



THE IMPACT OF THE PRESENCE OF REFUGEES IN NORTH WESTERN TANZANIA

**THE CENTRE FOR THE STUDY OF FORCED MIGRATION
UNIVERSITY OF DAR ES SALAAM**

**FINAL REPORT
SEPTEMBER 2003**

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By

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| | |
|-------------------------|-------------|
| Dr. Bonaventure Rutinwa | Team Leader |
| Dr. Khoti Kamanga | Member |

LIST OF ABBREVIATIONS

| | |
|----------|---|
| CSFM | Centre for the Study of Forced Migration |
| CSPD | Child Survival Protection and Development |
| CNDD | Conseil National pour la Défense de la Démocratie |
| DANIDA | Danish International Development Agency |
| DC | District Commissioner |
| DED | District Executive Director |
| DRC | Democratic Republic of Congo |
| DNRO | District Natural Resources Officer |
| DMO | District Medical Officer |
| DEO | District Education Officer |
| DRDP | District Relief and Development Plan |
| ERB | Economic Research Bureau |
| ECHA | Executive Committee on Humanitarian Affairs |
| EU | European Union |
| FDC | Folk Development Centre |
| FTP | Food for Training Programme |
| IDPs | Internally Displaced Persons |
| IRC | International Rescue Committee |
| JICA | Japanese International Co-operation Agency |
| KAEMP | Kagera Environmental Management Project |
| KDH | Kibondo District Hospital |
| MHA | Ministry of Home Affairs |
| NGO | Non-Governmental Organisation |
| NPA | Norwegian Peoples' Aid |
| PAYE | Pay As You Earn |
| PEDEP | Primary Education Development Programme |
| RC | Regional Commissioner |
| REDESO | Relief and Development Society |
| RK | Radio Kwizera |
| SAEU | Southern African Extension Unit |
| SPRAA | Special Project for Refugee Affected Areas |
| TRA | Tanzania Revenue Authority |
| TCRS | Tanganyika Christian Refugee Services |
| TANROADS | Tanzania National Roads Agency |
| TASAF | Tanzania Social Action Fund |
| TWESA | Tanzania Water and Sanitation Agency |
| UNHCR | United Nations High Commissioner for Refugees |
| UNDP | United Nations Development Programme |
| UMATI | <i>Uzazi na Malezi Bora Tanzania</i> (Family Planning & Upbringing) |
| URT | United Republic of Tanzania |
| VAT | Value Added Tax |
| WFP | World Food Programme |

1. INTRODUCTION

This is a study by the Centre for the Study of Forced Migration of the impact of the presence of refugees in North Western Tanzania over the last ten years. The study presents findings of field research that was carried out by Dr. Bonaventure Rutinwa, the Team Leader, and Dr. Khoti Kamanga.

Its title notwithstanding, this study is not a comprehensive and full account of neither the impact of the presence of refugees in North Western Tanzania nor the intervention efforts that have been made. Rather, the objective of the research was to gather enough evidence of examples of the impacts of refugees and examples of the interventions that have been made to address the impacts. Therefore, there will be some impacts, as well as some interventions, that are not reflected in this report. This approach was partly dictated by the time and resources available.

1.1. Context of the Study

Tanzania has been hosting refugees for almost all the 42 years of its independence. In those years, the country has pursued two distinct refugee policies. Between the 1960s and early 1980s, the Government pioneered the ‘open door policy’ whose elements have been described as a liberal admission of all those in flight, allowing refugees the enjoyment of socio-economic rights to the fullest extent possible, including the right to engage in economic activities, and the commitment to continuing to host refugees until the conditions in the countries of origin are right for voluntary repatriation.¹ In the 1990s, the Tanzanian Government adopted a new policy, which focussed on temporary protection for refugees in camps, with a view to voluntary repatriation as soon as possible. The main characteristics of this policy include curtailing refugees’ freedom of movement, restrictions on engagement in self-reliance activities, and active pursuit of rapid repatriation of refugees. This new policy has been particularly pursued in relation to Burundian refugees.

In justification of its new policy, the Government of Tanzania has cited the negative impact of the presence of refugees including deterioration of security, environmental degradation, damage to infrastructure, and challenges of economic development in the refugee hosting regions. The government has also cited failure of the international community to provide adequate support for mitigation of the impact of the presence of refugees in Tanzania. The serious cuts in refugee aid, including life sustaining assistance such as food, have also forced refugees to turn to crime to survive, thus enraging further the local communities and the Government. The cuts in food aid have also forced some refugees to return home, even if that means risking their lives.

Concerned about the above situation, particularly the possibility of precipitated and premature repatriation of refugees, Oxfam GB, TCRS, Africare, Concern, NPA, MSF-Spain and IRC

¹ Rutinwa, B., *The End of Asylum? The Changing Nature of Refugee Policies in Africa*, UNHCR, 1998, *passim*.

facilitated the Centre for the Study of Forced Migration, University of Dar es Salaam to undertake a study on the impact of refugees in North Western Tanzania under the following terms of reference:

- undertake a document review to identify the main recurring assertions about the impact of refugees and assess the evidence for and against them. That includes a review of available documentation about impact of refugees, identification of the most useful examples, and gaps where opportunities for documenting important aspects of impact have been missed.
- undertake field research to provide evidence on questions where documentation is insufficient, and to elicit through participatory engagement current perceptions among different stakeholder groups in host communities in western Tanzania. These stakeholders include government officials, local traders, small holders, and etcetera, all of whose attitudes towards refugees may differ depending on the real or perceived impact of refugees on each of them. Every endeavour shall be made to ensure that the views expressed at the grassroots level are genuine and not directed from anywhere or unduly influenced by negative publicity in the public media.
- Select focus areas and communities for research which represent a reasonable range against key variables derived from the assertions to be tested, with a major emphasis on areas hosting Burundi arrivals since 1993, but allowing scope for comparison with areas hosting refugees from the DR Congo and earlier Burundi arrivals including those living outside camps. On the basis of these criteria, the study shall be carried out mainly in Kibondo District where comparative data will be collected and analysed.
- Assess impact of refugee presence in terms of:
 - time spent by government officials on refugee related work. In this regard, a comparison should be made between the situation in Kibondo and Ngara Districts.
 - environmental impact and consequent social and economic effects
 - infrastructure gains and losses of host communities
 - livelihoods gains and losses of host communities
 - access of host communities to social services
 - security (including consideration of how and in what circumstances the actual presence of refugees, as opposed to mere location within a conflictual region contributes to (in) security). Statistics should be obtained as to the general situation of crimes in the research areas and which of those crimes are attributable to refugees. Also, comparison should be made between crime trends in refugee-affected regions and other comparable regions which are not.

1.2. Methodology

The information for this study was obtained through a number of methods. First, the researchers reviewed the existing literature including basic documents (e.g. legislation), newspaper reports, and existing research reports, some of which had been produced by the members of the Centre itself as part of their normal research activities or other relevant commissioned works. Second, the researchers visited the country offices of some humanitarian agencies in Dar es Salaam where they held discussions with designated officials and collected some documentation. To obtain the views of stakeholders at regional, district and village levels, three field research

missions were undertaken one to Kagera/Ngara and two to Kigoma/Kibondo districts. At the regional level, interviews were held with actors in the office of the Regional Administrative Secretaries. Also, this opportunity was utilised to obtain research clearance to conduct detailed research at district and village levels. At the District level, extensive discussions were held with Government officials including the District Commissioners, the District Executive Directors, MHA Co-ordinators and some settlement officers, and District officers in charge of education, health, water and roads. Also, the research teams held discussions with various refugee-related agencies operating in the Districts.

The research teams also sought to get the views of the ordinary people through focus group meetings with representatives of various sections of the local community. The first focus group discussion was held in April 2003 at Kasanda Township, in Ngara, with 25 persons from one ward in Ngara and another one in Biharamulo. They included Village Chairmen, Agriculture Extension Officers, Forestry and Beekeeping Officers, teachers and ordinary people participating in NPA's food security programmes. The second focus group discussion was held in July 2003 in Kibondo town, at the headquarters of TCRS's Kibondo Development Programme, with 20 people from 20 different villages, all of whom were village facilitators of TCRS's Development Programme. They included men and women from diverse disciplines. Another focus group discussion was held in July 2003 with 30 villagers at Kumkugwa village in Kibondo District. This village was chosen because of its close proximity to (two kilometres) Kanembwa, the oldest camp in Kibondo, and therefore was in the best position to testify as to the negative and positive impact of the presence of refugees. The researchers also made physical visits to various relevant places including areas surrounding refugee camps, markets (including common markets), tree nurseries, development projects, hospitals, etc.

As per the terms of reference, the researchers were required to endeavour to obtain qualitative and quantitative data in relation to losses and gains resulting from the presence of refugees.² However, the research team eschewed this approach for a number of reasons. First, that sort of exercise required a greater degree of access to financial data and exposure of programmes to scrutiny than many organisations would be prepared to grant. Second, and more importantly, the *input*-based approach is increasingly regarded as a questionable method of assessment whether in development or emergency settings. This is because the monetary value of investments is sometimes a reflection of the high-cost nature of development/humanitarian agencies than the actual benefits accruing to the target populations. For example, in our previous studies, we have come across cases where one agency would spend three times the amount spent by another agency to execute the same task. Also, sometimes the level of inputs does not necessarily result in the expected outputs. As will be seen in the report, cases of non-

² Commenting on the first draft of this report, some partners remarked that the economic sections were extremely weak because no value of investments, in monetary absolute terms, was given, and this made it impossible to derive intelligent outcomes. It was suggested that donor, private and government monetary inputs should be stated. It was also suggested that a comparison should be made between the inputs in various sectors by the government on one hand and humanitarian agencies on the other.

delivery or sub-standard quality work in donor funded projects was one of the major concerns in both Kigoma and Kagera regions. For the above reasons, the research mission decided to follow a *results*-based approach to this study. Our main concern was not so much how much had been spent but what tangible results had been achieved. In the end, the results are what matter for the beneficiaries. For the same reasons, the researchers also did not find it fair to compare monetary input by the Government and the international agencies, since there is no necessary correlation between the amount of the money spent and the output achieved. For example, it may cost UNHCR as much as 113,000 US to create a P.3/L.3 Protection Officer post in an African country.³ This amount may be about 100 times the personal salary of the head of refugee services of the host government, but does necessarily mean that the work of that Protection Officer is 100 times more valuable than that of the government official.

1.3. Structure of the Report

The next part of the report describes the recurrent assertions regarding the impact of refugees in North Western Tanzania. Sections 3 to 8 contain the findings of the study with regard to the alleged negative impact as well as gains that have accrued to the host communities due to the presence of refugees in different issue areas: security, environment, infrastructure, social services, local government, and economy. The conclusion consists of further reflections and recommendations regarding the question of the impact of the presence of refugees in Tanzania.

2. RECURRENT ASSERTIONS REGARDING THE NEGATIVE IMPACT OF REFUGEES

Claims regarding the negative impact of refugees have been made by the Government of Tanzania at virtually all levels and various segments of the Tanzanian society at large. At the highest level of government, the State President, His Excellency Benjamin William Mkapa, has on a number of occasions alluded to the negative impact of refugees and suggested some solutions. In recent times, the President made several high-profile speeches in which he described the refugees as an unbearable burden on the country. At a sherry party hosted for members of the Diplomatic Corps in January 2002, the President described the presence of refugees as a severe economic and social burden on the country which threatened to reverse the gains so far made by the country. The President decried the current regime of refugee protection, which resulted in Tanzania shouldering a disproportionate share of the refugee burden. Among the specific burdens that refugees had imposed on Tanzania, the President mentioned strained relations with Burundi, increased insecurity, and depletion of resources of an already impoverished country. Three months later, the President presented a paper at a Symposium in Kampala, which read in part: "Tanzania has hosted refugees for almost five decades now. We have often paid dearly for that humanitarian gesture, in terms of security, in

³ According to the UNHCR, *Global Report 2002*, p. 37, it costs 112,772 to create a P.3/L.3 post in Zimbabwe, a country whose capital Harare which, at position 143 in the index of the cost of cities, is one of the least expensive cities in the world.

terms of economic and social development, and in terms of strained relations with neighbours.”⁴

In October 2002, while addressing the Sixth Ordinary National Congress of *Chama Cha Mapinduzi* (CCM) (the ruling party), the President said that foreign policy aspirations of the nation were being frustrated by the suffocating burden of hosting refugees, particularly from Burundi and DRC. Also, the President described refugees as a social and economic burden, a threat to the environment, and a threat to peace and security for the people. For this reason, the President went on to say, Tanzania would continue to seek the long overdue revision of the existing international refugee regime with a view to have refugees protected in safe zones in their own countries. He added that Tanzania would not grant mass naturalisation to refugees.

Claims regarding the impact of refugees were also made by the Vice President, the late Dr. Omar Ali Juma, who told the UN High Commissioner for Refugees, Madam Sadako Ogata that Tanzania was facing a big refugee burden and that the assistance it received from the international community was inadequate.⁵ The Vice President is reported to have made similar claims to the Secretary General of the United Nations Kofi Annan.⁶ While visiting Kigoma in September 2000, the same leader is reported to have said that refugees were responsible for the slow pace of development in the region. He pointed out that the government was being forced to invest more money in the security of the region instead of investing the same in the region’s development sectors.⁷ Even the Prime Minister, Honourable Frederick Sumaye, is reported to have pleaded with the international community to help to relieve Tanzania of the problems caused by refugees such as environmental damage and security problems. He said that the government was diverting its meagre resources to strengthen security in places hosting refugees.⁸

Another high government official who has lamented the negative impact of refugees is the former Minister of Home Affairs, Hon. Mohamed Seif Khatib. In his message delivered on June 20th, 2001, to mark the World Refugee Day, he pointed out that about 800,000 refugees then hosted in Tanzania were a heavy burden to a poorly resourced country. He called upon the international community to assist in repairing the environmental damage caused by the influx of refugees in the country.⁹ On another occasion, the Minister for Home Affairs was reported to have called upon UNHCR to assist NGOs dealing with refugees in capacity building to enable them to cope with the burden. He stressed the need for a stronger solidarity among the nations to assist the overburdened host countries.¹⁰

⁴ Mkapa, B., Intervention by the President of the United Republic of Tanzania, His Excellency Benjamin William Mkapa, at the Symposium on the Great Lakes Region, Nile International Conference Centre, Kampala, Uganda, 10th April 2002, at p.4.

⁵ *The East African*, January 19, 2000, and *Mtanzania*, January 19, 2000.

⁶ *The Guardian* (T), June 9, 2001.

⁷ *Uhuru*, September 13, 2000, p. 4.

⁸ *The Guardian*, June 14, 2001.

⁹ *The Daily News*, June 20, 2001.

¹⁰ *The Daily News*, December 15, 2001.

In his budgetary speech in Parliament for the financial year 2001/2002, the Minister for Home Affairs said that refugees were causing serious problems especially in the regions of Kigoma, Kagera and Rukwa: “Among these problems were insecurity in the villages neighbouring the camps particularly theft, rape, robbery and destruction of the environment” (author translation).¹¹ The Minister went on to say that while refugees are persons to be treated kindly, most of the time (*mara nyingi*) some of them do not appreciate that kindness they are given by Tanzanians by not respecting the regulations governing their refugee status. He went on to reiterate the current government policy on refugees, which is geared towards repatriation.¹²

The other political heavyweights to comment on the negative impact of refugees have been the Ministers for Foreign Affairs and International Co-operation. As far back as 1995, the Minister for Foreign Affairs, Hon Joseph Rwegasira had this to say:

The influx of large number of refugees has brought population pressure in the border districts sheltering the refugees, environmental and ecological destruction, depletion of stocks, havoc to the social services and infrastructure, insecurity and instability in the border areas.¹³

Similar claims have persistently been made by Rwegasira’s successor, Honourable Jakaya Mrisho Kikwete (MP). During conversations with the Swedish Commission and the Swedish Ambassador to Tanzania, His Excellency Sten Rylander, the Minister lamented that Tanzania had been left to carry the refugee burden single handed without any help from the United Nations. To underscore the point, the Minister gave examples of the negative consequences of hosting refugees including the murder of a police officer at Ngara, unlawful possession of weapons, robbery, banditry and terrorisation of the local people. No wonder, he said, the local community did not want refugees anymore but just wanted to hear them returned to their countries.¹⁴ In his budgetary speech in Parliament for the financial year 2001/2002, the Minister said, among other things, that the presence of refugees had been a reason for unfounded allegations and charges from the rulers of Burundi that Tanzania provided shelter and training to refugees to subvert the government of Burundi. He then went on to reiterate the position of the Government that the solution to the problem is to repatriate the refugees and if necessary to provide them international protection inside that country.¹⁵

At the level of the Region, the then Kigoma Regional Commissioner (RC) Mr. Abubakar Mgumia was once reported to have said that refugees were a burden to the region. The RC said this following the UNHCR’s refusal to accept a site near Ilagala village for a new refugee camp on the ground that the area was inaccessible. The RC wondered why refugees should be

¹¹ *Hotuba ya Waziri wa Mambo ya Ndani Mheshimiwa Muhamed Seif Khatibu (MB), Akiwasilisha Bungeni Makadirio ya Matumizi ya Fedha kwa Mwaka 2001/2002* (Speech of the Minister for Home Affairs, Honourable Mohamed Seif Khatib (MP) in Parliament), p. 9.

¹² *Id.*, p. 10 (translation ours).

¹³ Rwegasira, J., MP (1995) Guest of Honour’s Speech, delivered at the International Workshop on the Refugee Crisis in the Great Lakes Region, Arusha, Tanzania, 16-19th August 1994, p. 4.

¹⁴ *Majira*, November 9, 1999.

¹⁵ Speech in Parliament by the Minister for Foreign Affairs and International Co-operation, Hon Jakaya Mrisho Kikwete, (MP), 2001/2002, pp. 40-42

sheltered in good and developed areas while the local people do not have access to such areas.¹⁶ He is also reported to have said that refugees had a negative impact on the development of the region. He claimed that over 60% of his time was consumed by refugee related work.

In 2000, Ms Esther Mbigili, the then Ngara District Executive Director was reported to have blamed refugees for the slow pace of development in Ngara District. She said that due to the insecurity caused by refugees no more investments were coming to the District. She further claimed that refugees had imposed intolerable conditions of life on ordinary people and government employees alike.¹⁷ Very similar claims were made by the Ngara District Commissioner, Mr Maulid Kaggo, who accused refugees of engaging in robbery, banditry and terrorising the local people.¹⁸

Even members of Parliament from refugee-affected areas have shown their concern on the impact of refugees. In August 1999, the Member of Parliament for Kigoma North, Hon. Halmesh Manyanga was reported to have requested the government to stop admitting more refugees because of the unbearable burden they imposed on the country. This request was because refugees consumed a lot of government expenditure and involved themselves in criminal activities such as banditry, robbery and similar crimes. He insisted that the government should stop receiving refugees for, after all, the obligation to grant asylum did not belong to Tanzania alone.¹⁹ Similarly, the Member of Parliament for Biharamulo, Hon. Anatoli Choya who, when interviewed by the *Guardian*, claimed that peasants had abandoned agricultural activities for fear of being attacked by refugee bandits.²⁰ During a meeting between local government leaders and the Deputy Minister for Home Affairs, the late John Mngeja, participants are reported to have said that Tanzania benefits nothing from hosting refugees. To the contrary, refugees were a burden on the government due to their full involvement in robbery and banditry.²¹

Editors also have expressed their concern on the issue. For example, one editorial note in *Majira* newspaper asserted that Burundian and Rwandan refugees in Lukole, Lumasi and Kitali camps engaged in banditry, robbery, house breaking, and theft. They hid in a forest around Buseke near the road from Rulenge to Nyakahura attacking the users. As a result, people had abandoned the road turning to another but longer one that goes through Ngara, Benako, Nyakabungomebe and Nyakabila.²²

Ordinary citizens have, through the media, also made claims regarding the impact of refugees. In August 1999, one citizen complained that hosting refugees was a burden to Tanzania due to their objectionable behaviour. He requested the government to conduct a diligent screening at entry points to ensure that refugees surrender all arms and ammunition before they enter the

¹⁶ *The Guardian*, February 29, 2000.

¹⁷ *The African*, June 22, 2000.

¹⁸ *Mtanzania*, February 26, 2000.

¹⁹ *Dar-Leo*, August 3, 1999.

²⁰ *Guardian*, August 13, 1999, p.3

²¹ *Ibid.*

²² *Ibid. Majira*, June 12, 2001. See also the editorial of *Majira*, August 14, 2001.

country to check incidents of robbery and banditry. Less than a month later, another letter was sent to the same newspaper which branded refugees as a burden to Tanzania because they caused environmental degradation and some of them were responsible of robbery and banditry. The author invited those who did not believe him to pay a visit to Ngara to witness the situation first hand.²³ Another letter published in *Mzalendo* newspaper²⁴ alleged that refugees had led to the increased rate of banditry in Kigoma, to the extent that people can no longer go out to work. While carjacking had affected the road transportation system people could no longer walk from villages to town for the fear of being attacked on the way. Any person with a long nose and long neck was in danger of being attacked by Hutu refugees as he or she was presumed to be a Tutsi. The letter concluded by calling upon the government to take serious measures to ensure safety for the people in that area. In an interview with *The Guardian* one citizen said that refugees were a burden due their social economic and political impact. He accused refugees of causing environmental degradation and threatening national security. He went further to allege that because of the demographic imbalance, refugees were indulging in sex with married Tanzanians leading to breaking of marriages. He therefore recommended that the government should close the borders so that refugees can seek asylum in other countries.²⁵

From the review above, it is clear that the main recurrent assertions regarding the impact of refugees in Tanzania are the following:

- Threat to external security of the country as a result of strained relations with the countries of origin
- Threat to internal security (increase in criminal activities)
- Environmental degradation
- Destruction of physical and social infrastructure
- Excessive burden on local governance and administration
- Slowed economic development in refugee affected regions.

Despite our best endeavours, we could hardly find a story on the positive impact of the presence of refugees in North Western Tanzania.

3. IMPACT ON SECURITY

3.1. Refugees and External Security Concerns

The phenomenon of tensions developing between the country of asylum and that of origin is not new. As far back as 1972, Burundi attacked border villages in Tanzania following the influx of large number of Burundian refugees in Tanzania. After the genocide in Rwanda of 1994, the presence of the refugees became a source of tensions in the relations between Tanzania and Burundi and to a certain extent Rwanda, arising from the suspicion that the refugees were regrouping and training in warfare for attacking the countries of origin.²⁶ This tension reached

²³ *Mtanzania*, September 3, 1999.

²⁴ *Mzalendo*, August 23, 1999

²⁵ *The Guardian*, March 4, 2000.

²⁶ See Rutinwa, B., *Refugee Protection and Interstate Security: Lessons from the Recent Tensions Between Burundi and Tanzania*, Study Commissioned by the French Institute for Research in Africa (IFRA), 1998, *passim*.

its peak in the mid-1990s when Burundi persistently accused Tanzania of harbouring and training Burundi rebels, charges which Tanzania strongly and persistently denied.²⁷

On Saturday 23 August 1997, the Tanzanian Government issued a press release in which it said that Burundi had moved its troops too close to its border with Tanzania contrary to all international norms. That event, the release noted, was coming in the wake of recent rhetoric of the Government of Burundi accusing Tanzania of facilitating the incursions by guerrilla fighters into its territory, and reliable reports that Burundi had been gathering intelligence information in Tanzania with regard to the location of a large concentration of Burundian refugees, their leaders, their intentions, their training, the number of trainees, movements of rebels, the whereabouts of CNDD, *PALIPEHUTU* and FLORINA leaders, and the distance of each camp from the border with Burundi. This information, in the view of the Tanzanian government, was sufficient evidence that Burundi had intentions to invade refugee camps in Tanzania. For this reason, Tanzania had instructed its military leaders to talk to their counterparts in Burundi to resolve any misunderstanding. However, the press release added:

The Government would like to make it clear that any act of attacking refugee camps was tantamount to attacking Tanzania for the camps were on Tanzanian soil. Therefore, [Burundi] should be aware that the Government of Tanzania will not remain silent or watch idly and has a responsibility to ensure that refugees and all its citizens are safe. And if [the invasion] occurs, Tanzania has a right to respond decisively MILITARILY. Our troops have already been issued with orders to that effect. [Translation from Swahili, capitalisation original]

In October 1997, there was an exchange of fire between the troops of Tanzania and Burundi along the common border, with Burundi placing blame on Tanzania.²⁸

Tanzania's response was characteristically sharp. In a press statement issued on 31st October 1997, the Ministry of Foreign Affairs and International Co-operation refuted these allegations as follows:

The Government of the United Republic of Tanzania categorically refutes unfounded allegations levelled against it that Tanzania Forces has attacked Burundi on the night of 27th October 1997 causing extensive damage to property and human lives. On the contrary, it was the Burundi army, which attacked the Kitengule detachment of the Tanzania People's Defence Forces situated at Kaunga using light arms in the early morning of 27th October 1997. Being provoked, the Tanzanian forces had to exercise the right of self-defence in accordance with Article 51 of the UN Charter, 1945. The Government of the United Republic of Tanzania has an obligation to protect its territorial integrity as well as the security of its citizens. *In addition, the Government, being a*

²⁷ See Tanzania Government, *Clarifications on a Number of Allegations and Accusations Made against Tanzania*, posted by the Tanzania High Commissioner in London on Tanzanet on Friday 26 September 1997.

²⁸ Sonya Laurence, 'Burundi Attack' Correspondent report for Voice of America posted on Tanzanet on 27th October 1997.

*signatory to the international conventions governing refugees, has the obligation to ensure their safety.*²⁹ (Italics Added).

As tensions continued to mount, the President of Tanzania, Benjamin William Mkapa, weighed in to emphasise the resolve of Tanzania to protect its territory and Burundian refugees hosted on its territory. Addressing the ruling Party Congress on 11th November 1997, President Mkapa went even further to suggest that Tanzania had a duty to undertake humanitarian intervention in Burundi:

It is true that we have some problems with Burundi, but we in Tanzania have no quarrel with the people of Burundi or their country. We have always lived peacefully with them as our neighbours. We have always received and provided sanctuary and succour to Burundi refugees, even before independence. But standing as we do only three years from the next century, we cannot keep quiet, or be indifferent, when democracy is being ridiculed, human rights are trampled upon, and when we are forced to receive waves of refugees who threaten peace along our common border, simply because of the intransigence of the present leaders in Bujumbura.³⁰

While noting that Tanzania had no intention nor desire to go to war with Burundi, nor to remove the current Government from power by military means, or providing military support to its opponents, he also emphasised that “we consider it our duty to continue helping all the people of Burundi to reach a negotiated resolution of their political and security problems.” However, the President said, “it must ... not be forgotten that it is the primary duty of any government to protect its borders, its people and their property.”³¹

No further military attacks or confrontations were reported after November 1997. In fact, relations appear to have started improving throughout 1998 leading to resumption of full diplomatic, economic trade and cultural relations between the two countries in early 1999. This may have been due to Tanzania’s resolve to protect refugees at all costs which made Burundi view the military approach as highly risky. Also, Tanzania rounded up non-camping refugees and ordered them to report in refugee camps or return to their countries of origin. According to Vincent Parker, the then spokesman of the UNHCR in Dar es Salaam, this measure was intended to dispel claims by Burundi’s military government that Tanzania was supporting the activities of Hutu rebels, based in refugee camps close to the common frontier.³²

In the year 2000, Burundi again accused Tanzania of harbouring and training Burundian rebels. This time, Tanzania’s response was markedly different. Unlike in the late 1990s when the country was prepared to go to war to defend itself and the refugees, this time the Government position was that the solution to this problem was the repatriation of Burundian refugees at any

²⁹ Ministry of Foreign Affairs and International Co-operation Press Statement, posted on Tanzanet by the Tanzanian High Commission in London on 31/10/1997.

³⁰ Quoted in Tanzania High Commission, London, “Briefs from Home” posted on Tanzanet on 12th November 1997.

³¹ Ibid.

³² As quoted in a CNN Story titled “Tanzania holds thousands of illegal aliens-UNHCR” Webposted on Tanzanet on 14th November 1997.

cost. As we saw above, this position remains the position of the Government of Tanzania to date.³³

There are a number of factors that explain Tanzania's new policy stance, but perhaps the most important is the change in the country's foreign policy. As far back as 1996, Rutinwa noted that one of the reasons for the "no more refugees policy" in Tanzania was a new approach to foreign relations whereby the country would strive to pursue good relations with all its neighbours regardless of their political or economic systems or their actions, provided these did not harm Tanzania.³⁴ This has now been affirmed in the Government's *New Foreign Policy* whose central theme is "the mainstreaming of economic considerations in the formulation and conduct of URT's foreign policy."³⁵ One of the expressly stated objectives of this policy is "to ensure that URT's relations with other nations and international entities are also driven in line with economic interests."³⁶ One of the strategies to achieve this goal is "mainstreaming economic issues to the extent that even political commitments such as conflict resolution; promotion of human rights and others, shall be perceived as permitting conducive (attractive) environment for economic co-operation and development."³⁷ Effectively, this policy subjects political interests to economic interests in the country's foreign policy.

With such a foreign policy, it is not hard to see why Tanzania would not be prepared to go to a costly war with a neighbouring country solely for the purposes of asserting its right to protect refugees from that country. But even without this new policy, one would understand why a country like Tanzania would think twice before going to war for refugees. In the past, and in line with its previous foreign policy which sought among other things to "support the oppressed people in the world"³⁸ Tanzania went to so many wars in support of regional exiles. These wars brought the country to the brink of economic collapse. Much poorer than it was then, Tanzania can no longer afford this sort of generosity, even if there had been no policy change. While the reluctance by Tanzania to go to war to assert its right to grant asylum is quite understandable, its proposed solution of sending refugees back to their countries of origin, irrespective of the conditions prevailing there, is a different matter altogether. In addition to this position being in express contravention of the principles of refugee law, precipitated repatriation could in fact aggravate the political crisis in the country of origin, leading to even greater influx of refugees into Tanzania. Also, experience in the Great Lakes Region shows that prolonged political crises in one country sooner or later assume regional dimensions, thus undermining regional peace and security, one of the central objectives of Tanzania's new foreign policy.³⁹ This situation calls for international refugee policy makers and actors to reflect on how to ensure that asylum

³³ See also the Speeches of the Minister for Home Affairs, Hon. Muhammed Seif Khatib (MP) in Parliament while Presenting Budget Estimates for the financial year 2002/2003, at p. 34; and for the Financial Year 2003/2004, at pp. 32-35.

³⁴ Rutinwa, B., 'Tanzanian Government's Response to the Rwanda Emergency' in *Journal of Refugee Studies*, Vol. 9 No. 3 1996 pp. 191-302, at 299.

³⁵ United Republic of Tanzania, *New Foreign Policy*, 2001, para 3.

³⁶ Id., para 26, bullet 2.

³⁷ Id., para 28 bullet 2.

³⁸ See Presidential Circular No. 2 of 1964, issued by the founding President, the late Mwalimu Nyerere, which set forth the fundamental principles and objectives of the URT's foreign policy.

³⁹ See URT, *New Foreign Policy*, para 32.

is safeguarded without exposing the country of asylum to unacceptable levels of political and military risks.

3.2. Refugees and Internal Insecurity Concerns

Refugees have been associated with the increase in crime rates in refugee-inhabited areas (RIA) and even in the country as a whole. The main crimes reported in newspapers and attributed to refugees are criminal homicide,⁴⁰ illegal possession of firearms and ammunition,⁴¹ and banditry and armed robbery.⁴² From the newspaper reports, it can justifiably be said that incidents of criminal activities involving refugees are prevalent in refugee-affected areas. That said, there are two main questions that must be answered. First, are refugee-hosting regions experiencing a higher rate of crime than other regions as asserted in the reports? If so, was this increase attributable to the presence of refugees? To answer the first question, the researchers took a close look at the data from all regions for the years 2000 and 2001.

Table 1: CASES OF MURDER, ARMED ROBBERY AND ILLEGAL POSSESSION OF ARMS AND AMMUNITION IN TANZANIA IN THE YEARS 2000 AND 2001

| REGION/ FORCE | MURDER | | ARMED ROBBERY | | ILLEGAL POSESSION OF ARMS AND AMMUNITION | |
|------------------|--------|------|------------------|------|---|------|
| | 2000 | 2001 | 2000 | 2001 | 2000 | 2001 |
| ARUSHA | 169 | 144 | 94 | 120 | 25 | 47 |
| DSM | 159 | 155 | 142 | 168 | 19 | 36 |
| DODOMA | 159 | 158 | 45 | 59 | 10 | 18 |
| IRINGA | 116 | 127 | 5 | 28 | 26 | 40 |
| KAGERA | 186 | 226 | 57 | 158 | 48 | 62 |
| KIGOMA | 105 | 104 | 232 | 12 | 38 | 35 |
| K/MANJARO | 90 | 84 | 30 | 8 | 10 | 9 |
| LINDI | 34 | 37 | 6 | 11 | 1 | 6 |
| MARA | 208 | 150 | 18 | 17 | 16 | 4 |
| MBEYA | 133 | 121 | 19 | 53 | 28 | 64 |

⁴⁰ See eg. Reports in *The Guardian* (T), 19th July 1995, p. 1; *Mwananchi*, April 23, 2000; Uhuru, January 10-2000 p.3 and *Mtanzania* January 23, 2000; Uhuru, January 10-2000 p.3 and *Mtanzania* January 23, 2000; Uhuru, January 10-2000 p.3 and *Mtanzania* January 23, 2000; Uhuru, January 10-2000 p.3 and *Mtanzania* January 23, 2000; Uhuru, January 10-2000 p.3 and *Mtanzania* January 23, 2000; Uhuru, January 10-2000 p.3 and *Mtanzania* January 23, 2000; Uhuru, January 10-2000 p.3 and *Mtanzania* January 23, 2000; Uhuru, January 10-2000 p.3 and *Mtanzania*, January 23, 2000; Uhuru, January 10-2000 p.3 and *Mtanzania*, January 23, 2000; Uhuru, January 10-2000 p.3 and *Mtanzania*, January 23, 2000; Daily News August 2, 2001 pg. 2; *The Guardian*, February 23, 2000 and *Mtanzania*, February 23, 2000 p.2

⁴¹ *The Daily News*, August 16, 1999; *The Guardian*, September 1, 1999; Uhuru, January 29, 2000; *The Guardian*, September 1, 1999; *The Guardian*, November 29, 1999; Uhuru, January 29, 2000; *The Guardian*, September 18, 2000, see also *Sunday News*, July 15, 2001, p 2; *The Daily News*, July 11, 2001; *The Guardian*, August 21, 2001 and *Daily News*, October 11, 2001 p.3.

⁴² See e.g. Mtanzania, August 3, 1999; *Nipashe*, October 31, 1999, p. 1; *Uhuru*, January 11, 2000, p.3; *The Guardian*, May 25, 2000; *The Guardian*, May 25, 2000, and *Majira*, August 12, 2001.

| | | | | | | |
|------------------|-------------|--------------|------------|--------------|------------|------------|
| MOROGORO | 128 | 86 | 20 | 9 | 26 | 20 |
| MTWARA | 60 | 63 | 10 | 35 | 8 | 3 |
| MWANZA | 267 | 281 | 25 | 19 | 18 | 35 |
| PWANI | 25 | 30 | 17 | 30 | 14 | 18 |
| RUKWA | 82 | 60 | 55 | 2 | 20 | 24 |
| RUVUMA | 41 | 39 | 5 | 101 | 14 | 10 |
| SHINYANGA | 269 | 292 | 60 | 26 | 25 | 20 |
| SINGIDA | 99 | 76 | 74 | 59 | 38 | 90 |
| TABORA | 169 | 111 | 79 | 6 | 44 | 62 |
| TANGA | 68 | 66 | 9 | 1 | 9 | 45 |
| RAILWAY | - | 0 | 1 | 0 | - | 2 |
| TAZARA | - | 0 | - | 3 | 1 | 0 |
| AIRPORTS | 2 | 0 | 1 | 0 | - | 00 |
| Z'BAR | 18 | 9 | - | - | - | - |
| TOTAL | 2587 | 2,419 | 977 | 1,047 | 438 | 650 |

Source: Speeches of the Minister for Home Affairs in Parliament for the Financial Years 2000/2001 and 2001/2002.

The above table shows that the rate of crime in Kagera and Kigoma is indeed comparatively high. In the year 2000, Kagera ranked the fourth, seventh and first in the rates of murder, armed robbery and illegal possession of arms/ammunitions respectively. On its part, Kigoma ranked tenth, first, and third in the rates of murder, armed robbery and illegal possession of arms/ammunitions respectively. In the year 2001, Kagera ranked third, second and first in the rates of murder, armed robbery and illegal possession of arms and ammunities respectively. In the same period, Kigoma occupied the eleventh, fourteenth and ninth positions in the rates of the same offences respectively. From the above data, the argument that Kagera and Kigoma Regions had high crime rates cannot be disputed, especially in the year 2000. The problem seems to be more acute in Kagera region. That said, the question remains whether or not this situation can be attributed to refugees. The answer to this question can be partly discerned by looking at the crime statistics for the year 2000 more closely.

Table 2: SELECTED CRIMES COMMITTED IN KAGERA AND KIGOMA BETWEEN JANUARY – DECEMBER 2000

| REPORT | KAGERA | | | KIGOMA | | |
|---------------------------------------|-----------|--------------------------|-------------------------------|-----------|--------------------------|-------------------------------|
| | All Cases | Cases Involving Refugees | % of Cases Involving Refugees | All Cases | Cases Involving Refugees | % of Cases Involving Refugees |
| Murder | 186 | 6 | 3 | 89 | 20 | 22 |
| Armed Robbery | 57 | 6 | 10.5 | 232 | 59 | 25 |
| Illegal Possession of Arms/Ammunition | 48 | 2 | 4 | 38 | - | - |

Source, Speech of the Minister for Home Affairs in the Budget Session of Parliament, 2001/2002, quoting Police Sources, 2001.

As the table above shows, the percentage of reported cases attributed to refugees in Kagera region in the year 2000 was as low as 3% for murder, 4% for illegal possession of arms and ammunition and 10.5% for armed robbery. In the case of Kigoma, the percentages of cases in which refugees were suspected in the same period were 22% for murder and 25% for armed robbery. These statistics show that while it is true the refugee hosting regions of Kagera and Kigoma have a higher rate of crime compared to other regions, this situation cannot, in the case of Kagera, be mainly attributed to refugees. In the case of Kigoma, however, the percentage of murder and armed robbery cases attributed to refugees was, at over 20%, quite significant.

The significance of these figures becomes even clearer when the size of the population of refugees and that of hosts are taken into account. As of 2002, Kigoma, the only Region where refugees are spread throughout all Districts, had a total population of 1,739,183 of whom about 1,355,000⁴³ were Tanzanians and 384,183 were refugees, or 22% of the total population. As was seen above, the cases of murder and armed robbery accounted for by refugees were 22% and 25% respectively. Thus, the proportion of refugee cases is almost the same as the proportion of refugees in relation to the total population.⁴⁴

Even a look at prisons statistics indicates that the ratio of criminals among the refugee population is comparable to the ratio of criminals among the local populations. For example, as of June 2002, there were 79 refugee prisoners in prisons in Kasulu. This represents 0.053% of the total refugee population in the District, which stood at 15,374. At the same time, there were 215 local prisoners in the District, which was 0.046% of the total local population of 47,645. These figures are remarkably close. Moreover, it must be borne in mind that 65% of refugee convicts were imprisoned for immigration and administrative offences.

Two main conclusions may be drawn from the above analysis. First, while refugee-hosting areas have a high rate of crime, refugees do not necessarily cause this situation. The possible cause for this high rate of crime may be the proximity of these regions to war-torn regions, which makes it easy for weapons to be smuggled into the regions and later used in criminal activities. Indeed, the Kigoma Regional Commissioner expressed a view recently that the main cause of crime in his region is not refugees but illegal immigration.⁴⁵ This opinion is corroborated by recent incidents in the country where, following the murder of three policemen in Dar es Salaam by armed bandits, a number of illegal foreigners engaged in criminal activities have been rounded up throughout the country. None of them has, so far, claimed to be a refugee. Second, the ratio of criminals in the refugee population is quite comparable to that of criminals among the host populations. In other words, a refugee is not more likely to commit crimes than a local person. It must be emphasised that while in national and regional terms the impact of the presence of refugees on internal security may not be disproportionate, the effect at local level has been very devastating. 20 deaths caused by refugees in the whole of Kigoma in 2000 may look not too extraordinary. It is however a different matter if six or ten of those deaths

⁴³ This figure is aggregated from data contained in PEMconsult East Africa Ltd., *Programme for Refugee Host Areas Kagera and Kigoma Regions in Tanzania*, January 2003, pp. 11-31

⁴⁴ No similar analysis is done for Kagera because refugees are concentrated in almost one district, Ngara, while the crime figures given are for the entire Region.

⁴⁵ Ibid.

might have occurred in one ward or village. Even one death is, for any person who has been widowed or orphaned thereby, one death too many.

It is often asserted that even if locals commit crime, it is because they use weapons, which they buy cheaply from refugees. However, data unearthed by the research suggests that this situation may not always be the case. For example, between January and December 2001, a total of 1150 illegally possessed weapons were recovered in Kagera Region comprised of 2 sub-machine guns, 3 pistols, 12 short-guns, 2 Uzi, 1 G3, 1 rifle and 1129 “*gobores*” (i.e. locally made guns)! In Kigoma region on the other hand, 50 illegally possessed weapons were found including 29 sub-machine guns, 1 pistol, 1 short gun, 10 G3 and 14 *gobores*.⁴⁶ These numbers show that in Kigoma most of the illegally possessed weapons were of the military type which had most likely been brought in from the war-torn countries of origin of refugees (though not necessarily brought by refugees). However, in Kagera, the problem seems to be much more home grown.

As noted above, the presence of refugees has been linked to proliferation of arms, which have been used in armed robbery. As a result, the local populations have been robbed at gunpoint of valuables such as bicycles, food, domestic animals, and household goods. These robberies have plunged some families into abject poverty. Due to incessant nightly raids by armed robbers suspected to come from refugee camps, some families have had to move away from their habitual places of residence, leaving behind their houses as well as farmlands. These persons have moved to places close to the main road where they have more security but less land to till. In Kagera region, the affected villages include Nyakahula, Buhongwa, Keza, and Kasulo. In some places such as Kumubuga, the whole village fled. The persons who fled have been living in squalid conditions in pre-existing villages along the main road or in new villages, which have sprung up. Nyabucombe is an example of a village whose inhabitants are essentially internally displaced persons (IDPs).

At the focus group meeting with TCRS, Village Facilitators, a similar situation was said to exist in Kibondo. One participant reported the emergence of “livestock refugees” (*wakimbizi wa mifugo*) who he defined as persons who have had to flee from Mabamba village to Katanga because of constant raids by livestock thieves. It was reported that some people had been forced to sell their domestic animals rather than risk their being stolen by bandits at gunpoint. Some people from Nengo and Kilalangona villages were reported to have fled to Kibondo town or into inaccessible swampy marshlands.

4. IMPACT ON THE ENVIRONMENT

4.1. The Negative Impact

Scientifically defined, the natural environment is constituted of five elements namely soil, water, air, forests and other vegetation cover (flora) and wildlife (fauna). There is ample evidence that all of these elements, with possibly the exception of air, were significantly

⁴⁶ See Chart No. 6 annexed to the Speech in Parliament of the Minister of Home Affairs in the 2002/2003 Budget Session., p. 46.

affected by the presence of refugees. The problem was particularly acute in Kagera region in the mid-1990s due to the unprecedented large influx of Rwandese refugees at a time when concern about the environment and proper settlement planning was relatively low.

According to one expert study completed in 1997 there was a massive depletion of forests. In some places the vegetation was completely cleared for refugee settlements. Also, a 6-km radius from the camps was cleared of all vegetation leading to soil degradation. It is also estimated that over 300 metric tons of fuel wood were used per day. In total, over 47,000 hectares of forest reserves were overexploited. The areas most affected were Gagoya in Ngara District, Kasogeye, Nyantakaraya, and Biharamulo Forest reserves.⁴⁷ Also, the arrival of refugees resulted in *ad hoc* expansion in land cultivation and adoption of inappropriate farming systems, negatively affecting the uptake of ground water with a serious decrease of surface and ground water. Further, deforestation, overgrazing and uncontrolled bush fires in the areas surrounding the camps led to soil erosion. The study also noted the overexploitation of wildlife, especially in game reserves located close to the refugee camps. The most affected reserve was Burigi where a total of 14,031 out of 21,757 animals were registered killed.⁴⁸ The study also established that there was severe destruction of water sources and water catchment areas.

The findings of the above study were largely confirmed in this research study. According to the Ngara District Council Development Plan for 2003, the presence of refugees had resulted in environmental degradation due to the large-scale harvesting of fuel wood and poaching of game animals, as a result of which less than 15% of the game population remained.⁴⁹ The District Executive Director repeated these assertions when the mission visited him in person.⁵⁰ Mr. Ileta, the Ngara District Natural Resources Officer (DNRO), gave a more extended list of the negative impact of refugees in Ngara. The first impact he mentioned was the depletion of forest cover. He said that at the beginning of the influx of refugees in the mid-1990s, the clearing of forests took place in camps. A case in point is BENACO camp where virtually no tree was left standing. He admitted that with later camps there was very limited environmental degradation, thanks to the measures that have been introduced by refugee agencies to protect the flora. However, he said that now forest clearing was taking place in areas 10 kilometres beyond the camps where there were no environmental controls. As a result, he said, over two thirds of the forest cover in areas surrounding the camps had been cleared. The other impact mentioned by the DNRO was the clearing of the river line forest along Ruvuvu River, due the constant felling of trees for fuel and brick making for construction work in the camps and in new housing schemes in Ngara town, which had been precipitated by the presence of refugees. The officer also pointed out that the presence of refugees had resulted in more land being cleared for cultivation. The officer also confirmed the assertion that the presence of refugees had resulted in the depletion of game in Burigi and Kimisi Game Reserves by two thirds.

⁴⁷ Tanzania Agro-Industrial Services Limited, The Impact Assessment Study in Refugee Affected Districts of Biharamulo, Ngara and Karagwe, August 1997, p. 7.

⁴⁸ Id., p. 8. See also Mission of the Executive Committee on Humanitarian Affairs (ECHA) to Tanzania to Review the Situation of Refugees and their Impact on Host Communities, Final Report and Recommendations, 24 October - 3

⁴⁹ See Ngara District Council, *Ngara District Development Plan 2003*, p. 9.

⁵⁰ Interview with the DED, Ngara, 23/4/2003.

However, he was quick to point out that this poaching was done in the period preceding 1997 and that presently, poaching by refugees was not a major problem.

The increase of the population had also affected water sources (see more in section 6.3). According to the District Water Department, the indiscriminate felling of trees affected water sources at refugee entry points. Also, there was overdrawing of water at some water points because of the rapid increase of the population. The increase in human traffic also resulted in the closing of some water sources. He was also worried that too many boreholes had been drilled with the long-term impact on the aquifers not well known.⁵¹

At a focus group meeting with village leaders and extension workers from Lusahunga (Biharamulo) and Murusagamba (Ngara) Wards, the participants repeated the allegation that refugees had depleted the number of game animals in and around the camps. According to one of the officers of the Bee-keeping Department, the aerial spraying carried out by the UNHCR in order to kill tsetse flies had an unintended consequence of destroying bee colonies.

As for Kibondo, the District appears not to have been affected to the extent Ngara District was due to two reasons. First, the pattern of refugee arrivals was not as rapid as that which occurred in Ngara. Second, the UNHCR, which had learnt from the experience in Ngara, assigned CARE, which had been working in Ngara to work in Kibondo to ensure that the arrival of refugees caused the least possible adverse impact on the environment. Despite these efforts, some environmental impact was unavoidable, including the harvesting of trees for building purposes and fuel wood. According to one former CARE Project Manager in Kigoma, it took at least 100 to 150 round poles to construct a house for each refugee family. Also, each refugee needs about 1.5 to 2.0 kilogrammes of fuel wood every day. When multiplied by the number of refugees and the days they have been in Tanzania, the volume of wood consumed must translate into hundreds of thousands of metric tonnes.⁵² According to the data obtained from the DNRO, the annual harvesting of wooden poles in Kibondo since the arrival of refugees is as follows:

Table 3: POLES HARVESTED IN REFUGEE CAMPS IN KIBONDO BETWEEN 1994 AND 2002

| YEAR | NUMBER OF POLES |
|-------------|------------------------|
| 1994 | 177,400 |
| 1995 | 25,550 |
| 1996 | 966,450 |
| 1997 | 1,102,250 |
| 1998 | 1,236,850 |
| 1999 | 1,492,450 |
| 2000 | 159,733 |

⁵¹ Interview with Mr. Edward Magai, Water Engineer.

⁵² Interview with Mr. Gabriel Batulane, former CARE Project Manager, Kigoma Environmental Management Project, July 2003.

| | |
|--------------|------------------|
| 2001 | 118,246 |
| 2002 | 200,491 |
| TOTAL | 5,479,920 |

Refugees have been engaging in illegal fishing and hunting in the areas belonging to refugee camps and in Muyovosi Game Reserve.⁵³ According to an official of Muyovosi Game Reserve in Kibondo District, the amount of wildlife in the reserve had been greatly depleted affecting the income generated by Government from harvesting the same. He said that in 1995, the Government earned 195,452,000/= from the Game Reserve. In 1999 this figure dropped by 44% to a mere 107,776,000/=.⁵⁴ As in Ngara, refugees engaged in agricultural activities in order to diversify and supplement their food rations. Some refugees cultivated plots as deep as 25 kilometres inside the Muyovosi Game Reserve.⁵⁵

Another piece of evidence of environmental impact came in a rather interesting way. It was at a focus group discussion at the TCRS premises, and the participants had been asked to enumerate what they consider the positive impact of the presence of refugees. One lady participant said that one of the greatest benefits of the arrival of refugees is that unlike Tanzanians, they eat monkeys, and they had virtually wiped them out of existence. As a result, there was no more need for women to spend days and nights guarding their farms to ensure that they are not harvested pre-maturely by monkeys. This proposition triggered a heated debate as to whether this was a positive or negative impact. The overwhelming majority thought that wiping out of existence an animal species was a negative impact.

From the above, it can be said that the assertion that refugees had a negative impact on the environment is well-founded. However, most of the dramatic stories that are often cited as examples of the devastating impact of the presence of refugees on the environment relate to the period between 1993 and 1996 when the scale of the influx was very large and the level of environmental awareness very low. In more recent times, environmental protection has, thanks to the lessons learnt, been given serious consideration in the design of camps. As a result, the level of vegetation in and around newer camps in both Kibondo and Ngara is satisfactory. Also, as will be seen below, serious programmes of environmental protection and conservation in refugee-affected areas have been established which go beyond the impact attributable to the presence of refugees.

4.2. The Positive Impact

There have been several interventions in the area of environment in refugee-affected areas, some of which have actually gone beyond the problems caused by the presence of refugees to address the questions of environmental improvement and agroforestry generally. In Ngara, the District Natural Resources Officer (DNRO) recorded his appreciation of the co-operation and support his Department has received over the years from various refugee related agencies and

⁵³ See Kibondo District Authority, 'Taarifa ya Halmashauri ya Wilaya Kibondo' (Kibondo District Report), reproduced verbatim in *Mwananchi*, Special Issue on Kigoma Region, Friday 30th May, 2003, p. 22.

⁵⁴ *Uhuru*, May 27, 2000.

⁵⁵ Interview with Mr. Batulane.

programmes including UNHCR CARE, GTZ, BRDP, KAEMP, KRMP, REDESO, CARITAS, CHEMA and NPA. Another agency mentioned was TASAF, which is not a refugee agency though some of its programmes in Ngara may have been motivated by the impact of the presence of refugees. The DNRO acknowledged that the support of these agencies had been “substantial.” Environmental education was undertaken by these agencies, which has been extended even to local schools. This education covers a variety of issues, including planning and maintaining trees and preventing bush fires during the dry season. Refugee agencies have also engaged in reforestation, planting over six million trees in camps and surrounding villages. According to the UNHCR, most of its NGO partners who are involved in tree planting allocate between 20 to 60 percent of the seedlings they have raised to local communities. The agency said that NPA gave as many as 80% of the seedlings to the Tanzanian communities around the former Kitali Hill camp.⁵⁶

To get the gist of in what these agencies were actually engaged, the research mission studied in great detail the environmental intervention programme by the NPA in Ngara District. This programme has three main activities. The first was forest protection, which involved forest resurvey and inventory, tree marking and plot tree inventory, forest patrol, guided pole harvesting, fire break construction and agroforestry-adherence to appropriate land use. The second activity is environmental education, which covered training/seminars/workshops, signposts/posters/stickers/leaflets, awareness creation package and dissemination, formulation and strengthening of the village environmental committees, forest (fire) protection, mud brick house construction awareness raising, formulation and promotion of the roles of the Environmental Task Force, mass media programmes, animation-ngoma/drama groups and capacity building for local staff. The third activity was environmental conservation, including soil and water conservation, improved stove construction and application, fire and cooking management techniques, introduction of *Taungya* as an appropriate land use, establishment of nurseries, flying nurseries to local communities, and enrichment planting to refugee settlements and buffer zone.⁵⁷

The NPA environmental protection project was started when the organisation was rendering services to refugees at Kitali Hill camp, but it has continued working with the local communities even after the closure of the camp. The research mission was able to visit the NPA tree nursery at Nyakahura, in Biharamulo District and to speak to the beneficiaries. According to the data gathered during this mission a lot had been achieved under the above activities in the year 2002. With regard to nursery establishment and reforestation, a total of 565,947 pots were filled with soil ingredients as against the target of 550,000 for the year 2002/2003 of which 538,271 were sown pots. Out of the sown pots 477,218 were seedlings raised which was 88.7% of the target for year 20002/2003. The status of nursery activities as of April 24/2003 (the date the nursery was visited) was as follows:

⁵⁶ UNHCR Tanzania, Milestone 2002-Focus on Refugee Affected Areas, p. 6.

⁵⁷ See NPA, Environmental Project, Kitali Camp, Biharamulo District, Action Plan Year 2002, pp 1-2.

Table 4: STATUS OF NPA NURSERY ACTIVITIES AS OF APRIL 24, 2003

| Name of Nursery | Target | Seedlings Produced | Seedlings Distributed | Seedlings remaining at the Nursery |
|---------------------------|----------------|---------------------------|------------------------------|---|
| Nyakahura central nursery | 490,000 | 411,692 | 408,496 | 3,196 |
| Flying nursery | 60,000 | 65,526 | 65,080 | 446 |
| TOTAL | 550,000 | 477,218 | 473,576 | 3,642 |

In mid of November 2002, NPA began distributing and planting tree/fruit seedlings from the Nyakahura central nursery to the local communities. Up to mid of April 2003, a total of 473,576 tree/fruit seedlings had been distributed and planted in the project area.

Apart from NPA, there are other agencies that were involved in environment protection in Ngara, the most notable one being REDESO (with funding from UNHCR), which has launched tree nurseries and placed environmental awareness posters through the entire stretch of the road from Ngara to Karagwe including the sector crossing the Burigi Game Reserve. Over the last few years, UNHCR has spent USD 726,000 on demarcation, regeneration, and anti-poaching activities in the Burigi Game Reserve in the Biharamulo district.⁵⁸

In Kibondo, the main actor in the environmental sector was REDESO. The agency started the implementation of the environment project on 1st of May 2000 taking over from CARE. Other actors with some environmental activities in Kibondo District were TCRS, UMATI and SAEU. Of these organisations, it was the TCRS for which full and systematic information was available. Between 1995/96 and 2003/04, the status of TCRS's tree planting programme was as follows:

Table 5: TCRS TREE PLANTING PROGRAMME 1995/96 –2003/04

| WHERE PLANTED | TYPE OF SEEDLINGS | | TOTAL | REMARKS |
|----------------------|--------------------------|--------------|--------------|---|
| | FRUITS | TREES | | |
| KANEMBWA | 283,431 | 746,093 | 1,029,524 | Refugee plots, open areas, Institutions |
| MTENDELI | 62,732 | 32,768 | 95,500 | Refugee plots, open areas, Institutions |
| NDUTA | 21,525 | 120 | 21,645 | Before REDESO starting nursery activities |
| MKUGWA | 15,308 | 45,932 | 61,240 | Before handed over to REDESO |
| KARAGO | 78,746 | 16,226 | 94,972 | Refugee plots, open areas, Institutions |

⁵⁸ UNHCR Tanzania, Op. Cit., pp. 6-8.

| | | | | |
|-----------------|----------------|------------------|------------------|---|
| Nearby Villages | 17,547 | 164,427 | 181,974 | Villages near Kanembwa, Karago refugee camps |
| KIBONDO TOWN | 10,204 | 17,790 | 27,994 | Including other areas e.g. Prisons, Churches |
| TOTAL | 489,493 | 1,023,356 | 1,512,849 | |

Source: TCRS Records

The Target for 2003/2004 is to raise 400,000 seedlings as follows:

1. Kanembwa central tree nursery 120,000 seedlings
2. Kanembwa 5 Schools 30,000 seedlings
3. Nyabioka tree nursery (for Karago camp) 50,000 seedlings
4. Nearby villages 200,000 seedlings

In total, around 385,000 trees are planted each year in Kibondo, which is slightly over the number of trees consumed for various purposes by refugees.⁵⁹

The other activities aimed at mitigating environmental impact in Kibondo include environmental education to refugees, providing guided harvesting of green wood services, control of soil erosion, and advice to farmers on good agronomic practices like the timely, sustainable manner of preparation of their plots. In order to control poaching, UNHCR was involved in the demarcation of the game reserve boundaries of Buyungu, Muyovosi and Lugufu reaching all the way south to the Malagarasi River (a total of 114 km). In addition, two game posts had been constructed in the Muyovosi reserve to improve the tracking abilities of the game wardens, and the district natural resources authorities in Kibondo, Kasulu and Kigoma had been given vehicles and motorcycles.⁶⁰

It would require an expert in environmental matters to render a verdict whether the intervention has redressed the negative impact caused by the presence of refugees. However, a few observations can be made. With regard to flora, it would appear that more trees and other vegetation have been planted than have been harvested by refugees. However, that does not necessarily mean that the planted trees have replaced the biomass and biodiversity that existed before. Indeed, in some camps, native bushy savannah trees have been replaced, curiously, with exotic trees such as pine. Also, it must be remembered that some of the trees cut by refugees were several decades old. Their replacements, if they survive, will take a long time to reach that age. With regard to fauna, one can reasonably conclude that the population of animals illegally harvested has not been replaced. Nor have the anti-poaching measures succeeded in fully protecting the remaining animals. Also, the encroachment on the lands designated as game reserves is likely to result in reduction of the habitat of wildlife, thus threatening further their survival. Therefore, while a lot has been done to remedy the environmental impact of the presence of refugees, a lot more still needs to be done in the

⁵⁹ UNHCR Tanzania, *Op. Cit.*, p. 6.

⁶⁰ *Id.*, p. 7.

coming years. Action that is required could include rethinking several aspects of refugee administration, including encampment of refugees and the use of wood products as the main sources of energy in refugee operations.

5. IMPACT ON INFRASTRUCTURE

5.1. Negative Impact

Describing the impact of the influx of Rwandese refugees in Kagera after the genocide of 1994, one writer had this to say:

During the delivery of emergency relief, the entire infrastructure including roads, bridges, ports, airstrips and airports were used beyond their capacity. Roads and bridges were the most severely affected by the intensity of traffic and weight of the monster trucks used in the operations. In the following rainy season (March-May 1995), most affected bridges were washed away by floods which they would normally withstand, turning some parts of the region into islands.⁶¹

Similar claims have been asserted more recently in relation to the impact of the presence of refugees in Kigoma region. For example, it has been claimed that the heavy-duty vehicles used by UNHCR and other relief agencies to deliver supplies to refugees were damaging roads in Kigoma region. UNHCR appears to have admitted this claim but pointed out that the damage was primarily due to the poor state of the roads.⁶² As a result, the infrastructure in Kigoma, particularly roads, was in urgent need of reconstruction.⁶³

During the field study, it was established that, indeed, the presence of refugees had a negative impact on local infrastructure. However, this impact needs to be put in perspective. With regard to roads, it is imperative to look at the state of the roads in the refugee-affected areas even those which are not used for refugee work. In the case of Kigoma, the region has a road network totalling 1062 kilometres under the management of TANROADS of which 468 km are trunk roads while 594 km are regional/rural roads. According to the Regional TANROADS Manager, Engineer Johny Kalupale,⁶⁴ all these roads are either made of gravel or hardened soil with the exception of a stretch of 6.2 km along the Kigoma –Kasulu road. These roads are fragile simply by reason of the poor quality of construction.

As to the state of these roads, the Manager describes it as generally between “good and bad” as follows: Good: 38%, average: 29.7% and bad: 32.3%. Thus, 62% of the roads in Kigoma region cannot be said to be in “good” condition. Some stretches of that part of the roads network have never seen a refugee truck. In fact, the stretch of the Kigoma road network, which is in heavy use, is the Kigoma-Kibondo-Nyakanazi stretch. This stretch is not only used by heavy trucks belonging to humanitarian agencies, but also by commercial transporters using heavy trucks. Ironically, according to the Kigoma TANROADS Manager, “this is the only reliable

⁶¹ Rutinwa, B., ‘The Tanzanian Government’s Response to the Rwandan Emergency’ in *Journal of Refugee Studies* Vol. 9, No. 3 1996 pp. 291-302, at p. 297.

⁶² *Mzalendo*, March 11, 2000.

⁶³ *Mzalendo*, September 13, 2000.

⁶⁴ All information attributed to the Kigoma TANROADS Manager is obtained from the report he issued and which is reproduced in the special issue of *Mwananchi*, the issue of Friday May 30th, 2003, p. 8.

road, passable at all times.” It is reliable because of the upgrade of the road with funds provided by the European Union because of the presence of refugees. Before that upgrade, the quality of this road was not any different from other roads in the region. This road proves that the real problems of the roads in Kigoma are poor construction and/or maintenance and not the usage. In fact, as we shall see below, roads in Kibondo, the district with the largest number of refugees, are in far better shape than the regional average, due to the maintenance carried out by refugee agencies.

5.2. Positive Impact

In both Kagera and Kigoma regions, there have been measures which have been taken to mitigate the impact of the presence of refugees on infrastructure. In the mid-1990s, the UNHCR, in collaboration with other agencies, rehabilitated some 250 km of roads in Karagwe District in Kagera Region, including the main access road to Benaco. In Kigoma, the UNHCR rehabilitated the 94-km long Nyakanazi-Kibondo road, which is the main artery connecting Kagera and Kigoma regions. The Agency also funds regular rehabilitation of roads in the towns of Kigoma, Kasulu and Kibondo and several bridges. Between 1995 and 2002, UNHCR alone spent close to USD 4 million on road construction in North Western Tanzania.

In addition to construction, refugee agencies have also been engaged in regular maintenance of roads in Kigoma region. According to the Kigoma TANROADS Manager, in the financial year 2002/2003, WFP was planning to do preventive maintenance of the Jordan Bridge across the Kigoma-Kasulu road at the cost of 26,500,000 shillings. UNHCR on its part had agreed to provide equipment for maintenance work on the road stretch between Kigoma and river Kiziguzigu along the Kigoma-Nyakanazi road. The Regional Manager would provide fuel and lubricants from the road fund, and supervision. A total of 147,485 million shillings was earmarked to be spent by refugee agencies on maintenance of a total of 105.7 kilometres in Kigoma region. UNHCR alone spends about 100,000 USD on road maintenance in refugee-affected areas every year.

Some of the road construction works funded by UNHCR and executed by TCRS in Kigoma region are as follows:

Table 6: ROADWORKS FUNDED BY UNHCR AND EXECUTED BY TCRS IN KIGOMA REGION

| YEAR | ACTIVITY | COST-USD |
|------|---|----------|
| 1995 | Repair/rehabilitation of Katakana-Mabamba Road 1.1 kms reshaping, gravelling and draining | 2,780 |
| | Construction/renovation/replacement of damaged culverts on the same road | 1,667 |
| | Rehabilitation of the decks of Nyangwe and Rugudye bridges on the same road | 950 |

| | | |
|------|---|---------|
| 1998 | Major repairs of road spots on Kibondo-Nyakanazi road at Kalenge, Kayonza, Kabingo, Kazilamuhanda and Kilemba points during El niño rain. | 55,600 |
| | Major repairs on Mugombe-Shunga feeder road of 10 km by road raising, gravelling and culverts installation. | 22,000 |
| 1999 | Kibirizi-Kigoma road repair 2 kms by gravelling and road raising | 3,000 |
| | Heavy spot repairs on Kasulu-Kigoma road (Kidahwe area) 4 km. | 22,000 |
| | Rugufu – Kidahwe road: - | |
| | (a) Lugufu-Tubira (15km) major rehabilitation including drainage works | 100,000 |
| | (b) Tubira-Kidahwe spots improvements to some stretches, embankment rising at Kalenge 1.2 km. | 5,000 |
| | (c) Football ground construction at Terambogo Seminary Secondary School. | 2,000 |
| | (d) Kibondo town road major rehabilitation of 2 km distance | 7,000 |
| | (e) Kibondo-Kasulu road spots improvement at specific points | 44,000 |
| | (f) Kasulu-Kabanga 8 km road raising gravelling, culverts installation and drainage works | 67,000 |
| | (g) Kasulu-Herujuu 7 km road formation gravelling and draining | 54,000 |
| | (h) Kasulu airstrip major rehabilitation including widening, heavy gravelling, realignment, extension and draining. | 28,000 |
| | (i) Kibondo airstrip rehabilitation, gravelling of 110m x 8 m | 1,000 |
| | (j) Kibondo Mabamba road (regional road) gravelling and potholes filling (40 km) | 12,000 |
| | (k) Mabamba – Kumsenga road major rehabilitation 26 km. | 15,000 |
| | (l) Mugunzu – Katanga – Bukiliro road normal repairs by filling potholes and gravelling of 12 kms. | 7,000 |
| | TOTAL | 449,997 |

Source: TCRS Records.

As a result of the above efforts, the road infrastructure has improved significantly. According to the Ngara District Development Plan 2003, “the road network (in Ngara) has improved a lot as compared to the other districts in Tanzania.”⁶⁵ The better road network has partly been attributed to regular road maintenance, which is done with the assistance of donors (EU/UNHCR, DRDP) and the road fund.⁶⁶ Donors however contribute a modest 10% of the total budget of 120-140 million shillings spent by Ngara District Council on road maintenance. The rest comes from the road fund.

Likewise, the Acting District Executive Director of Kibondo District Council, recorded his appreciation for the collaborative efforts of the District Council, the Central Government and other agencies in maintaining the district roads. As a result of this, the state of the roads in the district is good and 70% of the roads are passable throughout the year. He was particularly grateful to the Central Government and the European Union (EU) for undertaking major reconstruction of the Nyakanazi-Kigoma road, which has enabled people to easily enter and leave Kibondo District.

That there has been improvement in the quality of the road network is also evidenced by the increase in the traffic density on several roads in/through Ngara and Kibondo districts. For example, before the arrival of refugees, there used to be just two passenger bus services a week between Kibondo and Mabamba, mainly due to the poor state of the roads. After the arrival of refugees and reconstruction of the road by TCRS, the frequency of the passenger bus services rose to about four each day! Similarly, before the rehabilitation of the Nyakanazi-Kigoma road, there used to be only one passenger bus service a week between Kigoma and Mwanza. Now the frequency is up threefold. The number of vehicles carrying goods along that road has also increased considerably with the additional bonus of a substantial decrease in travel time.

In addition to roads, UNHCR, in collaboration with other agencies, has rehabilitated or reconstructed airstrips in Karagwe, Ngara, Kibondo and Kasulu to be able to better serve the transport needs of the refugee operations and the region as a whole. Thanks to this work, even a ten tonne Hercules transport plane can now land at Kibondo Airstrip. Moreover, UNHCR maintains scheduled flight services to all these airstrips except Karagwe, which may be used by anyone subject to the order of priority, which gives preference to refugees, UNHCR staff, and implementing partners in that order. Moreover, the Government imposes a levy of 5,000 Shillings on each passenger using the Kibondo Airstrip.

From the above, it would not be an exaggeration to say that the negative impact of refugees on infrastructure has been matched, if not surpassed, by the positive contribution. Indeed, that was the consensus of the focus group of 20 TCRS village facilitators, all of whom are local people from the District, who said “*kwa ujumla miundo mbinu imeboreshwa*” (on balance, transport infrastructure has been improved immeasurably, from the presence of refugees). At the same time however, it was frequently pointed out to the research mission that while external

⁶⁵ Ngara District Development Plan, 2003, p. 52.

⁶⁶ Id., p. 55.

agencies, particularly the UNHCR had improved the infrastructure, most of the resources have been spent on those facilities or areas which were needed for refugee operations. The roads that were reconstructed or maintained were those used for transporting relief supplies. Other roads such as Kibondo – Mabamba were reconstructed to facilitate repatriation. Consequently, the infrastructural projects completed have not always reflected the priorities of the local people in this area. For example, given a choice between improved airstrips and more rural roads, most rural people in Kibondo and Ngara would have preferred the latter. Therefore, the people called for more works that are of importance to the local people, even if not vital for the relief supplies.

6. IMPACT ON SOCIAL SERVICES

6.1. Health Services

6.1.1. Negative Impact

Writing on the situation in Kagera region in the early 1990s, Mussoke noted that health was the social sector most affected by refugees: “The influx of refugees...resulted into an overload of an already overextended medical personnel and supplies made even worse by the actual and potential sanitation and disease overflow.”⁶⁷ Covering the same period, Mwakasege also noted that the presence of refugees in Kagera and Kigoma had resulted in shortage of drugs in hospitals.⁶⁸ Both authors opined that the influx of refugees was bound to exacerbate the spread of AIDS in the refugee-affected areas.

During the research mission, the above assertions were repeated by the authorities who said that the presence of refugees had contributed to the rise of the HIV prevalence rate from 2.85% in 1988 to 27% at the present. Other contributing factors were said to be the tarmac road construction (1992-1994), the dynamics of the epidemic, lack of behavioural change and poverty. However, the Ngara District Medical Officer told the mission that the rate of HIV/AIDS infection currently given may be inaccurate, because it is based on samples taken from blood donated by a family member – often the spouse – of the patient on a replacement basis. Therefore, there is an increased statistical possibility that if the recipient is HIV positive, so is the donor. He was of the view that the HIV prevalence rate in Ngara District is actually lower. The District is contemplating switching to data obtained from antenatal women for more reliable data.

In Kibondo, the presence of refugees has added pressure on the health facilities particularly the Kibondo District Hospital (KDH). Not only does KDH provide preventive, curative, surgical and emergency services to the host population, it also functions as a referral hospital for obstetrical and surgical emergencies from the five refugee camps in Kibondo District. The

⁶⁷ Mussoke, I., The Impact of the Refugee Crisis in the Kagera Region of Tanzania, Paper Presented at the International Workshop on the Refugee Crisis in the Great Lakes Region, Arusha, Tanzania, August 16-19, 1995, p. 14.

⁶⁸ Mwakasege, C., Impact of Refugees on Host Communities: The Case of Kasulu, Ngara and Karagwe Districts in Tanzania, A Study Commissioned by OXFAM-Tanzania, 1995, pp. 28-29.

refugee population has added approximately 145,000 people to its catchment area and up to 30 obstetrical cases may be referred from the camps each month.⁶⁹ Available records show that in Kigoma, refugees represent about 20 to 30 percent of bed occupancy of local hospitals at any given time.⁷⁰ In December 2000, the Kibondo District Medical Officer (DMO) is reported to have said that refugees had overwhelmed the District medical services. As an example, he said that the maternity ward was overcrowded because it had been forced to provide services to both the locals and refugees. The Ward had three beds only, but it had been forced to accommodate more than 7 mothers at a time. As a result, some expecting mothers failed to get a bed and were forced to deliver in the corridors.⁷¹

As in Ngara, the presence of refugees has been linked to the increase in the spread of AIDS and other infectious diseases. In a report released by the UNDP on World AIDS day in 1999, it was stated that hundreds of women from rural and urban Tanzania were streaming to refugee camps to practice commercial sex, thus increasing the potential for spread of diseases⁷² and contributing to the spread of AIDS. Most of the camps then were in Kigoma region.

6.1.2. Positive Impact

Perhaps the social service sector that has benefited most from the presence of refugees is health. In Ngara, the District Executive Director told the research mission that the presence of refugees in Ngara was initially a burden on the health infrastructure. However, now it is a net gain. He said that many local people were turning to better-equipped refugee hospitals rather than to the District Designated Hospital for treatment. In fact, some of the patients at refugee hospitals came from as far away as Kahama in Shinyanga Region. When asked to first state the negative impact of the presence of refugees on his department and then state its positive impact, the District Medical Officer (DMO) interjected and said that he would like to start with the positive impact because it was far greater than the negative consequences. He added that “*kwa upande wa afya, sisi tunaona ujio wa wakimbizi ni neema*” (for the health sector, we regard the presence of refugees as a blessing). The benefits of the presence of refugees in Ngara districts as confirmed by the DMO and other sources include the following:

- (i) Two professional staff, fully paid by the NPA had been seconded to the office of the District Medical Officer. One deals with the Primary health programme while the other, a medical Doctor was attached to Murugwanza Designated District Hospital. NPA has also provided training to health staff in various cadres. This assistance was highly appreciated in Ngara, a district where health services delivery is so affected by a problem of insufficient skilled workers such that in some places the person in charge of a dispensary is a Medical Care Assistant.⁷³
- (ii) The construction and/or rehabilitation of health facilities by UNHCR, NPA and other aid agencies. NPA constructed 14 incinerators at dispensaries for disposal of hospital

⁶⁹ IRC, IRC-Tanzania 2001-2002 Annual Report, p. 12.

⁷⁰ UNCR Tanzania, Op. Cit. P. 10.

⁷¹ Sunday Observer, 10th December 2000.

⁷² The Guardian, November 29, 1999.

⁷³ See Ngara District Development Plan, 2003, p. 33.

and dispensary waste, water harvesting tanks at all dispensaries in the District, and solar panels (for generating electricity) at Bukiriro and Mabawe dispensaries. According to the Ngara Development Plan for 2003, “due to sustained donor assistance in the past five years most of the health facility buildings are in good physical state except lack of staff houses.”⁷⁴ In fact, of the 111 health facilities in the district, only one Dispensary at Chivu in Ntobeye Ward, was described to be in “bad” condition. The condition of the rest was described as “good” but three facilities were said to be “too small.”⁷⁵ At the time of the research mission, UNHCR was rehabilitating the Ngara Town Health Centre. It was expected to be inaugurated on ‘*Mwenge Day*’.

- (iii) Improvement in the quality and quantity of equipment, transport and drugs. According to the District Development Plan for 2003, various partners like KAEMP, JICA, NPA, DRDP and MHO/DANIDA had donated equipment during the last few years. Among the donations by NPA were a computer, a printer and a generator for the DMOs office. Also, NPA had donated beds, equipment and drugs to the District health facilities. As a result, status of health equipment has been described as fair, except for 3 new established dispensaries. These too expected to be supported with DRDP funding.⁷⁶
- (iv) Direct support/delivery of health services to Tanzanians by refugee agencies. For example, UNHCR supports vaccination and TB treatment programmes in refugee affected areas. The WFP on its part supports feeding programmes at Murugwanza and Rulenge hospitals. NPA provides health services to Tanzanians at its health facilities in refugee camps. In fact, 60% of children with severe malnutrition problems and who therefore receive therapeutic feeding at those hospitals are Tanzanians.

This evidence supports the ECHA Mission report that, “overall access to quality health services for the host population living in proximity to the camps has improved, with the services in the camps being available to Tanzanians free of charge.”⁷⁷ Indeed, as the table below shows, Ngara District is well above the national average on several health indicators.

Table 7: A COMPARISON OF SOME HEALTH INDICATORS IN NGARA AND AT NATIONAL LEVEL

| INDICATOR | NATIONAL | NGARA |
|---|-----------------------------|-------------------------|
| Ratio of Doctors to population | 1:23,188 people | 1:32,444 people |
| People who live more than 5 km from nearest health centre | 30% | 26% |
| Ratio of population per health facility | 1:7,421 | 1:7,569 |
| Under five mortality | 158/1000 | 191/1000 |
| Maternal mortality rate | 200-400/100,000 live births | 114/100,000 live births |

⁷⁴ Id., p. 36.

⁷⁵ Id., p. 39

⁷⁶ Id., p. 36.

⁷⁷ ECHA Mission Report, Op. Cit., p. 15.

It is clear from the above that Ngara district compares well with the national health indicators and in respect of some indicators it does far better. For example, the percentage of population within 5KM radius of a health facility is 84 percent. Nationally, only Kilimanjaro and Mbeya have a higher population of households in rural areas within 6km of a dispensary/health centre.⁷⁸

Likewise, refugee agencies have made very important contributions to the health sector in Kibondo. At the time of the research, the main actor in the health sector was IRC followed by UMATI. In addition to providing various services to refugees, the IRC runs a robust Refugee-Affected Areas Programme, which includes providing support to the Kibondo District Hospital. With funding from the Gates Foundation, IRC has successfully executed the following activities at KDH:

- (i) construction of a large water tanker to secure supply and adequate pressure
- (ii) rehabilitation of the water and (partly) sanitation system at the hospital
- (iii) construction of a new incinerator and solid waste disposal
- (iv) hiring of 3 Medical Trainers for one-year training programme of staff in the OT and Maternity Ward. These trainers are one surgeon, an anaesthetic officer (AMO) and a nurse-midwife trainer.
- (v) provision of various medical equipment, consumables etc.
- (vi) provision of communication needs of the hospital for medical emergencies
- (vii) provision of blood testing facilities, and
- (viii) replacement of the 3 old delivery beds in the delivery room with new ones.

With funding from EU/SPRAA, the IRC also made the following improvements at the KDH Maternity ward:

- (i) construction of an extension, which raised bed capacity of the maternity ward from 22 to 40 beds, and the capacity of the delivery room from 3 to 6 beds.
- (ii) Equipping the maternity ward with an additional 30 beds for a new wing and replacement of old beds in the ward.
- (iii) Equipping the delivery room with 3 additional delivery beds.

Thus, the capacity of the maternity and labour ward facilities has been more than doubled and improved. The lament of the DMO noted above has been completely addressed. The efforts of the IRC have been complemented by the UNHCR which has provided various goods and services to KDH. In particular, UNHCR provides 24-hour electricity to KDH without which the equipment that has been installed would not have been used effectively. The IRC also organises short-term visits to KDH by experts from other parts of the country. Also, UMATI seconds its doctors on short-term basis to KDH whenever the need arises. Indeed, on the day the research mission visited the hospital, the regular KDH doctors were away on official business and the doctor on duty had come from UMATI.

⁷⁸ National Bureau of Statistics, Household Budget Survey, 2000/2001, Table C17.

The researchers had had an opportunity to visit KDH a couple of years earlier. While it still cannot be described as the model District Hospital, it is certainly a far better facility than it was before the intervention of refugee agencies. As in Ngara, Tanzanians in Kibondo enjoyed unimpeded access to refugee hospitals. According to data obtained from UMATI, 50% of outpatients attended at its hospital in Mkugwa camp are Tanzanians. At their hospital at Kanembwa camp, Tanzanians represent 20 –25 percent of patients. When the mission visited Kumkugwa we were told by the villagers that virtually everyone in the village went to the refugee hospital in Kanembwa camp which is just two kilometres away. KDH, the nearest Government medical facility is 10 kilometres away. Also, when the local people attend Government medical facilities, they are expected to share some of the costs. But treatment at refugee hospitals is completely free. Overall, an average of 40,000 Tanzanians receive medical treatment in the Kibondo refugee camps annually.⁷⁹ Apart from the free, quality and assured medical services received, access by Tanzanians to refugee hospitals has several other benefits. First, it concomitantly relieves pressure on the resources of the District. Second, it reduces the average distance which the local population must travel to a health facility as well as the ratio of population per health facility in the District.

By contrast, and contrary to the widely held belief that refugees get free medical services at KDH, the IRC actually pays for such services when rendered by KDH to refugees referred from hospitals in camps. Whenever refugees are referred to KDH, hospital authorities are expected to raise an invoice and IRC effects payment. This amount totals between Tanzania shillings one to three million (1,000,000.00 – 3,000,000.00/-) a month. In June 2003, this amount stood at Tanzania shillings three million (3,000,000.00/-).

The other quite significant contribution to the health services has been WFP's Kibondo Hospital Feeding Programme.⁸⁰ In 1997, WFP instituted the food aid assistance to the refugee-affected areas as a response to the Government's request for assistance to the refugee-affected areas. The aim of this assistance is to make available basic food rations to the local population when admitted in the hospital/health centres in order to reduce their financial burden in supporting the ability of in-patients to remain in the hospital/health centres for prolonged in-patient treatment procedures. The programme covers KDH and the 4 health centres in Kibondo, representing 235 bedding facilities. Now in its sixth phase, the programme has brought considerable benefits to its intended beneficiaries. By significantly reducing the financial burden to the patient, the programme has increased the ability of patients to remain in the hospital or health centres for appropriate and acceptable treatment and to cover the medical costs in accordance with the cost sharing procedures. Also, the programme has enabled the targeting of lactating women, thus reducing maternal and lactation complications tremendously. Further, the programme has made it possible for most of the malnutrition-related cases to be singled out and treated within a short period. Other cadaverous related cases have been easily treated and body weight gained rapidly during therapy. Finally, the programme has

⁷⁹ UNHCR Tanzania, Op. Cit., p. 10.

⁸⁰ See WFP, World Food Programme Kibondo Hospital Feeding Programme 6th Phase Programme Report, *passim*. All information on this point is derived from this source.

improved the relationship between institution attendants and patients. It has also increased the morale and confidence of the doctors and nurses.

From the above, one can confidently conclude how benefits for the health sector outweigh negative impacts. In fact, some of the local beneficiaries do not want to dare think of the day when these services would be withdrawn.

6.2. Impact on Education Services

6.2.1. Negative Impact

The main negative impact on education associated with the arrival of refugees is the destruction of school infrastructure. In Kagera, refugees used school buildings as transit camps. Due to lack of fuel wood, school furniture was used for cooking.⁸¹ Similarly in Kigoma, arriving refugees used primary schools as shelter. In total 82 primary schools in Kigoma region were affected by the influx of refugees. The distribution of the affected schools was as follows:

Table 8: PRIMARY SCHOOLS IN KIGOMA AFFECTED BY THE INFLUX OF REFUGEES

| District | No of Schools Affected | Percentage |
|-------------------|-------------------------------|-------------------|
| Kigoma | 30 | 36.6% |
| Kibondo | 35 | 42.7% |
| Kasulu | 15 | 18.3% |
| Kigoma/Ujiji Town | 2 | 2.4% |
| Total | 82 | 100.0% |

Source: ERB, Evaluation of a UNFP/Government Project on Development Coordination and Micro-Project in Kigoma Region, Vol II, Detailed Final Report, November 2001, p. 42.

From the table above, a big proportion of the affected schools were in Kibondo District (43%). In addition to degradation of buildings and furniture, the arrival of refugees disrupted curriculum implementation as teachers left schools to be engaged temporarily or permanently in better paying refugee work.⁸² Also, children belonging to families that have been forced by insecurity to flee their homes have found it difficult to continue with their schooling.

6.2.2. Positive Impact

In recent years, Ngara District has recorded impressive improvements in the education sector. With regard to primary education the following table shows the academic performance of the District between 1998 and 2002.

⁸¹ Tanzania Agro-Industrial Services Limited, Impact Assessment Study in Refugee Affected Districts of Biharamulo, Ngara and Karagwe, 1997, p. 2.

⁸² ERB, Evaluation of a UNFP/Government Project on Development Coordination and Micro-Project in Kigoma Region, Vol II, Detailed Final Report, November 2001, p. 42.

Table 9: ACADEMIC PERFORMANCE IN NGARA DISTRICT SINCE 1998

| Year | | 1998 | 1999 | 2000 | 2001 | 2002 |
|---|--------|-------------|-------------|-------------|-------------|-------------|
| Candidates | Male | 1131 | 1227 | 887 | 1330 | 1321 |
| | Female | 1042 | 1966 | 793 | 1260 | 1301 |
| | Total | 217 | 3193 | 1680 | 2590 | 2622 |
| # of pupils passed | Male | 213 | 231 | 245 | 492 | 724 |
| | Female | 126 | 193 | 174 | 238 | 682 |
| | Total | 339 | 424 | 419 | 730 | 1406 |
| Selected to join secondary schools | Male | 83 | 148 | 102 | 150 | 164 |
| | Female | 73 | 148 | 105 | 287 | 154 |
| | Total | 156 | 291 | 207 | 437 | 318 |
| Regional district ranking | | 4 of 6 | 6 of 6 | 3 of 6 | 4 of 6 | 2 of 6 |
| National district ranking | | 112 of 117 | 94 of 117 | 103 of 117 | 67 of 117 | 9 of 117 |

Source: Education Department

What the above table shows is that Ngara has moved from the 112th position out of 117 to the 9th nationally. At a regional level, the district has moved from the last position in 1999 to the second position in 2002. According to the 2003 District Development Plan, the 2002 examination results show that Ngara has reached the highest point ever in terms of overall academic performance. The reasons for this success are given as:

- “The increased fieldwork/supervision by DEO staff facilitated by the availability of reliable means of transportation (2 motorcycles procured under DRDP Programme)
- Adequate learning and teaching books (Availed by the Government of Tanzania, CARE/RNE)
- Increased number of quality primary school teachers of requisite qualifications resulting from:
 - (i) Government decision to employ more teachers possessing appropriate professional qualifications.
 - (ii) The DRDP support in funding the upgrading courses for under-qualified teachers in Ngara District.
- Demonstrable political will in all Districts.
- Improved living and teaching environment of teachers due to increased efforts of the community, Government, national and international agencies to build more classrooms and staff quarters. These organisations/agencies include: UNHCR, NPA and DRDP”⁸³

UNICEF has also been providing education materials to schools in Ngara District. NPA has also provided direct support to the District Education Department, including installing a solar panel in the District Education Office, attaching an Advisor to the same office and donating

⁸³ Ngara District Development Plan 2003, p. 28.

school furniture.⁸⁴ Thus, all but one (the political leadership) of the factors that contributed to the Ngara District 'miracle' in primary education performance as a direct result of refugee related donations.

As far as Secondary School education in Ngara is concerned, the consistent excellent results in primary school examinations have created an acute shortage of secondary school facilities in the District. Again, the presence of refugees has contributed to the alleviation of this problem. The research mission was able to visit three secondary schools whose existence has been made possible by the presence of refugees. The first is the Balamba Girls Secondary School. This is a private secondary school, which was established in the premises formerly constructed as a compound of a refugee assistance agency. The second is the state-of-the-art Ngara Secondary School, which was being completed at the time of the mission. The school is a result of a concerted effort of various stakeholders including the UNHCR which contributed 115,000 US dollars, "the single biggest investment by UNHCR in the education sector."⁸⁵ Other contributors include the NPA whose commitment to the project is about 40 million shillings. The third school is an equally impressive secondary school currently being constructed with Japanese funding at Nyakahura near the former compound of refugee agencies that were providing services at Kitali Hill camp. The District authorities are looking forward to recycle the "excellent buildings of the refugee transit camp" at Mbuba into a secondary school, once all refugees have repatriated and the facilities handed over by UNHCR to the District Council.⁸⁶ From the above, one would agree with the Ngara District Education Officer (Academic Affairs) that the initial negative impact of the arrival of refugees during the emergency phase has been offset by the subsequent benefits which the sector received from the contribution of refugee projects and agencies.

In Kibondo, the education sector has received assistance from refugee agencies at all levels, namely primary and secondary education, vocational training and on job/short course training. One of the main actors in the primary education sub-sector is UNICEF under the Child Survival Protection and Development-Programme (CSPD). Started in 1999, the Programme has several objectives including "improving standard of education in the district by increasing net enrolment from 60% to 90% with a completion rate of 85% and improving learning and teaching environment." The activities carried out under this objective include construction of classrooms and other physical infrastructure at schools, providing training to primary school teachers and provision of basic educational supplies. Among the accomplishments in the District thus far are the construction of 4 primary schools (at Bitare, Rumashi and Gwanumbu), rehabilitation of three other primary schools and extension of classrooms and teachers' office at Kumubuga. In the year 2003, UNICEF was planning to spend 21,521,250 shillings on education. Other refugee related actors in the primary education sub-sector were SPRAA/IRC, CONCERN/KIDDEREA and CARITAS.

⁸⁴ Interview with Mr. Oswald Lujuba, Afisa Elimu, Taaluma.

⁸⁵ UNHCR Tanzania, Op. Cit., p. 8.

⁸⁶ Ngara District Development Plan 2003, pp. 29-30.

According to the Acting District Executive Director, Kibondo achieved impressive results in the primary education sector including 97.28% enrolment rate of school age children. The other actors were the Central Government through PEDP, DBSPE and TASAF. As a result of this joint effort, the following facilities were constructed: 277 classrooms 28 office rooms, 12 storerooms, 88 pit latrines and 2553 desks. Also, 115 teachers were employed.⁸⁷ The table below shows the achievements attained in primary education in Kibondo district over the last five years. As can be seen above, there has been remarkable success.

Table 10: ACHIEVEMENTS IN PRIMARY SCHOOL EDUCATION IN KIBONDO DISTRICT

| INDICATOR | YEAR | | | | |
|---|------|------|------|------|-----------|
| | 1998 | 1999 | 2000 | 2001 | OCT, 2002 |
| School age children enrolment rate | 26% | 26% | 48% | 62% | 88% |
| Primary School completion | 58% | 76% | 69% | 80% | 82.6% |
| Dropout rate | | 12% | 12% | 3% | 3% |

Source: CSPD, 2003., p. 4.

Another education sub-sector to receive support from refugee related agencies are secondary schools. For example, in 2002 the Royal Danish Embassy built and equipped 2 science laboratories and an administration block at Kakonko Secondary School. The UNHCR on its part has supported the construction of classrooms at Kibondo Secondary School to the tune of 15,000,000 shillings. Some three years ago the Catholic Diocese began the construction of a secondary school at Kibogora near Mtendeli and Karago camps. The school was intended for Tanzanians. However, when for various reasons the construction work stalled, the TCRS entered an arrangement with the Catholic Diocese to complete the construction and use the school temporarily for refugees before turning the same back to the Diocese. To date, five additional classrooms have been constructed by TCRS. Currently the school is used solely by Barundi students and follows the Burundi curriculum. However, the long-term plan is to expand the school further so as to enable it to admit Tanzanians and offer the Tanzanian curriculum. Also, unlike many other refugee schools throughout North Western Tanzania, Kibogora is located outside refugee camps, very close to the local population. Therefore, it will be easily used even if refugees repatriate.

Vocational training in Kibondo has also received a boost through the support given by various agencies to the Kibondo Folk Development Centre (FDC). One of those agencies is the UNHCR whose contribution includes the construction of a women's dormitory at the Centre, rehabilitation of the administration block (3 offices and 3 classrooms), staff training and provision of office supplies/tools, materials and equipment. Between 2001 and 2002, the monetary value of UNHCR's contributions to FDC was around 57,235,805 shillings.⁸⁸

⁸⁷ Report of Kibondo District Council, Op. Cit., p. 22.

⁸⁸ Computed from a document supplied by UNHCR Kibondo.

UNHCR has also donated to the Centre a four-wheel drive car, a motorbike and direct financial support. The FDC has also benefited from the Food For Training Programme (FFT) of the WFP. This programme arose from the realisation that the low admission rate at FDC was the direct result of prohibitive tuition fees and that nearly 60% of the fees was on account of food needs of students. Food assistance led to a dramatic drop in tuition which in turn spurred the enrolment rate. Food assistance is provided at 2-month intervals and provides about 3,000 kilo calories per meal per person. The TCRS is also planning to build a vocational training centre at Kibogora for refugee and local youths. The same agency has completed the expansion of the Kibondo Youth Centre Library.

A lot of on-the-job training and short courses have been offered to local staff by the agencies employing them. In one case, the TCRS arranged for a women's income generation group in Minyinya village to receive training in basket weaving from refugee women at Mtendeli camp. According to a woman facilitator from the beneficiary village, this refugee to local population skills transfer project was very successful and she cited it as one of the examples of the positive benefits of the presence of refugees.

From the above, it can be concluded that refugee-related agencies and programmes have made a significant contribution to the education sector in the refugee areas affected. This contribution is particularly notable in the area of primary education. The assistance given to the primary school sector has been done in accordance with long-term plans that fit within the district and national goals. There have also been significant contributions to the secondary education sector. However, the assistance given in this regard seems to have been *ad hoc*, uncoordinated and without a clear link to the local priorities. For example, in Ngara, the main factor in determining the location of most of the new secondary schools was the availability of structures formerly used by refugee agencies or for refugee work. But these were not necessarily the places on the top of the priority list to get secondary schools. The establishment of schools on this basis also distorts the logic of social services provision whereby facilities should follow where the people are and not the other way round.

6.3. Impact on Water Services

6.3.1. Negative Impact

As was noted under the environment subsection, the presence of refugees had an impact on forests and other vegetation cover, which in turn had an impact on water resources in the affected areas. In Karagwe and Ngara, river flow regimes of many streams around the refugee camps were noted to have been adversely affected. Also, significant changes in stream and

river flows were noted, which were attributed to non-sustainable land use practices and the unsustainable harvesting and destruction of forests.⁸⁹

In Kibondo, the arrival of refugees had three main consequences on the water resources, namely destruction of various water sources in the District, destruction of deep and shallow wells, and pollution of various natural springs. According to the District Water Engineer, the villages most affected, the impact, and the number of persons affected are as follows:

Table 11: IMPACT OF THE ARRIVAL OF REFUGEES ON WATER RESOURCES IN KIBONDO DISTRICT

| VILLAGE | NO OF THE AFFECTED POPULATION | NATURE OF IMPACT |
|----------------|--------------------------------------|--|
| RUMASHI | 2,629 | Pollution of a gravity scheme (river Mvugangoma) |
| NYABIBUYE | 3,365 | Pollution of a gravity scheme (river Lingwe) |
| NYAKAYENZI | 3,615 | 3 shallow wells and 2 water springs were polluted |
| BUKIRILO | 5,845 | River Kavumu was polluted, 2 shallow wells were destroyed, and 2 water springs were polluted |
| MUGUNZU | 2,669 | 1 protected water spring was polluted, river Kahambwe was polluted |
| KIDUGUYE | 2,421 | 2 deep wells were polluted |
| NYAGWIJIMA | 4,409 | 3 deep wells were destroyed, and 2 protected water springs were polluted |
| MKARAZI | 3,315 | 2 shallow wells were destroyed, and 2 water springs were polluted |
| MABAMBA | 1,885 | River Kahambwe was polluted and 2 water springs in Kumugongo were polluted |
| NYAKASANDA | 3,865 | 1 gravity scheme water source was destroyed, and 2 water springs were polluted |
| KUMSENGA | 3,408 | 1 shallow well was destroyed and 2 water springs polluted |
| KASANDA | 6,268 | River Muhwazi was polluted |
| KUMSHWABURE | 3,001 | 2 shallow wells were destroyed and 3 water springs polluted |
| NYANGE | 2,413 | 3 water springs were polluted |

Source: District Water Officer, Kibondo, 30 July 2003.

⁸⁹ Tanzania Agro-Industrial Services Limited, *Op. Cit.* pp. 29-30.

In addition, several villages surrounding refugee camps had their water sources polluted. These villages are Kiyobera, Kazilamihunda, Kabingo, Kumkugwa, Kumuhasha, Rusohoko, Kitahana, Kumshindwi, Kifura, Nengo, and Kibondo town. In total some 49,202 local people were affected. This is about a fifth of the total population of Kibondo District.

6.3.2. Positive Impact

The water sector is another area where refugee agencies have made significant investments with benefits for the local population. In Ngara, the stakeholders in the water sector over the last ten years are listed as Hesawa (non-refugee agency), Oxfam, UNHCR, DRDP, TASAF (a non-refugee agency), Concern and the NPA, the District Council, the Central Government and the community. As a result of their joint efforts Ngara compares very well with other parts of the country in access to water facilities. While the national percentage of persons in rural areas which depends on unprotected water is 53%,⁹⁰ in Ngara it is 35.5%.⁹¹ There is no doubt that the contribution of refugee agencies in enabling Ngara to reach these standards.

Similarly, a number of actors were active in the water sector in Kibondo including UNHCR, TWESA, Kibondo District Council and TCRS. Most of the projects have been funded by UNHCR. Some of the activities carried out by these agencies are as in the table below:

The interventions by donors and agency in the water sector as found in UNHCR records is as follows, in Tanzanian shillings (TZS) or US dollars (USD).

Table 12: CONTRIBUTION TO THE WATER SECTOR IN THE REFUGEE AFFECTED AREAS IN KIBONDO

| AGENCY | ACTIVITY | LOCATION | YEAR | DONOR | AMOUNT |
|--------|--|---------------|-----------|--------|----------------|
| UNHCR | Minor Rehabilitation of Kibondo water supply system | Kibondo | 1998/1999 | UNHCR | 20,000,000 TZS |
| TWESA | Construction of water sources (5 shallow wells & 2 Spring) | Kazilamuhanda | 1999 | UNICEF | 11,231,250 TZS |
| | Construction of water sources (3 shallow wells & 4 spring) | Nyange | 1999 | UNICEF | 7,960,250 TZS |
| | Construction of water sources (2 shallow wells & 3 spring) | Kumshwabule | 1999 | UNICEF | 1,500,000 TZS |

⁹⁰ Household Budget Survey 2000/2001, p. 12

⁹¹ Ngara District Development Plan, 2003, p. 44.

| | | | | | |
|--------|--|----------------------|-----------|--------|---------------|
| | Spring Protection | Kibondo Prison | 1999 | UNHCR | 1,747,000 TZS |
| | Spring Protection | Mugunzu | 1999/2000 | UNHCR | 1,747,000 TZS |
| | Spring Protection | Nyakimonomono | 1999/2000 | UNHCR | 1,747,000 TZS |
| | Spring Protection | Itaba | 1999/2000 | UNHCR | 1,747,000 TZS |
| | Spring Protection | Kumsenga | 1999 | UNHCR | 1,747,000 TZS |
| | Construction of water sources (2 shallow wells & 3 spring) | Rusohoka | 2000 | UNICEF | 7,999,750 TZS |
| | Construction of water sources (2 shallow wells & 3 spring) | Nyariyoba/Kasaka | 2000 | UNICEF | 7,999,750 TZS |
| | Construction of water sources (3 shallow wells) | Kakonko | 2001 | UNICEF | 4,847,250 TZS |
| | Construction of water sources (4 shallow wells) | Kinonko | 2001 | UNICEF | 6,463,000 TZS |
| | Construction of water sources (4 shallow wells) | Kasanda | 2001 | UNICEF | 6,463,000 TZS |
| REDESO | Rehabilitation of water sources | Kibondo District | 2001 | UNHCR | 1,856,000 TZS |
| TCRS | Drilling of boreholes + spare parts | Kasanda village | 1997 | UNHCR | 44,000 USD |
| | Various activities in Education, livestock development | Kibondo | 1997 | TCRS | 237,000 USD |
| | Borehole installation and hand pump | Kibingo village | 1997 | IRD | 5,000 USD |
| | 6 boreholes and installation of pumps | Kasanda village | 1998 | UNHCR | 30,000 USD |
| | 4 boreholes and pumps at way stations | Kibondo way stations | 2000 | UNHCR | 55,000 USD |
| | 6 shallow wells in 6 villages | Kibondo District | 2001 | KDP | 45,000 USD |
| | 3 medium depth boreholes and pumps | Kasuga village | 2001 | TASAF | 11,660 USD |

Source: UNHCR, Kibondo Sub-Office, 29th July 2003.

In addition to the above, the UNHCR has channelled money through the Kibondo District Council for various works including water. The additional list of intervenors in the water sector as provided by the District Water Department were as follows:

Table 13: CONTRIBUTIONS TO THE WATER SECTOR FROM SELECTED ORGANISATIONS IN KIBONDO

| ORGANISATION | VILLAGE | CONTRIBUTION | AMOUNT |
|-------------------------|---------------------|---|--------|
| CARITAS | BUKILILO MABAMBA | <ul style="list-style-type: none"> Protection of 4 water springs Protection of 4 water springs | 8.0M |
| ROYAL DANISH EMBASSY | KIBONDO | <ul style="list-style-type: none"> Pipe water project Purchase of 2 motorcycles (for follow up and supervision of projects) Protection of 10 water springs | 121.9M |
| EMBASSY OF JAPAN | KIBONDO KAKONKO | <ul style="list-style-type: none"> Various water projects Construction of 2 boreholes | 75.0M |

At a quick glance, it would not be unreasonable to suggest that the impact of refugees on water resources as pointed out above has been redressed. Almost all the villages and places whose water resources are said to have been affected have received assistance. Also, there are places not known to have been affected which have nevertheless benefited from the activities of refugee agencies. Moreover, more water sources have been protected and new technology introduced. According to the data obtained from the DED's office, Kibondo District has recently registered remarkable improvements in the water sector. The trend of achievements in the last five years is as follows:

Table 14: TREND OF ACHIEVEMENTS IN THE WATER SECTOR

| INDICATOR | YEAR | | | | |
|--------------------------------|------|------|------|------|-----------|
| Coverage of safe & clean water | 1998 | 1999 | 2000 | 2001 | OCT, 2002 |
| | 46% | 48% | 52% | 56% | 60.8% |

Source: District Executive Director, Child Survival Protection and Development – Programme (C.S.P.D), Plan of Implementation Year 2003, p. 4

As the table above shows, the percentage of the population with access to safe water within the 400 metres recommended in the national policy has risen from 46% in 1998 to 60.8% in 2002. In total, 52 out of the 68 villages in the District have access to safe water. In 2003, UNICEF planned to construct additional 11 shallow wells in Bukiriro and Gwanumpu and 2 spring protection in Bukiriro. The aim is to raise the coverage of safe water supply in the villages from 60.8 to 70%.⁹² There is no doubt that the above external interventions have played a great role in bringing about the above achievements. Central Government allocation to the Water

⁹² District Executive Director, Child Survival Protection and Development – Programme (C.S.P.D), Plan of Implementation Year 2003, p. 24

Department in Kibondo is normally so low that it cannot make such a great difference. For example, Central Government contribution was 30,000,000 for operation and maintenance. From the above discussion, it can be concluded that overall, the benefits to the services sector of the presence of refugees are higher than the negative impact, especially in the health and water sectors. Even the education sector has recorded significant gains as a result of the work done under the refugee affected areas programmes, particularly so with regard to primary education.

7. IMPACT ON LOCAL GOVERNANCE AND ADMINISTRATION

Much has been said about the impact of refugees on local administration. In this context, two types of impact have been identified, namely the time spent by local administrators on refugee work and the pressure on the District senior administrative personnel and the institutions of law and order such as the police, prisons and courts.

7.1. Impact on Local Administrators

7.1.1. Negative Impact

During its mission to Tanzania to review the situation of refugees and their impact on host communities, the Mission of the Executive Committee on Humanitarian Affairs (ECHA) was told that the main negative impact of the presence of refugees on local administrative personnel and systems was the time required to manage and administer refugee related issues. The mission was told that the refugee presence consumed between 30% and 50% of available management time at the District level.⁹³ Much of this time was spent on security related matters. As was pointed out in Part 2 above, the then Kigoma Regional Commissioner put the proportion of his time spent on refugees at 60%. The Mission was also told that the local administrators work was complicated further by the presence of a large number of different actors, some of whom were not transparent or co-operative. That made co-ordination work very difficult.⁹⁴

The above assertions were largely repeated during our own field research. In Ngara, the District Commissioner said that he was spending 70% of his working time and 20% of his private time on refugee related work. This claim was supported by various people interviewed, some of whom said that they thought the DC did nothing else other than refugee work.⁹⁵ On his part, the District Executive Director estimated the official time he spent on refugee related work at 50%. Other officers put the time they spend on refugee matters between 20 and 45 percent. Similar percentages were provided by government functionaries in Kigoma including Resident Magistrates, Immigration Officers and senior administration staff.

⁹³ Computed from various questionnaires filled by government officials.

⁹⁴ Interviews with District officials.

⁹⁵ Indeed, after we were supposed to have a follow up meeting with the DC, but this was not possible because he had to leave to attend to a pressing refugee related matter. He even had to post the questionnaire after we had left.

7.1.2. Positive Impact

On the positive side, the District administration has received considerable assistance from UNHCR and other refugee related projects, which has enabled them not only to cope with refugee work, but also to discharge their other routine functions more effectively. For example, between 2001 and 2002, UNHCR provided the following assistance to the District administration: maintenance and repairing of Kibondo Police Offices (555,000/-); fencing of the DC's residence (3,582,6000/-); renovation of Servant Quarters at the Kibondo DC's residence (999,998/-); electricity connection to DC's residence (964,000/-) and repairing MHA Liaison Officer's residence and latrines at the MHA liaison office (3,400,000/-). Other forms of assistance extended by the UNHCR to the District administration are provision of vehicles, fuel, radios, stationery, training and other forms of capacity building, and significantly, a modest daily cash allowance to certain District officials. Between 1995 and 2002, UNHCR has provided a total of US \$774,300 in administrative support to refugee hosting districts.⁹⁶

The Kibondo DED's office has also received assistance from, among others, the Royal Danish Embassy which donated one 4-wheel drive vehicle, a lorry and six motorbikes for use by the DED's office. The office also received one 4-wheel drive vehicle (Land Rover Defender) plus maintenance costs from the UNHCR to assist in the work related to environmental protection. The same office has received from UNICEF two 4-wheel drive vehicles (Land Cruiser and Double-Cabin Pickup), 68 motorbikes (one for every Ward Executive Officer), and a bicycle for every Village Health Worker.

On the whole, there seems to be a fair balance between the negative and positive impact of the presence of refugees on local administrators. The local administrators appreciate the assistance they have received. However, they also note that much of this assistance was not extended under a formal arrangement and therefore is not a legal entitlement. As a result, local administrators had to suffer the indignity of walking around with a begging bowl to seek assistance from locally based 'donor' agencies in order to respond to situations precipitated by the presence of refugees. They pointed out that in future, assistance to local administration should be extended on a formalised and entitlement basis as part of the international legal obligation to share the burden of hosting refugees.

7.2. Impact on the Police

7.2.1. Negative Impact

In section 3.2, it was noted that the presence of refugees had led to an increase in the number of crimes committed in the refugee-affected areas, even though this increase was not disproportional compared to the ratio of refugees to the total population in these areas. Nevertheless, that increase is an added burden on the Police Force, the authority primarily responsible for maintaining law and order. Moreover, some refugees were bringing with them weapons which they sold to local criminals at a giveaway price. Furthermore, the presence of

⁹⁶ ECHA Mission Report, Op. Cit., p. 15.

refugees has created a loophole for the country to be infiltrated by criminal gangs and rebels from neighbouring countries retreating from battlefields or looking for a place for rest and recuperation.⁹⁷ All this means added work for the security organs, especially the Police Force. The situation is so serious that in recent months the Police Force has had to conduct joint operations with the army (*JWTZ*), to deter or flush out criminals. In the first half of the year 2003, the Police Force has conducted operations in the following refugee-affected areas and adjoining regions:

- Biharamulo – Ngara: 26/4-4/5, 2003.
- Tabora: 18/4 – 4/5, 2003.
- Lake Victoria: May 2003.
- Kahama – Bukombe: 30/5 – 14/6, 2003.

In addition, the Police Force, in collaboration with the Immigration Department, has conducted manhunt operations for illegal migrants.⁹⁸ This work has imposed increased operational costs on the Police Force and more work load for an already overstretched work force.

7.2.2. The Positive Impact

On the ‘positive’ side, the international community, particularly the UNHCR, has been providing assistance to the Police Force to enable them to discharge their obligations more effectively. First, under a special arrangement between the Government of Tanzania and the UNHCR, a contingent of Police Force, known as “Operation Police,” has been posted to maintain law and order in and around refugee hosting areas. The total number of Police Force officers in the contingent involves about 300 personnel. The total costs of the security support programme stand at around US \$1 million a year. ‘Operation Police’ has been credited with greatly enhancing the capacity of the Force to respond to criminal incidents in the refugee camps and surrounding local communities. It has also helped to reduce and deter the general level of criminal activity in the area.⁹⁹ Second, as already noted, UNHCR has covered the costs of maintenance and repainting of the Kibondo Police Force Station. Further, UNHCR has constructed Police Posts in and around camps, to serve encamped refugees as well host communities. Examples are the Police Posts near Kanembwa and Karago refugee camps. Nevertheless, the assistance extended to Tanzania to cope with insecurity in refugee-affected areas remains woefully inadequate. This is evidenced by the continued insecurity in refugee-affected areas as noted in part 3.2. Therefore, far more needs to be done in this area.

7.3. Impact on the Judiciary

⁹⁷ See Speech by the Minister for Defence and National Service, Prof. Philemon Sarungi when presenting the budget for his Ministry in the Parliament for financial year 2003/2004, pp. 5-6.

⁹⁸ See Speech by the Minister of Home Affairs, Hon. Omari Ramadhani Mapuri (MP) while presenting in Parliament the Budget for his Ministry for the Financial Year 2003/2004., pp. 14-15.

⁹⁹ ECHA Mission Report, p. 12.

7.3.1. Negative Impact

In a paper presented at a Joint OAU/UNHCR Regional Judges Round Table on the Role of the Judiciary and Refugee Protection, in Addis Ababa in October 2000, the Resident Magistrate-In-Charge of Kigoma Region lamented on how the influx of refugees from Burundi, DRC and Rwanda had increased the workload of the courts. While admitting that the courts all over the country were already overloaded, she added that the ceaseless influxes of refugees had exacerbated the situation.¹⁰⁰ In an interview she gave the following year, the same Magistrate revealed that refugees accounted for about 35% of all accused persons appearing in her court.¹⁰¹ In a study commissioned for the National Refugee Policy Review Project, one author asserted, “the presence of refugees in Kigoma had more than doubled the work of the judiciary and hence straining an already overworked and under-funded judiciary.”¹⁰²

Two observations need to be made with regard to the above assertions. First, the judiciary in the refugee-affected areas was already understaffed and under-resourced even before the arrival of refugees. Writing on this point, the Resident Magistrate in Charge of Kigoma Region noted that Kigoma was facing an acute shortage of Magistrates. She noted further that Kasulu and Kibondo District Courts were both serviced by a single District Magistrate. Thus, they were bound to have a heavy workload, with or without refugees. The Magistrate also pointed out that Courts throughout the region were facing shortages of basic material such as stationery, including paper, and file.¹⁰³ Thus, the problems faced by the courts in Kigoma are not primarily caused by the presence of refugees but by chronic neglect, manifested by gross neglect and under funding. An average of fewer than 500 cases a year would not be a problem for a properly resourced Regional level Court. Second, even those assertions regarding the impact of refugees on the judiciary which are valid are sometimes exaggerated. A good example is the assertion that the presence of refugees in Kigoma has ‘more than doubled the courts’ workload. According to the Registry of the Kigoma Resident Magistrate’s Court, the number of cases between 1997 and 2000 and the immigration status of the accused persons were as follows:

Table 15: THE NUMBER OF CASES INVOLVING LOCAL PEOPLE AND REFUGEES AT THE KIGOMA RESIDENT MAGISTRATE’S COURT BETWEEN 1997 AND 2000

| YEAR | CASES OF LOCAL PEOPLE | CASES OF REFUGEES | CASES OF REFUGEES AND LOCAL PEOPLE | TOTAL | % OF REFUGEE CASES |
|------|-----------------------|-------------------|------------------------------------|-------|--------------------|
| 1997 | 452 | 22 | 1 | 475 | 4.6% |
| 1998 | 319 | 29 | 17 | 365 | 7.9% |

¹⁰⁰ Mafuru, S., ‘Refugee Impact on Local Administration: Tanzanian Experience on Police, Law Enforcement and Judiciary, paper Presented at a Joint OAU/UNHCR Regional Judges Round Table on the Role of the Judiciary and Refugee Protection, in Addis Ababa, 14-16 October 2000, in Chaponda, G. Ed., *The Role of the Judiciary and Refugee Protection*, UNHCR-RDO, Addis Ababa, 2000, pp. 66-73, at p. 67.

¹⁰¹ Peter, C.M., op cit., p. 20.

¹⁰² Peter, C.M., Op. Cit., p. 21.

¹⁰³ Mafuru, S., p. 68.

| | | | | | |
|------|-----|-----|----|-----|-------|
| 1999 | 296 | 129 | 32 | 457 | 28.0% |
| 2000 | 441 | 99 | 31 | 571 | 17.0% |

Source: Peter, C.M., “Refugee Impact on Local Administration. Specifically on Law Enforcement, Namely, Police and Judiciary”, CSFM Study Report, 2001, p. 20, Quoting the Registry of Kigoma Magistrate’s Court, April 2001.

A closer look at these statistics suggests that the additional workload on courts generated by refugees may not be as high as it is made to sound. In the years 1997 and 1998, the percentages of cases involving refugees only were 4.6% and 7.9% respectively. In 1999 and 2000, the percentages of such cases were 28.0% and 17.0% respectively. Thus, in the four years under consideration, refugee cases never accounted for even 30% of all cases that came before the Resident Magistrate’s Court at Kigoma. These being the stark statistics, the argument that “the presence of refugees in Kigoma had more than doubled the work of the judiciary” is hard to sustain. Analysing the same data, Prof. Peter warned that the low number of cases involving refugees is rather deceiving because it does not reveal other issues related to such cases which are not apparent. The first matter he pointed out was the high numbers of the accused persons sometimes involved in a case. “While in an unusual case involving local people there may be about 12 accused persons, in some of the cases involving refugees the number of the accused persons may reach 70.”¹⁰⁴ While that may be the case, it also gives rise to the question as to what kind of case would involve so many accused persons? Often such cases tend to relate to minor offences involving commission of administrative offences (*mala prohibita*), which is confirmed by the former Resident Magistrate in Charge of Kigoma who confirmed how group charges involve “recyclers.”¹⁰⁵ The term “recyclers” refers to refugees who attempt to register more than once in order to get more than one food ration card. Such cases are often times resolved summarily after the pleas have been taken. Therefore, the time and resources spent on such a case may be less than that spent on a single murder case whether or not it involves refugees.

7.3.2. Positive Impact

Judicial Courts in refugee-affected areas have been receiving assistance from refugee related agencies as well. For example, in 2001, the UNHCR constructed a waiting shed and benches at the Kibondo District Court premises, worth 343,000 shillings. In the year 2002, the same agency provided miscellaneous assistance to the District Magistrate’s court and Prisons worth 3,400,000 million shillings. However, as with other institutions of local administration, the assistance given to the local Judiciary has been *ad hoc* and unpredictable, depending on the generosity of the Head of the relevant UNHCR Sub-Office.

7.4. Impact on the Prisons Department

¹⁰⁴ Peter, C.M., Op. Cit., p. 21.

¹⁰⁵ Mafuru, M., Op. Cit., p. 67.

The present study took off from the premises that if refugees are involved in criminal activities, and charged before the courts of law, it is logical to expect convictions and sentencing, including imprisonment. This created the justification for approaching the local Prison Department officials for data and related information. According to the former Resident Magistrate In Charge of Kigoma, as of September 2000, refugee prisoners accounted for between 20% to 40% of the prison population in various prisons in Kigoma region.¹⁰⁶ As of April 2001, the prison population in Kigoma region was as follows:

Table 16: REFUGEES AND LOCAL PEOPLE IN PRISON IN KIGOMA AS OF APRIL 2001

| NO. | Name of Prison | Remand Prisoners | | Convicted Prisoners | |
|--------|----------------|------------------|----------|---------------------|----------|
| | | Tanzanians | Refugees | Tanzanians | Refugees |
| 1. | Bangwe | 278 | 52 | 81 | 26 |
| 2. | Kasulu | 141 | 75 | 92 | 20 |
| 3. | Kibondo | 108 | 125 | 137 | 79 |
| 4. | Ilagala | Nil | Nil | 108 | 44 |
| 5. | Kwitanga | Nil | Nil | 115 | 66 |
| TOTALS | | 527 | 252 | 533 | 235 |

Source: C. Peter, Op. Cit., quoting Prisons Office, Kigoma.

The above figures confirm that the percentage of refugee inmates in Kigoma prisons is rather high. In fact, it is higher than the estimates given by the commentators above. According to the figures above, the percentage of refugee remandees was actually 48% of the total prison population. That of convicted prisoners was 44%. There are a number of reasons that explain the relatively high proportion of refugee inmates in Kigoma Prisons. With regard to remand prisoners, the reason why there are so many of them in prison is provided by Professor Peter as follows:

Due to their very special circumstances, refugees can hardly get any reliable sureties to bail them out. Therefore, the big majority of those charged even with very minor offences end up in custody. This has tended to rapidly increase the prison population in the region.¹⁰⁷

The significant proportion of refugee inmates is misleading for two related reasons. As compared to a Tanzanian citizen, the list of offences for which a refugee may be charged, is significantly longer. Offences that apply to the former but not the latter are essentially found under immigration and refugee laws including unlawful entry into the country, leaving camps without permission, residing outside camps, and failure to comply with lawful orders of settlement officers. Second, the offences that apply to refugees but not to locals actually account for the overwhelming majority of criminal convictions for refugees. For example, as

¹⁰⁶ Ibid. See also Peter, C.M., Op. Cit., p. 22.

¹⁰⁷ Peter, C.M., Op. Cit., p. 22.

of September 2000, there were a total of 438 Burundian and Congolese refugees in Kigoma prisons. Of these, 203 had been convicted of “failing to comply with orders” while another 80 had been convicted of “unlawful presence in Tanzania.”¹⁰⁸ Overall, 65% of the refugee prisoners had been convicted of immigration/refugee specific offences.

The question that should be raised in this regard, is whether persons who are convicted of such minor offences should be jailed in the first place or subjected to non-custodial penalties. With regard to “unlawful entry”, the governing provision is Article 31 of the 1951 UN Convention on Relating to the Status of Refugees provides that:

The Contracting States shall not impose penalties, on account of their illegal entry or presence, on refugees who, coming directly from a territory where their life or freedom was threatened ... enter or are present in their territory without authorisation, provided they present themselves without delay to the authorities and shown good cause for their illegal entry or presence.

In a study commissioned for the National Refugee Policy Review Project, Dr. Rutinwa examined this provision in detail in the context of Tanzania. He concluded that the main thrust of the provision is to protect refugees and asylum seekers from penalties for unlawful entry into the country of asylum. While the provision contemplates the possibility of penalties being imposed on those refugees who fail to present themselves without delay to the authorities of the country of asylum, imprisonment would be an inappropriate and excessive penalty.¹⁰⁹ With regard to failure to obey lawful orders, it is our view that such administrative offences ought not to attract custodial penalties. From the above, it is not unreasonable to suggest that some of the prison congestion attributed to refugees may be a result of misapplication of the relevant norms and inadequacies in the sentencing policy. As Dr. Rutinwa has remarked, jailing persons for minor offences is unsound sentencing as it exacerbates the existing prison congestion rates.¹¹⁰

The problem of the pressure being exerted by refugee prisoners on prisons must also be appreciated in the context of the problems faced by the service, with or without refugees. The first problem is the limited capacity in Kigoma. Currently, there are only 5 prisons in the region namely Bangwe, Kasulu, Kibondo, Ilagala and Kwitanga. The total authorised capacity of these prisons is 634 inmates. However, as of April 2001, they were carrying a total of 1,547 prisoners which is an overcrowding of over 244%.¹¹¹ While refugees have contributed to this overcrowding, the situation would still have been overcrowded, even without them. The table below demonstrates the point:

¹⁰⁸ See Mafuru, S., Op. Cit., Annex on p. 70.

¹⁰⁹ See Rutinwa, B., *Refugee Admission Procedures in Tanzania*, Study Commissioned for the National Refugee Policy Review, 2001, pp. 22-24.

¹¹⁰ See Kaijage, J., ‘Need: Proper Prisons Policy’ in *The African*, Tuesday, January 23, 2003, p. 4. Dr. Rutinwa was responding to the question whether refugees who were serving jail terms should not be given separate facilities to reduce prison congestion and to avoid them influencing the behaviour of the Tanzanian inmates.

¹¹¹ Peter, C.M., Op. Cit. p. 21.

Table 17: THE STATE OF PRISONS IN KIGOMA REGION AS OF APRIL 2001

| Prison | Year Built | Authorised Capacity | Current No. of Inmates | | | Rate of Occupancy | Rate of Occupancy Excluding Refugees |
|----------|------------|---------------------|------------------------|-----|-------|-------------------|--------------------------------------|
| | | | T* | R* | TOTAL | | |
| Bangwe | 1930 | 64 | 359 | 78 | 437 | 683% | 561% |
| Kasulu | 1935 | 80 | 233 | 90 | 328 | 410% | 291% |
| Kibondo | 1974 | 200 | 245 | 204 | 449 | 225% | 122.5% |
| Ilagala | 1968 | 130 | 108 | 44 | 152 | 117% | 83% |
| Kwitanga | 1981 | 160 | 115 | 66 | 181 | 113% | 72% |
| TOTAL | | 634 | 1,060 | 487 | 1,547 | | |

*Legend: T = Tanzanians R = Refugees

Source: Computed from Various Statistics from the Kigoma Resident Magistrate Registry

As is clear from the above Table, all but two of the currently overcrowded prisons in Kigoma would have been in that state even without refugees. In the two most overcrowded prisons of Bangwe and Kasulu, the overwhelming majority of the extra population is accounted for by locals and not refugees. Bangwe prison, for example, would have been overcrowded by 561%, even without refugees. Kasulu prison on its part would still have been overcrowded by 291% even if all refugees had been discharged, in other words by an average of 225%.

Finally, like other government institutions, the Prisons Department in Kibondo has received some assistance from refugee related agencies including material supplies for inmates. Again, this assistance is not based on any formal arrangements with the donor agencies. In sum, it may be concluded that the presence of refugees has, indeed, had a negative impact of varying degrees on local administration, the Police, Judiciary and the Prisons Departments. Refugee agencies, particularly UNHCR, have provided considerable assistance to these agencies to enable them to cope with the situation. However, with the exception of the Police Force, much of this assistance is not based on a formal agreement that creates a package of entitlements for the benefit of these institutions on account of their refugee related work. As a result, this assistance has been mainly *ad hoc* and unpredictable. Also, the assistance has not been adequate.

8. IMPACT ON THE ECONOMY AND RURAL DEVELOPMENT

8.1. Negative Economic Impact

In part 3.2 it was noted that it was not uncommon for individual members of local population and their families to be victims of robbery, sometimes at gunpoint, and relieved of valuables such as bicycles, food, domestic animals, and household goods. Further, internal insecurity has

forced some people to flee their farms and thereby reducing agricultural production. The combination of these phenomena has been to deprive the local people of even the little they possess resulting in trauma and deep economic crises. At a national level, external and internal insecurity has compelled Government to maintain military presence in the refugee-affected areas, resulting in a costly, avoidable drain on the national treasury.

8.2. Positive Economic Impact

However, the mission also observed how numerous donor-funded development projects in different refugee-affected areas have been initiated. Significant investments have been undertaken in health, education, and infrastructure improvements. As a result, Kibondo and Ngara, once among the least developed districts, now compare well with other districts in Tanzania in terms of socio-economic indicators. They are actually moving faster than most parts of Tanzania towards meeting the targets set out in *The National Poverty Eradication Strategy* of June 1998.

8.3. Specific Economic Benefits

8.3.1. Expansion of Business and Marketing Opportunities

The presence of refugees as well as refugee agencies and their relatively affluent staff has led to an upsurge in business, trade and housing markets in the refugee affected areas. In Ngara, the single largest market in the District is the Lukole refugee market. The refugee population constitutes a major business opportunity for agricultural produce notably bananas, cassava and cattle. The second largest market is in Ngara town centre¹¹² whose most valued customers are the staff of refugee agencies. The market is full of goods, which were never seen before the arrival of refugees. All sorts of goods from agricultural produce to textiles are sold in the markets. Also, small-scale industries such as bakeries have been established. Many new and modern houses have been built, and some are rented out to agency staff. Some staff have built their own houses.

One major market for agricultural produce is the WFP, which has a local purchase policy. In April 2003 nearly 4,000 metric tonnes were bought from Government of Tanzania (GoT) grain reserves. In the previous year (2002) countrywide purchases reached 30,000 tonnes. Purchases are done following consultation with GoT and a primary concern is to ensure that grains are not purchased from areas experiencing food insecurity. In 2002, a total of 500 metric tonnes of grain were bought in Kibondo, which is the equivalent of only two weeks ration for beneficiaries. In Kibondo, food is purchased from Cooperative Societies as well as from individual peasants. It is WFP policy to purchase supplies that meet certain criteria and these relate to packaging, storage as well as volume (normally minimum of 200 tonnes). In order to accommodate peasants and other small-scale suppliers, WFP waived some of these requirements, including the minimum volume, which was set at 50 tonnes. WFP also provided bags and dispensed with the requirement of marking and packaging. In addition, WFP has held

¹¹² Ngara District Development Plan, 2003, p. 56.

meetings at Village and Ward levels and promoted the idea of appointing a liaison between small-scale suppliers and WFP.

Another agency with a local purchase policy is IRC, which is required to purchase 80% of its needs in country. Items purchased locally, that is, Kibondo, include supplementary fuel (about 6,000 litres per month), kerosene, vehicle spare parts, and stationery. The bulk of IRC needs in drugs are bought from private pharmacy outlets in Mwanza, namely, Ebenezer and Kayonzo. IRC needs for vehicle tires are equally satisfied by the local market. The TCRS also spends 65% of its local currency budget in Kibondo. The local currency budget constitutes 79% of the whole budget.

The other economic benefit often mentioned by respondents was the increase in the construction of modern houses in both Kibondo town and surrounding villages, resulting in increased income for real estate owners. Improvements in the road network was also identified as a factor which has significantly stimulated trade within Kibondo and between Kibondo and other parts of the country such as Kigoma and Mwanza. However, the above developments have not been seen as entirely positive by some sections of the local community. At a Focus Group Discussion (FGD) session in Lusahunga, the mission was told that most of these new businesses and properties belonged to people whose origins were not in the refugee-affected areas. Rather, they belonged to Tanzanians from other parts of the country who had been attracted to Ngara by the presence of refugees. So, the profits from these investments did not benefit the local people. To the contrary, the local people had suffered inflation and being priced out of the market by agency staff with high purchasing power. For example, it was asserted that properties that used to be rented for 2,000/- to 5,000/- now go for up to between 20,000/- and 50,000/-. Similar reservations were expressed in Kibondo. At an FGD session with TCRS Village Facilitators, participants listed among the benefits of the presence of refugees was the expansion of markets for local agricultural products such as banana, cassava, meat and even local beer. The prices had also gone up considerably. A bunch of bananas which used to fetch 500 to 600 shillings now goes for 1,500 to 2,000 shillings. The price of a kilo of beef has shot up from around 700 to 1,300 shillings. An egg, which used to fetch as low as 20 shillings now goes for 100 shillings. At the same time, some participants complained that the presence of refugees and high spending refugee agency staff had led to the increase in the price of food and house rental charges far beyond the capacity the local people could afford. Also, insecurity had forced some local shopkeepers in the villages to close business, thus inconveniencing their customers. However, the respondents were of the general view that on the whole, the emergence of markets and business opportunities has been beneficial to the local economy, even if some segments of the local population have been disadvantaged.

8.3.2. Increase in Revenue Collection

An undisputed positive impact of the presence of refugees has been the increase in tax revenue for both the Central Government and the District Councils. From the TRA in Kigoma it became evident that humanitarian agencies contribute substantially to the revenue collected. Essentially, revenue is sourced from either Income Tax (i.e. deductions on emoluments, or Pay As You Earn (PAYE)), Value Added Tax (VAT), and Customs duty. Of the three, Income Tax accounts for the lion's share (around 79%) contributing in 2002/2003 Tanzania shillings

620,000,000 (Six hundred twenty million) as compared to 305,000,000 from remaining sources. So critical is the contribution of humanitarian agencies that whenever they scale down presence an immediate and dramatic drop in revenue is experienced by TRA.

Among the major contributors is the IRC, which in the year 2002 alone paid 141,046,997.15 in NSSF contributions, 70,523,498.58 in Employer NSFF and 80,723,041.45 as PAYE. The other is the TCRS, which has made the following payments in the specified periods:

- PAYE contributions 1997 – May 2003: 166,444,230.00
- NSFF contribution January 2002 - May 2003: 105,141,742.40
- Development Levy 1999 – May 2003: 105,141,742.40

In Ngara, the NPA alone was making the following monthly payments:

- Development Levy: 650,000/-
- TRA: 9,000,000 –10,000,000/-
- NSFF: 9, 000,000 – 10,000,000/-

Even revenues collected by the District Councils are substantive. In Ngara for example, the Lukole Market of the refugee camps is the single biggest local revenue source of the District authorities. Anywhere between 36 to 40 million shillings are collected annually, which is about 18% of the yearly local revenue.”¹¹³ Until its closure for security reasons, the Kumnazi Market was generating 5 million shillings every year.

8.3.3. Cheap Refugee Labour

Refugees have also provided a source of cheap labour in the villages neighbouring the camps for the construction of village schools and dispensaries. In Ngara, the average wage for refugee labourers is between 200 and 300 shillings a day. At Kumkugwa Village in Kibondo, refugee labour costed 300 shillings for a day’s work. In Kibondo, for a modest payment of 8,000 shillings a refugee would provide farm labour to till a whole hectare. As a result of the cheap labour, many local people have expanded their agricultural plots and sold the surplus food to the refugees. Villagers at Kumkugwa informed the Team howsaid they had profited considerably from receiving refugee labour. Their only regret was that often it was the same refugee who cultivated your plot who upon harvest would return to steal. However, the availability of cheap refugee labour has had a negative impact on the local labour market in that they have undercut the local people looking for paid labour work.

8.3.4. Employment Opportunities for Local People

The presence of refugee agencies has increased employment opportunities within humanitarian organisations active in the refugee-affected areas. Among the agencies with large local staff contingency are IRC which has a national staff contingency of 350 of whom 256 are in Kibondo and the TCRS which employs 221 national staff in Kibondo. JRS (Radio Kwizera) employs 42

¹¹³ Ngara District Development Plan, 2003, p. 74.

national staff of whom 30 are in Ngara and 12 in Kibondo. UNICEF employs 8 persons in Kibondo. Since UNICEF operates predominantly through local implementing agencies, it creates employment opportunities indirectly. The same applies for UNHCR.

Often, the local population and authorities complained that employment opportunities do not benefit the local people because they have been largely taken by Tanzanians originating from areas beyond the refugee-affected areas. When it was suggested to him that the people of Kigoma had benefited tremendously from employment by refugee agencies and asked what would be the consequence of their departure, the Kigoma Regional Commissioner replied that there will not be any impact because the persons who were employed by the agencies did not hail from Kigoma region.¹¹⁴ Similarly, at Kumkugwa Village, the local people complained bitterly that agencies were not employing local inhabitants. Instead, they preferred to “import” workers from other parts of Tanzania. However, the above allegation is not entirely correct. Many of the agencies assessed had recruited most of their staff from among the local population. For example, while the 229 TCRS staff in Kibondo are drawn from 31 different tribes in Tanzania, 125 of them, or 55% are from the *Waha* community of Kigoma Region. Moreover, even when employees belong to an alien community, they do reside in the refugee-affected areas or are locally recruited. Similarly, with JRS, only two of their 12 staff in Kibondo hail from outside the District.

What is true is that most local staff of refugee agencies occupy lower positions such as security guards, drivers, cooks, etc. For example, the IRC staff establishment comprises some six categories. While local residents make up 80 – 90% of the lower four rungs they barely constitute 29% of the remaining two upper rungs. The reason for this distribution is the absence of appropriately qualified local residents, since whenever senior management positions are advertised, no representative of the host communities come forward. This fact was acknowledged at the Kumkugwa meeting where the Village Chairman admonished his fellow villagers not to complain about there being too many employees from outside Kibondo. He reminded them that once, posts for nurses with at least two years of training were advertised, but no person from Kibondo came forward. So, the positions had to be re-advertised in Mwanza and Bukoba and the posts were rapidly filled.

8.4. Other Benefits

8.4.1. Publicity

Thanks to the presence of refugees, refugee-affected areas have received enhanced visibility internationally as well as attracted a national focus. Certainly, that has been the case for Ngara, which hitherto was an obscure place in a far-flung part of the vast country of Tanzania. Visibility has helped to attract development resources both international and national. Indeed, as the Ngara District Council admits, now “donors fund the largest share of (its) development budget (and) this is explained by the weak economic base of the District and the strong donor

¹¹⁴ Interview between *Mwananchi* Newspaper and RC Mahawa, Op. Cit.

support due to the presence of refugees.”¹¹⁵ Even in Kibondo, various respondents acknowledged that the District has benefited from the publicity and attention generated by the presence of refugees.

8.4.2. Radio Services

Kibondo and Ngara are border regions situated over 1500 kilometres from Dar es Salaam. As such, they have a very poor reception of the national public radio service, Radio Tanzania, or any other radio broadcasting house based in Dar es Salaam. In 1995, the Jesuit Refugee Services established *Radio Kwizera* (RK) in Ngara with the principal objective of broadcasting to Rwandese refugees in Tanzania. Following repatriation of the Rwandese in December 1996 JRS redirected its focus to the remaining single largest refugee community, that is, Burundi. In Kibondo, the broadcasting is achieved with the assistance of a booster station located in the Kabwigwa area on which premise also work the *Radio Kwizera* staff. RK has the following specific mandate: Information; Participatory Development; Refugee and host community Entertainment; Promotion of local culture and traditions in a globalised world; Inter-religious dialogue. RK editorial policy seeks to promote the following values: Reconciliation; Non-discriminatory service to the general public (refugee and host communities); Popular participation; Public debate and Transparency. Although fundamentally non-discriminatory in its approach, RK strives to champion the cause of the “poor, lowly and powerless” with a particular focus on issues relating to youth and women. RK's programmes cover a wide range of topics and include health, education, environment and youth. The target is refugees and host communities. Although initially established to serve mainly refugees, RK is gradually being transformed into a community radio, which will remain behind even after refugees repatriate to their respective country of origin. Already financial commitment of three years has been obtained for RK to continue remaining engaged.

8.4.3. Access to Materials

Due to the presence of refugees, the local community has gained access to some materials which they would not have otherwise been able to access. In both Ngara and Kibondo, some villages have received direct material assistance from local based humanitarian agencies in the form of household utensils such as buckets, pots, cooking oil, and plastic sheeting. Villagers have also been able to buy these items from refugees at affordable prices in exchange for locally grown foodstuffs. Plastic sheeting has been very useful in the drying of coffee beans. In the past, coffee farmers used to dry the beans on bare soil. As a result, the beans would gather dust, thus fetching much lower prices in the market. According to coffee farmers in Ngara, the use of the waterproof plastic sheeting has resulted in their coffee being awarded the highest grade and price at the Moshi market.

¹¹⁵ Ngara District Development Plan, 2003, p. 73.

8.4.4. Cattle

Refugees bring with them huge herds of cattle. Because of the resultant discrepancy between supply and demand, the price of cattle has significantly dropped, making it accessible to local community members desiring to acquire cattle.

8.4.5. Leisure, Sports and Recreation

Refugee presence and humanitarian agency interventions have stimulated the regular holding of games and competitive sports in the District. Also, refugee-affected areas have become a popular destination for a number of Dar es Salaam based musical groups and artists. For example, recent visitors to Kibondo include household names such as Saida Karoli, Mr. Ebbo, Muumin Mwinjuma, Professor Jay, *Wana Twanga Pepeta* and *Wajelajela*. These visits are signs of the existence of disposable income in the District.

9. GENERAL CONCLUSIONS AND RECOMMENDATIONS

9.1. Summary

This study set out to examine the key impacts of the presence of refugees. The main recurrent assertions were identified as threats to external and internal security, environmental degradation, destruction of physical and social infrastructure, excessive burden on local governance and administration, and reduced economic development in refugee affected regions. This study has attempted to establish the validity of these assertions as well as the positive impacts of the intervention by refugee or refugee-related agencies and programmes.

With regard to external security, it has been found that hosting refugees has created tension between Tanzania and some countries of origin, with the latter accusing the country of asylum for harbouring, training and arming rebels among the refugees. While these allegations are unfounded, they have led to military confrontation between Tanzania and some countries of origin. Increasingly, Tanzania has become reluctant to assume the political risk associated with hosting refugees. This is due to the mounting costs of military operations in refugee-affected areas and the country's new foreign policy, which prioritises national economic interests above all other interests.

As for internal security, it was found that refugee-affected areas were experiencing a wave of serious crimes including murder, robbery and possession of illegal arms and ammunition. Some refugees were involved in these crimes. However, the share of crimes committed by refugees was not disproportional to their numbers. Some of the criminal activities in refugee-affected areas was not attributable to refugees as such but illegal migrants who took advantage of the refugee situation. The impact of these crimes has been devastating especially at local level. UNHCR has been providing security assistance through financing the Operation Police Contingent. However, the fact that the wave of crimes continues suggests that this arrangement, which was put in place almost ten years ago, needs to be reviewed and possibly upscaled.

Without doubt, the presence of refugees has had a negative impact on the environment. However, most of the dramatic stories that are often cited in this connection relate to the impact that was caused by the influx of Rwandese refugees after the genocide in Rwanda in 1994. Not only was the size and pattern of that influx unique, but it also occurred at the time when environmental considerations were not prioritised in refugee management. Camps established much later have managed to ensure reasonable protection of the environment. Further, refugee programmes now incorporate environmental projects that go beyond remedying the impact of the presence of refugees to improvement of the environment generally.

The presence of refugees has had a negative impact on the infrastructure in Kagera and Kigoma regions particularly on roads and bridges. However, prior to the influx, the infrastructure has always been rudimentary for years. Over the years, various donors have provided funds for infrastructural work in North Western Tanzania. These projects have included reconstruction and rehabilitation of roads and airstrips and regular maintenance of the main, and some rural roads. It is the conclusion of this study that the impact of these interventions has outstripped the negative impact caused by presence of refugees. However, it has also been noted that most of the infrastructure that has received the attention of the donor community is that which is directly associated with humanitarian interventions for the benefit of refugees.

As far as social services are concerned, there is ample evidence that the benefits of the presence of refugees are more than the negative impacts. With regard to the health sector, the state of health facilities and the level of services before the arrival of refugees were poor, to say the least. However, with the arrival of refugees, health facilities have been considerably improved and modernised, including buildings, equipment, personnel, hard cash, as well as training. The facilities also receive a regular supply of drugs from refugee agencies. As regards the education sector, several humanitarian agencies have made a considerable investment in primary education, which has proved to be very effective. In both Ngara and Kibondo, there is evidence of rapid and steady progress towards meeting all the national indicators in this regard. Notable gains have also been made in the area of secondary and tertiary education. However, the assistance provided at this level has tended to be *ad hoc*, bearing no relationship to the peoples' needs or priorities. In fact, secondary education has not been given much importance by aid agencies.

Potable water facilities were affected by the arrival of refugees. The biggest form of impact was by way of pollution. Several refugee agencies have undertaken numerous projects aimed at improving access to adequate and safe water throughout the Kibondo and Ngara. The results have been impressive. One can reasonably conclude that in this area, the gains appear to outstrip the losses occasioned by the presence of refugees. Overall, it appears the social service sector has benefited more than it has suffered due to the presence of refugees.

On local governance and administration, the presence of refugees has increased the work of government officials at Regional and District levels. It has also taxed the resources and personnel of the judiciary, police and prisons. All of these institutions have received significant assistance from refugee agencies particularly UNHCR. However, much of this assistance is not

provided within a formalised framework of refugee administration. What one gets, when and how much depends largely on the giver.

The presence of refugees has had a mixed economic impact. At the local level, criminal activity in refugee-affected areas has deprived local communities of valuable individual and collective property and forced them out of from areas of habitual residence and production. At the national level, the Government has been forced to divert resources to reinforce security in refugee-affected areas. At the same time the presence of refugees has had a positive economic impact including expansion of business and marketing opportunities and increase in revenue collected from various taxes. Also, refugees have provided a source of cheap labour while refugee operations have provided employment opportunities for local people. However, at the same time, these gains have translated into losses for some parts of the local community. For example, expansion of business and marketing opportunities has also been accompanied by inflated prices of goods and services. Similarly, the availability of abundant, affordable labour has benefited landowners and the economically advantaged who employ refugees but has also disadvantaged local people seeking statutory wage labour. The other benefits that have accrued to refugee-affected areas are publicity and visibility, which have worked to attract development funding, reliable radio service such as Radio *Kwizera*, access to scarce strategic materials and visits by high profile entertainment groups from as far as Dar es Salaam.

9.2. Recommendations

The following recommendations are aimed at addressing the problems that are currently not being dealt with adequately and to maximise the gains that can result from the presence of refugees.

- (i) The international community should extend adequate support to Tanzania to enable the country to effectively and competently deal with external and internal security problems caused by the presence of refugees. This support may involve the revision of the security package arrangements with a view to significantly increasing the resources and personnel.
- (ii) The measures currently taken to protect the environment in refugee-affected areas should be maintained and enhanced. At the same time, there is a need to rethink several aspects of refugee administration, including the concentration of refugees in small geographical places and the use of wood as the main source of energy, which exacerbates environmental problems in the refugee-affected areas.
- (iii) While giving priority to infrastructure that is used for relief work is understandable, roads, bridges and other facilities that the local people consider important should be prioritised too.
- (iv) The commendable work currently being done in the area of social services should continue. Particular attention should be given to areas prioritised by the local people, especially secondary and tertiary education.

- (v) In recognition of the fact that refugee protection is a shared responsibility of the international community, the Government and UNHCR should negotiate a package for local governance and administration which incorporates all the extra demands made on Government offices and institutions at Regional and Local levels as a result of the presence of refugees. This package should be included in the appeal for Tanzania's country programme.
- (vi) In order to maximise the benefits of the presence of refugees while minimising the negative impact, there must be an appropriate institutional framework in terms of the policy and law, as well as refugee services delivery arrangements.

The present policy regarding refugees in Tanzania is repatriation oriented. Such a policy is not conducive to harnessing the resources refugees bring with them or maximising the potential benefits of the presence of refugees for national development. Such a policy does not send the right signals to those who might be contemplating funding major investments in refugee-affected areas for the benefit of both refugees and local populations.

- (vii) The existing laws governing refugees in Tanzania should be reviewed since the legal framework is not conducive to maximising the potential benefits from hosting refugees. A more liberal regime of refugee employment, especially in the agricultural and related sectors could double the benefits that accrue from refugee labour.
- (viii) If the Government must revisit its policy and law, refugee agencies need to rethink their approach to services delivery. Programs and projects should be aligned with local and national needs and priorities. More meaningful participation of local authorities in the planning, implementation and execution of development projects should be attained if project sustainability is to be achieved.
- (ix) Local leaders must also be fully informed of the development activities of refugee agencies. Failure to share full, accurate and timely information leaves room for misinformation and avoidable suspicion. Actors in refugee-affected areas should adopt a policy and culture of sharing information with Government at all levels, media, academia and other interested parties.
- (x) Finally, this research was conducted mainly in Kibondo complemented by a short visit to Ngara. It is recommended that further research should be done in other pre-eminent refugee-affected areas such as Kasulu with a focus on impact of the presence of refugees. Evidence based studies are likely to enrich the process of reviewing both the Refugees Act, 1998 and the envisaged National Refugee Policy.