

Submission by the United Nations High Commissioner for Refugees

For the Office of the High Commissioner for Human Rights' Compilation Report

Universal Periodic Review: *Fourth Cycle, 54th Session*

ZIMBABWE

I. BACKGROUND INFORMATION

Zimbabwe acceded to the *1951 Convention relating to the Status of Refugees* and its *1967 Protocol* (hereinafter jointly referred to as the *Refugee Convention*) in 1981. However, it has entered reservations to Article 17 (wage-earning employment), Article 23 (public relief), Article 24 (social security) and Article 26 (freedom of movement). Additionally, Zimbabwe ratified the *1969 OAU Convention Governing the Specific Aspects of Refugees in Africa* (hereinafter the *1969 OAU Convention*) in 1985. Zimbabwe acceded to the *1954 Convention relating to the Status of Stateless Persons* (the *1954 Convention*) in 1998, but it has not yet acceded to the *1961 Convention on the Reduction of Statelessness* (the *1961 Convention*). During the first cycle of the UPR in 2011, Zimbabwe supported a recommendation to accede to the *1961 Convention*. During the third UPR cycle in 2022, it supported a further recommendation to strengthen efforts towards ratification of the Convention.¹

Refugee protection in Zimbabwe is governed by the *Zimbabwe Refugees Act* [Chapter 4:03], which incorporates key provisions of the *Refugee Convention*. The Commissioner for Refugees, under the Ministry of Public Service, Labour and Social Welfare, is the government authority mandated under the *Refugees Act* to recognize refugees and ensure the provision of adequate facilities and services for the reception and care of refugees within Zimbabwe.

As of the end of June 2026, Zimbabwe registered 12,784 refugees, asylum-seekers and other persons in need of international protection, comprising 8,719 refugees and 3,318 asylum-seekers and 747 other persons. Refugees and asylum-seekers in Zimbabwe predominantly originate from the Democratic Republic of Congo (87 per cent), mainly from the Eastern part of the country and fleeing conflict, sexual violence and indiscriminate attacks. The remainder originate from Burundi (5 per cent) and Rwanda (5 per cent).

II. ACHIEVEMENTS AND POSTIVE DEVELOPMENTS

At the 2023 Global Refugee Forum, the Government of Zimbabwe pledged to review and strengthen the legal and policy framework governing refugees and asylum-seekers, with a view to enhancing protection, documentation, and access to rights and services. As part of the implementation of this pledge, the Government is currently undertaking a review of the refugee legal and policy framework, including the *Refugees Act*.

UNHCR commends Zimbabwe for its continued commitment to maintaining asylum space, respecting the principle of *non-refoulement*, and facilitating access to essential rights and services, including health care and education, for refugees and asylum-seekers. UNHCR also welcomes the Government's ongoing efforts to review and strengthen the refugee legal and policy framework relating to refugees and asylum-seekers. These reforms provide a valuable opportunity to further align national legislation and policy with international and regional

¹ "Report of the Working Group on the Universal Periodic Review: Zimbabwe" (19 December 2011), para. 94.9, recommended by Slovakia, [A/HRC/19/14](#), "Report of the Working Group on the Universal Periodic Review: Zimbabwe" (5 April 2022), para. 140.12, recommended by Niger, [A/HRC/50/9](#).

standards and obligations, while promoting protection, inclusion, self-reliance, and durable solutions for refugees and asylum-seekers.

III. RECOMMENDATIONS FOR FURTHER IMPROVEMENT

Issue 1: Risks of Statelessness

Linked to 3rd cycle UPR recommendation no. 140.12: “Strengthen efforts to ratify the 1961 Convention on the Reduction of Statelessness (Niger)”.

Despite its accession to the *1954 Convention*, Zimbabwe has yet to accede to the *1961 Convention* or adopt domestic legislation to implement its obligations under the *1954 Convention*. As a result, gaps remain in the legal framework for the prevention and reduction of statelessness and the protection of stateless persons, including in relation to safeguards for otherwise stateless children, nationality documentation, and the resolution of long-standing nationality challenges affecting certain populations.

The legal framework governing nationality in Zimbabwe consists primarily of Chapter 3 of the *Constitution of Zimbabwe* (as amended in 2013), and the *Citizenship of Zimbabwe Act [Chapter 4:01]* of 1984, as amended. The *Constitution* contains an important safeguard prohibiting revocation of citizenship where it would result in statelessness as provided in section 39. However, gaps remain in the prevention and reduction of statelessness. Notably, the *Constitution* does not explicitly guarantee a right to Zimbabwean nationality for children born in Zimbabwe who would otherwise be stateless. Furthermore, entitlement to citizenship by descent under section 37 is contingent upon birth registration. This requirement may place children at risk of statelessness where birth registration cannot be completed or where the necessary documentation is unavailable.

The *Citizenship of Zimbabwe Act (Citizenship Act)* also contains several safeguards against statelessness; however, gaps remain in its implementation as well. Section 11 of the *Citizenship Act* prohibits deprivation of citizenship by registration where this would render a person stateless. In addition, section 13 provides that a citizen by registration shall not lose citizenship due to prolonged absence from Zimbabwe if such loss would result in statelessness. However, section 10 of the *Citizenship Act*, which permits voluntary renunciation of Zimbabwean citizenship, does not expressly contain a comparable safeguard preventing renunciation where the person would otherwise become stateless.

Risks of statelessness are particularly acute for descendants of migrant workers from Malawi, Mozambique, Zambia and other Southern African Development Community (SADC) countries who settled in Zimbabwe during the colonial era. Changes to the nationality law between 1963 and 2003, particularly the 2001 requirement to renounce foreign nationalities within six months for Zimbabwean citizenship, left many without an effective nationality. In 2003, the *Citizenship of Zimbabwe Act* introduced a special procedure under section 9A for descendants of migrant workers from SADC countries to apply to confirm Zimbabwean citizenship. While this provision constitutes an important safeguard, Amnesty International has reported that documentation gaps, difficulties proving lineage, and administrative barriers continue to affect individuals to access nationality confirmation procedures in practice.² Further, while the *Constitution* does not prohibit dual citizenship by birth, section 9(1) of the *Citizenship of Zimbabwe Act* still broadly restricts dual citizenship and requires renunciation of foreign nationality in certain circumstances. This inconsistency creates a legal uncertainty, particularly for descendants of migrant workers, as noted above.

² Amnesty International, *We Are Like “Stray Animals”: Thousands Living on the Margins Due to Statelessness in Zimbabwe*, AFR 46/3932/2021, 2021, pp. 10–14.

The Government of Zimbabwe made a number of pledges aimed at preventing and reducing statelessness during UNHCR's 2019 High-Level Segment on Statelessness, including to establish a mechanism to identify stateless persons and facilitate their protection, conduct consultations with relevant stakeholders towards accession to the *1961 Convention*, and to complete the alignment of the *Citizenship of Zimbabwe Act* with the *Constitution*. UNHCR encourages the Government of Zimbabwe to implement these pledges and remains available, as appropriate, to provide technical support in advancing these efforts to prevent and reduce statelessness.

Recommendations:

- Accede to the *1961 Convention on the Reduction of Statelessness* and take steps to harmonize national legislation with international standards on the prevention and reduction of statelessness.
- Amend national legislation to introduce an explicit safeguard granting Zimbabwean nationality to children born in Zimbabwe who would otherwise be stateless.
- Strengthen measures to identify, document and resolve situations of statelessness, including through appropriate mechanisms for identifying stateless persons and facilitating access to nationality confirmation or acquisition where applicable.
- Amend the *Citizenship of Zimbabwe Act* to fully align with the *Constitution of Zimbabwe*, including by clarifying that citizens by birth are not required to renounce any foreign nationality.

Issue 2: Restrictions on Freedom of Movement

Zimbabwe maintains a reservation to Article 26 (freedom of movement) of the *1951 Convention* and requires refugees and asylum-seekers to reside in Tongogara Refugee Camp.

Under the Regulations to the *Refugees Act*, refugees and asylum-seekers must obtain prior authorization to leave the camp, even temporarily. In practice, administrative procedures to obtain authorization is generally accessible; however, restrictions on the duration and geographic scope of movement limit access to livelihoods, tertiary education, healthcare, and other opportunities for self-reliance, particularly given the limited services and opportunities available within the camp. Non-compliance may result in arrest, detention or other immigration-related penalties where an individual exceeds the authorization period or geographic area.

During the 2019 and 2023 Global Refugee Forums, Zimbabwe committed to aligning its refugee legal and policy framework with international refugee and human rights law. As Zimbabwe is currently reviewing its refugee legal and policy framework, including the *Refugees Act*, this presents an important opportunity to reconsider movement restrictions and strengthen compliance with Article 12 of the *International Covenant on Civil and Political Rights*, to which Zimbabwe is a State Party.

Recommendations:

- Withdraw the reservation to Article 26 (freedom of movement) of the *1951 Convention relating to the Status of Refugees*.
- Ensure that the ongoing review of the refugee legal and policy framework including the *Zimbabwe Refugees Act* removes undue restrictions on freedom of movement and revises related administrative measures in line with international refugee and human rights standards.

Issue 3: Livelihood Opportunities, Economic Inclusion, and Pathways to Self-Reliance

Zimbabwe's reservation to Article 17 (wage-earning employment) of the *1951 Convention* restricts refugees' access to formal wage-earning employment. While refugees may engage in certain self-employment activities and, in limited circumstances, obtain authorization to work in professions facing critical labour shortages, access to formal wage-earning employment remains highly restricted. In 2024, for example, the number of refugees with valid work permits issued by the Department of Immigration was just 232 individuals.

As a result, many refugees rely on informal work characterised by unstable incomes, unsafe working conditions, and increased risks of exploitation. According to a 2024 UNHCR-WFP (World Food Program) Joint Assessment Mission, approximately 93% of refugees and asylum-seekers in Zimbabwe were living below the national poverty line. Youth face limited pathways from education into employment and economic participation, increasing the risk of long-term exclusion. Women face heightened exposure to exploitation and gender-based violence, especially in informal economic activities and in households under economic stress. These challenges undermine refugees' ability to achieve self-reliance and durable solutions, contributing to situations of protracted poverty and dependence on humanitarian aid.

Despite these challenges, refugees have established a range of livelihood and income-generating activities within the refugee settlement, supported by the Government's allocation of agricultural land and designated commercial areas.

As noted above, Zimbabwe is currently reviewing its refugee legal and policy framework, presenting an important opportunity to expand access to lawful employment and strengthen economic inclusion. This would also support the implementation of commitments made by the Government of Zimbabwe at the 2019 and 2023 Global Refugee Forums, including commitments to enhance refugees' self-reliance by promoting livelihoods and entrepreneurship opportunities, and to facilitate access to financial services and employment, while advancing the transition from humanitarian assistance to nationally led, development-oriented responses.

Recommendations:

- Withdraw the reservation to Article 17 of the *1951 Refugee Convention relating to the Status of Refugees*.
- Ensure that the ongoing review of the refugee legal and policy framework, including the *Zimbabwe Refugees Act* enables refugees and asylum-seekers to access lawful wage-earning employment and removes administrative barriers to economic inclusion, in line with international refugee and human rights standards.

Issue 4: Pathways to Legal Integration for Protracted Refugees

Zimbabwe hosts a predominantly protracted refugee population, with many refugees having lived in Zimbabwe for years or decades, as well as their children who have been born and raised in Zimbabwe. While UNHCR commends Zimbabwe for maintaining asylum space and for its ongoing efforts in extending access to key services, particularly basic health care and education from primary through tertiary levels, refugees continue to lack clear and accessible pathways to legal integration, permanent residence and citizenship.

Section 12 of the *Refugees Act* provides that recognized refugees are entitled to the rights contained in the *Refugee Convention*, including the obligation under Article 34 for States to facilitate the assimilation and naturalization of refugees as far as possible. Furthermore, Section 43 of the *Constitution* provides for citizenship by registration for persons who have been continuously and lawfully resident in Zimbabwe for at least ten years. However, the current interpretation does not recognise periods of lawful residence under refugee status as

counting towards the residence requirement for citizenship by registration. In addition, the legal and administrative framework does not provide a clear and accessible route from refugee status to permanent residence or citizenship.

This gap is particularly concerning given Zimbabwe's protracted refugee situation, where prospects for voluntary repatriation remain limited and resettlement opportunities are available only to a small number of refugees. As a result, many refugees remain in prolonged situations of legal insecurity, with limited prospects for local integration despite years or decades of residence in Zimbabwe. This undermines self-reliance and the attainment of durable solutions, can create barriers to the full enjoyment of other human rights.

Zimbabwe has made important commitments to strengthen refugee inclusion and self-reliance. Establishing accessible pathways to permanent residence and citizenship would be essential to achieving these commitments and ensuring that Zimbabwe is in compliance with its international obligations.

Recommendations:

- Establish a clear and accessible legal and administrative pathway for refugees in protracted situations to obtain permanent residence and, where eligible, citizenship by registration, including by reviewing the treatment of periods of lawful residence under refugee status for the purposes of residence requirements.
- Ensure that the ongoing review of the refugee legal and policy framework includes provisions facilitating access to permanent residence, citizenship and other pathways to legal integration of refugees.

Issue 5: Fairness, Efficiency, Adaptability and Integrity of the Asylum System

Zimbabwe's refugee status determination (RSD) system is conducted through a committee-based model by the Zimbabwean Refugees Committee established under the *Refugees Act* and chaired by the Office of the Commissioner for Refugees. The Committee comprises the Commissioner for Refugees and members appointed by the Minister of the Ministry of Public Service, Labour, and Social Welfare, including representatives from the Zimbabwe Republic Police, the State Security Department, the Ministry of Defence, and Ministry of Foreign Affairs and International Trade, with UNHCR sitting as observer with an advisory role. Following the submission of an asylum application, a Refugee Status Determination Officer assesses the claim, which is then considered by the Committee before the Commissioner for Refugees makes a determination based on the Committee's recommendations. If the application is rejected, the applicant has the right to appeal to the Minister, whose decision is final.

While Zimbabwe has established a formal asylum procedure, further measures are needed to strengthen the fairness, quality, efficiency and protection-sensitive character of the asylum system in line with international refugee law standards.

The current RSD procedure in Zimbabwe would benefit from further strengthening to ensure thorough and fair examination of refugee claims. Key elements of RSD such as Country-of-Origin Information (COI) research, interview preparation, effective interviewing, impartial credibility analysis, and legally sound decision-making are not sufficiently integrated into the process.

The current committee-based model could be strengthened through the inclusion of members with expertise in international refugee law and refugee protection. RSD is a highly technical and protection-sensitive procedure and given the potentially irreversible consequence of an error in rejecting an asylum application, specialist expertise is important to support high-quality and consistent decision-making.

Resource constraints have prevented the Zimbabwean Refugees Committee from convening in 2026. This has hindered progress in processing the country's asylum caseload. The failure to convene regularly and to effectively manage the RSD process has exacerbated delays and undermined the efficiency of the asylum system.

At the 2019 and 2023 Global Refugee Forums, Zimbabwe committed to strengthening its asylum procedures and refugee status determination decisions.

Recommendations:

- Ensure that the ongoing review of the refugee legal and policy framework incorporates provisions to strengthen the fairness, efficiency, adaptability, and integrity of the asylum system in line with international refugee protection standards.
- Ensure that the Zimbabwean Refugees Committee includes committee members with expertise in international refugee law and refugee protection.
- Establish an independent and effective appeal mechanism, separate from the first-instance decision-maker and entrusted to individuals with expertise in international refugee law and refugee protection, to consider appeals before the Minister's final determination of asylum applications.
- Ensure that asylum-seekers have access to legal assistance and the opportunity to make oral submissions during the appeal procedure.

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