“YOU ARE EITHER WITH US OR AGAINST US”:
PERSECUTION AND DISPLACEMENT IN BURUNDI

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INTRODUCTION

Since April 2015, Burundi has been descending into chaos, forcing more than 200,000 civilians to flee to neighboring countries. But these well-documented refugee flows are only part of a larger, more disturbing story. The impunity and targeted persecution that exists in Burundi today has resulted in the internal displacement of untold thousands of Burundians, with some in hiding and too scared to even seek humanitarian assistance. Some of these displaced are trapped inside their own country, unable to leave because of abusive government agents and armed militias along the country’s borders. The threats against these hidden displaced must stop, and the international community must be allowed to protect them. Further, as the political crisis and its socio-economic effects push Burundi toward a complex emergency, more aid is needed from a reinforced and better-funded humanitarian community.

RECOMMENDATIONS

☐ The Burundian government must immediately:
  • Refrain from, prohibit, and prevent all forms of persecution that lead to the forced displacement of individuals;
  • Respect the right of individuals to freedom of movement, including the right to leave the country;
  • Permit the African Union-authorized human rights observers to circulate, investigate, and report on all forms of persecution that lead to cases of forced displacement;
  • Curb militia activity throughout the country, and cooperate fully with the verification efforts of African Union military experts;

☐ The Office of the UN High Commissioner for Human Rights and the African Union should establish, and deploy additional staff to support, a border monitoring mechanism that will identify and report on unjustifiable restrictions of freedom of movement and militia activity.

☐ The humanitarian community should immediately release, and donors should fund, a humanitarian appeal for Burundi. Donors should commit to this appeal and other funding proposals on the basis of overall humanitarian need, rather than solely on available displacement data.

☐ In its appeal, the humanitarian community should commit to expanding its presence and capacity in provinces beyond Bujumbura, particularly protection staff and programming.

☐ Donor governments who are suspending budgetary support for the Burundian government should reallocate this funding to the humanitarian appeal, as well as for other human rights and development priorities, as appropriate. Funding should support both international agencies and local civil society organizations.
BACKGROUND

The 2000 Arusha Peace and Reconciliation Agreement for Burundi, and its subsequent ceasefire agreements, paved the way toward peace after a lengthy civil war that left an estimated 300,000 civilians dead and 1.2 million displaced. As per the terms of the agreement, a national referendum in 2005 endorsed a power-sharing constitution. The parliament then elected Pierre Nkurunziza of the National Council for the Defense of Democracy – Forces for the Defense of Democracy (CNDD-FDD) party as its first post-war president. Nkurunziza won a second term in office in 2010, through popular vote. However, the irregularities which marred this election, along with complaints of increasingly corrupt and autocratic governance during the president’s second term, created growing international concern that the country was moving away from the progress and commitments of the Arusha agreement.

In April 2015, the CNDD-FDD once again nominated Nkurunziza for the presidency. However, the Arusha agreement dictated that “no one may serve more than two presidential terms.” The ensuing challenge by the opposition was put to the Constitutional Court, which ruled in favor of Nkurunziza’s nomination. Opposition parties and many civil society groups rejected the court’s decision, and large-scale protests soon paralyzed much of the capital, Bujumbura. Meanwhile, the Burundian government has distributed arms and uniforms to members of the CNDD-FDD’s youth wing, the Imbonerakure, according to the United Nations Office in Burundi and human rights defenders. Attempts to resolve the crisis through political dialogue failed, as did an attempted coup d’état in May. On July 21, in an election boycotted by numerous opposition parties and condemned by foreign governments, Nkurunziza secured a third term, triggering further protests.

Subsequent developments do not bode well. A wave of assassinations in Bujumbura has targeted politicians of all parties, military officers, and human rights defenders. The city remains the epicenter of the political crisis, with the spotlight on the ‘quartiers contestataires’ – opposition neighborhoods, where both the government and the opposition have set up blockades and restricted freedom of movement, and where corpses appear on a near-daily basis. UN and independent human rights watchdogs have reported on extrajudicial killings, arbitrary arrest, forced disappearances, and torture of those suspected to be of the opposition, many of which are attributed to police and Imbonerakure. The African Union (AU), the European Union (EU), and several states including the United States and Belgium, have repeatedly condemned the Burundian government for its human rights violations and record of impunity, and have suspended aid packages to the government and/or levied sanctions against individual officials accused of such violations. Meanwhile, in this environment of impunity, retaliatory violence against police and other security services has multiplied. Unknown armed elements have also launched attacks on security forces in the provinces of Cibitoke, Gitega, and Mwamo, heightening fears of insurgency is on the horizon.

Accurate information about this political violence and its humanitarian impact in Burundi is scarce given the lack of independent media, limitations on the work of civil society to work freely, and finally, a limited
number of humanitarian actors and programs. In September and October 2015, Refugees International (RI) traveled to Burundi, Tanzania, and Rwanda to assess why people continue to flee, the scope of internal displacement, and what, if any, should be the humanitarian response to the political crisis inside Burundi.

**DISPLACED AND IN HIDING**

Most humanitarian agencies RI spoke with in Bujumbura in late September stated that they believed there to be little to no internal displacement caused by the current crisis, with one organization asserting “the humanitarian crisis has been exported” to neighboring countries. Many aid workers also believed at the time that most displacement had occurred between April and July, when large numbers of refugees fled the country. These views were shaped, in part, by the limited humanitarian presence in the country, particularly in the countryside, as well as agencies’ inability to secure the funding and capacity necessary to expand into humanitarian profiling and assistance.

RI, however, found compelling evidence that there are indeed internally displaced persons (IDPs), some of whom are in grave danger. In addition to Burundians who left their homes in Bujumbura or elsewhere due to general insecurity since the onset of the crisis, some civilians fled because they were directly threatened or abused. This facet of the internal displacement situation is largely concealed, beyond the humanitarian community’s immediate view; it is hidden in nature due to the IDPs’ motives for flight.

"I haven’t slept at home for four days; I can’t rely on the protection from the administration or the police; I can’t complain to them about the Imbonerakure threats against me."

- IDP in Makamba Province

RI gained access to IDPs in safe houses and in the forest of Makamba Province, in southern Burundi. RI interviewed men who fled their homes and are living underground in their own cities or communes, frequently moving to different trusted friends’ homes under the cover of night. Still others have fled their communes entirely and are living in limbo in the forest along the Burundi-Tanzania border. These are would-be

"We are trying to save ourselves because we are candidates for death."

- IDP in Makamba Province

The road from Makamba Province in Burundi to the Tanzanian border.
refugees who would like to seek protection outside Burundi, but do not because they fear being arrested at the border by Burundian authorities.

The vast majority of IDPs whom RI interviewed are professionals working in civil society, independent media, and medical and education professions. They fled after multiple threats, arrests, torture, and even the rape of female family members – actions allegedly carried out by different security actors, including police and Imbonerakure. RI collected testimonies of how these IDPs were subjected to various forms of violence resulting from their actual or perceived political views.

One young paramedic student told RI that he was jailed for two months, accused of “revolting against the state” and “promoting dissension meetings with youth” after participating in opposition protests. Shortly after human rights and legal aid groups helped secure his release, his house was ransacked and a friend informed him that the police were looking for him. Reluctant to repeat his incarceration experience and fearing the worst, he set off on foot to the forest, where he had been living for two weeks by the time RI’s team met him. He had an injured foot and was visibly ill, but was too afraid to leave the forest in search of medical assistance, stating, “someone from the National Intelligence Service (SNR) could see me.”

Another man, a journalist, told RI that he received death threats after reporting allegations that firearms had been distributed to Imbonerakure in his commune. He was ordered to appear in court, but was later released by the judge without trial. Following this, he received threats that he would be killed if he continued to report on Imbonerakure activities. He sent his wife and child to another province and went into hiding, moving through different friends’ homes in several villages.

RI also met with a former local staff member of an international humanitarian aid organization, who was attacked and arrested because he refused to join the CNND-FDD. When he continued to refuse, a group of young men he described as Imbonerakure came to his home and raped his wife and four-year-old daughter. In August 2015, he learned through a friend in the police force that he was placed on an ‘elimination’ list, accused of insulting the police and the Imbonerakure, and not respecting the administration. Since then he has been in hiding, moving from home to home.

Other interviewees told RI that they were threatened by police and/or Imbonerakure due to their membership in civil society organizations perceived not to be supportive of the government (including human rights organizations and labor unions), their desire to remain apolitical, or their refusal to join the Imbonerakure. Additional reasons included refusals to contribute financially to the ruling party, and refusals to abandon claims regarding land rights and ownership before the Burundian National Commission on Land and Other Properties. As one international human rights official in Burundi told RI, the prevailing mentality amongst those exercising power is “You are either with us or against us.”

The forced flight of Burundians because of their actual or perceived political opinions is, at its core, a grave protection issue. It also carries potentially significant humanitarian consequence for these individuals and the families they leave behind. The local human rights defenders RI met with spoke of women and children whose male relatives have gone into hiding – women who fear the frequent visits of security agents, who interrogate them about their ‘rebel husbands’ or ‘rebel children.’ Such is the culture of fear that some women and children in Makamba Province have resorted to sleeping in banana plantations near their homes.

Those currently displaced have lost their sources of income and are already suffering from immediate food insecurity. Those living in the forest are rummaging for raw cassava root on farms and drinking runoff water to sustain themselves. With the rainy season underway, and no access to shelter or health care, their health is in imminent danger. Additionally, the family members left behind, mostly women and children, likely face immediate food insecurity and various forms of gender-based violence, among other concerns.

Interestingly, when RI asked Burundian IDPs about their most pressing needs, nearly all called for the re-establishment of security and an international presence that could monitor their situation and protect them. “I don’t know if a humanitarian agency could help us with assistance,” said one IDP who had previously worked for an aid agency. “But human rights groups need to speak out about us so the government and Imbonerakure will stop targeting us.”

The Burundian government must respect its obligations pursuant to the International Covenant on Civil and Political Rights and the African Charter on Human and Peoples’ Rights, and cease all forms of persecution that lead to displacement, as well as prohibit and prevent other actors from doing so. In this regard, it is vital that the government disarm and curb the activities of militia who threaten civilians and cause displacement. In addition to the direct impact of these abuses, militia activity
thwarts to severely erode Burundians’ confidence in their government to provide security and justice.

Responding to the Burundian government’s failure to protect its people, the AU has taken some limited but commendable steps. In May, the AU Peace and Security Council (PSC) approved the deployment of human rights observers “to monitor the human rights situation on the ground, report violations of human rights and international humanitarian law, and undertake local conflict prevention and resolution activities.” It also authorized a military experts mission to oversee and verify government efforts to disarm non-state militias. However, humanitarians and human rights experts told RI that as of early November, the Burundian government still had not signed memoranda of understanding (MoU) with the AU regarding these missions. Further, they explained that the AU’s human rights observers lacked logistical support and have not been able to move outside Bujumbura. Similarly, one human rights worker in contact with the AU military experts told RI in early November that the mission was “not doing anything” due to these restrictions. All of this means that the vast majority of Burundians have so far not benefited from the AU’s potentially protective presence.

On October 17, the AU PSC decided to increase the number of human rights observers and military experts deployed to Burundi to 100, but this will have little impact if the Burundian government continues to block their work. Burundi must therefore permit the AU human rights observers to circulate, investigate, and report on rights violations leading to cases of forced displacement. It should also permit the AU military experts to fulfill their mandate with respect to disarmament.

Some IDPs whom RI met clearly wanted an international military mission to physically protect civilians. “In the first place, we need security,” one stated. “It doesn’t matter who – the United Nations, the African Union – but someone needs to provide security for people under threat.” Indeed, such a mission could be helpful if the Burundian government would allow it. But at present, the increased presence of human rights and humanitarian actors stands the best chance of deterring persecution (including displacement), combatting rumors and misinformation, and — potentially — creating opportunities for displaced people to identify themselves and access assistance.

**HUMANITARIAN RESPONSE — BEYOND THE DATA**

The scale of Burundi’s internal displacement situation is largely unknown, and thus there is no comprehensive understanding of its resulting humanitarian impact. This presents a problem for the humanitarian community, which must identify needs in order to respond to them; and for donors, who are reluctant to fund assistance programs without a clear picture of where, why, and to whom they should provide humanitarian funding. In order to plan a response, both donors and humanitarians need data.

As a result, the International Organization for Migration (IOM) reintroduced a tool in Burundi to collect data about IDPs and their needs, and to inform an appropriate humanitarian response that donors can understand and willingly fund. This tool, the Displacement Tracking Matrix (DTM) collects information on population movements, trends, and the changing humanitarian needs of these populations. This DTM, which has been used in 24 countries and currently tracks the movement of nearly 9 million people worldwide, is not new to Burundi; it was used in 2014 to determine the profile and needs of people displaced by flooding in Bujumbura. At the time of writing, the DTM has been carried out in Makamba and Kirundo provinces, and is due to be carried out in another eight provinces before the close of 2015 if funding is secured.

The DTM is an invaluable tool. At present, it has identified at least 14,000 IDPs in Makamba Province alone. These are thousands of IDPs in need, previously unknown to humanitarians, who are placing economic and environmental stress on their host communities. This data is now being assessed by the various humanitarian sector groups so they can effectively respond to IDPs’ shelter, health, food security, protection, and water, sanitation, and hygiene needs.

The humanitarian community needs data to shape effective and efficient assistance programs, and the DTM can capture such important data. However, it will not provide a complete picture of internal displacement, because the current displacement dynamics are fluid and hidden. All of the IDPs in hiding interviewed by RI categorically expressed a fear of being identified, even if for the benefit of receiving humanitarian assistance. In the current climate of targeted persecution, comprehensive displacement data simply cannot be captured.

The reintroduction of the DTM in Burundi for crisis-related displacement was largely driven by the absence of information that donors demand in order to justify funding — funding that is critical for humanitarian agencies to respond. Donors should welcome this information and fund forthcoming program proposals accordingly. However, it would be a mistake to assume that DTM-generated data captures the full range of needs in Burundi today. Both the donor and humanitarian communities must consider this as baseline data, and commit to being context-adaptable. In particular, the policy community should understand that the internal displacement situation is likely larger and of a more precarious nature than what the data suggests.
"Displacement affects me in all aspects of life. I can’t go to the bank to withdraw my funds, I can’t work."

"I have malaria and need treatment. But I can’t even go to the hospital because there could be intelligence agents who would recognize me."

"The best way to help us is to find a way for us to leave the country."
Donors should understand the current limitations to targeted assistance for the displaced, given the political climate. Because of these limitations, the humanitarian community and its donors should provide assistance on the basis of overall humanitarian need – rather than simply displacement status – to help offset recent shocks to Burundians’ livelihoods and access to social services (as described in a subsequent section of this report). This broad-based assistance might reach the more vulnerable IDPs, and their families, without exposing them to additional risks.

**BLOCKED AT THE BORDER**

One important way for individuals to obtain protection is through flight to another country. Indeed, many IDPs told RI that they wanted to flee to Tanzania, Rwanda, or even Uganda. However, RI’s conversations with both IDPs in Burundi and refugees in Tanzania strongly indicate that Burundi is preventing civilians from fleeing the country and has been doing so for months. RI was told that this obstruction is carried out not only by Burundian government agents – including border agents, SNR, police, and the military – but also by Imbonerakure. According to human rights defenders and UN officials, the Burundian government started cracking down on cross-border movements in early June. From that time, the government has required all citizens leaving the country to possess travel documents and use formal border crossings. However, the IDPs RI spoke with said that because they were known to security officials, they feared that they would be arrested, if not worse, if they presented themselves before authorities to apply for travel documents or crossed formally.

"I traveled to Kirundo to try to cross into Rwanda, but locals warned me that there were Imbonerakure at the border, executing people trying to leave. So I traveled back here."

-IDP in Makamba Province

Worryingly, IDPs in Burundi and refugees in Tanzania whom RI interviewed also said that they had witnessed Burundian police, SNR officials, and Imbonerakure arresting and/or physically abusing people trying to cross the border for protection, particularly those who were identified by the authorities as political opponents. One refugee in Tanzania told RI that an orphan traveling with her was beaten by Imbonerakure at a border point, and instead had to cross through the forest alone. Women and girls also experience gender-based violence while transiting to neighboring countries, according to a report by the International Rescue Committee. This has forced many Burundians, including unaccompanied minors, to try crossing informally. RI spoke with recently-arrived refugees in Tanzania who had crossed on foot through the forest, often traveling significant distances and sometimes at night, circumventing official border crossings in order to evade Burundian security agents. Some IDPs also told RI that individuals would swim across the Muragarazi River that forms part of the border with Tanzania, using banana tree trunks, jerry cans, or plastic sheeting to keep themselves afloat. However, even these methods may not be reliably safe, as Imbonerakure reportedly patrol along the border looking for would-be refugees.

It is true that some Burundians are successfully escaping the country, but the threats they face along the border are great, and it is likely that many do not make it. This is illustrated by what the RI team witnessed while crossing the Tanzanian border from Makamba. The RI team saw a group of eight young men in the custody of a police officer, with their elbows tied behind their backs. A Burundian civil society organization who investigated the situation at RI’s request reported that three
Newly arrived Burundian refugees await onward transportation at a reception site on the Tanzania-Burundi border.

Newly arrived Burundian refugees board a bus to the Nyarugusu refugee camp in Tanzania.
of the young men were members of the opposition Movement for Solidarity and Democracy (MSD) party. RI was told that the individuals had attempted to cross the border informally, but were intercepted by Imbonerakure on the way and handed over to the police.

Burundian officials claim that enhanced border security measures are aimed at securing the country against rebel attacks, and particularly from those who organized the failed coup in May this year. While Burundi has the right to secure its borders, it does not have the right to impede the exit of its citizens without just cause. Furthermore, the presence of militia on the border, and – if, as the displaced and human rights groups allege – the cooperation of Burundian security forces with those militia, constitute serious threats to Burundian civilians. The Burundian government must respect the right of individuals to freedom of movement, including the right to leave the country. In addition, the government must curb militia activity in border areas and cooperate fully with the AU military experts in this regard.

“We need human rights observers to come and witness the situation; the only observers are in Bujumbura.”

-IDP in Makamba Province

Some IDPs with whom RI spoke requested that humanitarian agencies directly help them cross the border unmolested. While such an effort might not be possible, the AU human rights monitoring mission and the Office of the UN High Commissioner for Human Rights should at least establish a border-monitoring mechanism to identify and report on unjustifiable restrictions of freedom of movement and militia activity along Burundi’s borders. The AU’s newly-strengthened monitoring presence is welcome, but diplomats told RI that even this number would be insufficient. Therefore, additional staff will likely be required to carry out border monitoring. Such a mechanism should report out to both actors within Burundi and interested parties in neighboring countries. It goes without saying that the Burundian government must cooperate fully with this mechanism.

ON THE VERGE OF A COMPLEX EMERGENCY

As discussed above, the violence facing Burundians demands a humanitarian and protection response. But it would be irresponsible to ignore other critical forces which could cause new displacement or deepen the suffering of current IDPs. The first of these is Burundi’s economic crash. Burundi is the second-poorest country in the world; the World Bank projects its economy will shrink by 2.3 percent in 2015 and writes in its latest economic outlook that the political crisis is “turning a decade of good economic performance to a macroeconomic collapse.” Meanwhile the International Monetary Fund projects a far more severe 2015 contraction of 7.2 percent. Tax revenue, which funds 48 percent of the national budget, has suffered. The government reported that taxes in August 2014 were 20.4 percent lower than in August 2015, and that revenues fell by a third between August 2015 and October 2015. Another economic challenge is the drop in bilateral foreign assistance, which made up about 50 percent of Burundi’s national budget before the crisis. So far, the EU, the US, Belgium, Germany, and the Netherlands have withheld more than $190 million in aid to Burundi as a punitive measure, and the EU is currently reevaluating its 2014 – 2020 development aid package worth $432 million.

Burundi’s social services are particularly at risk in this budget crisis: a UN agency told RI that the Ministries of Agriculture, Basic Education, Health, and Solidarity are funded by foreign aid in the range of 59 to 81 percent. Humanitarians and diplomats told RI they are worried that paychecks for civil servants in some sectors will soon be withheld, if this is not already happening. The subsequent decline in service delivery – from an already low base – will affect millions of Burundians throughout the country. UN officials told RI that many health centers have already stopped providing free healthcare as they cannot afford it. The UN Population Fund has also reported significant declines in access to sexual and reproductive health services, particularly maternal health and essential treatments for diseases affecting children.

While the retreat of social services will harm many Burundians, a more direct problem facing most households is food insecurity and destructive weather patterns. Burundi already faces chronic food challenges related to poverty, with 58 percent of children under the age of five chronically undernourished. However, the Famine Early Warning Systems Network (FEWSNET) reported in October that the 2015 crisis has further disrupted agricultural activities, leading to a below-average Season B harvest (March to June) for maize, beans, and sorghum. FEWSNET projects that this, combined with rapidly increasing inflation and continued violence, will result in continued Stressed (IPC Phase 2) acute food insecurity in Bujumbura, Makamba, Kirundo and Muyinga provinces, through at least March 2016.

The human impact of this disruption can already be seen. According to a nutrition screening in one commune in Makamba, the global acute malnutrition rate (GAM) increased from 2.5 percent in March 2014 to 8.3 percent in August 2015. A similar trend was seen in Kirundo Province where the overall prevalence of GAM increased from 3.8 percent in March 2014...
to 5.9 percent in July 2015. Meanwhile, the World Food Program in Burundi faces a funding gap of $8 million for the period November 2015 – April 2016, which threatens to cause critical pipeline breaks. Weather changes caused by the El Niño phenomenon also pose a threat. Humanitarians told RI that severe rains now underway could harm 90,000 households across the country, causing loss of property, loss of lives, and displacement.

**“Burundi’s partners cannot stop giving aid. The population needs it.”**

-IDP in Makamba Province

This wide range of security, economic, and environmental challenges could soon push Burundi into a complex emergency, for which donors and aid agencies are not prepared. Therefore, the humanitarian community in Burundi should immediately release a formal humanitarian appeal to increase their presence and programming. After Burundi’s civil war ended in 2005, humanitarians were gradually replaced by development actors, but the time for recalibration has now arrived. Fortunately, humanitarian space in most of Burundi remains open. The aid community should capitalize on this by deploying seasoned humanitarians outside Bujumbura who can identify hidden needs, respond in a protection-sensitive manner, and create a protective environment through their presence in communities.

For their part, donor governments should robustly fund a humanitarian appeal for Burundi itself while also preserving support for the Burundian refugee response, which remains seriously underfunded. Donors who are suspending budgetary support for the Burundian government can go even further by reallocating this aid to other humanitarian, human rights, and development priorities, as appropriate. This funding should support both international agencies and local civil society organizations.

**ENDNOTES**


3. The Imbonerakure are the CNDD-FDD party’s youth wing. Whether the Imbonerakure militia and this youth wing are one and the same is a source of debate. However, prior UN and NGO reporting, as well as displaced persons’ testimony, have established that the Imbonerakure militia do enjoy support from – and coordinate directly with – the Burundian security forces. For more information on the militia referred to as Imbonerakure, see: For further information, see Amnesty International. “Burundi: ‘Just Tell Me What to Confess to.’ Torture and Other Ill Treatment by Burundi’s Police and Intelligence Service Since April 2015.” August 24, 2015. https://www.amnesty.org/en/latest/news/2015/08/burundi-torture-extract-confessions-and-crush-dissent/


5. At the onset of the crisis, the government restricted the work of independent radio stations and blocked access to social media. Since then, some stations were burnt down, while others closed down with staff leaving the country. The government owns nearly all radio and television stations that continue to transmit.

6. Since the end of the 1993-2005 civil war, the international community transitioned from emergency response to development programming. Also, some staff that were evacuated at the start of the 2015 crisis have yet to return. Pursuant to the Arusha agreement, the National Commission on Land and Other Properties (CNTB) was charged with resolving land and property disputes, notably between returning displaced or refugees and occupants of land they had abandoned during flight. The CNTB, according to some, has become heavily politicized as of late, with those who challenge its decisions being accused of subversion.

7. Pursuant to the Arusha agreement, the National Commission on Land and Other Properties (CNTB) was charged with resolving land and property disputes, notably between returning displaced or refugees and occupants of land they had abandoned during flight. The CNTB, according to some, has become heavily politicized as of late, with those who challenge its decisions being accused of subversion.


12. This information is based on interviews conducted in Makamba province, along the Tanzanian border. However, RI heard anecdotal evidence from humanitarian actors in Bujumbura that the same is occurring in Kirundo Province, along the Rwandan border.


19. World Food Program et al. “Comprehensive Food Security and Nutrition, and Vulnerability Analysis (CFSVA-SMART) in Burundi.” (Unpublished.) 2014. Note that the WFP also conducted an emergency food security assessment in eight provinces in October 2015. At the time of writing, the results were not yet available.
