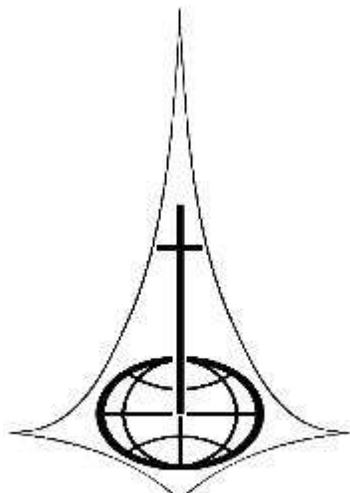


Tanganyika Christian Refugee Service

Associate Programme of the Lutheran World Federation Department for World Service



TCRS

An Overview of the Impact & Relevance of the Rights Based Approach (RBA) at the Kibondo Field Project (KFP)

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May 2009



TANGANYIKA CHRISTIAN REFUGEE SERVICE

ASSOCIATE PROGRAMME OF THE LUTHERAN WORLD FEDERATION DEPARTMENT FOR WORLD SERVICE

RIGHTS BASED APPROACH: KIBONDO FIELD PROJECT

1. Water and Sanitation – Introduction

It is universally accepted that water is a basic need for all people – even more so than food, since people can survive longer without food in dire circumstances than they can without water. Truly, without water, there is no life. As the former Secretary-General of the United Nations has stated, “access to safe water is a fundamental human need and, therefore, a basic human right. Contaminated water jeopardizes both the physical and social health of all people. It is an affront to human dignity.” In addition to being a necessary element of life, without access to water, the ability of humans to cook, farm, raise livestock, or engage in manufacturing activities is severely limited. Furthermore, lack of access to safe water has a significant impact on people’s hygiene and health – which in turn constrains development and poverty alleviation efforts and impacts other critical sectors of society, such as education. In recognition of this, the United Nations stipulated that “everyone has the right to a standard of living adequate for the health and well-being of himself and his family” in Article 25 of the Universal Declaration of Human Rights,¹ a right that was reiterated in Article 12 of the International Covenant on Economic, Social and Cultural Rights: “the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.” More recently, in 2002, the United Nations Committee on Economic, Social and Cultural Rights (the supervisory body for the International Covenant on Economic, Social and Cultural Rights) identified water as an independent right, stating that, “the right to water clearly falls within the category of guarantees essential for securing an adequate standard of living, particularly since it is one of the most fundamental conditions for survival.”

Under TCRS’s 2008-2013 Country Strategy, the “Rights Based Approach” (RBA) to development is identified as a central part of the conceptual frameworks that TCRS relies on to accomplish its goals and objectives. More specifically, this approach involves a “conscious reference to human rights standards and objectives [that] helps to ensure that the root causes of poverty ... and exclusion receive proper attention in the formulation and implementation of development programs and to guard against narrow technical objectives becoming the reference point for development activities. This approach also reduces the risk that the poor are seen as needy objects of charity.”² With regard to water, there are a number of implications of this approach that TCRS takes into consideration when implementing its activities in Kibondo District. First and foremost, of course, is TCRS’s dedication to making a concerted effort to increase the availability of potable water in its areas of operation. Additional implications

¹ Universal Declaration of Human Rights, 1948. Available on the web at <http://www.un.org/en/documents/udhr/>

² Tanganyika Christian Refugee Service. Country Strategy 2008-2013, 2007.

“UPHOLD THE RIGHTS OF THE POOR AND THE OPPRESSED”



include guaranteeing the participation of beneficiaries in relevant decision-making processes, ensuring transparency (so that individuals can access the information necessary to then understand and act on the issues affecting their lives and well-being), emphasizing the importance of equality of access and involvement (especially where gender and socio-economic circumstances are concerned), and promoting accountability.

TCRS's involvement with water issues in the refugee camps in Kibondo District can be divided into two main categories:

- Services and activities provided in 4 of Kibondo's refugee camps (Karago, Kanembwa, Mtendeli, and Nduta)
- Services rendered by the TCRS Water Drilling Unit (WDU)

1.1 Kibondo District Refugee Camps

TCRS has been one of the UNHCR's primary implementing partners in operating the refugee camps in Kibondo District since 1994. At the height of the refugee crisis, the Kibondo Refugee Project (KRP) was maintaining an active presence among the hundreds of thousands of refugees living in the five camps that had been established in the District. However, with the return of peace and political stability to Burundi and the promotion of voluntary repatriation, the Kibondo camps gradually started to close. Karago Camp was the first to close its gates in May of 2005. Then in the spring of 2007 both Mkugwa and Mtendeli followed suit, and in December of the same year Kanembwa was also closed down and handed over. With the closure of Nduta at the end of December 2008, the last of the five camps that together once housed more than 160,000 refugees now stands empty. Throughout the duration of the refugee crisis, the KRP worked hand in hand with the UNHCR to ensure that all of the residents of Karago, Kanembwa, Mtendeli, and Nduta Camps had access to vital services and resources, such as safe water and adequate sanitation facilities. In addition, TCRS continues to provide water and sanitation services to the small group of refugees who are temporarily living in Kanembwa while waiting to be resettled to third countries.

1.1.1 Water Supply

Prior to their closure, TCRS provided safe and clean water to all refugees in the four camps where it was responsible for water and sanitation services. As mentioned above, TCRS continues to provide these services to the resettlement cases staying at Kanembwa. In fulfilling this responsibility and in keeping with its commitment to the RBA, a variety of activities were regularly implemented at all sites:

- To guarantee universal access to water among camp residents, water was pumped and distributed twice daily. Pump attendants were employed to maintain the pumps and engines, in order to ensure that the supply of water in the camps was not interrupted.
- To prevent the spread of water-borne diseases, the pumped water was regularly treated with chlorine. All taps stands were also monitored to ensure that any traces of chlorine in the water being directly accessed by refugees were below acceptable levels.



- To promote ease of access, the water distribution networks in all camps were carefully planned and laid out. Consequently, all refugees had access to a distribution point that was no farther than 200m from his/her shelter. In addition to promoting ease of access to all refugees, this system also decreased the burden of fetching household water that traditionally falls to women – which, when combined with the availability of water and sanitation services at public facilities, contributing to an increase in the enrolment of female pupils in primary and secondary schools in the camps.
- To ensure the involvement of refugee beneficiaries in water issues, TCRS coordinated the formation of water committees in the camps. These committees were responsible for keeping the areas around tap stands clean and were also instrumental in disseminating information on issues of water and hygiene. An emphasis was placed on the inclusion of women in these committees, and as a result the member bodies of water committees were 50% male and 50% female.

1.1.2 Sanitation

TCRS's commitment to ensuring that refugees in the Kibondo camps were living safe and healthy lives also took the form of sanitation activities. By employing refugee staff to act as "home visitors," the KRP was able to compile data on sanitary practices and facilities in refugee shelters on a daily basis. This data included statistics such as the number of refugee families with latrines, dish racks, garbage pits, and bathing shelters in or around their shelter. The KRP WatSan Engineer could then use this information to concentrate her efforts appropriately, as she worked with her staff to ensure that such sanitary facilities became available to all refugees in the camps. TCRS-KRP also coordinated regular campaigns and public meetings in order to promote improved hygienic practices, such as bathing and washing of clothes.

1.2 TCRS Water Drilling Unit

The TCRS Water Drilling Unit (WDU) was originally formed to drill boreholes for the refugee camps in which TCRS operated, providing camp residents with access to vital water sources. Over the years though, the unit began to also drill boreholes for villages and other clients, eventually becoming a part of ACT International's water and sanitation preparedness program. Since extending its scope of operations, the WDU has drilled more than 185 boreholes and shallow wells for a range of clients including the UNHCR, the EU, the various health centres and schools, and villagers throughout western Tanzania. As a result of the unit's efforts, an estimated 1,210,770 people in western Tanzania and countless refugees now have access to safe and clean drinking water.



2. Education – Introduction

In the opening pages of *A Human-Rights Based Approach to EDUCATION FOR ALL* (published by UNICEF in 2007), the concept of education as a fundamental human right is clearly articulated:

Education has been formally recognized as a human right since the adoption of the Universal Declaration of Human Rights in 1948. This has since been affirmed in numerous global human rights treaties ... [that] establish an entitlement to free, compulsory primary education for all children; an obligation to develop secondary education, supported by measures to render it accessible to all children, as well as equitable access to higher education; and a responsibility to provide basic education for individuals who have not completed primary education. Furthermore, they affirm that the aim of education is to promote personal development, strengthen respect for human rights and freedoms, enable individuals to participate effectively in a free society, and promote understanding, friendship and tolerance. The right to education has long been recognized as encompassing not only access to educational provision, but also the obligation to eliminate discrimination at all levels of the educational system, to set minimum standards and to improve quality. In addition, education is necessary for the fulfillment of any other civil, political, economic or social right.³

Recognition of the right to education is not limited to the United Nations and its subsidiary bodies; Article 2 of the Constitution of the United Republic of Tanzania states that, “every person has the right to self education, and every citizen shall be free to pursue education in a field of his choice up to the highest level according to his merits and ability. The Government shall endeavor to ensure that there are equal and adequate opportunities to all persons to enable them to acquire education and vocational training at all levels of schooling and other institutions of learning.”

In light of this, TCRS has long been an advocate not only for providing educational opportunities to the refugees in Kibondo District but also for the need to take a human-rights based approach to those educational opportunities. For, as Vernor Muñoz (the United Nations Special Rapporteur on the Right to Education) has written, “education is not a static commodity to be considered in isolation from its greater context; it is an ongoing process and holds its own inherent value as a human right. Not only do people have the right to receive quality education now, they also have the right to be equipped with the skills and knowledge that will ensure long-term recognition of and respect for all human rights ... Schooling that is respectful of human rights – both in words and in action, in schoolbooks and the schoolyard – is integral to the realization of quality education for all.”⁴

2.1 Kibondo District Refugee Camps

Prior to the closure of the camps in Kibondo District, the TCRS-KRP worked together with the UNHCR and UNICEF to provide educational opportunities to the refugees living in the camps. In addition to operating primary and secondary schools in the camps, TCRS also

³ UNICEF. *A Human-Rights Based Approach to EDUCATION FOR ALL*. New York, 1997: p. 7.

⁴ Ibid. pp. xii-xiii.



offered pre-primary and adult education programs and founded three vocational training centres in the District (Kibondo Folk Development College, Kanembwa Vocational Training Centre, and Kibogora Vocational Training Centre (Mtendeli)). In rendering these services and initiating these programs, TCRS made a concerted effort to ensure that the relevant policies, programs, and activities were in keeping with international legal standards and were honoring the rights of all students, regardless of age, gender, religion, ethnicity, or any other distinguishing characteristic.

2.1.1 Primary and Secondary Schools

First and foremost, TCRS recognized the importance of providing refugees with educational facilities. Working in cooperation with adults and authority figures in the camp community, TCRS spread information about the available opportunities and urged school age children to enroll. As a result of these efforts, approximately 98% of all children in the camps were enrolled in primary school (during the term preceding the closure of the schools), with 99.1% of enrolled female pupils and 99.3% of enrolled male pupils regularly attending class. TCRS also oversaw the timely provision and distribution of school materials (books, notebooks, pens, etc.) and began providing uniforms to students at the primary and secondary schools – a move that allowed students to be easily identified, increased enrolment among children whose families could not afford to buy clothing, and also increased each student’s dignity. Moreover, in addition to smoothly running primary and secondary school facilities, TCRS encouraged students to pursue university degrees. Generally speaking, this encouragement took the form of attention to secondary school infrastructure – ensuring that the quality of education and availability of materials was sufficient to equip students to pursue higher education. More specifically speaking, TCRS also provided a number of refugee students with the financial assistance necessary to allow them to attend university.

TCRS encouraged students to form various committees (such as the school *baraza*, children committees, and street children committees), many of which were formed primarily to provide a forum for discussing their rights. These committees were then allowed to meet during the day (with permission of the school’s headmaster/mistress) and proved to be effective mechanisms for addressing certain issues or for bringing other issues to the attention of the authorities. For instance, one committee helped raise the profile of problematic issues like child abuse by developing a reporting mechanism that allowed them to inform the appropriate agency (TCRS, UNHCR, etc.) when they learned of cases of child abuse. These committees and additional student representatives were also often invited to participate in peer educator workshops/meetings on human rights and other relevant topics that were organized by TCRS. By educating student leaders on these issues, TCRS could be sure that the various messages and lessons would soon reach the larger student body, as the student leaders would pass the information on to their peers through their words and actions. TCRS also took advantage of this peer network with regard to informing female students about topics such as early pregnancy and early marriage. In addition to the peer network, TCRS would also work with students and community members to organize various campaigns, competitions, debates, and events that highlighted issues such as the rights of children, HIV/AIDS, and gender equality.



2.1.2 Vocation Training

TCRS recognized that many refugee youth would benefit from having access to technical education that would enable them to improve their standard of living. Consequently, TCRS founded several vocational training centres that have since equipped several hundred refugee and Tanzanian youth with skills in the fields of carpentry, electrical wiring, motor vehicle mechanics, tailoring, secretarial skills, and computer skills. This knowledge in turn enables them to start their own businesses or find gainful employment.

2.1.3 Teachers

Although most of the teachers working in the camps were already sufficiently qualified to do their work properly, TCRS considered it important to provide teachers with opportunities for further training – both out of respect for the teachers’ right to learn and in the interest of improving the quality of education offered to students in the camps. To this end, special workshops, trainings, meetings, and refresher courses were conducted for teachers.

2.1.4 Parent Committees

Each school had a parent committee that was composed of elected members from the refugee community. Occasionally the groups met with teachers to discuss various issues related to the good running of schools, such as the academic progress of the school and the importance of parental involvement in encouraging children to behave well and apply themselves in school. Similarly to the peer network system, the parent committees would then disseminate the appropriate information to the other parents in the community, ensuring community involvement and transparency in the camps’ educational services.

2.1.5 Camp Leadership Committees

Camp leadership was also involved in matters related to the schools. If there was any thing that needed camp leadership, the issue was discussed at camp level and an appropriate solution was sought.



3. Community Services – Introduction

In acknowledging the importance of honoring the basic rights of all refugees, TCRS has placed a particular focus on protecting and promoting the rights of those individuals who are especially vulnerable to becoming marginalized members of society. The first article of the Universal Declaration of Human Rights states that “all human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brothers.” It is in that spirit that TCRS has offered a variety of community services to the residents of Kibondo’s refugee camps that ranges from childcare and tracing to counseling to community-based rehabilitation (CBR). In addition to making these services available to the entire refugee community, TCRS places an added emphasis on caring for vulnerable individuals and families, such as the elderly, chronically ill, disabled, unaccompanied minors, orphans, female-headed households, PLWHA, and victims of sexual and psychological violence. In this way, TCRS is able to do its part to ensure that the freedoms, rights, and dignity of all refugees are recognized and honored. TCRS’s rights-based approach to community services is not just limited to these convictions but is also manifest in the creation and implementation of its policies, programmes, and activities.

3.1 Kibondo District Refugee Camps

Prior to the closure of the camps in Kibondo District, the TCRS-KRP worked together with the UNHCR to provide material, psycho-social, and informational support to the refugees living in the camps. In rendering these services and initiating these programs, TCRS made a concerted effort to ensure that the relevant policies, programs, and activities were in keeping with international legal standards and were honoring the rights of all refugees, regardless of age, gender, disability, illness, religion, ethnicity, or any other distinguishing characteristic.

3.1.1 Childcare and Tracing

The aim of the childcare and tracing component of TCRS’s community services department is to promote the welfare and rights of every child living in the camps. In order to ensure that the rights of refugee children were not endangered or violated, TCRS would conduct regular identification exercises that allowed community services staff to identify those children in need of support. The identified children were then monitored on a daily basis by TCRS staff. TCRS also regularly conducted training sessions (designed to inform children about their rights and how to protect themselves from abuse or exploitation) and coordinated the formation of various children’s committees (that served as effective reporting mechanisms for the airing of any concerns or issues). Furthermore, where unaccompanied minors (UAMs) and separated children (SC) were concerned, TCRS worked diligently with ICRS to trace and locate the relatives of each child in order to explore the possibility of family reunification. More recently, TCRS began to augment the tracing process with the BID, a newly-introduced process of determining the best interests of each child. The BID process allows each child’s case to be considered as unique and assists TCRS and the UNHCR in identifying temporary arrangements and durable solutions for UAMs and SC. The BID is of particular use in



complex situations and in reaching decisions about separating a child from an abusive environment. There are six steps or stages of the BID:

- Executive Summary: showing when the interview was conducted, the child's primary language, the cause of separation from the child's parents/caregivers, etc.
- Pre-flight History: describing how and where the child was living, what happened to his/her parents, how they left their country of origin, etc.
- Camp Life: detailing his/her current living arrangements, schooling status, etc.
- Tracing: determining whether or not the child has any relatives
- Wishes of the Child: determining the specific wishes of the child regarding his/her living arrangements and future plans
- Recommendations: arrived at in light of the preceding 5 steps

3.1.2 Community-Based Rehabilitation (CBR)

The CBA program was designed to protect the rights and dignity of differently-abled individuals such as those refugees with physical or mental handicaps. In order to increase the program's sustainability, TCRS made a concentrated effort to spread awareness regarding the measures that TCRS and other agencies were putting into place to assist these individuals but more importantly to instill a sense of communal responsibility in the camps that then encourages community members to care for such individuals. Activities were also designed specifically for differently-abled people. Through meetings and workshops, TCRS was able to discuss any concerns raised by these individuals and was also able to increase their awareness about their rights. Additional support was provided to differently-abled people through material assistance, psycho-social support, and encouraging their participation in micro-enterprise.

3.1.2 Vulnerable Individuals

The community services sector focuses many of activities among vulnerable individuals such as the elderly, chronically ill, single females (SFs), single parent women (SPW), and single parent men (SPM). As in other areas, TCRS both provided these individuals with support as necessary and promoted the importance of the community's role in caring for and assisting their vulnerable neighbors. As a result of these efforts, youth were mobilized to collect firewood for these individuals, they were given priority in the food distribution queues, and they received assistance with constructing their shelters.

3.1.3 Youth and Adolescents

The main objective of the youth program was to sensitive youth about engaging in meaningful activities rather than staying idle or becoming involved in destructive behaviors. For school-age youth, the importance of education was continually stressed and consequently, 98% of all school-age youth attended school regularly. For those youth who were not in school or had already finished school, community services staff encouraged their participation in various sports and games through the camps' youth centres. Additionally, all youth were provided with information on adolescent sexual reproductive health (ASRH) as well as counseling in order to teach them about biological



body development, family planning, and the dangers of HIV and other sexually transmitted diseases. Furthermore, TCRS coordinated frequent trainings for peer educators on relevant issues, which then enabled those youth leaders to share the information and lessons learned with their peers. This peer educator system was then supplemented by a network of peer parent advisors (PPAs) who provided further advice to youth on various matters.

3.1.4 Gender

The community services sector also placed an emphasis on gender equality, ensuring that both men and women had equal opportunities in terms of education, distribution of resources, and leadership structures in the camps. This issue was stressed primarily through meetings, seminars, workshops, and campaigns. As a result of these efforts, leadership structures such as food committees were comprised of a balanced membership of men and women from the community. Furthermore, through AGDM Participatory Assessments, refugees of different ages, genders, and diversities were given an additional opportunity to raise certain concerns – such as requests for distributions of feminine sanitary materials, issues of sexual abuse, and concerns about balanced nutrition.

3.1.5 Sexual and Gender-Based Violence (SGBV)

Both before arriving at the camp and while living in the camp, many refugees are vulnerable to becoming victims of sexual and gender-based violence. In order to minimize or prevent the occurrence of incidents such as rape, attempted rape, sexual harassment, early pregnancy, forced marriage, and domestic violence, TCRS coordinated a variety of awareness-raising activities, campaigns, workshops, etc. Additionally, dedicated staff were available to provide counseling, material support, and medical referrals (if necessary) for any victims who sought out assistance or whose cases were made known to TCRS.