



FIFTH SESSION – EIGHTH PARLIAMENT

FIRST REPORT

**OF THE PORTFOLIO COMMITTEE ON PUBLIC SERVICE, LABOUR AND SOCIAL
WELFARE ON
THE STATE OF THE REFUGEES WELFARE PROGRAMME IN ZIMBABWE**

Presented To Parliament 2018

S.C 13, 2018

Announced: Tuesday, 19th September 2017

That the Committee consists of the following:

Hon. Chibagu.G, Hon. Chibaya A, Hon. Chitura L, Hon. Kwaramba G, Hon. Mabuwa C,
Hon. Makoni R, Hon. Mapiki J, Hon. Mkandla M, Hon. Mpala M, Hon. Mpariwa P,
Hon. Mpofu R, Hon. Mudau M, Hon. Mudyiwa M, Hon. Mufunga A, Hon. Ndlovu A,
Hon. Ndlovu S.M, Hon. Nduna D.T, Hon. Nkomo M, Hon. Phiri F.P, Hon. Rungani A,
Hon. Savanhu T, Hon. Shava J, Hon. Tarusenga U.D

Hon. Mudyiwa M. to be Chairperson

ORDERED IN TERMS OF STANDING ORDER NO. 17:

- (1) At the commencement of every session, there shall be as many Committees to be designated according to government policy as the Standing Rules and Orders Committee may deem fit.
- (2) Each select committee shall be known by the portfolio determined for it by the Standing Rules and Orders Committee.

TERMS OF REFERENCE OF PORTFOLIO COMMITTEES STANDING ORDER NO. 20

Subject to these Standing Orders, a portfolio committee shall-

- a) examine expenditure administration and policy of government departments and other matters falling under their jurisdictions as Parliament may, by resolution determine.
- b) consider and deal with all bills other than a Constitutional Bill, and statutory instruments or other matters which are referred to it by or under resolution of the House or by the Speaker;
- c) consider or deal with an appropriation or money bill or any aspect of an appropriation or money bill referred to it by these Standing Orders or by or under a resolution of this House;
- d) monitor, investigate, inquire into and make recommendations relating to any aspect of the legislative programme, budget, policy or any other matter it may consider relevant to the government department falling within the category of affairs assigned to it, and may for that purpose consult and liaise with such department; and
- e) consider or deal with all international treaties, conventions and agreements relevant to it, which are from time to time negotiated, entered into or agreed upon.

1.0 INTRODUCTION

The refugee issue is a pervasive challenge affecting the world in the 21st century. According to the United Nations High Commissioner for Refugees (2017), 22.5 million people are estimated to be refugees globally. The United Nations Convention Relating to the Status of Refugees of 1951 defines a refugee as a person who leaves his country of nationality or habitual residence due to well-founded fears of persecution. The 2017 United Nations High Commissioner for Refugees (UNHCR) Annual Global Trends Report identifies war, violence and persecution as major drivers of the refugee problem.

2.0 OBJECTIVES OF THE INQUIRY

The influx of refugees who were fleeing from the civil war in Mozambique into the country in late 2016 triggered the Committee's inquiry into the state of the Refugees Welfare Programme in Zimbabwe. The major objective of the inquiry was to establish the country's policy position in relation to refugees. In essence, the Committee sought to familiarise itself with and assess the conditions under which refugees enter, stay and leave the country.

3.0 METHODOLOGY

The Committee employed the following methodologies to gather information:

- a) field visits to Tongogara Refugee Camp in Chipinge and Waterfalls Referral Centre in Harare; and
- b) oral evidence sessions with Ministry of Public Service, Labour and Social Welfare officials.

3.0 COMMITTEE FINDINGS

3.1 Refugee Policy and Administrative Framework

Zimbabwe is a signatory to the United Nations Convention Relating to the Status of Refugees of 1951 and African Union Convention Governing Aspects of Refugee Problems in Africa of 1969 under which the country has an obligation for the general care and protection of refugees within the country. To this end, the Refugees Act [Chapter 4:03] was enacted in 1983 to domesticate key provisions of these international agreements. The Ministry of Public Service, Labour and Social Welfare is currently administering the Act and its responsibilities include registration, protection and provision of other social safety nets to refugees in the country. In terms of Section 4 (1) of the Act, the office of Commissioner for Refugees has been created within the Ministry to perform the following key

functions; conferring refugees status on asylum seekers and provision of adequate facilities for reception and care of refugees in the country.

In addition, Zimbabwe has shifted from the Encampment Policy to the Graduation Approach where refugees have to be self-sustainable. Under this policy and provisions of the Refugees Act, refugees domiciled in Zimbabwe enjoy the right to engage in economic activities, freedoms of religion and movement, among others.

3.2 Involvement of non-profit organisations in the Refugees Welfare Programme

Although the government is ultimately responsible for the care and protection of refugees and asylum seekers, interested non-state actors are free to complement its efforts. The United Nations Convention Relating to the Status of Refugees mandates the Commissioner for Refugees to collaborate with the United Nations Commissioner for Refugees (UNHCR) in its operations. Other organisations currently contributing to the Refugees Welfare Programme include:

- GOAL Zimbabwe which is involved in water, sanitation and livelihoods activities;
- Terre-des Homes running health and educational programmes;
- World Food Programme which support food security; and
- Jesuit Refugee Services providing pastoral and livelihood activities.

3.3 Entry and Registration of Asylum seekers

Asylum seekers from various countries enter Zimbabwe mostly through Chirundu and Nyamapanda Border Posts and find their way to Tongogara Refugee Camp. On arrival refugees are issued temporary permits and interviewed to provide information pertaining to their countries of origin and reasons for leaving. The information collected during the interview is considered by a Refugees Committee which has power to grant or deny an individual refugee status. This Committee is headed by the Ministry of Public Service, Labour and Social Welfare and consists of representatives from the Immigration Department, Ministry of Foreign Affairs and President's Office. In case of rejection, the applicant can appeal to the Minister of Public Service, Labour and Social Welfare and if the rejection is maintained, an individual should leave the country within a period of 3 months. Common reasons for rejection include; inconsistency, non-existence of threat in country of origin and individuals who pose threat to national security.

3.4 Exit of Refugees from the Country

The Permanent Secretary for Labour and Social Welfare, Mr Ngoni Masoka informed the Committee that an individual's refugee status in Zimbabwe expires when threat in the country of origin ceases to exist. Other exit options for refugees are voluntary repatriation or resettlement to other countries. The Committee learnt that some individuals had been staying at Tongogara Camp for more than 15 years while others were born in the country as far back as 1974. Mrs Chipfuwa, the Principa Administrator at Waterfall Referral Centre highlighted that very few repatriation cases had been recorded and these included two families which went back to the DRC and Angola. However, the Committee was further informed that some members of the family which went back to the DRC had returned to Zimbabwe. The Committee noted that refugees were generally reluctant to return to countries of origin due to various reasons; including fear of persecution.

3.5 Refugee Camps in Zimbabwe

Only two refugee centres are currently functional in Zimbabwe, namely; Tongogara Refugee Camp in Chipinge and Waterfalls Referral Centre in Harare. The government has set aside Tongogara Camp for purposes of accommodating refugees in the country. At the time of the Committee's visit, Tongogara Camp had a population of 9 062 refugees from various countries, including the Democratic Republic of Congo (DRC), Ethiopia, Somalia and Rwanda. The Committee was informed that some Zimbabwean nationals had become part of the community through intermarriages with refugees.

The Waterfalls Referral Centre used to be a transit camp where refugees were vetted before movement to Tongogara Camp but was transformed into temporary accommodation for refugees seeking specialist medical services in Harare and those awaiting resettlement to third countries or repatriation. The Committee noted that although the Waterfalls Centre in principle accommodates refugees temporarily, 3 families had been staying there for more than 2 years. The Committee also learnt that some refugees at Waterfalls Centre were seeking protection from issues such as tribalism and family disputes at Tongogara Refugee Camp, among other reasons.

3.6 Living conditions of Refugees at Tongogara Camp and Waterfalls Referral Centre

Once granted refugee status in Zimbabwe, individuals are free to join the community at Tongogara

Camp. Refugees are allocated land to construct make-shift shelter in the form of roofing material. Additionally, the government with support from development partners provide refugees with foodstuffs such as maize, kapenta fish, beans, rice and a \$13 allowance per individual every month. Individuals can participate in livelihoods projects such as; farming, goat, sheep, poultry and pig rearing, among others. The Committee had an opportunity to tour some of these projects during its visit to the Camp

Tongogara Primary School and St Michaels Secondary School at Tongogara Camp provide free education to refugees and their children. Chipinge College of Horticulture, located near the camp also provides vocational training for students. Courses such as upholstery, carpentry and cosmetology are also offered at the Camp. The Committee learnt that some members of the refugee community can afford to send their children to university and colleges outside the Camp. In addition, a clinic has been constructed at the Camp to provide medical services to the refugee community free of charges, while serious cases are referred to Chipinge and Mutare Hospitals.

The Committee was shown several blocks accommodating refugees at Waterfalls Referral Centre. Each family is allocated a single room while ablution facilities are shared per block. In addition, each individual at the Centre receives a monthly food basket consisting of 12 kilo-grammes (kg) mealie-meal, 800 milliliters cooking oil, 2kg beans, 150 grams (g) salt, 500g sugar, 500g soap. The Committee was informed that refugees sometimes received baskets without some basic items, such as soap and had at one time gone for 3 months without receiving any allocations. Furthermore, women and girls staying at the Centre receive 2 packets of sanitary pads every 3 months. While the above mentioned items are provided at Waterfalls Centre, refugees are required to bring other items from Tongogara, including blankets and cooking utensils. The Committee noted that the Waterfalls Referral Centre was in need of basic maintenance such as cutting the tall grass.

3.7 Challenges

During field visits and oral evidence sessions with Ministry officials the Committee noted the following challenges:

a) Inadequate financial resources

The Committee learnt that the Ministry of Public Service, Labour and Social Welfare was hampered

from effectively administering the Refugees Welfare Programme by financial resource challenges, including planning and achieving set goals.

b) Shortage of agricultural land

The entry of refugees from Mozambique in December 2016 into Tongogara Camp increased the demand for agricultural land. The Committee was informed that available land could only accommodate 470 individuals out of a community of 9 062 people.

c) Inadequate infrastructure

A poor road network to Tongogara Camp is a major constraining factor faced at Tongogara Camp, especially during the rainy season. Furthermore, the Committee learnt that there were no Advanced Level classrooms at Tongogara Primary and St Michael Secondary schools resulting in children failing to attend school. The lack of vehicles to transport sick persons to hospitals for doctor-patient appointments was also highlighted to be a challenge at Waterfalls Referral Centre.

d) High electricity charges

The Committee was informed that monthly electricity charges for Waterfalls Referral Centre were classified as commercial rates which made it unaffordable for the Ministry of Public Service, Labour and Social Welfare to provide refugees at the Centre with power for domestic uses such as cooking and lighting.

e) Lack of security

Tongogara Camp is under threat from wild animals such as lions and elephants which stray from the nearby Devure Game Range due to the lack of a security fence. Although some security officers had been deployed by the Ministry of Labour and Social Welfare to safeguard administrative staff, refugees and assets they were unarmed which exposed them to attacks by wild animals and robbers as well. Furthermore, a police post manned by only 4 police officers against a population of 9 062 has been established at the camp.

f) Shortage of staff

The Committee noted that inadequate teaching staff was affecting the access to education by students at

Tongogara Primary School and St Michael Secondary School. Moreover, there were no interpreters at Tongogara and Waterfalls Camps to facilitate communication between Programme Officers and refugees from various countries was a key challenge experienced at both centres.

g) Low morale

Refugees Welfare Programme Officers lamented that their conditions of service were inferior to other government workers, particularly, lack of employer contributions to pensions. The Committee was informed that it was not clear whether these officers would benefit from the Civil Servants Residential Stands Scheme currently being unrolled by the government, for instance.

h) Difficulties in acquiring birth certificates

Refugee highlighted that they were experiencing difficulties in acquiring birth certificates for their children born in Zimbabwe.

4.0 OBSERVATIONS

The Committee made the following observations

4.1 Refugees experience challenges in accessing adequate basic needs such as food, soap and sanitary pads.

4.2 The uncertainty as to whether Programme Officers were set to benefit from the Civil Service Residential Stands Scheme was a source of demoralisation.

4.3 Tongogara Refugee Camp is overcrowded, with a population of 9062 refugees at the time of the Committee's visit.

4.4 The environment at Tongogara Refugee Camp was dirty while Waterfalls Referral Centre was in need of basic maintenance as grass and fallen trees were scattered all over the place.

4.5 Tongogara Refugee Camp is experiencing agricultural land shortages which impedes self-sustainability projects of refugees.

4.6 The security system at Tongogara Refugee Camp which mainly consists of unarmed security guards and 4 police officers is inadequate. Furthermore, the lack of a security fence exacerbates the situation.

4.7 Some children at Tongogara Refugee Camp could not access education due to teacher and classroom shortages.

4.8 The road to Tongogara was in a poor state.

4.9 Electricity charges for Waterfalls Referral Centre are set on commercial lines, which makes it unaffordable to provide electric power to refugees staying at the Centre.

4.10 Refugees were experiencing difficulties in accessing birth certificates for children born in Zimbabwe.

5.0 RECOMMENDATIONS

The Committee recommends the following:

5.1 The government of Zimbabwe should increase support towards the Refugees Welfare Programme in the form of a National Budget allocation to complement donor support.

5.2 The Civil Service Commission should fill in critical job positions for the success of the Refugees Welfare Programme such as interpreters, environmental officers and teachers at Tongogara Camp and Waterfalls Referral Centre. The Commission can also redeploy officers to these posts under the Civil Service Rationalisation Programme by October, 2018.

5.3 In the interest of social justice, the Civil Service Commission should ensure that Refugees Welfare Programme Officers access similar benefits to other government employees, considering that some have been employed for more than ten years, for instance residential stands under the Civil Servants' Scheme by October 2018.

5.4 The Ministry of Labour and Social Welfare in collaboration with the Ministry of Home Affairs and Culture should reinforce security at Tongogara Camp through erection of an electric fence to prevent entry of stray animals from the Devure Game Range and increasing the number of police officers to at least 10 respectively by October, 2018.

5.5 The Ministry of Labour and Social Welfare should continuously assess refugees for resettlement to third countries and individuals who can afford to rent accommodation elsewhere should be moved out of Tongogara Camp in order to reduce overcrowding. The Ministry should also move out refugees who inter-married with locals from the Camp by October 2018.

5.6 The Registrar General should grant residence permits renewable every 5 years to refugees who consistently stay in the country to enable them to live outside the camp in order to reduce the population at Tongogara Refugee Camp.

5.7 The Ministry of Transport and Infrastructural Development should construct a proper gravel road to Tongogara Camp by October 2018 to facilitate easy movement of people and provisions.

5.8 The Ministry of Labour and Social Welfare should immediately engage ZESA to ensure that Waterfalls Referral Centre is moved from commercial to residential premises status for purposes of electricity charging by October 2018.

5.9 The Ministry of Lands and Rural Resettlement should allocate more land to the Ministry of Labour and Social Welfare to expand agricultural land and enable refugees at Tongogara Camp to conduct farming activities in line with the country's policy of self-sustenance by October 2018.

5.10 The Ministry of Home Affairs in collaboration with the Ministry of Foreign Affairs should facilitate provision of identity documents such as birth certificates by incumbent governments to their nationals in Zimbabwe by bringing services to Tongogara Refugee Camp at least twice a year by December 2018.

6.0 CONCLUSION

The Committee commends the sterling efforts by the Government of Zimbabwe to provide homes to fellow men, women and their families. It is laudable that the country makes efforts to honour its international obligations and is on track towards achievement of Sustainable Development Goals (SDGs). Furthermore, it is encouraging to note that despite being overburdened with economic challenges, humanity for mankind still exists in Zimbabwe.