NATIONAL ASSEMBLY

**QUESTION FOR WRITTEN REPLY**

# QUESTION NO. 1648

**DATE OF PUBLICATION: FRIDAY 29 NOVEMBER 2019**

## INTERNAL QUESTION PAPER 31 OF 2019

**1648. Mr A C Roos (DA) to ask the Minister of Home Affairs:**

Whether his department is committed to meeting the deadline for the international community to end statelessness by 2024 as set by the United Nations High Commissioner for Refugees in October 2013; if not, why not; if so, what (a) steps has his department taken since 1 January 2014 to end statelessness in the Republic and (b) are the details of the plan going forward to end statelessness in the Republic by 2024? NW3043E

**REPLY:**

Yes. In its commitment to end statelessness the Department has addressed gaps in its immigration and civil registration laws to assist stateless persons to acquire enabling documentation confirming their status within the country. This accorded status enables stateless persons to legally reside within the country and to apply for citizenship.

Section 31 of the Immigration Act, Act no. 13 of 2002 as amended, provides for foreigners or a category of foreigners the rights of permanent residence for a specified or unspecified period when special circumstances exist which would justify such a decision.

The South African Citizenship Act 88 of 1995 Act as amended, allows for acquisition of citizenship by birth, descent and naturalization. It also allows any person in the Republic and who is not a South African citizen by virtue of the provisions in the Act, to be granted citizenship by birth if s/he does not have the citizenship or nationality of any other country, or has no right to such citizenship or nationality and his or her birth was registered in the Republic in accordance with the Births and Deaths Registration Act.

Below are steps and plans put in place and implemented on an ongoing basis to address any challenges arising from statelessness.

1. **Birth Registration**

The Department, amongst other commitments, has implemented the Births and Deaths Registration Act. In terms of the Act, notice of birth must be given within 30 days of the birth occurence. This is aimed at ensuring that every child born is registered. In support of the above commitment, the Department embarked on the following programmes:

1. **Hospital connectivity**:

Established birth registration offices in health facilities with maternity wards to facilitate the registration of birth and ease the burden of birth registration. This has resulted in the country seeing an increase in birth registration within the specified period. Conversely, we have begun to see a steady decrease of late registration of birth.

1. **Foreign births**:

Notice of birth tendered at our offices of children born of parents who are non-South African citizens, are given DHA 19 (handwritten unabridged birth certificate for non-South African) in terms of the Regulations on the Registration of Births and Deaths, 2014.

South African citizens who live abroad can also register their newly-born children by completing relevant documents at the South African embassies and missions.

1. **Late Registration of birth**:

The Department has also opened a window for late registration of birth for persons who were not registered within the specified period. The long term plan is to eradicate late registration of birth.

**B. Civil Registration and Vital Statistics**

It must also be mentioned that South Africa is collaborating with neighbouring countries to promote civil registration through Civil Registration and Vital Statistics [CRVS] conferences, to ensure that all nationals of countries are registered on their respective national population registers.

**END**