

Deputy Minister of Home Affairs, Fatima Chohan's speech on the 2014 Budget Vote debate in Parliament today

15 Jul 2014

Chairperson.

Today, as we greet and welcome all of our guests Chairperson, I wish to recognise two special guests: Firstly, Mrs Nora de Kock recently received her smart ID card at age 104. She was so delighted that she agreed to come to Parliament today to thank Home Affairs in person. Ouma, ons is baie bly om u hier hartlik te verwelkom.

The second special guest is a Grade 11 learner from Mountview High in Hanover Park.

Young Tasneem de Jongh was the team leader of an international group of schools who participated in the Commonwealth Games Classroom Project. The various participating schools had to write essays about their school experience and Tasneem's group won.

For her prize Tasneem will be travelling to the Commonwealth Games in Edinburgh, Scotland next week. We were pleased to be able to facilitate an urgent passport for her and wish to congratulate her and her team, who are here today, on their achievement.

Joining her too is her teacher, Mr Reginald Assure as well as the Principal of Mountview High School, Mr Archie Benjamin. Thank you for your hard work and dedication and for showing South Africa that in this 20 year old democracy success is not dependent on who you are or where you come from (for those of you who don't know - Mountview is situated in Hanover Park in the heart of the Cape Flats).

What you have shown us is that in our country success is only dependant on putting in the time and the dedicated effort. We will continue to work within our communities and support such initiatives to move SA forward.

The Department of Home Affairs has a key role to play in the safety and security of our country and its citizens. It contributes directly to three of the 12 national outcomes - that all people in South Africa should feel and be safe, that our country should have a skilled and capable workforce to support an inclusive growth path, and that we need to develop an empowered, fair and inclusive citizenship.

My specific areas of responsibility - the management of refugees, legal services and the front office improvement project - are all linked to these outcomes that the Department is committed to achieve.

South Africa is part of a global world where the security and socio-economic realities in one country impacts on the security and economy of other countries. On the one hand we have an obligation in terms of our values as a nation to fulfil our constitutional and international obligations to protect persons who have a well-founded fear of persecution; or are escaping from life-threatening situations.

To this end, we need to adjudicate asylum seekers efficiently, fairly and humanely and integrate those persons accorded refugee status into our communities. On the other hand, we need to put a stop to the large scale of abuse of the asylum seeker system in South Africa as this places genuine asylum seekers at a disadvantage and create social and economic risks for the country.

The March 2014 Asylum Statistics report of the Department, which is an analysis of our asylum database for 2013, portrays a picture of a gradual decline in the number of registered asylum seekers in 2013.

Despite this, the activity at the Marabastad Refugee Reception office suggests the opposite. The report therefore comes to the conclusion that there are concurrently push factors in the countries of origin fueled by the “pull” factors in South Africa. This will continue to generate the high numbers of new arrivals to our shores.

One of our major challenges in this regard is that many people who seek asylum in South Africa are actually economic migrants who use the asylum seeker process to avoid applying for a visa under the Immigration Act.

The standard push factors include the unpredictability of the socio-political situation within SADC and the Eastern African regions, the continued impact of the world economic meltdown, the perception of South Africa as a country of better socio-economic opportunities as well as the notion that South Africa is a route to the world beyond.

The Asylum Statistics report shows that these push and pull factors have contributed to a total number of 70 010 new arrivals being registered in 2013. Just under 50% of new Asylum Seekers are from the SADC region with Zimbabwe being the largest asylum seeking country - (16 420), the DRC (7 175), Mozambique and Lesotho at approximately 3500 each and Malawi 2 493 Asylum Seekers from West and East Africa constituted 32% of the overall applicants, the rest are received from South and Central Eastern Asia.

Seventy (70)% or 48 646 of 2013 new arrivals were registered by the Pretoria Refugee Reception Office, up from 59% or 36 254 in 2012. Musina Refugee Reception Office, which officially became operational in July 2008 as an outpost office to serve as a contingency measure in handling the large influx of asylum seekers coming through Beit Bridge Border Post, accounted for 19% or 13 622 of new applications, 3% more than in 2012.

Durban Refugee Reception Office handled 9% or 6412 of new applicants, up from 7%. Cape Town Refugee Reception Office, which accounted for 17% of new asylum seekers in 2012, processed only 1% of registered asylum applications in 2013 as the office stopped receiving new applications as from 1 July 2012. Our decision with regard to the Cape Town office was initially successfully challenged in Court, but the Court of Appeal reaffirmed the Department’s right to determine policy matters of this nature. This decision is in line with our policy position to in future strategically locate refugee reception centres at the borders and not in the hinterland.

Gauteng has remained the hub in 2013 with 71% registered new arrivals and other provinces received a combined 29%. This adds significantly to the urban influx challenges faced by that province and the competition for scarce resources leads to other social and economic challenges.

A total of 68 241 registered asylum claims were adjudicated and finalised at the first instance Refugee Status determination between January and December 2013. Of these claims, a total of 10,6% were approved and 30% were rejected as unfounded. Altogether, 52% were rejected as manifestly unfounded, fraudulent and abusive.

These statistics are critical in informing our policy development for the future. It also indicates that we are making important strides in terms of our adjudication process at refugee reception offices. In terms of the National Development Plan’s objective to facilitate faster and more inclusive economic growth, we need refugee policies, legislation and processes which will address national priorities, maximise benefits and reduce risks to the country.

To this end, we will amongst other matters:

Firstly, we will finalise the implementation of our policy position to relocate refugee reception centres closer to the borderlines, with the assistance of the Public Works department.

Secondly, we will improve international cooperation, especially in the SADC region, with regard to asylum seeker and refugee management. We need an agreement between SADC countries in dealing with refugees and asylum seekers who are 3rd country nationals and how to implement the “first safe country” principle.

Thirdly, we are developing an immigration policy document which proposes strategies regarding the management of unskilled economic migration. We aim to streamline the refugee process and to integrate genuine refugees into our society.

Legal Services is responsible for drafting, litigation and contracts.

Apart from drafting the amendments to the Refugees Act and the regulations in terms thereof, Legal Services is currently preparing draft legislation that will lead to the establishment of the Border Management Agency that will play a critical role in our future immigration regime. It will also draft amendments to the Immigration Act that may be required following amended refugee legislation.

The Directorate: Litigation will continue to assist the Department in opposing motions or defending claims, as the case may be. In this regard the Directorate: Litigation has set itself a target of a 76% success rate on average for the 2014/15 financial year in finalised litigation (cases heard in Court and decided in favour of the Department after argument). For the previous financial year (2013/14) the Directorate: Litigation’s success rate on average over the reporting period was 84%.

The Directorate: Contracts on average finalised 93, 5% of the contracts received for scrutiny or drafting within one month of receipt thereof during the 2013/14 financial year, and 100% of these contracts were quality assured for compliance with set criteria to assess contracts. For the 2014/15 financial year the Directorate: Contracts has set itself a target to finalise on average over the reporting period 91% of the contracts received for scrutiny or drafting within one month of receipt.

This Directorate has also played a major role in ensuring that contracts and work orders pertaining to the modernisation of the Department were finalised and concluded, which ultimately lead to, amongst others, the successful implementation of the smart ID card.

During the 2014/15 financial year we will also endeavour to fill the vacant funded positions within the Chief Directorate: Legal Services following the reprioritisation of the budget of the Department for Compensation of Employees.

In 2009 the Department of Home Affairs initiated a pilot project aimed at revitalising the look and feel of our front offices and make them user friendly with clear signage to enable proper workflow and queue management. The project has been rolled out in a number of our offices in accordance with the available budget. The Minister has delegated to me the task of improving the client experience at each of our front offices. After a comprehensive consultation process the details of the project will be finalised and announced.

Chairperson, Honourable Members, most if not all South Africans would agree that there has been steadfast improvement in the Department of Home Affairs. We remain committed to further improve our operations to ensure that we have a safe and secure South Africa where all of our people are proud of, and value, their identity and citizenship.

I thank you.

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