

Session 2.1 - Moving beyond emergencies – Creating development solutions to the mutual benefit of host and origin communities and displaced persons

Statement by the United Republic of Tanzania

Roundtable 2: Migration and Development through Multilateral and Bilateral Partnerships: Creating Perspectives for Inclusive Development

RESPONSES TO QUESTIONS FOR THE ROUND TABLE 2.1 AT THE GLOBAL FORUM ON MIGRATION AND DEVELOPMENT SUMMIT, BERLIN GERMAN 28TH – 30TH JUNE 2017.

Question (II) During (protracted) displacement, how can national and local government entities and civil society, if relevant with the support of other development actors, support efforts to minimize vulnerabilities and maximize potential socio-economic benefits for all?

- a. How can development actors support the inclusion of displaced people in national and local development frameworks, thereby ensuring equal access to basic public services such as health and education?
- b. What are the conditions necessary for displaced persons' inclusion in the local labour market, in local business entrepreneurship and in small-scale manufacturing or agricultural production?
- c. How can national and local government entities and civil society, if relevant with the support of other development actors, promote the interaction of displaced persons and hosting communities, addressing misperceptions and xenophobic sentiment to promote a culture of inclusion?

Responses:

In responding to this set of questions, I would like to give a brief situation on protracted cases of refugee status in Tanzania.

Tanzania has a long history of hosting refugees and asylum seekers since her Independence tomes in the 1960s.

These Refugees and Asylum seekers have been from neighboring countries, as well as from the Horn of Africa and Southern Africa. Therefore Tanzania has together with her struggle for the wellbeing of her citizen, have also been dealing with the wellbeing of refugees ever since and until now. The most protracted case load of refugee status in Tanzania have been those from Burundi (1972 case load), and that from the DRC Congo (1996 case load). However we have also the recent caseload from Burundi which started in 2015 to date. There is also a little influx from Congo DRC, since 2016, following protest of the postponement of Presidential elections last year.

Tanzania is blessed to have a relatively very peaceful and stable Government, as well as respect to the rule of Law ever since her independence in 1961. This can be witnessed through peaceful regime change and stable political environment, which as a result become the heaven of peace in the region. Likewise, due to Tanzania's respect for International Conventions and treaties which we are a party, and respect to Human rights, have also fulfilled her International obligations, including providing asylum and refuge to genuine refugees as provided into the 1951 Geneva Convention, and its 1967 Protocols; as well as the AU 1969 Convention on Specific aspects to Africa, and as per the 1998 Tanzania Refugee Act.

Thus in responding to the provided guided questions of the GFMD 2.1 Round Table, I will respond them

taking into consideration of the main Challenges which when are addressed, will provide a suitable framework in minimizing vulnerabilities and maximize potential socio-economic benefits for refugees as well as host communities. The main challenge that underlines the rest of the challenges have been a traditional parallelism of UN refugee's response and development programs, with that of the host Government Refugee's response and development plans and programmes. Therefore when we answer on HOW this challenge can be addressed we can say the following:

a. There is a need to reduce and eventual removal of parallelism in plans and programs between the UNHCR and Host Government like Tanzania, in providing basic services and development programs to refugees, like Food, Education, Health, Water and Infrastructure development. This can be done by, first, supporting the inclusion of refugees assistance into National short and long term programs, because experience have proven that refugees stay in a host country like in Tanzania between 15 to 20 years, thus spending a bigger part of their working life as refugees in a host country.

Secondly, parallelism can be removed through channeling resources assistance for refugees management through national responders, so as to incorporate Local or national providers. It is understood that refugee's management is an International obligation, and is through mandate, done by the United Nations high Commissioner for Refugees (UNHCR). But deliberate efforts should be done to make UNHCR activities, to a large extent be channeled through local government structures, which make the Host government directly encouraged and obliged to include refugee programs to local programs. In Tanzania the UNHCR have its own refugee response and operational programs, which incorporate other UN and international implementing partners who can as well work through or under the Local Government. According to the Tanzania 1988 Policy on the formation of Local Government, was guided by the principal of Decentralization by Devolution (D by D), thus Local Governments, are empowered to negotiate, decide, engage and act.

(An example of the Catholic Church activities in Tanzania, 80% of the church's parish activities are done by independent organizations, but they all report and get directives from the Bishop).

Thirdly, on building capacity, the emphasis should be put on giving resources to the Local Government to be able to retain qualified staffs, which are normally drained to other greener pastures. Therefore making the Local Government capable of providing attractive packages to local experts than depending on International Organizations who employ a number of International expatriates, who eventually consume a bigger part of resource assistance from donor countries/organizations. In Tanzania there are over 40 Tertiary Education Training colleges which provide quite professional experts who can work well into refugee response programs through the Local Government. In fact it should be capacity support instead of Capacity building. This is well envisaged in the September 20th 2016 New York Declaration on Refugees and Migrants.

b. Providing wage earning to refugees is also stipulated in article 17 of the 1951 Geneva Convention. However there are preconditions which have to put in place appropriately into the Local frameworks and instruments to have provisions for allowing refugees and or displaced persons inclusion into the labor market, in local business entrepreneurship and small scale production or agricultural production. Referring to Tanzania's two pledges/commitment during the New York Leaders Summit, which include that, Tanzania is reviewing her 2003 refugee policy so as to abide with International requirements, like having provisions for inclusion and self reliance, and two, to provide access to local employment for qualified refugees into the local labor market, are clear indication that Tanzania is committed to fulfill this promise. Thus support from development actors is necessary to the Government of Tanzania, to make these reviews of Instrument possible, because there is a Political will to fulfill this. Reviews of instruments are expensive undertakings, which include hiring consultants, performing consultations to

stake holders, and facilitate forums of decision makers, thus resources support is vital here. Tanzania have also amended the Immigration Act 2015, as well as Immigration Regulations 2016 all under CAP 54, to give preferential treatment to East African Citizen, with reduced fees and entry qualifications. Likewise there have been introduced the “Migrants’ Pass” which provide that, upon application, any migrant who entered and settled in Tanzania on or before 1972 will be granted a Migrant’s Pass, with a very minimal fee of Tshs 10,000/= per year! About 5\$!

With regards to Refugees access to labor market, Tanzania has enacted an Act called “The Non Citizen Employment Act and Regulation No1 of 2015” In which there is a provision for the Director of Refugee Services Department, to issue a “Work Permit” and on Gratis!, to any qualified Refugee who secure employment in Tanzania. Currently regulations to this Act are being completed to be able to guide its operations.

The second precondition for Inclusion of refugees and regular migrants is that they (refugees & migrants) must be given appropriate education to acquire relevant qualifications to compete in the labor market. Currently there is national program of payment for higher education even to all Tanzanian students, through the Loan Board, and or privately sponsored. Therefore development actors should make deliberate assistance to sponsor refugees and or regular migrants who cannot afford paying for higher education.

It should be noted here that both Primary education and Ordinary Level secondary Education is Free to all Tanzanians, as well as to refugees and regular migrants. It should be noted also that it is the Central Government which pays for this education, thus development actors should assist the Government of Tanzania to provide adequate and quality education, in terms of facilities, incentive to teachers, and equipments for quality education for all. In the 1970s to 1980s, Tanzania provided for free education of up to doctorate degrees and scholarships, where even refugees got access to this free provision, but the Government cannot afford any more, thus needs assistance. We only see the DAFI organization which sponsor students from people of concern, but cannot afford alone from the huge population of students in need of support.

The third condition is to create incentives for Local Business entrepreneurs, for them to provide employment or hiring refugees and or regular migrants. A good example can be the “Employment equity Act of Canada” which benefited even our famous Professor Bonaventure Rutinwa, when studying in Canada in the 1980s, which stipulated that any organization should make 5% of visible minority employees, to receive concessions from the Government. Thus the same can be encouraged by Development actors to the manufacturing and Local Agricultural production companies, to introduce incentives of say agricultural equipments, when they employ refugees and local laborers, and the Local Government will provide suitable land for such large scale agricultural activities, which will also bring economic development to the refugees, host communities, and contribute to national economy. Arrangements can be made to even market of the produce to say WFP and National food Reserve, and or Industries which process those agricultural produce to value added commodities, etc.

C. With regards to promoting peaceful co existence between refugees/migrants and host communities, several interventions can be made. As mentioned before, there must be a deliberate shift of narrow perspectives of International actors to support not only Refugee response programs, but also focus on Host communities. This will by large extent remove hatred to refugee hosting, and misconceptions and xenophobic sentiments, and promote a culture of inclusion.

First there should be a reintroduction of Refugee aid programs for host communities. There should be deliberate support to the Local authorities to respond to refugee hosting impacts. Local Law and Order providing authorities must be supported with adequate equipments and incentives, to afford the extra

burden of providing peace and security to all during refugee influx. Local Government Authorities should be treated with adequate respect and support to be able to respond to emergencies and supervisions. This will avoid creating a perception to the Local Authorities that International Implementing actors are too special with unique expertise, because the local Authorities have deciding powers within their jurisdictions. A high sense of respect to local authority and local responders, as well as a balance of attitude can create conducive environment for a culture of inclusion.

Second, there should be adequate support for provision of basic needs for refugees, like food to sustain their needs. The recent reduction of Food ration to refugees, have created a sense of inadequacy to refugees, thus make them invade farms of neighboring villages and still food and agricultural products. This at some points creates clashes between refugees and host communities, thus create social conflicts and xenophobic sentiments amongst host communities towards refugees. This phenomenon impact the law, Security and Order authorities as they are over burdened in maintaining peace in their areas. Thus there must a reliable support from Development actors to support Local Authorities like the office of the District Commissioner, District police Office, District Immigration Office, and Host Communities Programs. There must be adequate provisions for refugees.

Another area requiring serious development actors' support is serving environmental Degradation. The need for alternative source of energy to refugees, Host communities to serve consuming natural forests for energy and construction of shelters. Support for research programs for reforestation and land use plans should be intensified by development actors. This should be done through and or with guidance from the Local authority for land, and Forests and natural resources.

The underling factor is that we are not inventing the will. Tanzania have already made her 5 promises to the September 20, 2016 Leaders' Summit, which are:

1. Continue to receive persons running from wars, conflicts, political instability and persecution as defined under the international instruments to which the country is party to;
2. Undertake the review of the 2003 National Refugee Policy and the Refugees Act, 1998, by the end of 2017 in order to ensure that the legal regime in the country is in line with international instruments and current humanitarian challenges related to mixed flows of asylum seekers and migrants;
3. Continue to provide durable solutions to the remaining 1972 Burundian refugees who were not naturalized, but allowed to apply for Tanzania citizenship;
4. Improve the quality of protection for refugees in Tanzania by specifically enhancing their access to education and the domestic labour market;
5. Support the adoption of the global compact on responsibility sharing for refugees and displaced people

We also wish to inform that, the Tanzania Policy on Migration and Development is still being constructed. It is at very advanced level since it has already been discussed and presented amongst relevant stake holders and awaits inputs so that it can be tabled for approval into the cabinet meeting. However since the Draft SADC regional policy on Migration and Development have been discussed and recommended by the regional technical secretariat meeting recently, it is now expected to be tabled in the coming Ministerial Council for endorsement. Once endorsed, all members will not have a regional framework, which is guided by same principals applicable to the whole SADC region. It is from this backdrop we are comfortable that we will soon have a regional policy which emulates provisions agreed during the Global Humanitarian summit 2006, as well as adopted provisions in the Leaders' Summit of September 2006 in New York, as well as themes of this GFMD in Berlin.

As we stand together today to discuss on avenues to address how to best achieve Global Compact for regular and orderly migration, let me assure that the United Republic of Tanzania will continue to play her part to achieve this Global compact on migrants, the same way we honor the pledges on Refugee

management made last year during the Leaders' Summit.

Tanzania has ever since before the New York Declaration, been implementing these commitments. Tanzania is currently hosting more than 340,000 Asylum seekers and refugees, and still keeps her doors open to those who run from persecution. Tanzania naturalized 162,156 former Burundian Refugees of 1972, and is currently processing the remaining population of the 1972 Burundian refugee case load so as to provide them with durable solution. Tanzania Government in collaboration with the UNHCR is registering all refugees over the age of 16 years and providing them with National IDs for refugees. Tanzania did in 2014 a joint exercise with IOM Tanzania, under the "Comprehensive Migration Management Strategy in Tanzania" (COMMIST), aimed to register all irregular migrants in the three western Tanzania regions of Kigoma, Kagera and Geita, as a pilot project, which in two months 22,282 Migrants were registered and given IDs, in only three and half districts of Kigoma region. However this exercise stopped due to lack of funding.

On the other note, Tanzania Government is in process to review the 2003 Refugee Policy, to be compatible with International expectation, like to have provisions for inclusion and self reliance for refugees. And Tanzania is in the fore front in participating in the Peace Commission of East African Community, for return of peace in Burundi, with involvement of H.E. Benjamin Mkapa, former President of the United Republic of Tanzania.

Therefore at this point, it is obvious that Tanzania is fulfilling her share of bargain, and we are there to see the International Development actors to play their part to support these Tanzania Government positive commitments to achieve Global initiatives for a better world for all as envisaged in the CRRF, and even in the 2030 UN Sustainable Development Goals.

Finally but not least, UNHCR should be funded to the fullest, to be able to implement her mandate in Refugee Hosting Nations like Tanzania. Reports from UNHCR says that in 2015 UNHCR received 50% of required budget, in 2016 40%, and in April 2017 only 30% of the agreed budget at ExCom in Geneva have been provided. This phenomenon should also be addressed to resolve the shortage of funding to this mandated UN organ for refugees protection and management.

With proper funding, and change in perspectives of Refugees and Migrants management programs, to go through Host Government authorities, will fast track processes for inclusion and Self reliance of refugees and regular migrants in host nations like Tanzania.

Thank you and we herewith submit for discussion and collective decisions.

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