

**Refugee Review Tribunal  
AUSTRALIA**

**RRT RESEARCH RESPONSE**

**Research Response Number:** ZWE34540  
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This response was prepared by the Research & Information Services Section of the Refugee Review Tribunal (RRT) after researching publicly accessible information currently available to the RRT within time constraints. This response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum. This research response may not, under any circumstance, be cited in a decision or any other document. Anyone wishing to use this information may only cite the primary source material contained herein.

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**RESPONSE**

**I am in need of a couple of paragraphs in relation to the position of the following people in Zimbabwe**

**1. A black Zimbabwean who is married to a white partner**

The entry on white Zimbabweans published on the Nationmaster website which appears to be sourced from Wikipedia<sup>1</sup> states

One characteristic of white settlement in Rhodesia was that the white community kept itself largely separate from the Black and Asian communities in the country.<sup>[12]</sup> Urban whites lived in separate areas of town, and whites had their own segregated education, healthcare and recreational facilities. Marriage between blacks and whites was possible, but remains to the present day very rare (“Whites in Zimbabwe” (undated), Nationmaster website, <http://www.nationmaster.com/encyclopedia/Whites-in-Zimbabwe> – Accessed 24 February 2009 – Attachment 1).

The entry also draws on a 2005 article by Lucy Bland which refers to the introduction of the 1903 Immorality Suppression Ordinance by Southern Rhodesia in 1903. This prohibited illicit sexual relations between native males and white women. “The ordinance was extended

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<sup>1</sup> Users should be aware that [Wikipedia](#) is a Web-based free-content encyclopaedia which is written collaboratively by volunteers. The Research Service recommends that users of Wikipedia familiarise themselves with the regulatory practices which Wikipedia employs as a preventative measure against vandalism, bias and inaccuracy. For more information, see the recommended background reading available in the [Wikipedia Topical Information Package](#).

in 1916 to make solicitation or any kind of enticement of black men by white women a crime, with a penalty of two years imprisonment for the woman” (Bland, Lucy 2005, “White women and men of colour: Miscegenation fears in Britain after the Great War”, *Gender and History*, Vol. 17, No. 1, April, p. 3, <http://www3.interscience.wiley.com/journal/118704604/issue> – Accessed 25 February 2009 – Attachment 2. The Marriages Act which prevented people from different races from marrying was repealed in the 1950s. The Citizenship Act, however, also perpetuated discrimination against inter-racial marriages by permitting “foreign females to get automatic Zimbabwean citizenship if they married a male citizen. This right was not extended to Zimbabwean women.” A long campaign saw the eventual repeal of this section of the Constitution in 1996 which now requires “both Zimbabwean men and women who have foreign spouses to apply to the Immigration Office for registration of their unions” (“Women in interracial marriage – Still facing discrimination in Zimbabwe” 2001, *Issues of Race and Gender*, September published on Kubatanet.net, [http://www.kubatana.net/html/archive/women/010901ips.asp?sector=&year=0&range\\_start=1](http://www.kubatana.net/html/archive/women/010901ips.asp?sector=&year=0&range_start=1) – Accessed 24 February 2009 – Attachment 3). This article also reports on difficulties experienced by those in ‘mixed’ marriages with manifest suspicion, disapproval and even ostracism directed towards many of these partnerships. Although some men married to white or Asian women may sometimes be ‘regarded as symbols of achievement’, this was often tempered by social leaders or chiefs’ views that these marriages violated traditional norms.

## **2. • A returnee/ failed asylum seeker**

Limited recent information is available on the treatment of returnees or failed asylum seekers to Zimbabwe, although reports exist concerning those returned from the UK in earlier years which are not referred to here. No relevant information concerning failed asylum seekers from Australia was able to be located in the time available.

In March 2008, Zimbabwe President Robert Mugabe stated that any person who was deported from Britain who was a criminal fleeing from the law would be arrested and imprisoned if returned. He also stated that “not everyone being deported from the UK faces imprisonment. ‘Britain is now full of those who fled from here claiming that they were at risk of being arrested for political reasons. We do not want to arrest any of those except those who fled crimes, and those who fled crimes are not the only ones who went to Britain, no.’ he said (“Zimbabwe. Failed asylum seekers with criminal records face local prison” 2008, *All Africa*, 27 March, <http://allafrica.com/stories/200803270505.html> – Accessed 24 February 2009 – Attachment 4).

South Africa continues to deal with large numbers of people leaving Zimbabwe:

On average, authorities deported about 10,000 Zimbabweans per month for illegal entry. Between January and September alone the total may have been more than 150,000, many of whom Zimbabwean police detained upon their return. Authorities deported some refugees and asylum seekers for common crimes or failure to pay bribes (United States Committee for Refugees and Immigrants 2008, *World Refugee Survey 2008 – South Africa*, 19 June – Attachment 5).

The UK Home Office *Country of Origin Information Report – Zimbabwe* refers to the returned asylum seekers who had used false Malawian documentation and were as a consequence at risk of return to Zimbabwe. One Malawi man who had been returned from the UK to Malawi in November 2006 was imprisoned for two months before being deported to Zimbabwe where he had “already been tracked down by the government and narrowly

escaped arrest. The last anyone heard from him was that he had gone into hiding” (UK Home Office 2008, *Country of Origin Information Report – Zimbabwe*, 29 September – Attachment 6).

The most recent UK Home Office Operational Guidance Note discusses a number of groups including teachers, MDC members and activists and their families, as well as MDC supporters generally and those who were ‘unable to demonstrate support for or loyalty to the regime or ZANU-PF’ (following *RE (Returnees) Zimbabwe CG [2008]UKAIT 00083*) who would be at risk of mistreatment should they be returned, although a blanket moratorium on the return of failed asylum seekers is not currently in place (UK Home Office 2008, *Operational Guidance Note – Zimbabwe*, 1 December, pp. 6-7 – Attachment 7).

### List of Attachments

1. “Whites in Zimbabwe” (undated), Nationmaster website, <http://www.nationmaster.com/encyclopedia/Whites-in-Zimbabwe> – Accessed 24 February 2009.
2. Bland, Lucy 2005, “White women and men of colour: Miscegenation fears in Britain after the Great War”, *Gender and History*, Vol. 17, No. 1, April, p. 3, <http://www3.interscience.wiley.com/journal/118704604/issue> – Accessed 25 February 2009.
3. Women in interracial marriage – Still facing discrimination in Zimbabwe” 2001, *Issues of Race and Gender*, September published on Kubatanet.net, [http://www.kubatana.net/html/archive/women/010901ips.asp?sector=&year=0&range\\_start=1](http://www.kubatana.net/html/archive/women/010901ips.asp?sector=&year=0&range_start=1) – Accessed 24 February 2009.
4. “Zimbabwe. Failed asylum seekers with criminal records face local prison” 2008, *All Africa*, 27 March, <http://allafrica.com/stories/200803270505.html> – Accessed 24 February 2009.
5. United States Committee for Refugees and Immigrants 2008, *World Refugee Survey 2008 – South Africa*, 19 June. (REFWORLD)
6. UK Home Office 2008, *Country of Origin Information Report – Zimbabwe*, 29 September.
7. UK Home Office 2008, *Operational Guidance Note – Zimbabwe*, 1 December.