, observed by their carers.
- Create safe and supportive environments for children to develop networks, explore their problems, learn about their rights, develop strategies to protect their safety and health, develop leadership, and play. Provide adolescents with access to spaces that are separate from those set aside as "child-friendly spaces."
- Provide age- and culturally appropriate recreational activities for children. While maintaining sensitivity to cultural norms for the protection of girl children, girls should be encouraged to participate.
- Consider assigning responsibilities to adolescents in camps to counter feelings of idleness and worthlessness; for example, peer education or leadership of activities for younger children.

*CHILD WELFARE (cont.)***UNACCOMPANIED MINORS AND VULNERABLE CHILDREN**

- Conduct a rapid assessment to identify priority child-protection concerns and necessary inputs and/or programmatic responses. Consult children in the process. Enable women within the IDP population to assist with the assessment.
- Identify separated children and attempt to reunite them with their families or habitual caregivers.

## Protection

Recommendations to supplement the Sphere guidelines on protection issues follow. However, all readers should refer to the *Sphere Handbook*, particularly the sections *Common Standards* and *Food Security*, when dealing with security and livelihoods. As protection encompasses the entire humanitarian effort, the entire Sphere Handbook should serve as a guide.

*SECURITY*

- Ensure that there is sufficient policing by male and female police staff in both IDP sites and communities of integration. Significantly increase the numbers of female police personnel (ideally to gender parity) to enhance the protection of women and girls.
- Mobilise communities to protect themselves through positive community policing initiatives that promote inclusivity in protection.
- Establish a well-publicised, easily accessible and fully accountable system for reporting further acts of violence and intimidation to SAPS and other law-enforcement personnel.
- Regularly patrol all site facilities, and particularly toilet and ablution areas.
- Contractors providing security personnel should ensure that staff are clearly identifiable at all times and that they adhere to agreed procedures in terms of their hours, schedules of work, and signing-in and -out routines.
- Conduct regular monitoring and spot checks of the performance of security staff. This should include regularly monitoring to ensure maintenance of a respectful and non-discriminatory engagement with site residents, visitors and workers.

*LIVELIHOODS*

- A variety of initiatives could support IDPs in maintaining their livelihood opportunities. For instance:
  - Provide transport to safe sites of intersection with public transport networks.
  - Appeal to employers to hold positions open, pending the return of IDP workers.
  - Facilitate early inspection by IDPs of their residential or work premises to assess viability of return.
- State security structures should be particularly vigilant in protecting business and residential premises temporarily vacated by IDPs.
- Put mechanisms in place to assist IDPs in negotiating the return of illegally occupied businesses and divested owners in taking the necessary legal action.
- To the extent that it is possible in emergencies of unknown duration, consider livelihood programming where vulnerable families are identified in scenarios involving medium- to long-term shelter of IDPs. The promotion of income-generating activities during site residence provides a bridge towards return to independence and should form part of reintegration planning. Livelihood programming should take account of the needs of the most vulnerable – especially female single-headed households, the disabled, and unaccompanied young people.

## Accountability between Service Providers and Beneficiaries

Recommendations to supplement the Sphere guidelines on protection issues follow. However, all readers should refer to the *Sphere Handbook*, particularly the section *Common Standards* when dealing with issues of accountability.

### ACCOUNTABILITY: COMMUNICATION

- Communicate relevant information on the disaster-response plans from government regularly, clearly, consistently, coherently and in a variety of ways with a broad range of representatives of civil society, IDPs and affected communities of South Africans.
- Civil society organisations should similarly commit to regular, clear, consistent and coherent communication of information with regard to their humanitarian assistance and advocacy activities.
- All parties should take all possible steps to verify information prior to its communication.
- Communicate with IDPs clearly (taking into account language differences) and empathetically. Officials communicating directly with IDPs should ensure that listeners have understood the message conveyed. Use translators to ensure that information is accessible to all.
- Disseminate information through the most appropriate means. Adopt measures to ensure that messages can flow freely to all groups, fostering meaningful dialogue. Information and awareness-raising about site management and other site issues (especially registration and integration) should be provided equally to women and girls; men and boys.
- Provide IDPs with as comprehensive as possible a range of information concerning ongoing developments relevant to their current and future wellbeing. To this end, television, radio and/or newsprint media should be supplemented with a regular newsletter-type publication that provides specific, locally relevant information and advice. Ongoing provision of current information should be regarded as a norm of humanitarian assistance and as integral to maintaining dignity, supporting mental health and eventually reintegrating IDPs. Ways in which information should be disseminated include, but are not limited to, media; on- and off-site meetings; question-and-answer sessions; newsletters; notices.
- Civil society organisations – particularly NGOs – should commit to making publicly available a summary of funds received and expenditure made in delivering humanitarian assistance to the victims of the disaster. They should also communicate the mandate they have (or have assumed) in the humanitarian intervention.
- Forums established to represent civil society individuals and organisations should create records of their meetings. These should be publicly available and should be circulated to stakeholders with as little delay as possible. Consider facilitating this through an internet-based distribution system.
- Devise mechanisms, in consultation with IDPs, to support the routine sharing of information between IDP leadership and the communities they represent.

### ACCOUNTABILITY: CONSULTATION AND PARTICIPATION

- Consultation and participation should not be confused with, nor substituted by, communication.
- Ensure consultation with and participation of IDPs is meaningful, with opportunities for IDPs to present their views, be listened to, and participate in the formulation of plans and solutions to problems.
- Consultation with and participation of IDP representatives should take place at all levels of decision making in the different spheres of government and in civil society.
- One-off joint consultations between IDP leadership and government structures should be preceded by adequate notice and a draft agenda. Subsequent to the meeting, feedback should be provided on the progress or otherwise in terms of the commitments given at the meeting.
- Comprehensive consultation and participation of IDPs should take place for site planning and decision making, including in connection with site and service planning, and day-to-day site management (including sanitation and refuse management, site security, health, food and NFI provision and distribution, prevention of sexual violence and GBV, education, and so on).

*ACCOUNTABILITY: CONSULTATION AND PARTICIPATION (cont.)*

- Regular site governance meetings, attended by IDPs, site management and service providers, should be held – ideally daily. IDPs should be encouraged to give feedback. Encourage active listening and learning from feedback, and joint decisions on priorities and ways of working.
- The development and maintenance of representative IDP leadership structures should be supported by all government and civil society stakeholders – particularly at site level – to enable effective consultation and participation. Attention should be given to ensuring the participation of representatives of vulnerable groups, particularly women and adolescent girls and boys, and to strengthen their leadership capacities to facilitate meaningful participation. This might entail creating opportunities for specific vulnerable groups to be consulted and to participate in exchanges of information separately.
- Foreign-national IDPs should have the opportunity to meet with UNHCR officials as a community not less than once a week.
- Government and civil society stakeholders should make arrangements for regular consultation and participation in shared forums for the purposes of disaster contingency planning and, during a disaster, humanitarian response coordination.
- Civil society should establish forums in which consultation and participation for a comprehensive range of relevant stakeholders is sustained for both disaster contingency planning and, during a disaster, for the humanitarian response coordination.
- International agencies should support improved participation of civil society stakeholders and vulnerable-community or IDP leadership structures with government structures for humanitarian disaster planning and response.
- UN agencies should promote understanding of the UN system, the mandates of the various UN agencies in South Africa, and the roles of the various agencies in humanitarian disaster response.

*ACCOUNTABILITY: MONITORING AND REDRESS***ACCREDITATION AND ACCESS CONTROL**

- Follow the recommendations under “Security: Access Control” in the “Material Welfare” section.
- Access control should be managed so that only service providers who have accreditation and are willing to respect the rules of the site are allowed entry. See “Code of Conduct” below.

**CODE OF CONDUCT**

- The conduct of all government and civil society workers (paid or unpaid) working at designated sites should be bound by a common site-based Code of Conduct, the terms of which should provide protections that reflect at least the basic principles set out in relevant internationally accepted instruments of humanitarian assistance.
- Take steps to ensure that the Code of Conduct is understood and signed by each person working at the site. Where necessary, provide training to help workers understand the implications of their codes of conduct in relation to the provision of humanitarian assistance for IDPs.
- Civil society organisations should ensure that all workers receive proper orientation before entering a site.
- Establish investigation procedures for alleged breaches of conduct at all sites. Make all workers and IDP residents aware of investigation procedures and the procedures for reporting a complaint about the conduct of an individual working at a site.
- Assure all workers and IDPs that their complaints will be acted upon in an accountable fashion, without discrimination or retribution.
- IDPs may need assistance in identifying the focus of their complaints and understanding how to lodge them.
- Government and civil society agencies should have their own internal mechanisms to respond to allegations of misconduct among their personnel.
- Conduct reviews and evaluations of programmes and individual performance at regular intervals during and after the disaster to ensure continuing relevance and compliance with accountability requirements to beneficiaries and partner organisations and fellow workers.

## Coordination and Cooperation among Service Providers

Recommendations on coordination and cooperation issues follow. However, all readers should refer to the *Sphere Handbook*, particularly the section *Common Standards*, when dealing with these issues.

### GOVERNMENT COORDINATION AND COOPERATION

#### PREPAREDNESS PLANNING SHOULD ADDRESS EARLY WARNING FOR HUMANITARIAN DISASTERS RESULTING FROM CIVIL STRIFE THROUGH:

- Procedures and mechanisms to enhance the quality, dissemination of and access to relevant warnings.
- Community capacity to monitor changes at community levels, possibly through community development workers (CDWs), in partnership with foreign nationals or other dangerously stigmatised residents of communities.
- A centralised capacity should be developed, at both municipal and provincial levels, to monitor and interpret reports of tensions, conflicts and acts of aggression or violence against foreign nationals or other stigmatised groups, in order to consolidate information on threats to their security. Minimum requirements for the recording of such information should be agreed. It should no longer be possible to dismiss possible early-warning symptoms as “just crime.” GIS-based incident mapping should assist early warning and planning initiatives.
- Authorities, individuals and communities in risk areas should be well prepared, ready to act and equipped with the knowledge and capacities for effective disaster management to reduce impacts and losses.
- A nationally coordinated community awareness programme should be developed to support risk avoidance for commonly encountered generators of conflict, and supported by public-private partnerships and media.

#### THE CAPACITY FOR TIMELY PROVISION OF COORDINATED EMERGENCY ASSISTANCE FOR COMPLEX HUMANITARIAN DISASTERS SHOULD BE IMPROVED THROUGH:

- The construction and maintenance of a comprehensive and inclusive database on service providers and other civil society organisations with relevant expertise in providing humanitarian assistance in complex emergencies and human rights protection for foreign nationals, including NGOs, FBOs, CBOs. The database should be available for broad-based public access, as provided for in the DMA.
- A review of operational support procedures, including funding, finance, procurement, warehousing and inventory control, stock ledgers, and logistics. There should, in particular, be a review of supply chain management policies and regulations applicable to the procurement of goods and services, taking account of the flexibility required to respond to rapidly changing on-the-ground circumstances and needs in complex humanitarian disasters.
- Adoption of agreed standards for humanitarian disaster assistance in accordance with internationally agreed norms, as set out in the *Sphere Handbook*, to be operationalised at national, provincial, municipal and local levels to ensure standardised approaches and clear identification of roles and responsibilities. Particular attention should be given to identifying the locus of primary responsibilities by identifying lead functional agencies tasked with each of the activities associated with humanitarian relief. In this respect, the prospect of future humanitarian disasters involving large numbers of both nationals and non-nationals should be borne in mind.
- The development of a standardised relief management programme (including procedures for the distribution of humanitarian relief), to be operationalised at national, provincial, municipal and local levels:
  - Identify expertise gaps and address them without delay.
  - Evaluate and clarify decision-making procedures to uphold effective execution of support actions and maintain coherence when transfer of command moves from one government department or sphere to another.
  - Maintain coordination mechanisms for prevention and response programming at the provincial levels to ensure coordination between provinces.
  - Ensure linkages with existing national coordination mechanisms and sustain cooperation and interaction with stakeholders in different spheres of government and civil society.

*GOVERNMENT COORDINATION AND COOPERATION (cont.)*

- Formulation of guidelines and standardised procedures, including:
  - The design of generic templates for conducting needs assessments (including initial assessments and sector-specific follow-up assessments), loss assessments, registration, ration cards, etc,
  - Standardisation of information-reporting systems and establishment of a disaster information database to be activated for use by government and civil society at the onset of an emergency to provide up-to-date data,
  - Site-management protocols, and
  - Relief-distribution protocols.
- Enhancement of capacity for genuine communication between government, civil society and communities, to be addressed by:
  - Agreement as to the means and minimum requirements of communication in the initial emergency stages and pursuant disaster.
  - Identification of skills and protocols to maintain information flow and provision of training to ensure that protocols can be met.
  - Establishment of mechanisms to enforce discipline during disaster responses to maintain regular information flows between spheres of government; government departments; and government and civil society actors.
  - Identification of disaster-management focal points in communities at risk; possibly CDWs. Community-based focal points should be made aware of the mechanisms and procedures for reporting of relevant events in their communities which may occur or have already occurred.
  - Consideration of providing communication mechanisms linked to a centralised reporting point for communities at risk. This could be through a dedicated service for cellphone users.
- A review of disaster-response funding arrangements and grant application procedures to accommodate the immediate disbursement demands of responding in a timely and effective manner to complex humanitarian disasters.
- A renewed commitment by all departments in each sphere of government to identify and support their roles and responsibilities in planning and provision to achieve an integrated, uniform and coordinated disaster response for humanitarian disasters.
- A renewed commitment by government DM structures to engage in consultation and support participation with a wide range of civil society actors for planning for and responding to humanitarian disasters.
- A thorough post-event contingency planning process that embraces the consultation and participation requirements for all government, international community and civil society stakeholders, including vulnerable and affected communities, as provided for in the DMA and the NDMF.

*GOVERNMENT AND INTERNATIONAL AGENCIES COORDINATION AND COOPERATION*

- International agencies should provide relevant skills and expertise training to government and civil society actors in matters relating to humanitarian disaster planning and response and the relevant international norms and standards.
- Government should improve procedures to facilitate speedy processing of visa applications for international humanitarian experts. Consideration should be given to mechanisms designed to improve the entry into South Africa of essential skilled personnel at the onset of emergency situations and prior to a formal declaration of disaster.
- International agencies should review their roles and responsibilities, and the procedures to be adopted in fulfilling those roles and responsibilities, in the provision of humanitarian disaster relief to internally displaced non-nationals with an array of documented and undocumented immigration statuses.

*GOVERNMENT AND CIVIL SOCIETY COORDINATION AND COOPERATION***TO SUPPORT IMPROVED LEVELS OF COORDINATION BETWEEN GOVERNMENT AND CIVIL SOCIETY:**

- There should be a commitment from state DM structures in all spheres of government to the meaningful participation of a range of representatives from civil society, including those from vulnerable communities, in relevant government DM planning and coordination forums. Where they exist, consideration should be given to the participation of a broad range of NGOs, CBOs and FBOs on disaster management advisory forums.
- Government should take steps to raise awareness within broader civil society of DM structures, their accountability relationship to one another, and their individual functions and spheres of responsibility. The information on DM websites for all spheres of government should be substantially improved in order to assist this process. To facilitate this, DM terminology should be standardised.
- The DM database of stakeholders should be augmented to include the civil society organisations that have assisted in the current crisis and have the potential to assist in provision of humanitarian relief in the event of future humanitarian disasters. This should include those organisations experienced in working with foreign nationals in South Africa. Civil society organisations should be invited to submit relevant information. The databases should be publicly available, as provided for in the DMA.
- Consider identifying a focal point in government DM, at each sphere of government, to be responsible for fostering coordination and cooperation between civil society and government for the purposes of humanitarian disaster response. The functions and authority attached to the position should be clearly defined. An important aspect of the role should be ensuring the return-flow of information from civil society to government with a view to reducing misunderstandings, delays and the potential for litigation.
- Government and civil society should work on building mutual trust and accountability to improve cooperation in humanitarian disaster response. A better shared knowledge of the technical, material and other resources and limitations of all partners, in both government and civil society, would foster recognition of the challenges and potential gains in creating and maintaining broad-based cooperation and coordination between diverse organisations and institutions.
- Respect and recognition of the important contribution of volunteer workers, particularly from civil society, should be reflected in engagement between government and civil society in order to benefit from volunteers' knowledge of on-the-ground conditions.
- Civil society and DM structures in all spheres of government and should engage, at the earliest opportunity, in a post-event information sharing and lessons-learned exercise to identify best practices that support effective cooperation and coordination between government and civil society.
- Regular joint government and civil society contingency planning exercises should be conducted to share, review and revise protocols, processes and procedures for possible future humanitarian disasters. Of particular importance in this respect is for government, in close consultation with civil society, to develop the framework and information templates to feed into the victim/beneficiary electronic database so that, at the onset of a disaster, data from civil society takes a form that can be readily incorporated into the central government database.
- Civil society organisations should engage with the Integrated Development Plan public consultation process to respond to the Disaster Management Plan component of the Integrated Development Plan.

## *CIVIL SOCIETY COORDINATION AND COOPERATION*

- Establish a civil society coordination forum for humanitarian disaster planning and response in each province as soon as possible. It is suggested that the SAHRC call the initial meeting in each province to commence the process.
- Civil society coordination forums should have Terms of Reference (ToR), which should be periodically reviewed, as changed priorities dictate. Changes to the ToR must be communicated to organisations the forum claims to represent. Coordination forums should consider adopting the Principles of Partnership as a basis for their operation.
- Each civil society coordination forum should decide on a distinctive name that clearly defines its purpose and becomes known and readily identifiable to international agencies, government and other actors involved in humanitarian disaster response.
- Coordination forums should be established within a framework that is sufficiently flexible to allow the forum to maintain its relevance and readiness for activation to respond to different humanitarian disaster response demands. Essential features of structure, function and operation of the forum that need to be agreed include:
  - Structure: the mechanism for coordination and the extent to which it is formalised; the optimum size of the forum; the manner in which leadership will be selected and conducted; and the nature of membership.
  - Function: the role of the forum and its objectives in terms of membership and broader mandate.
  - Operation: the maximisation of capacity through funding and dedicated personnel; means and extent of information sharing.
- Civil society coordination forums for humanitarian disaster response should seek to support as wide a representation from civil society as possible. In particular, efforts should be made to ensure active participation of a range of FBOs, CBOs and NGOs with experience in providing for refugees and immigrants, with representatives from vulnerable communities (both nationals and non-nationals). Coordination forums should be modelled in such a way that they embrace the participation of both operational and activist human rights organisations.
- Consider seeking funding for establishment, maintenance and possible disaster activation support costs.

## **ROLES AND RESPONSIBILITIES**

### **1: Information Sharing**

- Civil society coordination forums should have at the core of their mandate a commitment to information sharing. Better knowledge of the context and improved disaster response expertise will assist civil society agencies in positioning themselves more effectively to defend their role and place in the face of doubts or criticisms from the public, government officials or other actors.
- Provincial coordination forums should create mechanisms to share information and expertise between provincial forums; to coordinate identification of skills gaps and joint access to training; and to lobby national government and international humanitarian agencies for information, training and support.
- Civil society forums should consider appointing focal points tasked specifically with liaison responsibilities across civil society and with government DM structures.
- Civil society coordination forums should seek to improve the flow of information for disaster management, both within civil society and between civil society and government DM structures. This should entail improving skills and discipline to maintain regular flows of verifiable information in standardised formats.
- Each provincial civil society coordination forum should establish a centralised database to assist in mounting a humanitarian disaster response. This should include, but not be limited to, details of NGO and non-NGO service providers, suppliers, shelters, warehouses, volunteers, and media services.
- A website and/or listserv should be established for dissemination of disaster planning and response information. In the event of an emergency, the website should have the potential to take postings from members of the public.

*CIVIL SOCIETY COORDINATION AND COOPERATION (cont.)***2: Response Planning**

- Civil society coordination forums should assist government DM structures with meeting their primary responsibility role in the coordination and management of disaster response in humanitarian disasters. In this respect, civil society coordination forums should seek to agree priorities for civil society disaster response in consultation with government DM structures.
- Members of the civil society coordination forums should adopt cooperation and coordination with a comprehensive range of civil society partners as an explicit core policy. One of the intended outcomes should be to have NGOs and other organisations providing for foreign migrants participate as part of broader civil society.
- Civil society coordination forums should work on policy and operational issues to plan for humanitarian disaster response. The objective should be to pay systematic attention to the standardisation of methodologies for assessments, and guidelines and procedures; and to joint planning for emergency response (including norms and standards, shelter, supplies and purchases, targeting and distribution). These exercises should be conducted in consultation with government DM structures to ensure mutual compatibility.
- Civil society organisations should share training toolkits developed for this disaster: for example, the SAHRC training for volunteer monitors (including one for use in mosques), a rights toolkit developed for rights training for IDPs, and the Trauma Centre training for psychosocial volunteers.

**3: At Onset of Emergency/Disaster**

- Civil society organisations and individual volunteers should make a realistic assessment of what resources they have to commit to the relief effort and for how long they can sustain that level of assistance. Organisations should communicate this information to the coordinating authority or organisation. Individual volunteers should communicate this to the organisation with which they seek to be affiliated.
- Civil society organisations should make time for regular review of their strategies to ensure that they are responding to real needs, and of their interventions in the context of current capacities, knowledge and strengths. Organisations should seek to engage in a continuous process of reflection on changing needs and realities and adapt their services accordingly.
- Civil society organisations should hold regular debriefing sessions for their staff and volunteers to provide them with opportunities to share their experiences and learning with colleagues and the organisation, and to receive support and guidance on their continued participation in the coordination and delivery of the relief effort.

**4: Post-disaster**

- Individual civil society organisations should conduct a process of closure with organisations that have partnered with them in aspects of the disaster response at the dissolution of that partnership.
- A post-disaster “lessons-learned” evaluation exercise should be completed as soon as possible for civil society actors involved in the humanitarian disaster response in provinces where there was displacement of foreign nationals following the events of May 2008.

#### *INTERNATIONAL AGENCIES COORDINATION AND COOPERATION*

- UN agencies and INGOs should work to support an improved level of participation of civil society stakeholders in government DM structures in order to bring about meaningful and effective participation of civil society stakeholders in the coordination of the disaster response.
- The Protection Working Group format needs to be reviewed in order to identify a model that is more supportive of South African civil society participation in disaster-response coordination.
- Consideration should be given to providing funding from international agencies for the establishment and maintenance of civil society coordination structures, both to maintain preparedness and to improve coordination in the event of full activation at the onset of a disaster.
- UN agencies and INGOs should seek ways to reduce the turnover of international consultants so as to better support ongoing disaster response skills and programmes.
- UN agencies and INGOs should devise means to more widely distribute needs assessments and situation reports, both to assist the broader coordination effort and to reduce the misinformation that circulates between government and civil society.
- Civil society organisations participating in humanitarian disaster response would greatly benefit from additional training on the principles of the *Sphere Handbook* and on technical aspects of operational and support services for humanitarian disaster relief.

#### *IDP COMMUNITIES COORDINATION AND COOPERATION*

- To support effective coordination and cooperation in the delivery of humanitarian assistance it is imperative that democratic IDP leadership structures are established in each site as early as practically possible. Steps should be taken to have as broad a representation as possible on leadership structures, including representatives from vulnerable groups.
- An IDP liaison officer should be appointed – at least one in each province – to help support the development of IDP leadership coordination and the cooperation of that leadership with other civil society stakeholders.
- Regular, accurate, comprehensive and relevant information should be provided to IDP communities to assist their participation in the disaster response.
- Translators should be provided to ensure accurate communication between government, civil society and international agency officials, on the one hand, and IDP communities on the other.
- IDP leadership should be empowered in its role through training in human rights; South African legislation; the requirements of good governance; government structures; and leadership skills.
- Foreign nationals should be included in DM preparedness planning at community and local government levels for humanitarian disasters resulting from community conflict.

## Justice and Assistance for Durable Solutions

Recommendations concerning non-humanitarian elements of the disaster response follow, including concerning deportation and repatriation, justice, documentation and reintegration.

### *DEPORTATION AND REPATRIATION*

- Emergency response protocols should include the principle that victims of violence should be protected and assisted without reference to their immigration status. In the case of violent displacement which includes non-nationals, general arrests and deportations on the basis of immigration offences should cease immediately and proceed only after confirmation from specified DHA structures.
- Victims of violence should receive psychosocial support before deciding whether or not to repatriate.
- Embassies should consult with the South African government on the planned response to a displacement and ensure that candidates for voluntary repatriation are fully informed of their options and the possible consequences before making a decision.
- IDPs should be discouraged from returning to countries where their life or liberty may be at risk. Any effort to prevent refoulement (even if “voluntary”) will require concerted efforts to inform and assure IDPs of the measures that will be put in place to ensure their continued protection in South Africa. Where doubts exist about their safety in South Africa, government should consult with the UNHCR on the possibility of resettlement to a third country.

### *JUSTICE*

- The National Justice Department and the Gauteng and Western Cape provincial Departments of Community Safety and Security should compile a public report on the arrest and prosecution of perpetrators of violence against foreigners, accounting for why there were so few successful prosecutions.
- In cases where wide-spread violence is the cause of a humanitarian disaster, provisions for justice must be an integral element of the humanitarian response.
- Provision should be made for the speedy investigation and processing of both criminal and civil cases stemming from wide-spread violence.
- Where victims of violence are reluctant to place criminal or civil claims, the state should take up cases in the interest of preventing impunity.
- Before the voluntary repatriation or deportation of any affected persons, they should be informed about their right to place charges against perpetrators and supported in making statements and remaining in or returning to South Africa to appear in court.
- The Justice Department should practice oversight of police stations involved in arrests and investigations, to ensure that accused perpetrators are not released for illegitimate reasons.
- Both government and civil society should set up mechanisms to monitor the cases of persons arrested in the course a humanitarian disaster, with government committing to transparently report on the progress and outcome of all cases.

*DOCUMENTATION*

- Documentation processes in humanitarian disasters must clearly separate documentation for the purpose of facilitating the equitable distribution of humanitarian aid from documentation intended to establish legal residence in a country.
- One of the basic principles of humanitarianism is non-discrimination. This includes non-discrimination on the basis of nationality and legal status. Documentation status should therefore not be used as a means of allocating humanitarian assistance.
- Simple and standardised registration processes should be put in place as soon as possible after the start of an emergency to enable the equitable distribution of aid and access control to sites of shelter and protection.
- Where IDPs have lost important identity documents (including IDs and birth certificates for citizens and passports and permits for non-citizens) every effort should be made by government to replace these documents as soon as possible.
- Where IDPs include persons eligible for protection under the asylum system, access to this system should be provided in a way which guarantees fair and correct status determination as well as access to all the normal legal protections and appeal processes.
- Where IDPs include persons without legal status in the country, temporary legal status should be provided for the duration of the disaster response in order to reduce vulnerability to arrest and deportation. This legal status should be separate from documentation concerning the distribution of humanitarian aid, and should have clear timeframes and conditions for revoking status.
- Temporary status provided during disasters should in no way compromise or reduce the rights held by persons with existing legal status.
- Communication with IDPs concerning planned documentation procedures must be clear, timely, and in appropriate languages and media. Consistency between verbal and written communication, and between statements from different government and non-governmental actors is paramount.

*REINTEGRATION*

- A comprehensive evaluation of the reintegration process should be conducted in mid-2009 by an independent body, with government's commitment to take into account the evaluation's findings. It is important to include an evaluation of civil society initiatives to sustainably rebuild relationships and conflict resolution mechanisms between South Africans and foreign nationals in communities affected by violence.
- Any humanitarian intervention should include an explicit set of criteria for an end to the provision of assistance, and these criteria should be communicated transparently and well in advanced to all stakeholders, including beneficiaries of assistance. There should be a monitoring mechanism in place to transparently establish whether the conditions set out for the termination of assistance have been reached.
- Reintegration assistance should take into account the specific needs of individuals, including trauma, and not only consist of standardised cash disbursements. Where grants are provided, these should be calculated to allow recipients to fulfil specified needs (such as pay rent and restart a business).
- Monitoring should continue after the formal end of a humanitarian intervention to ascertain whether IDPs remain protected and whether they are able to rebuild self-sustaining lives.