

SPCP-Tanzania

Update

September, 2006

Background

The Strengthening Protection Capacity Project began in Tanzania in September 2004, with an initial grant of money from the European Commission, and three co-funding states: Denmark, the Netherlands and the United Kingdom. The initial project money enabled the SPCP to: (i) conduct and publish a comprehensive analysis of protection gaps in Tanzania; (ii) undertake a comprehensive assessment of present livelihood strategies of refugees and propose means to improve self-reliance (iii) convene a national consultation with all concerned stakeholders to prioritize the gaps identified and recommend measures to remedy them; (iv) subsequently work with partners to develop projects necessary to implement an agreed upon Plan of Action for the coming years; (v) implement a number of quick impact projects and; (vi) continue to engage donors in the funding of initiatives necessary to fully implement the Plan of Action.

Achievements

The SPCP-Tanzania initial project funding ended in April 2006, by which time all the objectives noted above had been achieved. The National Consultations resulted in the adoption of a comprehensive plan of action, and subsequently the development of projects to remedy the gaps identified. A number of these projects were implemented from the SPCP pilot project budget. Many more were able to commence and/or are in the pipeline due to the generous contribution of \$2.5 million from DANIDA for SPCP follow-up activities. The recent approval by the EC of \$2 million SPCP projects in Tanzania as part of the EC AENEAS-Regional Protection Programme, will enable UNHCR, the Government of Tanzania, partners and refugees to continue extend most of the DANIDA funded medium projects for a few more years and to address gaps in two additional areas namely Registration and Search for Durable Solutions (repatriation and resettlement).

Specific SPCP initiatives in Tanzania include:

Receptive Legal, Political and Social Environment

Translations

A number of key refugee law instruments have been translated from English to Kiswahili including:

- UN Convention Relating to the Status of Refugees, 1951 and the Protocol Relating to the Status of Refugees, 1967;
- OAU Convention Governing Specific Aspects of Refugee Problems in Africa, 1969;
- Handbook on Procedures and Criteria for Determining Refugee Status; and,
- The Tanzania Immigration Act, No 7 of 1995 and the Refugee Act 1998.

Improvement of Policy, Legislation and Standard Operating Procedures

- Standard operating procedures developed for newly established District Ad Hoc Committees (District Level Refugee Status Determination Bodies)

- Two meetings of the Government Task Force and other experts have been organized to review the proposed new Refugees Act to ensure compliance with international standards
- A Workshop on refugee policy in Tanzania for policy makers, Senior Refugee Administrators, Senior UNHCR Managers and Donors scheduled for 16-19th October 2006.
- A Study Tour planned for senior government officers to Uganda to learn from the Self-Reliance Strategy.
- A short course on refugee programme management for local NGOs is planned.
- Refugee literature was acquired and distributed to resource centre in North-western Tanzania

Public Outreach

- Promotion of Positive Attitudes towards Refugees Project to be implemented over two years by Radio Kwizera and the Southern Africa Human Rights NGO (SAHRINGON) has commenced.

Improvement of Physical Infrastructure and Provision of Equipment for Government Partners

- Construction of office premises for the Kigoma Zonal Officer for the Refugee Department.
- Construction of living quarters for the Settlement Officer at Lugufu.
- Rehabilitation of living quarters for the Settlement Officer at Lugufu.
- Construction of office premises for Immigration, Police and Customs at Kibirizi entry/departure port.
- Office equipment including computers, photocopiers, printers and fax machines ordered for various offices of the Refugee Department and the Immigration Departments

Admission

Training

- 90 Village Executive Officers, Ward Executive Officers and Divisional Secretaries from border areas (who function as refugee reception officers) have been trained on Access to Asylum. 30 more will be trained before the end of the year.

Equipment

- Radio Communication equipment has been ordered for all immigration posts along the Tanzania-DR Congo/Burundi/Rwanda Border as well as cars and office equipment for the Immigration Department in Kigoma and Ngara. District Immigration officers have also received training on reception of refugees.

Legislative Framework for Determining Protected Status

Operating Procedures

- Standard Operating Procedures on refugee status determination for Congolese and Burundian Asylum seekers that conform to international standards have been developed.

Training

- Members of the Ad Hoc Committees (District Level refugee determination bodies) in all four refugee hosting districts have been trained on refugee determination procedures.

Construction and Equipment

- Office and resource centre for the national and district eligibility committees constructed and equipped in the main refugee hosting districts of Kibondo and Kigoma

Protection from Violence, Coercion and Deliberate Deprivation

Training

- Senior Prison Officers in Dar es Salaam were trained in 2005 on the treatment of refugee prisoners. Another training is planned for officers in the region before the end of 2006.
- Two training courses have been provided through the East Africa School on Refugees and Humanitarian Affairs (EASRHA), University of Dar es Salaam to professionals working in the refugee field within government agencies, international organizations and NGOs. (Sept 5-16, 2005 & Aug 22- Sept 1, 2006)
- 36 government officials including Immigration and Refugee Officers, Settlement Commandants and Police from all four refugee hosting districts were trained on Refugee Protection and Administration (12th and 14th September 2006).

Profiling

- A Survey and profiling of urban refugees in Dar es Salaam has been done to determine their protection needs

Evaluation

- A review of the Sexual and Gender Violence Programme has been provisioned

Equal Benefit and Protection of the Law

Legal assistance

- A practicing lawyer was retained for three months in 2005 to provide legal assistance to all refugee prisoners in four districts of Kagera Region

Access to justice programme

- An NGO called the National Organization for Legal Assistance (NOLA) has been supported to establish an access to justice programme commenced in the entire Northwestern Tanzania for the benefit of both refugees and local populations (M)

Challenges

The SPCP-Tanzania has benefited from engagement of the Government of Tanzania and of NGOs, good project management, strong support of UNHCR at HQ, the Representation and field level offices as well as active donor interest and financial support. Nevertheless, a number of challenges remain.

Although the projects so far funded touch upon many of the key areas identified in the protection gaps report and agreed upon as priorities in the national consultative process, a number of programme areas remain critically under-funded. (see Annex 4) These include projects aimed at peace-building, youth programmes, reproductive health initiatives, improvements to education and vocational training and women's empowerment. Projects to improve the ability of refugees to become self-reliant, lessen dependency, frustration and the attendant social costs born out in high levels of violence, have barely received any support. These projects have a direct bearing on the protection situation in Tanzania and the absence of adequate funds to support them impacts on the overall protection environment as well as affects the moral of NGOs and refugees who worked hard in developing them.

One difficulty in securing the needed financial support for projects aimed at enhancing the economic situation of refugees, is the absence of support from the Government of Tanzania for self-reliance projects that involve access to land outside refugee camps.

Discussions are ongoing for a relaxation of this stance between UNHCR and senior officials from the Departments of Policy and Planning, Immigration, and Refugees of the Ministry of Home Affairs as well as those from the Ministries responsible for employment and Local Government and Regional Administration.