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BURUNDI

Secure tenure and land access still challenges for long-term IDPs

Up to 100,000 internally displaced people (IDPs) were living in mid-2011 in settlements in the north and centre of Burundi. They had been displaced by inter-ethnic and inter-communal violence which broke out after a 1993 coup d'état and the fighting between government forces and rebel groups which followed.

The security situation improved after the last rebel group laid down its arms in 2008, and there has been no new conflict-induced displacement since then. The majority of people consulted in a comprehensive IDP survey by OCHA in 2005 declared that they felt well integrated into their current location and comfortable among their new neighbours, and expressed a wish to remain in the IDP settlements. While all IDP settlements in the south have officially been closed since 2005, few IDPs in the north and centre of the country are thought to have returned to their places of origin. The majority of them are ethnic Tutsi.

Like other poor Burundians, IDPs have struggled to access food and basic services. In addition to the many difficulties shared by the rest of the population of the fourth least-developed country in the world, IDPs lack security of tenure in the settlements they live in, and many are far from the land on which they depend for survival.

In March 2010, the government adopted a national strategy to reintegrate the people affected by the conflict. The strategy is to identify IDPs' settlement preferences, and accordingly either determine the feasibility of their return or work towards the formal recognition of their settlement. A technical group comprising national and international members was set up in October 2010 to guide the implementation of the national policy.

Map of Burundi



Source: UN Cartographic Section
More maps are available at www.internal-displacement.org

Background to displacements

Since the independence of their country in 1962, hundreds of thousands of Hutu and Tutsi Burundians have been killed in massacres carried out by members of the Hutu majority or the elite Tutsi minority. Millions more have at various times fled their homes to escape the killing. In 1972, a Hutu rebellion led to violent repression by the Tutsi-dominated army. An estimated 80,000 to 100,000 people died in the ensuing wave of violence, and more than 300,000 fled to neighbouring countries, primarily Tanzania.

In 1993, large-scale displacement within Burundi and to neighbouring countries followed massacres triggered by the assassination of the first elected president, Melchior Ndadaye. The majority of the first IDPs were ethnic Tutsi people in the northern and central provinces, who were targeted by Hutu rebel groups or feared retaliation from neighbours following the assassination of the Hutu president. Both Hutu and Tutsi civilians were subsequently targeted by both the rebels and the army. The conflict was fuelled by violence in the wider region, particularly the genocide of Tutsi and moderate Hutu people in Rwanda in 1994 and two major wars in the 1990s in the Democratic Republic of Congo, and also by economic inequalities.

In the late 1990s the new Tutsi-led government twice ordered the relocation of hundreds of thousands of (mostly Hutu) civilians into "regroupment camps" as part of a military strategy against the rebel groups. The number of IDPs peaked in 1999 at over 800,000 people, or around 12 per cent of the population (UN CAP, November 1999, p.6).

The regroupment camps were dismantled in 2000 following international pressure, but other IDP settlements remained. The same year, the government, opposition parties and opposition armed groups signed a peace agreement in Arusha, Tanzania. Large-scale displacement continued,

however, as the army went on fighting two rebel groups which had not joined the peace process. In 2003, the bigger of the two remaining groups, the Forces for the Defence of Democracy-National Coalition for the Defence of Democracy (*Forces pour la défense de la démocratie-Coalition nationale pour la défense de la démocratie*, or FDD-CNDD), signed a ceasefire agreement with the government, and the resulting improvement in security enabled tens of thousands of IDPs to return to their homes (OCHA, 26 May 2005). By the time of the ceasefire agreement, an estimated 300,000 people, mostly civilians, had been killed due to the conflict (ICG, October 2003).

A national unity government headed by Pierre Nkurunziza, a Hutu and former head of the rebel movement FDD, was elected in August 2005 in the first democratic election since the start of the conflict in 1993.

The last remaining rebel group, the Party for the Liberation of the Hutu People-National Liberation Forces (*Parti pour la libération du peuple hutu-Forces nationales de libération*, or Palipehutu-FNL), fought on before finally signing a comprehensive ceasefire agreement with the government in September 2006. However, insecurity and displacement continued until Palipehutu-FNL returned to the negotiating table in April 2008. Following talks with the government, the group's leaders renounced the use of arms and then registered the FNL as a political party (UNSC, 22 May 2009). The relatively peaceful presidential elections of June 2010 gave a second mandate to Nkurunziza. No new conflict-induced displacement has occurred since 2008, and no problems were reported regarding IDPs' right to vote during the 2010 elections.

The peace process was accompanied by the UN and other international facilitators, in particular former Tanzanian president Julius Nyerere until his death in late 1999 and former South African president Nelson Mandela (USIP, March 2011).

Current IDP figures

Some 100,000 people remained displaced as of mid-2011, in some 100 settlements in central and northern Burundi. This estimate is based on the last comprehensive IDP survey undertaken by the UN's Office for the Coordination of Humanitarian Affairs (OCHA) in 2005, which found that some 117,000 IDPs lived in settlements, many of which had grown into villages (OCHA, 23 June 2005).

In May 2009 the Burundian Ministry of National Solidarity, Refugee Return and Social Reintegration released an update on the situation of IDPs and refugee returnees in IDP settlements (Government of Burundi, May 2009). It put the number of people living in settlements at just over 157,000. This increase of nearly 50 per cent on the 2005 figure may be accounted for by the report's failure to differentiate between IDPs, repatriated refugees who had been unable to return to their former homes, and other migrants. The report confirmed that many IDP settlements in the southern provinces had closed while the populations and number of settlements in some central provinces had grown. Due to methodological problems, the report was not formally published, but despite the absence of validation of these numbers, OCHA has used the figures in its regional Eastern Africa Displaced Populations reports in 2010 and 2011 (See, for example, OCHA, April 2011, Eastern Africa Displaced Populations Report, p.4).

Durable solutions

As mentioned in the government May 2009 report, few IDPs in the north or centre of the country are thought to have returned to their places of origin since 2005, but all IDP settlements in the south of the country are reported to have closed. Between 1999 and 2005, an estimated 700,000 IDPs returned to their homes, some of them with international support (OCHA, 23 June 2005).

At least 500,000 Burundian refugees returned to Burundi from 2002 to 2009, mostly from Tanzania. Their reintegration, particularly of the 50,000 who fled in 1972, presented extraordinary challenges for the government (UNHCR, 16 September 2009). Many refugees returned to find their land occupied, expropriated, sold or redistributed to others, and finding solutions to their pressing problems has accounted for the majority of the government's resources earmarked for helping victims of the conflict. Some of the returning refugees who were unable to recover their land or were landless joined the IDP settlements (Brookings/IDMC, June 2011).

IDPs appear to have avoided returning to their areas of origin for a number of reasons. The main obstacles to return include the trauma linked to memories of past massacres in IDPs' places of origin, compounded by the reported impunity of many people who have killed civilians and still live there; and the continuing insecurity and difficult economic conditions in areas of origin (UNHCR, August 2009 and 1 January 2008; OCHA, 26 May 2005 and 3 October 2007). The majority of people consulted in OCHA's 2005 survey expressed a wish to remain in the IDP settlements, declaring that they felt well integrated in their current location and comfortable among their new neighbours (OCHA, 26 May 2005). These results are consistent with a smaller survey carried out by IDMC in four IDP settlements in June 2010, in which IDPs said that they felt safer living close together in settlements rather than in traditional upland homes, and that they generally had very good relations with their neighbours from surrounding communities. Older IDPs generally reported that they would not contemplate living with their former neighbours again, while the younger ones, who had been children when they were displaced, were more open to the idea (Brookings/IDMC, June 2011).

Access to land and livelihoods

Burundi is the least urbanised country in the world, and the homes and land of most Burundians are scattered across the hilly countryside. IDPs also live in rural areas, but in more concentrated settlements numbering from a few hundred to several thousand people. Due to the crowded arrangement of settlements, young couples have difficulty in finding space to build a home for themselves.

Burundi's poverty levels remain daunting. In 2010, it ranked 166th of 169 countries on the UNDP Human Development Index (UNDP, 4 November 2010). The situation of IDPs living in settlements is comparable to that of other poor Burundians, and their limited access to basic services is due in large part to their poverty. IDP settlements received international assistance at the height of the conflict, but assistance has tapered off over the last years. Some returning refugee women who had become IDPs in the Bujumbura area had in 2011 reportedly resorted to desperate measures, including having unprotected sex for money, in an attempt to improve their dreadful living conditions (IRIN PlusNews, 26 April 2011).

Reflecting the wider discrimination against their ethnic group, internally displaced Batwa people are marginalised and live in particularly difficult conditions, in huts with leaf roofing set apart from other IDPs (Brookings/IDMC, June 2011; IRIN, 15 April 2004).

Although 90 per cent of the population derives its livelihood from agriculture, there is a high rate of chronic malnutrition compared with other sub-Saharan African countries. Some 600,000 Burundians were in need of food aid in 2008 (IRIN, 7 March 2008).

IDPs only have space to grow a few vegetables or fruit on the small plots allocated to them in the settlements. While the majority still have access to

their original fields, the land can be several hours walk away from their settlement, and IDPs, the older and sick people among them in particular, often struggle to cultivate it. Their lack of continued presence on their fields also means that they cannot raise livestock or protect their crops from theft (Brookings/IDMC, June 2011). Internally displaced widows and orphaned girls often have no access to their land of origin, as many have been excluded from inheriting land according to Burundian tradition, despite the equality between men and women enshrined in the Constitution (Iteka/Fride, March 2011).

An additional challenge to most IDPs is their insecurity of tenure in the settlements. Although IDP settlements were generally set up on what was thought at the time to be state land, the ownership of many has been disputed by individuals or organisations including the Catholic Church.

Land disputes can be resolved through various mechanisms: formal courts; traditional authorities known as *Bashingantahe*; mediation by NGOs; and the National Commission for Land and Other Properties (*Commission Nationale de Terre et Autres Biens* or CNTB). In practice, most of the CNTB cases have related to disputes over the land of returning refugees, and few IDPs have turned to the CNTB to resolve issues of land tenure in settlements. According to IDMC interviews, IDPs may see it as the government's responsibility to resolve land disputes and to settle any related claims for compensation, given that it was the state that authorised their settlement in the first place. In contrast, most people holding rights over the land on which IDP settlements have been built have applied to the CNTB, in search of compensation or in some cases the restitution of their land (Brookings/IDMC, June 2011).

Access to health care and education

The government announced in 2006 its intention to deliver free health care services to children under five and pregnant women. While this measure helped to reduce the under-five mortality rate by 20 per cent from 2005 to 2009, the lack of essential medicine and qualified staff has affected service delivery (World Bank, 25 April 2011). While IDPs do not suffer discrimination in accessing health care, the health centres they have access to are generally overcrowded and poorly stocked. In addition most IDPs do not have the resources to pay for the treatment of chronic conditions.

Primary school fees were abolished in 2005, resulting in a 50 per cent year-on-year increase in the enrolment of first graders in all provinces. The greater enrolment created a corresponding need for qualified teachers, classrooms and school materials. It also increased the existing challenges of keeping the children in school, particularly girls (UNICEF, 2006). In 2011, the World Bank reported that the quality of education in Burundi was low and that the completion rate was only 46 per cent (World Bank, 25 April 2011). The latest reports on the access to education of internally displaced children indicate that limits to access are linked not to children's displacement but rather to the lack of space in classes and distances to schools (UNHCR, 1 January 2008).

National and international responses

The Ministry of National Solidarity, Refugee Return and Social Reintegration is in charge of supporting the reintegration of IDPs and returnees. In March 2010, the government adopted a "Socio-economic Reintegration Strategy for People Affected by the Conflict". Taking into account IDPs' preferences, the government intends to either determine the feasibility of their return,

or work towards the formal recognition of their settlement (Government of Burundi, March 2010). The strategy called for the setting up of a technical working group to develop a policy for durable solutions, and the group convened for the first time in October 2010. The participation of UNHCR in this new working group signalled an increased engagement of the UN in the search for durable solutions: the UN had introduced the cluster system in Burundi in 2008 but it had little impact in relation to IDPs.

Burundi has ratified the Great Lakes Pact and signed the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (the Kampala Convention) in 2009; however it had not ratified the Convention by mid-2011.

In 2008 the government adopted a strategy document to guide the repatriation and integration of returning refugees without land (Government of Burundi, Commission Intégrée Ad Hoc - Rapatriement et Réintégration, 2008). The document foresaw the creation of new villages with basic services and the allocation of additional land to allow greater numbers of beneficiaries to re-establish viable livelihoods. It also aimed to accommodate members of different ethnic groups in the same location in an effort to foster reconciliation, peace and security, and envisaged the development of simplified procedures to allow the rural population to register their homes and land with the commune in order to avoid potential land conflicts. The programme mentions IDPs as secondary beneficiaries. As of mid-2011, some villages had been created, and land titles for their inhabitants delivered.

In April 2011, the Burundian Parliament adopted a new land code, according to which any person who owns a property will now need a land certificate (*certificat foncier*). The code became law on August 9, 2011 when it was signed by the President.

Since the end of the conflict, IDPs have received international assistance through wider humanitarian programmes rather than targeted assistance. OCHA was the focal point on internal displacement issues until 2009, when it scaled down its activities in the country.

The main source of funding to improve the situation of IDPs and returnees has been the UN Peacebuilding Commission, created in 2006. In April 2011, the Commission announced that following “breathtaking” strides in the establishment of key democratic institutions in Burundi, it would scale down its presence and bring continuing support for national peacebuilding efforts in line with Burundi’s poverty reduction strategy paper (General Assembly, 21 April 2011).

Other significant donors responding to Burundi’s humanitarian needs have been the European Commission and individual European countries, Japan, and the UN’s Central Emergency Response Fund (CERF) which provides funds to under-funded crises. In 2009, Burundi also benefited when the International Monetary Fund (IMF) and the World Bank cancelled 90 per cent of its debt, worth about \$1.4 billion. This may enable Burundi to spend up to \$50 million a year more over ten years in priority areas such as health care, education, agriculture, water, and rural infrastructure (IMF, 9 February 2009).

Note: This is a summary of IDMC’s internal displacement profile on Burundi. The full profile is available online [here](#).

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About the Internal Displacement Monitoring Centre

The Internal Displacement Monitoring Centre (IDMC) was established by the Norwegian Refugee Council in 1998, upon the request of the United Nations, to set up a global database on internal displacement. A decade later, IDMC remains the leading source of information and analysis on internal displacement caused by conflict and violence worldwide.

IDMC aims to support better international and national responses to situations of internal displacement and respect for the rights of internally displaced people (IDPs), who are often among the world's most vulnerable people. It also aims to promote durable solutions for IDPs, through return, local integration or settlement elsewhere in the country.

IDMC's main activities include:

- Monitoring and reporting on internal displacement caused by conflict, generalised violence and violations of human rights;
- Researching, analysing and advocating for the rights of IDPs;
- Training and strengthening capacities on the protection of IDPs;
- Contributing to the development of standards and guidance on protecting and assisting IDPs.

For more information, visit the Internal Displacement Monitoring Centre website and the database at www.internal-displacement.org

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