LEGAL RESOURCES CENTRE

CAPE TOWN OFFICE
Block D, Ground Floor, Aintree Office Park,
cnr Doncaster & Loch Roads,
Kenilworth, Cape Town, 7708

Tel: +27 21 879 2398
Fax: +27 21 423 0935

info@lrc.org.za

COMMENT ON THE REVISED WHITE PAPER ON CITIZENSHIP, IMMIGRATION AND REFUGEE PROTECTION OF DECEMBER 2025

SUBMITTED BY:
LEGAL RESOURCES CENTRE (LRC)
WWW.LRC.ORG.ZA

CONTACT PERSON:
KIMAL HARVEY
KIMAL@LRC.ORG.ZA

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ABOUT THE LEGAL RESOURCES CENTRE

1. The Legal Resources Centre (LRC) is a public interest non-profit law clinic in South Africa. The LRC pursues equality, access to justice, and the recognition of constitutional rights for all through creative and effective solutions. To this end, we provide legal advice and legal representation that empowers our clients, take on strategic and impact litigation and participate in multi-pronged advocacy and law reform.

INTRODUCTION

2. The LRC welcomes the opportunity to comment on the Revised White Paper on Citizenship, Immigration and Refugee Protection – Public Consultation Version (December 2025) (2025 White Paper). Where relevant, these submissions draw on the LRC's comments on the White Paper on Citizenship, Immigration and Refugee Protection: Towards a Complete Overhaul of the Migration System in South Africa – Public Consultation Policy Paper (November 2023) (2023 White Paper).

3. The 2025 White Paper reaffirms the role of the Department of Home Affairs (DHA) in safeguarding national sovereignty and public security. It positions South Africa's citizenship and immigration system as an economic enabler that attracts skills, investment and tourism. International protection is addressed within this framework. The 2025 White Paper seeks to address identified challenges to ensure that citizenship and migration governance is efficient, secure, economically sustainable and legally sound.

4. The 2025 White Paper is guided by principles of national interest, nation-building and social cohesion; digital transformation through inclusive population register and civil registration system; humane and secure refugee protection; and a whole-of-government and whole-of-society approach. It aims to introduce clearer and more predictable pathways to residence and citizenship, attract and retain skilled migrants and businesspersons, ensure inclusive civil registration, provide effective protection to asylum seekers and refugees, and align immigration policy with continental and regional development agendas.

5. These submissions engage with the extent to which the proposed reforms advance these stated objectives in a manner consistent with constitutional principles and South Africa's international obligations. As a point of departure, the LRC is concerned that the 2025 White Paper reflects a shift away from the pan-African orientation referenced, although not embodied, by the 2023 White Paper. Instead, the 2025 White Paper overtly favours a Western, market-driven approach to migration governance. This comment is structured in line with the key objectives and policy proposals of the 2025 White Paper.

CITIZENSHIP AND NATURALISATION

6. The 2025 White Paper reflects on the high volume of "mixed migration flows" namely asylum seekers and what it terms "opportunistic applications" by individuals who use the asylum regime to regularise their stay in South Africa. The DHA recognises that "due to the high volume of opportunistic applications and the time it takes to process a claim until a final decision is made, South Africa often fails to identify applicants who are in need of special protection and immediate assistance". To manage what it describes as the "serious risks" of widespread abuse of the system and the potential granting of residence status to individuals who may put the nation at risk, the 2025 White Paper proposes a system of "merit-based naturalisation" that takes into account "value-add and security factors associated with the applicant", as opposed to what it characterises as the current "mechanical approach" based primarily on time spent in South Africa.

MERIT-BASED ECONOMIC PATHWAY TO CITIZENSHIP

7. In relation to merit-based naturalisation, the 2025 White Paper states that "citizenship is a fundamental legal status that should not be granted arbitrarily but rather reserved for individuals who demonstrate a long-term commitment to the country's growth, stability, and prosperity." To this end, the DHA proposes the implementation of a points-based system (PBS), under which applicants will be evaluated against objective eligibility criteria, including skills, economic contribution and social impact. The system explicitly prioritises individuals who contribute to the economy.

8. We do not comment in detail on the introduction of merit-based pathways as such. However, although the 2025 White Paper refers to multiple pathways to citizenship, the final criteria for naturalisation converge in the PBS. The core PBS criteria are skills and qualifications; economic contribution (including investment); and social contribution. In practice, with the limited exception of certain forms of community service, these criteria are primarily satisfied by individuals who are either highly skilled or able to make significant financial investments. The cumulative effect is a clear shift away from time-based or humanitarian pathways to citizenship in favour of economically weighted ones. The proposed reforms will require legislative amendment. To the extent that such amendments narrow or replace existing time-based naturalisation pathways, they risk constituting a retrogressive limitation of rights.

GRANTING CITIZENSHIP BASED ON STATELESSNESS

9. The 2025 White Paper addresses citizenship in cases of statelessness, including where a child's nationality cannot be ascertained or the child is at risk of statelessness. It proposes the establishment of a formal assessment mechanism to determine eligibility for

naturalisation in such cases. At the same time, the White Paper refers to sections 2(3) and 4(3) of the Citizenship Amendment Act (2010), which provide for citizenship based on birth and residence in South Africa. These provisions do not create a statelessness pathway. Rather, they recognise a child's connection to South Africa arising from birth within the territory and continued residence until the age of 18.

10. The DHA states that, in future, legislation should provide that a child born in South Africa who has not acquired another nationality or whose citizenship cannot be determined may apply for South African citizenship, subject to a formal statelessness determination process, without having to wait until attaining majority. This proposal conflates two distinct legal concepts. Sections 2(3) and 4(3) are not premised on statelessness. They operate as a time- and location-based entitlement that recognises a child's substantive ties to South Africa, irrespective of whether the child may theoretically be entitled to another nationality through their parents. Where the statutory requirements are met (including birth in South Africa, residence until the age of 18, and registration of birth) the acquisition of citizenship is not discretionary.

11. The 2025 White Paper pursues two stated objectives: promoting immigration for economic growth and acting consistently with international refugee law and domestic citizenship legislation. However, the application of economic-growth criteria to refugee and naturalisation pathways blurs these distinct frameworks. Reconfiguring these pathways so that access to citizenship (including for refugees) is contingent on economic contribution represents a substantive shift in principle. If implemented through legislative amendment, such changes would need to withstand constitutional scrutiny. As noted above, South African constitutional jurisprudence requires that retrogressive measures be clearly justified and rationally connected to a legitimate governmental purpose.

CITIZENSHIP PATHWAYS FOR "EXCEPTIONAL CASES"

12. The 2025 White Paper further refers to "exceptional" citizenship pathways, including humanitarian considerations for individuals facing extraordinary crises and unable to acquire another nationality. This category appears to overlap with refugee protection and statelessness pathways. It is unclear how the proposed humanitarian category differs from, or interacts with, existing refugee-based permanent residence and naturalisation pathways.

13. The introduction of humanitarian considerations as an "exceptional" category separate from refugee protection, risks conceptual confusion. Humanitarian considerations are inherent to refugee status determination and international protection obligations. It is also unclear whether the statelessness pathway is intended to operate independently of, or as a subset of, this humanitarian category.

ESTABLISHMENT OF CITIZENSHIP ADVISORY PANEL

14. The 2025 White Paper proposes the establishment of a Citizenship Advisory Panel (CAP) to review and assess citizenship applications, conduct due diligence and risk assessments, and make recommendations to the Minister for final approval or rejection. For exceptional citizenship grants, additional vetting measures are envisaged, including background checks, financial integrity assessments, verification of claimed contributions, consultation with relevant government agencies for national security clearance, and periodic review mechanisms.

15. In principle, the establishment of a CAP is not objectionable, particularly given existing backlogs in section 4(3) applications. It is assumed that the CAP will fall within the consolidated administrative framework proposed elsewhere in the White Paper. However, the layering of additional vetting and compliance measures onto "exceptional" or humanitarian grants is concerning. Citizenship via the refugee route will, by its nature, frequently fall within the category of individuals who have fled extraordinary humanitarian crises and are unable to acquire another nationality. Subjecting such applicants to heightened scrutiny beyond that already inherent in refugee status determination risks undermining the protection-based character of that pathway.

16. Refugees are already subject to extensive security, credibility and eligibility assessments during the refugee status determination process. The introduction of additional financial integrity, "value-add", or enhanced security vetting requirements at the citizenship stage raises proportionality concerns. Where an individual has lawfully resided in South Africa for the requisite period and has been recognised as a refugee following rigorous assessment, the imposition of further economic or contribution-based criteria appears misaligned with the protective purpose of refugee-based naturalisation.

17. Citizenship in this context operates as the culmination of a protection pathway, not as a reward for economic contribution. Any additional screening requirements must therefore be rationally connected to legitimate security objectives and proportionate to that aim. Absent such justification, the risk is that refugee-based naturalisation is transformed from a time-based pathway grounded in protection and integration into a discretionary system contingent on perceived economic value.

CIVIL REGISTRATION: UNIVERSAL BIRTHS AND DEATHS REGISTRATION

18. The 2025 White Paper proposes the creation of an Intelligent Population Register (IPR), using advanced technologies such as artificial intelligence, machine learning, biometrics and real-time integration to improve governance, service delivery and national planning. The IPR would replace the current National Population Register (NPR). Civil registration

within the IPR framework is envisaged as compulsory for all persons living in South Africa, regardless of nationality or immigration status.

19. While the principle of inclusive civil registration is welcome, it raises questions regarding data protection, purpose limitation and information-sharing. It is unclear how information contained in the IPR will be used, whether and to what extent it may be shared with immigration enforcement authorities, and what safeguards will be in place to prevent the register from becoming a tool for indirect status verification or exclusion from services. Clear statutory safeguards and strict limitations on data use will be essential to ensure that universal registration advances inclusion rather than deterring vulnerable individuals from engaging with civil registration systems.

20. In relation to birth registration, the 2025 White Paper envisages universal birth registration as a means of recognising a child's right to an official identity and legal recognition from birth, and as foundational to the enjoyment of other rights. It proposes that all births be registered immediately, irrespective of the parents' nationality or immigration status, and that the child's biometrics be captured at birth, together with those of the parents, to link the child to the parents within the IPR.

21. The LRC supports the adoption of an IPR and the principle of universal birth registration to ensure that all children born in South Africa are able to access birth registration and the rights that flow from legal recognition. However, the proposal to capture biometric data at birth raises proportionality and data minimisation considerations. It is unclear what specific biometric identifiers will be collected, for what defined purposes they will be used, and what safeguards will govern their storage, retention and sharing. Biometric registration should not act as a deterrent for undocumented or otherwise vulnerable families from registering births, thereby undermining the objective of universality.

22. The 2025 White Paper also addresses universal death registration. The LRC does not comment on this aspect of the proposed reforms.

IMMIGRATION REFORMS

23. The 2025 White Paper notes that South Africa continues to receive significant numbers of foreign nationals through family-based and humanitarian visa streams. It observes that such pathways do not select immigrants based on labour market needs or alignment with strategic economic sectors. The underlying premise is that immigration policy should be calibrated primarily to support economic growth and skills shortages.

24. The framing of family-based and humanitarian migration as misaligned with labour market needs rests on an assumption that such pathways do not contribute meaningfully to

economic development. That assumption warrants closer scrutiny. Family migration often supports labour market participation by enabling family reunification, caregiving stability and long-term settlement. Humanitarian migrants and lower-income regional migrants frequently participate in small-scale entrepreneurship, informal sector activity and cross-border trade, and contribute to local economies in this manner and through tax contributions where formalised. To characterise such pathways as misaligned risks overlooking the broader economic ecosystem within which humanitarian migration operates. By treating humanitarian and family-based migration as outside the labour-market logic, the White Paper adopts a narrow conception of economic contribution that privileges formally accredited skills and capital over other forms of productive participation.

25. The 2025 White Paper further proposes a points-based system (PBS) for certain visa categories and permanent residence, designed to attract highly skilled individuals. It also proposes reforms to existing visa regimes, including the introduction or expansion of remote-work, start-up, skilled, and sport and culture visas, and the replacement of corporate visas with sectoral work visas linked to specific industries. In addition, legislative amendments are contemplated to enable the financial sector and the South African Revenue Service to bank and tax foreign nationals irrespective of immigration status.

26. The LRC does not comment on the detailed design of the proposed visa categories. However, we flag that the cumulative effect of these reforms is to centre economic contribution as the primary organising principle of immigration policy. While aligning certain visa streams with labour market needs is not inherently objectionable, the approach adopted in the 2025 White Paper collapses the distinction between economic and humanitarian pathways. By treating economic value as the dominant metric across visa and permanent residence categories, the reforms risk subordinating humanitarian and family-based migration to a labour-market logic that is not intended to govern those pathways. The effect is that pathways originally grounded in protection, family unity or regional mobility are increasingly evaluated through the lens of economic productivity.

27. The 2025 White Paper also addresses bilateral migration arrangements and climate-related migration within the immigration reform chapter. As these proposals intersect directly with refugee protection and international protection obligations, we address them below in that section.

REFUGEE POLICY PROTECTION REFORMS

28. The LRC welcomes the DHA's reconsideration and revision of the 2023 White Paper's recommendation to withdraw from the 1951 Refugee Convention and its 1967 Protocol. We agree with the notion that a withdrawal from the Convention would not curtail the rights of

asylum seekers in South Africa, given that established jurisprudence is grounded in the Constitution. However, it still concerning that this reconsideration appears to be driven primarily by constitutional constraint rather than by an affirmation of South Africa's historical and normative commitment to international protection.

29. While formal withdrawal is no longer proposed, the 2025 White Paper advances a series of structural reforms that significantly reshape the refugee protection framework. These include: the adoption of a route-based approach anchored in the First Safe Country Principle; the digital transformation of asylum and appeals processes; stricter permanent residence requirements for refugees; and institutional restructuring, including the establishment of an Immigration Advisory Board, a consolidated review and appeals authority, and an immigration court. Although framed as measures to enhance efficiency and integrity, the cumulative effect of these reforms is to recalibrate the balance between protection and control within the asylum system.

BILATERAL MIGRATION

30. Although presented within the immigration reform chapter, the proposed bilateral migration model has direct implications for refugee protection, particularly insofar as it is intended to support the enforcement of the First Safe Country Principle. The model envisages structured agreements with neighbouring states to regulate labour mobility while facilitating regional cooperation on asylum management.

31. The 2025 White Paper proposes the adoption of a bilateral migration model through agreements with neighbouring states. This model is intended to support the enforcement of the First Safe Country Principle, improve regional asylum management, facilitate labour mobility, and promote economic integration within the Southern African Development Community (SADC). It seeks to replace older labour arrangements and temporary dispensation permits with structured, cooperative migration agreements, enabling the legal employment of skilled, semi-skilled and low-skilled workers through temporary residency permits aligned with domestic labour market needs.

32. In principle, enhanced regional cooperation is consistent with responsibility-sharing and regional solidarity. However, the proposed model raises important legal and practical questions because bilateral migration agreements cannot displace South Africa's obligations under international refugee law, including the duty to ensure individualised assessment and protection against refoulement. Any arrangement premised on the First Safe Country Principle must guarantee that individuals will have access to effective protection in the receiving state, including lawful status, protection against onward refoulement, and access to fair asylum procedures.

33. The labour mobility component of the bilateral model also requires clarity. While facilitating legal employment pathways may reduce irregular migration, linking refugee and asylum management to labour market allocation risks conflating protection with economic selection. In other words, protection-based admission cannot lawfully be conditioned on labour market utility.

CLIMATE CHANGE

34. The 2025 White Paper recognises the growing impact of climate change and proposes integrating climate-related displacement into South Africa's humanitarian policy framework. It contemplates legal recognition and protection for individuals displaced by environmental factors through a humanitarian and disaster management framework, coupled with screening and eligibility criteria intended to distinguish climate-displaced persons from voluntary migrants. It further proposes alignment with national disaster response mechanisms and international climate agreements, and cooperation with UNHCR and the International Organization for Migration (IOM).

35. The inclusion of climate-related displacement within the protection framework is a significant and welcome development. However, the 2025 White Paper is vague on the detail. We therefore provide some information to consider.

36. The 1951 Refugee Convention does not recognise refugee claims based on climate change harms. Nonetheless, international and regional bodies have flagged the intersection of climate change, conflict, and forced displacement and the importance of nuance in assessing these claims.[1] Because protection frameworks for environmental displacement remain evolving, screening criteria for affected individuals should not be too narrow or prescriptive so as to exclude those who face serious harm linked to environmental degradation.

[1] UNHCR. No Escape: On the frontlines of climate change, conflict and forced displacement. (November 2024). Available at: https://www.unhcr.org/publications/no-escape-frontlines-climate-change-conflict-and-forced-displacement; UNHCR. Policy Brief: Protection of persons displaces across borders in the context of disasters and the adverse effects of climate change. (December 2023). Available at: https://reliefweb.int/report/world/policy-brief-protection-persons-displaced-across-borders-context-disasters-and-adverse-effects-climate-change; European Parliament. Briefing. The concept of 'climate refugee'. Towards a possible definition. (October 2023). Available at: https://www.europarl.europa.eu/RegData/etudes/BRIE/2021/698753/EPRS_BRI(2021)698753_EN.pdf; UNHRC. *Ioane Teitiota v New Zealand*. CCPR/C/127/D/2728/2016 (7 January 2020). Available at: https://www.refworld.org/jurisprudence/caselaw/hrc/2020/en/123128; UNHCR. Climate change, natural disasters, and human displacement: a UNHCR perspective. (October 2008). Available at: https://www.refworld.org/policy/legalguidance/unhcr/2008/en/63613/.

FIRST SAFE COUNTRY PRINCIPLE

37. The 2025 White Paper expands on the "First Safe Country" ("FSC") principle introduced in the 2023 and 2024 White Papers. The principle is presented as a mechanism to prevent asylum seekers from "picking and choosing" South Africa as a preferred destination after transiting through other countries considered to be safe. According to the White Paper, the FSC principle seeks to reduce the risk of refoulement by empowering the Minister to designate safe countries and by concluding bilateral agreements to facilitate regional responsibility-sharing.

38. The FSC principle generally refers to the notion that an asylum seeker should seek protection in the first country capable of providing effective protection. International refugee law does not permit the automatic refusal of entry, or the blanket invalidation of asylum claims on this basis. States remain under an obligation to admit asylum seekers to their territory and to examine each claim individually. The Office of the United Nations High Commissioner for Refugees (UNHCR) has indicated that states are, however, allowed to examine whether an asylum-seeker has, or could have, found protection elsewhere as the first step of the status determination process.[2]

39. The UNHCR has cautioned against the use of FSC mechanisms unless it is a formalised responsibility-sharing arrangements between states. However, the application of the FSC principle is lawful only where strict substantive and procedural safeguards are met. These include: an individualised assessment of each claim; a meaningful connection between the asylum seeker and the proposed safe country (beyond mere transit); assurance that the country will provide effective protection in law and in practice, including protection against refoulement; and access to a fair and efficient asylum procedure with appropriate safeguards. An FSC-type mechanisms may not be used to deny access to asylum procedures.[3]

40. The 2025 White Paper provides that an asylum claim may be deemed invalid where an applicant has a "connection" to a first safe country. It does not define the nature or strength of such a connection, nor indicate circumstances in which a claim may nonetheless proceed. The designation of a country as "safe" cannot lawfully operate in abstract or categorical terms. There is no universally accepted or standardised methodology for designating a country as "safe", and the assumption that safety was available or reasonably accessible in a transit country is frequently both legally and factually flawed. Whether a country qualifies

[2] UNHCR. Considerations on the "Safe Third Country" Concept. (July 1996). Available at: https://www.refworld.org/policy/legalguidance/unhcr/1996/en/15886.
[3] UNHCR. Considerations on the "Safe Third Country" Concept. (July 1996). Available at: https://www.refworld.org/policy/legalguidance/unhcr/1996/en/15886.

as a first safe country depends on the particular facts of each case and whether effective protection will be available in practice.

41. The use of the FSC principle to summarily invalidate asylum claims, or to vest broad discretion in the Minister to exclude claims without an individualised determination, would be inconsistent with South Africa's constitutional and international obligations. Such an approach risks arbitrary exclusion from the asylum system, constructive refoulement, and violations of the rights to dignity, equality, just administrative action and access to courts. Absent clear legal safeguards, binding regional protection guarantees and a realistic assessment of protection capacity in neighbouring states, the FSC proposal risks eroding rather than strengthening refugee protection.

RELOCATION OF RROs, IMMEDIATE ASSESSMENT AND VIRTUAL APPLICATION AND ADJUDICATION OF CLAIMS

42. The 2025 White Paper maintains that Refugee Reception Offices (RROs) should be located at ports of entry to facilitate the "immediate assessment" of asylum claims and to limit the ability of asylum seekers awaiting outcomes to reside in metropolitan areas. It proposes that claims be lodged exclusively at designated ports of entry and that legislation allow for virtual interviews and assessments. Digital and machine learning tools are presented as mechanisms to improve efficiency.

43. In principle, locating RROs at ports of entry may improve access for individuals arriving at the border. However, this cannot lawfully occur at the expense of closing existing RROs in major metropolitan areas. The closure and relocation of RROs would significantly restrict access to asylum procedures for individuals already present within the Republic. As held in *Scalabrini Centre, Cape Town v Minister of Home Affairs* the irrational closure of an RRO constitutes unlawful administrative action.[4]

44. It is unclear what is meant by "immediate assessment" of asylum claims. If the proposal is that substantive eligibility determinations occur at ports of entry, this raises serious concerns. Ports of entry are high-volume, security-oriented environments ill-suited to careful and sensitive refugee status determination. Asylum adjudication requires trained officials, competent interpretation services, time for preparation, and the opportunity to present evidence.

45. The use of virtual interviews and automated screening mechanisms raises questions regarding credibility assessment, language interpretation, access to legal assistance, and the ability of decision-makers to evaluate nuanced and trauma-informed testimony. It is

[4] (1107/2016) [2017] ZASCA 126; [2017] 4 All SA 686 (SCA); 2018 (4) SA 125 (SCA) (29 September 2017).

unclear how automatic or machine-assisted assessments will adequately account for these complexities. The proposal to conduct asylum interviews and appeals virtually, including through digital platforms and machine learning systems, requires careful scrutiny. While digital tools may assist with registration and case management, international practice does not support the automated or algorithmic determination of asylum eligibility.

46. In comparative jurisdictions such as Canada, the United Kingdom and the United States, remote hearings and virtual interviews are used in certain circumstances to facilitate access or manage caseloads. However, status determinations remain human, individualised assessments. There is no recognised international practice in which asylum eligibility is determined through automated or machine-learning systems.

47. The use of virtual interviews and automated screening mechanisms raises significant concerns regarding credibility assessment, language interpretation, access to legal assistance, and the ability of decision-makers to evaluate nuanced and trauma-informed testimony. It is unclear how machine-assisted assessments will adequately account for these complexities.

48. Investment in digital infrastructure may improve administrative efficiency. However, efficiency cannot come at the expense of fairness, legality or meaningful access to asylum procedures. Where technological reform operates to restrict access to territory, pre-filter claims prior to substantive examination, or substitute automated assessment for human adjudication, it risks contravening non-refoulement obligations and constitutional guarantees of just administrative action.

LAW ENFORCEMENT AND ADMINISTRATIVE JUSTICE

49. The 2025 White Paper proposes the establishment of a single authority to conduct independent reviews and appeals of administrative decisions taken by the DHA and its entities. The authority would reconsider matters on their merits, including new information, and would have the power to confirm, vary or substitute decisions, subject to judicial review. It further proposes the establishment of a specialised immigration court to deal with immigration-related disputes, appeals and reviews expeditiously, supported by a modernised litigation directorate and IT case-tracking systems. In principle, the consolidation of review and appeal mechanisms is not objectionable. However, structural reform alone will not resolve systemic shortcomings. Effective review requires independence, adequate resourcing, specialised expertise, and procedural fairness. Merging directorates without sufficient capacity risks compounding existing backlogs rather than resolving them.

LIMITATIONS

50. The 2025 White Paper indicates that section 22 (asylum seeker) visas will be issued in line with the claimant's needs, including (for example) permitting employment but restricting business activities and study. It is unclear whether such conditions may be varied where circumstances change, or whether an asylum seeker would be required to await renewal before altering their activities. Asylum seekers' circumstances frequently evolve during the often-lengthy adjudication process. An individual who initially works may later wish to study; a student may need to enter the workforce; or a person may seek to establish a small business to sustain themselves. Rigidly restricting lawful economic and educational participation may undermine self-sufficiency and integration, while placing additional strain on already vulnerable individuals. Absent clear justification and procedural flexibility, the proposed restrictions risk operating as punitive rather than administrative measures.

51. The 2025 White Paper further proposes stricter requirements for refugees seeking permanent residence and citizenship, including structured naturalisation pathways tied to economic self-sufficiency and merit-based criteria. In effect, only refugees deemed sufficiently "integrated" (as measured through economic contribution) would transition to permanent residence and citizenship under the proposed PBS framework. The imposition of economic self-sufficiency as a precondition for durable status risks undermining the protection-based nature of refugee recognition. Refugee protection is grounded in vulnerability and risk, not in labour market value. Conditioning long-term integration on economic contribution blurs this distinction and may result in indirect exclusion of the most vulnerable refugees.

CONCLUSION

52. We trust that our submissions are received with the understanding that we are advocating for a citizenship, immigration and refugee protection framework that is based on the human rights framework enshrined by our Constitution and international law. It is worth emphasising that this framework was designed and implemented with the aim of being seen as a beacon of hope and refuge for all those who are suffering from harm, persecution and discrimination across the globe, and in particular South Africa.

53. When South Africa unconditionally signed and ratified international treaties and doctrine, from which this legal framework was devised, it was done as Nelson Mandela said, for "all of us on the African continent to unite". It has therefore never been the goal of this framework to differentiate and/or discriminate between people based on the economic value they provide our country. Thank you for considering our submissions