

Botswana/Zimbabwe migration issues

Press statement by the Ministry of Foreign Affairs and International Cooperation

Government of Botswana

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The Government of Botswana has noted with growing concern the appearance in sections of the Zimbabwe media of unbalanced, distorted, and on occasion, even openly hostile reports directed against the Government and the people of Botswana. The recent appearance of an editorial comment in the Bulawayo Chronicle newspaper entitled "Time to act against Botswana" is but an extreme example of what can only be described as a pattern of misguided and xenophobic attacks on the good name of this country and its people.

The ingenuity of these papers of deriving facts from fairy tales and publishing them as such can only be interpreted as a deliberate and systematic attempt to fuel hatred and xenophobia between our peoples and to sour the warm and cordial relations that the Governments of Botswana and Zimbabwe continue to enjoy.

Botswana and Zimbabwe enjoy long standing cordial relations which have been reinforced and enhanced by formal structures of cooperation between the two. The Botswana/Zimbabwe Joint Permanent Commission on Cooperation and the Botswana /Zimbabwe Joint Permanent Commission on Defence and Security provide mechanisms for discussion of important issues in the relations between our two countries and have served both our countries well.

These joint commissions are characterized by frank and transparent discussions which have resulted in the resolution of some thorny issues in our relations and have enhanced our cooperation and mutual trust and understanding.

Botswana's relations with Zimbabwe are not guided by any extra-territorial power nor is she in cahoots with any foreign government or power to cause the demise of the Government of Zimbabwe. Botswana, however, like Zimbabwe is free to choose her friends within and outside the continent. The close and cordial relations that she enjoys with both the United Kingdom and the United States of America does not in any way imply hostility towards the government of Zimbabwe and should not be interpreted as such. Botswana appreciates Zimbabwe's sovereign right to develop friendship with any country in the world and cannot interpret such a legitimate and sovereign act as being a hostile act.

Whilst Botswana and Zimbabwe enjoy cordial relations, there are, however, a few problems that still remain and which have been the subject of discussions at numerous official meetings. The issue of illegal Zimbabwean immigrants is one such issue.

During the last Botswana/Zimbabwe Permanent Commission on Defence and Security that was held in Kasane, Botswana, in October/November 2003, the Zimbabwean delegation raised their concern about the corporal punishment meted out on Zimbabweans in Botswana. It was duly explained to the delegation that corporal punishment was provided for in the laws of Botswana and that it was not designed specifically for Zimbabweans. Corporal punishment applies to all residents including Botswana themselves.

It should also be acknowledged that in most cases, offenders are normally given an option of either paying a fine or receiving corporal punishment.

The fact is that, more often than not, Zimbabweans, out of their own free will, choose the latter option. In some cases, having received corporal punishment, they report to their Embassy that they have been tortured by the police or some of the law enforcement or security officials. Some of these incidents are very well known by the Embassy of Zimbabwe in Gaborone and the Ambassador of Zimbabwe has been fully apprised of these facts.

It is important to make a distinction between acts committed by the Government and those committed by individuals. The Government of Botswana neither condones nor allows the torture of persons both local and foreign who may be under the custody of the law enforcement authorities. This also extends to private citizens or individuals who may engage in such acts. Any such persons, whether officials or private citizens would face the wrath of the law. The reports, regrettably, give the false impression that the Government of Botswana is deliberately engaged in acts of torture against Zimbabweans and does not even attempt to adduce any evidence to that effect.

The Government and people of Botswana are equally gravely concerned about the allegations that they are killing Zimbabweans. These are very serious allegations whose only intention can be not only to tarnish Botswana's good name and reputation for an upstanding human rights record, but also to fuel xenophobia between the peoples of the two countries. Again the reports do not provide any evidence.

Whilst Botswana has done her best to maintain good relations with Zimbabwe, she has a legitimate right to employ measures to curb the flow of illegal immigrants in accordance with the principles of international law. Every country has this right.

Whilst it is true that every country has got its own fair share of criminals, it is equally true that a number of Zimbabweans in Botswana have been involved in criminal activities. The government of Botswana has never, at any point, attributed all criminal acts committed on its soil to Zimbabweans.

During the meeting of the Joint Permanent Commission on Defence and Security referred to above, the Government of Botswana indicated that the problem of illegal

immigrants, particularly those of Zimbabwean nationals had not abated. The Government also expressed serious concern about the involvement of illegal Zimbabwean immigrants in criminal activities including very serious crimes. This is an established fact of which the Embassy of Zimbabwe is very much aware. For instance, in 2002, twenty six thousand, two hundred and fourteen (26, 214) Zimbabweans were involved in criminal activities in Botswana. There is a clear correlation between the increases in the rise of crime in Botswana with the presence of illegal immigrants, most of who are from Zimbabwe. In cases where the illegal immigrants themselves have been crime victims, the law enforcement authorities do take appropriate action. For obvious reasons that can be understood by anyone, most illegal immigrants do not report to the authorities for fear of being repatriated.

As of the 25th of March, 2004, there were six hundred and eighty-one (681) Zimbabweans held in Botswana prisons.

The Ambassador of Zimbabwe to Botswana, HE Mr. Phelekezela Mphoko, has actually made concerted efforts to mitigate this problem by addressing some Zimbabweans living in Botswana and along our common border on the virtue of good neighbourliness and for them to desist from engaging in unlawful activities.

Between the 1st of January and the 25th of March, 2004, eight thousand three hundred and ninety-four (8394) illegal Zimbabwean immigrants were repatriated to Zimbabwe.

The Commissioners of Police of the two countries have a collaborative working relationship which has enabled them to investigate some criminal activities in which Zimbabwean nationals are involved. They have for instance jointly addressed officers working along our common border including Police, Customs and Excise and Immigration officials on the need to do their work with utmost professionalism.

Zimbabwean nationals are welcome to visit and conduct business in Botswana as long as they enter legally into the country, using gazetted points of entry. In actual fact, Botswana hosts a large number of Zimbabwean nationals some of whom are in the Public Service in various Government Ministries and Departments. Botswana also hosts a significant number of Zimbabwean teachers and nurses who came to the country of their own free will to seek employment. The Botswana Public Service employs over one hundred and fifty (150) Zimbabweans of different professions and there is a much larger number of Zimbabweans in the private sector, some of whom have established their own companies either on their own or in partnership with Botswana.

As of December 2002, the Government of Botswana had issued one thousand one hundred and twenty-eight (1128) Work Permits to Zimbabwean nationals. The number of Zimbabweans issued with Exemption Certificates at the end of December, 2002 was four thousand five hundred and seventy-three (4573). At the end of 2003, the number of Zimbabweans issued with Exemption Certificates stood at seven thousand four hundred and eleven (7411). If the Government of Botswana was hostile to Zimbabwe, this development would not have been possible.

As to applications for loans in commercial banks by Zimbabwean nationals, it should be appreciated that whilst there are laws and regulations guiding the operation of the

banking sector, it is not the business of the Government of Botswana to instruct banks who they should provide loans, overdrafts and other services to. The banks have their own risk-assessment menu which they use to assess their relations with their clients. There are in fact many Botswana whose applications for loans get turned down.

It should also be noted that Botswana has sufficient high schools, both public and private to cater for its citizens, both local and foreign. The Government of Botswana cannot, however, stop its nationals (some of whom are former Zimbabwean nationals) from sending their children to schools in Zimbabwe since it is their choice to do so.

Botswana does not host Studio 7 Radio Station or an American Radio Station which are purported to be broadcasting malicious propaganda against the Government of Zimbabwe with the aim of toppling it nor is it the desire of the government of Botswana to host such service organisations. This has been explained to the government of Zimbabwe in the past and is now being reiterated.

It is also wishful thinking and deliberately self-serving on the part of the authors and collaborators of these malicious reports to suggest that the Government of Botswana has been or is being encouraged by the political opposition in Zimbabwe to ill-treat Zimbabweans. The International Community and the Zimbabwean people themselves, we believe, have the wisdom and foresight to fully understand the intention and objective of this falsehood which is of grave concern to the Government and people of Botswana. They will make their own judgment on this unfounded allegation and derive truth from the facts before them.

Whilst the Government of Botswana believes in and upholds the freedom of expression and the freedom of the press, it equally and strongly believes in a responsible and accountable press. It is the considered view of the Government of Botswana that the articles appearing in the aforementioned papers do not reflect that responsibility on the part of the authors. Instead, they deliberately intend to create an environment of hatred and xenophobia between our peoples and to sour relations between the Governments of Botswana and Zimbabwe.

The Government of Botswana will not be dissuaded by the persistent malicious reportage emanating from the Zimbabwe media and will continue to pursue dialogue with the Government of Zimbabwe using all the appropriate channels that are available to it. Zimbabwe is an important neighbour for Botswana and vice versa, and no amount of malicious reportage will change this reality.