

THE SAIFAC AFRICA FORUM



UNIVERSITY
OF
JOHANNESBURG

The Future
Reimagined

Are refugees unwelcome in South Africa? Exploring the ramifications of the Refugees Amendment Act

DATE: 20 February 2020

TIME: 17h30 – 19h30

VENUE: Mbokodo Conference Room, Women's Jail, Constitution Hill

SPEAKERS: **Ms Sharon Ekambaram**, Lawyers for Human Rights
Ms Rebecca Sibanda, Centre for Constitutional Rights
Prof Ruvi Ziegler, University of Reading School of Law
Ms. Ndileka Cola, Department of Home Affairs
Abigail Dawson, Consortium for Refugees and Migrants in South Africa

RSVP: Naomi Hove, naomi@saifac.org.za

More about the forum: South Africa is home to many refugees who are fleeing persecution and conflict in their countries of origin, predominantly coming from elsewhere in Africa. The South African Constitution guarantees protection of fundamental rights to everyone present in the country. The Refugees Act of 1998 'domesticated' South Africa's international refugee law obligations: it was progressive and advanced in terms of the scope and content of refugee protection. Last month, the Refugees Amendment Act (RAA) came into force. The government claims that the RAA seeks to remedy weaknesses in existing legislation. Yet, the RAA has been criticised by refugees, rights activists, and international organisations for being retrogressive and reneging on South Africa's refugee protection obligations. Controversially, the RAA restricts access to the asylum system for previously eligible applicants, generally denies asylum-seekers access to employment, and facilitates the creation of Asylum Processing Centres. It also threatens recognised refugees with cessation of their status and possible deportation if they engage with their country of origin's diplomatic missions or become involved in its political affairs. The South African Institute for Advanced Constitutional, Public, Human Rights and Constitutional Law (SAIFAC), a centre of the University of Johannesburg, is hosting a panel to consider the ramifications of the RAA which will address the following issues:

- Is the RAA Act consistent with the South African Constitution, especially the Bill of Rights and the principle of the rule of law?
- Is the RAA consistent with international refugee law?
- What are the forces in South African society that led to the passing of this Act, and what do these changes mean for South Africa's approach to refugees?
- Can the RAA address current challenges that arise in the South African asylum system?



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