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2017 Trafficking in Persons Report - Burundi

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BURUNDI: TIER 3

The Government of Burundi does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore, Burundi remained on Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking, including by organizing and participating in several workshops to train government officials and coordinating with the Government of Rwanda to repatriate 28 alleged trafficking victims. It also investigated several cases involving the alleged recruitment of Burundian women for exploitation in forced labor in the Middle East. However, the government did not investigate internal trafficking or sex trafficking crimes, and did not prosecute or convict any alleged trafficking offenders. It did not investigate or hold accountable any officials complicit in trafficking crimes despite serious allegations that arose during the year. Although the government took steps to increase the number of anti-trafficking trainings for government officials, authorities continued to lack understanding of trafficking, and the government did not provide adequate anti-trafficking training for its personnel. The government did not provide victims adequate protection services. Trafficking victims continued to be subject to arrest and detention for crimes committed as a direct result of being subjected to trafficking. The government did not establish the Consultation and Monitoring Committee mandated by the 2014 anti-trafficking act to coordinate and lead anti-trafficking efforts.

RECOMMENDATIONS FOR BURUNDI

Take measures to ensure children and adults are not forcibly or fraudulently recruited into governmental and non-governmental armed forces, and provide them with appropriate protection services; hold individuals criminally accountable for the recruitment and use of children and the forced or fraudulent recruitment of adults in armed forces, including government officials; implement the anti-trafficking law and significantly increase investigations, prosecutions, and convictions of traffickers, including allegedly complicit officials; institutionalize anti-trafficking training to include how to implement the anti-trafficking law for all police, prosecutors, judges, and border guards; establish standardized procedures for officials to proactively identify trafficking victims, including children and adults, and refer them to appropriate care; ensure trafficking victims, including children and adults who are forcefully or fraudulently recruited into armed groups, are not punished for crimes committed as a direct result of being subjected to trafficking; drastically improve provision of protective services to trafficking victims, including

through partnerships with NGOs that provide appropriate care to victims; and undertake efforts to reduce child sex tourism.

PROSECUTION

The government maintained minimal enforcement efforts. Burundi's anti-trafficking law prohibits the trafficking of adults and children for the purpose of forced labor and sex trafficking. The definition of "forced labor or services" in the law, however, fails to account for situations in which an individual might initially consent to labor but is later forced, defrauded, or coerced to provide such labor. Prescribed penalties under the law range from five to 10 years imprisonment, penalties which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape.

The government investigated transnational trafficking cases, but did not investigate internal trafficking or sex trafficking crimes or prosecute and convict any suspects during the reporting period. The government reported arresting 25 alleged traffickers in 2016. Between May and August 2016, the Police's Morals and Minors Brigade reported arresting 18 traffickers following interception of 75 potential trafficking victims en route to Oman. In a similar case, in June 2016, the government arrested seven alleged traffickers, accused of sending Burundian women to the Middle East for exploitation. Following these discoveries, in June 2016, the government acknowledged the large-scale recruitment of Burundian women for work in the Middle East since April 2016, including reports of an additional 267 women overseas in situations of forced labor. In July 2016, a civil society group alleged trafficking networks in Burundi involving five recruitment companies, government officials and security officers, had fraudulently recruited up to 2,500 Burundian women and girls who subsequently endured forced labor and sex trafficking in Oman and Saudi Arabia. In June 2016, a judge suspended the activities of the five recruitment companies accused of involvement in trafficking. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses despite multiple allegations of significant government involvement in such crimes. Moreover, civil society organizations and individuals investigating trafficking allegations reported receiving threats against themselves and their families.

The government did not provide adequate funding for law enforcement agencies responsible for investigating trafficking crimes, partly due to limited financial means and competing priorities, which severely limited their capacity and effectiveness. Widespread corruption and officials' lack of investigative skills and poor understanding of trafficking crimes continued to impede investigations. In June and July, the National Independent Human Rights Commission held two workshops focusing on the legal framework to combat trafficking for representatives of the government, police, the judiciary, the bar, civil society, religious denominations and the media. In August 2016, an NGO-led working group including international organizations and government officials held a training session to introduce and explain the anti-trafficking law to the Ministries of Human Rights, External Relations, Public Security, Justice, and Interior. In February and March 2017, the government organized two anti-trafficking workshops on the anti-trafficking law and awareness-raising for over 65 representatives of relevant government ministries, NGOs, and provincial government officials.

PROTECTION

The government maintained minimal protection efforts. It did not maintain statistics on human trafficking, making it difficult to determine the number of victims, if any, the government referred to or provided with protective services. In September 2016, the government identified 28 Rwandan trafficking victims in Bujumbura and coordinated with the Government of Rwanda on their repatriation; it is unknown if these victims received any services prior to their repatriation.

After intercepting 75 potential trafficking victims reportedly en route to Oman, the government facilitated their return home, but did not provide supplemental services. Separately, the government did not report efforts to assist, via Burundian missions abroad, the 267 potential trafficking victims in Oman and Saudi Arabia or support their repatriation. The government provided minimal protection services and support for NGOs, religious organizations, or women's or children's associations that offered care to trafficking victims. The government continued to operate Humura Center in Gitega, which provided protection to foreign and domestic victims of sexual and gender-based violence, including an unknown number of potential trafficking victims. The government provided medical personnel to an NGO-run center in Bujumbura which delivers medical and psycho-social care to abuse victims, including trafficking victims. Overall, lack of dedicated funding for victim protection measures seriously constrained the government's ability to assist victims.

The government did not have formal procedures for authorities to identify and refer trafficking victims to protection services, and law enforcement officials lacked training to identify potential victims. Furthermore, potential victims were vulnerable to being penalized for unlawful acts committed as a result of being subjected to trafficking. In April 2016, the government passed a law providing for the protection of witnesses, victims, and vulnerable persons, which called for the establishment of a unit within the Ministry of Justice to coordinate protection measures; however, the government did not formally create this unit by the close of the reporting period. Burundian law did not provide foreign trafficking victims with legal alternatives to their removal to countries where they may face hardship or retribution.

PREVENTION

The government maintained minimal prevention efforts. The government did not take steps to implement its national anti-trafficking action plan, approved in March 2014, and did not establish the Consultation and Monitoring Committee mandated by the 2014 anti-trafficking act to coordinate and lead national anti-trafficking efforts. While government officials participated in an NGO-led working group, it did not lead country-wide efforts during the reporting period. The government did not conduct anti-trafficking awareness campaigns in 2016, nor did it make efforts to prevent or raise awareness of the forcible or fraudulent recruitment of children and adults into armed groups. In June 2016, a judge suspended the activities of five recruitment companies accused of being involved in trafficking; however, there are no formal laws or procedures authorizing officials to monitor or investigate fraudulent labor recruitment practices. The government did not make efforts to reduce the demand for forced labor, commercial sex, or child sex tourism. The government did not provide anti-trafficking training for its diplomatic personnel. Burundian nationals deployed abroad as peacekeepers received training on human rights, including trafficking elements, in previous reporting periods conducted by a foreign donor; however, after suspension of this program in May 2015 it was unclear whether the military still teaches a similar curriculum prior to deployment of peacekeepers.

TRAFFICKING PROFILE

As reported over the past five years, Burundi is a source country for children and possibly women subjected to forced labor and sex trafficking. Due to a complex political, economic, and security crisis in 2015, more than 400,000 Burundians fled to refugee camps in neighboring countries and many others sought refuge at internally displaced persons (IDP) camps or moved to the homes of extended family members. Burundi's fragile economic and security environment created an opportunity for criminals, including traffickers, to take advantage of Burundians in precarious or desperate situations. There is little official data available on abuses committed against Burundi's approximately 60,000 IDPs, 60 percent of whom are younger than age 18 and are highly vulnerable to exploitation.

Between April and December 2015, approximately 70,000 Burundians refugees fled to Rwanda, which contributed to an increase in child sex trafficking of both male and female refugees in Rwanda. Burundian refugee girls residing in Rwanda's Kigeme refugee camp were reportedly exploited in sex trafficking in nearby towns. In July 2015, approximately 58 children, some younger than 15 years old, were fraudulently recruited and forced to participate in an anti-government armed invasion in Kayanza Province, which was ultimately put down by the Burundian government; it was unclear if these children were armed. Between May and December 2015, an international organization reported allegations that Burundian refugees residing in Mahama refugee camp in Rwanda were recruited into non-state armed groups, allegedly by Rwandan security forces, to support the Burundian opposition; many refugees alleged recruiters threatened, intimidated, harassed, and physically assaulted those who refused recruitment a form of human trafficking. Most of these recruits were adult males, but six Burundian refugee children, between the ages of 15 and 17, were also identified as recruits from Mahama refugee camp. The same international organization also reported that hundreds of Burundian adult and child recruits, including girls, were allegedly trained in weaponry at a training camp in southwestern Rwanda. Some of these adult and child refugees could be victims of human trafficking. In December 2014, an armed group of primarily Burundian rebels invaded the northwestern province of Cibitoke; the estimated 150 rebels reportedly included child soldiers as young as 15 years old, some of whom were trained in Rwanda. In 2016, the Government of the Democratic Republic of the Congo (DRC) apprehended 16 Burundian children transiting through the east allegedly after recruitment from refugee camps in Rwanda or the DRC to participate in armed conflict in Burundi with an unknown entity.

Children and young adults are coerced into forced labor on farms throughout Burundi, in gold mines in Cibitoke, in informal commerce in the streets of larger cities, collecting river stones for construction in Bujumbura, and in the fishing industry. Traffickers allegedly include victims' relatives, neighbors, and friends, who recruit them under false pretenses to exploit them in forced labor and sex trafficking. Some families are reportedly complicit in the exploitation of children and adults with disabilities, accepting payment from traffickers who run forced street begging operations. Children are subjected to domestic servitude in private homes, experiencing non-payment of wages and verbal and physical abuse. Children in domestic servitude or working in guest houses and entertainment establishments may also be sexually exploited. Children are fraudulently recruited from rural areas for domestic work and later exploited in sex trafficking, including in Bujumbura. Women offer vulnerable girls room and board within their homes, eventually pushing some into prostitution to pay for living expenses. These brothels are located in poorer areas of Bujumbura, along the lake, on trucking routes, and in other urban centers such as Ngozi, Gitega, and Rumonge. Some orphaned girls are exploited in sex trafficking, with boys acting as their facilitators, to pay for school, food, and shelter. Incarcerated women facilitate commercial sex between male prisoners and detained children within the Burundian prison system. Men from East Africa and the Middle East, as well as Burundian government employees including teachers, police officers and *gendarmes*, military, and prison officials, are among the clients of Burundian girls in child sex trafficking. Business people recruit Burundian girls for exploitation in sex trafficking in Bujumbura, as well as in Rwanda, Kenya, Uganda, and the Middle East; they also recruit boys and girls for various types of forced labor in southern Burundi and Tanzania. In 2015, Rwandan officials and international and local NGOs reported that Burundian refugee girls were exploited in sex trafficking in Uganda after transiting Rwanda; some of these girls may also be subjected to forced labor in domestic work in Uganda.

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