

UNREVISED HANSARD

MINI PLENARY - NATIONAL ASSEMBLY (VIRTUAL)

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PROCEEDINGS OF NATIONAL ASSEMBLY MINI PLENARY SESSION 2

Members of the mini-plenary session met on the virtual platform at 14:00.

The Deputy Speaker took the Chair and requested members to observe a moment of silence for prayer or meditation.

VIRTUAL SITTING

(Rules)

The DEPUTY SPEAKER: Hon members, before we proceed, I would like to remind you that the virtual mini plenary is deemed to be in the precinct of Parliament and constitutes a meeting of the National Assembly for debating purposes only. In addition to the rules of virtual sittings, the rules of the National Assembly, including the rules of debate, apply.

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Members enjoy the same powers and privileges that apply in a sitting of the National Assembly. Members should equally note that anything said in the virtual platform is deemed to have been said in the House and may be ruled upon. All members who have logged in shall be present and are requested to mute their microphones and only unmute when recognised to speak. This is because the microphones are very sensitive and will pick up noise which might disturb the attention of other members.

When recognised to speak, please unmute your microphone and, where connectivity permits, connect your video. Members may make use of icons on the bar at the bottom of their screens, which has an option that allows a member to put up his or her hand to raise points of order. The secretariat will assist in alerting the chairperson to members requesting to speak.

Lastly, when using the virtual system, members are urged to refrain or desist from unnecessary points of order or interjections. The first item on the Order Paper is a subject for discussion in the name of the hon Machi on the persistent crisis of illegal migration and its strain on the budgets of the Social and Security clusters, particularly the Departments of Health, Home Affairs and Correctional Services.

**THE PERSISTENT CRISIS OF ILLEGAL MIGRATION AND ITS STRAIN ON THE
BUDGETS OF THE SOCIAL AND SECURITY CLUSTERS, PARTICULARLY THE
DEPARTMENTS OF HEALTH, HOME AFFAIRS AND CORRECTIONAL SERVICES**

(Subject for Discussion)

Ms B E MACHI: Deputy Speaker, recreation is an inherent feature of human existence. It is not a new phenomenon, nor is it one that will simply cease to occur. South Africa's own history reflects this reality since the discovery of gold and diamond in the 1860s, our country has experienced significant inflows of migrants.

While South Africa was the last country on the continent to attain its freedom, the dawn of democracy brought with it a marked increase in migration into the country, driven by its improved social, economic and political climate. Perhaps it is important to reiterate the IFP's position on migration. The IFP firmly supports legal migration, recognising that skilled workers are essential to growing our economy and advancing development.

However, illegal migration is a crisis. Those who enter our country unlawfully breach our borders, compromise national security, and place immense strain on our already fragmented

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public resources. This is the crux of the IFP's argument: the national discourse has largely centred on the rights of illegal immigrants, while the fiscal implications for our country have been relegated to mere footnotes.

It is important to note that these concerns are not only shared by millions of South Africans, but also acknowledged by the Minister of Finance, who has recognised the growing strain that illegal migrants place on our already burdened fiscals.

Hon Chairperson, it has become far too easy for those who focus solely on human rights to dismiss invalid consent as either xenophobic or politically motivated. However, it is important to recall that during the Constitutional Assembly, the IFP made a clear and principled submission. The IFP stated that the protection of fundamental freedoms and liberties must be ensured in respect of both citizens and foreigners while they are within the territories of the republic. However, this applies only to first-generation human rights, such as freedom of speech, freedom of religion, and protection from unauthorised arrest, search and seizure. Furthermore, the IFP maintained that entitlements to second-generation human rights, such as the rights to education, work and medical assistance, should ordinarily be limited to citizens or, in some cases, to permanent residents.

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The IFP's position was and remains that these socio-economic rights should be reserved for citizens while allowing the legislature the discretion to extend them to residents where appropriate and sustainable. South Africa is facing a crisis of illegal immigration. This is precisely why one of home affairs' key commitments and strategic priorities is to conduct at least 40 000 deportations per year of undocumented foreign nationals.

However, that target is optimistic at best and insufficient at worst. Even the department, which plays a pivotal role in our national security, can only estimate the number of undocumented migrants in the country. This lack of accurate data not only undermines enforcement but also weakens our ability to plan, allocate resources, and protect the integrity of our borders.

The IFP has consistently highlighted this concern, particularly during the Budget Vote, when we cautioned against the reduction of the department's funding, given the critical importance of its work to our national security and governance.

The Lindela's Repatriation Centre remains one of the large cost drivers in the department's immigration enforcement programme.

The daily cost per detainee averaged R200, covering accommodation, meals, and security. Additional expenses for

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transportation, whether by bus or chartered flights, further escalated this cost.

Over the past three years, expenditure on deportations has exceeded R423,8 million, placing a significant strain on the department's budget, of which only 5% is allocated to immigration enforcement. This clearly demonstrates the unsustainable financial burden posed by unmanaged illegal migration. Thank you, Deputy Speaker.

IsiZulu:

Nk N E MTOLO: Sihlalo kanye namalungu ahloniphekile siyakuthakasela ukuthola ithuba lokuba yingxenye yokuhlala kwePhalamende njengoba sicubungula umthelela wabokufika kuleli, ukungena kwabantu bangaphandle eNingizimu Afrika ngokusemthethweni nokungekho emthethweni. Kunyinkinga kuthina ngoba kuthinta umnotho nenhlalakahle kwezombusazwe. Yize ukungena kwabantu bakwamanye amazwe kuleli kunemiphumela emihle kodwa ukungena kwabo ngokungekho emthethweni kubukeka kubeka ingcindezi enkulu kwabahlali kanye nasekubuseni eNingizimu Afrika, ikakhulukazi eMnyangweni Wezasekhaya.

Okokuqala, kubalulekile ukuhlenganise ukungena kwabantu kuleli nemigomo ye-African Union Agenda 2063 ehlose ukudala iAfrika

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ebumbene, ethuthukayo, kanye nenokuthula futhi ilawulwa yizakhamuzi zayo. Inhlangano ye-ANC iyakuqonda ukubaluleka kwe-Agenda 2063 njengoba iyinhlangano endala iAfrika jikelele. Amanye amazwe abhekene nobunzima obukhulu ukulawula labo abafohlayo. Lokhu kufaka phakathi, njengoba kunenqwaba yabafohlayo. Umnyango Wezasekhaya uthwala kanzima ekugcineni amarekhodi okukhipha izincwadi ezifanele nokuqinisekisa ukuphepha kwemingcele yezwe. Lokhu kwenza kubenzima nokulandelela laba abahlala kuze kudlule isikhathi noma laba abangena ngokungemthetho. Ukungena ngopotsho kuvame ukudala izingxabano njengoba abafuduki ngezinye izikhathi bancintisana ngemisebenzi, ngezindlu kanye nezinsiza zomphakathi. Lokhu kudala inzondo phakathi kwalaba bokufika kanye nalabo abayimisinsi yokuzimilela kuleli. Lokhu kuholela nasemincintiswaneni kwabokufika bamazwe ngamazwe, bagcine sebezizana ngamagama anezici.

Ukutholeka kwabasebenzi abangenazo izincwadi zobuzwe kwenza kugcagcele esokeni kubaqashi abangathembekile abaqasha abokufika bese bebaholela amakinati. Lokho kudala ukuthi abakuleli bagcine bengasasebenzi bese kusuka uthuthuva. Ngaphezu kwalokho, uHulumeni ulahlekelwa imali yentela njengoba iningi lalaba bafuduki ababanjelwa imali yentela njengoba besuke beqashwe ngokungemthetho. Abangena ngopotsho bavame ukuqhamuka emazweni anezimpi kanye nezimo ezimanzonzo zezombusazwe, okuphazamisa

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ukukhuthazeka ngokungena kwabo kuleli. Lokhu kwandisa izinkinga zokuphepha nokwanda kobugebengu obuhleliwe. Asikuveze, malungu ahloniphekile, ukuthi inhlango ye-ANC kuningi esikwenzile kule minyaka engamashumi amathathu adlule ukulungisa isimo esithinta ukufuduka kwabantu bamanye amazwe beza lapha eNingizimu Afrika. Ngonyaka ka-2023 kuMfumfu, kwasungulwa i-Border Management Authority. Umongameli wezwe, u-Cyril Ramaphosa, ukucacisile ngesonto eledlule ukuthi abantu abangaphezu kuka-46 000 baphindiselwe emuva emazweni abo ngonyaka odlule. Umsebenzi omuhle lowo owenziwe i-Border Management Authority. Umnyango Wezasekhaya unomsebenzi wokuphatha nokulawula ukufuduka eNingizimu Afrika kodwa amandla awo okubhekana nezinsalelo zokufuduka okungemthetho anqindwa yizingqinamba ezithile.

Kube nemibiko eminingi ngenkohlakalo yabasebenzi bomnyango lapho kuthiwa bagwzelwa abafohlayo ukuze bathole izincwadi ezibagunyazayo ukuthi babe kuleli. Lokhu kwehlisa ubuqotho bohlelo lokufuduka futhi kwenza kube nzima ukubhekana nezimbangela eziyisizathu zokufuduka okungekho emthethweni. Ezinye zenzinhloso zayo ukuhamba ngokukhululeka okungahlanganisi izinhlelo zezomnotho waleli gabade.

Lokhu umbono, yize uhloniphekile, uphazanyiswa ukungena kwabantu ngopotsho kuleli. Lokhu kucindezela izingqalasisizinda eNingizimu

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Afrika. Lokhu kuyayikhathaza i-ANC kanye Nekomidi elibheke umsebenzi woMnyango Wezasekhaya. Yize i-Agenda 2026 ikhuthaza umqondo wokungena kwabantu ezweni ukuze kutholakale amathuba angcono. Kuyiqiniso ukuthi ukungena kwabantu, uma kungalawuleki, kucekela phansi izingqakasizinda zezwe.

Eningizimu Afrika lokhu kusho ukuthi kumele imingcele iqashwe ngeso lokhozi ukuze kungaphazamiseki umnotho npma nenhlakahle yomphakathi. Umnyango Wezasekhaya iwona oseqhulwini lokuqinisekisa lokhu. Ukuze sikuqonde kangcono ubunzima bokutheleka kwabantu kuleli ngokungemthetho sidinga ukuthola ukuthi yini le ebasusa emazweni abo iba lethe kuleli. sihlalo ohloniphekile, i-ANC iyaqonda ukuthi okubaxosha emazweni abo singabala izimo zombusazwe, izingxabano kanye nezinhlekelele zemvelo.

Inhlangano ye-ANC iyazi ukuthi abafuduki kuleli basuke bebalekela ububha, ubudlova kanye nezinhlekelele zemvelo emazweni abo, ikakhulukazi emazweni angomakhelwane bethu. Umnotho waseNingizimu Afrika ozinzile futhi ohlelekile uyinto edonsa abokufika kuleli, bafudukele kuleli ngoba bezofuna amathuba omsebenzi angcono, kanye nokufinyelela ezinsizeni zomphakathi ezifana nezibhedlela, imitholampilo kanye nezikole.

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Lokhu kwenza iNingizimu Afrika ibe newoza woza kwabokufika abangene ngokusemthethweni nalabo abangena ngopotsho. Lokhu kokuba isibunge kwabokufika iNingizimu Afrika kugcina kudala izinkinga ikakhulukazi kulabo abafohlayo. Siwu-ANC sikuqonda kahle lokho futhi siyazwelana nemiphakathi eminingi efohlayo engayilandeli imigudu nemithetho ngobunjalo yayo nje.

Sibabeka ingcindezi eyongeziwe esinhlelweni zokungena kwabantu eMnyangweni Wezasekhaya. Ngenxa yalokho, isabelo sezimali ezibanikeza sona sisheshe siphela ngoba kufanele baqashe abasebenzi abaningi nezinsiza zobuchwepheshe ukuze babhekane nezinsalelo zabangena ngopotsho. Ukufuduka okungekho emthethweni eNingizimu Afrika kuletha izinsalelo eziningi kuHulumeni kanye nezakhamizi zayo.

Umntyango Wezasekhaya olawula ukungena nokuhlala kwabantu. Sihlalo ohloniphekile, kubalulekile ukuqaphela ukuthi ukungena kwabantu kuleli uma kungalawulwa kahle kungaba nemivuze emihle. Ukufuduka okusemthethweni kunegalelo ekukhuleni komnotho ngokuhlinzeka ngabasenzi emikhakheni ebalulekile njengezolimo, ezokwakha kanye nezobuchwepheshe.

Sengiphetha, Sihlalo ohloniphekile, kubalulekile ukuthi sibuzane ukuthi siya kanjani phambili. Ngo-2022 i-ANC yathatha isinqumo

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sokuthi kufanele kube nezinqumo emthethweni elawula abokufika ... okunguNggongqoshe Wezasekhaya ... ngaphansi koHulumeni we-ANC ... wethula i-White Paper on Citizenship and Immigration and Refugee Protection. Lo somqulu uki-Cabinet njengamanje sikhuluma.

Ungqongqoshe omusha Wezasekhaya wezwe uzibophezele ukuthi ngaphansi kwe-Seventh Administration le-White paper izophasiswa ibe umthetho. Njengekomidi elibheke nomsebenzi woMnyango Wezasekhaya sikubeka phambili ukuthi singenelele ukulungisa isimo. Siyazi futhi ukuthi le-White Paper uma isingumthetho izosishintsha isimo. Siyaqonda ukuthi ngenkathi ukufuduka kudlala indima ebalulekile ekuthuthukisweni komphakathi kanye nomnotho eNingizimu Afrika. Ukufohla kuletha izinselelo eNingizimu Afrika ... [Akuzwakali.] Ngiyabonga, Sihlalo.

Mr A NCHABELENG: Speaker, the crisis of illegal immigration and its strain on South Africa's social security system. Hon Speaker and hon members, more than before, this is the first time as a member of the MK party and a representative of the people of South Africa to stand and echo the words echoed by the South Africans on the matter that has reached a crisis level in our country.

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The persistent challenges of illegal immigration, illegal immigration is not just a violation of the Constitution, but it is also a strain on our social and security cluster budget, such as the Department of Health, Home Affairs, and the Correctional Services and other related services.

The South African Constitution, which is the democracy that values human dignity, equality, and freedom, yet these values are being tested by a crisis that threatens our sovereignty and drains our limited fiscal resources. Our borders are porous, our system is overstretched, and our laws, consistently enforced, do not ever get enforced.

What is mostly saddening is that the Government of National Unity, GNU even seems to support illegal immigration. A government that fails to protect its citizens is a government that shows that it has betrayed its own people. Therefore, she cannot be trusted. One wonders, why is South Africa not treating illegal immigration as a statutory crime? Anywhere in the world, as a South African, you are expected to abide by the laws of the host country as a foreigner.

Yet, here at home, we fail to enforce the same standards, the rule and the double standards. In South Africa, committing a

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crime is punishable by law. Theft, fraud, and corruption all attract legal consequences as they should. But when it comes to illegal immigration, the same clarity of accountability seems to vanish when someone crosses our border unlawfully, falsifies their documents, or overstays a visa without reporting. That person is breaking our laws. In any other country, such acts are treated as criminal offences.

If I were to enter any nation without a valid document Speaker, whether in Europe, Asia, or our neighbouring African states, I would be arrested, I would be deported, and I would be barred from re-entry. In South Africa, repeated offenders are allowed to come and go as they please, exploiting the system with limited to no consequences. The inconsistency undermines our rule of law and weakens our national authority.

We cannot expect citizens to respect laws that even the state fails to enforce. Sovereignty means that a country has the right and the duty to determine who may enter and remain within its borders. On the question of fiscal and institutional strain, the consequences of weak immigration control are not abstract.

They are felt daily in our hospitals, in our prisons, and in our government departments. The Department of Health bears one of the

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heaviest burdens. In border provinces like Limpopo and Mpumalanga, hospitals are overwhelmed by undocumented foreign nationals seeking free medical care.

While humanitarian principles demand emergency assistance, the scale of the strain is unsustainable. South African taxpayers fund this service, yet the citizens often face long queues, medicinal shortages, and reduced quality of care. In Correctional Services, a growing number of inmates are foreign nationals, many of whom entered illegally before committing crimes on our soil.

Housing and feeding each inmate cost the state thousands of rands monthly, and this expenditure diverts resources from rehabilitation and infrastructure while our prisons remain overcrowded and underfunded.

The Department of Home Affairs, meant to safeguard our borders, has become both gatekeepers and weak link. Corruption, fraudulent documentation, and administrative backlogs have rendered the asylum system dysfunctional. Many economic migrants falsely claim asylum, knowing that the deportation is slow and enforcement is minimal. This abuse of process undermines genuine refugees and turns our immigration framework into a revolving door.

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On government's role, Speaker, while others argue that taking a tough stance on illegal migration contradicts our humanitarian commitment, but compassion cannot replace responsibility. South Africa has one of the most progressive asylum frameworks on the continent.

We have also provided refuge to those fleeing conflict or persecution. But today, the reality is different. Many entering illegally are not escaping war. They are exploiting weak controls and porous borders for economic gain. What is also saddening is that organisations such as the South African Human Rights Commission always take the position of illegal immigration at the expense of South Africans.

This raises the question as to whose interests are they saving, if not the rights of South Africans. Criminal syndicates have even found opportunity in this disorder, trafficking people and forging documents and operating home affairs during the hours of the night. Our open-door policy, once a symbol of solidarity, has become a magnet of lawbreakers who know there will be no consequences. Necessary reforms are needed.

Illegal immigration must be recognised and prosecuted as a statutory offense. Entry without documentation or overstaying

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visas should carry penalties and swift deportation as in every other sovereign state. The Border Management Authority must be empowered with proper technology personnel and coordination to secure our entry points.

Home affairs must undergo agent modernisation, digitisation records, integrating biometric systems and eradicating corruption. We must also review our international agreements to ensure neighbouring countries take responsibility for their citizens. Cooperation and accountability must replace denial and neglect.

In conclusion Speaker, the illegal immigration crisis is not just an immigration issue. It is a national security threat and a fiscal emergency. It drains our health system, clogs our prisons and weakens the integrity of our state institutions.

We cannot allow South Africans to become a playground for repeated offenders and lawbreakers who exploit our hospitality while our citizens suffer unemployment, poverty and inequality.

As MK party, while we believe in extending a hand and courtesy to other countries, we stand on our stance that it must be through proper legal processes. Immigration must be done through efforts

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that do not compromise state security and disadvantage our people.

The rule of law must be upheld without fear or favour. Illegal immigration is a violation of law and those who engage in it must face consequences. We must protect our borders and safeguard our resources and reaffirm that South Africa's compassion does not equal to weakness. Let us act now firmly to restore the integrity of our immigration system and the dignity of our nation.

I thank you.

IsiZulu:

Gwaza mkhonto, gwaza!

Mr A C ROOS: House Chair, for many on our continent, South Africa represents opportunity, stability, and the promise of a better future. Even more so under the Government of National Unity where we are recovering from the nine wasted years of rampant corruption and state capture. But when opportunity is pursued outside the law, and the state fails to enforce its own laws, that promise turns into pressure – pressure on jobs, on hospitals, on schools, and on the safety of our communities.

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Chairperson, let us be clear. Illegal migration is not a problem of compassion. It is a problem of control. It is a problem of a government that, for too long, looked the other way while immigration systems decayed, while borders were porous, and while the budget of the Department of Home Affairs was stretched beyond breaking point by above inflation salary increases that left little budget for extra staff, equipment and systems.

The Departments of Health, Home Affairs, and Correctional Services carry much of this burden. Our hospitals are overwhelmed. Correctional Services spends millions housing undocumented foreign offenders. Home Affairs remains understaffed and recovering from years of institutional neglect.

But, for the first time in a long time, there is a glimmer of hope. Under Minister Leon Schreiber, we are beginning to see a measurable increase in foreign nationals being intercepted at our borders before they enter illegally.

The strengthening of the Border Management Authority, BMA, is progressing steadily. A comprehensive five-pillar strategy integrates intelligence gathering, visible policing, rapid response, investigations, and inter-agency coordination. It demonstrates both decisive ministerial leadership and forward

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planning, with a remarkable 215% increase in the prevention of illegal border crossings in the last festive period.

Border security capability is also being enhanced through the deployment of advanced technology. In collaboration with the Department of Rural Development, drones have been introduced at five ports of entry, including Lebombo, to monitor irregular crossings and smuggling routes. This marks a first for South Africa and underscores the Minister's commitment to modern, technology-driven border management. This contributed to a further 63% increase in the prevention of illegal border crossings during the Easter period.

Operation New Broom is taking the important step of internal immigration enforcement in our metros and townships. This is what it looks like when there is political will to fix the system.

But let's be honest: Minister Schreiber cannot do it alone. He cannot be the only one fighting the crisis of illegal migration.

Local government has a critical role – and it is a role too many municipalities are failing to play. Cities are turning a blind eye to the enforcement of bylaws despite the public outcries. We see spaza shops operating without licences and owners'

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documentation unchecked, unsafe living conditions in backyard dwellings rented out to undocumented foreigners, and undocumented foreign nationals occupying public parks and waterways as squatters without the municipality enforcing their bylaws. This is not xenophobic rhetoric; this is about upholding the rule of law.

You are here as a tourist – for a short stay – you are here on a valid work permit or a long-term visa. You are welcome to enjoy the beauty of this wonderful country. Any stay outside the terms is unlawful, and when municipalities fail to enforce the basic rules, they fail the people of South Africa. Home Affairs is ready and willing to support the operations of metropolitan municipalities and the SA Police Service, but they are hardly ever called – why? Because these municipalities profit by blaming shocking service delivery on illegal foreigners.

Home Affairs have shown under Minister Schreiber that they are more motivated than ever before. Internal immigration enforcement operations surged from 383 to 1,415 in Q4 of 2024-25. This nearly fourfold increase with the same number of officials shows that Minister Schreiber is serious about tackling illegal immigration.

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But it is starting to get acutely embarrassing when the 4 354 SAPS officers assigned to border protection have still not been transferred to the Border Management Authority two years and seven months after they were supposed to. This leaves the BMA stuck with 672 border law enforcement officers. To put this in simple terms, imagine Bafana Bafana rocking up to play with Nigeria and instead of fielding 11 players, we field 1,5 players. Then how can we expect to win. Yet, we expect Shreiber to tackle illegal immigration with 672 border officers when we are supposed to have 5 026.

This is also a dangerous new trend – the rise of vigilante groups who believe they have the right to police immigration themselves. Let me be absolutely clear, no one is entitled to block services, assault individuals, or take the law into their own hands.

When the government fails to act, it creates a vacuum – when SAPS refuse to transfer border management units and municipalities refuse to implement bylaws – and in that vacuum, anger and fear grow.

Illegal immigration became politically convenient. It became a scapegoat – a cover to claim that the hardships facing poor South Africans are caused by foreigners “stealing” jobs and services,

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and not by a municipality that failed to grow the economy and create jobs.

That era must end. The digital identity system being developed under Minister Shreiber will soon see the Department of Home Affairs eliminate fraudulent documents, stop multiple IDs and ghost beneficiaries, and ensure that every person in the country – citizen or foreign national – can be accurately verified.

When a person can no longer hide behind a fake name or a fake document, we restore the foundation of trust between the state and its citizens.

But digital identity alone is not enough. It must be backed by municipal enforcement of bylaws; the proper resourcing of the border management and the urgent transfers of SAPS border units to the BMA; cooperation between the departments of Health, Correctional Services, and Home Affairs; and a commitment to uphold the rule of law, without fear or favour.

The DA will continue to exceed expectations with the resources available at Home Affairs, support measures that restore order and uphold the dignity of every person within our borders – but we will also hold to account those who failed to enforce the law

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at local level and thereby undermine national progress. Because a country that cannot control who enters it, cannot protect those who live in it. I thank you.

Mr T P MOGALE: Hon Deputy Speaker, the challenge of illegal immigration requires a clear, principled and effective response from all of us, not an impulsive, politically convenient and xenophobic reaction directed at African immigrants. Our people are suffering because public services are collapsing under the weight of corruption, mismanagement and persistent budget cuts imposed by the National Treasury.

For the past five financial years, the Department of Home Affairs has faced sustained and crippling reduction to its budget, undermining its ability to execute even its most basic mandate of securing the Republic. Over the 2021 Medium-Term Expenditure Framework period, the Department has endured cuts amounting to R3,2 billion, including R2,4 billion in compensation of employees. These cuts have hollowed out its operational capacity and diminished its ability to process documents, manage refugee affairs or secure ports of entry.

The Border Management Authority has also identified a shortfall of R4,3 billion in its medium-term allocation, resulting in key

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units being understaffed and underequipped. Out of an approved organisational structure of 11 115 posts, only 2 566 are filled, leaving an alarming 8 549 vacancies. A recent parliamentary oversight visit by the Joint Standing Committee on Defence warned that unless the Border Management Agency receives proper and sustained funding, South Africa's borders will continue to haemorrhage illegal migration, smuggling, trafficking, and other transnational crimes.

As we speak, the Border Management Authority, entrusted with securing 4 862 kilometres of our borderline with six neighbouring countries, is relying only on 127 firearms, four rifles, 44 patrol vehicles, 28 motorbikes, and 22 quad bikes. This is not the border security; it is setting institutions up for failure.

The Department of Correctional Services has also suffered immensely, facing R11 billion in budget cuts over the past five years. Its capital budget reflects a troubling shortfall of R222 million, severely limiting critical maintenance, infrastructure upgrade, and security improvement within correctional facilities. Overcrowding, deteriorating infrastructure, and unsafe working conditions have become normalised because the state refuses to invest in its own institutions.

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At the same time, we have witnessed xenophobic organisations, physically blocking access to clinics and hospitals for foreign nationals. Some members of this House have failed to condemn these disgraceful acts because they hope to exploit this hatred for electoral gain. Yet, when the Tembisa Hospital scandal revealed deep-rooted corruption and looting at the heart of our public health system, none of these organisations marched there. Their anger is selective, misdirected, and ultimately dishonest.

The truth is very simple, the reduction in the quality of public service is not caused by illegal immigration. It is the direct result of systematic budget cuts and a failing state incapable of planning, investment, and consequence management. To understand and respond to the challenge of illegal migration, we must examine the push and the pull factors. On the pull side, South Africa remains a relatively attracted destination within the Southern African Development Community, SADC region, offering access to both formal and informal jobs, a comparatively stronger economy, and the perception of better public services.

On the push side, economic deprivation, unemployment, political instability, conflict, and climate change in neighbouring countries compel people to move. For as long as the ANC-led government supports kleptocratic and corrupt regimes in the SADC

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region, regimes that fail to deliver credible elections, economic growth or stability, South Africa will continue to receive immigrants fleeing from the conditions in those countries.

If the state is serious about managing this crisis, it must begin by documenting all foreign nationals currently inside the country, whether they entered legally or not. No institution, not Home Affairs, not the Border Management Agency, not Statistics SA has credible data on the number of illegal immigrants in the country.

Estimates of undocumented immigrants ranges between 2-5 million, but these are just guesses. Without accurate data, government cannot plan for schools, clinics, housing or security. A national documentation and regularisation campaign is therefore essential. Home Affairs must lead a biometric community registration drive supported by legal aid and civil society outreach. Proper documentation strengthens law enforcement by enabling authorities to identify those involved in cross-border crime, while protecting innocent people from exploitation, harassment and unlawful detentions. Documenting those who are already here is not a... [Inaudible.]

The DEPUTY SPEAKER: Hon Mogale, your time has expired.

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Mr T P MOGALE: All right. Thank you, Deputy Speaker.

Ms N H MHLONGO: Good afternoon, hon Deputy Speaker. Our health care system is operating under conditions of limited budgets, staff shortages, inadequate infrastructure. and increasing demand for services. Yet, our public hospitals and clinics are required to provide care to all who present themselves, regardless of legal status, as mandated by the humanitarian and constitutional principles. While we uphold the dignity of every person, we cannot ignore the practical consequences of the unmanaged system.

The growing number of undocumented immigrants seeking healthcare places additional pressure on facilities that are already struggling to meet the needs of South Africans. Hospitals in border-adjacent provinces are experiencing severe overcrowding, extended waiting times, medicines stocked out, and escalating operational costs. This really diverts resources away from citizens who rely solely on the public health system.

The IFP reiterates that compassion and human dignity must remain central to our approach. However, compassion cannot replace lawfulness, nor can it justify erosion of state capacity. South Africa must restore order to its borders to protect the integrity and sustainability of its public services.

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South Africa's correctional facilities are already operating under severe overcrowding, understaffing and budgetary constraints. Yet a substantial number of inmates within our prisons, within our prison system are undocumented foreign nationals. The incarceration of these individuals not only strains the limited capacity of the facilities but also diverts resources that should be focused on rehabilitation, skills development, and the reduction of repeat offending amongst the South African inmates.

The IFP has continuously emphasised that the challenge of illegal migration is not simply a border issue, it is a national governance crisis. When individuals without legal status commit offenses, the cost of that detention is paid by the South African taxpayers. These are funds that could be directed towards improving our correctional facilities and rehabilitation programme. We must be clear; this is not a rejection of human dignity or compassion. The IFP remains firm in advocating that every individual be treated in accordance with the law [Interjections.] However, compassion cannot be used ...

The DEPUTY SPEAKER: My apologies. I just wanted to ask members to mute themselves. Hon Nontenja, you have been unmuted, please mute yourself. My apologies hon Mhlongo, please proceed.

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Ms N H MHLONGO: The security of our nation requires functional borders, efficient immigration enforcement, and structured cooperation with the neighbouring states to process and repatriate offenders. The IFP therefore calls for urgent strengthening of border management, enhance interdepartmental coordination, faster deportation processes for illegal foreign offenders, and fair resources of correctional services to meet its constitutional mandate. South Africa must act now to protect its institutions, its people and its sovereignty. Thank you.

Ms M L MATHOPA: Deputy Speaker, hon members, I rise today on behalf of the PA to confront a crisis that continues to erode the integrity of our public institutions and the dignity of our citizens due to unchecked and persistent influx of illegal immigration and its direct strain on the budget of our social and security clusters. Hon members, the communities are terrorised and don't know where to turn to anymore, as our law enforcement has failed them on many occasions. Let us be clear: This is not a debate about humanity; it is a demand for accountability, security and safety.

The Department of Health is collapsing under the weight of undocumented patients who arrive without medical histories, without contributions to the system, and without legal status.

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Our clinics and hospitals are already stretched thin and are forced to divert resources from South African citizens to sustain a parallel unregulated population - not to mention the bus accidents that happened, where lots of medication was discovered leaving South Africa. This is not sustainable; it is unjust!

The Department of Home Affairs, tasked with safeguarding our borders and managing migration, is overwhelmed. Fraudulent documentation, backlogged asylum claims and porous border control have turned a constitutional mandate into a bureaucratic nightmare. South Africans wait months for IDs and passports, while illegal entrants exploit loopholes and remain unaccounted for.

The Department of Correctional Services is housing thousands of undocumented foreign nationals, many of whom have committed crimes on our soil. Every meal, every medical check and every security protocol is funded by South African taxpayers. Yet, deportation process remains sluggish and reintegration is non-existent. Hon members, this is not xenophobic. This is a fiscal realisation. This is governance. This is justice.

Our president, Gaten Mackenzie, said without apology,

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IsiZulu:

... "Abahambe!"

English:

Let them go! We are elected to serve South Africans first. We are here to protect the budgets, the dignity and the future of our people.

The PA therefore calls for: A full audit of undocumented individuals accessing public services, with quarterly reporting to Parliament; ringfenced allocations in health, education and housing for South African citizens; acceleration of deportation protocols for convicted undocumented offenders; reinforced border management, including biometric tracking and community-based intelligence; and a national campaign to restore integrity to Home Affairs, with zero tolerance for fraud and corruption.

Let it be known, the PA will not be silenced by labels. We will not be distracted by deflection. We stand for sovereignty. We stand for order. We stand for South Africans. The time for soft diplomacy is over. The time for decisive leadership is now.

IsiZulu:

Sihlukumezekile!

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English:

It's enough!

IsiZulu:

Abahambe!

English:

I thank you, Chair.

Mrs H DENNER: Deputy Speaker, the persistent crisis of illegal immigration is not a theoretical problem; it is a tangible drain on the public purse, specifically crippling the critical budgets of our social and security clusters. The immediate humanitarian consequence is seen in the frontline services, particularly in health.

Community clinics, such as those in north of Johannesburg have been battlegrounds. Anti-migrant groups, like Operation Dudula, are actively picketing hospitals and clinics in provinces, like Gauteng and Kwazulu-Natal, taking the law into their own hands by checking identity cards and preventing non-South Africans from entering.

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Despite the authorities' knowledge of these actions, they seem unable to prevent the pickets. This campaign insists on the prioritisation of South Africans. Migrants, even those with passports and permits, are being turned away when seeking essential care.

This situation illustrates a system under pressure - situation that has been created by poor border management and the lack of political will and ability to stem the flow of illegal foreign nationals into our country over the past 30 years - an extremely unfortunate situation that never should have existed in the 1st place. South Africa is home to approximately 2,4 million migrants, which constitutes just under 4% of the population, if you can believe our census data. Most of these individuals originate from crowded and overburdened countries.

Our correctional centres are bursting at the seams, fundamentally undermining rehabilitation and public safety. The involvement of illegal foreign nationals in serious organised crimes, including drug trafficking and smuggling, places an unacceptable burden on resources intended for South African citizens.

Overcrowding is not just an efficiency problem; it is a profound threat to order and dignity within our correctional environment.

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Therefore, we welcome the Minister of Correctional Services, Dr Peter Grunewald's initiative, to explore the possibility of deporting foreign offenders to serve their sentences in their countries of origin.

The reality of our porous borders contributes directly to the security threat, allowing easy access into South Africa for those that intend on bypassing our legal framework. We must take immediate and decisive action to restore the integrity of the state's functions. Some movement has happened in this direction, but it is not yet enough. We need comprehensive capacitation of our law enforcement agencies, and critically, for the Border Management Agency to effectively prevent illegal immigration.

Concurrently, all inefficiencies within the Department of Home Affairs should be straightened out to ensure that our legal processes are followed effectively and efficiently. Immigration and travel into and out of South Africa must be accessible and efficient, but strictly within the parameters of our laws. The failure to control our borders and manage legal immigration creates fertile ground for xenophobia that has long plagued our country and sometimes accompanied by deadly violence.

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Ultimately, the goal for South Africa must be sustainable economic growth and job creation. We cannot achieve this vital objective - my apologies, Deputy Speaker - while simultaneously haemorrhaging resources on managing the consequences of uncontrolled migration. To support growth and provide opportunities for our people and those who reside in our country legally, we must curb the crushing financial and social burden created by illegal foreign nationals in our country. This is not simply about border control; it is about sovereign responsibility and future prosperity. I thank you.

Ms L M NGOBENI: Deputy Speaker, I appreciate that. Following from the majority of speakers before me, we believe that the crisis of illegal immigration is not a distant issue; it is a daily lived reality in our clinics, our classrooms, our correctional centres and many of our poorer communities. It is a crisis that bleeds our budget, breaks our systems and burdens our citizens, while government looks the other way.

The Action SA has long raised the alarm, not from hostility, but from accountability and compassion. South Africa is a sovereign nation, and like every democracy in the world, our borders must be managed with both fairness and firmness. Yet today, our

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borders are porous, our systems are broken and our people are paying the ultimate price.

Let us start with Home Affairs. This department is meant to manage migration. It is now crippled by dysfunction and decay. Officials are expected to run a 21st century system on 20th century tools and 19th century staffing. The result? An ungoverned migration crisis where chaos has become policy. Chaos, Chairperson and hon members, always costs money.

The Department of Health feels this strain daily. Hospitals collapsing under infrastructure decay and staff shortages are forced to absorb undocumented migrants who cannot be turned away. Yes, the principle of human dignity must guide us. No one should be denied emergency care. However, the state cannot pretend compassion comes without an absolute cost. Provincial health budgets are stretched to breaking point, diverting funds from citizens waiting years for surgery or chronic care.

In our correctional centres, the story repeats. Overcrowded and under-resourced prisons now house a growing number of foreign nationals convicted of serious crimes, draining food budgets, rehabilitation programs and security. Yet, this government

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refuses to tell the nation the truth: How much does this cost the taxpayer?

Chairperson and also hon members, this is not a call for xenophobia; it is a call for governance - a call for leadership that respects the rule of law and a government that takes responsibility. The BMA must be properly resourced to secure our borders and restore integrity to our immigration system.

When the state fails to act, then citizens will step in, not out of hatred, but out of frustration. When the state fails to prioritise its citizens and enforce the rule of law, citizens must not be blamed for acting when the government has failed. You cannot blame citizens for stepping in when their government has spectacularly failed them. To be clear, illegal migration is not an issue, and the state is wholly to blame.

We need a complete overhaul and a national audit of every person within our borders, documented or undocumented, so we know exactly who is here. Only then can we plan, protect and provide responsible management of our border systems, and also our migration systems. South Africa cannot look after the whole world while her own citizens are suffering.

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Our call for tighter immigration processes must never be manipulated to shame South Africans by labelling it xenophobic. We are demanding order. We are demanding security and accountability. It cannot be misconstrued as hatred. It is, after all, patriotism. It is not xenophobia to demand a country that works; it is patriotism to defend one that doesn't.

The real injustice is not the migrants seeking refuge; it is a government that fails to plan to enforce its laws and budget responsibly. South Africans are not intolerant; we are tired of being ignored. The ActionSA believes compassion and control can coexist, and we can welcome those who come here legally, but we cannot allow lawlessness to masquerade as compassion. I thank you, Deputy Speaker.

Ms C T NONTENJA: Deputy Speaker, South Africa, as a leading economy on the African continent, has long been a beacon of hope for many who seek better opportunities. This has made our country an attractive destination for migrants from across the continent, especially from neighbouring countries affected by conflict, poverty, and instability. The little that we have is now shared with them.

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Estimates suggest that there are millions of undocumented migrants currently living in South Africa. This influx not only stretches our resources but creates significant challenges for our social and security systems.

On the social side, our public health care system, which is already under immense pressure due to budget constraints, faces further strain from the increasing number of migrants needing medical care.

The education system, too, is grappling with overcrowded classrooms and social services are being forced to divert resources to accommodate the needs of undocumented individuals who are not contributing to the tax base.

Furthermore, the strain on public housing and welfare services is creating tensions within communities as South Africans often feel their own access to services is being undermined by the growing numbers of migrants. The social contract between the state and its citizens is being tested as frustration rise.

On the security front, illegal migration fuels crime, trafficking, and the growth of informal, often criminal economies.

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Border enforcement agencies already working with limited resources, are finding it increasingly difficult to manage the volume of people crossing into the country unlawfully. The financial cost of illegal migration is staggering. Government spending on border security, immigration enforcement, and integration program consumes significant portions of the national budget.

This diverse resources away from much needed investments in infrastructure, job creation, and critical public services that could benefit South African citizens.

As we work towards solutions, it is essential that we prioritize the welfare of South Africans while finding humane and sustainable ways to manage migration. I thank you.

Mr M M SOKOPO: Deputy Speaker, our correctional facilities, are undergoing tremendous pressure from overcrowding budget cuts which have affected resource allocation to various correctional centres. We have a population of just above 150,000 inmates in our correctional centres.

And we operate at levels that exceed the design capacity, with some management areas like in the Eastern Cape, in Gauteng are

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between 70% and 74% overcrowded, against a targeted 50% baseline anticipated in the annual performance plan.

Overcrowding does not only undermine rehabilitation, it strains human and financial resources, and it compromises safety, both of inmates and of correctional officials. Just two weeks ago, there was a case in Pollsmoor where inmates have stabbed officials in the Western Cape.

A significant and often overlooked factor contributing to this pressure is the incarceration of foreign nationals. According to the Department of Correctional Services, DCS, report to our portfolio committee, foreign national constitute approximately between 8 to 12%.

In total, we've got about 8,824 sentenced, 3,102 unsentenced illegal migrants, foreign nationals in our in our facilities. We have noted that a significant portion of the Correctional Services budget is directed towards the upkeep of foreign nationals, in the form of accommodation, security, nutrition, health care, and other stuff. The average cost to maintain incarcerated persons is R463 a day for one inmate, and that goes to 14,000 per month, which translates to 168,000 per annum.

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The department is spending over two billion annually on the incarceration of foreign nationals. This money that could have been otherwise been redirected toward alleviating the persistent challenge of overcrowding, inadequate bed space, and improved infrastructure that is needed in centres.

What is even more concerning, is the fact that this annual two billion injection on foreign nationals bears no returns. Many of these inmates are not integrated into a long-term rehabilitation, reintegration initiatives of centres. Because what will happen, is that immediately when they are done, they will have to be deported and going back to their countries. And that is a heavy bill to pay for no guaranteed social investment.

Beyond the financial strain, the presence of a large foreign inmate population introduces an administrative complexity. Correctional officials struggle to navigate the issue of language, identity verification, and citizenship confirmation.

There is a clear administrative gap between the Department of Home Affairs, DCS, and the embassies as it pertains to incarcerated foreign nationals.

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Over and above the administrative concern is the safety and security concern, especially in a time where the country is dealing with large scales of organized crime and the possibility of an infiltration of the criminal justice system. The risk of cross-borders syndicates being coordinated within our correctional facilities remains a threat.

In our view in the ANC, is that the challenge of foreign national overcrowding of our correctional facilities and depleting the already thin budget can be mitigated by the amendment of section 73 of the Correctional Services Act, to allow for the transfer of incarcerated foreign nationals to their countries of origin. Section 73 governs the minimum period of sentence and related matters concerning incarceration.

While this section provides for parole, release, and sentence administration, it does not provide an enabling framework for the transfer of foreign national prisoners to their home of countries, to serve the remaining sentence there.

The absence of such a provision represents a policy and legislative gap. Many countries, including members of the Southern African Development Community, SADC, as well as European and Asian jurisdictions, have implemented prison transfer

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agreements. These instruments allow sentenced persons to be transferred to their countries of citizenship, subject to a mutual consent between the states involved, with due regard to human rights and rehabilitation principles. We want to put it to this House that the peace and security cluster is to register, within the seven administration.

The review and amendment of section 73 of Correctional Service Act, it's one of the low-hanging fruits that would assist for us to enable this. This ... [Inaudible.] ... continues to bear the full cost and burden of housing thousands of inmates who put two established diplomatic channels, served the sentence correctional centres, in their own countries, at the expense of their government.

We need to lobby the Department of Home Affairs, the Department of International Relations and Cooperation, DIRCO, to start consultation with countries in the SADC to enter into bilateral agreements for the transfer of incarcerated foreign nationals.

We are of the view that a review of section 73 of the Correctional Service Act would not merely be a banned administrative exercise, but a necessary act of fiscal prudence. We are hopeful that such a review will provide us with a clear

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legal basis for the negotiations and implementation of transfer agreements and enable cost and/or burden ... [Inaudible.] ... which might ultimately lead to the reduction of overcrowding in our correctional centres.

We believe that by reviewing section 73, we can introduce a more rational and efficient correctional regime that balance justice, human rights, and fiscal discipline. We cannot continue to invest billions annually with no return.

As lawmakers, we must act with the necessary foresight, compassion, pragmatism to ensure we run an efficient administrative and safeguard our budget. I thank you, Deputy Speaker.

Mrs M O CLARKE: Deputy Speaker, we must address the elephant in the room. While there seems to be a generalized fear and perception that foreign nationals are nothing but a drain on South Africa's resources, the more common reality is one of difficulty in accessing basic services; services like access to healthcare, including reproductive healthcare and emergency medical treatment.

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And while xenophobic organizations like Operational Dudula and March-on-March try to bar foreign nationals from accessing services like healthcare and basic education, they are also preventing undocumented South Africans from accessing these constitutionally mandated services. Thus, Operation Dudula's discrimination harms both South Africans and foreign nationals legally in the country, while only potentially excluding some irregular immigrants.

While guaranteed access to reproductive and emergency medical care in the Constitution along with everyone else living in South Africa, there's no doubt that illegal immigration does impact the fiscus, but it must be stated that legal migrants contribute substantially to the public purse, they tend to pay more value-added tax, VAT, and income tax. And for irregular immigration, the Department of Home Affairs increased their number of illegal immigrants to be deported to 46 898 in 2024-25, the highest number of deportations carried out in the last five years.

It is also important to note that we don't really know how many irregular foreign nationals are in South Africa. In 2022 there were about 3,96 million foreign-born people living in South Africa. This includes all foreign-born people, regardless of their legal status, about 6,3% of the country's 22-22 population.

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Of these foreign nationals, the legal population would have paid taxes, contributed to the micro and macro economies, and possibly provided jobs to South Africans if they were business owners.

It is also true that in January this year, there were 12 676 foreign nationals incarcerated, and a further 12 771 awaiting trial, that's 15,87% of the total inmate population of South Africa.

In a country where insignificant economic growth has been the order of the day and nearly a third of people are unemployed, the outrage at spending limited funds on illegal immigrants is understandable. Although the third quarter, Quarterly Labour Force Survey, QLFS, shows a decrease in unemployment to 31,9%, 36 000 more people have become discouraged from seeking work, and more than four in every 10 young people between the ages of 15 and 34 were not employed in education or training.

It is clear that demonizing illegal immigrants as a source of poor service delivery will not solve fundamental problems with service delivery. What will solve this problem is sustained and increasing economic growth that will lead to increased economic participation, the strengthening of our borders and border

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protection, and the systemic and relentless eradication of corruption and mismanagement.

In health, the portfolio that I serve on, failure to implement consequence management has become an annual inclusion in the Auditor-General's report. And we see it, billions looted from Tembisa Hospital.

But the masterminds behind Babita Deokaran's murder walks free, and the individuals and syndicates first identified by her, and then confirmed by the Special Investigating Unit, SIU, boldly attempt to extend their tentacles to other provinces. Not a single company has been blacklisted.

Promised by the Health Minister to remove the entire pressure swing absorption oxygen plant tender from the Independent Development Trust, IDT, and take it under the Development Bank of Southern Africa, DBSA, was broken as the R152 million contracts awarded to Mayeza on-site gas system to install 10 oxygen plants is still being managed for IDT.

There is little to no consequence management for mismanagement or looting of funds meant to employ medical staff, buy medicine and

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maintain equipment, feed patients, clean laundry or remove toxic medical waste. And this is just one department.

Economic growth will mean absolutely nothing if looting continues unabated. And who will suffer? South Africans seeking quality services, which they're entitled to by the Constitution. At which point we do realize that our limited resources are due to unabated, and in some cases, it seems sanctioned corruption and mismanagement, and years of poor economic policy.

We must take stock of how much we spend on illegal immigration. That is undeniable. But half-truths and myths do not address our biggest fiscal limitation, which comes from a lack of political will. Only comprehensive policy implementation will lead to the creation of more jobs, a safer society and an improved standard of living for all. I thank you, Madam Speaker.

The MINISTER OF HEALTH: Hon Deputy Speaker, I am sorry. I was not aware that I was muted. I was talking alone. Hon members, it is incontestable that immigration is as old as humanity. People migrate from one region to another within countries and more critical from country to country, even across continents. Major world events have prompted even more migration. The Second World War is one of such major events. At the end of that war, the

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world was worried about displaced people or migrants who had moved all over, especially Europe.

The United Nations entered the fray with a view to regularize or control migration. They never meant to encourage illegal migration. To avoid the chaotic situation of clashes between migrants and people in countries where they will have migrated to, United Nations, UN, agencies were formed, like the United Nations High Commissioner for Refugee and International Office on Migration. Conventions were adopted, like the United Nations Convention on Refugees of 1951, the United Nations Protocol on Refugees of 1967, and the Organization of African Unity, which is now AU, but the Organization of African Unity Convention of 1969.

All these are guiding conditions under which people must cross borders illegally and jump into another country: The Cold War, national disasters, or persecution. Persecution for political grounds, religious grounds, traditional grounds, or even sexual orientation, which you know has been a problem in some parts of our continent.

Back home, we passed legislation as part of the democratic governance after 1994. The Citizenship Act of 1995, the Identification Act of 1997, the Refugee Act of 1998, and the

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Immigration Act of 2002. Most of these Acts were based on the international convention and our own Constitution.

Unfortunately, in all these conventions and protocols and domestic legislation, there is nothing, absolutely nothing, about economic migration. That is where our problem starts. Overwhelming majority of people in our country, who originate from another countries, are actually economic migrants. They won't qualify to be here under the conventions or even under our domestic law. So they choose to be illegal, unfortunately. But once they come into the country, they need education, health, social relief, houses, and even jobs and businesses. When concerns are raised by ordinary people about this, debate starts of whether this is xenophobia, Afrophobia, or scapegoating, or the state hiding its failures behind migrants.

So what are the true facts here? Is South Africa overburdened with migrants, especially the illegal ones? I have been listening to debates. Nobody is denying that. But it also depends on who you are listening to. Some non-governmental organizations, NGOs, some media houses, or some organizations will contest this view that South Africa is overburdened. They've always quoted countries that are more overburdened than South Africa. But estimates of people who are here illegally ranges from 5 million

to 10 million. That's how difficult it is to reach the correct figure.

But what are the true facts? What are the correct facts? Are schools, clinics, and hospitals overburdened? Yes, everybody said so. But I choose to be more scientific by quoting from a Constitutional Court judgment which was passed in 2018. A constitutional judgment of Mr Alex Ruto versus the Department of Home Affairs, which was passed by Judge Cameron with unanimous support from all members of the Constitutional Court. I quote section 10 of that. It says:

Mr Ruto has all along claimed that he's acting - not only on his own behalf - but on behalf of the public in terms of section 38B of the Bill of Rights.

The issues in his application he raises affect many people. South Africa is by international standards very heavily burdened by asylum seekers. And there is a footnote there. Under the footnote, it says:

The United Nations High Commissioner for Refugees reported that with close to 107 000 new asylum claims in 2011, South Africa was the top destination of new asylum seekers for

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fourth successive year. South Africa accounted for almost one-tenth of all individual asylum applications worldwide. Although in 2011, the figure was 69% lower than 2010 of 180 000 individuals.

It was tied to what it was in 2006. And it goes on to say:

Between 2006 and 2011, South Africa registered more than 816 000 new asylum applications. This was by far a top destination for asylum seekers over a six-year period all over the world.

Now, do we have reliable statistics? Because I believe this argument in the Constitutional Court settled the score of whether we're overburdened or not, because it's a judgment. Now, the figures I'm quoting here are for people who have registered, who have made their entry in the country known. The overwhelming majority are unknown. And we don't have reliable statistics about that. Unfortunately, as I said, the figures quoted are just estimates. So what needs to be done? In the Department of Health for the past eight years, we have worked with the Council for Scientific and Industrial Research, CSIR, to establish a new system called HPRS, Health Patient Registration System, and then also an electronic management system.

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We worked for eight years to develop these systems which are linked to Home Affairs, which we are intending to use in our hospitals so that when you are registered in a hospital on HPRS because everybody must register, even those who are not yet patients must register, it gets into Home Affairs, into the National Population Register, or the National Information Immigration System, or the visa certification system. Those who don't appear there it means two things. They are either illegal or undocumented South Africans, which I understand are 4 million now. At one stage, they were 8 million. So those who don't have any documentation, they'll be fingerprinted and be given a number. So when they go to another health facility, we will be knowing about them. So Health Patient Record Information System will be very helpful.

Now, what are the solutions of other solutions? The BMA, Border Management Authority, the civil registration and vital statistics. Now, I want to come to an issue that I've been avoiding, hon members. Honestly, this is grossly unfair. Every time hon member of this House, hon Ross speaks, it's as if Home Affairs starts now that there's a member of DA in Home Affairs. I was avoiding this because I don't want to be petty. But my worry is a lie told many times will eventually become the truth. Let me remind you, the DA voted against BMA. The very BMA they are

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complaining about it being under-resourced, they voted against it. They did not want it. You can go and check the record.

Secondly, under the BMA Act, it never said Home Affairs will deal with this problem only. Parliament itself chose 10 Ministries who must sit and deal with this issue, and they are a statutory body, and the Minister of Home Affairs will chair it. So I was chairing it. And in 2022, we agreed to use Cara funding to try and help Border Management Authority. And what is Cara for those who don't know? It's a Criminal Assets Recovery Account. There's an account in government which holds money from criminal recovery. And we agreed that Border Management Authority must be helped with this money.

Unfortunately, after applying for R500 million, we were given only 160. But what have we done with that money? A lot of things were done, hon members. With that money in 2023, we bought four speed boats to patrol the Limpopo River and Caledon River in Lesotho. We ordered eight drones, which I hear are being spoken about as if they are just coming now. We ordered 40 body cameras for corrupt officials at the borders. We ordered 400 firearms because we had just trained 400 new border guards to join the 200 that we originally launched the BMA with. We ordered four buses.

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Some of these things, I understand, have not yet arrived. But these are the things we have done.

On top of that, we have migrated from Hanis, Home Affairs National Information System. All of you South Africans, you are having a fingerprint and a photo on Hanis. We thought that was enough. We started a new system called Abis, Automated Biometric Information System, where we are adding three other biometrics: facial recognition, iris recognition, and palm print. When I left Home Affairs, we had migrated 53 million South Africans from Hanis to Abis. So Home Affairs is now ready to implement the facial recognition, which will be very helpful.

Lastly, hon members, hon Clarke, I just want to correct you, because this of the papers is another lie. There is no oxygen project under Independent Development Trust, IDT, anymore. It is one newspaper we asked to correct them; they refused. All the projects have been taken to the Development Bank of South Africa, DBSA. Those DBSA returned are in the Department of Health. And I repeat, there is no project under Health to do with oxygen which is under IDT. I really need to correct that. Thank you, hon Deputy Speaker.

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Ms B E MACHI: Hon Deputy Speaker, while the reduction in our debts and the debt servicing cost, as well as the recent creation of jobs are developments that would ordinarily be caused for celebration, the harsh reality remains that our economy is simply not growing at the pace required to confront the multiple crisis facing the country, nor is it expanding sufficiently to enable government to allocate the necessary resources to departments' tasks with delivering essential services to our people.

The IFP have proven that illegal immigrants increase the pressure on already overburdened health welfare and other social services, as well as departments tasked with issues of safety and correctional services. The truth is that this crisis will not resolve itself. For too long, we have held on to the false hope that other nations would fix their own problems and that immigrants would eventually return home. But that has not happened. And it is evident that it will not happen anytime soon.

Immigrants cannot and will not be integrated into our society. The IFP stands firm. The rule of law must prevail, and South Africa must come first. I thank you, Deputy Speaker.

Debate concluded.

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The CHAIRPERSON (Mr W M Douglas): Hon members I will be chairing this session. This is the hon Douglas.

We shall now proceed to the next item on the Order Paper which is: Subject for discussion by Mr M S Moela on the "Urgent action required to curb the killing of individuals combating or exposing financial crime."

The hon M S Moela you may take the floor. Thank you.

SUBJECT FOR DISCUSSION (Mr M S MOELA):

**URGENT ACTION REQUIRED TO CURB THE KILLING OF INDIVIDUALS
COMBATING OR EXPOSING FINANCIAL CRIMES**

Mr M S MOELA: Hon Chairperson and greetings to all hon members. The debate on the subject on "Urgent action required to curb the killing of individuals combating or exposing financial crime," takes place at the time when our country is following the proceedings of both the ad hoc committee of Parliament and the Madlanga Commission on investigation and allegations made by Lt Gen Nhlanhla Mkhwanazi relating challenges facing our law-enforcement agencies' including the Police, the National Prosecuting Authority, the Metro Police and various individuals accused of participating in or incriminating criminal activities.

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It is not advisable to make comments on the ad hoc committee and the Madlanga Commission at this point in time as the two processes are still underway. The point to make is that we encourage any individual or institutions to co-operate with the two investigations to assist our country to unearth the rot if it exists within our criminal justice system with the view of correcting the wrongs that are happening and strengthening our criminal justice system to fight crime. Financial crimes are part and parcel of the crime of corruption that our country continues to face and fight.

This debate requires us to reflect on the attacks on those whistle-blowers who expose corrupt activities to assess the existing legislative frameworks on the protection of whistle-blowers and provide proposals of what is to be done going forward to protect them.

Our view as the ANC is that corruption remains a worldwide phenomenon. There are many lessons to be learnt on successes and failures in tackling corruption. A critical element is the threatening of institutions in the criminal justice system. Corruption undermines our effort as a country to meaningfully utilise our resources, especially financial resources, to address the triple challenges facing our people. Challenges of

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unemployment, inequality, poverty as well as crime. Corruption manifest itself in so many different ways, including the ballooning of prices on the cost-of-service delivery through outsourcing, undermining processes and procedures of fair state procurement as well as provision of substandard services to the state in order to maximise profits by service providers.

While we agree that some of the players in the web of corruption may include some politicians, it is important to highlight that the enablers of corruption are some of the public servants who are responsible for public procurement. This is to emphasize the point observed in the Zondo Commission on the enablers of corruption within the state.

All of us including public servants, have an obligation not to participate in corrupt activities. We have a duty to report corrupt activities as they occur.

Hon members, to mitigate against corruption requires a professional and ethical public servant including those who are holding political offices. By professional and ethical public servants, we mean that all actions by public servants on state procurement should be done within the parameters of the law.

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Procurement processes should be legal, transparent and fair to everyone who participate inside procurement.

An ethical and professional public servant has an obligation to say no to any or companies that recruit them to participate in corrupt activities. There are many men and women of our country who stand on the right side of history by refusing to be recruited or be coerced into participating in corrupt activities or facilitating corrupt activities. One example of such brave hon members is a professional, ethical and loyal civil servant including Dr Themba Maseko who tells a story of how he blew a whistle on those who wanted to sell the sole of our country for personal interests in his book titled *For My Country*.

Themba as his name suggests "A man who can be trusted," stood firm and in conviction that for his country he rather endures emotional and personal suffering than be an enabler of corrupt activities. Writing a forehead for Themba Maseko's book, Dr Sydney Mufamadi characterises Themba Maseko as a part of a cohort of a generation of civil servants who put our people ahead of their personal interests.

Themba Maseko is not the only one and should not be the only one. There are many patriots who paid the absolute price in the name

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of our people and our country against corruption such as the late Ms Babita Deokaran. In this regard we salute the Ahmed Kathrada Foundation for hosting a symposium in honour of Babita Deokaran to tackle the entrenched corruption threatening the Gauteng health system never to be complacent with corruption.

The National Development Plan, NDP, identified some of the weaknesses that exist within our legislative framework regarding the protection of whistle-blowers. The NDP proposes that a review of the Protected Disclosures Act. It further says that this review should consider expanding the scope of whistle-blower protection outside the limits of occupational detriment permits disclosure to bodies other and the Public Protector and the Auditor-General and strengthen measures to ensure the security of whistle-blowers.

Consistent with the NDP the Zondo Commission of Enquiry on Allegations of State Capture made recommendations aimed at strengthening our legislative framework to protect whistle-blowers. The Zondo Commission Report says that government should introduce legislation or amend existing legislation to ensure that any person disclosing information to reveal corruption fraud or undue influence in the public procurement activity be accorded the protection stipulated in article 32(2) of the United Nations

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Convention Against Corruption. Identifying the inspectorate of the agency at the correct channel for the making of such disclosure.

Hon members, in 2023, the Department of Justice and Constitutional Development, released a discussion paper titled, "*Discussion Document on Proposed Reforms for the Whistle-blower Protection Regime in South Africa.*" The paper was aimed at inviting public engagement on measures to protect whistle-blowers in South Africa. The discussion document looked at whistle-blower protection from the point of view from the legal regime governing protected disclosures in South Africa and other jurisdictions. Some of the salient observations made in the discussion paper included that South Africa has a legal framework with regards to the protection of whistle-blowers. However, the question of whether whistle-blowers in South Africa are appropriately and adequately protected in terms of the provisions of the relevant legislation should remain further that it appears that differing legislation has different levels of protection towards whistle-blowers. It further appears that differing legislation targets certain types of information to be disclosed.

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The Protected Disclosure Act which is the primary legislation on whistle-blower protection is centred around the employer employee relationship which triggers the Labour Relations Act.

Hon members and hon Chairperson, our way forward as Parliament in ensuring the protection of whistle-blowers in our country in the fight against corruption is to answer the questions put in the discussion document released by the Department of Justice and Constitutional Development on the need for adequate and appropriate protection of whistle-blowers, as I thank you. Thank you very much.

Dr K LITCHFIELD-TSHABALALA: Okay, I rise today on behalf of the MK party to confront an issue that costs lives in South Africa. It asks of an ethical and moral citizen who is engaged in a daily struggle to earn an honest living to choose between joining the war on crime for the restoration of law and order, safety and security and to be protected while doing that, or maybe even to be awarded while they are at it, because we do have national colours for outstanding citizens. Or listen to the flip side to be gunned down in the street like a stray dog just because they are on the side of the truth.

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Between 2000 and 2001 alone, it was reported that 1971 assassinations took place in South Africa. Many of them were whistleblowers. They have names on their faces. Pamela Mabini was killed outside her home in Gqeberha for exposing heinous crimes like rape and human trafficking. Athol Williams, Jimmy Mohlala, Martha Mangoyi, Cynthia Stempel. These are people who have faces, who have families, who have dreams, who merely chose to stand on the side of the truth.

While at MK we bemoan the loss of life. We also bemoan the death of truth along with the death of whistleblowers. We bemoan the loss of truth because it is in the loss of truth that henchmen hired by criminals find reason to think that any whistleblower is an end that they can squash. That any whistleblower is cancer that must be taken out.

It isn't the death of truth and lack of retribution for the killing of whistleblowers. That's the criminal and the henchmen gain strength. At this rate, truth is losing along with the whistleblower, while the criminal and the henchmen are gaining popularity. Within this climate mistruths are born because we all know that while that criminal and the henchmen are winning, it is a false win. It is based on robbing the truth. In these

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mistruths, we come to see the Animal Farm for those who have read the book play out every day under our noses in this country.

It is within that climate of inequality where I as a lesser animal is asked by First National Bank to go and clear \$50 00 in my account and declare its origin, while there's another citizen to whom \$4 million stashed under a sofa unlinked to their text number, like me at FNB can just go on unpunished and the judiciary says okay. If I were a criminal in this country and I looked at this inequality in terms of application of the law. I would also be emboldened beyond these mistruths for criminals. Go on to even alter arithmetic.

We are told, and we have heard even today about 9 wasted years. But if an honest citizen, a whistleblower, will tell you that they have lived 31 wasted years in this country. For it is in the last 31 years that we have been ushered into this gangster's paradise where you have to sacrifice your life to stand for the truth. It is for this reason that for us in MK, we say that there is no difference between this internal criminality that we've been ushered to the gangster's paradise and the criminality that is committed by transnational co-operations.

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All financial crimes have the same effect. They weaken the Rand; they lead to loss of jobs. They lead to insecurity. They lead to citizen mistrust of the government. That is why for us, being taken out of the grey list, while it was a celebration because it eases the suffering on the ordinary citizen, but it also tells us that it's just a starting line.

We need to strengthen our financial regulations. We need to crack down on criminality. We need to strengthen whistleblower protection. We need to create safe reporting channels. Why is standing with the truth becoming a death sentence in this country? We need to come to a point where we change the culture, where we stop celebrating easy money, where we celebrate honest work. We need to restore the credibility of the Public Service, where it has become a quick bug, not an honest job. Where the Public Service has been reduced to a job - Public Service servants. That's why they were called servants. They have never been employees. They are servants.

Therefore, this culture of the killing of whistleblowers that has emboldened the criminal and henchmen together says to us as MKP that we have lost the script as a country. That's the last 30 years has ushered us into a culture of lack of accountability. A culture that even makes criminals think that it is wrong for a

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whistleblower to call them out. It is wrong for a whistleblower to say I can witness against you.

Therefore, having said that, as MKP, we are saying here we are. This is us. We stand for that accountability. We stand on the side of whistleblowers. We stand on the side of the truth. For there is no country that can be run with mistruths, because mistruths, as somebody has just said, become a lie that is told so repeatedly that it becomes the truth. We are deceiving our people to tell them that the last 31 years were safe except for the nine years that we are now living in safety. But the names I have just quoted here are names of people who were killed outside of the nine years that everybody pins, ... the wasted years on.

So, I think I want to conclude, hon Chair, by just calling everyone to say support us, support MK. We stand on the side of whistleblowers. We stand on the side of the truth. For we know that you will only truth shall liberate us. You will know the truth and the truth shall set you free.

IsiZulu:

Yithi laba umkhonto ogwazayo. Umkhonto ogijimayo.

English:

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Thank you, hon Chair.

The ACTING MINISTER OF POLICE (Prof F Cachalia): Good afternoon, Chairperson and hon members. Am I audible?

The CHAIRPERSON (Mr W M Douglas): Yes, you are fully audible. You may go ahead, Minister.

The ACTING MINISTER OF POLICE (Prof F Cachalia): Thank you. We are at a critical juncture in our democratic journey, one that demands renewed commitment to the values of transparency, accountability, and the rule of law. Whistle-blowers who expose corruption and commercial crime perform a vital public service to our society. They shine the light on dark places to disrupt criminal and corrupt networks that steal public funds. In doing so, they serve to protect the integrity of our institutions and the promise of our Constitution, as well as the wellbeing of our people. Yet too often, as we heard from the previous speaker, those who blow the whistle do so ... [Interjections.]

Mr V G REDDY: On a point of order.

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The CHAIRPERSON (Mr W M Douglas): Hon Minister, could I ask you to hold for a second? I see there is a hand. What is your point of order, hon Reddy?

Mr V G REDDY: Hon Acting Chairperson, will the Minister be prepared to take a question? Thank you.

The CHAIRPERSON (Mr W M Douglas): Hon Minister, are you prepared to take a question?

The ACTING MINISTER OF POLICE (Prof F Cachalia): Yes, I am.

The CHAIRPERSON (Mr W M Douglas): Okay, he has acknowledged. Please go ahead.

Mr V G REDDY: Minister, my question is: Given the exposure in the Madlanga Commission and the Ad Hoc Committee, where police are involved in various skulduggery, how can we then ensure that whistle-blowers are safe going to the police to report matters? Thank you.

The ACTING MINISTER OF POLICE (Prof F Cachalia): Well, that certainly is an important issue. I think the Madlanga Commission will cast a light on many of the issues that we confront. It will

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make recommendations that need to be implemented, and it will also address the issues concerning whistleblowing, although there is legislation that is in the pipeline to strengthen our whistleblowing laws. Can I proceed?

The CHAIRPERSON (Mr W M Douglas): Thank you very much. Please proceed, hon Minister.

The ACTING MINISTER OF POLICE (Prof F Cachalia): Thank you. The whistle-blowers experience various forms of retaliation, bullying, harassment, intimidation, the prospect of a loss of livelihood, and even, increasingly, assassination. It is for this reason that the protection of whistle-blowers is essential in the fight against crime and corruption. What are some of the underlying factors compelling enhanced protection? Firstly, the scale and sophistication of corruption and commercial crime in South Africa today are such that internal reporting and public disclosures are often the primary means by which wrongdoing is uncovered. Corrupt agents exploit weaknesses in governance arrangements and can use complex financial instruments that move stolen or fraudulently obtained funds across borders. Detecting and proving this type of corrupt or criminal conduct often depends on people with detailed insider knowledge. Insiders like employees, accountants, suppliers, or sometimes even outsiders,

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such as professionals tasked with ensuring financial probity or investigating wrongdoing, such as auditors and lawyers. When potential whistle-blowers see others punished or harmed for speaking out, the incentive to remain silent grows, allowing the cancer of corruption to grow. To break this cycle, South Africa must protect whistle-blowers.

Whistle-blowing is not only a matter of private choice, but also a public service. Exposing corruption and commercial crime protects taxpayers, boosts essential services, supports legitimate businesses, saves jobs, and enhances investor confidence. In a country still contending with deep socioeconomic challenges, every rand stolen through corrupt schemes is a rand not spent on job creation, health, education, public safety, or community development. So, protecting whistle-blowers is an investment in our country and our people's wellbeing. What are the gaps in the existing frameworks? South Africa has made important strides, such as the Protected Disclosures Act and various policies that recognize the important role of internal reporting, but significant gaps made ... [Interjections.]

Ms H O MKHALIPI: Can the Minister take a question?

The CHAIRPERSON (Mr W M Douglas): Hon Minister.

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The ACTING MINISTER OF POLICE (Prof F Cachalia): Yes, I will take a question.

The CHAIRPERSON (Mr W M Douglas): No, just before you go ahead, please do realise that your answers cut into your time in terms of your speech. So, the questions that you take ... so, I am going to ask hon Basson ... your hand was first. What is your point of order? Can you hold, hon Minister?

The ACTING MINISTER OF POLICE (Prof F Cachalia): Well, in that event, can I then be allowed to proceed?

The CHAIRPERSON (Mr W M Douglas): Sure, but I have two hands raised. I need to take that first, hon Minister. Hon Basson, your hand was up first. What is your point of order?

Ms J A BASSON: Thank you, Chairperson. I was wondering if the Minister is willing to take a question.

The CHAIRPERSON (Mr W M Douglas): Hon Minister, are you willing to take a question?

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The ACTING MINISTER OF POLICE (Prof F Cachalia): Well, you have just pointed out that it is at the expense of the short time allocated to me. So, I should not.

The CHAIRPERSON (Mr W M Douglas): Okay, no problem. Can I just ask the next member, hon Mkhalihi, what is your point of order?

Ms H O MKHALIPI: No, the Minister agreed to take a question until you interfered, Chair. You do not do that. The Minister agreed. Can I go ahead with my question? Minister, there is an outstanding police station ... [Interjections.]

The ACTING MINISTER OF POLICE (Prof F Cachalia): I apologise, member. It has been pointed out to me ... [Interjections.]

Ms H O MKHALIPI: Minister, when will you go and build that police station? Those people are dying like flies.

The CHAIRPERSON (Mr W M Douglas): Order, please, hon member? Can we have order? The Minister had changed his mind. He is a newbie. He is not aware ... [Interjections.]

Ms H O MKHALIPI: No, it is because of you, Chair. He agreed, and then you alerted him of those things. It is important. Minister,

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when can you visit Amaoti Police Station because those people are dying like flies? [Interjections.]

The ACTING MINISTER OF POLICE (Prof F Cachalia): I am aware, and so are you, that you are asking these questions at the expense of the little time ... [Interjections.]

Ms H O MKHALIPI: No, instead of explaining, just answer. When are you coming to Amaoti? People are dying like flies.
[Interjections.]

The CHAIRPERSON (Mr W M Douglas): Order, please. Hon Mkhalihi, order, please. The Minister has indicated that he is not willing to take a question. He is allowed to go ahead with his speech. Thank you very much. Hon Minister, please continue ...

Ms H O MKHALIPI: But Chair, you are protecting the executive ...

The CHAIRPERSON (Mr W M Douglas): No, I am not protecting anybody. I am making everybody aware of the Rules, especially new members ...

Ms H O MKHALIPI: But he is willing to take a question ...

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The CHAIRPERSON (Mr W M Douglas): It is not a dialogue, hon member. Please raise it with the Table if you have an issue. Thank you. Hon Minister, please continue.

The ACTING MINISTER OF POLICE (Prof F Cachalia): Thank you, Chairperson, for your protection. I was indicating that there are gaps in the existing legislative framework, which is under the attention of the Department of Justice. My information is that the additional draft legislation has been prepared. Then there are issues relating to enforcement and implementation. Legislative change means little without consistent enforcement, where there are delays in investigations, inadequate witness protection, and weak co-ordination between agencies. Law enforcement and accountability need dedicated specialized capacity to protect witnesses who can assist them in unravelling corrupt schemes, which include ensuring that whistle-blowers can report information securely or anonymously, and importantly, protect those who may face potentially devastating career and reputational reprisals. We also must deal with organizational cultures, which are often not conducive to whistle-blowers blowing the whistle.

Various inquiries and reports have provided invaluable lessons that can guide our approach to better protection. The collapse of

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VBS Mutual Bank exposed how collusive networks between individuals and private actors can steal funds from institutions that provide important services to our people. Crucially, whistle-blowers and internal auditors played critical roles in exposing the scale of looting. Yet the aftermath of this disgraceful saga demonstrated weaknesses in protecting those who spoke out and delays in prosecutorial and asset recovery processes. While there is still a long way to go with the Madlanga Commission of Inquiry, it has already demonstrated the critical importance of insiders who are able to expose those who are in cahoots with powerful actors involved in organized crime. The National Anti-Corruption Advisory Council, which I had the privilege to chair, has also made some important recommendations with respect to whistleblowing, which are now under consideration in the executive. These inquiries highlight several clear imperatives. Firstly, whistle-blower protection must be comprehensive, covering confidentiality, protection from dismissal and victimization, access to legal remedies, and where necessary, proactive responses from the police to placement in our National Witness Protection Program; secondly, institutions must respond swiftly and effectively to disclosures, this involves credible investigations, prompt referral to relevant law enforcement authorities, and transparent reporting on outcomes; thirdly, there must be improved co-ordination between law

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enforcement, regulatory bodies, oversight institutions, and the prosecutorial service to prevent gaps that perpetrators exploit to avoid being held accountable; and lastly, asset recovery in civil remedies must be prioritized.

In conclusion, then, whistle-blowers are indispensable partners in our fight against crime and corruption. Their courage exposes wrongdoing that undermines development and corrodes public trust. Our duty as custodians of the rule of law and protectors of the wellbeing of our people is, in fact, to protect whistle-blowers, respond effectively to their disclosures, and ensure that justice prevails. Let us build a system where speaking truth to power is met with protection, not punishment and victimization, where disclosures trigger action, not indifference, and where South Africans can trust their institutions and their leaders to uphold the public interest. Government, Parliament, law enforcement agencies, oversight bodies, business leaders, trade unions, and civil society in general must work together to achieve this. Together, we can create an environment that protects whistle-blowers, disrupts criminal networks, and restores the integrity of our public and private institutions. I thank you all for this debate. Thank you very much.

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Mr I CAMERON: Hon Chair, every time someone in this country stands up to expose corruption, they risk being silenced, not by bureaucracy but by bullets. Corruption in South Africa is too often spoken about in the language of audits, compliance frameworks and procurement policies. However, that language misses the real point. Corruption here is not abstract it is about people not just numbers. People with families, careers and futures. People who far too often pay with their lives for choosing integrity over silence.

As already mentioned, in 2021, Babita Deokaran was assassinated outside her home after exposing irregular personal protective equipment, PPE, tenders in the Gauteng Health Department worth over R850 million. In 2023, Cloete Murray and his son, Thomas, forensic liquidators tracing state capture money flows, were ambushed and killed on the N1 near Midrand. In KwaZulu-Natal, Sindiso Magaqa was gunned down after uncovering tender fraud in his municipality.

In Mpumalanga, Themba Dlamini, a municipal chief financial officer, CFO, was murdered for refusing to authorise corrupt payments. In the Eastern Cape, Andile Andries, a supply chain manager, met the same fate after flagging dodgy road contracts.

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These deaths are not random. They are deliberate warnings that integrity in South Africa carries a mortal price.

Nevertheless, here are the questions that we should ask: Why is it that the Special Investigating Unit can act swiftly freezing bank accounts, tracing stolen funds, securing preservation orders while the Hawks, Crime Intelligence and the SA Police Service detectives remain paralysed by dysfunction? How can the Special Investigating Unit, SIU, move from investigation to court in weeks, while criminal dockets on the same cases vanish into the void for years? Why does civil recovery work, but criminal justice does not?

That is the heart of South Africa's law enforcement failure. The machinery of accountability has been captured by fear, factionalism and incompetence. And, while the honest are punished, the corrupt are protected - sometimes - by those in uniform. The DA has said it before and we will keep saying it: Without protection for those who expose corruption, we will lose the very people who keep this country's democracy alive. The time for condolences is over and the time for convictions has come.

We are calling for five urgent reforms to protect those who protect the truth. One, a specialised task team under the Hawks,

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dedicated solely to investigate assassinations and intimidation of whistleblowers, auditors and financial officers. Two, prosecution-led investigations in all major corruption and assassination cases, pairing Hawks and the National Prosecuting Authority, NPA, from day one.

Three, amend the Witness Protection Act to include preventive protection relocation, safe housing and digital shielding before threats become murders. Four, ring-fence funding for digital forensics, evidence preservation and secure whistleblower hotlines that bypass compromised police stations. A whistleblower safety report to Parliament each year tracking every assassination, every threat and every stalled case is part of number five. What the SA Police Service doesn't measure, the SA Police Service doesn't manage.

However, these reforms will mean nothing if leadership remains absent. Under this government the Hawks are underresourced, the Independent Police Investigative Directorate, IPID, is underfunded and Crime Intelligence is so compromised that it cannot even protect its own members. Meanwhile, those who steal from the public live in comfort while those who expose them are buried with honour speeches but no justice. It is not enough for Ministers to issue condolences, we need convictions.

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The fight against corruption is not an audit exercise, it is a human struggle for dignity, for safety and for justice. Every murdered whistleblower, every silenced investigator and every compromised cop is a wound on our democracy. So, today, let us say their names again: Babita Deokran, Cloete and Thomas Murray, Sindiso Magaqa, Themba Dlamini, Andile Andries and every South African who chose integrity over fear. They stood for the idea that public service must mean service to the public not to a faction, not to a funder and not to fear.

Their courage demands consequence because if we cannot protect those who expose corruption, we cannot claim to fight it. If we cannot jail those who kill them, we cannot claim to be a democracy. The DA will keep fighting for a South Africa where truth tellers live to see justice done, where investigators do not work in fear and where the only people who should be afraid are the corrupt and their killers. This is the South Africa we are fighting for, and that is the fight we cannot afford to lose. Thank you.

Mr M KHOZA: Chairperson, sorry, I was on mute. Chairperson, today almost everyone here knows of Babita Deokaran, a selfless public servant working for the Department of Health in Gauteng. She was mercilessly killed in 2022 for uncovering and trying to stop

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massive corruption relating to Tembisa Hospital. In June this year, Mr Mpho Mafole, the City of Ekurhuleni's Group Divisional Head of Corporate and Forensic Audit, was assassinated. He had only been in the position for three months and three days before his murder. He had submitted a report detailing irregularities in a R1,8 billion chemical toilet contract awarded by the municipality. His report flagged potential illegal expenditure and legal challenges. On 7 March 2025, Pamela Mabini, a community activist and whistleblower, was killed outside his home in KwaZakhele, Gqeberha, in South Africa, Eastern Cape Province. She too was a whistleblower who was instrumental in the prosecution of that fake pastor, Omotoso.

Chairperson, these are just recent examples highlighted to demonstrate just how precarious it is to be seen to be against corruption in this country. These patriots follow a long line of many others who through their unbending commitment to ethical leadership, paid the ultimate prize. Others include Sindiso Magaqa, former ANC Youth League Secretary-General, gunned down in Umzimkhulu, for opposing the looting of public funds. Jimmy Mohlala, the speaker of Mbombela Municipality in Mpumalanga, was murdered in front of his home after he exposed tender irregularities related to the construction of the Mbombela Stadium for the 2010 Federation Internationale Football

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Association, FIFA, World Cup. Moss Phakoe, a counsellor at Bojanala District Municipality, was also shot in front of his home. He and a colleague compiled a dossier that exposed corruption in Bojanala Platinum District Municipality. In all these instances, the state has been caught with its pants down, unable to protect those who bring information on corruption and abuse of process, and in many instances, it has been actors within the state who facilitate the silencing of ethical voices.

Even weak legislative interventions, such as Protected Disclosures Amendment Act of 2017, aimed at protecting whistleblowers, without a willing and uncaptured state, the lives of those fighting against the hollowing out of our state is vulnerable. Recent reports reveal that South Africa has been removed from the Financial Action Task Force, FATF, the greylist, signalling an improvement in our anti-money laundering posture. This is commendable, but it does not erase the fact that far too many South Africans continue to pay the ultimate price for daring to speak the truth. The Protected Disclosures Act must be reinforced to guarantee that those who expose fraud, maladministration, or the theft of state resources together with their families are safe, complete with psychosocial support, relocation when necessary, and precautionary priority. Silence should no longer be a safe option for criminals. Dedicated calls

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for financial crime must be created. Corruption and corporate crime must no longer meander through overloaded roads. They must face expeditious, specialised tribunal that delivers justice visible to the public.

Impunity must be replaced with certainty of liability; asset recovery and restitution mechanism must be vigorously implemented; words stolen from the people must not vanish into shelf companies or offshore trust; restitution must trace stolen funds back into social, economic programmes for the poor and marginalised, the very people overlooked by the current order, a national culture of accountability must be rekindled. This means zero tolerance for politicians, officials, or business elites who obstruct justice, intimidate whistleblowers, or collude with financial crime. It means that no one is above the law, not Ministers, business moguls and state capture chiefs. Hon members, let us not delude ourselves, corruption is not simply a betrayal of public funds, it is a betrayal of human person. When funds meant for water and electricity feed into greedy bank accounts; when hospital cannot treat patients because of tolerant gadgets and when children's future are a mortgage to pay the executive's bread. We are complicit unless we act. I thank you, Chair.

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Mr N M HADEBE: Hon Chairperson, the IFP rises today with grave concern over the increasing and deeply disturbing pattern of violence and assassinations targeting individuals who have taken a stand against corruption and financial crime in our republic. These are whistleblowers, auditors, investigators, journalists and public servants. They are citizens who have chosen principle over profit, service over silence. Their courage has been repaid with intimidation, persecution, and far too often with their lives. This is not just a moral crisis, it is a constitutional one. When those who expose wrongdoing are killed, it is the rule of law itself that is under attack. It is the public's trust that is assassinated alongside them.

We must confront a painful truth. South Africa has become a dangerous place for integrity. The murders of whistleblowers such as Babita Diokaran, who courageously exposed corruption in the Gauteng Department of Health, remind us that our anti-corruption framework is rigged with gaps. Promises of protection ring hollow when justice for these killings remain elusive. The message this sends is devastating, that the price of honesty is death, and that the state cannot or will not protect those who defend it. The IFP asserts that urgent and measurable action is required. We cannot continue to be reactive only after blood is spilled. We

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must strengthen and institutionalise proactive mechanisms that deter, protect and prosecute.

Firstly, the IFP calls for the immediate operationalisation of a whistleblower protection agency. independent, well resourced, and insulated from political interference. This body must offer physical protection, relocation and anonymity where necessary. Current frameworks under the Protected Disclosure Act are inadequate and outdated for the level of organised criminality we now face. Secondly, we urge the establishment of specialised investigative units within the SA Police Service, SAPS and the National Prosecuting Unit, NPA, dedicated exclusively to crimes against whistleblowers and anti-corruption officials. These should report directly to Parliament to ensure accountability and transparency in their operations.

Thirdly, the government must fast-track reforms to close loopholes in procurement and political funding, because financial crimes thrive in secrecy and whistleblowers die trying to expose that darkness. Hon Chairperson, we cannot build a developmental state upon the graves of those who tried to cleanse it. If we truly honour our Constitution, we must guarantee that exposing corruption does not become a death sentence. The IFP, therefore, supports urgent, co-ordinated national action to protect the

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defenders of accountability, for they are the guardians of our democracy. Let us act now decisively, courageously, and in memory of those who spoke truth to power and paid the ultimate price. I thank you.

Ms J A BASSON: Hon Chairperson, hon members, as a country that continues to struggle in its fight against corruption, it is both sad and deeply disheartening that those who are brave enough to speak up, speak out and do the right thing often face the highest price. These are the individuals who choose integrity over silence, who came forward to expose corruption and financial crimes that robbed our nation of progress. Yet, instead of being protected and celebrated, they are silenced, threatened and in some cases, killed.

The tragic example of Babita Deokaran, the former chief official officer in the Gauteng Department of Health, stands as a painful reminder of this reality. She had the courage to ... [Inaudible.] ... corruption long before the Tembisa Hospital scandal came to light, and for this she paid with her life.

That was only one story that reached our headlines. What about the many other cases across state-owned institutions and entities where corruption continues to thrive in the shadows? How many

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whistle-blowers have suffered in silence out of fear because they know that speaking out can cost them everything?

If we as a government cannot guarantee the safety and protection of whistle-blowers, we are effectively enabling corruption to continue unchecked. Fear will silence truth and without truth there will be no accountability.

We need a proper, effective solution; one that strengthens the legal, physical protection of our whistle-blowers, ensures swift protection and corruption cases and restores trust in our public system.

Let us not allow the sacrifices of people like Babita to be in vain. Let us act with urgency and courage, the same courage she showed to a blind country where integrity is missing. Let us bring back what is right.

I salute you, Babita. I salute you, whistle-blower. I salute you for being strong, for bringing courage and hope back to our nation.

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As the PA, we will always stand for the whistle-blower, the one that does the right thing to ensure that the people of this country will move forward.

Afrikaans:

Ons baiza nie.

English:

Thank you, sir.

Mr A D BEESLEY: House Chair, there are two sad facts about our country. Firstly, South Africa is one of the most violent nations in the world, with an average of more than 70 murders a day. We rank among the top five most dangerous countries globally.

Secondly, we are among the most corrupt, with little meaningful effort undertaken to confront the large-scale corruption that undermines our democracy.

When these two realities combine, it becomes painfully clear that those who expose corruption face enormous personal risk, and the numbers show this.

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The Global Initiative Against Transnational Organised Crime recorded nearly 2 000 assassination cases in South Africa between 2000 and 2021, with whistle-blowers amongst the most often targeted.

However, behind these numbers are real lives that have been stolen and real families who continue to grieve the brutal murder of their loved ones.

Amongst those lives who were taken for exposing corruption are Marumo Phenya, assassinated in October 2022 after exposing a 200 million tender fraud scheme within the Department of Home Affairs; Col Mathipa of the SA Police Service, shot in the head and killed by assassins while driving in August 2023; Babita Deokaram, murdered in August 2021 for reporting corruption at the Gauteng Department of Health, where she served as chief accountant; and Mpho Mafoli, head of forensic audits for the City of Ekurhuleni. He was ambushed and killed earlier this year whilst investigating major revenue shortfalls.

These are but a few examples of the lives cut short for standing up against the evils of corruption. These stories highlight the extraordinary dangers faced by whistle-blowers in South Africa.

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As a constructive opposition party, Action SA will not stand by while whistle-blowers continue to be silenced through intimidation and murder. We are taking concrete steps to ensure that their courage is honoured and protected.

Firstly, we are introducing a constitutional amendment to abolish the position of Deputy Ministers. No one knows what Deputy Ministers do, including many of them, yet there are 43 of them, each with their own VIP protection. These resources could be far better used to protect whistle-blowers;

Secondly, we'll be tabling a Private Member's Bill to incentivise whistle-blowers and enable private prosecution in corruption cases. At present, whistle-blowers receive no reward for the enormous risks they take, while many corruption cases go unprosecuted due to a justice system in decline; and

Thirdly, we'll be calling on the Public Protector to investigate the failures of the Presidency, National Treasury and various accounting officers to implement the Special Investigating Unit's, SIU, recommendations. Many SIU investigations stem from efforts by whistle-blowers, yet, shockingly, only one out of 460 blacklisting recommendations have been implemented.

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In conclusion, whistle-blowers are heroes. They must be treated, protected and rewarded as such. The corruption they expose must be met with decisive action. If we fail to do so, South Africa will remain both one of the most dangerous and one of the most corrupt countries in the world. I thank you, Chairperson.

Ms J L MOKOENA: Hon Acting House Chairperson, we recall all too well the tragic assassination of Babita Deokaran, who exposed corruption in Gauteng's health system and the forced exile of Andre De Ruyter and the late Armand Swart who was assassinated before he was mistakenly as a whistle-blower. Stories reveal one truth, that we need an enhanced whistle-blower protection service in the country. A 2020 ... [Inaudible.] ... study group conducted by Professor Khalid of Stellenbosch University confirms that South Africa's Protected Disclosures Act, which was a cornerstone of whistle-blower protection, is outdated, narrow and fragmented. It only shields employees against workplace reprisal and offers no physical or financial protection, and nothing for whistle-blowers outside formal employment.

In other words, despite the existence of the Protected Disclosures Act and other regulations, whistle-blowers face harassment, demotion, kidnapping, torture, and in some instances, death. There is no central body to ensure follow-up in court.

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Many disclosures simply disappear into bureaucratic silence because there is no duty on the receiver of the Disclosure Act to report outcomes. This legal vacuum has bred fear and silence in our institutions.

It is important that we reflect on those observations because the Zondo Commission and the United Nations Convention Against Corruption have urged us to close these gaps by providing fiscal safety, anonymity, and protection for whistle-blowers. Khalid's research has shown that whistle-blowers in South Africa suffer psychological injury, dismissal and even death. Our legislative reform has moved at a snail's pace. Section 16 of our Constitution guarantees freedom of expression and includes the right to reveal and impart information. Whistle-blowers are exercising this constitutional right. Section 12(c) guarantees the right to be free from all forms of violence.

Whistle-blowers live in fear for giving details on corruption and other crimes. It is also important to feel the perception of whistle-blowers from the traditional pre-1994 context. Some whistle-blowers were branded as impimpis [spies], a legacy of apartheid secrecy, and therefore identified and isolated from their communities and, in most cases, persecuted. We must change this narrative.

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The Police Service Act, the Public Service Regulations, and ethics posts must explicitly celebrate whistleblowing as an act of public service. Training modules in SAPS and government must include education on whistle-blowers' rights, and the confidentiality of public service.

Hon Acting House Chair, we take the point that there is no legislation in the country that speaks directly to the protection of whistle-blowers, and perhaps it is important to learn from international best practice to build a practical framework for legislative reform. There are lessons to be learned from the United Kingdom's proposed Whistle-blowing Bill, the Irish 2022 Protected Disclosure Amendment Act, in that protection must extend beyond the workplace to citizens, suppliers, volunteers and contractors. Good faith requirements should be abolished.

Protection should focus on the information, not the motive, and the establishment of a dedicated whistle-blower's office to receive disclosures, issue redress orders, and penalise retaliation. Fiscal protection and anonymity must be mandatory, consistent with Article 32 of the United Nations Convention Against Corruption, which requires member states to protect the safety of those who report corruption.

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Financial rewards for disclosure, as in the United States, have successfully resulted in R1,2 billion in rewards, rescuing more than ... [Inaudible.] ... of recovery. They are not radical ideas. They are tested mechanisms that restore risk and accountability. We support the motion that South Africa needs a single comprehensive Whistle-blower Protection Act that consolidates the fragmented framework, the Protected Disclosure Act, the Witness Protection Act, and the other statutes into one cohesive Act.

The act must provide physical, legal and psychological support for whistle-blowers; establish safe reporting channels in every department in the SA Police Service, the SAPS, and the Independent Police Investigative Directorate, Ipid; criminalise the retaliation of ... [Inaudible.] ... and reporting; reverse the burden of ... [Inaudible.] ... that employers prove nonracial, and all nondisclosure agreements ... [Inaudible.] ...

In closing, Acting House Chair, the fight against corruption begins with the protection of ... [Inaudible.] ... and the protection of whistle-blowers is a mandatory duty if we are going to protect the integrity of our institutions. Thank you.

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Adv G BREYTENBCH: Hon Acting House Chair, we are here to debate an issue that threatens the very fabric of our democracy, the rule of law, and the safety of those who are committed to exposing corruption and financial crime. It is an issue that transcends party lines and political affiliation because it speaks to the very core of what it means to live in a society governed by fairness, justice, and accountability. It speaks directly to all South Africans, as there are no longer any among us who have not been touched by violent crime and corruption. It is now endemic.

Today we debate the increasingly alarming phenomenon of killing persons who expose corruption. These are not simply tragic and random incidents, they are planned assaults on the right of every citizen in this country to live in a just, accountable and transparent society. These are murders that send a chilling message to all those who dare to speak truth to power, to challenge the status quo, all those who are courageous enough to expose the corruption that continues to ravage our country.

Without their courage and dedication, many of the most significant financial scandals in South Africa, those related to state capture and large-scale corruption in both state-owned enterprises and private sector companies, would have remained

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hidden from public scrutiny. These courageous individuals continue to risk their lives to ensure that the truth is exposed. However, they face increasing threats to their lives.

The recent killings of Babita Deokaran, Armand Swart, Bouwer Van Niekerk and Cloete and Thomas Murray, father and son, remind us of the very real dangers faced by those who expose corruption in our financial systems. Babita Deokaran, a whistle-blower in the Gauteng Health Department, was gunned down outside her home after exposing fraudulent practices in the massive fraud perpetrated at the Tembisa Hospital. She paid the ultimate price for her commitment to integrity and accountability and to date the masterminds behind that murder remain undetected and unpunished. The alleged main benefactor of this blatant criminality puts his wealth on display for all to see, openly cuddled by senior politicians.

The fact is that in many cases, the perpetrators of these acts remain unidentified and unpunished. A culture of impunity has taken root, wherein those who kill whistle-blowers know that there is only a very slim chance of facing real consequences. This culture of impunity is not only a crime against the victims and their families, but it also undermines our collective efforts to fight financial crime and corruption.

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Currently, the game is certainly worth the candle. We live in a mafia state, and maintaining the rule of law has never been more crucial. To defeat this insidious culture of impunity, we must confront the pervasive sense of lawlessness that has crept into our society. South Africa has been affected at all levels of society. This systemic corruption not only siphons off public resources meant for development, health care, education and infrastructure, but it also entrenches inequality and perpetuates social divisions. While we pay only lip service to combatting crime in general, and corruption and organised crime in particular, we will never win this war. The criminal justice system remains starved of resources, both human and financial.

We are currently hearing daily evidence of infiltration of the police and the greater criminal justice system. None of these revelations is news. This has been going on for decades, and there has been no political will to fight it. Annually, the budgets of the Criminal Justice Cluster are cut, making it impossible to keep up with criminal syndicates on any level, more especially regarding technology. Our law enforcement agencies are constantly forced to bring a knife to a gun fight.

This while the criminals and those on their payroll get ostentatiously wealthier and more brazen. They are so secure in

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the knowledge that they will be protected and not get caught that they make no attempt at all to hide their wealth, putting their criminality on display for everyone to see. This sick situation has got to end, now.

Hon Acting House Chair, to protect those who risk their lives to expose financial crime, we need a multipronged approach to address both the immediate threats they face, and the systemic factors that fuel these threats. We must strengthen the Protected Disclosures Act to ensure that whistle-blowers are not only protected in the workplace but are afforded comprehensive protection by the state. This must include the establishment of a comprehensive whistle-blower protection programme that ensures individuals who expose corruption, financial crime and maladministration are provided with robust security, legal aid and confidentiality. We need to relook at how the Criminal Assets Recovery Account, Cara, fund operates and include rewards where significant asset forfeiture follows upon successful prosecutions for whistle-blowers and others who provide vital information and evidence.

The police must treat these cases with the utmost urgency, as they are not merely criminal acts but assaults on the democratic process. Specific expertise is required to successfully

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investigate such crimes and should be centralised in one independent anticorruption unit. The entire criminal justice system must be recalibrated. We must seize this opportunity to rid ourselves of the rot and it must be done urgently and mercilessly.

Finally, we need to acknowledge that the killings of whistle-blowers and anticorruption activists are a symptom of the wider corruption problem in South Africa. If we are to effectively protect those who expose financial crimes, we must take bolder steps to root out corruption at all levels of government and business. This requires a holistic approach to governance that includes stronger law enforcement, effective judicial oversight, and public accountability. It is imperative that we create a more transparent and accountable political system, where financial crime is swiftly detected and punished, and those who are complicit are held to account.

Hon Acting House Chair, we must pass laws that shield whistle-blowers and informers from harm, create a system of accountability that punishes those who silence them, and cultivate a society where truth, transparency and justice can flourish. It is no easy task to accomplish a corruption free society, nor is it always easy to uphold the rule of law. If we

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do not do it, and do it now, we will very soon live in a society where the person with the biggest gun determines the law, who lives and who dies. The time to deal with corruption is now, and it is not a fight for the faint-hearted. I thank you.

Mr M S MOELA: Hon Chairperson and hon members, we have heard many names in this House today of many people who have lost their lives in the fight against crime. May their revolutionary souls rest in peace. The naked recommendations from Minister Cachalia, whistleblowers are indeed indispensable in the fight against crime and must be protected at all costs.

It gives me much hope to hear that members of this hon House share the same sentiments when it comes to the reforms needed to enhance the protection against whistleblowers. Hon members, the hon Cameron makes an important observation on the language of corruption to say we are perhaps measuring the incorrect things, or our measuring standards do not bring us closer to that which we desire to know and uncover.

The only correction is to coordinate all the institutions working in the criminal justice system, where we can compel the Special Investigating Unit, SIU to speed up the investigation and the

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National Prosecuting Authority, NPA to carry out its precautionary mandate.

Today, our system is fragmented, hon members, scattered across the Protected Disclosure Act, the Prevention and Combustion of Corrupt Activities Act, the Witness Protection Act, and others which serve as a purpose, but together they form a patchwork that leave dangerous gaps.

A unified framework will close legislative loopholes that we encounter, ensuring protection from the most disclosure is made. Provide psychological, legal, and financial support for whistleblowers who risk everything to defend integrity of this country.

We want to establish a central agency or coordination mechanism to oversee whistleblower cases, ensuring consistency, rapid response, and accountability. We want to strengthen collaboration between law enforcement, Chapter 9 institutions and the public service so that disclosures lead to real consequences for those who engage in these criminal elements of ensuring that they silence those who come out and expose the corruption that is happening in the public service and in more institutions of government.

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Hon Chair, we have measures that we have put in place to deal with corruption, such as strengthening agencies through these Amendment Acts that we have put in place. We want to ensure that civil societies and everyone who comes out to expose people who are involved in criminal activities as whistleblowers are protected and their lives remain protected, their families' lives and everyone who comes out as a public servant who exposes the criminal elements that are happening.

So, hon members, it is correct that all of us need to see reforms that will be intense and protect our people who come out and protect those who are involved in exposing the criminal elements. Thank you very much for engaging in this debate.

I thank you.

Debate concluded.

The mini-plenary session rose at 16:35.