



Illegal Immigration Policy Position 2026



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Background

The DA believes in the rule of law, and as such stands firmly against illegal immigration as a violation of the Immigration Act (No. 13 of 2002) and other laws. The DA in government is already combating illegal immigration and is delivering results (see Box 1). Equally, the DA firmly rejects the scapegoating of migrants or the use of violence against them. Protecting the human rights, dignity, and equality of everyone in South Africa is non-negotiable.

The Constitution protects the rights of everyone in South Africa, including migrants, asylum seekers and refugees. These are provided for in Chapter 2 of the Constitution, the Bill of Rights. While some rights are reserved for citizens, such as political participation and certain socio-economic entitlements, other rights, including dignity, equality before the law, and protection against discrimination, apply to all. Moreover, South Africa is a signatory to international laws and agreements (including the [1948 Universal Declaration of Human Rights](#), the [1951 United Nations Refugee Convention and its 1967 Protocol](#), and the [African Charter on Human and Peoples' Rights](#)) that obligate the country to uphold and protect the rights of everyone within its borders.

While the DA upholds the Constitutional rights guaranteed to everyone in South Africa, we are equally committed to the rule of law. As such, any violation of the Immigration Act will be addressed decisively. This involves following the correct legal procedures, with enforcement applied consistently and fairly. To uphold human rights requires compliance with the law, which will simultaneously safeguard the integrity of the immigration system and ensure order is maintained.



A Record of Results: Effective Immigration Enforcement Under DA Leadership

As part of the Department of Home Affairs' (DHA) drive to restore the rule of law, DA Minister Leon Schreiber launched *Operation New Broom* in May 2025 with the aim of intensifying enforcement operations. Numerous operations have already been conducted, personally overseen on the ground by Minister Schreiber himself in hot spot areas across the country.

In the first financial year under the leadership of this DA Minister, DHA has carried out over 51,000 legally-compliant deportations – an increase of over 18 percent from the previous year, the highest in at least five years, and more than Germany and France combined. This early success demonstrates that immigration law enforcement can work where committed DA leadership is elected.

“This marked increase in the effectiveness of enforcement operations demonstrates our commitment to upholding the rule of law. It also flows from improved collaboration between the Department of Home Affairs, the Border Management Authority, the South African Police Service and local law enforcement.”¹

- DA Minister of Home Affairs, Dr Leon Schreiber

The DA's Position on Illegal Immigration

The DA will address illegal immigration based on the rule of law, with a focus on the enforcement of the Immigration Act to tackle illegal migration and strengthen our border security (through technology and other mechanisms) to prevent illegal migration. The party's approach aims to prevent illegal migration while ensuring that the law is applied fairly, consistently, and without fear or favour.

Furthermore, consistent with the [DA's Migration Policy](#), managing undocumented migration and strengthening border security, while upholding human rights, requires:

- **Implementing a cutting-edge Digital ID system**, combined with an Intelligent Population Register (IPR), to record biometrics (facial recognition) for every person in the country. Currently, biometrics are only recorded for South African citizens in an outdated National Population Register (NPR). Recently, Minister Schreiber introduced the Electronic Travel Authorisation (ETA), which lays the foundation for recording biometrics in a modern new IPR for every person who is in the country, enabling authorised law enforcement to instantly identify and take action against visa overstayers or illegal immigrants without relying on paper documents and manual processes. This will also eliminate the effectiveness of fraudulent permits and allow employers to reliably verify the work permit status of foreign workers.
- **Continuing with the progress of Operation New Broom to enforce immigration laws, restore the rule of law, and address issues like illegal immigration and the use of fraudulent documents.** These operations use biometric technology to verify the status of individuals, which aids in the arrest, conviction, and deportation of undocumented immigrants in “hotspot” urban areas, and involves the South African Police Service, Department of Social Development, and Department of Labour and Employment.
- **Incentivising self-deportation for undocumented migrants** to either regularise their status by obtaining a visa or return home without being penalised and being automatically prohibited from entering South Africa in future, followed by enhanced enforcement and deportation against those who do not take up the opportunity.
- **Ensuring that the Border Management Authority (BMA) is not only tasked with guarding the border but also supported through enhanced funding, training, and resources** to perform their mandate effectively. Under Minister Schreiber, the BMA has developed a comprehensive digital transformation plan built on the latest technology. With adequate funding, the BMA can deploy drones and other cutting-edge surveillance technology to create a secure digital border fence where illegal crossings are detected and prevented immediately.
- **Implementing the First Safe Country Principle¹ through agreements with neighbouring countries.** This approach is consistent with the United Nations Refugee Agency's route-based approach that is designed to relieve pressure on individual countries by focusing on whole migration routes.² Adopting this principle, through bilateral agreements, will enable a more equitable sharing of the migration burden across the region by preventing asylum seekers from “picking and choosing” South Africa as a destination.
- **Improving the processing of refugee appeals.** Reduce the amount of time that failed asylum seekers wait for appeals and remain in South Africa by fully digitising applications so that they can be processed swiftly and securely.

Conclusion

The DA recognises that illegal immigration is a serious issue and is committed to addressing it decisively in a legal and fair manner. However, the DA condemns violence, xenophobia, and any activity which undermines the human dignity of anybody within South Africa's borders.

End Notes

¹ The First Safe Country Principle involves refusing entry to asylum seekers who should claim asylum in the first safe country they pass through after fleeing persecution, rather than in a subsequent country.

¹ South African Government. (2025). Home Affairs on 2024/25 deportations [Online] Available at: <https://www.gov.za/news/media-statements/home-affairs-202425-deportations-02-apr-2025> [Accessed 10 September 2025].

² United Nations High Commissioner for Refugees (UNHCR). (2024). A route-based approach. Strengthening protection and solutions in the context of mixed movements of refugees and migrants. [Online] Available at: https://www.unhcr.org/sites/default/files/2024-10/explainer_unhcr_route_based_approach.pdf [Accessed 25 September 2025].



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