Dear Mr. Mathonsi,

Hope you are well.  COSATU would like to make the following written submission to the Portfolio Committee on Home Affairs on the Refugee Amendment Bill:

COSATU supports the Refugee Amendment Bill on the basis of the following key points:

1.      It is in line with the Constitutional Court judgement requiring the Refugee Act’s amendment to ensure that it is line with the Constitution.

2.      The Bill further enhances our constitutional provisions for transparency and accountability.

3.      It provides for the Board to take into account the safety and security needs of the applicants and their families.

4.      It also takes into account the public’s needs for transparency and accountability.

These are all principles that COSATU firmly believes are important and should thus be supported by all.

Lastly COSATU would like to register its concern with regards to the Department of Home Affairs not having responded to the Constitutional Court’s judgement earlier and thus compelling the Portfolio Committee’s intervention in this regard.  We make this point as this has been a trend across departments when compelled to amend legislation by Constitutional Court judgements.  This lack of urgency by some departments has then put Parliament in the regrettable position of having to request for an extension from the Constitutional Court.  We believe that the Portfolio Committee on Home Affairs’ correct intervention in this regard should thus be commended.

Kind regards,

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