



**JOINT ASSESSMENT MISSION OF BURUNDIAN RETURNEES  
UNHCR- WFP 07-11 MAY 2007**



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## REPORT OF THE JOINT ASSESSMENT MISSION

**BURUNDI, 07-11 May 2007**

### **I. BACKGROUND**

For over 30 years Burundi experienced recurring socio-political crises. A civil war in 1993 had disastrous effects. Since all but one of the parties to the conflict signed Peace Agreements in Arusha in 2001, the country has been making progress. The last party to the conflict, the Front National de Liberation (FNL Palipe-Hutu) signed a cease-fire agreement in September 2006, however, while there is a cease-fire, the terms of the agreement have not been implemented.

In 1972, some 200,000 refugees fled to neighbouring countries. These were followed by some 400,000 who fled in 1993, mainly to Tanzania (UNHCR). In addition, since 1993, some 880,000 were displaced internally and some 300,000 died (OCHA). Spontaneous repatriation was noticeable in 2001. The Governments of Burundi and Tanzania and UNHCR signed a *Tripartite Agreement* covering repatriation on 15 January 2002. UNHCR began facilitating repatriation from the refugee camps in western Tanzania in 2002. In June 2006, UNHCR began promoting repatriation. Between 2002 and the end of 2006, 340,000 persons returned, of whom 22 per cent spontaneously and 78 per cent facilitated. By the end of April, some 3,000 had repatriated in 2007. This rate, if continued, will fall far short of the original or revised expectations of repatriations in 2007 of 80,000 and 65,000 respectively. Some 150,000 refugees remain in camps in Tanzania.

A number of reports on specific aspects of the reintegration of returnees exist, particularly those prepared by UNHCR's partners. The Joint WFP/FAO/UNHCR Needs Assessment Mission in March-April 2006 in preparation for WFP's PRRO in Burundi recommended that UNHCR and WFP should begin a joint review to evaluate the needs and targeting of returnees in terms of food. As successful reintegration does not depend on food alone, the organisations subsequently agreed to widen the scope of the review to include the principal issues in return.

The first part of the review consisted of a survey of returnees, with a control group of persons who had not left their colline during the crises. This survey was carried out by the Institut des Statistiques et d'Etudes Economiques du Burundi (ISTEEBU) in late 2006-early 2007. It included the socio-demographic nature of households surveyed, education, economic activity, nature of ID documents, information on why and from where returnees had returned, health in the last three months, type of house, security and

relationship with neighbours, food security, agriculture, livestock and other sources of income, income and expenditure. ISTEERU presented its report in March 2007.

In the second part of the review, a Joint Assessment Mission (JAM) visited four key provinces of return. The government, eight UN agencies, one NGO and representatives of four major donors formed the JAM. It divided into two teams, one covering Kirundo and Musinga in the north-east, the second Makamba and Rutana in the south-east. They were joined in the field by local government officials and NGOs working in the areas as well as WFP and UNHCR in those provinces. This mission took place 7-11 May 2007. (List of participants attached as Annexe 2).

The JAM's main objectives included assessing if information contained in the various reports could be confirmed. During the field visits, the JAM spoke to government officials, staff of UN agencies and NGOs, returnees and non-returnees, staff in schools and health centres as well as children and patients. The JAM's report would pull together previously collected information and its own findings with a view to establishing reliable data on which to base programme and policy decisions in the short and longer term. (Full Terms of Reference attached as Annexe 1) A map is attached as Annexe 3.

## II. EXECUTIVE SUMMARY

The repatriation, in terms of immediate reintegration, is achieving its goals successfully. While there may be isolated cases of discrimination and there are certainly cases where returnees have difficulty in recovering their land, the vast majority reintegrate quickly. Returnees quickly, within a matter of months, find themselves in the same situation as their neighbours – although it takes one year, a full agricultural cycle, to be truly on the same footing.

While immediate reintegration has posed few serious problems, the situation for everyone, returnees and non-returnees alike, is far from satisfactory in terms of food security, income generating possibilities and access to services.

Some protection failings were noted – cf. Findings, Part 1 below. However, in this post-conflict situation, the non-returnee population is affected by most of the same problems, which are of a human rights nature rather than specifically related to return – including sporadic incidents of revenge related to the conflict, the FNL Palipe-Hutu's continuing recruitment, food insecurity, documentation, access to services, sexual and gender-based violence (SGBV).

Land is a major issue<sup>1</sup>. The population density is 250 persons, rising to over 400 in arable areas, per square km. On average, access to land means access to 0.7 ha, down to 0.4 ha for some 40 per cent of the population of the central plateau. Some 90 per cent of the population is land dependent (agriculture and livestock), but land-based activities constitute less than half of total GDP. (*Projet d'appui à la Politique Nationale de Population* (PNP), 2002) Population growth rate is 3.4 per cent.

Land ownership is widespread. WFP's *Food Security and Vulnerability Assessment Report*, September 2004, gives land ownership at 91 per cent (lowest in Bubanza at 78 per cent, highest in Muramvya and Mwaro at 99 per cent) and rental at 26 per cent (lowest in Mwaro at 7 per cent, highest in Ruyigi at 38 per cent). The World Bank's survey on basic indicators for well-being (QUIBB report 2006) gave very similar results for land ownership. In rural areas, 90.3 per cent of households own land (lowest in Bubanza at 81.8 per cent, highest in Makamba at 96.5 per cent).

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<sup>1</sup> A comprehensive study of the land situation in Burundi and the implications for repatriations was commissioned by FAO and carried out by a consultant, Charles Ntampaka, who reported in February 2006. The report not only covers the various players, legislation and conflicts, but also the difficulties faced specifically by the 1972 and 1993 groups of returnees, with explanations. The report is titled: *La question foncière au Burundi., Implications pour le retour des réfugiés, la consolidation de la paix et développement rural*

Figures are not available for returnees who own land, but ISTEEBU<sup>2</sup> reports that 86.7 and 89.2 per cent respectively of returnees and control group have access to land.

Disputes relating to land are frequent. A CED CARITAS/Burundi survey in 2005 identified 33,764 disputes related to land, of which 56.3 per cent are linked to Burundi's various conflicts. (*Commission National des Terres et Autres Biens* (CNTB), submission to Peace Fund Committee, 2007) The *Ligue Iteka*<sup>3</sup> 2006 report says that 51 murders in 2006 were related to land disputes.

Opportunities for non-land-based work are extremely limited overall and almost non-existent in rural areas.

Access to health and education services is inadequate. Distance is frequently an issue, but also the adequacy of the services provided. More health centers and schools are needed and, in general, they lack water, sanitation, staff, and supplies.

One issue which is **returnee specific** is the duration of the status of "returnee". Regardless of the date of return, returnees continue to be known as/consider themselves to be, returnees. Establishing a limit would eliminate ambiguities about their status and would help ensure their reincorporation as Burundians like all others. The tendency to see them as the responsibility of UNHCR and its partners can act against them when seeking assistance.

Although outside the terms of reference, in the north-east, the JAM came across the plight of the Burundians being expelled from Tanzania. These are Burundians who have no immigration status in Tanzania. These expulsions began in May 2006 and take place in a disorganised manner, with no legal framework agreed between the two countries. To date, some 8,000 (ECHO) persons have been expelled. It is possible there are *refoules* among them. PARESI and the Burundian Red Cross are responsible for the group, with UNICEF as the lead UN agency. These people, upon return, have the same need for support in reintegration as other returnees.

## CONCLUSIONS

In the conditions outlined above, while the initial/immediate reintegration of returnees is satisfactory, the possibilities of its being durable are extremely low. Land is a limited commodity and will never meet demand. Non-agricultural employment opportunities are negligible. Services are inadequate. This is a cocktail for frustration and discontent with the consequent outlook for durable and sustainable reintegration exceedingly fragile, not to say bleak.

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<sup>2</sup> The ISTEEBU (Institut de Statistiques et d'Études Économiques du Burundi) survey was carried out at the request of UNHCR and WFP in late 2006-early 2007. The control group in the survey consisted of persons/families who had remained on their colline throughout the crisis

<sup>3</sup> The *Ligue Iteka* is a well-established Burundian human rights organisation

The durable solution relies on development. Currently, the scene is dominated by humanitarian agencies. These, however, are scaling down activities as the nature of the work evolves from emergency-humanitarian to development. This is not being matched by increased presence of development agencies and the type of projects they can implement. The gap is there, and widening. Donors could play a role in advocating with the government for more haste in making the transition to development.

### III. Overall Recommendations

1. Address specific aspects of the programmes for immediate reintegration. (i) Establish a time limit for returnee status. (ii) Advocate for implementation of promised of free health care for first three months and free secondary education for first two years. (iii) Continue efforts to ensure returnees recover land/gain access, including support to conflict resolution. (iv) Increase efforts to reincorporate/incorporate returnees with non-agricultural skills into health and education services or local economy (mechanics, carpenters etc), thereby diversifying income sources. (v) Establish a working group to look into the food and non-food return packages and ways to compensate the Commune Reception Committee members, with a short reporting date.

**Action:** Ministry of Solidarity, Gender and Human Rights/Directorate for Repatriation and Reintegration, WFP, UNHCR, donors

2. Development agencies should be far more active in coming into rural areas, bringing development projects. Projects should include support to services, improved agricultural practices, land rehabilitation, promotion of alternatives to land as a source of income and activities to promote conflict resolution and peace and reconciliation.

**Action:** BINUB, development agencies, donors, GoB

3. The plight of Burundians being expelled from Tanzania deserves greater attention. Agreement and coordination between the two governments as well as structured reception are essential. Assistance in their reintegration is equally important.

**Action:** Gob, GoT, PARESI, UNICEF, donors

## IV. FINDINGS

### 1. PROTECTION

- 1.1 **Returnees:** The movement and reception phase of repatriation works very well.
- 1.2 **Returnees:** The Commune Reception Committees do not function well/at all.
- 1.3 **Returnees:** Need to determine how long a returnee remains a “returnee”
- 1.4 **Returnees** are not discriminated against, not excluding isolated cases
- 1.5 **Returnees:** Burundi recognises civil marriage only. Most marriages in refuge were either church or traditional
- 1.6 **Returnees:** The 1972 refugees, including the “*sans reference*”, have great difficulty in getting land.
- 1.7 **Returnees:** Spontaneous returnees tend to be very invisible; there is little information about them.
- 1.8 **All:** Many do have National Identity Cards (NIC)
- 1.9 **All:** Difficulty in obtaining birth certificates
- 1.10 **All:** Female-headed households can find difficulty recovering land/getting access to land.
- 1.11 **All:** SGBV is endemic, affecting returnees and non-returnees alike.

#### **Comments: Points 1.1-1.7, specific to returnees**

The Commune Reception Committees, which returnees expect will help them upon arrival and subsequent immediate reintegration, do not function adequately or at all. No-one is filling the gap, so returnees are left to fend for themselves. The Committee members, with the exception of one member from the Commune Administration, are volunteers and receive no incentive/compensation, so they are not motivated in any way.

The mission found that returnees were not always informed about what to expect upon return. Better information-sharing between the two countries, both governments and UNHCR, would ensure that more and/or more accurate information could be disseminated in the camps.

The mission found that “once a returnee, always a returnee” is the norm. Regardless of the date of return, returnees continue to be known as/consider themselves to be, returnees.



Considering that the mission also found that returnees, to the extent of finding themselves in the same situation as their neighbours, are very quickly reintegrated, this term should cease to apply after a fixed time, which should be agreed and communicated to all – government, partners, refugees still in camps, population in general. Establishing a limit would eliminate ambiguities about their status and would ensure their reincorporation as Burundians like all others. The “always a returnee” status has considerable impact on any analysis of services, where statistics can show very high numbers of returnees, whereas the reality is that some, even many, returned four, six or even more years ago, therefore, have long been reintegrated. For example, in schools: if children who returned four, six or more years ago are still counted as “returnees”, the proportion of returnees can look very high. The tendency to see them as the responsibility of UNHCR and its partners can act against them when seeking assistance.

Returnees in general do not experience discrimination. There is a belief among them, nonetheless, that they are discriminated against when selecting beneficiaries for targeted assistance. Slightly higher numbers of returnees paid something to ensure inclusion: 21.2 per cent of returnees as opposed to 17.2 per cent of the control group (ISTEEBU, Table 84). The situation varies considerably, with up to 33.2 per cent paying in one province, and no payments in others. An exercise carried out by CARE International, dated June 2005, found that the exchange of sexual favours for inclusion occurs. cf. Section Comments on Points 2.4-2.11 below.

Only civil marriage is recognized in Burundi. Refugees who married in exile normally did so either through the churches or traditionally. To be recognized in Burundi, they must also have civil marriage registration from country of exile. Serious problems arise when, upon return, the wives and children of these marriages are abandoned and the “husband” takes another wife or the marriages were bi/polygamous in the first place.

The 1972 refugees fall into two groups: (i) some left from the south, went to Tanzania and returned to their own areas in the south and, (ii) others left mainly from provinces bordering the, now, Democratic Republic of Congo (DRC) and went to the DRC. However, with the almost endemic civil strife in that country, they subsequently moved, some several times. Some 4,000 have now returned, some from the DRC, but others had moved on to Tanzania and returned from there. During their time in exile, they lost all contact with their home areas, communities, even families in Burundi. They are now known as the “*sans reference*”. Their needs are multiple, beginning with housing and land.

The procedures for assisting spontaneous returnees changed in under the terms of a revision of the Tripartite Agreement in 2005. Upon arrival, the spontaneous returnee must present evidence that s/he was a refugee or a personal identification document. In the last case, UNHCR Burundi checks with UNHCR Tanzania. If the refugee status is confirmed, the returnee benefits from assistance in the same way as those facilitated. In practice, very few spontaneous returnees are coming forward. The mission suggests that there may be a need to improve dissemination of information in Tanzania regarding spontaneous return to ensure refugees know they can benefit from the same assistance

should they chose to return spontaneously. This information must include the need to have proof of refugee status.

### **Recommendations Points 1.1-1.7**

**Recommendation 1:** Explore ways to ensure that Commune Reception Committees will function adequately. Two possibilities could be discussed: (i) bring the Committee members to the Provincial capital, say, once every two months for debriefing/training, for which they would receive *per diem*, or (ii) investigate food-for-work or other form of compensation in kind (include this in the TOR of the working group on return packages).

**Action:** PARESI, UNHCR, WFP

**Recommendation 2:** GoB and GoT, UNHCR Burundi and Tanzania should improve sharing of information on conditions and services in Burundi. GoT and UNHCR Tanzania could then ensure that this information is widely disseminated, including through the use of mass media. Ensure the whole refugee community, women, men, girls, boys, is targeted.

**Action:** Ministry of Solidarity, Gender and Human Rights/Directorate for Repatriation and Reintegration, GoT, UNHCR Burundi and Tanzania

**Recommendation 3:** Establish a time limit within which returnees are of particular concern, both in terms of assistance and protection. Ensure this limit is adequately communicated, including in refugee camps.

**Action:** Ministry of Solidarity, Gender and Human Rights/Directorate for Repatriation and Reintegration, UNHCR (Burundi/HQS)

**Recommendation 4:** Ensure the refugees, especially women, are fully informed that only civil marriage is recognised in Burundi. Churches and others involved in marriages in the camps should counsel the parties and their families prior to any marriage, particularly regarding the risks of bi/polygamous, under-age or other illegal marriages.

**Action:** GoT, UNHCR Tanzania and partners in the camps

**Recommendation 5:** GoT and UNHCR Tanzania should ensure that refugees get correct information about spontaneous return, including how to ensure they benefit from returnee assistance.

**Action:** GoT, UNHCR Tanzania

**Comments: Points 1.8-1.11, affecting returnees and non-returnees alike**

National Identity Cards and birth certificates are needed for numerous administrative procedures in Burundi. There is a need to ensure that returnees bring all birth certificates issued in exile. Since late 2005, UNHCR has a project which ensures that all returning refugees are registered for the NIC upon arrival, free of charge. The ISTEEBU survey found that 64.9 per cent of returnees have NICs against 57.6 of control group (Table 14) Birth certificates issued in refugee camps are accepted as basis for issuing Burundian certificates. However, due to costs of obtaining birth certificates in Burundi, registering birth does not receive priority, either among returnees or the general population.

Female-headed households have difficulty in recovering/gaining access to land. This is cultural and related to the lack of inheritance rights for women. This can also be the case of families with no male children.

Sexual and gender-based violence is endemic. Problems in dealing with it include lack of coordination, lack of reliable information, difficulties in (clinically) proving violence, increased sexual activity in school and affecting the under-25s (causes not determined). Perpetrators are frequently known, but victims, their families or authorities rarely take action. In addition, bi/polygamous, under-age or other illegal marriages also cause problems. The *Ligue Iteka* 2006 report says 1,930 rapes were reported in 2006, double the number in 2003. The report gives three explanations: (i) the actual number is increasing alarmingly, (ii) more victims are coming forward and, (iii) greater community awareness encourages reporting. Of the 1,930 cases, 1,421 involved minors, of whom 532 under-12 and 72 were boys. The report states that of 359 cases where the identity of the perpetrator is known, neighbours were responsible in 63.2 per cent and bandits in 7.5 per cent of cases. It continues explaining that the families involved continue to resolve matters traditionally, often involving payment. The report laments the impunity which it explains by the traditional low status of women – violence against women is accepted as “normal”. Indeed, some cases which are reported are later withdrawn as families settle the matter between themselves. A draft revision of the Penal Code, which includes new provisions for the protection of women against violence and the protection of children, is now before Parliament.

As a general comment, for cultural and historic reasons, the very poor economic conditions, hence inadequacy of services etc, there are many shortcoming in respect for human rights. Impunity is ubiquitous. In addition, the resolution of crimes related to the years of conflict and addressing the related needs for reconciliation remain outstanding. Discussions are ongoing on the establishment of a Peace and Reconciliation Commission and a Special Tribunal. While those rights related to access to services, economic activity etc will, inevitably, depend on economic progress, much can be done regarding rights of the person and particular categories of persons –children, adolescents, women,

persons with physical or intellectual challenges – in terms of recognition, promotion of the rights etc.

**Recommendations Points 1.8-1.11: affecting returnees and non-returnees alike**

**Recommendation 6:** Given the importance of the NIC: (i) explore how reach all those do not hold NICs, including returnees who arrived before UNHCR's project was introduced; (ii) investigate the possibility of waiving fees for a fixed period; (iii) sensitise population as to value of obtaining the NIC; (iv) post notices in public places, particularly in commune administrations, detailing procedures and costs where applicable, including how/where to report difficulties or incidences of corruption.

**Action:** Ministry of the Interior/PAFE, BINUB/UNHCHR, UNHCR

**Recommendation 7:** Regarding birth certificates, establish a special programme to deal with the backlog (including births in exile). Explore the possibility of waiving fees for a fixed period. Launch a campaign to sensitise the population as to need for/benefits of correct and prompt birth registration.

**Action:** Ministry of the Interior, UNICEF

**Recommendation 8:** Promote/disseminate information on human rights to the population as a whole, as well as targeting leaders, teachers, health workers etc.

**Action:** Ministry of Solidarity, Gender and Human Rights/Directorate for Repatriation and Reintegration, BINUB/UNHCHR

**Recommendation 9:** Establish a working-group to focus on SGBV. Continue and reinforce ongoing activities. Intensify awareness-raising, including through the use of mass media. Advocate for the passing of draft legislation, which has new provisions for the protection of women and children, now before parliament.

**Action:** Ministry of Solidarity, Gender and Human Rights/Directorate for Repatriation and Reintegration, UNICEF

## **2. FOOD SECURITY, ACCESS TO LAND, HOUSING, INCOME-GENERATION**

- 1.12 **Returnees:** All complained that the repatriation food package is inadequate.
- 1.13 **Returnees:** Despite the above, they quickly find themselves in the same situation as their neighbours in terms of food security.
- 1.14 **Returnees:** In the north-east, returnees are very concerned about housing.
- 1.15 **Returnees:** Both the 1972 groups have serious problems with access to land.
- 1.16 **All:** Returnees and non-returnees can experience difficulty is registering for targeted assistance programmes, including food.
- 1.17 **All:** Food insecurity is endemic.
- 1.18 **All:** In some areas, limited casual labour opportunities are available.
- 1.19 **All:** In Makamba, although many families fish, it is a minor activity, and these families also farm to meet basic needs.
- 1.20 **All:** In the north-east, the outlook for the June harvest is promising.
- 1.21 **All:** Female-headed households can have serious problems recovering/gaining access to land.
- 1.22 **All:** Young people, some born in Tanzania or during displacement, but now adult, sometimes married, also have difficulty in getting land.

### **Comments: Points 2.1-2.4, specific to returnees**

While all returnees complained that the return food package is inadequate, it is clear that this is because it, like the non-food package, is used as currency. The package has been a three-month supply, however, WFP, for the period April-June 2007 has agreed to provide a four-month ration (k/cal 1,975). The package is shared with receiving community (81.6 per cent shared less than 25 per cent of package, while 15.7 per cent shared 25-50 per cent, although there are considerable variations between provinces), or sold (13.5 per cent overall, with provincial variations), at least in part, for transport of belongings, or to buy other goods or services. It is noteworthy that buyers were 29.1 per cent friends or neighbours, 54.4 per cent merchants and 13.9 per cent members of the Commune Reception Committees. (ISTEEBU report, Tables 71-73) Although there are provincial variations, this clearly indicates ready market/the value of the food.

Both missions found that returnees were not always getting the seeds foreseen under the agreement with PRASAP. These seeds can make the difference between sowing or not when the season arrives. Better coordination is needed between PARESI and PRASAP

Bearing in mind the above, the overall figures for duration of food return package are somewhat reassuring: duration less than one month: 17 per cent; one-two months: 45.4 per cent; two-three months: 34 per cent; over three months 3.6 per cent. (ISTEEBU report, Table 70) It is important that all discussion of food and non-food packages bear

in mind the need to avoid any perception that returnees are privileged *vis-à-vis* their neighbours.

Despite the above, returnees quickly find themselves in a similar situation to their neighbours, although only after one year, the complete agricultural cycle, could they be considered to be truly on an equal footing. This situation, however, is far from satisfactory in many aspects, including food security - cf. next section.

Returnees in the north-east expressed considerable concern about housing. Land for the house did not seem to be a problem. Selection of beneficiaries for UNHCR's housing programme is done by the community on the basis of vulnerability. Beneficiaries are generally, but not exclusively, returnees. However, it appears that the extremely vulnerable beneficiaries do not get help to build the house. The standards imposed are also causing difficulty – e.g. in Busoni commune of Kirundo province, water for brick-making is very problematic.

The problem of those who left in 1972 is that, during their absence, the land was expropriated and re-distributed. In the case of the “*sans référence*”, they frequently do not know where to go. All are now in the same situation as other landless persons – cf. next section.

#### **Recommendations Points 2.1-2.4, returnee specific**

**Recommendation 10:** (i) The return-package working group (food and non-food) should review advantages and possibility/desirability of changing either or both, bearing in mind the need to avoid any perceptions of privilege. (ii) Increase post-distribution monitoring and follow-up to ensure those in need are included in distributions for vulnerable persons/families. (iii) Ensure that returnees are included in PRASAP seed/tool distributions.

**Action:** (i) UNHCR/WFP/PARESI/Partners; (ii) WFP; (iii) PARESI, FAO

**Recommendation 11:** Continue providing housing assistance to vulnerable families to the extent possible. Investigate the possibility of more flexible standards – cf. Kirundo case.

**Action:** PARESI, UNHCR, partners

#### **Comments: Points 2.5-2.11, affecting returnees and non-returnees alike**

Both returnees and non-returnees experience difficulty in being selected for targeted assistance programmes. For returnees, one explanation is that they are perceived to be UNHCR's responsibility, therefore, not “eligible”. However, non-returnees also have difficulties. The ISTEERU report shows that 54.4 per cent of returnees believe the selection is correct, against 52.5 per cent in the control group. Regarding payment to be included on the list, 21.2 per cent of returnees, against 17.2 per cent of the control group, claimed to have paid something to be included. (ISTEERU, Tables 83 and 84) Incidents

of confessional prejudice in selection were reported. Of even more concern are the findings of a study carried out by CARE International between October 2004 and June 2005. The report, *Using innovative approaches to better understand Sexual Harassment and Exploitation within the Food Distribution Program*, dated June 2005, found that there is indeed sexual harassment and exploitation. Sexual favours are exchanged for getting on the lists. While any woman can be approached, widows in particular are targeted. The favours are requested and given very discretely/secretly. The exercise found that perpetrators are, in descending order, sector chiefs, colline chiefs, sometimes zone leaders and sometimes municipal administrators.

Food insecurity is endemic in the country for multiple reasons. The population density is some 250 persons per square km, rising to over 400 in arable areas. Average holding size is 0.7 hectares, down to 0.4 for some 40 per cent of the population of the central plateau. Some 90 per cent of the population is land-dependent (agriculture and livestock), which contributes to less than half the total GDP. (*Projet d'appui à la Politique Nationale de Population* (PNP), 2002) Population growth rate is 3.4 per cent. The consequences of the above are over-exploitation of land, soil degradation and crop disease. In addition, droughts are recurrent and rain patterns are changing. Projects for soil regeneration and improved farming practices are very limited. The annual food deficit ranges from 300,000 MT to 400,000 MT (WFP, PRRO document 2006). Food production has stagnated at pre-1993 levels, but with population growth, this means *per capita* production has declined by 24 per cent. (*Crop and Food Assessment Mission, FAO/WFP 2006*) The 2006 *Ligue Iteka* report quotes a study which found that *per capita* income is now 17 per cent lower than in the 1970s.

In returnee areas, the ISTEERBU survey found that 87.3 per cent have access to land, 86.7 and 89.2 per cent respectively for returnees and control group. Returnees and control group have, on average, access to 1.6 has of arable land (ranging from 0.85 in Rutana, which, with Kirundo, are the two provinces with access to less than 1ha, to 3.3 in Kayanza – the only province with access to more than 2 has). (ISTEERBU report, Tables 85 and 87) Of the 12.7 per cent who have no access, the reasons include: occupation: 22.4 per cent returnees, 9.4 per cent control group; have no land: 50.6 per cent returnees, 55.5 per cent control group; sold: 8.4 per cent returnees, 9.4 percent control group; area in conflict: 5.9 per cent returnees, 7 per cent control group; area mined: 5.1 per cent returnees, 9.4 per cent control group. (ISTEERBU Tables 85, 86, 87) NOTE: The breakdown lowest/highest is not included as, given the very small numbers of those without access to land (12.7 per cent without access amounted to 602 persons in the survey), the use of percentages would distort the actual situation. The apparent better situation of the returnees may be attributed to this also: of the 602 without land, 474 were returnees and 128 the control group.

The ISTEERBU survey did not include land ownership. However, WFP's *Food Security and Vulnerability Assessment Report*, September 2004, gives land ownership at 91 per cent (lowest in Bubanza at 78 per cent, highest in Muramvya and Mwaro at 99 per cent) and rental at 26 per cent (lowest in Mwaro at 7 per cent, highest in Ruyigi at 38 per cent). However, the amount land owned is very small, with only 34 per cent owning 0.5 ha or

more (lowest in Bujumbura Rural and Ngozi at 22 per cent, highest in Cankuzo at 67 per cent). The World Bank's survey on basic indicators for well-being (QUIBB report 2006) gave very similar results. In rural areas, 90.3 per cent of households own land (lowest in Bubanza at 81.8 per cent, highest in Makamba at 96.5 per cent. 83.5 per cent of holding are under 3 has, and of these, 57.2 per cent less than 1 ha. Only 2.2 per cent of households have more than 6 has.

A CED CARITAS/Burundi survey in 2005 identified 33,764 disputes related to land, of which 56.3 per cent are linked to Burundi's various conflicts. Disputes over land constitute 80 per cent of conflicts registered in courts and tribunals (*Commission National des Terres et Autres Biens* (CNTB), submission to Peace Fund Committee, 2007). Others are resolved through mediation carried out by NGOs. For example, the *Association des Femmes Juristes du Burundi* (AFJB), a UNHCR partner, dealt with 2,560 land disputes in 2006 (representing 60.2 per cent of all disputes handled). Of these, 42.2 per cent were resolved through mediation, 29.2 per cent forwarded to courts, 9.1 per cent to administration, 7.7 per cent to the Bashingantahe (traditional forum), while 11.8 per cent were still on the books. The *Ligue Iteka* 2006 report says that 51 murders in 2006 were related to land disputes.

On the national level, these conditions mean that the government has little source of revenue with which to run the government and to provide basic services and infrastructure. On the human level, not only is the overall health and nutrition of the population affected, but also affects its ability to avail of such services that do exist for which payment must be made, interest in improving basic standards of hygiene, seeking/pursuing education, etc. The ISTEEBU survey (Table 63) found that 60.7 per cent of those surveyed regard food insecurity as the greatest cause of insecurity, followed by banditry at 24.6 per cent. Frequently, food is the desirable commodity: it is not only stolen from homes, but also the standing crop is sometimes taken – however, no figures on the incidence of food theft are available. The axiom “the hungry man is an angry man” could be played out. The inevitable impact of this will include an increase in domestic, sexual and gender-based violence (already very prevalent), communal strife and possibly a general breakdown in law and order.

Most income is derived from home-based agriculture/livestock, accounting for 35.2 per cent (33.6 for returnees, 39.7 for control group), the highest rate, 59.1 in Ngozi, the lowest, 26.9, in Muyinga. Wage-earning opportunities vary from province to province. Most are land-based: seasonal casual labour. These account for 28.6 per cent of earnings (29.2 and 26.9 per cent respectively for returnees and control group), with the highest rate, 45 per cent, in Muyinga and Rutana, and the lowest, 16.3 per cent in Makamba. Wages vary also. The average is BIF 534.8 per day, the lowest, BIF 319 in Karuzi, up to BIF 981 in Bururi and BIF 839 in Makamba. (ISTEEBU report, Tables 99 and 101) It is worth noting that Bururi and Makamba have palm oil estates and refineries. The JAM found that wages in Makamba were about BIF 1,000. There is an apparent contradiction here: people reported that work is scarce and there is competition between locals and returnees/others coming to look for work. Yet the wages are high. Going to Tanzania for seasonal work is common practice.



Makamba and Bururi populations also engage in fishing. The ISTEEBU survey reported that only 2.1 per cent in Bururi and 0.4 per cent in Makamba claimed to gain income from fishing (Table 99). While UNHCR has supported some projects, the activity is not well developed and perhaps could be expanded.

The JAM team visiting the north-east was told that the prospects for the June harvest are good. WFP/FAO's The Joint Crop Assessment Mission in June will give objective estimates. The results of this survey will provide the basis for decisions regarding food assistance after the harvest.

Women who head households have problems recovering land previously owned by the family or obtaining land, simply because they are women. They experience problems at social (traditional views on women) and administrative levels. Some families with no male children experience problems in the form of pressure from neighbours to give them land.

A considerable number of people has no land because they were children when they went into exile or were displaced, but are now adult, sometimes with families. They share this situation with many young people. The size of holdings precludes further division and shortage of land makes acquiring land extremely difficult. Both groups of 1972 refugees are in this situation. It is expected that as the CNTB becomes more operational, particularly in the field, these groups will be given priority.

#### **Recommendations Points 2.5-2-11, affecting returnees and non-returnees alike**

**Recommendation 12:** (i) Sensitise authorities and ensure all population is informed of returnees' right to be considered equally with all Burundians and limits of UNHCR's responsibility. (ii) Sensitise NGOs as to the unacceptability of confessional preferences. (iii) Expand committees responsible for selection to include persons not related to the authorities (also recommended by the CARE report mentioned above). (iv) Post notices informing the public that assistance is free of charge and also indicating where/to whom to lodge complaints in the event of corruption. (v) Intensify WFP's post distribution monitoring.

**Action:** Ministry of Solidarity, Gender and Human Rights/Directorate for Repatriation and Reintegration, UNHCR, WFP

**Recommendation 13:** (i) Continue/expand activities leading to improved agricultural practices and soil regeneration. (ii) Devise alternatives to land-based activities, particularly in rural areas.

**Action:** GoB, BINUB, FAO, UNDP, World Bank, GTZ

**Recommendation 14:** Investigate possibilities of expanding fishing activities in lakeside provinces, with due care to stocks and other environmental aspects. Include appropriate skills training/upgrading.

**Action:** Ministries of Agriculture, Livestock and Fisheries/Fisheries Department, BINUB, UNDP, FAO, GTZ

**Recommendation 15:** Special consideration should be given to, and special efforts made to find solutions for female-headed households, young people and both the 1972 groups. Given the overall situation, solutions will have to be imaginative – but realistic. This should be a priority for the CNTB as soon as it becomes operational.

**Action:** CNTB, Ministry of Solidarity, Gender and Human Rights/Directorate for Repatriation and Reintegration, BINUB, UNDP

**Recommendation 16:** Ensure that the CNTB is fully funded and is operational at provincial level as soon as possible. Strengthen the capacity of the CNTB

**Action:** GoB/Office of the First Vice-President, BINUB, UNDP, FAO, UNHCR, donors

### **3. SERVICES: WATER/SANITATION, HEALTH, EDUCATION**

- 1.23 **Returnees:** Health centres have problems recovering the costs incurred by the promise of three months free services to returnees. In practice, many returnees do not receive free medical care.
- 1.24 **Returnees:** Secondary schools have difficulty recovering the costs of providing free secondary education to returnees. In practice, the promise of free secondary education for the two years following return is not respected.
- 1.25 **Returnees:** Returnee teachers and health workers are not being reincorporated quickly enough/at all.
- 1.26 **Returnees:** Refugees on treatment in the camps for chronic illness or HIV/AIDS are returning, despite advice that they should delay return.
- 1.27 **All:** In the north-east, the population has access to drinking water, but in Makamba and Ruyigi, access is more precarious.
- 1.28 **All:** Latrines are few and many that do exist are not maintained, so are not used.
- 1.29 **All:** Most health centres and schools do not have water.
- 1.30 **All:** Latrines in health centres and schools are often not used – or inexistent.
- 1.31 **All:** There are not enough health centres or schools.
- 1.32 **All:** Health centres have problems recovering the costs incurred by the government's promise to provide free services to the under-5s, pregnant women. However, the services are indeed provided, if not evenly.
- 1.33 **All:** Existing health centres have several shortcomings.
- 1.34 **All:** Some health services are under-used: family planning and HIV/AIDS
- 1.35 **All:** Existing primary schools are very overcrowded.
- 1.36 **All:** Existing schools also need office space for the director, school furniture and supplies, latrines and accommodation for non-local teachers.
- 1.37 **All:** Due to lack of water, many schools have no feeding programmes.
- 1.38 **All:** There are very few secondary schools. More are needed. In addition, the promise of two years free education following return is not respected – cf. 3.2 above.
- 1.39 **All:** There is a dearth of vocational training centres/opportunities.

#### **Comments: Points 3.1-3.4, specific to returnees**

Upon arrival, returnees are given a “*carte d'indigent*” which is valid for three months. This card entitles them to three months free health care and serves as identification for access to two years free secondary education.

Due to the problem in recovering the costs incurred by providing services free of charge for three month, the services are simply not provided in the majority of returnee areas (although under-5s and pregnant women do benefit from that programme). Returnees are in the same position as their neighbours, who must pay. The budgetary constraints to

providing these services as promised are recognised, nonetheless, the expectation is there. As returnees are particularly vulnerable in the first three months, both financially and possibly in terms of health as they adjust to new water sources etc, free health care during this period would improve their situation considerably.

Some returnees had begun secondary education in exile and wish to return. The promise of free secondary education for two years following return was a boon. Not respecting the promise will inevitably mean that some/many will not be able to continue, even should there be a school within reasonable distance.

Returning teachers and health workers fall into two categories: (i) those who trained in Burundi prior to departure and, (ii) those who received training in the camps in Tanzania. The former are being re-incorporated slowly – for teachers there is a pilot project in one province. For the latter, the challenge is great, as their qualifications are those issued in the camps, not government-sponsored training centres. However, given the shortage of both health workers and teachers, the skills of these returnees should be used to ease pressure on over-stretched staff.

The cross-border medical meetings on repatriation procedures have insisted that patients receiving treatment in the camps for HIV/AIDS and certain chronic illness for which treatment is not available in Burundi should delay their repatriation for as long as possible. Despite this, some are returning, and treatment ceases. Without prejudice to the right to return, the mission believes the message needs to be reinforced in the camps.

#### **Recommendation Points 3.1-3.4**

**Recommendation 17:** GoB should make the necessary funds available to ensure the free health care and secondary education promises are provided. Simplify procedures for recovering costs. Ensure effective monitoring of implementation.

**Action:** Ministry of Solidarity, Gender and Human Rights/Directorate for Repatriation and Reintegration, WHO, UNICEF

**Recommendation 18:** UNHCR/Tanzania should send information on refugees who have been trained in camps (health, education, other skills) to UNHCR/Burundi. Such information should be included on convoy manifests to ensure identification upon arrival. (ii) UNHCR's PROGRES<sup>4</sup> database should be modified to ensure that such information can be extrapolated without prejudice to the confidentiality of the database. (iii) Speed up the reincorporation of Burundi-trained health workers and teachers. (iv) Explore how to determine equivalency grades for camp-trained health workers and teachers and see how they could be employed as health and teachers' aids.

**Action:** Ministry of Solidarity, Gender and Human Rights/Directorate for Repatriation and Reintegration/appropriate ministries, WHO, UNICEF, UNESCO, UNHCR

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<sup>4</sup> PROGRES (Profile Global Registration System) is UNHCR's data base for refugee registration.

**Recommendation 19:** The message to refugees being treated for HIV/AIDS or chronic illness for which no treatment is available in Burundi to delay return as long as possible should be reinforced.

**Action:** GoT, UNHCR Tanzania and partners in camps

**Comments:** Points 3.5-3.17, affecting returnees and non-returnees alike

Country-wide, access to drinking water is low. UNFPA gives a figure of 42 per cent coverage in rural areas in 2003. ISTEERU found that both returnees and control group (differences negligible) have access to water as follows: communal tap/pumps: 20.5 per cent; protected springs: 51.8 per cent; rivers/streams/lakes: 17.3 per cent; the remainder a miscellany of sources, including 4.4 per cent unprotected wells. (ISTEERU Table 46) Villagers asked by the mission in the north-east said they have access to drinking water, but sometimes at considerable distance, usually from protected springs, while in Makamba and Ruyigi, protected springs are often damaged and the population has recourse to rivers, streams etc. The World Bank's survey on basic indicators for well-being (QUIBB report 2006) says that Kirundo and Muyinga are the provinces where people have the greatest distances to go for drinking water: in Kirundo, 23.2 per cent of people and in Muyinga 28.2 per cent (followed by Bubanza at 20.9 per cent) take more than one hour.

None of the schools and health centres visited in the north-east had water. The UNHCR-GTZ education mission to Burundi in March 2007 found that 80 per cent of primary schools have no water. Schools and health centres rehabilitated/extended by UNHCR had water-harvesting systems (guttering/tanks), however, due to concerns about water quality, these are not working. In health centres, water is brought from a local spring, but clearly there are risks to staff and patients alike. Children bring water to schools, sometimes organised by parents' committees. The lack of water in schools results in very poor hygiene for children and teachers, classrooms are not properly cleaned and the schools cannot benefit from WFP's feeding programmes.

The *National Development Plan for Health 2006-2010* (2005) reports that 89 per cent of people in rural areas use traditional latrines (a simple, unprotected hole in the ground). ISTEERU's findings are similar, with 85.2 per cent using them. The mission observed that beneficiaries of UNHCR's housing programme had not completed their latrines and frequently sold the corrugate iron for roofing the latrine. UNHCR made the decision to pre-cut the roofing sheets to latrine size in the hope this would encourage correct use. The impact will be monitored.

Latrines in health centres and schools are problematic. Where they do exist, they are frequently not cleaned or maintained. Consequently, they are not used – indeed, the mission saw several latrines with padlocks. Children said they go to the bush.

There are not enough health centres or school. The distance is such in some cases that it is tantamount to no access. The *National Development Plan for Health 2006-2010*

(2005), however, reports that with existing structures, 80 per cent of the population, “in theory”, is within 5 km of a health centre. The UNHCR-GTZ March 2007 mission found that “most” children had to walk distances 5-15 km a day to/from school. In 2006-2007, UNICEF estimated an additional 4,700 classrooms (or 57 per cent) were needed. The JAM also noted the need for office space for the school director as well as accommodation for non-local teachers.

In addition to water problems, existing health centres have other shortcomings: shortage of medical supplies and equipment, staffing, radio communications, ambulance services and lack of electricity. Sometimes the shortages in supplies are due to simple logistics problems: collecting them from provincial medical stores. Medical staff is to be congratulated for great commitment in trying conditions. However, more staff and staff trained to meet specific needs are needed. For example, if appropriately trained staff is not in the centres when a rape victim comes, and they are coming more frequently, and the case is not handled correctly, there is a high risk that victims will cease to reporting. While having fully-trained SGBV staff, for example, in all health centres is unrealistic, it is essential that all staff is adequately trained in the initial reception, treatment and referral of such cases. Ambulances are available, but sometimes there is no fuel due to lack of funds. Communities are asked to contribute, but do not always wish as they perceive no benefit. The case of an ambulance being donated for the transfer of maternity cases only illustrates. However, it has now been agreed that the ambulance could be used for all cases, so the expectation is that communities will contribute.

The health centres have difficulty recovering the costs of providing free medical care to the under-5s and pregnant women. While the services are, in general, provided, it is believed the criteria for provision, e.g. presentation of birth certificate in the case of under-5s, is unnecessarily limited, and procedures for recovering costs are cumbersome or unclear.

Medical staff also reported that some services, e.g. family planning and HIV/AIDS, are under-used. The health and social benefits of family planning do not appear to be well understood by the population. The AIDS infection rate is 3.3 per cent and the HIV/AIDS prevalence rate is 9-13 per cent (UNAIDS 2006) and bearing in mind the prevalence of SGBV, the HIV/AIDS message needs to be broadcast widely and effectively. One difficulty is that ARV prescriptions can only be issued by medical staff based in provincial capitals. Returnees who began treatment in exile have very limited possibility of continuing their treatment.

Primary school classrooms are very overcrowded and the teacher/pupil ratio is 1/120 (UNHCR/GTZ report). UNICEF estimates that some 1,400 teachers are needed. UNICEF gives a 72 per cent average enrolment rate, but the UNHCR/GTZ mission found great geographical differences. It found enrolment rates of 67.5 per cent in Makamba, 58.5 per cent in Rutana and 46.7 per cent in Muyinga. UNDP's *Human Development Report 2005* reports a 19.5 drop-out rate in primary schools. The UNHCR/GTZ report found drop-out rates as high as 30 per cent in schools with no feeding programme. It also found a critical situation regarding quality of education, citing the number and quality of

teachers, shortage of school furniture and supplies, indiscipline, absenteeism (teachers and pupils) – as well water problems and hungry children as causes. The JAM found that almost no children eat before coming to school and only those who live near eat at mid-day. Feeding programmes should greatly improve not only attendance but also child-nutrition. A short-term solution is UNICEF's provision of 210-litre drums to priority schools.

In its 2006 returnee monitoring report, the *Ligue Iteka* says that in households with children aged 5-17 years, therefore, secondary level included, 59 per cent in Kayanza, 54 per cent in Kirundo, and 51 per cent in Muyinga do not go to school (followed by 27 per cent in Karuzi). It reports that of those who not go, 55 per cent are girls and 45 per cent are boys.

There is also a serious shortage of secondary schools. The UNHCR/GTZ report found that there is a lower secondary (*college communal*) every 25 km, but the higher level schools are only in provincial capitals. UNICEF (2004) gave enrolment rates of 15 per cent and 4 per cent for the lower and higher cycles respectively. Secondary education is fee-paying, but, in theory, municipalities can pay the fees of vulnerable persons. As mentioned in 3.2 above, the promise of free secondary education for the first two years following return is not honoured.

The children of 1972 refugees who were in Tanzania face a language problem in reintegrating in the education system, having gone through Swahili/English systems.

There is also a dearth of technical/vocational training centres/opportunities. This is a complicated issue, however, as complaints were frequently heard that those with non-agricultural skills cannot find work. The issue must be placed in the greater context of diversifying sources of income – cf. Section 2 above.

#### **Recommendations: Points 3.5-3.17, affecting returnees and non-returnees alike**

**Recommendation 20:** Explore ways of resolving the problem of water in health centres and schools, in particular find ways to make water-harvesting systems provide safe water. Subsequently, rehabilitate existing water-harvesting systems. Install UNICEF's 210-litre drums in priority schools as soon as possible and begin feeding programmes.

**Action:** Ministry of Energy, Water Resources and Mines/Directorate for Rural Water, UNICEF, WFP

**Recommendation 21:** Strengthen water, sanitation and hygiene education activities, including through the use of mass media. Target community leaders, health workers, teachers and parents' committees to ensure the message is part of health activities and is taught in schools. Review with provinces/communes maintenance and repair of protected water sources.

**Action:** Ministry of Energy, Water Resources and Mines/Directorate for Rural Water, UNICEF

**Recommendation 22:** More schools/classrooms and health centres should be built as a matter of urgency. In all construction and expansion projects, ensure that water, adequate number of latrines (ensuring separate for men/women and girls/boys), appropriate furniture and equipment are included. Ensure that maintenance and inspection systems are in place. For schools, office space for the director and accommodation for non-local teachers should be included.

**Action:** Ministries of Health, Education and Energy, Water Resources and Mines, WHO, UNICEF, UNDP, World Bank<sup>5</sup>

**Recommendation 23:** As provincial administrative vehicles regularly travel throughout the province, health department officials should discuss with them the possibility of their transporting medical supplies to health centres.

**Action:** Ministry of Health, WHO

**Recommendation 24:** GoB should make the necessary funds available to meet the costs of free health services to the under-5s and pregnant women and simplify procedures for recovering costs. Procedures for establishing eligibility should be simplified also, eg. accept vaccination cards, which most under-5s have, instead of birth certificates.

**Action:** Ministry of Health, UNICEF

**Recommendation 25:** (i) Mass media and other campaigns on the health and socio-economic benefits of family planning should be strengthened. Similarly, carry out campaigns regarding HIV/AIDS. Both should be done at local level and include information about where facilities are located in the province. (ii) Continue prevention of SGBV activities. Intensify aware-raising, including through the use of mass media. Establish a GoB/inter-agency working group on SGBV. (iii) Advocate for approval of the draft legislation now before parliament which includes new provisions for the protection of women and children.

**Action:** Ministry of HIV/AIDS, Ministry of Solidarity, Gender and Human Rights/Human Rights Directorate, all agencies

**Recommendation 26:** The recommendations of the UNHCR/GTZ March 2007 education mission should be implemented.

**Action:** UNHCR and partners

**Recommendation 27:** Improve implementation of the WHO/UNICEF/UNFPA/UNHCR MOU, renewed in June 2006, supporting health for returnees.

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<sup>5</sup> The World Bank has allocated US\$ 20m to the Ministry of Education for school construction, teacher training and capacity building in provinces which have the lowest enrolment and retention rates. Activities are due to begin in 2008.



**Action:** WHO, UNICEF, UNFPA, UNHCR

#### **4. COORDINATION**

- 1.40 The responsibilities of the various line ministries need to be clarified in some cases.
- 1.41 The leadership and transfer of the coordination role to the government both at sector and integrated levels should be accelerated and strengthened.
- 1.42 Humanitarian agencies are scaling down activities but development agencies are not coming in quickly enough.
- 1.43 The arrival of persons expelled from Tanzania is posing a humanitarian problem.

##### **Comments**

The issue of unclear lines of responsibility came up particularly in the context of recovery of costs incurred through the provision of health services free of charge to the under-5s, pregnant women and to all returnees for the first three months following return, as well as the promise of free secondary education for the first two years following return. In the case of health, the service is provided to the under-5s and pregnant women, including returnees in these categories, but the three months free health care for all returnees is not provided. The secondary education promise does not seem to be respected at all. Similar confusion seems to exist concerning responsibility for vulnerable persons/groups. Clarification and/or simplification, in addition to the provision of funds, should lead the services actually being provided.

OCHA has been working closely with the authorities at central and provincial level to support setting up and implementing appropriate coordination structures. However, more impetus is needed to speed up the process.

Humanitarian agencies have been scaling down activities as the nature of the operation changes from emergency towards development. However, development agencies have not been coming in/coming in quickly enough. A gap is evident and is widening. The JAM's findings clearly indicate that the major issues revolve around development and, as such, cannot be addressed by humanitarian activities. Without such projects, the durability of repatriation is in serious jeopardy. It is essential that development agencies accelerate existing, and begin new projects.

Although outside the brief of the JAM, the plight of the Burundians being expelled from Tanzania caught its attention in the north-east. The JAM recognises that the needs of these people are similar to those of "official" returnees. In this context, the recommendations made throughout this report apply equally to the expelled. The need for a structured programme for this group is self-evident. The UN Country Team decided that UNICEF would be the lead agency for the group. However, UNICEF should not only take the lead in terms of their operational reintegration, but should do so using the same modalities as UNHCR.

**Recommendations 28:** Ensure responsibilities of line ministries are clear and properly communicated to the provinces/communes. Clarify and/or simplify procedures regarding recovery of costs. Ensure that the services are provided. Ensure that decisions made at central level are adequately communicated to provincial/commune levels.

**Action:** GoB/appropriate Ministries

**Recommendation 29:** GoB should increasingly assume more leadership for overall and sector-level coordination, both at central and provincial levels. The *Commission National de Coordination des Aides* (CNCA) should decentralise its activities to the provinces to ensure better coordination and assistance to vulnerable persons/groups.

**Action:** GoB/Office of the Second Vice-President, OCHA

**Recommendation 30:** Development agencies should establish offices in the provinces to ensure effective and efficient projects and use of resources. Donors should encourage a speedy increase in development activities and the deployment of development agencies to the provinces.

**Action:** Development agencies, donors

**Recommendation 31:** (i) Recommendations throughout this report should apply to the expelled also. (ii) GoB and GoT provincial authorities involved should liaise to ensure coordination. (iii) The appropriate Burundian ministries should establish a commission with their Tanzanian counterparts on this issue. (iv) UNICEF should liaise with UNHCR to ensure reintegration of various groups is equitable and coherent. (v) As with “official” returnees, a time limit for this group’s status should apply.

**Action:** Ministry of Solidarity, Gender and Human Rights/Directorate for Repatriation and Reintegration, UNICEF, donors

## V. List of abbreviations

AFJ	Association des Femmes Juristes du Burundi
ARV	Anti-rétroviraux
BINUB	United Nations Integrated Bureau in Burundi
CNCA	Commission Nationale de Coordination des Aides
CNTB	Commission Nationale des Terres et Autres Biens
DRC	Democratic Republic of Congo
FAO	Food and Agricultural Organisation
GoB	Government of Burundi
GoT	Government of Tanzania
GTZ	Gesellschaft für Technische Zusammenarbeit (German Technical Cooperation)
ISTEEBU	Institut des Statistiques et d'Études Économiques du Burundi
JAM	Joint Assessment Mission
NGO	Non-Governmental Organization
NIC	National Identity Card
OCHA	Office of the Humanitarian Coordinator
PAFE	Police de l'air, des frontières et des étrangers
PARESI	Projet d'Appui à la Réintégration des Sinistres
PRASAP	Projet de Réhabilitation Agricole et de Gestion Durable des Terres
PRRO	Protracted Relief and Recovery Operation
QUIBB	World Bank's Questionnaire des Indicateurs de Base du Bien-être
SGBV	Sexual and Gender-based Violence
UNFPA	United Nations Population Fund
UNDP	United Nations Development Programme
UNHCHR	United Nations High Commissioner for Human Rights
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
WFP	World Food Programme
WHO	World Health Organisation

## **VI. ANNEXES**

## **Annex 1 : TERMES of REFERENCE**

### **TERMES DE REFERENCE JOINT ASSESSMENT MISSION (JAM) 2007**

#### **Mission conjointe PAM/UNHCR d'évaluation approfondie de la réintégration durable des Rapatriés Burundais**

##### **A. Introduction**

La crise sociopolitique de 1993 au Burundi a causé un flux de milliers de réfugiés principalement vers la Tanzanie, où plus de 400,000 personnes étaient ajoutées aux 200,000 réfugiés de 1972.

Avec la mise en œuvre de l'accord de paix d'Arusha, un mouvement de retour volontaire par voie facilitée ou spontanée des réfugiés burundais a été graduellement observé depuis 2002. Le nombre total de rapatriés de 2002 jusqu'au 31 décembre 2006 s'élève à 338,999 personnes dont 75,669 spontanés et 263,330 facilités. En début 2007 il restait quelques 165,000 réfugiés Burundais dans les camps de réfugiés en Tanzanie. L'UNHCR prévoit le retour de 60,000 personnes en 2007 avec une planification de 40,000 retours en 2008 et 30,000 en 2009.

Les convois de rapatriement passent par trois points d'entrées (centres de transit de Mabanda, Nyabitare et Mugano). Chaque famille de rapatriés reçoit un paquet de retour y inclus un paquet de vivres pour trois mois par personne distribué dans les centres de transit. Cependant, les rapports de monitoring des rapatriés indiquent que le paquet de vivres est très souvent partagé avec la communauté d'accueil et s'avère par la suite uniquement suffisant pour couvrir les besoins en vivres d'un seul mois.

Malgré la promotion du rapatriement lancé par le HCR et les deux pays en juin 2006, le rythme du rapatriement est resté bas en général en 2006 par rapport aux prévisions initiales. Le ralentissement du retour au Burundi, constaté en fin 2006 et début 2007, pourrait être expliqué par la crise alimentaire que connaît le pays depuis les inondations qui ont marqué la fin de la saison 2007A, par l'insécurité dans certaines provinces, et par les lenteurs des travaux du mécanisme de suivi du cessez le feu signé en septembre 2006 entre le FNL et le gouvernement. Il faut aussi noter que la situation socio-économique dans les zones de retour où les infrastructures et les secteurs de base comme l'éducation, la santé, l'eau et l'assainissement ainsi que l'accès aux terres ne sont pas suffisamment développés/assurés pour encourager un retour massif des rapatriés.

Le Burundi, avec une densité de la population de 250 habitants par km<sup>2</sup> et une économie principalement basée sur l'agriculture, connaît une forte compétition de terres et de ressources naturelles. Des facteurs comme le niveau général de la pauvreté extrême, la diversification limitée des moyens de subsistance, une dépendance importante sur la production nationale combinée avec un rendement agricole décroissant dû aux intrants agricoles insuffisants, des aléas

climatiques et des maladies des plantes, ont contribué à une insécurité alimentaire continue, créant davantage de défis à la réintégration durable des rapatriés Burundais.

Le rapport de la « Joint WFP/FAO/UNHCR Needs Assessment Mission – PRRO Tanzania – Burundi – Rwanda, 18 March to 8 April 2006 » a entre autres conclu à initier une mission conjointe PAM/UNHCR visant à évaluer les besoins et le ciblage des rapatriés Burundais, afin d'ajuster l'appui en vivres. Comme une réintégration durable ne dépend pas seulement d'un appui en vivres, le champ d'action de cette évaluation a été élargi afin de couvrir les principaux aspects d'un retour durable.

## **B. Objectifs**

### A court terme

Evaluation du paquet de retour HCR / PAM et réadaptation aux besoins réels exprimés. Amélioration du processus de rapatriement volontaire (mouvement).

Analyser et explorer quel type d'assistance - alimentaire ou autre – est le mieux adapté pour faire face aux besoins des rapatriés au cours des 12-24 mois post retour.

Evaluer les principaux aspects contribuant à un retour durable, y inclut une évaluation de la sécurité alimentaire des populations rapatriées en particulier l'utilisation de leur paquet de vivres de retour et une évaluation des facteurs de risque et des facteurs corrélés (accès aux soins de santé, l'éducation, l'eau potable...).

### A moyen et long terme

Définir les priorités pour la transition Urgence – Développement dans les zones de retour, les confronter et les accorder avec les priorités gouvernementales et les utiliser comme plaidoyer auprès des donateurs pour le financement et la mise en œuvre des programmes de transition définis comme prioritaires.

Définir les leçons apprises et les meilleures pratiques.

L'évaluation servira comme:

- base d'une révision éventuelle du paquet de retour
- base d'une révision des stratégies d'intervention vis-à-vis les rapatriés
- document de référence pour plaidoyer concernant les actions prioritaires à prendre afin d'assurer une réintégration en sécurité et dignité des rapatriés et de signaler les défis au niveau de la capacité d'absorption dans les zones principales de retour

## **C. Méthodologie**

Le PAM et l'UNHCR assureront le joint leadership de l'évaluation. Néanmoins, l'évaluation ne se limite pas à une initiative entreprise par le PAM et l'UNHCR à eux seuls, mais engagera davantage d'autres agences telles que le PNUD, la FAO et l'UNICEF qui ont un rôle important à jouer dans la période de transition de l'urgence au développement et la phase de consolidation.

Par ailleurs, et dans le souci d'assurer un bon suivi technique, le besoin a été reconnu de créer une Task Force avec des experts pour chaque secteur technique (nutrition, habitat, santé, etc).

Une *enquête* supervisée par l'UNHCR et le PAM et entreprise par ISTEEBU sur les conditions de vie des rapatriés en comparaison avec les non rapatriés a été effectuée en fin 2006. Cette enquête qui a couvert les différents thèmes relatifs à une réintégration durable des rapatriés servira de référence de base à la mission conjointe. Le rapport du Monitoring des rapatriés de 2006 qui est sorti en Mars 2005 et qui fournit à peu près les mêmes résultats que l'enquête ISTEEBU sera aussi un document de référence de la mission conjointe.

### **Mission conjointe de terrain**

La mission Conjointe les **tâches** suivantes :

- Procéder à une revue documentaire basée sur les informations pertinentes et disponibles aux bureaux du PAM, UNHCR, FAO, UNICEF, PNUD, la Banque Mondiale (QUIBB), des partenaires Opérationnel, et Autorités Gouvernementales.
- Etudier les résultats des enquêtes qui serviront comme informations de base pour la visite de terrain.
- S'entretenir avec les personnels de l'UNHCR, du PAM, de la FAO, de l'UNICEF et du PNUD, les responsables des partenaires opérationnel et les autorités Gouvernementales ainsi que s'entretenir avec le personnel de terrain de l'UNHCR, du PAM, les responsables des partenaires opérationnels et d'autres ONGs et les autorités gouvernementales de la région incluant le PARESI.
- Entreprendre des visites à certains points d'entrée pour s'entretenir avec les rapatriés qui passent par les sites de rapatriement organisés
- Visite aux entrepôts du PAM et aux endroits importants dans le processus d'approvisionnement et distribution.
- Entreprendre des visites aux 4 zones principales de retour et entreprendre des discussions « focus group » avec les rapatriés, des nouveaux arrivants, ceux qui sont revenus depuis au moins trois mois, et la population qui est restée sur place.

La mission conjointe de terrain devrait porter des réponses sur les questions suivantes :

- ❖ Vérification des résultats des enquêtes.
- ❖ Est-ce que le système de distribution permet d'atteindre tous les bénéficiaires avec la ration adéquate et de manière efficace et dans les délais établis (incluant le programme des rations humides) ?
- ❖ Comment fonctionne la coordination entre les partenaires du processus de rapatriement et ceux de la colline d'accueil ? Quelle est la capacité des partenaires d'exécution ?
- ❖ Est-ce que le paquet de retour en vivres est suffisant pour couvrir la période jusqu'à la prochaine récolte ?
- ❖ Quel est/pourrait être le rôle du paquet retour dans le processus de la réintégration des rapatriés ? Comment est-ce que le paquet retour pourrait contribuer à une meilleure subsistance ? Quel est l'impact de chaque composante du paquet retour sur la réintégration durable des rapatriés
- ❖ Déterminer les mesures nécessaires visant à améliorer les conditions de vie et des moyens de subsistance durables des populations rapatriées dans les secteurs suivants :
  - Protection (carte d'identité, attestation pour vulnérable), Droits de l'homme, Sécurité physique et légale
  - Violences basées sur le genre et le sexe (SGBV)
  - Accès au logement et à une terre pour l'agriculture
  - Accès à l'éducation primaire et secondaire

- Accès aux soins de santé et d'hygiène de base
  - Sécurité alimentaire et Activités d'autosuffisance (Agriculture et AGR)
  - Accès à l'eau potable, Assainissement et Environnement;
- ❖ Comment l'assistance en vivres pourrait être utilisée pour éviter des nouveaux afflux de réfugiés vers les pays voisins/déplacés internes causés par l'insécurité alimentaire ? Quels sont les stratégies pour faire face à cette insécurité alimentaire et les mouvements inverses des rapatriés burundais vers les camps en Tanzanie ou la création de déplacés internes ?
  - ❖ Quelles sont les facteurs extérieures qui d'une manière ou d'une autre ont affecté la sécurité alimentaire des populations résidentes (milieu de retour) et proposer des solutions appropriées dans le cadre du futur programme d'assistance ?
  - ❖ Comment est-ce que l'assistance post-retour pourrait mieux appuyer la transition de l'humanitaire vers le développement ?
  - ❖ Procéder à une analyse/revue rapide des chiffres des populations résidentes, du nombre des rapatriés ainsi que du suivi et évaluation des programmes d'assistance en cours.
  - ❖ Quelles sont les stratégies d'assistance des différents partenaires (Gouvernement, Nations Unies, ONGs) en faveur des populations résidentes de la région de retour ? Quelle est leur capacité à conduire tant, les différentes activités des programmes d'assistance, qu'à mettre en œuvre des activités pour améliorer les moyens de subsistance durables des populations rapatriées / résidentes et des programmes d'atténuation des effets négatifs sur l'environnement dans les zones de retour;
  - ❖ Examiner les mécanismes de coordination entre les opérations d'urgence dans les zones de retour.

Pour assurer des résultats qualitatifs dans les meilleurs délais, l'UNHCR a proposé d'engager un expert consultant qui pourrait fonctionner comme coordinateur de l'ensemble, référence technique et rédacteur du rapport final. En ce qui concerne l'identification et le recrutement du consultant expert il a été recommandé d'engager une personne bilingue (Français/Anglais) afin de faciliter la communication et la coordination au Burundi ainsi que la rédaction du rapport. Il a été suggéré de rédiger le rapport final en Anglais suivi par la traduction en Français afin de faciliter l'usage du rapport comme instrument de plaidoyer. Voir les TdR de l'expert consultant.

#### **D. Résultats attendus**

En tenant compte de tous les éléments mentionnés ci-dessus, un rapport concis dégagera une stratégie d'assistance alimentaire qui précisera :

- Les informations générales sur le contexte et la situation des rapatriés, y compris les nouveaux arrivés et ceux qui sont rentés depuis plus de trois mois.
- Des recommandations sur le type d'assistance pour les prochains 12 et 24 mois.
- Une analyse des informations sur les questions mentionnées ci-dessus.
- Leçons apprises et les meilleures pratiques.



## Composition de la mission technique du terrain

UNHCR  
PAM  
UNICEF  
FAO  
UNDP  
BINUB  
WHO

Bailleurs de fonds : EU, ECHO, DFID, USAID, la Coopération Belge et la Coopération Suisse.  
Gouvernement du Burundi -PARESI- Ministère de la Solidarité, Ministère de l'intérieur, CNCA  
ONG-GTZ

FNUAP-UNIFEM

La mission se divisera en 2 équipes, une équipe visitera les provinces de Muyinga(Giterany) et Kirundo(Busoni), et l'autre les provinces de Ruyigi(Kinyinya,Gisuru) et Makamba(Nyanza lac).

## Calendrier

Mois de Novembre 2006	PREPARATIONS	<ul style="list-style-type: none"> <li>- Collecte des informations (documents de base)</li> <li>- Identification des enquêteurs</li> <li>- Finalisation de questionnaire enquête (<b>deadline 15/11/06</b>)</li> <li>- Choix des échantillons et questions logistiques</li> <li>- etc</li> </ul>
Mois de Décembre 2006 à Février 2007	1/12/06 – 15/12/06 ENQUETE	<ul style="list-style-type: none"> <li>- Formation des enquêteurs )</li> <li>- Enquêtes (<b>troisième et quatrième semaine de Nov.2006</b>)</li> <li>- Entrer les données de l'enquête (dernière semaine de décembre)et production rapport préliminaire enquête ISTEEBU</li> </ul>
Mois de Mars-Mai 2007	MISSION CONJOINTE	<ul style="list-style-type: none"> <li>- Analyse Rapport Final ISTEEBU</li> <li>- Identification et recrutement d'un expert consultant</li> <li>- Analyse des documents liés a l'assurances des rapatriés( Enquêtes, JNA, Returnee Monitoring Report ..etc)</li> <li>- Préparations de la mission</li> <li>- Mission Conjointe</li> <li>- Debriefing de la Mission</li> <li>- Rédaction du rapport de Mission</li> </ul>

**Documents de base**

- Document du PRRO
- Nutrition Handbook
- UNHCR /WFP Joint Assessment Guidelines 2004
- WFP/GTZ/Tripartite Agreement on Returnees
- Analyse de la sécurité et la vulnérabilité alimentaire au Burundi
- Synthèse de l'atelier du HCR de planification pour 2008-2009
- Rapport QUIBB (Banque Mondiale)
- UNHCR Returnee Monitoring Report 2006

Enquête ISTEEBU sur conditions de vie des rapatriés

## ***Annex 2 : List of participants***

<b>Agence Participante</b>	<b>Nom des Participants</b>
<b>OCHA</b>	1. Fultang Laura 2. Kubwayezu Floribert 3. Ndayirukiye Sylvestre
<b>UNHCR</b>	4. Basse Adama 5. Bordin Lino 6. Fall Ahmed Baba (Team A leader) 7. Kamlo Serges Durval 8. Dr. Makou Raoufou 9. Mututa William 10. Nseme-Obiang Laura 11. Ndajujuta Tatie 12. Roche Marion 13. Sagarra Gloria 14. Tapsoba Valentin (Team B leader)
<b>WFP</b>	15. Dianga Evaline (Team B co-leader) 16. Labidi Naour 17. Turay Foday (Team A co-leader)
<b>FAO</b>	18. Madodo Gérard 19. Ndakoze Alain-Gilbert
<b>UNDP</b>	20. Gihimbare Arthemon 21. Ibata Paul 22. Olinga Biolé Rostand
<b>WHO</b>	23. Dr. Ntakatirumana Donatien 24. Dr. Ntiyozimana Pascal
<b>UNICEF</b>	25. Dr. Maregeya Emanuel 26. Ntisinzira Alphonse
<b>UNFPA</b>	27. Dr. Magonyagi Yolande 28. Nderogakure Jérôme
<b>ECHO</b>	29. Mangona Alexis 30. Pitois Eric
<b>USAID</b>	31. Cox Nicholas 32. Ninteretse Chantal
<b>COOPERATION BELGE</b>	33. Nindorera Yves
<b>GTZ</b>	34. Ayele Asmelash 35. Galley Alexandre
<b>PRM</b>	36. Frederick George M. 37. Gacukuzi Annie Stephanie
<b>PARESI</b>	38. Bukuru Alexis 39. Kameya Jean Claude
<b>CNCA</b>	40. Ndayishimiye Johnny

### ***Annex 3 : Map of Burundi***

