

Section 9.1 of the South African Constitution provides that everyone is equal before the law and should receive equal benefit and protection under the law. This includes all foreign nationals living in South Africa.

Refugee Reception Offices

Cape Town: 021-380 5000
Port Elizabeth: 041-403 7412
or 041-403 7413
Pretoria: 012-327 3515
or 012-395 4130
Durban: 031-362 1205
Johannesburg: 011-226 4600
or 011-226 4685
Musina: 015-534 5300

Refugees from SADC countries:
012-3060800

YOU AND YOUR RIGHTS

Applying for Refugee Status

Contact the Black Sash HELPLINE for FREE paralegal support and advice:



072-66 33 739
help@blacksash.org.za



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B L A C K S A S H
MAKING HUMAN RIGHTS REAL

YOU AND YOUR RIGHTS

Refugee Rights in South Africa

When you enter South Africa, you must request an **Asylum Transit Permit** in terms of Section 14 of the Refugee Act. This is issued at the border post and allows you to **safely reach the nearest Refugee Reception Office**.

You must report to the Refugee Reception Office to complete and submit an **Eligibility determination form (form BI-1590)**.

These are the documents that can be issued at the Refugee Reception Office:

- **Asylum Seeker's Temporary Permit** that allows you to stay in the country for three months while your application is being processed.
- **Refugee Status** in terms of Section 24 (3)(a) of the Refugee Act.
- **Refugee ID** in terms of Section 30 of the Refugee Act.
- **Refugee Travel Document**.
- **Refugee Certification** in terms of Section 27 (c) of the Refugee Act to enable you to apply for Permanent Residence Permit.

You will be **interviewed for your refugee status application**. Take along witnesses to support you and someone you trust who speaks good English.

You must bring with you any supporting documents, including Birth Certificates; Photographs; Personal records and research done about conditions in your country, including newspaper articles.

You will be told about the outcome of your application **within 180 days**.

If your application is turned down, you will be given **30 days to submit an appeal** or to leave the country.

You can appeal on the basis that the correct procedure for processing your application was not followed; the facts on your application were not taken into consideration; and the person who interviewed you was biased.

If your application is approved, you will be **granted refugee status** and a **Section 24 permit** that is valid for **two years**. You must renew this permit **90 days** before it expires.

You will also be issued with a **Refugee ID** which you must carry with you at all times.

Applying for Refugee Certification - your application to be classified as an **"indefinite refugee"** should be submitted to the Standing Committee for Refugee Affairs.

You can apply for this status when you have been in the country with a Section 24 permit for **more than five years**.

If your application is successful, you will be issued with a **Refugee Certificate** which confirms you have been classified as an indefinite refugee.

You can apply for a **Permanent Residence Permit** after you have been in the country for **more than five year** and have been declared an **indefinite refugee** and been awarded a **Refugee Certificate**.

The holder of a Permanent Residence Permit has **all the rights, privileges, duties and obligations of a citizen**, other than the right to vote.