87 De Korte Street, Braamfontein, 2001 Johannesburg. Tel: +27 11 403 7560. Web: www.cormsa.org.za Email: info@cormsa.org.za Reg No 010-387-NPO

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**Submission on the White Paper on Citizenship, Immigration and Refugee Protection**

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Submitted by

Consortium for Refugees and Migrants in South Africa (CoRMSA)

To

Department of Home Affairs

**Attention: Mr Sihle Mthiyane**

**whitepaper@dha.gov.za**

**012 406 4353/073 762 0575**

31 January 2024

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**Introduction**

1. The Consortium for Refugees and Migrants in South Africa (CoRMSA) is a national network of organisations working with asylum seekers, refugees and other international migrants. CoRMSA currently has 29 member organisations across the country. The organisation was established in 1996 as the National Consortium for Refugee Affairs (NCRA) and was later registered as an NPO and its name changed.

2. Our members comprise of public interest legal organisations, social services providers, research institutions and refugee and migrant community led groups. CoRMSA, through its members and partners CoRMSA works at local, provincial, national, sub-regional, regional and global levels to promote and protect the human rights of refugees, asylum seekers and migrants. We ensure that the daily challenges faced by non-nationals are addressed through policy and practices.

3. CoRMSA acknowledges and welcomes the opportunity to make submissions on the Department of Home Affair's (DHA) White Paper on Citizenship, Immigration and Refugee Protection (the White Paper) which appeared in the Government Gazette Vol. 701, No. 49690 of 10 November 2023. We note that the original date for submissions was 19 January 2024. We appreciate the extension granted to us to 31 January 2024.

4. With deep concern, CoRMSA expresses substantial reservations about the DHA's recently published white paper on migration policy. While the extended deadline acknowledges public input, the current timeframe hinders genuine engagement and meaningful consultation with affected communities.

5. The document itself suffers from critical flaws. Its proposals lack clarity and objectivity, absent a firm empirical foundation for such substantial policy reform. Furthermore, it fails to articulate a practical vision for a holistic and balanced approach to migration management. Instead, it alarmingly attempts to scapegoat migrants for systemic governance failures, exploiting anxieties for political gain

ahead of the upcoming South African general 2024 elections. This strategy not only betrays the values enshrined in the South African Constitution but also threatens to exacerbate existing socio-economic complexities through divisive and misinformed narratives.

6. CoRMSA wishes to highlight the following points in its submission for the Committee's attention:

   I. DHA's Constitutional and Legislative Mandate
   II. Principle of Pan-Africanism
   III. Accension to International Agreements
   IV. Citizenship
   V. Immigration

7. To further illuminate the details of this submission, CoRMSA would welcome the chance to deliver a compelling oral presentation, enriching the discussion with insights and evidence.

## SUBMISSIONS ON THE WHITE PAPER ON CITIZENSHIP, IMMIGRATION AND REFUGEE PROTECTION

### I. DHA's Constitutional and Legislative Mandate

8. The White Paper in paragraph 4, page 2 sets out the constitutional and Legislative mandate of the DHA as follows:

> *"DHA bears the constitutional and legislative mandate to ensure that migration is properly regulated and results in economic development, effective boarder management, refugee protection, peace and security."*

9. While the DHA boasts diverse functions in regulating, monitoring, and serving, its current performance regarding asylum seekers, refugees, and migrants falls short

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of the expected baseline. This raises concerns for CoRMSA about the Department's genuine appreciation of migration's potential to advance development. Skilled immigration, as part of broader migration management, presents a politically sensitive but critical opportunity. Crafting effective policies demands both cautious framing and unwavering political leadership. Unfortunately, a demonstrated commitment to these factors remains elusive. CoRMSA urges the DHA proposed policies to address this crucial gap and outline a clear path forward.

## II.Principle of Pan-Africanism

10. In paragraphs 5 and 6, page two of the White Paper the DHA proposes its response to the challenges posed by unlawful migration to be informed by the principle of Pan-Africanism which forms the basis of the establishment of the African Union (AU) formerly the OAU, which was also the basis of the establishment of the AU endorsing its own 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa. It therefore begs the question, what exactly is Pan-Africanism? The principle has its roots in a revolt by Africans and people of African descent against what A. Césaire called, “the influence of the colonial, semi-colonial and para-colonial situation”[1] Pan-Africanism, at its core, champions the political, economic, and social unity of all African nations and peoples. It seeks to transcend colonialist-imposed borders and foster a continent where Africans are free to move, work, and live across national lines, recognizing their shared history, culture, and destiny.

[1] A. Césaire, “Culture and Colonization”, Présence africaine, quoted in C. Legume, Pan-Africanism, A short political guide, 1962, p. 21.

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11. However, when faced with seemingly "stringent migration laws" designed to vilify migration as the White Paper proposes, African states directly contradict this very foundation. Here's how:

    a. Undermining Freedom of Movement: Restrictive laws limit the free and safe movement of Africans, contradicting the Pan-African ideal of a borderless continent. They impede the exchange of ideas, talent, and expertise, hindering continental economic growth and development. Imagine artists, engineers, and entrepreneurs, crucial to Africa's progress, barred from sharing their skills due to arbitrary national boundaries.

    b. Perpetuating Colonial Mindset: Stringent migration laws often echo colonial practices of dividing and governing African people. They reinforce the artificial constructs of colonial borders, further fragmenting the continent and perpetuating a system that disadvantaged Africans for centuries.

    c. Ignoring Shared Heritage, Cultural Diversities and Challenges: Pan-Africanism recognizes the common challenges faced by African nations, such as poverty, conflict, and resource scarcity. Migration should be seen as a potential tool for regional cooperation and resource sharing, not an adversary. Restrictive laws hamper this collective approach, isolating states and hindering collaborative solutions.

    d. Failing to Embrace Pan-African Identity: When African states vilify migration within the continent, they deny the shared identity and historical connections that bind them. They disregard the contributions of generations of Africans who transcended borders, contributing to the richness and diversity of their adopted nations.

12. Stringent migration laws aimed at vilifying migration within Africa stand in stark opposition to the core principles of Pan-Africanism. They impede freedom of movement, perpetuate colonial divisions, and disregard the shared heritage and challenges faced by African nations. Embracing a Pan-African approach to

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migration, built on cooperation and unity, holds the key to unlocking the continent's true potential for shared prosperity and progress.

## III. Accession to International Agreements

13. The proposed review and/or withdrawal from the 1951 Convention and the 1967 Protocol with a view to accede to them with reservations, could earn South Africa a reputation for unreliability, making other states less willing to cooperate with us. In the American Journal of Political Science, A Schmidt makes the argument that withdrawal damages the exiting state's relations with other treaty members, causing them to ratify fewer agreements with it in the future. The writer in turn tests this theory using an original data set of all treaties registered with the United Nations and a case study of France's exit from NATO's Status of Forces Agreement. Finding that withdrawal reduces treaty members' ratification of agreements with the exiting state by 7.9% in the 7 years after exit. This effect increases with the salience and material cost of withdrawal and can spill across issue areas.[2]

14. While the 1951 Convention and 1967 Protocol remain the cornerstone of refugee protection globally, the 1969 OAU Convention offers a complementary framework addressing specific needs and regional dynamics in Africa. It expands the definition of refugee, emphasizes regional solutions, and encourages local integration and naturalization, reflecting the complexities of displacement in the continent.

15. The White Paper proses to accede to the 1951 Convention and the 1967 Protocol with reservation that limit the rights to work, education, record of birth and issuance of travel documents and other socio-economic rights of migrants. Below we outline comparisons of the 1951 Convention and the 1967 Protocol to the Pan-African forward 1969 OAU Convention of each proposed reservation:

[2] Schmidt, A. Damaged Relations: How Treaty Withdrawal Impacts International Cooperation. *American Journal of Political Science*. https://doi.org/10.1111/ajps.12826.

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a. The right to work

1951 Convention/1967 Protocol: Grants refugees right to work after three months or on same terms as nationals after four years. 1969 OAU Convention: Requires states to "facilitate the naturalization of refugees" and "encourage their full integration" into the economy. The OAU Convention explicitly promotes naturalization and economic integration, reflecting the potential for long-term displacement in Africa.

b. The right to education

All three instruments recognize the right to education for refugees, but they differ in the scope and specifics of this right:

1951 Convention/1967 Protocol:

- Guarantees refugees access to elementary education on the same terms as nationals.
- Requires states to grant refugees treatment as favourable as possible (but not less favourable than aliens) regarding education beyond elementary, including access to studies, recognition of degrees, and scholarship opportunities.

1969 OAU Convention:

- Follows a similar structure, guaranteeing access to elementary education on equal terms with nationals.
- For education beyond elementary, requires states to grant refugees treatment as favourable as possible on the same terms as nationals.
- However, it goes further than the 1951 Convention by explicitly mentioning:
    - Free primary education.
    - Access to technical and professional training.
    - Equal access to scholarships and other educational assistance.

Key Differences:

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- Elementary Education: Both frameworks guarantee equal access to primary education, but the OAU Convention explicitly mentions it as free.
- Higher Education: While both require states to treat refugees well regarding non-elementary education, the OAU Convention explicitly mentions technical training, scholarships, and equal access.
- Specificity: The OAU Convention is more specific in highlighting additional aspects of the right to education beyond elementary, potentially leaving less room for interpretation by states.

Examples:

- Under the OAU Convention, a refugee student might be eligible for a scholarship or technical training program not readily available under the 1951 Convention alone.

While both instruments protect the right to education for refugees, the OAU Convention provides a more detailed and potentially stronger framework for access to higher education and specific educational opportunities in the African context. However, implementing these provisions effectively often requires additional national legislation and resources.

c. Healthcare:

- 1951 Convention: Guarantees refugees access to public health services on the same terms as nationals after three years of residence. Allows states to impose restrictions on access for short-term visitors and illegal entrants.
- 1967 Protocol: No specific mentions of healthcare, but reaffirms obligations under the Convention.
- 1969 OAU Convention: Emphasizes states' responsibility to ensure refugees' "access to preventive and curative medical treatment." Doesn't specify timeframes or restrictions.

The OAU Convention offers a stronger guarantee to healthcare access, regardless of residency duration or legal status.

d. Record of Birth and Travel Documents:

- 1951 Convention: Requires states to issue travel documents to refugees for travel outside their country of asylum. No explicit mention of birth registration.

- 1967 Protocol: No additional provisions beyond the Convention.
- 1969 OAU Convention: Requires states to facilitate the "issuance of travel documents" to refugees, similar to the 1951 Convention. Additionally, states are encouraged to "facilitate the establishment of records of birth and death of refugees" on their territory.

Both the 1951 Convention and OAU Convention offer travel document guarantees, but the OAU Convention adds emphasis on birth registration, crucial for identity and access to rights.

Other Socio-Economic Rights:

- 1951 Convention: Guarantees access to social security, housing, and public assistance on no less favourable terms than nationals or aliens in similar circumstances.
- 1969 OAU Convention: Encourages states to "facilitate the access of refugees to economic and social rights," without explicitly detailing specific rights.

The 1951 Convention offers the most detailed guarantees for broader socio-economic rights, while the OAU Convention encourages more general facilitation of access.

16. While the 1951 Convention provides the most detailed guarantees for specific socio-economic rights, the 1969 OAU Convention offers a broader and more Africa-specific framework for their realization. Effective implementation and resource allocation are crucial for refugees to fully enjoy these rights in diverse contexts.

## IV. Citizenship

17. The recent global trend in critical re-examination of immigration and citizenship law has shown the persistence of group bias in immigration selection.

> *"In a time of increasing migration, citizenship as a form of classification has come to assume the kind of importance once reserved for other kinds of discriminatory and exclusionary classifications of status. Distinctions in ancient times or in ante-bellum United States between free men and slaves, in French and Portuguese colonial empires between évolués or assimilados and other colonial subjects, in Nazi-occupied*

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*Europe between Aryans and Jews and Roma, or racial classifications in Apartheid South Africa, were all means of granting or denying social and political rights. Although citizenship has many other aspects, for migrants its primary significance is the extent to which it enables them to gain access to a territory and to rights within it.[3]"*

*"The nexus between statelessness and forced migration and displacement exists on several levels: (i) statelessness can lead to forced migration; (ii) the vulnerability of individuals and families to statelessness increases as a result of forced migration; and (iii) when one is stateless, it can increase one's vulnerability in situations of forced migration."[4]*

*"Only 13 African countries specifically provide in their nationality laws (in accordance with Article 1 of the 1961 Convention on the Reduction of Statelessness and Article 6(4) of the African Charter on the Rights and Welfare of the Child) that children born on their territory who would otherwise be stateless have the right to nationality; an additional six have provisions granting nationality to the children of stateless parents (but by itself this is not sufficient protection for those whose parents themselves have a nationality but cannot transmit it to their children)."[5]*

18. In paragraph 69, page 43 of the White Paper, the DHA claims that section 28 of the Constitution is incorrectly applied to all children born in South Africa without consideration of the child's legal status or that of the parent further claiming that this Constitutional interpretation stretches the meaning of section 28 too wide.

19. Our courts recently considered the implication of the provision of section 28 elaborated by the Children's Act on the principle of the best interest of the child which is a fundamental consideration in this regard. The court held:

*"It should also be noted that every time the Children's Act requires the best interests of the child standard to be applied, the following factors must be taken into consideration where relevant, namely-*

[3] Bloom, T., Feldman, R. (2011). Migration and Citizenship: Rights and Exclusions. In: Sabates-Wheeler, R., Feldman, R. (eds) Migration and Social Protection. Rethinking International Development Series. Palgrave Macmillan, London. https://doi.org/10.1057/9780230306554_2.
[4] Warria, Ajwang', & Chikadzi, Victor. (2022). Statelessness, Trauma and Mental Well-being: Implication for Practice, Research and Advocacy. *African Human Mobility Review*, *8*(3), 41-55. Retrieved January 24, 2024, from http://www.scielo.org.za/scielo.php?script=sci_arttext&pid=S2410-79722022000300002&lng=en&tlng=en.
[5] Bronwen Manby, Citizenship Law in Africa: A Comparative study January 2016, Open Society Foundations.

*(a) the nature of the personal relationship between- (i) the child and the parents, or any specific parent; and (ii) the child and any other care-giver or person relevant in those circumstances; (b) the attitude of the parents, or any specific parent, towards- (i) the child; and (ii) the exercise of parental responsibilities and rights in respect of the child;*

*(c) the capacity of the parents, or any specific parent, or of any other care-giver or person, to provide for the needs of the child, including emotional and intellectual needs;*

*(d) the likely effect on the child of any change in the child's circumstances, including the likely effect on the child of any separation from- (i) both or either of the parents; or (ii) any brother or sister or other child, or any other care-giver or person, with whom the child has been living;*

*(e) the practical difficulty and expense of a child having contact with the parents, or any specific parent, and whether that difficulty or expense will substantially affect the child's right to maintain personal relations and direct contact with the parents, or any specific parent, on a regular basis; the need for the child- (i) to remain in the care of his or her parent, family and extended family; and (ii) to maintain a connection with his or her family, extended family, culture or tradition."*[6]

20. Paragraph 81.1 page 53 makes reference to international law on citizenship in countries like Canada proposing for tightened criteria for issuing citizenship, the citizenship position in Canada is that effective from June 11, 2015, applicants must wait 4 years before being able to apply for citizenship (up from 3 years) and must

[6] Muzore and Another v Minister of Home Affairs and Another (4013/2021) [2023] ZALMPPHC 81 (1 September 2023)

know at least English or French which are the official languages of Canada.[7] What is confusing is that South Africa requires a applicants to wait 10 years before being able to apply for citizenship, clearly our laws are already stringent. CoRMSA submits that the irregular granting of citizenship is due to corruption at the DHA and the White Paper is vague on how that will be circumvented.

Exemption permits – UJ Study

21. On Page 64 of the White Paper the DHA makes reference to a UJ Study, this said study is a report conducted by the Centre of Sociological Research and Practice at the University of Johannesburg on the cancellation and certain restrictions placed on Zimbabwe Exemption Permits (ZEP).[8] While CoRMSA understand the DHA's reference to the UJ report, it's important to note that its findings seem to contradict the DHA's claims. It would be helpful to understand the full context of the report and how they reconcile these discrepancies. The report finds that the decision by the DHA to cancel the ZEPs along with some of the restrictions thereof are discriminatory, it further goes into detail on the implication of the dislocation of Zimbabwean nationals to society.[9]

22. Relying solely on a report without considering its broader context or acknowledging its contradictory findings can be misleading. In this case, the DHA's use of the UJ report raises concerns about their objectivity and potential intent to deceive. The research found that the process of applying for permits and alternative visas has

[7] Canadian Council of Refugees https://ccrweb.ca/en/citizenship#:~:text=Effective%20June%2011%2C%202015%2C%20applicants,citizenship%20applications%20are%202%20years.
[8] N. Majavu 'UJ report shows withdrawal of ZEP is discriminatory and inhumane" City Press 11 August 2023 Available from: https://www.news24.com/citypress/news/uj-report-shows-withdrawal-of-zep-is-discriminatory-and-inhumane-20230811 (Accessed: 23 January 2024).
[9] *Ibid.*

become increasingly costly and requires time-bound documentation, which are difficult to coordinate and expensive.[10]

## V. Immigration

23. CoRMSA wishes to expand on the sentiment expressed in page 16, paragraphs 35 – 36 of the White Paper regarding the position of migration policy in the apartheid era adding that: "The migration policy during the apartheid era was by design intended to use cheap labour from foreign countries and dispose of it when it was no longer needed. The Aliens Control Act of 1999 was only applicable to white migrants, black migrants relied on labour agreements …"[11] The current failure of the DHA to document non-nationals furthers the apartheid regime's design of placing African migrants in the position to be used as cheap labour because lack of documentation prohibits them from formerly entering the labour market.

24. In paragraph 93.1 (e) the White Paper makes policy framework proposals and states that the new preamble to the new chapter of the Integrated Bill regarding immigration with emphasis on the role of the Border Management Authority (BMA). In its current form, the BMA Act established a single authority responsible for overseeing every facet of the border environment centralised under the DHA, it also mandates the collaboration with other government entities and border communities. Even though the BMA Act mandates BMA officers to uphold fundamental human rights, CoRMSA is concerned with their expanded powers due to the DHA's dismal performance in handling xenophobia.[12]

[10] *Ibid.*
[11] Ndebele Z. 2018 'An investigation into the impact of the Zimbabwe Special Permit on migrant Zimbabwean workers' access to decent work in South Africa (Master's Dissertation) Johannesburg: University of Johannesburg. Available from https://ujcontent.uj.ac.za/esploro/outputs/9912133207691 (Accessed: 23 January 2024).
[12] K. Engel "'Its anti-migrant overtones are clear' – Critics wade into SA's beefed-up border management", Daily Maverick 09 January 2024 https://www.dailymaverick.co.za/article/2024-01-09-sas-beefed-up-border-management-slammed/.

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25. Further, in paragraph 93.1 (g) the White Paper requires the proposed preamble to include:

> *"immigration laws are efficiently and effectively enforced, deploying to this end significant administrative capacity of the DHA, thereby reducing the pull factors of illegal immigration."*

26. Failure to document resulting in many non-nationals being undocumented is due to the failure of the DHA to efficiently and effectively enforce existing immigration laws,[13] the above provision simply serves as lip service and CoRMSA is concerned with how there are no actual frameworks on how this will be achieved.

27. The incoherent referral to the United Kingdom's (UK) Nationality and borders Bill induces a sense of fear that the White Paper vaguely intends to incorporate the aforementioned international law in its proposed integrated bill. The said international law came into operation in the UK during the year 2022 as the Nationality and Borders Act (NBA) and has been widely criticised as discriminatory policy an inhumane.[14] Affected persons have outlined:

> *"various harms that the NBA will likely inflict on asylum seekers and refugees, including: 1) affecting people's physical and mental health, 2) impeding people's integration into society; 3) promoting racial segregation and discrimination; 4) exacerbating existing vulnerabilities of groups; and 5) undermining the international refugee protection system."*[15]

[13] AMIT, Roni; KRIGER, Norma. Making migrants 'il-legible': The policies and practices of documentation in post-apartheid South Africa. **Kronos**, Cape Town, v. 40, n. 1, p. 269-290, Nov. 2014. Available from <http://www.scielo.org.za/scielo.php?script=sci_arttext&pid=S0259-01902014000100012&lng=en&nrm=iso>. access on 25 January 2024.

[14] Refugee Council 'What is the Nationality and Borders Act?' https://www.refugeecouncil.org.uk/information/refugee-asylum-facts/what-is-the-nationality-and-borders-act/#:~:text=The%20Government%20stated%20that%20the,detail%20about%20the%20asylum%20system.

[15] F. Mohammed 'The UK's Nationality and Borders Act 2022: Fixing the Broken immigration System or Promoting Anti-Refugee Discriminatory Policies' (Master's Dissertation), University of Birmingham https://static1.squarespace.com/static/5c2531f131d4dfb9bfbd68af/t/63a443dc9b63d4293003fcc8/1671709662247/Farhad+Mohammad+Dissertation.pdf.

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28. In paragraph 93.4, page 68 the DHA provides for the establishment of Advisory Board to comprise of representatives of departments of Trade, Industry and Competition; Labour and Employment; Tourism; South African Revenue Service; education; International Relations and Corporations; Defence and Military Veterans; and Director General of the DHA. CoRMSA advises the inclusion the Department of Social Development in the advisory body, in conclusion, the Department of Social Development brings invaluable expertise and experience to the table, playing a vital role in ensuring migration policies are humane, inclusive, and promote social well-being for all. Their inclusion on the advisory board strengthens the policy formulation process, leading to more just and sustainable outcomes for both migrants and receiving societies.

29. Paragraph 100, page 71 proposes policy to empower members of the Anti-Corruption to have the same powers as the police. Separation of powers, no need if departments effectively work together.

30. CoRMSA vehemently endorses the proposed policy to include compulsory continued training and that member of the inspectorate must have legal qualifications in paragraph 104.

31. CoRMSA wishes to reiterate that the failure of the DHA is due to maladministration and not policy failure. In paragraph 113, page 73 it reads:

> *"Given the current challenges, there is merit in stablishing an independent body to deal with appeals/reviews, such as, Immigration and Refugee Board: Immigration Division, Refugee Protection Division and Immigration Appeal Division" (sic)*

32. Yet the existing Refugee Appeals Authority of South Africa (RAASA), established by section 8A of the Refugees Act 130 of 1998 (as Amended) in 2020, functions as an independent administrative tribunal. It is responsible for adjudicating asylum applications on appeal, that are rejected by the Department of Home Affairs

(DHA).[16] Further, section 9(1) of the Refugees Act[17] establishes the Standing Committee for Refugee Affairs (SCRA) and states that it is to function without any bias and must be independent. CoRMSA submits to DHA to establish clear and progressive rules of engagement between RAASA and DHA fasten the adjudication process.

33. Currently RAASA is inundated with appeals because almost all of RSDO decisions are rejections[18] and in March 2021, the Government of South Africa and UNHCR agreed upon a four-year appeals backlog elimination project. The project was intended to address 153,391 cases that were to be implemented in three phases collaboratively between the Department of Home Affairs (DHA), the RAASA and UNHCR.[19]

34. CoRMSA highly endorses the suggested policy framework that officials should have a legal qualification with at least 5 years of experience as legal practitioners.

## Conclusion

35. CoRMSA acknowledges the significant and multifaceted importance of migration. It shapes economic opportunities, cultural dynamism, and social fabric. However, we stand firmly against the current proposal for a complete overhaul of citizenship, immigration, and refugee laws due to critical shortcomings in the consultation process and the document itself.

[16] N. Holmes and J Perez Sanchez, South Africa: measures to alleviate RAASA backlogs: Triaging appeals by risk profile. UNHCR https://acsg-portal.org/tools/measures-to-alleviate-raasa-backlogs-triaging-appeals-by-risk-profile/.
[17] Act 130 of 1998 as amended by Act 11 of 2017.
[18] R. Amit, All Roads Lead to Rejection: Persistent Bias and incapacity in South African Refugee Status Determination, June 2012 African Centre for Migration and Society Research Report https://www.migration.org.za/wp-content/uploads/2017/08/All-Roads-Lead-to-Rejection-Persistent-Bias-and-Incapacity-in-South-African-Refugee-Status-Determination.pdf.
[19] N. Holmes and J Perez Sanchez, South Africa: measures to alleviate RAASA backlogs: Triaging appeals by risk profile. UNHCR https://acsg-portal.org/tools/measures-to-alleviate-raasa-backlogs-triaging-appeals-by-risk-profile/

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36. The brief timeframe provided for public comment prevented meaningful engagement with affected communities. Comprehensive migration reform demands inclusive dialogue with diverse stakeholders, including migrants themselves. This oversight hinders effective policy and risks alienating the very people most impacted.

37. The White Paper lacks clarity on the implementation of the proposed framework. Unclear definitions and procedures leave open the possibility of misinterpretation and uneven application, potentially disadvantaging specific migrant groups. Current visa holders deserve assurance. The document is silent on how existing visas will transition into the new system, leaving individuals in limbo and jeopardizing their legal status.

38. Therefore, CoRMSA calls for:

- Immediate revision in consideration of the above submission or withdrawal of the current White Paper.
- Redrafting the policy framework with transparency and inclusivity, providing actionable system to achieve policy frameworks. Extensive consultations with affected communities must be prioritized.
- Allocation of adequate time for public participation. Meaningful engagement requires thorough analysis of the revised proposal and an opportunity to provide informed feedback.

39. CoRMSA believes that well-conceived migration policies have the potential to enrich our nation. However, this can only be achieved through a truly transparent and participatory process that prioritizes fairness, clarity, and respect for the rights of all individuals. We urge the DHA to reconsider its approach and commit to genuine consultation before embarking on such a substantial overhaul of our migration laws.

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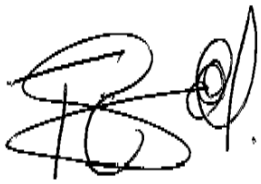
End of submission.



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