BURUNDI:

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

A profile of the internal displacement situation

18 August, 2011

This Internal Displacement Country Profile is generated from the online IDP database of the Internal Displacement Monitoring Centre (IDMC). It includes an overview and analysis of the internal displacement situation in the country prepared by IDMC. IDMC gathers and analyses data and information from a wide variety of sources. IDMC does not necessarily share the views expressed in the reports cited in this Profile. The Profile is also available online at **www.internal-displacement.org**.

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.

CONTENTS

OVERVIEW

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.

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 underfunded 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).

RÉSUMÉ DU PROFIL EN FRANÇAIS

La sécurité d'occupation et l'accès à la terre restent des défis pour les personnes en situation de déplacement prolongé

Au milieu de l'année 2011, environ 100 000 personnes déplacées internes vivaient dans des sites au nord et au centre du Burundi. Elles ont été déplacées par des violences interethniques et intercommunales qui ont éclaté après le coup d'état de 1993 et les combats entre les forces du groupement et des groupes rebelles qui ont suivi.

La situation sécuritaire s'est améliorée quand le dernier groupe rebelle a déposé les armes en 2008, et il n'y a pas eu de déplacements provoqués par des conflits depuis. La majorité des personnes consultées lors d'une enquête sur les déplacés menée par OCHA en 2005 ont déclaré qu'elles se sentaient bien intégrées dans leur lieu de résidence actuelle et en confiance avec leurs nouveaux voisins et ont exprimé le souhait de rester dans les sites de déplacés. Alors que tous les sites de déplacés dans le sud du pays sont officiellement fermés depuis 2005, il semble que peu de déplacés au nord et au centre du pays soient retournées dans leur lieu d'origine. La plupart d'entre eux appartiennent à l'ethnie Tutsi.

Comme le reste de la population pauvre au Burundi, les déplacés ont du mal à accéder à de la nourriture et aux services essentiels. En plus des difficultés qu'elles partagent avec le reste de la population, les déplacés n'ont pas de sécurité d'occupation dans les sites où ils habitent et beaucoup d'entre eux sont loin des terres dont ils dépendent pour leur survie.

En mars 2010, le gouvernement a adopté une stratégie nationale pour réintégrer les personnes affectées par le conflit. La stratégie vise à identifier les préférences d'établissement des déplacés et, en fonction de celles-ci, à déterminer la faisabilité de leur retour ou à travailler pour la reconnaissance formelle dans leur lieu d'établissement actuel. Un groupe technique composé de membres nationaux et internationaux a été créé en octobre 2010 pour guider la mise en œuvre de cette politique nationale.

Contexte des déplacements

Depuis l'indépendance de leur pays en 1962, des centaines de milliers de Burundais hutus et tutsis ont été tués dans des massacres perpétrés par les membres de la majorité hutue ou de la minorité de l'élite tutsie. Des millions d'autres ont à plusieurs reprises fui leurs maisons pour échapper aux massacres. En 1972, une révolte hutu a été violemment réprimée par l'armée dominée par les tutsis. On estime que 80 000 à 100 000 personnes sont mortes dans la vague de violence qui a suivi et que plus de 300 000 personnes ont fui vers les pays voisins, principalement la Tanzanie.

En 1993, des déplacements à grande échelle à l'intérieur du Burundi et vers les pays voisins ont été provoqués par les massacres qui ont eu lieu suite à l'assassinat du premier président élu, Melchior Ndadaye. La majorité des premières personnes déplacées étaient des tutsis des provinces du nord et du centre, qui étaient la cible des groupes rebelles hutus ou craignaient les représailles de leurs voisins après l'assassinat du président hutu. Ensuite, les civils tutsis et hutus ont été la cible des rebelles et de l'armée. Le conflit a été alimenté par la violence dans la région, en particulier par le génocide des tutsis et des hutus modérés au Rwanda en 1994, par deux guerres majeures en République démocratique du Congo, ainsi que par les inégalités économiques.

À la fin des années 1990, le nouveau gouvernement à majorité tutsie a ordonné à deux reprises la réinstallation de centaines de milliers de civils (principalement des hutus) dans des "camps de regroupement", dans le cadre d'une stratégie militaire contre les groupes rebelles. Le nombre de personnes déplacées a atteint un sommet en 1999, avec plus de 800 000 personnes déplacées, soit environ 12 pour cent de la population (CAP ONU, novembre 1999, p.6).

Alors que les camps de regroupement ont été démantelés en 2000, suite à la pression internationale, d'autres camps de personnes déplacées ont perduré. La même année, le gouvernement, les partis de l'opposition et les groupes d'opposition armés ont signé un accord de paix à Arusha, en Tanzanie. Les déplacements à grande échelle ont cependant continué, parce que l'armée continuait à combattre deux groupes rebelles qui n'avaient pas adhéré au processus de paix. En 2003, le plus important des deux groupes restants, les Forces pour la défense de la démocratie - Coalition nationale pour la défense de la démocratie (FDD-CNDD), a signé un accord de cessez-le-feu avec le gouvernement. L'amélioration de la sécurité a ensuite permis le retour de dizaines de milliers de personnes déplacées dans leurs foyers (OCHA, 26 mai 2005).

Un gouvernement d'unité nationale dirigé par Pierre Nkurunziza, hutu et ancien chef du mouvement rebelle FDD, a été élu en août 2005 lors de la première élection démocratique depuis le début du conflit en 1993.

Le dernier groupe rebelle, le Parti pour la libération du peuple hutu, forces nationales de libération (Palipehutu-FNL), a continué le combat avant de signer un accord global de cessez-le-feu avec le gouvernement en septembre 2006. Toutefois, l'insécurité et les déplacements ont continué, jusqu'à ce que le Palipehutu-FNL revienne à la table de négociation en avril 2008. Après des pourparlers avec le gouvernement, les dirigeants du groupe ont renoncé aux armes, puis ont enregistré le FNL en tant que parti politique (CSNU, le 22 mai 2009).

L'élection présidentielle de juin 2010 s'est déroulée dans un calme relatif et a accordé un deuxième mandat à Pierre Nkurunziza. Depuis 2008 il n'y a pas eu de nouveaux déplacements provoqués par des conflits et aucun problème n'a été signalé lors des élections de 2010 concernant le droit de vote des personnes déplacées.

Le processus de paix a été accompagné par les Nations Unies et d'autres facilitateurs internationaux, en particulier l'ancien président de la Tanzanie Julius Nyerere jusqu'à sa mort fin 1999, et l'ancien président Sud africain Nelson Mandela (USIP, mars 2011).

Nombre actuel de personnes déplacées

Environ 100 000 personnes étaient encore déplacées en milieu d'année 2011, dans quelque 100 sites au centre et au nord du Burundi. Cette estimation est basée sur la dernière enquête sur le nombre de déplacés menée par le Bureau des Nations Unies de la coordination des affaires humanitaires (OCHA) en 2005, qui a établi que quelque 117 000 déplacés vivaient dans des sites, dont la plupart s'étaient transformés en villages (OCHA, 23 juin 2005).

En mai 2009, le Ministère de la Solidarité Nationale, du rapatriement des réfugiés et de la réintégration sociale du Burundi a publié un rapport sur la situation des personnes déplacées et des réfugiés de retour dans les sites de personnes déplacées (Gouvernement du Burundi, mai 2009). Ce rapport estime que 157 000 personnes vivaient dans des sites pour personnes déplacées. Cette augmentation de presque 50 pour cent par rapport aux estimations de 2005 peut s'expliquer par l'absence de différentiation entre les personnes déplacées, les réfugiés rapatriés qui n'ont pas pu rentrer dans leurs anciens foyers et les autres migrants. Le rapport a confirmé que de nombreux sites dans les provinces du sud avaient fermé alors que la population et le nombre de sites dans certaines provinces du centre avaient augmenté. En raison de problèmes méthodologiques, le rapport n'a jamais été formellement publié. Malgré l'absence de validation de ces chiffres, OCHA a utilisé ces estimations dans son rapport régional sur les populations déplacées en Afrique de l'Est en 2010 et 2011 (Voir par exemple, OCHA, avril 2011, Eastern Africa Displaced Populations Report, p.4, disponible uniquement en anglais).

Solutions durables

Comme indiqué dans le rapport du gouvernement de mai 2009, peu de personnes déplacées dans le nord ou le centre du pays semblent être rentrées dans leurs lieux d'origine depuis 2005, mais tous les sites de déplacés dans le sud du pays ont fermé. Entre 1999 et 2005, on estime que 700 000 personnes déplacées sont rentrées chez elles, certaines d'entre elles grâce à l'aide internationale (OCHA, 23 juin 2005).

Au moins 500 000 réfugiés burundais sont rentrés dans leur pays entre 2002 et 2009, la plupart en provenance de Tanzanie. Leur réintégration, en particulier pour les 50 000 personnes qui avaient quitté le pays en 1972, s'est souvent révélée très compliquée pour le gouvernement (HCR, 16 septembre 2009). Beaucoup de réfugiés ont constaté en rentrant que leurs terres avaient été expropriées, redistribuées, vendues ou que d'autres personnes les avaient occupées en leur absence. Le gros des ressources du gouvernement destinées à l'aide aux victimes du conflit a été utilisé pour trouver des solutions aux problèmes urgents de ces personnes. Certains des rapatriés n'ont pas pu retrouver leurs terres ou n'avaient pas de terres et ont rejoint les sites de déplacés (Brookings/IDMC, juin 2011).

Il semble que les personnes déplacées ont évité de rentrer dans leurs régions d'origine pour plusieurs raisons. Parmi elles, le traumatisme lié au souvenir de massacres perpétués lors du conflit et l'impunité dont jouiraient de nombreuses personnes ayant commis des meurtres et vivant encore dans les lieux d'origine des personnes déplacées; l'insécurité permanente et les conditions économiques difficiles dans les zones d'origine (HCR, août 2009 et 1er janvier 2008; OCHA, 26 mai 2005 et 3 octobre 2007).

La plupart des personnes consultées lors d'une enquête d'OCHA menée en 2005 ont exprimé le souhait de rester dans les sites de déplacés, déclarant qu'elles se sentaient intégrées dans leur lieu d'installation et en confiance avec leurs nouveaux voisins (OCHA, 26 mai 2005).Ces résultats sont cohérents avec ceux d'une enquête à plus petite échelle menée par l'IDMC dans quatre sites de déplacés en juin 2010, dans laquelle les personnes déplacées ont déclaré qu'elles se sentaient plus en sécurité en vivant dans des sites les unes à côté des autres, plutôt que dans leurs maisons traditionnelles et qu'elles avaient en général de très bonnes relations avec les membres des communautés voisines. Les personnes âgées ont en général déclaré qu'elles n'envisageaient pas de vivre de nouveau avec leurs anciens voisins tandis que les plus jeunes, qui étaient des enfants lorsque le déplacement a eu lieu, étaient plus ouverts à cette idée (Brookings/IDMC, juin 2011).

Accès à la terre et à des moyens d'existence

Le Burundi est le pays le moins urbanisé au monde, ce qui fait que les maisons et les terres de la plupart des Burundais sont dispersées dans la campagne vallonnée. Les personnes déplacées vivent également en milieu rural mais dans des établissements plus concentrés allant de quelques centaines à plusieurs milliers de personnes. En raison du surpeuplement, les jeunes couples ont du mal à trouver de la place pour se construire une maison.

Près de 90 pour cent de la population vit de l'agriculture de subsistance. Des problèmes tels que la densité élevée de la population, la division des terrains en des lots chaque fois plus petits, malgré leur faible productivité, et l'exploitation des terres par de nouveaux occupants rendent très difficile le retour des personnes déplacées et des réfugiés dans leurs lieux d'origine. En outre, le régime foncier au Burundi est actuellement basé sur des systèmes aussi bien coutumiers que codifiés fonctionnant en parallèle, dont certaines dispositions se chevauchent. Cela sème la confusion, et rend le règlement des différends fonciers particulièrement complexe.

Le niveau de pauvreté au Burundi demeure effrayant. En 2010, le pays occupait la 166ème place sur 169 dans l'Indice de développement humain du PNUD (PNUD, 4 novembre 2010). La situation des personnes déplacées qui vivent dans des sites est comparable à celle des autres personnes pauvres dans le pays et leur accès limité à des services essentiels est due en grande partie à leur pauvreté. Les sites de déplacés ont reçu l'aide internationale au plus fort du conflit, mais l'assistance a progressivement diminué au cours des dernières années. Quelques femmes réfugiées rapatriées qui étaient devenues déplacées dans la région de Bujumbura en 2011 ont eu recours à des mesures désespérées y compris des faveurs sexuelles sans protection pour essayer d'améliorer leurs conditions de vie (IRIN PlusNews, 26 avril 2011).

Reflétant la discrimination contre certains groupes ethniques, les personnes déplacées Batwa sont marginalisées et vivent dans des conditions particulièrement difficiles dans des huttes aux toits en feuilles et à l'écart des autres déplacés (Brookings/IDMC, juin 2011; IRIN, 15 avril 2004).

Alors que l'agriculture représente le moyen d'existence pour 90 pour cent de la population, le niveau de malnutrition chronique est très élevé comparé à d'autres pays sub-sahariens. Quelque 600 000 Burundais ont eu besoin d'alimentaire en 2008 (IRIN, 7 mars 2008).

Les personnes déplacées ne disposent que d'un espace limité pour cultiver quelques légumes ou fruits dans les petites parcelles qui leur sont allouées dans les sites. Même si la majorité de ces personnes ont encore accès à leurs terres, il se peut que ces terres se trouvent à plusieurs heures de marche de leur site, et les personnes déplacées, en particulier les plus âgées et les personnes malades parmi elles, ont souvent du mal à les cultiver. Leur manque de présence continue dans les champs signifie également qu'elles ne peuvent pas élever de bétail ou protéger leurs récoltes contre le vol (Brookings/IDMC, juin 2011). Les veuves déplacées et les orphelines n'ont souvent pas accès à leurs terres d'origine, parce que beaucoup d'entre elles ont été exclues de l'héritage conformément à la tradition Burundaise, alors même que l'égalité entre les hommes et les femmes est inscrite dans la Constitution (Iteka/Fride, mars 2011).

Un des autres problèmes que rencontrent la plupart des personnes déplacées est l'insécurité d'occupation dans les sites. Même si les sites ont généralement été établis sur des terres dont on pensait qu'elles appartenaient à l'État, la propriété de beaucoup de ces terres est disputée entre des particuliers ou des organisations y compris l'Église Catholique.

Les conflits fonciers sont réglés à travers plusieurs mécanismes: par les tribunaux; par les autorités traditionnelles, les Bashingantahe ; par la médiation d'ONGs ; et par la Commission Nationale de Terre et Autres Biens (CNTB). En pratique la plupart des cas devant la CNTB ont porté sur des différends fonciers concernant des réfugiés rapatriés et peu de PDI se sont adressées à la CNTB pour régler des différents d'occupation dans des sites. Selon les entretiens menés par l'IDMC, les personnes déplacées pensent plutôt que c'est au gouvernement de régler les différends fonciers et les demandes d'indemnisation puisque c'est l'État qui a en premier lieu autorisé leur établissement. Au contraire, la plupart des particuliers détenant des droits sur les terres sur lesquelles les sites de déplacés ont été construits ont déposé des demandes auprès de la CNTB, pour demander une indemnisation ou dans certains cas la restitution de leur terre (Brookings/IDMC, juin 2011).

Accès à des soins de santé et à l'éducation

En 2006 le gouvernement a annoncé son attention d'offrir des services de santé gratuits aux enfants de moins de cinq ans et aux femmes enceintes. Si cette mesure a aidé à réduire la mortalité infantile des moins de 5 ans de 20 pour cent entre 2005 et 2009, elle a été affectée par le manque de médicaments de base et de personnel qualifié (Banque mondiale, 25 avril 2011). Si les déplacés ne souffrent pas de discrimination dans l'accès aux services de santé, les centres

de santé auxquels ils ont accès sont généralement surpeuplés et n'ont que peu de médicaments. De plus, la plupart des déplacés ne disposent pas des ressources nécessaires pour payer les traitements que nécessitent les maladies chroniques.

Les frais de scolarité pour l'école primaire ont été abolis en 2005 menant, dans toutes les provinces, à une augmentation de 50 pour cent des élèves entrant au primaire par rapport à l'année précédente. L'augmentation du nombre d'élèves a engendré un besoin massif d'enseignants qualifiés, de salles de classe et de matériel scolaire. Cela a également accru le problème de maintien des enfants à l'école, en particulier les filles (UNICEF, 2006). En 2011, un rapport de la Banque Mondiale a considéré que la qualité de l'éducation au Burundi était faible et que le taux d'achèvement scolaire n'était que de 46 pour cent (Banque Mondiale, 25 avril 2011). Les derniers rapports disponibles indiquent que l'accès limité à l'éducation n'est pas lié au déplacement des enfants, mais plutôt au manque de place dans les classes et à l'éloignement des écoles (HCR, 1er janvier 2008).

Réponse nationale et internationale

Le Ministère de la Solidarité Nationale, du rapatriement des réfugiés et de la réintégration sociale du Burundi est responsable du soutien à la réintégration des déplacés et des rapatriés. En mars 2010, le gouvernement a adopté une « Stratégie nationale de réintégration socio-économique des personnes affectées par le conflit ». Prenant compte des préférences des personnes déplacées, le gouvernement à l'intention soit de déterminer la faisabilité de leur retour soit de travailler à la reconnaissance officielle de leur établissement actuel (Gouvernement du Burundi, mars 2010). Cette stratégie a prévu la création d'un groupe de travail technique pour développer une politique pour des solutions durables. Ce groupe s'est réuni pour la première fois en octobre 2010. La participation du HCR à ce groupe de travail a montré un engagement accru des Nations Unies dans la recherche de solutions durables: les Nations Unies avaient introduit l'approche sectorielle au Burundi en 2008 mais son impact sur les personnes déplacées est resté limité.

Le Burundi a ratifié le Pacte des Grands Lacs en décembre 2006 et a signé la Convention de l'Union africaine sur la protection et l'assistance des personnes déplacées en Afrique (Convention de Kampala) en 2009. Elle ne l'avait pas encore ratifiée mi 2011.

En 2008, le gouvernement a adopté un document stratégique pour servir de guide au rapatriement et à l'intégration des réfugiés rapatriés sans terre (Gouvernement du Burundi, Commission Intégrée Ad Hoc - Rapatriement et Réintégration, 2008). Ce document prévoyait la création de nouveaux villages avec des services de base et l'allocation de terres additionnelles pour permettre à un plus grand nombre de bénéficiaires de rétablir des moyens d'existence viables. Elle visait également à ce que des membres de groupes ethniques différents vivent dans un même lieu afin d'encourager la réconciliation, la paix et la sécurité, et envisageait le développement de procédures simplifiées pour permettre à la population rurale d'enregistrer leurs maisons et leurs terres auprès de la commune et éviter ainsi des sources de conflit. Le programme mentionne les personnes déplacées en tant que bénéficiaires secondaires. Mi 2011, quelques villages ont été créés et des titres sur les terres ont été remis à leurs habitants.

En avril 2011, le Parlement Burundais a adopté un nouveau code foncier, selon lequel toute personne qui possède une propriété devra désormais produire un certificat foncier. Le Code a acquis force de loi le 9 août 2011, de par la signature du Président.

Depuis la fin du conflit, les personnes déplacées ont reçu l'aide internationale à travers des programmes humanitaires plus larges plutôt qu'une assistance ciblée. OCHA a été le point focal sur les questions de déplacement jusqu'en 2009, lorsqu'il a progressivement diminué ses activités dans le pays.

La principale source de financement pour améliorer la situation des personnes déplacées et des rapatriés a été la Commission de consolidation de la paix des Nations Unies, créée en 2006. En avril 2011, la Commission a salué des évolutions très positives dans l'établissement d'institutions démocratiques clés au Burundi annonçant qu'elle réduirait sa présence et apporterait un soutien continu aux efforts de consolidation de la paix conformément à la stratégie de réduction de la pauvreté du Burundi (Assemblée générale, 21 avril 2011)

Parmi les autres donateurs significatifs ayant répondu aux besoins humanitaires du Burundi figurent la Commission européenne et plusieurs pays européens, le Japon, et le Fonds central d'intervention d'urgence des Nations Unies (CERF) qui alloue des fonds aux crises sous financées. En 2009, le Burundi a également bénéficié de l'annulation de 90 pour cent de sa dette par le Fonds Monétaire International (FMI) et la Banque Mondiale pour un montant de $1.4 milliards. Cela pourra permettre au Burundi de dépenser $50 millions par an de plus sur les dix prochaines années dans des domaines prioritaires tels que la santé, l'éducation, l'agriculture, l'eau et l'infrastructure rurale (FMI, 9 février 2009).

CAUSES AND BACKGROUND

Background

Population

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

As of the end of 2010, Burundi's estimated population was 7.5 million, of which around 85 percent were ethnic Hutus, 14 percent Tutsis, and the remaining one percent were pygmies called Batwa. Burundi is one of the most densely populated African countries. One of the smallest states in Africa, landlocked, it is bounded by Rwanda in the north, Tanzania to the east and south, and the Democratic Republic of Congo to the West. The official and national language is Kirundi.

Ethnic categories have historically been quite fluid in Burundi, and in pre-colonial times it was for example possible to become Tutsi from Hutu. Despite ethnic differences, Burundians used to live intermingled on the thousands of hills of the country.

According to the UN Commission on Human Rights: "Although settlements have always been mixed, society in Burundi […] was built along a 'class' and 'caste' system. […] While their distinctions were not rigidly determined along 'ethnic' or 'tribal' lines, […] there was significant correlation between class and ethnicity, with the Tutsis associated with the upper class and the Hutus with the lower class. This did not mean that all Tutsis were upper class nor all Hutus lower class. Both class and the ethnic correlations were also dynamic. A Hutu could rise economically and socially and become a 'Tutsi'.

Hutu and Tutsi relationships were in the past cemented by their shared loyalty to common institutions. Kingship was such an institution; patron-client ties constituted another powerful socio-political institution. Patrons were expected to offer protection and gifts in exchange for services and offerings in kind. As social and political roles that once gave meaning and cohesion to membership in the community vanished, the use of the terms 'Hutu' and 'Tutsi' with ethnic connotations became more rigid. […] Today the use of the term 'Hutu' describes an ethnic group which is poorer and powerless, whereas the Tutsis, especially the Hima (a Tutsi subgroup), are the pre-eminent power holders" (UN Commission on Human Rights, 28 November 1994, paras. 15-17).

Overview of political developments from independence to the present

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 Tutsis and moderate Hutus in Rwanda and two major wars in the Democratic Republic of Congo, as well as economic inequalities, mostly between a dominant minority and a poorer excluded majority. According to a former US Presidential Special Envoy to Africa's Great Lakes Region, the conflict between Tutsis and Hutus today is best understood as resulting from the manipulation of ethnic

identities by members of Burundi's political class in the struggle for control of the postcolonial state. Soon, the elite-driven conflict between the dominant Tutsis and the excluded Hutus was transformed into a mass phenomenon. Both Tutsis and Hutus internalised the deep fears given voices by their ethnic compatriots who were part of the political class. This in turn made the political mobilisation of ethnic identifies easier, particularly since none of the authors of the hundreds of thousands of violent deaths which had occurred since independence had been brought to justice (USIP, March 2011, pp.7-8).

In 1961, Prince Rwagasoré (from a Ganwa dynasty), newly designated as Prime Minister, was assassinated. In 1962, Burundi gained its independence from Belgium. The Ganwa monarchy still remained until 1966, when the Prime Minister, Michel Micombera, a Tutsi, overthrew the monarchy and declared a republic, concentrating the power in the army. According to the UN Commission on Human Rights, "[f]or the next 25 years Tutsi factions fought over control, turning the Hutus into scapegoats whenever the Hutus would rise up and demand more equitable power-sharing. On the other hand, whenever efforts towards power-sharing were made, extremists from both groups would resort to violence, to delay or cancel them." (UN Commission on Human Rights, 28 November 1994, paras.19-24).

Inter-ethnic massacres took place in 1965 and 1967. The most serious one took place in 1972 triggered by Hutu militants from the Burundian refugee community in Tanzania. The 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. The first victims were Hutu with education, and then many others. Hundreds of thousands of Hutus are reported to have been killed, and most Hutu families lost members. Many Tutsis also fled to Bujumbura or to the fertile palm-oil-producing strip of lake shore south of Bujumbura, following the flight of many Hutus who had been living there (Lemarchand and Martin, 1974, pp.29-30; Boutin and Nkurunziza, 2001, p.48).

There has never been an official inquiry into the massacres nor efforts to bring to justice those responsible for the killings. There was little power sharing following the massacres. Michel Micombera was overthrown by his deputy chief of staff, Colonel Jean Baptiste Bagaza, also a Tutsi. However, there were no massacres during his 11-year rule and many refugees returned home. In the meantime, in 1980 activists from the Burundian refugee community formed the Palipehutu, or the Party for the Liberation of the Hutu People, in refugee camps in Tanzania. In 1987, following a coup, Major Pierre Buyoya, also a Tutsi, became President. In 1988, over 60,000 fled inter-ethnic clashes and found refuge in Rwanda, while others became internally displaced (UN Commission on Human Rights, 28 November 1994, paras.19-24).

In 1993, the first elected President and first Hutu President, Melchior Ndadaye, was assassinated a few months after his election during a failed coup organised by Tutsi military officers. The assassination of the President was followed by a long civil war which is estimated to have killed some 300,000 people and displaced several hundred thousand people as well.

The violence was further fuelled by economic inequalities and by other conflicts in the region, particularly the genocide of Tutsis and moderate Hutus in Rwanda and two major wars in the Democratic Republic of Congo. The next president, Cyprien Ntaryamira, another Hutu, died in April 1994 together with Rwandan President Juvenal Habyarimana when their plane was shot down over Kigali. This event is seen as sparking the genocide of up to a million Tutsi and Hutu moderates in Rwanda. Ntaryamira's successor, Sylvestre Ntibantunganya, also a Hutu, was overthrown in a non-violent coup in July 1996, and Pierre Buyoya returned to power.

For more detailed information on 1993 events, see "Profile in displacement" (Report of the Representative of the Secretary General, Mr. Francis M. Deng, 28 November 1994, paras. 29-36) [Internet]

In 1998, President Pierre Buyoya began peace talks with Hutu and Tutsi opposition groups, and in August 2000 a peace agreement including a power-sharing deal was signed in Arusha, Tanzania. However, the two main armed rebel groups refused to participate in the talks, and civil war continued. In November 2001, a three-year transition government started, with Pierre Buyoya as transitional leader for the first half and Domitien Ndayizeye, a Hutu, in the second half (AFP, 1 June 2005, factfile).

In 2003, the larger of the two remaining groups, the National Council for the Defence of Democracy-Forces for the Defence of Democracy (known by its French acronym CNDD-FDD) signed a ceasefire agreement with the government, and the resulting improved security allowed for the return of tens of thousands of IDPs to their homes.

A government headed by Pierre Nkurunziza, a Hutu and former head of the FDD rebel movement, was elected in 2005 - the first democratic election since the start of the conflict 12 years earlier. The last remaining rebel group, the Party for the Liberation of the Hutu People-National Liberation Forces (known by its French abbreviation Palipehutu-FNL) fought on before finally signing a comprehensive ceasefire agreement with the government in 2006. However, the ceasefire was not respected in practice, and insecurity and displacement continued in the capital and in surrounding provinces until the Palipehutu-FNL returned to the negotiating table in April 2008. Following talks with the government brokered by the heads of state of neighbouring countries, the group's leaders renounced the use of arms and registered the FNL as a political party.

In June 2010, relatively peaceful presidential elections gave a second mandate to President Pierre Nkurunziza. While the international community characterised the elections as generally free and fair, the main opposition parties withdrew their candidates following allegations of fraud during local elections (US DOS, 8 April 2011). No specific problems were reported regarding IDPs' right to vote during the elections.

The peace process was accompanied by the UN and other international facilitators, in particular by former Tanzanian president Julius Nyerere as the regionally and internationally sanctioned facilitator for Burundi until his death in late 1999, and former South African president Nelson Mandela (*for more details, see* USIP, March 2011).

See also:

ICG, 7 February 2011, From Electoral Boycott to Political Impasse [Internet]
http://www.crisisgroup.org/en/regions/africa/central-africa/burundi/169-burundi-from-electoral-boycott-to-political-impasse.aspx

Reuters, 1 July 2010, EU observers regret single-candidate Burundi poll [Internet]
http://af.reuters.com/article/topNews/idAFJOE65T0W020100630?feedType=RSS&feedName=topNews&rpc=705&sp=true

HRW, 1 July 2010, Violence, Rights Violations Mar Elections [Internet]
http://www.hrw.org/en/news/2010/07/01/burundi-violence-rights-violations-mar-elections

IFES, 1 July 2010, Presidential Elections in Burundi [Internet]
http://www.ifes.org/Content/Publications/Comments/2010/Presidential-Elections-in-Burundi.aspx

Causes of displacement

Chronology of displacement (1993 to 2003)

Principle 8, Guiding Principles on Internal Displacement
Displacement shall not be carried out in a manner that violates the rights to life, dignity, liberty and security of those affected.

The 1993 assassination of the country's first elected president, Melchior Ndadaye, a Hutu, sparked a wave of violence, massacres and displacement. At first, the majority of those displaced were ethnic Tutsis, who fled the northern and central provinces in fear of retaliation, or because they were targeted by Hutu rebel groups. Both Hutu and Tutsi civilians subsequently became targets of the rebels and the army's campaign against them.

Most of the Tutsis left their upland homes and land to find refuge closer to administrative centres or military posts on the lowland plains, while many Hutus fled to Tanzania. The violence was further fuelled by economic inequalities and by other conflicts in the region, particularly the genocide of Tutsis and moderate Hutus in Rwanda and two major wars in the Democratic Republic of Congo.

From 1996, as the conflict between the government and the rebel groups escalated, both Tutsis and Hutus found refuge in settlements, especially in the south. As part of a military strategy against the rebel groups following the 1996 coup d'etat, the Tutsi-led government twice ordered the relocation of hundreds of thousands of (mostly Hutu) civilians into "regroupment camps" in the late 1990s. The number of IDPs peaked in 1999 at over 800,000, or around 12 per cent of the population (OCHA, 24 December 1999,p.6). By 2003, it is estimated that 300,000 people, mostly civilians, had been killed (ICG, October 2003).

In 1998, the UN compiled information on population movements due to conflict in Burundi since 1972.

Chronology of Population Movements	
1972	An estimated 200,000 Burundians flee from massacres and communal violence; many seek refuge in Tanzania, where most remain to this day.
1993	To escape the violence that broke out following the assassination of President Ndadaye, nearly 200,000 people leave the hills to seek protection in sites grouped around military posts.
1994-1996	The escalation of the civil conflict sparks massive population movements; the north-western province of Cibitoke, sandwiched between the rebel bases in the mountainous Kibira forest and in neighbouring Kivu, is particularly unstable. Large numbers seek refuge in neighbouring Zaire (now Democratic Republic of Congo) (150,000) and Tanzania (250,000). Up to 400,000 congregate in sites inside the country.
1996-1997	In the wake of the conquest of then Zaire by the Kabila-led alliance, most of the refugees in Kivu (DRC) return to Burundi, where they swell the numbers of those living in the

	displaced camps in the north-western provinces, particularly Cibitoke.
1996-1997	As a military strategy to regain control of rebel-held territory, the authorities forcibly regroup 250,000 civilians in Karuzi, Kanyanza and Muramvya provinces. Nearly all of them return home by the end of 1997, but the policy of controlled population movements continues to be implemented in other, more short-term forms elsewhere in the country.
1997-1998	Following the loss of their bases in the Kivu, the rebels regroup in Tanzania, and the main theatre of operations shifts to the southwest, along the ridge of the Nile-Congo watershed that is the main conduit into and out of the country for guerrilla groups. The ensuing destabilisation leads to large-scale displacement to new sites, again mainly along the main tarmac roads of the western plain, not only in Makamba and Bururi provinces but also as far north as Bujumbura Rural and Bubanza.
1997-1998	As the military gradually established control in certain areas, the authorities begin to dismantle the big sites near main roads or major towns and create smaller, decentralised sites grouped around advanced military positions in the hills (Cibitoke, parts of Bururi, Bubanza). Elsewhere, short-term regroupment operations continue to be implemented in response to localised destabilisation (Bujumbura Rural)
1998	Nearly all the sites in Cibitoke province, for so long the most unstable part of the country, are dismantled by June and the people return to their hills. At almost the same time, the crisis in neighbouring Congo produces an influx of some eleven thousand people, which continues up to present.

Adapted from: United Nations Resident Coordinator System for Burundi, 1998, p. 5.

Also in 1998, the then U.S. Committee for Refugees (now U.S. Committee for Refugees and Immigrants, USCRI) analysed the causes of displacement in Burundi. It highlighted the pervasive psychology of "flee or be killed" as a lasting legacy of the 1972 massacres and the 1993 crisis. It said that displacement had be a deliberate goal of the parties to the conflict since 1993 as a mean to achieve political and economic objectives. Finally, it said that suspicion towards one ethnic group of IDPs by the other ethnic group in Burundi had then turned into more violence and displacement:

"A history of massacres has taught the people of Burundi, regardless of their ethnicity, that their personal survival hinges on their ability to flee and seek a safer place temporarily. For many peasant Burundians, the lesson of the past is that violence can erupt suddenly and can rapidly become all-encompassing. It is a lesson handed down from generation to generation. Some of the underlying causes of internal displacement in Burundi follow:
First, a pervasive psychology of 'flee or be killed' has become the lasting legacy of the 1972 slaughter and the 1993 upheaval. The 1994 genocide in neighboring Rwanda has reinforced the psychology of flight in Burundi.

Second, the smaller massacres that have occurred almost daily since 1994 serve to validate the historical lessons of fear and mistrust. Fear is also ingrained that large number of Burundians have learned to flee their homes not only in reaction to danger but also in anticipation of it.

Third, much of Burundi's displacement since 1993 has been caused by «ethnic cleansing.» Displacement is no longer merely as accidental by-product of violence; it has become a deliberate goal of violence.

Fourth, both ethnic groups of Burundi regard themselves as vulnerable. The sense of vulnerability has become an important part of the self-identity. Hutu are demographically dominant but see themselves as vulnerable to the political and military power of Tutsis. Tutsis are politically and militarily powerful but view themselves as vulnerable to the demographic dominance of Hutus. Members of both ethnic groups regard themselves as victims, despite the fact that many massacres in Burundian history have been largely one-sided.

Fifth, a pattern is evident in many violent eruptions over the decades: regardless of how violence begins, there is almost always massive retaliation against the Hutus by the Tutsi-dominated military. As a result, many Hutus instinctively flee at the mere sight of soldiers or at the distant sound of their vehicles. The country's forces of order, unfortunately, create new disorder and displacement – deliberately in some cases, inadvertently in others.

Sixth, population displacement in Burundi often exacerbates rather that alleviates the conflict. Uprooted Burundians of one ethnic group are often regarded as dangerous by members of the other ethnic group. The military suspects that many internally displaced Hutus are rebels. Many Hutus suspect that camps of displaced Tutsis are bases for militia activity. There is some truth to these mutual suspicions. The result is that displacement at times begets more violence, causing still more people to flee. In short – at least in Burundi – displacement causes more displacement.

These are only partial explanations of the population displacement in Burundi, of course. This review of Burundi's history indicates that some actors create violence and displacement as a way to achieve political control by force that they are unable to achieve or maintain through nonviolent means. Some elements in Burundi create violence and displacement for the economic rewards it brings them through banditry, confiscation of property, and skimming of relief aid. Still other Burundians commit violence and force displacement based on pure fear or hate, reinforced by decades of grievances, real or imagined" (USCR, 1998, pp. 32-33).

Government resorted twice to massive forced population relocation or "Regroupment" (1996-2000)

Principle 6.1, Guiding Principles on Internal Displacement
Every human being shall have the right to be protected against being arbitrarily displaced from his or her home or place of habitual residence.

Principle 7.1, Guiding Principles on Internal Displacement
Prior to any decision requiring the displacement of persons, the authorities concerned shall ensure that all feasible alternatives are explored in order to avoid displacement altogether. Where no alternative exist, all measures shall be taken to minimise displacement and its adverse effects.

Principle 8, Guiding Principles on Internal Displacement
Displacement shall not be carried out in a manner that violates the rights to life, dignity, liberty and security of those affected.

The then Tutsi-dominated Burundian government forcibly moved hundreds of thousands ethnic Hutu Burundians to "regroupment" camps scattered throughout the country in 1996-1998 and in 1999-2000. According to the U.S. Committee for Refugees (now U.S. Committee for Refugees

and Immigrants), up to 800,000 people lived in the camps during 1996-1998 (USCR, 2000, "Regroupment"). Most regroupment camps closed during 1998, allowing IDPs to return home.

In September 1999, following attacks by rebel groups around the capital, and counter-attacks by government forces, and rumours of a possible coup by ethnic Tutsi extremists, the government decided to take more severe measures to protect the capital. It began forcing mostly ethnic Hutu civilians living around the capital in so called "protection sites" or "regroupment camps". Here is how Human Rights Watch described the goal of this policy at the time:

"Burundian authorities claimed the measure was intended to protect the civilians, most of them Hutus, from attack by the rebel National Liberation Forces (Forces Nationales pour la Libération, FNL) who were becoming increasingly well-entrenched in the area. In fact, they meant to deprive the FNL of support from local people who helped them, sometimes willingly, sometimes under duress. By removing civilian support, the authorities hoped to isolate the FNL and thus reduce its increasingly frequent attacks on the capital. They hoped also to quiet Tutsi extremists who accused them of weakness in confronting the rebel threat.[…]

"By the end of 1999, authorities had obliged some 80 percent of the population of the province of Bujumbura-rural-some 350,000 people-to live in fifty-three camps. Although regroupment helped reduce attacks on the capital city, rebels remained firmly established in rural areas. They simply shifted from one place to another when attacked by the army, which had insufficient troops available to control the whole region at the same time. Rebels continued to live off the crops of local people and even to inhabit the houses of those forced to live in the camps." (HRW, June 2000, "Summary")

Authorities argued at the time that the camps were a temporary measure to protect civilians from attacks and deprive rebel groups of food and lodging. They urged international humanitarian organisations to provide assistance to the displaced in the camps (USCR, 2000, "Regroupment"). The international community in Burundi severely criticised the regroupment policy and the Inter-Agency Standing Committee issued a policy regarding the provision of assistance in the context of forced relocation. The document said that the regroupment policy was illegal according to international law and put forward a series of conditions to allow for international assistance to the camps.

At the time, in addition to IDPs in regroupment camps, some 200,000 people, primarily rural Tutsis continued to live in designated camps protected by government soldiers, and thousands others who had become displaced in the countryside or at makeshift sites for varying lengths of time (USCR, 2000, "Regroupment").

The government started to close the camps in mid-2000 under international pressure, but many other IDP settlements remained. At that time, rebel leaders had made closing the camps a precondition for peace negotiation, and former South African President Nelson Mandela, the facilitator for the negotiations, condemned the regroupment camps at the time as "concentration camps." (HRW, June 2000, "Summary"). The same year, the government, opposition parties and armed opposition groups signed a peace agreement in Arusha, Tanzania. Large-scale displacement continued, however, as the army fought two rebel groups which had not joined the peace process.

For an analysis on how forced displacement in 2000 of 350,000 civilians was carried out in violation of international law, including the UN Guiding Principles on Internal Displacement, see HRW June 2000 "Violation of international law & Guiding Principles on Internal Displacement" [Internet]
http://www.hrw.org/reports/2000/burundi2

Fighting between FNL and army displaced thousands in Bujumbura Rural until 2008

While until 2003, fighting between all rebel groups and government troops caused internal displacement in Burundi, the following years, fighting between the only group which had not joined the peace process, the FNL, and the army continued to displaced thousands, particularly in Bujumbura Rural, but also in Cibitoke and Bubanza provinces. The inhabitants of these provinces continued to suffer armed attacks, destruction of their homes, looting of property and livestock at the end of the FNL. The latest displacement of population occurred in April and May 2008 and affected around 20,000 people of Bubanza and Bujumbura Rural provinces. No new conflict-induced internal displacement has occurred since.

See for example:
IRIN, 5 June 2008, Displaced civilians back home in Kabezi [Internet]
http://www.irinnews.org/report.aspx?ReportId=78589

IRIN, 14 January 2008, Thousands of displaced need assistance [Internet]
http://www.irinnews.org/Report.aspx?ReportId=76220

IRIN, 25 October 2007, BURUNDI: Villagers flee as rebel fighters attack splinter group's position [Internet]
http://www.irinnews.org/Report.aspx?ReportId=74983

IRIN, 10 September 2007, Rebel activity displaces hundreds in Bubanza [Internet]
http://www.irinnews.org/Report.aspx?ReportId=74202

ITEKA, 9 August 2006, Burundi: Des personnes armées et des combattants du Palipehutu_Fnl mènent des attaques répétées dans certaines communes de Bubanza [Internet]
http://www.ligue-iteka.africa-web.org/article.php3?id_article=1316

IRIN, 14 June 2005, Burundi: Thousands displaced in Bubanza [Internet]
http://www.irinnews.org/report.aspx?reportid=54905

IRIN, 4 January 2005, Burundi: Renewed fighting displaces thousands in Bujumbura Rural [Internet]
http://www.irinnews.org/report.asp?ReportID=44911&SelectRegion=Great_Lakes

Some of the Burundian refugees expelled from Tanzania joined IDP settlements

Starting June 2006, Tanzania implemented a national plan for the repatriation of Burundian refugees from Tanzania. In this framework, persons without refugee status or any other legal status in Tanzania were forcibly removed from Tanzania. Thousands of Burundians were expelled from Tanzania (NRC, November 2006). Returning families then passed by transit camps, sometimes for several months or even years. People were delayed in the transit camps because they were unable to access their original land (RI, 1 October 2008; OCHA, 3 August 2008).

Some returning refugees joined IDPs in formal and informal IDP settlements. For example, IRIN reported that:
"At least 3,000 people, many of then returnees, have lived for years in an informal settlement on the outskirts of the capital, Bujumbura, with only two pit latrines between them, no clean water and no medical cards to help them access medical care.

That they have survived for as long as 15 years in difficult conditions without help from the government or any aid agency attests to the fact that thousands of people can fall through the cracks in a country like Burundi, emerging from decades of civil war.

Hidden behind villas and commercial buildings in a Bujumbura suburb is Sabe, home to 500 families.
'Some of us returned from Rwanda in 1993 after the election of Melchior Ndadaye [Burundi's first democratically elected president], others from Tanzania and [Democratic Republic of] Congo,' Olive Bararusesa, one of the site leaders, told IRIN. She said others were internally displaced from various provinces of Burundi." (IRIN, 10 April 2009).

Food insecurity and floods cause internal displacement

Displacement due to food insecurity has regularly been reported in Burundi. FAO reported for example in 2009 that "High food prices continue to adversely affect a large number of vulnerable households in Burundi, necessitating food and agricultural aid, especially for resettlement of returnees and IDPs." (FAO, April 2009).

Heavy rains also regularly damage houses and crops, causing the displacement of thousands of people throughout the country.

See for example:
IRIN, 14 April 2009, Floods displace thousands north of Bujumbura [Internet]
http://www.irinnews.org/Report.aspx?ReportId=83915

IRIN, 14 October 2008, Heavy rains leave families homeless and in need of aid [Internet]
http://www.irinnews.org/Report.aspx?ReportId=80909

IDP POPULATION FIGURES

Number of IDPs, disaggregated by age and sex where data are available

Some 100,000 IDPs estimated in Burundi (2011)

No reliable data is available as to the exact number of IDPs in Burundi. The most recent, validated figures are those provided in a comprehensive survey conducted by OCHA in 2005, i.e. 117,000 (OCHA, 26 May 2005). In 2006 and following years, OCHA used the figure of 100,000 IDPs. This number was also quoted by UNHCR (see for example: UNHCR, August 2009). These IDPs live in settlements created after inter-ethnic violence following the 1993 coup d'état and subsequent civil strife. Most of the settlements are in the northern and central part of the country.

In May 2009, the Ministry for National Solidarity, Refugee Return and Social Reintegration published a report updating the situation of IDPs and refugee returnees in IDP settlements. As the report failed to differentiate between IDPs and repatriated refugees unable to return to their former homes, it put the number of people living in settlements at 157,167, a figure nearly 50 per cent higher than the 117,000 OCHA figure from 2005. The government report suggests that many displacement settlements in the southern provinces have now closed while in some other provinces (particularly Bubanza, Bujumbura Rural and Bujumbura Mairie), the populations and number of settlements has grown. The report found that between 2002 and 2009 over 50 per cent of IDPs had returned to their places of origin, and close to half of the IDP settlements had been closed, particularly those in the south of the country. For example Makamba province, which had over 13,000 IDPs in 2005 according to the OCHA survey, had only 678 people living in settlements (Government of Burundi, Ministry of National Solidarity, Refugee Return and Social Reintegration, May 2009).

During a validation workshop in July 2009, local officials refused to validate the report, claiming that some sites were missing or no longer existing, and noticing that there was confusion between IDPs, refugee returnees and other residents of the settlements. The draft report was said to have methodological problems, and no non-state stakeholders seem to have been consulted during the drafting phrase of the report.

It is important to identify IDPs and returning refugees separately, as they may need solutions tailored to their specific needs. Returning refugees who are unable to repossess their land of origin may end up in IDP settlements and in essence become IDPs, while the majority of IDPs in settlements still access their land. However, common solutions could be sought for returning refugees and for IDPs who are unable to cultivate their original land, or who do not have any land (Brookings/IDMC, June 2011).

Despite the absence of validation of these numbers, OCHA has used the 157,167 statistics in its reporting on IDP figures in Burundi. See for example: OCHA, April 2011, Eastern Africa Displaced Populations Report, p.4.

Socio-economic data

According to the 2005 OCHA survey, 91 percent of IDPs in settlements were farmers. An estimated 74 percent of IDPs had access to their land of origin and continued to farm it from their settlement (OCHA, 26 May 2005, p3).

IDP data disaggregated by Sex and age

The 2005 OCHA survey reported that half of the households in the North and Centre of the country were headed by women. And among the people over 60 years old, two-third of them were women heads of household, who had particular vulnerabilities. The survey did not offer much detail. (OCHA, 26 May 2005, pp.3, 17).

The 2004 OCHA study disaggregated IDP figures by sex and age. It said that of the then IDP population of 145,034, 53 percent were female and 49 percent were children under the age of 15, which corresponded to the national norm for the global population in Burundi. However, deviations from the national norm emerged when gender and age data were compared across provinces, communes and settlements. For example, "the IDP population in Ruyigi province is comprised of a relatively high percentage of children (58%), which may indicate that the displacement phenomenon impacts this group disproportionately. Conversely, in some areas there is a relatively low percentage of children (43% in Gitega province), which should be investigated and analysed further when designing assistance strategies and activities." (OCHA, August 2004, p.9).

As of mid-2004, more than one-third of all displaced households were headed by women and by children, the highest percentage being in the north and the centre of the country. At the time, OCHA said that many of these households had no access to family land and had nowhere to go but to remain in their settlements, depending largely on the goodwill of others in the settlements or charity groups. It said that these households were among the most vulnerable, and among the most likely to remain in the settlements where they resided (OCHA, August 2004, p.9).

The same survey further detailed the number and characteristics of women and children-headed households by province:

"The total number of 145,034 IDPs is comprised of 29,881 households. Of these, 32% (9,650 households) are headed by females, 97% of whom are widows. On average, the highest percentages of female-headed households are located in the northern and central provinces of Karuzi (52%), Kayanza (49%), Mwaro (49%) and Gitega (47%). The lowest percentages of female-headed households are located in the southern and eastern provinces of Cankuzo (17%), Makamba (19%), Rutana (19%) and Bururi (22%). An analysis of these results reveals a close relationship between the percentage of female-headed households and willingness to return. In those sites where most households want to remain definitively in the sites, high percentages of female-headed households tend to be found. At the same time, low percentages of female-headed households are found in sites where the desire to return to the place of origin is the strongest.

The same tendencies appear with regard to child-headed households, which comprise 6% (1,808 households) of the total IDP population; almost all children heading households are orphans. The highest percentages of child headed-households tend to be in sites where the desire to remain in the site is the strongest: Mwaro (15%), Muyinga (11%), Gitega (10%) and Karuzi (10%). The lowest percentages are found in sites where the desire to return to place of origin is the strongest: Cankuzo (3%) and Makamba (3%)." (OCHA, August 2004, p9).

See also UNFPA,
[**United Nations Population Fund (UNFPA**, 2003, Rapport du recensement des déplacés au Burundi (Draft)](#)

IDP Estimates (1993-2004)

According to the U.S. Committee for Refugees (since renamed U.S. Committee for Refugees and Immigrants), "The precise number of persons internally displaced by the violence of 1993-96 is difficult to determine. Security concerns at times have limited the access of international relief agencies and hampered their ability to make sophisticated estimates. Many displaced Hutu have dispersed into the hills and swamps to hide and do not reside in designated camps because they consider camps vulnerable to attack. Local leaders of both ethnic groups routinely inflate the number of uprooted families in an effort to attract more aid and gain more sympathy for their political cause. 'In some camps,' noted one relief worker, 'those in charge are so hostile that it becomes dangerous even to ask about numbers or need. They will bluntly say that it's none of your business.'" (USCR, 1998, pp. 34-35).

An estimated 500,000 to 700,000 persons were internally displaced in late 1993 by the violence that erupted in October of that year; there were still an estimated 400,000 internally displaced at the end of 1996. Return movements as a result of the closure of large-scale regroupment camps (where mostly Hutu civilians had been forcibly relocated) were registered in 1997 and 1998. The total displaced population increased again in 1999 to peak at over 800,000 IDPs or at the time 12 percent of the population (UN November 1999, p.6 and table below for sources).

In addition to IDPs living in settlements, many people were temporarily displaced from their homes for short periods. In 2002, OCHA reported that "The intensification of conflict, particularly in Bujumbura Rural and the border provinces, has led to increased temporary displacement affecting up to 100,000 people every month (OCHA, 18 November 2002).

Also, following the closure of some regroupment camps in 2002, some 100,000 people were not immediately able to return to their homes, mostly in Bujumbura Rural Province (OCHA, 15 August 2003, p.6).

Year	IDP Estimate	Source
2004	145,034 IDPs in 170 settlements	OCHA, August 2004
2002	281,600 IDPs in 230 settlements	OCHA, August 2004; UNFPA, January 2003
1999	801,438 IDPs	UN, 30 November 1999, p.6
1998	558,506 IDPs	USCR, 1998, pp.34-35
1997	577,142 IDPs	USCR, 1998, p.60
1996	400,000 IDPs	USCR, 1996, p.40
1995	300,000 IDPs	USCR, 1995
1994	400,000 IDPs	USCR, 1995
1993	500,000 to 700,000 IDPs	USCR, 1995

Location(s) of IDP populations

Today's location of IDPs

Up to 100,000 IDPs remain in settlements, particularly in the north and centre of the country, the majority in Kayanza, Ngozi, Kirundo, Muyinga, and Gitega provinces (OCHA, 26 May 2005, p.7; USDOS, 25 February 2009). Some IDP settlements have a few hundred people, while others – often close to administrative centres – have thousands of people living there.

In January 2008, UNHCR published a short study of IDPs in the provinces of Bururi, Makamba and Rutana, in the south of the country. Rather than being a comprehensive study, it aimed to be a short evaluation following discussions with local administrative authorities and IDPs, through a simplified questionnaire (see UNHCR, 1 January 2008, in French). These IDP settlements are reported to have since closed.

IDP distribution per province (1997-2005)

TABLE 1 (2001-2005)

The figures below come from the following sources: OCHA 26 November 2001, OCHA 28 Feb 2002; OCHA 31 July 2002, UNFPA Sept 02, OCHA 15 Aug 2003, OCHA 26 May 2005:

Province	June 01	Feb 02	July 02	Sept 02	Aug 03	May 05
Bubanza	14,652	14,202	8573	4057	4,060	7,325
Bujumbura mairie	264	257	12,643	7395	7,391	8,424
Bujumbura rural	28,420	28,420	18,363	7842	7,842	4,151
Bururi	104,986	87,581	89,307	68412	68,735	2,130
Cankuzo	4,486	4,495	13,989	7816	7,816	2,241
Cibitoke	0	0	0	0	0	3,381
Gitega	28,026	5,361	24,940	22050	22,106	17,066
Karuzi	2,042	2,042	9,131	7183	7,183	7,168
Kayanza	7,573	7,573	23,838	19540	19,539	12,878
Kirundo	5,024	5,031	15,165	11746	11,765	9,769
Makamba	106,540	99,558	105,558	71170	71,270	13,196
Muramvya	27,250	27,250	17,514	17596	17,597	3,790
Muyinga	17,481	8,945	15,954	9525	9,609	9,116
Mwaro	182	182	297	175	175	166
Ngozi	4,389	4,389	21,328	19927	19,926	12,204
Rutana	78,840	77,901	9,094	5278	5,278	555
Ruyigi	2,654	2,322	1775	1346	1,346	3,239
Total	432,809	375,509	387,469	281,052	281,628	116,799

TABLE 2 (1997-2001)

The table below was compiled by OCHA, 26 November 2001, pp6-7:

Province	Total pop.	IDPs Sept 97	IDPs Aug 98	IDPs Oct 99	IDPs Sept 00	IDPs Oct 01	% pop.
Bubanza	309,127	73,087	132,641	172,408	14,588	14,652	5%
Bujumbura mairie	341,494	40,734	9,350	14,902	565	264	0%
Bujumbura rural*	456,891	0	57,637	317,384	30,889	28,420	6%
Bururi	454,939	58,099	85,737	85,781	87,581	104,986	23%
Cankuzo	181,686	3,254	0	0	5,500	4,486	2%
Cibitoke	417,131	49,620	13,565	736	0	0	0%
Gitega	649,854	20,997	18,316	21,050	5,147	28,026	4%
Karuzi	377,186	134,540	34,360	12,106	2,042	2,042	1%
Kayanza	491,171	70,164	28,879	26,269	7,573	7,573	2%
Kirundo	533,132	20,072	27,852	5,886	5,031	5,024	1%
Makamba	397,001	45,314	36,710	85,680	121,360	106,540	27%
Muramvya	259,993	40,436	27,063	22,506	27,250	27,250	10%
Muyinga	519,313	22,855	32,081	16,473	8,945	17,481	3%
Mwaro**	235,496	0	0	0	0	182	0%
Ngozi	637,923	19,184	25,712	20,485	4,389	4,389	1%
Rutana	59,987	3,675	2,576	16,279	2,127	78,840	30%
Ruyigi	323,677	6,335	2,127	700	1,068	2,654	1%
Total	**6,846,003**	**608,366**	**534,606**	**818,645**	**324,055**	**432,809**	**6%**

Remarks: total figures indicate IDPs on sites only; an additional 150,000 to 200,000 individuals (most of them from Bujumbura Rural) are considered as dispersed people, who neither live in camps nor in their homes, due to security constraints.
* The province Bujumbura Rural was separated from Bujumbura Mairie 1999
** Mwaro province was included in Muramvya province until 1999
*** As forced relocation sites in Bujumbura Rural were set up in September 1999, the number of IDPs in those sites was assessed accurately in October 1999."

POPULATION MOVEMENT

Population movements (displacement, return and/or (re)settlement as relevant)

Displacement patterns by province in 2005

The 2005 OCHA comprehensive survey on IDPs analysed displacement patterns by province through various group interviews. This is a summary of the 2005 findings (translated from French) of population movements by province:

Bubanza Province

At the end of 1993, large-scale massacres of a part of the population in the province were perpetrated. Those who were able to escape their hills of origin went to communal centres and the main towns of the province under the protection of the national armed forces and the administration. Those who had stayed behind were then forced to flee the hills to then go to surrounding marshes, hills and communes. IDPs in the first category were called "déplacés" (displaced) and those in the second category "dispersés" (dispersed). At the end of 1995, a new phenomenon occurred: the "dispersed" joined the "displaced" in the IDP settlements. Since 1996, the armed clashes between armed militias and government troops caused new displacement movements from the hills to IDP settlements. The following years, there were regular fighting between the FNL and national armed forces in the south of the province (Mpanda commune).

Cibitoke Province

Main IDP settlements were created following the 1993 crisis. Starting in 1994, more people joined the settlements following fighting between armed militia and government troops. Many settlements were dismantled following the return of IDPs to their hills of origin, after the 2002 ceasefire agreements with the rebel groups. Local authorities (territorial administration - "administration territoriale") interviewed for a 2004 OCHA survey had said that there was no IDP settlement in Cibitoke Province, but the 2005 survey revealed the existence of IDP settlements in the communes of Rugombo and Buganda, along road RN3 between Bujumbura and Cibitoke, in the settlements of Ndava and Buganda.

The centre of the country: Gitega, Muramvya and Karuzi Provinces

These three provinces were particularly hit during the 1993 crisis. Many men in the province were killed and the survivors fled to settlements, many of them women and children.

Kayanza Province

At the end of 1993 massacres were perpetrated against a large part of the inhabitants of the province, followed by the flight of the survivors, who were then directed to settlements throughout the communes of the province. IDPs then chased those who had stayed behind, by setting fire to and destroying their belongings. This population then fled too - they were called "dispersés", "dispersed" - to find shelter against the violence. In 1995, it was noted that IDPs were still in settlements and the "dispersed" had returned home. The situation did not change much from 1995 to 2005.

Kirundo Province

In 1993, massacres occurred throughout the province. The survivors fled to settlements set up in the province. Those who had been targeted then took revenge on those still on the hills, causing many to flee to Rwanda, Tanzania or to the neighouring provinces of Muyinga and Karuzi, to become "dispersed." Those who had found refuge in Rwanda then found refuge in IDP settlements following the start of the genocide in Rwanda in April 1994. As of 2005, the "dispersed" were still in host families or in schools or administrative buildings, which were not considered as IDP settlements.

Ngozi and Muyinga Provinces

In Ngozi and Muyinga Provinces, people fled from their hills in 1993 and found refuge in IDP settlements. Some temporary displacement occurred from 1996 to 2003, when armed militias were active in the province.

Makamba, Bururi, Rutana, Ruyigi and Cankuzo Provinces

Following the 1993 crisis, the southern and eastern provinces were quite stable. For the most part, except for the communes Butezi and Butanganzwa (Ruyigi province) those who had been displaced in these provinces then went back to their hills of origin.

Starting 1996, armed militias based in Tanzania regularly went to the region, forcing populations to flee their homes to join existing IDP settlements, or to new ones.

In 2004, following many armed clashes between armed groups, two-thirds of the IDP settlements were in the south and east of the country, particularly in Makamba, Bururi, Ruyigi and Cankuzo Provinces. At the same time, many IDP settlements were dismantled in the provinces of Makamba, Cankuzo, Rutana and Bururi. In some settlements, for example in Kayogoro commune, Makamba Province, and Gisuru commune, Ruyigi province, IDPs lived together with repatriated refugees.

Bujumbura Mairie Province

During the first months of 1994, many people fled massacres in Kinama and Kamenge communes, Bujumbura Mairie Province, for other areas of the capital, while their homes were destroyed and their belongings destroyed. This was followed by looting and the destruction of homes in other parts of the capital. The populations of Kinama and Cibitoke fought violently in 1994. At the end of the year, most of the population of Kinama had fled to Gatumba. IDPs in Bujumbura Mairie found refuge in Carama, Kiyange and Buterere. As of 2005, the OCHA survey found that Bujumbura Mairie welcomed IDPs from the entire country. It noted that many IDPs lived there for economic reasons, due to the high land prices in the capital.

Bujumbura Rural Province

This province suffered tremendously during the war, due to its strategic location for the Burundian army to protect the capital Bujumbura. Many armed clashes occurred in this mountainous province, causing massive short- and long-term displacement of populations (both "dispersed" and in IDP settlements), as well as the establishment of forced regroupment camps in the 1990s/early 2000s. As of mid-2005, IDP settlements remained in the province, for example in Isale et Mukike.

Bujumbura Rural was also the headquarters of the FNL, as long as it remained an armed group, and clashes between the FNL and the national army continued to cause periodic temporary displacement until 2008 (OCHA, 26 May 2005, pp.11-14).

Patterns of movement (displacement, return and (re)settlement as relevant)

Patterns of displacement during the conflict and its aftermath

Different terms were used in Burundi to refer to IDPs:
The displaced, i.e. ethnic Tutsis who had found refuge in IDP settlements;
The regrouped, i.e. ethnic Hutus whom the government required to move into "regroupment camps", in 1996-1998 and in 1999-2000;
The dispersed, i.e. an unknown number of mostly ethnic Hutus who fled from their homes to remote areas scattered throughout the countryside. This last category was particularly vulnerable during the conflict according to the UN in 1998: "Conditions in the sites [i.e. IDP settlements] are wretched but things are even worse for an unknown but significant number of so-called dispersed population hiding in the forest and marshes. Terrified of emerging from their hiding places lest they become even easier targets, these people are forced to play a macabre game of hide-and-seek with rival factions that deny them access even to the basic assistance available in the sites. Surviving solely on what they can scavenge, the dispersed are clearly the most vulnerable of all, but also the most difficult for relief workers to locate and to reach. Sometimes, those who manage to break out, end up dying from exhaustion when they finally reach a feeding centre." ("United Nations Resident Coordinator System in Burundi 1998, pp. 6-7).

According to the Inter-Agency Standing Committee-Working Group in 1999, "These different labels were adopted by the humanitarian community and to some extent reflected the different humanitarian needs of the uprooted populations. In 1998 the humanitarian community called for an abandonment of the practice of calibrating assistance to affected populations on the basis of a series of semantic categories, in favour of more objective criteria for assistance such as vulnerability and capacity for sustainable reinstallation." Inter-Agency Standing Committee-Working Group February 1999, p.70).

Today, the remaining IDP caseload are for the most part ethnic Tutsis who fled their homes on the hills following the eruption of the conflict in 1993 and settled in IDP settlements at the request of the authorities. In 2008, UNHCR described the various waves of people who were still in the settlements:
The first wave of IDPs, who fled their areas of origin between 1993 and 2000 to avoid the clashes which occurred in the country. Coming from neighbouring hills and communes, or from other provinces, they represent most of the displaced today.
The second wave of IDPs, particularly in 2005-2006, had to leave their homes due to severe drought and floods.
Returning refugees from Tanzania or other places, who took advantage of IDPs' departure to settle in IDP settlements while waiting to recover their land.
A few Batwa communities who took advantage of the departure of some people from the IDP settlements, to settle there to farm a small land plot (translated from French, UNHCR, 1 January 2008).

In 2003, a study by UNFPA identified the following types of IDP settlements during the conflict:

Established IDP settlement, including a *chef de site* (head of settlement)
IDP settlement for the night: in areas experiencing temporary insecurity, some populations fearing attacks at night by armed groups gathered in the evening in a place in agreement with the government to receive protection.
IDP settlement transformed into villages: former IDPs who have bought land where they have settled and who do not want to be called as IDPs anymore. UNFPA gave the example of the Gakoni settlement, Giteranyi Commune, Muyinga Province.
Other settlement: made of very poor people who have not fled the conflict; are not considered as IDPs by authorities (UNFPA, 2003).

PHYSICAL SECURITY AND INTEGRITY

Physical security, dignity, mental and moral integrity

Overall human rights record remains poor

While since the end of the conflict the physical security of IDPs has greatly increased, IDPs continue to suffer from the fact that the overall human rights situation in Burundi remains poor. In 2010, the UN independent expert on the human rights situation in Burundi noted that the security situation was marked in 2010 by increased tensions between political actors in the run up to the 2010 elections, and that clashes between young supporters and grenade attacks occurred (UNGA, 31 May 2011, para.21). The 2010 US Department of State report on human rights in Burundi noted that "[h]uman rights abuses during the year included security force killings, torture, and mistreatment of civilians and detainees; official impunity; societal killings and vigilante justice; harsh, life-threatening prison and detention center conditions; prolonged pretrial detention and arbitrary arrest and detention; detention and imprisonment of political prisoners and political detainees; lack of judicial independence and efficiency; official corruption; restrictions on privacy and freedom of speech, assembly, and association; sexual violence and discrimination against women and children; discrimination against gays and lesbians and persons with albinism; and restrictions on labor rights" (US DOS, 8 April 2011).

In 2009, UNHCR reported the high level of banditry in some regions due to the difficult economic situation, and the high number of firearms circulated among the population (UNHCR, August 2009). According to a 2006 UNDP survey, about 100,000 households in Burundi had small arms and light weapons for self-defence, resulting in a high crime rate and accidents (UNSC, 27 October 2006).

In a June 2010 IDMC survey in four IDP settlements, IDPs said that while the country had experienced widespread violence and banditry over the years, living closer together rather than in traditional scattered upland homes has made them feel safer. They added that this feeling of security was enhanced further by the fact that many IDP settlements are located close to military installations or police stations (Brookings/IDMC, June 2011).

While during the armed conflict, thousands of children had been recruited by armed groups, the latest report of the UNSG on children and armed conflict confirmed that no new recruitment had taken place, and that following the release of all children associated with the FNL and the transformation of the movement into a registered political party, Burundi was removed from the annex of the annual UNSG report on children in armed conflict in 2010 (UNGA/UNSC, 23 April 2011).

Physical security in IDP settlements generally not a problem, but fear of former neighbours and evictions with the use of force reported in particular cases

Principle 15, Guiding Principles on Internal Displacement
d) Internally displaced persons have the right to be protected against forcible return to or resettlement in any place where their life, safety, liberty and/or health would be at risk.

Insecurity is an issue all over the country, but usually no more so in IDP settlements. On the contrary, settlements where people live closer together than traditionally are reported to insure a relatively high level of security, with also some households in neighbouring communities moving into the settlements.

However, some IDPs who returned to their area of origin may encounter attacks from bandits, as is the case for the local community. During interviews with IDPs in four settlements in June 2010, IDMC found that while some IDPs reported good relations with their former neighbours, others talked about fear and bad memories associated with their displacement. Older IDPs generally said that they would not contemplate living with their former neighbours again, while the younger ones – who were children when they were displaced – were more open to the idea (Brookings/IDMC, June 2011).

In 2009, the United States Department of State (US DOS) reported that "On August 19, a number of IDPs were beaten violently by police in an attempt to move them from land given to them by former president Buyoya but redistributed by the current government to others. Almost 600 families were evicted forcibly. The government took no action against police brutality." (US DOS, 25 February 2009). The 2010 US DOS report said that the situation of these families, who had tried to go to other IDP settlements, was not solved (US DOS, 8 April 2011). For more information on eviction reports from IDP settlements, see land section.

Liberty and Freedom of Movement

IDPs can move freely in and out of the settlements

Principle 14, Guiding Principles on Internal Displacement
Every internally displaced person has the right to liberty of movement and freedom to choose his or her residence.
In particular, internally displaced persons have the right to move freely in and out of camps or other settlements.

IDPs can move freely in and out of the settlements in Burundi. Since the last rebel group, the Palipehutu-FNL, renounced the use of arms in 2008, the movements of IDPs and other civilians have not been restricted due to insecurity. The only reported limitation to their freedom of movement has been due to reported tensions with some of the IDPs' former neighbours. As a result, some IDPs have said to prefer going as a group to farm their land on the hills, and to wish to remain in the IDP settlements rather than returning on their hills of origin (Brookings/IDMC, June 2011).

BASIC NECESSITIES OF LIFE

General

IDPs have similar basic needs than surrounding communities

Burundi's poverty outlook remains daunting. In 2010, Burundi ranked 166th of 169 countries on the UNDP Human Development Index (UNDP, 4 November 2010). The situation of IDPs living in settlements was comparable to that of other vulnerable Burundians, with limited access to basic services due in large part to their poverty (UNHCR, August 2009). The main difference relates to land tenure (see section on land issues for more information).

IDP settlements received international assistance at the height of the conflict, but during interviews in four IDP settlements in June 2010, IDMC heard that IDPs had not received any help for at least five years (Brookings/IDMC, June 2011). This information is consistent with the OCHA 2005 IDP survey, which found that few IDP settlements still received assistance as of 2005 (OCHA, 26 May 2005). IDMC also found that as a rule IDPs did not have the means to repair and maintain the few services available in the settlements. Most or all the public taps in the four IDP settlements visited were not working, and most IDPs could not in any case afford the charges for drawing water from them. As a result, IDPs said that they had to walk some two kilometres to get water (Brookings/IDMC, June 2011).

Food and Water

IDPs struggle to get sufficient food and water

Principle 18, Guiding Principles on Internal Displacement
All internally displaced persons have the right to an adequate standard of living.
At the minimum, regardless of the circumstances, and without discrimination, competent authorities shall provide internally displaced persons with and ensure safe access to:
(a)   Essential food and potable water.

Burundi is the least urbanised country in the world, but it has the second-highest population density in sub-Saharan Africa (UNDP, 2009). It has very few natural resources, and IDPs, like other Burundians, live, for the most part, off their land and this is where they derive their food. Much of the land available, however, is not particularly fertile and plots are often too small to meet families' needs. The latter is as a result of plots being divided amongst heirs as land is passed down from one generation to another, and of court and government decisions to share the land among conflicting parties (Brookings/IDMC, June 2011).

Burundi was estimated to be the third worst country in terms of food security in 2010 (Maplecroft, 19 August 2010). The UN World Food Programme estimated that 16 per cent of the population – whether displaced or not -- needed food aid in 2009 (UNHCR, August 2009). IDPs only have space to grow a few vegetables or fruit on the small plots allocated to them in the settlements (Brookings/IDMC, June 2011). While 90 percent of the population derives its livelihood from agriculture, there is a high rate of chronic malnutrition compared with other sub-Saharan African

countries. The population grew 33 percent from six million to more than eight million from 1988 to 2008, while the average annual food production per capital dropped by 41 percent (IRIN, 7 March 2008). In the north – where there are still a number of IDP settlements – food security is a major issue, due to several years of drought which have led to chronic food shortages. In November 2008, acute food shortages led to the displacement of nearly 1,400 households (UN Standing Committee on Nutrition, June 2009).

In 2006, UNICEF reported that food insecurity had persisted since the beginning of the civil war in 1993, and that children under 5 were at high risk of malnutrition, as well as young people and pregnant/lactating women. (UNICEF, 1 January 2009).

According to a 2004 OCHA survey of IDP settlements, on average, 91 percent of IDP settlements had a water point located in or within close proximity of the settlements. The lowest coverage rates were found in the provinces of Ruyigi (60 percent), Rutana (67 percent) and Karuzi (78 percent). In many provinces, 100 percent of IDP settlements were served by a water point (OCHA, August 2004, p.16). As UNHCR reported in a study on IDPs in the south of the country in 2008, IDPs do not suffer any discrimination to access water, and access is similar to the one of surrounding communities. However, many IDPs and members of surrounding communities have to walk long distances to reach drinkable water, or can only access water of poor quality (UNHCR, 1 January 2009). The discrepancy between the OCHA and UNHCR studies can be explained by the fact that many of the water points have not been properly maintained, and that IDPs often do not have the means to pay to access water in the settlements.

See also:
IRIN, 23 February 2011, Aid workers worry about food insecurity [Internet]
http://www.irinnews.org/Report.aspx?ReportID=92007

Shelter and Housing

IDPs do not have the means to adequately maintain their houses in settlements

Principle 18, Guiding Principles on Internal Displacement
1. All internally displaced persons have the right to an adequate standard of living.
2. At the minimum, regardless of the circumstances, and without discrimination, competent authorities shall provide internally displaced persons with and ensure safe access to:
(b) Basic shelter and housing.

Burundi is the least urbanised country in the world. 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 and several generations often have to cohabit under the safe roof (Brookings/IDMC, June 2011).

According to a 2008 UNHCR study of IDPs in the south of the country, houses in IDP settlements vary whether they were built with some assistance or not. IDPs who benefited from assistance generally live in standardised houses, i.e. 5 by l7 metres, whether the houses were entirely built for them, or whether IDPs received building material. Those who did not benefit from outside assistance either built their own house, rented, or are hosted by relatives or other people (from French, UNHCR, 1 January 2008).

During a mission to four IDP settlements in the north and centre of the country in June 2010, IDMC found that many houses had not been properly maintained due in part to IDPs' lack of resources, but also possibly as a result of uncertainty regarding their future in their current location. In all the settlements visited, many roof tiles were missing or broken. Housing conditions of neighbouring communities were generally as poor as those of the IDPs'. The plots, however, were usually bigger than in IDP settlements and allowed for subsistence agriculture. Also, in all four settlements, ethnic Batwa were marginalised and lived in particularly difficult conditions, in huts with leaf roofing set apart from other IDPs (Brookings/IDMC, June 2011).

Meanwhile, while their plot of land on the hill of origin of many IDPs is still available, their house (or hut) is not longer there.

Medical care and sanitation

Medical care of IDPs remains unsatisfactory, but no discrimination

Principle 18, Guiding Principles on Internal Displacement
All internally displaced persons have the right to an adequate standard of living.
At the minimum, regardless of the circumstances, and without discrimination, competent authorities shall provide internally displaced persons with and ensure safe access to:
(d) Essential medical services and sanitation.

Principle 19, Guiding Principles on Internal Displacement
All wounded and sick internally displaced persons as well as those with disabilities shall receive to the fullest extent practicable and with the least possible delay, the medical care and attention they require, without distinction on any grounds other than medical ones. When necessary, internally displaced persons shall have access to psychological and social services.
Special attention should be paid to the health needs of women, including access to female health care providers and services, such as reproductive health care, as well as appropriate counseling for victims of sexual and other abuses.

According to the World Bank, nearly all social indicators have sharply deteriorated as a result of the civil war. However, it noted that some progress was made following the end of the war. Life expectancy rose to 50 years in 2009 from 43 years in 2000. Vaccination rates have improved. In order to increase coverage of public services, the government announced in 2006 free health services to children under five and pregnant women. While this measure helped to decrease the under-five mortality rate by 20 percent from 2005 to 2009, the lack of essential medicine and qualified staff is affecting service delivery (World Bank, 25 April 2011).

The country periodically faces waterborne epidemics, such as cholera and dysentery, affecting mainly children and women. Malaria is endemic in Burundi and is the main cause of mortality and morbidity to both groups. It is responsible of nearly 50 per cent deaths in children under 5 (UNICEF, 1 January 2009).

But as UNHCR reported in a study on IDPs in the south of the country in 2008, IDPs do not suffer discrimination to access healthcare. IDPs can access health centres outside the settlements, but these are generally overcrowded, poorly stocked, and IDPs do not have the resources to pay for the treatment of chronic conditions. IDPs can get free health care in some of the centres, if they qualify under one of the categories of vulnerable people getting assistance from the state ("attestations d'indigence"). Not all health centres accept these "attestations", preferring to be paid immediately rather than later (UNHCR, 1 January 2008; Brookings/IDMC, June 2011).

Before the adoption of the 2006 free healthcare measure for children under five and pregnant women, OCHA reported that almost 80 percent of all women delivered their children at home, without qualified assistance, and that reproductive health remained in dire need of the most basic support nationwide. It reported deplorable hygiene conditions in IDP settlements, which were almost entirely ill-equipped to handle minor complications or emergencies (OCHA, November 2002, p.26).

The Norwegian Refugee Council reported that according to a survey conducted in Makamba province in 2005, the local population, IDPs, returning IDPs and repatriated refugees lacked access to health care due to the lack of health centres, which meant that many households had to walk more than 5 km to reach these centres, and that the costs for services were high as compared to the financial means of the population (NRC, 1 September 2005, p32).

In 2004, an OCHA survey reported that 68 percent of IDP settlements had a health facility (hospital/health centre/dispensary) located in or within close proximity of the settlements. The province with the lowest coverage rate was in Cankuzo Province, where only 20 percent of IDP settlements had a health facility within close proximity, and Bururi Province with 33 percent. Conversely, in Bujumbura Mairie and the provinces of Mwaro, Ngozi, Rutana and Ruyigi, 100 percent of the IDP settlements have a health facility within close proximity. Results of focus group discussions revealed the difficulties that IDPs face in accessing health services, primarily due to inability to pay for consultation fees and medicines, despite having a facility located nearby. According to the same survey, 84 percent of IDP households reported having a latrine in the settlement. The survey teams did not inspect the type / condition of individual latrines, but it was observed that many latrines in IDP settlements were of the traditional type (simple hole in the ground, with superstructure made of straw / grass) (OCHA, August 2004, p.16).

PROPERTY, LIVELIHOODS, EDUCATION AND OTHER ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Land

The status of the land in the IDP settlements

Principle 21.1, Guiding Principles on Internal Displacement
No one shall be arbitrarily deprived of property and possessions.

According to various reports and to government representatives, most of the IDP settlements have been built on land belonging to the state, and as such, the IDPs' continued presence is generally not a problem. According to an IDMC study in four IDP settlements in 2010, however, 75 per cent of IDPs interviewed said they felt at risk of expulsion from their settlement, and interviewing teams found that there were indeed restitution claims, primarily by individuals, on all or part of the land in the four settlements visited (Brookings/IDMC, June 2011). One major problem is that there is no up to date land registry in Burundi. While over time land may have changed hands (for example through the expropriation of private owners by the state), there may not be any record of it, and a specific land plot may be the object of various claims. The land rights holders are generally seeking compensation, but none has been awarded thus far. It follows that a key challenge in finding sustainable and lasting solutions for IDPs lies in providing them with security of tenure in the settlements, and resolving outstanding land rights claims. Only a few of the IDPs have bought the land plots on which their houses in the IDP settlements were built. IDPs therefore have great land insecurity, in a country where space and land have vital importance (UNHCR, 1 January 2008).

A particularly vulnerable group are the displaced ethnic Batwa who do not have access to the land they cultivated prior to displacement since they were renting it for a portion of their harvest (Brookings/IDMC, June 2011), see also section on vulnerable groups.

According to a 2005 OCHA comprehensive IDP survey, focus groups highlighted that IDPs and international actors did not completely realise the precarious status of IDPs in settlements, and tended to consider that the land plots in the settlements belonged to IDPs, rather than only having the right to use the land ("droit de jouissance"). The situation was complicated by the demographic growth and the lack of rural land registration (système cadastral des terres rurales). The local administration divided the owners of the land on which the settlements had been built in several categories:

1) **public land:** IDPs tended to think that they were now the owners of plots of public land. At the same time, interviews with local administration revealed that the administration thought that one day this land could be used differently, once IDPs will have returned home. Local administrators said that in general, IDPs should not stay in the settlements, that these were only temporary to safeguard IDPs from physical threat during the conflict.

2) **private land:** even if IDPs recognised that these plots of land belonged to other individuals, they did not intend to leave, or if they had to leave, they said they would like to be compensated for the plants/trees planted and the houses they built. Meanwhile, individuals who voluntarily or involuntarily (through expropriation) ceded their land where the IDP settlements have been built now ask the State for their land back.

3) **land belonging to the church:** this land was lent to IDPs and according to church leaders, the land should be returned to the various churches as soon as the situation will allow it (OCHA, 26 May 2005, pp.33-35).

In 2009, local media reported IDP-related land conflicts in Bubanza and Ngozi provinces, and that IDPs were under threat of forced return to their hills of origin in Gitega province.

In 2009, a series of problems were noted by international observers:
In March 2009, some IDPs living in the Tankoma settlement (Gitega province and commune), were evicted after local authorities tried to talk IDPs into returning voluntarily. The area was subsequently rumoured to be planned for a sports stadium, a CNDD-FDD (ruling party) office or a transport depot.
IDPs in Bugendana settlement (Bugendana commune, Gitega province) were reported to be under pressure to leave the settlement which land would be needed to build an international airport (according the administration). Relations between IDPs and the administration were strained, as IDPs invoked a fear of cohabitation with those whose violence had caused them to flee in their area of origin for not returning.
Parts of the Ruvumvu (Bubanza province), Mutaho (Mutaho commune, Gitega province) and Ruhororo (Ruhororo commune, Ngozi province) settlements were reported to belong to individuals, who have not been compensated for the loss of their land. Some IDPs in the Ruvumvu settlement were able to buy the land their house was built on from the owner or exchange part of the land in the IDP settlement for their land in the area of origin.

See also:
Delrue, Tom, August 2006, Burundi: sliding off the humanitarian radar screen?, in FMR 26 [Internet]
http://www.internal-displacement.org/8025708F004CE90B/(httpDocuments)/1E22E75B800F20AFC12571F60055A3CF/$file/FMR2635.pdf

Surveys find that vast majority of IDPs have access to land of origin

Principle 21, Guiding Principles on Internal Displacement
1. No one shall be arbitrarily deprived of property and possessions.
3. Property and possessions left behind by internally displaced persons should be protected against destruction and arbitrary and illegal appropriation, occupation or use.

There are IDPs who live next to their land of origin, and those who live far from them. The first ones can continue cultivating their land during the day, to then go back to the IDP settlements in the evening, even if some of the crops are sometimes reportedly stolen from the fields. The second ones come from areas which are so distant than they cannot farm their land, and they face a double problem: they have to hire someone to farm the land – which is in itself difficult – and because they are absent from the land for long periods of time, their land risks to be occupied illegally. While land conflicts affect returning refugees, they also affect IDPs who voluntarily decide to return to their hills of origin (UNHCR, 1 January 2008).

A 2005 OCHA comprehensive IDP survey found that 78 percent of IDPs had access to their land, and 22 percent did not. There were great variations depending on the provinces. In the Western provinces of Cibitoke and Bubanza, over 50 percent of people were found not to have access to land. Among those who do not have access to land, 33 percent did not have any land before displacement, 27 percent mentioned "security problems on their land" (problèmes de sécurité sur

leurs terres) and 22 percent said that their land was too far from their displacement area to farm or that they could physically not farm their land due to old age or other reasons ("physical inability").

While the vast majority of IDPs still have access to their land, land plots are often small and produce little, and do not necessarily allow IDPs to be self-sufficient. In addition, in the north, IDPs have reported security problems to farm their land among their former neighbours, as well as many thefts of the crops in the fields ("vols sur pied") (OCHA, 26 May 2005, p. 20). According to the OCHA survey, IDP settlements were in general set up close to IDPs areas of origin. IDPs who fled far from their area of origin were invited to resettle in an IDP settlement closer to their former homes (OCHA, 26 May 2005, pp.32-33).

However, many IDP settlement dwellers are elderly, unwell or both, and cannot access their land regularly. Because IDPs do not live on their original land but only go there during the day to cultivate, they cannot raise livestock, which deprives them of a source of manure to fertilise their plots for cultivation. As a result their subsistence crops are low-yield, providing only enough food for day-to-day living. During interviews by IDMC in four settlements in the north and centre of the country in June 2010, several IDPs said that the theft of crops from their original land was an issue. Some also said they had to sell or rent their original land for several years to pay for unexpected expenses such as medical treatment (Brookings/IDMC, June 2011).

As for IDPs from the Batwa ethnic minority, they do not in general own any land. Prior to displacement, some could access land in exchange of their labour. According to the Secretary-General of the Union for the Promotion of the Batwa, 90 percent of Batwa do not own land, therefore exposing them to all kinds of exploitation, including something close to serfdom. He gave the examples of parts of Bujumbura Rural Province, where building a hut on somebody's property entitles the owner to demand three or four days of unpaid labour per week. Serfdom affected all of Burundi's landless irrespective of ethnicity until 1976 when the then President, Jean-Baptiste Bagaza outlawed this practice (IRIN, 15 April 2004).

Here is a graph of IDP access to land by province from the OCHA 2005 survey:
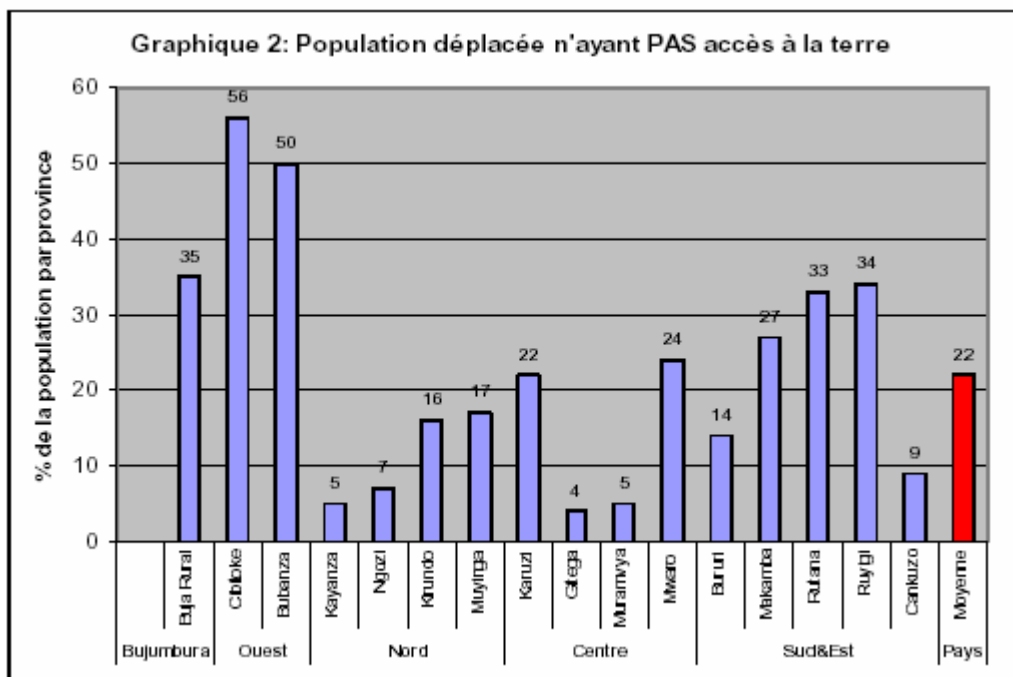
(OCHA, 26 May 2005, p.19).

Land administration in Burundi affected by conflict

IDPs, like other Burundians, do not generally hold land titles or other official documents confirming their land rights. Indeed, about 98 percent of plots, the majority in rural areas, have not been registered, and the right to use rural land is generally established via ongoing occupation, sometimes over generations. Oral traditions about its ownership predominate. Customarily, land owners in Burundi have transferred their land through the male heir upon marriage or the parents' death. The 1986 Land Tenure Code acknowledged the legitimacy of customary claims but required all land, and all land transactions to be registered with the state (Government of Burundi, 1 September 1986). In practice, customary tenure regimes are still very influential in rural areas.

The land administration system in Burundi has been negatively affected by conflict, due to the loss of human resources due to migration, the lack of coordination between relevant government departments at the national and provincial levels allocating land, corruption in land allocation, and the issue of double-registration of land (ACTS, 30 September 2004). In this context, forced displacement over 40 years has caused many disputes, with refugees, but also IDPs, returning to find their land occupied or sold by family members or neighbours. Land on which IDPs have settled based on assurances that it was state-owned has also been the subject of claims by various parties without proper documentation. Landless returning refugees and some other landless people, including IDPs, have acquired land through purchase, donations from relatives, or distribution by the government. Land donated by the government, however, is often unproductive, due to land scarcity. Some people also lease land temporarily (Mbura Kamungi and al., July 2005; Brookings/IDMC, June 2011). According to a 2005 report by the African Centre for Technology Studies and the African Security Analysis Programme of the Institute for Security Studies, "following the cessation of hostilities, the value of land has gone up and rich individuals and groups with the means to purchase or 'grab' land are expanding the size or number of plots for economic security, while the land available to returning IDPs and refugees is getting increasingly smaller" (Mbura Kamungi and al., July 2005).

In 2008, the government developed a new national land policy (*Lettre de politique foncière*), which took into account developments since the introduction of its 1986 land code, most notably the fundamental changes brought about by displacement (République du Burundi, Ministère de l'Environnement, de l'Aménagement du Territoire et des Travaux Publiques, 15 September 2008). Its main objective was to reduce conflict over land via the creation of "integrated rural villages" (known by their French acronym VRIs) to accommodate people from different ethnicities. A preliminary study in February 2008 noted that Tutsi and Hutu villagers generally got well along, but that a major problem was the lack of access to land for many of these vulnerable people (NRC, February 2008). 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, which includes new provisions compared to the 1986 land code. For example, any person who owns a property will need a "land certificate" (*certificat foncier*). The law also foresees the establishment of a new national independent commission whose task will be to solve land conflicts. Finally, all the properties illegally acquired will have to be returned to the State shortly (Net Press, 27 April 2011). The text became law on August 9, 2011, when it was signed by the President (loi n°1/13 portant révision du code foncier du Burundi).

The issue of land titles for the inhabitants of peace villages and VRIs is still outstanding. According to an IDMC study, it was still under discussion among the various ministries involved as of June 2010.

The situation of widows and orphan girls in IDP settlements is particularly difficult given the current property inheritance practices in Burundi. Under customary law, women cannot own or inherit land, and can only enjoy limited access through affiliation to their male relative. Article 17 of the Constitutional Act of Transition establishes the equality of men and women before the law, and the 1993 amendment of the code of the Person and the Family includes the right to joint management of family property if the husband is absent. However, in practice, most men tend to delegate land matters to their male relatives (ACTS, 30 September 2004). A bill on inheritance and matrimonial property rights to ensure the right to inheritance of women in Burundi has been drafted, but had not been adopted by parliament as of mid-2011 (Iteka/Fride, March 2011).

Ways of solving land disputes for returning IDPs and refugees

The importance for conflict-affected people to be able to reclaim their land was recognised in the 2000 Arusha peace agreement, which has a section that clearly states: "All refugees and/or *sinistrés* must be able to recover their property, especially land". In practice, there are various obstacles to returnees being able to reclaim their land and/or other properties.

Like IDPs, the refugees who had left in 1972 were largely small landholders. According to Burundian law, the state has the right to expropriate land that is unused over time, and on this ground—contested in international law—the state sold the refugees' land to new owners while the refugees were gone. This created two groups of legitimate owners vying for small plots of land. Whether the dual owners were former adversaries or family members, it did not make the task of solving the land disputes easier. The government generally recognised the claims of both the returnees and those who had purchased the land in their absence, and generally proposed to share the land between those claiming the land (USIP, 8 April 2011).

Here is the description by the African Centre for the Constructive Resolution of Disputes (ACCORD) of the difficulty of returning refugees to reclaim their land:

"Some returnees who left the country in 1972 found that their land and/or other properties were expropriated, redistributed or occupied. In such cases, they often have difficulty reclaiming their land, for two reasons. First, they do not have witnesses to verify that the relevant property or land belongs to them. Witnesses play an important role in land disputes since, in 1972, official ownership documents were not yet readily available. Second, the Arusha Agreement indicates that all refugees must be able to recover their property. However, this is not always possible due to, for example, the Burundi Land Code of 1986. This code indicates that if land is owned (or occupied) by someone for longer than 30 years, then the occupant or new owner can become the legal owner of the land. Refugees who left Burundi in 1972 often only return to Burundi after more than this period of three decades. Reclaiming their land can then become problematic if the land has been occupied or owned by a new owner for more than 30 years.

Some returnees who left the country in 1993 found that their land and/or other properties are occupied, or boundaries were moved during their absence. In the majority of cases, the new occupants tend to be neighbours or family members. The challenge in these cases is that often there is a lack of evidence of original ownership. However, the cases concerning the 1993 crises returnees tends to be less complicated than the cases concerning the 1972 crises returnees, due to the time difference.

Some women returnees who head households face obstacles in claiming land previously owned by their families, due to traditional patriarchal social views as well as administrative difficulties resulting from a lack of implementation of inheritance rights for women." (ACCORD, January 2009, pp. 6,7).

As of 2011, the issues of access to land for subsistence farming and access to land for securing shelter continued to be obstacles for returning refugees' reintegration. Many of those who had fled in 1972 found that the state had taken over their property, according to UNHCR (IRIN, 10 January 2011).

There are various options for returning refugees and IDPs to obtain a decision to reclaim their land. Returning refugees have used them much more often than IDPs, since the latter can generally access their land of origin while living in IDP settlements.

1) turn to the courts;
2) turn to the traditional *Bashingantahe*;
3) submit their case to an administrative entity created to solve the land issues of conflict-affected people, the National Commission for Land and Other Properties (known by its French acronym, CNTB);
4) turn to NGOs to mediate their case (ACCORD, January 2009, pp.7-9).

The Justice System: Courts
IDPs and returning refugees can submit their case to the local courts in Burundi. Depending on the source of the estimates, 80 to 90 percent of cases in courts and tribunals in Burundi are related to land issues. The benefit of submitting a case to the courts is that the decision taken by the courts is legally binding, and can therefore be more easily implemented. In addition, should the court rule in favour of the returning refugee or IDP, they can usually register his or her property based on the court's decision (ACCORD, January 2009).

Traditional Mechanisms: The Bashingantahe
The Bshingantahe are a body of wisemen operating at the local level and vested with social, political and judicial power to solve conflicts and keep the peace. Even though it is well-known, accessible and provides free and "fast" verdicts, the challenge with using this traditional mechanism is that it is reportedly often corrupt. A member of the *Bashingantahe* can, for example, request a bribe in order to rule in favour of one party. In addition, decisions taken by the *Bashingantahe* are not legally binding, and can be challenged in court (ACCORD, January 2009).

Administrative Authorities: National Commission for Land and Other Properties (CNTB)
In response to the challenge of land disputes, particularly with the return of many refugees, the government established the CNTB under the office of the first vice-president in May 2006. Since 2009, provincial commissions made up of CNTB employees and local government officials have investigated the cases in order to decentralise the process. If mediation is successful, the parties to the dispute sign a legally binding agreement. If the provincial commissions fail in their mediation attempt, the CNTB can refer the case to the courts. CNTB services are free of charge, and have been used extensively by repatriated refugees (Brookings/IDMC, June 2011).

When having to choose between submitting their cases to the courts or the CNTB, returning refugees often choose the CNTB as opposed to the courts, since it handles cases free of charge. In addition, the CNTB is expected to be less time-consuming than the courts in dealing with cases. In reality, however, the CNTB faces some challenges in completing its responsibilities. The CNTB has registered a very high number of land conflicts, but does not have the means to resolve them quickly. This is due to a lack of resources in comparison to the needs on the ground, which often results in cases being more time consuming to resolve than originally

expected. UNDP reported that another loss of time is caused by conflicting parties not telling the truth at the beginning of the process in order to gain land (UNDP, 14 July 2009, p.16).

Less than one per cent of cases registered by the CNTB relate to IDP land disputes. According to IDMC interviews in four IDP settlements in June 2010, this may be because IDPs may see resolving land disputes as the government's responsibility - given that it was the state which authorised their settlement in the first place. In contrast, people holding rights over the land on which IDP settlements have been built have, for the most part, used the CNTB in search of compensation or in some cases the return of their land. This strategy has negated the need for direct contact with IDPs regarding this matter, and so avoided a potential source of open conflict (Brookings/IDMC, June 2011).

Mediation: Non-governmental Organisations
Various NGOs that are present in Burundi offer mediation services – particularly to returning refugees - to settle land disputes. If one party to a dispute submits a case to mediation, the other party will then be invited to join the mediation. If both parties agree to mediation as a medium for resolving their dispute, then the mediation process will begin. NGOs offering mediation services to vulnerable communities in Burundi include, but are not limited to: The African Centre for the Constructive Resolution of Disputes (ACCORD), the Norwegian Refugee Council, and the Burundi Women Lawyers Organisation (AFJB). Mediation is considered a viable option for resolving land disputes, since it tends to be less time-consuming and is easily accessible to beneficiaries in comparison with the courts. Mediation also promotes reconciliation, since the parties to the dispute reach their own mutually acceptable agreement that is documented and signed in a legal contract (ACCORD, January 2009, pp.7-9).

See also:
IRIN, 26 April 2010, BURUNDI: Returnees find a new place to call home [Internet]
http://www.irinnews.org/Report.aspx?ReportId=88930

IRIN, 6 October 2008, Fighting for land [Internet]
http://www.irinnews.org/Report.aspx?ReportId=80754

IRIN, 15 June 2007, La terre au cœur des préoccupations des rapatriés [Internet]
http://www.irinnews.org/fr/ReportFrench.aspx?ReportId=72756

IRIN, 23 October 2006, Burundi: Bid to resolve land dispute under way [Internet]
http://www.irinnews.org/report.aspx?reportid=61394

UNHCR, 28 August 2006, Burundian refugees face challenges of identity, land ownership on return [Internet]
http://www.unhcr.org/44f2ef394.html

ICG, 7 October 2003, Réfugiés et déplacés au Burundi: désamorcer la bombe foncière [Internet]
http://www.crisisgroup.org/~/media/Files/africa/central-africa/burundi/Refugees%20and%20Displaced%20Persons%20in%20Burundi%20-%20Defusing%20the%20Land%20Time-Bomb.ashx

Education

Free primary education for internally displaced and other children since 2005

Principle 23, Guiding Principles on Internal Displacement
Every human being has the right to education.
To give effect to this right for internally displaced persons, the authorities concerned shall ensure that such persons, in particular displaced children, receive education which shall be free and compulsory at the primary level. Education should respect their cultural identity, language and religion.
Special efforts should be made to ensure the full and equal participation of women and girls in educational programmes.
Education and training facilities shall be made available to internally displaced persons, in particular adolescents and women, whether or not living in camps, as soon as conditions permit.

Prior to national elections in 2005, education in Burundi was restricted to a small percentage of children. In addition to challenges of economic instability, conflict recovery, malnutrition, diseases and child abuse, school fees were a serious barrier keeping children out of school (UNICEF, 7 September 2005; Mapsofworld, accessed 8 October 2009).

In 2005 the new government abolished primary school fees and thus made a children's right to free education at a primary level an essential policy. Consequently, there was a 50 per cent increase of enrolment for first grade in all provinces in 2005/2006. The doubled enrolment brought about a massive need for qualified teachers, books, teaching manuals, classrooms, water supplies for schools and separate latrines for pupils. It also increased the existing challenges of retaining 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 percent (World Bank, 25 April 2011)

The latest reports on IDP access to education indicate that while children still have limited access to education due to the lack of space in classes and distances to reach schools, this is not linked to their displacement (UNHCR, 1 January 2008). During a June 2010 IDMC survey in four IDP settlements, all interviewees confirmed that their children were able to attend primary schools set up in neighbouring communities without fear of discrimination. Children from IDP settlements and from surrounding communities all faced difficulties in accessing secondary education, mainly due to the lack of available space and the high cost of education (Brookings/IDMC, June 2011). In 2008 an international NGO visited settlements in Bubanza, Gitega and Nagozi provinces and reported that IDPs' access to education seemed to be equal to the one of local communities.

Work and livelihood opportunities and coping strategies

Civil war and population expansion led to increased poverty

The civil war which started in 1993 and cost the lives of over 300,000 people, also caused poverty to nearly double (World Bank Group, September 2009). Combined with a brutal recession triggered by the conflict, the political and political embargo which was enforced from 1996 to 1999 by many countries to protest 1996 coup by President Pierre Buyoya led to a decade of unprecedented national impoverishment according to the IMF. The number of poor below the poverty line increased from 35 percent in 1993 to 67 percent in 2006. As a result the coverage of basic needs has become increasingly difficult for the most vulnerable. Poverty most severely affects households working in agriculture.

Table 2: Poverty rate by occupation

Occupation	Population	
	Number	Percent
Food crops	3,166,170	39.58
Export crops	638,826	7.86
Livestock and other agriculture	1,686,876	20.53
Informal private sector wage earners	139,935	1.47
Unskilled informal private sector wage earners	650,352	7.62
Informal sector—services	251,839	2.94
Other informal sector	264,634	3.03
Skilled public sector wage earners	149,349	1.52
Unskilled public sector wage earners	116,010	1.25
Not actively employed	946,440	14.19
Total	8,010,431	100.00

Source: CWIQ-2006.

(IMF, March 2009, pp. 20, 22).

Life expectancy at birth fell from 51 years in 1993 to less than 42 in 2005 (IMF, February 2007). Per capita income fell by almost 40 percent during the war, from US$180 in 1993 to US$110 in 2007. Burundi's annual population growth, at an estimated 3.8 percent in 2007, was among the highest in Sub-Saharan Africa. This suggests that it will be difficult to increase living standards in coming years without a slow-down in population growth or a significant acceleration of the annual GDP growth rate (World Bank Group, September 2009).

IDPs' self-reliance undermined by theft of crops, livestock destruction, poor access to credit and decreased land fertility

Principle 22, Guiding Principles on Internal Displacement
1. Internally displaced persons, whether or not they are living in camps, shall not be discriminated against as a result of their displacement in the enjoyment of the following rights:
(b) The right to seek freely opportunities for employment and to participate in economic activities;

The UN estimates that over 90 percent of Burundi's population depends on subsistence farming, and high population density has placed pressure on land and affected agricultural production. Following recent significant rises in food prices, 70 percent of family expenditure in Burundi has been going to food, according to World Food Programme estimates (IRIN, 10 June 2008). According to a 2004 OCHA IDP survey, some 89 percent of IDPs considered farming as their main source of income, and their own harvests as their primary or only source of daily food. While most IDPs continued to engage in agricultural activity on their native land, the yields are low and

do not meet daily food needs. Many households supplement their subsistence by working for others, paid in either food or money, or through charity from others living in the IDP settlements, from church groups or – as of 2004 - from international assistance (OCHA, August 2004).

According to the same OCHA survey, "Proximity of the place of origin to the site [i.e. IDP settlement] is an important element in determining an IDP household's level of vulnerability. Those IDP families that do not live close enough to their home areas to permit continued cultivation of their land must seek alternative means of economic livelihood, which are extremely limited. Although some of these families manage to make a meagre living through hiring out their labour on nearby farms or engaging in petty commerce or trade in the site, some remain entirely dependent on the aid of others (OCHA, August 2004, pp.12-13). Widow- or orphan-headed households were entirely dependent on support networks or external assistance (OCHA, August 2004, p.14).

Easy access to land does not necessarily translate into having an adequate level of agricultural output. A number of factors explain why many IDPs face difficulties to be self-reliant:

Theft of crops
According to an OCHA 2005 comprehensive IDP survey, the great distance between IDP settlements and fields of origin has led to thefts in the fields, as per cases registered in the communes' administrative centres. This in turn has reinforced food insecurity and mistrust between IDPs and those who have stayed on their hills of origin (OCHA, 26 May 2005, p.31).

Livestock destruction
According to an OCHA 2005 comprehensive IDP survey, IDPs said during interviews that an important part of their livestock had been destroyed during the conflict, which had led to decreased protein food intake and soil fertility (OCHA, 26 May 2005, p.32).

Poor access to credit
The OCHA 2005 comprehensive IDP survey noted very high lending rates and in-kind reimbursement. It stated that for example, one "measure" of beans borrowed in the beginning of the planting season had to be paid back by two-and-a half measures during harvest. For large amount credits, land has to be mortgaged, and the amount has to be paid back in full at once. After a certain time, the lender has the right to "buy back" the land at a price decided in advance. In any case, it is very difficult for IDPs to get out of debt. The survey then recommended micro-credit lending (OCHA, 26 May 2005, p.32).

Decreased land fertility
The OCHA 2005 comprehensive IDP survey noted that IDPs in settlements also suffered from the fact that the land they have access to was less and less fertile, and had to feed more people due to demographic pressure. IDPs in settlements said that employment outside the farming sector would be welcome to ease the financial pressure they are facing (OCHA, 26 May 2005, p.32).

While the majority of IDPs rely on subsistence farming, IDMC/NRC found during interviews in IDP settlements close to administrative centres that many IDPs now earned a living by building roads, providing a range of services in jobs from hairdressers to drivers, or by selling goods at the market (Brookings/IDMC, June 2011).

For a study on coping strategies in regroupment camps, see **Boutin and S. Nkurunziza**, 2001, "Burundi: Developing Strategies for Self-Reliance. A Study of Displacement in Four Provinces", in M. Vincent and B. Refslund Sorensen (eds), Caught Between Borders, Response Strategies of the Internally Displaced (Sterling, VA: Pluto Press).

FAMILY LIFE, PARTICIPATION, ACCESS TO JUSTICE, DOCUMENTATION, AND OTHER CIVIL AND POLITICAL RIGHTS

Family life

Crowded living arrangements in IDP settlements compared to areas of origin

Principle 17, Guiding Principles on Internal Displacement
1. Every human being has the right to respect of his or her family life.
2. To give effect to this right for internally displaced persons, family members who wish to remain together shall be allowed to do so.

Many men died during the conflict, and as a result a high number of IDP households are headed by widows. Living arrangements in IDP settlements are reported to be more crowded than in homes of origin (Brookings/IDMC, June 2011). In 1998, the UN noted that: "the experience of living in a crowded site is both disorienting and degrading for people accustomed to living in relative seclusion and to providing for their own needs. The utter lack of privacy is one of the most difficult and degrading aspects of site life. A UNFPA study carried out in 1998 emphasizes the humiliation women suffer when forced to sleep in the same small room as the male members of their families. As one displaced woman commented, 'Sharing the room with your son or your son-in-law is simply not done. I am ashamed.'" (United Nations Resident Coordinator System in Burundi, 1998, p. 6).

Documentation and Citizenship

Many IDPs do not have identity documents due to prohibitive cost

Principle 20, Guiding Principles on Internal Displacement
1. Every human being has the right to recognition everywhere as a person before the law.
2. To give effect to this right for internally displaced persons, the authorities concerned shall issue to them all documents necessary for the enjoyment and exercise of their legal rights, such as passports, personal identification documents, birth certificates and marriage certificates. […]

There is no reported discrimination between IDPs and host communities to access personal documents such as birth certificates (which guarantee free healthcare for children under five), identify documents and electoral registration cards. However, only some IDPs own all these documents, due to their financial costs and administrative hurdles for economically vulnerable populations. A Norwegian Refugee Council survey noted in 2005 the low rate of identity documents in Kayagoro and Nyanza Lac due to the lack of sensitisation of the population regarding the importance of these documents, but also due to the costs of these documents and the heavy administrative procedures to obtain them (NRC, September 2005).

An especially vulnerable group are ethnic Batwa. During interviews with displaced ethnic Batwa in four IDP settlements in June 2010, IDMC found that ethnic Batwa had failed to register their children with the state, and seem unaware of the free healthcare subsequently available to them. It is not clear why they did not know about the benefits while their non-Batwa neighbours were

aware of them (Brookings/IDMC, June 2011). In 2008, UNHCR suggested to possibly extend the project "National Identity Cards" carried out in favour of repatriated refugees to IDPs (UNHCR, 1 January 2008).

Voting and participation in public affairs

IDPs do not face discrimination to exercise voting right

Principle 22, Guiding Principles on Internal Displacement
1. Internally displaced persons, whether or not they are living in camps, shall not be discriminated against as a result of their displacement in the enjoyment of the following rights:
(d) The right to vote and to participate in governmental and public affairs, including the right to have access to the means necessary to exercise this right;

Most of the IDPs interviewed for an IDMC survey in 4 IDP settlements in June 2010 said they had voted during the 2005 and 2010 local elections, and a number -- both men and women – stood as candidates. In 2005, several were elected to village councils (Brookings/IDMC, June 2011).

However, a 2005 OCHA survey reported that while IDPs have the right to vote, many of them were not able to exercise this right, as they lack the means to get an identity card, which as of 2005 was reported to cost 1500 fbu (500 for the card and 1000 for the picture) while IDPs only earned some 500 fbu a day (OCHA, 26 May 2005).

Right to information and participation, including women

No reported obstacle to IDPs' participation in public affairs

There is no reported obstacle to IDPs' participation in public affairs at all levels, whether communal, local or national. There is no reported discrimination for IDPs to access polling stations, or to get documentation. However, internally displaced Batwa were found during interviews not to register their children to get birth certificates, and they seemed unaware that their children could receive free healthcare until they were five (Brookings/IDMC, June 2011).

Access to Justice

Transitional justice mechanisms

Principle 10, Guiding Principles on Internal Displacement
Every human being has the inherent right to life which shall be protected by law. No one shall be arbitrarily deprived of his or her life. Internally displaced persons shall be protected in particular against:
(a) Genocide;
(b) Murder;
(c) Summary or arbitrary executions; and

(d) Enforced disappearances, including abduction or unacknowledged detention, threatening or resulting in death.

Many Burundians, including IDPs, their relatives and their former neighbours, have been the victims of crimes during the conflict. During focus group interviews in four IDP settlements in June 2010 by IDMC, asked whether they would like the option of going to court to obtain justice from those who had forced them to flee, or whether they supported the setting up of a truth commission, IDPs said they would be interested in a process of reconciliation and forgiveness to help them move on, rather than going through costly court proceedings which would neither bring their family members back to life nor recover their lost assets (Brookings/IDMC, June 2011). However, a 2005 comprehensive IDP survey by OCHA found that IDPs in order to return needed the end of impunity of presumed criminals who had killed their family members of their hills of origin, and who could kill returning IDPs in case of return (OCHA, 26 May 2005).

While the 2000 Arusha powersharing agreement prohibited amnesty for war crimes, crimes against humanity, genocide, and coup d'etat, rebel groups that joined the peace process at a later time pressed for and obtained some form of immunity (ICTJ, 14 July 2008). Later agreements extended "provisional immunity" to other former armed opposition groups, as well as government security forces, for "politically-motivated" crimes, excluding genocide, war crimes and crimes against humanity until the creation of a Truth and Reconciliation Commission and Special Tribunal. Provisional immunity does not apply to crimes committed by any group after the September 2006 ceasefire (AI, 28 December 2010).

Efforts to establish a mixed truth commission
According to the International Center for Transitional Justice (ICTJ), "[n]egotiators of the Arusha Agreement raised issues of accountability through judicial and nonjudicial mechanisms. Parties at the Arusha negotiations—the government, insurgents, and opposition political parties—agreed that serious violations of international humanitarian law had been committed during the episodic escalations of violence in Burundi and that root causes must be examined and gross violations punished to avoid repetition" (ICTJ, 14 July 2008, p.3). In 2002, the Burundian president wrote to the UN to request the establishment of a commission of inquiry. The UN then sent a high-level delegation to Burundi to examine the desirability and feasibility of such a commission. The result of this delegation's visit was the so-called "Kalomoh report", UNSC document S/2005/158, of March 2005, endorsed by the UNSC. The report proposed a dual mechanism of a mixed truth commission, with a strong international component, and a UN-backed special chamber within the Burundian judicial system to prosecute those bearing the "greatest responsibility" for crimes of genocide, war crimes and crimes against humanity.

See the text of the Kalomoh report at:
http://www.ictj.org/static/Africa/Burundi/s2005.158.kalomoh.eng.pdf

A Tripartite Committee consisting of representatives from the Burundian government, United Nations and civil society was established in November 2007 to organise national consultations to gather views from the population about possible transitional justice mechanisms, such as a Truth Commission and Special Court. However, sessions of the Tripartite Committee were cancelled as members failed to attend (BBC World Service Trust, December 2008; AI, January 2009).

In May 2011, following the creation of the National Human Rights Commission (known by its French acronym CNIDH) by parliament, Burundi selected its seven members. Their mandate will be to receive complaints and to investigate human rights violations, fight against torture, rape and other forms of gender-based violence, to provide legal assistance to victims or to propose concrete measures to the government to promote the protection of rights (FIDH, 23 May 2011).

Solving land issues

The importance for conflict-affected people to be able to reclaim their land was recognised in the 2000 Arusha peace agreement, which has a section that clearly states: "All refugees and/or *sinistrés* must be able to recover their property, especially land".

There are various options for returning refugees and IDPs to obtain a decision to reclaim their land. Returning refugees have used them much more often than IDPs, since the latter can generally access their land of origin while living in IDP settlements.

1) turn to the courts;
2) turn to the traditional *Bashingantahe*;
3) submit their case to an administrative entity created to solve the land issues of conflict-affected people, the National Commission for Land and Other Properties (known by its French acronym, CNTB);
4) turn to NGOs to mediate their case (ACCORD, January 2009, pp.7-9).

For more information on solving land issues, see "Land section", under **PROPERTY, LIVELIHOODS, EDUCATION AND OTHER ECONOMIC, SOCIAL AND CULTURAL RIGHTS***.*

PROTECTION OF SPECIAL CATEGORIES OF IDPS (AGE, GENDER, DIVERSITY)

Gender

Discrimination against women affects those in IDP settlements

Principle 4, Guiding Principles on Internal Displacement
These Principles shall be applied without discrimination of any kind such as race, colour, sex, language, religion or belief, political or other opinion, national, ethnic or social origin, legal or social status, age, disability, property, birth, or any other similar criteria.
Certain internally displaced persons, such as children, especially unaccompanied minors, expectant mothers, such as children, especially unaccompanied, minors, expectant mothers, mothers with young children, female heads of household, persons with disabilities and elderly persons, shall be entitled to protection and assistance required by their condition and to treatment which takes into account their special needs.

According to a 1990 national census, women make up 51.3 percent of the population of Burundi. They work on average 18 hours a day for their families, half at home and half in the fields (UN GA, 13 October 1998, paras. 51-54).

Discrimination against women in Burundi – whether displaced or not -remains widespread. Here is a 2004 description by Amnesty International of women's role in society:

"The husband is the head of the household and women often have little influence in decisions affecting their lives. A large proportion of women in Burundi are believed to be the victims of violence within the home and family. Women customarily do not own property or the land they work, placing them in positions of dependency, nor do they customarily inherit their husband's property or land making them dependent on his relatives. The level of education of women is generally much lower than that of men.

If a woman's status is low, that of a widow or a rape victim is even worse. The negative attitude to rape victims is not exclusive to men. Several women told Amnesty International how they had been mocked, humiliated and rejected by women relatives, classmates, friends or neighbours and their confidences betrayed, adding to their trauma.

Discrimination against women in Burundi extends to sexual health and family planning choices. Women's ability to choose and control these areas of their lives is additionally hampered by poverty, lack of access to healthcare as well as their subservient status." (AI, 24 February 2004)

Both Burundian men and women have been seriously affected by the civil war since 1993. Many men fought in armed groups, were killed or "disappeared". Women constitute the majority of IDPs in settlements, and are often the sole heads of their households. A 1995 UNFPA study found that nearly one third of all the women living in IDP settlements at the time were widows. The UN noted in 1998 that "In these circumstances, women are often forced to take on a taxing role as sole providers, not only of food and shelter, but also of moral and physical strength for their families. Having assumed a largely subservient role in the past, many women are unaccustomed to standing up for themselves and are ill-equipped to exercise authority, with the result that they are subjected to harassment and abuse in the sites. They are further disadvantaged because, according to Burundian tradition, they are not legally allowed to own land" (United Nations

Resident Coordinator System in Burundi 1998, pp. 9-10). While the struggle to recover the land of deceased husbands or parents for widows and orphan girls is not a problem specific to IDPs, it is still a problem IDPs face. The law states that women cannot officially inherit land or sell it, but can only manage family assets in their husband's absence (Government of Burundi, 28 April 1993). Widows can, however, hold land in trust for their male children under the customary system. The constitution, meanwhile, does provide for equality between men and women, and some courts have granted the right of inheritance to women on that basis, but others have not (Brookings/IDMC, June 2011; ITEKA/FRIDE, March 2011).

Women in IDP settlements were reported to have been affected by health problems, including those related to childbirth, abortions, anaemia, and the lack of vaccination coverage and access to healthcare, as well as exposure to AIDS and other sexually transmissible diseases (UN GA, 13 October 1998, paras. 51-54). In 2002, the UN Special Rapporteur on the human rights situation in Burundi said that women, "particularly those living among displaced groups and in highly unsafe areas" were most at risk due to the continuing war, poverty, and a shortage of training and information (CHR, 7 March 2002, para.70).

Psychosocial needs of internally displaced women in settlements

During the conflict, Human Rights Watch reported the severe psychological toll on internally displaced women: "As the primary care-givers responsible for the welfare of their children, some women have apparently suffered severe emotional and mental stress from watching them suffer. One medical worker with an international humanitarian agency assisting the malnourished in Bujumbura-rural has observed symptoms of severe depression in the women whom she treats or whose children she treats. These women appear to have given up caring about their own health or that of their children and sit for hours staring vacantly off into the distance." (HRW, June 2000, "Life in the camps").

In 1994, the UN highlighted the importance of investing in the social and psychological rehabilitation of the women affected by the crisis. It reported that women had rarely participated in the perpetration of massacres and had been targets of killings less often. It added that women had remained the stable element of the nuclear family and society, that they were the centre of subsistence activity in the settlements and were playing a major role in the reconstruction of their homes. Since many women had become widows as a result of the violence, and displaced women heads-of-household were particularly numerous, their economic survival, and that of their children, would depend on their being able to earn a living and receive education and training if needed. Their being able to own and inherit land should also become a priority (UN Commission on Human Rights 28 November 1994, para. 106).

Since 2006, the government has provided free medical care for Burundian mothers and children. Before then, OCHA reported that almost 80 percent of all women delivered their children at home, without qualified assistance, and that reproductive health remained in dire need of the most basic support nationwide. It reported deplorable hygiene conditions in IDP settlements, which were almost entirely ill-equipped to handle minor complications or emergencies (OCHA, November 2002, p.26).

Boys, girls and adolescents

Sexual violence against women and children reported during the conflict and its aftermath

Principle 11, Guiding Principles on Internal Displacement

2. Internally displaced persons, whether or not their liberty has been restricted, shall be protected in particular against:

(a) Rape, mutilation, torture, cruel, inhuman or degrading treatment or punishment, and other outrages upon personal dignity, such as acts of gender specific violence, forced prostitution and any form of indecent assault;

High levels of sexual violence against women and girls – boys to a lesser extent - have been reported in recent years. The majority of the cases were perpetrated by civilians in an environment of security and impunity, and to a lesser extent by armed forces and the police (UNSC, 26 March 2009, para.22). There is very little specific information on sexual violence in IDP settings. In 2011, PlusNews (IRIN) reported that some returning refugee women who had become IDPs in the Bujumbura area had resorted to desperate measures, including having unprotected sex for money, to escape their dreadful living conditions (PlusNews, 26 April 2011).

In 2008, the UN Division for the Advancement of Women (CEDAW) said it was deeply concerned about the impunity often enjoyed by the perpetrators of these acts, and the extrajudicial or amicable settlement of cases, including by the administrative authorities, which favour practices such as marriage between the rapist and the victim (CEDAW, 8 April 2008, para.23). In 2006, OCHA reported that recent statistics showed that 19 percent of Burundian adolescents and women had been victims of sexual violence (OCHA, 2006, p.13). The high level of sexual violence reflects a general breakdown in social norms, moving away from traditional conflict resolution and community sanction mechanisms, in the absence of functioning state law enforcement and judicial institutions (Zicherman, January 2007). According to the International Rescue Committee (IRC), "[d]uring the conflict, psycho-social and health services for victims of gender based violence steadily deteriorated, contributing to an environment in which gender based violence was prevalent, with little or no support services available to survivors" (IRC, Programs in Burundi, accessed 8 October 2009).

According to a 2007 CARE study, "[t]heir declining socio-economic status also puts women at risk, particularly for female-headed households. Poor women without a husband or older son in the household are perceived as unprotected – and therefore likely targets for sexual violence with little fear of retribution. Local officials have demanded sexual favours in return for food aid and other assistance. Poor families are often driven by circumstance to push daughters into early marriages where they are at a high risk of conjugal sexual violence." (Zicherman, January 2007).

During the conflict, several reports focused on the human rights violations committed against internally displaced women, and women and children in general. In 2003, the NGO Save the Children reported that Burundi was among the world's worst conflict zones in which to be a woman or child. See other references below.

Indigenous peoples, minorities, peasants, pastoralists and other groups with a special dependency on and attachment to their lands

Internally displaced Batwa (Pygmees)

Principle 9, Guiding Principles on Internal Displacement

States are under a particular obligation to protect against the displacement of indigenous peoples, minorities, peasants, pastoralists and other groups with a special dependency on and attachment to their lands.

"Characterised by their small stature, pygmies are predominantly members of hunter gatherer communities living in equatorial rainforests across Central Africa. They are considered to be the original inhabitants of the continent" (IRIN, April 2006, p.7).

A particularly vulnerable group are the displaced ethnic Batwa, who do not in general own any land. Prior to displacement, they often rented the land they cultivated for a portion of their harvest. According to the Secretary-General of the Union for the Promotion of the Batwa, 90 percent of Batwa do not own land, therefore exposing them to all kids of exploitation, including something close to serfdom. He gave the examples of parts of Bujumbura Rural Province, where building a hut on somebody's property entitles the owner to demand three or four days of unpaid labour per week. Serfdom affected all of Burundi's landless irrespective of ethnicity until 1976 when the then President, Jean-Baptiste Bagaza outlawed this practice (IRIN, 15 April 2004). In all four settlements visited by IDMC in June 2010, ethnic Batwa were marginalised and were living in particularly difficult conditions, in huts with leaf roofing set apart from other IDPs (Brookings/IDMC, June 2011).

Internally displaced Batwa also do not access documentation as other Burundians, maybe due to the lack of information. *For more information, see Documentation and citizenship, under section FAMILY LIFE, PARTICIPATION, ACCESS TO JUSTICE, DOCUMENTATION, AND OTHER CIVIL AND POLITICAL RIGHTS*

DURABLE SOLUTIONS

Documented returns, settled locally and settled elsewhere

Returns peaked in the mid-2000s

Between 1999 and 2005, an estimated 700,000 IDPs returned to their homes under improved security conditions, some of them with international support (OCHA, 26 May 2005). In recent years most efforts have been directed towards assisting returning refugees. Between 2002 and 2009, over 500,000 refugees returned, 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 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 (Brookings/IDMC, June 2011).

Between 2004 and 2005, a comprehensive IDP survey by OCHA reported that the number of IDPs decreased from 145,034 to 116,799 people. Most of the returns took place in the south and east of the country (OCHA, 26 May 2005). Some decided to return due to the general improvement of security in the country, while others to put an end to their precarious living conditions in the IDP settlements. However, according to UNHCR, many IDPs said they did not want to return, due to insecurity by bandits, the isolation of return areas emptied out of their population following major displacement, and insecurity by the *Forces Nationales de Libération* (FNL) which was still active at the time (UNHCR, 1 January 2008). In the north and centre of the country, people were reported to have fled in 1993 to escape large-scale inter-ethnic massacres followed by heavy repression by authorities. According to the OCHA survey, any return of these IDPs needs to be accompanied by peace education and work with communities of origin (OCHA, 26 May 2005).

After 2005, despite the further improvement of the security situation, fewer IDPs returned home. According to the UN, difficult economic and agricultural conditions, the lack of means to rebuild houses in areas of origin and the lack of sufficient trust among communities may explain this status quo. But other factors, such as new opportunities and livelihood found in IDP settlements may also contribute to this slow return (UN, 30 November 2006). In the south of the country however, IDPs were found to be gradually returning to their hills of origin (OCHA, 26 May 2005). All IDP settlements in the south were reported to have closed as of 2010. One possible explanation for the return of IDPs in the south compared to those in the north could be that in the south, internal displacement was mostly caused by clashes between the army and armed groups, while in the north, many people had already fled inter-ethnic violence. When peace returned to the country, IDPs in the south were able to return home. At the same time, while many IDPs in the north have returned home, others have not done so, for several factors including – particularly for older IDPs – the fear of their former neighbours (Brookings/IDMC, June 2011).

With the return of half a million refugees and many IDPs after the end of the conflict, Burundi had to reintegrate about 10 percent of its population. The return took place mostly to rural areas, in the context of widespread poverty, lack of basic infrastructure and land scarcity (FMR, September 2009, p.36). The houses of many returning refugees were destroyed, and in some cases their land occupied. In a country where more than 90 percent of the population is dependent on

subsistence agriculture, people without land cannot provide food for their families (UNHCR, 15 December 2008).

Some returning Burundian refugees were reported in 2009 to have been forcibly repatriated from Rwanda. Interviewed repatriated refugees said they considered their hills of origin as insecure, and that they also felt insecure due to widespread impunity and the then upcoming elections in 2010, as well as reintegration difficulties, particularly due to land issues. For these reasons, many of these people repatriated from Rwanda interviewed said they would prefer to resettle in IDP settlements (NRC, June 2009, "rapatriement forcé").

An OCHA 2005 comprehensive IDP survey found that as of mid-2005, 18.5 per cent of IDPs in Southern and Eastern provinces were returning refugees, who either lived on trade with Tanzania or who felt more secure in IDP settlements due to the high criminality (OCHA, 26 May 2005, p.15).

Prospects for and obstacles to voluntary return, local settlement and settlement elsewhere

Prospects for durable solutions

Principle 15, Guiding Principles on Internal Displacement
Internally displaced persons have:
(d) The right to be protected against forcible return to or resettlement in any place where their life, safety, liberty and/or health would be at risk.

Principle 28, Guiding Principles on Internal Displacement
1. Competent authorities have the primary duty and responsibility to establish conditions, as well as provide the means, which allow internally displaced persons to return voluntarily, in safety and with dignity, to their homes or places of habitual residence, or to resettle voluntarily in another part of the country. Such authorities shall endeavour to facilitate the reintegration of returned or resettled internally displaced persons.

An IDMC June 2010 survey in four IDP settlements found that 90 percent of interviewed IDPs wished to integrate locally (Brookings/IDMC, June 2011). According to the OCHA 2005 comprehensive survey on IDPs in Burundi, IDPs in the north and centre of the country remained suspicious, despite the signature of ceasefire agreements and increased security, and said they were afraid of their former neighbours. In the south and east of the country however, since armed groups had stopped fighting, IDPs did not show the same worries about insecurity. The fact that many people remained in IDP settlements was a sign of the climate of fear and uncertainty among IDPs. The OCHA survey went on to say that IDPs also remained in settlements in some places due to better economic opportunities than in areas of origin, and also due to a better access to basic services and infrastructure. The OCHA survey reported that those who wished to return conditioned their return to three main elements:
   1)   Material to build housing, since most of the houses in hills of origin are either entirely or partially destroyed;
   2)   To return at the same time than other IDPs, as for many IDPs security and protection needs are linked to community reconciliation in the north, centre and south of the country, rather than linked to the 2010 national elections;

3) The end of impunity of presumed criminals who killed their family members of their hills of origin, and who could kill returning IDPs in case of return (OCHA, 26 May 2005).

The IDMC survey in June 2010 found that some IDPs were afraid to visit their communities of origin on their own. This was particularly the case for older IDPs who generally said that they would not contemplate living with their former neighbours again, while the younger ones – who were children when they were displaced – were more open to the idea (Brookings/IDMC, June 2011).

In addition, a 2004 OCHA survey on IDPs in Burundi found that internally displaced households that had no possibility to access their land or had no land often had no other option but to remain in IDP settlements: "Some displaced persons have nowhere else to go. Female- and child-headed households with no access to land are especially at risk." (OCHA, August 2004, pp.12-13).

The main factor facilitating local integration is the strong desire of IDPs to remain where they are today. Having lived in their current location for up to 17 years in some cases, they have developed strong relationships with other members of the settlements. Many are elderly people and/or widows, and as such a social support network is crucial to them. One important element to gauge the prospects for success of local integration of IDPs is the relationship with surrounding communities. Focus group interviews with IDPs and neighbouring communities conducted by IDMC/NRC in June 2010 emphasised the positive relationships between IDPs and members of the surrounding communities. IDPs were seen as just like any other inhabitants of the *colline*, taking part in local development projects such as the construction of school or roads, farming and herding associations and local elections. IDPs and their neighbours reported that they helped each other to harvest their crops and invited each other to weddings, funerals and other events. Marriages between IDPs and their neighbours were also mentioned. They reported that their children went to the same schools, played and watched football matches together, took part in the same church-led activities, and shared some of their families' daily tasks such as collecting firewood and water. IDPs' neighbours noted that living closer together in the settlements played a significant role in improving security. The only significant sources of conflict with neighbouring communities are the competing claims on the land on which IDP settlements have been established.

Meanwhile, the main obstacle to sustainable local integration of IDPs is that they have no security of tenure in their area of settlement. Whether the land on which their settlement has been built is claimed by others or not, their continued presence there depends on the goodwill of both the local and national government. There are no up-to-date inventories of state land and few written records of private ownership, a situation that has led to conflicting claims on settlement land.

For local integration to become a real durable solutions for IDPs, accurate data on the location, size and composition of IDP settlements will have to be collected, holders of pre-existing land rights on which settlements have been built will have to be compensated, and programmes to shore up the livelihoods of particularly vulnerable groups, including ethnic Batwa, elderly people and orphan girls, will have to be implemented. Political leadership will be necessary to promote a shared understanding of the future of IDP settlements among relevant ministries, the National Commission for Land and Other Properties (CNTB), provincial governors, local administrators and neighbouring communities, with the aim of transforming the settlements into permanent villages with security of tenure for their inhabitants. For IDPs living in settlements which are far from their fields and from administrative centres, an alternative could be to be resettled in another village with the support of the government (Brookings/IDMC, June 2011).

See also:
IRIN, 23 May 2005, Burundi: 50,000 displaced people fear returning home [Internet]
http://www.irinnews.org/report.aspx?reportid=54581

Rapport de monitoring de la population "rapatriée" et "déplacée-retournée" Communes de Kayogoro et Nyanza Lac, Province de Makamba, Burundi Septembre 2004 - Avril 2005, Norwegian Refugee Council (NRC), September 2005 [Internet]
http://www.internal-displacement.org/8025708F004CE90B/(httpDocuments)/E88F01DECA80BD85C12570F4005BE0E1/$file/CNR+Rapport+Monitoring+Sept05.pdf

2009 interviews in IDP settlements in Bubanza, Gitega and Ngozi on IDPs situation, including prospects for durable solutions

In 2009, the Norwegian Refugee Council (NRC) visited IDP settlements in Bubanza, Ngozi and Gitega provinces. The settlements were selected after local media reported IDP-related land conflicts (Ngozi, Bubanza) or that residents were under threat of a forced return to their places of origin (Gitega). All these settlements had existed since 1993-1994, corresponding with the outbreak of the civil war.

NRC found that for these settlements, the administration did not have a clear policy to promote durable solutions for IDPs (whether to transform the settlement into a village, or resettle IDPs somewhere else, etc.). In the settlement of Rweru (Giheta commune, Gitega Province), local administration representatives said that they wished for IDPs to return to their hills of origin. Otherwise, the settlement could be transformed into a "peace village" (*for more information on "peace villages" which are now called "rural integrated villages", see section on national response).*

While the local administrations let people stay on the settlement, there was no security of tenure for most IDPs. In Bugendana, Gitega Province, IDPs were asked to relocate. According to the local administration which has this settlement under its authority, those who do not want to return will be resettled in another settlement to be developed for them.

Ruhororo Settlement, Ngozi Province, was reported to be partly built on the land of individual owners. The National Commission for Land and Other Properties (CNTB) recommended that IDPs buy the land they live on, or exchange it against land on their hills of origin.

NRC found that most of the IDPs did not want to return to their place of origin. Two recurrent reasons were the feeling of insecurity on their hills of origin, linked to the memories of the 1993 events or to the fear of bandits, and for social and economic reasons, to ease the access to basic services. In Bugendana, it was reported that an entire displaced family which returned to their hill of origin in 2001 was killed. In 2009, another man was attacked during his return to his hill of origin. Such stories strengthen people's decision not to return.

In the settlements of Rweru (Giheta commune, Gitega Province) and Ruhororo (Ruhororo commune, Ngozi Province), some families in surrounding communities also moved into the settlement to be secured against bandits.

For information on the following settlements, see the NRC report (NRC, June 2009, Rapport de visites de terrain sur les sites de déplacés à Bubanza, Gitega et Ngozi):

Mitakataka Settlement (Gahongore colline, Bubanza commune, Bubanza Province), Ruvumvu Settlement (Shari II colline, Bubanza commune, Bubanza Province), Kabanga Settlement (Rweru colline, Giheta commune, Gitega Province), Bugendana Settlement (Bugendana commune, Gitega Province), Mutaho Settlement (Mutaho commune, Gitega Province), Ruhororo Settlement (Rwamiko colline, Ruhororo commune, Ngozi Province).

Support for return integration and reintegration

Government and international efforts to support durable solutions for IDPs have focused on return

Principle 28, Guiding Principles on Internal Displacement
1. Competent authorities have the primary duty and responsibility to establish conditions, as well as provide the means, which allow internally displaced persons to return voluntarily, in safety and with dignity, to their homes or places of habitual residence, or to resettle voluntarily in another part of the country. Such authorities shall endeavour to facilitate the reintegration of returned or resettled internally displaced persons.

Principle 30, Guiding Principles on Internal Displacement
All authorities concerned shall grant and facilitate for international humanitarian organizations and other appropriate actors, in the exercise of their respective mandates, rapid and unimpeded access to internally displaced persons to assist in their return or resettlement and reintegration.

The government of Burundi, UNHCR and other agencies have responded to land disputes, particularly among returning refugees and those who had stayed on their hills of origin, by increasing support for land conflict mediation, resulting in solutions such as land sharing. These combined efforts have already resolved thousands of cases, but the land issue remains a risk factor in terms of successful reintegration and peaceful cohabitation (FMR, September 2009, p.36).

In 2006, OCHA reported that the government had built houses in Gitega commune, Gitega province, for returnees, returning IDPs, former combatants and certain vulnerable people with the support of the German Technical Cooperation (GTZ) (OCHA, 17 September 2006). The same year, OCHA had reported that many of the IDPs who had returned to their homes in Bujumbura Rural province were facing difficulties with their housing. It said that their former homes had been destroyed during the conflict, and that they were in urgent need of roofing material (OCHA, 23 April 2006).

In 2008 an ad-hoc commission for return and reintegration (the *Commission Intégrée Ad-hoc pour le Rapatriement et la Réintégration*) was set up within the Ministry of National Solidarity with UNHCR and UNDP support. The same year, it published a "villagisation" 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 drew on lessons learned from the shortcomings of the peace villages in adopting a more integrated approach. It foresaw the creation of new villages with basic services and the making of additional land available to allow greater numbers of beneficiaries to re-establish viable livelihoods. One of its main thrusts was to accommodate various ethnic groups in the same location in an effort to foster reconciliation, peace and security. The programme also 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, which mentions IDPs but only as secondary beneficiaries, has been run by the Project to Support the Repatriation and

Reintegration of War Affected People (*Projet d'Appui au Rapatriement et à la Réintégration des Sinistrés, PARESI*).

In parallel, the government developed a new national land policy (*Lettre de politique foncière*), to take into account developments since the introduction of its 1986 land code, most notably the fundamental changes brought about by displacement (République du Burundi, Ministère de l'Environnement, de l'Aménagement du Territoire et des Travaux Publiques, 15 September 2008). Its main objective was to reduce conflict over land via the creation of "integrated rural villages" (known by their French acronym VRIs) to accommodate people from different ethnicities. Some villages, like the one of Muriza, Ruyigi Province, have included ethnic Tutsi IDP families and ethnic Hutu returning refugees, chosen among the most vulnerable. The villages are meant to be models of inter-ethnic reconciliation and to improve access to local infrastructure (IRIN, 26 September 2008). The strategy provides, on a voluntary basis, durable solutions for landless returnees and displaced people of mixed ethnic origins as well as vulnerable people and people from various social backgrounds. It provides access to housing and land, water and sanitation, education and health, agricultural support, as well as non-agriculture based income generating activities aiming for the self-sufficiency of beneficiaries. The programme was led by the government and involves several UN agencies, including FAO, UNDP, UNHCR, UNICEF, and WFP, as well as the World Bank (OCHA, 4 May 2009) *(see also section on national response).*

NATIONAL AND INTERNATIONAL RESPONSES

International human rights and humanitarian law framework including references to the Guiding Principles on Internal Displacement

Burundi's international human rights and humanitarian legal obligations

Convention or Treaty	Ratification/Accession
International Covenant on Civil and Political Rights	9.05.1990
International Covenant on Economic, Social and Cultural Rights	9.05.1990
Convention on the Rights of the Child	19.10.1990
Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict	Not ratified (signed 13.11.2001)
Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour	11.06.2002
Convention on the Elimination of All Forms of Discrimination against Women	8.01.1992
Convention relating to the Status of Refugees	19.07.1963
Protocol relating to the Status of Refugees	15.03.1971
Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment	18.02.1993
International Convention on the Elimination of All Forms of Racial Discrimination	27.10.1977
The 1949 Geneva Conventions on the protections of victims of armed conflicts	27.01.1971
Additional Protocol I to the four Geneva Conventions	10.06.1993
Additional Protocol II to the four Geneva Conventions	10.06.1993
Convention on the Prevention and Punishment of the Crime of Genocide	6.01.1997
Rome Statute of the International Criminal Court	21.09.2004

Regional instruments

OAU Convention governing the specific aspects of refugee problems in Africa31.10.1975

African Charter on Human and Peoples' Rights	28.07.1989
Ouagadougou Protocol creating an African Court on Human and Peoples' Rights	2.04.2003
Pact on Security, Stability and Development in Africa's Great Lakes region (the Great Lakes Pact)	6.08.2007 (Loi n° 1/10 du 6 août 2007 portant ratification par la République du Burundi du Pacte sur la sécurité, la stabilité et le développement dans la Région des Grands Lacs tel qu'il a été signé par les Chefs d'Etats et de Gouvernement de la Région, le 15

	décembre 2006 à Naïrobi)
Convention for the Protection and Assistance of IDPs in Africa	Not ratified (signed 23.10.2009)

Known references to the Guiding Principles in Burundi (as of December 2010)

- Reference to the Guiding Principles in the national legislation
- Other References to the Guiding Principles (in chronological order)
- Availability of the Guiding Principles in local languages
- Training on the Guiding Principles (in chronological order)

Reference to the Guiding Principles in the national legislation

Accord d'Arusha pour la paix et reconciliation au Burundi, August 2000

Other References to the Guiding Principles (in chronological order)

'Tubiyage' theatre group: an association of seven theatre groups in Burundi assists the international community in disseminating the Guiding Principles for IDPs by using "art, participatory education and 'tradition.' "
Document: 'Burundians use innovative ways to protect the displaced,' Greta Zeender in Forced Migration Review No. 16, January 2003 [Internet]

Groupe Technique de Suivi (GTS): IDP protection mechanism established by the government and the UN to follow up on the recommendations of the Framework for Consultation
Date: created in 2001
Documents: GTS: Proposition de Règlement d'Ordre Intérieur et Termes de Référence, February 2001 [Internal link]; Protocole relatif à la creation d'un cadre permanent de concertation pour la protection des personnes déplacées, 7 February 2001[Internal link]; Proposition de Termes de Référence, 12 June 2001 [Internal link]

Framework for Consultation on the Protection of IDPs: established by several ministries, the UN and NGOs to better solve protection issues in the light of the Guiding Principles
Date: created in February 2001
Documents: UN Office for the Coordination of Humanitarian Affairs (UN OCHA), 13 March 2002, Compte Rendu de la réunion du Groupe de Contact du mercredi 13 mars 2002 [Internet]

UN Senior Inter-Agency Network: During its visit to Burundi, the Senior Network observed that the Guiding Principles should be used more actively to engage the government and non-State actors on their responsibility towards IDPs.
Date: 23 December 2000
Document: Senior Inter-Agency Network on Internal Displacement, 23 December 2000, Mission

to Burundi 18-22 December 2000 [Internal link]

UN Special Representative of the Secretary-General on Internally Displaced Persons, Dr. Francis M. Deng: in all its meetings with the government, the Special Representative drew attention to and disseminated the Guiding Principles on Internal Displacement.
Date: February 2000
Documents: United Nations Representative of the Secretary-General on Internally Displaced Persons (UNRSG), 6 March 2000, Report of the Mission to Burundi to the UN Commission for Human Rights UN Doc. E/CN.4/2001/5/Add.1 [Internal link]

Availability of the Guiding Principles in local languages

The GP are available in in Kirundi.
Date: 2002
Documents: GP in Kirundi, translated by UNICEF Burundi [Internet]

Training on the Guiding Principles

Technical Follow-up Group with the Framework for the Protection of IDPs: held several information exchange meetings to disseminate the Guiding Principles on internal displacement, for example with administrative staff of Bujumbura Rural; with local government and military officials in Cankuzo and Ruyigi provinces. In 2003 and 2004, GTS completed sensitisation of IDPs on the Guiding Principles for the protection of IDPs in the provinces of Kayanza, Bubanza, Muramvya and Makamba. The GTS also carried out a routine field visit in several IDPs sites in Gitega provinces.
Dates: 24 January 2002; 20 June 2002; 10 Dec 03
Documents: UN Office for the Coordination of Humanitarian Affairs (OCHA) Date: 14 Feb 2002 OCHA Burundi: Update on the humanitarian situation 01 - 31 Jan 2002 [Internet] USAID 20 June 2002, Burundi – Complex Emergency Situation Report #2 (FY 2002) [Internet] UN OCHA 10 Dec 2003 OCHA-Burundi Situation Report 1-7 Dec 2003 [Internet]

NRC training workshops: IDMC (then Global IDP Project) (NRC) together with Norwegian Refugee Council (NRC)'s office in Burundi held a training workshop on the Guiding Principles in the capital of Burundi, Bujumbura in October 2001. The workshop was part of a global NRC effort to disseminate and explain the Guiding Principles to representatives of governments, NGOs, the UN agencies and the displaced themselves, in order to ensure better protection and assistance to internally displaced persons. Following the October 2001 workshop, NRC launched a local training project, first with the

support from IDMC.

NRC Burundi has been conducting training workshops on the UN Guiding Principles on Internal Displacement in several provinces of Burundi since August 2002. Participants include provincial authorities, UN agencies, international and national NGOs, and IDP representatives. The workshops are part of a global NRC effort to disseminate and explain the Guiding Principles in order to ensure better protection and assistance to internally displaced persons.

In 2004, NRC held training workshops in the provinces of Muyinga, Makamba and Bujumbura Rural (five trainings per province).

In 2003, NRC held training workshops in the following provinces:
- Muramwya, February [report]
- Bujumbura Mairie, February
- Bururi, March, [Report]
- Kayanza, April [Report]
- Kirundo/Muyinga, August [Report]
- Cibitoke, August [Report]
- Mwaro, Sept [Report]

In 2002, NRC's office in Burundi conducted training on the Guiding Principles in the following provinces: Kirundo (Aug), Muyinga (Aug), Makamba (Oct) [Report], Bujumbura Rural (Oct) [Report], Karuzi (Nov) [Report], Gitega (Dec) [Report], Ngozi (Dec) [Report].

Date: Since October 2001

Documents: Norwegian Refugee Council, Workshop on the UN Guiding Principles on Internal Displacement: Bujumbura, Burundi 29-31 October 2001[Internet]

Norwegian Refugee Council (NRC), 3 October 2002, Training of Trainers Workshop on the Guiding Principles on Internal Displacement, Bujumbura, Burundi 1-3 October 2002 [Internet]

Zeender, G., January 2003, Burundians Use Innovative Ways to Protect the Displaced, in Forced Migration Review 16, pp9-11, [Internet]

Norwegian Refugee Council (NRC), 10-12 June 2003, Workshop on 'Protection of Internally Displaced Women' (Report)

National response

National legislation and policies for IDP protection and durable solutions

Principle 3, Guiding Principles on Internal Displacement
National authorities have the primary duty and responsibility to provide protection and humanitarian assistance to internally displaced persons within their jurisdiction.

Internally displaced persons have the right to request and to receive protection and humanitarian assistance from these authorities. They shall not be persecuted or punished for making such a request.

Principle 25, Guiding Principles on Internal Displacement
The primary duty and responsibility for providing humanitarian assistance to internally displaced persons lies with national authorities.

In 2008 an ad-hoc commission for return and reintegration (the *Commission Intégrée Ad-hoc pour le Rapatriement et la Réintégration*) was set up within the Ministry of National Solidarity with UNHCR and UNDP support. The same year, it published a "villagisation" 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 drew on lessons learned from the shortcomings of the peace villages in adopting a more integrated approach. It foresaw the creation of new villages with basic services and the making of additional land available to allow greater numbers of beneficiaries to re-establish viable livelihoods. One of its main thrusts was to accommodate various ethnic groups in the same location in an effort to foster reconciliation, peace and security. The programme also 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, which mentions IDPs but only as secondary beneficiaries, has been run by the PARESI agency.

In parallel, the government developed a new national land policy (*Lettre de politique foncière*), to take into account developments since the introduction of its 1986 land code, most notably the fundamental changes brought about by displacement (République du Burundi, Ministère de l'Environnement, de l'Aménagement du Territoire et des Travaux Publiques, 15 September 2008). Its main objective was to reduce conflict over land via the creation of "integrated rural villages" (known by their French acronym VRIs) to accommodate people from different ethnicities *(see also section on land issues).*

In 2009 Burundi signed the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa. It had not ratified the convention as of mid-2011 (AU, 27 January 2011). Also in 2009, UNDP undertook a socio-economic study of IDP settlements in the three provinces worst affected by the most recent conflict between the government and the Palipehutu-FNL - Bujumbura Rural, Bubanza and Cibitoke - in an effort to assist the most vulnerable to find sustainable and lasting solutions (UNDP, 25 March 2009).

In March 2009 a Directorate General for Repatriation, Reinstallation and Reinsertion of Displaced and Repatriated Persons was created at the Ministry of National Solidarity, Human Rights and Gender. The Ministry is the focal point on IDP issues. It supervises PARESI that works in collaboration with and funded by UNHCR.

In March 2010, the government adopted its "socio-economic reintegration strategy for people affected by the conflict" (hereafter "the national strategy"), the end goal of which is "to create an environment conducive to the country's sustainable development". It aims to "foster the setting up of rural development centres in concentrated settlements that facilitate access to land and infrastructure" in VRIs. On displacement, it declares that the return of IDPs to their community of origin, or the transformation of IDP settlements into VRIs "...is an essential objective of a socio-economic reintegration strategy leading to the consolidation of peace". The national strategy envisages the creation of an IDP technical group to review all IDP settlements, and on the basis of its findings, to define a reintegration policy. Taking into account IDPs' preferences, it would either determine the feasibility of their return, or work towards the formal recognition of their settlement, the latter including the resolution of any outstanding land claim pertaining to the settlement in question (République du Burundi, Ministère de la Solidarité Nationale, du

Rapatriement des Réfugiés et de la Réintégration, March 2010). The IDP working group foreseen by the 2010 national strategy convened for the first time in October 2010.

Previous government efforts to support IDPs (2000-2007)

IDPs were on the agenda of the 2000 peace agreement, which established a power-sharing arrangement between the Tutsi government that had taken power through a coup and Hutu rebel groups. A chapter of the agreement focuses on the rehabilitation and resettlement of refugees and other victims of the conflict, or *sinistrés* (Arusha, 2000, Protocol VI, Chapter I). It laid the ground for the establishment of a national commission (the *Commission Nationale de Réinsertion des Sinistrés,* or CNRS) to coordinate the return, resettlement and reintegration of refugees and IDPs with international organisations. The agreement sets out fairly detailed guidelines for this process, including the settlement close to home of all those who believed they could not yet return to their property in order to allow them to access their land, and the construction of housing clusters in order to free up further land for cultivation.

In 2001 the government in conjunction with the international community established a coordination mechanism to discuss and solve protection issues faced by IDPs (GTS, 7 February 2001). Civil and military authorities engaged in dialogue on the issues, and the mechanism, which remained in place until 2005, served as a forum to pursue advocacy on behalf of IDPs. It did not, however, focus on lasting and sustainable solutions (FMR, Santini, October 2002, p.43).

In March 2003, the CNRS was established, as foreseen by the Arusha agreement, but it suffered from a shortage of funds and staff, and focused its attention on returning refugees to the detriment of IDPs (FMR, September 2004, p.27).

Between 2003 and 2008, the government resettled some victims of the conflict in "peace villages", sometimes around IDP settlements. This approach was criticised for providing little more than shelter to their vulnerable inhabitants (IRIN 31 March 2010).

In 2004, the Burundian government adopted a national programme for IDP and refugee rehabilitation, but the plan was never really implemented (Government of Burundi, January 2004).

In 2005 the Support Project for the Repatriation and Reinsertion of Conflict Victims (known by its French acronym PARESI) assumed the CNRS's responsibility to provide basic housing and infrastructure to returning refugees and IDPs. It works in collaboration with and is funded by UNHCR, and still operated as of mid-2011.

In 2006, the government established the National Commission for Land and Other Properties (known by its French acronym, CNTB), under the office of the first vice-president to resolve the land and other property disputes of *sinistrés.* Since 2009, provincial commissions made up of CNTB employees and local government officials have investigated the cases in order to decentralise the process. If mediation is successful, the parties to the dispute sign a legally binding agreement. If the provincial commissions fail in their mediation attempt, the CNTB can refer the case to the courts. CNTB services are free of charge, and are used extensively by repatriated refugees. However, less than one per cent of cases relate to IDP land disputes (Brookings/IDMC, June 2011).

In February 2006, the Burundian Government launched an emergency programme to cover post-war recovery needs for 2006, and international donors subsequently pledged the totality of the funds requested. The money received was to aid the drought-stricken population, support the rehabilitation of social infrastructures, the improvement of health care, the repatriation of refugees, and the resettlement of vulnerable people (Government of Burundi, 28 February 2006; IRIN, 1 March 2006). According to a study by Tufts University, the government programme

competed with the UN Consolidated Appeal, although both requested $160 million for 2006 (Tufts University, 30 July 2006).The government launched a seven-year reconstruction plan of $32.7 million in the provinces of Bujumbura Rural, Buriri and Ruyigi in order to re-establish agricultural activities and rebuild infrastructure. The programme is mainly funded by the International Fund for Agriculture and Development (IFAD) under a loan agreement signed in September 2004 (IRIN, 12 April 2006).

Also in 2006, the government ratified the Great Lakes Pact, a comprehensive package of new norms and mechanisms for protecting forcibly displaced people in the countries of the Great Lakes region (Pact on Security, Stability and Development in the Great Lakes Region, December 2006). Central to the pact are the ten protocols, two of which deal specifically with human rights and internal displacement.

International Response

International Coordination and Programmes

Principle 25, Guiding Principles on Internal Displacement
2. International humanitarian organizations and other appropriate actors have the right to offer their services in support of the internally displaced. Such an offer shall not be regarded as an unfriendly act or an interference in a State's internal affairs and shall be considered in good faith. Consent thereto shall not be arbitrarily withheld, particularly when authorities concerned are unable or unwilling to provide the required humanitarian assistance.

Principle 27, Guiding Principles on Internal Displacement
1. International humanitarian organisations and other appropriate actors when providing assistance should give due regard to the protection needs and human rights of internally displaced persons and take appropriate measures in this regard. In so doing, these organizations and actors should respect relevant international standards and codes of conduct.

In Burundi, as of mid-2011, there was a Resident Coordinator, Jean-Charles Dei, and a Special representative of the Secretary-General and Head of the United Nations Office in Burundi (BNUB), Karin Landgren. The United Nations downsised its presence in 2011 as a smaller office following the improvement of the security situation (AFP, 1 January 2011).

Until the end of 2008, OCHA was the focal point on IDP issues. Its office in Burundi closed in 2010. Most IDP-related activities have been mainstreamed into agencies / NGO's general humanitarian programmes. The rationale is that most IDPs are living close to their areas of origin and most are facing the same constraints as surrounding communities.

In October 2008 a cluster approach was formally introduced in Burundi. The government has set up its own national framework pertaining to humanitarian assistance. The humanitarian actors were as of mid-2011 in the phase of leaving Burundi and there was a strong presence of development actors in the country.

An ad hoc Integrated Commission for Repatriation and Reintegration which constitutes a UN-Government-Donors strategic forum under the chairmanship of the Minister for National Solidarity, Human Rights, Gender and Reconstruction was set up in 2008. "With the establishment of the Integrated Commission the important strategic links between the early recovery and protection objectives towards sustainable solutions have become even more apparent." (BINUB, 28 October 2008). UNHCR announced in its 2011 plan that IDP needs would

be taken care of through an integrated programme aimed at supporting the national strategy for people affected by war (UNHCR, 1 January 2011). UNHCR and other international agencies are also part of the IDP working group set up in October 2010 (see *National response*).

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 envelope for the Burundi Peacebuilding Fund programme, the expenditures to the end of 2008 amounted to $20.9 million. (UNDP part one, p.19, 14 July 2009). One of the priority areas for re-construction of Burundi is solving land disputes between the returning IDPs and refugees on the one side and the current occupants on the other. In 2009, additional funding for emergency projects was approved in response to "imminent threats to the peace process" (UNGA, 8 September 2009). In April 2011, the Peacebuilding Commission announced that following the "breathtaking" strides in establishing key democratic institutions in Burundi, it would scale down its presence in the country and that continuing support for national peacebuilding efforts will be aligned with Burundi's poverty reduction strategy paper (General Assembly, 21 April 2011).

Other main donors responding to Burundi's humanitarian needs have been the European Commission and individual European countries, as well the Central Emergency Respond Fund (CERF) which provides funds to underfunded crises, and Japan.

In 2009, Burundi also benefited from the cancelation of 90 percent of its debt by the International Monetary Fund (IMF) and the World Bank, worth about $1.4 billion. This may save Burundi up to $50 million a year over ten years to finance additional spending in priority areas such as health, education, agriculture, water, and rural infrastructure (IMF, 9 February 2009). IDPs may benefit from the building of such infrastructure as well.

A UN Independent Expert on the situation of human rights in Burundi has been reporting periodically to the UN Human Rights Council "until an independent national human rights commission is established". The September 2010 report had a short section on IDPs and refugees, but no specific information on IDPs per se (UN HRC, 29 September 2010). The May 2010 report did not mention IDPs (UN GA, 31 May 2011).

See also:
Brookings Institution, 13 March 2008, The Role of Civil Society in Ending Displacement and Peacebuilding, by Elizabeth Ferris [Internet]
http://www.brookings.edu/speeches/2008/0313_civil_society_ferris.aspx

LIST OF SOURCES USED

 (alphabetical order)

ACCORD, 2009, Resolving Land Disputes in Burundi
Internet: http://www.internal-displacement.org/8025708F004CE90B/(httpDocuments)/22F108C8EBE1A464C125764A004476E1/$file/ACCORD+january+2009.pdf ,

Action contre la Faim (ACF), 29 April 2003, Burundi: Détérioration du contexte sécuritaire pour les populations civiles et les ONG
Internet: http://www.reliefweb.int/rw/rwb.nsf/db900SID/SKAR-648D8T?OpenDocument ,
accessed 12 June 2003

African Centre for Technology Studies (ACTS), 30 September 2004, Land tenure and the return of refugees after conflict: the case of Burundi - ACTS report

African Union (AU), 27 January 2011, List of countries which have signed, ratified/acceded to the Convention for the Protection and Assistance of Internally Displaced Persons in Africa
Internet: http://www.internal-displacement.org/8025708F004BE3B1/(httpInfoFiles)/F8FAA20B7CFA67AAC1257830004E020D/$file/african-union-convention-on-idps.pdf , accessed 12 July 2011

Agence France-Presse (AFP), 2011, UN downsizes Burundi office
Internet: http://reliefweb.int/node/379531 , accessed 24 February 2011

Amnesty International (AI), 24 February 2004, Burundi: Rape - the hidden human rights abuse
Internet: http://web.amnesty.org/library/Index/ENGAFR160062004 , accessed 23 March 2004

Amnesty International (AI), 28 December 2010, Still no justice for Burundi massacre victims
Internet: http://www.amnesty.org/en/library/asset/AFR16/005/2010/en/0004920d-64f2-4989-8eca-739f77695acd/afr160052010en.html , accessed 24 February 2011

Brookings - LSE Project on Internal Displacement and IDMC, June 2011, "Securing the right to stay: local integration of IDPs in Burundi", in Resolving Internal Displacement: Prospects for Local Integration, pp.24-40
Internet: http://www.internal-displacement.org/8025708F004CE90B/(httpDocuments)/062C012EEC31D7B9C12578CB002A6F00/$file/brookings-idmc_resolving-internal-displacement_burundi.pdf ,

Fédération Internationale des Ligues des Droits de l'Homme (FIDH), 23 May 2011, Nomination des membres de la CNIDH. Des mesures concrètes attendues pour protéger les droits fondamentaux
Internet: http://www.fidh.org/Burundi-Nomination-des-membres-de-la-CNIDH-Des , accessed 12 July 2011

Forced Migration Review (FMR), September 2004, Reintegration Challenges for Burundi, compiled by the FMR Editors, FMR 21
Internet: http://www.fmreview.org/FMRpdfs/FMR21/FMR2109.pdf , accessed 1 February 2005

Forced Migration Review (FMR), September 2009, Burundi: seven years of refugee return
Internet: http://www.internal-displacement.org/8025708F004CE90B/(httpDocuments)/FB9A20238783DA62C12576490050347D/$file/FMR+September+2009.pdf ,

Government of Burundi, 28 April 1993, Decret-Loi n. 1/024 du 28 avril 1993 portant réforme du code des personnes et de la famille
Internet: http://www.ligue-iteka.africa-web.org/article.php3?id_article=36 , accessed 12 July 2011

Government of Burundi, August 2000, Accord d'Arusha pour la paix et réconciliation au Burundi
Internet: http://www.internal-displacement.org/8025708F004CE90B/(httpDocuments)/99010CF0C7F5A329C12578CC0028088C/$file/accorddarusha.pdf ,

Government of Burundi, 2004, Programme National de Réhabilitation des Sinistrés
Internet: http://www.internal-displacement.org/8025708F004CE90B/(httpDocuments)/B453B7D1DCDEDF99802570B7005879AD/$file/Programme+National+de+Réhabilitation+sinistrés+11-12-0.pdf ,

Government of Burundi, September 1986, Loi n° 1/008 du 1er septembre 1986 portant Code Foncier du Burundi
Internet: http://www.internal-displacement.org/8025708F004CE90B/(httpDocuments)/BB65279BAAD24235C12578CB0056DCC3/$file/Code-foncier-1986.pdf ,

Government of Burundi, 28 February 2006, Burundi: Programme d'urgence 2006

Government of Burundi, Commission Intégrée Ad-Hoc - Rapatriement et Réintégration, August 2008, Document de stratégie, Programme de villagisation dans le cadre du rapatriement et de la réintégration au Burundi
Internet: http://www.internal-displacement.org/8025708F004CE90B/(httpDocuments)/3A9B2D162895E16EC12578E7003014EF/$file/Commission-Integree-Ad-Hoc-1-Aug08.pdf ,

Government of Burundi: Ministry of National Solidarity, Refugee Return and Social Reintegration, May 2009, Rapport sur l'étude d'actualisation de la base de données sur la situation des déplacés et des rapatriés encore dans les sites (draft)

Groupe Technique de Suivi (GTS), 7 February 2001, Protocole relatif à la creation d'un cadre permanent de concertation pour la protection des personnes déplacées
Internet: http://www.internal-displacement.org/8025708F004CE90B/(httpDocuments)/0A59E6FFF2D53EC5802570B700587747/$file/TOR+CPC+PPD.pdf ,

Groupe Technique de Suivi (GTS), February 2001, Proposition de Règlement d'Ordre Intérieur et Termes de Référence
Internet: http://www.internal-displacement.org/8025708F004CE90B/(httpDocuments)/0D0E808F3EE51C37802570B7005876EC/$file/GTS+TOR++Reglement.pdf ,

Groupe Technique de Suivi (GTS), 12 June 2001, Proposition de Termes de Référence
Internet: http://www.internal-displacement.org/8025708F004CE90B/(httpDocuments)/B0C5EB97BC114596802570B70058766E/$file/GTS+TOR.pdf ,

Human Rights Watch (HRW), June 2000, Emptying the Hills: Regroupment in Burundi
Internet: http://www.hrw.org/reports/2000/burundi2/ , accessed 4 December 2000

Integrated Regional Information Networks (IRIN), 10 January 2011, Land key obstacle to reintegration
Internet: http://aaa.irinnews.org/Report.aspx?ReportID=91590 , accessed 24 February 2011

Integrated Regional Information Networks (IRIN), April 2006, Minorities Under Siege Pygmies today in Africa
Internet: http://www.irinnews.org/pdf/in-depth/Pygmies-today-in-Africa-IRIN-In-Depth.pdf ,
accessed 11 July 2011

Integrated Regional Information Networks (IRIN), 7 March 2008, Burundi: food shortages persist
Internet: http://www.irinnews.org/Report.aspx?ReportId=77170 , accessed 10 March 2008

Integrated Regional Information Networks (IRIN), 31 March 2010, "Peace" villages come with a price
Internet: http://www.irinnews.org/Report.aspx?ReportId=88623 , accessed 9 August 2011

Integrated Regional Information Networks (IRIN), 15 April 2004, Displaced in Bujumbura
Internet: http://www.irinnews.org/report.asp?ReportID=40585 , accessed 1 February 2005

Integrated Regional Information Networks (IRIN), 10 November 2004, Burundi: Batwa youth want more access to land, education and health
Internet:
http://www.irinnews.org/report.asp?ReportID=44083&SelectRegion=Great_Lakes&SelectCountry=BURUNDI , accessed 1 February 2005

Integrated Regional Information Networks (IRIN), 29 August 2005, Burundi: New president lays out policy
Internet: http://www.irinnews.org/report.asp?ReportID=48797 , accessed 3 April 2006

Integrated Regional Information Networks (IRIN), March 2006, Burundi: Donors pledge US $170 million for post-war recovery bid
Internet:
http://www.irinnews.org/report.asp?ReportID=51969&SelectRegion=Great_Lakes&SelectCountry=BURUNDI , accessed 2 March 2006

Integrated Regional Information Networks (IRIN), 12 April 2006, Burundi: Gov't launches reconstruction plan
Internet: http://www.irinnews.org/report.asp?ReportID=52747 , accessed 1 May 2006

Integrated Regional Information Networks (IRIN), 14 November 2006, Food cuts for HIV-positive people worry NGOs
Internet:
http://www.irinnews.org/report.asp?ReportID=56365&SelectRegion=Great_Lakes&SelectCountry=BURUNDI , accessed 15 November 2006

Integrated Regional Information Networks (IRIN) PlusNews, 26 April 2011, Displaced women in Bujumbura risk HIV rather than hunger
Internet: http://www.plusnews.org/report.aspx?reportid=92572 , accessed 12 July 2011

Internal Displacement Monitoring Centre (IDMC), 14 December 2006, Great Lakes Pact a welcome step towards better protection of the displaced: Implementation must be a priority
Internet: http://www.reliefweb.int/rw/RWB.NSF/db900SID/AMMF-6WGE2E?OpenDocument ,
accessed 1 February 2007

International Crisis Group (ICG), 7 October 2003, Refugees and displaced persons in Burundi - Defusing the land time-bomb

Internet:
http://www.crisisweb.org//library/documents/africa/070_refugies_et_deplaces_au_burundi.pdf ,
accessed 23 March 2004

International Monetary Fund (IMF), 9 February 2009, Burundi's Debt Relief Savings to Go to
Food, Health, Schools
Internet: http://www.imf.org/external/pubs/ft/survey/so/2009/car020509a.htm , accessed 21 July
2011

International Monetary Fund (IMF), February 2007, Poverty Reduction Strategy Paper
Internet: http://www.internal-
displacement.org/8025708F004CE90B/(httpDocuments)/D48F07C258883720C1257649003E851
7/$file/IMF.pdf ,

International Rescue Committee (IRC), 8 October 2009, Programs in Burundi
Internet: http://www.theirc.org/program/programs-burundi , accessed 8 October 2009

Iteka, 2006, La réintégration progressive des sinistrés de guerre
Internet: http://www.ligue-iteka.africa-web.org/article.php3?id_article=610 , accessed 30 March
2006

Iteka/Fride, March 2011, La problématique de la succession pour la fille au Burundi
Internet: http://www.internal-
displacement.org/8025708F004CE90B/(httpDocuments)/868A2937A35B4FF1C12578CB0035050
04/$file/La_problematique_succession_pour_la_fille_au_Burundi.pdf ,

Maplecroft, 19 August 2010, Food Security Risk Index 2010
Internet: http://maplecroft.com/about/news/food-security.html , accessed 12 July 2011

mapsofworld.com, 8 October 2009, Burundi Free Schools
Internet: http://www.mapsofworld.com/burundi/education/free-schools.html , accessed 8 October
2009

Minister of Health Burundi, 20 February 2007, Impact de la mesure de gratuité des soins pour
les femmes enceintes et les enfants de moins de 5 ans

**Ministère de la Solidarité Nationale, du Rapatriement des Réfugiés et de la Réintégration
Sociale**, March 2010, Stratégie nationale de réintégration socio-économique des personnes
affectées par le conflit
Internet: http://www.internal-
displacement.org/8025708F004CE90B/(httpDocuments)/F8B6615FB86D7671C125772600500B7
3/$file/SNR_2010-05-17.pdf ,

Minority Rights Group International (MRG), 1974, Lemarchand René and David Martin,
Washington DC: Selective Genocide in Burundi

Net Press, 27 April 2011, Propriétés foncières. Adoption du nouveau code foncier par
l'Assemblée nationale
Internet: http://www.netpress.bi/spip.php?article4665 , accessed 12 July 2011

NGO (anonymous), 26 September 2009, Communication with NGO

NGO (anonymous), September 2009, Note on Burundi

Norwegian Refugee Council (NRC), February 2008, Enquête Préliminaire sur la Villagisation pour la Réintégration des Sinistrés et autres Personnes vulnérables au Burundi Septembre 2007-Février 2008
Internet: http://www.internal-displacement.org/8025708F004CE90B/(httpDocuments)/2D926F87FB793EF0C12574A3006BEBF3/$file/CNR+Enquête+sur+Villagisation+Burundi+sept+07-fév.pdf ,

Norwegian Refugee Council (NRC), November 2006, Report on Human Rights Violations during the Expulsion of Burundians Living in Tanzania, August-October 2006
Internet: http://www.internal-displacement.org/8025708F004CE90B/(httpDocuments)/C80DDB4CF6E95502C12572750055E159/$file/NRC+Report+on+Expulsions+from+Tanzania+Nov+2006.pdf ,

Norwegian Refugee Council (NRC), June 2009, Rapatriement forcé de réfugiés burundais du Rwanda
Internet: http://www.internal-displacement.org/8025708F004CE90B/(httpDocuments)/D6B22955FD7A1A3CC12575E400538B7D/$file/351s+burundais+du+Rwanda.pdf ,

Norwegian Refugee Council (NRC), June 2009, Rapport de visites de terrain sur les sites de déplacés à Bubanza, Gitega et Ngozi
Internet: http://www.internal-displacement.org/8025708F004CE90B/(httpDocuments)/DE38AA6726D41317C12575E40053E376/$file/340+Bubanza+Gitega+et+Ngozi.pdf ,

Norwegian Refugee Council (NRC), September 2005, Rapport de monitoring de la population "rapatriée" et "déplacée-retournée" Communes de Kayogoro et Nyanza Lac, Province de Makamba, Burundi Septembre 2004 - Avril 2005
Internet: http://www.internal-displacement.org/8025708F004CE90B/(httpDocuments)/E88F01DECA80BD85C12570F4005BE0E1/$file/CNR+Rapport+Monitoring+Sept05.pdf ,

Norwegian Refugee Council (NRC), 31 January 2007, email correspondance with IDMC

Oddo, Vincenzo (Italian Cooperation) - Robarts, Fred (DFID), August 2002, Joint Mission Report, UNHCR Programmes in Tanzania and Burundi
Internet: http://www.internal-displacement.org/8025708F004CE90B/(httpDocuments)/E53C97E80E7D368D802570B70058787D/$file/Tanzania-Burundi+Report,08.02.pdf ,

PARESI, 2007, Tableau synthèse des expulsés burundais de la Tanzanie par Province: de mai à décembre 2006
Internet: http://www.internal-displacement.org/8025708F004CE90B/(httpDocuments)/B1B486E567A91739C12572880051899E/$file/Refoulés+par+commune+2006+31-12+06+syntèse.pdf ,

République du Burundi, Ministère de l'environnement, de l'aménagement du territoire et des travaux publics, 15 September 2008, Lettre de Politique Foncière
Internet: http://www.internal-displacement.org/8025708F004CE90B/(httpDocuments)/EDF29BD73D718B45C12576D90065FF09/$file/Lettre+de+politique+fonciere+2009.doc ,

Santini, Tullio, October 2002, Addressing the protection gap: the Framework for Consultation on IDPs in Burundi, in Forced Migration Review 15
Internet: http://www.fmreview.org/FMRpdfs/FMR15/fmr15.17.pdf , accessed 12 November 2002

Save the Children Fund (SCF), 16 August 2001, Burundi Emergency Update Aug 2001
Internet:
http://web.archive.org/web/20011108183531/www.savethechildren.org.uk/emer_updates/burundi
1.html , accessed 22 January 2003

Tufts University, 30 July 2006, Humanitarian agenda 2015: Burundi and Liberia country studies
Internet: http://https://wikis.uit.tufts.edu/confluence/display/FIC/Humanitarian+Agenda+2015+--
+Burundi+and+Liberia+Country+Studies , accessed 1 February 2007

UN Office for the Coordination of Humanitarian Affairs (UN OCHA), 2006, Burundi,
Consolidated Appeal Process
Internet: http://ochaonline.un.org/humanitarianappeal/webpage.asp?MenuID=8159&Page=1379 ,
accessed 2 March 2006

UN Office for the Coordination of Humanitarian Affairs (UN OCHA), 17 September 2006,
Burundi Situation Report: 11 - 17 Sep 2006
Internet: http://reliefweb.int/node/214273 , accessed 1 February 2007

UN Office for the Coordination of Humanitarian Affairs (UN OCHA), 25 November 2004,
OCHA-Burundi Situation Report 15 - 21 Nov 2004
Internet:
http://web.archive.org/web/20041203222443/www.reliefweb.int/w/rwb.nsf/6686f45896f15dbc8525
67ae00530132/3c2879dc21c8af5ac1256f570063cf1e?OpenDocument , accessed 1 February
2005

UN Office for the Coordination of Humanitarian Affairs (UN OCHA), 15 August 2003, Affected
Populations in the Great Lakes Region as of 15 Aug 2003
Internet: http://www.reliefweb.int/rw/rwb.nsf/db900SID/SKAR-648B4X?OpenDocument ,
accessed 23 March 2004

UN Office for the Coordination of Humanitarian Affairs (UN OCHA), 28 February 2002,
Affected Populations in the Great Lakes Region
Internet: http://www.internal-
displacement.org/8025708F004CE90B/(httpDocuments)/0330FBE404F86967802570B7005A55E
2/$file/Affected+Populations+Report+-+February+2002.pdf ,

UN Office for the Coordination of Humanitarian Affairs (UN OCHA), August 2004, Study of
Internally Displaced Populations in Burundi March - August 2004
Internet: http://www.internal-
displacement.org/8025708F004CE90B/(httpDocuments)/09FF99170F2F39D8802570B700587C9
D/$file/Final+Report_IDP+Study_August04+_2_.pdf ,

UN Office for the Coordination of Humanitarian Affairs (UN OCHA), November 2002,
Consolidated Inter-Agency Appeal 2003
Internet: http://www.internal-
displacement.org/8025708F004CE90B/(httpDocuments)/0BD09D68273FB707C125764F004ED7
F1/$file/OCHA_November+2002.pdf ,

UN Office for the Coordination of Humanitarian Affairs (UN OCHA), 3 October 2007,
Displaced Populations Report
Internet: http://www.internal-
displacement.org/8025708F004CE90B/(httpDocuments)/93B5668BCEA361E3C1257372002D3F
3A/$file/Full_Report.pdf ,

UN Office for the Coordination of Humanitarian Affairs (UN OCHA), April 2011, Eastern
Africa Displaced Populations Report

Internet: http://www.internal-displacement.org/8025708F004CE90B/(httpDocuments)/FB54D8E399066838C125788D005C74ED/$file/Eastern+Africa+Displaced+Populations+Report+April+2011.pdf ,

UN Office for the Coordination of Humanitarian Affairs (UN OCHA), 26 May 2005, Enquête sur les populations déplacées au Burundi 2005
Internet: http://www.internal-displacement.org/8025708F004CE90B/(httpDocuments)/FB6FC239587F7796802570B700587C9B/$file/BDI_enquete_IDP_2005.pdf ,

UN Office for the Coordination of Humanitarian Affairs (UN OCHA), 24 December 1999, Affected Population in the Great Lakes Region (displaced-refugees) 24 Dec 1999

UN Office for the Coordination of Humanitarian Affairs (UN OCHA), 24 December 1999, Affected Population in the Great Lakes Region (displaced-refugees) 24 Dec 1999

United Nations, 30 November 2006, Consolidated Appeal for Burundi 2007
Internet: http://ochaonline.un.org/humanitarianappeal/webpage.asp?Page=1490 , accessed 5 December 2006

United Nations, 30 November 1999, United Nations Consolidated Inter-Agency Appeal for Burundi, January-December 2000 (New York and Geneva)
Internet: http://www.reliefweb.int/w/rwb.nsf/3a81e21068ec1871c1256633003c1c6f/87465440b0628237c125681c004f76b4?OpenDocument , accessed 15 July 2002

United Nations Children's Fund (UNICEF), 2009, Humanitarain Action in 2009
Internet: http://www.internal-displacement.org/8025708F004CE90B/(httpDocuments)/58097B166F04A503C12576490040E883/$file/UNICEF2009.pdf ,

United Nations Children's Fund (UNICEF), 2006, Humanitarian Action Burundi in 2006
Internet: http://www.internal-displacement.org/8025708F004CE90B/(httpDocuments)/C3B076ED28A366F9C125714100766256/$file/HAR06_BURUNDI.pdf ,

United Nations Commission on Human Rights (CHR), 28 November 1994, Report of the Representative of the Secretary-General, Mr. Francis M. Deng, submitted pursuant to Commission on Human Rights resolution 1993/95, Addendum, Profiles in Displacement: Burundi, E/CN.4/1995/50/Add.2
Internet: http://www.unhchr.ch/Huridocda/Huridoca.nsf/TestFrame/d6958f23c0baace780256712003c7949?Opendocument , accessed 5 August 1999

United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), 8 April 2008, Concluding comments of the Committee on the Elimination of Discrimination against Women
Internet: http://www.internal-displacement.org/8025708F004CE90B/(httpDocuments)/CE3489BDC06271C6C1257649004D72C2/$file/CEDAW8+April+2008.pdf ,

United Nations Development Programme (UNDP), 4 November 2010, Human Development Index, Table 1
Internet: http://hdr.undp.org/en/media/HDR_2010_EN_Table1_reprint.pdf , accessed 19 July 2011

United Nations Development Programme (UNDP), 25 March 2009, Projet d'Appui à la réintégration socioéconomique des populations affectées par les crises et au relèvement communautaire dans les provinces de Bubanza, Bujumbura Rural et Cibitoke
Internet: http://www.internal-displacement.org/8025708F004CE90B/(httpDocuments)/632BE1C3F4F8EE4BC12578CB00419B57/$file/PRODOC_P3P.pdf ,

United Nations Development Programme (UNDP), 14 July 2009, Second Consolidated Annual Progress Report on Activities Implemented under the Peacebuilding Fund
Internet: http://www.internal-displacement.org/8025708F004CE90B/(httpDocuments)/890AA8B317DA9859C1257649005E1AAB/$file/PBF+14+July+2009.pdf ,

United Nations General Assembly (UN GA), 13 October 1998, Situation of Human Rights in Burundi, A/53/490
Internet: http://www.unhchr.ch/Huridocda/Huridoca.nsf/(Symbol)/A.53.490.En?Opendocument , accessed 15 July 2002

United Nations General Assembly (UN GA), 21 April 2011, Peacebuilding Commission Adopts Outcome of Final Strategic Framework for Burundi as Delegates Hail 'Milestone' in Four-Year-Old Process
Internet: http://www.un.org/News/Press/docs/2011/pbc80.doc.htm , accessed 12 July 2011

United Nations General Assembly (UN GA), 31 May 2011, Rapport de l'expert indépendant sur la situation des droits de l'homme au Burundi, Fatsah Ouguergouz
Internet: http://www.internal-displacement.org/8025708F004CE90B/(httpDocuments)/34D7C11E82CE44D3C12578B1004C22EF/$file/Burundi_HR-Rapporteur_A-HRC-17-50_31May11.pdf ,

United Nations General Assembly (UN GA), United Nations Security Council (UN SC), 23 April 2011, Children and armed conflict, Report of the Secretary-General, A/65/820–S/2011/250
Internet: http://www.internal-displacement.org/8025708F004CE90B/(httpDocuments)/1D2A6B88618DE135C12578CB00333D8D/$file/UNGA-UNSC-CAAC_Children-and-armed-conflict.pdf ,

United Nations High Commissioner for Refugees (UNHCR), 2011, Profil d'opérations 2011
Internet: http://www.unhcr.fr/cgi-bin/texis/vtx/page?page=4aae621d577 , accessed 6 April 2011

United Nations High Commissioner for Refugees (UNHCR), 15 December 2008, UNHCR steps up support in Burundi as record numbers return
Internet: http://www.unhcr.org/49468fea2.html , accessed 8 October 2009

United Nations High Commissioner for Refugees (UNHCR), 16 September 2009, Repatriation of 1972 Burundian Refugees hits 50,000 Mark
Internet: http://www.unhcr.org/4ab0db636.html , accessed 8 October 2009

United Nations High Commissioner for Refugees (UNHCR), August 2009, Country briefing
Internet: http://www.internal-displacement.org/8025708F004CE90B/(httpDocuments)/38C3774DC165AC53C12576490035959A/$file/UNHCR,+August+2009.pdf ,

United Nations High Commissioner for Refugees (UNHCR), 2008, Evaluation des sites de IDP
Internet: http://www.internal-displacement.org/8025708F004CE90B/(httpDocuments)/DEB8482027F1C1A1C12573E1003351A7/$file/Burundi+Evaluation+sites+IDP.doc ,

United Nations Human Rights Council (UN HRC), 29 September 2010, Report of the Independent Expert on the situation of human rights in Burundi, Akich Okola A/HRC/16/CRP.1 Internet: http://www2.ohchr.org/english/bodies/hrcouncil/docs/16session/A-HRC-16-CRP1.pdf , accessed 6 April 2011

United Nations Integrated Office in Burundi (BINUB), 28 October 2008, Confirmation on Cluster Approach Arrangement in Burundi
Internet:
http://www.humanitarianreform.org/humanitarianreform/Portals/1/cluster%20approach%20page/Roll-out/Cluster%20approach%20in%20Burundi.pdf , accessed 8 October 2009

United Nations Office for the Coordination of Humanitarian Affairs Bujumbura Burundi (UN OCHA Burundi), 23 April 2006, Burundi Situation Report: 17 - 23 Apr 2006
Internet: http://www.reliefweb.int/rw/RWB.NSF/db900SID/VBOL-6PAB6P?OpenDocument&rc=1&cc=bdi , accessed 1 February 2007

United Nations Population Fund (UNFPA), 2003, Rapport du recensement des déplacés au Burundi (Draft)
Internet: http://www.internal-displacement.org/8025708F004CE90B/(httpDocuments)/BA19A8C546D5E7C9802570B700587918/$file/Recensement+Burundi+UNFPA+(draft).pdf ,

United Nations Resident Coordinator System in Burundi, 1998, Choosing Hope: The Case for Constructive Engagement in Burundi

United Nations Security Council (UN SC), 25 August 2004, First report of the Secretary-General on the United Nations Operation in Burundi
Internet: http://www.unhcr.org/refworld/country,,UNSC,COUNTRYREP,BDI,,415186f74,0.html , accessed 1 February 2005

United Nations Security Council (UN SC), 22 May 2009, Fifth report of the Secretary-General on the United Nations Integrated Office in Burundi (S/2009/270)
Internet: http://www.unhcr.org/refworld/docid/4a2629672.html , accessed 4 June 2009

United Nations Security Council (UN SC), 26 March 2009, Report of the Secretary-General on Children and Armed Conflict
Internet: http://www.internal-displacement.org/8025708F004CE90B/(httpDocuments)/A47FF40CB378DEA3C12575AE002CD4C9/$file/unga-sc_a-63-785_s-2009-158_26mar2009.pdf ,

United States Institute of Peace (USIP), March 2011, Making peace after genocide: Anatomy of the Burundi Process
Internet: http://www.usip.org/files/resources/PW_Burundi.pdf , accessed 16 June 2011

United States Institute of Peace (USIP), 8 April 2011, Refugees and IDPs after conflict - Why they do not go home
Internet: http://www.usip.org/publications/refugees-and-idps-after-conflict , accessed 12 July 2011

U.S. Committee for Refugees (USCR), 1998, "Burundi: A Patchwork of Displacement", in Roberta Cohen and Francis Deng (eds.), The Forsaken People - Case Studies of the Internally Displaced (Washington, D.C.: Brookings Institution Press), 1998a

U.S. Department of State (U.S. DOS), 8 April 2011, 2010 Human Rights Report: Burundi
Internet: http://www.state.gov/g/drl/rls/hrrpt/2010/af/154334.htm , accessed 12 July 2011

World Bank Group, September 2009, Burundi: Country Brief
Internet:
http://web.worldbank.org/WBSITE/EXTERNAL/COUNTRIES/AFRICAEXT/BURUNDIEXTN/0,,me
nuPK:343761~pagePK:141132~piPK:141107~theSitePK:343751,00.html , accessed 8 October
2009

World Bank (WB), 25 April 2011, Burundi Country Results Profile: Accelerated and Shared
Growth for Peace Consolidation
Internet: http://siteresources.worldbank.org/IDA/Resources/73153-
1302790208764/IDA_AT_WORK_Burundi_2011.pdf , accessed 12 July 2011

Zicherman, Nona, 2007, Addressing sexual violence in post-conflict Burundi
Internet: http://www.fmreview.org/FMRpdfs/FMR27/32.pdf , accessed 1 February 2007