



PRESS CONFERENCE – 29 May 2015

NEW IMMIGRATION AND VISA REGULATION MYTHS

MYTH 1: DHA is in the process of holding roundtable discussions with key tourism stakeholders and can prove it has. They say they have consulted widely with the travel and tourism industry and that industry are only waking up now!

Despite repeated efforts and promises that this would happen, associations representing the interests of outbound travel, inbound tourism and aviation have not had the opportunity to engage with the DHA in any roundtable discussions. The statement that the DHA has made that the industry has not been ignored and the only reason we are taking a stand now is because it is not in our favour is wholly untrue. We have sought to engage with the DHA through the TBCSA since the regulations were announced and have been ignored, from no consultation in the development of the regulations, to ignoring all requests to meet for 3 months (from June to September 2014). The onus is in fact on the Department of Home Affairs to consult with affected stakeholders, not on the tourism industry to beat a path to the Department's door! We would like to see the proof that the DG has, of meetings with tourism stakeholders. A preliminary meeting occurred with the Deputy Minister in early September, at the instigation of SATSA. A meeting followed this with the Minister and his team in late September. At that meeting a task team was called to life by the Minister, to allow travel and tourism to engage with DHA around the implementation of the new regulations that were postponed to 01 June 2015. To date this task team have never formally met.

We will furnish proof of a plethora of correspondence and reports sent to the Minister of Home Affairs from late June 2014 onwards, to counter the notion that the industry is 'only waking up now'.

MYTH 2: Unabridged Birth certificates must be translated into English.

The Department of Home Affairs is in fact unable to confirm whether or not this is the case with inconsistent comments being made as to whether UBCs need to be translated into English or not. The Standard Operating Procedures V5 issued by Home Affairs makes no mention thereof and the brochure issued by DHA one month prior to the implementation of these regulations is ambiguous and unclear, raising more questions than answers.

MYTH 3: 30 000 children being trafficked annually – the number frequently touted by DHA to justify introduction of immigration regulations.

That figure was produced by Roxanne Williams from Operation Mobilisation. When questioned on her source and her claim, she confirmed to a journalist that she was actually misquoted. Stats produced by SAPS on the actual number of children going missing in SA every year is not even 2% of this estimate. If the number of SA children being trafficked is so high, why has there not been an increase in the number of missing children reported to SAPS. Surely, their parents would have reported it? Most trafficking occurs within South Africa, i.e. it is internal and not across borders. Porous borders into and out of SA have been noted as a means for trafficking children across borders.

MYTH 4: DHA is ready to roll out new regulations and all stakeholders have been trained.

In addition to being unable to issue UBC on-the-spot and declaring a backlog this week of UBCs, the aviation community only received sight of the Standard Operating Procedures last week, which have proven to have large gaps and are further confused by the inconsistent statements being made by DHA officials on what is required, is not required, etc. There is no mention in the SOP that documents need to be translated, although embassies and DHA officials claim they must. The department was not issuing UBCs as a matter of course until recently and travellers were advised to obtain them for their children at a cost of R75 and to allow people the time to do this, the implementation was postponed firstly for 3 months and then until June 2015 - Twice. Surely the department should sort out their ability to produce UBCs on demand first and then introduce this provision. Confirmed by Home Affairs this week in Parliament: There is still a backlog of outstanding UBCs to be issued. In fact as at 18 May 2015, the backlog of applications still within the 6 to 8 week turnaround time amounted to 5674. We are told that a project team has been set up to clear the outstanding UBC's by the end of May 2015. 5674 in 09 working days? This is all with a backdrop of 551 739 children in possession of passports without an UBC. In DHA's own words, "these are the children that could reasonably be expected to want to travel."

MYTH 5: Requirements for travel of children not just from SA, but also from the UK, USA and Europe.

Several other countries have the same requirements of UBCs. DHA states: The United Kingdom requires biometrics and the UBC is a mandated document if minors were applying for a visa and traveling with a guardian or one parent. Canada requires a consent form signed by both parents. The United States of America requires biometrics, a birth certificate and a consent form signed by both parents. Australia requires biometrics and a consent form. For a Schengen Visa, which is required to travel to some European countries, it is mandatory to enroll for biometrics and a UBC. Therefore the South African regulations were not out of the ordinary when compared to these countries.

These are all requirements for application of passports and visas. At worst, a letter of consent or a consent document needs to be completed. None of these countries require the children to physically carry the birth certificate and present it at ports of entry.

No country in the world requires a child who is accompanied by his/her parents, whether

he/she is a citizen of the country or not, to travel with a birth certificate. Although parental consent is however a common requirement for many countries when a child is travelling alone or with a third-party adult, for the majority of countries, mandatory parental consent only applies to citizens or residents of the country - NOT to visitors to the country.

There is no international (or some cases national) standard for birth certificates. Each country has the right to develop its own documentation that proves the birth or existence of a person. Some countries do not even issue birth certificates. Many people do not have a copy of their birth certificate. Therefore obtaining a certified copy of this document is frequently costly and time-consuming. For some countries can take months.

MYTH 6: The 4000 backlog will be cleared by implementation 01 June

This has not happened and the reality is that over the past 5 days a variety of solutions have been bandied about on the plan B of this which is logistically impossible. Firstly travelers were advised to ask their local DHA office for a letter. Then the next day advised that the new solution is that passengers should write to the Director General of the department so that he can grant permission to travel without the UBC. The suggestion that one person could handle all of these requests and that all the immigration officers would be aware of what the letter would look like, is absurd at best.

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MYTH 7: We have been communicating with the tourism and travel industry and have issued proper procedures

Several versions of Standard Operating Procedures have been issued in the past week. The industry in fact only received them last week. Another indication of how the consultative process is ignored is that each time ASATA or SATSA have received updates on procedures, they have been shared with ASATA and SATSA by airline colleagues. The lack of engagement with the industry is further highlighted here. Without our airline colleagues, the travel and tourism sectors would still not have seen any of these versions. I remind the audience that despite popular belief, the travel and tourism industry worldwide issues up to 60% of all airline tickets. In South Africa, that rises to almost 80%. The first line of engagement with customers is in fact not the airlines, but the travel agents and tour operators. There are massive inconsistencies and gaps in these. Do the documents need to be translated or not? The information coming out of the DHA is contradictory.

MYTH 8: The Tourism and Travel industries are overreacting about the negative impact.

Industry stakeholders are reporting a reduction in the number of tourists arriving in South Africa, an increase in cancellations and a significant reduction in the number of bookings to South Africa.

We estimate that 15% of inbound tourists (1.4m) to SA will be impacted by the requirement for children to travel with a birth certificate – assuming a ratio of one adult to one child. About 700,000 children under the age of 18 visited SA in 2014. In 2014, SA received 9.55m foreign overnight tourists, an increase of 7,5% over that recorded in 2013. Demand from all overseas markets steadily dissipated throughout the year, coming off highs of 8,6% in the first four months of the year to a decline of 1.2% in the last four months. Assuming a 20% drop in demand from the family market will result in a direct, indirect and induced loss to the SA economy of at least R10bn per annum and potential job losses of around 24,000.

We are seeing reduced demand from China because citizens require short-stay visas when visiting SA and the demand for in-person visa applications has deter them from travelling. Chinese tour operators have responded by reducing the coverage of the SA tourism product in their brochures, which means the extent to which SA will be sold as a tourism destination in China will diminish and competitive destinations will be purchased instead. There has been a devastating impact on SA businesses that specialise in this market, and all the gain made by SA Tourism in the past few years in this market been lost.

Residents of countries who require a short-stay visa for South Africa and do not have an SA mission in their country or city, incur additional travel costs to appear in person for their visa application. Most tourism source countries required to obtain short-stay visas have shown a decline in demand in the latter part of 2014, contrary to the growth in demand experienced from tourism markets not affected by visa regulation changes. Tour operators cite the visa requirements as the primary reason for the decline.

From May to December 2014, SA lost 66,000 foreign tourists due to changes in the immigration regulations.

The total direct, indirect and induced impact on the SA economy in 2014 was a negative R2, 6bn and a potential loss of more than 5,800 jobs.

In 2015, the number of lost foreign tourists due to changes in the immigration regulations is likely to increase to 100,000 with a direct tourism spend of R1,4bn and the total net loss to the SA GDP of around R4,1bn and a loss of 9300 jobs.

The outbound industry is set to lose at least R8,0 bn in revenue, which will directly affect employment, as outbound tour operators and retail travel agents focusing on the leisure sector, will need to take these losses into account.

MYTH 9: The airlines should be held responsible for validating birth certificates or allowing children to fly without these documents

Under the new legislation, airlines will be responsible for confirming that all children travelling into and out of SA have a valid birth certificate.

SA is a signatory to the Chicago Convention and hence airlines should only be accepting passports and applicable visas as valid identification documentation. Birth certificates are not deemed to be valid identification documentation under the Convention.

Airlines are not skilled or equipped to validate birth certificates, especially if these are in a foreign language, could have been falsified and consideration must be given that there will be at least 190 different permutations of these globally (identified to date to us by the DHA.) Current, the international ticketing and reporting system does not indicate a person's age so airlines will only find out when they check-in at the airport unless a child ticket has been purchased.

MYTH 10: Travellers feel safer travelling to a destination when it has more stringent visa regulations

The World Economic Forum and Tourism Competitiveness Report puts SA visa policy at 67th out of 114 countries. It, and this is supported by the UNWTO, states that restrictive policies such as cumbersome visa requirements diminish tourists' willingness to visit a country. South Africa competes with 200 other countries to welcome tourists to its shores. They will simply select a destination that offers a less cumbersome and expensive process to visit. SA is bucking the trends where other countries are becoming more flexible with their visa requirements.

Visas play an important role in controlling immigration and security.

- An eVisa system, such as the one implemented by Australia, is the most advanced model for data collection and the most visitor-friendly approach, but it requires sophisticated systems. Australia has recently extended eVisas to visitors from India and China.
- The visa on arrival system is currently the most prevalent facilitation system being implemented because it is more cost effective, especially for those countries without widespread embassy and consular representation. The visa on arrival system has been widely implemented in Africa and many eastern countries. Senegal has successfully implemented a biometrics visa on arrival system, which incorporates an electronic pre-visa approval process.

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