

To: Advocate Tsietsi Sebelemetja
Acting Chief Director: Legal Services
Department of Home Affairs
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Copied to: Sally Gandar
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30 August 2020

Dear Adv. Sebelemetja,

ENDORSEMENT OF WRITTEN COMMENTS

WRITTEN COMMENTS ON THE DRAFT AMENDMENT REGULATIONS ON THE CITIZENSHIP ACT, 1995 BY THE SCALABRINI CENTRE AND OTHERS

“Citizenship and equality of citizenship is therefore a matter of considerable importance in South Africa, particularly bearing in mind the abhorrent history of citizenship deprivation suffered by many in South Africa over the last hundred and more years. Citizenship is not just a legal status. It goes to the core of a person’s identity, their sense of belonging in a community and, where xenophobia is a lived reality, to their security of person. Deprivation of, or interference with, a person’s citizenship status affects their private and family life, their choices as to where they can call home, start jobs, enrol in schools and form part of a community, as well as their ability to fully participate in the political sphere and exercise freedom of movement.”

Chisuse & Others v Director-General, Department of Home Affairs & Another
[2020] ZACC 20

In response to the call for written comments on the Draft Amendment Regulations to the Citizenship Act, I hereby endorse the submissions made by the Scalabrini Centre and others on the Draft Amendment Regulations to the Citizenship Act **in my capacity as XXXXXX/ in my personal capacity.**

The proposed draft regulations do not reflect the spirit and purport of the Constitution, are clearly not in the best interests of the child and undermine the values underpinning South Africa’s Bill of Rights. They are offensive to the sacrifices that so many people made for an inclusive democracy. We call on the Department to wholly revise the draft amendments and ensure that any amendments promulgated are in line with the Citizenship Act and the Constitution, as well as South Africa’s international legal obligations.

Yours sincerely

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