



African Diaspora Forum (ADF)

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07 February 2018

Att: The President of the Republic of South Africa
Union Building,
Government Avenue,
Pretoria, 0002

Cc: The Chairperson of the South African Human Rights Commission (SAHRC),
Professor Bongani Christopher Majola

Cc: The President of the African National Congress (ANC), Honourable Cyril
Ramaphosa.

Cc: The Leader of the Democratic Alliance (DA), Honourable Mmusi Maimane

Cc: The President and Commander in Chief of the Economic Freedom fighters (EFF),
Honourable Julius Malema.

Cc: The President of the Inkatha Freedom Party (IFP), Honourable Mangosuthu
Buthelezi

Cc: The South African Federation of Trade Unions (SAFTU), Mr Zwelinzima Vavi

Cc: The Secretary General of COSATU- Mr Bheki Ntshalintshali

Cc: The President of the South African Council of Churches (SACC), Bishop
Ziphozihle Daniel Siwa

**RE: REQUEST FOR GENERAL AMNESTY TO ALL UNDOCUMENTED
IMMIGRANTS IN SOUTH AFRICA**

His Excellency,

The African Diaspora Forum (ADF) would firstly like to thank the South African Human Rights Commission (SAHRC) for working tirelessly to make sure that poor people, vulnerable groups and minority groups have a voice in South Africa. This is a critical role for a young democracy of only 24 years.

We however believe that this kind and generous human rights gesture would get dampened and blight the goodwill of the South African Government if some of the things happening in the country are not taken into check, particularly the systematic treatment that immigrants sometimes go through in this country.

It is therefore, against this background that the African Diaspora Forum(ADF) would like to express, through your office, its deepest request to the South African Government, the South African Human Rights Commission, all major opposition political parties and Major Trade Unions in the country, a review or the lives of immigrants already living in South Africa.



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In South Africa many immigrants are facing challenges in schools, higher learning institutions like Universities, hospitals, banks, the business sector etc.

Among them are Asylum seekers who, despite being determined to legalize their stay in this country and contribute to both its bid to maintain law and order, as well as its economy, cannot do so because they are turned away at the different Refugee Reception Offices. Many immigrants are therefore, forced to use public services illegally.

The South African Government is not sure of the correct statistics of undocumented immigrants who are in the country, and this has given a leeway for some officials to thumb-suck figures based on speculation. In many instances, the perpetrators of xenophobic attacks on foreign nationals are accusing the victims of being in the country illegally and using public services illegally.

Government Departments responsible for proper national planning need to have the correct figures of the number of people they are serving. In worse cases, undocumented immigrants who want to leave the country are being arrested at the country's borders or airports. This is continuously putting an unnecessary burden on government resources, which are already stretched beyond limit. Some unscrupulous employers are also taking advantage of the situation of undocumented immigrants to use them for cheap labour, alternatively dismiss them when they no longer have any use for their services.

Many immigrants' kids cannot go to school because their parents are illegal in this country, making the children illegal as well. Although the South African Constitution stipulates that every child has a right to education, some children of immigrants have continuously been denied this rights. We have witnessed this even in many cases where one of the spouses is South African citizen.

In some of the hospitals, reports to our office indicate that many illegal immigrants – some in serious need of urgent care, have been turned away, resulting in loss of lives.

On the other hand, on international platforms like the Southern African Development Community (SADC) and the African Union (AU), South Africa is working toward agenda 2063, which is a strategic framework for the socio-economic transformation of the continent over the next 50 years. The plan is to completely integrate the continent and its people. Some African Countries like Kenya, Rwanda and Uganda have started encouraging the granting of visas at the ports of entry.

South Africa is one of our leading countries in the continent and we acknowledged the effort of the country to improve the lives of immigrants by granting both the Zimbabwean and the Lesotho Special Permits, but we believe this gesture is being diluted by the number of immigrants who are still left without any form of documentation.

It is in this vein that we hereby request the Government to grant amnesty to those migrants who are already living in this country, so that, instead of continuing to live on the side-lines of the law, in which they continue to access social services through illegal means, they can be allowed to contribute to the development of this country.

On behalf of the African Diaspora Forum(ADF)
Marc Gbaffou, Chairperson