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USDOS – US Department of State

Trafficking in Persons Report 2018 - Country Narratives - Zimbabwe

ZIMBABWE: Tier 2 Watch List

The government of Zimbabwe does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by securing its first convictions since 2007 and identifying and protecting more trafficking victims compared to the previous year. The government trained border and law enforcement officials, labor inspectors, social workers, and civil society organizations on victim identification and interview techniques. The anti-trafficking inter-ministerial committee (ATIMC) met quarterly and led the implementation of the national action plan, and the government launched provincial task teams in five provinces, and conducted awareness raising activities. However, the government did not demonstrate increasing efforts compared to the previous reporting period. It did not amend the 2014 Trafficking in Persons Act, which was inconsistent with international law. The government investigated and prosecuted fewer trafficking cases compared to the previous year. The government did not provide funding to its NGO partners on which it relied to provide protective services to victims and that struggled to operate without such support, and remained without formal identification and referral procedures. Therefore Zimbabwe remained on Tier 2 Watch List for the second consecutive year.

RECOMMENDATIONS FOR ZIMBABWE

Amend the 2014 anti-trafficking legislation to incorporate a definition of trafficking consistent with the 2000 UN TIP Protocol; vigorously investigate, prosecute, and convict traffickers, including complicit government officials; formalize procedures for identifying victims and referring them to the care of appropriate government or NGO service providers; provide financial or in-kind support to NGOs and international organizations that provide victim services; expand training for law enforcement on investigative techniques; train prosecutors and judges on trafficking and trafficking-related legislation; establish safe houses for trafficking victims in each province; implement, and allocate sufficient resources to, the national action plan to combat trafficking; and raise awareness of human trafficking and the availability of assistance for victims.

PROSECUTION

The government had mixed anti-trafficking law enforcement efforts. Inconsistent with international law, the 2014 Trafficking in Persons Act defined trafficking in persons as a movement-based crime and did not adequately define “exploitation.” The 2014 act criminalized the involuntary transport of a person, and the voluntary transport for an unlawful purpose, into, outside, or within Zimbabwe. The focus on transport and the inadequate definition of “exploitation” left Zimbabwe without comprehensive prohibitions of trafficking crimes. The law prescribed penalties of 10 years to life imprisonment, which was sufficiently stringent and, with respect to sex trafficking crimes, was commensurate with penalties for other serious crimes, such as rape. Zimbabwe’s Labor Relations Amendment Act criminalized forced labor and prescribed penalties of up to two years imprisonment, which were not sufficiently stringent. The Criminal Law (Codification and Reform) Act criminalized procuring a person for unlawful sexual conduct, inside or outside of Zimbabwe and prescribed penalties of up to two years imprisonment; these penalties were not sufficiently stringent when applied to cases of sex trafficking. The act also criminalized coercing or inducing anyone to engage in unlawful sexual conduct with another person by threat or intimidation, prescribing sufficiently stringent penalties of one to five years imprisonment. Pledging a female for forced marriage to compensate for the death of a relative or to settle any debt or obligation was punishable under the act, with penalties of up to two years imprisonment. These penalties, as applied to sex trafficking crimes, were not commensurate with penalties prescribed for other serious crimes, such as rape.

The government investigated two potential cases of forced labor, a decrease from 72 investigations in the previous reporting period. The government reported prosecuting 14 trafficking cases in 2017, compared with 42 prosecutions in 2016; it prosecuted five new defendants for alleged trafficking crimes, while an unknown number of defendants were involved in ongoing prosecutions. The government reported convicting three traffickers in one case, the first conviction since 2007. The case involved three Zimbabwean men who exploited four male Mozambicans in forced labor on farms in Chipinge; the government sentenced all three traffickers to five years imprisonment. The Ministry of Foreign Affairs continued the ongoing investigation of trafficking cases involving Zimbabweans exploited in Kuwait. The Zimbabwe Republic Police’s Victim Friendly Unit (VFU) had responsibility for investigating cases involving women and children and referring victims to support services; however, the VFU was largely inactive and did not report investigating trafficking cases during the year.

In coordination with two international organizations, the government supported the training of 10 magistrates and 19 prosecutors from all 10 provinces throughout the country by peer prosecutors and magistrates from the South African Development Community (SADC) region. The training covered the international and Zimbabwean trafficking legal framework, jurisprudence in the SADC region, cross-border cooperation, and trafficking case studies. In December 2017, the Director Inspector of the Criminal Investigation Unit trained 20 police officers. Corruption in law enforcement and the judiciary may have impaired the effectiveness of anti-trafficking efforts. Victims reportedly refused to report or pursue cases of trafficking due to fear their traffickers could bribe police or judges. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

PROTECTION

The government increased its efforts to identify and protect trafficking victims. The government reported identifying 87 potential trafficking victims, compared with 72 victims identified by officials in 2016. The government repatriated 14 victims, all women between the ages of 22 and 45, including 13 from Kuwait and one from South Africa. The Ministry of Labor coordinated with a local NGO to identify and refer to care 73 potential child victims of sex trafficking from high-density areas in Harare. All potential child victims received protective services including counseling, medical care, and an education needs assessment by an NGO, which had 12 shelters throughout the country. The NGO did not receive funding from the government and struggled to operate without such support. Of the potential child victims, 10 girls were taken to a vocational training center to receive skills training and 46 children were placed in children’s homes. In addition, the government assisted four foreign male victims of forced labor. Furthermore, a local NGO-operated hotline received calls from 146 boys and 143 girls seeking assistance for exploitation in domestic service; many reported they were subjected to sexual, physical, and verbal abuse by their employers. One boy and 53 girls called the hotline to report their exploitation in sex trafficking. The ministry established a system whereby each potential trafficking case reported was handled jointly by an NGO and a Department of Social Welfare case worker; however, the government did not provide financial support to the NGOs. The government paid the tuition for the children of trafficking victims. In coordination with an international organization, the government coordinated a two-day training for 80 female trafficking survivors on entrepreneurship and, following the training, the government purchased equipment to assist each participant in starting livelihood projects. The government supported monitoring activities to track the women’s progress.

The Immigration Department also developed standard operating procedures, which provided guidance to immigration officers responding to vulnerable groups including potential trafficking victims. In 2016, the Ministry of Public Service, Labor and Social Welfare (MPSLSW) established the technical steering committee on the protection of victims of trafficking to oversee the protection and provision of re-integration assistance and referral services to victims of trafficking. The government also developed and adopted a national referral mechanism for vulnerable migrants in Zimbabwe, which included standard operating procedures to guide front-line responders in identifying potential trafficking cases. In partnership with an international organization, the government trained border and law enforcement officials, labor inspectors, social workers, and civil society organizations on victim identification and interview techniques. While the 2014 Trafficking in Persons Act required the government to establish centers in each of Zimbabwe’s 10 provinces to provide counseling, rehabilitation, and reintegration services, these centers had not been established at the end of the reporting period. The government reported no victims were detained, fined, or jailed for unlawful acts committed as a result of being trafficked.

PREVENTION

The government increased efforts to prevent trafficking. The ATIMC met quarterly and led the implementation of the national action plan. The ATIMC developed guidelines for engagement between the government and civil society actors; and reviewed various national, regional, and international instruments governing the fight against trafficking. In coordination with two international organizations, the government held a three-day capacity-building workshop for members of the ATIMC, which was opened and led by the Minister for Home Affairs. During the previous year, the ATIMC launched provincial task teams in Harare and Matabeleland South and during the reporting period it continued to implement plans to create provincial anti-trafficking task teams in all 10 provinces by launching task teams in five additional provinces, including Bulawayo, Mashonaland East, Mashonaland Central, Manicaland, and Masyingo. In coordination with an international organization, the government trained the members of the task teams to equip them in their mandate and each task team drafted a work plan in line with the National Plan of Action (NAPLAC). The government continued to participate in the SADC regional data collection tool by uploading trafficking cases, victim and trafficker profiles, and sharing information with countries in the region. Through its participation in the data tool, an international organization and SADC launched the first annual draft analysis report for the region.

In September 2017, the government organized and funded a commemoration of the World Day Against Trafficking in Persons in Bulawayo following the launch of its anti-trafficking task force. The Minister of Home Affairs' permanent secretary held a live television interview discussing the government's anti-trafficking efforts, the Zimbabwean Police drama group performed for the public, using drama to explain the various types of trafficking and the government distributed pamphlets, brochures, t-shirts, and wrist bands. The government set up anti-trafficking booths at the annual Zimbabwe International Trade Fair and the Harare Agricultural Show, which drew thousands of participants, handing out educational materials and hosted focus group discussions. The government developed a national action plan on migration, which prioritized the protection of unaccompanied migrant children who were vulnerable to trafficking. In September 2017, the government rolled out a mobile registration system for national identity, birth and death certificates and separately put in place measures that ensured visa applications by local Zimbabweans to known destination countries were tightened, but it did not provide details on how this was accomplished. The government provided assistance acquiring lost or stolen identity documents for trafficking victims that were repatriated. The government did not make efforts to reduce the demand for commercial sex acts or forced labor.

TRAFFICKING PROFILE

As reported over the past five years, Zimbabwe is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Women and girls from Zimbabwean towns bordering South Africa, Mozambique, and Zambia are subjected to forced labor, including domestic servitude, and sex trafficking in brothels catering to long-distance truck drivers on both sides of the borders. Zimbabwean men, women, and children are subjected to forced labor in agriculture and domestic service in the country's rural areas, as well as domestic servitude and sex trafficking in cities and surrounding towns. Family members recruit children and other

relatives from rural areas for work in cities where they are often subjected to domestic servitude or other forms of forced labor; some children, particularly orphans, are lured with promises of education or adoption. Reports indicate that adults have recruited girls for child sex trafficking in Victoria Falls. Children are subjected to forced labor in the agricultural and mining sectors and are forced to carry out illegal activities, including drug smuggling. There were increased reports of children from Mozambique being subjected to forced labor in street vending in Zimbabwe, including in Mbare. Additionally, the practice of *ngozi*, giving a family member to another family to avenge the spirits of a murdered relative, creates a vulnerability to trafficking.

Zimbabwean women and men are lured into exploitative labor situations in agriculture, construction, information technology, and hospitality largely in neighboring countries; some subsequently become victims of forced labor, and some women become victims of forced prostitution. Women are exploited in domestic servitude, forced labor, and sex trafficking in Kuwait and Saudi Arabia. There were previous reports of Zimbabwean women lured to China and the Middle East for work, where they are vulnerable to trafficking. There were reports of Zimbabwean students being lured to Cyprus with false promises for education via scholarship schemes where they are exploited in forced labor and sex trafficking. Many Zimbabwean adult and child migrants enter South Africa with the assistance of taxi drivers who transport them to the border at Beitbridge or nearby unofficial crossing locations and are subject to labor and sex trafficking. Some of the migrants are transferred to criminal gangs that subject them to abuse, including forced prostitution in Musina, Pretoria, Johannesburg, or Durban. Some Zimbabwean men, women, and children in South Africa are subjected to months of forced labor without pay, on farms, at construction sites, in factories, mines, and other businesses. Men, women, and children, predominantly from East Africa, are transported through Zimbabwe en route to South Africa; some of these migrants are trafficking victims. Refugees from Somalia and Democratic Republic of the Congo reportedly travel from Zimbabwe’s Tongogara Refugee Camp to Harare, where they are exploited and, in some cases, forced into prostitution. Chinese nationals are reportedly forced to labor in restaurants in Zimbabwe. Chinese construction and mining companies in Zimbabwe reportedly employ practices indicative of forced labor, including verbal, physical, and sexual abuse, and various means of coercion to induce work in unsafe or otherwise undesirable conditions.

ecoi.net summary:

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