RE: **GENERAL ASSEMBLY RESOLUTION A/RES/68/179 ON THE PROTECTION OF MIGRANTS**

In the aforementioned resolution, the General Assembly requests States to adopt concrete measures to prevent the violation of the human rights of migrants while in transit, including in ports and airports and at borders and migration checkpoints, and train public officials who work in those facilities and in border areas to treat migrants respectfully and in accordance with the law (para 4c).

In paragraph 16 of the resolution, the General Assembly requests the Secretary-General to submit to the General Assembly at it 69th session a report on the implementation of the present resolution and to include in that report an analysis of ways and means to promote and protect the rights of migrant children that ensure the best interest of the child as being primary consideration, particularly in the case of unaccompanied migrant children and children separated from their families (para16).

The Office of the United Nations High Commissioner for Human Rights has requested for relevant information for the preparation of this report, including on:

* Challenges and best practices in promoting and protecting the human rights of all migrants at international borders; and
* Ways and means to promote and protect the human rights of migrant children, including unaccompanied children and children separated from their families, with particular reference to the risks faced by adolescents in this regard.

Every person in Zimbabwe is entitled to protection of the law regardless of their nationality. Zimbabwe is party to a list of International Conventions that safeguard the rights of Immigrants in the following manner:

1. **The Convention on the Civil Aspects of International Child Abduction**.

Zimbabwe is firmly convinced that the interests of children are of paramount importance in matters relating to their custody. It desires to protect children internationally from the harmful effects of their wrongful removal or retention and to establish procedures to ensure their prompt return to the State of their habitual residence, as well as to secure protection for rights of access.

Child Abduction Act *[Chapter 5:05]*

1. The Act secures the prompt return of children wrongfully removed to or retained in any country party to the Convention (Contracting State).
2. It ensures that rights of custody and of access under the law of the Contracting State are effectively respected in other Contracting States.
3. The function of the Central Authority under the Convention for all child abduction matters is discharged by the Secretary for Justice, Legal and Parliamentary Affairs.
4. The Secretary for Justice may institute or defend proceedings in the High Court, or intervene as a party in any such proceedings.
5. One major challenge faced by Government, when undertaking child abduction cases, is the risk of wasting resources looking for children due to various transnational crimes that are bound to take place.
6. **The UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.**

Zimbabwe is committed to preventing and combating trafficking in persons, paying particular attention to women and children. Furthermore it desires to protect and assist the victims of such trafficking, with full respect for their human rights.

In 2014 Government passed the Trafficking in Persons Act to strengthen its commitment to the Protocol.

1. The Act imposes punishment ranging from life imprisonment or imprisonment for not less than 10 years for human trafficking.
2. It seeks to criminalise the hosting of adverts or any material on the Internet that is linked to human trafficking.
3. It seeks to appoint a committee on trafficking in persons with a mandate to formulate and implement a national plan of action against trafficking in persons.
4. It also seeks to create centres for victims of trafficking.
5. It outlines that trafficking punishment will be reviewed on a case-by-case basis.
6. The Act provides for the powers of law enforcement agents to search and detain persons entering or leaving Zimbabwe as well as seize property of suspected persons where there exists a reasonable suspicion that the crime of trafficking in persons is being or is about to be committed.
7. It provides for protection of victims in connection with the prosecution of traffickers under the Act.
8. It also empowers the courts to order the confiscation of all proceeds derived from or property used in connection with trafficking and provides for the establishment of centres for victims of trafficking in persons and for the programmes that might be offered to them.
9. **The Vienna Convention on Consular Relations**

The Zimbabwe Prisons and Correctional Service (ZPCS) must notify all detained foreigners "without delay" of their right to have their consulate informed of their detention. At the request of the national, the ZPCS must then notify the consulate without delay, facilitate unfettered consular communication and grant consular access to the detainee. Consuls are empowered to arrange for their nationals' legal representation and to provide a wide range of humanitarian and other assistance, with the consent of the detainee. The Standing Order No. 39 provides for the processing of this request.

The following have a right to consular contact protection from their Governments/ diplomatic channels:

1. Migrants who come from their country and then convicted and imprisoned in Zimbabwe; and
2. Irregular/suspected irregular migrants detained for violation of immigration laws.

The following pieces of legislation promote and protect the human rights of migrant children:

1. Section 11-14 of the Transfer of Offenders Act *[Chapter 7:14].*
2. Section 5 and 6 of the Privileges and Immunities Act *[Chapter 3:03]* and
3. The Immigration Act.
4. **International Convention on the Rights of Children (CRC) and its Optional Protocols (on the Sale of Children, Child Prostitution and Child Pornography and on the Involvement of Children in Armed Conflict).**
5. The Constitution of Zimbabwe (Amendment No.20) provides that the State must adopt policies and measures to ensure that in matters relating to children, the best interests of the children concerned are paramount. It defines a child as a boy or girl under the age of eighteen years and further outlines the rights of the child which include education, shelter, health, food, among others.
6. The Labour Act *[Chapter 28:01]* prohibits economic exploitation of children, especially child labour and further prohibits contracts of employment against any persons under the age of sixteen.

The Ministry of Public Service, Labour and Social Welfare with the support of IOM assists refugees. The Nyamapanda Reception Centre is a shelter that provides food and transport to newly arrived asylum seekers. In 2013 over 4000 asylum seekers passed through the centre and on average over 300 asylum seekers pass through on a monthly basis. Most asylum seekers migrate from Ethiopia, the Democratic Republic of Congo and Somalia. However there is need to take action against the possibility of human trafficking due to these movements. The Trafficking of Persons Act attempts to address such issues.

The Beitbridge and Plumtree centres cater for Zimbabweans who have been deported from South Africa and Botswana. From 2012- 2014 over 60 000 people were received at the Beitbridge centre and the figures have gone down during this period. The returnees are given food, shelter and transport to their places of origin.

The Ministry also facilitates the safe migration of workers. There is still a great need to protect Zimbabweans who seek jobs in South Africa hence the opening of the Migrant Resource Centre in Beitbridge. This centre advises Zimbabweans on how best to work in South Africa and highlights the different types of jobs.

The Ministry of Health and Child Care, in partnership with the Ministry of Finance and the Ministry of Public Service, Labour and Social Welfare assist in providing nutrition in the centres. They have also set up screening and treatment clinics in Beitbridge.