

## Consolidated inter-agency information note

On the closure of the Mtabila camp in the United Republic of Tanzania  
and the return to Burundi of the former refugees

15 October 2012 – 31 March 2013



Returnee children enjoying a hot meal provided by WFP in Mabanda Transit centre, Burundi  
UNHCR, ACastelein, 2012

## Background

This note provides information about the modalities for closure of the Mtabila refugee camp in the United Republic of Tanzania and the return to Burundi of some 37,000 former refugees. It presents the strategies and activities proposed by the International Organization on Migration (IOM), the Office of the United Nations High Commissioner for Human Rights (OHCHR), the United Nations Children's Fund (UNICEF), the United Nations High Commissioner for Refugees (UNHCR) and the World Food Programme (WFP) for an orderly return and reception of the Burundian former refugees, as well as the financial requirements for this programme. This note does not cover the long-term reintegration needs, which will be presented at a later stage.

Tanzania has afforded protection to Burundian refugees in significant numbers for decades. The country received two massive refugee movements from Burundi in 1972 and 1993, hosting, at one

point, more than 610,000 refugees from that country. In 2007, the Government announced a comprehensive strategy to bring closure to the Burundian refugee situation in Tanzania, drawing on a combination of voluntary repatriation, local integration and resettlement as solutions for this population. Voluntary repatriation to Burundi commenced in 2002, with UNHCR assisting the return and reintegration of more than 417,000 Burundian refugees in the 10 years since then. The Government of Tanzania has offered naturalization and integration to more than 162,000 Burundian refugees who arrived in 1972. Finally, more than 12,000 Burundian refugees have been resettled to third countries since 2005.

As voluntary returns continued over the years, refugee camps were gradually closed and consolidated. By 2011, only two refugee camps remained in Tanzania, Mtabila camp, which hosted some 35,500 Burundian refugees, and Nyaragusu camp, which hosted primarily refugees from the Democratic Republic of the Congo, but also some 1,500 Burundians. In light of the positive developments that had occurred in Burundi since the time of the refugees' flight almost 20 years earlier, the Governments of Tanzania and Burundi, and UNHCR, agreed in May 2011 that a review exercise would be undertaken to define who among the remaining Burundian refugees residing at Mtabila and Nyaragusu camps were still in need of international protection. Those found to be in continued need of protection would retain their refugee status, while those determined to be able to return to Burundi in safety would be expected to leave Tanzania. This review exercise would precede the closure of the camp on 31 December 2012.

Fifteen joint panels comprised of staff from the Government of Tanzania and UNHCR conducted individual interviews for all refugees at Mtabila camp between September and December 2011. Those determined to be no longer in need of international protection were given an opportunity to appeal that decision, with different panels adjudicating their requests for review. As a result of this exercise, it was determined that some 2,700 Burundians were in continued need of international protection, or had compelling reasons arising from their past persecution to maintain their refugee status. These refugees were transferred to Nyaragusu camp, where the Government of Tanzania has agreed to continue to afford them protection as refugees.<sup>1</sup>

The large majority of the Burundian refugees who were interviewed, some 37,000 people, were found to be no longer in need of international protection. On 1 August 2012, the Government of Tanzania declared cessation of refugee status for these individuals, issuing written cessation decisions to those affected. The Government allowed them until the end of the year to depart from Tanzania of their own accord, at which time Tanzanian immigration laws would be fully enforced.

Despite the loss of refugee status for these individuals, UNHCR has maintained a "residual assistance and protection role" towards the Burundian former refugees, working closely with IOM, WFP and other partners to offer continued voluntary repatriation and basic humanitarian assistance to the former refugees. Interest in return, however, has remained low. While the numbers returning

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<sup>1</sup> In addition to those "screened-in" during the interview exercise, a small number of former refugees, such as those in "mixed marriages" (i.e., Burundians married to Congolese, Rwandan or Tanzanian nationals) who are awaiting a decision from the Government of Tanzania on their eligibility to remain in Tanzania, have also been transferred to Nyaragusu camp.

picked up slightly in September 2012, overall, barely more than 1,000 people returned voluntarily to Burundi during the preceding year.

In light of these low return numbers, and the need to avoid a humanitarian crisis if mass returns were to be enforced at the end of December 2012, a Special High-Level Meeting was convened on 8 October 2012, bringing together the Governments of Burundi and Tanzania, UNHCR, IOM, the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), OHCHR, UNICEF and WFP, to discuss the modalities for an orderly return to and reintegration in Burundi of the former refugees remaining in Mtabila. It was agreed by all participants that the return operation, set to commence by the end of October, would respect the following parameters. It would:

- i. Preferably be voluntary in nature;
- ii. Take place in an orderly and phased manner;
- iii. Be undertaken in full respect of the safety, dignity and rights of the affected people;
- iv. Ensure that all arrangements are made in Burundi to receive the returnees and meet their immediate needs, including food and non-food items;
- v. Put in place special arrangements, both during return and upon reception in Burundi, for those with particular vulnerabilities or needs; and
- vi. Be implemented in close partnership with all concerned agencies, including IOM and UN agencies.

## **Tanzania**

### **Orderly return operation**

Mtabila camp consists of six zones, ranging in size from 1,400 to 13,000 people. Under the orderly return operation, camp residents would return to Burundi zone by zone, with each zone closed once the former refugees residing there had departed. The focus of the return operation is on securing the cooperation of the former refugees to return of their own accord, on the understanding, clearly communicated to them, that the Government of Tanzania will enforce removals, if necessary, for those who do not otherwise depart.

The support of the international community for the orderly return of the Burundian former refugees at Mtabila is considered critical to ensuring the safe return of these individuals to Burundi and avoiding a humanitarian disaster. Clear parameters for the engagement of UNHCR, IOM and other partners have been established and agreed upon with the Tanzanian authorities. These agencies, and their NGO partners, have indicated that while they would facilitate the orderly return of former refugees, they would not be operationally involved in enforced removals by the Government, should they be implemented. The agencies have also indicated that they would suspend or withdraw from the orderly return operation as a whole should disproportionate force be used by the Government to effect returns, violating the physical security and dignity of the former refugees, compromising the humanitarian mandates of the concerned agencies, and/or placing the staff of these organizations at risk. To ensure professional conduct by Tanzanian immigration and law

enforcement officials during the return operation, IOM has identified former UK Border Agency officials to provide training to their Tanzanian counterparts and to monitor the return operation as it unfolds.

Should the situation evolve, for whatever reason, into a forced mass return operation by the Government of Tanzania, UNHCR, IOM and other partners have indicated their preparedness to revert to a primarily protection monitoring role and, if need be, a search and rescue mode for those in need.

On 24 October, to promote the orderly return programme, a mass information campaign informing the former refugees at Mtabila camp of the implementation modalities of the orderly return process began. The former refugees were informed, by the Government of Tanzania and UNHCR, that the Government's decision to close the camp by 31 December 2012 remained unchanged and that the time had come to return in an orderly, safe and dignified manner.

The orderly return operation commenced on 31 October 2012, starting with the smallest of the six zones at the camp, so as to allow for a more controlled environment and to confirm the procedures and modalities that had been put in place. Since then, by 12 November, 6,392 former refugees had been returned to Burundi. The former refugees in the zones targeted for orderly return have been cooperative. A small, but growing number of residents of other zones have already been assisted to return home to Burundi, as they expressed their wish to move ahead of the orderly return process for their zone. Overall, the returns to date have taken place without violence or force, although UNHCR and its partners continue to monitor the operation closely. Challenges have certainly emerged, as indicated below, but, overall, the return operation has progressed in a generally orderly manner.

#### **Coordination: roles and responsibilities**

The Government of Tanzania, specifically the Ministry of Home Affairs, has the primary responsibility for implementing the Mtabila Orderly Return Operation. It is supported in this effort by a range of humanitarian actors, including, most notably, inter-governmental agencies, such as IOM, UNHCR, UNICEF, and WFP, and NGO partners, including the Tanzania Red Cross and the International Rescue Committee. The UN Country Team and the international community present in Dar es Salaam have also been actively involved in promoting voluntary repatriation and, more recently, in the preparation of the orderly return programme and the monitoring of the return operation as it unfolds. Representatives of UN agencies and development partners have also visited the Mtabila camp to convey the message to the former refugees that they would support their reintegration in Burundi.

### International Organization for Migration

IOM provides transport assistance for the camp residents and their personal belongings to the Transit Centres in Burundi. The former refugees travel by bus and their luggage follows by truck. IOM also provides capacity building to the Immigration Department in the implementation of the return.

### United Nations High Commissioner for Refugees

UNHCR supports the Government with the implementation of the orderly return process, and undertakes its standard protection monitoring role to ensure that the agreed procedures are followed. The Office registers those former refugees who wish to return ahead of the closure of their zone. UNHCR, in collaboration with the International Rescue Committee (IRC) has also ensured that special arrangements are in place during the return process for those former refugees with particular vulnerabilities or needs. The situation of those former refugees with known health issues is assessed prior to departure and they are provided the necessary medical treatment by the Tanzanian Red Cross. Moreover, medical personnel are available during the convoy movements.

### World Food Programme

Ahead of the return operation, WFP transports a one-month food ration of 2,100 Kcal per person per day to the transit centre in Burundi where it is being stored. The former refugees receive a one-month food ration before leaving the transit centre in Burundi to go to their end destination, where they will receive food rations during the next five months.

## **Challenges**

The challenges to the orderly return operation in Tanzania, both anticipated and identified to date, include the following:

- Initially, reluctance to return to Burundi was strong among the former refugees, although there appears to be a growing acceptance now that the return operation has commenced that return is the only option remaining and that the camp will, indeed, close. While UNHCR and its partners will continue to promote and support an orderly return to Burundi, and the Government of Tanzania has reiterated its commitment to an orderly return process overall, there remains a risk that the situation could deteriorate, leading to returns no longer being conducted in an orderly, safe and dignified manner. All parties will continue to engage closely with the former refugees and their leaders to avoid the dissemination of misinformation about the return process and the assistance available in Burundi and to effectively address concerns and issues as they arise.
- In some cases, former refugees have decided to leave the camp, leaving their family members to return on their own. UNHCR and partners, on both sides of the border, are monitoring such cases closely and taking the necessary steps to reunite these families in Burundi as soon as possible.

- The special needs of vulnerable people require particular attention, including, for example, pregnant and lactating mothers, people with disabilities or with serious medical conditions, unaccompanied and/or separated children and families with young children. UNHCR and partners have pre-identified these people based on existing camp bio-data and are working with government counterparts to address their needs to the extent possible as returns from their zones take place.
- The rainy season could slow down the return movements if roads become impassable.

## **Burundi**

### **Planning**

Together with the Government of Burundi, UNHCR has taken the lead in planning and preparing for the return of the 37,000 Burundian former refugees in Mtabila. In close coordination with WFP, UNICEF and other partners, an inter-agency operational plan had been prepared based on the following three possible scenarios that could unfold in Mtabila:

#### Scenario 1: Orderly return of 12,000 individuals per month

Under this scenario, some 3,000 former refugees would return in three convoys of 1,000 people each, per week, starting in late October. The convoys enter Burundi through the single border entry point, Mugina, which is currently in use for all returns from Tanzania. Upon arrival, people are screened and registered, and within 24 hours they will be assisted with onward transport to areas of origin. UNHCR and partners will respond to this scenario in line with the existing operation plan. Sufficient capacity and staffing are in place to accommodate and assist the returning former refugees at this pace.

#### Scenario 2: Return of 17,500 individuals per month

Should the number of returnees increase to 1,450 people per convoy, or some 4,350 arrivals per week, UNHCR could adjust its action plan accordingly. The three transit centers Mabanda, Gitara and Musenyi can receive a maximum of 4,200 people at once, with the possibility to increase the reception capacity at Musenyi. The maximum stay at the transit centre would be 48 hours. The assumption remains that all convoys would enter Burundi through the main border entry point of Mugina, and consequently the increase would not present a major challenge.

Under both scenario 1 and 2, the convoys will arrive alternately at the transit centres to allow sufficient time for registration, identification of any special needs and assistance. Those among returnees who do not possess any land to return to, (714 households) will be housed in three temporary accommodation centres.

### Scenario 3: Sudden and unorganized returns: emergency

The sudden arrival of some 37,000 former refugees either on foot through multiple border entries or transported in military trucks at Mugina would create the conditions for a humanitarian emergency, in particular if there were injured people among them. The current reception capacity in the three transit centres and the seven temporary accommodation centres could accommodate, register and assist a maximum of 6,400 people at once.

In case of a sudden massive arrival, the main entry points will be Mugina, Nyakazi, Buhema, Gisuru and Gihofi, with possibly several secondary entry points. Additional reception capacity will be created by pitching up tents, using already identified public buildings, and accommodating returnees in host communities. Way stations will also need to be set up to help find new arrivals and support the most vulnerable returnees. Returnees from nearby communes who are able to walk to their destination will be encouraged to do so. UNHCR estimates it may take up to four weeks to register, assist and facilitate onwards transportation for all returnees under this scenario.

By 8 November, there were two convoys a day arriving alternately in the transit centres in Mabanda and Gitara.

### **Reception management and return package**

All returnees undergo registration upon arrival at the transit centre and are then issued with a recognition certificate from the Burundian authorities on the basis of which they are entitled to retrieve a national ID card in their respective commune of return. At the transit centre, any returnee who needs medical attention will be referred to a nearby hospital or health centre. Specific desks dealing with protection and land related issues have been established to assess protection risks and help returnees who either do not have land or who are involved in a land dispute. Returnees who do not have any land to return to are transported to one of the temporary accommodation centres until a solution is found. By 12 November, 6,230 former refugees had been transferred to their villages of origin.

Returnees receive a one-month food ration, non-food items and 20 per cent of the return cash grant before leaving the transit centre. Returnees are transported back to their commune of return where they receive the remaining 80 per cent of the cash grant and the food rations during the next five months. The total cash grant consists of BF 50,000 (USD 34 at the rate of exchange of early-November).

The Government of Burundi is responsible for ensuring the overall security of the return operation and the former refugees. National Police officers will be specially assigned for that purpose. Given the special context of the return operation, the Government of Burundi has been sensitized to the need of adopting special measures to protect the returnees and to ensure that they will not be victims of any form of discrimination or segregation upon return. The security in the transit centres and the accommodation centres will be reinforced.

In addition, the UN offices have an integrated standard UN Security system which is coordinated from UNHCR's base at Makamba. The radio room has started to operate 24 hours a day, seven days a week since 1 November 2012.

### **Coordination: roles and responsibilities**

To ensure effective coordination among all partners, UNHCR organizes weekly coordination meetings with all stakeholders, including government authorities, implementing and operational partners, and UN agencies in Bujumbura. Daily coordination meetings with all actors involved are held in Makamba, the province where the former refugees will arrive first, with all actors involved to assess the operation and to plan for the next day. Coordination between UNHCR offices in Burundi and Tanzania has also been strengthened. UNHCR keeps all UN and humanitarian partners well informed about the return operation, and encourages their continuous involvement to support returnees in their reintegration process. Local sensitization sessions continue for the authorities in the provinces of return, as well as for the local population on receiving their compatriots.

A teleconference or video conference under the leadership of the Special Representative of the Secretary General's office in Burundi and the Resident Coordinator in Tanzania with all UN Agencies involved in the preparations is held twice a month to ensure coordination and regular exchange of information and updates on the situation in both countries.

#### Office of the High Commissioner for Human Rights

OHCHR through the Human Rights and Justice Section of the United Nations Office in Burundi (BNUB) will monitor the human rights situation of the returnees in the main areas of return in coordination with national stakeholders to avoid any human rights violations. Together with national NGOs, OHCHR will monitor the reintegration process, paying special attention to preventing human rights abuses and ensuring the equal access of all returnees to public services. OHCHR will carry out information sessions for the local administration and communities in the main return areas.

#### United Nations Children's Fund

UNICEF will provide assistance to the returnees during both the return and reintegration phases. It will support national plans and priorities, in particular for education and health to ensure the full reintegration of returnees, in particular women and children, in their host communities. Interventions will take place in the reception centres, the transit and the temporary accommodation shelters during the initial phase and in the five main provinces of return, namely Rutana, Makamba, Bururi, Karusi and Ruyigi.

#### United Nations High Commissioner for Refugees

UNHCR, with the Government of Burundi, will be responsible for the overall coordination of the reception of returnees in Burundi and their onward movement to areas of origin. The Office has assisted the Government of Burundi in planning and preparing for the return of the Burundian former refugees and is now supporting efforts to implement these plans with the return movements

that are taking place. UNHCR has established and is managing the necessary reception and transit facilities and capacities and maintains a protection monitoring and response presence, paying special attention to returnees with specific needs and any allegations of mistreatment during the return process. As outlined under Scenario 3, UNHCR is also preparing contingency plans in the event that a mass return takes place, with the attendant humanitarian consequences.

#### International Organization for Migration

At the request of the Government of Burundi, IOM will provide assistance through the continuous assessment of the socio-economic reintegration needs and development of reintegration strategies in areas with large numbers of returnees, with the overarching objective to sustain stability and increase social integration. In order to reach this overall goal, IOM has deployed experts to ensure that sufficient basic social services are extended at local level to returnees and host communities; gender sensitive livelihood opportunities are expanded in urban and rural settings of high return; physical security of returnees and host communities is improved; and State capacity to plan and monitor reintegration efforts is improved in high return provinces.

#### World Food Programme

WFP will provide food assistance through the distribution of High Energy Biscuits (from the entry point to the transit centres), the provision of wet rations at the transit centres, and a 6-month food ration return package. The return package consists of a one-month ration given at the transit centre for the way back to the community of origin and the 5-month food entitlements will be given on a monthly basis at the nearest parish. An emergency school feeding programme will target primary schools in provinces where the largest numbers of returnees will go back to, namely Makamba, Ruyigi and Rutana. The programme will provide one hot meal per day on normal school days. After the completion of the 6-month food package and to support reintegration and peace consolidation, the returnees will have the option to become engaged in livelihood projects, including cash and food for assets activities. All logistical arrangements, including the opening of an extended delivery point in Makamba and the establishment of warehouse capacity in the three transit centres have been made to assure a smooth provision of assistance to the returnees.

#### **Challenges**

The challenges to the orderly return operation and long-term reintegration in Burundi, both anticipated and identified to date, include the following:

- The rainy season has started and will increase logistical constraints. Roads are not tarred and heavy rain fall makes parts of the roads impassable, which is delaying the convoys with up to 4 hours. Part of the border is formed by a river and water levels are expected to increase during the rainy season. Onward transport to the communes of return is also hampered by the rains and the deteriorated state of the roads, keeping people longer in the transit centres than anticipated.

- Former refugees are returning with many more personal belongings, including livestock, exceeding the 50 Kgs per person anticipated by IOM. Storage and onward transportation are posing serious challenges to the operation in Burundi.
- The current cholera epidemic in Burundi, including in Makamba province, represents a risk for returnees concentrated at transit and accommodation centres. Providing sufficient clean water and proper sanitation is essential. It will be important to reduce the time people are staying at the centre as much as possible.
- The identification and registration of returnees is posing difficulties, in particular when returnees do not possess or present any documentation or when no transport manifest is available. The UNHCR Burundi office has a copy of the UNHCR Tanzania database of Burundian former refugees at the Mtabila camp, which has proven an important resource to date.
- Some former refugees have fled their zones prior to returns, leaving their family members to return on their own. Working closely with IRC, the UNHCR offices in Tanzania and Burundi are in constant communication to address these situations and to launch family tracing where needed.
- The possibility of Burundian former refugees refusing to depart from the transit and accommodation centres in Burundi, in protest against their return from Tanzania, remains a possibility.
- More than 60 per cent of the Burundian former refugees residing at Mtabila are children. Some 28 per cent of the returnee households are headed by single women and more than 2,400 people are registered as having special needs. To date, an average of 20 per cent of each convoy are people with special needs. Under scenarios 1 and 2, arrangements have been made to give the required assistance to people with specific needs and ensure protection for the many women and children, which UNHCR and its partners are now implementing. Under scenario 3, however, it will be a challenge for UNHCR and partners to identify the needs of vulnerable people and address them in a timely manner.
- In case of a sudden mass return, protection risks for children, unaccompanied minors and separated children will increase, in particular because the traditional caretaking systems, i.e. support from the extended family cannot be relied upon.

### **Challenges to long term-reintegration**

The anticipated challenges to the long-term re-integration of the Burundian former refugees in their country of origin include the following:

- Due to the scarcity of arable lands, more than 3,200 former refugees (or 714 households) who have registered as landless are likely to stay at temporary accommodation centers for an extended period of time. Scarcity of land and services will hamper the integration of these returnees. The main provinces of return are already facing food shortages; the arrival of large numbers of returnees may thus increase tension and competition over scarce resources.
- Some 60 per cent of the returnees are below 18 years old. Schools in Mtabila closed in 2009, and since then children have had only informal education. While they all speak Kirundi, the curriculum in Tanzania was in English, while it is in French in Burundi. Integrating these children in the Burundian national education system will be a major challenge, with long term implications. The national education system is already under pressure due to overcrowded classrooms with on average more than 79 pupils per class. The Government of Burundi, however, has expressed its commitment to accommodate the returnees and to ensure that they have equal access to education services in their home communities.

## Financial requirements

The overall financial requirements of the agencies involved in the return and reception operation are as follows:

Agency	Tanzania (USD)	Burundi (USD)	Total (USD)
IOM	1,100,000	1,700,000	2,800,000
OHCHR	0	10,000	10,000
UNHCR	600,000	4,991,000	5,591,000
UNICEF	0	1,239,100	1,239,100
WFP	600,000	6,815,000	7,415,000
<b>Total</b>	<b>2,300,000</b>	<b>14,755,100</b>	<b>17,055,100</b>

### Tanzania

In Tanzania, the main activities will focus on the transportation of the former refugees and their belongings, food supply, as well as on the maintenance of law and order during the orderly return process. The financial requirements cover the rental of busses and trucks, as well as fuel and maintenance. IOM will cover all costs related to the transport of the former refugees and their belongings, while UNHCR cover the transport costs for partners assisting the former refugees, including the medical and security escorts. The transport of food will be covered by WFP.

UNHCR is providing support to the Tanzanian police to maintain law and order in the camp. This support needs to be strengthened to ensure that the return programme is implemented in an orderly manner, in safety and security.

Agency	Sector/Objective	USD
IOM	Transport of former refugees and personal belongings and capacity building of Immigration Department	1,100,000
UNHCR	Protection (security)	100,000
	Capacity building	84,000
	Transport	169,000
	Water and sanitation (departure centre)	64,000
	Environmental protection/ camp clean up	183,000
<b>UNHCR total</b>		<b>600,000</b>
WFP	Transport of one-month food rations	600,000
<b>Total</b>		<b>2,300,000</b>

### Burundi

In Burundi, activities will focus on the reception of the returnees, under the different possible scenarios. IOM will carry out a technical assessment to determine socio-economic needs in areas with high numbers of returnees. UNICEF, together with IRC and the Burundian Red Cross will focus on the water and sanitation conditions, including the trucking of potable water if required during an emergency phase. UNICEF is also creating child-friendly spaces in the transit centres and will support the reinsertion of children in schools in their return areas.

UNHCR's activities consist in ensuring registration and documentation, as well as providing accommodation in the transit centres. Protection activities include measures to mitigate the risk of sexual and gender-based violence and help separated and/or unaccompanied minors reunite with their family. OHCHR is undertaking regular missions to monitor the human rights situation of returnees and promote reconciliation. Its activities will also include sensitizing returnees and returnee communities on human rights. WFP's requirements will ensure that all returnees receive a basic food basket during their first six months in Burundi. WFP will also support emergency school feeding programmes in return areas and provide wet rations at the transit centres.

Agency	Sector/Objective	USD
IOM	Technical assessments in high return areas	1,700,000
OHCHR/Human Rights and Justice Section BNUB	Protection	10,000
UNICEF	Child Protection	191,100
	Water Sanitation and Hygiene	188,000
	Education	200,000
	Nutrition	202,000
	Health	404,000
	Staff related costs (Emergency specialist)	54,000
<b>UNICEF TOTAL</b>		<b>1,239,100</b>
UNHCR	Reception and documentation	398,000
	Protection (child, SGBV)	776,000
	Food and Non-food items	524,000
	Shelter	192,000
	Health	111,000
	Cash grants	123,000
	Transport, logistics and fuel	2,621,000
	Programme support	246,000
<b>UNHCR TOTAL</b>		<b>4,991,000</b>
WFP	Immediate return assistance	1,316,000
	School feeding	3,862,000
	Livelihood support	1,637,000
<b>WFP TOTAL</b>		<b>6,815,000</b>
<b>TOTAL</b>		<b>14,745,000</b>