



2023 Trafficking in Persons Report: Burundi

BURUNDI (Tier 2)

The Government of Burundi does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared with the previous reporting period, considering the impact of the COVID-19 pandemic, if any, on its anti-trafficking capacity; therefore Burundi remained on Tier 2. These efforts included increased investigations, prosecutions, and convictions of trafficking crimes and increased anti-trafficking training for law enforcement and judicial officials. The government improved coordination efforts of its inter-ministerial anti-trafficking committee and allocated funding to shelters. The government established new regulations for labor recruitment agencies to prevent exploitation of Burundians seeking employment abroad and ratified bilateral agreements with the Governments of Saudi Arabia and Qatar to enhance protections for migrant workers. However, the government did not meet the minimum standards in several key areas. The government did not identify any trafficking victims in Burundi for the second consecutive year, referred significantly fewer victims to care, and continued to rely on civil society organizations to provide most victim services. The government did not implement or train officials on its SOPs for victim identification and referral to care. The government did not finalize its draft National Action Plan (NAP) to combat trafficking.

PRIORITIZED RECOMMENDATIONS:

- Using the SOPs for victim identification and referral to care, proactively identify trafficking victims by screening for trafficking indicators among vulnerable populations, including children, women, and young adults, and train officials on the procedures.
- Continue efforts to investigate and prosecute traffickers, including complicit officials, and seek adequate penalties for convicted traffickers, which should involve significant prison terms.
- Increase training for law enforcement and judicial officials on the trafficking law and investigating and prosecuting trafficking cases, and ensure trafficking cases are distinguished from migrant smuggling.
- Allocate increased financial and personnel resources for the anti-trafficking committee.
- Improve data collection systems on law enforcement efforts, victim identification, and referrals to care.

- Enforce regulations and oversight of labor recruitment agencies, including eliminating recruitment fees charged to migrant workers, and holding fraudulent labor recruiters criminally accountable.
- Digitize the Judicial Police record keeping system to better manage and follow up on trafficking cases.
- Finalize and implement the NAP to combat trafficking.

PROSECUTION

The government increased law enforcement efforts. Burundi's 2014 Counter-Trafficking Law criminalized sex trafficking and labor trafficking. The law prescribed penalties of five to 10 years' imprisonment and a fine of 100,000 to 500,000 Burundian francs (\$49 to \$244), and in cases involving children, the law prescribed penalties of 10 to 15 years' imprisonment and a fine of 500,000 to 2 million Burundian francs (\$244 to \$978). These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape.

The government investigated 120 suspects (97 for labor trafficking, 10 for sex trafficking, and 13 involving unspecified forms of trafficking), compared with an unknown number of suspects investigated in 92 cases in 2021. The government continued 70 investigations initiated in the previous reporting period. The government initiated prosecution of 85 alleged traffickers compared with an unknown number of alleged traffickers prosecuted in 42 cases in 2021. The government continued prosecution of 59 alleged traffickers from previous reporting periods. The government convicted 33 traffickers (32 for labor trafficking, and one for sex trafficking), compared with nine in 2021. The government reported courts sentenced 33 traffickers to terms of imprisonment ranging from three months to 10 years, plus fines, and acquitted six defendants. The government collaborated with Saudi officials in the prosecution of two Saudi employers allegedly involved in the murder of a Burundian trafficking victim in Saudi Arabia. The government reported collaborating with Zambian authorities on the trial of a case involving an alleged Burundian trafficker arrested in Zambia.

The government did not report any criminal investigations, prosecutions, or convictions of officials complicit in trafficking crimes; however, corruption and official complicity in trafficking crimes remained significant concerns. The government dismissed criminal charges previously brought against five police officers charged with trafficking crimes and did not report any updates on a Burundian diplomatic official charged with trafficking Burundians in Kenya. A Burundian diplomat and his spouse were found guilty of exploiting a domestic worker in France and sentenced to two years in prison and fined €70,000 (\$74,790) by a French court. Observers alleged trafficking networks included officials handling passports and travel documents at the Commissary General of Migration, a division of the Ministry of Interior, Community Development, and Public Security.

The government maintained a data collection system on law enforcement efforts to combat human trafficking, which included information compiled from courts, magistrates, and prosecutors from all 18 provinces. However, the government's capacity to update and analyze the data remained limited, and observers reported additional resources and training were needed for the data collection system to be fully effective. The government, in partnership with an international organization, began developing new software to improve law enforcement data collection and synchronization. The Ministry of Justice had 58 anti-trafficking coordinators located throughout the country to oversee communication between government agencies and coordinate law enforcement procedures on trafficking cases. The government trained judges and judiciary police on victim identification, referral to care, and

investigation procedures. The government provided anti-trafficking training to officials at the Ministry of Foreign Affairs (MFA) and labor inspectors. The government allocated approximately \$38,510 to the labor inspectorate for enforcement initiatives, an increase of 14 times over last year's budget. The National Commission on Trafficking provided anti-trafficking and human rights trainings to civil society organizations and front-line workers. The government provided additional anti-trafficking and prosecution trainings to government officials in partnership with an international organization, including 58 Ministry of Justice officials, 90 border police officers, and two officials from the MFA. The government continued to distribute the 2014 anti-trafficking law (translated into Kirundi) to law enforcement, magistrates, and judicial officials in all provinces.

Although the government increased training for officials, understanding of the anti-trafficking law and the difference between migrant smuggling and human trafficking remained limited and impeded successful investigation and prosecution of trafficking crimes. Authorities appeared to dismiss trafficking cases on the grounds that parents of victims permitted their children to be recruited for work inside and outside the country; law enforcement often did not recognize trafficking indicators in these instances, which created obstacles for successful prosecutions. Observers reported many arrests did not result in prosecutions because of insufficient evidence, corruption, and interference of high-ranking officials.

PROTECTION

The government maintained minimal protection efforts. The government identified 58 human trafficking victims, all Burundi nationals identified abroad, which included 10 labor trafficking victims, one sex trafficking victim, and 47 victims for whom the form of trafficking was unspecified; this compared with 194 Burundi victims identified abroad in 2021. The government did not report identifying any victims in Burundi for the second consecutive year; however, it intercepted 20 potential child trafficking victims in Burundi en route to Tanzania. The government collaborated with a foreign government to repatriate 10 trafficking victims. The government provided consular and legal assistance to these victims, including providing travel documents and facilitating their return and reintegration into their home communities. A government report noted 676 Burundian women working in Saudi Arabia and Kuwait as domestic workers, which included some trafficking victims, received consular support, legal services, and repatriation assistance between 2020-2022. International organizations identified 1,409 potential trafficking victims (25 sex trafficking and 1,384 labor trafficking) among migrant workers returning from abroad during the reporting period, compared with 1,380 in 2021. The government finalized its formal SOPs for victim identification and referral to care, which included specialized screening procedures for vulnerable populations. However, the government had not yet disseminated the SOPs or trained officials on the procedures by the end of the reporting period.

The government reported it referred 10 victims to government and NGO-run shelters for care and assistance, compared with 174 victims referred in the previous reporting period. The government, in collaboration with international organizations and NGOs, offered comprehensive care services for trafficking victims, including temporary shelter, medical and psychosocial care, and legal assistance, to victims at six centers located in Bujumbura, Makamba, Muyinga, Rumonge, Gitega, and Cibitoke provinces. The government did not report how many trafficking victims were served at the centers. The government allocated 92 million Burundian francs (\$44,980) to fund the centers. In addition to these six centers, the government used other centers, including IDP sites, as temporary shelters for trafficking victims repatriated from abroad. In partnership with an international organization, the government provided tailored assistance to trafficking victims ranging from immediate and basic

needs to reintegration services. Access to services were largely limited to only these six centers requiring victims to travel to the provinces where the centers were located. To offset travel expenses to the centers, the government and its partners offered financial assistance to victims. The government operated four shelters specifically dedicated to vulnerable children, including trafficking victims – three in Bujumbura, and one in Ngozi province. The government also established a new foster care system comprised of host families to provide assistance to vulnerable children, including trafficking victims.

The 2016 law for the Protection of Witnesses, Victims, and the Vulnerable outlined provisions for the protection of victim-witnesses. The government did not require victims to participate in criminal justice proceedings to receive protection services. The government reported 149 victims received victim-witness assistance; it provided victims alternatives to testify via video or written statements and took steps to protect confidentiality. The government reported police and local administrators escorted victims to their homes during reintegration with their respective families and provided counseling on mitigating potential discrimination or stigma from their communities.

Burundian law allowed prosecutors to request restitution in trafficking cases; however, the government did not report awarding restitution during the reporting period. Due to inconsistent use of the newly established formal victim identification SOPs, authorities may have inappropriately detained or otherwise penalized some unidentified trafficking victims. The law provided foreign trafficking victims with legal alternatives to their removal to countries where they may face hardship or retribution, subject to judicial decision, and allowed the government to grant temporary residency; the government did not report providing this protection during the reporting period.

PREVENTION

The government maintained prevention efforts. The Consultation and Monitoring Commission on Prevention and Repression of Trafficking in Persons (Anti-TIP Commission) led anti-trafficking efforts and convened regularly; it expanded membership to include the Ministries of Health, National Solidarity, and Labor. The government continued to implement its 2019-2020 NAP, despite its expiration in October 2020; it completed a draft of its 2023-2027 NAP, which remained pending formal approval at the end of the reporting period. The Ministry of Labor conducted anti-trafficking awareness activities for local administrators, educational managers, and local NGOs. The government discontinued use of its dedicated human trafficking hotline, but operated other hotlines for crime victims, including victims of human trafficking, that could accommodate callers in Kirundi, French, and Kiswahili. The government reported it received 660 calls related to potential trafficking cases, but did not report how many victims it identified or cases it referred for investigations from the hotline.

The government established new regulations for labor recruitment agencies to prevent exploitation of Burundians seeking employment abroad; and published a circular note to educate the general public on the regulations. The government lifted its suspension of labor recruitment agencies in July 2022, which was established in January 2021 to protect citizens from traffickers. Sources reported 19 recruitment agencies registered with the government. However, despite the new regulations, observers noted the government's inability to ensure labor recruitment companies were not engaging in trafficking remained a significant concern. In December 2020, the Council of Ministers announced recommendations to prosecute labor recruitment agencies complicit in human trafficking; for the third consecutive year, the government did not report prosecuting such agencies. The government ratified two bilateral agreements with the Kingdom of Saudi Arabia and the Government of Qatar to enhance protections for migrant workers. The government initiated bilateral labor agreements with

member states of the East African Community and the Intergovernmental Authority on Development. The government increased border security and surveillance to identify and deter traffickers who cross via unofficial border crossings. The government increased efforts to reduce the demand for sex trafficking by increasing efforts to investigate buyers of commercial sex and inspect documents for adults traveling with children. The government provided anti-trafficking training to its diplomatic staff and, in partnership with an international organization, provided training to Burundian Embassy officials in Saudi Arabia on victim identification and case management. The government provided anti-trafficking training to its troops prior to their deployment as peacekeepers.

TRAFFICKING PROFILE:

As reported over the past five years, human traffickers exploit domestic and foreign victims in Burundi and traffickers exploit Burundian victims abroad. Burundi continued to be a source country for victims who are subjected to labor and sex trafficking, both within the country and in destinations in East Africa, particularly Tanzania, Kenya, and Uganda, which can be final destinations or often serve as transit points to Gulf countries such as Saudi Arabia, Oman, United Arab Emirates (UAE), and Kuwait. An NGO reported 414 Burundian girls and women were exploited in labor and sex trafficking in Gulf countries in 2021. Observers reported cases of Burundian migrants exploited in Gulf countries – such as Saudi Arabia, Oman, the UAE, and Kuwait – significantly decreased compared with the last two years. Conversely, cases of Burundian migrants exploited in Southern African countries, such as Zambia and South Africa, significantly increased due to traffickers looking for alternative destinations. Most traffickers use land and public transport to leave Burundi and then fly from the neighboring countries to destination countries. Some undocumented Burundian migrants increasingly transit through Comoros, seeking to reach the French Overseas Department of Mayotte.

As the result of a complex political, economic, and security crisis that began in 2015, by January 2023, nearly 260,000 Burundians remained in neighboring countries as refugees, including but not limited to Tanzania, Uganda, Rwanda, the Democratic Republic of the Congo (DRC), Kenya, Mozambique, Malawi, and South Africa. Since 2017, an international organization continued the voluntary returns and repatriation of more than 209,000 Burundian refugees. Observers reported some refugees, especially women heads of household, return to Burundi without adequate identity documentation, families to support them, or homes to return to, which increases their vulnerability to trafficking.

In April 2020, Burundi experienced severe flooding that displaced more than 35,000 people; many were placed into, and have remained in, IDP camps without access to income-generating activities, increasing their vulnerability to traffickers. Observers reported an increase in fraudulent offers to work abroad. International organizations reported an increase in domestic human trafficking, especially of children, usually in domestic servitude and child sex trafficking. The government reported most Burundians work in the informal labor sector, including many children affected by abject poverty, and the inability of many youth to find employment. An NGO noted children are forcefully employed in the agriculture, forestry, fishery, and charcoal sectors. Observers report climate change, including sudden-onset disasters like floods and landslides, has led to displacement, poverty, and loss of work, increasing vulnerabilities to trafficking. Observers reported young boys and girls found work as street vendors, domestic workers, wait-staff, or construction laborers and were forced to work excessive hours, denied payment, and were sexually and physically abused. Government and NGOs reported sex trafficking of young girls from refugee and IDP camps is common as men from host communities promise gifts, pocket money, and tuition funds in exchange for sex.

Due to regional instability, observers sporadically report recruitment of children as young as 15 years old by armed groups who force them to participate in anti-government activities. In 2018 and 2020, observers reported separating four and 10 Burundian children, respectively, from armed groups in the DRC; the children received assistance and were repatriated. Traffickers are increasingly using unofficial border crossings to transit to neighboring countries. Both economic necessity and coercion push children and young adults into all economic sectors, including domestic service, unregulated sectors, and the informal economy. Traffickers operate as networks and coordinate transnationally with victims' relatives, neighbors, and friends, who recruit them under false pretenses to exploit them in labor and sex trafficking. Traffickers increased recruitment of Burundians working in Tanzania and the DRC.

Traffickers recruited victims from their hometowns and were paid commissions upon successful recruitment; recruiters often were Burundians, but handlers, guides, and receiving personnel have been foreigners. Some families are complicit in the exploitation of children and adults with disabilities, accepting payment from traffickers who run forced street vending and begging operations. Media reported authorities, in one instance, mobilized a small number of citizens for forced labor in public works, such as hauling construction supplies for the beautification of the Intwari National Stadium. The government reported orphans are particularly at risk of labor trafficking in Burundi and in neighboring countries such as Tanzania, Kenya, and Uganda. Traffickers fraudulently recruit children from rural areas for forced labor in domestic work and sex trafficking. Observers report traffickers recruit Burundian refugees in Rwanda, Uganda, and the DRC for sex trafficking and labor trafficking. NGOs report that fishermen exploit some boys in the Lake Tanganyika fisheries in forced labor and some girls and young women in domestic servitude and sex trafficking in restaurants and bars around the lake. Traffickers exploit Burundian adults and children in forced labor in agricultural work, particularly in Tanzania. NGOs reported a significant number of children disappearing in border provinces, suggesting traffickers recruited them and potentially exploited them in cattle herding in Tanzania; an NGO reported 509 children from the Southern provinces returned to Burundi from exploitative situations in Tanzania. NGOs reported recruiters from neighboring countries frequently visit border towns in search of Burundian child workers. Observers alleged male tourists from East Africa and the Middle East, as well as Burundian government employees – including teachers, police officers, military, and prison officials – are complicit in child sex trafficking.

International organizations report the Batwa minority, Burundians living in border provinces, and women – specifically young and Muslim women – are particularly vulnerable to labor trafficking and sex trafficking. Traffickers fraudulently recruit women and girls from poverty-stricken rural communities, particularly border provinces such as Cankuzo, Cibitoke, Kayanza, Kirundo, and Muyinga, for work in the Middle East, Tanzania, or Kenya as domestic servants. Traffickers fraudulently recruit some young adult Burundian women for jobs, but instead subject them to labor and sex trafficking in the People's Republic of China (PRC), Kenya, Kuwait, Saudi Arabia, Oman, Qatar, and Yemen. Observers report victims transit through Kenya and Tanzania for short-term stays before reaching their final destination.

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