

Flygtningenævnets baggrundsmateriale

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POLICY PAPER BURUNDI

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DISCLAIMER

A country-specific policy paper provides the main points regarding the policy rules that are applied by the Commissioner General when assessing requests for asylum from a specific country.

A country-specific policy paper begins with a brief, simplified summary of the complex situation in a country of origin. The situation outline only covers the asylum-related aspects of the situation in that country. A non-exhaustive overview is then provided of the at-risk groups in the country of origin. The focus lies on the at-risk profiles that the CGRS encounters during its day-to-day work. In addition, it only covers the policy themes that are relevant for the country of origin or any special policy rules that apply to that particular country. Consequently, a country-specific policy paper does not contain a complete overview of all of the possible issues that may be faced by the citizens of the relevant country of origin.

The policy implemented by the Commissioner General is based on a thorough analysis of accurate and up-to-date information on the general situation in the country of origin. This information is collated in a professional manner from various, objective sources, including the EASO, the UNHCR, relevant international human rights organisations, non-governmental organisations, professional literature and coverage in the media. When determining policy, the Commissioner General does not simply examine the COI Focuses, drawn up by Cedoca and published on this website, as these deal with just one aspect of the general situation in the country of origin. The fact that a COI Focus could be out of date, does not necessarily mean that the policy that is being implemented by the Commissioner General is no longer up-to-date.

The policy paper does not reflect the complexity of the asylum application assessment process. When assessing an application for asylum, the Commissioner General not only considers the actual situation in the country of origin, at the moment of decision-making, he also takes into account the individual situation and personal circumstances of the applicant for international protection concerned. Every asylum application is examined individually. An applicant must comprehensively demonstrate that he has a well-founded fear of persecution or that there is a clear personal risk of serious harm. He cannot, therefore, simply refer back to the general conditions in his country, but must also present concrete, credible and personal facts.

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For a better understanding of the policy themes that may be dealt with in a country-specific policy paper, see web page "About the CGRS/Policy".

1. SITUATION OUTLINE

On 25 April 2015 President Nkurunziza announced his intention to present himself for a third term in office. This announcement was followed by a failed coup on 13 May 2015. Since then, the security situation in Burundi has progressively deteriorated. This situation has led to numerous acts of mostly targeted violence, mainly by the government, the police and the Imbonerakure, a militia connected to the ruling party. Confrontations between the security forces and armed groups have become very rare, but serious human rights violations against government opponents and activists are frequent and widespread, as is repression of any form of real or imagined dissent. In September 2017, a UN-mandated commission of enquiry mentioned crimes against humanity. The International Criminal Court (ICC) opened an investigation in October 2017. Since the beginning of the crisis, more than 400,000 Burundians have fled to neighbouring countries.



2. PERSECUTION IN THE CONTEXT OF THE REFUGEE CONVENTION

The Commissioner General acknowledges that the situation in Burundi is currently very problematic but is of the opinion that the situation is not such that every Burundian national should by definition be granted international protection.

However, some profiles or categories of persons run a greater risk of persecution or are more liable to have suffered past persecution. This does not mean that there is group persecution, i.e. persecution resulting from a deliberate policy targeting a particular group whose members are liable to be persecuted indiscriminately merely because they belong to this group. The asylum applicant will therefore have to prove that he is member of an at-risk group and additionally put forward concrete and individual elements of persecution.

The Commissioner General normally grants refugee status regardless of the applicant's region of origin. However, as most acts of violence in Burundi are concentrated in some regions, the applicant's geographic origin will receive special attention when his/her application is being assessed.

3. SUBSIDIARY PROTECTION

The Commissioner General is of the opinion that there are no serious grounds to consider that there is currently in Burundi a situation of armed conflict leading to indiscriminate violence by reason of which a civilian runs a risk of serious and individual threats to his or her life or person in case of a return.

The CGRS continually monitors the situation in Burundi. When assessing the need for subsidiary protection, the Commissioner General takes into account the objective situation in Burundi as it exists at the moment when he renders his decision.

4. EXCLUSION

If there are serious grounds for assuming that the applicant was directly involved in war crimes and crimes against humanity, he or she will be excluded from the Refugee Convention and from subsidiary protection status.