

“I Fled Because I was Afraid to Die”
Causes of Exile of Burundian Asylum Seekers
August 2017

ABOUT THE INTERNATIONAL REFUGEE RIGHTS INITIATIVE

The International Refugee Rights Initiative (IRRI) was founded in 2004 to inform and improve responses to the cycles of violence and displacement that are at the heart of large-scale human rights violations.

Over the last 13 years, we have developed a holistic approach to the protection of human rights before, during, and in the aftermath of displacement, by focusing on:

- identifying the violations that cause displacement and exile,
- protecting the rights of those who are displaced, and
- ensuring the solutions to their displacement are durable, rights respecting, safe and timely.

We work to ensure the voices of the displaced and conflict affected communities are not only heard but heeded at the international level through our evidence based advocacy that is built on solid field based research and analysis.

We are registered as a non-profit organisation in the US, the UK, and Uganda.

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ABOUT THIS PAPER

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Cover Photograph: view of Nakivale Refugee Settlement, 2017
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Table of contents

Executive Summary.....	3
Recommendations.....	4
Background.....	7
Political Crisis.....	7
International Reaction.....	7
Refugees.....	9
Methodology.....	11
Drivers of Exile	12
Direct Abuses and Threats by <i>Imbonerakure</i>	12
Killings and Enforced Disappearances of Family Members	14
Arbitrary Detention and Torture	15
Sexual Violence	16
Economic Hardship.....	17
Why Uganda?.....	18
Return to Burundi	22
Conclusion	25

Executive Summary

Burundian refugees should “return to their homeland, because peace and security prevail on the whole national territory”, Burundi’s second vice-president, Joseph Butore stated during the Uganda Solidarity Summit on Refugees, held in Kampala in June 2017.² Then during a recent visit to Tanzania, Burundi’s president Pierre Nkurunziza expressed a similar message to refugees there.³

However, such words are contradicted by the stories of Burundian citizens, who continue to flee fear, insecurity and abuses and seek asylum in its neighbouring countries. Since the political crisis erupted in April 2015, accompanied by serious violence and repression, more than 418,000 Burundian refugees and asylum seekers have left their homes.⁴ While there is less open violence now, new arrivals in neighbouring countries largely outnumber the few that have returned to Burundi.

In June 2017, International Refugee Rights Initiative (IRRI) interviewed 30 Burundians who had recently arrived in Uganda, most between April and June. They left Burundi for two main reasons: threats and abuses by members of the *Imbonerakure*, a youth militia affiliated to the ruling party and killings and enforced disappearances of family members. Some cited gang rapes, torture and illegal detention. For a minority of the asylum seekers, economic motives also played a role in the decision to leave Burundi but always in combination with other reasons. Uganda currently hosts about 38.000 Burundian refugees.⁵

Any political crisis is inevitably complex and the stories of those who have fled a country rarely reflect all sides of the multi-faceted reality. But the experiences of those who left Burundi in the last six months and are currently living in exile in Uganda, show that insecurity and abuses are ongoing. Most abuses described to IRRI took place in the countryside, contradicting the narrative that insecurity and abuses are limited to several neighbourhoods of Bujumbura, the capital city, where most protests erupted when President Pierre Nkurunziza announced his bid for a contested third term in April 2015. The patterns described in this report build on over ten years of IRRI research on Burundi, including two recent reports in 2016 on the dynamics of the crisis and its associated displacement.⁶

² Burundian Second Vice-President, “Le Deuxième Vice-président de la république participe au sommet sur les réfugiés en Ouganda”, 23 June 2017, available at <https://www.presidence.gov.bi/2017/06/23/le-deuxieme-vice-president-de-la-republique-participe-au-sommet-sur-les-refugies-en-ouganda/> (accessed on: 12 July 2017).

³ F. Nkundikije, “Burundian President Tells Refugees to Come Home”, *Voice of America*, 21 July 2017, available at <https://www.voanews.com/a/burundian-president-tells-refugees-to-come-home/3954138.html> (accessed on: 14 August 2017).

⁴ UNHCR, “Regional Update - Burundi Situation, June 2017”, 30 June 2017, available at <http://reliefweb.int/report/burundi/unhcr-regional-update-burundi-situation-june-2017> (accessed on: 14 August 2017). (UNHCR June 2017)

⁵ UNHCR, “Refugees from Burundi: Current Situation”, 27 July 2017, available at <http://data2.unhcr.org/en/situations/burundi> (accessed on: 31 July 2017). (UNHCR, July 2017)

⁶ International Refugee Rights Initiative, “Burundi: a country on the edge”, April 2016, available at <http://www.refugee-rights.org/Publications/Papers/2016/BurundiACountryonthe%20Edge-FINAL.pdf> (International Refugee Rights Initiative, April 2016) and “I know the consequences of war’: Understanding the dynamics of displacement in Burundi”, December 2016 available at <http://www.refugee-rights.org/Publications/Papers/2016/Burundi%20FINAL.pdf>, (accessed 31 July 2017). (International Refugee Rights Initiative, December 2016)

What came through clearly from the interviews, was the ruthless and cruel nature of abuses committed by *Imbonerakure*, who regularly take over the role of state security agents and collaborate with them in committing human rights violations. It was clear that they were specifically targeting opposition members or citizens who refuse to join the ruling party. Many asylum seekers described how they were severely tortured in detention, how their family members were brutally killed or how they continued to suffer because of the fate of family members arrested by the militia. There seems to be no meaningful effort to hold perpetrators of human rights abuses to account.

Five out of thirty asylum seekers interviewed for this report, including one man, said they had been gang raped by *Imbonerakure* and/or security forces, causing lasting traumas and injuries. Three rapes took place in Burundi, another at the border with Tanzania and the fifth in a refugee camp in Democratic Republic of Congo (DRC).

Several asylum seekers IRRI spoke to in Uganda, had first sought refuge in Tanzania, but complained about the difficult situation there for Burundians. Due to a combination of limited legal and physical protection, the difficult humanitarian situation and strained relations with host communities and Tanzanian authorities, most opted to travel on to Uganda. The majority had heard from relatives or friends already in Uganda that the situation there was significantly better than in other countries in the Great Lakes region.

The situation in Uganda, especially in terms of legal protection, security, relative freedom of movement and basic necessities, indeed seems better than in neighbouring countries, especially Tanzania and DRC. However, some did still complain about protection issues, insufficient non-food items and difficulties in accessing to specialised medical care.

None of the Burundians exiled in Uganda, whom IRRI spoke to, are considering returning to Burundi any time soon, despite a controversial attempt by Burundian authorities in February 2017 to convince them to do so. Three conditions were set forward by a majority of them as requirements for them to consider returning: the dismantlement of the *Imbonerakure* militia, a change in government and accountability for abuses, especially those committed since April 2015. Most, however, did not believe such conditions would be met any time soon, if at all, and cited the cyclical nature of conflict in Burundi as a greater impediment for their return. The attempt by former Tanzanian president, Benjamin Mkapa, to convene a dialogue between the political elite was only mentioned by one of the people IRRI spoke to: most seemed to have lost their faith in their politicians, whether from the ruling party or the opposition.

The Burundian government should urgently put an end to the climate of violence, repression and impunity, by disbanding the *Imbonerakure* militia, by creating conditions for the return of political pluralism and freedom of expression across its whole territory and by cooperating with international accountability mechanisms. Given its reluctance to do so, international actors, especially from the region, should press the authorities to commit to meaningful measures to restore safety and freedom, should adopt concrete measures to protect Burundian citizens and should continue to offer Burundians a safe and dignified life outside of their country.

Recommendations

To the Burundian government:

- Urgently put an end to the violence and human rights abuses committed by *Imbonerakure*, security services and opposition armed groups, by publicly calling for respect for Burundian and international law and commit to mechanisms for accountability for all abuses, regardless of who committed them, especially those committed since April 2015;
- Disarm and demobilise the *Imbonerakure* militia and ensure that any political organisations operate strictly within the boundaries of Burundian and international law;
- Ensure that any human rights abuses are duly investigated and that all perpetrators are held to account for their actions, with due process, regardless of their status or political affiliation;
- Ensure political pluralism and freedom of expression, including at the local level and prohibit forced recruitment into political parties;
- Cooperate with international efforts to investigate human rights abuses and promote accountability.

To member states of the African Union and East African Community, in particular Uganda, Tanzania and Kenya:

- Increase pressure on the Burundian government to end and prosecute violence and human rights abuses and provide a safe space for Burundians to return to their country;
- Impose targeted sanctions on those government officials, *Imbonerakure* and opposition actors responsible for violence and human rights abuses;
- Promote international mechanisms that will provide accountability for perpetrators of human rights abuses and ensure protection for Burundian citizens.

To host countries of Burundian refugees, in particular Democratic Republic of Congo, Rwanda, Tanzania and Uganda:

- Ensure that any individual protection issues are fully investigated and that appropriate actions are undertaken to increase the security of Burundian asylum seekers and refugees;
- Ensure that national and international law is respected by allowing all Burundian asylum seekers to have their asylum application examined by a fair and transparent mechanism;
- Ensure that no Burundian refugee is returned or feels pressurised to return to Burundi against their will, provide full and accurate information on the situation in Burundi to refugees and refrain from any statements or actions that might place undue pressure on refugees.

To UNHCR and its implementing partners:

- Ensure that all asylum seekers and refugees have access to humanitarian assistance, to protection mechanisms and to specialised medical care.
- Ensure that any returns are truly voluntary and are monitored and supported by UNHCR and other humanitarian actors on the ground.

To donor governments:

- Increase funding to UNHCR's Burundi appeal;
- Continue to urge the Burundian government to create a free and safe environment, including by promoting accountability, disarmament and demobilisation of *Imbonerakure* and political pluralism on all levels.

Background

Political Crisis

The current crisis in Burundi erupted when President Pierre Nkurunziza announced his bid for a contested third term in the 2015 elections. In April 2015, protesters took to the streets, predominantly in Bujumbura, the capital city and were met with a disproportionate response by the security services, in particular the police and the *Service National de Renseignement* (SNR, also referred to as *documentation*). The situation degraded further when an attempted *coup d'état* failed on 14 May 2015, sparking a new round of repression against protesters, opposition members and perceived government critics. Burundi's once vibrant media outlets were attacked and remain largely inactive today, primarily as a result of government restrictions and the forced exile of its leading figures. Most human rights defenders left the country and civil society has been severely weakened.⁷

Since the beginning of the crisis, it is estimated that hundreds of people have been extra-judicially executed⁸ and large numbers have been forcibly disappeared. A particularly deadly moment was the attack by opposition armed groups against military installations on 11 December 2015, followed by a brutal reaction by government forces in neighbourhoods of Bujumbura perceived to be supporting the opposition. Opposition armed groups have also been accused of human rights violations.

Many human rights violations continue to be committed by the *Imbonerakure*, the youth league of the *Conseil National pour la Défense de la Démocratie - Forces pour la Défense de la Démocratie* (CNDD-FDD), the party in power, often in collaboration with the police and the intelligence services. The latter have operated a particularly ruthless system of arrests, torture and detention of (perceived) government opponents and civil society supporters. *Imbonerakure* members and policemen have also been accused of being involved in many cases of rape, often aimed at women who are family of opposition members.⁹

Since the height of the crisis, the security situation has stabilised, although occasionally grenade attacks take place and human rights abuses are ongoing, as demonstrated below.¹⁰

International Reaction

When the crisis erupted and violence in Burundi made the headlines, regional and international actors started discussing ways to resolve the crisis. Much hope was put into efforts by the East African Community (EAC), the regional organisation counting Burundi and most of its neighbours among its members. Despite numerous summits and faced with domestic issues and

⁷ For a more detailed background on the situation between April 2015 and April 2016, see International Refugee Rights Initiative, April 2016, and International Refugee Rights Initiative, December 2016.

⁸ A UN report published in September 2016, mentioned 564 verified cases, but added that “[g]iven the constraints under which OHCHR operate this is clearly a conservative estimate.” See United Nations Independent Investigation on Burundi, *final report*, A/HRC/33/37, 20 September 2016, available at <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=20534&LangID=E> (accessed on: 10 July 2017). (United Nations Independent Investigation on Burundi 2016)

⁹ Human Rights Watch, “Burundi: Gang Rapes by Ruling Party Youth”, 27 July 2016, available at <https://www.hrw.org/news/2016/07/27/burundi-gang-rapes-ruling-party-youth> (accessed on: 10 July 2017).

¹⁰ UN, “Differing Political Positions Continue to Fuel Deterioration of Socioeconomic Situation, Special Envoy Tells Security Council” SC/12929, 26 JULY 2017, available at <https://www.un.org/press/en/2017/sc12929.doc.htm> (accessed on: 31 July 2017)

a lack of consensus, the EAC has largely, to date, failed in its attempts to address the crisis. It has put its weight behind a mediation effort led by the former Tanzanian president, Benjamin Mkapa, who is struggling to get the parties, especially the government delegation, to commit to a meaningful and inclusive dialogue.

At the level of the African Union, several measures were proposed by the AU Peace and Security Council: human rights monitors, military observers, sanctions and a peacekeeping force. During an AU heads of state summit in January 2016, however, the organisation's supreme organ only approved the decisions to deploy military and human rights observers, and subsequently a high-level delegation was dispatched to Burundi to deal with the situation.¹¹ As was the case with other delegations trying to get the Burundian government to see sense, the delegation failed to promote any meaningful solution and the deployment of the AU monitors has been hampered by continuous government obstruction.

The same fate awaited a police force proposed by some UN Security Council (UNSC) members. After negotiations within the council, only a watered-down version of the initial proposal was agreed upon in July 2016: a maximum of 228 police agents, to monitor the security situation and to support the UN human rights office.¹² Despite the limited capacity of such a force, the Burundian government has refused to cooperate and the force has never been deployed. In September 2016, the UN Human Rights Council in Geneva established a Commission of Inquiry, mandated, amongst other things, to conduct a thorough human rights investigation, to identify perpetrators and to recommend steps to ensure accountability. It was met with the same non-cooperation by the government.¹³ In April 2016, the International Criminal Court (ICC) opened a preliminary investigation into the situation in Burundi,¹⁴ prompting the Burundian government to withdraw from the Rome Statute, the ICC founding treaty, in October 2016.¹⁵

Western donors reacted to the crisis by suspending parts of their development and military cooperation with Burundi. The EU and the US have enacted targeted sanctions against key government and opposition figures accused of involvement in committing or inciting human rights abuses and violence. The EU has also activated a clause in the Cotonou agreement, demanding progress on several benchmarks before resuming its direct development cooperation with the government.

The international community has thus far been unable to implement any meaningful solution to the crisis which has plagued Burundi for more than two years. Regional and international actors continue to put all their eggs into the single basket of a regionally mediated dialogue, but have yet been unable to convince the Burundian government to engage constructively in this exercise.

¹¹ International Crisis Group, "The African Union and the Burundi Crisis: Ambition versus Reality", 28 September 2016, available at <https://www.crisisgroup.org/africa/central-africa/burundi/african-union-and-burundi-crisis-ambition-versus-reality> (accessed on: 20 July 2017).

¹² UN News Centre, "Security Council approves 228-strong UN police component for Burundi", 29 July 2016, available at <http://www.un.org/apps/news/story.asp?NewsID=54599#.WXCiaojiIU> (accessed on: 20 July 2017).

¹³ UN Human Rights Council, "Situation of human rights in Burundi", 5 October 2016, available at http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/RES/33/24 (accessed on: 20 July 2017).

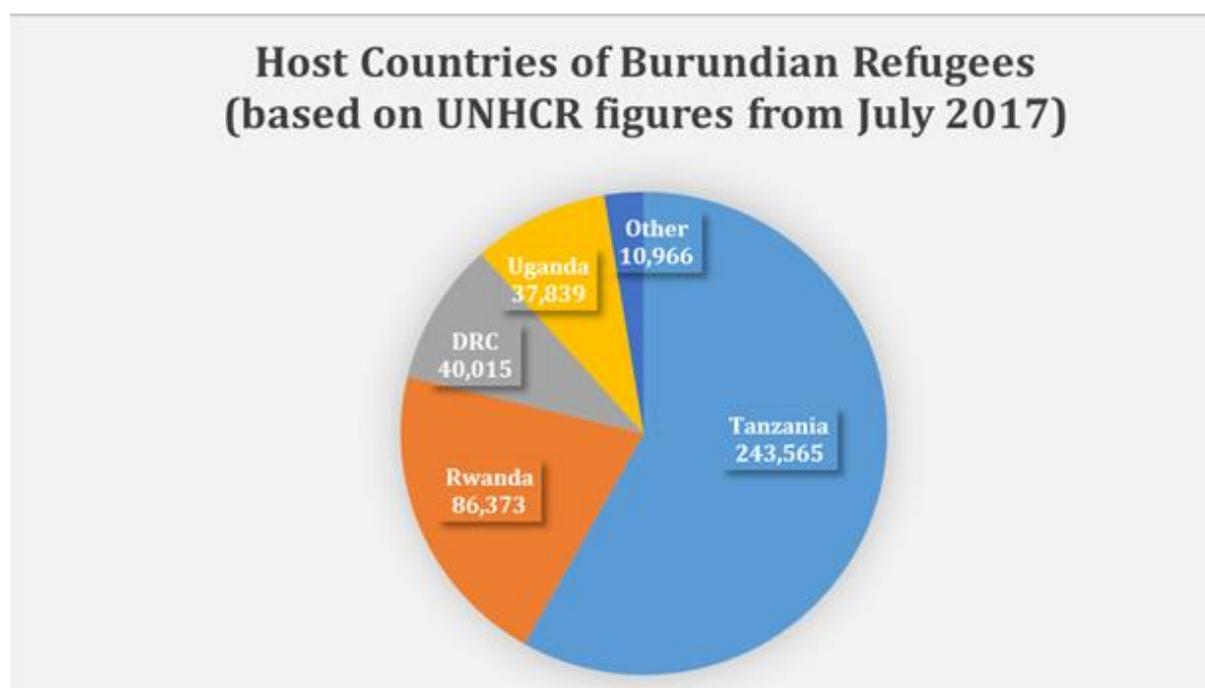
¹⁴ International Criminal Court, "Statement of the Prosecutor of the International Criminal Court, Fatou Bensouda, on opening a Preliminary Examination into the situation in Burundi", 25 April 2016, available at <https://www.icc-cpi.int/Pages/item.aspx?name=otp-stat-25-04-2016> (accessed on: 31 July 2017).

¹⁵ Reuters, "Burundi notifies U.N. of International Criminal Court withdrawal", 26 October 2016, available at <http://www.reuters.com/article/us-burundi-icc-idUSKCN12Q287> (accessed on: 20 July 2017).

The shutting down of independent media, attacks on civil society and the closing of the UN human rights office have resulted in a lack of understanding as to the day to day realities on the ground. This has created a situation that seems, from an external perspective, to be stable – despite the ongoing human rights violations – and has allowed the government to take a defensive position by blocking all proposed interventions. This has only been exacerbated by the lack of international consensus.

Refugees

The political crisis and subsequent serious human rights violations generated a large refugee outflow from Burundi to countries in the region. According to UNHCR, 418,758 Burundians fled the country between April 2015 and July 2017.¹⁶ Most fled to neighbouring Tanzania, Rwanda and DRC (see chart below) with Uganda hosting 37,839 Burundian refugees as of 31 July 2017.¹⁷ In these four major host countries, asylum seekers have continued to arrive in recent months, albeit at lower levels than in 2016, and UNHCR projects the numbers to rise to 534,000 by the end of 2017, with new arrivals largely exceeding the 50,000 Burundians expected to voluntarily repatriate.¹⁸



Burundian government representatives have repeatedly called on refugees to return, claiming the situation is calm and security has been re-established. In one such an attempt, in February 2017, a delegation led by Minister for Internal Affairs Pascal Barandagiye visited Nakivale refugee settlement in Uganda, where the research for this report was carried out, but was met with a hostile response by most Burundian refugees.¹⁹ After this visit, Uganda’s Minister for Disaster

¹⁶ UNHCR, July 2017.

¹⁷ Ibid.

¹⁸ UNHCR, “Burundi Situation” May 2017, available at http://reliefweb.int/sites/reliefweb.int/files/resources/UNHCR_0.pdf (accessed on 10 July 2017), p. 1. (UNHCR May 2017)

¹⁹ The East African “Burundi refugees refuse to return home”, 22 February 2017, available at <http://www.theeastafrican.co.ke/news/Burundi-refugees-refuse-to-return-home/2558-3823664-m8lk97z/index.html> (accessed on: 10 July 2017).

Preparedness, Hillary Onek was quoted in the media as saying that Burundian refugees should return when negotiations between the Burundian government and the opposition have been concluded,²⁰ but the government of Uganda subsequently clarified that “no Burundian refugee is to be expelled or forcefully repatriated” and that “the government will continue to provide asylum to the Burundian refugees until such a time when it is safe for them to return.”²¹

Tanzania lifted *prima facie* status for Burundian refugees in January 2017, Uganda in April 2017, meaning that Burundians are no longer recognised as a group and are required to undergo individualised refugee status determination.²² The lifting of *prima facie* status in Tanzania reportedly caused a drop of arrivals (though the change in Uganda has not had the same effect), with most asylum seekers preferring to move to Rwanda, DRC or Uganda. Burundians continue to arrive in Uganda, with authorities recording 560 arrivals in May 2017, who “continue to cite severe protection concerns as their reason of flight”.²³ Humanitarian agencies face a serious shortage of funds and struggle to provide basic humanitarian services, with UNHCR describing the Burundian refugee crisis – at only 4% funded²⁴ - as “one of the most underfunded refugee emergency [crises] worldwide”.²⁵

On 20 July 2017, during a state visit of President Nkurunziza to his counterpart Magufuli of Tanzania, both called on Burundian refugees in Tanzania to return. President Magufuli was quoted as saying: "It's not that I am expelling Burundian refugees, I'm just advising them to voluntarily return home."²⁶ He also reportedly temporarily suspended the registration and naturalisation of Burundian refugees.²⁷ In 2008, Tanzania took the unprecedented and commendable decision to offer naturalisation to approximately 200,000 Burundian refugees who had fled their country in 1972 and had since been living as refugees in Tanzania. 162,256 took up the offer of applying for naturalisation.²⁸ At the same time, Tanzania has in the past also been accused of forcibly returning Burundians to their country, in violation of the international legal principle of *non-refoulement*.²⁹

²⁰ RFI, “Le ministre burundais en Ouganda pour encourager les réfugiés au retour”, 15 February 2017, available at <http://www.rfi.fr/afrique/20170215-ministre-burundais-ouganda-encourager-refugies-retour-nakivale> (accessed on: 11 July 2017).

²¹ Office of the Prime Minister, “Government of Uganda position on Burundian refugees”, press statement, 17 February 2017, available at https://pbs.twimg.com/media/C430mz7WQAAG_9-.jpg (accessed on: 11 July 2017).

²² Ibid and IRRI interviews with UNHCR and humanitarian worker, Nakivale, 29 June 2017.

²³ UNHCR, May 2017, p. 5

²⁴ UNHCR, June 2017, p. 2.

²⁵ Ibid., p. 2.

²⁶ M. Mulisa, “Tanzania: Return Home, Burundians Told”, *Tanzania Daily News*, 21 July 2017, available at <http://allafrica.com/stories/201707210125.html> (accessed on: 26 July 2017).

²⁷ Ibid.

²⁸ International Refugee Rights Initiative, “I can’t be a citizen if I am still a refugee. Former Burundian Refugees Struggle to assert their new Tanzanian Citizenship”, *Citizenship and Displacement in the Great Lakes Region Working Paper 8*, March 2013, available at <http://www.refugee-rights.org/htdocs/Assets/PDFs/2013/ICantBeACitizen-FINAL.pdf> (accessed on: 31 July 2017).

²⁹ See for example UNHCR, “Tanzania: UNHCR concern on forced return of Burundians”, 1 February 2005, available at <http://www.unhcr.org/news/briefing/2005/2/41ff85ef4/tanzania-unhcr-concern-forced-return-burundians.html> (accessed on: 11 August 2017).

Methodology

In June 2017, IIRI conducted field research in Nakivale refugee settlement, in south-western Uganda. IIRI conducted in-depth interviews with 30 Burundian refugees and asylum seekers, assisted by a translator. Interviews were conducted with recent arrivals. For reasons of security and privacy, names and other identifying information of respondents has been withheld.

All but four respondents had arrived in Uganda between March and June 2017. Interviewees originated from 14 out of the 18 Burundian provinces, but most came from the north-western provinces of Muyinga, Ngozi and Kirundo. The average age of interviewees was 29 years old. Eight were women and 22 were men.

On 1 August 2017, IIRI wrote a letter with a summary of its findings and questions to UNHCR, the Ugandan Commissioner of Refugees at the Office of the Prime Minister (OPM) and the Burundian Ministry of Interior and Patriotic Education. Only OPM responded and these responses are integrated in the report. IIRI would like to thank OPM for responding to the letter and for granting access to the refugee settlement. IIRI also spoke to several humanitarian workers in Nakivale and would like to thank them for helping to facilitate the research.



Signpost at the entrance of Nakivale Refugee Settlement
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This report builds on research conducted in 2016, in Uganda, Burundi and Tanzania, as well as previous IIRI research, dating back to 2008.³⁰

IIRI was unable to independently verify all allegations of human rights abuses cited by the Burundian asylum seekers and refugees. Any verification would go beyond the aim of this report and would face serious challenges, given the restricted space for NGOs, media and international monitors to investigate human rights abuses inside Burundi. IIRI also recognises that testimonies can be coloured by respondents' personal traumas and by their hope for an improvement in their humanitarian situation and/or access to legal status in exchange for testimony, despite the fact that IIRI clearly mentioned the purpose of the interview, its strict research and structural advocacy mandate and the absence of any compensation for testimony before each interview. IIRI only included those testimonies which were part of a pattern of different testimonies and/or which it was able to corroborate with other sources.

³⁰ See: International Refugee Rights Initiative, April 2016, and International Refugee Rights Initiative, December 2016.

Drivers of Exile

The two main drivers of flight for Burundian exiles whom IRRI spoke to were, firstly, direct threats and abuses by *Imbonerakure* members and secondly, killings and enforced disappearances of family members. Others mentioned arbitrary detention, torture and sexual violence at the hands of security forces and *Imbonerakure* as the main reasons to leave Burundi and seek asylum in Uganda. This confirms a UN statement that “[a]rriving refugees continue to cite human rights abuses, fear of persecution and sexual and gender-based violence as reasons for fleeing”³¹ and is in line with IRRI’s research in 2016, which described violence and abuses as a key reason for fleeing Burundi.³² For a minority of asylum seekers, economic motives played a role in their decision to leave Burundi, but always in combination with other reasons.

Direct Abuses and Threats by *Imbonerakure*

Many Burundians fled their country because of abuses they suffered by the hands of *Imbonerakure*. They stated that the youth militia linked to the CNDD-FDD, the party in power, targets political opponents and forces citizens to join the party. Those who refuse are threatened, beaten or detained. “They do nocturnal rounds, they replace the police,” a farmer from Ruyigi said. “They come and arrest opposition members, sometimes killing them or beating them up.”³³ According to the Ugandan government, the most important reason for Burundians to continue to arrive in Uganda is the “presence of *Imbonerakure* who attack Burundian citizens who do not belong to the ruling party of CNDD-FDD especially those from FNL [*Forces nationales de libération*] and other opposition parties.”³⁴

Those interviewed said that not being member of the party in power is considered a “sin” or a “crime” in current-day Burundi. “There is no freedom in Burundi”, a secondary school student said, who fled after he and his father were beaten up by *Imbonerakure* for not being members of the CNDD-FDD. “You are considered an agitator when you are not a member of the CNDD-FDD. The situation has been like that since the CNDD-FDD came to power, but it has gotten worse recently.”³⁵ This observation was confirmed in the recent UN Commission of Inquiry statement, which noted “a broader tendency of enlisting the population into the ruling party, often by force”, while “any resistance is used as a pretext for human rights violations and abuses.”³⁶

A father of six children and a member of opposition party Union for National Progress (*Union pour le Progrès National*, UPRONA) also said that the situation had deteriorated:

³¹ UN News Centre, “With funding ‘down to a trickle,’ UN agency renews warning over Burundi refugees”, 23 May 2017, available at <http://www.un.org/apps/news/story.asp?NewsID=56821> (accessed on 12 July 2017).

³² International Refugee Rights Initiative, December 2016.

³³ IRRI interview with refugee, Nakivale, 28 June 2017.

³⁴ Office of the Prime Minister, “Answer to the questions from IRRI”, 9 August 2017, on file. (Office of the Prime Minister, August 2017)

³⁵ IRRI interview with asylum seeker, Nakivale, 28 June 2017.

³⁶ Fatsah Ouguerouz, *Oral Briefing at Human Rights Council Thirty-fifth session Interactive Dialogue on Burundi*, 14 June 2017, available at <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21760&LangID=E> (accessed on: 10 July 2017).

Not being member of CNDD-FDD is seen as a crime. The situation got worse with the 2015 crisis. Before, the cohabitation wasn't perfect, but we were able to hold meetings. Now those who are not CNDD-FDD members are seen as peace spoilers.³⁷

After continuing to refuse to join the CNDD-FDD, *Imbonerakure* came to his house and threatened him. He escaped through the window, but the youth militia arrested his friend. He said: "When I arrived in Uganda, they told me he had been killed. I was deeply shocked, I have no peace anymore in my heart."³⁸

It is not only opposition members that face these abuses: ordinary citizens, who try to keep a distance from politics, face the same fate when refusing to toe the line. One such citizen, a university student, told IRRI he fled the country after *Imbonerakure* started trying to force him to join the CNDD-FDD, even though he did not want to have anything to do with politics. "They were looking for me and said I was against the government and their party, that I was an opponent. They threatened me and spread the word that if they saw me, they would lock me up in the premises of the intelligence services." After a friend informed him that he was in imminent danger of being arrested, he left the country.³⁹

For a young farmer from Ruyigi, the turning point came when *Imbonerakure* wanted to arrest him after threatening him multiple times in order to convince him to join their party. They had stabbed his father to death in 2014, for also refusing to join the party. "When they wanted to arrest me again, I managed to flee my house and decided to leave the country. It was in January 2017. They did this because I wasn't a member of their party. When you're young and not a member, you always run the risk of an attack."⁴⁰

Imbonerakure also forced citizens to give financial contributions to the CNDD-FDD, or to participate in nocturnal rounds to provide protection to members of the party in power. A heavily pregnant woman fled when *Imbonerakure* surrounded her house, after her brother-in-law had refused to donate a percent of the profit he made with his bar to the *Imbonerakure*:

They told my brother in law: "You didn't take us seriously. Do it or we will eliminate you all. We will catch you and surround your house." When the night fell, I saw young men with black coats around our house. We fled in chaos. I managed to find my husband, but I don't have any information about my brother-in-law.⁴¹

People whose family members had already fled the country earlier seemed to raise the *Imbonerakure's* suspicion, prompting them to commit abuses. Some described *Imbonerakure* abuses against family members of exiled Burundians as a main driver of flight.⁴² A mother of six told IRRI:

My husband went into exile in the beginning of the year. The *Imbonerakure* then came to look for him, but he had already left. They intimidated me a lot, so I decided to leave too. They said: "If you don't tell us where he is, we will kill you." The first time they came, they

³⁷ IRRI interview with asylum seeker, Nakivale, 29 June 2017.

³⁸ IRRI interview with asylum seeker, Nakivale, 29 June 2017.

³⁹ IRRI interview with asylum seeker, Nakivale, 27 June 2017.

⁴⁰ IRRI interview with refugee, Nakivale, 28 June 2017.

⁴¹ IRRI interview with refugee, Nakivale, 28 June 2017.

⁴² IRRI interview with UNHCR official, Nakivale, 29 June 2017.

beat us. The second time, we had been warned by family who are members of CNDD-FDD. We decided to go to Uganda.⁴³

Killings and Enforced Disappearances of Family Members

Many Burundian asylum seekers and refugees in Uganda told IRRRI that they fled their country after *Imbonerakure* members killed one or more relatives. Many of the victims were members of the opposition parties such as the FNL or the Movement for Solidarity and Democracy (*Mouvement pour la solidarité et la démocratie*, MSD). Both parties have a significant membership base, their representatives played a significant role in the mobilisation against Nkurunziza's third mandate in April 2015 and some leaders are currently engaged in armed mobilisation against the Burundian government.⁴⁴

A young farmer, who arrived in Uganda in April 2017, told IRRRI that his father, a member of the FNL, had been killed by *Imbonerakure*:

My father was killed in December 2016. A local official handed him over to the *Imbonerakure*. He called my father and told him he wanted to see him. When my father arrived, the *Imbonerakure* took him. [...] He was killed by machete blows. They tied him to a tree and stuck a tree branch in his back. I saw the body myself.⁴⁵

In a similar fashion, *Imbonerakure* killed the mother of a male asylum seeker, also an FNL member, with a machete.⁴⁶ Both cases occurred in Burundi's northern provinces.

A student told IRRRI his family was killed when a grenade exploded in their house in March 2017. While he was not able to identify the person who threw the grenade, he assumed that it was related to his families' membership of UPRONA, another opposition party.

Other family members of Burundian exiles were forcibly disappeared. In January 2017, *Imbonerakure* arrested the brother of an asylum seeker in Muyinga and took him to the local SNR office. His family has not heard from him since.⁴⁷ In the same province, in February 2017, *Imbonerakure* arrested the brother of a female asylum seeker in their house. He was not a member of the CNDD-FDD. The woman immediately left her house and has not heard from her brother since.⁴⁸ More recently, in April, *Imbonerakure* arrested the husband of a young woman IRRRI met in Uganda. He was not a member of any opposition party, nor of the CNDD-FDD, possibly the reason for his arrest. She visited all nearby detention centres, but did not manage to find him.⁴⁹

⁴³ IRRRI interview with asylum seeker, Nakivale, 28 June 2017.

⁴⁴ Alexis Sinduhije, for example, the leader of MSD, was connected by the UN Group of Experts on the DRC to FRONABU - Tabara (also known as RED-Tabara), a Burundian armed group operating in eastern DRC. In the same area, an FNL splinter group is also active, commanded by 'General' Aloys Nzamapema, but with unclear links to the FNL political party in Burundi and its leader, Agathon Rwaswa. See UN Group of Experts on the DRC, Final Report, 23 May 2016, available at http://www.un.org/ga/search/view_doc.asp?symbol=S/2016/466 (accessed on: 21 July 2017), pp. 10 - 13. (UN Group of experts on the DRC 2016)

⁴⁵ IRRRI interview with refugee, Nakivale, 27 June 2017.

⁴⁶ IRRRI interview with asylum seeker, Nakivale, 27 June 2017.

⁴⁷ IRRRI interview with asylum seeker, Nakivale, 27 June 2017.

⁴⁸ IRRRI interview with asylum seeker, Nakivale, 27 June 2017.

⁴⁹ IRRRI interview with refugee, Nakivale, 28 June 2017.

While *Imbonerakure* forcibly disappeared most of these individuals, they often work in collaboration with police and intelligence services. In other cases, those state agents carry out the arrests or killings. Despite the fact that most people whom IRRI spoke to knew the identity of the perpetrators, accountability for such crimes is extremely rare.⁵⁰ In some cases, fear of accountability by perpetrators might be a motive for additional abuses. A petty trader from Gatumba, close to the border with the DRC, said she fled Burundi when her father-in-law was arrested by a notorious police commander.⁵¹ The old man had obtained information linking another police officer to the execution of his son, her husband, in 2012, because of his membership of the FNL.⁵²

While none of the respondents mentioned this in their discussions with IRRI, our previous research and also documented by the UN, has shown that opposition armed elements have also been involved in abuses, including targeted killings and have been accused of grenade attacks, causing civilian casualties.⁵³

Arbitrary Detention and Torture

Several fled Burundi after they had been arbitrarily detained and tortured.

IRRI spoke to a secondary school teacher and MSD member, who arrived in Nakivale in July 2016, but was still residing in the reception centre, as he did not have the strength to build his own house due to torture inflicted on him in Burundi. He said: “They arrested me, and I spent two months at the *documentation*. I was seriously tortured: they beat us with sticks and suspended bottles from my genital organs.”⁵⁴ He believed he had been arrested for being a member of an opposition party, in combination with a family conflict with a powerful CNDD- FDD member.

An FNL member reported that SNR officers beat him during arbitrary detention in their detention centre in Ngozi, using batons with barbed wire. He said he was later transferred to



A Burundian refugee shows his torture scars
© International Refugee Rights Initiative,
2017

⁵⁰ In a notable exception, in June 2017, three *Imbonerakure* members were sentenced to life in prison for murder. See SOS-Torture, Report No. 78, 11 June 2017, available at <http://sostortureburundi.over-blog.com/2017/06/report-no.78-of-sos-torture/burundi-published-on-10-june2017.html> (accessed on: 11 July 2017).

⁵¹ IRRI interview with asylum seeker, Nakivale, 28 June 2017.

⁵² In 2012, the UN Office in Burundi (BNUB) documented 30 cases of executions and killings, a significant decrease compared to 2011, “although remaining unacceptably high.” Between 2010 and 2012, many members of FNL and other opposition parties were executed in what appeared to be politically motivated assassinations. See: United Nations Secretary General, “Report of the Secretary-General on the United Nations Office in Burundi”, 18 January 2013, available at http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2013/36 (accessed on: 3 July 2017).

⁵³ United Nations Independent Investigation on Burundi, p. 8 – 9, International Refugee Rights Initiative 2016.

⁵⁴ IRRI interview with Burundian refugee, Nakivale, 28 June 2017. Such torture techniques were also documented by other reports, such as Human Rights Watch, “Burundi: Intelligence Services Torture Suspected Opponents Dismiss and Prosecute Officials Responsible”, 7 July 2016, available at <https://www.hrw.org/news/2016/07/07/burundi-intelligence-services-torture-suspected-opponents> (accessed on: 10 July 2017) and Fatsah Ouguerouz, *Oral Briefing at Human Rights Council Thirty-fifth session Interactive Dialogue on Burundi*, 14 June 2017, available at <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21760&LangID=E> (accessed on: 10 July 2017).

a regular prison and then provisionally released.

I still have wounds from this torture. When I arrived at the *documentation* they asked me where we held meetings and hid arms. I said I didn't have any information, then they said: "you will tell us everything". They forced me to say that Agathon Rwasa [FNL leader] distributed weapons. I was at the SNR until my brother gave them seven million Burundian Francs [about USD 4000]. They brought me before a judge, I told him I had been tortured.⁵⁵

This was not the only case in which relatives or friends paid bribes to get people out of detention. A young man, who was finishing secondary school in Burundi before he had to leave, said he had been detained briefly after he tried to flee *Imbonerakure* who wanted him to join their political party. He left after a friend gave some money to his guards, allowing him to leave detention and his country.⁵⁶

As documented already, some fled when people with information from within the *Imbonerakure* or the SNR alerted them that they ran the risk of being arrested soon. Fearing prolonged arbitrary detention, torture and extra-judicial executions, they decided to flee their homes and their country.

Sexual Violence

Sexual violence committed by *Imbonerakure* and/or security forces has been documented as another driver of exile for Burundians. IRRI spoke to five rape survivors, including one man. Three described the rape as a main reason for leaving the country, another was raped while trying to do so, while the fifth was raped in a refugee camp in DRC (see below). Because of the sensitive nature and stigma attached to sexual violence, it is possible other respondents who had undergone the same abuses could have chosen not to disclose such information.

In February 2017, a former hairdresser; who arrived in Uganda in April, was gang raped inside her house by two *Imbonerakure* and two military personnel. Her husband had been forcibly disappeared a month earlier and her brother in law had been killed. "We weren't members of any political party, but they accused us of not contributing to the CNDD-FDD and of not participating in public events." She fled immediately after and four months later she still suffers from the physical and psychological consequences of the rape and beatings.⁵⁷

More recently, in May, a female street vendor was gang raped inside her house in Bujumbura, by men that she thought were police:

They were four. They told me not to scream, if not they would kill me. Two took my arms from behind, a third took my legs, and the fourth did his thing. They did it one after the other. I didn't recognise them, their faces were hidden. They were wearing [police] uniforms and had arms with them.⁵⁸

⁵⁵ IRRI interview with asylum seeker, Nakivale, 29 June 2017.

⁵⁶ IRRI interview with refugee, Nakivale, 28 July 2017.

⁵⁷ IRRI interview with asylum seeker, Nakivale, 27 June 2017.

⁵⁸ IRRI interview with asylum seeker, Nakivale, 27 June 2017.

She thought she had been targeted for being an FNL member: “They forced us to join the party in power. If we would refuse, they could kill us.”⁵⁹ The UN Commission of Inquiry confirmed receiving “testimonies of sexual violence against female relatives of government opponents, especially by people believed to be *Imbonerakure*.”⁶⁰

A male student previously living in Nyakabiga, a neighbourhood of Bujumbura, told IRRI he had been raped in 2015 by unknown men in police uniforms. “They entered my house and started beating me. I tried to resist but in vain. They raped me. I lost conscience and woke up in the hospital.” He showed IRRI police and medical records supporting his claims.⁶¹

A 20-year old woman interviewed by IRRI was trying to flee Burundi after her brother had been killed by *Imbonerakure*, but was stopped at the border between Burundi and Tanzania by three *Imbonerakure*:

They ordered me to turn back. But I said that my brother had been killed and that I had no family left. Then they told me to make a choice between rape and execution. I answered that they could do what they wanted, instead of killing me. Then they raped me, one after the other. It went on for an hour. ⁶²

Economic Hardship

A minority of asylum seekers told IRRI that economic motives also played a role in their decision to leave Burundi, but always in combination with abuses committed by *Imbonerakure*. This was well illustrated by the story of a chicken trader from Kirundo province:

In May 2017, I wanted to sell chickens in Rwanda. *Imbonerakure* stopped me and said: ‘You don’t have permission [to sell chickens in Rwanda]. They are probably intended for [General Godefroid] Niyombare.’⁶³ I said I had no link with him [Niyombare], that I didn’t know him and that I was just trying to make a living. They threw me in the police cell, took all my chickens and asked me for 25,000 Burundian francs (about USD 14). Then they released me.⁶⁴

He continued his business, but when he returned home later his small shop had been looted. He said: “I fled for security, because I had been arrested, but there were also economic factors, as I didn’t have the capital [to rebuild my business].”⁶⁵

During a recent UNSC meeting, the UN Special Envoy on Burundi, Michel Kafando, said that “unemployment compelled Burundians, especially young ones, to leave home for neighbouring

⁵⁹ IRRI interview with asylum seeker, Nakivale, 27 June 2017.

⁶⁰ Fatsah Ouguergouz, *Oral Briefing at Human Rights Council Thirty-fifth session Interactive Dialogue on Burundi*, 14 June 2017, available at <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21760&LangID=E> (accessed on: 10 July 2017).

⁶¹ IRRI interview with asylum seeker, Nakivale, 27 June 2017.

⁶² IRRI interview with asylum seeker, Nakivale, 27 June 2017.

⁶³ Godefroid Niyombare was a senior Burundian military officer who led the failed *coup d'état* attempt against the government of Pierre Nkurunziza on 13 May 2015 and subsequently fled the country. Burundian authorities have consistently accused Rwanda of supporting armed groups conspiring to topple the Burundian government, which Rwanda and representatives of armed groups have denied.

⁶⁴ IRRI interview with asylum seeker, Nakivale, 29 June 2017.

⁶⁵ IRRI interview with asylum seeker, Nakivale, 29 June 2017.

countries.”⁶⁶ A 53-year old unemployed man and a 22-year old agricultural worker said they left for a combination of the deterioration in security and the rampant unemployment.⁶⁷ The latter told IRRI:

Life has become worse. We don't have money to buy what our family needs. It is difficult to continue living. [...] There are no employers. I looked for two or three days for a small job, but wasn't able to find one, and didn't have any money. So I decided to leave Burundi.⁶⁸

In addition, the general economic situation was difficult for the average Burundian, a female farmer from Cibitoke told IRRI: “The inflation, especially for food products, is unbearable for the common people. That's one of the reasons why we decided to leave.”⁶⁹

Burundi saw its already relatively modest growth evaporating into a contraction of 4% in 2015 and 1% in 2016 and is expected to experience zero growth in 2017 and 2018.⁷⁰ Its inflation stood at a soaring rate of 19.4% in April, resulting in a more than 30% increase for food prices.⁷¹ The humanitarian situation risks deteriorating further, entailing new internal displacement, malnutrition amongst children and acute food insecurity.⁷²

A similar tendency was observed during previous IRRI research, where a few Burundians cited poverty as their primary reason for fleeing, but cited it alongside political difficulties. Several reasons could be given for this: it's likely that most did not flee primarily for economic reasons, but it's also possible some might be aware that those fleeing economic difficulties are not eligible for refugee status. Furthermore, individuals might be more inclined to flee from insecurity and a personal history of abuses if they have less property, economic opportunities and thus reasons to stay.⁷³

Why Uganda?

Burundians who flee their country and come to Uganda do so for several reasons. Most Burundians flee to neighbouring countries Tanzania, DRC or Rwanda; those that came to Uganda often made a deliberate decision based on information provided by other asylum seekers, often friends or family, who were on their way to Uganda or already there. Most opted for Uganda instead of other countries because it does not border Burundi, which they thought would reduce the security risks.

⁶⁶ UN, “Differing Political Positions Continue to Fuel Deterioration of Socioeconomic Situation, Special Envoy Tells Security Council” SC/12929, 26 JULY 2017, available at <https://www.un.org/press/en/2017/sc12929.doc.htm> (accessed on: 31 July 2017)

⁶⁷ IRRI interview with asylum seeker, Nakivale, 29 June 2017 and with refugee, Nakivale, 28 June 2017.

⁶⁸ IRRI interview with refugee, Nakivale, 28 June 2017.

⁶⁹ IRRI interview with refugee, Nakivale, 28 June 2017.

⁷⁰ International Monetary Fund, “World Economic Outlook”, April 2017, available at <http://www.imf.org/en/Publications/WEO/Issues/2017/04/04/world-economic-outlook-april-2017> (accessed on: 11 July 2017), p. 204.

⁷¹ Reuters, “Burundi's yr/yr inflation eases to 19.4 pct in April”, 30 May 2017, available at <http://af.reuters.com/article/africaTech/idAFL3N1IW2KY> (accessed on: 11 July 2017).

⁷² OCHA, “Humanitarian Bulletin Burundi”, 4 May 2017, available at <http://reliefweb.int/sites/reliefweb.int/files/resources/Hum.%20Bulletin%20-%20Mai%20-%20EN.pdf> (accessed on: 11 July 2017).

⁷³ International Refugee Rights Initiative 2016, p. 25-26.

Most people whom IRRI spoke to in Uganda transited through Tanzania, but decided not to stay there, as they had received information that life was not easy for Burundians in Tanzania. Others did try to settle in Tanzania, but left after experiencing problems. Throughout discussions with those who tried to stay in Tanzania before moving on to Uganda, IRRI noted four main factors for their move: the revocation of *prima facie* refugee status, the problematic humanitarian situation, difficult relations with the Tanzanian authorities and host communities and security incidents.

Firstly, Tanzania rescinded *prima facie* refugee status for Burundian asylum seekers on 20 January 2017, after having received close to 250,000 Burundian refugees since April 2015.⁷⁴ The Tanzanian government started a screening process in mid-February, which resulted in stricter border controls, a drop in arrivals in Tanzania and increasing numbers of people moving to Uganda, Rwanda and DRC.⁷⁵ According to a UNHCR official, this change in policy made it difficult even for Burundians with genuine refugee claims to obtain refugee status.⁷⁶ Several Burundians in Uganda spoke of people being forced back into Burundi from Tanzania.⁷⁷ A domestic worker from Kirundo said: “I met people who were forcibly returned to Burundi. The Tanzanian police organised searches and all people who were not Tanzanian were arrested and either put in a camp or brought back to Burundi.”⁷⁸ The Tanzanian government has been accused of forced returns in the past, and President Magufuli has announced a suspension in refugee registration (see above).

Secondly, the lack of humanitarian assistance was another reason asylum seekers moved to Uganda from Tanzania. Several of the people spoken to complained of insufficient food rations, which was also confirmed as a main factor for their move to Uganda by a UNHCR official.⁷⁹ Testimonies gathered by *Médecins Sans Frontières* (MSF) and Oxfam give an account of the difficult sanitary conditions, limited access to food and overcrowding of the refugee camps in Tanzania.⁸⁰

Thirdly, some respondents complained about difficult relations with the Tanzanian authorities and host communities, resulting in abuses and limits to their freedom of movement. An asylum seeker, who fled Burundi to Tanzania in June 2016 and got refugee status there, decided to move on to Uganda in April 2017:

The reason I left Tanzania was the insufficient rations and the fact that we were forced to stay in the camp. Those who tried to make a living elsewhere [outside of the camps] were

⁷⁴ UNHCR, “Tanzania Inter-Agency Operational Update: Burundi Refugee Situation (3-16 February 2017)”, 16 February 2017, available at <http://reliefweb.int/report/united-republic-tanzania/unhcr-tanzania-inter-agency-operational-update-burundi-refugee-8> (accessed on: 12 July 2017).

⁷⁵ UNHCR May 2017 p. 1.

⁷⁶ IRRI Interview with UNHCR official, Nakivale, 29 June 2017.

⁷⁷ IRRI interviews with asylum seekers, Nakivale, 27 & 28 June 2017.

⁷⁸ IRRI interview with asylum seeker, Nakivale, 27 June 2017.

⁷⁹ IRRI Interview with UNHCR official, Nakivale, 29 June 2017.

⁸⁰ *Médecins Sans Frontières*, “Tanzania: Testimonies from refugees in Nduta and Nyarugusu camps”, 20 February 2017, available at <http://www.msf.org/en/article/tanzania-testimonies-refugees-nduta-and-nyarugusu-camps> (accessed on 12 July 2017); Oxfam International, “Burundian refugees find safety in Tanzania but also new challenges” <https://www.oxfam.org/en/burundi/burundian-refugees-find-safety-tanzania-also-new-challenges> (accessed on 12 July 2017).

killed by the Tanzanians. [...] The Tanzanian population is hostile towards refugees. They throw you in prison, loot your goods or bring you to the border.⁸¹

This interviewee, along with another man IRRI interviewed, spent four days in prison in Tanzania, the former for listening to the radio during the night, the latter for not possessing a valid travel document. Both said they had been beaten during detention, never saw any paperwork relating to their detention and were released as arbitrarily as they were arrested.

Lastly, some complained about security issues with fellow Burundians in Tanzania. A former security guard said that when he was in a refugee camp in Tanzania, a Burundian man came to take pictures of him, allegedly to document the fact that he had fled the country. When he reported this to the authorities, they transferred him to another location. He was also regularly accused by other Burundian refugees, whom he feared were *Imbonerakure*, of supporting rebel groups.⁸²

Security issues and abuses, combined with “extremely poor conditions, often without shelter”⁸³ in refugee camps, were also the main reason for people who spent some time in DRC to move to Uganda. IRRI spoke to a woman who came to Uganda after spending almost two years in Lusenda refugee camp in the DRC. She described the difficult humanitarian conditions in the camp, such as the absence of shelter and the presence of Burundian intelligence officers and armed groups, whom she thought were *Imbonerakure* being trained in DRC.⁸⁴

In March 2017, four armed men forced their way into her homestead in the refugee camp: “They told me to lie on the ground and pointed a Kalashnikov at my head. [...] They beat me with a machete. Then they left me house, but their boss came back, told me again to lie on the ground, and raped me.”⁸⁵ Protection issues appear to be alarmingly high for Burundian asylum seekers in DRC: an NGO responsible for protection in the Congolese province of South Kivu reported 940 protection incidents in May 2017 alone, including 64 cases related to sexual and gender-based violence.⁸⁶

Some respondents said Rwanda was also not a good option because of its proximity to Burundi and the political tensions between the two governments. A former businessman from Muyinga, who spent some time in Rwanda before travelling on to Uganda, said he had been questioned by Rwandan intelligence agents, who suspected him of being an *Imbonerakure* and briefly detained him in a detention facility close to Mahama refugee camp, before he managed to prove his innocence.⁸⁷

Some Burundians, who have recently arrived in Uganda, had previously been displaced internally within Burundi when the violence started in 2015, but when this did not significantly

⁸¹ IRRI interview with asylum seeker, Nakivale, 27 June 2017.

⁸² IRRI interviews with asylum seeker and refugee, Nakivale, 27 June 2017.

⁸³ UNHCR, “UNHCR renews warning over Burundi situation as funding dries to a trickle” 23 May 2017, available at <http://www.unhcr.org/news/briefing/2017/5/5923f1004/unhcr-renews-warning-burundi-situation-funding-dries-trickle.html> (accessed on: 21 July 2017).

⁸⁴ A UN report cited several sources who said such training had taken place in 2014. See UN Group of Experts on the DRC, “Final report”, 12 January 2015, available at <https://monusco.unmissions.org/sites/default/files/n1466372.pdf> (accessed on: 21 July 2017).

⁸⁵ IRRI Interview with asylum seeker, Nakivale, 28 June 2017.

⁸⁶ UNHCR May 2017, p. 5.

⁸⁷ IRRI Interview with asylum seeker, Nakivale, 28 June 2017.

improve their security situation and despite reports of security improving since that period, opted to go into exile.⁸⁸ One of them said: “In 2015, during the protest, I left Bujumbura to go to Gitega. There, it was calm then, but now there are also arrests in the countryside. That’s why I left.”⁸⁹ There are more than 200,000 internally displaced persons (IDPs) in Burundi; about a third reported that they can’t go back because of security issues.⁹⁰

Living in Nakivale

Nakivale refugee settlement, located in south-western Uganda, hosts about 95,000 refugees and asylum seekers. It is one of the older settlements in Uganda. About half of the population is from the DRC, with Burundians making up the second biggest group.⁹¹

Most asylum seekers and refugees whom IRRI spoke to were satisfied with their overall situation in Nakivale, especially citing their improved security situation. Some, however, reported that they continue to receive threats from Burundi, by SMS or Facebook, telling them it is known that they are in Uganda and that they are not safe there.

A minority feared that *Imbonerakure* or intelligence operatives could be present in the settlement, presenting themselves as asylum seekers, but with the purpose of monitoring refugee activities. Two men told IRRI they had recognised *Imbonerakure* who were involved in abuses against them in Burundi. A student who fled Burundi because of intimidation by *Imbonerakure* said he saw two *Imbonerakure* members who had ill-treated him in the reception centre in Nakivale. After he alerted NGO workers in the camp, the two individuals left the settlement, presumably to return to Burundi.⁹²

The other man said: “There is insecurity here, because there are *Imbonerakure* who come here. I informed the authorities [in Nakivale settlement] about it, but no protection measure has been put in place. I recognised two of them, I knew them from Burundi.”⁹³ Despite a request, UNHCR



A Burundian refugee below a poster about sexual violence
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⁸⁸ UN, “Differing Political Positions Continue to Fuel Deterioration of Socioeconomic Situation, Special Envoy Tells Security Council” SC/12929, 26 JULY 2017, available at <https://www.un.org/press/en/2017/sc12929.doc.htm> (accessed on: 31 July 2017).

⁸⁹ IRRI Interview with asylum seeker, Nakivale, 26 June 2017.

⁹⁰ Displacement Tracking Matrix, *Burundi Dashboard #7*, April 2017, available at <https://drive.google.com/file/d/0B5kVYdvcMFtcaXBmSDRycV9XUkU/view> (accessed on: 10 July 2017).

⁹¹ UNHCR, “Refugees and Asylum Seekers in Uganda - Statistical summary as of 31 May 2017”, 31 May 2017, available at <http://reliefweb.int/report/uganda/refugees-and-asylum-seekers-uganda-statistical-summary-31-may-2017> (accessed on: 26 July 2017).

⁹² IRRI Interview with asylum seeker, Nakivale, 27 June 2017.

⁹³ IRRI Interview with refugee, Nakivale, 28 June 2017.

provided no information to IRRI about reports of presence of *Imbonerakure* in the camp, but earlier stated that it had received 56 protection cases in Nakivale in May, including 20 cases of SGBV and that all these cases were well documented and referred to appropriated services.⁹⁴ The Ugandan government told IRRI that “a strong system has been put in place to effectively detect and deal with any refugee or non-refugee with subversive tendencies in the settlement.”⁹⁵

Most people who spoke to IRRI, mainly in the reception centre, said that they appreciated the humanitarian support offered to them, but noted shortcomings. Almost all respondents complained about difficult access to non-food items such as mattresses, blankets and soap, forcing them to sleep on the ground in the cold and limiting their personal hygiene. During IRRI’s visit to Nakivale’s reception centre, food distribution was regular, but many residents complained that there had been shortages in the months before and that they suffered from the monotonous diet, consisting of maize and beans. OPM told IRRI in response to a letter that it “is aware of the short comings of non-food items and of food shortages that were caused by the [South] Sudanese influx” and that remedies were put in place, including sensitisation about food cuts in April and May and advocacy for more alternative livelihoods, food support (due to low harvest affected by drought) and non-food items.⁹⁶

Access to basic health services was sufficiently available to asylum seekers and refugees, but despite the fact that an apparently elaborate framework of services is in place for victims of torture and sexual and gender-based violence, people with more complicated medical issues said they faced hurdles in receiving the appropriate care and attention.⁹⁷ A rape victim told IRRI that when she went to see a doctor for medical issues apparently related to her rape, she did not manage to communicate her problem, due to language barriers. She did not want to request assistance to any other Burundian asylum seeker, out of fear of stigmatisation. She was given malaria treatment medicines.⁹⁸ A father of seven children, who had a piece of grenade shrapnel near his ear and had a child with serious heart conditions, said that no services were available to assist him or his child.⁹⁹ This was also confirmed by a torture victim, who felt that the resulting physical and mental trauma was not taken seriously and that no effort was being made to restore his dignity.¹⁰⁰

Return to Burundi

Most people IRRI spoke to were very clear that they were not considering returning to Burundi at present. “I’d rather commit suicide than go back to Burundi”, a farmer and mother of two said.¹⁰¹ Another woman added: “Without forced repatriation, I will never go back.”¹⁰²

Some mentioned conditions for their return. Three conditions were consistently mentioned: dismantlement of the *Imbonerakure* militia, a change of government and accountability for abuses, especially those committed since April 2015 against them or their family members. A

⁹⁴ IRRI interview with UNHCR official, Nakivale, 29 June 2017; UNHCR May 2017, p. 5.

⁹⁵ Office of the Prime Minister, August 2017.

⁹⁶ Ibid.

⁹⁷ IRRI Interview with UNHCR official, Nakivale, 29 June 2017; Office of the Prime Minister, August 2017.

⁹⁸ IRRI Interview with asylum seeker, Nakivale, 27 June 2017.

⁹⁹ IRRI interview with asylum seeker, Nakivale, 28 June 2017.

¹⁰⁰ IRRI interview with refugee, Nakivale, 27 June 2017.

¹⁰¹ IRRI interview with refugee, Nakivale, 27 June 2017.

¹⁰² IRRI interview with refugee, Nakivale, 26 June 2017.

young man from Rumonge said: “The only condition to be able to return, is the dismantlement of the system in place and of the *Imbonerakure*. But the situation doesn’t reassure us. The *Imbonerakure* are our neighbours and they are very many.”¹⁰³

The issues of proximity and high numbers of *Imbonerakure* members were mentioned by several respondents. As a student asked himself, with reference to *Imbonerakure* who threatened him: “How can I return if my neighbour, with whom I am in conflict, is still there? Even if Nkurunziza leaves power, I think the *Imbonerakure* will still be there. Burundi is too small, I can be caught wherever I am.”¹⁰⁴

Overall, respondents had little hope of any short-term improvements that would allow them to return. As a widow and mother of four from the province of Bujumbura Rural said: “Even when they change the president, I don’t want to go back. There are too many criminals in Burundi, and I know they can’t put them all in prison.”¹⁰⁵

Interestingly, negotiations between government and opposition actors were rarely mentioned as conditions for their return, while international actors put a lot of weight behind the stalled dialogue, facilitated by former Tanzanian President Benjamin Mkapa, under the aegis of the EAC. Only one man, from Gitega, said that “negotiations should happen, to protect the ordinary people. We can’t return with politicians in exile.”¹⁰⁶ Another man said: “All politicians in Burundi are dishonest,”¹⁰⁷ thereby expressing a widely shared sentiment among Burundian exiles of disappointment in the whole Burundian political elite.¹⁰⁸

According to UNHCR, 7,000 people previously registered as refugees in neighbouring countries have returned to Burundi,¹⁰⁹ in addition to “an increasing number of self-organized returns of Burundian refugees”, due to harsh camp conditions, prompting the return of 328 Burundians in June, mostly from Tanzania.¹¹⁰ Tanzania’s Home Affairs Minister told reporters that at least 5,000 refugees in Tanzania had also registered to return home.¹¹¹ According to the Ugandan government, there have been no returnees from Uganda, but nine families, consisting of 15 individuals, have registered to be repatriated.¹¹² More could have returned informally, either before obtaining refugee status, or without informing the authorities in the refugee settlement. While it is beyond the scope of this research, but documented in IRRI’s previous research in 2016, returnees in Burundi cited the improved security situation and the difficult humanitarian situation in refugee camps as the main reasons to return to their homeland.¹¹³

During this research, some people whom IRRI spoke to had already returned briefly to Burundi. One of them fled again three days after his return, after finding out that two of his brothers had

¹⁰³ IRRI interview with refugee, Nakivale, 28 June 2017.

¹⁰⁴ IRRI interview with asylum seeker, Nakivale, 27 June 2017.

¹⁰⁵ IRRI interview with asylum seeker, Nakivale, 28 June 2017.

¹⁰⁶ IRRI interview with refugee, Nakivale, 26 June 2017.

¹⁰⁷ IRRI interview with asylum seeker, Nakivale, 29 June 2017.

¹⁰⁸ International Refugee Rights Initiative, December 2016, pp. 35 – 36.

¹⁰⁹ UNHCR May 2017, p. 2.

¹¹⁰ UNHCR June 2017, p. 2.

¹¹¹ M. Havyarimana, “President Nkurunziza ventures out, asks refugees to go home”, in *The EastAfrican*, 22 July 2017, available at <http://www.theeastafrican.co.ke/news/Nkurunziza-visits-Tanzania/2558-4027806-4wiprfz/index.html> (accessed on: 31 July 2017).

¹¹² Office of the Prime Minister, August 2017.

¹¹³ International Refugee Rights Initiative, December 2016, pp. 29 – 31.

been killed in the crackdown following opposition attacks on military camps on the outskirts of Bujumbura in December 2015.¹¹⁴ A UNHCR official in Nakivale confirmed that some refugees from Uganda had returned to Burundi, but that some had fled again, especially because the *Imbonerakure* target people who come back from exile and/or who have family members abroad.¹¹⁵

IRRI also spoke to a man who fled to Tanzania when violence broke out in 1972.¹¹⁶ He was forcibly repatriated back to Burundi in 2013, but left Burundi again for Uganda in 2017.¹¹⁷ He said: “When I left Tanzania, even though it was through forced repatriation, I was happy. The leaders had changed. But when I was back in Burundi, I saw that this government also ill-treats people.”¹¹⁸

This man’s testimony was not the only reference to the many violent episodes that Burundi has gone through since its independence, resulting in many deaths and displacement. Several people whom IRRI spoke to in Uganda mentioned the cyclical nature of violence and displacement in Burundi as an impediment for their return. A young woman said: “I don’t want to go back to Burundi. Even when the current government and the *Imbonerakure* are dismantled, the next government can still do the same thing. We always experienced violence in Burundi.”¹¹⁹ This was reiterated by a male asylum seeker: “I can’t return to Burundi. What made me flee is the cyclical violence in Burundi. [If I go back] I risk being forced into exile again in the future.”¹²⁰

Two men also mentioned their willingness to take up arms to overthrow the current government and return to their country. IRRI spoke to a demobilised CNDD-FDD combatant, who fell out with his former brothers in arms. He said:

I need arms to liberate my country. I haven’t been approached yet [by any recruiters], I haven’t seen a leader, if not I would have left immediately. [...] I used to be a soldier. The party in power has nothing to do anymore with the philosophy during the time of the rebellion. Many of us are in exile.¹²¹

In the past, many Burundian rebel groups have created their rear bases in refugee camps in the region and there have been allegations about such recruitment since the beginning of the most recent crisis.¹²² It is important to establish a safe and free environment for return and to prevent armed group from generating more violence and repression in Burundi.

¹¹⁴ IRRI interview with asylum seeker, Nakivale, 27 June 2017.

¹¹⁵ IRRI interview with UNHCR official, Nakivale, 29 June 2017.

¹¹⁶ It is estimated that 150,000 to 300,000 people, mostly of Hutu ethnicity, were slaughtered by the Tutsi-dominated national army after a Hutu uprising. Some described this as a “selective genocide”. See R. Lemarchand, “The Burundi Killings of 1972”, 2008, available at <http://migs.concordia.ca/documents/The-Burundi-Killings-of-1972Lemarchand.pdf> (accessed on 12 July 2017).

¹¹⁷ IRRI has reported on this in the past. See, amongst others, Lucy Hovil, “Refugees resist repatriation”, 12 October 2011, available at <https://www.pambazuka.org/human-security/refugees-resist-repatriation> (accessed on: 21 July 2017)

¹¹⁸ IRRI interview with asylum seeker, Nakivale, 29 June 2017.

¹¹⁹ IRRI interview with refugee, Nakivale 28 June 2017.

¹²⁰ IRRI interview with asylum seeker, Nakivale, 27 June 2017.

¹²¹ IRRI interview with asylum seeker, Nakivale, 29 June 2017.

¹²² UN Group of experts on the DRC 2016, pp. 13 – 14 available at http://www.un.org/ga/search/view_doc.asp?symbol=S/2016/466 (accessed on: 21 July 2017).

Conclusion

While the testimonies IRRI captured in conversations with Burundian refugees in Uganda are only part of what is happening in Burundi, it is clear that abuses and insecurity continue to determine the lives of a significant part of Burundi's citizens. Abuses committed by *Imbonerakure*, the youth militia affiliated to the party in power, continue to force people to choose the path of exile. Many people whom IRRI spoke to recounted their personal stories of beatings, threats, disappearances and killings by members of this groups, often supported by security forces, almost always unpunished. Burundi has a history marred by violence and displacement – many, including some of its current leaders, have been subjected to personal tragedies and have been forced into exile in their country's violent past.

Several high-level Burundian officials, including the president, have recently urged refugees to return to their country, insisting that the situation is calm and peaceful. All the people in exile whom IRRI spoke to, however, contradicted this assessment and don't consider return as a viable option anytime soon. Only the dismantlement of the militia that caused them to flee, accountability for the crimes committed against them and political renewal might convince some to go back.

In order to show their citizens in exile that they are serious about creating conditions for their safe return, the Burundian government should urgently put an end to the *Imbonerakure* abuses, provide accountability (including by cooperating with international mechanisms) and re-open the political space. In the likely absence of such measures, regional states and international actors should stop ignoring the ongoing abuses and violence in Burundi and exert long-overdue pressure on the Burundian power-holders to end the crisis and protect all of citizens. As long as this is not the case, the regional actors should allow refugees to stay in their country, in good conditions and without pressure to return, and this should be supported by the international community.