



UNHCR

United Nations High Commissioner for Refugees
Haut Commissariat des Nations Unies pour les réfugiés

Country Operations Plan 2007

RWANDA

COUNTRY OPERATIONS PLAN

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Prepared by: Branch Office Kigali

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COUNTRY OPERATIONS PLAN

Part I: OVERVIEW

1. Protection and socio-economic operational environment

Political context

Rwanda is currently governed by the Rwandan Patriotic Front (RPF), headed by the president Paul Kagame, who was democratically elected in 2003 to a seven year mandate, emerged after a transition period following the end of the genocide in 1994. Unity and reconciliation remains the dominant strategy in the national politics to achieve complete stability in a country that was socially and politically devastated in the aftermath of the civil war. Significant efforts are made by the current Government to prevent against ethnicity being as a source of conflict, a policy that is often controversial due to the continuous use of the term 'divisionism' to dissolve any kind of opposition.

2007 is intended to be the year of the end of the Gacaca process with the finalization of the judgment of an estimated number of 800,000 cases. At the end of 2005, discussions have been held to amend the Organic Law on Gacaca in order to accelerate the whole process. The proposals have raised some concerns among the international observers, especially because it is contemplated the possibility to judge the Category One Crimes of genocide¹ which might incur the death penalty. Survivors have also manifested their opposition to the release of about 36,000 genocide prisoners in 2005 as well as the reduction of penalties applied to confessors of participation in genocide.

The five years Decentralization Implementation Program (IDP) that started in 2001 has as its main objective to reinforce local structures in order to develop more accountable coordination of interventions at local and grassroots levels in an effort to achieve the Millennium Development Goals. One of the main measures to achieve its objectives is the establishment of the new territorial administration put into place at the beginning of 2006 – reducing the number of provinces from twelve to five- and to which the UNHCR Rwandan operation for the following years has to adapt, especially to carry out the returnees' monitoring activities.

UNHCR transferred all the responsibilities for the registration of refugees to the National Refugee Council (NRC) created in 2004. However, its lack of expertise on refugee law and international protection made the registration system in Rwanda slow and inefficient. In response to ensure a successful transition, UNHCR considers it is necessary to reinforce in 2007 capacity building activities on protection and RSD addressed to the NCR.

¹ According to the 2004 Organic Law, **Category 1**: The planners, organizers and leaders of the genocide, those who acted in a position of authority, well known murderers, perpetrators of rape and sexual torture, those guilty of torture, even if the victim did not die, and those who committed degrading acts on dead bodies. Category One Offences fall within the competence of ordinary courts.

At the time of reporting, there are 57,000 Rwandan refugees hosted in 21 African countries. The majority of these refugees presently in asylum hold *prima facie* status. It is not definitively clear the reasons that inhibit their return; however UNHCR suggests that economic pressures, as well as concerns of the participation in the Gacaca process may account for their unwillingness to repatriate. Hence their 'sustainable' repatriation to Rwanda is likely to become more and more dependant on reintegration activities that support unity and reconciliation, economic viability, as well as access to land.

Relevant socio-economic indicators

Rwanda is a poor country that holds the position 158th in the ranking of the 175th poorest countries in the world according to estimations of the Human Development Index (UNDP, 2003). High population pressure and lack of access to land - 90% of the Rwandan citizens live on primary agriculture- remain the main socio-economic problem.

To overcome this situation and to find new ways to diversify the economy, the Government of Rwanda is making strong efforts on the definition and application of its Poverty Reduction Strategic Plan. UNHCR highly supports the Government's anti-poverty plans stressing the necessity to reinforce returnees' reintegration and sensitization projects that it also key for the achievement of the unity and reconciliation objectives.

Food security due to persistent drought remains a problem affecting especially the Southern and Eastern provinces in Rwanda and regions in the North of Burundi. In 2005 approximately one million people faced food insecurity. Similarly, in Burundi it is estimated that 1,5 million people were at risk due to persistent drought. The prolongation of this situation may become a determinant factor resulting in new influx of people in the Great Lakes region in 2007.

Security

DRC

The start of the promotion of the repatriation of the Congolese in 2006 and its prolongation in 2007 will highly depend on the security situation in DRC and the peaceful and democratic development of the forthcoming parliamentary, local and presidential elections, the first in 40 years. One of the challenges of the DRC government is to ensure the participation in the elections of the more than 40,000 Congolese living in refugee camps in Rwanda.

The Northern and Southern Kivu provinces have 750,000 people displaced due to insecurity. In order to ensure a safer situation in the region, the Government needs to strengthen the army forces to avoid more human rights abuses toward citizens committed by the national army FARDC and to better control the attacks of FDLR and local army groups. To improve the chances of peace, more efforts should also be made to resolve the ethnic conflicts in the Kivu region.

A general improvement of the security situation in DRC shall create the suitable environment for the signature of a tripartite agreement between UNHCR, the GoR and the DRC government in 2006 to establish the basis for the promotion of the voluntary repatriation of Congolese refugees in Rwanda.

Burundi

The plans of transition from facilitation to promotion of the about 2,600 Burundian refugees in Rwanda in 2006 will mainly depend on the approach of the army group FNL toward a peaceful conflict resolution. This would contribute to end the often citizens' human right abuses that take

place in the areas of the county with the strongest FNL influence. As mentioned earlier, ensuring food security together with more positive prospects for access to land for returnees are other fundamental factors to make it viable the promotion of voluntary repatriation of Burundian living in Rwanda.

In spite of the last violent events in the Kivu region and the harassment suffered by citizens in Burundi, the transition toward a more peaceful phase in the Great Lakes regions is still a hope. However, UNHCR in Rwanda continue working on the preparation of contingency plans to ensure effective response and actions in case of new emergency situation and the influx of people from one region to another.

Cessation clause in Rwanda still remains as a possibility for 2007. However, UNHCR acknowledges that its application will depend on durable progresses of the unity and reconciliation programme, including the Gacaca process.

2. Operational goals and potential for durable solutions.

In line with the Global Strategic Objectives 2007-2009, UNHCR in Rwanda drafted the following durable objectives for 2007:

- To provide comprehensive protection and assistance to all camp-based refugees still in Rwanda in 2007 including shelter, nutrition, health care, water and sanitation in line with UNHCR standards.
- **Congolese refugees:** to transit from a phase of facilitation to promotion of (voluntarily repatriation and) voluntary repatriation of 12,000 refugees to DRC in 2007.
- **Burundian refugees:** after an expected successful transition from facilitation to promotion of voluntary repatriation, to repatriate 700 refugees in 2007 (and 800 in 2008) in order to close the Burundian camps in 2008.
- **Rwandan returnees:** coupled with the signature of new tripartite agreements (Kenya and South Africa) in 2006 and the continuation of the promotional activities, to boost the voluntary repatriation in 2007 of 5,000 Rwandans refugees hosted in other African countries.
- To reinforce monitoring activities during the promotion of voluntary repatriation and to continue with the implementation of UNHCR support projects aimed at supporting the reintegration of returnees within their communities as well as raise awareness projects on unity and reconciliation to prevent displacement of persons from Rwanda to neighboring countries caused by unfounded fears or lack of confidence with regard to the whole reconciliation process.
- Urban refugees:
 - To strengthen the information provided to urban refugees
 - To implement self-reliance activities
 - To limitation and reduce the care and assistance provided
- To consider resettlement as the preferred durable solution in specific cases such as women at risk and refugees in need of legal physical protection and medical assistance.
- Community services: to promote the inclusion of vulnerable refugees in the Government development programs.
- To strengthen the GLIA/UNHCR collaboration in HIV/AIDS and achieve a more holistic approach for prevention, care and support.
- SGBV: to promote joint interventions with other UN agencies and promote the inclusion of refugees within the activities of the Government to prevent and respond to SGBV in Rwanda.
- AGDM: to consolidate the AGDM mainstreaming as a tool for needs assessment and planning.
- Environment: to achieve a cross-cutting approach in line with the national and local governmental policies for environment involving local authorities, operational partners

and other UN agencies. By building a "Bridge Programme" towards development partners, funding and projects implementation, this new approach intends to allow putting into practice environment protection and rehabilitation activities within refugee camps and its surrounding areas, in harmony with the country's policies and therefore under a long term operational perception.

- To reinforce the capacity building on RSD, human rights, children's rights and Refugee Law aimed at the NCR, local authorities, governors and chief of districts, immigration staff, Police, refugee camp managers and civil society (NGOs and IPs). To promote the involvement of experienced organizations in capacity building activities.
- To strengthen the current staff's capacities through training activities to cope with future needs and intensify staff evaluation processes.
- To ensure the necessary logistics means to efficiently carry out voluntary repatriation operations of Congolese and Burundian refugees as well as Rwandan refugees.

Part II: COMPREHENSIVE NEEDS AND PARTNERSHIP

1. Outcomes of joint planning and management of identified gaps

As a result of the joint planning process, which was based on a participatory evaluation held within the camps and in Kigali in February 2006, and later on a participatory planning workshop held in March 2006 in presence of representatives of the Government, IPs, Donors and refugees, priorities for BO Kigali intervention in 2007 will be tailored according to needs, capacities within the refugee communities and available resources.

Areas of intervention will depend on the socio political developments in Rwanda and in the refugees' countries of origin, mainly DRC and Burundi.

For Congolese and Burundian caseloads, it is assumed that the peace process will improve in both countries, leading to peace and general conditions for repatriation to continue for Burundian and for Congolese to start. Depending on the factual circumstances, around 12,000 refugees may be repatriated in 2007. If tripartite agreements are to be signed between countries of asylum, countries of origin and UNHCR, in both cases, BO Kigali will then be prepared to provide assistance to those who volunteer to repatriate.

After the participatory planning exercise that took place in March 2006, it was evidenced that the participation of refugees would be more valued in the planning process in all sectors where they have capacities and in line with the assessments of the AGDM process. Therefore, a special emphasis will be put on the participation of refugees in shelters and socio economic infrastructure building, including sanitation. Within this strategy, refugees will be encouraged to revitalize the existing community organizational structures and provided with required facilities.

Besides, it is expected that urban refugees will have more access to self reliance activities in order to create and increase their incomes and this way, ensure their subsistence. Therefore, small scale IGAs focusing on women among the vulnerable ones coupled with professional training facilities will be promoted, depending on the available resources. There is a great need to advocate for more support from all stakeholders to self help activities to benefit urban refugees, as this is key to the success of the strategy and the achievement of objectives for urban refugees.

The Burundian refugees camps of Nyamure (1931 refugees) and Kigeme (698 refugees)² refugees are to be merged in one camp. Nyamure will be closed further to the transfer of all refugees to Kigeme.

In terms of partnership, UNHCR will reinforce local fundraising with implementing and operational partners, through regular information sharing and consultations, in line with the March 2006 participatory planning workshop's outcomes.

2. Comprehensive needs and contributions

a) Contributions by the host government, refugee and/or local communities

Host Government

The National Refugee Council (NRC) is the governmental organization in charge of the implementation of the refugee policy instituted by the Law 34/2001 relating to refugees and the Refugee Status Determination in connection to all claims registered after the 1st January of 2004. The National Refugee Council is in charge of the Refugee Status Determination of all asylum claims since the 1st January of 2004.

The management of camps and transit centers is ensured by national authorities, and so is since the registration of asylum seekers and the refugee status determination. Immigration officials from the Minister of Local Government, Good Governance, Community Development and Social Affairs (MINALOC) have been deployed in each refugee camp and transit centre to facilitate the reception, registration and transfer of the asylum seekers to the refugee camps.

The short staffing of NRC (as of January 2006, one Executive Secretary, 3 officers in charge of RSD, 1 officer in charge of repatriation, 1 accountant, 1 secretary) has remained an important limitation to conduct its mandate.

Refugees

According to article 22 of the Law 34/2001, refugees have the right to employment in Rwanda. In practice, many are unable to get any jobs even when qualified as most jobs are reserved for persons holding Rwandese nationality.

A work permits can be quite expensive and out of reach for most refugees which normally results in refugees trying to get casual work in building construction , mechanics and tilling the land. Many young girls and women are employed as domestic helpers in Rwandan homes. Even though many refugees may have more specialised skills only the teachers and health workers are able to put their professional skills to work mainly in the camps as they can be employed as teachers and nurses.

Refugees living in the urban areas express frustrations because even when they are qualified for jobs they are rarely given opportunities to work in the public or private sector in Kigali.

In addition to that, access to land for refugees is limited in Rwanda due to the scarcity of land, the high population density and the recurring settlement problem in Rwanda.

² Statistics as of January 2006

Local authorities

In refugee camps, refugees are provided with natural resources such as water. Nationals have the possibility to participate in environmental activities such as reforestation and development of sites (leveling of plots).

b) Financial contributions of partners

Needs-based budget for the country operation	Total (all figures in US \$)	5,357,990
of which, estimated	UNHCR	3,395,959
	* WFP (where applicable)	*
	Operational partners	-
	Implementing partners	1,216,031
	Unmet needs	746,000

** WFP PRRO is currently under review. It is expected that WFP will cover food needs for refugees during 2007, figures not available.*