



# *Zimbabwe and South Africa Mission Trip*

## *September 2009*

### *Report of the Committee on Migration of the United States Conference of Catholic Bishops*

#### **Trip Delegation**

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From August 26-September 7, 2009, a delegation from Migration and Refugee Services of the U.S. Conference of Catholic Bishops (MRS/USCCB) visited the nations of Zimbabwe and South Africa to examine the situation of refugees in those two countries, with a special focus on Zimbabwean refugees. The delegation consisted of Most Reverend John C. Wester, Bishop of Salt Lake City, Utah, and Chairman of the USCCB Committee on Migration, Ms. Anastasia K. Brown, Director of Programs for MRS/USCCB, and Kevin Appleby, Director of Migration Policy and Public Affairs of MRS/USCCB. The MRS/USCCB delegation was part of a larger USCCB delegation, led by His Eminence Theodore Cardinal McCarrick, Archbishop Emeritus of Washington, D.C., and Most Reverend John Ricard, Bishop of Pensacola-Tallahassee, Florida, that visited the two countries in a show of solidarity with the bishops of the countries. This report contains findings and recommendations of the delegation with regard to Zimbabwean and other refugees in the region.



We would like to acknowledge and thank the South African Catholic Bishops' Conference and the Zimbabwean Catholic Bishops' Conference for hosting our delegation and for their contributions to the welfare of immigrants and refugees in their countries. Special thanks goes to Catholic Relief Services-Zimbabwe and Catholic Relief Services-South Africa for their life-saving work and for their hospitality.

## Background

In April of 2008, Zimbabwe held presidential elections which were characterized by intimidation and persecution of the Zimbabwean people, mainly at the hands of President Robert Mugabe's ruling party, the ZANU-PF. In the aftermath of the disputed election, Zimbabweans who did not support the ZANU-PF were intimidated, beaten, or killed by Mugabe loyalists, leading in part to the displacement of Zimbabweans within the country and the exodus of nearly 6 million Zimbabweans to neighboring and distant countries. During the same period, the country experienced an economic collapse, with hyperinflation and nearly 95 percent unemployment. At the time of the delegation's visit in August of 2009, the economy had stabilized, having switched to the U.S. dollar as its base currency, but unemployment in the country remained rampant.

While the Zimbabweans fled to many countries, the majority, as many as 3 million, traveled southward to South Africa. South Africa, the most developed nation on the continent—also known as the Rainbow Nation—has prided itself on welcoming Africans from throughout the continent to their country. In fact, South Africa has one of the most generous refugee policies in the world—on paper, at least. Refugees are able to enter the country and remain legally, without being maintained in refugee camps, have the right to work, and are legally able to access the social service system.

However, the reality of the refugees' existence is far from the stated policies. While, after an initial period of mass deportations from South Africa that ended earlier this year, Zimbabweans are now able to enter the country and work, they are still subject to harassment and violence and are unable to access necessary resources or employment to survive over the long-term. Vulnerable groups, such as women-head-of-households and unaccompanied minors, are especially at risk, facing dangers such as rape, forced prostitution, and human trafficking.

In May of 2008, xenophobic attacks broke out against Zimbabwean and other refugees throughout South Africa, the product of competition for employment and resources between poor South Africans and the refugee newcomers. The violence was quelled, but tension between native communities and the refugees remain, especially in township areas where poverty is high. Such violence also took place in downtown areas of Johannesburg at the Central Methodist Church, where many Zimbabweans sleep and congregate.



The South African government has failed to respond adequately to the influx, having only registered about 100,000 refugees, who receive six-month renewable visas upon their arrival, with the opportunity to apply for permanent refugee status

after six months. There is over an 80 percent rejection rate for refugee status, however, as many Zimbabweans are considered economic, not political, refugees. There is also a severe backlog in processing and adjudicating applications, with almost 100,000 cases in backlog. Because of the xenophobic fear and competition for resources, as well as the high unemployment rate in some parts of South Africa, integration of the refugees into South African society is highly problematic.

South Africa and Zimbabwe also are destinations for refugees from other parts of war-torn Africa, such as the Democratic Republic of Congo, Somalia, Sudan, and Rwanda. Many of these refugees travel large distances to South Africa in the hope of finding security and employment. Others make it to Zimbabwe and end up in refugee camps, unable to find safety or employment. The delegation met with several refugees from these areas, including vulnerable women and children.

At the moment, the South African government and the United Nation's High Commissioner for Refugees (UNHCR) have intentions to resettle several thousand non-Zimbabwean refugees, but there are no plans to resettle Zimbabweans.

## *Findings of the Delegation*



The delegation made several findings during their mission, as follows:

- The refugee flow from Zimbabwe to South Africa, while characterized by the South African government and others as mainly economic, includes a large number of refugees with valid refugee claims.
- Vulnerable groups, such as unaccompanied girls and boys and women head-of-households, remain at grave risk and require protection, including resettlement. Best interest determinations for children do not include a resettlement component.
- Inadequate services, such as food, shelter, health-care, and transportation, are provided to the refugee population, leaving them vulnerable to exploitation. In Zimbabwe, the internally displaced require additional support.
- Zimbabweans and refugees from other parts of Africa, located in both Zimbabwe and South Africa, are subject to local violence and xenophobic attacks and are unable to be integrated into the host nations.
- Human trafficking is present in both nations and refugees—men, women, and children—are at risk of being trafficked.

### *Refugee claims among Zimbabwean population.*

The South African government, as well as UNHCR, has classified the Zimbabwean refugee outflow into South Africa as mainly economic, given the collapse of the Zimbabwean economy last year. While economic reasons are primary in the flight of these refugees, it is by no means the only reason Zimbabweans are fleeing their home country. The delegation found that, upon visiting with many of the refugees, they held an underlying fear of persecution. In some cases, family members had been killed, while in others, their land or homes had been confiscated and they had been driven out of their native areas.

While UNHCR has yet to formally interview the refugee population, interviews conducted by paralegals employed by UNHCR in the border town of Musina found that 33 percent of Zimbabweans interviewed articulated a credible fear of persecution and a fear to return to Zimbabwe. These interviews included women whose husbands had been killed and unaccompanied minors who had lost parents.



### *Vulnerable refugees require protection*

The delegation was struck by the stories of women and children being attacked or kidnapped, either in the border area of Zimbabwe and South Africa or in the urban areas. Zimbabwean women reported sexual assault and rape as an ongoing occurrence, particularly from bandits, known as “gumagumas,” who laid in wait for them as they

cross the border. Women also reported being attacked within towns and cities. The incidence of rape among the general population of South Africa is alarmingly high; the vulnerable situation of refugee women increases their risk of attack.

Particularly troubling was the plight of young girls crossing the border. UNHCR reported difficulty in tracking some of their whereabouts, fearful that they had been kidnapped by human traffickers and taken to work in the sex trade. Other girls in local shelters on the border, alone and unable to find work, were vulnerable to forced prostitution or were at risk of being “taken as wives” by the local farming community.

Another disturbing finding of the delegation was the presence of a large number of unaccompanied boys from Zimbabwe, especially in the border area between Zimbabwe and South Africa. While some had been sent by their parents or relatives to pursue employment or further their education, others had been orphaned because of the loss of their parents to HIV/AIDS or to political violence. From our interviews with them, many did not intend to return to Zimbabwe but instead remain in South Africa in hope of a better education and employment. Some were housed in shelters and would beg on the streets during the day, but many others were homeless and without adult supervision.



### *Refugees in both South Africa and Zimbabwe were without adequate assistance.*

The delegation found that refugees and displaced persons in both South Africa and Zimbabwe do not have adequate access to food, shelter, or health-care. In Zimbabwe, food was available, but American dollars were in such scarcity that Zimbabweans displaced by violence were unable to purchase it. With unemployment in the country as much as 90 percent in some areas, about 1.5 million displaced persons were unable to feed themselves and relied on assistance from NGOs, IOM, and UNHCR.



In South Africa, the delegation witnessed a lack of shelter, food, and health-care for Zimbabweans and other refugees crossing the border. The delegation visited several shelters for vulnerable women and children refugees, but also witnessed adult males sleeping in city parks. Churches also provided shelter for the refugees. The Central Methodist Church, located in downtown Johannesburg, permits about 1,000-1,500 Zimbabweans to sleep there each night. It is also the site of several xenophobic attacks as well as raids by the South African police.

While such groups as Doctors without Borders provided mobile health clinics and a clinic for victims of gender-based violence, hospital care was nonexistent. With as many as six million South Africans infected with HIV/AIDS, Zimbabwean refugees infected had little access to care in South Africa, outside church-based clinics.

## *Zimbabweans and other refugees are unable to be integrated into South Africa.*

While South Africa's laws permit refugees to live and work legally in the country, in reality they have extreme difficulty obtaining permanent legal status or integrating safely into South African society. The South African office of Home Affairs, charged with handling the refugee situation, did not have the resources or personnel to meet the caseload demand, leaving a large backlog of cases and many refugees without legal papers. There is no assistance provided for the integration of refugees in South Africa, and those unable to find work are destitute and vulnerable.

While UNHCR in Pretoria reported its intention to resettle 2,000 non-Zimbabweans in 2010, with a similar number in 2011, the need is much larger. Zimbabweans will continue to be ineligible for resettlement in the near future. The delegation was dismayed by the number of Congolese women who clearly had protection claims but were not being considered for resettlement. For children, the best interest determination process is not run by UNHCR and does not include a resettlement component for those children who are unable to integrate into South Africa or return home.

In Cape Town, South Africa, the delegation visited a refugee camp (one exception to the refugee camp rule) of several hundred victims of xenophobia located near the ocean. Many reported having



As mentioned, in May of 2008 xenophobic attacks occurred throughout the country, both in Johannesburg and in townships. While Zimbabweans were the object of these attacks, so too were other refugee groups, such as Somalis, Congolese, Rwandans, and Burundians. The high rate of unemployment among poor South Africans and the resulting competition for resources between South Africans and the refugees contributed to the violence.

been attacked and having lost family members to the violence. The refugees there expressed fear of being transferred to another location which also housed South Africans, because they would be vulnerable to harassment. The UNHCR office in Cape Town expected to resettle a very small number of vulnerable cases, but otherwise had no long-term solution for these refugees. Other refugees in the Cape Town area, having lived there for 10 years or more, reported a lack of educational opportunities and employment in the area and still no permanent status in South Africa.

In Zimbabwe, chances for integration were even more remote. Given the state of the economy and political unrest in Zimbabwe, refugees from elsewhere in Africa are unable to integrate into Zimbabwean society. UNHCR operates a refugee camp in the eastern part of the country which has approximately 6,000 refugees from other parts of Africa, mainly Congolese fleeing the civil war in their country. The UNHCR office in Harare, Zimbabwe, reported its desire to resettle at least 1,500 of these refugees in 2010. However, only 750 will be resettled. UNHCR also reported the presence of at least 90 unaccompanied minors in the camp, many of whom reported abuse by the families with whom they had been placed.

***Human trafficking places many refugees at risk.***

The delegation was particularly concerned with the plight of refugees vulnerable to human traffickers, hearing stories of young women being kidnapped for those purposes. There is grave concern that the inflow of tourists into South Africa for the World Cup in July 2010 will increase the trade in human beings in the area. There were also reports at the border of refugees being taken to work on local farms, having their documents taken from them and being forced to work without pay.



## Recommendations

The delegation recommends that the following steps be taken to address the plight of Zimbabweans and other refugees in southern Africa:

### *In Zimbabwe:*

- ▲ The U.S. government should increase assistance to non-governmental organizations, including international organizations, to provide aid to Zimbabwean displaced persons. The UNHCR should resettle non-Zimbabwean refugees located in East Zimbabwe at a higher rate and establish best interest determinations for unaccompanied children located in the camp.

### *In South Africa:*

- ▲ The South African government should increase its efforts, through the Department of Home Affairs, to process refugees for permanent residence in South Africa. Increased food, shelter, and health-care support should be made available to the refugees, especially the most vulnerable. A program of integration assistance should accompany South Africa's generous laws on legal status.
- ▲ UNHCR should increase the number of refugees resettled from South Africa, including Zimbabweans. Vulnerable cases of women and unaccompanied children should receive highest priority. South Africa is struggling to provide meaningful protection to refugees, but the impact of millions overwhelms the country. Other countries should be asked to provide durable solutions to those unable to integrate or return home.



- ▲ The United States government should consider the resettlement of more cases from the region, particularly potential victims of xenophobia but also Zimbabweans and other refugees who remain at risk—unaccompanied minors, vulnerable women, and the elderly. The United States should also consider resettlement of child trafficking victims, pursuant to authorization granted by Congress in the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008.
- ▲ The South African government should increase law enforcement against human traffickers and launch a public relations campaign to prevent human trafficking from increasing during the World Cup games in 2010. The United States should encourage the South African government to enact an anti-trafficking law in advance of the World Cup, so that human traffickers can be fully apprehended and prosecuted and victims can receive adequate care. Provision for the care of victims should be included in any legislation.



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## Conclusion

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While South Africa is the most developed nation of Africa, it is unable to handle the large influx of Zimbabweans and other refugees under its care. It is inevitable that, without assistance from other nations and the United Nations, the xenophobic attacks of 2008 will again occur and refugees will continue to struggle to survive. Despite national law that encourages refugee protection and safe haven, South Africa has not provided a durable solution of integration for refugees. Those unable to repatriate should be considered for resettlement.

In Zimbabwe, the political situation, combined with the dire economy, makes return for many Zimbabweans unlikely in the near future. There also are an undetermined number of internally displaced (1-2 million is the best estimate) in Zimbabwe in need of assistance.

The delegation strongly urges the United States government, the South African government, the United Nations, and the international community to engage the Zimbabwean refugee situation more vigorously and to provide them with protection and durable solutions. Over the long-term, the international community must work for political and economic stability in Zimbabwe, so that millions of Zimbabweans can return to their country to help rebuild it.

