



Scalabrini
Centre of Cape Town

ADVOCACY

IMPACT REPORT 2025

OVERVIEW

In 2025, the protection landscape for people on the move shifted significantly, marked by increasing restrictions, evolving legislative implementation, and widening systemic barriers. Capacity constraints within state institutions, administrative inefficiencies, corruption, limited political will, and a notable rise in anti-migrant sentiment compounded these challenges. Collectively, these factors contributed to a shrinking protection space, making access to rights and services increasingly difficult for migrants, asylum seekers, and refugees.

Amidst this shifting and often constrained environment, the Advocacy Programme remained steadfast in its commitment to advancing human rights, safeguarding protection, and promoting integration. Through a combination of high-level advocacy, strategic litigation, paralegal support, and partnership-building, the programme continued to respond to both systemic and individual challenges faced by people on the move.

Throughout the year, the programme engaged extensively on issues relating to access to asylum, documentation pathways, healthcare, education, social protection, and freedom of movement. These efforts included legal submissions, institutional engagement, awareness-raising initiatives, and litigation aimed at restoring and protecting access to asylum processes. In parallel, the programme worked closely with refugee and migrant-led organisations, strengthening collective advocacy efforts and supporting community leadership.

Despite the restrictive context, interventions delivered tangible progress in rights realisation, improved access to services, and stronger protection mechanisms for vulnerable populations. The Advocacy Programme advances its mandate through four core areas: high-level advocacy, walk-in paralegal services, children's rights, and alternatives to immigration detention.



PROGRAMME AREAS



High-Level Advocacy

High-level advocacy focused on influencing law, policy, and practice through submissions, stakeholder engagement, and collaboration with state and non-state actors. Where necessary, advocacy efforts were escalated to strategic litigation to address systemic barriers and uphold constitutional and international protections for people on the move.



Alternatives to Immigration Detention

Work in this area focused on reducing reliance on immigration detention and promoting rights-based alternatives. The programme provided legal advice and assistance to individuals at risk of detention, while also engaging in advocacy, training, and awareness-raising on the human rights and cost benefits of alternatives to detention.

This work was supported by strategic partnerships, regional and national engagement, and the development of advocacy materials aimed at both affected communities and decision-makers.

PROGRAMME AREAS



Children's Rights Project

The Children's Rights Project continued to provide specialised support to children on the move, including unaccompanied and separated minors. Services included assistance with access to healthcare and education, documentation support (including birth registration and legal status), family tracing and reunification, and pathways to citizenship. The programme also played a key role in capacitating social workers through training, case consultations & facilitated discussions. Ongoing engagement in policy processes ensured that the rights and needs of children on the move were represented in legislative and policy development.



Paralegal Advice and Intake Services

The walk-in paralegal service remained a critical access point for clients seeking assistance. Services included legal advice, drafting of submissions and correspondence, client accompaniment, and referrals to relevant organisations. Engagements were directed at key institutions, including refugee authorities, immigration officials, and service providers in sectors such as banking, healthcare, education, and labour. To strengthen access to information, the programme developed and disseminated multilingual advocacy materials, including infographics and guidance tools, enhancing clients' ability to navigate complex legal and administrative systems.

HIGHLIGHTS & SPECIAL ACHIEVEMENTS

Despite a challenging and restrictive context, the programme achieved several significant milestones:

- **Strategic Litigation Success:** A landmark legal intervention protected new asylum seekers from arrest, detention, and deportation through an interim court order. This was followed by a High Court ruling declaring restrictive provisions on asylum access unconstitutional, with confirmation proceedings anticipated in 2026. These outcomes have had a profound impact, preventing the deportation and detention of thousands of vulnerable individuals.
- **Constitutional Court Engagements:** The programme contributed as amicus curiae in key Constitutional Court matters, including cases addressing subsequent asylum applications and barriers to birth registration—issues closely linked to risks of statelessness.
- **Expanded Reach and Awareness:** Advocacy materials and digital engagement significantly increased access to information, with strong growth in website usage and social media engagement, enhancing awareness of rights and documentation pathways.
- **Strengthened Partnerships and Regional Engagement:** The programme actively participated in national and regional platforms, including conferences, policy dialogues, and international forums. These engagements strengthened coordination and contributed to broader advocacy efforts across the region.
- **Direct Client Impact:** Over 9,000 consultations were conducted, including 5,863 unique clients, providing legal advice, documentation support, and rights-based assistance.
- **Innovative Advocacy Tools:** The development of infographics, booklets, animations, and film-based resources enhanced awareness and contributed to tangible protection outcomes, including reduced detention of asylum seekers.



AWAITING JUDGEMENT

The Advocacy Department is currently awaiting two significant judgments from the Constitutional Court of South Africa, both of which carry important implications for access to asylum and refugee protection in South Africa.

In the first matter, argued on 12 February 2026, the Scalabrini Centre of Cape Town challenged legislative provisions that effectively bar individuals from accessing the asylum system on procedural inadmissibility grounds. The Centre argued that these provisions unjustly exclude vulnerable individuals from seeking protection and undermine the constitutional right to asylum. The case calls for the restoration of fair and meaningful access to the asylum process, and for the impugned provisions to be declared unlawful and unconstitutional.

The second matter, heard in November 2025, also addresses critical gaps in the protection framework. In this case, the Scalabrini Centre participated as amicus curiae (friend of the court), supporting arguments that individuals who face new or changed circumstances—such as the outbreak of war, escalating violence, or emerging risks of persecution—should be legally permitted to lodge a subsequent application for asylum. The case highlights the need for a responsive and humane asylum system that can adapt to evolving conditions in countries of origin, rather than rigidly excluding those whose need for protection arises after an initial application.

Judgment in both matters has been reserved and is eagerly awaited, as the outcomes have the potential to significantly shape the future of refugee protection and access to asylum in South Africa.



2025 NUMBERS

ADVOCACY

TOP 5 CASE TYPES

1246

NEW ASYLUM
APPLICATIONS

930

ONLINE RENEWALS

197

CITIZENSHIP

267

LONG EXPIRED
PERMIT

298

FINAL REJECTION/
ORDER TO DEPART

TOP AGE GROUPING

36-49

2170 CLIENTS OUT OF
5307 CLIENTS SEEN
BY SCCT



PLANS FOR 2026

In 2026, the Advocacy Programme will continue to respond to emerging challenges to legal and policy environments and opportunities through:

- Development and national dissemination of a QR code-enabled declaration of intention to apply for asylum, improving accessibility for thousands of individuals.
- Strengthened collaboration with UNHCR, civil society organisations, and government stakeholders to address systemic challenges in asylum processes.
- Participation in South-South dialogue initiatives, including international conferences focused on asylum and protection.
- Enhanced collaboration between legal practitioners and migrant communities to align advocacy priorities with lived experiences.
- Monitoring and challenging legislative and policy developments that undermine protection and human rights.
- Advancing litigation and advocacy efforts to restore and safeguard access to asylum systems and documentation.
- Strengthening partnerships across government, civil society, and the private sector to improve coordination and impact.
- Expanding awareness-raising initiatives, training, and dissemination of accessible information to enhance agency and rights realisation.
- Deepening focus on vulnerable groups, including children on the move and individuals at risk of statelessness or detention.



The centre is registered with the South African Department of Social Development as a non-profit organisation (021-079 NPO), as a youth and child care centre (C7569) and as a Public Benefit Organisation with the South African Revenue Services (930075335) and governed by a Trust (IT2746/2006).
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