



home affairs

Department:
Home Affairs
REPUBLIC OF SOUTH AFRICA

NATIONAL ASSEMBLY

QUESTION FOR WRITTEN REPLY

QUESTION NO.826

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INTERNAL QUESTION PAPER 8 – 2023

826. Ms L L van der Merwe (IFP) to ask the Minister of Home Affairs:

- (1) With regard to the 22 Afghan nationals who have allegedly been granted permission to enter the Republic to seek asylum, (a) how long will it take his department to adjudicate their claim for asylum and (b) what are the time frames;
- (2) how long does it take on average from when a person enters the Republic to when they are informed that their claim for asylum has been successful or not;
- (3) what (a) total number of refugees are currently residing within the borders of the Republic and (b) are the details of the countries that the refugees come from;
- (4) (a) what is the current backlog in terms of finalising applications for asylum, (b) what total number of asylum applications are turned down annually, (c) how does his department ensure that those who have had their asylum applications rejected, leave the Republic and (d) what total number of deportations have taken place in each of the past 10 years;
- (5) whether his department has found that the asylum seekers simply stay on illegally because his department does not have the capacity to identify, apprehend and/or deport illegal migrants; if not, what is the position in this regard; if so, what are the further relevant details?

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REPLY:

- (1)(a) The department strives to conclude all asylum applications with immediate effect. However, each case is informed by its complexities, the need to conduct research, consult other institutions or further investigations do affect finalization.

- (1)(b) Same as above.
- (2) Same as question 1(a) response.
- (3)(a) According to the NIIS which is the system used by the department to record refugees, there are 129 325 refugees ever registered in the system, whilst there are 66 601 of them who are active and 9 363 refugee statuses withdrawn.
- (3)(b) The majority of the refugees come from the following countries; Somalia, DRC, Ethiopia, Burundi, Rwanda, Eritrea, Uganda and Zimbabweans.
- (4)(a) There are no backlogs in finalising asylum cases at the level of refugee status determination, which is the first instance by adjudication officers. The backlogs usually spoken about are cases already rejected at the first instance and are at the level of appeals which the department is working with UNHCR to address.
- (4)(b) The total number of asylum applications turned down annually are in the table below:

Year:	Rejection Numbers	Rejection % per cases finalised
2022	8 948	91%
2021	No new comers	0% (numbers affected by Covid)
2020	1 916	86% (numbers affected by Covid)
2019	22 083	92%
2018	16 510	91%
2017	25 713	92%

- (4)(c) The failed asylum seekers are handed over to the Immigration Officers stationed within the Inspectorate at the Refugee Reception Office (RRO) for processing in terms of the Immigration Act 13 of 2002, for deportation purposes. Upon arrest they are detained at the police station with jurisdiction of the RRO.
- (4)(d) The total number of deportations that have taken place in each of the past 10 years is as follows:

Year	Total
2012/13	105 392
2013/14	131 907
2014/15	54 169
2015/16	33 399
2016/17	23 004

2017/18	15 033
2018/19	24 266
2019/20	29 376
2020/21	14 859
2021/22	20 093

- (5) Additional human resources will improve law enforcement in immigration, and serve to detect and deport not only failed asylum seekers, but illegal immigrants who entered the country unlawfully with no record as well.

When failed asylum seekers are arrested due to the final rejection of their asylum applications, or abandoning the process by not ensuring they receive the outcome and/or their appeals to the Refugee Appeal Board not succeeding, they must be given the opportunity to apply to the High Court for a Judicial Review of the negative decision. The backlog in the caseload leads to further abuse of the asylum seeker regime, as upon arrest and failed asylum seekers disclosing their intention to take the administrative decision to court, they have to be released and the turnaround time for their court hearing cannot be estimated.

END