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The Political Stakes of

Displacement and Migration

in / from

Zimbabwe

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Overview

This policy brief is broadly focussed on legal frameworks that govern migration, refugees and displacement in Zimbabwe and the political contestations which surround this. It discusses:

- The prolonged political and economic crisis in the country and the consequences this has for crisis-induced emigration, internal displacement, refugees, immigration and mobility in the pandemic
- The policy and legal frameworks that guide Zimbabwe in managing refugees, migration and internal displacement.
- The political stakes of displacement, including the relationship to South Africa as the major destination country for migrants in the region and SADC policy in response to mobility in the region.
- Societal understanding of displacement. In particular, the policy brief will highlight how public and media opinion on matters to do with displacement and migration cannot be separated from politics of the country.

1. POLITICAL AND ECONOMIC CHALLENGES IN ZIMBABWE

In Southern Africa, Zimbabwe has emerged as one of the leading sources of forced migration, especially from 2000 onwards, due to declining economic and political conditions. Mobilities under such conditions has somehow made it difficult to make a clear distinction between voluntary and forced migrations (Chikanda and Tawodzera 2017). This section aims to give a historical synopsis of migration waves in Zimbabwe but will focus more on the contemporary mobilities that have been occurring, especially since the year 2000. Historically, migration in Zimbabwe had been summoned by different causes depending on the time of migration waves. During the colonial era, many people were displaced as they fled Zimbabwe due to conflicts between the colonial settlers and native blacks (Tekere 2007).

The reluctance by colonial settlers to relinquish power to Black people resulted in the emigration of many Zimbabweans. During the colonial era, Zimbabwe was a major migrant destination with many white settlers coming to what was then called Rhodesia for economic opportunities (Mlambo 2010). At the same time, the country was also a major sending country, especially to South Africa where thousands were recruited to go and work in gold and diamond mines. There was a standing bilateral labour agreement (BLA) between the Rhodesian government and the Witwatersrand Native Labour Association (WNLA) through which WNLA could recruit labourers from Rhodesia up to a maximum of 20000 per given year (Crush, Jeeves, and Yudelman 1991).

Officially Zimbabwe gained its independence on 18 April 1980 with Robert Mugabe at the helm of leadership under the Zimbabwe African National Union (ZANU) led government. Prior to independence, ZANU-PF was a militant organisation that was formed to fight White minority rule. Robert Mugabe became the Prime Minister of Zimbabwe in 1980 until 1987 when he then became the President of Zimbabwe, a position he held for thirty-seven years until November 2017 when he was ousted out of power through a coup by members of his own party.

Although in his independence speech, Robert Mugabe encouraged all Zimbabweans to embrace each other regardless of race or tribe and work together towards eradication of racism, tribalism, and regionalism, it appears this was not sufficient enough to reassure some of the settlers. Inevitably, this fear of the unknown led to mass emigrations of white Rhodesian settlers (Mabhena 2010). Beyond this, from independence in 1980, it is purported that some dissidents began operating in the Matebeleland and Midlands provinces and the ZANU-PF-led government responded with heavy-handedness (Catholic Commission for Justice and Peace in Zimbabwe 1997; Dzirutwe 2019). This period is commonly known as the 'Gukurahundi' period where ethnic violence was unleashed by the government through a state arm known as the Fifth Brigade between 1983-1987.

According to the Catholic Commission for Justice and Peace in Zimbabwe, the response unleashed by the Fifth Brigade, a counter-insurgency unit of the Zimbabwe National Army (ZNA) led to an estimated 3,750 civilian deaths, the destruction of about 680 homesteads, 10,000 detentions with about 2,000 civilians tortured (Catholic Commission for Justice and Peace in Zimbabwe 1997). This sparked a wave of emigration from Zimbabwe of Ndebele

people who were fleeing ethnic violence. It is important to note that the actual figures of deaths during these years vary widely in reports hence the actual number of deaths and causalities is not known to date. In 1975, ZANU had split into two forces, notably ZANU-PF loyal to Robert Mugabe and ZANU-Ndonga loyal to Ndabaningi Sithole. There was also ZAPU, which was a political militant socialist party that was led by Joshua Nkomo.[1]

Therefore, against this background, in order to end the massacres that had besieged Matebeleland and Midlands from 1983-1987, ZANU-PF and ZAPU merged into one ruling party under the Unity Accord signed in 1987. As a result of this, the Gukurahundi period eventually ended in 1987 with the signing of the unity accord between Zimbabwe National Union Patriotic Front (ZANU-PF) & Zimbabwe African People's Union (PF ZAPU). Subsequently, though there was some political stability, the economic situation of the country worsened. Due to an economic rescue plan Zimbabwe undertook on the advice of the World Bank in 1990s, known as the Economic Structural Adjustment Programme (ESAP), Zimbabwe's economic gains appeared to be reversing, leading to economic hardships and retrenchments of both skilled and unskilled labourers.

Furthermore, a referendum to vote on new constitutional reforms held in the year 2000 proved to be a symbolic rejection of the ruling ZANU-PF (Sims 2015) because it was a historic defeat for Robert Mugabe given that 56% of the Zimbabwean electorate rejected constitutional reforms that had been proposed by the ZANU-PF led government. Moreover, the newly formed Movement for Democratic Change (MDC) led by Morgan Tsvangirai managed to win the majority of urban parliamentary seats (57 seats) – through votes from the larger metropolitan areas of Harare and Bulawayo as well as other cities and towns. This victory by the opposition led MDC further incensed the ruling party.

Consequently, the Zimbabwean government embarked on a fast-track land reform programme (FTLRP) by forcibly evicting white commercial farmers in the year 2000 under the guise of distributive justice. It is however imperative to note that land redistribution did not begin in 2000 with the fast-track land reform. Rather, land reforms had begun way back in the 1980's after Zimbabwe gained its independence in 1980 as a way of redressing historical colonial injustices of land ownership and access. As such, the Lancaster House Agreement of 1980 was done in order to redistribute land equitably. The difference then, prior to the year 2000, was that under this agreement, land acquisition would be done on a "willing buyer- willing seller" basis and the government would be required to pay adequate and fair compensation for such land.

Nonetheless, this changed after ZANU suffered electoral defeat in the 2000 constitutional referendum. In spite of the government losing in this historic vote, they proceeded to effect constitutional reforms which allowed them to embark on a fast-track land reform programme that allowed them to acquire any land or farm they appropriated without paying any compensation. It has thus been argued that the land reform programme which ensued, just a week after ZANU-PF's defeat in the constitutional referendum was informed by the ruling party's belief that white minority commercial farmers were responsible for their defeat (ICG, 2001) as land was used as a weapon

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[1] The Gukurahundi in Zimbabwe was a series of massacres of Ndebele civilians between 1983-1987 by a special unit of the Zimbabwean National Army known as the Fifth Brigade.

to use in the face of growing political conflict and rising support for the MDC opposition.

As such, the government sanctioned farm invasions of white owned farms began with the then President, Robert Mugabe arguing that they were peaceful demonstrations against white colonialists. The common mantra used by war veterans who led farm invasions was that they were reclaiming their land from colonialists who had stolen land from their ancestors (International Crisis Group 2001). This was followed by severe economic meltdowns and political violence between the ruling party and the opposition led Movement for Democratic Change (MDC). Arguably, the years 2000-2010 came to be known as the decade of migration as many Zimbabweans were forced to flee to neighbouring countries in order to secure their livelihoods as well as escape from political violence (Mabhena 2010). This turbulent decade was marked by severe shortages of basic commodities (including medicine and fuel) as well as serious political violence (Zanamwe and Devillard, 2010).

For example, in 2008, inflation officially stood at 100,580% according to government statistics whilst independent analysts claimed otherwise, stating that actual inflation was almost 250 000%. Needless to say, whatever the reality was then, what remains uncontested is that the country had sunk into a deep economic and political crisis and Zimbabwe's food security outlook presented a gloomy picture with impending signs of mass starvation. Table 1 below illustrates the extent of the Zimbabwean crisis by showing the annual rise in inflation over a number of years. The rate of inflation in the later years explains why the decade 2000-2010, in particular, was referred to as a crisis decade for thousands of Zimbabweans who resorted to migration as a survival strategy. By 2008, at least about 2.04 million people needed humanitarian food assistance and this number was expected to

rise to 5.1 million by the end of the same year (Internal Displacement Monitoring Centre 2008) out of a total population of 12.38 million. Moreover, the heavily contested 2008 presidential election between Robert Mugabe and Morgan Tsvangirai, the opposition leader, was marked by at least 8,558 acts of political violence, unlawful arrests, torture, property destruction, detentions and intimidation of opposition members and supporters (Media Monitoring Project Zimbabwe 2009).

Table 1: Inflation Trends in Zimbabwe, 1995-2008

Inflation Trends in Zimbabwe, 1995-2008	
Date	Inflation Rate (%)
1995	26
1996	17
1997	20
1998	47
1999	57
2000	55
2001	112
2002	199
2003	599
2004	133
2005	586
2006	1.281
2007	66.212
January 2008	100.580
February 2008	164.900
March 2008	417.823
April 2008	650.599
May 2008	2.233.713
June 2008	11.268.758
July 2008	231.150.889
August 2008	9.690.000.000
September 2008	471.000.000.000
October 2008	3.840.000.000.000.000
November 2008	89.700.000.000.000.000.000

Source: Crush, Chikanda, and Tawodzera (2012)

At the time, South Africa played a major role by brokering a deal between the ruling party and the opposition leading to the formation of a Government of National Unity (GNU) in 2009,

which lasted until 2013. The GNU offered rays of hope for the future to many Zimbabweans as well as the regional and international community.

Although the GNU was seen as a negation of democracy in some quarters, as it gave Mugabe legitimacy (Chigora and Guzura 2011), for many Zimbabweans, it signalled a period of relative economic stability and basic commodities became readily available. Moreover, the short-term economic recovery programmes managed to contain runaway inflation at that time. In spite of this, Makoni (2012), for example, argued that the GNU was a failure from the start because it did not reflect the actual will of the people of Zimbabwe, whilst Bratton & Masunungure (2011) argued that the GNU was marred by repeated squabbles and a breakdown in communication between the two main parties, ZANU-PF and the MDC. Nonetheless, the order and sanity brought about by the GNU to Zimbabwe cannot be underemphasised especially since it brought relief to ordinary citizens and also legitimised Mugabe in the international and regional community (Mukuhlani 2014).

Sadly, Zimbabwe to date remains conflicted After the GNU ended, ZANU-PF won elections by a huge margin and Mugabe yet again continued to occupy the presidential position up until 19 November 2017 when he was ousted by Emmerson Mnangagwa with the assistance of the military in a coup. Mugabe who had ruled Zimbabwe for 37 years eventually died in September 2019 without being held accountable for the many atrocities and massacres that occurred under his watch (Human Rights Watch 2018). Mugabe's refusal, supported by his family, to be buried at the National Heroes Acre and to have any ZANU-PF official (his tormenters) pontificate over his dead body signalled a bitter end to a once the most powerful man in Zimbabwe (The Zimbabwe Independent 2019).

The military coup was famously dubbed as 'Operation Restore Legacy' because the ZANU-PF, led by Emmerson Mnangagwa and Constantine Chiwenga, presented it as a new dispensation that would start to do things differently for the people of Zimbabwe. The second republic was presented as a party that would be free from corruption, repression and violence, key characteristics that had become synonymous with Robert Mugabe (Hodgkinson 2019). The coup leaders attempted to show that Zimbabwe would be a better country without Mugabe at the helm, a representation which has, to date, not become a reality. In the state controlled newspapers such as the Herald for example, Operation Restore Legacy was famously dubbed as a miracle for Zimbabwe (Katongomara 2018). Yet the reality that followed has been that of a deepening economic and political crisis in the country hence hopes brought about by the Mnangagwa presidency were short-lived and have since vanished (Hodgkinson 2019). For starters, the economy continues to sink further, with repression on the increase, and the presidential election which installed Mnangagwa as President remains disputed and therefore his legitimacy has remained compromised.

For example, during post-election protests on 1 August 2018, the government responded with heavy-handedness and shot blankly at unarmed civilians resulting in the death of 6 civilians and dozens of injuries (Human Rights Watch 2020). The story of Zimbabwe to date remains dire. With the onset of Covid-19, Zimbabwe's health crisis has worsened. The then Health Minister, Obadiah Moyo was involved in a public procurement scandal for Covid-19 supplies when he awarded a shelf company a tender of 60 million United States dollars without going to tender. Following public pressure especially on

social media, the Health Minister was then fired in July 2020. Despite this action, the health crisis in Zimbabwe continues unabated and so does the economic crisis. Taking this background, the next section will describe different forms of migration in Zimbabwe.

2. MIGRATION AND DISPLACEMENT IN ZIMBABWE

CRISIS-INDUCED EMIGRATION

The economic and political problems that have bedevilled Zimbabwe since early 2000 have invoked waves of migration to neighbouring countries, especially to neighbouring South Africa and Botswana. Regionally, migration statistics are not accurate, nor up to date. This scenario is also exacerbated by the huge flows of irregular migration whose numbers remain unaccounted for. Obtaining accurate data is also extremely difficult due to the fact that at the point of entry, migrants give various reasons for entering, which may or may not be true, and there are no effective ways through which information given at the border can be verified by border officials, again notwithstanding the fact that many more migrants do not use regular channels to enter into South Africa.

Table 2 below gives indications of the classifications used at the point of entry and reasons Zimbabweans who entered South Africa during the period 2005 – 2008 stated. Also significant is the increase in entrants in 2007-2008, a period that coincided with one of the worst economic and political meltdowns in Zimbabwe.

Table 2: Stated Purpose of Entry from Zimbabwe to South Africa between 2002 and 2008

Reason	2004	2005	2006	2007	2008
Holiday	507.016	679.562	937.766	916.093	**1.178.733**
Business	31.995	25.286	24.853	28.876	**27.345**
Work	6.980	7.7079	9.043	13.074	**21.050**
Study	8.920	9.909	12.646	13.389	**13.387**
Other*	3.222	4.183	5.306	5.669	**7.528**
Total	558.093	727.726	989.614	977.101	**1.248.043**

Source: Crush, Chikanda, and Tawodzera (2012)

Looking back on the decade(s) of migration, it remains hotly contested whether Zimbabweans voluntarily immigrated to neighbouring countries or whether they were forcefully displaced by circumstances in Zimbabwe.

Textbox 1: People on the move in/from Zimbabwe

Categorising people on the move is highly politicised and often analytically blurry. In Zimbabwe, it is difficult to categorise the type of migrations that take place from and within the country. There is an overlap between refugees and other migrants, and agency, choice and flexibility in individual journeys. Acknowledging this the following patterns could be found in Zimbabwe:

- Crisis-induced emigration as a result of prolonged political and economic crisis in Zimbabwe.
- Internal displacement in Zimbabwe
- Immigration to Zimbabwe
- Refugees in Zimbabwe

To date, some Zimbabweans have claimed asylum, others continue to be deported, with some having settled legally in South Africa.

INTERNAL DISPLACEMENT IN ZIMBABWE

Just like emigration, internal displacement in Zimbabwe is fraught with political contestations when it comes to labelling and fully recognising their existence. The ruling ZANU-PF party has consistently been uncomfortable with the use of the terms internal displacement as it is their policies that have led to displacement internally (IDMC 2010). Consequently, humanitarian organisations have had to use an alternative term when referring to internal displacement in order for them to be allowed access to the internally displaced persons who need assistance. As such, according to the (IDMC 2010), the term 'mobile and vulnerable populations' (MPV's) is used.

Hammar (2008) argues that since independence, the three major waves can be understood through major political operations undertaken by the Zimbabwean government. In addition, internal displacement has also been caused by disasters such as droughts, flights and storms as well as developmental initiatives. Though these are not discussed in detail, they have led to significant displacements in the last decades, see Textbox 2 below.

Textbox 2: Causes of displacement in Zimbabwe since Independence

- Fast Track Land Reform Programme
- Operation *Murambatsvina* (Clean the filth) campaign
- Operation *Chikorokoza Chapera* (No illegal mining)
- Electoral cleansing and punishment in 2008
- Natural disasters

Fast Track Land Reform Programme (FTLRP) and farm invasions

The land reform programme invoked arbitrary displacement of white commercial farmers and farmworkers from the year 2000 onwards. Historically, land ownership in Zimbabwe was always racially skewed so that at the time of independence, the new government inherited a system of unequal race-based ownership. At this point, the white population – no more than 1% of the population - owned about 14, 6 million out of the 39, 6 million hectares of land (Internal Displacement Monitoring Centre 2008). Soon after the ruling party lost the vote in the national referendum in the year 2000, an estimated 300,000 – 350,000 farmworkers were displaced with a further estimated 250,000 – 270,000 seasonal farm workers (Internal Displacement Monitoring Centre 2008).

In fact, by 2010, it was estimated that less than 1 in every 10 farmworkers were still employed on commercial farms by the few white commercial farmers who remained on their farms and in some cases by the new farm owners (IDMC 2010). Although other farm workers still remained on the farms where they were employed, they were no longer employed as the farmers had left and the other farmworkers were forcibly removed by the new owners and consequently displaced and left homeless and jobless.

Operation Murambatsvina (Clean the filth campaign)

In May 2005, the GoZ embarked on urban evictions which was famously dubbed as Operation Murambatsvina (Clean the filth campaign) which they justified as an operation to clean up informal housing and informal economies under the guise of an urban renewal project (Internal Displacement Monitoring Centre 2008). During this operation, the police with the authority of the Government burnt, destroyed and bulldozed thousands of urban

properties around the country (Human Rights Watch 2005). The operation was directly supervised by the Government of Zimbabwe under the joint administration by the Ministry of Local Government and Urban Planning; Ministry of Home Affairs and the City of Harare Commission that had been appointed to run the affairs of the city then (Human Rights Watch 2005).

The reasons given by the GoZ for initiating this operation were to restore order and sanity to the cities and to halt the rise of disorderly urbanization, however, this was not how the operation was viewed from other quarters. For example, Human Rights Lawyers and NGOs were of the opinion that the GoZ had embarked on this exercise as a way of retribution for urban voters who had mainly voted for the opposition in the March 2005 elections. They also argued that the evictions were designed in such a way that the GoZ could quash mass uprisings in future due to the rising economic difficulties being experienced (Human Rights Watch 2005).

Motives aside, the result of Operation Murambatsvina was that 700,000 people were displaced under this operation (Sims 2015) whilst the United Nations Special Envoy on Human Settlement Issues in Zimbabwe reported that at least 570,000 had been rendered homeless according to the United Nations whilst about 98 000 livelihoods were deprived (Internal Displacement Monitoring Centre 2008). Ultimately, due to this operation, 92 460 housing structures with about 133 534 households were effectively destroyed leaving at least 98 000 deprived livelihoods (Tibaijuka 2005). The UN also estimated that over 100 000 people had no choice except to move to the rural areas.

Operation Chikorokoza Chapera (No illegal mining)

Whilst public, the media and international focus was on Operation Murambatsvina, another operation was undertaken in 2006 known as *Operation Chikorokoza Chapera* (No illegal mining). Although this received less publicised attention that the urban evictions under Murambatsvina, thousands of artisanal gold panners were severely affected. The GoZ intended for all gold to be mined legally and sold to the central bank. It is reported that there were over 25 000 arrests under this operation between 2006 -2009 and many homes belonging to gold panners were also destroyed (Internal Displacement Monitoring Centre 2008, Spiegel 2014) Furthermore, as a result of this operation, there were still about 6 000 people in prison by 2013 (Spiegel 2014). The GoZ argued that there was rampant environmental destruction due to illegal gold panning in the country hence they embarked on this operation. In order to fully comprehend the actions of the GoZ in this instance, it is also imperative to appreciate that the economy was on a downhill trajectory and in need of revenue streams.

As such, the Reserve Bank reasoned that there was need to formalise revenue streams for the state by centralising gold trading in order to capture the leakage of revenue that was happening through illegal gold mining. The impact on livelihoods cannot be underestimated as thousands were arrested and small scale miners lost their livelihoods yet the new formal arrangements were given to local, politically connected, mining barons and outside investors with good political links such as Chinese businessmen (Scoones 2015). Arguably, this operation was masked as an exercise of formalising revenue control yet it turned out to be about shifting power in terms of resource controls (Spiegel 2014).

Electoral cleansing and punishment

The term electoral cleansing is not only synonymous with the Zimbabwe situation. However, in the context of Zimbabwean

politics, it has been used to refer to the chasing away of MDC opposition voters from their voting areas and unleashing violence on opposition supporters in order to intimidate them as seen in Zimbabwean elections especially from the period 2000 to date. The 2008 Presidential elections were hotly contested between the ruling ZANU-PF led by Robert Mugabe and Morgan Tsvangirai under the banner of the opposition MDC. This particular election emerged with no clear winner and violence was unleashed on opposition members and supporters. This also led to a significant migration wave from Zimbabwe to neighbouring countries, a trend which has continued to date due the protracted crisis, see also above.

REFUGEES IN ZIMBABWE

Zimbabwe is commonly discussed in migration scholarship and debate as one of the major migrant sending countries in the SADC region. Whilst this is certainly true, what is often not discussed is that Zimbabwe still remains a significant receiving / host country to refugees and asylum seekers too, as well as immigrants, see below. We aim to show by way of the data below that the prolonged economic and political crisis has not deterred refugees and asylum seekers from seeking refuge in Zimbabwe.

To give a picture of the numbers of refugees in Zimbabwe, as of the end of December 2019, it was reported that there were 9,200 refugees and asylum seekers. Most of the refugees hosted in Zimbabwe originate from the Democratic Republic of Congo, Mozambique and Burundi (World-data Information Report, 2018). Overall, there were also 291 583 'persons of concern', which included 270 000 IDPs. These figures were compounded by Cyclone Idai. This was a significant increase from the previous year given that in 2018, there were 188,891 persons of concern (UNHCR 2020). To illustrate the

devastating effects of Cyclone Idai, a comparative year-on-year figure is given below (see Table 3):

Table 3: People of Concern in Zimbabwe between 2015 and 2019 according to the UNHCR

Year	Refugees	Asylum seekers	Returned Refugees	Total: People of Concern*
2015	6,950	259	31	
2016	7,426	952	6	
2017	7,572	8,394	38	18,874
2018	7,797	10,210	21	18,891
2019	8,959	11,533	132	291,583

Source: https://reporting.unhcr.org/zimbabwe

* The UNCHR defines People of Concern as refugees, asylum seekers, returned refugees, internally displaced persons (270,000 in 2019) and others of concern (959 in 2019).

IMMIGRATION TO ZIMBABWE

Yet another side to consider in the Zimbabwean context is immigration into the country. Whilst the numbers of migrants have certainly decreased following the economic and political crisis, immigration has not ceased. In fact, Jaji (2019) found that even during at the height of the Zimbabwean crisis from 2000, some migrants did not even relocate back to their countries or elsewhere. Jaji (2019) further argues that some migrants from the Global North actually established homes during the crisis in Zimbabwe whilst others left only briefly and returned when the Government of National Unity was put in place. Although most migrants in Zimbabwe are from the SADC region, migration to Zimbabwe has not stopped, neither during nor after the Mugabe era, despite the economic and political troubles of the country. For example, Zimbabwe's migration stock in 2013 stood at 360 992 (Jaji 2019).

Significantly, what is interesting to note about migration to Zimbabwe is the fact that despite the country ranking low in many indexes such as

governance, human security, and human development and with most citizens living below the poverty datum line in a hyper inflationary environment, immigration into the country continues. Furthermore, migrants living in lower density suburbs have indicated that their main reason for moving to Zimbabwe was the level of security which they felt was higher in comparison to their African countries. Jaji (2019) attributes this factor to spatially demarcated crime and political violence suggesting that what migrants experience in low density suburbs is entirely different from what citizens in higher density suburbs experience. The irony is that one side experiences peace and security whilst the other experiences crime and political violence and repression.

In terms of migrant stock, data suggests that presently, migrants from outside Africa are mainly Asian with about 71% of temporary permits issued to Chinese migrants (IOM, 2018 as cited in Jaji 2019, p.72). The concentration of Chinese migrants, as Jaji (2019) argues, may be attributed to the ZANU-PF Government's 'Look East Policy' and the breakdown in relationships between the GoZ and the West hence there are fewer migrants from the Global North comparatively. Whatever the case maybe, the presentations by Jaji (2019) indicate that in spite of the mainstream public discourse on Zimbabwe as an unsafe and unstable country, immigration into the country has not stopped even during Zimbabwe's dark periods and migrants continue to come in, with some preferring it as a safe destination in Africa in comparison to other countries in the region.

MOBILITY UNDER COVID-19 RESTRICTIONS

Finally, bringing the discussion to the current period requires a synopsis of the year 2020 given the uniqueness of the global situation following the outbreak of COVID-19 in December 2019 in China and the subsequent country lockdowns that ensued during this year. Zimbabwe officially went into a total lockdown on the 30th of March, 2020. It is imperative to point out that due to COVID-19, many migrants in neighbouring South Africa and Botswana found themselves in vulnerable situations which forced them to return home. Due to lockdowns in Zimbabwe, South Africa and Botswana in particular, regular migration drastically reduced. A month –to – month comparative shows that there were 330 346 regular movements at the Beitbridge border post in March 2020 (International Organization for Migration 2020). This was significantly high, because South Africa and Zimbabwe only went into lockdown on the 27th and the 30th of March 2020 respectively, so prior to national lockdowns, there had been a significant number of people moving.

In April of 2020, regular movement drastically reduced because the countries in question were now in full lock-down. As such, regular movement in April came down to 15 423 regular movements between Zimbabwe and South Africa (IOM 2020). In addition, there were 500 Zimbabweans deported from Botswana. Significantly, COVID-19 restrictions actually increased irregular migration statistics of Zimbabweans especially for the lower skilled and informally employed migrants. Most of them were easily dismissed and left jobless and some resorted to the use of irregular routes hence an increase in irregular migration during this pandemic period (International Organization for Migration 2020).

According to the IOM, in May and June 2020, there was increased regular movement again because the GoZ permitted trucks transporting essential commodities between South Africa and Zimbabwe as well as those with special clearance arrangements to move e.g. those accompanying deceased bodies between the two countries. Consequently, May 2020 saw a 53% increase in regular movement whilst June 2020 went up by

14% (International Organization for Migration 2020) because travel for essential cross-border transport had been opened. In terms of assistance to the vulnerable migrants in South Africa, a humanitarian appeal was launched in May by the Zimbabwe diaspora in South Africa in collaboration with the Embassy of Zimbabwe and IOM to assist in addressing the most urgent needs of vulnerable migrants that were stranded in South Africa.

The assistance included pre-departure arrangements from South Africa, repatriation and medical checks (International Organization for Migration 2020). It remains to be seen what the overall impact has been on Zimbabwean migrants in neighbouring countries but no doubt, indications so far paint a gloomy picture of many who have been stripped of their livelihoods due to COVID-19. With migration always a survival strategy, COVID-19 has in essence stripped them of this lifeline. Having discussed the different patterns of migration and background to political and economic challenges in Zimbabwe, the next section will discuss how displacement is governed in Zimbabwe.

3. GOVERNING DISPLACEMENT IN ZIMBABWE

Considering the different types of migration, as discussed above, there are also different responses to displacement which will now be discussed in turn, namely national responses to displacement, refugees and migration, before turning to regional responses to migration.

NATIONAL RESPONSES TO INTERNAL DISPLACEMENT

The approach to migration governance in Zimbabwe from 2000 can be seen within the purview of two periods i.e. the government before the GNU and after the GNU. Prior to the

formation of the Government of National Unity (GNU) between ZANU-PF and MDC, the GoZ stance on displacement was that of denialism as they refused to acknowledge that there were internally displaced people (IDPs) in Zimbabwe (Internal Displacement Monitoring Centre 2008). This hard-line stance thus made it impossible to profile and survey the IDP population in the country because there was limited government cooperation regarding this. As such, there exists a plethora of highly polarized opinions which have commonly come to be dichotomised by the state itself as being either pro-government or anti-government.

For example, following the devastating Operation Murambatsvina of 2005, the GoZ responded by creating what they called transitional camps in order to deal with the effects of displacement that followed this operation (Hughes 2007). Ironically, the GoZ were therefore obliged to find alternative solutions for the displacement that they had caused. Some transitional camps namely Caledonia and Hopley were created in peri-urban Harare (Chirisa, Gaza, and Bandauko 2014). Moreover, the GoZ also resisted using the term IDP and at the same time, access to IDPs by humanitarian agencies was highly politicised and severely restricted (Internal Displacement Monitoring Centre 2008). As one interviewee aptly expressed, as noted in the report with IDMC:

> The government is in denial, it does not recognise that there are IDPs in Zimbabwe. If you mention IDPs to a government official, that will be the end of the meeting; IDPs are taboo. (IDMC interview with a UN Official in Harare, 11 February, 2008, see Internal Displacement Monitoring Centre 2008).

Consequently, in this respect, international agencies coined the term Mobile and Vulnerable

Populations (MPVs) so that they could access those internally displaced (Internal Displacement Monitoring Centre 2008), see also above. Nonetheless, this term has a high degree of conceptual confusion because in the Zimbabwean context, it is used to refer to both IDPs as well as other vulnerable populations who may not necessarily have been displaced (Internal Displacement Monitoring Centre 2008). Furthermore, profiling of IDPs is made much more difficult by the fact that some IDPs have been displaced more than once during different waves of displacement.

For example, it is possible that one was displaced as a farm worker during the farm invasions of 2000, then perhaps went on to become a gold panner and got displaced again during operation 'no illegal mining' and may also have been a victim of political violence in 2008 and may have even subsequently fled the country for political or economic reasons. This again brings to the fore the contested dichotomies between forced/voluntary migration as this makes these binaries very blurred and contestable according to one's circumstances thus questioning international law and definitions as broadly understood within migration studies. Needless to say, the tone of the government or rather their stance on IDPs appears to have changed with the signing of the GNU.

The ushering of the Global Political Agreement witnessed an acknowledgement of the existence of IDPs under which Zimbabwe then committed to the Kampala Convention by signing the Convention on Protection and Assistance for Internally displaced persons. The Kampala Convention is a legally enforceable IDP framework for Africa but at the time of signing, there was no officially designated authority for IDPs in Zimbabwe notwithstanding the fact that Kampala Convention provisions do not form part of domestic law (Giorgi, Klos, and Walker 2014). Zimbabwe enacted the Framework for

the Resettlement of Internally Displaced Persons (IDPs) in Zimbabwe 2011. It is a humanitarian tool developed to assist humanitarian actors to assess and provide options for durable resettlement solutions to IDPs which may include assisting IDPs through returning them to their place of origin; integrating them into the communities where they have settled and also resettling them in different locations.

Nonetheless, in relation to housing of IDPs, there is no specific legislation that guarantees housing for this cluster in Zimbabwe (Giorgi, Klos, and Walker 2014) neither is there any law legislatively prescribed for government personnel to run IDP awareness campaigns and education. After a public and international outcry following the devastating consequences of Operation Murambatsvina in 2005, the GoZ then announced yet another operation which the famously dubbed as Operation *Garikai* (reconstruction) in 2005. Its conceived purpose was to provide decent accommodation to the victims of Operation Murambatsvina and also to significantly reduce the national housing waiting list (Human Rights Watch 2005). Robert Mugabe announced that he had set aside US$ 300 million for the construction of 1.2 million houses. Two transit camps that were created for the evictees were Caledonia and Hopley. Since 2005, these transit camp remain residential areas mainly for the victims of Murambatsvina in 2005. Furthermore, there is no identified focal institution in Zimbabwe that is responsible for coordinating IDPs as there is no minister officially mandated through parliament for this role (Giorgi, Klos, and Walker 2014).

However, unofficially this role is delegated to the Ministry of Public Services, Labour and Social Welfare (Giorgi, Klos, and Walker 2014). Moreover, the Civil Protection Act through the Department of Civil Protection coordinates operations of civil protection during disasters, but emergencies are held at various

levels i.e. local, district, provincial and national. The Act is not explicit in who exactly it protects so it can only be inferred in the context of IDPs as it is meant to protect the public. Ultimately, in the context of natural disasters, there is no explicit legislation to address IDPs during disasters. Moreover, in relation to housing of IDPs, there is no specific legislation that guarantees housing for this cluster in Zimbabwe (Giorgi, Klos, and Walker 2014) neither is there any law legislatively prescribed for government personnel to run IDP awareness campaigns and education.

NATIONAL RESPONSES TO REFUGEES

Refugees in Zimbabwe are governed under the Refugee Act which is informed by international conventions discussed elsewhere in this paper. The Refugee Act (Chapter 4 (03)) governs all matters pertaining to refugees and asylum seekers in Zimbabwe. This act defines a refugee, makes provisions for the setting up of a refugee committee under the Commissioner for Refugees that falls under the Ministry of Public Service, Labour & Social Welfare. In essence it addresses all matters relating to governance of refugees in Zimbabwe. Zimbabwe acceded to the 1951 Convention governing refugees and its 1967 Protocol in 1981 but it entered reservations on some of the articles such as article 26 on freedom of movement of refugees and instead follows a policy of encampment for refugees.

Other reservations entered by Zimbabwe were Article 17 on wage-earning employment and this limits refugee's access to the labour market as well as the article on public relief and social security. Notwithstanding these reservations, refugees in Zimbabwe are those that are recognised under the 1951 Convention relating to the Status of Refugees and its 1967 Protocol as well as the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in

Africa. Asylum seekers in Zimbabwe are those persons who have applied for asylum or refugee status but still awaiting a decision on their application. Nationally, the Zimbabwe Refugee Committee is mandated under the Refugee Act to conduct and manage all refugee status determination (RSD) in which the UNHCR sits in with an observer status. From a policy perspective, Zimbabwe's policy is that of encampment for refugees. In addition, Zimbabwe also works in partnership with other civil society stakeholders such as the United Nations High Commission for Refugees and other UN organs such as UNICEF. There is only one refugee camp in Zimbabwe named Tongogara Camp in the Eastern District of Zimbabwe (Mhlanga and Zengeya 2016).

The policy on refugees is guided by the principle of non-refoulment which mandates the GoZ to provide protection to refugees for as long as the country of origin is still experiencing conflict. In terms of supporting the camp, the GoZ under the Ministry of the Department of Social Welfare works in partnership with the United Nations through United Nations High Commission for Refugees (UNHCR). Furthermore, UNHCR also works in close partnership with GOAL Ireland and Terre des Hommes to support Tongogara Refugee camp. Together, these partners implement protection and assistance programmes in the camp and the GoZ is responsible for providing transit reception facilities, warehousing, social services and documentation through facilitation birth certificates and national registration identities ('Zimbabwe: UNHCR Fact Sheet, December 2018').

Additional instruments that broadly inform governance of refugees, though a rather round-about way through indirect interpretation, include the Constitution of Zimbabwe and the National Registration Act. The National Registration Act states that children born in

Zimbabwe should be registered and the Constitution as the supreme law of the land is committed to upholding human rights and freedoms of everyone in Zimbabwe. By implication, one of the guarantees of the Constitution is the freedom of movement of all who live in Zimbabwe. This provision on its own has not been realised fully in Zimbabwe as it prefers a policy of encampment of refugees and asylum seekers making it difficult for them to move freely.

However, on a positive note, the GoZ has been issuing birth certificates and national identity cards to children in the Tongogara Refugee camp. For example, in 2015, 147 children were issued with birth certificates whilst 556 males and 438 females received new identity cards (UNCHR 2019).

NATIONAL RESPONSES TO EMIGRATION

There is scant information documented to fully and comprehensively cover government responses to the various waves of migration or displacement, especially from 2000 onwards. This can be accounted for partly by the fact that any discussion on displacement or emigration to neighbouring countries is difficult to separate from the politics of the country. Crucially in the context of Zimbabwe, the distinction between a displaced person and a migrant is made much more difficult to determine because it is highly possible that one may have gone through the experience of being displaced and eventually resort to migration for their livelihood hence experiencing both at different phases. Notwithstanding this scenario, there is an immigration act in place to address issues specifically related to immigration in Zimbabwe.

The Immigration Act (Chapter 4) of 1979 serves to regulate entry and departures of persons into and from Zimbabwe as well as to prohibit entry or to remove certain persons from the country. It therefore addresses all matters pertaining to immigration in to and out of Zimbabwe (Immigration Act, 1979). In addition, there is the National Diaspora Policy which is an IOM assisted programme running from 2017 to 2022 devised as a working plan to engage the Zimbabwean diaspora worldwide. It falls under the Zimbabwe Diaspora Directorate which coordinates all diaspora issues with a view to engaging and empowering the diaspora population and develop diaspora linkages for development of the country. Through the National Diaspora Policy, it is important to note that the GoZ recognises the developmental impact of remittances and endeavours to engage with diasporians on issues that affect them abroad.

For example, in 2014, remittances were estimated to be at 1.8 billion United States Dollars which accounted for 15% of the GDP (Katongomara 2018). In 2019, Zimbabwe remittance inflows equal to 13.5% of annual GDP in 2019 (Kalantaryan and McMahon 2020). Given the potential of the Zimbabwean diaspora towards economic development, the National Diaspora Policy aims to engage with those in the diaspora and develop policies and legislation that address issues of diaspora investment; remittances; economic development; diaspora rights and socio-economic development through the Zimbabwean diaspora.

This is against the background that Zimbabwe is now one of the top 10 migrant-sending countries in Sub-Saharan Africa due to the economic and political stability, as described previously (Migration Data Portal 2020). On the other hand, there is no doubt that Zimbabwe has lost out on its human capital given the brain drain that has occurred in the country in response to political and economic instability. Since the onset of the Zimbabwean crisis, Zimbabwe has been a significant brain exporter (D. Tevera and Zinyama 2002). For example, the higher education sector experienced a massive exodus of skilled professionals who were pushed by the

poor socio-economic conditions (Shumba and Mawere 2012). Tevera and Crush (2003) have suggested that the hardest hit in terms of brain drain were the education and health sectors. Given this scenario, it can be argued that whilst remittances contribute to the overall GDP, there remains significant gaps in a wide array of skills given the brain drain the country has experienced and continues to experience since the onset of the crisis.

In addition, a National Migration policy was also put in place with the support of the IOM in order to address issues pertaining to migrants and also assist the government in dealing with the effects of irregular migration, trafficking and migrant smuggling amongst other issues in order to affect good governance practices in labour migration, to ensure effective regulation of labour migration, to empower and protect labour migrants and their families as well as to harness benefits of labour migration for development (International Organization for Migration 2020). Although there is already a National Diaspora Policy and a National Labour Policy in place, these are not adequate to fully cover migration and mobility issues (Giorgi, Klos, and Walker 2014).

Therefore, the GoZ has started developing a National Migration Policy to harness development from diasporas as well as to protect and regulate safe and orderly migration for Zimbabweans. This initiative is a joint effort between GoZ and the International Organization for Migration (IOM). As such, the proposed National Migration Policy will address challenges to do with irregular migration, border governance, human trafficking and smuggling and any issues to do with governance of migration. As such, there is keen interest and commitment from the government to see this plan through from 2017 – 2022.

> **Textbox 4: Zimbabwe's migration governance**
>
> - Zimbabwe National Employment Framework 2010
> - National Diaspora Policy was adopted in 2015
> - Enactment of the Trafficking in Persons Act (Chapter 9:25) & setting up of the Inter-Ministerial Committee in 2016
> - Zimbabwe Agenda for Sustainable Socio-Economic Transformation was set up to develop measures to encourage remittances from the diaspora
> - Zimbabwe Decent Work Country Programme 2012-2018 was set up as a migration diaspora outreach and as an adoption of the National Labour Migration Policy and a review of the bilateral agreement between Zimbabwe and South Africa
> - GoZ and IOM Migration Management Strategy 2014-2018 was set up to cover management of migration issues such as integrated border management; counter-trafficking, health and development amongst other issues
> - Notwithstanding the fact that IOM set up two reception centres at Beitbridge Border post in 2006 and Plumtree Border Post in 2008
>
> *Source: IOM Publications 2020- National Labour Migration Policy for Zimbabwe*

At the international level, Zimbabwe is also a signatory to the Global Compact for Safe, Orderly and Regular Migration which came into effect in 2016 and aims to improve co-operation on international migration. Notwithstanding the commitment made by world leaders to promote safe and orderly regular migration, the weakness lies in the fact that the Global Compact is not legally binding and national migration laws remain in force. It therefore leaves countries to devise ways and means of domesticating their

migration policies in order to align to internationally agreed protocols and standards.

Textbook four, see above, shows the progress that Zimbabwe has made so far in its endeavours to move towards an effective national response to migration governance.

4. POLITICAL CONTESTATION OF REGIONAL MIGRATION

RELATIONS BETWEEN ZIMBABWE AND SOUTH AFRICA

The year 2000 marked what has come to be known as the "Zimbabwean crisis," see also above. Moreover, Zimbabwe witnessed a mass exodus of skilled and unskilled labour in the aftermath of the 2008 presidential elections (McGregor 2008; Hammar, McGregor, and Landau 2010; D. S. Tevera and Crush 2003; Batisai 2017). There was a marked increase in state repression against opposition activists and their supporters through violence and intimidation. As such, many Zimbabweans fled to neighbouring countries such as Botswana, South Africa and Namibia. However, South Africa stands out as the most affected by this emigration-wave, as many left for that destination in search of economic opportunities.

The exact number of Zimbabweans in South Africa remains unknown to date and figures that have been given appear to be based on estimates. For example, the Human Rights Watch estimated the number of Zimbabweans in South Africa to be around 1.5 million in 2008 (Human Rights Watch 2008). The Zimbabwean crisis became a regional crisis (SADC) (Hammar, McGregor, and Landau 2010). SADC through the then South African President intervened in Zimbabwe as a mediator in collaboration with the African Union (AU) and United Nations. However, South Africa's stance towards Harare was often criticised for being too much of a soft

approach and even accused of siding with the ruling ZANU-PF party as they failed to openly reprimand Zimbabwe for its oppressive stance towards opposition forces (Graham 2006). As discussed previously, South Africa under the Mbeki presidency was at the forefront of facilitating the Global Political Agreement which subsequently led to the GNU in 2009 and gave the advantage of regional and international legitimacy to Robert Mugabe. The GNU, however, did not stop the influx of Zimbabweans into South Africa, a trend that continues to date because of the protracted crisis. Relations between Zimbabwe and South Africa have always been cordial based on revolutionary principles of the two ruling parties i.e. the ANC and the ruling ZANU-PF. As a result, South Africa was accused of being too soft towards Zimbabwe's atrocities by the state in the aftermath of the 2008 elections. The stance adopted by South Africa in 2008 was one of quiet diplomacy (Adelmann 2004; Hamill and Hoffman 2009) or talking behind the scenes. Out of the realisation that the Zimbabwean crisis had resulted in thousands of undocumented Zimbabweans living and working in South Africa, the South African Government granted undocumented migrants what was then termed Zimbabwean Dispensation Permits (ZDP) which allowed them to regularise their stay in South Africa in 2009. This special regularization programme served to initiate a database of Zimbabweans who were now living illegally in South Africa or those that were using fraudulent South African identity documents (Human Rights Watch 2008). In 2009 South Africa then began issuing special permits which is expected to end at the end of December 2021.

The ZDP permits were subsequently replaced with the Zimbabwean Special Dispensation Permits (ZSDP) in 2014. This was facilitated in order to allow Zimbabweans with valid passports, evidence of employment and a clean

criminal record to re-apply for renewal of their permits after expiry. This special permit would allow Zimbabweans to reside and work in South Africa for the duration of the permit until 31 December 2017. The third type of permit to assist Zimbabweans regularise their stay in South Africa came into effect from 2017 and is known as the Zimbabwean Exemption Permits. This was only applicable to permit holders who were on the ZSDP and whose permits were expiring on 31 December 2017 in order to extend them.

Table 4: Zimbabwean dispensation permits

Permit Name	Period of Permit	Purpose
Special Dispensation	April 2009 - 31 May 2010	Response to high numbers of immigration
Zimbabwean Dispensation Permits (ZDP)	20 September 2010 - 31 December 2014	Regularizing stay of undocumented Zimbabweans in South Africa
Zimbabwean Special Dispensation Permits (ZSDP)	1 January 2015 - 31 December 2017	Renewal for ZDP holders with valid passports, evidence of employment and a clean criminal record
Zimbabwean Exemption Permits	1 January 2018 – Dec 2021	Assistance to Zimbabweans to work, study or conduct business but will not be renewable thereafter.

Source: own compilation

Whilst on one hand these three regularisation permits give a synopsis into the cordial relations between Zimbabwe and South Africa, on the other they also illustrate the prolonged nature of the Zimbabwean crisis whose burden had been carried by South Africa in the region. The Dispensation programme began in 2010, with a total of 295 511 applications of which 242 731 were granted permits. One cannot at this stage conclusively ascertain whether this programme will continue but one can deduce, at least from the Minister of Home Affairs when they granted the third round of dispensation permits in 2017, that perhaps South Africa feels it has carried the Zimbabwean crisis for too long. At the launch in 2017, the minister speech was indicative of this stance and the kind of conclusion that South Africa has in mind with regards to this programme when he said:

> *I trust the ZEP will go a long way in assisting the Zimbabweans to rebuild their lives as they prepare to work in businesses and educational institutions for their final return to their sovereign state – Zimbabwe in their near future.* (Department of Home Affairs 2017).

Zimbabwe is a huge trading partner of South Africa. Zimbabwe has strong economic ties with its neighbours such as South Africa and their mutual interests appear to bind them together in times of conflict and crisis. It has therefore been argued that South Africa in particular has been complicit in the destruction of the Zimbabwean economy and by extension pauperization of its citizens as it continuously supported Robert Mugabe unreservedly (Wolters, 2017). However, of late, there appears to be some shift in this support under the Ramaphosa presidency openly tweeting through their Department of International Relations and Cooperation about their concerns over growing human rights abuses in Zimbabwe (Chikohomero 2020).

Moreover, of late, relations between South and Zimbabwe have been affected as a result of South Africa's attempt to engage the GoZ over the growing crisis, the shrinking political space and the arrest and abductions and torture of opposition forces. The Zimbabwean Government has argued that the diplomatic initiative by South Africa arose out of sustained social media campaigns especially on Twitter by people largely perceived by the state to be anti-government and from the opposition (Tafirenyika 2020). As such, South Africa sent its delegation on 10 August 2020 to engage with GoZ, followed by another diplomatic visit on 8 September.

Following their departure, the ruling ZANU-PF party accused South Africa of treating Zimbabwe as one of its provinces and went on to state that South Africa did not have an oversight role over Zimbabwe as it was a sovereign nation (Chikohomero 2020). Through the ZANU-PF spokesperson, the GoZ stated that

> *South Africa, in the context of international relations is not a big brother of Zimbabwe, it has no oversight role to play on Zimbabwe and the region* (Tafirenyika 2020).

The Daily Newspaper further reported that the GoZ did not want the South African delegation to meet with other stakeholders and instead stated that they would be meeting as sister revolutionary parties thus reducing or limiting this engagement to only two liberation parties to the exclusion of opposition members and civil society (Tafirenyika 2020). The government further claimed that:

> *We know that the South African government is controlled by white men…We agreed to never have communication through social media and that is why we shall be meeting regularly as sister revolutionary parties. They (fake news and social media) should never*

> *define our relationship or set our agenda.* (Tafirenyika 2020)

On the other hand, the response by the South African government was more toned down as the delegation insisted that they had held a very frank and candid meeting with ZANU-PF. The delegation further indicated that they would also meet with other political parties in their future engagement on Zimbabwe yet when they came on the 10th of August, they snubbed the meeting that had been planned with the opposition (Chikohomero 2020) It has also been posited that South Africa sent its envoy in August 2020 as its Government bowed to pressure from the opposition parties who are sympathetic to the #Zimbabweanlivesmatter movement which gained momentum on Twitter (Chikohomero 2020).

It remains to be seen whether the diplomatic efforts of South Africa will be effective to curtail or end the current political and economic crisis. It is also imperative to point out that South Africa has never failed to endorse any of Zimbabwe's presidential elections. In addition, South Africa has also been campaigning for sanctions against Zimbabwe to be dropped and to date, also continues to be accused of bias towards the ruling ZANU-PF led government based on the common ground of being liberation ruling parties.

REGIONAL APPROACHES TO MIGRATION GOVERNANCE

Regionally, Zimbabwe belongs to the Southern African Development Community (SADC), the African Unity (AU) and COMESA. Zimbabwe is one of the founding members of SADC in 1980. The main aim of the SADC formation was to achieve economic development, foster peace and alleviate poverty by supporting the regionally disadvantaged through regional integration. There is no regional migration policy framework for SADC. It is imperative to

note that the SADC region lacks a coherent migration policy regime, and the region is therefore characterised by limited freedom of movement, significant xenophobic exclusion especially from the main receiving countries such as South Africa and Botswana as well as weak institutional governance.

What has been documented as a move towards regional harmonization is the SADC Protocol on the Facilitation of Movement of Persons of 2005, but it has not been enforced and there continues to be significant tensions in attempting to balance the migrant protection on one hand and sovereign national interests on the other. As such, migration is perceived as more of a security risk and consequently accompanied by strong negative attitudes towards migrants. In South Africa for instance, xenophobia is a long standing feature of post-Apartheid South Africa (Landau 2012). With all this in mind, it comes as no surprise that the 2005 SADC Protocol is not yet fully operational but its aim is to develop policies which are aimed at the progressive elimination of obstacles to the free movement of people within the region.

The desire to move towards a regional harmonised approach to migration governance in SADC appears to be rather utopian. The idea of a regional harmonized policy was initially killed off by South Africa when it was first drafted in 1995 because South Africa viewed the initiative a Euro-centric model to impose in SADC countries (Oucho and Crush 2001). In addition, South Africa also argued that the country was already unindebted with unmanageable flows of people. Moreover, they argued that free movement of people in SADC would essentially deprive South Africans of jobs and ultimately this would lead to low wages, exploitation and stiff competition for jobs (see Oucho and Crush 2001).

The report by the Human Rights Research Council (HSRC) further alleged that free movement would lead to xenophobia, antagonism and violence. To argue their case further, the report also argues that allowing free movement of people would hinder the country's reconstruction and development programme of ensuring their own people's access to proper housing, schools, land and access to health as those were the precise services that would be most sought after by illegal aliens (HSRC report, cited in Oucho and Crush 2001). The publication of this report was influential in the position adopted by South Africa on free movement of people. In essence, South Africa found many reasons to reject the protocol on free movement following this report and the initiative was lost especially as South Africa then found allies in Botswana and Namibia who joined in opposing free movement (Oucho and Crush 2001).

The 2005 Protocol thus emerged years later as a very weakened and watered down version of the original plan and had the key word "free" removed. The SADC Protocol is characterised by a number of weaknesses which make harmonization a near impossible goals. Firstly, strong negative anti-immigrant attitudes exist towards immigration in the region, especially from the main receiving countries of migrants such as South Africa, Botswana and Namibia (Dodson and Crush 2015). Secondly, SADC is institutionally weak with limited political power over its member states and the fact that it is under resourced exacerbates this weakness making it difficult for it to positively shape a harmonised regional migration agenda (Dodson and Crush 2015).

Moreover, Crush and Dodson have further argued that weak and uneven rights regimes exist in the different states hence citizen rights are therefore unevenly protected. Consequently, "there can be no robust rights regime either regionally or in individual

countries, without extension of labour and certain other rights to no-citizens" (Dodson and Crush 2015, p.22). So far, people within the region may enter a member state without a visa for a maximum of 90 days per annum. The proposed 2005 protocol lacks harmonisation as it stands and considering that the process of "attempting" to harmonize regionally began in 1995 and continues to date, nothing solid has materialised and is indicative of a region that exists in disharmony and privileges national sovereignty frameworks over multilateralism.

As such, what has been happening is that member states use their own domestic policies to facilitate and regulate movement across the regions. Consequently, the region has witnessed a sharp rise in irregular migration (Abebe 2017) as a result of prolonged conflict and economic meltdowns mainly in the Democratic Republic of Congo and Zimbabwe. Additionally, as recently as 2016, the IOM has assisted SADC in drafting the SADC Migration Labour Action Plan 2016-2019 under the programme South-South Labour Mobility. The idea behind this is to create policies that promote practices which facilitate safe mobility of labour in the region. This is guided by the SADC Migration Policy Framework of 2014 for bilateral labour agreements between members (Abebe 2017).

In summing up this section, it is worthwhile to point out that whilst it is true that migration has always occurred in the region mainly due to the regional mining labour migration (Dodson and Crush 2015), it appears to have sharply increased in the case of Zimbabwe due to the political and economic meltdown which led to mixed migration flows of Zimbabweans mainly to neighbouring South Africa as the primary destination. In reality, as has been concluded, "to date migration governance remains a patchwork of national laws and policies, along with bilateral agreements governing streams such as

formalised migrant labour" (Dodson and Crush 2015, 9).

From a political and economic stand-point, SADC as the main regional body in Southern Africa has, to a large extent, promoted and advanced the interests of the ZANU-PF led government especially in terms of managing its political crisis and conflict in Zimbabwe (Cawthra 2010). As such, the GoZ has enjoyed support from SADC over the years in legitimising elections even when they are disputed or marked by significant electoral irregularities, it is SADC that has always endorsed disputed elections in Zimbabwe hence it has been posited that the regional institution tends not to waiver in its support for liberation movement governments (Wolters 2017).

It remains to be seen whether South Africa will elevate their concerns over Zimbabwe to the regional body, SADC, a move which is widely seen as the only way through which South Africa can act on Zimbabwe. Although South Africa ranks as the most preferred destination for Zimbabwean migrants, Botswana still hosts many migrants from Zimbabwe as well. Like their counterpart, South Africa, Botswana follows a policy of arrest and deportations such that for Zimbabweans, being deported does not occur as a single event but has very much become part of their everyday lives in Botswana (Galvin 2015). Botswana commits significant resources to the deportation of Zimbabweans through visible and constant police raids and subsequent deportation in very large white bodied prison type vans to a detention centre (C11) which is about 82km from the Zimbabwe border post (Galvin 2015).

This detention centre is commonly known as "*Toronko ya Ma Zimbabwe*" (Galvin, 2015) which translates to the term a prison for Zimbabweans. At the point of repatriation following deportation, IOM supports deportees through

its Reception & Support Centre (RSC) by providing meals, accommodation, full voluntary health checks and transport costs to their destinations (Galvin 2015). In essence though, Zimbabweans are known for making a U-turn by using irregular routes to return to the places where they have been deported from. From this perspective, such counter strategies by irregular migrants make it near impossible to have accurate figures of migrants in the region.

According to Campbell (2006), irregular migration in SADC is fuelled by huge economic disparities between countries with South Africa, Botswana and Namibia being major hosts of irregular migrants. Perhaps this factor explains the reluctance of the region to move towards free movement of people hence for now, free movement of people in SADC remains a pipe dream.

5. PERCEPTIONS OF DISPLACEMENT

As a result of the ongoing crisis in Zimbabwe, given that millions have left, there appears to be a sense of belief that the pastures are definitely greener outside of Zimbabwe although in reality that may not always be the case especially for undocumented and unskilled labourers. In the South African media, for example, Zimbabwean immigrants are portrayed in a negative light and accused of all that is wrong there. Media discourse in South Africa predominantly frames Zimbabwean immigrants as people who have come to displace citizens by stealing their jobs (Banda and Mawadza 2014). As such, the discourse is broadly that of exclusion due to high anti-immigrant rhetoric.

Even the way they are addressed as "illegal aliens" illustrates how Zimbabwean migrants are othered in South Africa. Yet media portrayal is not that simplistic when it comes to the

Zimbabwean issue as media representations suggest both positive and negative portrayals of Zimbabweans. On one hand, media casts Zimbabwean immigrants as dangerous criminals yet on the other hand, they portray them with a sympathetic eye (Mawadza 2012). In reality, different media such as newspapers, social media, television and radio present different and contradictory perspectives on these immigrants (Mawadza 2012), see Textbox 5 below.

Textbox 5: The Tokwe-Mukosi case in different newspapers

- *NGO's shun flood victims displaced by flooding in the Tokwe-Mukosi (14 April 2014, The Chronicle* – state owned newspaper.

- *Where are the other NGO's? (15 April Editorial comment in the Chronicle)* – state-owned newspaper

- *Chingwizi flood victims forced into sugarcane farming (16 May 2014, Zimbabwe Independent)* – independent newspaper

On the home-front, discussions on internal displacement are highly polarised and politicized. As alluded to elsewhere in this report, the fact that humanitarian organisations had to coin a term to reach those displaced and avoid upsetting the government by using the term 'mobile and vulnerable' populations is telling enough. Some of the displacements that have occurred in Zimbabwe have been as a result of sanctioned state actions e.g. Operation *Murambatsvina*, Fast Track Land Reform Programme, Operation *Chikorokoza Chapera* and *Garikai*. To name one more example, the case of Tokwe-Mukosi exemplifies the polarity of opinions in Zimbabwe when it comes to matters of internal displacement. In February 2014, the national army of Zimbabwe relocated about 3000 families from a flooded dam basin (Tokwe-

Mukwosi) to a transit camp about 150km away from their original homes.

Controversially, the transit camp was a ZANU-PF owned sugar cane farm. Human Rights groups and the affected victims questioned why they were not relocated closer because in the process of moving, they lost their livestock and property. Moreover, some informants, workers who maintained the dam, suggested that the dam had not flooded naturally. Instead, they argued that the flooding at Tokwe-Mukosi had been artificially induced by the GoZ in order to forcibly evict them from the Dam and use them as cheap labourers on the sugar cane farm which they owned (Human Rights Watch 2015). The Government on the other hand maintained that the floods were a natural disaster that had necessitated the removal of the people to the transit farm.

Whatever the case, the end result was that the people of Tokwe-Mukosi lost their livelihoods and were moved to an over-crowded camp without the option of voluntary resettlement elsewhere in Zimbabwe, as reported by (Mavhinga 2014). The excerpt below from the Human Rights Watch Report expressed by one flood victim illustrates the kind of public perception around internal displacement in Zimbabwe:

> *We are now homeless, landless and destitute…I served in the Zimbabwe National Army as a presidential guard for 21 years, and now this is the treatment I get in my own country? …. I see no reason to live. I lost everything.* (Human Rights Watch 2015)

The stark polarizations also play out in newspapers contrarily depending on whether news on displacement is reported by independent media or state-owned media. Take the case under current discussion of Tokwe-Mukosi Dam, for instance (see Textbox 5). The headlines highlight the different narratives taken on, depending on which newspapers it was from.

As demonstrated above, public perception on internal displacement in Zimbabwe cannot be separated from the politics and ruling party of the country in most instances. The same patterns have emerged in previous displacement events that are largely perceived to be state sanctioned. As already discussed elsewhere in this paper, displacement was perceived to be reprisal from the GoZ for urbanites voting for the opposition MDC in the cases of *Operations Murambatsvina* and *Chikorokoza Chapera*. Likewise, the Land Reform Programme was also perceived to be retribution against White commercial farmers whom the GoZ perceived to be anti-establishment hence they were seen as the cause / reason why Robert Mugabe had lost the vote in the 2000 Referendum on constitutional amendments. Thus, in the final equation, it appears politics of the ruling party cannot be independent of public perceptions when it comes to issues of migration and displacement in Zimbabwe.

CONCLUSION

This report has given a background overview to migration governance frameworks in Zimbabwe, against a background of migration and displacement waves that have been politically motivated and initiated through the actions and policies of the government of Zimbabwe. The report has illustrated that the definition of IDPs in Zimbabwe remains murky. Furthermore, it has also illustrated the burden of crisis that South Africa has had to carry since the economic meltdown from 2002 to date. Whilst relations have been dominantly cordial, cracks are beginning to show as South Africa has now openly challenged the Zimbabwean government to resolve the worsening crisis. The prolonged crisis has invoked anti-immigrant sentiments

against Zimbabweans in the diaspora with many facing xenophobic attitudes and violence from citizens.

Media portrayal of the crisis has largely been negative although it must be acknowledged that in some media circles, Zimbabwean immigrants are also cast in positive light. On the legal front, Zimbabwe has legal instruments to coordinate immigration and refugees. In addition, it has also ratified some regional and international policies to manage and protect migrants and refugees.

The current move to develop a National Migration Policy is thus seen as a step in the right direction for Zimbabwe. Definitional uncertainty still remains an issue with IDPs as they continue to be profiled in the same manner as other vulnerable populations hence leaving a conceptual blurriness which needs to be addressed going forward. Lastly, although this paper has focused on the legal frameworks that relate to migration governance in Zimbabwe, what remains crucial is whether the GoZ can or will fully commit to fully implement the various conventions that they have acceded to, for example, the Kampala Convention. Operationalisation of key conventions by anchoring these with domestic legislations and policies remains crucial for effective migration governance in Zimbabwe.

LIST OF ACRONYMS

COVID-19: disease caused by novel coronavirus SARS-CoV2

FTLRP: fast track land reform programme

GNU: Government of National Unity

GoZ: Government of Zimbabwe

HSRC: Human Sciences Research Council

IDMC: Internal Displacement Monitoring Centre

IDP: Internally Displaced Person(s)

IOM: International Organization for Migration

MDC: Movement for Democratic Change

MPVs: Mobile and Vulnerable Populations

NGO: Non-Governmental Organizations

OAU: Organization of African Unity

SADC: South African Development Community

UN: United Nations

UNHCR: United Nations High Commissioner for Refugees

WNLA: Witwatersrand Native Labour Association

ZANU: Zimbabwe African National Union

ZANU-PF: Zimbabwe National Union Patriotic Front

ZAPU: Zimbabwe African People's Union

ZDP: Zimbabwean Dispensation Permits

ZSDP: Zimbabwean Special Dispensation Permits

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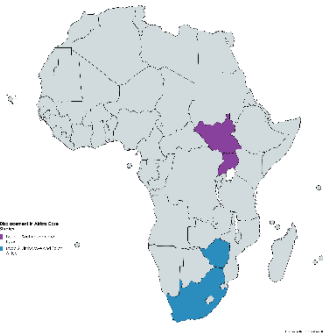
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