

According to internationally acclaimed Refugee Law Expert: James Hathaway (The Law of Refugee Status p 101), persecution is described as sustained or systematic violation of basic human rights resulting from of failure of state protection. The determination of whether a person is entitled to the refugee status does not only depend on past persecution but include involves determining whether there is a reasonable likelihood of ill treatment amounting to persecution in the future if returned to his or her country. There are four key elements to the definition of a refugee under the 1951 Convention Relating to the Status of Refugees as amended by the 1967 Protocol Relating to the Status of Refugees. First, an applicant must be outside his or her country of origin. Second, an applicant must fear persecution. Persecution must involve serious harm to the applicant and discriminatory and systematic conduct. The expression serious harm includes, for example, a threat to life or liberty, significant physical harassment or ill-treatment, or significant economic hardship or denial access to basic services or capacity to earn a livelihood, where such denial threatens the applicant's capacity to subsist. The persecution must have official quality, in the sense that it is official, or officially tolerated or uncontrollable by the authorities of the country of origin. It is enough that the government has failed or is unable to protect the applicant from persecution. Thirdly, the persecution which the applicant fears must be for one or more of the reasons enumerated in the Convention definition-race, religion, Nationality, membership of a particular social group or political opinion.

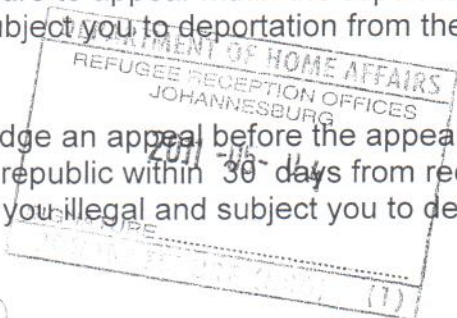
SEE ATTACHED DOCUMENTS

Right of Appeal

Kindly take notice that should you wish to lodge an appeal application with the Refugee Appeal Board in terms of Section 26 (1) of the Act, your letter of appeal must be submitted within 30 Calendar days from the date of receipt of this letter.

Take notice further that failure to appeal within the stipulated period will render you illegal and therefore subject you to deportation from the Republic of South Africa.

Should you intend not to lodge an appeal before the appeal board, you are advised to depart from the republic within 30 days from receipt of this letter. Failure to do so will render you illegal and subject you to deportation in terms of the Immigration Act.



Sincerely,

RSDO Signature

RSDO Name

Date


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: Kholofelo Seloana
: 04/05/2011