



Australian Government
Refugee Review Tribunal

Country Advice

Zimbabwe

Zimbabwe – ZWE38877 – Mugabe Family
Farms – Working Conditions –
Zimbabwean Passports – Access to
Education, Health Care and Church –
South Africa – Visitor Visas – Xenophobic
Attacks

17 June 2011

Introductory note on land acquisition and ZANU-PF farm ownership:

In 1990, with virtually no opposition the office of President Mugabe began to propagate some of its most controversial legislation, including the 1992 *Land Acquisition Act*, permitting the compulsory acquisition of land from white farmers. In 1997, ZANU-PF revoked the right of farmers to be fully compensated for such acquisitions. The wholesale acquisition of properties began in 2000. By 2010, 40 per cent of all land acquired for ‘redistribution’ had been given to ZANU-PF politicians and allies.¹

Robert Mugabe and his wife Grace are said to ‘own’ 14 farms, collectively covering approximately 16,000 hectares.² Grace Mugabe herself is said to have up to six farms.³

1. Deleted.

2. Please provide information/reports on working conditions on the Mugabe family’s farms and on whether there are any reports of intimidation or harassment of employees on the Mugabe farms?

In August 2010, an article in *The Zimbabwean* reported that over 50 workers at a Mugabe family farm had been sent on “forced, unpaid and indefinite leave”. Monthly wages and food rations ceased for affected workers, although they were told to stay at the staff compound until called for duty again. The same article further reports that the staff compound at the farm was rundown and

¹ Smith, D. 2010, ‘Mugabe and allies own 40% of land seized from white farmers – inquiry’, *The Guardian*, 30 November <http://www.guardian.co.uk/world/2010/nov/30/zimbabwe-mugabe-white-farmers> – Accessed 8 December 2010 – Attachment 1

² Smith, D. 2010, ‘Mugabe and allies own 40% of land seized from white farmers – inquiry’, *The Guardian*, 30 November <http://www.guardian.co.uk/world/2010/nov/30/zimbabwe-mugabe-white-farmers> – Accessed 8 December 2010 – Attachment 1

³ ‘Mugabe’s Milk’ 2009, in ‘The Insider – Breaking News – September 2009’ The Insider website, September <http://www.insiderzim.com/archive/insiderseptember2009/september09breakingnews.html> – Accessed 9 June 2011 – Attachment 2

without electricity or school facilities. Workers were reportedly subject to beatings and harassment, and comparatively low wages:

“Working conditions at the farm are hostile. A brutal police officer [...] was reportedly transferred [...] to harass and discipline ‘mischievous’ farm workers. He would put accused workers in hand-cuffs, remove their shoes and beat them under the feet. Workers earn an average \$40 per month. We thought since the farm operated on a commercial basis and was owned by the head of state, wages would be higher,” commented a businessman ...⁴

The article does not state whether the treatment of administrative staff has differed on the farm compared to the treatment of labourers.

More broadly, a 2007 article in *The Daily Telegraph* states that many farm workers had migrated to Harare to seek employment rather than work for the new owners of farms seized under the *Land Acquisition Act*. One interviewee states that he was paid Z\$5,000 per month for working on a maize farm in Mazowe. Zimbabwe’s agricultural union stated that, at the time, average wages were Z\$8,300 per month, whereas a kilogram of beef cost Z\$15,000. Another former farm worker states that he was paid in used clothes rather than cash.⁵ *The Zimbabwean* reported in 2009 that thousands of farmers and their families faced daily “harassment” and “infringement of their right to express themselves”.⁶

Generally speaking, farm workers were a source of support for the MDC around the year 2000 when compulsory acquisition of farms began to increase. Farm workers thus fell into the “broad array of ‘enemies’ and ‘traitors’” of ZANU-PF.⁷

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5. Please advise on whether a person would be able to obtain a passport and visa to South Africa on behalf of another person, as compared to requiring personal attendance and interview etc.

Advice currently available on Zimbabwe’s Ministry of Home Affairs website states that all passport applications are to be submitted, and all passports are to be collected, in person.⁸

⁴ Makoni, J. 2010, ‘Mugabe’s workers sent on unpaid leave’, *The Zimbabwean*, 18 August http://www.thezimbabwean.co.uk/index.php?option=com_content&view=article&id=33564:mugabes-workers-sent-on-unpaid-leave-&catid=31 – Accessed 10 June 2011 – Attachment 10

⁵ ‘Workers run from Mugabe’s farmers’ 2007, *The Telegraph*, 4 February <http://www.telegraph.co.uk/news/worldnews/africaandindianocean/zimbabwe/6231765/Robert-Mugabe-has-built-up-10000-acre-farm-of-seized-land.html> – Accessed 14 June 2011 – Attachment 8

⁶ Kwaramba, F. 2009 ‘Zimbabwe: No human rights for farm labour’, *The Zimbabwean*, 13 December, in Reliefweb 2011, ‘Briefing Kit for The Zimbabwean’ , Reliefweb website 14 June http://reliefweb.int/sites/reliefweb.int/files/reliefweb_pdf/briefingkit-56b481a5a7dc7357cfba13ed3b056cde.pdf – Accessed 14 June 2011 – Attachment 11

⁷ Raftopoulos, B. & Savage, T. 2004, *Zimbabwe: Injustice and Political Reconciliation*, Institute for Justice and Reconciliation, Cape Town, p. ix <http://www.africanminds.co.za/books/Zimbabwe%20-%20Injustice%20and%20Political%20Reconciliation.pdf> – Accessed 15 September 2010 – Attachment 12

Advice provided by the Department of Foreign Affairs and Trade (DFAT) in 2008 states that the processing and issuance of Zimbabwean passports is centralised in Harare. However, passport applications can be submitted and passports collected at any passport office in Zimbabwe, regardless of the applicant's usual place of residence.⁹

Passports have previously been reported to be expensive and the application process lengthy. The national unity government reduced passport fees in April 2009, but fees still remained high.¹⁰ First-time applicants are requested to provide original and photocopies of their birth certificate and national identity card with their passport application. Two colour passport photos are also required.¹¹

Regarding travel to South Africa, in April 2009, the South African government put a moratorium on deportations of Zimbabweans and introduced a 90-day visa on arrival for Zimbabwean passport holders.^{12 13}

Whilst Zimbabweans are no longer required to apply for a visa in advance, it is significant that South Africa's 2005 Immigration Regulations do not state that applications for visitor permits should be submitted in person. The regulations, however, do explicitly state that applications for a cross-border permit should be submitted in person.^{14 15} Furthermore, websites advising travellers who do require a visitor visa for entry to South Africa state that applications do not need to be lodged in person. A corporate website targeting potential participants for a 2011 conference states that "[y]ou can ask anyone else (such as a travel agent or courier services or another family member) to submit the application on your behalf".¹⁶

Prior to February 2008, "a Zimbabwean intending to travel to South Africa had to produce invitation letters or evidence of the host's address in South Africa, as well as a security deposit in respect of persons with a history of 'overstaying' in South Africa or whose integrity was questionable". Subsequently, to obtain a South African visa, "Zimbabweans needed to submit a valid passport, and proof of funds in the form of traveller's cheques, credit cards or foreign bank statements that showed a balance of at least R2 000".¹⁷

6. Deleted.

⁸ 'Registrar General's Department – Issuance of Travel Documents' (undated), Ministry of Home Affairs website http://www.moha.gov.zw/rg_travel_docs.php – Accessed 14 June 2011 – Attachment 13

⁹ Department of Foreign Affairs and Trade 2008, 'Process for obtaining a Zimbabwean passport', 1 October – Attachment 14

¹⁰ Walker, A. 2009, 'Scrapping visas small comfort', *Sunday Independent*, 17 May – Attachment 15

¹¹ 'Registrar General's Department – Issuance of Travel Documents' (undated), Ministry of Home Affairs website http://www.moha.gov.zw/rg_travel_docs.php – Accessed 14 June 2011 – Attachment 13

¹² 'Deportation of Zimbabweans to Begin Again' 2010, *All Africa*, source: UN Integrated Regional Information Networks, 6 September – Attachment 16

¹³ 'South Africa lifts visa restrictions on Zimbabweans' 2009, newzimbabwe.com website <http://www.newzimbabwe.com/pages/asylum59.19769.html> – Accessed 14 June 2011 – Attachment 17

¹⁴ A cross-border permit is issued to individuals who frequently enter and exit South Africa.

¹⁵ Department of Home Affairs 2005, *Immigration Regulations*, July, UNHCR Refworld, p. 14-17; 39 <http://www.unhcr.org/refworld/docid/42cc05444.html> – Accessed 14 June 2011 – Attachment 18

¹⁶ 'General information about South African Visas' (undated), Climate Investment Funds website http://www.climateinvestmentfunds.org/cif/pf_2011_visas – Accessed 14 June 2011 – Attachment 19

¹⁷ Walker, A. 2009, 'Scrapping visas small comfort', *Sunday Independent*, 17 May – Attachment 15

7. Are there reports dealing with allegations that people are discriminated against in terms of access to education and health care because of their failure to support the ZANU-PF, or are coerced to abandon church attendance and prayers to attend ZANU-PF rallies.?

No reports were located detailing how health care, education and church services have been accessed by employees working on the Mugabe farms. As noted in the response to Question 2, there is reportedly no education facility for any school-aged children at Foyle Farm.

More generally, in 2010 Freedom House reported that access to education aid for school children often depends on parents' political loyalties; and that university dissidents have been harassed, arrested and expelled for protesting against government policy.¹⁸ Regarding the politicisation of health care, a 2010 UK Home Office fact finding mission reports on findings from a human rights NGO forum:

There is some politicisation in healthcare provision. If a patient is a victim of a human rights violation they cannot get treatment without a police report, which the police will often decline to provide, thus effectively barring treatment in public hospitals. In rural areas the senior people in charge of healthcare facilities will usually be controlled by ZANU-PF supporters and there is concern that this may lead to denial of treatment for those who are known to be MDC supporters. However the Forum has received no reports of this happening and it is likely to apply only to those who have a known profile as a political or human rights activists.

In the major cities, there is no political discrimination in the provision of healthcare and in fact most of the healthcare workers would probably be more inclined to discriminate against ZANU-PF supporters, but it doesn't happen, possibly because of higher literacy rates and political awareness.¹⁹

Regarding church services: a 2007 report from *IRIN News* describes conflict between ZANU-PF and Catholic churches in rural areas, including Mashonaland provinces, over the distribution of anti-government material. In the report, a parishioner from a rural area states that youth militia camped outside a local church, "turning the religious service into a ZANU-PF rally, singing songs and chanting pro-government slogans".²⁰

8. Please provide information in respect of the claim that in South Africa there is discrimination and xenophobic violence against Zimbabweans.

Following the collapse of the Zimbabwean economy, there has been a significant outflow of migrants from the country. Some sources estimate the size of the Zimbabwean diaspora at three million, with at least 1.5 million living in South Africa alone. Remittances from the diaspora are currently estimated to contribute as much as 7.2 per cent to the country's Gross Domestic Product (GDP).²¹

¹⁸ Freedom House 2010, *Freedom in the World – Zimbabwe (2010)*, June <http://www.freedomhouse.org/template.cfm?page=363&year=2010&country=7952> – Accessed 10 September 2010 – Attachment 24

¹⁹ UK Home Office 2010, *Report of Fact Finding Mission to Zimbabwe Harare 9-17 August 2010*, 21 September p. 18 – Attachment 25

²⁰ 'Pro-government militias launch intimidation campaign against Catholics' 2007, *IRIN News*, 31 May – Attachment 26

²¹ 'IOM Supports Zimbabwe National Statistical Agency Efforts to Identify Diaspora' 2010, IOM website, 3 December <http://www.iom.int/jahia/Jahia/media/press-briefing-notes/pbnAF/cache/offonce/lang/en?entryId=28812> – Accessed 9 February 2011 – Attachment 27

In the context of competition for scarce resources and jobs,²² there are reports of discrimination, violence and threats of violence towards Zimbabwean migrants in South Africa. In 2008, a wave of widely reported societal attacks against African migrants resulted in 62 deaths,²³ injuries to 670 people and 80,000 displacements.²⁴ The attacks lasted for a series of days and centred around shantytowns on the outskirts of Johannesburg with a large concentration of immigrants.²⁵ *ABC News* reported at the time that locals blamed “foreigners, most of them from Zimbabwe, for criminal behaviour and for taking jobs”.²⁶ According to the US Department of State (USDOS), 597 cases regarding this violence were taken to court. Of these, 109 were charged; the conviction rate was 16 per cent.²⁷

In November 2009, competition for seasonal farm work reportedly caused a mob to chase approximately 3,000 Zimbabwean migrants out of the town of De Doorns. Migrants’ shacks were attacked and destroyed during the incident.²⁸

USDOS reported that during 2010, security forces “continued to arbitrarily arrest Zimbabwean migrants, even those with documentation”.²⁹ An asylum seeker advocacy group, called PASSOP, stated in 2010 that there was a tendency for South African authorities not to take seriously threats of violence against African migrants.³⁰

USDOS reported that societal attacks against refugees in South Africa occurred during 2010.³¹ News sources reported on the issue at the time of the soccer World Cup in mid-2010. A *Reuters* article reported that shops run by migrants were looted in July 2010. The article states that of 140 Zimbabwean returnees interviewed by the International Office of Migration over a weekend, 90 per cent stated that they had fled threats of violence in South Africa. The remaining ten per cent stated that they had already experienced xenophobic violence.³² Advocacy group PASSOP reported that some locals were “moving from door to door asking landlords if they’re renting out rooms to foreigners. Where an answer is a yes, they are being told not to accept rentals anymore as the lodgers would be forced out after the world cup.” PASSOP also reported a rise in xenophobic incidents including threats in public places and immigrants being fired from employment after employers received threats of repercussions.³³ A report was also located of a

²² Sibanda, T. 2010, ‘Zimbabwean Thrown Off Train in Xenophobic Attack’, *All Africa*, source: *SW Radio Africa*, 7 July – Attachment 28

²³ Sibanda, T. 2010, ‘Zimbabwean Thrown Off Train in Xenophobic Attack’, *All Africa*, source: *SW Radio Africa*, 7 July – Attachment 28

²⁴ US Department of State 2011, *Country Reports on Human Rights Practices for 2010 – Zimbabwe*, 8 April, Section 6 – Attachment 29

²⁵ ‘Violence Against Foreigners Rocks South Africa’ 2008, *National Public Radio*, 22 May <http://www.npr.org/templates/story/story.php?storyId=90714699> – Accessed 14 June 2011 – Attachment 30

²⁶ Geoghegan, A. 2008, ‘Immigrants targeted in South African violence’, *ABC News*, 19 May <http://www.abc.net.au/news/stories/2008/05/18/2248181.htm> – Accessed 14 June 2011 – Attachment 31

²⁷ US Department of State 2011, *Country Reports on Human Rights Practices for 2010 – Zimbabwe*, 8 April, Section 6 – Attachment 29

²⁸ US Department of State 2011, *Country Reports on Human Rights Practices for 2010 – Zimbabwe*, 8 April, Section 6 – Attachment 29

²⁹ US Department of State 2011, *Country Reports on Human Rights Practices for 2010 – Zimbabwe*, 8 April, Section 1(d) – Attachment 29

³⁰ Sibanda, T. 2010, ‘Zimbabwean Thrown Off Train in Xenophobic Attack’, *All Africa*, source: *SW Radio Africa*, 7 July – Attachment 28

³¹ US Department of State 2011, *Country Reports on Human Rights Practices for 2010 – Zimbabwe*, 8 April, Section 1(d) – Attachment 29

³² ‘Zimbabwean migrants fleeing South Africa, IOM says’ 2010, *Reuters*, 13 July – Attachment 32

³³ Sibanda, T. 2010, ‘Zimbabwean Thrown Off Train in Xenophobic Attack’, *All Africa*, source: *SW Radio Africa*, 7 July – Attachment 28

Zimbabwean man being verbally abused with xenophobic remarks, and then thrown from a train, by a group of South Africans.³⁴

Human Rights Watch has reported that asylum seekers, both with and without documentation, have been refused basic and emergency medical treatment in South Africa. Patients refused care have included those with acute tuberculosis and women in labour, “because they lacked South African identity documents or simply for being foreign”.³⁵

9. Deleted.

³⁴ Sibanda, T. 2010, ‘Zimbabwean Thrown Off Train in Xenophobic Attack’, *All Africa*, source: *SW Radio Africa*, 7 July – Attachment 28

³⁵ Human Rights Watch 2009, *No Healing Here: Violence, Discrimination and Barriers to Health for Migrants in South Africa*, 7 December, p. 7-8 –Attachment 33

Attachments

1. Smith, D. 2010, 'Mugabe and allies own 40% of land seized from white farmers – inquiry', *The Guardian*, 30 November <http://www.guardian.co.uk/world/2010/nov/30/zimbabwe-mugabe-white-farmers> – Accessed 8 December 2010. (CISNET Zimbabwe CX254652)
2. 'Mugabe's Milk' 2009, in 'The Insider – Breaking News – September 2009' The Insider website, September <http://www.insiderzim.com/archive/insiderseptember2009/september09breakingnews.html> – Accessed 9 June 2011.
3. Deleted.
4. Deleted.
5. Deleted.
6. Deleted.
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8. 'Workers run from Mugabe's farmers' 2007, *The Telegraph*, 4 February <http://www.telegraph.co.uk/news/worldnews/africaandindianocean/zimbabwe/6231765/Robert-Mugabe-has-built-up-10000-acre-farm-of-seized-land.html> – Accessed 14 June 2011.
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10. Makoni, J. 2010, 'Mugabe's workers sent on unpaid leave', *The Zimbabwean*, 18 August http://www.thezimbabwean.co.uk/index.php?option=com_content&view=article&id=33564:mugabes-workers-sent-on-unpaid-leave-&catid=31 – Accessed 10 June 2011.
11. Kwaramba, F. 2009 'Zimbabwe: No human rights for farm labour', *The Zimbabwean*, 13 December, in Reliefweb 2011, 'Briefing Kit for The Zimbabwean', Reliefweb website 14 June http://reliefweb.int/sites/reliefweb.int/files/reliefweb_pdf/briefingkit-56b481a5a7dc7357cfba13ed3b056cde.pdf – Accessed 14 June 2011.
12. Raftopoulos, B. & Savage, T. 2004, *Zimbabwe: Injustice and Political Reconciliation*, Institute for Justice and Reconciliation, Cape Town <http://www.africanminds.co.za/books/Zimbabwe%20-%20Injustice%20and%20Political%20Reconciliation.pdf> – Accessed 15 September 2010.
13. 'Registrar General's Department – Issuance of Travel Documents' (undated), Ministry of Home Affairs website http://www.moha.gov.zw/rg_travel_docs.php – Accessed 14 June 2011.
14. Department of Foreign Affairs and Trade 2008, 'Process for obtaining a Zimbabwean passport', 1 October. (CISNET Zimbabwe CX211318)
15. Walker, A. 2009, 'Scrapping visas small comfort', *Sunday Independent*, 17 May. (FACTIVA)
16. 'Deportation of Zimbabweans to Begin Again' 2010, *All Africa*, source: UN Integrated Regional Information Networks, 6 September. (FACTIVA)
17. 'South Africa lifts visa restrictions on Zimbabweans' 2009, newzimbabwe.com website <http://www.newzimbabwe.com/pages/asylumsa59.19769.html> – Accessed 14 June 2011.

18. Department of Home Affairs 2005, *Immigration Regulations*, July, UNHCR Refworld <http://www.unhcr.org/refworld/docid/42cc05444.html> – Accessed 14 June 2011.
19. ‘General information about South African Visas’ (undated), Climate Investment Funds website http://www.climateinvestmentfunds.org/cif/pf_2011_visas – Accessed 14 June 2011.
20. Deleted.
21. Deleted.
22. Deleted.
23. Deleted.
24. Freedom House 2010, *Freedom in the World – Zimbabwe (2010)*, June <http://www.freedomhouse.org/template.cfm?page=363&year=2010&country=7952> – Accessed 10 September 2010.
25. UK Home Office 2010, *Report of Fact Finding Mission to Zimbabwe Harare 9-17 August 2010*, 21 September. (CISLIB Zimbabwe 19239)
26. ‘Pro-government militias launch intimidation campaign against Catholics’ 2007, *IRIN News*, 31 May (CISNET Zimbabwe CX178627)
27. ‘IOM Supports Zimbabwe National Statistical Agency Efforts to Identify Diaspora’ 2010, IOM website, 3 December <http://www.iom.int/jahia/Jahia/media/press-briefing-notes/pbnAF/cache/offonce/lang/en?entryId=28812> – Accessed 9 February 2011.
28. Sibanda, T. 2010, ‘Zimbabwean Thrown Off Train in Xenophobic Attack’, *All Africa*, source: *SW Radio Africa*, 7 July. (FACTIVA)
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30. ‘Violence Against Foreigners Rocks South Africa’ 2008, *National Public Radio*, 22 May <http://www.npr.org/templates/story/story.php?storyId=90714699> – Accessed 14 June 2011.
31. Geoghegan, A. 2008, ‘Immigrants targeted in South African violence’, *ABC News*, 19 May <http://www.abc.net.au/news/stories/2008/05/18/2248181.htm> – Accessed 14 June 2011.
32. ‘Zimbabwean migrants fleeing South Africa, IOM says’ 2010, *Reuters*, 13 July. (FACTIVA)
33. Human Rights Watch 2009, *No Healing Here: Violence, Discrimination and Barriers to Health for Migrants in South Africa*, 7 December. (CISLIB South Africa 19454)
34. Deleted.