been cited by both the government and UNHCR as an essential way to pursue joint programming.

**Voluntary repatriation**

Despite the fact that only 20% of the 1972 Burundian refugees in Tanzania elected to go home, their arrival after such an extended period of time is having a profound impact.

In July 2008, each person received a cash grant to support their return and reintegration but, as they were largely self-reliant in Tanzania, it was agreed that food assistance would not be provided. At the same time, this population has a slightly larger baggage allowance for return, which has enabled them to bring food and non-food items from the Old Settlements.

The sustainability of their return is one of the most pressing issues facing the operation. Many have returned to find their land occupied after their long absence and the secondary occupants have accrued certain legal rights. Or they have elected to return to Burundi but do not know where their family originally came from after several generations abroad. Restitution of land and property is complicated by the fact that many lack sufficient documentation to demonstrate their legal title to the land.

The Arusha Peace and Reconciliation Agreement for Burundi recognised the political dimension of land issues and called for respect of principles that encourage the return of refugees and the recovery of land or compensation. While the Peacebuilding Commission has acknowledged the importance of resolving land disputes for sustainable peace, the National Commission on Land and other Possessions, established to resolve land disputes, has had insufficient capacity to respond to the extensive and complex land and property issues facing Burundi in this post-conflict period.

For landless returnees, the Government of Burundi, in partnership with the international community, has begun to implement its ‘villagisation’ policy, which aims to establish Peace Villages. The government has acknowledged, however, that it had been so preoccupied with finding a physical place for people to resettle that it did not fully assess access to basic services in and around these new village sites. Further partnership with the international community and effective planning to ensure both access to land and basic services will be essential.

**Resettlement**

Resettlement has played an important role in efforts to resolve the protracted refugee situation in Tanzania. First, it has been and continues to be used as a protection tool for individuals with legal and physical protection problems. Second, it has been used in a strategic manner to complement voluntary return and local integration in the context of the 1972 caseload. To this end, group processing was pursued for the resettlement of these individuals from the 1972 caseload currently residing in Tanzania’s refugee camps. Four important criteria define this group: they fled Burundi in 1972; they have been displaced more than

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**Burundi: seven years of refugee return**

Andreas Kirchhof

Before UNHCR started its facilitated return programme in spring 2002 Burundi ranked second (after Afghanistan) in UNHCR’s global ‘country of origin’ statistics, despite its small size. With the return of half a million refugees and the majority of the country’s 375,000 internally displaced persons since then, the war-ravaged country of some eight million people has had to reintegrate about 10% of its population. Refugee return has taken place mostly to rural areas in border provinces, in a context of widespread poverty, lack of basic infrastructure and scarcity of land. To gain better information on the situation of returned refugees, UNHCR set up a country-wide returnee monitoring scheme. This, and a number of assessments organised with partners, generated the following conclusions.

Firstly, the great majority of returnees do not face protection problems specific to their status as returnees, and discrimination against them hardly occurs. They usually return to their hills (collines), where they are supported by their family, clan or other community members. With regards to socio-economic reintegration, the situation of returnees who have access to agricultural land and who returned several years ago is the same as that of the resident population.

Secondly, some observers have questioned the sustainability of return due to the dire socio-economic prospects in key return communes. In the main communes of return, the population has increased by an estimated 50% since 2002. In the longer term, support in these regions needs to target the communities at large and not returnees in particular.

Thirdly, land tenure conflicts involving returnees are on the rise, particularly since UNHCR began to facilitate in 2008 the return of former refugees from 1972 from Tanzania’s ‘Old Settlements’. By early July 2009 some 41,000 refugees from the 1972 caseload had returned. Even though this is less than 10% of the total number of returnees, their arrival has attracted significant attention from humanitarian actors. The Government of Burundi, UNHCR and other agencies have responded to the rise in land disputes by increasing support for land conflict mediation, resulting in solutions such as land sharing. While these combined efforts have already resolved thousands of cases, the land issue remains a risk factor in terms of successful reintegration and peaceful cohabitation particularly in southern Burundi. Its resolution is all the more pressing in the run-up to the national elections in 2010.

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