



International Refugee
Rights Initiative



Rema Ministries

An urgent briefing on the situation of Burundian refugees in Mtabila camp in Tanzania

International Refugee Rights Initiative and Rema Ministries

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On 21 July 2012, Tanzania's *Daily News* reported that Tanzanian President, Jakaya Kikwete, had announced that "all refugee camps sheltering Burundian refugees would be closed down". There was, the paper quoted him as saying, "no strong reason for the Burundians to stay [...] when back home peace had been restored and life was back to normal in their motherland."¹

The President's comments intensified the fear and uncertainty that has been growing among Burundian refugees who have been living in Tanzania over the last number of years, but particularly those in Mtabila camp to whom the statement seemed to be chiefly directed. This population of approximately 38,000 refugees – most of whom fled Burundi in the 1990s – has been under mounting pressure to repatriate to Burundi. They have been threatened with termination of their refugee status, closure of the camp and subjected to restrictions on basic assistance, access to livelihoods and freedom of movement.² On 31 July, a press statement from the Ministry of Home Affairs declared that "38,050 refugees" in Mtabila camp were to be "stripped" of their refugee status. This formal statement, referencing Article 4 of the Tanzanian Refugees Act and declaring that the camp would be closed on 31 December 2012, while not unexpected, brought the situation to a new climax.³

This urgent briefing, based upon prior research in Mtabila camp during 2011 and a series of follow up email exchanges and phone interviews conducted with refugees in Mtabila camp in June 2012,⁴ sets out some of the key challenges experienced by Mtabila's refugees to date in the effort to close and vacate the camp. It focuses on the recent screening process, which was intended to identify who in the group required continued international protection prior to decisions on cessation. It concludes with a series of recommendations which could help to ensure that the outcome of the decision to declare cessation is one that increases peace and stability rather than exacerbates it.

Although the Government of Tanzania can lawfully withdraw refugee status, it is absolutely critical that the process of withdrawal and return which is already underway is conducted according to the basic requirements of Tanzanian administrative law and human rights and that those who need international protection as refugees continue to receive sanctuary. It is also critical that Burundi is supported and appropriately prepared to safely receive returning citizens in dignity. Premature or forced return will not only create significant additional suffering for this group of Burundians and their host communities (whether in Tanzania or in Burundi) but will also deepen the security challenges with which the states and international actors involved in the operation will have to grapple.

The context

There are currently three broad categories of Burundian refugees in Tanzania, each of which has received considerably different treatment. The first category consists of refugees who fled in 1972 and have lived in “settlements” since then⁵ (a population of over 160,000). The second are those who self-settled and have lived outside formal assistance structures. UNHCR estimates, for example, that 22,227 refugees are spontaneously settled in villages around the Kigoma region.⁶ The third category is those refugees who fled new waves of civil war in Burundi in the 1990s and were settled in camps when they arrived. After a major repatriation campaign only 38,891 of this group are estimated to remain in Tanzania.⁷

Over the last few years, those who fled in 1972 and were living in settlements were given the choice between applying for naturalisation as Tanzanian citizens or returning to Burundi. By the end of 2011, UNHCR estimated that 162,000 of this group had been accepted for naturalisation, although only 750 individuals had actually received attestation of their new status.⁸ Complicating the situation is that efforts to promote the integration of these new citizens has been stalled by controversy surrounding their relocation from the settlements (where many have lived all their lives) to other parts of Tanzania.⁹ Thus, despite the generous offer—and indeed implied grant—of naturalisation, 1972 “refugees” continue to be subject to significant uncertainty about their future.

The other two categories of Burundian refugees – those who fled in the 1990s and those who have been living as “self-settled” refugees – were not given the option of naturalisation and are coming under increasing pressure to return to Burundi. The population of Mtabila camp – the subject of the recent determination by the Minister for Internal Affairs – has been the particular focus of this effort.

Refugees in Mtabila Camp: Fear about basic survival and the spectre of forced return

Refugees in Mtabila camp have been resisting return for years. In fact, the population of Mtabila camp is comprised of residual caseloads from other refugee camps around Tanzania which have been successively closed as part of a major campaign to encourage repatriation to Burundi. This has been a long-drawn out affair: as far back as May 2009 a representative of

UNHCR declared “[w]e are in the final year of repatriation.”¹⁰ Since then, numerous “deadlines” for repatriation have been announced, and services have been steadily withdrawn from the camp. For example, following the “official” closure of the camp in June 2009, formal education programs in the camp were halted by the Government of Tanzania.

Those who remain in Mtabila therefore have resisted years of consistent pressure from the authorities rather than return to Burundi. This resistance led, in late 2011, to the initiation by the Government of Tanzania and UNHCR of massive joint screening exercise against the background of declarations that cessation (termination of refugee status) was imminent. At the end of the first phase of the screening it was announced that 2,045 persons had been determined to be in need of continuing protection, 33,708 persons had been listed as “obliged to go back” and 2,625 cases were declared to be still under consideration.¹¹ An appeals process was set in motion on a rolling basis as the first set of decisions were announced: it is not clear whether all the appeals have been heard and determined. The overall outcome of the screening – the determination that the majority of refugees in Mtabila camp no longer have valid claims for international protection – is a blow to camp residents who, for the most part, wish to stay in Tanzania.¹²

The Government of Tanzania is entitled, under international and Tanzanian law, to withdraw refugee status in situations where the circumstances which led to the grant of refugee status have ceased to exist. The framework created for the comprehensive screening exercise which was conducted in Mtabila reflected the due process guarantees which would be expected to be put in place in such a critical procedure: it included, for example, an appeals process in which it is understood that of those who appealed, some 10% of initial negative decisions were reversed. Refugees commented that they felt that they had been heard and listened to during the procedure.

Nevertheless the information available also indicates that there are outstanding questions about how the exercise operated, or was perceived to operate, in practice. The misunderstandings which appear to have arisen, coupled with the impact of the deteriorating conditions in the camp, raise concerns. At a minimum, the existence of these questions suggests that not all those who require protection may have been appropriately identified and that violations of human rights may be occurring.

The screening exercise

Some refugees saw the screening as an opportunity to plead their cases: “I understood that it was the way to listen to refugees in order to assist them”. Others, however, expressed scepticism about the process, suspecting it as masking an intent to deport: “you can see not from very far that this screening is to hasten repatriation.” “I understood that they want to take us back to Burundi by force.” Overall, and particularly with regard to the appeal procedure, many refugees expressed confusion, if not about the overall intent of the screening but about the standards and frameworks at play: “we did not understand the standard used to pass or fail

interviews.” Or as another put it, “the way the interviews were conducted was not clear, it was ‘black’.”

Refugees were notified of the outcome of their interviews through the posting of lists of categories of refugees, identified by ration card numbers, in public areas in the camp. The use of this method of notifying refugees of the outcome of the interview process—although perhaps the only practical manner at first instance considering the sheer numbers involved—seems to have generated significant problems.

First, it is clear that quite a number of refugees appeared to be under the impression that the lists did not constitute the official determination of their cases. This assumption seemed to have been made both as a result of the *form* in which the decision was communicated (via lists) and the *authority associated* with the promulgation of the lists (the government of Tanzania/camp command structure rather than UNHCR, although it is understood that the logos of both authorities appeared on the lists). As one refugee explained when asked how his case had been assessed: “I cannot tell you the result because we were told that they will give us letters to inform us about the decisions which came out of the interview. Until now, I have not seen any letter. I am still waiting.” Another refugee, while acknowledging that he “failed the interview” still did not believe that he had received an official determination of his case as UNHCR had not communicated with him. He said:

we have been waiting until now. We have not yet gotten any feedback from the UNHCR. The Tanzanian government chose another way to present names on the notice board of those who succeeded and those who did not succeed so that they may be repatriated as soon as possible. UNHCR has not yet shown us its lists... I am still waiting for a letter from UNHCR as we were promised.

Another refugee who had even gone through the appeals process continued to ask, “why do they refuse to issue to us the letters communicating the results as promised? [...] I am waiting for the new list from UNHCR to be put on the noticeboard”. Some refugees questioned the validity of the lists as they believed that UNHCR had not been involved: “how were these lists made, who made them and on which basis, because it seems as if UNHCR was not part of those who made the lists.” Although it is clear under the law that the Government of Tanzania is responsible for conducting status or withdrawal determinations refugees appear to have clung to the idea that UNHCR needed to be involved explicitly in the decision making in order to resist their acceptance of the lists.

A further element which added to the confusion was that at least one refugee understood that he had been told that at the screening interview that he could expect an answer on his case in December. The fact that lists were posted earlier in the year as decisions were made on a rolling basis seemed to have encouraged a perception that the list did not reflect the real or final decision.

An additional issue with respect to the method used to communicate the outcome of the screening is that the posting lists does not, of course, permit the provision of individualised reasons for the decision in the case – a matter critical to allowing refugees to both make an assessment as to whether they should appeal and then to prepare those appeals. As one refugee pointed out, “even those who went to appeal were not told what was wrong with the first interview. It was just to go without knowing what to do. A person was repeating the same things”. UNHCR has indicated that refugees who did appeal were supposed to have been informed orally of the reasons for the initial negative decision at the appeal interview— although some refugees suggested that this did not occur. Although the challenge of communicating decisions in a context of high rates of illiteracy should not be underestimated, notification only at the point of the appeal interview clearly raises barriers in relation to consideration of whether to appeal and preparation of a strong case. As one refugee who did not appeal said: “I did not have other reasons more than what I have given before”.

Appeals

Refugees who were found not to be in need of international protection and whose ration card numbers appeared on the relevant list were given an opportunity to appeal those decisions. Deadlines for lodging the appeal were understood by refugees to have ranged from two weeks to three or four days. Although some interviewees had heard that appeals had been successful (indeed one of those interviewed had himself made a successful appeal) there did seem to be significant confusion about the process, enough to indicate that some of those who might have wished to take advantage of the opportunity of the appeal might have been inhibited from doing so by misunderstanding about the process. Indeed it is understood that far fewer appeals were lodged than expected, given the long standing position of many in the camp around return to Burundi.

First, it was clear that at least some refugees were under the impression that they could be penalized for appealing. A number of those interviewed reflected the following understanding of the situation:

any person who appealed was given only six weeks to stay in the camp. After that he has to leave the camp heading to Burundi. Those who didn't appeal were told that they will stay until December 2012. So it was very risky to appeal.

Another refugee put it this way: “people who will fail their appeal will be given only six weeks to prepare themselves as quickly as possible so as to leave the camp. Isn't this a way of terrifying refugees not to appeal?” There was of course no such formal policy. The misunderstanding may have arose from the fact that at one point a zoned closure of the camp was contemplated which would have given refugees six weeks to depart once they had received a final negative decision. It is clear that however this misunderstanding arose it did impact how refugees viewed the implications of making an appeal.

In addition, it is clear that some refugees missed the opportunity to appeal because they did not understand that the communication of the outcomes of the interviews, by way of the publication of lists, was definitive. One man who had found his name on the list of those who had not succeeded at interview said, “I didn’t appeal because a person had to appeal once he has known the decision taken in the first interview [...] I am still waiting for the decision, I mean for the UNHCR letter”. Another said, “I was going to make an appeal and I heard that interviews are conducted by the Tanzanian Government not by UNHCR. So it is clear that the issue of appealing is a Tanzanian government not an UNHCR thing.” Confusion around the respective roles of UNHCR and the Government of Tanzania with respect to final decision-making and particularly the appeal was a common feature of the interviews: “I didn’t appeal because [...] I didn’t know to whom my appeal will be against. [...] My family and I are in the hands of UNHCR and it will know what shall be done to us”.

This misunderstanding about the involvement of UNHCR in the generation of the lists and subsequently in the appeals process (which most characterized as being run by the Government of Tanzania in distinction to the first instance decision making in which they say full involvement of UNHCR) also appears to have dissuaded the making of appeals: as one man said, “UNHCR was not involved in this appealing process”. If refugees were not properly aware, however, UNHCR was, of course, central to the entire procedure and expended significant effort in ensuring that the process put in place was rights-respecting – including and especially up to the provision of an appeal channel. The fact that independent assistance was not available to refugees prior to interview in order to aid in a better understanding of the process and of the rights of refugees within the context of cessation, seemed, however, to exacerbate misunderstandings, and particularly so at appeal stage. One refugee who did appeal said “it is very disappointing that we were not prepared for the screening”. He claimed that he was not given reasons for the initial rejection of his case. During the appeal interview, he said, the officials simply, “read for you what you said during your first interview and then you are given another chance to explain again”. Another refugee who noted that it was “very sad we don’t know the laws” explained his decision not to appeal in this way: “I did not have other reasons more than what I have given before. Also I could not appeal without knowledge of who will decide for my appeal.” At the same time our researchers did note that although the lack of independent advice and assistance was recognised as problematic, refugees in general felt that “the people who carried out the different interviews were careful and listening”.

The confusion about the respective roles of UNHCR and the Government of Tanzania seems also to have affected how the meaning of being screened “in” was interpreted:

we are hearing from different sources that even those who have been gathered in one place because they have succeeded interview will be taken back to their origin zones [...] there is a group of 2000 people gathered by only the Tanzanian government not UNHCR.¹³ I don’t know if the government has the mandate or power to issue protection in this case.

One of those interviewed, for example, who had actually succeeded on appeal – “I found my name is on the list of those who have been considered to be given resettlement¹⁴” – was clearly still very uncertain about his and his family’s future: “what is important is the final decision from UNHCR for which we are still waiting”. Despite this confused context, it is significant that many appeals were lodged, reflecting the reality that the population of Mtabila is one which has consistently resisted repeated exhortations and threats to repatriate. At the same time, it suggests that there were many others who would have wished to appeal who may have been inhibited from doing so.

Conditions of life: “the situation is unbearable”

The conduct of the screening allowed for the population in the camp to be re-categorized and zoned and for different assistance regimes to be put in place. Those who succeeded in the interviews were, for example, officially moved to another camp—although our interviews indicate that some may have fallen through the cracks. One refugee who had “succeeded” in the screening and was therefore still receiving some livelihood support described it thus: “They reduced the ration by half for all those who are still getting food. But they stopped giving food to those living in zone C and B, now they are living miserably.” “For example: we used to be given rations of 30 kg of flour; 6kg of beans, but now our ration have been divided by two.” Others complained of the lack of medical assistance, “if you require other medicines apart from paracetamol and aspirin (pain killers) or you need referral they tell you that any other assistance will be given to you at Mabanda in Burundi.” It is worth noting that lack of appropriate medical care has been a longstanding refugee complaint, but that the suggestion that appropriate treatment would be available in Burundi was interpreted as a clear effort to push them home.

It is understood that the policy of denying any assistance to those found not to be in continued need of international protection by zone was later discontinued. UNHCR has also indicated that the continuing reduction in rations for those who were receiving assistance, affecting two items in the food basket, is unrelated to the screening and results from problems in the World Food Program pipeline which have very recently been resolved. Refugees in Nyaragusu camp, for example, to which the majority of those identified to be in need of protection have been transferred, were similarly affected by the reduction in rations. Refugees with whom the authors consulted, however, pointed out that they were not given any explanation about the reduction. They also noted out that perceptions were exacerbated by statements to the media by the camp commandant that it was the refugees themselves who did not want to receive the food as they wanted “rices” (food of higher standard). In these circumstances, therefore, and in the absence of any explanation, the rations reduction was interpreted by refugees as a stick to force them home, especially when in a context where movement and access to other coping mechanisms were severely restricted.

Adding to the stress, refugees report that the camp has been surrounded by police and army personnel since May 25¹⁵ with some in residence and active in the camp’s cleared zones. Three

battalions of the national service camp (JKT) are camped in those zones. Although there have been some accusations of abuses – “they are beating people thoroughly and we fear that one day they might fire us” – (UNHCR, however, reports only one formal complaint relating to physical abuse) it is their mere presence which appears to be the major preoccupation. One refugee described the situation as “alarming” and as having exacerbated the spectre of forced return: “we live in fear [...] we know how soldiers are and how they behave”.

The presence of military and police personnel in and around the camp has also led to the stricter enforcement of the severe restrictions which already exist on movement in and out of the camp. This affects a range of practical survival strategies including such as firewood gathering whether for cooking or making charcoal for sale. (It should be noted that firewood is officially provided as part of the camp assistance package in Mtabila.) “Life in the camp is very hard and bad. Nobody can go out the camp. For sure we are living like animals in cages.” Another refugee noted that people who had planted crops could not gather them: “those who happened to go to cultivate outside the camp are not allowed to go to harvest their crops. Once you are caught you are badly beaten”. He added also that refugees “used to look for food in the Tanzanian villages surrounding the camp but now it is not possible”.

The lack of information and confusion evidenced in the discussion of the screening process is adding to the hardship with all sides anxious to maintain control, particular of “influencers”. Recent reports out of the camp have indicated that a number of leaders, in particular pastors, have been arrested as they are considered as persons who may be counselling refugees against return. Others live in fear: “please note that I have exposed my life if they can know that I have shared with you this information”.

The situation in the camp, from the arrest of individuals opposing return, to the presence of military to the reduced humanitarian assistance, against a background of very minimal self-sufficiency possibilities and where travel out of the camp is generally forbidden, bears only one possible interpretation from the refugee perspective: the regime now being imposed on Mtabila is intended to create conditions in which life becomes unbearable and refugees are forced out. The presence of Tanzanian military seems to underline the fact that the camp is expected soon to have a very different character. Forced return is something therefore which is seen by the community as inevitable, especially as the new deadline for the absolute closure of the camp – 31 December 2012 – looms: “UNHCR said that the camp will be closed on 31 December and now they are not giving us food so you can see that the refugees in this camp are living in panic and sorrow”. There seems to be a sense of resignation that there are really no viable options left: One man said, “I have no fear for my future because once decisions are taken there is no other way to escape. [...] If they close the camp and force me to go back I will accept”.

Others are so desperate that they are looking to other strategies: in recent weeks it has been reported within the community that refugees from Mtabila have started to flee to Uganda, Malawi and Mozambique. Concern is being expressed, however, about the dangers involved in

attempting to flee out of Tanzania to another country of refuge: refugees are alleged to have been forced to pay bribes to the military in order to leave the camp and subsequently travel long distances with few means. There are some reports that refugees have been caught and imprisoned on the border.

IRRI welcomes the news received as this report was going to press that the recently imposed ration reductions have just been reversed and that UNHCR has pledged with its partners it will continue to provide basic humanitarian services at the camp until it shuts down”¹⁶.

Conclusions and Recommendations

- **The final phase of the implementation of cessation decisions must ensure that those who need international protection continue to receive it.** Although international refugee law does contain provision for cessation of refugee status, and those who no longer enjoy refugee status may legally be returned to their countries of origin, the process of applying cessation must be accompanied by due process protections which have the effect, in particular, of preventing violation of the principle of non-refoulement. Breaches of non-refoulement can be committed either directly through forced removal or indirectly through the creation of conditions which make remaining in exile impossible. Although prior to this most recent announcement of cessation, a comprehensive screening was conducted, some of the challenges encountered during its implementation suggests that there may be some refugees who have a continuing need for international protection were not appropriately identified. Although there will be an understandable reluctance to reopen the screening process there must be flexibility and understanding in the coming months to respond to cases where critical protection issues present through a standing mechanism. Although the Tanzanian Government retains the primary obligation to protect, UNHCR has a particular responsibility to maintain an independent emergency protection advocacy function in this regard. It is useful to recall, for example, that the Tanzanian Refugees Act does contemplate the independent grant of UNHCR mandate status in certain circumstances.
- **The UNHCR and the Government of Tanzania should urgently clarify the implications of the recent cessation announcement.** The most recent statement by the Minister for Internal Affairs on 31 July formally declaring cessation for Mtabila refugees is likely to have severely heightened tensions. In order to avoid panic among those still remaining in Mtabila a clear joint statement from UNHCR and the Government of Tanzania explaining the implications of the decision is urgently required. This should clarify, *inter alia*, (1) the scope of the recent statement and its implications, including with respect to the status of the three categories of persons identified in the posted lists and any additional notifications (the first reference in the statement to a figure of 38,050, for example seems to sweepingly apply to all those in the camp rather than those who had been screened “out”) (2) the formalities which refugees can expect be followed with respect to the withdrawal of status under Article 4 of the Refugees Act and the issue of

a deportation order including the form of such notification (refugees were told, for example, they would receive “a letter”); (3) the role of UNHCR as an independent organisation with a mandate and responsibility with respect to those who continue to require international protection or are of concern; (4) the mechanism to which apprehensions of exposure to serious violations of human rights can be referred (in addition to refugee status, human rights law provides other bars to return) ; (5) the nature of the assistance and of the regime more broadly which will be in place in Mtabila camp over the coming months; (6) assurances with respect to protection of basic human rights.

- **Steps must be taken to ensure that cessation of status is not seen as a license for abuse.** The announcement that this group are no longer refugees may exacerbate the discrimination and marginalisation which this population is already suffering. A clear message should be sent by the Government of Tanzania and all those involved in the process that the prospective change in status of this group creates no licence: unlawful acts committed against Burundians or their property will be prosecuted under Tanzanian law with the same vigour as with respect to all other persons. The Tanzanian authorities and UNHCR must work closely together to prevent the manifestation of corruption or other abuses or manipulation of the population by those in positions of power, whether in refugee or host communities or in the state apparatus. In the context of an increasingly vulnerable and desperate population there is potential for such practices to gain a foothold.
- **Deportation procedures must be orderly and respect procedural guarantees.** A sudden mass movement of 30,000 people is unlikely to serve the interests of either Burundi or Tanzania or the communities involved. In the current context, it is also likely to result in further violations of human rights. The prohibition on mass expulsions of non-nationals in Article 12(5) of the African Charter on Human and Peoples Rights (ACHPR) is recalled in this regard. It should also be noted that refugees who have been subject to cessation retain their right of access to national and international jurisdictions to assert their basic rights and have a right to be protected from serious violations of their human rights. Tanzania law, for example, requires that an order for deportation be communicated in writing and provides for an opportunity for review.
- **Procedural rights related to detention must be respected.** Refugees, or persons whose refugee status has recently been withdrawn, who are detained must be advised of the basis for their detention, including the offences with respect to which they are under investigation or charge, whether under the Tanzanian Refugee Act, 1998 or any other law. Remand in custody must be subject to review, in line with the requirements of Tanzanian law and refugees must have an opportunity to contest the charges against them. Access to places of detention by UNHCR and its provision of necessary assistance, as the internationally mandated organisation with responsibility for the protection of

the rights of refugees and other persons of concern, must be permitted. This is particularly critical where family may not be able to visit due to movement restrictions.

- **The basic humanitarian needs and dignity of the population in Mtabila camp must continue to be provided for as long as they are present.** Not only is this an issue of basic human rights, but also a practical one: when critical assistance is removed, refugees are forced to deplete meagre savings and other resources and have less capacity to survive in the event that they do return to Burundi.
- **Onward displacement must be addressed.** The fact that refugees are continuing to be displaced in difficult conditions is an indication of the level and strength of resistance to return which continues to be espoused by many in the camp. This is a reality that must be taken into account in devising of humane and rights-respecting strategies to respond to this new stage in the process. This should include the exploration of alternative legal options to stay in Tanzania.
- **Returns to Burundi must be effectively monitored and appropriate re-integration packages provided.** A comprehensive and effective monitoring process must be carried out on the Burundi side to assess the challenges to, and protection situation of, returnees. IRRI and Rema Ministries have previously documented numerous challenges to reintegration in Burundi,¹⁷ particularly barriers to accessing land. During the past two weeks for example Rema has encountered returnees from as far back as 2007 who continue to have difficulties in accessing basic shelter let alone access to their occupied lands. In order to ensure that return does not lead to further dislocations and distress, measures must urgently be taken to ensure that those who return are able to access livelihoods and reintegrate successfully in Burundi.

¹ "It is 'home time' for Burundian refugees," *Daily News*, 22 July 2012.

² See, the International Refugee Rights Initiative and the Rema Ministries, *Resisting Repatriation: Burundian Refugees Struggling to Stay in Tanzania*, September 2011, and the Centre for the Study of Forced Migration and the International Refugee Rights Initiative, *"I Don't Know Where to Go": Burundian Refugees in Tanzania under Pressure to Leave*, September 2009.

³ Article 4(2)(e) of the Act provides that a person shall cease to be considered a refugee if, inter alia, "he can no longer because the circumstances in connection with which he was recognised as a refugee having ceased to exist, continue to refuse to avail himself of the protection of the country of his nationality".

⁴ This urgent briefing note is based on three years of monitoring of the situation in Mtabila camp conducted by IRRI and REMA, in particular weekly communications and engagements by phone and email with those in the camp throughout 2012, culminating in the conduct of in-depth interviews further to an agreed interview map with a selection of refugees who had had a variety of experiences with the screening process and who were willing to talk and share their stories. It should be noted that it was impossible to get any of the interviewees to agree to go on record. The interviewees provide a snapshot of a range of experiences of the process and cannot claim to offer a comprehensive picture. All quotations which are used in this briefing are from these interviews, translated into English by the interviewers. Interview notes and the names of the interviewees are on file with IRRI but all interlocutors sought anonymity.

⁵ The term "settlement" in Tanzania is used differently to "camp" where more recent influxes of refugees have been housed. Although there are some differences between camps and settlements, the difference is primarily semantic under Tanzanian law: both represent refugees being kept within confined areas of land with restrictions on their freedom of movement.

⁶ UNHCR, "UNHCR Tanzania Monthly Statistics," 1 February 2012.

⁷ UNHCR, "UNHCR Tanzania Monthly Statistics," 1 February 2012. At the end of 2011 the United Nations High Commissioner for Refugees (UNHCR) estimated that there were 67,500 Burundian refugees in the country. See United Nations High Commissioner for Refugees, "Global Report 2011," June 2012.

⁸ United Nations High Commissioner for Refugees, "Global Report 2011," June 2012.

⁹ United Nations High Commissioner for Refugees, "Global Report 2011," June 2012. The situation has been further complicated by the fact that some of the settlement land is part of a land-deal between the government of Tanzania and investors from the USA. The Oakland Institute has raised the alarm about elements of the process including the harassment and arrest of those who have asked about compensation in relation to the planned relocation, discrimination in access to services, and increasing fear among the refugee population about their fate after relocation. See Oakland Institute, "Understanding Land Investment Deals in Africa: Lives on Hold: The Impact of Agrisol's Land Deal in Tanzania," July 2012.

¹⁰ UN Integrated Office in Burundi (BINUB), « Le HCR affirme que le dernier camp des réfugiés burundais en Tanzanie sera fermé à la mi-juin 2009, » 8 May 2009.

¹¹ « Communiqué Conjoint de la 16ème Réunion de la Commission Tripartite sur la Situation des Réfugiés Burundais Vivant en Tanzanie, » Bujumbura, Burundi, 22 February 2012.

¹² For a discussion of the resistance of refugees to leave, and the reasons for it, see, IRRI and CSFM, "*I Don't Know Where to Go*": Burundian Refugees in Tanzania Under Pressure to Leave, September 2009, p.10.

¹³ Refugees who were screened in were moved initially to a separate section of Mtabila and then to another camp, Nyarugusu.

¹⁴ Although refugees referred to resettlement, it is understood that UNHCR took steps to avoid raising expectations with regard to third country resettlement.

¹⁵ Communication by e-mail with key informant.

¹⁶ See UNHCR, "UNHCR to help more Burundian refugees home before Mtabila camp closes," Press release, 9 August 2012.

¹⁷ See, IRRI, Rema Ministries and the Social Science Research Council, "*Two People Can't Share the Same Pair of Shoes*": Citizenship, Land and the Return of Refugees to Burundi," November 2009; and Rema Ministries, "*Umenga Ntituri Abarundi*": Rethinking Reintegration in Burundi," May 2012.