

Collaboration between IEASA and the Department of Home Affairs pertaining to International Students

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IEASA continues to work collaboratively with officials in the Department of Home Affairs (DHA) to advocate on behalf of international students, staff and their families. Issues and problems are raised and solved with the appropriate officials in the DHA. Working collaboratively with DHA has improved the responsiveness to international student visa issues, particularly at peak times, and solutions might include exemptions for groups of students or individual interventions.

IEASA continues to work collaboratively with officials in the Department of Home Affairs (DHA) to advocate on behalf of international students, staff and their families.

IEASA is also encouraging universities to set up systems that will track visas and visa renewals. Early notification of visa requirements will enable DHA to pre-empt the volume of study visa renewals and new visas required for the following academic year. Information on the number of visas required will improve DHA's capacity to deliver their service and ensure the agreed turnaround times for international student visas.

Following an earlier IEASA intervention, all public South African Higher Education Institutions (SAHEIs) are included as clients being serviced by the Corporate Accounts Unit in DHA.

The Director: Corporate Accounts, DHA, the President of IEASA, and the IEASA Office staff meet regularly to discuss challenges that have been identified by IEASA's member institutions, DHA and/or Embassies and to seek solutions. We are happy to report that, a few anomalies aside, significant progress has been made with regards to the processing of student visa applications, as long as the correct list of supporting documentation has been submitted in a timely fashion and applicants are aware of the six to eight week standard visa application processing period.

DHA has reiterated that IEASA members need to communicate to academic staff in their institutions that any visa issues, pertaining to the international community in universities, are to be brought to the attention of DHA, via IEASA, as their chosen point of contact for the public HEIs.

Department of International Relations and Cooperation (DIRCO) request for “*Verification of Letters of Offer*” for international students

Several of the Department of International Relations and Cooperation (DIRCO) South African Missions Abroad have recently initiated a process of “Verification of Letters of Offer”, as part of the visa approval process for International students intending to register at South Africa Universities.

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Early in 2019, the Department of Home Affairs (DHA) wrote to IEASA to bring to our attention the fact that the South African Missions abroad, especially in Lagos, Nigeria were struggling to obtain confirmation from South African universities, regarding whether or not certain students obtained legitimate letters of offer from them.

The South African Missions have a certain turnaround time in which to issue study visas. Unfortunately, the delay by South African universities to confirm and, in some cases, the direct refusal to confirm, resulted in the affected international students being refused visas.

In March 2019, in the spirit of co-operation that we have already established with DHA, IEASA circulated an electronic request to all universities to please verify “Letters of Offer” to international students, when requested by Embassy officials. The purpose of this is to avoid a disservice to the students who are genuinely intending to study in South Africa and who have authentic study visa applications.

This request for cooperation and responsiveness was shared with institutions to avoid creating further inadvertent obstacles to the already difficult process of leaving one’s home country to come and study in South Africa. As each institution assigns the responsibility to register international students differently, the letter circulated from IEASA was addressed to Registrars, Directors of

International Offices and the most senior people responsible for internationalisation.

Critical Skills/Work Visas

Critical Skills visas replaced the Exceptional Skills/ Quota Skills Permits. Academics with PhDs are sought after, as there are insufficient South Africans with PhDs to meet the upcoming demands in public HEIs. PhD graduates are encouraged to apply once they have graduated, from within South Africa.

Potential international staff, who have been offered positions in SAHEIs, continue to experience long delays in processing, when applying via certain South African Embassies. This results in university posts remaining unfilled and students being deprived of specific classes, anticipated within their selected programmes

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of work. In some instances, the process is so prolonged, the offer of employment is withdrawn or the applicant decides to withdraw from the process.

These are positions for which the skills are not available in South Africa. Improving this area requires further collaboration and intervention, from the relevant stakeholders, if South Africa is to maintain a competitive position within the global systems of Higher Education.

IEASA Conference workshops on immigration

The immigration workshop, held annually around the time of the IEASA Conference, is critical to making sure that IEASA members understand the current challenges, rules and regulations affecting our international students, staff and researchers.

The most recent workshop held at the Royal Elephant Hotel in August 2018, provided an excellent opportunity as representatives from the DHA facilitated a very informative interactive session. The continuously high standard of presentations and knowledgeable attendees guarantee up-to-date information on immigration rules, regulations and experiences pertaining to international students in South Africa.

This forum allows IEASA members to share and stay ahead of specific immigration challenges, so that we have formulated solutions to meet the students' needs, when they are next required.

Attending the annual workshop on immigration is a great induction for newcomers to get up-to-date visa processing information, in a short period of time.

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Update on Asylum seekers and refugees

A hot topic at the IEASA conference workshop was the status of asylum seekers and refugees, and clarification of their right to study in South Africa. It was explained that South African legislation affords both asylum seekers and refugees the same rights as South African citizens, except for the right to vote and to access social grants. South Africa is a signatory to various international agreements that govern the status of refugees and asylum seekers, and as such, its approach to handling their applications is guided by the need to ensure that they can be economically productive, enabled to study, integrated into society and hopefully, enabled to establish their own businesses. Proper integration of children for example, is hindered by the fact that South African law requires that at least one of the child's parents must have South African citizenship, failing which, one must apply for the child's citizenship within applicable policies.

IEASA was informed that DHA is constrained in its capacity to process the volume of asylum applications. One of the unintended consequences of current legislation is that asylum seekers who have gone through the South African education system are unable to apply for work visas while they still have asylum seeker status, which makes them unemployable. The laws of the country are currently silent on this issue. The draft regulations envisage that asylum seekers who find themselves in this situation will not be allowed to seek employment. While some of these issues still need to be ironed out at the ministerial level, it was pointed out that there are glaring inconsistencies and possible misalignment of policies between the various state departments. For example, DHA fines students for not having the requisite documents to remain in the country, and yet the DHET policy allows students to enroll without identification. It was agreed that these policies need to speak to each other as they have a profound impact on the lives of those affected by them.

An analysis by IEASA estimated the anticipated registration of approximately 11 000 Zimbabwean students at SAHEIs for 2019. IEASA's members are fully aware that students may not be registered without a valid visa. IEASA deals with all 26 public Higher Education institutions and receives visa-related queries on a daily basis.

Registration Crisis: Zimbabwean Students 2019

Zimbabwean students, who were due to study at SAHEIs in 2019, experienced great difficulties getting visas in a timely manner to come into South Africa. South African Ambassador to Zimbabwe, Mphakama Mbete, wrote directly to SAHEIs to request an extension to the dates of registration for Zimbabwean students. The Ambassador explained the difficulties the South African Embassy in Zimbabwe was facing in issuing visas.

An analysis by IEASA estimated the anticipated registration of approximately 11 000 Zimbabwean students at SAHEIs for 2019. IEASA members are fully aware that students may not be registered without a valid visa. IEASA deals with all 26 public HEIs and receives visa-related queries on a daily basis. IEASA appreciates the immediate intervention from DHA to initiate an exceptional visa-issuing mechanism for Zimbabwean students that permitted the students to legally enroll at SA HEIs for 2019.

Visa Facilitation Service in South Africa

Visa renewals, from within South Africa, are now processed through the Visa Facilitation Services centre (VFS) <http://www.vfsglobal.com/dha/southafrica/>. With VFS centres in nine of the eleven provinces, international staff and students physically present in South Africa may apply for renewals for general work, critical skills, visitors' visas (endorsed for academic purposes at a single institution) and student visas through VFS. A mobile biometric visa processing service has been implemented since the start of 2017.



For an extra cost, VFS travel to universities in locations where there is no existing VFS centre. They work with a designated International Officer in the university to ensure that the applying students have all their documentation in order and that visa applications are ready to be processed.

Tips to pass on to International students renewing visas in South Africa

1) Renew visas rather than apply for a new visa:

International students who are already registered in South African institutions should be strongly encouraged to get organised in time to apply for a visa renewal, from within South Africa. Visa renewals from within South Africa only require one valid police clearance certificate from South Africa. This may be obtained via the VFS office, at a cost, at the same time as the submission of the visa application. Please note that the old paper police clearances are no longer accepted for visa renewals within South Africa.

If students apply from their home country, while on vacation, the visa application is treated as a completely new application, requiring police clearance certificates from every country in which students have lived for over 12 months since they turned 18 years old. It also involves the retention of the passport and the risk of not having the visa processed in time to meet the end of registration dates.

IEASA strongly recommends that SADC students apply for renewals from within South Africa. Students may retain their passports and travel to neighbouring countries, while their visas are being processed, and then return to collect their study visas, on a visitor’s visa. Applying from within South Africa before leaving for vacation avoids the last minute panic of not having visas in time for registration, at the start of the new academic year.

Clearly, students coming from countries that require advance applications for a visitor’s visa to enter South Africa, have less flexibility than SADC students and need to plan accordingly. Students from outside the SADC region need to ensure that they allow sufficient time to secure the visa renewals, before travelling outside the country for the end of year vacation.

2) Allow sufficient time for visa application processing:

Where VFS are available outside South Africa, visa processing has been systematised and standardised. Before standardisation, turnaround times varied greatly from country to country, depending on demand. Now students always need to allow up to eight weeks for processing new visas.

3) Never let the existing visa expire before applying for a renewal

If an existing visa has already expired before submitting a new application, the new application cannot be accepted by VFS without a Form 20. The student will have to separately apply for a Form 20, assuming there is genuinely “good cause” for the delay. DHA has indicated that students who “overstay” will not be looked on favorably. Furthermore, the process of getting a Form 20 is often protracted, a successful outcome is not guaranteed and international students should avoid getting into the situation of needing a Form 20 at all costs. It is therefore essential to advise students to always apply for a visa renewal, before an existing visa expires.

4) Changing the VFS appointment date if it is later than then expiry date of the current visa

If all supporting documentation has been gathered and the VFS date for the submission of the visa renewal application is later than the expiry date of the existing visa, the applicant should get in touch with their International Office and request an intervention with VFS to bring forward the date, to avoid a situation where they might be rendered “undesirable”.

5) Circumstances in which students should leave the country

If there are significant unforeseen delays in gathering supporting documentation and a student is at risk of not being able to submit a visa renewal application before their current visa expires, students should be advised to leave the country and apply for a new visa from outside the country to avoid “undesirable” status. This status can affect visa applications for other places in the longer term and should always be avoided.

Next immigration workshop

IEASA will organise another workshop on immigration in August 2019.

We look forward to continuing our collaboration with DHA and our member institutions on all these matters to enable a smooth process for all our international students.