



PROGRESSIVE FORCES OF SOUTH AFRICA

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It is deeply disingenuous for President Cyril Ramaphosa to characterize these marches as the actions of a small group seeking to sow division. What we are witnessing is the culmination of years of frustration from ordinary South Africans whose concerns about border security, immigration enforcement, unemployment, crime, and pressure on public services have been repeatedly ignored.

The real source of public frustration is not the existence of South Africa's immigration laws, but the perceived failure to enforce them. South Africans are entitled to expect that government institutions uphold the rule of law.

1. PRESSURE ON PUBLIC SERVICES AND PUBLIC FINANCES

Government officials, including President Cyril Ramaphosa, have acknowledged concerns that illegal immigration places additional demand on public services such as clinics, hospitals, schools, housing, and municipal services. These services are already under strain, and increased demand places further pressure on limited public resources.

Relevant Law:

- Section 195 of the Constitution requires public administration to use resources efficiently, economically, and effectively.
- The Immigration Act 13 of 2002 requires the state to manage migration in a manner that protects national interests and public resources.

2. INCREASED COMPETITION FOR LOW-SKILLED JOBS

A major concern raised during recent marches is that undocumented migrants compete with South Africans for employment opportunities, particularly in

low-skilled sectors. Some employers are accused of hiring undocumented workers because they can be paid below legal wage rates and are less likely to report labour violations.

Relevant Law:

- The Employment Services Act 4 of 2014 prioritizes the employment of suitably qualified South African citizens and permanent residents.
- The Immigration Act prohibits the employment of illegal foreigners and requires employers to verify the status of foreign employees.

3. UNDERMINING LABOUR STANDARDS

Government and labour organizations have raised concerns that undocumented labour is sometimes used to bypass labour regulations, avoid overtime payments, and ignore workplace protections. This undermines workers' rights and creates unfair competition between businesses.

Relevant Law:

- Section 23 of the Constitution guarantees fair labour practices.
- The Basic Conditions of Employment Act 75 of 1997 establishes minimum standards relating to wages, working hours, leave, and employment conditions.

4. GROWTH OF INFORMAL AND UNDERGROUND ECONOMIC ACTIVITY

Government has linked illegal migration routes to broader criminal and informal economic activities, including document fraud, human trafficking, smuggling, and unlawful business operations. Such activities can reduce tax compliance and weaken the formal economy.

Relevant Law:

- The Prevention of Organized Crime Act 121 of 1998 provides mechanisms to combat organized criminal activity.
- The Immigration Act 13 of 2002 criminalizes the facilitation of unlawful entry and residence.
- The Identification Act 68 of 1997 prohibits the unlawful possession or use of identity documents.
- The South African Revenue Service Act promotes tax compliance and protects state revenue.

5. IMPACT ON LOCAL BUSINESSES AND TOWNSHIP ECONOMIES

Political leaders, community organizations, and protest groups have argued that undocumented business operators contribute to intense competition in sectors such as township retail and spaza shops. Concerns have been raised regarding business registration, compliance with municipal by-laws, taxation, and labour laws.

Relevant Law:

- Section 22 of the Constitution protects the right of citizens to engage in trade and business.
- The Immigration Act requires foreign nationals conducting business in South Africa to comply with applicable immigration and business permit requirements.