

Pathways to Employment

South Africa Report



About the Authors

About the RLRH

The Refugee-Led Research Hub (RLRH) is an initiative of the Refugee Studies Centre (RSC) at the University of Oxford. The RLRH is based in the UK and Kenya, with a research office located in Nairobi at the British Institute in Eastern Africa (BIEA). We create opportunities for researchers with a displacement background to lead primary and secondary research studies in the field of forced migration, from start to finish. Our main thematic interests in Refugee Studies relate to 1) livelihoods and self-reliance; and 2) leadership and participation of displaced populations in humanitarian response and policymaking. RLRH also offers a series of academic programmes which support graduate access and professional development for students with lived experiences of displacement. Visit [our website](#) for more information.

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Uwezo Ramazani is the lead author of the South Africa report. Donatha Icyimpaye collected the data in South Africa, and contributed significantly to the development of the findings.

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Introduction

Executive Summary

- South Africa has adopted a 'self-settlement' approach: refugees and asylum seekers can choose where to live, but receive little support from the State or humanitarian organisations. Instead, they are expected to become self-reliant by integrating into the local community.
- The current legal framework for refugees in South Africa supports their socio-economic integration into the labour market: refugees in South Africa have the right to work without a work permit. They can also open bank accounts and are not prevented from obtaining business licenses.
- However, even with the right to work, it is difficult for recognised refugees to access the formal labour market. There is no data on the number of employed refugees and the sectors in which they work. Refugees who do pursue formal opportunities face several challenges, including the reluctance of some employers to accept asylum seeker and refugee documents, lack of clarity among stakeholders, employers and professional bodies about the distinction between the provisions of the Immigration Act and the Refugee Act, language barriers, xenophobia and discrimination. Their skills may also not match the needs of the labour market.
- Employers are generally reluctant to formally hire refugees because of the xenophobic context, and to hire asylum seekers because they do not want to go through the complex additional process that was introduced in 2020. The introduction of a quota system, as recommended in the 2021 National Labour Migration Policy and now being implemented in some sectors such as hospitality and tourism, may further discourage employers from hiring refugees.
- Asylum policy in South Africa is becoming increasingly restrictive, with changes limiting the rights and opportunities of refugees. These changes have particularly affected asylum seekers, who previously had an automatic right to work and are now required to obtain a work permit endorsed by the government. In practice, however, the endorsements have not been implemented and the Department of Home Affairs continues to issue asylum seeker permits which automatically give the holder the right to access employment.
- The majority of forced migrants in South Africa are asylum seekers: the asylum process is lengthy, there is a significant backlog of asylum applications and high refusal rates. This leaves asylum seekers in limbo, unable to open bank accounts or join the formal sector.
- Although the South African government has not taken the lead in integrating refugees into the labour market, there are few initiatives between the United Nations High Commissioner for Refugees (UNHCR) and other Non Governmental Organisations (NGOs) to support the livelihoods and self-reliance of refugees in South Africa. Cooperation with the private sector remains limited.
- Recommendations focus on 1) removing barriers to access to formal employment by speeding up the refugee status determination process and 2) supporting the recognition of refugees' qualifications. Training institutions can also play a key role in creating links between trainees and the private sector to help refugees access internships and jobs.

Acronyms

CIPC	Companies and Intellectual Property Commission
DAFI	Albert Einstein German Academic Refugee Initiative
DHA	Department of Home Affairs
IDs	Identity Cards
NGOs	Non-Governmental Organisations
OUA	Organisation of African Unity
SAQA	South African Qualifications Authority
UNHCR	United Nations High Commissioner for Refugees

South Africa Situation Snapshot

Country assessment:

- More open legal environment
- Limited literature available publicly, many gaps in knowledge

As of June 2024, South Africa hosted 1,563,410 refugees and asylum seekers (68,994 refugees and 94,416 asylum seekers).¹ According to the United Nations High Commissioner for Refugees (UNHCR), refugees and asylum seekers come from Burundi, the Democratic Republic of the Congo, Rwanda, South Sudan, Somalia, and Zimbabwe.² A source from the Migration Policy Institute, quoting data from the UNHCR in 2020, stated that "the major source countries for refugees and asylum seekers in 2020 were Ethiopia (the origin for 25 percent), Democratic Republic of the Congo (23 percent), Somalia (11 percent), Bangladesh (10 percent), and Zimbabwe (6 percent),"³ but those figures are dated and may no longer be valid.



Photo by Karabo Mdluli

South Africa follows a 'self-settlement' approach.⁴ Refugees and asylum seekers in South Africa live in urban settings, although there is no available breakdown of where refugees live.⁵ Under the self-settlement approach, there are no camps in South Africa, and refugees receive little state or humanitarian support - instead, they are expected to become self-reliant by integrating into the local community.⁶

1. UNHCR, Operational Data Portal, Southern Africa. Accessed September 20, 2024. <https://data.unhcr.org/en/situations/rbsa>

2. UNHCR, South Africa. Accessed May 14, 2024. <https://www.unhcr.org/countries/south-africa>

3. Khangelani Moyo, "South Africa Reckons with Its Status as a Top Immigration Destination, Apartheid History, and Economic Challenges," Migration Policy Institute, November 2021 <https://www.migrationpolicy.org/article/south-africa-immigration-destination-history#:~:text=According%20to%20official%20estimates%2C%20the%20population%20of%2060%20million%20people>

4. Crush, Jonathan, Godfrey Tawodzera, Cameron McCordic, Sujata Ramachandran, and Robertson Tengeh. "Refugee entrepreneurial economies in urban South Africa." *African Human Mobility Review* 3, no. 2 (2017): 783-819. <https://scholars.wlu.ca/cgi/viewcontent.cgi?article=1018&context=samp>

5. UNHCR, South Africa. Accessed May 14, 2024. <https://www.unhcr.org/countries/south-africa>

6. Crush, Jonathan, Godfrey Tawodzera, Cameron McCordic, Sujata Ramachandran, and Robertson Tengeh. "Refugee entrepreneurial economies in urban South Africa." *African Human Mobility Review* 3, no. 2 (2017): 783-819. <https://scholars.wlu.ca/cgi/viewcontent.cgi?article=1018&context=samp>

Objectives

Refugees in South Africa have the right to move freely and to work, but there are significant challenges to accessing the formal job market. Most refugees in South Africa engage in self-employment because discrimination and/or lack of opportunities in the formal sector.⁷ Refugees also work in the informal sector, in "restaurants, construction companies, the retail industry, [and] agriculture,"⁸ characterised by "low wages, lack of job security, discrimination, and long working hours."⁹

This study aims to examine the process of hiring refugees in South Africa, with a focus on the gaps that exist between policy and practice, and on how the private sector can be meaningfully engaged in this process, by asking:

1. What policies and legal frameworks govern refugees' access to employment in South Africa?
2. What processes do refugees need to follow to find employment in South Africa? What challenges do refugees face in following the required steps to employment in South Africa?
3. What are the challenges private sector actors face in order to employ refugees in South Africa?
4. How can collaboration and partnerships between stakeholders be improved to create a more enabling environment for refugee employment in South Africa?

This study, conducted in partnership with the Mastercard Foundation, supports the Amahoro Coalition's mission to promote dignified and fulfilling livelihoods for refugees and displaced persons across Africa through multi-sectoral collaboration. It aligns with the Foundation's strategic objective of enabling 2.5 million young refugees and displaced individuals to access meaningful employment by 2030.

The research examines current policies, challenges, and opportunities affecting refugees' access to formal employment in host countries, identifying key barriers and recommending strategies to strengthen employment pathways and promote socio-economic integration into host communities. The views expressed herein do not necessarily represent those of the Mastercard Foundation, its staff, or its Board of Directors.

7. UNHCR, "UNHCR Southern Africa: Stepped up livelihoods and economic inclusion strategy 2021-2024," January 2022, <https://reliefweb.int/report/south-africa/unhcr-southern-africa-stepped-up-livelihoods-and-economic-inclusion-strategy-2021> Crush, Jonathan, Godfrey Tawodzera, Cameron McCordic, Sujata Ramachandran, and Robertson Tengeh. "Refugee entrepreneurial economies in urban South Africa." *African Human Mobility Review* 3, no. 2 (2017): 783-819. <https://scholars.wlu.ca/cgi/viewcontent.cgi?article=1018&context=samp>

8. Munyoka, Elvis. "Identity documents, employment and livelihoods of refugees in South Africa." *The Australasian Review of African Studies* 44, no. 1 (2023): 38-63. <https://afsaap.org.au/wp-content/uploads/2023/10/2-Identity-Documents-South-Africa-MUNYOKA-38-63.pdf>

9. Mansour-Ille, D. (2018). *The economic dimensions of mobility: access to jobs and sustainable livelihoods*. London: Royal Institute of International Affairs; cited in Munyoka, Elvis. "Identity documents, employment and livelihoods of refugees in South Africa." *The Australasian Review of African Studies* 44, no. 1 (2023): 38-63. <https://afsaap.org.au/wp-content/uploads/2023/10/2-Identity-Documents-South-Africa-MUNYOKA-38-63.pdf>

Research Methods

This South Africa report is part of a 15-country study on hiring refugees, conducted by the Refugee-Led Research Hub, on behalf of the Amahoro Coalition. Data was collected in-person in August 2024.¹⁰

Data collection focused mainly on Cape Town. The team conducted sixteen (16) interviews with refugees and stakeholders in South Africa, including:

- **Nine (9) refugees** among which three (3) were working for non-for profit organisations, three (3) were unemployed, two (2) self-employed, and one (1) was recently employed in a public health hospital on a permanent employment basis;
- **Three (3) private sector enterprises** of which one (1) is co-owned by a refugee and two South African citizens, one (1) hired a refugee without a work permit, and the other did not have a refugee employee.
- **Two (2) non-governmental organisations (NGOs)**, one of which is refugee-led and the other of which assists refugees in finding employment opportunities and advises them on the necessary qualifications.
- **One (1) advocate for refugees** issues in South Africa and **one (1) researcher** focusing on refugees' rights in South Africa.

We acknowledge that due to the limited scope and budget of the study, the sampling strategy is neither systematic nor representative of the refugee population in South Africa. To reduce bias, we have attempted to triangulate the data with the literature as much as possible. While there was extensive literature online, the situation may have evolved and many sources may be out of date. As a result, this report does not provide a complete picture of refugee employment across South Africa, but is intended to be useful as a basis for discussion and advocacy.

10. This study is covered by University of Oxford Project clearance [SSH/ODID DREC: C1A_23_083].

1. Policies and Legal Frameworks in South Africa

Overview of Policies and Legal Frameworks in South Africa

The current legal framework for refugees in South Africa supports the self-reliance and socio-economic integration of refugees. South Africa is a signatory to the 1951 Refugee Convention, its 1967 Protocol, the International Covenant on Economic, and Social Cultural Rights (ICESCR) and the 1969 Regional Convention of the Organisation of African Unity (OAU).¹¹ The Refugees Act of 1998 allows refugees to work without an additional permit.

South Africa also recognizes academic and professional qualifications obtained outside South Africa.¹² Refugees and asylum seekers with foreign academic or professional qualifications can access employment after their original certificates have been validated and compared by the South African Qualifications Authority (SAQA) within the South African National Qualifications Framework.¹³ The validation process should take no more than 3 months, but it may take longer depending, among other things, on how quickly the institution where the applicant obtained their certificate responds to SAQA's request for certificate authentication.¹⁴ Recognizing that some refugees and asylum seekers may not be able to meet all the application criteria for assessment of their qualifications,¹⁵ SAQA introduced an alternative method of verifying and assessing qualifications of refugees and asylum seekers in November 2019.

The alternative method is to exempt asylum seekers and refugees from the requirement to possess original documents, including each original transcript of every year passed at a higher institution.¹⁶ Feedback collected by the Scalabrini Centre gives hope that those who successfully complete their applications are likely to get their certificate validated.¹⁷

Both asylum seekers and refugees can open bank accounts in South Africa. There are a number of banks in South Africa that offer a select range of bank accounts that allow a refugee or asylum seeker who is at least 18 years old to manage their day-to-day banking and to send and receive money.¹⁸ Some of these banks include Nedbank, ABSA, and First National Bank (FNB).¹⁹ The document required by the bank is either a valid Asylum Seeker Permit, Refugee Status Permit, or Refugee Identity Card (ID). The FNB has a history of freezing bank accounts once the document used by the account holder to open the account expires. While it is possible to open a bank account in one day at some banks, other banks may need to verify the validity of the documents with the Department of Home Affairs (DHA) before opening a bank account, a process that can take several months.²⁰

11. World Bank Group, "Mixed Migration, Forced Displacement and Job Outcomes in South Africa," 2018, <https://documents1.worldbank.org/curated/en/247261530129173904/pdf/127706-v2-WP-P163910-main-MixedMigration-ForcedDisplacement-and-Job-Outcomes-in-South-Africa-Final-June-2018-PUBLIC-Volume-2-1.pdf>

12. SAQA, "Unseen - Recognition of Qualifications of Refugees and Asylum seekers in South Africa," <https://www.saga.org.za/unseen-recognition-of-qualifications-of-refugees-and-asylum-seekers-in-south-africa/>

13. South African Qualification Authority, "SAQA certificate of evaluation (SCoE) goes digital," <https://www.saga.org.za/wp-content/uploads/2023/02/eSAQA-Certificate-of-Evaluation.pdf>

14. SAQA, "Processing time and delays," <https://www.saga.org.za/wp-content/uploads/2023/02/G-Processing-time-and-delay.pdf>

15. SAQA, "Addendum on the Recognition of Qualifications of Refugees and Asylum Seekers," March 2019, https://www.saga.org.za/wp-content/uploads/2023/02/Addendum-on-the-Recognition-of-Qualifications-of-Refugees-and-Asylum-Seekers_March-2019.pdf

16. Scalabrini Center, "A pilot project: evaluation of incomplete documentation of refugees and asylum seekers in South Africa," <https://www.scalabrini.org.za/critical-skills/>

17. Scalabrini Center, "Employment Access Impact Report," 2019, <https://scalabrini.org.za/wp-content/uploads/2020/05/scalabrini-centre-eap-impact-2019.pdf>

18. South Africa Ministry of Home Affairs. <https://www.dha.gov.za/index.php/52-smartidcard/1153-participating-bank-branches>

19. Ibid.

20. First National Bank: <https://www.passop.co.za/your-rights/how-to-open-a-bank-account>

Overview of Policies and Legal Frameworks in South Africa

While financial institutions such as banks and microcredit institutions can lend to asylum seekers and refugees, they are often reluctant to take the risk of lending to asylum seekers and refugees because their stay in the country of asylum is unpredictable and most of them cannot provide any kind of collateral.²¹

Refugees can access citizenship if they were born in South Africa. In addition, refugees born in South Africa whose births were registered and who have birth certificates can apply for South African citizenship on reaching the age of 18, irrespective of whether one or both parents were/are permanent residents of South Africa or not. This is provided for in sections 2(3) and 4(3) of the Citizenship Act No 88 of 1995.²² The Act is silent on whether or not refugees who were not born in South Africa can apply for citizenship.

Refugee policies are becoming increasingly restrictive in South Africa, through amendments that curtail refugee rights and opportunities. Since 2020, refugees are no longer permitted to engage in employment within the private security sector. This sector had previously been a popular option for refugees, as it did not require professional qualifications.²³

South Africa also made amendments in 2020 to limit the rights of asylum seekers, who previously had the right to work automatically and must now get the right to work permits endorsed by the government.²⁴ To endorse their asylum seeker document, they must submit an application to the Standing Committee, which will assess whether to grant permission to work while their claim is being processed.²⁵ The UNHCR reports that "part of this assessment is whether the applicant (asylum seeker) has other means of support (such as friends and family or charitable organisations)."²⁶ Within 6 months of receiving the endorsement, the asylum seeker must report to the DHA that he/she is employed. This report must be made within 14 days of the first day of work.²⁷ To do so, they have to submit a letter confirming their employment, signed by their employer, written on Form 6 of the Annexure to the Refugees Regulations (See Annex 2).²⁸ If the asylum seekers fail to get employment within the prescribed time (6 months), the DHA has the right to remove the endorsement from the asylum seeker document. The DHA has also the right to determine in which sector the asylum seeker may or may not seek employment.²⁹ It is unclear whether any asylum seeker in South Africa has been able to receive an endorsement. The UNHCR guidelines mention that "the practice outlined regarding the asylum seekers' right to work has not yet been fully implemented."³⁰

21. UNHCR, "Refugees access to Jobs and Financial Services",

<https://www.unhcr.org/media/refugees-access-jobs-and-financial-services-background-guide-challenge-3-0>

22. South Africa Citizen Act, 1995, https://www.gov.za/sites/default/files/gcis_document/201409/act88of1995.pdf

23. Munyoka, Elvis. "Identity documents, employment and livelihoods of refugees in South Africa." The Australasian Review of African Studies 44, no. 1 (2023): 38-63. <https://afsaap.org.au/wp-content/uploads/2023/10/2-Identity-Documents-South-Africa-MUNYOKA-38-63.pdf>

24. UNHCR South Africa, "Access to Work," accessed October 26, 2023, <https://help.unhcr.org/southafrica/get-help/work/#:~:text=If%20you%20are%20given%20permission,from%20your%20asylum%20seeker%20document>.

25-26. Ibid.

27. Scalabrini Center, "Your Guide to Refugee Law in South Africa", 2020, <https://www.scalabrini.org.za/wp-content/uploads/2021/02/Scalabrini-Centre-Cape-TownYour-Guide-Refugee-Law-South-Africa-full-guide-3.pdf>.

28. UNHCR South Africa, "Access to Work," accessed October 26, 2023, <https://help.unhcr.org/southafrica/get-help/work/#:~:text=If%20you%20are%20given%20permission,from%20your%20asylum%20seeker%20document>

29. Scalabrini Center, "Your Guide to Refugee Law in South Africa", 2020, <https://www.scalabrini.org.za/wp-content/uploads/2021/02/Scalabrini-Centre-Cape-TownYour-Guide-Refugee-Law-South-Africa-full-guide-3.pdf>

30. UNHCR South Africa, "Access to Work," accessed October 26, 2023, <https://help.unhcr.org/southafrica/get-help/work/#:~:text=If%20you%20are%20given%20permission,from%20your%20asylum%20seeker%20document>.

Overview of Policies and Legal Frameworks in South Africa

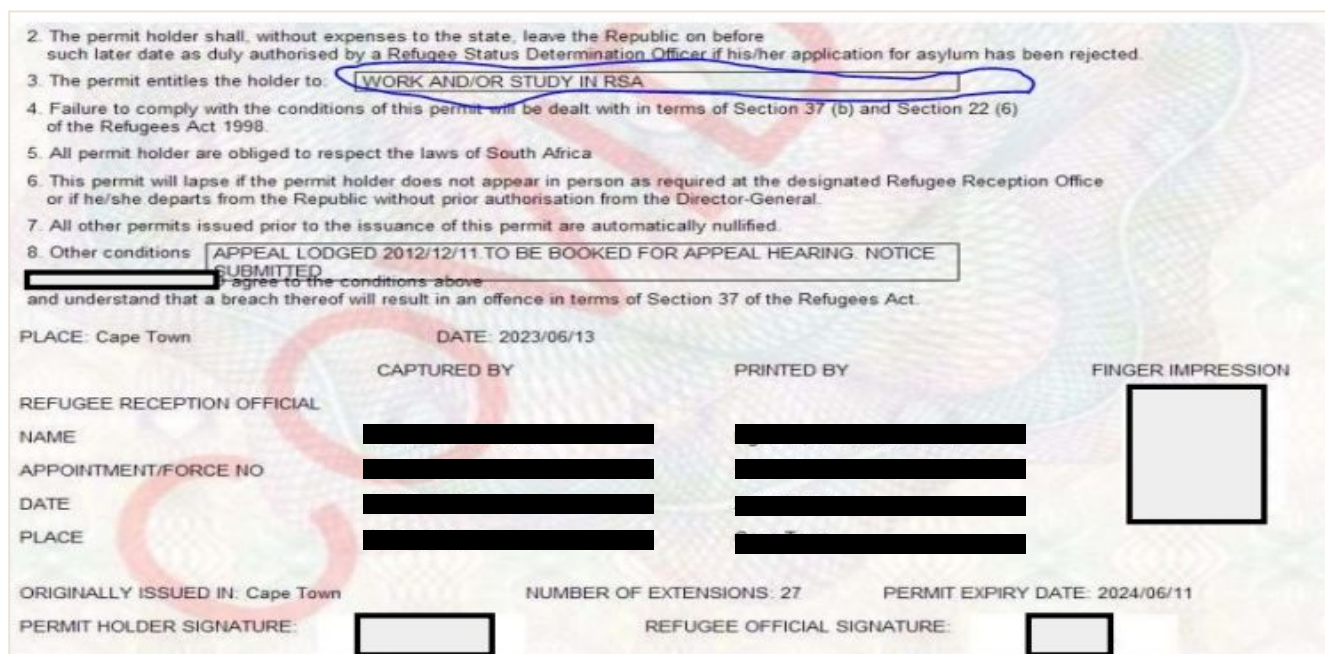
In practice, however, both new and current asylum seekers have not started to apply separately for the right to work endorsement. The DHA continues to issue asylum seeker permits (new and renewed), which automatically give the holder the right to access employment.

Asylum seekers face major administrative and bureaucratic constraints, and the procedure to obtain asylum is lengthy: sources report that the procedure "might take anywhere between five and ten years, or even up to nineteen years in some extreme cases."³¹ In 2018, South Africa had the largest asylum seekers backlog on the continent: 184,200.³² This leaves asylum seekers in limbo, unable to open bank accounts or to join the formal sector.³³

This is a major challenge for asylum seekers in the country given the significant backlog in asylum applications and high refusal rates - as high as 96% of cases in 2019.³⁴

South Africa's legal framework does not explicitly address the involvement of refugees in business activities. There are no legal restrictions preventing asylum seekers and/or refugees from establishing businesses and obtaining business licenses. There is also no law that explicitly prohibits refugees from running businesses. Implicitly, both asylum-seekers and refugees have the right to engage in income-generating activities, including businesses, as a way of becoming self-sufficient.³⁵

Picture 1. Picture of a renewed asylum seeker document (back page) provided by refugee key informant



2. The permit holder shall, without expenses to the state, leave the Republic on before such later date as duly authorised by a Refugee Status Determination Officer if his/her application for asylum has been rejected.

3. The permit entitles the holder to: **WORK AND/OR STUDY IN RSA**

4. Failure to comply with the conditions of this permit will be dealt with in terms of Section 37 (b) and Section 22 (6) of the Refugees Act 1998.

5. All permit holder are obliged to respect the laws of South Africa

6. This permit will lapse if the permit holder does not appear in person as required at the designated Refugee Reception Office or if he/she departs from the Republic without prior authorisation from the Director-General.

7. All other permits issued prior to the issuance of this permit are automatically nullified.

8. Other conditions **APPEAL LODGED 2012/12/11 TO BE BOOKED FOR APPEAL HEARING. NOTICE SUBMITTED**

I agree to the conditions above and understand that a breach thereof will result in an offence in terms of Section 37 of the Refugees Act.

PLACE: Cape Town DATE: 2023/06/13

CAPTURED BY PRINTED BY FINGER IMPRESSION

REFUGEE RECEPTION OFFICIAL

NAME

APPOINTMENT/FORCE NO

DATE

PLACE

ORIGINALLY ISSUED IN: Cape Town NUMBER OF EXTENSIONS: 27 PERMIT EXPIRY DATE: 2024/06/11

PERMIT HOLDER SIGNATURE: REFUGEE OFFICIAL SIGNATURE:

31. Munyoka, Elvis. "Identity documents, employment and livelihoods of refugees in South Africa." The Australasian Review of African Studies 44, no. 1 (2023): 38-63. <https://afsaap.org.au/wp-content/uploads/2023/10/2-Identity-Documents-South-Africa-MUNYOKA-38-63.pdf>

32. Yana Gorokhovskaia and Isabel Linzer, "Case Study: South Africa," in Defending Democracy in Exile: Policy Responses to Transnational Repression (Washington, DC: Freedom House, June 2022), <https://freedomhouse.org/report/transnational-repression/south-africa>

33. Kavuro, Callixte. "Refugees and asylum seekers: Barriers to accessing South Africa's labour market." Law, Democracy & Development 19 (2015), https://www.scielo.org.za/scielo.php?script=sci_arttext&pid=S2077-49072015000100012

34. Khangelani Moyo, "South Africa Reckons with Its Status as a Top Immigration Destination, Apartheid History, and Economic Challenges," Migration Policy Institute, November 2021. <https://www.migrationpolicy.org/article/south-africa-immigration-destination-history#:~:text=According%20to%20official%20estimates%2C%20the%20population%20of%2060%20million%20people>

35. New World Immigration, "Gigaba says Refugee-shop owners are a headache for Home Affairs," <https://www.nwivisas.com/nwi-blog/south-africa/gigaba-says-refugee-shop-owners-are-a-headache-for-home-affairs/>, accessed on August 23, 2024.

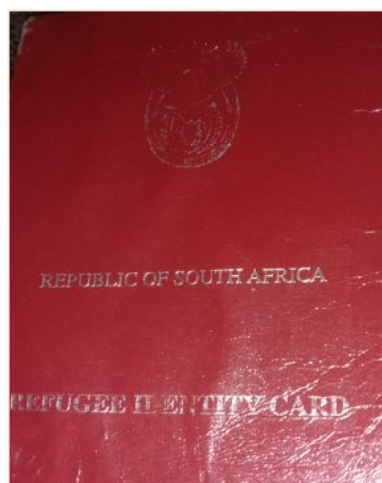
Overview of Policies and Legal Frameworks in South Africa

Recognised refugees can register their businesses, but many established businesses remain unregistered due to a lack of refugee IDs. The identification document that a refugee business owner must have in order to apply for a business licence is a Refugee Identity Card, commonly known as a 'Maroon ID'. The Refugee Identity Card is similar to the South African National Identity Card and contains a 13-digit identification number that is used when applying for a business licence. Only recognised refugees (refugees with a refugee status permit) can apply for a maroon ID within 14 days of receiving the refugee status permit. However, it takes a long time for asylum seekers to be granted refugee status and for recognised refugees to receive the maroon IDs.

Recent developments appear likely to restrict refugees' access to the formal market. In a context of continued xenophobia and negative attitudes towards refugees and asylum seekers,³⁶ the DHA approved a white paper in April 2024³⁷ which recommends "the Government of the Republic of South Africa to review and/or withdraw from the 1951 Convention and the 1967 Protocol with a view to accede to them with reservations like many other countries."³⁸ The reason provided in the White Paper is that "South Africa does not have the resources to grant the socio-economic rights envisaged in the 1951 Convention."³⁹

The White Paper is a first step towards an overhaul of the Refugee Act. There is currently no timeline for these changes. At the same time, the 2021 National Labour Migration Policy recommends the establishment "quotas for employment of foreign nationals,"⁴⁰ which may also include refugees.⁴¹

Picture 2. Refugee ID in South Africa



36. Gordon, Steven Lawrence. "South African attitudes towards refugee settlement: Examining the importance of threat perceptions." *Journal of Refugee Studies* (2024). <https://academic.oup.com/jrs/advance-article/doi/10.1093/jrs/feae024/7658429>

37. South African Government News Agency, "Cabinet approves Final White Paper On Citizenship, Immigration and Refugee Protection," April 17, 2024 <https://www.sanews.gov.za/south-africa/cabinet-approves-final-white-paper-citizenship-immigration-and-refugee-protection>

38. Republic of South Africa, Department of Home Affairs, "Press Statement on the release of the final White Paper on Citizenship, Immigration and Refugee Protection: Towards a complete overhaul of the Migration System in South Africa," 18 April 2024.

<https://www.dha.gov.za/index.php/statements-speeches/1771-press-statement-on-the-release-of-the-final-white-paper-on-citizenship-immigration-and-refugee-protection-towards-a-complete-overhaul-of-the-migration-system-in-south-africa#:~:text=%E2%80%8B%20The%20White%20Paper%20proposes.reservations%20like%20many%20other%20countries>

39. Ibid.

40. Ibid.

41. UNHCR. "UNHCR's Observations on the 'White Paper on Citizenship, Immigration and Refugee Protection: Towards a Complete Overhaul of the Migration System in South Africa,'" January 2024, <https://www.refworld.org/policy/polrec/unhcr/2024/en/147563>

2. Processes to Access Formal Work in South Africa

Access to Formal Work in South Africa

Requirements

Refugees need either a valid refugee status document or a refugee ID to access formal employment. In South Africa any recognized refugees automatically have the right to work and do not need to apply for an additional work authorization document. Recognised refugees are automatically issued a section 24 permit upon being granted refugee status, allowing them to work and stay in the country for four years.⁴² The section 24 permit can be renewed online.⁴³

However, reports suggest that the renewal process can be lengthy, meaning that refugees lose their right to work during the waiting time.⁴⁴ To renew the section 24 permit, the refugee must send an email to the DHA requesting an extension of his or her refugee status.⁴⁵ To this email, they must attach a filled section 24 extension application form, also known as section 22/24 visa form.⁴⁶

Picture 3. Section 24 Extension Application Form⁴⁷

Request for Extension or Reprint of Section 22/ 24 visa
Template

Please complete electronically or using black ink:

File number as it appears on the document:	
Full Names and Surname as it appears on visa:	
Cell Number:	
Alternative contact number:	
E-mail address:	
Current physical address:	

Please attach to the request for extension:

1. Copy of current visa;
2. In the event of a lost visa, please attach a commissioned affidavit stating the date the visa was lost. The affidavit must also indicate a SAPS case number, where available.
3. Proof of address (Utility bill, Lease agreement or Affidavit).

I declare the above to be correct

Signature _____

Date: _____

(Note signature to match signature on record)

42. Republic of South Africa, Department of Home Affairs, "Refugee Status & Asylum," Accessed on 14 May 2024, <https://www.dha.gov.za/index.php/immigration-services/refugee-status-asylum#:~:text=When%20grande%20asylum%20>

43. City of Johannesburg, "Applying for Asylum,"

<https://joburg.org.za/services/Pages/City%20Services/Joburg%20Cares/Migrant%20helpdesk%20links/Applying-for-Asylum.aspx>

44. Bernard Chiguvare, "Long delays at Home Affairs mean refugees are missing out on social grants," Ground Up, 19 May 2023, <https://groundup.org.za/article/refugees-are-missing-out-on-social-grants-due-to-delays-at-home-affairs-to-renew-their-permits/>

45. Republic of South Africa, Department of Home Affairs, "Refugee Status & Asylum," Accessed on 14 May 2024, <https://www.dha.gov.za/index.php/immigration-services/refugee-status-asylum#:~:text=When%20grande%20asylum%20>

46. Scalabrini Center, "request for extension of-visa-DHA-template, updated on April 2024," <https://www.scalabrini.org.za/wp-content/uploads/2021/05/Request-for-extension-of-visa-DHA-template-May-2021.pdf>

47. Ibid.

Documents Needed for Business Registration in South Africa

Obtaining a Refugee ID

Only recognized refugees can apply for a refugee ID in addition to the refugee status document. As soon as the Refugee Status Determination Officer (RSDO) has accepted an application, it will grant asylum to the applicant by issuing a refugee status recognition certificate (see the model certificate in annex 4).⁴⁸ Within 15 days after being granted asylum,⁴⁹ a recognized refugee of at least 16 years of age can apply for refugee ID on Form 11 (DHA-1687) annexed to the Refugee Act regulations, 2019.⁵⁰ To apply, refugees need to submit a copy of their section 24 permit.⁵¹

Application of the business permit/licence

In South Africa, applying for a licence to operate a formal business begins with company registration. Company registration is the process of legally establishing a business entity in South Africa, i.e. formal businesses are established by companies or enterprises and a business licence is issued to a registered company. It involves registering a company with the [Companies and Intellectual Property Commission \(CIPC\)](#), which is the regulatory body responsible for the registration and regulation of companies in South Africa.⁵² A step-by-step process to register a company is detailed under Annex 1.

Box 1. Requirements for Company Registration in South Africa⁵³

- Identity number: 13 digits contained on both the green bar-coded South African Citizens and maroon bar-coded refugee IDs, or passport number. Although the online registration form only requires the green ID number and the passport number, in practice it also recognises the 13 digits of the maroon IDs when refugee applicants enter their ID numbers where the online form requires the green ID number.
- Company Name: It must be a unique name that is not already in use by another company.
- Company Structure: Whether it's a private company or a public company.
- Registered Office: There must be a physical address where the company will be located.
- Directorship: At least one director must be a South African resident.
- Shareholders: At least one shareholder, and there is no limit to the number of shareholders.
- Memorandum of Incorporation: A document outlining the company's rules and regulations and must be submitted to the CIPC.
- Income Tax Number: To register for an income tax number with the South African Revenue Service (SARS).
- Payment of Fees: To pay the required registration fees of approximately 175 South African Rand.⁵⁴

48. South Africa Refugee Act, No 130 of 1998, https://www.gov.za/sites/default/files/gcis_document/201409/a130-980.pdf.

49. South Africa Department of Home Affairs, "Refugee Status & Asylum", accessed september 9, 2024, <https://www.dha.gov.za/index.php/immigration-services/refugee-status-asylum#:~:text=Eligibility%20Procedure%3A%20Asylum%20Seeker&text=The%20permit%20is%20valid%20for.21%20of%20the%20Refugee%20Act>.

50. The South Africa Refugee Act Regulations, 2019, https://www.gov.za/sites/default/files/gcis_document/202001/42932rq11024gon1707.pdf

51. Ibid.

52. OMNI, "How to register a company in South Africa: Red Tape Made Simple", 2023,

<https://www.omniaccounts.co.za/how-to-register-a-company-in-south-africa/>

53. Ibid.

54. Harbour & Associates, "How much does it cost to register a company in South Africa?", <https://www.harbourassociates.co.za/seo-blog/general-business/how-much-does-it-cost-to-register-a-company-in-south-africa/>, accessed on October 3, 2024

3. Challenges Faced by Refugees and Employers

Structural Challenges

Even if they have the right to work, it is difficult for recognised refugees to access the formal labour market. There is no available data on the number of employed refugees and in which sector.⁵⁵ Refugees who pursue formal opportunities face several challenges related to documentation, confusion between the Immigration Act and the Refugees Act provisions, language barriers and skills mismatch, xenophobia and discrimination.

Documentation Issues

Some employers might not accept asylum seekers and refugees documents,⁵⁶ because of lack of knowledge, confusion over the policies between migrants and refugees, concerns that refugees will not be able to renew their permits (both section 22 & 24 permits), and prejudices against refugees. Most employers are reluctant to hire asylum seekers, especially those with asylum seekers' permits, because the validity of these documents is short (3 to 12 months) and they have to ask permission from time to time to go to the DHA to renew their documents. If they do not get a renewal on the day they apply, they have to apply again the next day. Most employers are unwilling to tolerate this inconvenience. There have also been reports of some banks refusing to accept refugee documentation.⁵⁷

Box 2. The impact of renewal of an asylum seeker's document on getting formal employment

"Most employers are not really familiar with our documents (asylum & refugee documents). Those who are familiar with the documents would also not be comfortable with someone asking to go to Home Affairs three or four times in a quarter to renew the documents. Sometimes they are not going to be successful with Home Affairs and they might have to go three, four or even five times in a quarter or even every month. I mean I have an experience of someone who has been going every month for the last six months and they're not winning. So that becomes a barrier for refugees to get formal employment." – A female refugee key informant, August 2024

"The main challenge is the lack of documentation. The Department of Home Affairs makes sure, and I stress this, that non-South Africans are undocumented. They do this systematically to make sure that we don't get the proper papers to survive in their country. Even universities require documentation, although some are lenient. I remember sometimes people here from Gauteng - they were all running to Pietermaritzburg, that's where refugees were being accepted into universities." – A male refugee key informant.

55. Munyoka, Elvis. "Identity documents, employment and livelihoods of refugees in South Africa." *The Australasian Review of African Studies* 44, no. 1 (2023): 38-63.

<https://afsaap.org.au/wp-content/uploads/2023/10/2-Identity-Documents-South-Africa-MUNYOKA-38-63.pdf>

56. Ibid.

57. UNHCR, "Call for Expression of Interest Livelihood Project for Refugees in South Africa," 2021, <https://www.unpartnerportal.org/api/public/export/projects/2968/>

Structural Challenges

Mix-ups with the More Restrictive Immigration Act

There is also a lack of clarity among “stakeholders, employers, and equally professional councils to distinguish between the Immigration Act and the Refugees Act provisions.”⁵⁸ As a result, these entities may follow the Immigration Act that states that employers should consider “highly-skilled non-citizens for employment,”⁵⁹ rather than the Refugees Act of 1998 which allows refugees to work without restrictions. At the same time, all nine refugee respondents reported that many employers value South African education over academic qualifications obtained in other countries, especially on the African continent. This situation makes it difficult for highly qualified refugees to compete in the labour market simply because their education was obtained outside of South Africa, regardless of having received equivalence from the relevant authority, which is the SAQA. Therefore, refugees who have completed their higher education in South Africa have a privilege over their counterparts who have completed their education outside of South Africa.

Box 3. Refugees’ perspective on the similar education qualification

“Although it is not easy to find a job here in South Africa, at least if you have studied here, they can think of you more than our colleagues who have studied where we come from.”
– 34-year-old male refugee key informant recently employed on a permanent basis at a public hospital in Limpopo, August 2024

Language Barriers and Low Skills

Several sources report that language barriers, particularly for refugees who originate from non-Anglophone countries, have resulted in many refugees being unable to compete effectively in job applications.⁶⁰ Furthermore, the UNHCR, in a project document, reports that many refugees are “illiterate and have low skills,”⁶¹ which may not match market needs. This is compounded by limited job opportunities and high levels of unemployment in South Africa⁶² – 33% as of May 2024.⁶³ However, there are few initiatives that support refugees to access higher education.

58. Kavuro, Callixte. “Refugees and asylum seekers: Barriers to accessing South Africa’s labour market.” Law, Democracy & Development 19 (2015), https://www.scielo.org.za/scielo.php?script=sci_arttext&pid=S2077-49072015000100012

59. Ibid.

60. Munyoka, Elvis. “Identity documents, employment and livelihoods of refugees in South Africa.” The Australasian Review of African Studies 44, no. 1 (2023): 38-63. <https://afsaap.org.au/wp-content/uploads/2023/10/2-Identity-Documents-South-Africa-MUNYOKA-38-63.pdf>; “A Case Study of the Livelihood and Self-Reliance Project for Refugees and People of Concern in the Western Cape, South Africa,” Accessed 14 May 2024, <https://participedia.net/case/12320>

61. UNHCR, “Call for Expression of Interest Livelihood Project for Refugees in South Africa,” 2021, <https://www.unpartnerportal.org/api/public/export/projects/2968/>

62. Ibid.

63. Kopano Gumbi, “South Africa’s unemployment rate climbs weeks before election,” Reuters, 14 May 2024. <https://www.reuters.com/world/africa/south-africas-unemployment-rate-rises-329-first-quarter-2024-05-14/#:~:text=The%20increase%20from%2032.1%25%20in,during%20the%20COVID%2D19%20pandemic>

Structural Challenges

Some of them are Albert Einstein German Academic Refugee Programme Initiative (DAFI), which offer scholarships to section 24 permit holders only,⁶⁴ Hosken Consolidated Investment Foundation which allocates 5% of its bursary funds for asylum seekers and refugees' higher education,⁶⁵ and South New Hampshire University's Global Education Movement which provides online higher education to asylum seekers and refugees.⁶⁶ Only asylum seekers and refugee students who are proficient in English can access these opportunities, as higher education in South Africa is mainly conducted in English, and degrees at South New Hampshire University are also offered in English.

Box 4. Language Barriers

"Companies in South Africa want proper English-speaking people. So this is sometimes a struggle and a challenge for refugees, so we try to improve our language, especially when it comes to working in public areas." – Female refugee key informant, July 2024

"It was quite difficult for me to get employment in South Africa because the unemployment rate in South Africa is high. They (employers) favour the citizen - so wherever you go to look for a job they first look for a South African citizen." – Female refugee key informant, July 2024



Soweto, South Africa. Photo by Marc St

64. Study Trust, "Albert Einstein German Academic Refugee Programme Initiative", 2024,

https://docs.google.com/document/d/1oxZFEnHqJ_v9tzlrDT-GxpPH3PhYbKVNcu_-PrDW5l/edit

65. The Scalabrini Center of Cape Town, "Press Statement: Access to higher education for refugees and asylum seekers", February 15, 2023, <https://www.scalabrini.org.za/press-statement-access-to-higher-education-for-refugees-and-asylum-seekers/>

66. South New Hampshire University, "Locations and Partners", 2024, <https://gem.snhu.edu/locations-partners/>

Structural Challenges

Xenophobia and Discrimination

As a result of past and, to some extent, ongoing xenophobic attacks, employers are reluctant to hire refugees.⁶⁷ In 2019, South Africa launched a National Action Plan to combat xenophobia, racism, and discrimination, but incidents continue and implementation is reported to be slow.⁶⁸ Employers may also share negative attitudes towards refugees and be reluctant to hire them. Harassment from the police limits refugees' ability to move around and pursue opportunities.⁶⁹ There have been cases of local authorities excluding refugees and asylum seekers from doing business. In 2014, the Somali Association of South Africa sued the Limpopo Department of Economic Development, Environment and Tourism⁷⁰ for denying refugees and asylum seekers access to business licences because they are not South African citizens and banning them from doing business by closing down their spaza or tuck shops in Limpopo Province.⁷¹ The South African Police Service (SAPS) shut down businesses, confiscated equipment and supplies from asylum seekers and refugees, and arrested and told them that their asylum seeker and refugee permits did not allow them to run a business in South Africa and that they had to leave Limpopo.⁷²

The Supreme Court of Appeal decided that under the circumstances where refugees and asylum seekers are not able to find employment, engagement in business is an option that asylum seekers and refugees should not be deprived from.⁷³ Despite this Supreme Court of Appeal decision, some municipalities continue to prohibit asylum seekers and refugees from trading. This is the case of the Polokwane municipality, whose street trading by law penalises any individual who engages in street trade without a permit, but only South African citizens have the right to apply for such a permit.⁷⁴

Box 5. Xenophobia

"It is difficult to run a business here in South Africa. When the chaos of discrimination against us foreigners starts, you find that many of our shops are robbed by unfriendly people and business goes back to square one. However, we do not stop fighting because we have no other way of making a living apart from our small businesses." – Refugee key informant, July 2024

67. Kavuro, Callixte, "Refugees and asylum seekers: Barriers to accessing South Africa's labour market." Law, Democracy & Development 19 (2015), https://www.scielo.org.za/scielo.php?script=sci_arttext&pid=S2077-49072015000100012

68. Human Rights Watch, "South Africa: Toxic Rhetoric Endangers Migrants," 6 May 2024 <https://www.hrw.org/news/2024/05/06/south-africa-toxic-rhetoric-endangers-migrants#:~:text=In%202019%2C%20South%20Africa%20initiated.between%20January%20and%20April%202024>

69. Chekero, Tamuka. "Borders and Boundaries in Daily Urban Mobility Practices of Refugees in Cape Town, South Africa." Refugee Survey Quarterly 42, no. 3 (2023): 361-381. <https://academic.oup.com/rsg/article/42/3/361/7189846>; A Case Study of the Livelihood and Self-Reliance Project for Refugees and People of Concern in the Western Cape, South Africa," Accessed 14 May 2024, <https://participedia.net/case/12320>

70. Kavuro, Callixte. "The disappearance of refugee rights in South Africa." Obiter 43, no. 1 (2022): 49-78. https://www.scielo.org.za/scielo.php?script=sci_arttext&pid=S1682-58532022000100003#back_fn38

71. Ziegler, Ruvi. "Access to effective refugee protection in South Africa: legislative commitment, policy realities, judicial rectifications?." Constitutional Court Review 10, no. 1 (2020): 65-106, <https://www.saflii.org/za/journals/CCR/2020/4.pdf>

72. Somali Association of South Africa v Limpopo Department of Economic Development, Environment and Tourism (48/2014) [2014ZASCA 143 926 September 2014], https://www.refworld.org/iurisprudence/caselaw/sasca/2014/en/101686?prevDestination=search&prevPath=/search?sm_document_source_name%5B%5D=South+Africa%3A+Supreme+Court+of+Appeal&sort=score&order=desc&result=result-101686-en

73. Kavuro, Callixte. "The disappearance of refugee rights in South Africa." Obiter 43, no. 1 (2022): 49-78. https://www.scielo.org.za/scielo.php?script=sci_arttext&pid=S1682-58532022000100003#back_fn38

74. Polokwane Local Municipality Street Trading By Law, <https://www.polokwane.gov.za/wp-content/uploads/2023/11/STREET-TRADING-BY-LAW.pdf>

Employer Challenges

Existing sources suggest that employers are generally reluctant to hire refugees formally because of the xenophobic context, and to hire asylum seekers because they do not want to navigate the complex additional process introduced in 2020. Most of those who identify as refugees have not yet been granted formal refugee status. They live on temporary permits (Section 22 permits). In order to be formally employed, refugees need to prove their legal status, which can only be done by holding a refugee card. The card is required for various employment procedures, such as registering for income tax and pension contributions.⁷⁵ It becomes difficult for employers to hire someone without an identity document, as it creates problems for the employer when they are inspected by various government agencies. Temporary permits for asylum seekers are a challenge because they need to be renewed frequently.

The introduction of a quota system as recommended by the 2021 National Labour Migration Policy may further limit employers from hiring refugees. Although it is unclear whether refugees would be included in the quotas, Human rights groups and the UNHCR have strongly urged South Africa to reconsider new policy proposals that will limit refugees' access to employment.⁷⁶ As it is not clear whether refugees are included in the same group as foreigners, employers are reluctant to hire refugees, arguing that they have been instructed not to exceed a certain number of foreigners and that it is not specified in which group the refugee is included. To protect themselves from possible fines, employers refrain from hiring refugees.

Box 7. Employers' Challenges

"The permits that most refugee jobseekers have are temporary. They usually expire quite quickly. The thing is that it puts us in a tricky situation when there is an expired permit. If you're running a payroll and you have an expired permit, the company is in danger."
– A key informant employer, July 2024

Box 8. Employer's Perspective

"It is difficult to hire a refugee, because there is no mention of refugees in the number of foreign workers that the labour policy has set as a limit. This puts us in a dilemma. To be on the safe side, it is better not to hire a refugee than to hire one and then be fined for not respecting the law." – A South African key informant employer, July 2024

75. Munyoka, Elvis. "Identity documents, employment and livelihoods of refugees in South Africa." *The Australasian Review of African Studies* 44, no. 1 (2023): 38-63. <https://afsaap.org.au/wp-content/uploads/2023/10/2-Identity-Documents-South-Africa-MUNYOKA-38-63.pdf>
76. UNHCR. "UNHCR's Observations on the 'White Paper on Citizenship, Immigration and Refugee Protection: Towards a Complete Overhaul of the Migration System in South Africa,'" January 2024, <https://www.refworld.org/policy/polrec/unhcr/2024/en/147563>

4. Collaborations and Partnerships

Collaborations and Partnerships

The government has not taken the lead in including refugees in the labour force. At the national level, the UNHCR reported in 2021 that “the government has not initiated any formal programmes aimed at facilitating local integration of refugees.”⁷⁷ Given the current political context and upcoming elections at the end of May 2024,⁷⁸ it is unlikely that the government will launch new efforts to integrate refugees in the short-term. The UNHCR mentions that it has adopted the South Africa Livelihood and Economic Inclusion Strategy (2019-2023) to improve the livelihood outcomes of refugees in South Africa,⁷⁹ but the strategy is not available publicly.

Few initiatives have been undertaken in partnership between UNHCR and other entities to support refugees' livelihoods and self-reliance in South Africa. The limited number of collaborations can be attributed to the self-settlement approach, which makes it challenging to provide services and support to refugees, who are dispersed across multiple locations. None of these partnerships involves the private sector.



Nursery in Cape Town, South Africa. Photo by Nel Ranoko

77. UNHCR, “Call for Expression of Interest Livelihood Project for Refugees in South Africa,” 2021, <https://www.unpartnerportal.org/api/public/export/projects/2968/>

78. Human Rights Watch, “South Africa: Toxic Rhetoric Endangers Migrants,” 6 May 2024 <https://www.hrw.org/news/2024/05/06/south-africa-toxic-rhetoric-endangers-migrants#:~:text=In%202019%2C%20South%20Africa%20in,initiated,between%20January%20and%20April%202024>

79. UNHCR, “Call for Expression of Interest Livelihood Project for Refugees in South Africa,” 2021, <https://www.unpartnerportal.org/api/public/export/projects/2968/>

Collaborations and Partnerships

- In 2022, a partnership between UNHCR and Hand in Hand (HIH) supported refugees and host communities in Western Cape, Gauteng and Kwa-Zulu Natal provinces in South Africa with skill training and grants for business start-ups.⁸⁰ The project trained 349 refugees on business skills, life skills, entrepreneurship, employability skills and digital literacy and was followed by issuance of grants.⁸¹
- Another project termed 'Building Resilient Refugee Communities' (BRRRC) has been implemented by ALPS Resilience in Partnership with Somalia Association of South Africa in Western Cape and Gauteng South Africa with support from the United States Bureau of Population, Refugees and Migration (PRM). The project delivers English and Computer classes, referrals for services by government and other NGOs, and Self-Reliance workshops among other activities and reaches over 6,000 individuals every year.⁸²
- The Scalabrini Centre of Cape Town provides pathways to employment and economic sustainability for asylum seekers and refugees. In partnership with Southern New Hampshire University and the Global Education Movement, the Scalabrini Centre provides the infrastructure and academic support to prepare independent learners to access employment opportunities. The Centre also works with the SAQA and World Education Services to enable refugees and asylum seekers to have their foreign qualifications recognised by the SAQA. Since 2022, the Centre has assisted 49 foreigners (including refugees and asylum seekers) with SAQA validation of their academic and vocational qualifications, with 28 receiving equivalent certificates, enabling them to pursue further study and secure employment in their chosen field.⁸³

80. Hand In Hand South African, "Livelihoods and Self-Reliance Project," n.d. <https://www.handinhand-sa.org/livelihoods/#:~:text=UNHCR%20has%20entered%20into%20a.and%20Kwa%2DZulu%20Natal%20provinces>

81. Ibid.

82. ALPS Resilience, "Building Resilient Refugee Communities (BRRRC) Project," n.d. <https://www.alpsresilience.com/integration-somali-refugees>

83. Scalabrini centre, "Integration Pathways Impact Report 2023," <https://www.scalabrini.org.za/wp-content/uploads/2024/07/Integration-Pathways-Impact-2023-2.pdf>

5. Recommendations

Recommendations

1. **The government, through the DHA, should expedite the refugee status determination process to enable eligible refugees to obtain refugee identity cards.** The Refugee Identity Card is the document that legalises refugee status and is widely recognised by various service providers in South Africa, including employers, but many refugees do not have it due to delays in the Refugee Status Determination process, which hampers refugees' efforts to find meaningful employment. The government should be willing to increase the number of staff in the DHA to deal with the backlog of asylum seekers and to provide refugees with valid identity documents that are recognised wherever refugees seek employment or other services. The recognised IDs can also help refugees open bank accounts and even apply for business loans. In addition, proper documentation can help refugees obtain formal education and formal employment, which will help them continue to be self-reliant.
2. **The UNHCR should support asylum seekers and refugees to acquire recognition of their qualifications and marketable skills.** Access to employment opportunities in South Africa requires the possession of recognised qualifications and necessary skills such as English, entrepreneurship, and computer and digital literacy. There are some NGOs, such as the Scalabrini Centre, that provide training for both asylum seekers and refugees to acquire these skills, as well as facilitating those with foreign qualifications to have their qualifications recognised in South Africa.

The UNHCR should therefore consider funding such NGOs so that they can continue to offer these courses and reach more asylum seekers and refugees, and/or UNHCR should also lobby other stakeholders to fund marketable skills courses for refugees. Part of the funding should be used to cover the running costs of providing such training and processing the foreign qualifications of refugees, and the other part should be used to provide start-up capital to asylum seekers and refugees upon completion of the training.

3. **The UNHCR should also support asylum seekers and refugees to get loans from financial service providers.** Most refugees in South Africa have relied on friends and relatives for financial capital to start their businesses. Financial institutions are often reluctant to take the risk of lending to asylum seekers and refugees because their stay in the country of asylum is unpredictable and most of them cannot provide collateral.⁸⁴ The UNHCR should then provide a guarantee fund to financial lenders, especially microcredit institutions, so that they can start lending to asylum seekers and refugees and/or lobby other stakeholders to provide the guarantee fund. The loans will enable those who already have businesses to expand, and those who aspire to start businesses to get start-up capital.

84. UNHCR, "Refugees access to Jobs and Financial Services", <https://www.unhcr.org/media/refugees-access-jobs-and-financial-services-background-guide-challenge-3-0>

Recommendations

4. **NGOs that train asylum seekers and refugees should develop a strategy to engage private companies in hiring their graduates.** While NGOs equip refugees with valuable skills, they cannot employ all trainees, making private sector partnerships essential for expanding employment opportunities. These NGOs should identify and collaborate with private sector companies willing to employ refugees, forming a coalition committed to refugee employment. Beyond hiring, this coalition should actively recruit other companies to join, setting an example and encouraging broader private sector participation. Businesses stand to benefit by recognising refugees as employees, customers and agents who can help expand market reach.⁸⁵ The Tent Partnership for Refugees, a global network of companies that help refugees to access formal employment,⁸⁶ has successfully implemented this approach, growing from 44 companies in 2019 to over 200 companies today.⁸⁷
5. **The DAFI Scholarship Program should consider including asylum seekers as eligible applicants.** Higher education qualifications help both recognised refugees and asylum seekers to access formal employment in South Africa, but currently asylum seekers in South Africa are not eligible for DAFI scholarships. Excluding asylum seekers - many of whom may remain in limbo for decades due to administrative backlogs - from DAFI scholarships effectively denies them access to higher education, as scholarships are often their only pathway to further studies. This exclusion may also accelerate asylum seekers' difficulties in accessing higher education and acquiring skills that can be used as assets in their search for formal employment. DAFI should review its eligibility criteria and remove any criteria that excludes asylum seekers from applying, regardless of the good reasons that DAFI may have previously considered that led it to exclude asylum seekers. Helping asylum seekers to pursue higher education in South Africa through scholarships will increase their chances of accessing formal employment.

85. Private Sector for Refugees, "Refugee Employment: Perspectives for Businesses, Policy Makers, and Intermediaries", <https://thedocs.worldbank.org/en/doc/51e229cb3b4abfa22db1d93b5354c496-0570062024/original/Refugee-Employment-PS4R-Study.pdf>

86. Tent partnerships for Refugees, <https://www.tent.org/>

87. UNHCR, "Global Roadmap for Refugees Entrepreneurship", <https://www.unhcr.org/media/global-roadmap-refugee-entrepreneurship>

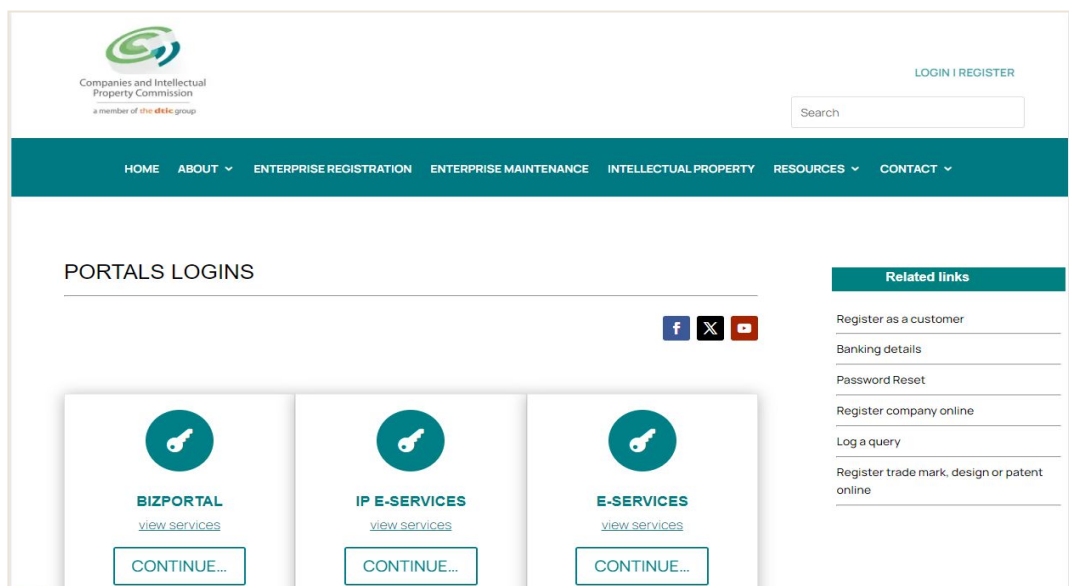
Annexes

ANNEX 1.

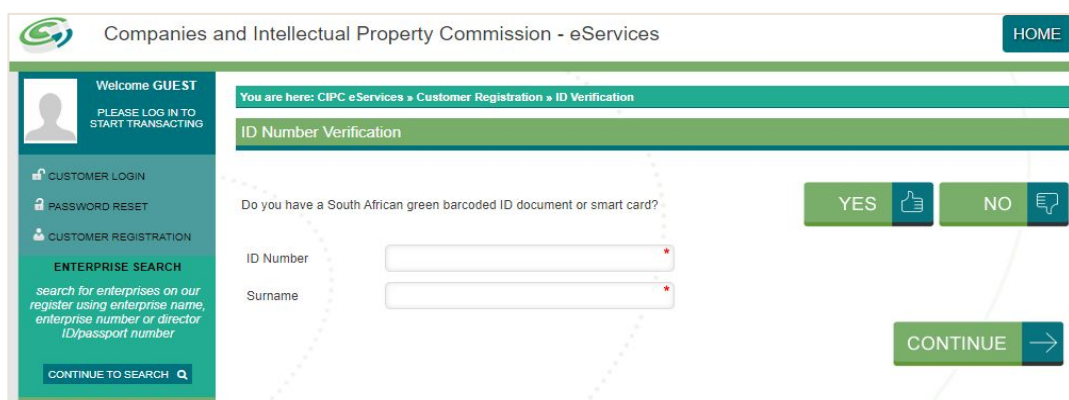
The Step-by-Step Process of Registering a Company in South Africa

Step 1: Create an Account

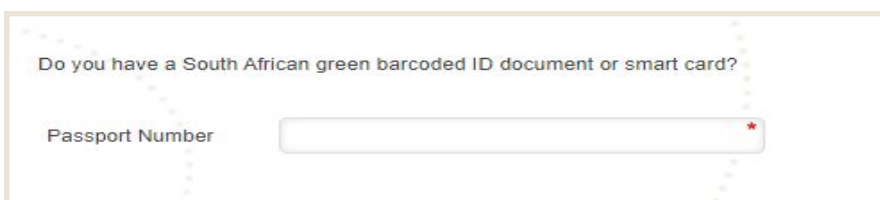
Visit the [CIPC eServices website](#) and click the [register link](#). Under the related links, click on [Register as a customer](#).



On the left under the Welcome GUEST menu, click on [CUSTOMER REGISTRATION](#). Then click **Yes** if you have a South African green barcoded ID document or smart card to type in your ID number and Surname.



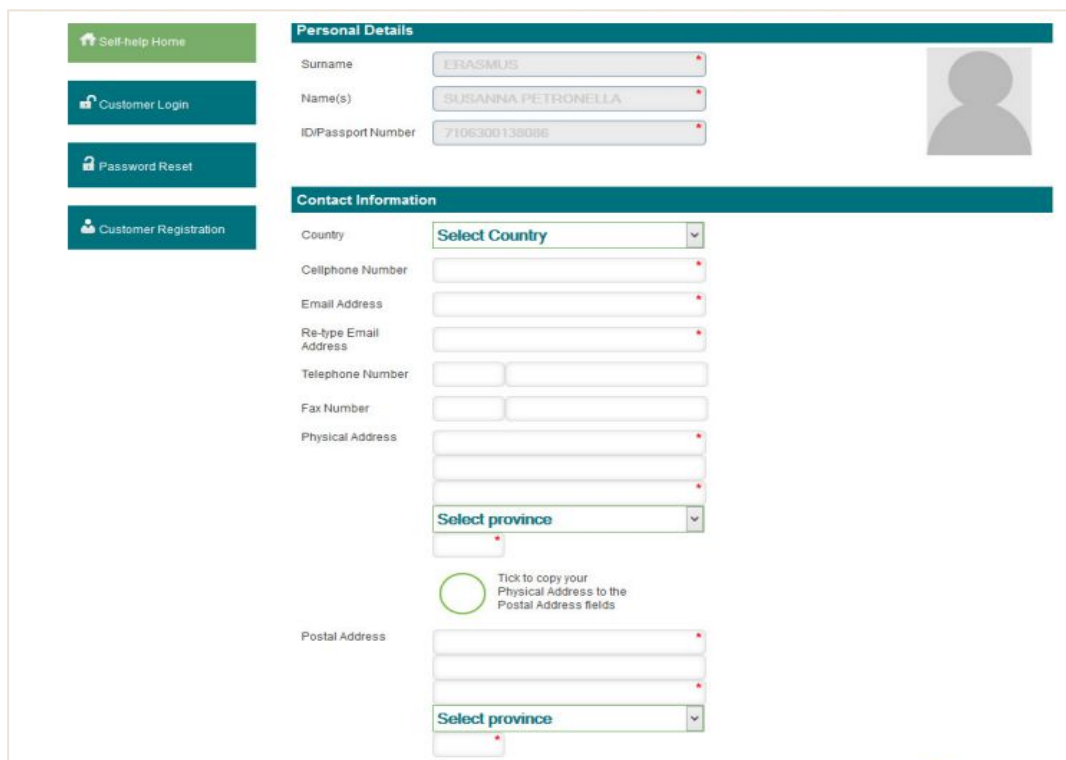
No applies for those who do not have a South African ID but have a passport.



ANNEX 1.

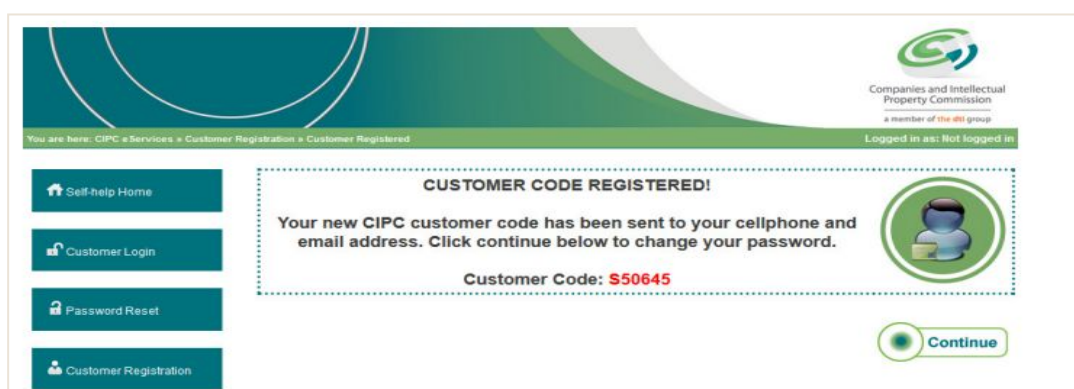
The Step-by-Step Process of Registering a Company in South Africa

Click **Continue** to fill in all the required personal details as shown below.



The screenshot shows the CIPC Customer Registration form. On the left is a sidebar with navigation links: Self-help Home, Customer Login, Password Reset, and Customer Registration. The main form is divided into two sections: Personal Details and Contact Information. In the Personal Details section, the Surname is 'ERASMUS', Name(s) is 'SUSANNA PETRONELLA', and ID/Passport Number is '7106300138006'. There is a placeholder for a profile picture. The Contact Information section includes fields for Country (a dropdown menu), Cellphone Number, Email Address, Re-type Email Address, Telephone Number, Fax Number, Physical Address, and Postal Address. There are also dropdown menus for 'Select Country' and 'Select province'. A checkbox with a green circle icon is labeled 'Tick to copy your Physical Address to the Postal Address fields'.

Once you have entered all your personal details, click on Register. You will receive a message to your mobile phone and email address confirming that your registration has been successful.

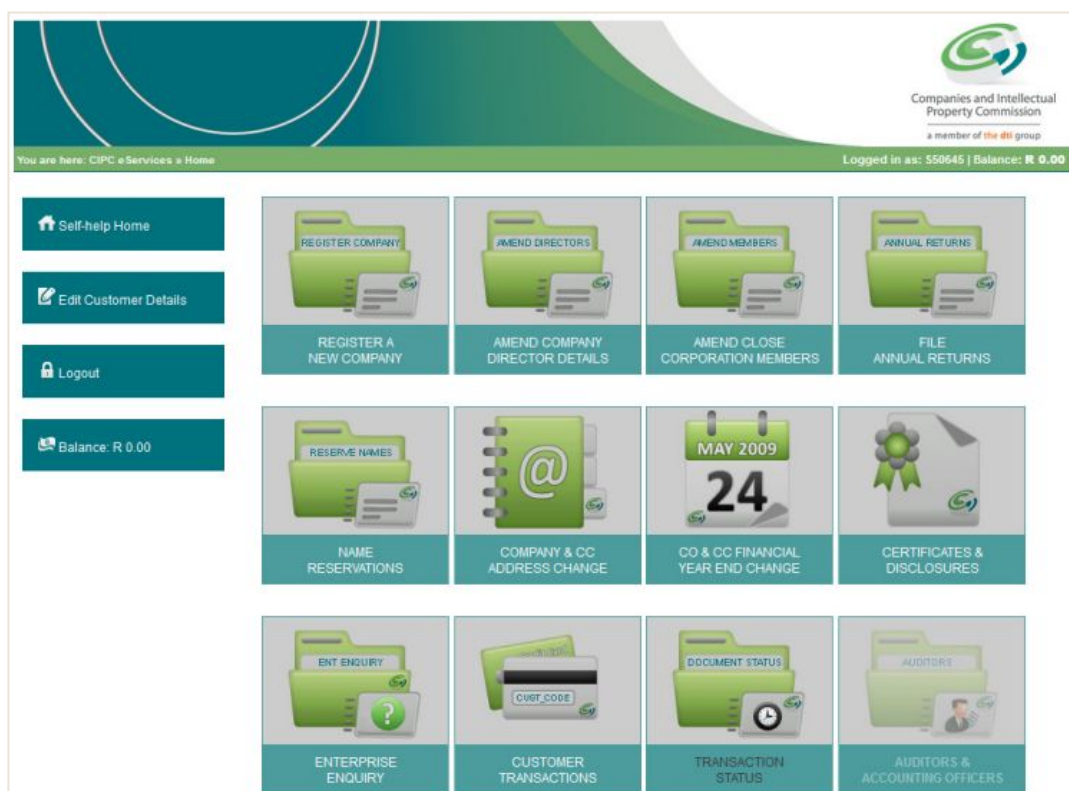


The screenshot shows the CIPC Customer Registration confirmation page. At the top, there is a banner with the CIPC logo and the text 'Companies and Intellectual Property Commission a member of the dti group'. Below the banner, there is a navigation bar with the text 'You are here: CIPC » Services » Customer Registration » Customer Registered' and 'Logged in as: Not logged in'. The main content area has a green header with the text 'CUSTOMER CODE REGISTERED!'. Below this, it says 'Your new CIPC customer code has been sent to your cellphone and email address. Click continue below to change your password.' and 'Customer Code: S50645'. There is a circular icon with a person and a key. At the bottom right, there is a green button labeled 'Continue'.

ANNEX 1.

The Step-by-Step Process of Registering a Company in South Africa

Click on Continue to change the password and then on **Update** to proceed to the second step, which is to reserve a company name.



ANNEX 1.

The Step-by-Step Process of Registering a Company in South Africa

Step 2: Reserve Your Company Name

The second step is to reserve the company name with the CIPC. You can do this online by completing the Name Reservation application form and paying the required fee. Once your name is approved, it will be reserved for six months.

Step 3: Register Your Company

Once your company name is reserved, you can proceed to register your company with the CIPC. You will need to complete the Company Registration application form and submit it to the CIPC along with the required documents and fees.

Step 4: Obtain Your Company Documents

Once your company is registered, you will receive a registration certificate, which confirms that your company is now a legal entity in South Africa. You will also receive your company's Memorandum of Incorporation, which outlines the rules and regulations of your company.

Step 5: Register for Tax

After registering your company, you need to register for tax with the South African Revenue Service (SARS). You will need to complete the relevant tax registration forms and submit them to SARS.

Step 6: Register for Other Regulatory Bodies

Depending on the nature of your business, you may need to register with other regulatory bodies such as the Department of Labour, Department of Health, or the National Regulator for Compulsory Specifications. Be sure to research the regulatory requirements for your industry to ensure compliance.

ANNEX 2

Letter of Offer for Employment of Asylum Seeker


**DEPARTMENT: HOME AFFAIRS
REPUBLIC OF SOUTH AFRICA**

Form 6

LETTER OF EMPLOYMENT
 Refugees Act, 1998 (Act No. 130 of 1998)
 [Section 22(9); Regulation 11(8)]

The Director-General
 Department of Home Affairs
 Private Bag X114
 PRETORIA
 0001

Dear Sir/Madam

LETTER OF OFFER OF EMPLOYMENT OF ASYLUM SEEKER: NAME AND SURNAME – EMPLOYMENT NUMBER

1. This serves to confirm to the Director-General, in accordance with section 22(9) of the Refugees Act, 1998, read together with regulation 10(8) of the Refugees Regulations, 2018, that *(insert name and surname of asylum seeker)* with asylum seeker visa number (copy of visa attached) has been offered employment / has been employed by *(name of employer)* as *(mention position title)* for a period of *(mention period)* months, which period is not longer than the validity of visa attached hereto.
2. The Employer *(mention name of employer)* undertakes to comply with the conditions of the visa issued to the asylum seeker and any directives that may be issued by the Director-General from time to time regarding the employment of asylum seekers in the relevant sectors.
3. The Employer undertakes to ensure that the employee is in possession of a valid work visa for the duration of his or her employment and will keep on record copies of the relevant visa issued to the employee at all times. The Employer further undertakes to inform the Director-General when the employment is terminated.
4. The Employer further undertakes to produce copies of the valid work visa upon request by any authorized person.

Name: Designation: Date: Signature:	Enquiries: <i>(name and surname)</i> ; Cell: Tel: Fax: E-mail: Our Ref <i>(Employee number)</i> ; Your Ref: <i>(asylum seeker visa number)</i> Address:
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ANNEX 3

Asylum Seeker Visa

48 No. 42932	GOVERNMENT GAZETTE, 27 DECEMBER 2019
	<div style="display: flex; justify-content: space-between;"> <div style="width: 60%;"> <p>REPUBLIC OF SOUTH AFRICA</p> <p>DEPARTMENT: HOME AFFAIRS</p> <p>Section 22 of the Refugees Act No. 130 of 1998</p> </div> <div style="width: 35%; text-align: right;"> <p>Form 5 (DHA 1692)</p> </div> </div> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 60%;"> <p>■■■■■■■■■■■■■■■■■■■■ BAR CODE ■■■■■■■■■■■■■■■■■■■■</p> <p style="text-align: center;">(file number)</p> </div> <div style="width: 35%; text-align: center;"> <div style="border: 1px solid black; width: 60px; height: 60px; margin: 0 auto; display: flex; align-items: center; justify-content: center;"> PHOTO </div> </div> </div> <div style="margin-top: 20px;"> <p>ASYLUM SEEKER VISA</p> <p>REFERENCE NO:</p> <p>Permission is hereby granted to the following person as holder of this visa to remain in the country or part thereof:</p> </div> <div style="margin-top: 10px;"> <p>A. PERSONAL PARTICULARS OF HOLDER</p> </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 30%;"> <p>SURNAME:</p> <p>RESIDENTIAL ADDRESS:</p> </div> <div style="width: 30%;"> <p>FIRST NAME(S):</p> </div> <div style="width: 30%;"> <p>DATE OF BIRTH:</p> <p>NATIONALITY:</p> <p>FILE NUMBER:</p> <p>ALTERNATIVE FILE NUMBER:</p> </div> <div style="width: 30%;"> <p>GENDER:</p> <p>COUNTRY OF ORIGIN:</p> <p>PLACE OF ISSUE</p> </div> <div style="width: 10%;"> <p>EXPIRY DATE:</p> </div> </div> <div style="margin-top: 20px;"> <p>B. CONDITIONS</p> <ol style="list-style-type: none"> 1. The holder of this visa has applied to be recognized as a refugee and may continue to lawfully reside temporarily in the Republic of South Africa for the duration of this visa . 2. The holder must in writing notify, the Refugee Reception Office of any change of his or her residential address. 3. The holder of the visa shall without expenses to the state, leave the Republic on or before -----or such later date as duty authorized by a Refugees Status Determination Officer if his/ her application for asylum has been rejected. 4. The visa entitles the holder to seek employment. (Or) The visa does not entitle the holder to work in the Republic. 5. Failure to comply with the conditions of this visa, the holder will be dealt with in terms of section 37(b) and section 22(6) of the Refugees Act 1998. 6. The holder of this visa shall abide by the laws of the Republic. 7. This visa shall lapse if the holder does not appear in person on or before the expiry date as required at the designated Refugee Reception Office or if he or she departs from the Republic without prior authorization from Director – General. 8. The holder of the visa may apply to extend this visa 15 days prior to expiry date. 9. All visas issued prior to the date appearing hereunder are rendered null and void by the issuance of this visa. 10. The holder of this visa is entitled to seek and receive basic education or adult basic education 11. (To reflect the status of the application for asylum at the time of issuance of this visa) 12. I ... (names as appear above).....agree to the above conditions and understand that a breach thereof will result in an offence in terms of section 37 of the Refugees Act. </div> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 30%;"> <p>PLACE:</p> </div> <div style="width: 30%;"> <p>DATE:</p> </div> <div style="width: 30%;"> <p>PRINTED BY RRO</p> </div> <div style="width: 30%;"> <p>FINGERPRINT IMPRESSION</p> </div> </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 30%;"> <p>ORIGINALLY CAPTURED:</p> <p>DATE:</p> <p>DESIGNATED RRO:</p> </div> <div style="width: 30%;"> <p>PRINTED BY RRO</p> <p>DATE:</p> <p>PLACE:</p> <p>SIGNATURE:</p> </div> <div style="width: 30%;"> <p>FINGERPRINT IMPRESSION</p> </div> <div style="width: 30%;"> <p>ORIGINALLY ISSUED IN:</p> <p>NUMBER OF EXTENSION:</p> </div> </div> <div style="margin-top: 10px;"> <p>VISA HOLDER SIGNATURE:</p> </div>

ANNEX 4

Refugee Certificate of Recognition of Refugee Status in South Africa

	<p>REPUBLIC OF SOUTH AFRICA</p> <p>DEPARTMENT: HOME AFFAIRS Section 27 (a) of the Refugees Act No. 130 of 1998</p>	<p>Form 10 (DHA 1693)</p>
	 (file number)	<div style="border: 1px solid black; width: 100px; height: 100px; margin: 0 auto; display: flex; align-items: center; justify-content: center;"> PHOTO </div>
<p>CERTIFICATE OF RECOGNITION OF REFUGEE STATUS IN RSA</p> <p>PARTICULARS OF RECOGNISED REFUGEE IN THE RSA</p>		
<p>FIRST NAME(S):</p> <p>SURNAME:</p> <p>GENDER:</p> <p>DATE OF BIRTH:</p> <p>COUNTRY OF ORIGIN:</p> <p>NATIONALITY:</p> <p>MARITAL STATUS:</p>		
<p>It is hereby certified that the person whose particulars appear above has, in terms of section 24(3) (a) of the Refugees Act 1998 (Act 130 of 1998), been granted status as a refugee in the Republic of South Africa (RSA) until [] on condition that this certificate of recognition shall lapse if the holder fails to apply for the renewal of this certificate before the expiry date or departs permanently from the Republic.</p>		
<p>FURTHER CONDITIONS</p> <ol style="list-style-type: none"> 1. The holder of this certificate shall immediately upon receipt hereof apply for a refugee Identity Document in the RSA as contemplated in section 30 of the Refugees Act, 1998 (Act. 130 of 1998). 2. The holder of this certificate is required to submit representation in writing of intention to extend this visa 90 days prior to the expiry date at the designated Refugee Reception Office. 3. The Certificate of Recognition of Refugee Status in RSA shall be withdrawn if the holder has been convicted and sentenced for a criminal offence. 4. The holder may not depart the Republic without a valid Refugee Travel Document issued to him or her as contemplated in section 31 of the Refugees Act, 1998 (Act. 130 of 1998). 5. The holder must forthwith, in writing notify the Refugee Reception Office of any change to his or her residential address. 6. The holder ceases to qualify for refugee status under the circumstances mentioned in section 5 of Refugees Act, 1998 (Act No. 130 of 1998). 7. The Certificate of Recognition of Refugee Status in RSA shall be withdrawn if the holder has been recognised as a refugee erroneously as contemplated in section 36 of the Refugees Act, 1998 (Act. 130 of 1998). 		
<p>.....</p> <p>DIRECTOR – GENERAL</p> <p>DATE:</p> <p>DEPARTMENT OF HOME AFFAIRS</p>		<p>.....</p> <p>ISSUING OFFICE</p>
<p>ORIGINALLY CAPTURED:</p> <p>DATE:</p> <p>DESIGNATED RRO:</p>	<p>PRINTED BY RSDO</p> <p>DATE:</p> <p>PLACE:</p> <p>SIGNATURE:</p>	<p>FINGERPRINT IMPRESSION</p> <div style="border: 1px solid black; width: 60px; height: 60px; margin: 10px auto;"></div>
<p>ORIGINALLY ISSUED IN:</p> <p>RSDO SIGNATURE:</p>	<p>NUMBER OF EXTENSION:</p> <p>VISA HOLDER SIGNATURE:</p>	