

Human Trafficking in Zimbabwe: An Impediment to National Development.

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Abstract

Zimbabwe continues to be rocked by a plethora of crises that have had grievous effects on development chief amongst them, human trafficking. This illegal transportation of human beings for exploitation has broken down family ties, eroded states' human capital, eroded citizens' confidence in Immigration authorities' effectiveness, trampled on fundamental human rights and re-introduced the 'old age slavery'. This discussion is focused on the implications of human trafficking on human rights in the developing world particularly in Zimbabwe. The research was guided by amongst other models, the Cost-Benefit model which argues that people decide to leave their countries only after comparing the net benefits from the available options ignoring implications to human rights. Zimbabwe is now known to be a route, source and market for human trafficking largely because of its laxity on laws around the scourge. It is this laxity on the part of the government that brings in the issue about human rights being ignored and allowing innocent and desperate citizens to be exploited and never recover again. (169 words)

Key words: Human trafficking, Impediment and Development.

1.0 Introduction

Human trafficking is not a new phenomenon in Africa in general and Zimbabwe in particular as this practice was also common when the olden days' kings and chiefs could forcibly take their subjects and sell them to other kingdoms as cheap labour. The only difference probably lies in the scale of the practice and the sophistication of methods being employed these days. Zimbabwe, just like most of the world has set its minimum legal age for civil marriage at 16 and 18 for girls and boys respectively and for employment at 18 for both. These are in line with both the Labour regulations and the Convention for the Rights of the Child of 1989 mainly as a way of protecting the lives and interests of the children from sexual and labour exploitation. Almost all developing countries in the world are a source of cheap labour; Zimbabwe has prominently become a source, route and market for trafficked people. This has largely been because of its centrality in location, weak criminal code; Immigration Act, Labour Act and Child Protection Act, and the belief in traditional rituals for wealth accumulation and a run-down economy that has turned citizens into destitutes. The material in this paper was extracted from a research that I did conduct to assess the levels of human trafficking in Zimbabwe.

Zimbabweans have cheaply availed themselves for trafficking following the economic recession of the late 1990s that was fuelled by erratic land seizures of 1999 and compounded by the 2005 Operation Restore Order¹, the economic melt-down of 2007-8² and the political violence of 2008³.

¹ Operation Restore Order (Murambatsvina) was launched by the government in 2005 allegedly to pull down illegal structures in urban centres. Apparently that is where the opposition political party MDC had its major support.

² During this period, Zimbabwe's inflation rate reached a record 150million percentage points and all the grocery shops were empty.

³ In 2008, the ruling party (ZANU PF) government unleashed terror on opposition party members and any other suspects; killing, maiming and torturing that thousands fled the country.

Most victims (women, girls and boys included) have been trafficked from such countries as; Somalia, Burundi, Mozambique, Malawi, Democratic Republic of Congo (DRC) and Zimbabwe to the United Kingdom (UK), South Africa (SA), China, Australia, Canada, New Zealand, Botswana and Dubai mainly for labour exploitation with regards to men and sexual exploitation with regards to women and girls. Another quota, though minute is trafficked for traditional rituals specifically to SA. People were so desperate that they were prepared to work in estates in SA and Mozambique; young girls were recruited as domestic slaves and in the tourism sector as brothel maids for a pittance. This paper therefore discusses the implications of human trafficking, a criminal trade that is ranked third largest industry in the world after arms and drugs, on national development from a human rights perspective.

1.1 Background

Human trafficking is an old criminal practice dating back to the era before the infamous slave trade in the Americas during the 14th and 15th century. In Africa, this ancient practice mainly affected nations that were along the shores especially of the Indian, Pacific and Atlantic Oceans. The victims were targeted for labour exploitation save for rare cases when beautiful women were sexually exploited thus creating the early coloured community. The modern-day trafficking has been motivated amongst other reasons by the need for cheap labour, sexual exploitation and traditional rituals. In countries like the DRC, Burundi, Somalia, Malawi, Zimbabwe and Rwanda, trafficking is influenced mainly by poverty, conflicts and ignorance⁴. In the case of Zimbabwe, the motivation for trafficking has been varied depending on the period as the paper discusses.

The first period between 1998 and 2003 witnessed the land invasion⁵ and acquisition period that saw thousands losing jobs. Thousands more also fled political persecution following the formation of the opposition party Movement for Democratic Change (MDC) and its favourable showing during the 2000 Referendum and Parliamentary plebiscite and the 2002 Presidential election. As a result, these had no option but to avail themselves as cheap labour for survival. Most of these were absorbed internally, and in South Africa and Mozambique. The second phase stretched from 2003-2006 and was characterised by the destruction of people's homes both in the farming communities and in the urban areas under 'Murambatsvina'. In 2005, Tibaijuka⁶, reported that some 700 000 people lost their homes, their livelihoods or both, and that a further 2.4 million people had been affected in varying degrees. Over 79,500 adults living with HIV were also seriously exposed to health hazards and other diseases as they were living in the open without any source of income, water or sanitation facilities⁷. Following these exercises, most victims availed themselves as potential candidates for trafficking and 'slavery'.

The third phase ran from 2006-2008 and was known for the worst Zimbabwean recession ever recorded in the history of Africa. At its peak in 2008, Zimbabwe's inflation rose to over 231million percentage points⁸ so much so that there was no food within the borders and people had to cross borders to access it. Most industries had closed shop as it was no-longer viable operating and therefore forced Zimbabweans to avail themselves for potential trafficking. 2008-2009 was the last phase that was characterised by extreme political violence ahead of a General election in 2008. Thousands of the opposition politics were tortured, maimed and killed at the hands of the ruling party (ZANU PF)⁹. Resultantly, thousands also fled the country for safety.

2.0 Prosecution

Despite reports by various institutions and government agencies on rising cases of human trafficking, the government does not seem to be moved or making any efforts to institute legal measures for the prosecution of perpetrators or facilitators.

According to the Attorney General's (AG) Office in Harare¹⁰, there has not been any case involving perpetrators of trafficking during the last quarter of 2011.

⁴ Data gathered from IOM officials at Beit-bridge border post in 2011.

⁵ Sachikonye, Lloyd (2003).

⁶ Anna Tibaijuka, the UN Special Envoy on Human Settlement Issues in Zimbabwe, 2005

⁷ Human Rights Watch (HRW) (2008).

⁸ Dodo (2011)

⁹ Data obtained from members of the Central Intelligence Organisation in 2009.

¹⁰ Interview with officials from the Attorney General's Office, Harare in 2011.

According to the AG, while there have been media reports concerning trafficking, the cases have always fizzled away much to the amazement of the authorities so much so that there have been suspicions that these cases could be involving ‘big wigs’. In 2010, there was a case involving a woman who was caught with female body parts including breasts and clitoris. The story appeared in the media and naturally died allegedly due to corruption in the Justice system. Apparently, there were several cases that were but unreported and only tried and solved at traditional leaders’ courts. In Middlesbrough, UK 2009, two Zimbabweans were arrested again for operating a trafficking syndicate that supplied with cheap labour of care-givers to Britons. In 2011 August, there was also another case involving a woman leading a trafficking ring that was allegedly smuggling twenty-one minors to SA. During the same month of August, one child also went missing during the Harare Agricultural Show¹¹ only to be found in a decomposing state over a month later. These are some of the many cases where people are being trafficked especially to SA as sources of body parts for allegedly wealth accumulation charms.

There are reports that SA provides a market for human heads which are used as bait for deep-sea fishing in exchange for reconditioned vehicles from Japan especially commuter omnibuses¹². These reports have remained hearsay and allegations as there has not been anyone tried or convicted for trading in that business both in SA or Zimbabwe. SA also has a lucrative market for body parts of either children or females. Children’s body parts are popular for charms allegedly for luck or fortunes and for enhancing business profits while those of women are also used for business development. Peddlers of these parts normally prefer trafficking live human beings than carrying parts for fear of prohibition by the Department of Agriculture that prohibits the illegal export of meats and risk having those parts rotting in transit. There are also reports that have been confirmed by the Department of Police that several people especially young men and women are being smuggled out of the country through Mukumbura border area, Mt Darwin via Binya¹³ road to Mozambique at an average rate of 6 to 10 people per month, Sun-yet-Sen border area, Kezi into Botswana at an average rate of 10 to 12 people per month while those border-jumping through Beit-bridge into South Africa go as high as 15 to 20 people per month. Others are smuggled out of Zimbabwe through Buffalo Range airport in Chiredzi where Immigration activity is low, while a relatively smaller number use the Forbes border area in Mutare into Mozambique.

According to International Organisation for Migration¹⁴, most of the people who are trafficked into South Africa end up working in estates and farms where they are ‘technically tied’ to their masters. On arrival all their documentation is confiscated so that they do not run away. They are then not paid for some months and that way, they are forced to continue working hoping to get their arrears some day. Besides, some in the Limpopo province of South Africa fear vicious wild animals as this is a wildlife zone that harbours the Limpopo Trans-Frontier National Park. In some cases, these victims are afraid to run away for fear of reprisals in the event that they are caught by their masters. According to Police and CIO reports, the authorities have failed to effectively police the borders largely because of rampant corruption within the state institutions. Whenever there is an illegal activity, it is the state officials who benefit first and most and would as much as possible not want that activity thwarted. Especially with the trafficking at Buffalo Range and the Harare International Airport, it has since been confirmed that there is a well knit and well oiled syndicate that operates and involves Immigration, Criminal Investigations Department, CIO and the Civil Aviation Authority of Zimbabwe. With all these departments involved, the Police indicated that it was therefore difficult to really establish the network.

According to the Ministry of Home Affairs’ Police Homicide Department in Harare¹⁵, though there have been efforts to educate the masses on the laws around trafficking especially on human body parts peddling that has not improved the situation. Instead, the worsening economic situation has equally motivated the criminal and devilish practice. The Police have also teamed up with the Zimbabwe National Traditional Healers’ Association¹⁶ (ZINATHA) with a view to discouraging witch-doctors from prescribing concoctions that require the killing of people.

¹¹ Mazire (2011).

¹² This was only supported by the Zimbabwean Immigration officials.

¹³ This is dirty road that was established by the colonial forces as a demarcation between Zimbabwe and Mozambique in the 1970s. Along this road, there is no physical barrier that serves as a border.

¹⁴ Interview with IOM officials in 2011.

¹⁵ Interview with the Zimbabwe Republic Police Criminal Investigations Department Homicide senior officer at Harare Central Police Station.

¹⁶ Interview with the National Secretary for Publicity for ZINATHA in Harare.

ZINATHA national spokesman also revealed that the organisation has had consultative meetings with his counterparts in SA trying to reach a common position regarding the trafficking of either live beings or processed parts.

3.0 Prevention

Though Zimbabwe has been ranked on the Third Tier according to the 2011 United States of America Department Traffic in Persons Report¹⁷ for its failure to deliberately combat trafficking, it has however been observed that generally Africans and Zimbabweans in particular believe that going overseas or to any of these international destinations is an achievement and therefore never consider it as trafficking or likely to land them in slavery. No wonder why thousands of Zimbabweans ended up as care-givers in the UK, Australia, New Zealand and SA. These victims would have been taken on the promises of lucrative jobs only to discover the opposite on arrival. Apparently, on arrival all the documentation is confiscated by the handler or agent who then demands an exorbitant reimbursement of all the travel expenses should one raised eye-brows. This then leads to debt-bondage which never got paid up till one had either acclimatised to the situation or got addicted to the abuses.

Prevention has also remained a challenge for as long as there is no enforcement of available legal instruments; the Zimbabwe criminal code which clearly criminalises sexual exploitation, Immigration Act, Labour Act and Child Protection Act and the United Nations General Assembly Resolution 55/25/2000 'Suppress and Punish Trafficking in Persons'. It will also remain a challenge for as long as people believe that going to these destinations is a life-time achievement. The Immigration authorities of all concerned countries must also ensure that their borders and/or gazetted points of entry/exit be securely manned to combat illegal movements. This thrust could also be enhanced through the use of state-of-the-art equipment and scanners that detect contents in haulage containers. Unfortunately, most of these developing countries cannot afford to acquire these gadgets for each of their border posts. It is imperative that the criminal practice be curtailed in order to ensure that some of these social and economic implications as noted by Jacobsen (2005)¹⁸ are prevented; premature sexual activity leading to sexually transmitted diseases and HIV, emotional and psychological damage, substance abuse, family breakdowns, loss of education (academic and cultural) and national development retardation amongst others. Trafficking has largely been associated with some nationalities especially Pakistanis, Chinese, Zimbabweans and South Africans even when they are not involved.

The District Administrator's (DA) office in Beitbridge¹⁹ reported that though the statistics of trafficking through Beitbridge border post (SA/Zimbabwe), the biggest inland port in the SADC region had dropped in 2010-2011 to an average of 15 Zimbabweans per month and about 45 other nationals per month compared to 2007-8 and 2004-5, which had 80 and 110 Zimbabweans respectively, there was urgent need for collective effort to achieve that goal. The Office also revealed that during the same criminal operations, in 2004-5 and 2010-11, an average of 45 and 3 to 5 people died respectively mainly due to either illnesses or lack of support facilities. A similar situation was also experienced at Nyamapanda border post (Zimbabwe/Mozambique) where over 300 Somalis en-route to SA and Zimbabwe were recorded per month. However, IOM could not confirm trafficking at Forbes border post (Zimbabwe/Mozambique) in Mutare during 2011.

In a bid to help prevent this criminal trade, in 2011, the Zimbabwe government in collaboration with the International Organisation for Migration²⁰ (IOM) launched a program called 'Building National Response Capacity to Combat Human Trafficking in Zimbabwe' (BNRCCHTZ). The program is a deliberate attempt at combating trafficking, minimising its effects and providing care to the victims and their dependants. Through the program, awareness campaigns have been held and support facilities have been availed to the needy victims.

Similarly, the CIO through its agents within IOM has also embarked on a programme meant to stop migration of people. This programme has been operational at Beit-bridge and Plumtree border posts as pilot cases. However, despite these attempts, rate of trafficking has not changed for the better. This paper, guided by the findings and developments on the ground concerning trafficking recommends that the international community join hands and fight this scourge. Politics and economics have proved that no country has been spared of this problem outrightly. Either, a country is a source or it is a transit route; either, it is a market or it is a hide-out for perpetrators.

¹⁷ US Department (2011)

¹⁸ Jacobsen K (2005)

¹⁹ Interviews with officials from the District Administrators' Office, Beitbridge, Plumtree and Nyamapanda Districts.

²⁰ Interviews with officials from the International Organisation for Migration (IOM), Beitbridge, Plumtree and Harare.

Therefore, human trafficking affects all hence the need for the following measures; institution of effective anti-trafficking laws, involuntary servitude investigations, adoption of e-border points, human rights education and establishment of a protection and reintegration fund or aid for victims. Countries receiving trafficked people, with or without evidence, could also ensure that all industries, farms, estates, tourist places and other massive labour consumers are paying taxes. This way, they are able to account for all the employees and tell whether they have proper documentation and are being paid appropriately so that national development can take-off the ground.

4.0 Protection

Governments are supposed to protect their citizens and their interests at whatever cost. Similarly, they are expected to have in place deliberate mechanisms and laws that safeguard their people's desires and welfare from the hawks and jackals. While it is acknowledged that human trafficking is a reality, countries whose people are being exploited are turning a deaf ear as if the problem is unreal. This has therefore led to economic, political and social development retardation and threatened national security. As a sign of conflict, trafficking has also posed a threat to public health and democracy in all the countries where it has left some trail.

Citizens have to be protected from trafficking (knowingly or otherwise) as some of them engage in the trade out of desperation for a livelihood while others are forced by various circumstances like poverty, ignorance about what could be ahead and unending desire for sex. Protection could be in the form of deliberate and effective policy supported by its efficient implementation or simple compliance with world standards. In the case of Zimbabwe, there is very little effort towards the establishment of that protective policy or laws. Besides the January 2011 Government/IOM joint program, there have not been any operations to curb trafficking or at least address the scourge. Instead, the government has not taken advice and recommendations by other actors based on the World International Committee of Red Cross (ICRC) of 1996 and the US Trafficking Victims Protection Act of 2000²¹. The present regime has always taken the advice as propaganda and political interference into its domestic affairs. This attitude that the Zimbabwean government has adopted has towards the human trafficking problem has and will continue to impact negatively on national development especially in terms of planning, labour resources availability and in terms of recruitment for insurgency purposes by enemies of the state.

5.0 Conclusion

The paper has discussed issues to do with the practice of trafficking, its modus, and implications socially, politically, economically and to general human rights. It was noted that while there are perpetrators who forcibly recruit victims, there are also volunteers largely due to poverty and the need escape from various other social ills including political persecution.

However, there is need to put in place mechanisms that either curb or control/minimise this 'evil' practice through an act of parliament and other deliberate policies. The establishment of any laws or the implementation of nay policy should be done in liaison and concurrently with the review of the civil servants' salary so that they will possible either reduce or control all corrupt tendencies. Overall, it is safe to say that trafficking has trampled on the basic and fundamental human rights and the potential for economic development. (3 205)

6.0 References

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²¹ Ibid (see 7)