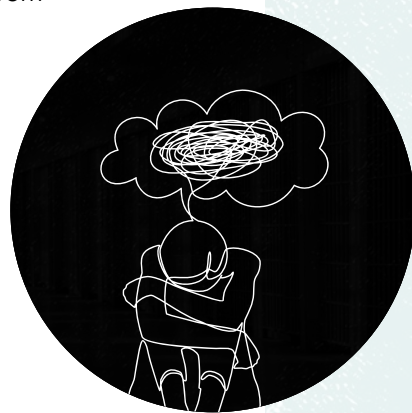


LAWYERS FOR HUMAN RIGHTS

INFORMATION REGARDING
IMMIGRATION DETENTION
IN SOUTH AFRICA

Detention monitoring: The objective of the detention monitoring unit is to assist with the release of migrants, asylum seekers, and refugees from unlawful detention.



IF YOU OR SOMEONE YOU KNOW
HAS BEEN UNLAWFULLY DETAINED,
CONTACT LAWYERS FOR HUMAN RIGHTS:

JOHANNESBURG

87 De Korte Street, Braamfontein

Tel: 011 339 1960

MUSINA

10 Irwin Street, Musina

Tel: 015 534 2203

CAPE TOWN

295 Lower Main Road,
Observatory, Cape Town

Tel: 021 424 8561

UPINGTON

Room 110 & 111, Rivercity Centre
Corner Scott and Hill Streets, Upington

Tel: 054 331 2200

DURBAN

Diakonia Centre. 20th Diakonia Avenue

Tel: 031 301 0531

PRETORIA

357 Visagie Street

Tel: (012) 320 2943

Definitions:

1 LINDELA REPATRIATION CENTRE

An immigration detention centre for foreign nationals whom the Department of Home Affairs have declared to be illegally in the country. Lindela is not a prison for convicted criminals. It is a detention centre for people awaiting deportation.

2 COURT

You must be brought before a magistrate within 48 hours of being arrested for deportation and the court will determine whether or not confirm your detention, for up to 30 days. If you do not appear before the court within 48 hours, you must be immediately released.

3 'ILLEGAL FOREIGNER'

A term used for a person who has not entered the country through a port of entry and/or resides in the country without valid immigration documentation

4 DEPORTATION

Deportation is the return of a foreign national to his country of origin, usually against their will. The law states that an "illegal foreigner" may be arrested and detained for deportation back to his/her country of origin.

5 DOCUMENTATION

If you have:

- A valid asylum seeker permit;
- Refugee status permit or ID; or
- A valid visa in your passport

then you are not an 'illegal foreigner'.



YOU ARE **NOT** AN 'ILLEGAL FOREIGNER' IF YOU ARE A:

VALID ASYLUM SEEKER

If you have lodged an asylum claim at a refugee reception office and are waiting for a decision on your application, you are not an 'illegal foreigner' and cannot be detained for deportation.

NEWCOMER ASYLUM SEEKER

If you were arrested before making an asylum application, you are not an 'illegal foreigner' and cannot be detained for deportation.

FAILED ASYLUM SEEKER

If you have lodged an asylum claim at a refugee reception office which was rejected, have lodged an application, and are waiting for a decision on your appeal, you are not an 'illegal foreigner' and cannot be detained for deportation.

RECOGNIZED REFUGEE

If you are a recognised refugee in the country, you are not an 'illegal foreigner' and cannot be detained for deportation.