



Zimbabwe – Researched and compiled by the Refugee Documentation Centre of Ireland on 14 November 2013

How are returned asylum seekers treated, especially people who deserted the Zimbabwe armed forces?

A country advice document published by the Australian Government Refugee Review Tribunal, in response to the question “Are failed asylum seekers known to be mistreated by authorities on return to Zimbabwe?”, states:

“While authorities see the Zimbabwean diaspora as a security threat, there is little information to suggest the mistreatment by authorities of people because they return to Zimbabwe from overseas. This will depend on the returnee’s profile, whether it is known that they sought asylum, and where they are returning from.” (Australian Government Refugee Review Tribunal (14 January 2011) *Zimbabwe – ZWE37927 – Movement for Democratic Change – Violence in 2002, 2003 – Harare – Returnee*, p.6)

A 2008 African Executive article states:

“In Zimbabwe, the movement of people (Zimbabwean Diaspora) fleeing the economic and political disaster has from the state point of view been projected as a security threat, hence the reluctance to allow them participate in the 2008 general elections. The state thus views the Diaspora as a source of political and economic competition. Viewing our economy as a victim of the West has inspired policies in postcolonial Zimbabwe. All policies are now geared towards countering foreign threats including the ‘threats’ from Zimbabweans abroad, who are seen as working against the ruling party.” (African Executive (18 June 2008) *Zimbabwe Must not Persecute its Diaspora*)

See also an Australian Government Refugee Review Tribunal report which states:

“A 2008 African Executive article claimed that Zimbabwe’s policies were geared towards ‘countering foreign threats including the ‘threats’ from Zimbabweans abroad, who are seen as working against the ruling party’, while the UK Asylum and Immigration Tribunal assessed in 2005 that ‘it was clear that Zimbabwean security services believed returning asylum seekers were British spies’. According to the tribunal, ‘such was the political paranoia in the Robert Mugabe regime in Zimbabwe, the very act of seeking asylum in Britain, even if there were no grounds for protection, meant that a Zimbabwean could be a marked man on return. A 2005 *BBC News* article cited claims by lawyers acting for Zimbabwean asylum seekers in the United Kingdom that ‘Zimbabweans deported home are regarded as traitors or spies’ by the Mugabe government, with authorities believing returning asylum seekers were deliberately being sent back as ‘agents of regime change’. The article stated that Zimbabwean authorities took a particular interest in those returning from Britain due to a perception that the British government was

leading an international campaign for regime change in Zimbabwe.”
(Australian Government Refugee Review Tribunal (5 April 2011) *Zimbabwe – ZWE38518 – Returnees –MDC – Zanu-PF – Politically motivated violence against women*, pp.1-2)

A report on a fact-finding mission to Zimbabwe published by the UK Home Office, in a section titled “Returnees to Zimbabwe”, states:

“In addition to interviewing international and national NGOs the mission also spoke to seven Zimbabweans who had previously claimed asylum in the United Kingdom but then had returned to the country in 2009 and 2010. While all seven reported that they had decided not to divulge the fact that they had claimed asylum in the United Kingdom upon arrival in Zimbabwe, none experienced any significant problems on return.” (UK Home Office (21 September 2010) *Report of Fact-Finding Mission to Zimbabwe, Harare: 9-17 August 2010*, p.6)

In a section titled “Internal Relocation” (paragraph 4.6) this report refers to information provided by the Zimbabwe Human Rights NGO Forum as follows:

“The Forum has not come across any cases of returnees from the UK being mistreated and would expect to know of any such cases because its member organisations are represented across the country. It works closely with the Zimbabwe Association in London and is alerted where there are concerns a returnee might be at risk but has not come across any cases where that is happened. They are unable to say that there have been no such cases but if there have been they have been isolated examples. They do however have concerns that those who are known to have claimed asylum in the UK would be considered necessarily to have been disloyal to Zimbabwe and may therefore face additional problems reintegrating because the fact that they had claimed asylum would become known.” (ibid, p.44)

An Immigration and Refugee Board of Canada response to a request for information on the treatment of people returned to Zimbabwe quotes from correspondence with the Zimbabwe Exiles Forum as follows:

“The Central Intelligence Organisation and other security forces take a keen interest in those who have been deported back to Zimbabwe. This is not only the case regarding those arriving through the airport, but those who use the road as well. In particular, those who have failed in their asylum applications are invariably interrogated by security agents stationed at the airport, or those that deal with those deported from for example Botswana and South Africa when the deportees arrive at various stations e.g. Plumtree or Beitbridge. At Harare International Airport, the practice is much more rigorous as it is the main international airport serving the country. There are rooms to which individuals are taken for interrogation [...]. The practice continues in spite of the existence of an inclusive government as the security sector is largely in the hands of ZANU (PF).” (Immigration and Refugee Board of Canada (17 August 2010) *ZWE103563.E – Zimbabwe: Treatment of people returned to Zimbabwe upon their arrival at Harare Airport, including whether citizens are interrogated (2008 - August 2010)*)

The most recent UK Home Office country report on Zimbabwe, in a section titled "Military Service" (paragraph 9.06) quotes a letter received from the Foreign and Commonwealth Office (FCO) which states:

"If a soldier is absent for more than 28 days he will be charged with desertion upon recapture, or his surrender. Absence for less than 28 days is normally dealt with under the lesser charge of 'Absent Without Leave (AWOL)' and can be dealt with summarily by the soldier's Commanding Officer, with punishment ranging from restriction of privileges, to small fines or short custodial sentences of a few days' duration. Desertion is a serious charge to be dealt with by Courts Martial and depending on the circumstances, could result in long custodial sentences e.g. years, forfeiture of all benefits and salary and dishonourable dismissal from the Service. In wartime, of course, the penalties of desertion are very severe indeed. Occasionally, a Commander will not follow the 'book' and summary punishments will go beyond delegated powers." (UK Home Office Border Agency (13 July 2012) *Country of Origin Information (COI) Report: Zimbabwe*)

Referring to allegations that deserters from the Zimbabwean army living in South Africa have been targeted by Zimbabwe's Central Intelligence Organization (CIO), an article from *The Zimbabwean*, a newspaper published by Zimbabwean exiles, states:

"A former soldier who deserted the ZNA and now lives at the church confirmed that his friends went missing and is convinced that CIO officials operating under cover at the church are responsible. 'I believe a senior military intelligence guy, Rubson Muchini, took care of these guys using CIO agents who managed to infiltrate the refugee home at the church. These guys were taken as if they were going to join security companies around Johannesburg and that was the last time we saw them. The truth of their disappearance came to light after another deserter, Kelvin Chimombe (who was situated at Thornhill), escaped and revealed to us that his fellow comrades were killed and dumped in disused mines around North West and Johannesburg.'" (*The Zimbabwean* (19 June 2013) *Army deserters feared dead*)

See also an article from *The Zimbabwean* which states:

"The initial deployment was reportedly dominated by members of the military police, who were out to get army deserters believed to be responsible for releasing confidential information on past army operations. 'A lot of confidential information on the army has been printed in the private press and the bosses believe this could be the work of deserters, who keep fleeing in their numbers and going largely to South Africa, Botswana and Mozambique. A number of them have been caught and remain in detention in various army barracks around the country, where they are still being tortured.'" (*The Zimbabwean* (20 June 2013) *CIO hunts deserters in SADC*)

This response was prepared after researching publicly accessible information currently available to the Research and Information Unit 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. Please read in full all documents referred to.

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