

1. The reality is that we are witnessing a crisis and near collapse of Refugee Reception Office Marabastad - South Africa. Systemic corruption taking place at this Refugee Reception Officeⁱ and the fact that status determination process is dysfunctional and has left thousands of asylum seekers and refugees in traumatic crisis because they are unable to remain legal and documented respecting the letter of the law in SA.
2. Under the constitutional right to just administrative action and provisions set out in related legislation, the RSDO's decision must adhere to certain requirementsⁱⁱ:
 - The decision-maker must provide clear reasons for the decision;
 - The decision must correctly apply the law;
 - The decision must be based on relevant considerations;
 - The decision must not be based on irrelevant considerations;
 - The decision must not be arbitrary; and
 - The decision must be rational and reasonable, and demonstrate a logical connection to the information and reasons presented by the decision-maker.
3. The ongoing status determination process continues to be marked by scant evidence of individualised, well-reasoned decision making. International rates of approval of refugee status is on average 38%ⁱⁱⁱ. For South Africa the figures are as follows: 15.5% in 2011 – approval of refugee status and this dropped to 4% in 2015.
4. The RAB has not met as it does not have sufficient members to meet the legal requirements to form a quorum.
5. Asylum seekers and refugees are not able to access the RRO to extend their permits.
6. The closure of the Refugee and Reception offices has resulted in people having to travel long distances at huge personal cost to remain legally documented in SA.
7. Underlying all these issues are pervasive and entrenched instances of corruption.

We, as partners against corruption at the DHA demand the following:

- Improved and structured co-operation from the DHA with all partners in respect of all administrative complaints which relate to status determination and appeal complaints. This co-operation should be formalised and subject to independent oversight;
- A complaints handling mechanism which allows Corruption Watch to use its experience in receiving, handling and investigating reports of corruption from refugees and asylum seekers, to process any reports of corruption in a way which allows for the anonymity of the reporters and provides for feedback to the DHA on those reports.

ⁱ <http://www.lhr.org.za/publications/queue-here-corruption-measuring-irregularities-south-africa%E2%80%99s-asylum-system>

ⁱⁱ <http://www.lhr.org.za/publications/all-roads-lead-rejection>

ⁱⁱⁱ http://ec.europa.eu/eurostat/statistics-explained/index.php/Asylum_quarterly_report