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**FORCED MIGRATION STUDIES PROGRAMME
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Zimbabwean migration into Southern Africa: new trends and responses

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This research report was produced by the **FORCED MIGRATION STUDIES PROGRAMME** at the University of the Witwatersrand. The research was conducted by Monica Kiwanuka (monica@migration.org.za). The report was written by Monica Kiwanuka and Tamlyn Monson, with editing and assistance from Darshan Vigneswaran, Tara Polzer and Jo Vearey.

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Acronyms

| | |
|-----------------|---|
| INAR | National Institute for Refugee Assistance (Portuguese acronym) |
| BOCISCOZ | Botswana civil society coalition for Zimbabwe |
| CHRR | Centre for Human Rights and Rehabilitation |
| COMESA | Common Market for Central and East and Southern Africa |
| CSO | Civil Society Organisation |
| FMSP | Forced Migration Studies Programme |
| FOCAMA | Coordination Forum of the Associations of Manica (Portuguese acronym) |
| IOM | International Organisation for Migration |
| MDC | Movement for Democratic Change |
| NGO | Non-Government Organisation |
| OMES | Organisation of Female AIDS Educators (Portuguese acronym) |
| SADC | Southern African Development Community |
| SALAN | Southern African Legal Assistance Network |
| UNHCR | United Nations High Commissioner for Refugees |
| ZANU-PF | Zimbabwe African National Union-Patriotic Front |
| ZIMOSA | Zimbabwe-Mozambique Solidarity Alliance |

Executive Summary

The economic and political collapse of Zimbabwe has generated unprecedented outward migration to Southern African countries. Even as stability gradually returns in Zimbabwe, the humanitarian crises facing its diaspora and the potential for further waves of migration remain high. This subject has been researched extensively in South Africa, but much less is known about Zimbabwean migration to Botswana, Malawi, Mozambique and Zambia. In light of this, Oxfam commissioned the Forced Migration Studies Programme to conduct a background study that would expand knowledge about Zimbabwean migration patterns into the region and responses to this movement, and help in the formulation of appropriate responses.

This report provides the findings of that study, drawing upon field research and interviews with migrants and service providers in destination countries during 2008 and 2009, as well as on an extensive desktop review of the literature. The report highlights three central problems:

- The lack of adequate information systems within and across the four countries to produce data that would foster an understanding of the real nature, extent, and positive and negative aspects of Zimbabwean migration nationally and in the region;
- The absence of institutionalised responses addressing the kind of humanitarian migration¹ issuing from Zimbabwe;
- The inadequacy of existing national and regional migration instruments, including refugee legislation, to address this kind of forced migration.

¹ We have termed Zimbabweans 'humanitarian migrants' because they are usually neither recognised refugees nor voluntary economic migrants. Their migration is largely motivated by humanitarian need, but they do not generally seek humanitarian assistance through the asylum system, choosing proactive livelihood-seeking instead.

The primary consequences of this situation are also explored:

- The invisibility of Zimbabwean migrants with significant humanitarian needs in the four countries. Due to both clandestine migration and limited uptake of asylum, the population remains invisible to both governments and humanitarian organisations which often have refugee-centric mandates;
- Lack of awareness of the impacts, whether positive or negative, of this kind of migration on host populations;
- Inability to manage these impacts in the interests of host populations, or to launch an appropriate humanitarian response to meet the needs of the Zimbabwean migrant population.

While we show that issues of immigration control and xenophobic violence are less prominent in popular debates in Botswana, Malawi, Mozambique and Zambia than in South Africa, we note that governments and civil societies in other Southern African countries are not prepared or capacitated to respond to sustained, large-scale flows of migrants such as those originating from Zimbabwe over recent years. Even in the most hopeful scenario of a durable return to peace, stability and prosperity in Zimbabwe, this shortfall is a significant concern. Given this assessment, the report argues in favour of both a series of targeted interventions to meet immediate needs, and a broader and longer term investment in Southern African migration management.

Our principal findings are summarised below.

Demographics

- Zimbabwean migration is mixed and differentiated, including shoppers, informal cross-border traders, short- and long-term skilled and unskilled migrants, recognised refugees, and people returning to reinstate their host country nationality.² However, to the extent that these distinct flows occur against the background of political instability and economic collapse in Zimbabwe, they should for the most part be considered as a form of forced rather than voluntary migration.

² This is particularly in the case of Zimbabweans returning to reinstate their Malawian citizenship.

- Although literature consistently observes that, second to South Africa, Botswana is the primary destination for Zimbabwean migrants, the quality of data available in Malawi, Mozambique and Zambia appears too poor to reliably assess the scale of migration flows and compare the scale of Zimbabwean migration across the four countries.
- Much Zimbabwean migration is circular and temporary. Cross-border informal traders, shoppers, contract workers, tourists and visitors continually move back and forth to work shop and deliver remittances.
- While male migration is still dominant, Zimbabwean women are increasingly on the move as cross-border traders, shoppers and visitors.

Reception and Regulation

- Botswana has the most exclusionary policy towards Zimbabweans, regularly deporting large numbers and limiting their access to basic social services.
- With the important exception of Botswana, where there is some resentment, citizens of most countries were sympathetic to Zimbabweans. It is not likely that we will see xenophobic violence of the type witnessed in South Africa in 2008 in these other Southern African countries.
- The availability of various permits allowing legal entry eases pressure on the migration system. These permits include:
 - a) 90-day visitors' permits for SADC citizens in Malawi, Mozambique, Zambia and Botswana;
 - b) one-day, 50km border passes in Mozambique, Zambia and Botswana;
 - c) COMESA permits in Malawi, Mozambique and Zambia.

However, none of these instruments was designed to address the type of migration caused by the crisis in Zimbabwe. The requirement to produce a passport, pay a fee, and provide evidence of sufficient funds for travel, as well as the spatial and time restrictions applicable in some cases, make these permits unsuited to what is in effect forced livelihood-seeking migration from an economically collapsed state. As a result, many Zimbabweans migrate through clandestine channels or use the available legal routes tactically for purposes beyond those intended by policy.

- Camp-based, mobility-restricted refugee policies are unsuited to Zimbabwean asylum seekers' needs for work and cross-border mobility in order to support dependents left behind in conditions of economic crisis. For this reason, Zimbabweans bypass the asylum system, causing inadequate estimation of and response to their humanitarian needs as a population. The asylum system in all four countries is significantly undersubscribed.

Employment

- Besides cross-border trade, employed Zimbabweans work mainly in agriculture, construction, domestic work, and the service industry. Recipient countries generally view the presence of skilled Zimbabweans as positive and in some cases also acknowledge the less skilled as hard working and valuable contributors to the host society.
- Botswana appears to issue more work permits to Zimbabweans than any of the other three countries, and a relatively large number of Zimbabweans reportedly work within its government structures.
- Some female migrants are reported to be engaged in commercial sex for survival and to supplement meagre incomes. This practice may not be as widespread as government officials and host populations believe. However, various forms of transactional sex as a survival strategy remain an important protection and regional health concern.

Vulnerability

- Lack of food, employment and shelter are a significant problem for Zimbabweans in all four countries; homelessness and over-crowding are common. These in turn may constitute public health risks.
- While free anti-retroviral therapy (ART) may be accessed by all non-nationals in Malawi, Mozambique and Zambia, the lack of such provision in Botswana – even to asylum seekers and refugees – poses a regional and national health risk.
- In all four countries, there are very few capacitated and professional organisations specifically working on advocacy and intervention for

- Zimbabweans or migrants generally. In addition to this, in all countries, government policy discourages the creation of 'pull factors' through direct assistance, and also discourages assistance to undocumented migrants, creating a strong disincentive to the establishment of much-needed direct assistance organisations for this population.
- Female sex workers, and non-national women suspected of being sex workers, are specifically targeted for harassment (including sexual harassment), arrest and deportation by officials in Mozambique and Zambia particularly.

Research

- The lack of research organisations engaged in data collection on migration and the fact that immigration data is not standardised across the region hampers our ability to make more precise and impactful assessments of migration patterns and trends, as well as of migrants' vulnerabilities.
- Research that would promote the development of more appropriate policy responses to humanitarian migration might include, among other things, studies of:
 - the actual use of regional migration instruments, such as the 90-day permit;
 - the local costs and effects of host-community support to Zimbabwean migrants;
 - the level of Zimbabwean earnings spent in host countries on in-kind remittances;
 - the number and nature of dependents of Zimbabwean humanitarian migrants remaining in the country of origin;
 - the health risks of transactional sex as a forced livelihood-seeking strategy in the context of non-response to humanitarian migration in the region;
 - humanitarian migration of unaccompanied minors in the region; and
 - the extent to which Zimbabwean migration in the region manages to mitigate the humanitarian needs in Zimbabwe caused by the crisis in that country.

Recommendations to National Governments

IMMEDIATE RESPONSE

For the purpose of facilitating humanitarian intervention for Zimbabwean migrants and better managing the impacts on their own citizens, governments in the region should:

- Acknowledge the humanitarian nature of migration from Zimbabwe, and encourage services targeted at undocumented Zimbabweans as a humanitarian response to forced migration rather than discouraging them as a 'pull factor'.
- Governments in Mozambique and Zambia should cease targeting Zimbabwean women presumed to be sex workers for deportation.
- The government of Botswana should cease deporting undocumented Zimbabweans in recognition of the humanitarian conditions in Zimbabwe and the consequently forced character of their movement. This would have the related benefits of lowering deportation costs and decreasing overcrowding in the Francistown centre for illegal immigrants.
- Where possible, governments should form partnerships with international and domestic non-governmental organisations (NGOs) and support local governments in the provision of public services to Zimbabweans in popular destination areas.

MEDIUM-TERM RESPONSES

Improved official responses to Zimbabwean migration might entail:

Asylum and immigration policy

- Establish a national and preferably regional policy response to the type of humanitarian migration that has resulted from the Zimbabwean crisis. This could involve reaffirming the application of the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa (hereafter OAU Convention) to contexts resembling the economic political collapse of Zimbabwe. This policy response should focus on:

- Providing some measure of humanitarian support to the most vulnerable;
 - Supporting self-settlement; and
 - Permitting cross-border mobility.
 - Any policy response would need to take account of the effects of economic crisis and/or bureaucratic collapse on the ability of migrants to obtain passports and other travel documents.
- In order to guard against cases of *refoulement*,³ Botswana should ensure that would-be asylum seekers from Zimbabwe are not deported.
 - The Mozambican government should acknowledge that Zimbabwean migrants fulfill the conditions for refugee status under the OAU Convention and consider granting status to those Zimbabweans who apply for asylum.

Documentation

- Following the example of South Africa, all governments should consider attaching limited working rights to the 90-day temporary permit or introducing a longer-term temporary permit for Zimbabweans with permission to work.
- All governments should consider revising the documentation requirements for Zimbabweans to cross borders legally, until such time as Zimbabwe's internal systems for the issuance of passports and travel documents are restored to effective levels.

Assistance

- All governments should recognise the unique nature of livelihood-seeking humanitarian migration and the inability of existing laws and policies to respond to this kind of mobility. As such, they should promote targeted provision of advice and assistance to such populations.
- All governments should mainstream migration issues in their social development policies, specifically including 1) the sensitisation of health, welfare, housing and education departments to the unique needs of migrants and 2) the incorporation of migrant issues in planning processes.

³ *Refoulement* is the act of returning a refugee to a country where his or her life or freedom is at risk. Non-refoulement is a principle of the United Nations Convention on the Status of Refugees.

Health

- The Botswana government should abandon its policy of reserving **free** ARV access for nationals.
- As a Southern African Development Community (SADC) member state, Botswana should adopt and implement the SADC Policy Framework for Population Mobility and Communicable Diseases in the SADC Region.
- Health ministries and CSOs in the four countries should monitor client levels and plan and budget for the possibility of additional clients generated by humanitarian migration from Zimbabwe. This endeavour should be informed by a view that does not conceive of healthcare as a pull factor, as Zimbabwean migrants do not appear to be primarily a health-seeking population.

LONG-TERM CAPACITY-BUILDING

While the above measures will ameliorate immediate needs and help governments to deal with the ongoing Zimbabwean crisis, there must be a much longer-term investment in the monitoring and management of migration, focusing in particular on the improvement of migration-related data collection, analysis and dissemination.

Recommendations to Local and International NGOs

IMMEDIATE HUMANITARIAN RESPONSE

Given the diverse and diffuse nature of Zimbabwean migration flows, and the lack of active local partners that are capable of assisting Zimbabwean communities, it will be difficult to coordinate a regional humanitarian intervention that will adequately address the immediate needs of Zimbabwean migrants. Nonetheless, several areas of immediate intervention should be considered priorities by local and international NGOs:

- Provision of NGO support of vulnerable individuals within the various groups of migrants. This may involve the distribution of food parcels and provision of basic healthcare (including free HIV testing and counselling)

- and shelter facilities. These interventions should initially be targeted at short-term, temporary migrants who are entering and staying briefly in border towns. While South Africa's response to Zimbabwean migration does not provide clear examples of successful government policy, lessons to inform such interventions may be learnt from the activities of NGOs in the Musina border area. These considerations should be balanced against the fact that host governments may view such interventions as a pull factor for additional migration, and carried out in a way that supports the dependency-resistance of Zimbabwean migrants.
- Although further research may be needed to optimise the design of responses, another area requiring an immediate response is that of migrant women engaged in sex work. Concerns include the popular assumption that most female Zimbabwean migrants are sex workers, and therefore the dual stigmatisation and criminalisation resulting from assumptions about undocumented migration and sex work. Initiatives addressed at the general public, government officials and NGOs are needed to clarify that not all Zimbabwean women are sex workers. Furthermore, initiatives are needed to facilitate access to health care, condoms, free HIV testing and counselling for migrant women who do engage in transactional sex.
 - Given the ability of a significant number of Zimbabweans to integrate easily and access some public services in Malawi and Mozambique, like health and education, international and domestic non-government organisations (NGOs) might consider partnering with local governments to support them in the provision of public services in popular destination areas.

MEDIUM-TERM LOBBYING AND ADVOCACY

There are several areas in which local and international organisations could advocate for improved official responses to Zimbabwean migration:

Asylum and immigration policy

- All governments should be encouraged to establish a national and preferably regional policy response to the type of humanitarian migration that has resulted from the Zimbabwean crisis. This could involve

reaffirming the application of the 1969 OAU Convention to contexts resembling the economic political collapse of Zimbabwe. This policy response should focus on:

- Providing some measure of humanitarian support to the most vulnerable;
 - Supporting self-settlement; and
 - Permitting cross-border mobility.
 - Any policy response would need to take account of the effects of economic crisis and/or bureaucratic collapse on the ability of migrants to obtain passports and other travel documents.
- In order to guard against cases of *refoulement*, Botswana – the only country in this study which regularly deports large numbers of Zimbabwean nationals – should be urged to ensure that would-be asylum seekers are not deported. Furthermore, Botswana should be encouraged to recognise Zimbabwean asylum seekers on the basis of the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa.
 - Organisations should work toward changing Mozambique’s historically resistant approach to Zimbabwean asylum seeking. This will involve encouraging the government of Mozambique to acknowledge that Zimbabwean migrants fulfill the conditions for refugee status under the 1969 OAU Convention and to consider granting status to those Zimbabweans who apply for asylum.

Documentation

- Following the example of South Africa, all governments should be lobbied to consider attaching limited working rights to the 90-day temporary permit or introducing a longer-term temporary permit for Zimbabweans with permission to work.

Deportation

- Organisations should work with governments in Mozambique and Zambia to prevent continued targeting of Zimbabwean women presumed to be sex workers for deportation.
- The government of Botswana should be urged to cease deporting undocumented Zimbabweans due to the humanitarian conditions in Zimbabwe and the consequently forced character of their movement.

Assistance

- All governments should be encouraged to recognise the unique nature of livelihood-seeking humanitarian migration and the inability of existing laws and policies to respond to this kind of mobility. Given this awareness, governments should be lobbied to promote targeted provision of advice and assistance to such populations.
- All governments should be encouraged to mainstream migration issues in their social development policies, specifically including 1) the sensitisation of health, welfare, housing and education departments to the unique needs of migrants and 2) the incorporation of migrant issues in planning processes.

Health

- The Botswana government should be urged to abandon its policy of reserving ARV access for nationals. International humanitarian organisations should work in partnership with the government to ensure that the donor community is made aware of the need to ensure that migrants and refugees remain protected.
- As a Southern African Development Community (SADC) member state, Botswana should be urged to adopt and implement the SADC Policy Framework for Population Mobility and Communicable Diseases in the SADC Region.
- Health ministries and CSOs in the four countries should be lobbied to monitor client levels and to plan and budget for the possibility of additional clients generated by humanitarian migration from Zimbabwe. This endeavour should be informed by a view that does not conceive of healthcare as a pull factor, as Zimbabwean migrants do not appear to be primarily a health-seeking population. Research into the scale of Zimbabwean uptake of health services in the four countries would be helpful in framing lobbying efforts of this sort.

LONG-TERM CAPACITY-BUILDING

While the above measures will ameliorate immediate needs and help governments to deal with the ongoing Zimbabwean crisis, there must be a much

longer-term investment in the development of the region's capacity to cope with migration crises of this sort. At a minimum, this should involve:

- Promotion of awareness amongst civil society organisations of domestic and international laws as they relate to the protection and rights of migrants.
- Development of specialised NGOs or specialised units within existing NGOs to address the needs of migrants for documentation, welfare and services. Such initiatives could begin by providing support for the already substantial set of informal reception and integration practices adopted on an ad hoc basis by local individuals and communities.
- Sustained and rigorous collection of and standardisation of data and information on migration, together with a massive investment in capacitating local researchers to study migration in all its forms.
- Development of networks of relevant organisations within countries and across the region (to establish partnerships and promote complementary service delivery), and establishment of linkages between local service providers and the international community (to aid in local capacity-building and assist in promoting the regional migration agenda).

Background

Southern Africa has a long history of population movements – mobility has been a central and defining feature of the region’s politics, economy and culture. In the past 20 years, an increasing number of people have migrated to escape poverty, seek livelihoods or escape from political upheavals and civil strife, such as the Mozambican and Angolan civil wars – whose effects on regional development continue to be felt to date. The patterns and scale of these population movements are constantly in flux.

Literature reflects that, since the turn of the 21st century, there has been a massive increase in the movement of individuals from Zimbabwe to regional countries – particularly South Africa and Botswana – and to those beyond, in response to Zimbabwe’s political, social and economic decline. The decade-long political and economic crisis in Zimbabwe has led to a consistent exodus, primarily of the economically active sectors of the population, due in part to the ruling Zanu-PF led government’s economic policies and its consistent recourse to violence as a way of suppressing political dissent.

On the one hand, rampant poverty and unemployment, and the general scarcity of basic commodities, has led to the migration of Zimbabweans into neighbouring countries and further afield in search of goods and livelihood opportunities. In the region, this has generally taken the form of cross-border trade, migration for seasonal work, or longer-term economic migration. In periods of severe humanitarian need, these movements have been a form of forced migration: livelihood-seeking migration without which Zimbabwean migrants and their dependents would not have survived. On the other hand, political persecution, including claims of torture and forced disappearances, has led to refugees seeking sanctuary across the border, where they are faced with the dilemma of how to support dependents while fulfilling the often constraining conditions of their refugee status. As such, the effects of unrest and instability within Zimbabwe have been numerous both inside and outside the country.

Introduction/Research Design and Methods

This study was commissioned by Oxfam in order to expand collective knowledge about Zimbabwean migration patterns in areas where these are poorly documented. Due to the resources available in South Africa for advocacy and research, a significant amount of information about Zimbabweans migration to this country is available (see for example Makina 2007, Vigneswaran 2007, Bloch 2008 and Polzer 2008). However, much less is known about the movement of Zimbabweans to other neighbouring countries such as Botswana, Malawi, Mozambique and Zambia.

This study was undertaken for the purpose of providing baseline data to support policy responses and interventions in the respective countries to ensure that Zimbabwean migrants are protected and able to receive adequate humanitarian assistance.

Specific Objectives of the Study

- To identify Zimbabwean migration trends and patterns in each host country and the region more generally.
- To develop for the region a typology of Zimbabwean migration which breaks down the migrant stock into identifiable categories that share broad similarities in terms of: reasons for leaving Zimbabwe; reasons for choosing a destination country; levels of education; class (or human resource potential); gender; and family and personal networks.
- To identify (where possible) dominant or pronounced migrant types for each country, as well as variations within and across identified types.
- To identify for the region, and specify for each country: principal sectors of employment; key forms of vulnerability and specific vulnerable groups; protection successes and failures; and potential crisis areas.
- To identify negative and positive impacts of migrant flows.
- To identify in relation to these migration flows the potential risk of xenophobic violence, as has occurred in South Africa.

- To consider discourses and public responses to Zimbabwean migration in each country.
- To assess the roles of local organisations in terms advocacy for, and service delivery to, Zimbabwean migrants.

Methodology

Case-Study Country Selection

From the outset, this study recognised the comparatively strong knowledge base about Zimbabwean migration into South Africa, and the urgent need for similar information relating to other countries in Southern Africa. The study initially aimed to begin the process of addressing this knowledge gap by researching Zimbabwean migration into four countries in close proximity to Zimbabwe: Botswana, Zambia, Mozambique and Namibia. The fact that these countries share a border with Zimbabwe was the primary motivation for their selection. However, we ultimately decided to investigate Malawi rather than Namibia. The actual point at which the territories of Namibia and Zimbabwe meet is of a negligible size, and we came across anecdotal evidence that the level of Zimbabwean migration into Namibia was in fact rather limited. In addition, the historical ties between Zimbabwe, Zambia and Malawi, which once formed part of a single federation, have resulted in significant kinship ties between Malawi and Zimbabwe, which do not exist between Zimbabwe and Namibia. Considering that this fact would likely mean increased flows between the former two countries, we made the decision that Malawi should be given priority, and dropped Namibia from the sample.

Desk-Based Study

The study began with a desk-based review of academic literature, media reporting and recent regional monitoring reports of Zimbabwean migration flows. This initial work was used to develop a preliminary understanding of the history and causes of Zimbabwean migration and of new developments in the region, and to identify impressionistic differences between the various countries. As expected, there was a paucity of literature on migration in general, and Zimbabwean migration in particular, in the countries sampled. Indeed, we

discovered no relevant research whatsoever focusing specifically on Zambia or Malawi, and beyond that, the limited literature we encountered on specific countries in the region was dated and thus of limited use.

Statistics and reports by governments on migration into the respective countries proved impossible to locate, except for those relating to Botswana. This challenge was meaningful in that it confirmed the dire need for the production of current and accessible knowledge about migration in the region.

Preliminary Telephone Interviews with Key Informants

The second stage comprised telephonic consultations with key informants, with the aim of establishing the shape of the issue of migration in each country, the strength of preliminary hypotheses, important locations for fieldwork and additional sources of information and/or data. We expected to identify key informants through the literature review and the work of dedicated research assistants deployed in three of the countries. However, many of the contacts identified through the desk review no longer existed. The research assistant in Malawi found not a single non-governmental organisation working specifically with Zimbabwean migrants, and we were unable to make telephonic contact with any relevant organisations in Mozambique. In most cases, we began with international organisations such as the United Nations High Commissioner for Refugees (UNHCR) and followed up a number of their leads and subsequent referrals before reaching an organisation or organisations working with Zimbabweans. These challenges affirmed the need for field visits to the various countries, and contributed to a hypothesis – borne out by the fieldwork – that Zimbabwean migration is receiving little or no attention in several of the sampled countries, and that the regional response to migration flows caused by the Zimbabwean crisis is inadequate at best.

Fieldwork

Field visits to the four countries took place in late 2008, and were each a little over a week in duration. The fact that limited contacts had been made in the second stage of the research meant that fieldwork took a flexible approach, and organisations had to be discovered and followed up during the course of the visit,

especially in Malawi and Mozambique. In Botswana, issues around interview authorisation prevented interviews with government officials during the first field visit and made it necessary to return for a second visit in 2009, during which research was once again hampered, this time by the failure of some officials to follow through on their commitments to participate. Although the team intended to visit the Dukwi refugee camp in Botswana, the Office of the President did not grant permission for the visit.

Because government authorities and non-government organisations (NGOs) were largely based in the capital cities, fieldwork began in the capitals and extended to border and rural areas identified by key informant interviews in the cities. The limited duration of field visits meant that the research was constrained to a small number of sites in each country. In each site visited, in-depth interviews were conducted with key informants and complemented by focus groups with members of migrant and host communities, allowing us to confirm and contextualise the claims made by officials and civil society actors.

The key government officials interviewed included heads of sections or other representatives in the line ministries dealing with refugee or migration issues in each of the countries. These included the ministries/departments of home affairs, immigration, health, trade and industry, labour, social welfare, gender or women and child affairs, and central statistics offices, among others. Fifty seven government and non-government representatives were interviewed across the case-study countries. Appendix 1 provides further detail on interviews conducted by individual country.

Across the four countries, 14 focus groups were conducted with Zimbabweans and 11 with host community members. Participants for the focus groups were sampled by convenience methods in areas identified by informants as places of concentrated Zimbabwean residence, and/or areas shared by host communities and migrants, including border posts, bus termini, markets, workplaces, and streets where migrants solicit casual work. Appendix 2 provides more detail on the focus groups conducted in each country.

| Country | Site Visits | Dates |
|--------------------|--|---------------------------|
| Mozambique | Maputo Sofala (in Beira) Chimoio & Machipanda border Tete | 5 Oct 2008 – 14 Oct 2008 |
| Botswana (Visit 1) | Gaborone Francistown & Rwamakwegbana Border | 27 Oct 2008 – 9 Nov 2008 |
| Zambia | Livingstone & Victoria Falls Border Lusaka & Chirundu Border | 24 Nov 2008 – 2 Dec 2008 |
| Malawi | Lilongwe, Blantyre & Mwanza Border | 6 Dec 2008 – 13 Dec 2008 |
| Botswana (Visit 2) | Gaborone | 15 Feb 2009 – 25 Feb 2009 |

Fig 1: Site Visits and Dates in Chronological Order

Limitations of the Study

The lack of pre-existing research concerning migration in all four countries constrained the study from the outset. However, there were also a number of other constraints that limited our findings. These are outlined below.

Time constraints: The limited scope and time allocation for the study made it impossible to interview local leaders and communities in areas of residence that were far from the capital cities where Zimbabweans are concentrated and where most government offices are located. The possible existence of relevant civil society or faith-based organisations in outlying areas requires further investigation, as does the issue of migration patterns to areas such as northern Mozambique.

Information systems: None of the countries selected as case studies had a robust information infrastructure for the compilation and analysis of national or regional migration-related information (although at the time Botswana was planning to begin computerising border entry and exit mechanisms, which may improve data management and analysis). All four countries collected immigration information manually at the borders, and only in Botswana was there any evidence of the centralised compilation and publication of the data collected. The effect was that it was impossible to obtain reliable, disaggregated information about Zimbabwean migration into these countries. Where data was accessible (in Botswana) it reflected only entries into the country, and not exits, meaning there

was no statistical information on circular versus one-way migration. It is worth noting, however, that the International Organisation for Migration (IOM) in Zambia has started working with the immigration office in an attempt to produce better information about Zimbabwean immigrants crossing the Chirundu border. Interventions of this kind will be valuable for future research.

Political disincentives: In Mozambique, which has a strong historical relationship with the Zanu PF leadership in Zimbabwe, there seemed to be widespread political pressure to underplay the levels of and motives for Zimbabwean migration in order to resist acknowledging the complexity of the crisis in Zimbabwe. As a result, officials tended to be dismissive or evasive when asked to provide information about Zimbabwean migration into Mozambique.

Authorisation issues: As mentioned above, the need to obtain permission to collect data from government institutions in Botswana and Mozambique posed a problem. In the case of Botswana, this was addressed to some extent through a second field visit to Gaborone, but permission issues prevented us from acquiring information from the Ministry of Health and the Dukwi refugee camp. In Mozambique, we were not permitted to visit the National Institute for Refugee Assistance (INAR).

Population visibility: There were difficulties in locating Zimbabweans to participate in the study due to the hidden and dispersed nature of this population. One result of this is the bias toward low-income respondents, who were more easily accessible. Participants from host communities, on the other hand, included both low and middle-income groups. The study also failed to reach migrant children and unaccompanied minors in particular. There is a need for further research into this phenomenon in the four countries, as unaccompanied migration of minors is often undertaken as a livelihood strategy in the wake of loss of a parent or caregiver, and research by the Forced Migration Studies Programme (FMSP) shows that, in South Africa at least, such minors are increasingly reaching cities rather than only border towns (Vearey et al 2009).

Confidentiality concerns: Among both Zimbabwean migrants and locals, prospective respondents resisted participating due to fears that they were being spied on by immigration officials and/or the Zimbabwean government.

Zimbabwean Migration Patterns and Trends

Profile of Zimbabweans in the Four Countries

Although cross-border movements of Zimbabweans to neighbouring countries in the region has a long history, the scale of mobility has increased significantly in the last decade, and a significant proportion of traders and other entrepreneurs have been added to historical labour movements. The fieldwork in this study confirmed existing literature suggesting that Zimbabweans are mainly circular migrants who migrate as a means of sustaining livelihoods to support families and networks at home (Makina 2007, Southern African Legal Assistance Network (SALAN) 2007, Bloch 2008). Officials at the border posts and immigration offices reported the age range of Zimbabwean migrants to be between 16 and 40 years, indicative of an economically active population.

Fieldwork confirmed that Zimbabweans are mainly circular migrants.

Apart from Botswana, where males continue to predominate, female migrants constitute an increasingly large proportion of Zimbabwean migrants. Many come as visitors, informal cross-border traders and shoppers. Other Zimbabweans move to find 'piece-jobs',⁴ especially in the service, construction, and tourism industries.⁵ Fieldwork established that Zimbabweans in these four countries usually migrate alone, leaving their families and other dependents behind, and staying for short periods.

⁴ 'Piece jobs' refer to work acquired in part-time 'pieces' to constitute a working week – for instance, a domestic worker might work one day per week for one employer, and two days per week for several others.

⁵ These were observations combined with some information captured at the points of entry by immigration officials in each of the countries where the study was conducted.

Motivations for Leaving Zimbabwe

Findings on motives for migration confirmed existing literature highlighting the centrality of economic motivations among Zimbabwean migrants to Botswana, Malawi and South Africa, although economic motivation and reasons related to persecution and violence are not mutually exclusive (Centre for Human Rights and Rehabilitation (CHRR) 2007, Ditswanelo 2007, Makina 2007, Bloch 2008). In FMSP research conducted among asylum seekers in South Africa, for example, only 29% cited economic reasons alone as their reasons for migrating, while 42% listed economic reasons alongside various forms of persecution and/or civil conflict (Amit 2009).

A few participants in Zimbabwean focus groups noted political persecution, including harassment and persecution of MDC supporters by ZANU party leaders, as the main reason for their move. However, the majority of Zimbabweans pointed to the economic crisis as the main driver of their decision to migrate. Economic conditions cited included unemployment, hyper-inflation and devaluation of the currency, poverty, acute shortages of foodstuffs, and the collapse of major economic and public service sectors such as health care and education. Indeed, it is crucial to understand that migration emerged for many as the only solution to an economic situation that has depleted access to an increasing number of basic human rights, in many cases threatening the very survival of migrants and their families.

Migration emerged for many as the only solution to an economic situation that has depleted access to an increasing number of basic human rights, in many cases threatening the very survival of migrants and their families.

Zimbabweans interviewed in the four countries indicated that they mainly come to seek employment in formal and informal sectors; to trade; and to purchase basic necessities such as medicines, groceries, clothes, and other household goods – all in order to support struggling families left behind. Others are

motivated by the desire to visit friends or relatives across the border, although these visits may also have economic implications. In Malawi specifically, immigration officials in Blantyre⁶ noted that some migrants from Zimbabwe with Malawian ancestry (due to a long history of connections between the two countries) come to restore their Malawian citizenship in order to escape untenable conditions in Zimbabwe. In addition to the above, given that all countries provide emergency medical services at no cost, some female Zimbabweans in Zambia, Mozambique and Botswana indicated that they had crossed the border primarily to access antenatal and childbirth services.

Dominant Categories of Migrants in the Region

Zimbabwean migration into Botswana, Malawi, Mozambique and Zambia is of a mixed nature, motivated by a combination of material/economic need, political repression, and/or family links across the borders. It is important to note that all these categories of mobility occur against a backdrop of economic – and arguably state – collapse, and may thus be considered forced rather than voluntary migration.

All these categories of mobility occur against a backdrop of economic – and arguably state – collapse, and may thus be considered forced rather than voluntary migration.

Although they are far from mutually exclusive, the dominant categories of Zimbabwean migrants in the four countries can be summed up as follows:

Individuals fleeing political/structural violence and/or persecution: These include recognised asylum seekers and refugees, but are not limited to these categories, because many Zimbabweans avoid or opt out of asylum due to the humanitarian needs of their dependents in Zimbabwe and the livelihood constraints imposed by refugee status. Botswana hosts the largest number of

⁶ Interview was conducted simultaneously with immigration officials including: permit and legal officer, public relations officer, researcher, citizenship officer, repatriation officer, and assistant passport officer.

Zimbabwean refugees (nevertheless a minimal 825), while Zambia and Malawi have very few recognised Zimbabwean refugees, not exceeding 20 in total. In Mozambique, widespread underestimation of the complexity of the Zimbabwean crisis has resulted (at the time of writing) in the total exclusion of Zimbabweans from access to the refugee reception system. Moreover, all four countries operate to some degree under an unhelpful distinction between the political and economic motivations of Zimbabweans, which obscures the significant humanitarian and protection needs of economic migrants from countries afflicted by this kind of crisis.

Economic migrants: This is the biggest group in all the countries and includes a mix of skilled and unskilled persons, with and without work permits, who have not applied for asylum (this category includes *de facto* refugees who prioritise livelihood support to families in Zimbabwe over the protections offered by refugee status). It should be noted, however, that in the case of Zimbabwean migrants, there is a compelling argument for a humanitarian response to economic migration, which is in large part obscured by its presentation as a separate category (see Protection Successes and Failures for more detail). Further research into the nature and value of remittances and incomes from cross-border livelihood strategies could shed much-needed light on the extent to which human mobility within the Southern African Development Community (SADC) sustains human lives and the economies of struggling states.

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While humanitarian needs among economic migrants are widespread, there are nonetheless different levels of vulnerability, dependent on different forms of economically motivated migration. Among the economic categories are:

- **Cross-Border Shoppers:** These are short-term migrants who are said to be mainly women, although there are also a large number of men. This was reported as the biggest group in each of the countries.
- **Medium-term labour migrants:** These migrants are involved in menial and temporary 'piece-jobs'. In all four countries, people who engage in sex work as a survival strategy were specifically identified as part of this group.
- **Long-term labour migrants:** These include skilled and permanent workers. Excepting Zambia, where such data was not available, information on work permit holders suggested that long-term labour migrants are mainly employed by governments and a few by NGOs. Individuals who are self-employed in various formal business ventures also fall into this category.
- **Cross-Border informal traders:** This group consists mainly of women who are involved in small-scale informal trade, selling goods such as juice, milk, men's suits and crafts from Zimbabwe, and buying foodstuffs, soap, flour, clothing and other goods in the host country for resale in their home country. Under the COMESA⁷ and SADC trade protocol arrangements, traders are permitted to sell their goods in other member states, also spending short periods in those countries. This research did not examine Zimbabwean formal cross-border traders, as these were few, but some did exist in all countries. They were most visible in Zambia's COMESA Market, and appeared virtually to sustain the local economy in Francistown, Botswana.

Visitors: A large number of migrants regularly visit relatives across the border, according to immigration officials in all four countries. They stay for short periods, usually not exceeding a week. This group reportedly constitutes one of the biggest categories in all countries, and is not easily separable from other categories, since visitors may take the opportunity to shop or scout for employment.

⁷ Common Market for Central East and Southern Africa.

Returning nationals: This category is specific to Malawi. First- and second-generation Malawians living in Zimbabwe are eligible to restore their Malawian citizenship,⁸ and some do so in order to escape the economic and political crisis in Zimbabwe, which does not permit dual citizenship. Officials estimate that this group is no larger than other categories of Zimbabwean migration into Malawi.

Source and Destination Areas

This map illustrates some of the source and destination areas for Zimbabwean migrants, as well as illustrating the geographic location of fieldwork sites.



Fig 2: Map of Primary Source and Destination Areas with Fieldwork Sites

⁸ According to the immigration officials, only first and second generations are eligible for a Malawian passport. Third generation candidates are not considered to be Malawians unless they register.

Source Areas

Although migrants came from all over Zimbabwe, the majority of those we interviewed as well as those seen through the border points by immigration officials, come from the urban areas of Harare, Bulawayo and Gweru. The prominence of most of these source centres can be explained as a result of proximity and ease of transportation. The main source area mentioned by Mozambican sources was the province of Manicaland (capital Mutare), which comprises a substantial stretch of the eastern border of Zimbabwe.

Although migrants came from all over Zimbabwe, the majority come from the urban areas of Harare, Bulawayo and Gweru.

Destinations

The majority of Zimbabwean migrants travel to South Africa and Botswana, due to the economic stability and high wage and employment standards (Lefko-Everett 2004). However, long-lasting ethnic ties and networks influence a substantial proportion of Zimbabweans in their choice of destination country. This is particularly so for Zimbabwean migrants to Malawi. Relatives and friends in these destination countries often contribute towards migrants' accommodation, food and work-seeking endeavours.

Although Zimbabweans were reported to be dispersed across the breadth of the receiving countries, they are widely understood to be specifically concentrated in urban areas, given the need to search for employment or viable purchasing and trading opportunities.⁹ The fact that migrants tend to move from urban areas in Zimbabwe to urban areas in neighbouring countries confirms FMSP research in Johannesburg establishing that cross-border migrants living in the inner-city are more likely to have urban linkages and greater knowledge and experience of urban environments (Vearey et al 2009). However, interviews with key informants and Zimbabwean migrants in the four countries established that some

⁹ Immigration officials in the four countries, and Zimbabweans in the focus group discussions.

urban Zimbabweans also choose to live closer to the border area with relatives and/or friends, in order to facilitate mobility and remittances to Zimbabwe.

In Botswana, the majority of Zimbabweans are found in Gaborone and Francistown, but also in Lobatse, Selibe-Phikwe, and major villages like Malepolole and Muchudi. In Mozambique they are mainly in Manica, Tete, Beira (see Sofala on the map in Fig 2), and Maputo, but also go to Gaza province and as far as Cabo. In Malawi, Zimbabweans reportedly favour the southern parts, including Blantyre, Mangochi and Nsanje, and to a lesser extent Lilongwe, due to ethnic connections with people in these areas. In Zambia, the majority is found in Lusaka and Livingstone, but Chirundu, Siavonga and Luangwa are also destinations.

The common feature is that many Zimbabwean migrants live in poor neighbourhoods and shanty towns, with 15-20 people sharing the rent for a single house. For regular circular migrants, staying for only a few days on each visit, this arrangement facilitates the process of meeting low cost shelter needs. Cross-border migrants of particular nationalities tend to cluster in particular buildings and urban areas - a finding which resembles FMSP research in Johannesburg. Furthermore, the majority of households share a single apartment with up to four additional households (Vearey et al 2009). However, the level and regularity of circular migration encountered among Zimbabweans in Botswana, Malawi, Mozambique and Zambia presents a different reality than for many other nationalities of cross-border migrants. Rather than migrating with them in a more permanent manner, migrants' households continue to reside in Zimbabwe while breadwinners support them through travel for short periods to urban areas across the border.

Rather than migrating with them in a more permanent manner, migrants' households continue to reside in Zimbabwe while breadwinners support them through travel for short periods to urban areas across the border.

For some, their inability to afford the available forms of accommodation poses a problem. Informal traders and shoppers can be observed sleeping at the major bus stations, at borders, out in the open, and at markets in towns and city centres. Some stay only overnight, pending their return to Zimbabwe the following day, while others, staying for longer periods, use these nodes as their habitual shelter (Garcia and Duplat 2007).

Scale and Preliminary Chronology of Migration Volumes and Trends

With the exception of Botswana, countries lacked the capacity to monitor cross-border migration and so were unable to provide any statistical evidence to back up claims about the nature and scale of migration over time. Nevertheless, based upon anecdotal evidence, we can draw some preliminary conclusions.

With the exception of Botswana, countries lacked the capacity to monitor cross-border migration and so were unable to provide any statistical evidence to back up claims about the nature and scale of migration.

In Botswana, Mozambique and Zambia, immigration officials reported a significant increase in numbers of Zimbabweans entering since 2000. Malawi does not report similar increases.

Most journeys are circular and regular, with migrants crossing the border more than once a month. Journeys are also usually brief. In Malawi, Zambia, Botswana and Mozambique, various studies indicate that Zimbabweans tend to spend between 3 to 4 days, or up to a week, in the host country (CHRR 2007, Ditswanelo 2007, and International Organisation for Migration (IOM) 2007). Although respondents mentioned the fact that immigration officials place limits on the length of their stay in the host country, the short duration of stays was in many cases determined to a greater extent by the need to purchase items for trade and domestic consumption in Zimbabwe, and, for women, by the need to

maintain their gender responsibilities in the family. Men are reportedly more likely to spend longer periods of between 20 and 30 days before returning home, as they are often engaged in longer term contract labour activities like construction and agricultural work, among other things (Ditswanelo 2007, IOM 2007, Immigration official at Victoria Falls Border). However, this is different for persons with permanent jobs, who tend to return home once in six months or a year (CHRR 2007, Ditswanelo 2007). The use of friends, relatives and local transporters to send foodstuffs and remittances was noted among this group.

Numbers of Zimbabweans in Each Country

Available data from the immigration office in Botswana indicates an increasing number of Zimbabweans entering the country through formal border points, rising from 746,212 in 2006 to 1,041,465 in 2008. Information systems currently in use do not allow us to match entries with exits, making it impossible to determine the extent of circular migration. It is also difficult to determine to what extent the increase represents an increased overall migrant stock rather than simply a decrease in undocumented migration. Immigration officers emphasise that the total number of entries is in fact greater since the numbers do not reflect irregular entries.¹⁰ In other countries, numbers were merely speculative – there existed little or no standardised empirical and reliable data on Zimbabwean migration, or even on general migration trends. However, it is worth noting that, based on government data collected on 6 October 2008 in the Manica province of Mozambique, 857 Zimbabweans entered the country while 750 crossed back into Zimbabwe.

Information systems currently in use make it impossible to determine the extent of circular migration or establish to what extent the increase in entries represents an increased overall migrant stock.

¹⁰ Principal and senior immigration officials in the department of repatriations and investigations – Home Affairs, Gaborone.

Immigration authorities in each country cited the complexities posed by a high level of circulation and use of clandestine entry channels as barriers to compiling precise numbers and general trends of migration. In fact, the lack of robust, computerised immigration information systems in all four countries is the more likely cause of problems in data collection and analysis, and some informants did highlight insufficient human and financial capital to allow immigration authorities to acquire and utilise the necessary data. Compounding the situation is the fact that little independent research exists on Zimbabweans or other migrants in any of the countries. Given these limitations, in countries other than Botswana we gathered estimates from immigration officials of entries for a particular day or month based either on counts of the handwritten entry register or approximations based on reflections of, for instance, the number of buses crossing per day and their estimated seating capacity.

| Country | Numbers |
|---|---------------------|
| Botswana | 1,041,465 |
| Mozambique (excluding Tete and Gaza province) | 32,000 |
| Zambia (total) | 28,000 |
| Malawi (Mwanza border only) | 1,124 ¹¹ |

Fig 3: Estimated average monthly entries of Zimbabweans: October 2008

Immigration officers in all four countries noted that Zimbabweans make up the majority of cross-border migrants. Although some use official border points for entry – especially in Zambia, due to the difficulty of crossing the Zambezi River – a substantial number were reported to use clandestine channels of entry (focus groups with Zimbabweans supported this).¹² The primary reason cited by Zimbabweans for clandestine entry was inability to acquire expensive passports, which are a pre-requisite for accessing a 90-day SADC visitor’s permit in the four countries. The need to spend more than the period prescribed by existing categories of legal entry, in order to find work or sell and buy goods or establish other livelihoods, was another reason given for undocumented entry.

¹¹ In Malawi the number did not include returning Zimbabweans of Malawian origin. Also, the numbers in Mozambique excluded totals of entries through Tete and Gaza province, as these were unavailable.

¹² Immigration officials in Botswana, Zambia, Malawi and Mozambique.

Responses to Zimbabwean Migration in the Host Countries

With the exception of Mozambique, which, at the time of writing, in practice excluded Zimbabweans from asylum, the response to Zimbabwean migration in the sampled countries mirrors responses to migrants of other nationalities. None of the countries has developed a policy response that takes account of the unique nature of the mixed flow from Zimbabwe, in which the humanitarian and protection needs of ‘economic’ migrants and asylum applicants are similar, and where the need to circulate between the home and host countries in order to sustain families poses a barrier to the uptake of asylum.

In the absence of national or regional instruments to address the specific needs of mixed flows, responses in the region are inconsistent (Polzer 2008). Whereas refugees and asylum seekers are catered for and protected under the respective refugee regimes of the various governments, which favour encamped solutions (see Appendix 3), other categories of migrants – which constitute the majority of the migrant population – are addressed using immigration legislation that emphasises control and classification rather than protection or management. This distinction can hamper effective humanitarian response options to some migrants in need (Bloch 2008). It is arguably also a barrier to the effective management of the impacts and positive contributions of migration in the region.

Policy responses in terms of refugee reception specifically and migration management in general are outlined below.

Responses to Refugees and Asylum Seekers

Botswana, Malawi, Mozambique and Zambia are party to the 1951 United Nations (UN) Convention Relating to the Status of Refugees and its 1967 Protocol, as well as to the 1969 Organisation of African Unity (OAU) Convention Governing

the Specific Aspects of Refugee Problems in Africa.¹³ Refugees in these four countries are for the most part assigned to refugee settlements and supported by the respective governments, along with the UNHCR and its implementing agencies. According to organisations working with refugees in the four countries, the majority of refugees in these settlements have fled from the Great Lakes region.

Inconsistent Policies in the Region

Although the asylum systems in the four countries are similar, there is no harmonisation in the countries' responses towards Zimbabweans. Mozambique has historically rejected claims by most Zimbabweans who applied for asylum based on the presumption that they are voluntary economic migrants, though this approach may be in the process of changing.¹⁴ Botswana has granted asylum to 825 Zimbabweans, who are housed in Dukwi Refugee Camp in the north of the country. In Malawi and Zambia, asylum was granted to the few Zimbabweans who applied (see Fig 4), and these small numbers of refugees are housed in the Dzaleka (Malawi) and Maheba (Zambia) camps.

It is worth noting that contingency plans were made in all four countries for the possibility of large numbers of asylum seekers emanating from Zimbabwe – including the establishment of six reception centres in Zambia. However, with applications remaining extremely low, the institutions in question have come to perceive migration from Zimbabwe as largely outside their mandate. The reception centres have been closed due to lack of demand, and the humanitarian needs of Zimbabweans remain invisible and unaddressed unless these migrants lodge applications for asylum.

¹³ Thus, all four countries technically recognise that a refugee may be a victim of persecution (1951 Convention), or a victim of external aggression, occupation, foreign domination, or of events seriously disturbing public order (1969 Protocol).

¹⁴ By June 2008, approximately 100 Zimbabweans had for the first time been permitted to lodge asylum applications. At the time of data collection four months later, they had not been granted asylum. At the time of writing this report, we were not able to determine whether status had yet been granted to any of the applicants.

| Country | Total Refugee Population | Zimbabwean Refugee Population | Settlement Approach |
|------------|--------------------------|-------------------------------|--|
| Botswana | 3,873 | 825 | Dukwi settlement |
| Malawi | 10,716 | 7 | Dzaleka settlement |
| Mozambique | 4,000 | 0 | Nampula settlement, limited integration programme for longer-term refugees |
| Zambia | 84,977 | 13 | Maheba, Mayukwayukwa, Kala & Mwange settlements, and a small urban refugee programme |

Fig 4: Refugee Populations and Settlement Locations in the Four Countries

Asylum Uptake Issues

A false distinction between economic and forced migration, underwritten by the encamped, mobility-restricted refugee protection approaches, has resulted in a low uptake of asylum by Zimbabweans in Botswana, Malawi, Mozambique and Zambia. As a result of the economic/forced distinction, which obscures the significant livelihood responsibilities of ‘forced’ humanitarian migrants toward their dependents in Zimbabwe, the refugee regimes in the four countries are unsuited to the needs of would-be Zimbabwean beneficiaries. This impacts not only on levels of asylum seeking but also on retention of migrants in the refugee management system: some refugees surrender their status in order to facilitate income-generation, which leads in turn to increased undocumented populations.

Refugee regimes in the four countries are unsuited to the needs of would-be Zimbabwean beneficiaries, which impacts not only on levels of asylum seeking but also on retention of migrants in the refugee management system: some refugees surrender their status in order to facilitate income-generation, which leads in turn to increased undocumented populations.

Although many Zimbabweans qualify for refugee status under either the 1951 UNHCR or 1969 OAU definitions (see note 10), they also bear the burden of supporting families remaining in the home country. By its very nature, this responsibility requires the ability to work and remit, but refugee status largely confines applicants to rural camps offering few or no livelihood opportunities, and prevents cross-border mobility that would create income-generating options other than conventional employment. In host countries with high unemployment rates, cross-border trade is often the only income-generating option open to Zimbabweans – and this requires the ability to cross the border back into Zimbabwe on a regular basis. Furthermore, commodity shortages in Zimbabwe have meant that remittances are largely in the form of physical goods delivered to the home country. Once again, this often requires migrants to return home with goods for their families.

Camp-based settlement and the prohibition on return to the country of origin are thus disincentives to asylum seeking in the four host countries, and indeed very few Zimbabweans have applied. In addition, some of those who initially acquired refugee status, especially in Botswana and Zambia, preferred to relinquish it and return to the host country undocumented in order to fulfil the urgent need to support families remaining in Zimbabwe with food and remittances.¹⁵

In Malawi, government and non-government officials, as well as members of the local population, believed that low asylum uptake might be due to Zimbabweans' ability to be easily integrated and supported by existing kinship networks in the country. By implication, the relative isolation of camps from social networks that offer alternative forms of material and psycho-social support, in environments possibly more conducive to livelihood strategies, may prevent Zimbabwean migrants to Malawi from registering valid claims for refugee status.

There is a clear protection and intervention gap here, where those who qualify for refugee status and its attendant supports are disqualified by their need to behave as 'economic migrants.' The impact of these migrants on host communities thus remains to a large extent invisible, unmanaged, and unsupported.

¹⁵ Assistant protection officer UNHCR Zambia, Commissioner for refugees- Zambia, District Commissioner – Francis town.

There is a clear protection and intervention gap here, where those who qualify for refugee status and its attendant supports are disqualified by their need to behave as 'economic migrants.'

Responses to migrants who fulfil the conditions for refugee status are thus inadequate across the four countries, based on a focus on encamped approaches to refugee settlement and a false distinction between economic and humanitarian migration. This creates gaps in humanitarian provision and migration management alike.

The optimism, agency and resistance to dependency among Zimbabwean migrants also appears to inhibit asylum-seeking behaviour. Zimbabweans tend to see their country's crisis as temporary and return as a not-too-distant prospect. They resist the category of refugee, which connotes dependency and requires a severing of ties with the country of origin. Zimbabweans emphasise their ability to work and the dignity implicit in retaining ties with their country while supporting its population, which the state is currently unable to sustain. This optimism and agency has led many to adopt a more flexible, 'wait-and-see' strategy, which allows them to more easily move back and forth across the border, continuously monitoring the situation back home, and supporting those left behind. This should be a positive aspect of livelihood-seeking humanitarian migration from the point of view of a host country, as the migrant population is largely self-supporting and actively invests in the possibility of an imminent return.

Immigration Regimes and Migration Management

Immigration policies in Botswana, Malawi, Mozambique and Zambia are geared towards a policy of control and exclusion, and are largely similar, with a few exceptions that are highlighted here.

90-Day Visitor's Permit

The SADC Protocol on the Facilitation of Movement of Persons allows Zimbabweans to enter any of the four countries on a visa-free visitor's permit of up to 90 days.¹⁶ In order to qualify for the permit, Zimbabweans (or citizens of any other SADC member state) must hold a valid passport and enough money to cover their stay. However, Malawi has chosen to allow only a 30-day permit, with extensions to 90 days conditional upon permission from the immigration officer and a payment of MKW¹⁷5,000. This is an attempt to curb increased migration into the country, although considering the high estimations of undocumented migration, this strategy may simply promote invisible migration without a corresponding effect on the total migrant population. According to an immigration official in Lusaka, the Zambian immigration department discourages the renewal of the visitors permit, and seeks to encourage return, which in all likelihood has the same unhelpful effect.

Malawian attempts to curb increased migration into the country through restrictions in the visa-free permit regime may simply promote undocumented migration without a corresponding effect on the total migrant population.

A substantial number of Zimbabweans we interviewed used the 90-day visitor's permits to seek employment in the form of temporary work and 'piece-jobs' in contravention of the conditions of the permit, which does not allow the right to work. Different entry and work permits (Klaaren and Rutinwa 2004) are required in order to work in the four countries, and these permits tend to be open only to migrants with scarce skills and permanent appointments. Those working under a visitor's permit are susceptible to arrest and deportation if apprehended. Although the 90-day permit offers respite from visa requirements, it also has several limitations. Generally, Zimbabweans do not hold passports, due both to the government's inability to issue them, and their high cost (US\$600 at the time of writing). This has forced many Zimbabwean migrants to use clandestine routes

¹⁶ Article 14 of the SADC Protocol on Facilitated Movement of Persons (www.sadc.int).

¹⁷ The local currency – Malawian Kwacha.

of entry despite the availability of the permit, which would otherwise have promoted documented, more easily manageable migration flows. The fact that the permit is conditional upon 'sufficient funds' is another barrier with similar effects, as given the economic conditions in Zimbabwe, many Zimbabweans cannot fulfil this condition.

The fact that most Zimbabweans cannot access passports has forced many to use clandestine routes despite the availability of the 90-day permit, which would otherwise promote documented, more easily manageable migration flows.

One-Day Border Passes

In Botswana, Mozambique and Zambia, one-day border passes for travel within 50km of the border¹⁸ are provided to persons without passports.¹⁹ This facilitates entry for the purpose of purchasing groceries and/or visiting relatives. In Mozambique, it has promoted tourism in the form of visits to the graves of heroes²⁰ who died in the liberation war. The disadvantages of the one-day border pass are its limitations in terms of duration and distance of travel, since in practice it means that those not able to afford or obtain a Zimbabwean passport (arguably those in the most dire need of livelihood opportunities) may spend no more than 24 hours in the host country.

Common Market of East, Central and Southern Africa (COMESA) and SADC Protocol on Trade

The COMESA treaty guarantees free movement of goods and services wholly produced within member states (19 countries, excluding Botswana and Mozambique). It allows free entry by traders from member states, and waives custom duties on products produced in member countries. Under the COMESA

¹⁸ This results from bilateral arrangements with Zimbabwe as per the SADC protocol.

¹⁹ The SADC Protocol on Facilitation of Movement of Persons, Article 14, recommends this practice within member countries.

²⁰ This applies only to Mozambique due to historical and political relations during the struggle for independence between the two countries.

treaty, Zimbabweans may enter Malawi or Zambia and engage in cross-border trade and entrepreneurship without the burden of taxes.²¹ Because all four countries have ratified the SADC Protocol on Free Trade, which offers similar advantages to those of the COMESA treaty,²² few tariffs and non-tariff barriers apply to Zimbabwean traders in Botswana or Mozambique either. These arrangements promote and improve business opportunities and profits in the countries concerned, and by facilitating income generation also help preserve lives and sustain families in Zimbabwe in the face of its current challenges. However, the above mentioned challenges relating to basic travel documentation such as passports also reduces the effectiveness of these arrangements.

The COMESA and SADC arrangements, by facilitating income generation, help preserve lives and sustain families in Zimbabwe in the face of its current challenges.

Approaches to Irregular Migration

Although all four countries criminalise lack of documentation, overstays and clandestine entries, Malawi, Mozambique and Zambia are more tolerant in the implementation of sanctions. Botswana, on the other hand, takes a tougher stance toward enforcement. As such, irregular migrants are liable to a 'deposit' or fine of P²³1, 000 for prohibited entry, and a charge of P10 per day for overstaying.²⁴

Botswana's more restrictive approach has developed over time. When the country's economic fortunes first began improving, a lack of human resources led the country to encourage immigration (Lefko-Everett 2004). However, with the steady increase in in-migration, policy has gradually shifted in the opposite direction (Lesetedi & Moroka 2007: 7).

²¹ See Article 49 of the COMESA treaty.

²² Issues of dual affiliation have been raised and it is likely that all countries will have to surrender their membership of one or the other under World Trade Organisation rules (AllAfrica.com 2007).

²³ The local currency – Pula.

²⁴ Immigration Act, Botswana, Chapter 25:2 (Government Printers, Gaborone).

Deportation/Repatriation

It should be noted that deportation and repatriation are not necessarily separate categories. Officials preferred to use the word 'repatriation', claiming that the removal effected on undocumented migrants is not linked to sanctions against future return to the host country. However, in a strictly legal sense, this claim is false. As the table in Appendix 3 shows, re-entry is a punishable offence in three of the countries.²⁵

As in South Africa, Zimbabweans comprise the largest number of persons deported in Botswana and its scale of 'repatriations' is the highest of the four countries, with an average of 5,000 Zimbabweans deported monthly²⁶ for illegal entry, overstaying, or working without the appropriate permits. This monthly total is far higher than the annual totals for the other three countries: Zambia, Mozambique and Malawi 'repatriated' around 1,200, 128, and 54 persons respectively in 2008.²⁷

Immigration officials in Botswana reported that deportations put strain on government resources – Over P1, 000,000 was spent deportations in 2007. The Commissioner for Operations in the Botswana Police also noted in this regard that:

Repatriating Zimbabweans who return immediately is a serious challenge in terms of human and financial resources ... undocumented migrants stretch available resources. However it is our obligation to take them back to their country, to be assisted by their country to acquire proper papers.

On the other hand, commenting on why they return upon deportation, Zimbabweans cite the dire humanitarian needs of their dependents, along with the impossibility of obtaining the 'proper papers' officials require:

²⁵ For instance, Zambian immigration law categorises as "prohibited" any immigrant who has been previously removed from the territory.

²⁶ Mr. Joseph Moji- principal immigration officer repatriation and investigations department – Ministry of Home affairs Gaborone

²⁷ Immigration officials in the respective countries.

To accept to return home after being dropped at Plumtree²⁸ means I have agreed to let my people die. If you have people who depend on you, you can't give up ... you rather die trying to get back inside and find money to keep them alive ... we all want to be out of trouble, but where can we find the passports these people want from us? Can't they just understand our dilemma? (Zimbabwean participant in the Gaborone focus group)

Although the majority of those repatriated are men, some women have been targeted for repatriations on the grounds of their alleged involvement in sex work, which is illegal in these countries. This is specifically the case for Zambia (IRIN 2007) and Mozambique. A widespread belief that the majority of women migrants are sex workers means they are often targeted for police harassment, arrest and deportation. While efforts to regulate migration and to prevent illegal practices may be necessary, these should be implemented in a manner that does not compound the vulnerability of already-vulnerable migrants, including women using informal work or sex work as a survival strategy in the absence of a regional response to their humanitarian needs.

Deportations of Zimbabweans signify at best a lack of protection from the crisis they are trying to escape, and, at worst, regular flouting of the principle of non-refoulement.

Especially in light of the barriers to asylum uptake and retention in the refugee reception systems of these countries, deportations of Zimbabweans signify at best a lack of protection from the crisis they are trying to escape, and, at worst, regular flouting of the principle of non-refoulement. Efforts could instead focus on regulating migration flows.

²⁸ This refers to the border post near the town of Plumtree along the Botswana/Zimbabwe border.

The Effect of Kinship Assumptions

As a result of the historical link between Malawi and Zimbabwe²⁹ and the ability of Zimbabweans with ancestral ties to Malawi to restore their citizenship, officials in the country expressed a general understanding of migrants from Zimbabwe as ‘coming home’ to relatives and communities of origin in Malawi. In other words, the assumption of shared origins largely erases the category of ‘illegal immigration’ from Zimbabwe in Malawi.

While this results in a friendlier reception and facilitated integration for Zimbabweans in Malawi, it also functions to shift government responsibility for protecting migrants onto local populations and obscures the humanitarian needs of Zimbabwean migrants. Malawian respondents observed that not all Zimbabwean migrants had family relationships in Malawi; nor do Malawian communities necessarily have the means to sustainably support growing community membership.

Malawi demonstrates the role host societies can play in absorbing migrant flows, especially where there is no clear official policy response. However, the ‘absorbency’ of communities should not be taken for granted.

The Malawian case is an important demonstration of the role host societies can play in absorbing migrant flows, especially where there is no clear official policy response. However, the ‘absorbency’ of communities should not be taken for granted or presumed to be without limits. As such, there is a need to more proactively manage the social integration of Zimbabwean migrants, ensuring that where appropriate the state provides or coordinates external support to communities, who can then offer more sustainable assistance to migrants from resources available within their family and social networks.

²⁹ Until 1963 the territories that are now Zimbabwe, Zambia and Malawi were united within the Federation of Rhodesia and Nyasaland.

Provision of Public Services to Migrants

In all four countries, emergency medical services are provided free for migrants in critical condition and with no means to pay. This has given rise to some pregnant women from Zimbabwe seeking childbirth services in Botswana and Mozambique. However, research did not suggest that Zimbabwean migration is of a primarily health-seeking nature. Zimbabweans' primary reason for migration was livelihood-seeking, but considering the situation of humanitarian crisis in their home country, access to general medical care in some of the case-study countries was naturally perceived as an advantage of migration.

In Malawi, Mozambique and Zambia, public and private hospitals and clinics offer health services without specific prerequisites relating to nationality or legal status. Fieldwork confirmed that there is no requirement for identity documents to access health and other services in these three countries – indeed in some countries not all citizens have identity documents. Existing literature confirms that in Mozambique healthcare personnel do not ask about national origin when providing services (Arenas 2008).

However, in Botswana, only refugees may access free healthcare and other public services, such as free primary education (through UNHCR and government support). Documented migrants must pay higher fees than the local population for their medical expenses in government clinics and hospitals. Of course, not all migrants are in a position to afford this (Oucho and Ama 2006), which may put their health and public health at risk. Undocumented migrants face the same situation of vulnerability, since public services other than emergency healthcare are limited to those able to produce legal identification documents.

The fear of being sent back to Zimbabwe prevents many irregular migrants from accessing health and other public services, as observed by a female undocumented migrant:

Unless I am really badly off, I cannot go to hospital – because after treatment I will be handed over to the police and sent home, yet I still have a small job where I can get something for survival. I can only go to the small clinics. They even charge less money and some people know and sympathise with us.

Antiretroviral Treatment (ART)

Mozambique, Malawi and Zambia provide free ART to all persons, regardless of nationality. Considering the humanitarian nature of their migration, it is unsurprising that some Zimbabweans seeking livelihoods through cross-border migration named this as an additional reason for migration.

Due in part to lack of planning or budgeting for additional clients generated by migration from Zimbabwe,³⁰ the absorption of migrants into mainstream services in the three countries has been said to put strain on available services in Mozambique³¹ and Malawi. Nevertheless, the consistent provision of free ART across these countries provides a positive example of regional management of the health effects of migration within SADC. However, Botswana's failure to provide free ART to migrants is a stumbling block for this emergent trend. The need for regional health management mechanisms is recognised in the SADC Policy Framework for Population Mobility and Communicable Diseases in the SADC Region, and all SADC member states are urged to adopt and implement this framework.³²

Botswana's failure to provide free ART is a stumbling block to improved regional health and the management of the health effects of migration within SADC.

In Botswana, health policy is silent on the topic of migrant and refugee healthcare, and only nationals receive free ART. Treatment has not even been extended to refugees, let alone other categories of migrants. The official responsible for security and refugees in the Office of the President reported that this was because the state does not yet have adequate resources to provide ART to the full population of citizens living with HIV, making it impractical to provide it

³⁰ Coordinator for OMES, Mozambique.

³¹ Especially in health clinics in the remote areas in Tete and Manica and Gaza provinces.

³² SADC Policy Framework for Population Mobility and Communicable Diseases in the SADC Region: Final Draft April 2009. Available from: http://www.arasa.info/files/pub_SADC%20Policy_Framework_FINAL.pdf. Gaborone, SADC Secretariat, 2009.

to migrants. Our inability to access the ministry of health made it difficult to explore this claim further. Furthermore, this approach does not take into account the public health perspective which recognises that the nationality of persons suffering from a communicable disease is irrelevant in combating the spread of that disease.

Even among those migrants who test positive for HIV in Botswana and can pay for treatment, few are given access to treatment regimes (Oucho and Ama 2006). The government sees migrants' mobile nature as a further reason not to provide ART,³³ although given the regularity of circulation for many, and the regional availability of free ART (in South Africa and the other three countries examined here, for instance), this is a flawed view. In a recent study in South Africa, migrant ART clients were found to have better outcomes on ART than citizen ART clients, providing evidence to support the provision of ART to migrants – as called for by both UNHCR and the Southern African HIV Clinicians Society (McCarthy et al 2009; Southern African HIV Clinicians Society & UNHCR 2007). Limiting the provision of ART to citizen clients has a negative effect on population health.

Recent health research conducted by the FMSP in Johannesburg established that testing rates for HIV were significantly lower for cross-border migrants compared to South African citizens (Vearey et al 2009). If the same is the case elsewhere in Southern Africa, this indicates a need to specifically target migrant populations with free HIV testing and counselling interventions. It is also important to recognise the linkages between food insecurity, as experienced in Zimbabwe, and sex work or risky sexual behaviour (Weiser et al 2007), as interventions to address food insecurity could help reduce the risk of HIV infection.

It is essential that SADC member states engage with migrant health – particularly in a context of high HIV prevalence – and ensure access to basic healthcare and ART for all migrant groups. Excluding migrant groups from health services – including ART – threatens to undermine national and regional population health. The failure to provide appropriate and timely healthcare (including ART) to migrant groups ultimately places a greater burden on health systems through forcing

³³ Official responsible for Security and Refugees in the Office of the President, Gaborone.

migrants to present at health facilities only when they are very sick and require hospitalisation. This will ultimately increase health costs to Southern African states.

Responses of Local Populations

Attitudes to Zimbabwean Migration

Attitudes to Zimbabweans appear to be more positive in Malawi, Mozambique and Zambia than in Botswana. The local populations in Malawi, Mozambique and Zambia were perceived by Zimbabweans as more friendly and helpful than locals in Botswana, and evidence shows that many communities support Zimbabwean migrants with food, employment and accommodation. The historical, cultural and linguistic ties to Zimbabweans may foster this spirit of tolerance. Official rhetoric in these countries is less exclusionary than in Botswana, and to a large extent restrictive legislation is left unimplemented. That Zimbabwean migrants are not singled out as undesirable or scapegoated by government structures, either verbally (in public discourse) or visibly (through punitive policing or nationality conditions for service access), probably assists in producing and maintaining tolerant attitudes.

That Zimbabwean migrants are not singled out as undesirable or scapegoated by government structures probably assists in producing and maintaining tolerant attitudes in Malawi, Mozambique and Zambia.

At the same time – although it is difficult to say this with certainty considering the levels of irregular migration and the lack of useful data – the apparently lower levels of migration to Malawi, Mozambique and Zambia might also play a role in the more positive attitudes here. Nevertheless, some complaints about the negative effects of migration – such as increased prostitution and reduced local job opportunities due to the cheaper cost and/or better expertise of Zimbabwean migrants – were registered in all four countries.

The increasing dislike of Zimbabweans in Botswana appears to be fuelled by perceptions of increased crime, competition for local jobs, and the perceived increased prostitution as a result of Zimbabwean migration, with its perceived related health risk in terms of the spread of HIV (Ditswanelo 2007, Nyamjoh 2004). It is possible that the heightened anxieties here are due to the apparently larger scale of migration into Botswana (a claim for which we were unable to find corroborating or conflicting evidence). There is probably also a relationship between these civilian attitudes and the visible, repressive policing of immigration law by the government (Lefko-Everett 2004).

We found little reason to believe that xenophobic attacks are on the horizon in Botswana, Malawi, Mozambique or Zambia.

Xenophobic Mobilisation of Communities

Despite anxieties, there is nevertheless a general tolerance of Zimbabweans in the region as a vulnerable population with few alternatives. In focus group discussions, citizens of the four countries highlighted the need for governments to provide assistance to the most vulnerable Zimbabweans in order to prevent the possible negative consequences of migration, such as ‘survival crime.’ No cases of collective xenophobic violence were reported in any of the countries,³⁴ and we did not find evidence of the causal conditions for such violence, identified in South Africa by FMSP research conducted for IOM (Misago et al 2009). Hence, we found little reason to believe that attacks similar to those that broke out in South Africa in 2008 are on the horizon for these four countries.

³⁴ We depended on feedback from interviewees and focus group respondents for this information. We were not able to collect data on whether any isolated, individual incidents of violence had been directed at foreign nationals and whether these were motivated by xenophobia.

Employment & Livelihoods

As in South Africa, Zimbabweans in the case-study countries are mainly employed in the sectors of agriculture and construction, or self-employed as formal or informal traders. Only a few in Botswana and Malawi were reported to own big businesses which provide employment opportunities to locals and Zimbabweans. This section outlines the main livelihood options encountered by Zimbabwean migrants in the four host countries, but starts off with a discussion of the ways in which the migration–livelihood–remittance cycle of Zimbabwean migrants reveals the unique nature of the kind of humanitarian migration that is taking place.

The majority of Zimbabwean migrants, whether skilled or unskilled, are working in the informal sector due to lack of passports (which deter them from legal migration routes) and high levels of unemployment in the host countries. This prompts two observations about the effects of a lack of national or regional response to forced livelihood-seeking migration of this kind. First, scarce skills remain untapped, curtailing a positive impact of the flow. Second, exploitative employment practices thrive, creating a negative effect of migration on jobseekers in the host country. But there is also a positive observation to make: livelihood-seeking migration need not be entirely dependent on the job market in a host country. The mere ability to cross borders at will opens up an informal trade economy that generates income for migrants without necessarily denying it to citizens. In addition, these cross-border livelihoods promote circular migration that sustains a failing economy and may help rebuild it, while facilitating the maintenance of ties with home that will improve the chances of permanent return as the home country situation improves.

The mere ability to cross borders opens up an informal trade economy that generates income for migrants that sustains the Zimbabwean economy and helps maintain ties with home, thus improving the prospect of return.

Findings on remittance behaviour shed further light on the special character of this kind of migration. Zimbabwean migrants spend as much as 50% of their meagre incomes on support to families remaining in Zimbabwe (Garcia and Duplat 2007). Our research revealed that, due to the shortage of goods for sale in Zimbabwe and the devaluation of Zimbabwean currency, the majority of Zimbabwean migrants use their income to purchase foodstuffs, clothes and other basic needs, such as medicines, in the host country, which they send back to dependents in Zimbabwe. In this way, the money they earn is reinvested in the host economy, contrary to beliefs among locals in Botswana and Malawi that remittances remove money from the local economy. Funds exchanged into US dollars are remitted only to cover specific expenses such as school fees or funeral costs that can only be paid for in cash in the country of origin.

The money Zimbabwean migrants earn is reinvested in the host economy, contrary to the beliefs among locals in Botswana and Malawi that remittances remove money from the local economy.

However, this kind of spending behaviour also confirms the precarious humanitarian position of livelihood-seeking migrants. Unlike the voluntary economic migrant who migrates to raise his or her quality of life and/or save money for hard investments in the home country, livelihood-seeking humanitarian migrants migrate to meet their own and their dependents' basic survival needs. Migrants' quality of life in the host country remains very low. As mentioned previously, many informal cross-border traders sleep outdoors in town centres, border areas and bus shelters, which puts them at risk of crime and sexual violence, since a large number of these are women. In Manica province, Mozambique, migrants often live in shacks with no bedding, eating only one meal a day in order to optimise cash and in-kind remittances for the survival of dependents in Zimbabwe.³⁵ Literature has noted the same phenomenon in Botswana (Garcia & Duplat 2007). In other words, these humanitarian migrants move for the purpose of their and their dependents' mere survival, and for

³⁵ Assessment by Zimosa in Manica province, Mozambique.

incomes that barely cover their basic human needs for shelter and food. The imperative to earn an income is reflected in literature reporting Zimbabwean women charging a mere \$3 for sexual transactions in certain guesthouses in Lusaka and Francistown (SALAN 2007), and the willingness of Zimbabwean women engaged in sex work to agree to unprotected sex at a higher charge.³⁶ Zimbabwean respondents noted that they earn only enough to meet their and their dependents' immediate short-term needs. They are unable to save in a manner that would allow livelihood-replacement in Zimbabwe, and their survival continues to depend on the ability to remain in the host country or to return on demand.

Unlike voluntary economic migrants, these humanitarian migrants move for the purpose of their and their dependents' mere survival, and for incomes that barely cover their basic human needs for shelter and food.

Professional Employment

Professional Employment among Zimbabwean Migrants

Immigration policies in Botswana, Malawi, Mozambique and Zambia allow foreigners with scarce skills to acquire work or business residence permits and to access formal employment. Work permit policies exclude the majority of migrants. Nonetheless, in Botswana, Zimbabweans comprised the largest number of work permit holders at the end of 2008, totalling close to 7,000.³⁷ The majority of permit holders (72%) were male, and most were employed, with only 9% self-employed.

In Zambia, a substantial number of Zimbabwean farm workers have reportedly followed their white employers to the country,³⁸ but no statistics are available on holders of work permits. Officials presiding over the issuing of work permits in

³⁶ CHRR 2007 and focus group discussions in Malawi.

³⁷ Data provided by the Botswana Central Statistics Office.

³⁸ Principle immigration officer, Zambia.

Zambia can confirm only that far more Zimbabweans are working than those who have obtained permits.

Although literature notes that a substantial proportion of Zimbabweans is engaged in business and the female-dominated cross-border trade sector within Malawi (CHRR 2007), immigration officials in Blantyre note that there are few professional migrants in Malawi. Overall, only 383 Zimbabweans in Malawi hold business or employment permits. Members of this group are employed or self-employed as university lecturers, businesspeople and, to a lesser degree, doctors or nurses. More Zimbabweans are employed in the education sector (primarily as lecturers and private secondary school teachers) than other sectors.

In Mozambique, official reticence on the subject of Zimbabwean migration meant there was no data on professional employment of Zimbabweans.

In Mozambique, official reticence on the subject of Zimbabwean migration meant there was no data on professional employment of Zimbabweans. However, the local NGO Zimosa indicated a mix of skilled and unskilled persons, the majority having a secondary education. Tertiary graduates, including artisans, are mostly found in Mozambique's economic hubs – Maputo; port cities like Beira, Nacala and Pemba; and tourist centres like Vilanculos. Agricultural hubs like Nampula, Niassa and Chimoio also receive diverse qualified professionals. A source familiar with Zimbabwean foreign affairs in Mozambique (who wished to remain anonymous due to the taboo on public discussion of Zimbabwean migration) estimated that half of the migrants whom they see are qualified electricians, engineers, architects or teachers, but that the majority cannot find jobs in their professions.

Impacts of Professional Migrants

Although there was no data or research related to the impact of professionals in the four countries, local populations interviewed reported to have benefited from the expertise of Zimbabwean professionals in the areas of engineering,

communication, and agriculture, among others. Despite the problems of irregular migration and informal work, Zimbabweans who seek work as expatriates, or who work in the formal sector, were seen to make a significant impact on human resource gaps and economic development in the host countries.

In Zambia, the agricultural sector has benefited from expertise imported through the migration of white Zimbabwean farmers (Vesely 2004). Skilled migrants and Zimbabwean businesses are well received in Malawi and seen to contribute positively in terms of skills transfer and job creation. However, Zimbabwean businesses are sometimes perceived to withhold employment from locals by favouring Zimbabwean candidates (CHRR 2007).

Blue-Collar Work

Lack of passports prevents some professionals from obtaining work permits and as a result of dire need, many migrate undocumented and work illegally alongside unskilled migrants in the host countries. As such, they are often forced to opt for menial jobs under poor or illegal working conditions, with a number of Zimbabwean respondents citing exploitation through under- or non-payment.

Lack of passports prevents some professionals from obtaining work permits and, as a result of dire need, many migrate undocumented and work illegally alongside unskilled migrants in the host countries.

Because the large number of migrants working illegally across the four countries³⁹ are prone to arrest and deportation for violation of immigration laws, they are not in a position to report exploitative employers. According to the Chairperson for Trade Unions in Botswana, trade unions have not resolved the dilemma of how to protect workers who have no legal documentation, and have therefore done little about these problems.

³⁹ The Deputy Commissioner for Labour and Social Welfare (Ministry of Home Affairs, Gaborone), as well as a number of other immigration officials, expressed concern about the extent of illegal work occurring.

Trade unions have not resolved the dilemma of how to protect workers who have no legal documentation, and have therefore done little about exploitation of undocumented Zimbabwean employees.

Among Zimbabweans earning low incomes, men are generally employed as construction and agricultural workers, while women work in the service departments in salons and tailoring enterprises; in restaurants and lodges; and in domestic work (Ditswanelo 2007, CHRR 2007). In Botswana, Chinese shop-owners were reported to be among major employers of cheap Zimbabwean labour.⁴⁰

With regard to the unskilled, and those involved in ‘piece-jobs’, local residents noted their contribution and hard work, levels of expertise in areas of agriculture and construction, and their willingness to engage in types of work that locals shun, such as domestic and farm work.⁴¹

Cross-Border Trade

The Nature of Cross-Border Trade

Cross-border trade takes place under the COMESA and SADC Trade Protocol arrangements, so that traders (whether formal or informal) do not pay tariffs for goods that are wholly produced in member countries. They are also allowed free entry to facilitate the sale of their goods. Given the poverty in Zimbabwe, which results in limited capital, high rates of unemployment, and limited availability of goods, a large number of Zimbabweans have opted for informal cross-border trade as a coping strategy to sustain livelihoods. Women continue to dominate this category (Black et al 2004; Peberdy and Rogerson 2000).

⁴⁰ Senior immigration officer – Department of Repatriations and Investigations.

⁴¹ Focus group discussions with nationals from Botswana, Zambia and Mozambique.

Unfortunately, there was once again no official data available on migration linked to this kind of trade in any of the countries. This could be attributable to the fact that the SADC Protocol on Trade is silent on issues of small-scale, informal cross-border trade, and measures to facilitate trade are designed for larger enterprises (Mijere 2009). The failure to establish systems to monitor migration for these purposes makes it impossible to measure the impact of the COMESA treaty and SADC protocol, and results in the inflation of entry statistics without corresponding data on circular movement. Information is available only through direct interactions with those that are engaged in such activities.

On the surface, however, it appears that existing trade facilitation arrangements are insufficient to address the needs of humanitarian migrants from Zimbabwe who are engaging in informal trade livelihoods. For instance, not all informal traders can pay the fees applicable at the COMESA Market in Zambia, so many sell their goods on streets and in other public places, which is illegal and makes them vulnerable to arrest. In other cases, informal businesses are not registered through the necessary channels, which in turn leads to the possibility of arrest for illegal work. Additional research monitoring and exploring these movements could provide extremely important information on the nature of these movements, their economic impact, the impact of regional arrangements on informal traders, and the extent of circulation across borders in the region.

It appears that existing trade facilitation arrangements are insufficient to address the needs of humanitarian migrants from Zimbabwe who are engaging in informal trade livelihoods.

Fieldwork revealed that items purchased in host country markets for sale in Zimbabwe include essential and scarce commodities including maize meal, sugar, cooking oil, bottled drinks, soap, and clothes. Depending on demand, some traders also purchase other goods for resale, such as electrical appliances and other household items, especially in Botswana. In Zimbabwe, informal traders mentioned that they bring milk, jam, juice, butter, men's suits, blankets, liquor and cultural artefacts for sale across the border. Besides these there were a few

businesspeople – probably formal, licensed traders – who were observed purchasing other more expensive items, like fridges, cookers, radios and car tyres.

Impacts of Cross-Border Trade

The only official information available on cross-border trade impacts was from COMESA officials in Zambia, who noted that cross-border trade under the treaty has resulted in a 30% increase in the total income generated through cross-border trade in the country. This kind of trade is also a source of revenue in terms of tariffs on some goods and country taxes related to trade (Mijere 2009). However, the available data does not allow for disaggregation by source country, and because there are no statistics for circular migration or even general migration by country of origin, it is difficult to estimate what proportion of this increase is due to the increased presence of Zimbabwean traders, despite the fact that Zimbabweans are believed to be the largest group crossing borders in the four countries. Other advantages include increased exports from Zambia to Zimbabwe, such as packaged foodstuffs, and increased employment levels in the manufacturing industries in Zambia that produce items such as maize meal, for which there is a great demand by Zimbabwean buyers.⁴²

Advantages of cross-border trade include increased employment levels in the manufacturing industries in Zambia that produce items such as maize meal.

For communities of origin, and indeed for the state of Zimbabwe, cross-border trade and shopping sustains the country of origin and is crucial to meeting the subsistence needs of Zimbabwean families on a small and private scale. As most Zimbabwean traders noted, it has created work opportunities for the unemployed, and the income earned through cross-border trade enables them to meet the basic needs of their families. Female cross-border traders in

⁴² Program Officer – COMESA Office, Zambia.

Francistown, Botswana, noted that their work supplements the meagre incomes their husbands receive from the civil service in Zimbabwe.

Cross-border trade and shopping sustains the country of origin and is crucial to meeting the subsistence needs of Zimbabwean families on a small and private scale.

Some negatives have been reported out of these cross-border activities, particularly by local populations in Botswana and Zambia. For instance, it seems that retailers and traders have not always scaled up their operations sufficiently to meet the increased demand presented by Zimbabwean shoppers and traders, and as such some respondents reported a lack of basic necessities in shops, markets and supermarkets. The fact that Zimbabweans also sell (illegally) outside the COMESA market in Zambia due to capital and space restrictions is thought to reduce the viability of other trading since Zimbabwean goods are often cheaper. That informal businesses are not appropriately registered may also be a concern for host-country traders.

The principal trade officer within the Department of International Trade in Gaborone noted that the low purchasing power of the Zimbabwe dollar impacts negatively on Botswana because there are fewer exports to Zimbabwe – instead, finished goods from South Africa are purchased from Botswana. This is believed to have negatively affected employment opportunities in the manufacturing industries in Botswana.

As regards the negative impacts of cross-border trade on Zimbabwean traders, respondents mentioned that the high cost of transport and accommodation forces them to sleep in insecure and unhealthy environments. Among the focus groups in Francistown and Chirundu there were also anecdotal reports of some women exchanging sex for transport and accommodation in truck drivers' vehicles.

Unemployment and Sex Work

The high levels of unemployment in the four host countries mean that Zimbabwean migrants do not find employment easily, and focus groups emphasised the detrimental impact of this struggle on their ability to acquire basic necessities. Here again it must be noted that, to a large extent, Zimbabwean migrants' ability to work often constitutes the only means of support to families with significant humanitarian needs in the home country.

Zimbabwean migrants' ability to work often constitutes the only means of support to families with significant humanitarian needs in the home country.

Some Zimbabweans without employment in host countries engage in sweet vending in the streets or begging. Others become dependent upon friends and relatives. In Zambia, however, street vendors are subject to arrest as street vending is illegal (IRIN 2007).

Sex work is also, to some extent, a response to unemployment in the host countries. This is consistent with findings in Botswana and Swaziland that severe food insecurity is linked to negative coping mechanisms, including the exchange of sex for food (Weiser 2007). Among the majority of respondents there was a belief that a substantial number of Zimbabwean women, most of them involved in informal trade, are engaged in transaction sex for survival. In a focus group discussion with sex workers in Mozambique, women indicated that this form of work is a temporary livelihood strategy in response to unemployment, which is used as a means to acquire start-up capital for businesses that would support themselves and their dependants.

Earning income through prostitution contravenes laws in all four host countries and, as such, some migrant women have been deported for this. Respondents cite migrant sex work as a factor contributing to the spread of HIV, and the lack of ART provision to undocumented migrants in Botswana is a major problem in this regard, which poses a health risk not only to the host country but to the

region as a whole. This link is perhaps particularly strong in the case of women experiencing severe food insufficiency, who have been shown to be “nearly twice as likely to have used condoms inconsistently with a non-regular partner or to have sold sex” (Vearey et al 2009). The legal stigmatisation of sex work in the four countries studied may also be a barrier to interventions attempting to promote safe transactional sex or food support to minimise the need for recourse to sex work, which would help counter the regional health risks of this coping strategy.

Protection Successes and Failures

Drivers of Zimbabwean Migrant Vulnerability

The main drivers of vulnerability among Zimbabwean migrants in Botswana, Malawi, Mozambique and Zambia are:

- the lack of a single strategy and legal instrument governing the protection of humanitarian migrants;
- the inappropriateness of current refugee settlement options; and
- lack of access to passports, which are a condition of most other legal immigration routes.

In combination, these factors have an important influence on migrants' access to basic and social welfare needs as well as legal employment.

In combination, the lack of a policy response to the protection of humanitarian migrants, the inappropriateness of current refugee settlement options, and lack of access to passports, have an important influence on migrants' access to basic and social welfare needs as well as legal employment.

Lack of Recognition as a Population of Concern

The literature on migration has long acknowledged the shortcomings of the binary distinction between refugees and voluntary migrants (Turton 2003). Refugees benefit from guarantees of entry and protection under international law, while voluntary migrants – seen as synonymous with those who do not apply for asylum – are for the most part left to fend for themselves. The conditions of refugee status tend to favour applicants who have suffered clear forms of persecution in their home country, in line with the 1951 UN Convention, even though the OAU Protocol (of which all four countries are signatories) allows scope to recognise the effects of “events seriously disturbing public order in either part or the whole of [their] country of origin or nationality.” Regardless of

the definition used, however, recognition is dependent on applying for asylum. Thus, when a population with humanitarian needs equivalent to those of refugees opts for dependency-resistant strategies – as in the case of Zimbabwean migrants in the face of economic crisis and, arguably, state collapse in Zimbabwe – it remains unacknowledged as a population of concern.⁴³ This despite the fact that Zimbabweans' home country is unable to protect them from the threat to their survival.

Because refugee protection instruments base assistance on an application for asylum, when a population with humanitarian needs equivalent to those of refugees opts for dependency-resistant strategies, as in the case of Zimbabwean migrants, it remains unacknowledged as a population of concern.

The four states examined in this report have thus far failed to recognise in any systematic way the specific protection needs and vulnerabilities of humanitarian migrants from Zimbabwe. The failure to recognise and address the needs of this flow leads to responses that, at best, turn a blind eye to Zimbabweans' vulnerability in the host country and, at worst, deport migrants for whom migration is the sole means of survival, returning them to a state which is unable to sustain their lives.

There is a crucial need to establish a consistent policy approach in the SADC region to flows of humanitarian migrants who do not fit the conventional refugee/economic migrant dichotomy. As noted, these migrants require a separate set of provisions with regard to the mode of settlement in a host country and the ability to move nationally and internationally. The likelihood of future flows of such migrants in Southern Africa has been documented (Polzer 2008; Betts & Kaytaz 2009), so attention to a policy approach for this kind of migration will serve not only the current needs of the Zimbabwean flow but also the future needs and challenges of other such populations.

⁴³ For instance, the chief social welfare officer in Malawi claimed that the Zimbabwean situation did not necessitate assistance to Zimbabweans.

Inadequacy of Refugee Settlement Options

Broadly speaking, Botswana, Malawi, Mozambique and Zambia offer refugee settlement options in isolated, encamped environments, subject to mobility restrictions both within the host country and internationally. But for many Zimbabweans who are recognised as refugees, this settlement option is inadequate because the form of protection offered to the individual refugee deprives dependents in the home country of a livelihood lifeline. Refugees may be able to escape territories affected by economic catastrophe, but they cannot escape the responsibility to support those who remain behind. Self-settlement is therefore the better solution for migrants fleeing states in this kind of dire economic crisis.

For many Zimbabweans who are recognised as refugees, the form of protection refugee status offers to the individual refugee deprives dependents in the home country of a livelihood lifeline.

What must also be remarked upon, though, is the fact that in situations of high unemployment, such as in the countries examined here, cross-border businesses may be the only route to an income for forced livelihood-seeking migrants. This reality demands a separate protection regime that enables refugees to travel across borders for the purposes of work without losing their right to protection from the host country.

Lack of Documentation

In the absence of a refugee regime suitable to their needs, Zimbabweans must rely on existing categories of legal migration. However, because stays of more than 24 hours require a virtually impossible to obtain passport, the majority of Zimbabweans are forced to resort to clandestine entry routes. This prevents the skilled from filling skill gaps and facilitates exploitative working conditions for those in unskilled labour. In Botswana, undocumented migration prevents Zimbabwean migrants from obtaining ART or other forms of non-emergency healthcare, and makes migrants vulnerable to detention and deportation.

General Vulnerabilities of Zimbabwean Migrants

The nature of vulnerability of a mixed population requires a specific typology of migrants and their needs rather than a blanket analysis that may obscure the different needs within groups. However, given the dearth of research on the conditions of Zimbabwean migrants in these countries, it is difficult to provide such a typology. Many of the specific vulnerabilities, and the capacity of specific host communities to address them, remain uncertain, particularly as Zimbabwean migrants tend to be hidden and dispersed across parts of the countries that we were not able to visit. However, some broader components of vulnerability can be identified.

Shelter

Lack of legal documentation, the nature of circular migration movements, and low incomes have a compounding effect on the quality of shelter, with the attendant risks to sanitation and health. Substantial numbers of low-income migrants sleep outdoors on verandas or at markets or bus stations. Small houses may be shared by up to 30 circular migrants, and, in other cases, up to 20 migrants may share a room in order to reduce the impact of accommodation costs on the limited earnings that sustain their families in Zimbabwe.⁴⁴ This may also feed into other public health problems in the urban centres.

Up to 20 migrants may share a single room in order to reduce the impact of accommodation costs on the limited earnings that sustain their families in Zimbabwe.

Income

The lack of temporary protection – comprising both legal status and access to direct assistance for the most vulnerable migrants – affects the capacity of a significant number of Zimbabweans to participate in gainful, safe and legal employment.

⁴⁴ See also Garcia & Duplat 2007.

Lack of legal status and access to direct assistance affects Zimbabweans' capacity to participate in gainful, safe and legal employment.

Fear of deportation encourages migrants to resort to the least visible forms of work, where their exploitation remains unseen and unaddressed. Facilitating documented entry would enable these migrants to better address their survival needs, while also making a more positive impact on the host country in terms of scarce skills or unionisation. The lack of direct assistance to vulnerable undocumented Zimbabweans contributes to the context in which some women must engage in unsafe and illegal sex work in order to survive or to generate start-up capital for a small, informal business. Combined with some form of legal status, direct assistance would also lessen dependency levels on family members or social networks within host communities.

Social Welfare

Generally, Botswana, Malawi, Mozambique and Zambia reserve state welfare support for citizens. There is no special policy for the support of vulnerable migrants, and two countries (Malawi and Zambia) cited particular difficulties funding support, even to the local population.

In Botswana the extremely vulnerable cases can be assisted by social workers, but only on an ad hoc basis. In Malawi, government takes the unofficial position that friends and relatives will support Zimbabweans 'returning' to Malawi, and the Department of Social Welfare provides only the tracing of relatives and, if necessary, transport to communities where relatives reside. To a large degree, this form of self-settlement does meet the protection needs of survival migrants, and demonstrates that integration into the host community need not be entirely state-funded.

However, protection gaps do remain. Indeed, some poor, elderly Zimbabweans returning to Malawi have died due to neglect,⁴⁵ where local communities have resisted providing for those who spent their productive lives elsewhere and returned as a burden. It should also be noted that some host communities in the border areas of the four countries experience strain on household resources, especially food, due to their support of migrants from Zimbabwe.

Healthcare

Government clinics and hospitals in Botswana exclude those without documents. This is a particular problem for humanitarian migrants who are not able to access healthcare in their own country due to the collapse of health systems. Documented foreigners are also subject to inflated ‘foreign fees’ – a situation which overlooks the vulnerability of migrants from countries in economic crisis. In Botswana, Zimbabwean migrants living with HIV have virtually no recourse to treatment,⁴⁶ a grave humanitarian concern that also erodes adults’ productive lives and thereby the survival of their families in Zimbabwe. Of course, this also constitutes a serious gap in the regional response to HIV and AIDS.

In Botswana, Zimbabwean migrants living with HIV have virtually no recourse to treatment, a grave humanitarian concern that also erodes adults’ productive lives and thereby the survival of their families in Zimbabwe.

Harassment and Administrative Injustice

Lack of documentation often places migrants into the exceptional category of ‘illegal foreigner’ – a category that in practice may facilitate, or even be used to justify, extra-legal treatment. Harassment is one such practice. In Mozambique, sex workers (who are doubly excluded from the justice system because both their work and their migration status make them ‘illegal’) report police demands for

⁴⁵ Social Welfare officer in Blantyre.

⁴⁶ Only 13 refugees were assisted by the Catholic Church which partners with UNHCR in Dukwi camp, according to the UNHCR protection officer in Gaborone.

sexual transactions in exchange for non-deportation. Indeed, some had been handed over by police to provide free sexual services to other male nationals in a form of short-lived bonded-labour that bears a disturbing resemblance to sexual trafficking relationships.⁴⁷ Because of their 'illegal' status, and the fact that law enforcers are among the perpetrators, the women in question are unable to report these crimes.

Lack of documentation places migrants into the exceptional category of 'illegal foreigner' – a category that in practice may facilitate, or even be used to justify, extra-legal treatment.

A few respondents in the focus groups with Zimbabweans – mostly men in Botswana and Mozambique – reported harassment, including beatings, due to lack of legal documentation, and arrests by police who believe their documents to be fraudulent.

Administrative irregularities within the refugee reception systems of the sampled countries may require further research. For instance, in Botswana, asylum seekers are detained at a centre in Francistown for periods longer than the statutory 28-day limit while their status is determined. The research project did not allow us to explore practices occurring within the deportation system, but current FMSP research in South Africa indicates that irregular practices may occur along the entire administrative pathway from arrest to deportation, resulting in administrative and other injustices for asylum seekers.

Exclusion from Access to Asylum

Although there is very little uptake of asylum across the four countries, at the time of writing Zimbabweans were entirely excluded from refugee status in Mozambique. Apparently due to the historical friendship between governing parties in Zimbabwe and Mozambique, the Mozambican government may have

⁴⁷ Focus group with Zimbabwean sex workers in Machipanda, Mozambique.

taken the position that political persecution does not occur Zimbabwe. In practice, Zimbabweans who apply for asylum are never granted status,⁴⁸ and this seems to be related to the historical underestimation of conditions in Zimbabwe.

In practice, Zimbabweans who apply for asylum are never granted refugee status in Mozambique.

Another consideration, which could not be explored by the current research project, is the extent to which asylum uptake is influenced by ignorance of the availability of refugee protection. FMSP research among asylum seekers at South African refugee reception offices established that 68% of asylum seekers had not known about the possibility of seeking asylum before leaving their country of origin (Amit 2009). Fieldwork suggested this was not as common in the four countries studied, but there were nevertheless a few migrants in Malawi and Mozambique who were not aware of the possibility of seeking asylum.

Would-be asylum-seekers may also struggle to launch applications, since there is only one refugee reception centre in each of the countries. Because of the low uptake of asylum in the countries sampled, fieldwork revealed little about how would-be asylum seekers from Zimbabwe enter the countries and how they are received by officials.

Refoulement and/or Return to Mortal Threat

The lack of recognition by governments of Zimbabwean migrants as a population in need of protection leads to a blindness to the fact that deportation may in many cases amount to *refoulement*. Because many Zimbabweans who would qualify for refugee status due to individual political persecution choose not to do so in order to meet the survival needs of their families, which requires access to urban areas and cross-border mobility, they may work undocumented in the host country. If deported, these individuals may be returned to areas where their lives and/or freedom may be at risk.

⁴⁸ At the time of writing, it appeared that this situation might be in the process of changing.

As noted, migration is usually the last resort left to Zimbabwean breadwinners in order to ensure their own and their families' survival. To return migrants such as these may be to destroy fragile coping strategies and to return the victims of economic catastrophe to conditions that cannot sustain life. Botswana is the only country that proactively seeks out Zimbabwean migrants for deportation, but in all four countries sex workers, or women believed to be sex workers, are particularly vulnerable to arrest and deportation as 'prohibited immigrants' or other personae non grata.⁴⁹ In November 2008, Malawi deported 20 women on the basis of 'illegal entry and prostitution' (Nyasa Times 2008); about 250 repatriations of the same kind were reported by one of the immigration officials in Lusaka, Zambia; and in January 2009 Mozambique is reported to have repatriated 400 women on this basis (IRIN 2009). This must be seen against the backdrop of otherwise tolerant practice in regard to the policing of Zimbabwean migration in the three countries, and represents a systemic gender bias in the response to humanitarian migration. Indeed, it also indicates the worrying gendered consequences of the lack of a protection policy for undocumented Zimbabwean migrants, which offers no alternatives to vulnerable migrants and to some extent necessitates women's engagement in this illegal and often unsafe form of work.

Abusive Practices by Human Smugglers

The research project did not explore the extent to which undocumented migration is linked to the use of human smuggling services. However, considering the variety of human rights abuses suffered by immigrants using these services on the South Africa/Zimbabwe border, explored in detail in a recent FMSP research report (Araia 2009b), this is an area where further research is warranted to better explore the protection risks that result from lack of access to passports in Zimbabwe.

Protection Successes

Some advocacy has been undertaken in the four countries:

⁴⁹ Such as stipulated by the Immigration and Deportation Act of Zambia.

- Advocacy campaigns urging governments to halt deportations and prevent other human rights abuses against Zimbabweans (by Ditswanelo, Botswana; SALAN, Zambia; and Zimoso, Mozambique).
- Press briefings and meetings with policy makers, government and non-government stakeholders in the region on issues concerning the plight of Zimbabweans (by Ditswanelo, Botswana; the Centre for Human Rights and Rehabilitation (CHRR), Malawi; and Zimoso, Mozambique).
- Lobbying of governments to revise immigration laws to include temporary legal status for Zimbabweans to enable them work and support struggling families (Ditswanelo, Botswana; CHRR, Malawi; and Focama,⁵⁰ Mozambique).
- Research, awareness-raising and advocacy in Mozambique encouraging government to better respond to and assist migrants based on humanitarian needs (Zimoso, Mozambique).
- Training local police authorities in international law, human rights and the protection of migrants (UNHCR, Mozambique and Zambia).
- Provision of free reproductive health services, especially in Zambia and Malawi, in a manner accessible to both locals and Zimbabweans (Corridors of Hope, IOM and Tasintha, Zambia; Médecins sans Frontières (MSF) Belgium, Mozambique; and Population Services International, Malawi.)
- Participation in campaigns urging local populations to treat Zimbabweans well (governments of Botswana and Malawi particularly).

Protection Failures

Unfortunately, the work done by these organisations has had only a limited impact on Zimbabwean migrants in the region. The resounding impression gained from fieldwork in the four countries remains one of protection failure. The specific elements of this failure to protect Zimbabwean migrants are as follows.

No policy response to livelihood-seeking humanitarian migration

Unlike in South Africa, where ongoing lobbying by a robust group of civil society organisations dedicated to migrant rights has led to the initiation of a policy response to migration from Zimbabwe, awareness raising on the plight of

⁵⁰ Umbrella organisation for civil society organisations in Chimoio.

Zimbabwean migrants in Botswana, Malawi and Mozambique has not yet led to any national or regional policy response. Hence, international humanitarian organisations and NGOs continue to restrict their provision to recognised refugees,⁵¹ leaving unmet the needs of humanitarian migrants who do not apply for asylum. In part, this situation is a result of the lack of migrant organisations in the four countries, which is in turn linked to the legal disincentives to assisting prohibited immigrants.

No migrant organisations

Even though there are many organisations (non-governmental and local) in all four countries, the majority work exclusively with citizens. Zimbabweans have only managed to benefit from existing programmes targeting nationals where identification is not required (or not enforced), as in Mozambique, Zambia, and Malawi.

There were no organisations providing direct interventions for (non-refugee) Zimbabwean migrants, both due to their non-recognition as a population of concern and for fear of contravening the provisions of immigration legislation.

There were no organisations providing direct interventions for (non-refugee) Zimbabwean migrants, both due to their non-recognition as a population of concern and for fear of contravening the provisions of immigration legislation that prohibits ‘aiding, abetting or harbouring’ undocumented or ‘prohibited’ persons.⁵² This state of affairs illustrates that a tolerant attitude toward immigration policing is not adequate as a response to the flow of migrants from Zimbabwe. Although governments in Malawi, Mozambique and Zambia may disregard their legislation in practice, non-governmental organisations do not have the same prerogative and in most cases continue to ignore the needs of

⁵¹ Protection officer, UNHCR Zambia and Botswana.

⁵² See, for instance, s28 of the Immigration Act of Botswana; s36 of the Immigration Act of Malawi; s29(9) of the Immigration and Deportation Act of Zambia.

Zimbabweans in order not to commit an offence or be seen to create a 'pull factor'. Governments in the region need to acknowledge the humanitarian needs of Zimbabweans who have not sought asylum, including those that are undocumented. Advocacy for such an acknowledgement, and against the prohibition of assistance to undocumented migrants, is of crucial importance. Against this background, supporting the founding and development of community-based migrant organisations would be of significant value to longer-term lobbying.

Governments in the region need to acknowledge the humanitarian needs of Zimbabweans who have not sought asylum, including those that are undocumented.

Lack of civil society awareness

Most civil society organisations identified in the four countries lacked awareness of international law, and the human rights and protection needs of migrants. Improving awareness would boost civil society's capacity to lobby for policy in favour of Zimbabwean and other humanitarian migrants.

Lack of national and regional coordination

Civil society work on the issue of migration does not have a regional dimension, generally speaking, although the few broader human rights organisations we found to be working on Zimbabwean issues were networked across borders under the Southern African Legal Assistance Network (SALAN), which incorporates Ditswanelo in Botswana, CHRR in Malawi, and other legal organisations in the region.

On a national level, only Ditswanelo in Botswana coordinates with five other civil society organisations (CSOs), including one faith-based organisation, in order to advocate for Zimbabweans. Zimosa in Mozambique was planning to establish linkages with the UN agencies as well as the Lutheran World Federation in early 2009. Beyond this, our difficulty locating migration-related CSOs suggests that

they are either non-existent or working independently, unaware of the existence of other organisations working on similar issues. Initiatives to improve national coordination – along the lines of the Consortium for Refugees and Migrants in South Africa (CoRMSA) – could strengthen the voices calling for policy change and push forward the migration agenda broadly and the issue of Zimbabwean migration in particular.

Conclusion and Recommendations

We find that Zimbabwean migration is mixed and differentiated; circular and generally short-term; comprising shoppers, informal cross-border traders, short- and long-term skilled and unskilled migrants, refugees and host country nationals. However, we highlight the fact that *all* Zimbabwean migration occurs against the backdrop of a virtually collapsed economy which in the majority of cases renders population mobility forced rather than voluntary.

Apart from the quality of shelter, struggles to secure legal livelihoods, and the absence of social welfare provision to Zimbabwean migrants, vulnerabilities highlighted in the report include Zimbabwean migrants' lack of access to ART and general healthcare in Botswana, lack of access to asylum in Mozambique, the harassment of undocumented Zimbabweans and particularly sex workers by police in the four countries, and the *refoulement* risk posed by deportations.

In practice Zimbabweans are received sympathetically in the region by both host populations and government structures, and consequently xenophobic attacks appear unlikely to occur, particularly in Mozambique, Malawi and Zambia. There is little policing of undocumented migration from Zimbabwe, except among sex workers. Botswana is an exception, where public discourse is also less welcoming of Zimbabweans. Yet despite the 'friendly' practices with regard to Zimbabweans, existing legislation, regional agreements and instruments, international treaties and protocols exclude the majority of Zimbabwean migrants from legality and protection, and prevent civil society from mobilising effectively to assist them.

Central Findings

More than anything else, this report documents:

- The poor immigration information systems and critical lack of data – both quantitative and qualitative – on migration flows in Botswana, Malawi, Mozambique and Zambia.

- The inadequacy of existing migration categories, policies and legislation to provide for humanitarian migration like that from Zimbabwe into each of these countries.
- The absence of national or regional policy responses to the type of livelihood-seeking humanitarian migration issuing from Zimbabwe.

The report highlights the way in which this situation has prevented the development of robust civil society networks working toward the rights of non-refugee migrants. It shows how, although Zimbabwean migrants take a proactive attitude toward their own welfare and that of dependents they support in the home country, the policy silence on their specific type of migration limits their ability to establish sustainable livelihoods, constrains the positive impact of their migration on host countries, leaves some of the negative consequences unmanaged, and necessitates negative coping strategies among the most vulnerable migrants. Broadly speaking, the solution to these problems would entail:

- a policy response legalising Zimbabwean migration (in its specific undocumented and non-asylum-seeking character) and recognising such migrants as a population of humanitarian concern, and
- the provision of direct assistance to the most vulnerable Zimbabwean migrants.

Given legal avenues for migration, the dependency-resistance of migrants from Zimbabwe would likely minimise the need for and lower the cost of humanitarian assistance.

Recommendations to National Governments

IMMEDIATE RESPONSE

For the purpose of facilitating humanitarian intervention for Zimbabwean migrants and better managing the impacts on their own citizens, governments in the region should:

- Acknowledge the humanitarian nature of migration from Zimbabwe, and encourage services targeted at undocumented Zimbabweans as a

- humanitarian response to forced migration rather than discouraging them as a 'pull factor'.
- Governments in Mozambique and Zambia should cease targeting Zimbabwean women presumed to be sex workers for deportation.
 - The government of Botswana should cease deporting undocumented Zimbabweans in recognition of the humanitarian conditions in Zimbabwe and the consequently forced character of their movement. This would have the related benefits of lowering deportation costs and decreasing overcrowding in the Francistown detention facility.
 - Where possible, governments should form partnerships with international and domestic non-governmental organisations (NGOs) and support local governments in the provision of public services to Zimbabweans in popular destination areas.

MEDIUM-TERM RESPONSES

Improved official responses to Zimbabwean migration might entail:

Asylum and immigration policy

- Establish a national and preferably regional policy response to the type of humanitarian migration that has resulted from the Zimbabwean crisis. This could involve reaffirming the application of the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa (hereafter OAU Convention) to contexts resembling the economic political collapse of Zimbabwe. This policy response should focus on:
 - Providing some measure of humanitarian support to the most vulnerable;
 - Supporting self-settlement; and
 - Permitting cross-border mobility.
 - Any policy response would need to take account of the effects of economic crisis and/or bureaucratic collapse on the ability of migrants to obtain passports and other travel documents.
- In order to guard against cases of *refoulement*,⁵³ Botswana should ensure that would-be asylum seekers from Zimbabwe are not deported.

⁵³ *Refoulement* is the act of returning a refugee to a country where his or her life or freedom is at risk. Non-refoulement is a principle of the United Nations Convention on the Status of Refugees.

- The Mozambican government should acknowledge that Zimbabwean migrants fulfill the conditions for refugee status under the OAU Convention and consider granting status to those Zimbabweans who apply for asylum.

Documentation

- Following the example of South Africa, all governments should consider attaching limited working rights to the 90-day temporary permit or introducing a longer-term temporary permit for Zimbabweans with permission to work.
- All governments should consider revising the documentation requirements for Zimbabweans to cross borders legally, until such time as Zimbabwe's internal systems for the issuance of passports and travel documents are restored to effective levels.

Assistance

- All governments should recognise the unique nature of livelihood-seeking humanitarian migration and the inability of existing laws and policies to respond to this kind of mobility. As such, they should promote targeted provision of advice and assistance to such populations.
- All governments should mainstream migration issues in their social development policies, specifically including 1) the sensitisation of health, welfare, housing and education departments to the unique needs of migrants and 2) the incorporation of migrant issues in planning processes.

Health

- The Botswana government should abandon its policy of reserving ARV access for nationals.
- As a Southern African Development Community (SADC) member state, Botswana should adopt and implement the SADC Policy Framework for Population Mobility and Communicable Diseases in the SADC Region.
- Health ministries and CSOs in the four countries should monitor client levels and plan and budget for the possibility of additional clients generated by humanitarian migration from Zimbabwe. This endeavour should be informed by a view that does not conceive of healthcare as a

pull factor, as Zimbabwean migrants do not appear to be primarily a health-seeking population.

LONG-TERM CAPACITY-BUILDING

While the above measures will ameliorate immediate needs and help governments to deal with the ongoing Zimbabwean crisis, there must be a much longer-term investment in the monitoring and management of migration, focusing in particular on the improvement of migration-related data collection, analysis and dissemination.

Recommendations to Local and International NGOs

IMMEDIATE HUMANITARIAN RESPONSE

Given the diverse and diffuse nature of Zimbabwean migration flows, and the lack of active local partners that are capable of assisting Zimbabwean communities, it will be difficult to coordinate a regional humanitarian intervention that will adequately address the immediate needs of Zimbabwean migrants. Nonetheless, several areas of immediate intervention should be considered priorities by local and international NGOs:

- Provision of NGO support of vulnerable individuals within the various groups of migrants. This may involve the distribution of food parcels and provision of basic healthcare (including free HIV testing and counselling) and shelter facilities. These interventions should initially be targeted at short-term, temporary migrants who are entering and staying briefly in border towns. While South Africa's response to Zimbabwean migration does not provide clear examples of successful government policy, lessons to inform such interventions may be learnt from the activities of NGOs in the Musina border area. These considerations should be balanced against the fact that host governments may view such interventions as a pull factor for additional migration, and carried out in a way that supports the dependency-resistance of Zimbabwean migrants.

- Although further research may be needed to optimise the design of responses, another area requiring an immediate response is that of migrant women engaged in sex work. Concerns include the popular assumption that most female Zimbabwean migrants are sex workers, and therefore the dual stigmatisation and criminalisation resulting from assumptions about undocumented migration and sex work. Initiatives addressed at the general public, government officials and NGOs are needed to clarify that not all Zimbabwean women are sex workers. Furthermore, initiatives are needed to facilitate access to health care, condoms, free HIV testing and counselling for migrant women who do engage in transactional sex.
- Given the ability of a significant number of Zimbabweans to integrate easily and access some public services in Malawi and Mozambique, like health and education, international and domestic non-government organisations (NGOs) might consider partnering with local governments to support them in the provision of public services in popular destination areas.

MEDIUM-TERM LOBBYING AND ADVOCACY

There are several areas in which local and international organisations could advocate for improved official responses to Zimbabwean migration:

Asylum and immigration policy

- All governments should be encouraged to establish a national and preferably regional policy response to the type of humanitarian migration that has resulted from the Zimbabwean crisis. This could involve reaffirming the application of the 1969 OAU Convention to contexts resembling the economic political collapse of Zimbabwe. This policy response should focus on:
 - Providing some measure of humanitarian support to the most vulnerable;
 - Supporting self-settlement; and
 - Permitting cross-border mobility.

- Any policy response would need to take account of the effects of economic crisis and/or bureaucratic collapse on the ability of migrants to obtain passports and other travel documents.
- In order to guard against cases of *refoulement*, Botswana – the only country in this study which regularly deports large numbers of Zimbabwean nationals – should be urged to ensure that would-be asylum seekers are not deported. Furthermore, Botswana should be encouraged to recognise Zimbabwean asylum seekers on the basis of the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa.
- Organisations should work toward changing Mozambique’s historically resistant approach to Zimbabwean asylum seeking. This will involve encouraging the government of Mozambique to acknowledge that Zimbabwean migrants fulfill the conditions for refugee status under the 1969 OAU Convention and to consider granting status to those Zimbabweans who apply for asylum.

Documentation

- Following the example of South Africa, all governments should be lobbied to consider attaching limited working rights to the 90-day temporary permit or introducing a longer-term temporary permit for Zimbabweans with permission to work.

Deportation

- Organisations should work with governments in Mozambique and Zambia to prevent continued targeting of Zimbabwean women presumed to be sex workers for deportation.
- The government of Botswana should be urged to cease deporting undocumented Zimbabweans due to the humanitarian conditions in Zimbabwe and the consequently forced character of their movement.

Assistance

- All governments should be encouraged to recognise the unique nature of livelihood-seeking humanitarian migration and the inability of existing laws and policies to respond to this kind of mobility. Given this awareness, governments should be lobbied to promote targeted provision of advice and assistance to such populations.

- All governments should be encouraged to mainstream migration issues in their social development policies, specifically including 1) the sensitisation of health, welfare, housing and education departments to the unique needs of migrants and 2) the incorporation of migrant issues in planning processes.

Health

- The Botswana government should be urged to abandon its policy of reserving ARV access for nationals. International humanitarian organisations should work in partnership with the government to ensure that the donor community is made aware of the need to ensure that migrants and refugees remain protected.
- As a Southern African Development Community (SADC) member state, Botswana should be urged to adopt and implement the SADC Policy Framework for Population Mobility and Communicable Diseases in the SADC Region.
- Health ministries and CSOs in the four countries should be lobbied to monitor client levels and to plan and budget for the possibility of additional clients generated by humanitarian migration from Zimbabwe. This endeavour should be informed by a view that does not conceive of healthcare as a pull factor, as Zimbabwean migrants do not appear to be primarily a health-seeking population. Research into the scale of Zimbabwean uptake of health services in the four countries would be helpful in framing lobbying efforts of this sort.

LONG-TERM CAPACITY-BUILDING

While the above measures will ameliorate immediate needs and help governments to deal with the ongoing Zimbabwean crisis, there must be a much longer-term investment in the development of the region's capacity to cope with migration crises of this sort. At a minimum, this should involve:

- Promotion of awareness amongst civil society organisations of domestic and international laws as they relate to the protection and rights of migrants.

- Development of specialised NGOs or specialised units within existing NGOs to address the needs of migrants for documentation, welfare and services. Such initiatives could begin by providing support for the already substantial set of informal reception and integration practices adopted on an ad hoc basis by local individuals and communities.
- Sustained and rigorous collection of and standardisation of data and information on migration, together with a massive investment in capacitating local researchers to study migration in all its forms.

Development of networks of relevant organisations within countries and across the region (to establish partnerships and promote complementary service delivery), and establishment of linkages between local service providers and the international community (to aid in local capacity-building and assist in promoting the regional migration agenda).

Appendix 1: Interviews Conducted by Country

Malawi

| | | |
|--|--------------------------|--|
| Home Affairs/ Immigration Headquarters – Blantyre | Mr. Tonda Chinangwa | Permit and Legal Officer |
| | Ms. Pudensiana Makalamba | Public Relations Officer |
| | Mr. Limbani Chawinga | Researcher – Research and Planning Unit |
| | Ms. Chrissy Gumbo | Citizenship Officer |
| | Ms. Martha Santala | Assistant Passport Officer |
| | Mr. Paul Sankulani | Repatriation officer |
| Centre for Human rights and rehabilitation | G.T.Z. Ndhlovu | In Charge of Mwanza Border |
| | Nicola Ndovi | Program Coordinator |
| UNHCR | Mr. Sentala | Assistant Field Officer |
| Ministry of Women and Child Development | Simon Chisale | Chief Social Welfare Officer – Lilongwe |
| | Ester Ndaipalero | Assistant District Social Welfare officer- Blantyre |
| Malawi Human Rights Commission (MHRC) | Dominic Misomali | District Social Welfare Officer – Blantyre |
| | Mr Masoo | Director Research Advocacy |
| Ministry of Trade and Industry | Mr. D Makwelero | Deputy Director of Trade and Industry |
| Ministry of Health | Dr. Dzwela | Deputy Director of Clinical Services and Health |
| Malawi Regional Police | Mr. Dave Chilalire | Research and investigation Unit |

Zambia

| | | |
|---|----------------------------|---|
| Office of the president | Mr. Francis Chika | District Commissioner Livingstone |
| Ministry Of Home Affairs Ministry of Home Affairs – Immigration Department | Mr Mphepo Jacob | Commissioner for Refugees |
| | Mr. Lwindi Killian | Principal immigration officer – Lusaka |
| | Mrs. Buleze Juliet | Regional Immigration officer – Livingstone |
| | Mr. Emmanuel Mwitumwa | In Charge, Victoria Falls Border – Livingstone |
| Police Headquarters IOM | Mrs. B. Zulu | Senior Immigration officer – Chirundu Border |
| | Mr. Stephen Nyangu | Superintendent |
| UNHCR- Lusaka Tasintha | Elizabeth Barnhart | Migration Health Project Development Officer |
| | Joyce Malunga | Assistant Protection Officer |
| Corridors of Hope: Lusaka | Catherine Kanchele Kasenzi | Program Coordinator – Chirundu |
| | Mrs Cotilda Phiri | Coordinator – Lusaka |
| Corridors of Hope-Lusaka Zambia RED Cross Society- Lusaka | Selly Nkwento Simmons | Advisor: Behaviour Change and Social Mobiliser |
| | Mr. Leslie Long | Country Director |
| | Mr. Immanuel Tungati | Project Coordinator |
| | Mulenga | |

Botswana

| | | |
|--|--------------------------|--|
| Office of the President | Mr. Ross Sanoto | Director of Defence Justice and Security |
| Office of the President | Mr. Richard Oaitse | District Commissioner – Francistown |
| Ministry of Labour and Social security | Ms Sesi Semule | Deputy Commissioner |
| Ministry of Labor and Home affairs | Mrs. Motsei Sejoe | Senior Immigration Officer, Investigations and Repatriations Department |
| | Mr Joseph Moji | Principal Immigration Officer, Investigations and Repatriations Department |
| Department of Social Services, Ministry of Local Government | Mr. Hamilton Mogatusi | Principal Social Worker – Specialised Services |
| Department of International Trade | Miss Johana Segptlong | Principal Trade Officer, SADC Desk |
| Police Headquarters Gaborone | Mathews Letsholo | Assistant Commissioner, Operations |
| Regional Police Headquarters Francistown | Mr. Baganatswe Francis | Senior Superintendent-Commander |
| UNHCR | Samuels Machel /Galefele | Protection Officers – Gaborone |
| Botswana Council of Churches | Rev. David Modiega | General Secretary |
| Botswana Red Cross | Ms. Thamizo Moritshane | Officer |
| Media Institute of Southern Africa | Mpho Mothabani | Information and Research Officer |
| Botswana Centre for Human rights(Ditswanelo) | Mary Ratau | Project Officer |
| Botswana Civil Society Coalition on Zimbabwe | Reason Matchengere | Volunteer |
| Botswana Secondary School Teachers Union | Hunyepa Justin | Director |
| Botswana Federation of Trade Unions | Mr. Gadzani Mbotsha | Secretary General |
| Botswana Council of Non Government Organisations | Mosimanegape Paul | Deputy Director |

Mozambique

| | | |
|---|-------------------------|--|
| Ministry of Interior | Alfredo Antonio Cordoso | Provincial Director: Immigration, Tete |
| | Mrs. Lavinia Maria | Chief Immigration Officer, Sofala Province |
| | Mr. Jaine Cumbe | Director Immigration, Manica Province |
| Swiss Labor Assistance Manica Province | Jorge Joaquim Lampiao | Representative |
| OMES | Maria Clara Paula | Coordinator |
| UNHCR | Tendai Ngwaradzi | Protection – Maputo |
| Focama | Delfim Alfinaete | Executive Secretary |
| Zimosa | Joseph Matongo | National Coordinator |
| Program officer | Ilundi Cabral | Save the Children |
| Program officer | Nelly Chimedza | IOM |

Oxfam Intermon
MSF Belgium
Mozambique Red Cross
(Cruz Vermelha de
Mocambique)

Nahuel Arenas
Allain Kassa
Jorge Uamusse

Humanitarian Program Manager
Representative
Disaster Preparedness and Response
Officer

Appendix 2: Focus Groups Conducted By Country

Zambia

| Location | No of groups with Zimbabwean | Number of Participants | No of groups with Locals | Number of Participants |
|-------------|------------------------------|------------------------|--------------------------|------------------------|
| Lusaka | 2 | 10(5F, 5M) | 1 | 5(3F, 2M) |
| Chirundu | 1 | 7(4F, 3M) | 1 | 5(4F, 1M) |
| Livingstone | 2 | 10(7F, 3M) | 1 | 6(6M) |

Malawi

| Location | No of groups with Zimbabwean | Number of Participants | No of groups with Locals | Number of Participants |
|---------------|------------------------------|------------------------|--------------------------|------------------------|
| Lilongwe | 1 | 6(3F, 3M) | 1 | 7(4F, 3M) |
| Blantyre | 1 | 7(2F, 5M) | 1 | 8(2F, 6M) |
| Mwanza Border | 1 | 8(2F, 6M) | 0 | |

Mozambique

| Location | No of groups with Zimbabwean | Number of Participants | No of groups with Locals | Number of Participants |
|------------|------------------------------|------------------------|--------------------------|------------------------|
| Machipanda | 1 | 8(4F, 4M) | 1 | 7(2F, 5M) |
| Chimoio | 2 | 7(4F, 3M) | 1 | 8(3F, 5M) |
| Tete | 1 | 6(3F, 3M) | 1 | 5(2F, 3M) |

Botswana

| Location | No of groups with Zimbabwean | Number of Participants | No of groups with Locals | Number of Participants |
|-------------|------------------------------|------------------------|--------------------------|------------------------|
| Gaborone | 3 | 30 (10F, 20M) | 2 | 11(4F, 7M) |
| Francistown | 2 | 15 (7F, 8M) | 1 | 9 (6F, 3M) |

Appendix 3: Migration-Related Legislation in the Sampled Countries

The comparative table provided below is drawn from readings of the Immigration Acts of Zambia, Malawi and Botswana, and a reading of Klaaren & Runtinwa’s (2004) report, “Towards the Harmonisation of Immigration and Refugee Law in SADC.”

| Zambia | |
|---|---|
| Refugees (Control) Act (1970) Refugees (Control) (Declaration of Refugees) Order (1971) Refugees (Control) (Declaration of Reception Areas) Order (1987) | <ul style="list-style-type: none"> ○ Minister has power to determine who is a refugee. ○ Controls on mobility within the state. ○ Deportation without non-refoulement clause. |
| Immigration and Deportation Act | <ul style="list-style-type: none"> ○ Offence to ‘harbour’ an illegal immigrant. ○ Prostitutes specified as prohibited persons. ○ Re-entry of deportee prohibited and punishable. |
| Malawi | |
| Refugee Act (1989) | <ul style="list-style-type: none"> ○ Uses UN (‘persecution’) and OAU (‘disturbance of public order’) definitions of refugee. ○ Controls on mobility within the state. |
| Immigration Act (1963) | <ul style="list-style-type: none"> ○ Offence to ‘aid or abet’ an unlawful entrant. ○ Re-entry of a deportee prohibited and punishable. |
| Mozambique | |
| Refugee Act (1991) | <ul style="list-style-type: none"> ○ Uses UN (‘persecution’) and OAU (‘disturbance of public order’) definitions of refugee. ○ No mobility restrictions specified. |
| Law of 28 December 1993 | <ul style="list-style-type: none"> ○ No prohibition of re-entry for deportees. ○ No general prohibition of assistance to clandestine migrant. |
| Botswana | |
| Refugees (Recognition and Control) Act | <ul style="list-style-type: none"> ○ Uses 1951 UN Convention (‘persecution’) definition of refugee; non-refoulement applies only to refugees under this definition. ○ No mobility restrictions specified. |
| Immigration Act (2002) | <ul style="list-style-type: none"> ○ Offence to ‘aid or abet’ an unlawful entrant. ○ Re-entry of a deportee prohibited and punishable. |

Appendix 4: Activities Undertaken by the Various Organisations

Note that this table does not include organisations that do not specifically target Zimbabweans, although some organisations with a more general provision to all comers sometimes provided services to Zimbabweans also.

| COUNTRY | NAME OF ORGANISATION | ACTIVITIES | LOCATION |
|------------|---|--|--|
| BOTSWANA | Ditswanelo – Botswana Centre for Human Rights | Human rights advocacy and coordinating organisation for Botswana Civil Society Coalition for Zimbabwe (Bociscoz). | Gaborone |
| | Botswana Council of Churches | Advocacy and awareness, assessments on Zimbabweans through and with Bociscoz and Ditswanelo. | |
| | Botswana Federation of Trade Unions | Advocacy and awareness on Zimbabweans with Bociscoz and Ditswanelo. | |
| | Media Institute of Southern Africa | Advocacy and awareness on Zimbabweans through media and with Bociscoz and Ditswanelo | |
| | Botswana Council of Non-Government Organisations | Advocacy and awareness on Zimbabweans with Bociscoz and Ditswanelo. | |
| MOZAMBIQUE | Swiss Labor Organisation | Income generation, language teaching, awareness on laws of host country and rights of migrants, funding local organisations to support communities hosting migrants. | Chimoio |
| | OMES (Organisation of Female AIDS Educators) | Awareness/prevention and referral regarding HIV for sex workers. | Chimoio, Machipanda |
| | ZIMOSA (Zimbabwe-Mozambique Solidarity Alliance) | Identification/registration of Zimbabweans conducting awareness and advocacy on the plight of Zimbabweans; research and support to Zimbabweans. | Maputo, Gaza, Manica and Tete including Vilanculos |
| | FOCAMA (Coordination Forum of the Associations of Manica) | Advocacy for protection for Zimbabweans but including other work of civil society organisations. | Chimoio |
| | MSF Belgium | HIV awareness/ medical care for nationals and Zimbabweans | Beira, Manica corridor |
| ZAMBIA | Corridors of Hope | HIV awareness, prevention and response, and rehabilitation of sex workers. | Chirundu, Livingstone and other border areas |

| | | | |
|--------|--|--|---|
| | International Organisation for Migration (IOM) | Basic humanitarian support to irregular migrants in terms of ablutions (a shower) at the migrants' support centre. Awareness on HIV and trafficking, and referral services related to HIV; work with government to collect and standardise migration data. | Chirundu, planning to expand project to border areas. |
| | Tasintha Programme | Rehabilitation and empowerment of sex workers. | Lusaka and Chirundu |
| | SALAN | A network of non-profit, non-governmental legal organisations in the SADC region. It advocates for the rights of the poor, disadvantaged and marginalised through: providing legal services, engaging in public legal education, participating in law reform and policy change undertaking public interest litigation. | Lusaka |
| MALAWI | Centre for Human Rights Rehabilitation (CHRR) | Advocacy/ research for Zimbabweans. | |

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