NATIONAL ASSEMBLY

**QUESTION FOR WRITTEN REPLY**

# QUESTION NO. 1561

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## INTERNAL QUESTION PAPER 27 OF 2019

**1561. Dr M M Gondwe (DA) to ask the Minister of Home Affairs:**

What measures has his department put in place to address the capacity challenges faced by the (a) Refugee Appeal Board and (b) Standing Committee for Refugee Affairs? NW2886E

**REPLY:**

(a & b) Both statutory bodies ie. Refugee Appeal Board (RAB) and the Standing Committee of Refugee Affairs (SCRA), have made several submissions to the Department to increase the members and administrative support staff in the past. In this regard the Department had taken urgent measures to maintain the operational capacity of the two statutory bodies. For example, the first measure the Department has taken is when the contracts of members and chairperson were ended the capacity was maintained by the urgent replacement of those by the Department. However, the greater increase in capacity for operational efficiency never materialised and based on the response to the submissions the increase was not possible due to budgetary constraints.

Notwithstanding the above, the Department had taken the following measures to ensure that the statutory bodies are capacitated to operate. In terms of RAB the steps include amendment of the Refugees Act and Regulations to provide more efficiency. A Bilateral Agreement with UNHCR was concluded in Geneva to appoint a consultant to develop a Backlog Implementation Plan (BL Plan) that would inform the capacity required for the backlogs in asylum appeals. Mrs Deborah Morris from the Immigration and Refugee Board of Canada started on 01 May 2019. The consultant submitted a BL Plan in August 2019 which sets out the capacity requirements and the cost implications, and the BL Plan had two options a four-year plan amounting to an estimated cost of R146,784,364 for cost of employment as well as a six-year plan amounting to R168,339,018. On 14 October 2019, the 4-year BL Plan was supported by EXCO.

The next immediate steps for the Department are to obtain funding for such a project. The first year of the project requires R34,660,500 to fund capacity and does not include operations. The financial constraints are on the Department. However, based on the end value of resolving the backlogs on other resources such as litigation, health, social assistance, correctional supervision etc. the financial constraints must be resolved and may be offset.

In terms of SCRA the Department has amended the Refugees Act and Regulations to provide for operational efficiency. However, due to the amendments to the Refugees Act and the Regulations, SCRA is required to perform additional tasks not covered before. The increase of tasks would have a domino effect on the requirements of additional capacity.

**END**