



## **Migration Profile**

### **SOUTH AFRICA**

#### **A. Executive summary**

South Africa is Africa's southernmost country. In 2020, it was the top destination country for immigrants in Southern Africa, with a migrant population of 2,137,519 (28%). Migration routes in and out of South Africa are some of the most widely travelled on the continent, bringing in migrants from neighbouring countries (especially Zimbabwe and Mozambique), as well as countries further afield. The state of South Africa's economy and its relative stability continue to attract refugees, asylum-seekers, and migrants, though discrimination and xenophobic violence are prevalent. Despite South Africa's relative economic stability, emigration is also high. Refugees from South Africa are, however, few in the post-apartheid period. Displacement due to natural disaster and violence is also rare compared to other countries in the area. South Africa has been identified as a country of origin, transit, and destination for human trafficking. While it has made some efforts to address this issue, it is currently rated as a Tier 2 country that does not meet the international standards of human-trafficking prevention. The government, along with a host of international organizations, are, nonetheless, active in protecting and serving migrants through legislation and a variety of social programmes.

#### **B. Country Profile**

##### **I. Basic Information**

South Africa occupies Africa's most southern tip; it is bordered by Namibia, Botswana, Zimbabwe, Mozambique, Eswatini, and the Atlantic and Indian oceans. It surrounds the country of Lesotho. South Africa's population is approximately 59.3 million. According to 2018 estimates, the country's ethnic demographics are approximately 80.9% black African, 8.8% mixed race, 7.8% white, and 2.5% Indian/Asian. A number of different ethnic groups exist within the dominant demographic of black Africans, including the Zulu (approximately 25% of South Africans), Xhosa (approximately 15.5% of South Africans), Bapedi, Tswana, South Ndebele, Basotho, Venda, Tsonga, and Swazi. The country's religious composition is 80.8% Christian; 1.9% Muslim; 2% Hindu, Jew, Buddhist, and African folk religion; and 15.3% non-specific (2020 est.). The Christian population is largely Protestant, followed by Catholic and a small percent of Orthodox and other denominational members. South Africa's youthful population is aging because of a drastic 63% decline in fertility rates from 1960 to 2014. The country also suffers from prolonged droughts and water shortages which particularly impacts seasonal labour migration.

## **II. International and Internal Migrants**

South Africa is the most important destination country for migrants in Africa. The number of international migrants in South Africa increased from around 2 million in 2010 to over 4 million in 2019 and then dropped to approximately 2.9 million in mid-2020. This amounts to approximately 4.8% of South Africa's total population. Of these, 43.1% were female, 11.1% were 19 and younger, and 7.1% were 65 and older.

Migration to and within South Africa is fluid and diversified even though migrants face a precarious labour market and many forms of discrimination.

One of the typical migration routes is the Mozambique-South Africa migration corridor. This is the eighth most traversed of the top twenty migration corridors involving African countries; and it ranks fourth among those between African countries, with approximately 750,000 people migrating to South Africa from Mozambique. The next most travelled route is the Zimbabwe-South Africa corridor; it is 20th for the continent overall and 11th highest among corridors involving two African countries, and has witnessed approximately 375,000 people entering the country.

Immigration from India has historically been significant, while recent years have seen a substantial rise in the number of Chinese migrant workers moving to South Africa and other countries in the subregion. Given its advanced economy and relative political stability, South Africa has also experienced high volumes of immigration in recent years, attracting migrants, asylum seekers and refugees from within and outside Southern Africa.

Intra-regional labour migration is also well established in the area, and substantial numbers of people traditionally migrate from countries such as Eswatini, Lesotho, Malawi, and Zimbabwe, to work in South Africa and Botswana. While traditional sectors, like the mining sector, continue to attract migrant workers, other sectors, including finance and information technology, are increasingly drawing migrants to South Africa.

Integration of internal and international migrants is hampered by phenomena such as the development of gated communities. While gated communities are one of the main features of urbanization in Africa, and continentally began in South Africa, they influence communities and reinforce segregation by increasing social differences between migrants and non-migrants.

Irregular migration is also widespread in Southern Africa and involves intraregional migrants, like those from Zimbabwe and Mozambique, moving to South Africa. Migrant smuggling networks have grown exponentially over the decades and have become more professionalized and organized due to increasing difficulty in crossing borders in Southern Africa. While many migrants smuggled into Southern Africa are from within the subregion, some originate from outside Southern Africa, particularly from the Horn of Africa.

## **III. Emigration and Skilled Migration**

The total number of emigrants from South Africa in mid-2020 was 914,900. In the post-apartheid period, increasing numbers of highly skilled white workers emigrated, citing dissatisfaction with the political situation, crime, poor services, and a reduced quality of life.

The 2017 White Paper on International Migration from the Department of Home Affairs stated that South Africa loses a significant percentage of its skilled workforce every year. An estimated 520,000 South Africans emigrated between 1989 and 2003, with the numbers increasing by approximately 9% annually. Around 120,000 of those emigrants had professional qualifications and represented approximately 7% of the total stock of professionals employed in South Africa, eight times the number of professionals who immigrated to the country in the same period. Although the education system has improved and brain drain has slowed in the wake of the 2008 global financial crisis, South Africa continues to face skills shortages in several key sectors, such as healthcare and technology. The South Africa-Australia migration corridor is among the top 10 migration corridors involving Oceanian countries, having facilitated the migration of almost a quarter of a million South Africans to Australia.

#### **IV. Forced Migrants (internally displaced, asylum seekers, refugees, and climate displaced people)**

The refugee population in South Africa increased from 6,800 in 1997 to 66,000 in 2013 and then rose substantially to 112,000 and 121,600 in 2014 and 2015, respectively. It dropped to 91,000 in 2016 and then stabilized at about 89,000 between 2017 and 2019. A similar trend can be seen in asylum seekers, with 463,900 in 2014 and then a substantial rise to 1,100,000 in 2015, followed by a decline to 218,300 in 2016 and a further drop to 188,300 in 2019. Refugees in South Africa are primarily from Somalia, the Democratic Republic of Congo, the Republic of Congo, Ethiopia, Burundi, and Zimbabwe. In 2017, the majority of asylum applicants were from Ethiopia (26%), DRC (17%), Bangladesh (14%), Zimbabwe (10%), and Pakistan and Nigeria (each at approximately 5%). Those seeking asylum are typically young, with 71% of applicants aged 19 to 35 and 17% aged 18 and under. The number of asylum applications being processed plummeted from 223,324 to 24,174 between 2009 and 2017.

Refugees and asylum seekers have freedom of movement in South Africa and generally have the right to seek employment or self-employment, although recent legislative amendments have limited certain categories of asylum seekers' right to work. Many asylum seekers and refugees choose to start their own enterprises in the informal sector as they often struggle to find employment in the formal economy. A 2017 report on "refugee entrepreneurial economies in urban South Africa" by the Southern African Migration Programme (SAMP) found that refugee enterprises have contributed to the country's economy by creating jobs; an estimated 52% and 45% of foreign run businesses in Cape Town and Limpopo province, respectively, employ people in their enterprises, with around 50% of these businesses likely to employ South Africans. The report on Cape Town and Limpopo province also found that male refugee entrepreneurs substantially dominate in both areas, with just 20% and 25% of businesses being owned by women. The entrepreneurs in both locations also tended to be fairly young, with 77% in Limpopo and 80% in Cape Town being under 40.

While under apartheid, South Africa was a clear refugee producing country (38,600 in 1984), the number of outgoing refugees dropped substantially since the first democratic elections in 1994, and currently there are only approximately 453 refugees from South Africa globally. Internal displacement due to conflict and natural disasters is also minimal compared with other countries in the region such as Mozambique, Zimbabwe, and DRC. As of 31 December 2019, South Africa had 350 internally displaced people (IDPs), with 100 displaced due to natural disasters and 250 displaced due to conflict and violence.

## **V. Victims of Human Trafficking**

For the past five years, South Africa has been classified as a country of origin, transit, and destination for human trafficking. While trafficking often goes unreported because of fear of retaliation, making existing statistics inexact, police records show that 2,132 cases were reported to the South African Police between 2015 and 2017. This is confirmed by empirical studies and by the increasing number of trafficking convictions.

Traffickers in South Africa generally rely on deception rather than force, misleading victims with the promise of well-paid jobs or educational opportunities. Traditional spiritual practices are also used by some traffickers as a means of coercion. Traffickers recruit their victims from poor countries, rural areas within South Africa, and urban centres such as Cape Town, Johannesburg, Durban, and Bloemfontein, where they coerce them into forced domestic labour, agricultural work, criminal activity, and sex work. Foreign males aboard fishing vessels in South Africa's territorial waters are exploited by traffickers, with approximately 10 to 15 victims disembarking each month in Cape Town. Young men from neighbouring countries who migrate to South Africa for farm work are also exploited; some are later arrested and deported as undocumented immigrants. Traffickers subject Pakistanis and Bangladeshis to forced labour through debt-based coercion and force women from Lesotho into the South African sex trade.

South Africa is a Tier 2 country as the government is making significant efforts to eliminate trafficking in some respects but does not yet fully meet the minimum standards of the Trafficking Victims Protections Act (TVPA). In 2019, the government increased investigations, prosecutions, and convictions of traffickers, including those within organized criminal syndicates. The government increased training of frontline responders and, in partnership with NGOs and international organizations, provided victims with protective services, increasing protection for those assisting in ongoing criminal investigations.

In 2019, the government prosecuted 71 alleged traffickers, and of those prosecuted, 44 were men and 27 were women; 62 of those alleged traffickers were prosecuted under the Anti-Trafficking law, five under the Immigration Act of 2002, and four under other statutes. The government convicted eight people, three men and five women, the same number as the previous year. Most offenders received life or multiple life sentences. One received ten years' imprisonment, and another still awaited sentencing at the end of the US State Department 2020 Trafficking in Persons' reporting period. The Directorate of Priority Crime Investigation (the Hawks), working closely with the National Prosecuting Authority (NPA), investigated 24 potential trafficking cases in 2020. Of these, 13 involved sex trafficking, six involved

labour trafficking, and five were determined not to be trafficking cases at all. This was a slight decrease from the 2018-2019 period when the Hawks investigated 36 potential cases.

While the government conducted increased awareness-raising activities and launched its national policy framework on trafficking, corruption and official complicity among law enforcement and immigration officials remain a significant obstacle to combating trafficking. The Department of Employment & Labour did not comprehensively monitor or investigate forced child labour or the labour-trafficking of adults in the agricultural, mining, construction, and fishing sectors. Regulations for the application and enforcement of the 2013 Prevention and Combating of Trafficking in Persons Act (PACOTIP) have not been implemented for years.

## **VI. National Legal Framework**

The primary legislation governing refugees and asylum seekers is the 1998 Refugees Act (Act 130 of 1998). This act extends the protection of refugees and applies a rights-based approach to asylum-seekers that rejects camps and allows them to move freely. It grants refugees and asylum seekers the right to work and study and deliberately refuses to make a distinction between them in many respects. The Act additionally defines who is a refugee, sets out the refugee-status determination process, and sets out and affirms the principles of non-refoulement and non-penalization for irregular entry into or presence in South Africa. The 2008, 2011, and 2017 Refugees Amendment Acts all amended the Refugees Act of 1998. The corresponding requisite regulations and came into effect in January 2020.

The 2017 Refugees Amendment Act is the most extensive of the amendments, adding to the existing provisions on the exclusion of refugee status. It stipulates that asylum seekers who have not reported to a Refugee Reception Office within five days of entering the country be denied refugee status. It also limits the right to work of asylum seekers to those who are unable to support themselves and their families after a period of four months and those who are not supported by an NGO or the UNHCR. Such asylum-seekers must provide a letter of employment within six months of being granted the right to work. The amendment further extends the time limit before which refugees may request permanent residence from 5 to 10 years. It also provides for a fine or prison sentence (up to five years) for persons in possession of an expired asylum-seekers' visa and the deregistration of such from the refugee-status determination process. This latter practice has, however, been suspended and is currently being challenged in the courts.

International migrants are governed by the Immigration Act, which refines migration policy to support various forms of migration including visit and sojourn, study, and the movement of skilled labour. It implements different categories of work permits to give South African employers access to foreign skills, primarily on a temporary basis. The Act thus reinforces the control and deterrence of migration, additionally providing for identification and deportation processes. Generally, it strengthens border surveillance and immigration law enforcement and, in conjunction with the South African Border Management Authority Act 2 of 2020, aims to curb irregular migration and reduce associated "pull factors".

In 2004, the Immigration Amendment Act reinforced the restrictive nature of the original Immigration Act and increased the powers of the Minister and Director General of Home

Affairs. It reduced the number of permits available and adjusted the work permit policy to apply only to persons in a particular "occupation or class". The 2007 Immigration Amendment Act brought about changes in favour of cross-border merchants, particularly women, and relaxed the obligation of African students to pay repatriation fees. Some government dispensation projects, such as the Zimbabwean, Angolan, and Lesotho Special Permits projects, aimed at documenting low-skilled international migrants from South African Development Community (SADC) countries to enable permit holders to work or study in South Africa without the complexity of the Immigration Act visa options.

The majority of the provisions in the South African Constitution apply to everyone within the country, including international migrants; for instance, the Births and Deaths Registration Act and the Citizenship Act apply to people on the move. South Africa is a party to a number of international conventions on refugees and migrants, including the 1951 Refugee Convention and its 1967 protocol and the 1969 OAU Refugee Convention. South Africa has signed the 2005 South African Development Community (SADC) Protocol on the Facilitation of Movement of Persons which allows visa-free travel between SADC States for up to 90 days and aims to promote a liberal policy of permanent and temporary residence and a work permit policy between SADC states, but the protocol is yet to come into effect due to the limited number of ratifications. South Africa is not a party to the Statelessness Conventions of 1954 and 1961, nor is it a party to the 2009 Kampala Convention on IDPs. The Prevention and Combating of Trafficking in Persons Act (PACOTIP) was passed in 2013, although the regulations regarding its immigration provisions are yet to be promulgated.

## **VII. Main Actors**

### *The State*

The Department of Home Affairs is the government ministry primarily responsible for migration matters. It oversees the identification and documentation of migrants, and with the granting of refugee status which occurs in two to five stages including potential reviews and appeals. Refugee status is determined by Refugee Status Determination Officers (RSDOs), whose decisions can be brought before the Refugee Appeal Board, or are subject to review by the Standing Committee for Refugee Affairs.

The Department's various directorates include the Immigration Inspectorate, and it works with the South African Police Service and the Asylum Seeker Management. The Director General of Home Affairs determines the need and location of Refugee Status Determination offices in consultation with the Standing Committee for Refugee Affairs. The Department also deals with border control.

Other government departments with related functions include the Departments of Social Development, Basic Education, Health, and Employment & Labour.

### *International Organizations*

The most important international organizations dealing with migration in South Africa are the IOM (International Organization for Migration), the United Nations High Commissioner

for Refugees (UNHCR), the ILO (International Labour Organization), and Doctors Without Borders (MSF).

IOM aims to improve data collection regarding migratory movements and internal displacements as well as to better manage situations at borders, where refugees and asylum seekers are present in significant numbers.

UNHCR has an important role with respect to the protection, education, and social assistance of refugees, asylum seekers, IDPs, and stateless persons. It urges and supports the Government to respect its international obligations to protect refugees and people seeking asylum in South Africa. UNHCR chairs the Protection Working Group, which is working with the South African Police Services to prevent and respond to xenophobic attacks, and advocates for conducive reception conditions to ensure all refugees have the ability to seek asylum. UNHCR partners run education programmes that offer education assistance to refugees and asylum-seekers and social assistance in the form of food vouchers, non-food items, sanitary materials, and social grants to the most vulnerable.

### *The Catholic Church*

The Catholic Church is a major actor in South African migration matters. A number of dioceses have created Commissions for Pastoral Care of Migrants and Refugees, some of which operate through diocesan Caritas or Justice and Peace offices. The dioceses that have Pastoral Care for Migrants and Refugees include the Archdiocese of Johannesburg (1998), the Archdiocese of Durban (1999), the Diocese of Port Elizabeth, Caritas Aliwal North, Caritas Tzaneen, the Catholic Women's Shelter of Musina, the Diocese of Witbank, Caritas Rustenburg, and Caritas Polokwane. Other dioceses are in the process of structuring their own Pastoral Care for Migrants and Refugees office.

The Southern African Catholic Bishops' Conference (SACBC) has an established Migrants and Refugees Office which coordinates all the Catholic Agencies working with migrants and refugees. They usually have two meetings every year to discuss relevant matters and networking. The Catholic Parliamentary Liaison Office (CPLO) of the SACBC is the official vehicle for contact and dialogue between the Catholic Church in South Africa and the country's Parliament and government. It provides an avenue for the Church – as part of civil society – to contribute to debates on issues of public policy, to exert an influence for the common good in areas of political, economic and social concern, and to help shape legislative and policy developments.

The Scalabrini Fathers operate in Cape Town through the Scalabrini Centre, offering services such as advocacy, education, and employment aid, among others, to migrants and refugees. Lawrence House is their Child and Youth Care Centre for vulnerable and often undocumented minors. The Scalabrini Institute for Human Mobility in Africa (SIHMA) is dedicated to the research and dissemination of information about migration. The Scalabrini Fathers are also involved in the Stella Maris Port chaplaincy for seafarers and undertake pastoral work with linguistic and ethnic communities. In Johannesburg, they are involved in pastoral work and social projects through St. Patrick La Rochelle.

The Scalabrini Missionary Sisters are based in Johannesburg, where since 2001, they have run the Bienvenu Shelter for refugees, migrants, and displaced women and their children, as well as the empowerment programme at Mother Assunta Training Centre. They provide temporary accommodation to mothers and their children and professional development for migrants and refugees, including the empowerment of women in the local community. The shelter provides displaced persons with safe accommodation, food, access to medical care, and legal documentation. Since 1998, the Scalabrini Missionary Sisters have been coordinating the Pastoral Care for Migrants and Refugees Department at the Catholic Archdiocese of Johannesburg. In 2018, they started to coordinate the SACBC Migrants and Refugees Office. The Scalabrini Missionary Sisters at Ressano Garcia (Mozambique) have provided services of Pastoral Care to migrants since 1994, and at the South African border they are working in collaboration with Komatiport Parish (South Africa). SACBC disseminates information about migration through Radio Veritas.

Three2Six is a programme started by the Sacred Heart College, a Catholic Marist school in Johannesburg, in 2008. It provides safe, quality education to primary school refugee children who cannot access public education, building the children's resilience and preparing them to leave the project and enter mainstream schools. Three2Six provides employment and professional development for refugee teachers and advocates for the rights of refugee children.

Counter Trafficking In Persons (CTIP) is a joint project of the Leadership Conference of Consecrated Life (LCCL) and the SACBC. It creates awareness on the issue of human trafficking, welcomes victims of trafficking and helps them find a home within the parish community; advocates for legislation to combat human tracking; and forms or joins groups to oppose the recruitment or 'grooming' of young people for the sex industry

The Catholic Women's and Children Shelter in Musina is run by the Holy Cross sisters. The shelter is situated in Musina - near the Zimbabwe border - the major transit route for refugees and migrants from Zimbabwe, DRC, Rwanda, Burundi, and Malawi. Almost all of the residents suffered sexual violence in their countries of origin, including abuse and violence from their husbands and partners; and almost all of them have experienced sexual violence during their journeys to South Africa. The shelter provides them with safe accommodation and food, as well as access to medical care and legal documentation. The Shelter also provides support and assistance to many refugees and migrant women who live in the surrounding community, and others who are passing through.

### *Other Organizations*

Civil society is robust and active in South Africa, and many NGOs work with people on the move. Some of these are Refugee Social Services, Lawyers for Human Rights, Future Families, the Adonis Musati Project, the Nelson Mandela University Refugee Rights Centre, the University of Cape Town Refugee Rights Unit, the Centre for the Study of Violence and Reconciliation, and Study Trust.

**February 2021**



## C. References

Auditor General Report Performance Audit on Immigration process for illegal immigrants at DFA – South Africa 2019 [Performance Audit on Immigration process for illegal immigrants at DFA - South Africa - AFROSAI-E \(afrosai-e.org.za\)](#)) accessed February 2021.

Brand South African reporter. (2015, December 28). South Africa: economy overview. Retrieve on brandsouthafrica: <https://www.brandsouthafrica.com/investments-immigration/business/economy/south-africa-economy-overview> accessed February 2021.

Canada: Immigration and Refugee Board of Canada. (2018, Avril 30). Afrique du Sud : information sur le traitement réservé par la société et les autorités aux Africains noirs d'origine étrangère qui sont citoyens ou résidents permanents; information sur la protection offerte par l'État. Retrieve on Refworld: <https://www.refworld.org/docid/5b3cb7bc7.html> accessed February 2021.

Department of Home Affairs . (2017, July). White Papers. Retrieve on South African Government: [www.dha.gov.za/WhitePaperonInternationalMigration-20170602.pdf](http://www.dha.gov.za/WhitePaperonInternationalMigration-20170602.pdf) accessed February 2021.

GOV.ZA. (2013). Environment. Retrieve on South African Government: [https://www.environment.gov.za/sites/default/files/reports/environmentoutlook\\_chapter3.pdf](https://www.environment.gov.za/sites/default/files/reports/environmentoutlook_chapter3.pdf) accessed February 2021.

GOV.ZA. (2019). Government system. Retrieve on South African Government: <https://www.gov.za/about-government/government-system> accessed February 2021.

IOL, 2020 <https://www.iol.co.za/the-star/opinion-analysis/the-truth-about-human-trafficking-in-south-africa-43f8bcf0-35c2-4374-95be-50ff4b274466> accessed February 2021.

IDMC, 2020, South Africa. <https://www.internal-displacement.org/countries/south-africa> accessed February 2021.

Jinnah, Z. (2016). L'Afrique du Sud face aux migrations économiques. Retrieve on Cairn: <https://www.cairn.info/revue-politique-etrangere-2016-1-page-53.html> accessed February 2021.

Lenep, T. v. (2019, September 17). MIGRATION II: THE SOUTH AFRICAN MIGRATION POLICY LANDSCAPE. Retrieve on HelenSuzman Foundation: [https://hsf.org.za/publications/hsf-briefs/the-south-african-migration-policy-landscape#\\_ftn19](https://hsf.org.za/publications/hsf-briefs/the-south-african-migration-policy-landscape#_ftn19) accessed February 2021.

Migration Data Portal, 2021. [https://migrationdataportal.org/?t=2020&i=stock\\_abs\\_&cm49=710](https://migrationdataportal.org/?t=2020&i=stock_abs_&cm49=710) accessed February 2021.

OECD. (2015, July). OECD Survey. Retrieve on OECD:  
<http://www.oecd.org/economy/surveys/South-Africa-OECD-economic-survey-overview.pdf> accessed February 2021.

Pariona, A. (2019, July 18). Ethnic Groups of South Africa. Retrieve on Worldatlas:  
<https://www.worldatlas.com/articles/ethnic-makeup-of-south-africa.html> accessed February 2021.

Pew Templeton 2010, Global Religious Futures, Christians Demography, South Africa.  
[http://www.globalreligiousfutures.org/countries/south-africa#/?affiliations\\_religion\\_id=11&affiliations\\_year=2010&region\\_name=All%20Countries&restrictions\\_year=2016](http://www.globalreligiousfutures.org/countries/south-africa#/?affiliations_religion_id=11&affiliations_year=2010&region_name=All%20Countries&restrictions_year=2016) accessed February 2021.

Refugee Entrepreneurial Economies in Urban South Africa, Jonathan Crush, Godfrey Tawodzera, Cameron McCordic, Sujata Ramachandran, 2017

Scalabrini Centre Migration Statistics, 2020.  
<https://www.scalabrini.org.za/resources/migration-statistics/> accessed February 2021.

UN Data. (2021). South Africa. Retrieve on data.un.org: <http://data.un.org/en/iso/za.html> accessed February 2021.

United States Department of State, 2020 Trafficking in Persons Report, South Africa.  
<https://www.state.gov/reports/2020-trafficking-in-persons-report/south-africa/> accessed February 2021.

White Paper on International Migration, 2017  
[WhitePaperonInternationalMigration-20170602.pdf \(dha.gov.za\)](http://www.dha.gov.za/WhitePaperonInternationalMigration-20170602.pdf) accessed February 2021.

World Elections. (2014). Race, Ethnicity and Language in South Africa. Retrieve on Welections:  
<https://welections.wordpress.com/guide-to-the-2014-south-african-election/race-ethnicity-and-language-in-south-africa/> accessed February 2021.