

# The nexus between migration and human security

## Zimbabwean migrants in South Africa

Aquilina Mawadza

ISS Paper 162 • May 2008

Price: R15.00



### Introduction

The aims of this paper are to contextualise the migration of Zimbabweans to South Africa, document their experiences, and establish the security implications for both South Africa and the migrants that arise from this large-scale migration.

Although there are migrants from all over Africa in South Africa, Zimbabweans are deemed to be one of the largest groups. Particular focus is directed at the vulnerabilities of and human security threats to the undocumented migrants who are typically rendered 'invisible' by the law.

While the focus will be on undocumented migrants, one should bear in mind that legal migrants may also be vulnerable (Vucetic 2004:5). However, the author contends that undocumented migrants, by virtue of their status, are more vulnerable to the sources of insecurity.

The human security approach informs the study for it directs attention to the individual and takes the multiple sources of insecurity that may impact upon a state, its citizens and other temporary sojourners into account. Ramesh Thakur (2003:5) has argued that to many people in the world threats to security primarily stem from internal conflicts, disease, hunger, environmental degradation, street crime and domestic violence. It is the recognition of these factors that underpins the fundamental tenets of the human security approach, namely 'freedom from want' and 'freedom from fear'. When large-scale migration is studied from the human security perspective, it entails an analysis of the social, political and economic factors that act as push factors, as well as an analysis of the conditions of migrants in their new areas of settlement.

Primary data for this research were collected through a series of interviews with officials from government departments, civil society and international organisations,

and Zimbabwean migrants and their host communities.<sup>1</sup> Most of these persons were only willing to be interviewed on the condition that they remain anonymous. The paper begins with an overview first of the Protocol on the Facilitation of Movement of Persons of the Southern Africa Development Community (SADC), and second of the relationship between Zimbabwe and South Africa and the push and pull factors informing migration between the two countries. Thereafter Zimbabwean migration and migratory routes into South Africa are discussed. This is followed by a discussion of the impact of migration on human security and an

attempt is made to map the experiences of migrants in the host country based on three aspects, namely employment vulnerability, issues of shelter and their physical abuse at detention centres. Last, the institutional challenges confronting the various stakeholders mandated to deal with migration are discussed.

According to Human Rights Watch (2006) there are violations particularly Section 34 of the South African Immigration Act, 2002 (Act 13 Of 2002), as amended by the Immigration Amendment Act, 2004 (Act 19 Of 2004), which governs the procedures for the arrest, deportation and

detention of 'illegal foreigners'. Human Rights Watch has found that these procedures are contravened by police and immigration officials. These contraventions have been documented in other research and is thought to be widespread and systematic rather than idiosyncratic and anecdotal (Landau et al 2005). The legal transgressions and lack of recourse to the law by 'illegal migrants' result in human rights violations that are seen in this study as a threat to human security, especially of migrants.

### The SADC Protocol on the Facilitation of Movement of Persons

SADC needs to facilitate the free movement of persons in the region as part of its vision of regional integration. SADC has lagged behind other regional economic

### The legal transgressions and lack of recourse to the law by 'illegal migrants' result in human rights violations



communities in Africa in facilitating this movement. Part of the explanation for the delay is the caution of some countries that they will be 'swamped' by refugees and that more refugees will lead to an increase in criminal activity. However, it could equally be argued that creating the conditions for free movement may alleviate some of the problems with illegal migration that are currently being experienced. This section provides a brief overview of the trajectory of the draft facilitation of movement of persons protocol and a case is made in the concluding sections for a faster implementation as a mechanism to alleviate some of the problems currently associated with illegal migration in the region.

In 1995 SADC developed a draft protocol on the free movement of people (the first draft protocol). The aim of the first draft protocol was the progressive elimination of cross-border controls on the citizens of SADC, through inter alia a visa-free SADC region, the extension of the rights of residence and the right to work, and the elimination of all national borders between SADC member states (SADC protocol 1997).

This draft protocol was forcefully critiqued, especially by South Africa, Namibia and Botswana, who are the three countries with the highest gross domestic products (GDPs) in the region and are therefore acutely aware that they are considered to be desirable Southern African destinations for migrants. Given the economic disparities among member states, the argument put forth was that the region was not yet ready for the free movement of people. Some states argued that the draft protocol was tantamount to an open border policy that could have potentially negative consequences (Matlosa 2006:7).

The Human Sciences Research Council, a leading South African research institute, released a report in 1995 in which it was argued that the implementation of the protocol would increase the 'already unmanageable flow' of workseekers to South Africa and would therefore result in added pressure on the available jobs. Furthermore, acceptance of this protocol would mean legitimising and regularising the presence of millions of illegal migrants in South Africa. The report also emphasised that the implementation of the protocol would lead to an increase in xenophobia among South Africans. In summary, the report concluded that the protocol had the potential to place South African citizens at great risk (cited in Crush & Williams, 2001:148).

In view of all the criticism, member states were tasked to go back to the drawing board and the first draft protocol was retracted. In 1997 it was replaced by a

revised draft protocol, the Protocol on the Facilitation of Movement of Persons in the Southern African Development Community (the revised protocol). The revised protocol proposed a gradual phasing in of the free movement of persons between SADC member states, including the right to be employed or seek employment, and to reside in any member state. It limited visa-free entry of citizens of member states to a period of 90 days. This protocol was recently signed by nine member states – Botswana, the Democratic Republic of Congo (DRC), Lesotho, Mozambique, Namibia, South Africa, Swaziland, Tanzania and Zimbabwe – and has therefore been adopted by SADC. That it took a further ten years (1997 to 2007) before it was adopted and still awaits ratification by the parliaments of many of these states is indicative of the continued reservations of its practicality and fears of its consequences given conditions in Zimbabwe and the DRC and a continuing flow of migrants from Mozambique. South Africa has now, though, become a leading country in pushing for its implementation.

### The inability to process proper travel documentation for its citizens has fed the growth of an increasing 'illegal' Zimbabwean migrant population

The successful implementation of the revised protocol would require that citizens have access to proper travel documents, that the documents and policies of the participating states be harmonised, that there should be integrated information systems, and that states should have the capacity to facilitate the movement of persons across borders. However, in some states passports can take years to issue and their human resource capacities (quantity and quality) to handle migration effectively are seriously challenged. It is precisely this lack of capacity for effective border control that contributes to the increase in illegal migration and reluctance of states

to relax their entry requirements for SADC citizens. Not surprisingly, they argue that if the proper controls are not in place, it is easy for those with less than honourable intentions to ply their trade across the borders.

The economic and political decline in Zimbabwe has led to large-scale migration, legal and illegal, to South Africa. The inability of Zimbabwe to process proper travel documentation for its citizens in an appropriate time space – coupled with high cost, restrictions on visas and the lack of sufficient control capabilities on both sides of the border – has fed the growth of an increasing 'illegal' Zimbabwean migrant population in South Africa. Although there has been much speculation on numbers, exact figures are impossible to determine, precisely because they are undocumented.

The next section deals with the relationship between Zimbabwe and South Africa in a bid to contextualise the migratory flow.

## Relationship between Zimbabwe and South Africa

To put the discussion of Zimbabwean migration to South Africa into perspective, it is necessary to briefly discuss the relationship between Zimbabwe and South Africa and the complexities of the current situation.

Migration between Zimbabwe and South Africa is nothing new. In the colonial period Zimbabweans migrated to work in the mines of South Africa. The Zimbabwean economy, much like that of the economies of the other states bordering South Africa, was inextricably linked to that of South Africa, with Zimbabwe providing a source of cheap labour for the growth of the mining sector of South Africa. In 1980, when Zimbabwe became independent, many white Rhodesians fled to South Africa where they now permanently reside. In turn, the liberation struggle in South Africa saw the movement of South African exiles to Zimbabwe, who paid a heavy price, through the destabilisation tactics of the apartheid government, for their assistance to the liberation movement. For the region as a whole, but for Zimbabwe in particular, South Africa's liberation was viewed as holding the key to its own prosperity.

Zimbabwe has, however, been on a downward spiral since 1999. Unable to weather the shocks of the structural adjustment policies and unwilling to open up the state to the tide of competitive multi-party democratisation that was sweeping through Africa, Zimbabwe has been on a slippery slope to political and economic despair.

From being the bread basket of Southern Africa, Zimbabwe has regressed to a state that is dependent on others for its supply of basic food and commodities. Its 'fast-track' land reform policy had a chilling effect on agricultural output, its currency is valueless, inflation is out of control (at 100,580% per cent in February 2008 according to Bizcommunity 2008), it has unemployment estimated at 80 per cent (Mail & Guardian, 2008) and one of the highest HIV/Aids rates in the world. The government is furthermore unable to render adequate services to its citizens and has clamped down on the opposition movement through repressive laws and severe intimidation. Not surprisingly, these conditions have led to a steady emigration of professional and skilled persons to South Africa and elsewhere.

In addition, in 2005 the government-sponsored 'Operation Murambatsvina' to clear urban slums by force, deprived more than 20 per cent of the population (approximately 12 million) of homes and decimated the livelihood of informal traders in

this area (Crisis Group 2007). These circumstances also form part of the push factors driving ordinary Zimbabweans to extra-ordinary measures to gain entry into South Africa in search of a better life.

South Africa has long been pursuing a policy of 'quiet diplomacy' to assist with conflict resolution in Zimbabwe. It was appointed by SADC as the official mediator between the Zimbabwe African National Union – Patriotic Front (ZANU-PF) and the Movement for Democratic Change (MDC). Although both the political situation and influx of migrants to South Africa are mentioned often and discussed extensively in the news media in South Africa, the South African government has not articulated a clear stance and/or policy on Zimbabwean migration. President Thabo Mbeki indicated that the massive influx of illegal immigrants from Zimbabwe was something South Africa is 'going to have to live with' and that it was not possible to build a 'Great Wall of China along the South African-Zimbabwe border' (News24 2007a).

The question that remains is how South Africa will deal with the phenomenon in future. Will it adopt an open door policy, deal with it within the framework of the new protocol, put controls in place to prevent large-scale migration from continuing, deal with the political situation with the hope that this will stem the tide, or create the safety nets for those who find their way to South Africa? Given the political history and proximity of these two countries, such decisions are neither clear-cut nor easy to make.

The economic prosperity, democratic values and emphasis on regional integration and African renaissance of South Africa – coupled with the ability of migrants, assisted or unassisted, to cross illegally due to long stretches of porous borders – will remain a pull factor for the foreseeable future.

### Zimbabwean migration into South Africa

There are varied guesstimates about the extent of Zimbabwean migration to South Africa that range from several hundred thousand to about three million. It is obvious that neither Zimbabwe nor South Africa can provide a reliable estimate of the migratory flow. The only factual data come from those who cross legally and from deportation statistics. This leaves a gap of those who enter and stay in the country illegally, not to mention those deportees who escape before reaching home or simply return again after being dumped on Zimbabwean soil.

The table below sets out the statistics available on deportees from South Africa in 2006 and clearly show

The economic prosperity and democratic values of South Africa will remain a pull factor for Zimbabwean migrants



that Zimbabweans were the largest group at that time. In this instance travellers to South Africa are those people who visit the country for a short term stay as per visa regulations. Some of these visitors overstay their visa period restriction and hence end up being candidates for deportation.

### Deportees from South Africa, 2006

Country	Total travellers	Deportees
Lesotho	141 000	6 600
Mozambique	80 000	69 500
Swaziland	90 000	2 300
Zambia	19 000	90
Zimbabwe	83 000	81 200
Botswana	78 000	20

Source: Statistics SA, 2007. *Tourism and Migration*, p 351. Available at [www.statssa.co.za](http://www.statssa.co.za) [23 November 2007]

### Innovative means, risky migratory routes

In this section the means and paths through which illegal migrants gain entry into South Africa are traced.

According to the South African Department of Home Affairs (RSA 2008) a sizeable number of migrants, about 49 per cent, enter South Africa illegally, either by means of false documentation or by jumping the border (either unaided or assisted by smugglers). One of the inhibiting factors to legal entrance, especially for those from other African states, is the stringent visa requirements, which includes a valid passport, a letter of invitation from a resident in South Africa and a minimum of R2 000 for their upkeep.

Zimbabweans often cannot meet these visa requirements. First, the economic decline in Zimbabwe has had administrative repercussions, and for migration specifically it has meant a decreased supply of the paper needed to make passports and fewer civil servants to process these documents. This means that it could take years to obtain travel documents. Second, R2 000 is an exorbitant amount if one considers that the average civil servant for example earns the equivalent of R100 per month. Hard currency is a scarce resource in the country. It is therefore not surprising that migrants would 'rather jump the border and pay a bribe' than go through the trouble of putting together all these documents.<sup>2</sup>

The following are some ways of entering South Africa illegally:

- Swim across the crocodile-infested Limpopo River. Migrants who use this means and cross the border on their own often become victims of the *Guma Guma* (the name given to groups of Zimbabwean

exploiters along the border) who ambush and assault them and steal all their belongings and money.

- Some migrants also come through with the aid of *Malaitsha*<sup>3</sup> In the past the *Malaitsha* used to ferry only groceries to Zimbabwe for a fee, but they have now expanded their activities to include transport of migrants across borders. They have become the passports to hope of a better life (Zeina 2007) for those wanting to leave Zimbabwe. A person in South Africa who wants to bring their relative from Zimbabwe gives the *Malaitsha* in South Africa the relevant address and contact details, and the *Malaitsha* then ferry the person to South Africa. The *Malaitsha* bribe immigration officials at the border posts to turn a blind eye to their activities and it is this corrupt relationship which enables them to bring people in illegally.
- The fact that Zimbabwean civil servants do not always require visas to visit South Africa has made this an accessible loophole for desperate migrants. Students and other prospective migrants who cannot afford the visa fees, sometimes buy pay slips from civil servants. At the time this research was conducted pay slips could be purchased for Z\$500 000 (approximately R30).

People are desperate to get to South Africa and the complicity of some government officials facilitates their illegal entry into South Africa. As with all other illegal pursuits, there is easy money to be made, which leads to corruption. Controlling illegal migration requires not only an environment which makes it possible for people to travel with ease in the region, but also the necessary checks to curb corrupt practices by immigration and other officials (*The Mercury* 2007).

The hazardous journey of undocumented migrants continues after they have entered South Africa. In the next section some of those challenges are elaborated on, in an exploration of the nexus between migration and human security.

### Migration and human security

Studies show that receiving countries perceive large-scale international migration as a threat to their economic well-being, social order, cultural and religious values and political stability (Campbell 2003). Relations between states are also affected as movements tend to create political tensions that can impact on bilateral relations. Uncontrolled migration can also put a strain on social service delivery in the recipient country, through increased use of health and educational facilities and pressure for government sponsored housing. All these factors have surfaced in the portrayal of the impact of Zimbabwean migration, though there is little evidence based research to back these claims. For example, Zimbabwean migrants have been accused of getting 'Reconstruction and Development Programme' housing ahead of deserving legitimate South Africans.



Though these factors need to be taken into account, one cannot overlook the human security challenges faced by the migrants themselves. South African farmers in Limpopo Province allegedly hunt down illegal Zimbabwean migrants (Global Exchange 2007). Such cases highlight the human security issues and attest to the fact that more often than not immigrants can be more vulnerable than the receiving nation's population.

### Employment vulnerability

Host communities are often hostile to migrants, arguing that they are 'taking their jobs'. This was reiterated by a South African Police Service (SAPS) representative who asserted that there is unhappiness and hostility among the local people who believe that they are losing jobs to migrants who are prepared to work for lower wages.<sup>4</sup> Migrant communities interviewed for this study noted that host communities often call the police to report migrants trading or working in their area. The anger and bitterness in turn fuel resentment and xenophobia, culminating in attacks on the immigrants (Landau et al 2005.) Although the number of attacks is not known because undocumented migrants cannot seek redress from public officials, they seem to occur frequently.

While a large number of Zimbabweans are working in various sectors where there is a scarcity of locals with the necessary skills, such as the financial sector, those who have few skills are prepared to undertake menial domestic jobs, often for low wages. Domestic, agricultural and construction sectors are key employment targets for illegal migrants. More skilled or better educated illegal immigrants are targeting the educational sector, and find work in far-off private schools, remote from police and immigration officials.

Illegal migrants are often prepared to work in precarious and unsafe jobs. As a result of their lack of proper documentation, migrants most easily find work in unprotected and/or poorly regulated sectors. The construction industry, which is currently experiencing a boom period, has for example reportedly made extensive use of migrants as a source of cheap labour (Garcia & Duplat 2007a).

Many professional migrants, including nurses, teachers and artisans, have travelled to South Africa in search of better living conditions: in Zimbabwe people in these professions earn the equivalent of R100 per month. However, once they are here, they are unable to secure jobs in their professions and therefore are prepared to accept jobs in the domestic, construction or other low skilled sectors: an indication of their growing desperation (Garcia & Duplat 2007a:4). Unskilled and skilled migrants in all countries tend to fill

those positions that nationals are either unwilling or incapable of performing. They therefore contribute to the growth and development of the economy of the host country and should be seen as human resource capital. This aspect is often overlooked, more so when there is a high unemployment rate in the host country, such as in South Africa.

### In search of shelter

Many illegal Zimbabwean migrants arrive in South Africa with no place to stay. Some find their way to a shelter such as the Methodist Church in Johannesburg, where more than 700 migrants sleep on the floor of the church every night (News24 2007b). According to Garcia and Duplat (2007a:2), there has been a rapid growth in church-based shelters throughout South Africa in a direct response to the lack of accommodation for migrants. In other instances Zimbabwean migrants live in shared apartments, but landlords often overcharge them, so that they are forced to share the accommodation with other families to make ends meet. Sometimes ten or more people share a room in order to reduce rental costs.

Since they have no proper documentation to be in the country, migrants are unable to report incidences of rental irregularities or exploitation by landlords in the accommodation market.<sup>5</sup>

Other migrants live on the streets or in bus stations (such as Park Station in Johannesburg), on vacant land, and/or in makeshift shelters where they are at the mercy of the elements. Those applying for asylum documents often sleep outside Home Affairs offices for as long as three months, awaiting an opportunity to lodge their asylum applications. Migrants who were interviewed in the Tshwane Metropolitan Area said they had eaten out

of rubbish bins and used the field as the only available toilet. At times well wishers, referred to as 'donors' by the migrants, would give them some food.

To these migrants the push factors are far greater than the challenges to which they subject themselves in the hope of a sustainable livelihood. As more Zimbabweans arrive in South Africa, the need for humanitarian assistance in the form of shelter, food, medical attention and other services can only continue to expand. International agencies operating in Southern Africa should investigate means of integrating Zimbabweans into existing programmes, and evaluate the possibility of providing the required assistance to this vulnerable group of migrants.

### Physical abuse in detention centres

There have been widespread reports of physical abuse in South African detention centres (*Mail and*

Host communities are often hostile to migrants, arguing that they are 'taking their jobs'



*Guardian* 2007). In an interview with a representative of the International Organisation for Migration at the Beitbridge reception centre on 6 July 2007, the same allegations surfaced. The claim was also made that illegal migrants are detained in police holding cells with murderers and other criminals.

A report by the Zimbabwe Exiles Forum (2007) details the living conditions in one detention centre in Musina, a South African town near the border, where overcrowding and high temperatures are the norm. These inhumane conditions are in contravention of universal human rights norms and principles to which South Africa is a signatory.

These conditions have a severe impact on the human security of undocumented migrants. There is a need for better regulation of the policing and protection of undocumented migrants, perhaps in the form of a code of conduct governing the behaviour of officials toward such persons. Furthermore, illegal foreigners should be treated in accordance with the provisions set out in the South African Immigration Act. This Act sets out the minimum standards for treatment of illegal foreigners and Section 33(7), amongst others, provides that any entry to or search of premises by an immigration official who has a search warrant must be conducted 'with strict regard to decency and order, including – (a) a person's right to, respect for, and the protection of, his or her dignity; (b) the right of a person to freedom and security; and (c) the right of a person to his or her personal privacy'. It is an offence for any civil servant to accept bribes, and immigration officials who take documents 'or any other thing' from a suspected 'illegal foreigner' must issue receipts. According to Human Rights Watch (2006) all these provisions are contravened. This leads to the conclusion that protective legislation is already in place, but is not being adequately applied.

### **Illegal migration and crime**

Illegal migrants often take to crime and social vices like prostitution when the hope of a better life is not fulfilled in the receiving country. Jobless and hungry people will stop at nothing for survival. According to Refugee International (Garcia & Duplat 2007a) Zimbabweans have had to live in substandard accommodation in Hillbrow, on construction sites and in churches. SAPS argue that these locations are prime areas for the origination of crime. There have been reports that former Zimbabwean army personnel have been involved in specialised crimes such as cash-in-transit heists and bank robberies (SABC News 2007). While the extent of this is debatable, incidences of crime

associated with migrants, and in this case Zimbabwean migrants, do certainly occur.

In total, 4 766 foreigners from all over the world are behind bars in South African prisons. The Department of Correctional Services is cited as noting that of 2 982 sentenced aliens, 1 138 are from Mozambique, 827 from Zimbabwe, 439 from Lesotho, 104 from Tanzania and 94 from Nigeria (Numsa, Dec 2007). Among those awaiting sentencing are 606 Mozambicans, 499 Zimbabweans, 182 Nigerians and 114 Tanzanians. The available figures are the only indication of the extent of the involvement of foreigners in crime in South Africa. There are no official police or other statistics on the number of foreign nationals jailed for serious crimes and those jailed for being illegal immigrants (IOL website 2007). The dearth of verifiable statistics makes it difficult to evaluate claims that foreigners are responsible for the majority of serious and organised crimes in South Africa.

There are known establishments that are used by migrants as premises for forging documents (temporary asylum papers and ID documents). These include some of the approximately 43 hair salons located along Esselen Street in Sunnyside, a suburb of Pretoria in the Tshwane Metropolitan Area. These salons are all owned by African migrants<sup>6</sup> and are open until late at night despite an apparent lack of business.

Delays at the Department of Home Affairs in South Africa in attending to requests for documentation from migrants create a market for crime in the form of identity theft. Interviewees noted that migrants from Tanzania and Zimbabwe were also involved in forging documents and that they allegedly connive with

Home Affairs officers who extract a South African citizen's biographical details from their data base. Other instances involve the purchase of an ID and replacing the photo with that of a new owner. It is therefore only the face of the migrant which appears on the ID while all the other data belong to a legitimate South African. It is difficult for police to verify such identity theft in their stop and search operations, which in turn makes it quite easy for migrants to pass as South Africans. In fact, the SAPS would have no reason to arrest the person because s/he would be in possession of a valid ID. These activities compromise the integrity of the whole South African identity issuance system and may in the longer term impact on the ability of South Africans to travel abroad.

Zimbabwean migrants<sup>7</sup> reported that they are able to bribe police officers with between R50 and R200 not to be released from police custody to the Lindela repatriation centre.<sup>8</sup> This means that illegal migration

There is a need for better regulation of the policing and protection of undocumented migrants, perhaps in the form of a code of conduct



also adds to corruption among members of the police. Furthermore, according to Leggett (2002:1) foreign nationals allege that they have been asked for bribes by South African authorities. Deportees also often pay bribes to be released.

In addition, deportees often return immediately after deportation or jump off the trains deporting them. It would thus seem as if deportation of illegal migrants is not a viable solution in a situation where bribery and corruption subvert the system and where migrants are desperate enough to brave it right back to the country of their deportation.

### **Institutional challenges**

Both illegal migration and the human security challenges facing the migrants could in fact be attributed to the institutional challenges of the following governments and government departments dealing with migration.

#### ***Zimbabwe government***

The failure by the Zimbabwe government to issue the required travel documents is a strong contributing factor to illegal migration. Passport offices throughout the country were closed for almost a year and only reopened recently, not to process new passport applications but only to clear the previous backlog. Many aspirant migrants will therefore travel illegally when faced with the alternative of having to wait for years to obtain proper documentation.

#### ***South African Department of Home Affairs***

The South African Department of Home Affairs is facing serious human resource and administrative capacity challenges that contribute to illegal migration. These include corruption, slow turnaround time for processing documentation and inadequate systems checks.

#### ***The South African Defence Force***

The Defence Force, together with South African police, is responsible for border patrols on either side of the Beitbridge border post, where most illegal Zimbabweans cross. Even though it is patrolled on a daily basis, the border is approximately 275 km in length, which makes it very difficult to patrol. Border control is thus insufficient and there is need for more and better trained patrolling agents.

At a meeting held in November 2007 between the ministries of Home Affairs of Zimbabwe and South Africa on increased vigilance regarding security issues affecting the two countries, special reference was made to the movement of people between Zimbabwe and South Africa Reference. Border patrols are also

carried out by Zimbabwe's police and armed forces on the Zimbabwe side.

#### ***The South African Police Service (SAPS)***

Lack of technology and basic information capability inhibits the ability of police to track migrants. This leads to frustration among SAPS members who feel that they are fighting a losing battle.<sup>9</sup> The SAPS respondents indicated their need for more guidance from the Department of Home Affairs in dealing with migration and stated that they did not feel that migration is a function of the police force.<sup>10</sup> They were also unhappy that they were sometimes forced to release juveniles to the Lindela repatriation centre, despite the fact that it does not have facilities for juveniles. It would seem that law enforcement with regard to migration can be likened to the lid placed on a boiling pot. It keeps the steam inside but ultimately the pressure will build up (Koppa 2007:4).

### **Conclusions**

From events in the Great Lakes region and the Horn of Africa, where daylight refugees turn into rebels by night, it is clear that illegal immigrants and refugees can pose a threat to states. In the case of Southern Africa, migrants with inadequate or no documentation at all have been particularly targeted by state institutions trying to contain illegal migration. Although the signing of the Protocol on the Facilitation of Movement of Persons with the objectives of permitting SADC citizens entry into member states without the need for a visa for a maximum period of 90 days per year for bona fide visits and in accordance with the laws of the member state; permanent and temporary residence in the territory of another member state; and working in the territory of another member state might ease the challenges exposed in this paper, member states still have the duty to provide citizens with affordable travel documents on a timely basis.

Once their citizens have left their territory, however, member states are unable to control how they are treated by police and home affairs officials of receiving states. Therefore the Protocol should be amended to also prescribe the minimum standards by which SADC citizens should be treated by member states – irrespective of whether they entered those countries legally or illegally.

### **Notes**

- 1 Interviews were conducted with immigration officials of the regional offices of the Department of Home Affairs in Gauteng, Pretoria and Limpopo; a representative of Interpol in Harare, Zimbabwe; a representative of the International Organisation for Migration (IOM); officials of the South African Police Service in Pretoria, the Southern



Africa Women and Migration Affairs (SAWIMA), the Zimbabwe Exiles Forum, Crisis in Zimbabwe Coalition, United Nations High Commissioner for Refugees (UNHCR), World Vision, as well as Zimbabwean migrants and members of their host communities in Sunnyside and Mamelodi in Pretoria, and in Johannesburg.

- 2 In the words of a Home Affairs official in the Limpopo Province of South Africa, interviewed on 6 July 2007.
- 3 *Malaitsha* is a noun derived from the verb '*laitsha*', a Ndebele word for carrying something. Ndebele is the second major African language spoken in Zimbabwe. The meaning has expanded to refer not only to carrying large quantities of goods, but also people who 'carry' people between Zimbabwe and South Africa (Dube 2007).
- 4 Interview with a SAPS respondent, Brooklyn Police Station, Pretoria, 29 May 2007.
- 5 Zimbabwean migrant, Johannesburg, personal interview, Pretoria, 3 June 2007.
- 6 SAPS superintendent, Brooklyn Police Station, Pretoria, 25 May 2007.
- 7 Zimbabwean migrant, Sunnyside, Pretoria, personal interview, 2 June 2007.
- 8 The Lindela repatriation centre serves as a central detention facility for persons awaiting deportation. The Department of Home Affairs uses this facility to detain undocumented migrants and those who have not qualified for asylum prior to being deported. Information on the centre is available at [http://www.sahrc.org.za/sahrc\\_cms/publish/article\\_38.shtml](http://www.sahrc.org.za/sahrc_cms/publish/article_38.shtml).
- 9 SAPS, Sunnyside Police Station, Pretoria, 25 May 2007.
- 10 SAPS, anonymous superintendent, Sunnyside Police Station, Pretoria, 25 May 2007.

## References

- Campbell, E K 2003. Attitudes of Botswana citizens toward immigrants: signs of xenophobia? *International Migration*, 41:71–111.
- Dube, S 2007. Telephonic interview, 5 June, Pretoria.
- Garcia, S and Duplat, P 2007a. *Zimbabwe exodus: key facts on humanitarian assistance*. Refugees International [online]. Available at <http://www.refintl.org/content/article/detail/10282> [accessed 8 December 2007].
- Garcia, S and Duplat, P 2007b. *Zimbabwe exodus: too little, but not too late*. Refugees International [online]. Available at <http://www.refintl.org/content/article/detail/10280> [accessed 9 December 2007].
- Human Rights Watch 2006. *The Immigration Act: violations and gaps resulting in human rights abuses* [online]. Available at <http://www.hrw.org/reports/2006/southafrica0806/7.htm> [accessed 6 December 2007].
- Human Rights Watch 2005. *Zimbabwe: evicted and forsaken. Internally displaced persons in the aftermath of Operation Murambatsvina*. A Human Rights Watch report [online], 17(6(a)), December. Available at <http://hrw.org/reports/2005/zim1205> [accessed 1 December 2007].
- Koppa, M 2007. Migration and security concerns in the Mediterranean. Forum for the Southeast Europe Project [online]. Available at [http://www.wilsoncenter.org/index.cfm?fuseaction=events.event\\_summary&event\\_id=226034](http://www.wilsoncenter.org/index.cfm?fuseaction=events.event_summary&event_id=226034) [accessed 1 December 2007].
- Koser, K 2005. Irregular migration, state security and human security. Policy analysis and research programme. Global Commission on International Migration Geneva. GCIM.
- Landau, L B, Ramjathan-Keogh, K and Singh, G 2005. *Xenophobia in South Africa and problems related to it*. A Human Rights Watch report [online], 1715(A), November. Available at <http://hrw.org/reports/2005/southafrica1105/southafrica1105.pd> [accessed 1 December 2007].
- Leggett, T 2002. A Den of Iniquity? Inside Hillbrow's Residential Hotels. *SA Crime Quarterly*, vol(2)19-22 [Online] Available: <http://www.iss.co.za/pubs/CrimeQ/No.2/4Leggett.html>. [accessed 14 April 2008.]
- Matlosa, K 2006. Human movements, common regional citizenship and identity in Southern Africa: prospects for deeper integration between Lesotho and South Africa [online]. Available at [www.eisa.org.za/aprm/pdf/Resources\\_Bibliography\\_Matlosa1.pdf](http://www.eisa.org.za/aprm/pdf/Resources_Bibliography_Matlosa1.pdf) [accessed 9 December 2007].
- National Union of Metal Workers of South Africa. 2007. Policing And Crime. [Online] Available: [http://www.numsa.org.za/article.php?cat=200712\\_NNews&id=1344](http://www.numsa.org.za/article.php?cat=200712_NNews&id=1344) [accessed 14 April 2008].
- RSA (Republic of South Africa), Department of Home Affairs 2008. South African visa [online]. Available at [http://home-affairs.pwv.gov.za/visa\\_detail.asp](http://home-affairs.pwv.gov.za/visa_detail.asp) [accessed 25 November 2007].
- RSA 2002. Immigration Act, 13 (Act 13 of 2002). Pretoria: Government Printer.
- SADC (Southern African Development Community) 1997. Draft protocol on the facilitation of movement of persons. Gaborone: SADC. Available at [http://www.sadc.int/english/documents/legal/protocols/facilitation\\_of\\_movement](http://www.sadc.int/english/documents/legal/protocols/facilitation_of_movement) [accessed 23 November 2007].
- Thakur, R 2003. Globalization, migration, and human security: challenges in Northeast Asia. Tokyo: United Nations University.
- United Nations Development Programme 1994. *Human Development Report*. Oxford: Oxford University Press.
- Vucetic, S 2004. *Illegal immigration in the Balkans*. Paper prepared for the Annual Balkan Security Conference, 27–30 October 2004. Geneva: Centre for Democratic Control of Armed Forces.
- Weiner, M 1992/3. Security, stability and international migration. *Journal of International Security*, 17(3):91-126.
- Zimbabwe Exiles Forum 2007. Report on the Mission to Musina. Available at <http://www.zimexilesforum.org/index.php?module=Pagesetter&func=viewpub&tid=2&pid=53&menuid=&lastselected=&cv=51> [accessed 23 November 2007].

## Media articles

- Bizcommunity.com, 2008. Zimbabwe inflation soars past 100,000%. [Online] Available: <http://www.bizcommunity.com/Article/238/87/22224.html> [accessed 14 April 2008].
- Global Exchange 2007. Zimbabwe migrants face South Africa





- farm patrols. Available at <http://www.globalexchange.org/countries/africa/southafrica/4899.html> [accessed 3 December 2007].
- IOL Website 2007. Lack of data muddies crime role of aliens [online]. Available at <http://www.iol.co.za> [accessed 3 December 2007].
- Mail and Guardian* 2008. Home Affairs minister outraged by deaths at Lindela. *Mail and Guardian* [online], 24 August. Available at <http://www.mg.co.za/search/Search2007.aspx?keywords=Home%20Affairs%20minister%20outraged%20by%20deaths%20at%20Lindela> [accessed 30 August 2007].
- Mail and Guardian*. 2008. ANC: Zimbabwe is in a State of Crisis. [Online] Available: [http://www.mg.co.za/articlePage.aspx?articleid=336972&area=/breaking\\_news/breaking\\_news\\_\\_national/](http://www.mg.co.za/articlePage.aspx?articleid=336972&area=/breaking_news/breaking_news__national/) Accessed 15 April 2008.
- News24 2007a. Zimbabweans here to stay [online], 17 May. Available at [http://www.news24.com/News24/Africa/Zimbabwe/0,,2-11-1662\\_2155716,00.html](http://www.news24.com/News24/Africa/Zimbabwe/0,,2-11-1662_2155716,00.html) [accessed 9 December 2007].
- News24 2007b. SA church shelters Zimbabweans [online], 30 July. Available at [http://www.news24.com/News24/Africa/Zimbabwe/0,,2-11-1662\\_2155716,00.html](http://www.news24.com/News24/Africa/Zimbabwe/0,,2-11-1662_2155716,00.html) [accessed 9 December 2007].
- SABC News 2007. Zimbabweans arrested for bank robbery [online], 13 July. Available at <http://www.sabcnews.com/south-africa/crime1justice> [accessed 30 August 2007].
- The Mercury* 2007. Immigration services an embarrassment, *The Mercury* [online], August 27. Available at <http://www.themercury.co.za/index.php?fSectionId=2875&fRequestedUrl=%2Findex.php%3FfArticleId%3D4003763> [accessed 30 August 2007].
- Zeina, A 2007. Zimbabweans risk all for new life. Al Jazeera News [online], 12 July. Available at: <http://english.aljazeera.net/NR/exeres/0B1A4FAE-B7A1-4C60-B38B-583C78816CDA.htm> [accessed 12 July 2007].

### Other website references

- Business in Africa, 2007. Zimbabwe inflation surges [online]. Available at [www.businessinafrica.net](http://www.businessinafrica.net) [accessed 19 September 2007].
- Crisis Group 2007. Available at <http://www.crisisgroup.org/home/index.cfm?id=1233&l=1&gclid=Cjq0gcjgv40CFSZEWodtC59Fw> [accessed 4 November 2007].
- Sokwanele, Z. 2005. Enough is enough. Available at [http://sokwanele.com/articles/sokwanele/opmuramb\\_overview\\_18june2005.html](http://sokwanele.com/articles/sokwanele/opmuramb_overview_18june2005.html) [accessed 23 November 2007].
- Statistics SA 2007. Tourism and migration, 23 November, p. 351. Available at [www.statssa.co.za](http://www.statssa.co.za) [accessed 23 November 2007].



# Interested in the latest news and discussions?

Go to the 'Human Rights' link on our website, [www.issafrica.org](http://www.issafrica.org), for more information on xenophobia and xenophobic violence.



The ISS periodically issues e-mail notifications for the purpose of informing subscribers of new additions to the ISS website and all ISS-managed websites, as well as new ISS publications available on the website.

To subscribe, please send a blank e-mail to [webmaster@issafrica.org](mailto:webmaster@issafrica.org) with the word 'subscribe' in the subject field.

# Subscription to ISS Papers

If you would like to subscribe to ISS Paper series, please complete the form below and return it to the ISS with a cheque, or a postal/money order for the correct amount, made payable to the **Institute for Security Studies** (marked not transferable).

Please note that credit card payments are also welcome. You can also deposit your payment into the following bank account, quoting the invoice number and the following reference: PUBSPAY.

**ISS bank details:** ABSA, Brooklyn Court, Branch Code: 634156, Account number: 405 749 8921

**Please mail or fax:**

ISS Publication Subscriptions, PO Box 1787, Brooklyn Square, 0075, Pretoria, South Africa.  
 ISS contact details: (Tel) +27 12 346 9500, (Fax) +27 12 460 0998, Email: [pubs@issafrica.org](mailto:pubs@issafrica.org)  
 Website: [www.issafrica.org](http://www.issafrica.org)

Title	<input type="text"/>	Surname	<input type="text"/>	Initials	<input type="text"/>
Organisation	<input type="text"/>				
Position	<input type="text"/>				
Postal address	<input type="text"/>			Postal Code	<input type="text"/>
	<input type="text"/>				
Country	<input type="text"/>				
Tel	<input type="text"/>	Fax	<input type="text"/>	E-mail	<input type="text"/>

## ISS PAPERS SUBSCRIPTION 2008 – MIN 8 PER YEAR

South Africa	African countries*	International
R 150.00	US\$ 30.00	US\$ 40.00

\* Angola, Botswana, Burundi, Comores, Congo-Brazzaville, Democratic Republic of the Congo, Gabon, Kenya, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, Reunion, Rwanda, Seychelles, Swaziland, Tanzania, Uganda, Zambia, Zimbabwe (formerly African Postal Union countries)

Details of subscription rates for the African Security Review, ISS Monographs, SA Crime Quarterly or other ISS publications are available from:

ISS Publication Subscriptions, P O Box 1787, Brooklyn Square, 0075, Pretoria, South Africa  
 Tel: +27-12-346-9500/2 • Fax: +27-12-460-0998 • Email: [pubs@issafrica.org](mailto:pubs@issafrica.org) • [www.issafrica.org](http://www.issafrica.org)

# The ISS mission

The vision of the Institute for Security Studies is one of a stable and peaceful Africa characterised by a respect for human rights, the rule of law, democracy and collaborative security. As an applied policy research institute with a mission to conceptualise, inform and enhance the security debate in Africa, the Institute supports this vision statement by undertaking independent applied research and analysis; facilitating and supporting policy formulation; raising the awareness of decision makers and the public; monitoring trends and policy implementation; collecting, interpreting and disseminating information; networking on national, regional and international levels; and capacity building.

---

## About this paper

The links between migration and security are increasingly being highlighted in current public discourse. Within the Southern African context the migration of Zimbabweans to other countries in the region, particularly South Africa, has been a source of tension.

In this paper the human security implications that accompany the unregulated movement of people are teased out. It reflects on the experiences of undocumented Zimbabwean migrants who are residing in South Africa and highlights their vulnerabilities, exploitation and abuse as a result of their lack of proper documentation. It thus inverts the current view of migrants as a source of insecurity to one that shows that they, too (and maybe more so), are subject to a life of insecurity.

It is against this background that the author calls for the implementation of The Free Movement of Persons Protocol by the Southern African Development Community. This protocol will reduce illegal border crossings and in so doing provide both host countries and the migrants themselves with better recourse to the legal system and hence greater human security.

## About the author

At the time of writing this paper, AQUILINA MAWADZA was a researcher with the Regional Programme of the Institute of Security Studies. She studied history and linguistics at the University of Zimbabwe and the University of Florida in Gainesville, USA.

## Funder

The publication of this paper was made possible by the generous support of the Government of Sweden.

---

© 2008, Institute for Security Studies • ISSN: 1026-0404

The opinions expressed in this paper do not necessarily reflect those of the Institute, its Trustees, members of the ISS Council or donors. Authors contribute to ISS publications in their personal capacity.

Published by the Institute for Security Studies  
Head Office • P O Box 1787 • Brooklyn Square • 0075 •  
Pretoria/Tshwane • SOUTH AFRICA  
Tel: +27-12-346-9500 • Fax: +27-12-460-0998  
Email: [iss@issafrica.org](mailto:iss@issafrica.org) • <http://www.issafrica.org>



ISSN 1026-0404

