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Burundi:

Long-term IDPs need land security

The security situation in Burundi improved markedly after the last rebel group in the country laid down its arms at the end of 2008, and no new conflict-induced displacement was reported in 2009. However, up to 100,000 internally displaced people (IDPs) remain in sites in northern and central Burundi. Most of them, displaced in the 1990s or early 2000s following inter-ethnic violence and fighting between the government and rebel groups, have integrated in the neighbouring towns and villages they fled to, and the majority reportedly wish to remain in these sites.

The majority of IDPs do not own their houses and land in the sites, but live on state-owned, private or church-owned property, which has caused disputes with the original owners. Informal transactions take place but often lead to disputes as the same parcel of land can be sold a number of times without being registered. A comprehensive land law has been drafted which should apply to rural areas (until now regulated by customary law) as well as cities, but it is not likely to be enacted before the 2010 elections.

Since 2006, the UN Peace Building Commission has worked with the Burundian government to support post-conflict recovery, including the recovery of people affected by the country's internal armed conflicts. One promising initiative developed by the Burundian government together with UN agencies and donor governments is the construction of villages where IDPs can resettle, along with landless returnees and other vulnerable people.

Map of Burundi



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Cartographic Section

Source: United Nations Cartographic Section
More maps are available on <http://www.internal-displacement.org>

Background of displacement and political developments

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. The violence has been fuelled by regional and ethnic tensions, particularly the genocide of Tutsi and moderate Hutu in Rwanda and two major wars in the Democratic Republic of Congo, as well as economic inequalities.

In 1993, large-scale displacement followed the assassination of the first elected president, Melchior Ndadaye, and subsequent massacres. At first, the majority of IDPs were ethnic Tutsi, particularly in the northern and central provinces, who feared retaliation from neighbours following the assassination of the Hutu president. From 1996, as conflict escalated, both Tutsi and Hutu people found refuge in settlements, especially in the south. The new Tutsi-led government also ordered the relocation of hundreds of thousands of (mostly Hutu) civilians into “regroupment camps” twice in the late 1990s, as part of a military strategy against the rebel groups. The number of IDPs peaked in 1999, with over 800,000 displaced, or around 12 per cent of the population (UN CAP, November 1999, p.6).

While the regroupment camps were dismantled in 2000 following international pressure, 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 con-

tinued, however, as the army continued to fight 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 Burundian government, and improved security allowed for the return of tens of thousands of IDPs to their homes (OCHA, 26 May 2005).

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 second national election since the war is planned for 2010, when voters will also elect members of parliament and local representatives.

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. Insecurity and displacement continued however, until Palipehutu-FNL returned to the negotiating table in April 2008. Following talks with the government brokered by heads of state of neighbouring countries, the group’s leaders renounced the use of arms and then registered the FNL as a political party (UNSC, 22 May 2009). As of August 2009, more than 3,500 ex-combatants as well as all children associated with the FNL – out of an estimated

5,000 FLN combatants – had been demobilised (UNHCR, August 2009).

Latest displacement

Several thousand people were temporarily displaced by natural disasters and food insecurity in 2008 and 2009. In addition, several thousand Burundians who had been living in Tanzania (some of them since 1972) without being recognised as refugees were expelled to Burundi, and many of them had no home to go back to (Refugees International, 1 October 2008; OCHA, 3 August 2008; OCHA, 3 October 2007).

The latest conflict-induced displacement occurred in mid-2008, when some 20,000 people were temporarily displaced due to fighting between Palipehutu-FNL and the Burundian army in Bujumbura Rural and Bubanza Provinces (IRIN, 23 April 2008; NGO (anonymous), September 2009).

Current IDP figures

Up to 100,000 people remained displaced as of the end of October 2009 in some 100 sites in central and northern Burundi. This estimate is based on the last comprehensive IDP survey undertaken by the UN in 2005, which found that some 117,000 IDPs lived in settlements, many of which had grown into villages (OCHA, 23 June 2005). This number did not take into account people living with host families, particularly in urban centres and in Bujumbura Rural and Bubanza Provinces. In May 2009 the Burundian Ministry of National Solidarity released a report citing a figure of over 150,000 IDPs, but the report was rejected by local officials as methodologically flawed. In addition, local and interna-

tional experts on internal displacement issues were apparently not consulted for the report (NGO (anonymous), September 2009).

Durable solutions and access to land

Burundi is Africa's least urbanised country, and around 90 per cent of the population relies on subsistence farming. The return of IDPs and refugees to their land is made difficult by problems such as the high density of the population, the division of land plots into smaller lots despite their poor productivity, and the exploitation of land by new occupants. Also, land tenure in Burundi is currently based on both customary and statutory systems operating in parallel, with some overlapping arrangements in place. This creates confusion and contradictions, and makes the resolution of land disputes particularly intricate.

At least 500,000 Burundian refugees returned to Burundi from 2002 to mid-2009 (FMR, September 2009). The situation of the people who left the country in 1972 has often proved particularly complicated. Upon their return after more than 35 years, many found that their land had been expropriated, redistributed or occupied in their absence. In contrast, returnees who had left the country in 1993 often found that the new occupants of their land were neighbours or family members, and they often managed to find an arrangement with them (ACCORD, January 2009).

Few long-term IDPs have returned home over the past years, and the majority have reportedly integrated in neighbouring towns and villages. The main obstacles to

return include the trauma linked to memories of past massacres and the reported impunity of many people who have killed civilians and still live in the IDPs' places of origin; continuing insecurity and difficult economic conditions in areas of origin; and the high population density of the country. While they have not returned home, 75 per cent of IDPs continue to access and cultivate their original land plots. However, the high population density means that many family members have to exploit the same land (communication with NGO (anonymous), October 2009; UNHCR, August 2009 and 1 January 2008; OCHA, 26 May 2005 and 3 October 2007).

The majority of IDPs do not own their houses and land in the sites, but live on state-owned, private or church-owned property (UNHCR, 1 January 2008). This has led to disputes with the original owners, for example when repatriated refugees find IDPs settled on their land. Land claims 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), although this body has reportedly lacked resources to function adequately (ACCORD, January 2009). The current law does not apply to land which officially belongs to the state in rural areas; these areas cover 98 per cent of the territory and the land is managed under customary law. Informal transactions often lead to conflicts as the same parcel of land can be sold a number of times without being registered. A more comprehensive law which also applies to rural areas has been drafted but is not likely to

be enacted before the 2010 elections (NGO (anonymous), September 2009).

Physical security

Overall, the physical security of IDPs has improved significantly since the height of the conflict. But IDPs, like other people, remain subject to high level of violence, and reports of killings, torture, theft, rape and extortion by government security forces as well as FNL groups remain common (USDoS, 25 February 2009). Most human rights violations and abuses go unpunished (UN HRC, 15 August 2009). Like the rest of the population, IDPs are also the victims of banditry, a phenomenon which is prevalent in several regions and exacerbated by the widespread circulation of small arms and the current difficult economic situation.

The UN reported in December 2008 that sexual violence against children, particularly against girls, remained a serious concern in Burundi. The majority of the cases were perpetrated by civilians in an environment of insecurity and impunity, but perpetrators also included members of the Burundi National Police, the Burundi National Defence Forces, and FNL militia (UNCS, 26 March 2009). In 2006, the UN estimated that 19 per cent of adolescent girls and women in Burundi had been victims of sexual violence (OCHA, 2006, p.13).

Over the years, both rebel groups and the government have recruited child soldiers, of whom many were presumably displaced. After months of negotiations with Palipehutu-FNL, involving the national government, civil society, and UN agencies, child soldiers were gradually released. In April 2009, the last 340 child

soldiers, formerly associated with the FNL rebel militia, were released and reunited with their families (UN News Service, 18 September 2009).

Humanitarian conditions

The humanitarian needs of IDPs are very similar to those of other vulnerable Burundians, who have limited access to basic services due to poverty, corruption and food insecurity (IMF, March 2009; World Bank Group, September 2009). According to local observers in 2008, IDPs may have had better access to basic services than their neighbours, since they had benefited from targeted assistance until 2005 and their living conditions were often better than prior to displacement (Communication with NGO (anonymous), October 2008). The major exception was women-headed households, which were generally still extremely vulnerable.

Some 600,000 Burundians were in need of food aid in 2008 (IRIN, 7 March 2008). Maternal mortality and child malnutrition rates are the second highest on the continent, and Malaria is a major cause of mortality overall. HIV/AIDS is the second most common cause of mortality among adults (World Bank Group, September 2009). In 2006, a new policy of free medical care for all Burundian mothers and children led to a level of demand well beyond the capacity of existing medical structures (Burundian MoH, December 2006).

Primary school fees were abolished in 2005, resulting in a 50 per cent increase in the enrolment of first graders in all provinces compared to the previous school year. The greater enrolment

brought about a massive need for qualified teachers, classrooms and school materials. It also increased the existing challenges of keeping the children in school, particularly girls (UNICEF, 2006). An estimated 150,000 children could not attend school in 2006 (OCHA, 2006; UN, 30 November 2006). The latest reports indicate that limited access to education is not linked to children's displacement but rather to the lack of space in classes and distances to reach schools (UNHCR, 1 January 2008).

National and international response

One of the priority areas for the reconstruction of Burundi is the resolution of land disputes between the returning IDPs and refugees and the current occupants (UNGA, 8 September 2009). According to local observers, in the absence of a national policy on internal displacement, specific interventions of the Ministry of National Solidarity, Human Rights and Gender have promoted return rather than local integration or resettlement in another part of the country. The government set up an IDP group, but it had not started to operate as of October 2009 (Communication with NGO (anonymous), October 2009). One promising initiative by the Burundian government, UN agencies and donors is the construction of "rural integrated villages" where IDPs can resettle, along with landless returnees and other vulnerable people (OCHA, 4 May 2009). According to a UNHCR Representative in Burundi, these villages offer stability and durable solutions for inhabitants as they are close to areas offering economic opportunities (IRIN, 26 September 2008).

The Ministry established the Directorate General for Repatriation, Resettlement and Reintegration of Displaced and Repatriated Persons in March 2006 (IDD, 3 June 2006). Among other duties, the Ministry supervises PARESI, a UNHCR-financed project to provide basic housing and infrastructure to returning IDPs and refugees, as well as to Burundians expelled from Tanzania.

Burundi is one of the 11 states that ratified the Great Lakes Pact in December 2006. This pact is a comprehensive package of new norms, and mechanisms for “protecting forcibly displaced people in the countries of the Great Lakes region” (IDMC, September 2008). Central to the pact are the ten protocols, two of which are specifically intended to protect the human rights of forcibly displaced people.

The UN Resident Coordinator/Humanitarian Coordinator for Burundi is responsible for ensuring a strategic and coordinated response to internal displacement in the country. Before decreasing its activities in the country in 2009, OCHA was the focal point on IDP issues. As most IDPs live close to their areas of origin and mainly face the same constraints as non-displaced people, they receive assistance through general international humanitarian programmes.

In October 2008 the cluster approach was formally introduced in Burundi. Not all clusters have been rolled out, and there is for instance no single cluster with responsibility for protection of IDPs. Coordination by means of the clusters has been characterised by observers on the ground as demanding. Complementing the clusters, the Burundian Minister for National Solidarity, Human Rights, Gender and Reconstruction chairs the Integrated Commission for Repatriation and Reintegration which includes representatives of the government, UN bodies and donors (BINUB, 28 October 2008).

NGOs including ACCORD, NRC and Danish Church Aid, and the Burundi Red Cross and ICRC, have provided conflict mediation to help IDPs and returning refugees solve land issues, and also educational programmes, demining and material assistance.

The main source of funding to improve the situation of IDPs and returnees is the UN Peacebuilding Commission, created in 2006. Of the overall \$35 million budget for the Burundi Peacebuilding Fund programme, the expenditure to the end of 2008 amounted to almost \$21 million (UNDP, 14 July 2009, p.3).

Note: This is a summary of IDMC’s new 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, established in 1998 by the Norwegian Refugee Council, is the leading international body monitoring conflict-induced internal displacement worldwide.

Through its work, the Centre contributes to improving national and international capacities to protect and assist the millions of people around the globe who have been displaced within their own country as a result of conflicts or human rights violations.

At the request of the United Nations, the Geneva-based Centre runs an online database providing comprehensive information and analysis on internal displacement in some 50 countries.

Based on its monitoring and data collection activities, the Centre advocates for durable solutions to the plight of the internally displaced in line with international standards.

The Internal Displacement Monitoring Centre also carries out training activities to enhance the capacity of local actors to respond to the needs of internally displaced people. In its work, the Centre cooperates with and provides support to local and national civil society initiatives.

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

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