**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**QUESTION NO. 3018**

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**INTERNAL QUESTION PAPER 31 – 2022**

**3018. Ms M D Hlengwa (IFP) to ask the Minister of Home Affairs:**

Whether the heightened focus on immigration management by his department reflects the development, security and fulfilment of the department’s international obligations in accordance with its formal mandate; if not, what is the position in this regard; if so, (a) how and (b) what benefits does the practice offer South African citizens? NW3655E

**REPLY:**

1. The mandate of the Department of Home Affairs is to manage international migration. In discharging its mandate, the Department of Home Affairs ensures compliance with South Africa’s international obligations as they relate to migrants and their rights. This includes the United Nations 1951 Convention and the Organisation of African Unity (OAU) Convention of 1969. In addition, South Africa is a signatory to the United Nations Protocol against Smuggling of Migrants by Land, Sea and Air; the United Nations Protocol against Trafficking in Persons, especially Women and Children; and the relevant Convention on International Civil Aviation regulating international travel.

Furthermore, the Global Compact for Migration requires that international migration should be safe, orderly and regular. Therefore, South Africa is duty bound to address irregular migration, as the Immigration Act already provides legal pathways through a number of Visas which migrants can apply for, enter and reside in South Africa. Enforcement against irregular migration is therefore not unique to South Africa, but an international practice of sovereign States.

In providing for the regulation of admission of foreigners to and their residence in the Republic of South Africa, the Immigration Act, 2002 (Act No 13 of 2002), inter alia, aims to promote economic growth through the employment of needed foreign labour which does not adversely impact on existing labour standards, rights and expectations of South African workers.

1. Adherence to the legislative prescripts ensures orderly migration and national security. It is critical that the DHA deals with illegal migration which is a criminal offence in terms of the Immigration Act. Any violation of laws undermines national security, territorial integrity and social cohesion.

**END**