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Trafficking in Persons Report 2016 - Country Narratives - Burundi

BURUNDI: Tier 3

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 236,000 Burundians fled to refugee camps in neighboring countries and countless more sought refuge at internally displaced persons (IDP) camps or moved to the homes of extended family members. Though there is little official data available on abuses committed against the approximately 25,000 IDPs, 60 percent are younger than age 18 and are highly vulnerable to exploitation. Burundi's chaotic security environment created an opportunity for criminals, including traffickers, to take advantage of Burundians in precarious or desperate situations. Between April and December 2015, approximately 70,000 Burundian 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 prostitution 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 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.

Children and young adults are coerced into forced labor on plantations or small 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 include victims' family members, 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. Children endure 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 exploited in prostitution. Children are fraudulently recruited from rural areas for domestic work and later exploited in prostitution, including in

Bujumbura. Young 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 prostitution, 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. Male tourists 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 prostitution. Business people recruit Burundian girls for prostitution 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 prostitution in Uganda after transiting Rwanda; some of these girls may also be subjected to forced labor in domestic work in Uganda.

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. The government's priorities and funding were focused on the complex political and security crisis in 2015, which stalled the government's efforts to combat trafficking. The government did not prosecute or convict any trafficking offenders, nor did it investigate or punish officials complicit in trafficking crimes. Authorities continued to lack understanding of the crime, and the government did not provide anti-trafficking training for its personnel. The government did not proactively identify trafficking victims or provide them with adequate protection services. Trafficking victims, including children and adults exploited in prostitution and children fraudulently and forcibly recruited into armed groups, continued to be vulnerable to arrest and detention for crimes committed as a direct result of being subjected to trafficking. The government's inter-ministerial anti-trafficking commission was inactive in 2015, and the government made very limited efforts to prevent trafficking.

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; implement the anti-trafficking law and significantly increase investigations, prosecutions, and convictions of traffickers, including 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; and drastically improve provision of protective services to trafficking victims, including through partnerships with NGOs that provide appropriate care to victims.

PROSECUTION

The government made little to no law enforcement efforts. Burundi's anti-trafficking law, enacted in October 2014, prohibits the trafficking of adults and children for the purpose of forced labor or services and sex trafficking. The definition of "forced labor or services" in the law, however, fails to account for situations where 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. In 2015, the government redirected funding and security forces away from regular government activities to stabilize the country and counter anti-governmental protests. The government did not provide adequate funding for law enforcement agencies responsible for investigating trafficking crimes, thereby severely limiting their capacity and effectiveness. Furthermore, rampant corruption and officials' lack of investigative skills and basic understanding of trafficking crimes continued to impede investigations. The government did not provide training for its law enforcement and judicial officials on application of the anti-trafficking law.

The government did not prosecute or convict any trafficking offenders in 2015, and it made very limited efforts to investigate potential trafficking crimes. In November 2015, authorities arrested and detained three individuals for their alleged involvement in kidnapping two girls aged 12 and 14 years from Rumonge and forcing them into prostitution in Tanzania; however, the court acquitted and released them in December 2015. The government did not report investigating or prosecuting the perpetrators allegedly responsible for fraudulently recruiting 58 children to participate in an armed invasion in Rumonge Province in July 2015. 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 trafficking. Moreover, it was extremely dangerous for civil society organizations or individuals reporting on these allegations; several activists fled the country after receiving threats against themselves and their families when they attempted to investigate a trafficking network or provide care to a trafficking victim.

PROTECTION

The government made inadequate efforts to identify and provide appropriate protection to trafficking victims. The government identified 11 trafficking victims in 2015. It was unclear, however, whether it provided any protection services directly or referred victims to civil society organizations for such care. For example, from April to October 2015, law enforcement officials identified nine young women who were recruited to work in Oman under false pretenses; however, authorities did not report providing or referring them to NGO-provided protection services. Overall, the government did not provide adequate protection services or support for NGOs, religious organizations, or women's or children's associations that offered care to trafficking victims. The government continued to operate a care center in Gitega, which provided protection to foreign and domestic victims of sexual and gender-based violence (SGBV) including some potential trafficking victims; this center provided services to 752 SGBV victims, but it did not distinguish if trafficking victims were among them. Overall, lack of funding seriously reduced the government's ability to support 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, without standardized identification procedures, trafficking victims likely remained unidentified in the law enforcement system and vulnerable to being penalized for unlawful acts committed as a result of being subjected to trafficking. Although the government stated that trafficking victims would not be detained or held responsible for crimes committed during their exploitation, it was unlikely this policy was implemented. For example, the government detained 58 children for several months in Rumonge prison after they were forced to participate in an armed invasion in Kayanza Province in July 2015. These children were eventually released from prison, but the government did not provide them with protection services after their release; seven of the children, who were younger than the age of 15, received protection services from an international organization. The government did not encourage victims to participate in the prosecution of their traffickers. 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's efforts to prevent trafficking were inadequate. The government did not implement its national anti-trafficking action plan, which was validated in March 2014, and its inter-ministerial anti-trafficking commission was inactive. The government did not conduct anti-trafficking awareness campaigns in 2015, nor did it make efforts to prevent or raise awareness of the forcible or fraudulent recruitment of children and adults into armed groups. The government did not report efforts to monitor or investigate fraudulent labor recruitment practices. The government did not make efforts to reduce the demand for forced labor, but it took minor steps to reduce the demand for commercial sex acts and child sex tourism. The Children and Ethics Brigade, responsible for the investigation of trafficking crimes, conducted an unknown number of raids on hotels in Bujumbura and along the shore of Lake Tanganyika to combat sex tourism, but it did not report if it provided protection services to trafficking victims found during the raids or if perpetrators were referred for prosecution. The government did not provide anti-trafficking training for its diplomatic personnel. Prior to Burundian troops' deployment abroad on international peacekeeping missions, personnel received human rights training, provided by a foreign donor which included some training on human trafficking.