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TO THE MINISTER OF HOME AFFAIRS

THE DEPARTMENT OF HOME AFFAIRS

909 Arcadia Street

Pretoria

0001

AND TO: THE DIRECTOR GENERAL

THE DEPARTMENT OF HOME AFFAIRS

230 Johannes Ramakhoase Street

Hallmark Building

Pretoria

001

14 October 2026

Dear Honourable Minister,

RE: DEMAND TO HALT THE IMPLEMENTATION OF THE ONLINE ASYLUM SEEKERS REGISTRATION SYSTEM AND TO PRIORITISE THE DOCUMENTATION OF SOUTH AFRICAN CITIZENS WITHOUT IDENTITY DOCUMENTS



ZUMA AND PARTNERS INCORPORATED REG-NO 2014/ 235556/ 21
Director: XC ZUMA (LLB) UZ | Director: LB Maluleka (LLB) UKZN | Senior Associate: SA Ngcamu (LLB) UKZN
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1. The above matter refers.
2. Please be advised that we act for and on behalf of the SA First Forum and the March and March Movement, hereinafter referred to as our “*Clients*”.
3. We write to you following the recent announcement by the Minister of Justice and Constitutional Development, Ms. Mmamoloko Kubayi, (*“the Minister”*) regarding the introduction of an online asylum seekers application system and/or platform which is intended to relieve pressure on the overwhelmed refugee officers.
4. Our Clients are aware that the Department has a responsibility to administer the immigration and documentation processes in accordance with the applicable legislation, our Clients are deeply concerned that the needs of South African citizens who remain without identity documents, 32 years since the attainment of democracy, appear not to have received the necessary urgency and prioritization, yet foreign nationals seem to be prioritized by the State.
5. On or about the 06th of October 2026, our Client dispatched a letter to your good Office requesting that the 4.4 million undocumented South Africans, who remain without identity documents, be prioritized, to date, no response has been provided to our Client, it is our client’s considered view that the actions and or





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omissions of the State are a direct violation of the constitutional rights of the South African Citizens.

6. Our instructions are that the Department must prioritize the identification and documentation of the South African Citizens who remain undocumented. It is difficult to reconcile the prioritization of processing undocumented foreign nationals while millions of South African citizens remain *persona non grata* in the land of their birth, our Clients hold a view that the taxpayers money should be spent on South Africans, particularly taking into account the high level of inequality and unemployment.
7. We are instructed to specifically demand that your office provides our client with a written response addressing the following:
 - 7.1. A clear explanation of the criteria, policies and procedures employed by the Department in determining which undocumented foreign national(s) are to be processed, including the basis upon which such individuals are prioritized.
 - 7.2. An explanation on the measures currently in place to address the plight of the approximately 4.4 million South Africans reportedly without identity documents, including the Department's plans and anticipated timeframes put in place, in a quest to resolve the crisis.





- 7.3. An explanation on the policy considerations informing the prioritization of undocumented foreign nationals, particularly in light of the number of South African citizens who remain without identity documents.
- 7.4. Detailed practical steps, that the Department intends to follow in order to ensure that South African citizens without identity documents receive the necessary assistance and that the existing backlog is addressed within a reasonable and clearly defined timeframe.
8. We hold instructions to demand that you give our Client an undertaking that the Department will not implement the online system until it has adequately dealt with the unintended consequences associated with the online system.
9. We are instructed to demand that the Department, after complying with paragraph 8 (eight) above, pilots the online system by documenting the millions of undocumented South African Citizens, and address the challenges associated with irregular migration and the abuse of the refugee system.
10. In light of the seriousness of this matter and its implications, particularly the ramifications it may have on the sovereignty and security of the Republic, we hereby demand that your office provides a written response to the above-mentioned demands within seventy-two (72) hours of receipt of this letter, should





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we not receive the said response on the 17th of October 2026, we will proceed to institute action proceedings by no later than the 21st of October 2026.

11. Our Client's rights are reserved.

Yours faithfully,

Electronically dispatched, thus unsigned

XC ZUMA

Director

