Survival Migration

Betts, Alexander

Published by Cornell University Press

Betts, Alexander.
Survival Migration: Failed Governance and the Crisis of Displacement.

For additional information about this book
https://muse.jhu.edu/book/43593

For content related to this chapter
https://muse.jhu.edu/related_content?type=book&id=1707887
South Africa has not been the only state affected by the Zimbabwean influx, although it remains the most high profile of the receiving countries. Zimbabwean survival migrants have dispersed throughout southern Africa, including to Botswana, Zambia, Mozambique, Malawi, and Namibia. Second to South Africa, Botswana has been the primary destination. Although far smaller than the movement to South Africa, the number of people crossing the border has been significant relative to Botswana’s overall population. At the height of the crisis in 2008, it is estimated that some 1 million individuals crossed the border, and between 40,000 and 100,000 Zimbabweans were believed to have been resident in a country with an overall population under 2 million.¹

Botswana has been recognized as having “the most exclusionary policy towards Zimbabweans” in the region (Kiwanuka and Monson 2009). In contrast to South Africa, where Zimbabweans have at least had access to territory and a brief period of moratorium against deportation, Botswana has drawn a sharp dichotomy between refugees and economic migrants. Those entering the asylum system have been detained in Francistown pending refugee status determination and then encamped in the Dukwi Refugee Camp if successfully recognized. Those who have not entered the asylum system or who have fallen outside the 1951 convention definition of a refugee have received no assistance and have faced the risk of roundup, arrest, and deportation—despite the virtual collapse of the Zimbabwean state (Betts and Kaytaz 2009).

The international response has replicated the government’s approach of starkly distinguishing between refugees and economic migrants. UNHCR and
the other UN agencies have provided assistance to the relatively small number of Zimbabwean refugees in the asylum system. UNHCR—with support from the UN Development Programme (UNDP), UNICEF, and the World Food Programme (WFP)—has focused on fulfilling this core aspect of its mandate, working to ensure that Botswana complies with its basic refugee obligations. However, the entire UN system has refrained from any protection, assistance, or advocacy in relation to the much larger group of vulnerable Zimbabwean migrants outside the asylum system.

This dichotomy has had significant human consequences for the many desperate Zimbabweans outside the asylum system. Eager to earn money to remit to family back home rather than be trapped in detention or the refugee camp, most have bypassed the asylum system. Yet by being present illegally, they have risked exploitation and have been forced to live in poverty. Those with HIV/AIDS have been deprived of access to ARVs and basic health care. Meanwhile, children, including unaccompanied minors, have lacked access to education.

The contrast with South Africa’s response, and the attendant human rights implications, raises the question why the refugee regime has so manifestly failed to stretch to address the needs of the Zimbabweans. This chapter argues that the dichotomy can again be explained by the particular configuration of domestic and international incentives on the Botswana government elite. At the domestic level, there have been strong and growing popular pressures to limit Zimbabwean immigration, as an increasingly xenophobic population has become concerned about resource competition, jobs, crime, and security. The relatively weak civil society has meant a lack of sustained advocacy in favor of expanded protection for the Zimbabweans. At the international level, UNHCR and other international institutions have exerted very little influence over the government. Because Botswana is a “middle-income country,” the UN system there has been small, with limited capacity or influence, and Botswana has had a degree of economic and political autonomy far greater than many other sub-Saharan African states.

**Zimbabweans in Botswana**

There is a long history of cross-border movements between Zimbabwe and Botswana, including by shoppers, informal cross-border traders, and skilled and unskilled migrants. However, the levels of movement increased rapidly in the first decade of the 2000s, reaching a peak immediately after the 2008 Zimbabwean elections. In contrast to South Africa, Botswana’s president was quick to condemn the election results and the influence of Robert Mugabe, leading many Zimbabweans to regard Botswana as a sympathetic safe haven.
While the preferred route for many Zimbabweans has been to travel to South Africa, Botswana has offered a more accessible alternative. The border is near Bulawayo, is easy to access, and avoids the pitfalls of the crocodiles of the Limpopo River, the lions of the Kruger National Park, and the *magumagumas* (bandits) lining the South African border. Despite Botswana’s three-hundred-mile-long electrified fence, entry at the Rwamakwegbana border crossing, which separates Plumtree, Zimbabwe, from Francistown, Botswana, is relatively straightforward.

Those entering Botswana have a slightly different profile from those entering South Africa, reflecting their different journeys. Whereas the nature of the route to South Africa necessitates longer-term migration, the patterns of mobility to Botswana have frequently been more short-term. They include significant temporary, circular migration. People come to find piece jobs in agriculture, construction, and the service sector, for example, leaving their families and dependents behind with the aim of sending money back across the border. As Mary Ratau of the local NGO Ditshwanelo explains, “They are not here for purposes of wanting a long time or permanent stay. They are just coming to make a few pulas and then go back. But the law cannot accommodate this. Because they are very rigid and there is a maximum period of stay. After which you have to acquire a residence permit; otherwise you are breaking the law.”

Yet although many come as circular migrants, the strategy remains based on desperation. Ratau explains: “The majority come because the situation is dire and Botswana is closer to Zimbabwe. . . . It is survival migration.” They come because of the absence of livelihood opportunities in Zimbabwe and with the hope of remitting some basic income to support their families. Kiwanuka and Monson (2009, 25) confirm this underlying motivation: “Migration emerged for many as the only solution to an economic situation that has depleted access to an increasing number of basic human rights, in many cases threatening the very survival of migrants and their families.” Although there are many categories of migration—people leave for a range of proximate reasons, including persecution, economic deprivation, and labor migration—all these categories of mobility occur against a backdrop of economic—and arguably state—collapse, and may thus be considered a form of forced rather than voluntary migration.

The precise number of Zimbabwean immigrants to have crossed into Botswana is hard to estimate accurately because so much of this migration has been informal. The government immigration office has recorded the number of people crossing into Botswana, and the International Organization for Migration (IOM) has begun to record the numbers of people being deported back to the Zimbabwean side. The available statistics suggest that at the height of the crisis more than a million people per year crossed from Zimbabwe to Botswana in 2008 and 2009. This figure, though, includes many people who came temporarily
or “recycled” back and forth over the border. Anecdotal evidence suggests that in early 2009 there were likely around 40,000–100,000 undocumented Zimbabweans in Botswana, in addition to just under 1,000 Zimbabwean refugees. Although this number is much smaller than in South Africa, it is nevertheless significant for a country with a population of around 1.9 million.

On arrival at the country’s eastern border, Zimbabweans who are identified by the authorities are transferred to the detention center at Francistown for refugee status determination. Routine detention began in 2002. All asylum seekers are detained, and the determination process is slow and can take more than a year. If accepted, refugees are passed to the nearby Dukwi Refugee Camp, where—with the exception of those who are granted work visas—they are forced to reside. Botswana’s recognition rate for Zimbabwean refugees has been high, especially for those fleeing postelection economic and political collapse in 2008. Yet most Zimbabweans remain outside the asylum system, deterred by the long wait and the conditions in the Francistown detention center and the Dukwi camp.

The number of Zimbabwean refugees in the country has remained constant between 2009 and 2012 at around 900, out of a total national refugee population of around 3,800. Instead, the overwhelming majority bypass the asylum system entirely and either cross the border illegally or use temporary visitor permits issued at the border. This places them outside both the national and international institutional response, rendering them largely invisible to the UN agencies in the country.

The majority of “illegal” Zimbabweans have resided in Gaborone and Francistown, while others have been in minor towns such as Lobatse and Selibe-Phikwe and villages close to agricultural areas such as Malepolole and Muchudi (Monsen and Kiwanuka 2009, 31). They have been forced to live in poor areas and shantytowns. One of the main concentrations is in an area of Gaborone called Old Phakalane, which has gradually become known as Little Harare. There Zimbabweans line the streets, take residence in derelict or semi-complete housing structures, and either beg or line up each morning for piecework.

Outside formal channels, and without sources of assistance, the illegal Zimbabweans have been vulnerable to exploitation and abuse. High demand for unskilled labor on farms and in domestic work has created opportunities for exploitation. Women have been especially vulnerable, Ratau explains: “For women, they are selling commodities, small goods just to earn a living. Or they do piecework as domestic workers. But they are very abused because they do not have papers. Whoever employs them will not pay them at the end of the month or will benefit from them sexually, and they do not really have recourse because they cannot go to the police.” Both male and female prostitutes, sometimes underage, are common, with Zimbabweans offering unprotected sex for as little as 30 South African rand—around US$3.
Although there are no significant reports of large-scale xenophobic violence, the Batswana have sometimes been hostile to Zimbabwean immigrants because of their perceived association with crime and HIV, and there have been occasional reports of attacks. Furthermore, many basic public services have been entirely unavailable to Zimbabweans. Health care—including ARVs—is unavailable to undocumented migrants. This issue was raised in a report to the Committee on the Elimination of Racial Discrimination in 2006, which found existing practices to be discriminatory. However, in talks the government has opposed access to ARVs on the basis that people need to be on ARVs for life and it is “better not to start”; the government also fears that offering health benefits to Zimbabweans would “open up the floodgates.”

The absence of material assistance to Zimbabweans has also meant that there are no programs for undocumented children. There are no reliable figures for the numbers of unaccompanied minors (UAMs) and children among the Zimbabwean populations. However, extrapolating from the proportion of Zimbabwean refugees who are under age fifteen would suggest that, based on the most conservative estimate of 40,000 undocumented Zimbabweans, there are around 3,000 undocumented Zimbabwean children, who have no access to protection or services such as education and health care. The Botswana Council of Churches and the Botswana Red Cross have offered some support to the Zimbabweans, especially UAMs, but it has remained limited.

The Response of the Government

The Botswana government’s approach to immigration has been dominated by a focus on internal security and economic nationalism under President Ian Khama. Since the 1990s, the state has been regarded as an economic success story, and has implemented austerity measures under structural adjustment programs to emerge with one of the highest economic growth rates and most stable democracies in sub-Saharan Africa. Yet, as a small state, with a former military president and facing the economic challenge of an HIV/AIDS epidemic, it has focused increasingly on national security.

This logic of national security has shaped the state’s overall response to immigration. In 2003, it built an electric fence three hundred miles long and two meters high along the border with Zimbabwe, ostensibly to stop the spread of foot-and-mouth disease among livestock, giving it the strongest border capacity in the region. In 2005, the government reviewed its immigration policy to increase deterrence, adding penalties for illegal migration and harboring migrants, and introducing a US$40 fine for unlawful entry. Those who are present illegally or are not recognized as refugees are liable to be detained and deported.
This approach is reflected in the national response to the Zimbabwean influx. Those conforming to the 1951 refugee definition have been allowed to remain but are confined to camps. Those not recognized as refugees have received no assistance or protection and have been liable to roundup, detention, and deportation. In contrast to South Africa, there has not even been a national debate on forms of protection or assistance to Zimbabweans who do not fit the refugee definition, even at the height of the crisis across the border. In that sense, the response reflects the limitations of the global refugee regime at the national level. Botswana’s national refugee legislation is one of the oldest on the continent. The 1967 Refugee Recognition and Control Act predates the 1969 OAU convention, and the government entered reservations on the elements of the 1951 convention relating to freedom of movement and the right to work. Consequently, asylum seekers are required to remain in detention in Francistown during their RSD process. If they receive recognition, they are entitled to live in the refugee camp but can apply for a work permit if and when they find work.  

The recognition rate for Zimbabweans is high, and almost all who have applied were accepted after the 2008 Zimbabwean elections. Once recognized, the refugees are compelled to stay in the camp, and the government even considered building a fence around the camp in 2009 before eventually dropping the proposal. The government is able to impose this policy of zero freedom of movement because at the time it developed its national refugee legislation in 1967, it entered reservations in acceding to the 1951 convention on refugees’ rights to freedom of movement and employment. Many refugees abandon the Dukwi camp, but those who do so without a work permit break the law and forfeit their access to assistance.

Beyond the asylum system, the government operates an even more draconian approach to irregular migrants. Aside from South Africa and Namibia, it is the only country in the region that regularly deported large numbers of Zimbabwean nationals throughout the crisis, an average of 5,000 per month in 2008 and 2009 (Monson and Kiwanuka 2009). Botswana puts more money into deportation than any country in the region except South Africa, spending around 2 million pula (approximately US$285,000) per month.  

In order to carry out deportations, the police conducts sporadic raids, especially around Gaborone, detaining people and then transporting them back to the Rwamakwegbana border post in large trucks, where they are handed over to IOM and offered reintegration packages at the Plumtree border post on the Zimbabwean side. Using biometrics and iris scanning, IOM now routinely records data on those being sent back. Since establishing its Plumtree Reception and Support Centre in 2008, it has documented and assisted more than 150,000 forcibly returned people.
The International Response

International organizations have had little strategy in response to Zimbabwean survival migration to Botswana. Alice Mogwe of Ditshwanelo said of the response of UN agencies: “I’m not sure how effective they are. They are very governmental and so there are restrictions on them in terms of what they can and cannot do.”

Across all the main UN agencies present in the country, there has been no mechanism or advocacy strategy whatsoever to promote protection or assistance for Zimbabweans outside the asylum system.

UNHCR’s effort has been confined to working within the asylum system, sitting in on refugee status determination, and training government immigration officers involved in the asylum process. It has also run a variety of programs for refugees on livelihoods, water, education, and HIV/AIDS, and provided basic provisions such as food, paraffin, soap, and a “settling-in” package for refugees.

However, at the height of the Zimbabwean influx, UNHCR’s position on the majority of the Zimbabwean migrants was, “For now, we are not involved; I don’t think we have given any thought to what the agency might do.”

UNHCR nevertheless acknowledged the scale of the problem:

There are lots of protection gaps, especially for vulnerable women and children. Sometimes they have no roof; it is very difficult to get employment. There is exploitation. Often they are not even paid. And they have no legal papers. There are unaccompanied minors. There is nobody to help them, and they fend for themselves. . . . It’s very difficult to even follow up. They are everywhere. There is no way to capture their information. They are very difficult to discover, and I don’t think we have the capacity to follow up. They are everywhere, and Botswana is huge.

UNHCR has had no mandate to work with the undocumented migrants, and most of its programs focus on the Dukwi camp and Francistown detention center. The UNHCR representative engaged in dialogue with the immigration minister, asking for deportations to be suspended after the March 2008 elections. However, the position of the government was that there is a procedure for Zimbabweans in need of protection in place: the asylum system. It argued that there are cases in which illegal migrants, after being apprehended, have nevertheless been allowed to make a successful claim for asylum.

Meanwhile, UNICEF’s work on child protection for refugees follows that of UNHCR, focusing on assistance in the Dukwi camp. As UNICEF’s deputy representative argued, “When people become refugees, a number of things kick in automatically. But for these undocumented, perhaps economic, migrants, it is not clear that we have any clear policies, structures, and guidelines on how to work
on this as UNICEF.” He noted that the ambiguous data on the undocumented migrants and Botswana’s position as a middle-income country have exacerbated the difficulty of programming or developing budget lines for the needs of undocumented migrant children.

The institutional response has been rendered even more inadequate by the absence of active NGOs in this field. The one NGO that is widely acknowledged to play an influential role in the human rights field, Ditshwanelo, admits that, given its limited capacity, this area is simply not a priority. In the absence of an international institutional response, churches and the Botswana Red Cross have offered basic assistance to unaccompanied minors, and are among the few organizations able to provide any degree of support to Zimbabweans outside the asylum framework.

Consequently, the needs of Zimbabweans who fall outside the 1951 convention are generally overlooked. The government and the main UN agencies are confined to working within the dichotomous framework of refugees/economic migrants, which renders the realities of the Zimbabwean exodus all but invisible. While all the UN agencies in the country acknowledge the issue and the protection gaps that exist, they are unable to address these problems because of the inadequacies of the national and international institutional framework.

Explaining the Responses

The question, then, is why the dichotomous approach exists. Why, despite many Zimbabweans facing similar underlying human rights deprivations, has there been such a stark distinction between how “refugees” have been treated in contrast to those outside the asylum system? Once again, the answer can be found in the way in which politics has shaped the role of international law. In particular, elite interests in government have been crucial to defining the scope of protection for people displaced across borders.

From the government perspective, there has been a basic compliance with the refugee regime. Its 1967 Refugee Act is one of the oldest in Africa, and the government of Botswana has done the minimum to comply with its domestic and international legal obligations under the act. UNHCR claims, “The Botswana government is very difficult.” The minister of justice, whose primary concern is internal security, is responsible for refugees. According to UNHCR, though, he never comes to UNHCR’s annual Executive Committee meetings. Even the Botswana permanent mission to the UN in Geneva attends only the first day of the annual meeting.

According to UNHCR, Botswana nevertheless perceives itself to “need to be seen to toe the line” simply because, having institutionalized the 1951 convention
into domestic law, it finds that compliance represents a relatively efficient way to procure international legitimacy.\footnote{27} The annual presence of the minister of justice at the Human Rights Council—in contrast to UNHCR’s Executive Committee—highlights the extent to which it values recognition as a state that is seen to broadly respect core human rights instruments.

Yet beyond these basic commitments, there has been almost no civil society pressure to extend protection or assistance for the Zimbabweans more broadly. The Law Department of the University of Botswana provides refugee law training for the government. However, in general, there is limited civil society or NGO capacity to work on refugee issues, let alone the protection of vulnerable irregular migrants. Aside from the Botswana Red Cross, UNHCR has even had difficulty finding an implementing partner in the country. The main human rights NGO in the country, Ditshwanelo, has strategically chosen to avoid focusing too much on the issue of the Zimbabweans. Its director, Alice Mogwe, explained why the organization focuses on refugees but is not actively involved in promoting the rights of Zimbabweans outside the asylum system: “Strategically, it does not work. The approach of all our work is a strategic approach. There’s no point in shouting a message at people who won’t hear it. . . . It’s not that we are cushy-cushy with the government, but we need to find a way of engaging with them.”\footnote{28}

Increasing levels of xenophobia have been directed against immigrants, not least the Zimbabwean population (Lefko-Everett 2004; Lesetedi and Modie-Moroka 2007; Campbell and OUCHO 2003). As early as 2003, Campbell and Oucho surveyed changing attitudes to immigration and refugee policy in Botswana and indicated a turn toward xenophobia (2003, 29). Their report highlights a growing belief in the negative effects of immigration on jobs and crime, and a correlation between immigration control and economic growth (2003, 22). They argue that anti-immigration sentiment in Botswana is on a par with that of the other wealthier migrant-receiving countries in the region: 94 percent support deportation of illegal immigrants, compared with 90 percent in South Africa and 97 percent in Namibia (2003, 23).

At the community level, this has translated into not only anti-Zimbabwean sentiment but also even Batswana vigilante groups, engaging in rare but violent attacks on Zimbabweans. Early in the influx, Rodrick Mukumbira (2003), a Zimbabwean journalist, described witnessing one such attack at a Gaborone bus station, where a gang of three hundred shouted, “We want to kill the Zimbabweans!” and attacked Zimbabwean immigrants. Unsurprisingly, this translates into a strong electoral incentive for politicians to respond firmly to Zimbabwean immigration.

Rather than such incidents being isolated, one member of UNHCR staff suggested that there is “xenophobia at the highest level,” and not just directed
toward Zimbabweans. For example, in 2009, six hundred to seven hundred Somalis doing business and self-reliant in Francistown were systematically rounded up and sent to the Dukwi camp. The UNHCR staff member noted that part of the motivation was that the president himself does not like the Somalis, having served as an OAU soldier in Mogadishu in 1992–93.29 One Batswana who was working for one of the main UN organizations in Gaborone, and has a family member who is a senior official in the government, told me: “The Zimbabweans are a real problem. We really just need to send them back; they cause crime and have no right to be here.”30

The international community in general and UNHCR in particular have had little choice but to be guided by the national response. One of the main constraints has been capacity. Because Botswana is defined as an “upper middle-income country” UN presence and capacity in Gaborone is restricted. As the head of the UN country team, UNDP’s Kwin-Sandy Lwin, explained, “There are four main agencies: UNDP, UNFPA [United Nations Population Fund], UNICEF, and WHO. UNHCR is so small that it isn’t even counted as one. FAO is a one-person show. UNAIDS doesn’t have an agency mandate. With that level of country presence, we have very limited capacity.”31

The UN agencies held a joint workshop on emergency preparedness and contingency planning in case of a severe humanitarian emergency, but that has been the extent of the response that limited capacity and the nature of UN work in middle-income country have allowed. The UN country team worked on an inter-agency basis to lay out three contingency scenarios in the aftermath of the 2008 Zimbabwean elections: “mass influx,” “xenophobia,” and “trickle.” The plans were developed to support the government in the event of either a massive humanitarian emergency and influx or the kind of xenophobic violence witnessed in South Africa in May 2008. Yet in relation the third scenario, the decision was taken that this lay outside the scope of the UN system’s mandate because the government had not invited an external role: “This focus on disaster and emergency preparedness looked at scenarios of displacement before the election and during the post-election. It is different to a trickle of people who have to leave the country to earn a living and to remit their salaries. Unless a government were to ask us, we don’t have a mandate on the trickle-out issue. As far as the government is concerned, they are illegal immigrants.”32

Indeed, within UNHCR there was a strong emphasis on not wanting to rock the boat in terms of the relationship with the government. A UNHCR staff member explained: “We have a very good relationship with the government; we can’t do anything without the government. . . . The government is very sensitive on security; we have to be diplomatic. UNHCR is here because of the government. . . . We are here to give technical support.”33 Because Botswana is a middle-income
country, UNHCR had even considered closing its Botswana office until the outbreak of the Zimbabwe crisis.34

The political constraints on UNHCR’s work in the country have been severe. For example, in 2009, when the government systematically rounded up Somalis and forced them to reside in the camps, then-representative Roy Hermann engaged in talks with the government to find a constructive solution. When I was there in 2009, UNHCR used this as an example of how it is able to critically engage with the government: “We are able to criticize the government. . . . Even if the government will not change its policy, we still talk about it, for example, the government rounding up Somalis and saying Somalis should only reside in the camp. Our representative is talking to the government about it. If they are left in the camp, there is no durable solution for them. They have been out trading, and if they are in the camp, what can they do there? The government will ignore us, but we are still talking to them.”35 Just a few weeks later, however, the government expelled Hermann from the country, accusing him of supporting lawyers from the University of Botswana who were litigating for the rights of the Somalis.36

UNHCR—faced with capacity and political constraints—has simply adopted the line that the government should “respect its obligations” in relation to the 1951 convention, and has refrained from bringing up the situation of Zimbabwean survival migrants. The overall UN position has been that the most constructive way to engage with the Zimbabwean issue is for the government to work collaboratively with IOM to improve the conditions of immigration management: “There is a serious institutional gap as we are now, but if IOM were to come, that would address the gap.” However, IOM does not have an office in Gaborone, and its role has largely been limited to the transit center it has set up at Plumtree to facilitate returns.37

Conclusion

Zimbabweans crossing into Botswana have fled the same underlying conditions of political and economic collapse as those who have crossed into South Africa. The economic consequences of the political situation, in addition to generalized violence, have led to flight across the western border. Nearly all those leaving, whether permanently or temporarily, have fled human rights deprivations resulting from state failure. They have been seeking a means of survival. Yet within Botswana the national and international institutional response has been stark. Refugees, recognized on the basis of individualized persecution, have received protection. Other survival migrants, fleeing for reasons other than persecution, have had no access to protection or assistance. Instead, they have faced roundup, detention, and deportation.
This harsh response contrasts with some of the other cases in the book. In Botswana, neither the national nor the international refugee regime has stretched to protect people who lie beyond its boundaries. Although responses to the Zimbabweans in South Africa have been weak and ad hoc, there was at least some leeway in the regime for Zimbabweans to get access to territory and to receive certain forms of protection. South Africa also had a temporary moratorium on the deportation of Zimbabweans, and some NGOs were present to fill the most egregious protection gaps. In Botswana, almost nothing has been done to address protection and assistance needs or to limit deportations.

Why has the response been so extreme? Institutionally, there has been no legal basis on which to recognize Zimbabweans outside the 1951 Refugee Convention. Politically, there have been strong incentives on the government against stretching the national refugee regime to protect the majority of the Zimbabweans. At the domestic level, widespread xenophobia and anti-immigration sentiment have been significant electoral incentives impelling expulsion, and unlike in South Africa, civil society has been extremely weak in campaigning for the rights of the Zimbabweans. At the international level, there have been few incentives on Botswana to stretch the boundaries of the national protection regime. The government has sought to “check the boxes” of compliance with international refugee law. However, because Botswana is a middle-income country, the UN system as a whole has had very little means of influence.

UNHCR and the international community’s responses have largely followed the national position. Reliant on the invitation of Botswana to operate in the country, and aware of its limited capacity and leverage, UNHCR has strategically opted to remain quiet on the treatment of the Zimbabweans. While privately recognizing the significant protection gaps, it perceived itself to be organizationally constrained. The expulsion of UNHCR’s national representative in 2009 illustrates the extent to which the UNHCR-Botswana relationship is led by the government. Other UN agencies have similarly abdicated responsibility for advocating for the rights of Zimbabwean survival migrants. Botswana therefore represents one of most extreme examples of national and international institutional failure to adapt to survival migration. For those fleeing fragility, the arbitrary distinction between persecution and deprivation has determined access to rights.