



FOR IMMEDIATE RELEASE

Office of the President of Al Jama-ah

Hon. Ganief Hendricks, MP

18 February 2026

The Office of the President of Al Jama-ah, led by Hon. Ganief Hendricks, MP, has formally extended its objection to the Department of Home Affairs regarding the Draft Revised White Paper on Citizenship, Immigration, and Refugee Protection. This follows the official closing of the public input window on 16 February 2026—a deadline highlighted in the IOL *Daily News* article, “Home Affairs Overhauls Migration Policy as Public Input Closes on Citizenship and Refugee Law Reform.”

In a significant turn for the discourse on migration, Hon. Hendricks noted that a breath of fresh air has emerged from the Presidency. In his recent State of the Nation Address (SONA), His Excellency Cyril Ramaphosa rejected demands by certain leaders within the Government of National Unity (GNU) to treat asylum seekers, residency seekers, and citizenship seekers with the force and cruelty reminiscent of Donald Trump’s ICE. Instead, the President stated that these individuals must be treated with kindness and afforded full access to the legal system. This stance effectively puts those calling for harsh, exclusionary measures in their place, as the President further clarified that labour inspectors will work to ensure migrants are not exploited by employers, directing them toward legal processes with a spirit of humanity.

A prominent member of the Leader’s Forum of the GNU has joined this critique, arguing forcefully that the current trajectory of migration policy does not have a “constitutional muster.” The Forum maintains that while the state is tasked with managing borders, there is no inherent constitutional requirement to adopt exclusionary policies that dismantle the “African soul” of the Republic. To do so, the member argues, is a direct betrayal of the intergenerational rights that Africans across the continent expect to be upheld after losing lives and providing immense resources to end apartheid in South Africa.

In its comprehensive 18-page submission, Al Jama-ah emphasizes that any reform must be rooted in the revolutionary philosophy of the liberation struggle. The party argues that the “First Safe Country Principle” is a deliberate misinterpretation of international conventions, “expediently extracted” from neo-liberal, Euro-centric narratives that are fundamentally incompatible with Pan-Africanism. Al Jama-ah contends that these reforms, including the “merit-

Registered as a Political Party in terms of Electoral Commissions Act, 1996 (Act No 51 of 1996) Reference No 447. Reg. Level: National

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based” selection system, risk transforming South Africa into a “regional buffer” zone aligned with external imperial interests, rather than a sovereign leader in human rights.

Hon. Ganief Hendricks reaffirmed that the sacrifices made by nations such as Algeria, Tanzania, Zambia, and Ethiopia were not transactional. During the liberation struggle, these “Frontline States” bore the brunt of military attacks and economic destabilization to shelter South African exiles. For instance, Algeria did not instruct Nelson Mandela to seek the “first safe country” in 1962; instead, they provided him with combat skills, a usable passport, and military intelligence. The submission notes that Mandela even received a diplomatic passport from Sudan, which is now preserved in the Apartheid Museum, as a testament to this solidarity.

It will be a sad day if Cubans, Algerians, and those from Latin American countries currently under threat are denied asylum in South Africa and "refouled" simply because they transited through other safe countries. To now implement a policy that would deny asylum to citizens from these very nations is a gross betrayal of our historical narrative. Al Jama-ah warns that such measures effectively shut the door on the very peoples who opened theirs for our compatriots during the dark years of apartheid.

The submission further warns that the proposed “merit-based” criteria undermine the South African Constitution by filtering refugees based on skills or economic utility rather than the danger they face. Al Jama-ah argues that managing resource scarcity through categorical exclusion is constitutionally suspect under Sections 9, 27, and 33 of the Constitution, as the state has not shown that excluding vulnerable groups materially improves outcomes for citizens. Instead, the party highlights the positive economic contributions of South Asian and African immigrants who have established commercial ventures and assisted in poverty reduction across urban and rural regions.

As the *White Paper* moves toward the National Assembly, Al Jama-ah proposes a “Liberation Solidarity Exemption.” This provision would ensure that asylum seekers from nations that provided strategic support between 1948 and 1994—including Palestine and Western Sahara—are granted access to the legal system regardless of their transit route. The party urges the government to choose a path of justice and historical gratitude over a policy of exclusion that fails to honor the hands that helped pull South Africa out of oppression toward freedom.

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