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## ZIMBABWE EXODUS: TOO LITTLE, BUT NOT TOO LATE...

In Zimbabwe, food shortages, a near total collapse of the domestic economy, and continued political repression are forcing large numbers of citizens to seek refuge and sustenance for their families in neighboring countries. South Africa, Zambia, and Botswana are focusing entirely on negotiations over the political stalemate in Zimbabwe, either directly or through the Southern African Development Community. In this context, any recognition of large numbers of Zimbabweans inside their borders is seen as counter-productive, as it draws attention to the humanitarian crisis inside Zimbabwe.

While a political solution is necessary for the long-term stability of the country, it is unlikely that negotiations will reverse the current migratory trends. Regional governments must begin to de-link a political solution inside Zimbabwe from the need to address the domestic consequences of Zimbabwean migration, including strains on social services, xenophobia, and the growth of an undocumented underclass that is in need of humanitarian assistance.

### 1. *Get Beyond the Refugees or Economic Migrants Debate*

There is contentious debate over the reasons that Zimbabweans are leaving their home country. Estimates of the number of Zimbabweans living in neighboring countries range widely, from 1.1 to over 3 million, and on a recent assessment mission in the region Refugees International found that people were continuing to leave the country in large numbers. While the governments of host countries and many in the United Nations consider the current migration to be economic in nature, a wide range of civil society groups are calling for Zimbabweans to be recognized as refugees. Clearly, not all Zimbabweans have a fear of persecution. RI found, however, that economic and political grounds for leaving are not mutually exclusive. The attempt to categorize the outflow ultimately obstructs the humanitarian response by focusing on why people do (or do not) qualify for aid.

What is clear is that Zimbabwe currently suffers from a near complete lack of basic goods – food, petrol, soap, paraffin – and that Zimbabweans outside their country are actively engaged in providing those goods to family members back home. Host countries, in particular South Africa and Botswana, should work towards creating new legal frameworks that acknowledge the nature of Zimbabwean migration and provide adequate protection and assistance to those in need. This new legal framework must be brought about in dialogue with civil society groups and the UN. Furthermore, it should acknowledge regional dynamics to ensure no single country shoulders the burden of the response.

### Policy Recommendations

1. Host governments immediately cease all deportation of Zimbabweans.
2. Host governments develop a new legal framework, in consultation with civil society organizations and the United Nations, to provide Zimbabweans facilitated entry and ensure reasonable protection.
3. International agencies integrate Zimbabweans into existing assistance programs in South Africa, Botswana, and Zambia, and/or explore expansion of regional programming to include Zimbabweans, especially in Botswana.
4. The United Nations rework its contingency planning to reflect the true nature of flows out of Zimbabwe. It must develop the means to coordinate the provision of humanitarian assistance.

## **2. Deportations Must Cease**

South Africa and Botswana are actively deporting undocumented migrants, largely targeting Zimbabweans. The majority of Zimbabweans in both countries are residing illegally, after “jumping” the borders or overstaying their visas. Over 150,000 have been forcibly removed from South Africa in the first nine months of this year, while 60,000 have been deported from Botswana as of December of last year. Upon arrival in Zimbabwe, the deportees are released into the custody of the police, raising serious protection concerns. Furthermore, large numbers of deportees regularly re-cross the borders illegally immediately after deportation, where they are subject to dangerous environmental conditions and often fall prey to criminal gangs. Lastly, deportations are very costly for host governments and do not achieve the goal of deterring undocumented migration.

## **3. Humanitarian Needs are Growing**

While many Zimbabweans are able to maintain middle-class lives abroad, a growing number of people cannot find work to provide adequate shelter or nutrition. Zimbabweans often live in shared apartments, where 20 people or more sleep in shifts. Other, less fortunate Zimbabweans are sleeping in the streets, at bus stations, in makeshift shelters, in half-built homes at construction sites, or in churches that act as shelters. Among this class of Zimbabweans, most people Refugees International talked to reported eating only once a day, or even less often if they could not find work. This situation is compounded by the need of Zimbabweans to support families at home. Many reported sending more than 50% of their earnings home, and surviving on the bare minimum that remains. As one woman told us, “If I eat, then my children will not.” Humanitarian assistance needs to be provided to these Zimbabweans who insist on maintaining their ability to send remittances home.

As more Zimbabweans arrive in neighboring countries, the need for emergency shelter, feeding, medical attention, and other services will only continue to grow. Already there has been a rapid growth in church-based shelters throughout South Africa responding to the lack of housing. International agencies that are operational in southern Africa should explore ways to integrate Zimbabweans into existing programs, and evaluate the possibility of providing new services to them. This need is particularly acute in Botswana, where few operational humanitarian organizations are present.

The United Nations and bilateral donor programs should focus on expanding the capacity of government hospitals and other public services to meet the needs of Zimbabweans. Operational programs of non-governmental organizations should look to provide new services for Zimbabweans and vulnerable members of the host community. The current scope of need is manageable if agencies begin to respond in the near-term. However, if programming does not move quickly, the continued increase of Zimbabwean migration in the region could swell to unmanageable proportions over the course of the coming year.

## **4. A New Approach**

Contingency planning currently underway by the United Nations does not reflect the reality of present-day Zimbabwe. Though all plans are confidential, conversations with UN officials indicate that current planning is based on a scenario involving “massive influx” of Zimbabweans into neighboring countries over a short period of time. Such a response would entail setting up traditional refugee camps and providing humanitarian assistance in that context. As one official described to us, such a plan would be triggered by “hundreds of thousands of people crossing the border in a few weeks.” Rather than planning for such a scenario, the United Nations must begin to base its contingency planning on the continued, steady flow of Zimbabweans out of their home country, exactly what is happening at present. The current trend promises hundreds of thousands of people crossing borders and blending into the ranks of the urban poor in the upcoming months, a scenario that requires equal attention, planning and response.

Lastly, the United Nations system must make firm decisions about leadership and coordination regarding Zimbabweans in the region. Currently, there is little or no effective leadership on this issue among agencies, largely because they claim that their mandate does not allow for more work with this population. A lead agency must be appointed, with regional responsibility for coordination activities, contingency/strategic planning, and relations with host governments. Operational agencies that RI met with are asking for formal coordination and information sharing as they look to address Zimbabweans in their work plans, and it is an appropriate and important role for the UN to play.

*Advocates Sean Garcia and Patrick Duplat just returned from a one-month assessment of the situation for Zimbabweans in the southern Africa region.*

# ZIMBABWE EXODUS: KEY FACTS ON ZIMBABWEAN REFUGEES AND ASYLUM SEEKERS

A significant number of Zimbabweans who leave their country have legitimate fears of persecution and therefore qualify as refugees under the 1951 Convention. Yet many do not apply for asylum in neighboring countries because of the cumbersome process and restrictive laws. The restrictions on asylum seekers are counterproductive in the face of the Zimbabwean crisis.

Ultimately, the southern African region must develop a coherent response to the problems posed by displaced Zimbabweans and their legitimate protection needs. Host governments must develop a new legal framework, in consultation with civil society organizations and the United Nations, to provide Zimbabweans facilitated entry and ensure reasonable protection. Any effective solution must include a regional mechanism, through the Southern African Development Community or otherwise, to provide temporary protection in anticipation of a political settlement.

- ❑ The most pressing need for the vast majority of Zimbabweans is to be able to send food and money to their families back home. That stark reality trumps their protection needs. Many displaced Zimbabweans in neighboring countries would qualify as refugees under the 1951 Convention owing to legitimate fears of persecution back home. RI interviewed teachers, policemen, soldiers, journalists, and political activists who have been threatened, beaten or tortured inside Zimbabwe. Many do not apply for asylum, however, in order to preserve their ability to transit back home to deliver vital goods to their families in Zimbabwe.
  - ❑ Some civil society groups are calling for all Zimbabweans to be recognized as refugees under the 1969 Organization of African Unity Convention. While Zimbabweans are forced to leave because of “events seriously disturbing public order” - the OAU criterion - such a designation is politically impractical and does not completely reflect the nature of the migration. The circumstances of the crisis call for new legal approaches in line with progressive interpretation of refugee and international human rights covenants.
  - ❑ The situation is different in each host country. In South Africa, the government has been slow in tackling a backlog of some 80,000 asylum seekers, of which Zimbabweans constitute a majority.
- The Department of Home Affairs’ (DHA) lack of capacity and resources – a problem which dates back several years – has led to legal irregularities and protection concerns. These range from transgression of migrants’ rights at refugee reception offices to arbitrary detention and deportations. While there have been some improvements since Refugees International’s last mission to South Africa in 2004, there are still significant unresolved issues which show a lack of political will. South Africa should redouble its efforts to fix management and backlog problems within DHA, and ensure genuine access to social services for both asylum seekers and refugees.
- ❑ In Botswana, the number of Zimbabwean asylum seekers is unduly low (10 so far in 2007) when compared with South Africa. The main reason is Botswana’s policy of detaining asylum seekers in detention facilities while processing their appeal, and then placing them in camps once the appeal has been granted. This policy – domestic exceptions to the 1951 Refugee Convention – deprives them of the right to work, and keeps them isolated from the rest of society. Given the small number of refugees from all nationalities in Botswana (roughly 3,000), the country should consider rewriting its refugee law to allow for local integration.

# ZIMBABWE EXODUS: KEY FACTS ON HUMANITARIAN ASSISTANCE

The number of Zimbabweans leaving their country continues to increase. Humanitarian needs will grow as pressure on host countries' social services mounts. NGOs and UN agencies should integrate Zimbabweans into existing programs, and design new projects to assist Zimbabweans and vulnerable members of their host communities. In that process, the UN should play an active role in providing regional leadership and coordination.

- ❑ **Provision of humanitarian assistance is severely hampered by the undocumented status of a majority of Zimbabweans.** In host countries, Zimbabweans constitute an invisible population: undocumented, in hiding and scattered. In South Africa, civil society and international NGOs are assessing the situation and have started pilot projects in key locations, such as Musina on the border and Hillbrow in Johannesburg. In Zambia, the presence of a large contingent of NGOs could facilitate a concerted response. In Botswana however, assisting illegal migrants is actively discouraged. It is imperative that arrest and deportation policies do not get in the way of humanitarian aid.
- ❑ **Many Zimbabweans do not have adequate shelter.** In urban centers, Zimbabweans rely on informal networks for shelter. Some congregate in specific neighborhoods, such as Hillbrow, or in work-related, make-shift accommodation, such as construction sites around Gaborone or outdoor markets in Lusaka. Living conditions are often squalid, with poor sanitation, overcrowding and basic cooking facilities. Many people move often to avoid attracting too much attention.

In South Africa, the Central Methodist Church in Johannesburg is the most visible sign of a hidden problem. It houses over 1,200 homeless migrants, the vast majority from Zimbabwe. Reports of other churches as far away as Cape Town and Durban opening their doors show the extent of the problem. Operational agencies need to look at creative ways to address the temporary shelter shortfall which would benefit host countries in the long term.
- ❑ **Food shortages for Zimbabweans are compounded by their need to send supplies back home.** Zimbabweans send staple goods such as cornmeal, cooking oil, sugar and rice home regularly. RI met Zimbabweans who deprive themselves of regular meals in order to send more food home to their families. The provision of food by operational agencies needs to take this particular situation into account.
- ❑ **Zimbabweans do not enjoy unfettered access to health care.** There is a gap between the legal ability of migrants to access health care in host countries, and their willingness to do so. Hospitals in Botswana and South Africa are open to foreign nationals, but many Zimbabweans report being refused treatment, or fear being arrested. These problems are most acute in Botswana, where xenophobia is highest. Displacement of large numbers of Zimbabweans could have implications on the spread of HIV/AIDS. RI is aware of Zimbabweans who have discontinued treatment and sold anti-retrovirals on the black market. This situation requires close monitoring, especially in Zambia where many Zimbabwean women resort to prostitution.
- ❑ **Skilled Zimbabweans take up menial jobs.** Professionals – teachers, nurses, journalists and artisans – are forced to leave Zimbabwe because they cannot support themselves and their families. In host countries, most are unable to practice their profession. RI met with skilled electricians and masons who are hired as unskilled labor on construction sites; nurses employed as maids; and teachers selling trinkets on the street. At the extreme, RI met with commercial sex workers who had been office clerks in Harare. This de-professionalization is a testament to the growing desperation of Zimbabweans, and has profound implications for the future of Zimbabwe.

# ZIMBABWE EXODUS: KEY FACTS FOR IMPROVING UN RESPONSE

The United Nations should play a larger role in responding to the needs of displaced Zimbabweans in southern Africa. It should also assign an agency to coordinate the efforts of its various branches and those of international service agencies and civil society organizations. Facing a problem that spreads across the region, the UN is in the best position to provide a coherent response to the growing humanitarian needs of Zimbabweans outside their country.

- ❑ The UN's statements currently emphasize that Zimbabweans are fleeing for economic reasons. Informally, UN personnel acknowledge that there are legitimate protection issues and growing humanitarian needs among Zimbabweans in South Africa. RI has drawn the same conclusions in Botswana and Zambia. The rhetoric must reflect reality in order to allow UN agencies to expand operations.
- ❑ A joint assessment of the situation of Zimbabweans in South Africa was conducted by IOM, UNICEF, and UNHCR in September 2007, and includes recommendations. The UN should conduct similar assessments in Botswana, Zambia, and consider doing so in Mozambique.
- ❑ OCHA is currently limited in its ability to take a coordination role. It has not been invited to operate directly in South Africa, and is focused mainly on natural disaster and famine response at the regional level. OCHA is best positioned to coordinate the humanitarian response regionally.
- ❑ If OCHA is not able to play the lead in coordinating a response, the UN must select agencies in each country neighboring Zimbabwe to lead and coordinate an effective response, as is the case in South Africa. UNHCR, with field offices in all neighboring countries, is best positioned to play that role.
- ❑ Lead agencies must actively coordinate not only UN agencies, but also engage the international NGO and domestic civil society groups that are responding to humanitarian needs. While IOM does act as the lead agency in South Africa, sufficient coordination is not taking place.
- ❑ The UN should negotiate with host governments to allow for the unimpeded provision of humanitarian assistance to Zimbabweans. Until legal reforms can provide Zimbabweans with documented status, it is important that they are not threatened with arrest, detention, or deportation at service provision sites. While South Africa has made progress on this front, Botswana is particularly hostile to this agenda, and has indicated it will not allow any assistance to be provided to undocumented Zimbabweans.