

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	313
Land:	Burundi
Kilde:	US Department of State
Titel:	2019 Trafficking in Persons Report: Burundi
Udgivet:	20. juni 2019
Optaget på baggrundsmaterialet:	26. juni 2019

Document #2010773

USDOS – US Department of State

2019 Trafficking in Persons Report: Burundi

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 by increasing the number of immigration officials that received training, replacing a dormant committee and establishing a new inter-ministerial committee, adopting a national action plan, conducting public awareness campaigns, increasing cooperation with civil society, and arresting a suspected complicit official. However, the government did not prosecute or convict any trafficking offenders for the fourth consecutive year. It did not hold accountable officials complicit in trafficking crimes, despite continuing allegations. The government did not report the overall number of victims identified or referred to assistance. The government did not establish standardized procedures to assist in identification and referral or have adequate protection services available for victims and primarily relied on civil society organizations to provide protection services. Authorities continued to lack a clear understanding of trafficking, and although the government increased training of immigration officials during the reporting period, it did not institutionalize anti-trafficking training for its personnel.

PRIORITIZED RECOMMENDATIONS

Implement the anti-trafficking law and significantly increase efforts to more effectively investigate, prosecute, and convict traffickers. • Investigate all credible accusations of official complicity and hold complicit officials criminally accountable. • Institutionalize anti-trafficking training—including case investigation and victim identification—for all law enforcement, and implementation of the anti-trafficking law for all prosecutors and judges. • Develop national standardized procedures to systematically identify and refer trafficking victims to appropriate care and expand protective services for victims through partnerships with NGOs, including by allocating resources and providing separate shelter for children and adults. • Devote sufficient resources and implement the 2019-2020 national action plan, including by dedicating personnel necessary to achieve goals established in the plan. • Develop national level data collection on law enforcement and victim identification efforts. • Implement strong regulations and oversight of labor recruitment companies that are consistently enforced, including

eliminating recruitment fees charged to migrant workers, and holding fraudulent labor recruiters criminally accountable. • Increase bilateral labor negotiations with destination country governments on migrant worker rights.

PROSECUTION

The government maintained limited law enforcement efforts. Burundi’s 2014 anti-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 (\$56 to \$279), 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 (\$279 to \$1,120). These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape.

The government had no centralized data collection mechanism on trafficking and did not systematically report enforcement actions, making comprehensive statistics difficult to obtain. The government reported investigating 10 trafficking cases during the year, but reported zero prosecutions or convictions. This compared to at least 13 arrests and zero prosecutions and convictions documented in 2017. The investigations reportedly included cases of internal, transnational, and child trafficking, but the government did not provide further details on any law enforcement efforts. An NGO reported the government arrested seven suspected traffickers in the Cankuzo province, and immigration officials at the airport reportedly arrested a suspected trafficker for fraudulent recruitment to Qatar in 2018; however, the government did not report further details or law enforcement actions in these cases. The government did not report prosecuting or convicting any suspects for internal trafficking, despite the prevalence. The judicial system in Burundi remained weak and informal settlements were common. Corruption and official complicity in trafficking crimes remained significant concerns, potentially inhibiting law enforcement action during the year; however, the government did not report any prosecutions or convictions of government employees complicit in human trafficking offenses. An international organization reported that the government arrested and initiated an investigation into a police officer for allegedly providing support to traffickers, but no further information was provided. In the prior reporting period, the media alleged government officials were involved in the falsification of identity documents to facilitate trafficking, but the government never reported investigating these allegations. Moreover, security remained a concern for civil society organizations or individuals reporting on allegations of complicity; in the past, anti-trafficking activists reported receiving threats, leading some to flee the country.

The government provided anti-trafficking training, including on victim identification, referral, assistance, and intelligence collection for 113 immigration officials. However, in general, the government did not provide adequate training for law enforcement agencies responsible for investigating trafficking crimes, limiting its capacity and effectiveness. Without training on standard procedures, local police reportedly arrested suspected traffickers but sometimes did not refer the cases to the BNP’s Unit for the Protection of Minors and Morals, the lead investigating body for trafficking cases, which

led to poor case investigations and limited prosecutions; officials’ lack of investigative skills and insufficient understanding of trafficking crimes continued to impede overall law enforcement efforts.

PROTECTION

The government’s protection efforts remained weak. The government did not maintain statistics on human trafficking, making it difficult to determine the number of victims, if any, whom the government identified, referred to, or provided with protective services. Civil society continued to provide the vast majority of assistance to trafficking victims. In 2018, the government reported identifying and referring an unknown number of victims during the reporting period, it did not report the number of victims referred to assistance; this compared to 46 potential victims identified and zero reported as referred to care in 2017. The government did not have formal procedures for authorities to identify and refer trafficking victims to protection services, and many law enforcement officials lacked adequate training to identify potential victims. However, NGOs reported that law enforcement routinely called civil society service providers to request assistance when victims were identified. In 2018, an NGO reported identifying 406 victims, including 352 males and 54 females, while an international organization reported identifying 250 victims, including 233 females, 17 males, 62 minors, and 188 adults. At least 65 victims assisted by civil society were internal trafficking victims, while the majority were exploited abroad. Civil society reported providing basic emergency assistance to 250 victims and reintegration assistance to 81 victims. In 2018, an international organization reported separating four Burundian children from armed groups in the Democratic Republic of the Congo (DRC). The media reported Kenyan officials identified 23 Burundian victims in Nairobi; the government reported collaborating with Kenyan officials on the investigation and repatriation, but no further information on law enforcement actions was available. The government reported facilitating and sometimes funding repatriations of Burundian victims abroad, but did not report how many it assisted by doing so during the reporting period. Civil society reported identifying victims in Qatar, but the government did not report providing these victims with assistance or repatriation. Immigration officials at the Bujumbura International Airport, some of whom had received training on preventing trafficking provided by civil society, continued to screen for trafficking, but did not report how many victims they identified as a result of screening. Officials stated that the screening efforts acted as a deterrent to traffickers transiting victims through the airport.

Overall, a lack of dedicated funding for victim protection measures seriously constrained the government’s ability to assist victims. The government continued to operate Humura Center in Gitega, which offered protection services to foreign and domestic victims of sexual, gender-based violence (SGBV), and trafficking, but did not report the number of trafficking victims it assisted during the reporting period. The Humura Center provided temporary shelter, medical care, and guidance on engaging with law enforcement and the judicial system and was accessible to victims with disabilities. The Seruka Center was an NGO-run center in Bujumbura that did not receive government funding; it provided medical and psycho-social assistance, as well as legal assistance to victims of various abuses, including human trafficking. In addition

to the Seruka Center, there were four NGO-run shelters trafficking victims could utilize. Adult and child victims received assistance in the same facilities; adults and children, men and women, and foreign and domestic victims all had access to the same care.

Despite the requirements of the 2016 law for the protection of witnesses, victims, and vulnerable persons, the government did not establish a centralized unit in the Ministry of Justice to coordinate protection measures. Labor laws did not provide sufficient protection for domestic workers or employees in the informal economy, leaving that population vulnerable to trafficking. The law provided for victims, domestic and foreign, to receive housing, basic medical care, psychological treatment, and witness protection, but the government did not report providing these services during the reporting period. Burundian law did not allow trafficking victims to obtain restitution. 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; but the government did not report identifying any foreign victims who could benefit from this protection during the reporting period. The law allowed the government to grant temporary residency, but the government did not report identifying any foreign victims who could benefit from temporary residency during the reporting period. In the beginning of the reporting period and in previous years, there were reports the government routinely arrested victims for questioning and would sometimes inappropriately penalize trafficking victims for unlawful acts traffickers compelled them to commit by detaining them in jail for several days. However; following anti-trafficking training provided by an international organization in late 2018, there were no subsequent reports of victims being detained after identification; but, because officials did not use standard victim identification procedures, victims may have remained unidentified in the law enforcement system.

PREVENTION

The government increased prevention efforts in some areas, but overall efforts remained limited. The government established an anti-trafficking inter-ministerial trafficking committee, replacing a previous committee that had not performed its function; the new committee improved policy coordination and communication with civil society, but its ability to drive national anti-trafficking efforts remained limited by resource constraints. In consultation with international organizations and civil society, in December, the committee adopted a 2019-2020 anti-trafficking national action plan that identified improvements to some of the gaps in Burundi's response; however, during the reporting period, steps to implement the plan were limited. The government did not establish the Commission for Consultation and Monitoring on the Prevention and Suppression of Trafficking in Persons, mandated by the 2014 anti-trafficking act, which would take leadership over government efforts on prosecution, prevention, and protection.

The government reported that, following a briefing for the Senate and National Assembly, several parliamentarians conducted anti-trafficking awareness events with local officials, police, and community members in the Cankuzo and Gitega provinces but did not report how many people the campaigns reached. Burundi also remained

without a government-run national hotline, but international organizations funded a national human rights hotline with operators trained to identify trafficking victims, while an NGO funded another hotline for reports of human trafficking and child labor; however, details regarding the number of trafficking-related calls were unavailable. The government did not have effective policies or laws regulating labor recruiters and did not hold any criminally accountable for fraudulent recruitment; no action to regulate labor recruitment has been reported since 2016. The government and civil society reported that, following the 2016 closures, recruiters operated on a more informal basis, and fraudulent recruitment and Burundian trafficking victims identified abroad remained prevalent and difficult for authorities to detect. The government did not report signing any bilateral labor agreements with destination countries during the reporting period. The government did not make efforts to reduce the demand for forced labor or child sex tourism, but did make efforts to reduce the demand for commercial sex. The government provided training on human rights and sexual exploitation, which included anti-trafficking elements, to its troops prior to their deployment abroad as part of international peacekeeping missions.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Burundi, and traffickers exploit victims from Burundi abroad. As the result of a complex political, economic, and security crisis that began in 2015, by May 2019 more than 346,000 Burundians remained in neighboring countries as refugees while 130,000 Burundians were internally displaced, though as refugees returned, these figures decreased. Returned refugees frequently lacked access to basic services or land and remained a highly vulnerable population. Burundi’s challenging security environment and endemic poverty created an opportunity for criminals, including traffickers, to take advantage of Burundians in precarious or desperate situations. In July 2015, traffickers fraudulently recruited approximately 58 children, some younger than 15 years old, and forced them to participate in an anti-government armed invasion in Kayanza Province, which was ultimately put down by the 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 had 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 whom may have been trafficking victims. 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 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. In 2018, an international organization reported separating four Burundian children from armed groups in the DRC.

The government encouraged citizens to participate in community work each Saturday morning and the governors of various provinces sporadically fined residents who failed to participate. Both economic necessity and coercion pushed children and young adults into labor, including forced labor on plantations or small farms throughout Burundi, in gold mines in several provinces around the country, in informal commerce in the streets of larger cities, and in the fishing industry. Traffickers include victims' relatives, neighbors, and friends, who recruit them under false pretenses to exploit them in forced labor and sex trafficking. Some families are complicit in the exploitation of children and adults with disabilities, accepting payment from traffickers who run forced street begging operations. Traffickers exploit children in domestic servitude and child sex trafficking via prostitution in private homes, guesthouses, and entertainment establishments; they frequently experience non-payment of wages and verbal and physical abuse. Traffickers fraudulently recruit children from rural areas for domestic work or an education and later exploit them in forced labor and child sex trafficking via prostitution. Traffickers recruit Burundian adults and children for agricultural work, particularly in Tanzania, and subject them to forced labor. Young women take vulnerable girls into their homes, eventually pushing some into prostitution to pay for living expenses. Traffickers exploit orphaned girls, often using underage males as facilitators. There were unsubstantiated allegations that 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 by procuring underage Burundian girls. NGOs reported 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.

International organizations reported that young Muslim women from Burundi were particularly vulnerable to forced labor and sex trafficking in Gulf countries. Traffickers fraudulently recruit some young adult Burundian women for fake jobs but instead subject them to forced labor and sex trafficking in various Gulf countries, such as Kuwait, Saudi Arabia, Oman, and Qatar; NGOs estimate that between 500 and 3,000 young women have become trafficking victims in these countries between 2015 and 2016 and one NGO reported more than 800 young women remain in these countries. In 2015, Rwandan officials and international and local NGOs reported that traffickers exploited Burundian refugee girls in child sex trafficking via prostitution in Uganda after transiting Rwanda; some of these girls may also have been subjected to forced labor in domestic work in Uganda. In 2017, Burundian and Kenyan recruitment agencies fraudulently recruited several adult Burundian women, who were identified in Kuwait, for work as domestic workers and receptionists; however, upon arrival traffickers subjected them to forced labor and had their passports confiscated, were paid less than what was agreed, had restricted movement, and were made to work excessive hours without breaks.

ecoi.net summary:

Annual report on trafficking in persons (covering April 2018 to March 2019)



Country:

Burundi

Source:

USDOS – US Department of State [\(/en/source/11558.html\)](/en/source/11558.html)

Original link:

<https://www.state.gov/reports/2019-trafficking-in-persons-report-2/burundi/> (<https://www.state.gov/reports/2019-trafficking-in-persons-report-2/burundi/>)

Document type:

Periodical Report

Language:

English

Published:

20 June 2019

Document ID:

2010773

Austrian Red Cross

Austrian Centre for Country of Origin and Asylum Research and Documentation (ACCORD)

Wiedner Hauptstraße 32, 1041 Wien

T (Telefon) +43 1 589 00 583

F (Fax) +43 1 589 00 589

info@ecoi.net

ecoi.net is run by the Austrian Red Cross (department ACCORD) in cooperation with Informationsverbund Asyl & Migration. ecoi.net is funded by the Asylum, Migration and Integration Fund, the Austrian Ministry of the Interior and Caritas Austria. ecoi.net is supported by ECRE & UNHCR.

