

Section 9.1 of the South African Constitution provides that everyone is equal before the law and should receive equal benefit and protection under the law. This includes all foreign nationals living in South Africa.

Refugee Reception Offices

Cape Town: 021-380 5000
Port Elizabeth: 041-403 7412
or 041-403 7413
Pretoria: 012-327 3515
or 012-395 4130
Durban: 031-362 1205
Johannesburg: 011-226 4600
or 011-226 4685
Musina: 015-534 5300

Refugees from SADC countries:
012-3060800

Contact the Black Sash HELPLINE for FREE paralegal support and advice:



072-66 33 739
help@blacksash.org.za

LEGAL DISCLAIMER: While every attempt has been made to ensure the information published here is accurate, the Black Sash does not take responsibility for any loss or damage that may arise out of the reliance on or use of this information. The contents do not constitute legal advice. This fact sheet was last updated in **July 2010**.

YOU AND YOUR **RIGHTS**

Refugee Rights in South Africa



B L A C K S A S H
MAKING HUMAN RIGHTS REAL

YOU AND YOUR RIGHTS

Refugee Rights in South Africa

Refugees enjoy all the human rights outlined in the South African Constitution EXCEPT the right to vote.

When you have been granted **REFUGEE STATUS** in terms of section 24 of the Refugees Act, you have the **RIGHT** to:

- **Apply for a Disability Grant** and a **Foster Child Grant** - and where the child is in the care of another refugee, they can also apply for a **Care Dependency Grant**.
- **Apply for a Social Relief of Distress Award** if you can't support yourself and your family and you need immediate temporary assistance.
- **Apply for benefits from the Unemployment Insurance Fund** if you have contributed and have a valid work permit.

- **Apply for benefits** in terms of the **Compensation for Occupation Injury and Disease Act** (COIDA) if you are injured at work.
- **Claim compensation** for work done for an employer and have the **right to a minimum wage** in terms of the **Basic Conditions of Employment Act**.
- **Demand fair labour treatment practice in the workplace** in terms of the Labour Relations Act – including the right not to be dismissed without a fair hearing.
- **Claim compensation in terms of the Road Accident Fund Act** for loss or damage caused by motor vehicles.
- **Open a bank account with any commercial bank or the South African Post Office.**
- Enter into **commercial contracts** and **transactions**.
- **Access healthcare services** including emergency treatment at public healthcare facilities. This includes treatment for HIV/AIDS.

- **Access education at public schools.** Every child under 16 or who hasn't got grade 9 must attend school by law. You or your child need a Section 22 or Section 24 permit from the Department of Home Affairs and proof from a state hospital that the child has been immunised before you can enrol in a school.

When you have been granted **REFUGEE STATUS**, you also have the **RESPONSIBILITY** to:

- **Abide by the laws** of South Africa.
- **Always carry your refugee identity document.**
- **Renew your status every two years** before the expiry date.