

NATIONAL ASSEMBLY

**QUESTION FOR WRITTEN REPLY**

# QUESTION NO. 1767

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## INTERNAL QUESTION PAPER 19 OF 2018

**1767. Mr M H Hoosen (DA) to ask the Minister of Home Affairs:**

1) (a) What number of (i) Refugee Appeal Boards (RABs) were active in the country (aa) in each of the past 10 financial years and (bb) since 1 April 2018 and (b) persons served on each RAB, (c) what number of times had each RAB met annually and (d) what total number of cases were brought before each RAB annually;

(2) what total number of (a) decisions were taken by each RAB annually and (b) the rulings of each RAB were (i) upheld and (ii) set aside in each case? NW1924E

**REPLY:**

(1)(a) There is only one Refugee Appeal Board. RAB was established in terms of Section 12 of the Refugees Act no 130 of 1998 (the Act).

(1)(b) Currently there is three persons serving on RAB, two members and a member who is also the Chairperson. The amount of members has fluctuated over the years since 2000. The most members at any one time were six in total.

(1)(c) RAB meets on average three times in formal meetings to discuss and decide on its Rules and Practice Note, Regulations and other administrative decisions about its hearings and decisions. RAB had three annual formal meetings during financial year 2017/2018. RAB meets informally before each hearing week. For financial year 2017/2018 RAB conducted six hearing cycles in all five regions.

(1)(d) The number of cases dealt with on an annual basis by the RAB since 2010 are listed in the table below.

(2)(a-b) Various categories and number of decisions taken by the RAB annually are tabulated hereunder:

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **RAB DECISIONS 2010-2017** | | | | | | | | |
|  | **2010** | **2011** | **2012** | **2013** | **2014** | **2015** | **2016** | **2017** |
| **Hearings conducted** | 0 | 2266 | 1497 | 2543 | 2743 | 1020 | 124 | 399 |
| **Condonations Dismissed** | 109 | 166 | 85 | 302 | 65 | 22 | 518 | 268 |
| **Condonations Granted** | 71 | 56 | 119 | 232 | 145 | 247 | 2 | 7 |
| **Dismissed** | 900 | 3982 | 1461 | 1537 | 1580 | 1310 | 159 | 193 |
| **Upheld** | 84 | 110 | 48 | 66 | 70 | 118 | 56 | 21 |
| **No Show** | 0 | 107 | 12 | 69 | 24 | 108 | 135 | 50 |
| **Cancelled** | 0 | 46 | 109 | 23 | 0 | 67 | 19 | 2196 |
| **Member** | **5** | **7** | **5** | **6** | **6** | **6** | **2** | **3** |
| **Quorum** | Single member hearings | Single member hearing | Single member hearings | Single member hearings | Single/Three member hearings | Single/Three  member hearings | Not operating for most of 2016 | Three member hearings |