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Tanzania: Burundians Pressured into Leaving

Mounting Intimidation for 163,000 Burundian Refugees and Asylum Seekers



Nduta camp in Tanzania currently hosts 72,886 Burundian refugees and asylum seekers and UNHCR's departure center, where Burundians depart from when they are repatriated to Burundi. About 163,000 Burundians, who live in three camps – Nduta, Nyarugusu, and Mtendeli – in Tanzania's northwestern Kigoma region, are at risk of forced returns due to mounting pressure by Tanzanian authorities. © SOS Médias Burundi

(Nairobi) – The fear of violence, arrest, and deportation is driving many of the 163,000 Burundian refugees and asylum seekers in **Tanzania** out of the country. Tanzanian authorities have also made it very difficult for the United Nations refugee agency to properly check whether hundreds of refugees' recent decision to return to **Burundi** was voluntary.

In October and November 2019, Tanzanian officials specifically targeted parts of the Burundian refugee population whose insecure legal status and lack of access to aid make them particularly vulnerable to coerced return to Burundi. The actions come after the Tanzanian president, John Magufuli, said on October 11 that Burundian refugees should “go home.”

“Refugees say police abuses, insecurity in Tanzania’s refugee camps, and deportation threats drove them out of the country,” said **Bill Frelick**, refugee rights director at Human Rights Watch.

“Tanzania should reverse course before it ends up unlawfully coercing thousands more to leave.”

In mid-November, Human Rights Watch interviewed 20 Burundian refugees in Uganda who described the pressure that caused them to leave Tanzania between August 2018 and October 2019. Seven returned to Burundi but said they then fled to Uganda to escape members of the Burundian ruling party’s youth league, the Imbonerakure, who threatened, intimidated, or arbitrarily arrested them. Thirteen went directly to Uganda.

Refugees said their reasons for leaving Tanzania include fear of getting caught up in a spate of arrests, and alleged disappearances and killings in or near refugee camps and fear of suspected members of the Imbonerakure and of abusive Burundian refugees working with Tanzanian police on camp security. They also cited the government’s threats to deport Burundian refugees, the closing and destruction of markets, restrictions on commercial activities, and lack of access to services in the camps and freedom of movement.

On December 3, Tanzanian Home Affairs Minister Kangi Lugola denied that the government is “expelling” refugees, and said the Tanzanian and Burundian authorities “merely mobilize, to encourage those who are ready to return on their own accord, to go back.”

A refugee who returned from Tanzania to Burundi in August said: “I returned to Burundi because the Tanzanian authorities said those staying would be forced back... The police became increasingly violent and insecurity was the main reason I decided to return.” In late August, Imbonerakure members targeted him: “They arrested me, tied my arms behind my back and said, ‘you said you fled [Burundi] because of the Imbonerakure, but we are still here.’” He said his wife paid a bribe for his release and he fled to Uganda.

A December 6 Human Rights Watch **report** documented widespread abuses by members of the youth league, often working with local Burundian administrators. The UN High Commissioner for Refugees (UNHCR) said in August that **conditions in Burundi** were not safe or stable enough for it to encourage refugees to return, and that it would only facilitate voluntary returns.

The 1951 Refugee Convention and the 1969 African Refugee Convention prohibit *refoulement*, the return of refugees in any manner whatsoever to places where their lives or freedom would be threatened. UNHCR says that **refoulement** occurs not only when a government directly rejects or expels a refugee, but also when indirect pressure is so intense that it leads people to believe they have no option but to return to a country where they face a serious risk of harm.

Between **September 2017 and end of October 2019**, 78,380 Burundians – about 725 a week – left Tanzania under an agreement between Burundi, Tanzania, and the UNHCR, which tasks UNHCR with conducting detailed interviews with refugees to ensure they are leaving Tanzania voluntarily. The number is well below the **target of 2,000 a week** Tanzania and Burundi agreed on in March 2018. An August 24, 2019 **agreement** between Tanzania and Burundi says all the refugees “are to return to their country of origin whether voluntarily or not” by December 31.

On November 9, **UNHCR said** that some Burundians signing up for voluntary return with UNHCR had “cited insecurity in refugee camps, fear of enforced return ..., deteriorating living conditions ..., prohibition of small commercial activities and closure of camp markets as the main reasons for their return.” The agency previously told Human Rights Watch that “push factors play a significant role” in refugees’ return decision, but that UNHCR considers their return to be voluntary because they have “made an informed decision” and “many other refugees” have decided to stay.

A government’s duty to protect refugee rights should not be assessed based on statistics but on a case-by-case basis, Human Rights Watch said. The fact that some or many refugees can stay in a host country is not evidence that those who leave do so voluntarily or that they did not leave due to coercion.

Seven of the refugees Human Rights Watch interviewed said they returned to Burundi between March 2018 and June 2019. One refugee who left Tanzania’s Nduta camp for Uganda in August said he had helped many families register for return to Burundi: “Before August 2018, UNHCR asked people who registered many questions about their decision to return and gave them time to change their minds,” he said. “But now they don’t give time to think or ask questions. They immediately process people for return.”

UNHCR’s mandate requires it to ask refugees signing up for voluntary return about the reasons behind the decision to ensure the decision is **truly voluntary**.

A well-informed source said that after a recent “validation exercise” to verify the number of registered and unregistered Burundians living in camps in Tanzania, about 3,300 people were registered but not given “active status,” which means they have no clear legal status or access to assistance, and are particularly vulnerable to government intimidation and coerced return to Burundi.

In October, the Tanzanian authorities summoned these people and registered “hundreds” who said they wanted to return to Burundi. The authorities told them to report to a departure center, leaving UNHCR, which usually speaks to people leaving a few days beforehand to make sure they are leaving voluntarily, to conduct some **interviews at the departure center** “in less than ideal circumstances,” it said.

Human Rights Watch previously reported on the **coerced return** of hundreds of Burundian asylum seekers on October 15, after camp authorities said that if they did not register to return, they would be in the camps without legal status and aid.

In late October, UNHCR said Tanzania was increasing “**pressure on Burundian refugees** and asylum-seekers to return home.” In the second week of November, Tanzanian authorities banned 10 UNHCR staff involved in managing the refugee registration database from the camp.

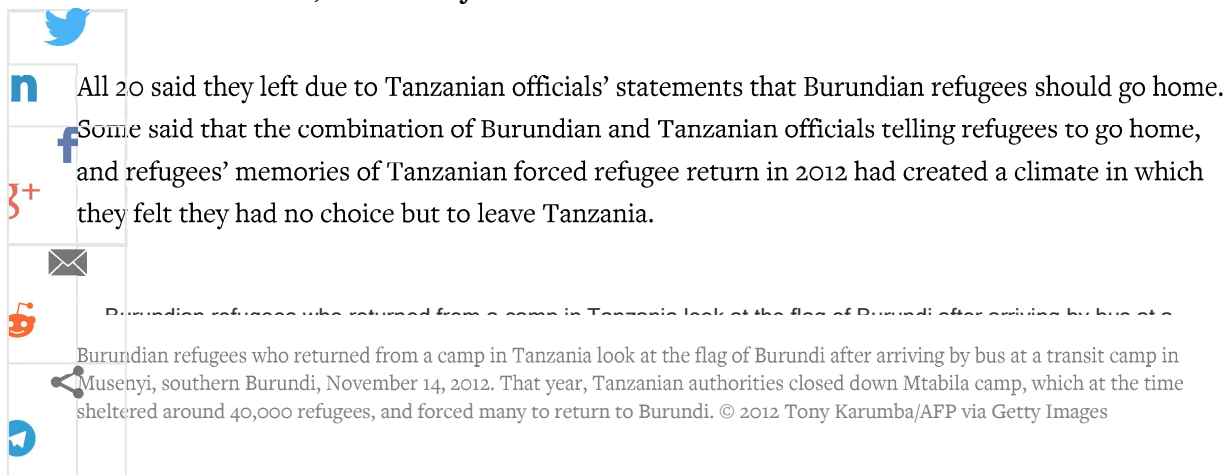
Tanzanian authorities should ensure that UNHCR staff are able to properly verify the voluntary nature of refugees’ decision to return to Burundi, Human Rights Watch said. The African Commission on Human and Peoples’ Rights and the African Union should send a team to visit the refugee camps and urge Tanzania not to directly or indirectly forcibly return asylum seekers or refugees.

“The African Union should publicly press the Tanzanian authorities to stop trying to bully refugees and the UN into submission,” Frelick said. “Tanzania claims it isn’t doing anything wrong, but Burundian refugees are telling us in clear terms that they are being driven out of the country.”

Factors Driving Burundian Refugees out of Tanzania

Twenty Burundian refugees formerly living in **three camps** – Nduta, Nyarugusu, and Mtendeli – in Tanzania’s northwestern Kigoma region spoke with Human Rights Watch in Uganda in November.

Tanzanian Deadline; Memories of 2012 Forced Return



Thirteen who went directly to Uganda said they feared for their lives if forced to return to Burundi. Many said they knew other refugees who had returned to Burundi only to flee again to Tanzania to escape ongoing insecurity in Burundi.

Ten left the camps between August and October, with most citing increased pressure at that time. On August 24, Burundi and Tanzania signed an **agreement** to ensure that all Burundian refugees would leave Tanzania by the end of 2019. Both countries’ interior ministers **jointly visited** the camps the following day and said returns would start on October 1.

A 40-year-old woman said: “I decided to leave the camp when the authorities said they would start sending people back on October 1 and that they didn’t want any more refugees in Tanzania. During the meeting, [the authorities] said they had agreed with the Burundian government to repatriate us.

That's why I left." She left for Uganda on foot with her young child on September 10. She spent a night in a local family's compound but became frightened that Tanzanian authorities would catch her and ran away, leaving all her belongings behind.

Many refugees said they feared Tanzanian officials' threatening language would turn into forced return. Several cited camp authorities' phrases such as, "The last cow of the herd is always beaten" or "the cows that go to the trough first drink clean water, those that go last get the dirty water," which they interpreted as saying that those who do not leave the camp now may be beaten or left without a return support package.

A refugee who left Mtendeli camp in October said: "Tanzanian authorities intimidated people to make them sign up for repatriation. They said otherwise they would use force and we wouldn't even have time to collect our belongings or get any assistance. People were afraid, so they registered [to return]."

Tanzania has hosted hundreds of thousands of refugees over the past few decades and offered citizenship to tens of thousands who had been in the country since 1972. But the country also has a troubling **history of forced return**. After the **forced return of hundreds of thousands** of Rwandans in 1996, Tanzania began in 2006 to reduce the number of what it termed "illegal immigrants" by violently expelling thousands of registered Rwandan and Burundian refugees.



In June 2009, Tanzanian authorities announced the **closure of a camp** sheltering more than 37,000 Burundian refugees, at Mtabila. **Pressure mounted** until the camp was closed in December 2012.



Some refugees in Uganda said that they had been in Mtabila camp in late 2012 when Tanzanian authorities forced people into returning to Burundi and that they were afraid the Tanzanian authorities would use similar tactics again.





A refugee leader from Nduta camp said he was summoned to a meeting with Tanzanian authorities on March 14, where refugees were asked: "Do you remember what happened in Mtabila? Our guns still work, you know. Burundi and Tanzania are one country." A 25-year-old woman who left Tanzania for Uganda in August said: "I left because of what happened in Mtabila. I didn't want to be forced back while there is insecurity in Burundi."



Fear of Insecurity in and Around Refugee Camps

Most of the refugees said growing insecurity in the camps contributed to their decision to leave Tanzania.

All said they feared the Tanzanian police, who they believe work closely with the Burundian authorities to encourage refugees to return. Fourteen also said they were afraid of Burundian refugees in charge of refugee camp security, called "Sungu Sungu," a term used to describe neighborhood militias in Tanzania. Refugees, including a former Sungu Sungu member, and an

independent well-informed source in the camps said that Tanzanian police approve the appointment of the most senior Sungu Sungu representatives in the camps, some of whom refugees believed to be Imbonerakure.

Refugees said Sungu Sungu members had arrested refugees and helped Tanzanian authorities carry out what some called “mobilization efforts” to encourage their return.

One interviewee said: “In the camps, they [Sungu Sungu members] targeted the [political] opposition, arrested people at night, confiscated phones and demanded bribes. They organized meetings to tell people to return, and said if we don’t return voluntarily, we will be forced back.”

Some refugees said that Sungu Sungu members came to the houses of those who had registered for return, but had failed to show up on the day of the return convoy, and told people to leave Tanzania, but Human Rights Watch was not able to independently verify these allegations.

One refugee said he knew four Sungu Sungu members in Nyarugusu camp who were also Imbonerakure members in his home commune in Burundi. He said: “If a normal refugee comes home after 8 p.m., it’s fine, but if an opposition member goes home after 8 p.m., he’s beaten and made to pay a fine of up to 10.000 Shillings (US\$4.3).”

 Human Rights Watch independently verified the identity of the four men, as well as that of three other Imbonerakure members in Nduta camp, with a well-informed source in Burundi, who confirmed that at least five of the seven men were Imbonerakure members who either had ties with Tanzania or who had left their home communes in Cankuzo, Ruyigi, Karuzi, and Makamba provinces in Burundi.

 Thirteen interviewees said they had heard of killings, disappearances, and arrests of Burundians in and around Tanzania’s refugee camps since 2018, including when refugees left the camps to look for firewood. The resulting climate of fear and suspicion triggered their decision to leave.

 A 44-year-old man said: “After the August agreement ... arrests increased. There were new ones every day. The camp authorities said they wanted to close the camps and that we had to register to go back.” A well-informed source confirmed that reports of disappearances and arrests by Tanzanian police have increased since August. Refugees also said that they believe Tanzanian authorities arrested people suspected of opposing their refugee-return “mobilization efforts.”

Market Closures; Other Restrictions

Most refugees said that restrictions that led to market closures, a ban on motorbikes and bicycles, and restrictions on access to services and commercial activities in the camps convinced them that Tanzanian authorities were planning to close the camps. Several also said that police and Sungu Sungu members prevented refugees from moving around the camps at night and prohibited refugees from listening to radio broadcasts by Burundian exiles.

One refugee who was repatriated to Burundi in August 2018 said: “I didn’t want to leave but they put us in an untenable situation... [The Sungu Sungu] forbade us from listening to the radio and beat us if they found us out after 7 p.m. They worked with the Tanzania police, which collaborates with the Burundian police.”

“In August, camp authorities closed Nduta camp market,” a 25-year-old woman who left Tanzania in August said. “This meant we had to survive on food rations, as we couldn’t buy vegetables and other small things in the camps anymore.”

A 35-year-old carpenter, who left Tanzania for Uganda with his wife and four children on September 24 said: “Something changed after August 2019. Assistance for building houses or education programs were suspended. Aid for refugees definitely diminished.”

Although these restrictions were added incrementally, refugees said that in August they became more severe. One refugee said: “After August, things changed. Markets inside and outside the camps were closed. The camp authorities said it would continue this way until all infrastructure is closed down.”

Increasing Pressure on Certain Groups

Human Rights Watch research indicates that as of October 31, there were about 151,000 registered refugees living in Tanzania’s camps together with 12,000 registered asylum seekers who were waiting for the Tanzanian authorities to decide on their individual asylum applications. In their August **agreement**, the Tanzanian and Burundian authorities erroneously referred to the 12,000 as “illegal migrants.”

The source said that a recent “validation exercise” in the camps also identified about 2,800 Burundians who arrived in the camps after January 2018, when the Tanzanian authorities **stopped** registering asylum seekers. The authorities registered their presence in October, but refused to give them “active status,” leaving them without clear legal status and assistance.

The source said that the exercise also identified and registered the presence of another 500 people whose refugee or asylum seeker status had been deactivated by UNHCR after they failed to show up for three consecutive food distributions, indicating they had left, but who had subsequently returned to the camps. As of early December, hundreds of them remain in the camp without “active status” or assistance.

In October, sources in the camps said Tanzanian authorities posted lists in the camps of people without active legal status and access to assistance, saying they should report to Home Affairs Ministry officials in the camps. Hundreds did and signed up to return to Burundi. Tanzanian authorities did not follow standard procedure, requiring them to report to UNHCR to verify the Burundians were leaving Tanzania voluntarily. Instead, the authorities told them to report to Nduta

camp's departure center, where returning refugees go with all their belongings ahead of their scheduled return to Burundi. UNHCR said they had to conduct some voluntariness interviews at the departure center "in less than ideal circumstances."

UNHCR's **Handbook on Voluntary Repatriation** says that "registration for repatriation should not be viewed as a merely clerical task" and that staff should "interview...the potential repatriates to obtain ... relevant information, counselling them on issues of concern, answering questions on repatriation related issues [and] assessing vulnerability."

The source said that between September 2017 and mid-November 2019, about 10,500 refugees signed up for voluntary return to Burundi but then decided to stay in Tanzania. They informed UNHCR, which took them off the agency's "pending departure" list.

Nonetheless, in early October, the Tanzanian authorities posted a list of names in the camps of about 4,000 refugees who had signed up for return but had not shown up on the departure date and summoned them to Home Affairs Ministry representatives in the camps. A few hundred responded and said they wanted to return to Burundi and left in October and November. The rest remain in the camps.

Returning Refugees Fleeing Burundi Again








In its September **report**, the UN Human Rights Council's Commission of Inquiry on Burundi said that "serious human rights violations – including crimes against humanity – have continued...across the country" and that the targets were real and suspected opposition supporters, including Burundians who had returned from abroad.

Seven refugees said they had returned to Burundi between March 2018 and August 2019 under the voluntary repatriation program. Four said that members of the Imbonerakure had stolen the money and goods they had received from UNHCR, which include 70,000 Burundian Francs (\$37), perishable goods, and cooking and other utensils. All said they left Burundi for Uganda to escape insecurity in Burundi.

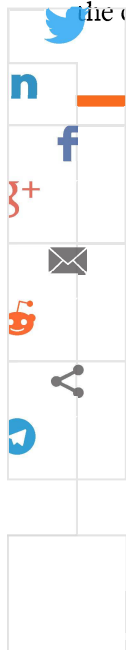
A man who returned to Burundi on September 27, 2018 and left again for Uganda one year later, described the challenges returning refugees face in Burundi:

The Imbonerakure said we were *ibipinga* [a pejorative Kirundi expression to designate those who are against the party] and that we would pay for it in [the] 2020 [elections]. When they saw us at the market, they made us pay more. In July, August, and September [2019], CNDD-FDD [ruling party] members forced us to pay contributions for the elections and the ruling party. The Imbonerakure monitored our houses, especially if they suspected people might try and flee, and said they were going to kill us. The [local] authorities made me sign up to become a member of the ruling party... I thought I would be killed.

Several interviewees said Imbonerakure members accused them of joining rebel groups abroad and threatened to arrest them. One person said that Imbonerakure members beat people trying to get goods at distributions by aid agencies and prevented people from getting food. He said he was forced to give up much of the repatriation-assistance money he had received from UNHCR:

Of the 70,000 Francs I received [from UNHCR], I had to give 10,000 (\$5.3) to the communal counsellor, 5,000 (\$2.6) to the hill-level authorities, and 3,000 (\$1.6) to the local Imbonerakure chief. Then, whenever an Imbonerakure came to my house, I had to give them 1,000 Francs (\$0.5) ...The Imbonerakure said they were going to kill me because I didn't tell them how rebel groups were planning on attacking Burundi. They said they would cut my head off. I was afraid and decided to leave without any belongings – if the Imbonerakure suspected I was fleeing; they would have prevented me from crossing the border.

An interviewee who returned to Burundi in August said Imbonerakure members arrested and accused him of denouncing Imbonerakure abuses while he was abroad. He said his wife had to sell all the goods they had received from UNHCR in Tanzania to pay for his release, and they both fled the country later the same month.



\$50

\$100

\$500

\$1,000

Other

Region / Country Africa, Burundi, Tanzania and Zanzibar

Topic Crisis and Conflict, Refugee Rights

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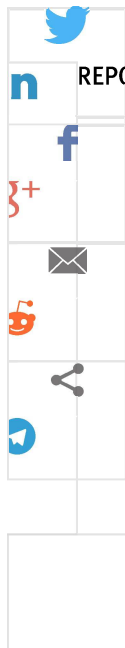
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