



CENTRE FOR DEVELOPMENT AND ENTERPRISE  
Informing South African Policy

# MIGRATION FROM ZIMBABWE

Numbers, needs, and policy options



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Cover: Illegal Zimbabwean immigrants cross into South Africa at Beit Bridge. AP Photo



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April 2008

This publication is based on a workshop held on 1 November 2007. It was written by Robyn Leslie and edited by Dr Sandy Johnston, Ann Bernstein, and Riaan de Villiers.

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# Participants

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**Gabriel Ramushwana**, Transport, Safety & Security, Musina Municipality  
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**Daniel Tevera**, University of Swaziland  
**Hercules Jacobus Van der Merwe**, IFP member, South African parliament  
**Lungisa Vokwana**, economic sector coordinator, Gauteng Provincial Government

The workshop was chaired by **Justice Malala**, journalist, political commentator, and editor of the former Johannesburg daily newspaper *This Day*.

# Introduction

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ON 13 NOVEMBER 2007 CDE hosted a workshop on the migration of Zimbabweans to South Africa. CDE took this initiative because it had become clear from media reports that increased migration flows from Zimbabwe were exacerbating and dramatising already existing inadequacies of regional migration management. By staging the workshop, and distributing this publication based on its proceedings, CDE hopes to broaden and inform the policy debate not only on the short-term pressures of crisis-driven movement of people out of Zimbabwe, but on the wider and longer-term issues of immigration policy in South Africa.

Political instability and economic decline in Zimbabwe are driving migration to South Africa at an accelerating rate. This movement of people in unprecedented numbers is also fuelled by South Africa's skills shortages and comparatively robust – in regional terms at least – economic performance.

Estimates of the number of Zimbabweans in South Africa range as high as 3 million, although no authoritative figures are available. Government statements on the influx compound this uncertainty with a mixture of concern and resignation, with President Thabo Mbeki's statement to the House of Assembly in May 2007 one example: 'As for Zimbabweans who enter South Africa legally, well, they enter South Africa legally and there wouldn't be any need to do anything about that, but as to this other influx of illegal people, I personally think it's something that we have to live with. ... You can't put a Great Wall of China between South Africa and Zimbabwe to stop people walking across ...'

According to the International Organisation for Migration (IOM), in the period from January to June 2007 the South African authorities repatriated a total of 102 413 illegal migrants to Zimbabwe.

Thus, by July 2007 the number of Zimbabweans deported from South Africa to their home country had reached 17 000 each month. In 2004 the figure was much lower, but still comparatively high at 4 000 per month.

Cross-border movements on this scale inevitably feed into issues of public concern – whether well-informed or not – such as crime, corruption, and xenophobia. This is especially true in the absence of reliable figures on cross-border flows, and accurate and careful analyses not only of numbers but trends such as circular and short-term migration. We also lack a clear and decisive public response by policy-makers to what appear to be extraordinary circumstances, but also ones situated in long-term trends of increased migration in the region.

Three clear conclusions can be drawn from media and research reports on current migration trends and patterns in southern Africa:

- The cross-border movement of people is increasing, and is unlikely to slacken again in the foreseeable future. This has important long-term implications for both sending (source) and receiving countries.
- While South Africa is the main receiving country in the region, current policies still make it difficult for skilled people to enter this country legally; procedures are marked by complicated and demanding permits and quota systems.

Political instability and economic decline in Zimbabwe are driving migration to South Africa at an accelerating rate

- The crisis in Zimbabwe is increasing pressure on already strained and overloaded policies and systems for migration management which seem unable to cope with undocumented entrants from the region (and more distant origins), either through border control or more flexible expedients (such as temporary permits and permissions). Moreover, these official systems are weakened by poor organisation, bureaucratic incapacity, and corruption, notably in the South African Department of Home Affairs.

A policy agenda shaped by these three forces has to include the potentially adverse side-effects of accelerated migration on South African society, such as xenophobia and legitimate concerns over border control. However, migration from Zimbabwe also holds potential benefits for South Africa in the form of an additional pool of skilled people who can alleviate the significant skills shortages hampering its economy. Migration also has the potential to be a developmental asset for the sending countries in SADC, for instance through remittances.

Immigration issues  
have failed to  
command the place  
they deserve in wider  
political debate

A serious and well-grounded discussion of such a policy agenda has been slow to develop in South Africa. This is partly because of the uncertain factual basis for such a discussion, and partly perhaps because of political sensitivities over South Africa's official stance on the crisis in Zimbabwe. However, it is also because wider immigration issues – of which the influx of Zimbabweans is an acute and possibly temporary part – have failed to command the place they deserve in wider political debate.

CDE believes that immigration is not a niche issue, and the province of experts and activists only. As part of a broader programme of research and dissemination, CDE obtained funding to commission five studies to be presented to a workshop for invited participants from all spheres of government, business, and civil society. This publication contains edited versions of the presentations, and a summary of the discussions.

As might be expected of an issue that has its origins in political conflict and disputed questions of human rights, the presentations and discussions highlight the concerns of advocates for the Zimbabweans themselves. CDE hopes that these views will provoke a sober and rational assessment of how to define not only South Africa's obligations but its own interests and capacities in what is a very difficult situation, not only for the migrants themselves but for the receiving countries in the region (principally South Africa but also Botswana, whose capacities are even more stretched).

Neither CDE nor the funder necessarily agrees with all the views and positions expressed in the presentations and discussion. However, what is important is that a subject that attracts large headlines but little in the way of informed policy debate should receive the attention it deserves.



# Drowning in numbers<sup>1</sup>

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**Loren Landau**

*Loren Landau is director of the Forced Migration Studies Programme at the University of the Witwatersrand. He holds a doctorate in political science from the University of California, Berkeley. He has worked in Washington DC as a policy advocate on behalf of refugees.*

**U**NDER THE BEST of circumstances, data on migration is notoriously difficult to collect and understand. When borders are porous, officials are corrupt, record-keeping is poor, and migrants come and go between countries, figures are even more unreliable. When migration is legally restricted, migrants have strong incentives for behaviour that only further frustrates our efforts to enumerate them. In such contexts, the best we can hope for are estimates of total numbers. However, while accurate numbers are necessary for sound policy-making, projections of overall trends in and insights into the nature of migrant flows are often even more important. Information on these variables, coupled with ethical principles and legal obligations, should structure policy responses as much as raw numbers.

When migration is legally restricted, migrants have strong incentives for behaviour that only further frustrates our efforts to enumerate them

## Wildly varying estimates of what?

Attempts to accurately estimate new arrivals from Zimbabwe are complicated by insufficient census data, as well as at least four important factors:

Cross-border communities and cross-border farm workers along the Limpopo border

Zimbabweans have long worked in South Africa, especially as farm labourers, often settling among communities in border regions. However, there are only rough estimates of the total Zimbabwean population in South Africa before 2000, or the rates at which they were crossing the border. Consequently, there is no baseline from which to evaluate how many people have recently arrived, or whether the rate of arrivals has increased dramatically.

The long-standing migration of Zimbabwean traders and skilled people to various centres in the country

There is a long history of Zimbabwean traders and both skilled and unskilled workers settling, for various periods, in South Africa's industrial and urban areas. Again, their presence and legal status (many remain undocumented) make it difficult to establish estimates of current migration numbers.

The ability of Zimbabwean migrants to shift codes and become invisible

Due to physiological and linguistic similarities with local populations, many Zimbabwean migrants are effectively able to disappear, their foreign status largely invisible to observers.

The nature of contemporary Zimbabwean migration

People have been steadily entering South Africa via multiple routes rather than pushing massively through a single border post. This has meant that they are more difficult to detect, and have not attracted the attention needed to provide accurate estimates. Moreover, many Zimbabweans who enter South Africa stay for short periods only (hours or days) and then return to Zimbabwe. Unless they are counted going both ways, these movements further complicate estimation.

People have been steadily entering South Africa via multiple routes rather than pushing massively through a single border post

Although these factors make them prone to inaccuracy, journalists and policy-makers have not shied away from making public statements about the nature and scope of Zimbabwean migration. Media estimates of undocumented Zimbabweans entering South Africa in the past year have differed widely, and are often based on contradictory or undisclosed sources.

Some have tried to extrapolate from deportation statistics. The annual report for 2004 of the Department of Home Affairs (DHA) put deportation statistics for all nationalities at 167 137. According to the International Organisation for Migration (IOM), more than 100 000 Zimbabweans were deported in the first six months of 2007.<sup>2</sup> However, even these statistics are a poor indication of the number of Zimbabweans in South Africa because they miss people who are not apprehended, and include persons who are deported multiple times.

Asylum statistics are little better for gauging the number of migrants, or their reasons for coming to South Africa. Given the DHA's notoriously poor record-keeping, any figures from that source must be treated with caution. Other aspects of DHA operations also affect the statistics. Zimbabweans were blocked from applying for asylum for a period preceding 2004, and many cases were dismissed without being recorded. Increased numbers may therefore reflect a change in policy, not absolute numbers present in South Africa. Added to this, many Zimbabweans (and other nationalities) are still unable to gain access to the DHA due to difficulties in reaching the refugee reception offices, and problems and irregularities at the offices themselves. Were the offices functioning properly, the number of Zimbabwean asylum seekers would undoubtedly be higher; but we can only guess by how much.

A recent study of a large but unrepresentative sample of Zimbabweans in the Johannesburg inner city provides the most sound estimate currently available.<sup>3</sup> It estimates that there are between 800 000 and one million Zimbabweans in the country. While this calculation is based on more solid evidence than most, the sampling frame and sampling techniques create a significant potential margin for error. Nonetheless, for the reasons outlined above, it is unlikely that we will soon see more accurate data on the number of Zimbabwean migrants in South Africa.

## Who, why, what, and where?

Zimbabwe has a population of about 12,3 million, of whom 7,6 million are between 15 and 64 years old, and 3,6 million are adult males.<sup>4</sup> It is this latter group – relatively young and economically active men – who are the most likely migrants. As it is unreasonable to assume that all adult Zimbabweans have left the country, there is an upper cap on the number who might have come to South Africa. Moreover, reports from Britain, Zambia, Botswana, Mozambique, and even the Democratic Republic of Congo suggest that the pool of movers is shared among many countries (albeit with South Africa probably receiving the largest number).

What is beginning to emerge from a wide range of sources – and what may ultimately prove more useful than number-chasing – are a number of vital qualitative observations. These include:

### Varied motivations for moving to South Africa

Many of the new arrivals are following long-standing patterns of labour migration to South Africa. Others come for short periods of time to trade money or buy goods that are not available in Zimbabwe. Still others come after exhausting their economic options in Zimbabwe. A smaller but significant number of people are also coming as a result of political persecution, human rights violations, or other (well-founded) fears linked to the country's disintegrating political system.

Many of the new arrivals are following long-standing patterns of labour migration to South Africa

### Slow increases in the numbers of women and children arriving in South Africa

Female migrants no longer only partner men, or arrive as short-term migrants. Rather, women are increasingly moving to South Africa on their own, or with their children. Elsewhere in the world, rapid changes of this kind are often correlated with severe economic deprivation. Significant increases in the number of children and particularly unaccompanied minors have also been observed.

### Wider range of Zimbabweans

While the majority of Zimbabwean migrants are still Ndebele-speakers from the south of the country, there are reports of increasing numbers of Shona-speakers from northern regions.

### Geographical dispersion of migrants with visible concentration in urban areas

Although significant populations of migrants remain in South Africa's border areas, there are increasingly visible concentrations in Gauteng and other major urban centres. Anecdotal evidence<sup>5</sup> suggests that urban Zimbabweans – who are more likely to have been politically targeted – tend to move into South Africa's inner cities, while less educated workers tend to seek jobs in farming, industrial, and mining areas, and rural residents to remain in the border areas or Limpopo's rural villages.

## Why numbers don't matter (and why that may not be a bad thing)

There are cogent reasons to doubt that accurate statistics – if we had them – would influence policy on this issue. The South African government has not built effective systems to collect, process, or respond to data on migration and immigration. However, given the degree to which issues related to both immigration and Zimbabwe are politicised, policy deliberations are in any case more likely to be shaped by myths, values, and strategic interests rather than numbers.

This is disconcerting, and there is an undeniable need to build the capacities of official institutions to collect and process migration data. However, there are other reasons why values, principles, and laws – not numbers – can and should guide policy. On the basis of interviews conducted by the Forced Migration Studies Programme (FMSP) and others, we can already identify key humanitarian needs and concerns that must be addressed. While we should continue working to understand the numerical scope of the problem we face, there is already enough information to get started. This means preparing for crisis, improving the capacity and reach of existing institutions, and halting practices that violate rights and heighten vulnerability.

There is an undeniable need to build the capacities of official institutions to collect and process migration data

## What we should consider: immediate needs and risks facing Zimbabweans in South Africa

Many of the problems facing Zimbabweans in South Africa echo those encountered by other migrant groups. These include difficulties surrounding documentation; access to public services, housing, and jobs; and harassment by public officials.<sup>6</sup> Besides these generalised challenges, data from a variety of sources suggests that Zimbabweans also face particular concerns related to their legal status and the conditions of their departure.

When NGOs working with immigrants were asked to name Zimbabweans' key needs, the two they mentioned most were documentation and accommodation, closely followed by employment. Food was fourth, with access to health care, protection from police harassment, and public xenophobia tied in fifth place, followed by access to schooling. Others noted the need for training, registration by professional bodies, and the ability to open a business. A need that was not mentioned but which is made clear by other research is for safe border crossings.

This prioritisation of needs is mirrored by the recent findings of Prof Daniel Makina of UNISA that 57 per cent of respondents prioritised refugee status (such as documentation), followed by setting up their own business (46 per cent), work permits (37 per cent), and employment (35 per cent), with other needs falling far behind.<sup>7</sup> Similarly, in a survey conducted in 2005 by IDASA's Zimbabwe Torture Victims Project (ZTVP), 73 per cent of Zimbabweans named legal status as their priority need, 67 per cent mentioned employment, and 50 per cent accommodation.<sup>8</sup>

Attention needs to be drawn to some key concerns that are already apparent, and should inform future policy formation and research. These are:

**The survival of many Zimbabweans in southern Zimbabwe depends on the regular traffic of people and commodities across the South African border.**

Detaining, harassing, or limiting such movements will only worsen the economic crisis in Zimbabwe.

**There are people coming to South Africa with humanitarian needs.**

If the situation in Zimbabwe continues to worsen, these needs will only become more acute. At present, there is little public or private capacity to respond to the physical and mental health needs of people in Limpopo and elsewhere. The explicit exclusion of certain migrant groups from public services also heightens the risk of communicable disease that will affect South Africans and Zimbabweans.

**The presence of increasing numbers of undocumented Zimbabweans increases the scope for labour exploitation in South Africa.**

The presence of growing numbers of undocumented Zimbabweans has the potential to lower the cost of labour, and expose those workers to other forms of exploitation. This not only hurts Zimbabweans, but also has implications for all South Africans working in the sectors in question.

**Growing numbers of unaccompanied minors migrating to South Africa.**

This group needs particular forms of social assistance and protection that are not currently being provided or planned for.

**Some Zimbabweans should qualify as refugees.**

Categorically dismissing these claims is a violation of their rights under domestic and international law. The continued detention and deportation of people who may qualify for asylum also constitutes *refoulement*<sup>9</sup>, and will expose Zimbabweans to risk and the South African government to legal action and international condemnation.

**There is a need to clearly delineate responsibility and authority within the public sector.**

Given the ambiguity over Zimbabweans' legal status, it is unclear whether the lead agency should be the DHA (which is responsible for refugees) or the Department of Local Government (which is responsible for disasters). There are also roles for the departments of Social Development, Public Works, Water, and Health. Unless they all have defined roles within a co-ordinated response, Zimbabweans and the communities in which they live will be unnecessarily and negatively affected.

There is little public or private capacity to respond to the physical and mental health needs of people in Limpopo and elsewhere

## Discussion

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One participant emphasised that a reliable method for enumerating migrants was needed, as even in the opening presentation all conclusions were based at best on indirect deduction and at worst on guesswork and conjecture. This data problem filtered over into Zimbabwe, where the statistics office was also unclear on figures, despite having access to census numbers. The consensus in Zimbabwe seemed to be that three million Zimbabweans were out of the country. If numbers of Zimbabweans in Britain were said to be 1,5 times that of the numbers in South Africa, it was clear that South Africa's media figures were incorrect.

The apparent absence of either a national (South African) or regional (SADC) policy framework for this type of situation was highlighted. This provoked the response that SADC should not be relied upon to resolve this situation, as it had proved itself politically reluctant to say anything about the situation in Zimbabwe, and was historically hostile to outside intervention – thus preventing two forms of traditional problem-solving (regional and international).

Participants developed the key question of 'whose business is this problem?', stating that, until the national government (ie the cabinet) took a stance on this issue, individual government departments could not really act. If the national government declared it a humanitarian crisis, the Department of Provincial and Local Government (DPLG) should take the lead. If it was a refugee crisis, DHA should be the key respondent. Ideally, the Presidency needed to define South Africa's stance, thereby mandating a certain department to engineer a response.

Echoing this, a participant from Musina stated that no one wanted to take responsibility for the problem of illegal Zimbabweans. Local government had no jurisdiction, and many felt the DHA should assume some responsibility. Local government lacked the capacity and facilities to deal with immigrants who had not been declared refugees. Consequently, the DHA needed to work on either declaring applicants refugees, or rejecting their requests and dealing with their subsequent deportation.

Participants also pointed out that even if a clear policy were to be formulated, this did not necessarily mean that the resources and capacity needed to implement it 'on the ground' would be provided.

Several participants agreed that collective governmental action was required to properly deal with this problem, and that the South African government was underestimating its severity. In the absence of a clear national lead, some raised the possibility that Gauteng might take a policy initiative, as this province was the major destination for migrants and its services were under increasing pressure as a result.

Issues of immigrants and crime were also raised. Several participants stated that the idea that Zimbabweans were disproportionately involved in crime had not been substantiated by research studies of the nationalities of South Africa's prison population. Other negative views of illegal immigrants, such as 'job-stealing' were also deemed to be unfair, as immigrants often employed South Africans in small entrepreneurship activities, and often traded in the informal sector.

The idea that Zimbabweans were disproportionately involved in crime had not been substantiated by research

As regards the skills levels of Zimbabwean migrants, a participant noted that of the 17 086 South African Qualifications Authority (SAQA) evaluations of qualifications performed between January and September 2007, 9 756 (57 per cent) were for the purpose of processing Zimbabweans' work permit applications. Participants discussed the potential of these skilled people to contribute to the South African economy as well as other potentially positive spin-offs from migration, including employment creation in the informal sector and the potential of cross-border trade to stimulate economic activity on the South African side of the border.

Participants also discussed the issue of how exactly migrants should be defined. Some pointed out that there were many different types of migrants – differing, for instance, in respect of their intentions, and the actual lengths of their stay – with different needs and capabilities. As a result, responses needed to be tailored to different groups, especially in respect of political versus economic refugees. However, others cautioned against delaying the formulation of a coherent policy while waiting for elusive numbers and analyses of categories. Accurate numbers were needed to plan the effective implementation of policy, but, in order to make effective policy, the only thing needed was the political will to respond.

Participants also explored the question of why the South African government was not responding to the crisis. One participant argued that if the government adopted a more explicit policy, especially in respect of refugees, this would compromise SADC's mediation efforts. However, another said this approach 'fell into Mugabe's pan-African trap,' and only served to bolster Zimbabwean efforts to fend off its critics. In this sense, domestic policy on cross-border migration could be held hostage by international diplomacy.

One participant contrasted the apparent lack of official action on the migration of Zimbabweans to the efflux of people to other European states during the Bosnian crisis, which became a huge political issue. In southern Africa, this forced movement of people had not created a similar furore.

There were many different types of migrants with different needs and capabilities

# A profile of Zimbabwean migrants in Johannesburg

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## Daniel Makina

*Daniel Makina is an associate professor in management sciences at the University of South Africa (UNISA). He holds a doctorate in finance from the University of the Witwatersrand, and a master's degree in financial economics from the University of London. His current research interests are migration economics, development finance, and small enterprise development*

This population remains hidden, largely unquantified, and largely misunderstood

**A** GAINST THE BACKGROUND of economic crisis and sociopolitical hardship in Zimbabwe, many Zimbabweans have moved to neighbouring countries in search of more favourable working and earning conditions. However, this population remains hidden, largely unquantified, and largely misunderstood. Reasons for this include the pressures for concealment on the undocumented, and incentives even for those who are here legally to remain within well-developed immigrant social networks in the face of actual or even merely potential local hostility.

In order to better document this hidden population, and promote better policy-making, a group of NGOs<sup>1</sup> conducted a pilot study in Johannesburg aimed at constructing a profile of Zimbabweans in South Africa. The survey was conducted from the beginning of June 2007 to mid-July 2007 in three suburbs of Johannesburg: Hillbrow, Berea, and Yeoville. A total of 4 654 Zimbabweans who had relocated to South Africa to earn a living here (thus excluding visitors and cross-border traders) were interviewed by Zimbabwean civil society activists working with communities in the surveyed areas, who had been trained to undertake the study.

## Findings

The survey traced arrivals from 1979 to mid-2007. It found that 8 per cent (354) had migrated between 1979 and 1999, and 92 per cent (4 300) between 2000 and mid-2007. The farm invasions of 2000 and subsequent political and economic crises have probably escalated and accelerated the migration flows to Johannesburg.

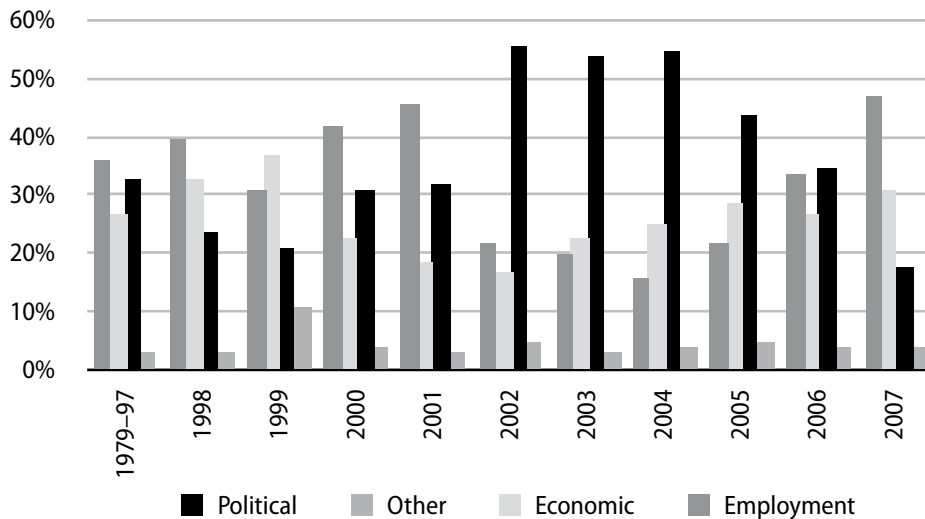
Most respondents were between the ages of 21 and 40, indicating a youthful population on the move. The sample was unevenly split in gender terms, with 59 per cent male and 41 per cent female. Fifty five per cent of the sample indicated that they were married, and 36 per cent were single. Small numbers were divorced (6 per cent) or widowed (3 per cent).

Respondents cited three major reasons for leaving Zimbabwe:

- Political (politically motivated beatings, persecution, torture, rights abuses, operations Murambatsvina and Gukurahundi), cited by 58 per cent;
- the economic crisis, cited by 51 per cent; and
- better jobs and more job opportunities, cited by 31 per cent.<sup>2</sup>



Figure 1: Respondents' reasons for leaving Zimbabwe by year of departure



These reasons can be linked to various stages of Zimbabwe's recent political and economic history, as depicted in figure 1.

The figure shows clearly that economic and particularly employment motivations initially predominated; that, from 2002 to 2006, these were eclipsed by political motivations; and that, since then, employment and economic issues have again become the most pressing issues. However, since the roots of the economic crisis of hyperinflation and unemployment are so clearly political, the distinction between economic and political reasons given by respondents should be treated in context.

Zimbabweans' ranking of their most pressing needs once in South Africa are given in figure 2. It seems to show that Zimbabweans are entrepreneurially inclined, as roughly 45 per cent of respondents indicated that they would like assistance in setting up their own businesses. However, this response may also stem from a realistic appraisal of formal employment prospects in South Africa.

Sixty-two per cent had passed matric, and 32 per cent had a post-secondary education (a diploma, professional qualification or university degree). However, among those respondents who identified their type of work, employment in the security sector was the highest ranking response at 13 per cent. Other high-ranking occupations were the hospitality industry (12,6 per cent) and the domestic sector (11 per cent). Most respondents (38 per cent) identified their earnings as between R1000 and R2000 a month. When this is compared to the average sums of money sent home as remittances – between R200 and R500 (an amount identified by 40 per cent of the sample) – the respondents appeared to be sending as much as a quarter of their salaries home.

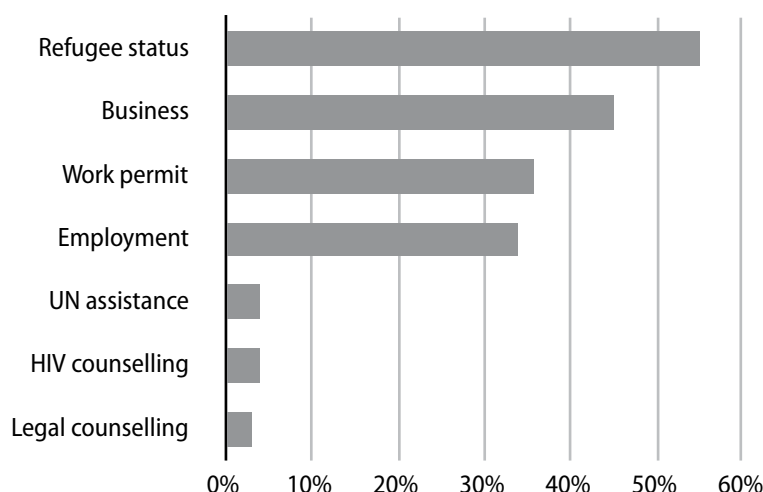
Most respondents (more than 60 per cent) remitted money to Zimbabwe via bus or taxi drivers, thus demonstrating a lack of confidence in – or problems in accessing – formal banking channels.

## Long-term intentions

Sixty six per cent of respondents said that if Zimbabwe were to stabilise economically and politically they would like to return home, while 34 per cent said they would like to continue living in South Africa.

Sixty six per cent of respondents said that if Zimbabwe were to stabilise economically and politically they would like to return home

Figure 2: Respondents' most pressing needs in SA



The first challenge to policy-makers is to find a way of balancing the disadvantages of an unplanned influx of migrants with its economic potential

### Counting the influx: policy issues

The 2001 census put the Zimbabwean migrant population at 131 886. Unverifiable estimates are as high as 3 million. If the findings of this study – particularly the rate of escalation of migration from 2000 onwards – are grafted on to the 2001 census figure, it produces a rough estimate of one million Zimbabweans in South Africa by the end of 2007. However, the absence of reliable data has resulted in a ‘muddling through’ policy, and policy-makers require a reliable figure.

There is also the humanitarian issue of who should qualify for refugee status, and what should be done with those fleeing social and economic deprivation. Public services are already overstretched, and public funding may not match the unplanned increased influx of migrants. This also has implications for South Africa’s job market. Despite the high average qualifications of Zimbabwe migrants, the proportion of those doing unskilled work is far larger than those doing semi-skilled and skilled work. The availability of cheap foreign workers has obvious adverse implications for the domestic unskilled workforce. The fines employers face for employing illegals are discounted by their low wages, and are thus not a deterrent. Also, the lack of legal status of many immigrants means that many are employed in jobs that are not commensurate with their qualifications, and that their potential for contributing to the economy is therefore not fully exploited.

### Challenges to policy-makers

The first challenge to policy-makers is to find a way of balancing the disadvantages of an unplanned influx of migrants with its economic potential. The second is to find a way of dealing with a large number of undocumented migrants in a manner that balances control and humanitarian objectives, and the interests of the host country with those of the migrants themselves. Finally, their biggest challenge is to find a long-term solution which recognises that although migrations flows to South Africa have been greatly accelerated by the deteriorating political and economic situation in Zimbabwe, they preceded the current crisis, and will persist after it has ended.

## Refugees in South Africa: commitments and delivery

South Africa's obligations to refugees and asylum-seekers are set out in Refugees Act (Act No 130 of 1998) and the Immigration Act (Act No 19 of 2004). The Refugees Act stipulates that South Africa has agreed to the 1951 Convention Relating to Status of Refugees, the 1967 Protocol Relating to the Status of Refugees, and the 1969 Organisation of African Unity Convention Governing the Specific Aspects of Refugee Problems in Africa. In agreeing to these various conventions and protocols, South Africa has agreed to certain commitments in terms of accepting refugees and dealing with them.

The Refugees Act defines a refugee as a person who, 'owing to a well-founded fear of being persecuted by reason of his or her race, tribe, religion, nationality, political opinion or membership of a particular social group, is outside the country of his or her nationality and is unable or unwilling to avail himself or herself of the protection of that country, or, not having a nationality and being outside the country of his or her former habitual residence is unable or, owing to such fear, unwilling to return to it'.<sup>3</sup>

A key provision of the act is that South Africa may not return individuals to their countries of origin if threats remain to their lives or freedom; if these threats relate to their social status, political views, or race; or if they relate to external aggression or any other disorder seriously disrupting public life in their country of nationality.

The act also provides for the creation of three entities for dealing with refugees: Refugee Reception Offices, a Standing Committee for Refugee Affairs, and a Refugee Appeals Board. According to the act, refugees become asylum-seekers once they have lodged their application for asylum in person, at a Refugee Reception Office. While awaiting the outcome of this application, applicants are issued with asylum-seeker permits, allowing them to remain temporarily in South Africa. Their applications are then forwarded to a Refugee Status Determination Officer, who decides whether or not asylum should be awarded. The applicant may challenge an adverse decision through the Standing Committee and the Appeals Board.

South Africa's asylum application system is severely strained. The DHA is meant to process applications within three months, but the backlog of applications dates back to 1998. In 2006 Gcinumzi Ntlakana of the National Immigration Branch claimed that the backlog had been building for 12 years, and that the 'phenomenal increase' in the number of asylum seekers was directly linked to the 'achievement of a peaceful transition in South Africa'. He added that the current backlog was due to the influx of asylum-seekers, a lack of capacity, and inadequate resources.<sup>4</sup>

In April 2006 the DHA announced a Refugee Backlog Project in terms of which it established steering committees to fast-track the 103 410 applications for asylum in various stages of the process. Most applications were from citizens of the Democratic Republic of Congo, with Zimbabwe second.<sup>5</sup> In 2007 the director-general of Home Affairs, Mavuso Msimang, stated that, despite concerted efforts to reduce the backlog, it had grown by 30 per cent from 76 000 to 144 000.<sup>6</sup> He added that plans to reduce congestion included up-grading Refugee Reception Centres, and hiring more staff. However, in January 2008 the City of Johannesburg's Migrant Help Desk reported that the DHA was still unable to deal with the volume of asylum applications, and – given that the stream of refugees was unlikely to end soon – predicted that the backlog would continue.<sup>7</sup>

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South Africa's asylum application system is severely strained

## Discussion

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Participants agreed that the difficulties of opening a bank account made it even more difficult for foreigners to start their own small enterprises. One participant suggested that remittance flows to Zimbabwe could well be propping up the current regime. Some suggested that remittances should be viewed as a form of savings. Some also said the earnings recorded in the research were quite high; however, others noted that these earnings were similar to those of South Africans in similar jobs (such as trading, domestic work, security services). If this was the case, the perception that migrants were offering cheap, exploitable labour in low-level urban jobs might not be correct, although this was more likely in the agricultural sector.

No matter how a particular refugee was classified, none would want to sit in a refugee camp when there might be other options

Issues of political versus economic refugees were raised again, with two opposing views emerging. Some participants argued that these categories were irrelevant; both kinds of refugees wanted to find jobs, and provide for their families. The issue should be what they wished to do in South Africa, not their reasons for leaving Zimbabwe. Others pointed out that political refugees could be accommodated in camps, but that, for economic refugees, sitting in a tent all day getting three meals would not be enough – they would want to look for jobs and sustain their families. These types of migrants would want to move on to South African cities to look for work. Another participant suggested that no matter how a particular refugee was classified, none would want to sit in a refugee camp when there might be other options. Another noted that there was a serious backlog in processing claims despite the fact that the South African definition of refugees was very narrow (see box, **Refugees in South Africa: commitments and delivery**). This suggested that refugee policy should be reviewed in a way that asked hard questions about the state's capacity to deliver on its undertakings and commitments.

Finally, it was argued that, although this survey provided a useful profile of Zimbabwean migrants in Johannesburg, it should not be regarded as valid for the rest of the country.

# Perspectives on the brain drain

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## Daniel Tevera

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**Z**IMBABWE IS EXPERIENCING an unprecedented flight of skills from both the private and public sectors to countries such as South Africa, Botswana, Britain, Australia and the United States. About 3.4 million Zimbabweans (25 per cent of the national population) have left the country, and some estimates suggest that more than one million are based in South Africa alone. The intensifying brain drain is fuelled by the crumbling economy and increasing demand for skilled labour in South Africa. Zimbabwe is currently facing a crisis characterised by an economy that has been shrinking by 4 per cent a year during the past four years, 80 per cent of the population living below the poverty datum line, a 70 per cent unemployment rate in the formal sector, and an inflation rate which, in the absence of official data, was unofficially estimated in October 2007 at 15 000 per cent a year.

Recent research on the brain drain in southern Africa confirms that Zimbabwe is experiencing the biggest brain drain in the region.<sup>1</sup> Can Zimbabwe survive this debilitating exodus, and what are the national responses to the phenomenon?

## Brain drain trends

Recent studies have shown that the brain drain from Zimbabwe is more diverse and complex today than at any time in the past.

The first wave of Zimbabwean immigration to South Africa was overwhelmingly comprised of white Zimbabweans and occurred during the early 1980s. For example, between 1980 and 1983 the country lost 19 300 skilled and professional workers, mostly to South Africa, Australia and Britain. Most of the vacancies were filled by returning black Zimbabweans with good qualifications and overseas experience.<sup>2</sup> The second wave, during the 1990s, consisted of the departure of both skilled blacks and whites, triggered by the adverse effects of the economic structural adjustment programme introduced by the government. The third wave began soon after the constitutional referendum and general elections of 2000.

In 2003 the Harare-based parastatal Scientific and Industrial Research and Development Centre (SIRDC) concluded that about 490 000 skilled Zimbabweans – both black and white – had left because of the weakening economy and limited employment prospects.<sup>3</sup> This figure has since increased to more than 800 000, although a significant proportion of these skilled migrants are not employed as professionals in their destination countries.

The brain drain from Zimbabwe is more diverse and complex today than at any time in the past

Studies reveal that many skilled Zimbabweans are doing unskilled jobs, such as working as waiters and waitresses. This raises the issue of deskilling which is often not addressed when discussing the impacts of the Zimbabwean brain drain.<sup>4</sup>

Similar economic push factors were noted in a migration potential survey conducted in 2001 among a representative sample of 900 skilled Zimbabweans. It revealed that as many as 86 per cent of the respondents had thought about emigrating from Zimbabwe due to high unemployment, high inflation, poor working conditions, and an unstable political environment.<sup>5</sup> Another national survey in 2004/5 found that more than 60 per cent of final year students at tertiary institutions intended to emigrate within a year, due to 'the harsh economic environment'<sup>6</sup>. While the IOM, SIRDC and two Southern African Migration Project (SAMP) studies all identify several economic aspects as the push factors, it is important to search for linkages between the economic and political factors. Since the political situation has created the current untenable economic environment in Zimbabwe, it also follows that brain drain solutions need to address both sets of factors.

The health care system in Zimbabwe is experiencing a human and financial resources crisis

## Sustainability issues: impact of the brain drain in the health care and education sectors

The health care system in Zimbabwe is experiencing a human and financial resources crisis. The increasing loss of trained workers to the diaspora has eroded the skilled human resource base needed for economic and social development.<sup>7</sup> A 2003 study estimated that more than 80 per cent of doctors, nurses, pharmacists, radiologists and therapists trained since 1980 had left the country, and that by 2003 Zimbabwe had lost more than 2 100 medical doctors and 1 950 certified nurses mostly to South Africa, Botswana, Namibia, Britain, and Australia.<sup>8</sup> The problem has been compounded by the fact that, due to staff shortages, the University of Zimbabwe medical training hospital in Harare has been forced to reduce its annual intake of medical students from 120 to 70.

The resultant shortage of health professionals in all categories has led to a deterioration of health services, presenting the country with a serious challenge, especially at a time when it is struggling to contain the HIV/AIDS pandemic.

According to the Progressive Teachers Union of Zimbabwe (PTUZ), 15 200 teachers have migrated to neighbouring states, notably South Africa, Botswana, Namibia and Swaziland, since the beginning of 2007. As a result, some schools have closed, and others are staffed by untrained relief teachers.<sup>9</sup> In an attempt to fill 10 000 vacant teaching posts, teachers who had been previously dismissed for misconduct have been invited to reapply.<sup>10</sup>

Severe staff shortages are exacerbated by powerful push factors including low wages, high inflation, and poor working conditions, which account for the unprecedented exodus of teachers from Zimbabwean schools during the past two years. The PTUZ dismissed an increase in the salaries of teachers in August 2007 from about Z\$5 million (US\$10) a month to about Z\$15 million (US\$30) a month as far too small, since much of this band fell well below the official poverty datum line.

The high teacher-to-pupil ratios have resulted in overcrowding in schools, which is compromising performance standards and may contribute to an increase in dropout rates.

## Migrant remittances and provision of safety nets

International remittances, in the form of money and goods sent by migrants living outside the country to family members or friends back home, have provided a 'safety net' that has sustained many households. Conservative estimates show that the cash remittances by the 3 million Zimbabweans living outside the country amount to between US\$360 million and US\$490 million every year. A recent study shows that remittances have become an essential part of many household budgets, and have reduced vulnerability to poverty in both rural and urban areas.<sup>11</sup> About 90 per cent of 705 migrant households sampled throughout the country (in other words, households with at least one member living outside the country) mentioned that family members who had migrated send cash back home regularly via both formal and informal channels. Remittances made up 80 to 93 per cent of household expenditure, which showed that migrant earnings were contributing significantly to household income security in Zimbabwe.

## National initiatives to mitigate the impact of migration of skilled professionals

During the past two years the Zimbabwean government has started several initiatives aimed at reducing the human capital shortages facing the country. Firstly, President Robert Mugabe appointed a national task force, chaired by the permanent secretary in the Ministry of Higher and Tertiary Education, to co-ordinate the national response to human skills identification, deployment, and retention. Secondly, in August 2006 the government launched a National Human Resource Survey, sponsored by the United Nations Development Programme, aimed at identifying critical skills shortages hampering the economy; and recommending strategies for skills training and development, for attracting and retaining people with vital skills, and establishing synergies with skilled Zimbabweans in the diaspora. Finally, the government has asked the International Organisation for Migration (IOM) to help it draft a strategy for making the best use of the skills and knowledge of Zimbabweans in the diaspora.

Analysis of the brain drain from Zimbabwe shows a complex interplay between push factors in the country and pull factors in the destination countries

## Conclusion

Analysis of the brain drain from Zimbabwe shows a complex interplay between push factors in the country and pull factors in the destination countries. Virtually all the studies reveal that the brain drain drivers from the country include economic and political factors whose effects are not always easy to disentangle. The brain drain from Zimbabwe will continue, and is already presenting major sustainability challenges with regard to social services and national economic development.

## Discussion

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A participant noted that many experienced staff members at the University of Zimbabwe had retired, to the detriment of tertiary education. Similarly, young doctors simply waited until they had completed their compulsory community service and then left for Britain or other locations.

Participants raised the issue of the relationship between a short-term emergency surge in emigration and long-term exit patterns. This was discussed with reference to international experience (Jamaica in particular) and the tendency for skilled migrants to invest – financially and emotionally – in their chosen destinations, irrespective of their original intentions. As one expert put it: ‘If they’ve left for a year, they might return. Once they’ve left for five, they’re gone.’

Many skilled emigrants found it difficult to obtain work appropriate to their qualifications in destination countries

Another key issue raised was the difference between a global and a regional diaspora. Participants emphasised the importance of keeping people in the region, and noted that South Africa could have an important role to play in this respect. Some parts of Zimbabwe were already integrated into the South African economy, and a Zimbabwean in South Africa might find it easier to return after a period in exile than a Zimbabwean in Britain. For South Africa, taking the ethical stance of refusing to strip a neighbouring country of its human resources could be self-defeating – it could in fact encourage them to enter the global diaspora instead.

Many skilled emigrants found it difficult to obtain work appropriate to their qualifications in destination countries. Therefore, if Zimbabwe did recover and wanted its citizens to return and rebuild its economy, many would not have practised their professions for a number of years. This would have an adverse effect on reconstruction.

The role of remittances in the Zimbabwean economy was also discussed further. Participants noted that, while it was true that remittances were effective at the level of household survival, the impact at the macroeconomic level was more difficult to assess, and Zimbabwe would arguably do a lot better from the return of people and skills. Evidence showed that Zimbabweans overwhelmingly rejected formal channels for money transfers, not least because of the unfavourable and unrealistic official exchange rate, and money was rarely retained as savings or investments but used for survival consumption. One participant speculated that since it was predominantly middle class people who receive remittances, this could result in a parallel economy of private provision, removing pressure on the state to reform itself and perform productively.

Participants asked why ‘Homelink’ – a programme attempting to relink members of the Zimbabwean diaspora with their country through remittances – had failed. Responses were that many people were put off by the government’s involvement in the programme. After being demonised for leaving, exiles were now being asked for their money, and there was a large element of mistrust. There were also questions of how the money would be used when it arrived back in Zimbabwe, and the official exchange rate meant that anyone sending forex to Zimbabwe through government routes would end up sending much less than if the money was sent through the black market.



# Political developments in Zimbabwe and scenarios for migration

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## Chris Maroleng

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**Z**IMBABWE IS TRAPPED in an acute crisis of governance, which has given rise to economic, social, political, and humanitarian problems. Although it is true that the colonial period left all post-colonial African states with serious problems, the contribution of Zimbabwe's post-colonial leaders to the present situation cannot be ignored.

Although the failure of governance is central to understanding the problems facing Zimbabwe, it should also be noted that not only the Zimbabwean government but also the opposition, civil society, and indeed the whole region have been largely immobilised by the lack of consensus as to what should be done to repair this largely self-inflicted damage.

This failure of consensus is derived from three competing imperatives. These are:

- *regime security*, which is the main preoccupation of the ruling ZANU-PF, and includes personal immunity from prosecution or other post-regime-change sanctions;
- *human security*, including human rights and economic security, which is the desired goal of civil society and many of those who have decided to leave Zimbabwe; and
- *a post-nationalist alternative*, around which the (currently divided) Movement for Democratic Change (MDC) has mobilised, and which recognises the decay of Zimbabwean nationalism into survival strategies of patronage, cronyism, violence, and lawlessness.

These competing priorities are rooted in a contested political culture that is the product of the struggle years as well as post-independence influences.

## Political culture

While Zimbabwe's liberation struggle secured independence, the style of rule associated with armed struggle has scarcely evolved in institutional terms. It is still characterised by intolerance, intimidation, and violence. This implies that, in the current political context, the number of people who migrate due to political oppression is unlikely to be reduced unless significant reforms are introduced. Reforms can only be expected when the present style of government, which is predicated on the importance of regime security, is replaced or radically transformed.

Zimbabwe's style of rule associated with armed struggle has scarcely evolved in institutional terms

The most significant contributing legacies of colonial and post-colonial experiences are summarised below.

- Since independence, Zimbabwe's leaders have failed to transform the repressive colonial state structure into a democratic one. A related failure is that ZANU-PF as a former liberation movement has been unable to remould itself into a democratic government.
- The lack of accountability demonstrated by the government after independence is linked to the underdevelopment under colonialism of the concepts of citizenship and participatory democracy.
- The structural adjustment policies introduced by the International Monetary Fund (IMF) and World Bank had a very weak human development component, and exacerbated poverty in Zimbabwe.
- The failure of leadership in independent Zimbabwe has created patronage systems based on region, ethnicity, and political affiliation. These have completely undermined advancement based on merit and the effectiveness of market economics.
- The crisis in Zimbabwe, which has also had a catalytic effect on migration, is essentially structural, and deeply rooted. It cannot be resolved by tinkering with peripheral symptoms or piecemeal measures. Instead it requires far-reaching, honest, and all-encompassing solutions.

The crisis in Zimbabwe, which has also had a catalytic effect on migration, is essentially structural, and deeply rooted

## Some scenarios

At this stage of the crisis it is important to consider some scenarios that may arise as the factors discussed earlier play themselves out.

### Scenario one: slow puncture

In this scenario the state continues its current destructive political and economic policies. The state, the ruling party, and its policy-making bodies continue to be absorbed in the struggles for succession within ZANU-PF. This scenario certainly has beneficiaries as those dependent on ruling party patronage continue to use the criminalised state to pursue their accumulation activities. However, the vast majority of Zimbabweans continue to be pulled and pushed to explore opportunities in other parts of the region, such as South Africa. This scenario sees a steady and ever increasing flow of migrants moving into the region.

### Scenario two: a means to an end

Efforts to encourage reform within the ruling party result in the choice of a successor to Mugabe, thus paving the way for the 'reformers' in ZANU-PF to step forward, and opening up space for a national dialogue with the opposition and the international community. This scenario has been the preferred option of SADC and the South African government since 2002. It is for this reason that the hopes of the international community were raised when SADC appointed President Thabo Mbeki to mediate between the MDC and ZANU-PF. By December 2007 it appeared as if significant progress had been made towards bringing the political actors closer to a compromise, though much depended on the crucial need to underpin such a compromise by holding demonstrably free and fair elections,

either within the constitutional time frame (by end March 2008) or later, to allow more favourable campaigning conditions.

If this diplomatic initiative succeeds, it could stabilise the political and economic environment, raising the confidence of both investors in and citizens of this country. Such a scenario could see a reduction in the rate and the number of illegal migrants to South Africa in the medium to long term. This initiative has the best possibility of providing a lasting solution to this crisis, as it begins to address at their source some of the structural flaws in governance and the economy that have motivated so many people to leave Zimbabwe.

### Scenario three: mass revolt

This scenario is based on the occurrence of a mass revolt against the ruling party, against the background of hyperinflation and an economy in free fall. Such an uprising would probably be met by a violent and overwhelming response by the security forces, which have a monopoly over coercive means. This would lead to an escalation in the use of politically motivated violence, the declaration of a state of emergency, and a further reduction in human security. As the security situation deteriorates, people would feel that they might have to leave to areas and countries which they believe could provide them with refugee status. In this scenario we would see an unprecedented number of people fleeing this country to seek refuge, as the situation slowly deteriorates into a state of civil war. However, there is currently little evidence that preparations are under way for sustained mass action.

## Conclusion

For the various national, regional and international actors seeking a way out of the current political impasse in Zimbabwe, there is an enormous sense of frustration. While the deepening economic and political crisis points to a clear need for a new political solution, the continued intransigence of key sections of the ruling party, especially the security apparatus, has led to the politics of continued stalemate. In this situation, repressive political control and a severely weakened opposition are accompanied by the continued deterioration of the living conditions of the majority of citizens. Moreover, attempts at regional and international diplomatic intervention have persistently been frustrated by the ruling party's belief that it alone will decide the rate and form of change in the country. Under such conditions it is likely that substantive reforms will only come about as a result of renewed internal and external pressures on ZANU-PF, although the principal hopes for positive change must rest on internal developments.

In the absence of credible hopes for a political settlement in the near future, the push factors of continued economic decay – inflation, shortages of all essential goods, rocketing unemployment, and deteriorating social services – will continue. South Africa's relatively robust economic performance will continue to exert a similar range of pull factors. Cross-border migration is set to remain a central feature of the Zimbabwean crisis, and a challenge to South African policy-makers.

For the various national, regional and international actors seeking a way out of the current political impasse in Zimbabwe, there is an enormous sense of frustration

## Discussion

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Participants discussed the SADC mediation and its potential for success (especially whether ZANU-PF would adhere to the agreed time frames). Some pointed to positive developments such as enhanced dialogue, legislative reform, and a discussion of succession within ZANU-PF. However, some felt that Mugabe would not adhere to the proposed time frames for handing over power. One participant suggested that commentators were failing to appreciate his survival skills, as well as the fact that he was unlikely to stand down if he won the next election (especially without security from prosecution). Added to this problem was that fact that the key mediator – Mbeki – was becoming increasingly engrossed in South Africa’s current domestic politics, which could hamper his mediation efforts.

Although SADC did not involve itself in internal politics, there were growing pressures in the region for Mugabe to reform

In response, another participant noted that although SADC did not involve itself in internal politics, there were growing pressures in the region for Mugabe to reform. It was suggested that the internal dynamics of ZANU PF and the economy would both result in reform – as the economic situation deteriorated, the ‘patronage cake’ would get smaller and smaller. There were indications that some ZANU PF members were beginning to see Mugabe as a liability.

A participant said a key problem was that many citizens had very little faith in any political leaders – a key factor in encouraging people to return. Furthermore, the West placed the responsibility for recovery on regime change, but this is problematic as the opposition was similar to ZANU-PF in some ways. Therefore, there was a wider issue of political culture. One solution to this would be to ensure broader institutional reform, including reform of the judiciary. Ironically, the sudden removal of Mugabe, whether through death or overthrow, could precipitate even worse instability as ZANU-PF factions fought for the patronage spoils of succession, without the restraint of his presence.

One commentator raised the possibility of a military coup. Others thought this was unlikely, at least as long as the state did not disintegrate, as the principle of civil (at least party) supremacy over the military appeared to be intact. However, it could be argued that a ‘creeping coup’ has already taken place following the appointment of many military officials to civilian bureaucratic positions in the Mugabe administration.

# South African policy responses to migration from Zimbabwe

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**Kate Lefko-Everett**

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THE PAST YEAR has seen a profound deepening of what the South African government has referred to as the 'Zimbabwe crisis'.<sup>1</sup> It has also seen a flurry of media reports on increasing numbers of Zimbabwean migrants arriving in this country, although official data remains limited.<sup>2</sup> While the DHA maintains that the number of legal border crossings has not increased, it has conceded 'recorded increases in the number of people entering South Africa illegally'. Research conducted in border areas also indicates that 'Zimbabwean cross-border migration has generally increased in recent months, although the magnitude of these increases remains unclear'.<sup>3</sup>

Despite reports of increasing numbers of Zimbabweans migrating to South Africa, the government has been relatively silent on a policy solution for this trend. Although the DHA is responsible for managing migration, this silence reflects a national rather than a departmental position.

However, on 16 July 2007 the Democratic Alliance (DA) eventually provoked some public debate about an appropriate policy response when it called for the establishment of refugee camps in the northern border areas to accommodate Zimbabweans arriving in the country. DA MP Mark Lowe issued a statement calling on the DHA 'to immediately investigate setting up refugee camps in order assist the people from Zimbabwe'.<sup>4</sup> Pressure on the DHA mounted further a month later when the media published reports about a leaked plan drafted by the government in 2002 to 'cope with an eventual exodus of Zimbabwean refugees fleeing the country's economic and political crisis'.<sup>5</sup>

The DHA has rejected calls for the establishment of refugee camps, mainly on the grounds that most Zimbabweans in South Africa are 'economic migrants', and therefore do not qualify for refugee status.<sup>6</sup> In something of a hollow defence, it has also cited data indicating that in the first six months of 2007 only one Zimbabwean applied for asylum at the Beit Bridge border post. As a result, it has stated, 'calls for the establishment of refugee camps would seem to be misplaced'.<sup>7</sup>

At the same time, the Minister of Home Affairs, Nosiviwe Mapisa-Nkqula, has acknowledged the need for a 'new approach' towards irregular migration, recognising both the unsustainable costs of detention and repatriation and the futility of these processes when deportees continue to return to South Africa. Given that the government views most Zimbabweans as economic migrants, an economic policy solution is needed. In late August 2007 the minister stated that the government was considering issuing temporary

The Minister of Home Affairs has acknowledged the need for a 'new approach' towards irregular migration

residence permits for Zimbabweans, in order to regularise their status in the country and allow them to work legally in the country.

## Potential impact on the asylum claims system

This proposal is an interesting one, and offers a number of potential policy advantages. First, it may take some of the pressure off South Africa's ailing and overloaded asylum system. Consistent with the position taken by the national government, the DHA maintains that most Zimbabweans in South Africa are economic migrants, and therefore do not qualify for refugee status under the Refugees Act of 1998. Nonetheless, the asylum claims system appears to be bearing some of the weight of migration from Zimbabwe; in September 2007 the DHA acknowledged that the backlog in asylum claims had grown to more than 144 000.<sup>8</sup> Of the 53 363 claims submitted in 2006, about 35 per cent were submitted by Zimbabweans. Mapisa-Nkaqula has placed much of the blame for the 'clogging' of the asylum system on economic migrants pursuing a 'fairytale [that] has done the rounds that refugee status is an easy way to get permission to stay.'<sup>9</sup>

Very few asylum-seekers are likely to be granted refugee status without specific proof of individual persecution

Unless the national policy position on Zimbabwe changes, very few asylum-seekers are likely to be granted refugee status without specific proof of individual persecution. However, Zimbabweans will still have the right to apply for asylum just as any other migrant would, and denying legitimate claimants the right to apply for asylum would in fact contravene the international principle of *non-refoulement*.<sup>10</sup> The DHA is also legally obliged to assess the merits of all asylum claims individually, and cannot use nationality as a basis for denial.

If the aim of the temporary residence proposal is to dissuade economic migrants from making asylum claims, permits will also have to give them rights to residence and work. Further, a much faster turnaround time in the refugee determination process would help to dissuade migrants from applying for refugee status.

## Strengths and shortcomings of the temporary residence proposal

If the temporary residence permits proposed by Mapisa-Nkaqula do in fact offer holders the rights to residence and work, they will indeed hold a number of benefits for Zimbabwean migrants. They would certainly give the holders more secure legal status in South Africa, and help them to avoid the dehumanising experiences of arrest, detention, and deportation.

The right to work in South Africa will be an equally vital feature of the proposal. A temporary residence permit does not guarantee the holder the right to work, and the DHA would probably have to give Zimbabweans a specific exemption from the Immigration Act.

Besides the legal rights attached to residence, migrants would still be left virtually unassisted to work out the remaining factors in the migration equation, such as how to find jobs and accommodation, and access key services such as health care and education. Would the government play a role in this regard?

Other uncertainties arise from procedural questions that would have to be addressed to place the proposal on a more solid footing. For example, would issuing temporary

residence permits mean relaxing the strict visa conditions currently imposed on Zimbabweans? Many Zimbabweans are unable to obtain passports - there are reports of a waiting period of up to four years - and shortages of ink and passport paper due to foreign exchange shortages in Zimbabwe are likely to exacerbate this. How would the DHA treat irregular migrants without passports or any legal documents whatsoever? Further, would temporary residence also be extended to economic migrants from other SADC countries and beyond, or would this particular dispensation only apply to Zimbabweans? The proposal also requires the DHA to consider for how long temporary residence permits would be offered, and the residence options available to migrants in South Africa once the 'Zimbabwean crisis' is over.

All of these questions have implications for numerous other government departments that would necessarily be involved in delivering services to migrants, warranting broad consultation within government. In the light of these uncertainties it is perhaps not surprising that nothing appears to have come of the temporary residence proposal since it was first announced.

## Other policy options: accelerated implementation of the SADC Protocol

An additional avenue open to the government that has not featured sufficiently in public discourse is the accelerated implementation of the SADC Protocol on the Facilitation of Movement of Persons (FMPP). The protocol has been signed by nine SADC member states, including South Africa and Zimbabwe<sup>11</sup> (see box, **SADC and migration policy**). More may be achieved by facilitating the movement of people and relaxing existing restrictions on travel than introducing new regulations specifically applicable to Zimbabweans. For example, one of the main features of the protocol is visa-free entry into other member states, for lawful purposes, and up to 90 days. Currently, this facility is already available to Botswana nationals through a bilateral agreement, and many other SADC nationals enjoy visa-free entry to South Africa for up to 30 days (see box, **Mozambicans in South Africa**).<sup>12</sup>

An additional avenue open to the government is the accelerated implementation of the SADC Protocol

### Mozambicans in South Africa

Mozambique and South Africa signed a visa waiver agreement in April 2005, allowing citizens of either country to stay in the other country for up to 30 days without a visa. The aim of this agreement was to encourage legal entry into South Africa, and echoes 30-day waiver agreements South Africa has entered into with Namibia, Lesotho, Malawi, Mauritius, Namibia, Swaziland and Zambia. South Africa also has a 90-day waiver agreement with Botswana.<sup>13</sup> At the time, the Minister of Home Affairs, Nosiviwe Mapisa-Nqakula, said: 'We are refining our policies to ensure that people who need to come into our country can do so conveniently...however, those who choose to do so through illegal means will face the full strength of the law.' President Thabo Mbeki echoed her sentiments, stating that 'as a South African I found it embarrassing that our government required Mozambicans coming into the country not only to possess a visa but to also pay for that visa in US dollars...this imposed an intolerable hardship on Mozambican people... Mozambicans have been working in this country for over a century.'<sup>14</sup>

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The protocol also calls for policy measures to facilitate temporary and permanent residence, and allow individuals to work in other countries in the region

### SADC and migration policy

The Southern African Development Community (SADC) formally began talks around the issue of the free movement of persons within the region in July 1993. The Draft Protocol on the Facilitation of Movement of Persons in the SADC was tabled for consideration by member states in 1997. It was approved in principle at the SADC Summit of August 1997, but was put on indefinite hold in 1998. It was revived in 2003 during discussions by the SADC Organ on Politics, Defence and Security Co-operation,<sup>15</sup> and approved by the ministerial committee of the organ in July 2005. The protocol was then tabled for signing at the 2005 SADC Summit. It has been signed by Botswana, the Democratic Republic of Congo, Lesotho, Namibia, Mozambique, South Africa, Swaziland, Tanzania, and Zimbabwe. However, this does not oblige member states to implement the protocol; after signature it must be ratified by member states in accordance with their own constitutional procedures, and will only enter into force 30 days after two thirds of SADC member states have lodged their ratification documents with the SADC secretariat. Currently only Mozambique, Botswana and Swaziland have ratified the document. The 1997 draft is a more measured document than previous ones, and more closely reflects realities in the highly economically uneven SADC grouping. It has the following objectives:

to facilitate the movement of citizens of member states within the region by gradually eliminating obstacles which impede such movement;

to expand the network of bilateral agreements among member states in this regard, as a step towards a multilateral regional agreement; and

to co-operate in preventing the illegal movement of citizens of member states and the illegal movement of nationals of third states within and into the region.<sup>16</sup>

The 1997 Protocol has been in circulation since it was approved in principle at the SADC Summit in August 1997, yet it took eight years for the document to be signed, and it remains ratified by only three states. If this is an indication of the political will behind this document, a few more years may elapse before the required two thirds of member states hand in their ratification documents. However, given the high levels of migration and skills circulation (whether legal or otherwise) in the region, the document could be a useful basis for a discussion of alternative ways of regulating the movement of people.

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Reducing visa restrictions on Zimbabweans (entry requirements for Zimbabweans are far stricter than for nationals of most other SADC member states) would probably make it easier for migrants to enter South Africa legally, seek employment through formal channels, and return home regularly without having to undergo lengthy and expensive visa application processes. Migrants with passports would be more likely to use official border posts, generating more accurate data on the number of migrants in the country than the wide range of figures currently bandied about.

Importantly, the protocol also calls for policy measures to facilitate temporary and permanent residence, and allow individuals to work in other countries in the region. This is generally consistent with what the temporary residence proposal aims to achieve, but would also extend opportunities for job-seeking to economic migrants from other SADC countries; in doing so it would create more breathing space for the asylum system as well as reducing the costs associated with immigration enforcement, border patrols, detention, and repatriation.



Finally, a policy approach based on accelerating the implementation of the SADC Protocol has the advantage of having already been endorsed by the national government. By contrast, the temporary residence scheme may still have to be canvassed with the numerous departments involved in implementation and service delivery, including Foreign Affairs, Safety and Security, Labour, Health, and Social Development.

## The way forward

Mapisa-Nqakula's recent proposal to issue temporary residence permits to Zimbabweans holds some promise in terms of diverting pressure away from the overburdened asylum system, and providing so-called economic migrants with security of residence and access to employment. However, many questions remain unanswered, and must be given due consideration by the DHA and other affected departments before the proposal can be introduced as a viable policy option. In the process of further developing the proposal, the department must also take cognisance of the following:

- 1) Policy responses should facilitate the collection of more accurate migration data.
- 2) Substantial improvements need to be made to the efficiency and functionality of the asylum claims and refugee determination systems, both to discourage asylum claims by economic migrants and ensure administrative justice for claimants.
- 3) If temporary residence permits do not offer Zimbabweans the right to work, the government will not provide an effective economic solution to what has been identified as an economic problem.
- 4) A truly responsive policy approach may require the government to consider providing further support to migrants in accessing employment and services.
- 5) Accelerating implementation of policy changes related to the SADC Protocol would in fact achieve many of the goals of the temporary residence permit proposal, while also achieving progress towards other regional objectives.

The restrictive approach to the movement of people across the country's borders is no longer sustainable

## Discussion

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A participant said that although there was pressure on the DHA to produce sound policy, it was really the national government's responsibility to find a solution for this problem. Given that the national government had characterised the problem as a predominantly economic one, the solution should be economically based as well.

Participants questioned whether South Africa and other SADC member states had really bought into the SADC Protocol, but acknowledged that South Africa had realised it needed to stimulate economic growth and development throughout the region. The restrictive approach to the movement of people across the country's borders is no longer sustainable. It was also noted that the protocol had undergone many changes and had thus become more politically acceptable. Some participants viewed the protocol as a way for SADC to take action without disturbing the 'quiet diplomacy' negotiations.

A participant asked whether it was politically feasible to open borders at the same time as a surge in mass movement from one country to another. Usually, regional integration

occurred when all countries affected were at similar levels of development. Secondly, if a regulated system of work permits became available, what would happen to refugee and asylum claims?

Some European analysts believed that opening the door to more legal migrants (as the protocol would do) would be politically unwise. This was because South Africa's first priority was service delivery – something that could become more difficult if more migrants were given the right to demand services. Furthermore, encouraging people to leave their homes in other countries to come and work in South Africa, the region's richest nation, was tantamount to doing what the EU had been criticised for so heavily: tempting skilled people away from their own countries where they were most needed.

A participant pointed out the difference between migrating to another country in the region and going overseas. If a skilled migrant stayed in the region, this would amount to a transfer of skills, and shared economic stimulation.

Zimbabweans currently had a huge incentive to apply for asylum and refugee status in South Africa

Some participants criticised the SADC Protocol on the grounds that it failed to take account of certain human rights, and absolved South Africa of any responsibility beyond allowing legal entry to the country. Vulnerable groups required more than just access. One solution was to frame the problem around drought and famine relief, so as not to make the issue more politically inflammable. This would result in camps set up within South Africa's borders, and these could be internationally co-ordinated to care for people coming through on a 90-day legal entry permit. However, South Africans also needed this kind of assistance. It was also unclear how overstays would be regulated and policed.

Another key issue was that free movement under the protocol would only apply to people who already had documentation (and could thus enter South Africa on a 90-day pass). However, participants did concede that the protocol would give South Africa a means of regulating who would enter the country – a process that would probably continue both in South Africa and in the region.

A Zimbabwean participant said liberalising the visa process would be a welcome initiative. However, it was really an issue of being neighbourly, and of paying back Zimbabwe for the assistance it had given South Africa during apartheid. The case of Malawi provided a further incentive for greater legal freedom of movement: South Africa allowed Malawians to enter the country for a defined period, and data showed that legal entries had increased, as had customs revenue. Incentives for not overstaying the permit periods were fines, and the refusal to re-issue permits. However, the government did seem to be moving away from these kinds of bilateral agreements, given that it had expressed its support for the SADC Protocol, which would make these kinds of arrangements superfluous.

Zimbabweans currently had a huge incentive to apply for asylum and refugee status in South Africa; the long waiting period (up to five years) meant that the applicant had legal leave to remain and work in South Africa until a decision on his or her status was reached. If the waiting period was shorter, and prospective economic migrants had a legal alternative, this might stem the tide of applications for asylum.

Finally, participants pointed out that while the workshop had tried to sort out policy issues for South Africa, the root of the crisis really lay in Zimbabwe. Half of South Africa's cabinet, and indeed its president, had been migrants for the best part of 30 years. It was therefore surprising that the government was not speaking out more vigorously on this issue.

# Concluding remarks

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**B**Y COMMISSIONING THE presentations, hosting the workshop discussions, and producing this publication, CDE hopes it will help widen public debate on a policy issue that presents numerous complexities and dilemmas.

CDE's interest in migration issues has motivated it to follow global policy debates and developments about all aspects of immigration, legal and illegal, as they have mushroomed spectacularly in recent years. Before going on to summarise what we have learnt from this study of Zimbabwean migration to South Africa, it is worth noting, in the interests of framing realistic debate, some general aspects of migration issues as they have developed in all countries with more developed economies and higher standards of living than poorer neighbours.

- Many of the difficulties of migration policy stem from the bureaucratic tendency to criminalise behaviour that is deeply embedded in the logic of human motivation: that is, people – especially energetic, resourceful and adventurous ones – react to sharp differences in opportunity and life circumstances by moving to improve their lives. No migrant believes he or she is a criminal, and few are deterred by sanctions that are in any way proportionate to the 'offence'.
- Illegal immigration does not take place on any scale unless migrants at some level fill some need or needs in the receiving country's economy, whether this is acknowledged openly or not.
- Control measures alone – border fences, documentary control, detention and deportation – will not eradicate illegal immigration, certainly not without a disproportionate allocation and expenditure of resources, and threats to the tenets of a free society.
- However, all initiatives which recognise that control measures will not be effective on their own and aim instead to regularise the status of illegal migrants risk being seen as appeasement, and as rewarding breaking the law.
- As much if not more than any public policy issue, migration management policies need to retain public confidence; however, elite concerns for human rights and labour needs of the economy are often at variance with popular concerns about border control, bogus claims to asylum, perceived preferential treatment for foreigners over locals and consumption of public resources, and unfair competition in the labour market.

As South African policy-makers face up to the short-term challenges of crisis-driven migration from Zimbabwe, and the longer-term issue of regional migration driven by economic differentials, these considerations will have to be taken into account if realistic and workable policies are to be developed. Moreover, they will have to be supported by a broad-based public debate that takes seriously all the concerns outlined above.

CDE's workshop raises some interesting and difficult issues for policy-makers – both from what was present in the proceedings, and what was absent. Among the key points to emerge from the presentations and discussion are:

- Authoritative figures on the number of Zimbabweans in South Africa remain elusive. However, survey evidence and deductions from known facts about Zimbabwe's

Control measures  
alone will not eradicate  
illegal immigration

The differentials between South Africa and its regional neighbours will not go away, and neither will migration driven by those differentials

population statistics suggest that the higher estimates – 3 million is one – are probably incorrect. Perhaps 1 million migrants is the best estimate we have at this moment.

- Although migration from Zimbabwe has escalated greatly since 2000, when its political and economic problems began to deepen, migration of this sort has been going on for a long time, and is made up of many types of people, in whose lives migration plays different parts.
- No immediate respite from continuing migration can be expected: political developments in Zimbabwe are uncertain and could move either in the direction of settlement, or lurch towards deeper crisis. Whatever happens, rebuilding Zimbabwe will be a long process, and as long as South Africa's economy continues to grow at all (and experience skills shortages) this will be a significant 'pull factor'.
- South Africa has assumed demanding obligations towards refugees and asylum-seekers under international law, but according to critics is failing to discharge them effectively. The most obvious shortcomings are in speedily processing applications for refugee status under these obligations. Some critics would like to see South Africa adopt an interpretation of the Zimbabwe political and economic crises that would allow for more generous definitions of 'refugee' in this context.

As noted in the introduction, any discussion of policy issues arising from the influx of Zimbabwean immigrants tends to be led by a consideration of the needs, rights and expectations of the migrants themselves, and of the ethical and legal dimensions of policy.

CDE's workshop proved to be no exception to this. What was missing was a discussion, framed by clear understandings of South Africa's interests, capabilities and domestic politics, of how the difficult policy questions posed by substantial flows of people across regional borders might be faced.

Zimbabwe's political and economic crisis has usefully dramatised issues of regional migration and pushed them up the policy agenda, but also threatens to cloud them in two ways.

The first is by framing migration as an exclusively humanitarian issue, when in fact the management and control of the cross-border movement of people is a perfectly legitimate goal, even if very difficult to achieve.

The second is by producing both hope and resignation about migration; hope that it is a passing emergency that will be sorted out when Zimbabwe is sorted out, and resignation that there isn't much that we can do about it. As Mbeki said (in the quotation with which we began this report): 'I personally think it's something that we have to live with .... You can't put a Great Wall of China between South Africa and Zimbabwe to stop people walking across ...'

Neither of these tendencies is helpful. Crisis or no crisis, the differentials between South Africa and its regional neighbours – in economic opportunity, service provision, and even social welfare – will not go away, and neither will migration driven by those differentials. Many issues other than humanitarian ones are raised by these facts, and there has to be a policy conversation about them.

- How do we deal with the gap between obligations and delivery in refugee and asylum matters? Is it purely a matter of bureaucratic capacity, or should the obligations themselves be redefined or reinterpreted?

- Are the burdens of coping with an exodus from an increasingly intolerable Zimbabwe South Africa's alone, or should they be internationalised, especially if and when an outright collapse occurs?
- What are the realistic limits, costs, and benefits of attempts to control the flows of people? For example, does the failure of the 'arrest, detain, deport' policy mean that we should look for alternatives, or devote greater efforts – including reassigning responsibility for it – to its operation?
- Are we making enough use of skilled Zimbabwean migrants to fill the skills gaps that are a constraint on economic growth? Can we make greater and better use of them without hindering Zimbabwe's recovery and development prospects?
- What are the impacts of migration on crime and service delivery – including health, education and welfare – especially given the ease with which southern African migrants blend into South African society, and apparent ease with which they obtain fraudulent identity documents?

The absence of convincing answers to these tough questions highlights a lack of realism and failure of leadership on the crucial issues of regional migration. While the short-term focus may properly be on humanitarian issues and questions of international obligations, it is essential to acknowledge that South Africa's economic success is the underlying driver of regional migration. Therefore, the key challenge is to manage migration in ways that sustain, strengthen and broaden that economic success, and guard against direct or indirect damage to it from the regional flows of people.

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# Endnotes

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## Drowning in numbers

- 1 This report draws heavily on two reports previously prepared by the Forced Migration Studies Programme: Tara Polzer, *Current South African Institutional and Organizational Responses to Recently Arrived Zimbabweans in South Africa*, written on behalf of Oxfam UK; and Darshan Vigneswaran, *Fact or Fiction? Examining Zimbabwean Cross-Border Migration into South Africa*, compiled by on behalf of the FMSP and the Musina Legal Advice Office. It also draws on Dr Ingrid Palmary's unpublished work on behalf of Save the Children UK.
- 2 These figures were recorded at the IOM reception centre at Beit Bridge.
- 3 Daniel Makina, *Survey Profile of Migrant Zimbabweans in South Africa: A Pilot Study*. Pretoria: University of South Africa, 25 September 2007. Prof Makina's report is the subject of the next presentation.
- 4 CIA Fact Book, entry on Zimbabwe, <https://www.cia.gov/library/publications/the-world-factbook/geos/zi.html>.
- 5 It was not possible to find a study that clearly supports this, apart from the exceptionally high education levels of the inner city respondents in Prof Makina's study. However, see the discussion of this presentation for the official South African evaluation of Zimbabweans' qualifications.
- 6 Consortium for Refugees and Migrants in South Africa, *Protecting Refugees and Asylum Seekers in South Africa*, Johannesburg, 2007, p 15.
- 7 Makina, *Survey Profile of Migrant Zimbabweans in South Africa*, p 5.
- 8 Zimbabwe Torture Victims Project, *Between a Rock and a Hard Place: a window on the situation of Zimbabweans living in Gauteng*, Johannesburg: IDASA, 2007, p 9.
- 9 *Refoulement* is a principle in international refugee law that protects refugees from being returned to places where their lives or freedoms could be threatened.

## A profile of Zimbabwean migrants in Johannesburg

- 1 Those involved were the Mass Public Opinion Institute, an NGO based in Harare, and the Zimbabwe Diaspora Civil Society Organisations, in partnership with IDASA.
- 2 Respondents were allowed to give multiple responses, up to a maximum of two.
- 3 Republic of South Africa Government Gazette No 130 of 1998: Refugees Act no 130 of 1998, p 6.
- 4 Gcinumzi Ntlakana, acting deputy director, National Immigration Branch, DHA, statement on the Refugee Backlog Project, Court Classique Hotel, Pretoria, 20 April 2006, <http://www.info.gov.za/speeches/2006/06042108451002.htm>.
- 5 Ibid.
- 6 [http://www.home-affairs.gov.za/media\\_releases.asp?id=426](http://www.home-affairs.gov.za/media_releases.asp?id=426).
- 7 Interview with D Moosa, Migrant Help Desk, City of Johannesburg, 23 January 2008.

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- 1 W Pendleton and others, *Migration, Remittances and Development in Southern Africa*, Migration Policy Series No 44, SAMP, Kingston, 2006.
- 2 L Zinyama, *International Migration and Zimbabwe: An Overview*, in DS Tevera and L Zinyama, *Zimbabweans Who Move: Perspectives on International Migration in Zimbabwe*, Migration Policy Series No 25, SAMP, Kingston, 2002, pp 7-41.
- 3 C J Chetsanga and T Muchenje, *An analysis of the cause and effect of the brain drain in Zimbabwe*, Scientific and Industrial Research and Development Centre, Harare, 2003.
- 4 Ibid.

- 5 D S Tevera and J Crush, *The New Brain Drain from Zimbabwe*, Migration Policy Series No 29, SAMP, Kingston, 2003.
- 6 D S Tevera, *Early Departures: The Emigration Potential of Zimbabwean Students*, Migration Policy Series No 39, 2005.
- 7 IOM, *The Development potential of Zimbabweans in the diaspora; a survey of Zimbabweans living in the UK and South Africa*, IOM Migration Research Series No 17, 2005.
- 8 Chetsanga and Muchenje, *An analysis of the cause and effect of the brain drain in Zimbabwe*. The secretary-general of PTUZ was quoted to this effect by IRIN (a United Nations news agency for Africa) on 8 October 2007.
- 10 N Khumalo, *Zimbabwe loses 25 000 teachers as brain drain quickens*, *Zimonline*, 14 November 2007, <http://www.zimonline.co.za/Article.aspx?ArticleId=2310>.
- 11 W Pendleton and others, *Migration, Remittances and Development in Southern Africa*.

### South African policy responses to migration from Zimbabwe

- 1 Department of Foreign Affairs, Notes following briefing by Deputy Minister Aziz Pahad, 23 March 2007, <http://www.dfa.gov.za/docs/speeches/2007/pahad0326.htm>
- 2 See, for example, D Hawker, Z Feni, S Mangxamba and M Williams, *Zim refugees pour into South Africa*, *Cape Times*, 4 April 2007, p 1, [www.iol.co.za](http://www.iol.co.za); *Mail & Guardian [online]*, *Refugees flood into SA from Zimbabwe*, 1 July 2007, [www.mg.co.za](http://www.mg.co.za); AFP, *Government 'in control of refugee crisis'*, 12 August 2007, [www.iol.co.za](http://www.iol.co.za); C Byrne, *Illegals flee to SA*, *News24 online*, 19 March 2007, [www.news24.com](http://www.news24.com); Forced Migration Studies Programme and Musina Legal Advice Office, *Special Report: Fact or Fiction? Examining Zimbabwean Cross-Border Migration into South Africa*, 2007, p 5, <http://migration.org.za/>.
- 3 FSMP et al, *Special Report*, p 5.
- 4 SAPA, *DA-state spat over Zim continues*, 18 July 2007, [www.iol.co.za](http://www.iol.co.za); SAPA, *DA turns its attention to home affairs*, 31 July 2007, [www.iol.co.za](http://www.iol.co.za); Democratic Alliance, *Home Affairs is still trying to wriggle out of responsibilities to Zimbabwean refugees*, Statement issued by M Thetjeng, 10 September 2007, [www.da.org.za](http://www.da.org.za); Democratic Alliance, *DA writes to SAHRC asking them to look into Zimbabwean refugee crisis*, Statement issued by M Lowe, spokesperson on Home Affairs, 23 July 2007, [www.da.org.za](http://www.da.org.za).
- 5 SAPA-DPA, *Camps planned for Zim refugees – report*, 10 August 2007, [www.iol.co.za](http://www.iol.co.za).
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- 8 DHA, *Statement on the Home Affairs Director General's First 100 Days in Office*, [http://www.dha.gov.za/media\\_releases.asp?id=426](http://www.dha.gov.za/media_releases.asp?id=426).
- 9 DHA, *Speech by Home Affairs Minister Nosiviwe Mapisa-Nqakula on World Refugee Day*, 20 June 2007, Motherwell, [www.dha.gov.za](http://www.dha.gov.za).
- 10 FSMP et al, *Special Report*, p 8.
- 11 SADC Protocol on the Facilitation of Movement of Persons, [www.sadc.int](http://www.sadc.int).
- 12 *Visa-free entry for up to 30 days is permitted for nationals of Lesotho, Malawi, Mauritius, Mozambique, Namibia, Seychelles, Swaziland and Zambia. Visa-free entry is only open to Zimbabwean government officials*. See [www.dha.gov.za](http://www.dha.gov.za).
- 13 [http://home-affairs.pwv.gov.za/media\\_releases.asp?id=229](http://home-affairs.pwv.gov.za/media_releases.asp?id=229)
- 14 [http://www.southafrica.info/public\\_services/foreigners/immigration/moz-130405.htm](http://www.southafrica.info/public_services/foreigners/immigration/moz-130405.htm)
- 15 V Williams and L Carr, *The Draft Protocol on the Facilitation of Movement of Persons in SADC: Implications for State Parties*, *Migration Policy Brief* No 18, 2006, p 7.
- 16 H Solomon, *Towards the free movement of people in Southern Africa?*, March 1997.

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Illegal immigration does not take place on any scale unless migrants at some level fill some need or needs in the receiving country's economy, whether this is acknowledged openly or not



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Control measures alone – border fences, documentary control, detention and deportation – will not eradicate illegal immigration, certainly not without a disproportionate allocation and expenditure of resources, and threats to the tenets of a free society

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The key challenge is to manage migration in ways that sustain, strengthen and broaden South Africa's economic success, and guard against direct or indirect damage to it from the regional flows of people





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