

# AMNESTY INTERNATIONAL

## PUBLIC STATEMENT

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### **South Africa: Police failure to protect human rights activist Jean-Pierre Lukamba is symptomatic of wider failure to respect the rights of refugees and migrants**

Amnesty International is concerned by the arbitrary detention of activist and asylum-seeker, Jean-Pierre Lukamba, when he sought police protection after being forcibly removed from a communal taxi on 17 August 2011. Instead of attending to his complaint, taking a statement from him or from corroborating witnesses, police at Johannesburg Central Police Station arrested and detained him on a criminal charge of fraud. Two days later, the prosecutor reviewing the police file at the magistrate's court declined to prosecute the case. Mr Lukamba was subsequently released from police custody.

This incident, which has been brought to the attention of the Ministry of Police, is one of many such cases where refugees and migrants fail to receive protection or an impartial and effective response to their complaints. His detention in police custody, apparently without a basis of "reasonable suspicion" of his having committed any crime, is a further aggravating aspect to his treatment.

Amnesty International has raised before with the authorities both specific cases of police failure to protect refugees and migrants, as well as concerns about the persistence of a pattern of police abuses against them. The Consortium for Refugees and Migrants in South Africa, human rights lawyers and humanitarian and other concerned groups in South Africa also have frequently raised similar concerns.

At the same time, this conduct, which is contrary to South Africa's human rights obligations, fosters an atmosphere of impunity which helps perpetuate wider abuses, including systematic violence against refugees and migrants. Serious incidents of targeted violence, forcible closures of businesses and property destruction have continued to occur this year in a number of provinces including Gauteng, Eastern Cape, Western Cape, Mpumalanga and Limpopo provinces.

Amnesty International is urging the authorities to ensure that the police provide consistent and impartial protection and uphold the law, as the vital first step to ending this cycle of violence and human rights abuses against refugees and migrants. Amnesty International is also renewing its appeal, made last year to the Chairperson of the then Inter-Ministerial Committee, Mr Nathi Mthethwa, for the government to work closely with Civil Society to find lasting solutions which uphold and protect the rights of refugees and migrants.

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