

African leaders should raise concerns about Tanzania's pressure on refugees to return to Burundi

AI INDEX: AFR 16/1522/2019

Joint civil society statement

Ahead of the African Union (AU) High-Level Dialogue on displacement taking place from 4-6 December in Uganda, African and international NGOs call on African leaders and regional organisations to urge the government of Tanzania to stop pressuring 163,000 refugees and asylum seekers into returning to Burundi, where there are ongoing serious human rights violations against real or perceived opposition supporters, including returning refugees.

Hundreds of thousands of refugees fled Burundi after a political crisis erupted in 2015 and led to political violence and serious human rights violations. Tanzania currently hosts the largest group of those refugees and should be commended for having opened its doors to them.

However, senior Tanzanian government officials have repeatedly pressured Burundian refugees to go back to Burundi. One of these calls came from President John Pombe Magufuli, who [said](#) on October 11 that Burundian refugees should “go home.” An August 24 agreement between Tanzania and Burundi also says these refugees “are to return to their country of origin whether voluntarily or not” by December 31. To date, around 80,000 have returned with UNHCR’s financial and logistical assistance under a September 2017 “voluntary repatriation” agreement between Burundi, Tanzania and the United Nations High Commissioner for Refugees (UNHCR).

The Tanzanian government has seriously restricted asylum space, freedom of movement and economic opportunities for Burundian refugees. Those who venture outside of the Nyarugusu, Nduta and Mtendeli camps to meet their daily needs have at times been arrested and detained by Tanzanian security forces. Many returnees in Burundi cite the difficult humanitarian conditions in Tanzania as one of the reasons they left. UN agencies and non-governmental organisations have seen their ability to operate seriously restricted in both countries and face challenges in independently verifying the voluntary nature of the repatriation process.

These moves by Tanzanian authorities follow [similar restrictions](#) put in place for around 38,000 Burundians living in Mtabila camp who fled Burundi in the nineties and whose refugee status was revoked in 2012. This was followed by forced returns to Burundi. Some officials have recently threatened to use similar measures against those who currently refuse to return to Burundi.

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

Despite positive examples of solidarity in Burundi, returnees have faced exclusion and abuses at the hands of local authorities or members of the *Imbonerakure*, the ruling party’s youth wing. [Research](#) found that returning refugees are likely to be viewed as opposition supporters because they had previously fled. Accountability for abuse is virtually non-existent, and there are few avenues for returnees to express grievances, given overall restrictions on public freedoms, in particular in the run-up to the 2020 elections. The limited humanitarian and development support for returnees creates additional practical obstacles to re-integration.

So far, there have been no public statements by the African Union, the East African Community, the International Conference on the Great Lakes Region or African governments requesting the governments of Tanzania and Burundi to ensure that any returns are genuinely voluntary and conducted in safety and with dignity.

The High-Level Dialogue on the AU's theme of the year on "Refugees, Returnees and Internally Displaced Persons: Towards Durable Solutions to Forced Displacement in Africa" is a good opportunity to break this silence.

Representatives of African regional organisations and governments should seize on the opportunity that the High-Level Dialogue offers to make the AU's theme of the year a tangible reality for Burundian refugees. They should seek assurances from the Tanzanian government that it will guarantee the voluntary nature of the return process, keep asylum space open and desist from using any coercion against those refugees who want to stay. The AU and sub-regional bodies should call on African and international actors to support refugees who decide to stay in exile, as well as those who want to return and reintegrate in Burundi.

Speaking out on the situation in Tanzania would demonstrate that 50 years after the adoption of the African Refugee Convention, African institutions do not look away when the rights of refugees or returnees are at risk.

Signatories

1. Action des Chrétiens pour l'Abolition de la Torture – Burundi (ACAT-Burundi)
2. AfricanDefenders (the Pan-African Human Rights Defenders Network)
3. African Youth Action Network
4. Amnesty International
5. Association Burundaise pour la Protection des Droits Humains et des Personnes Détenues (APRODH)
6. Collectif des Avocats pour la Défense des Victimes de Crimes de Droit International Commis au Burundi (CAVIB)
7. East African Centre for Forced Migration
8. Forum pour le Renforcement de la Société Civile au Burundi (FORSC)
9. Human Rights Watch
10. International Refugee Rights Initiative
11. National Coalition of Human Rights Defenders – Burundi (CBDDH)
12. Observatoire de la Lutte contre la Corruption et les Malversations Économiques (OLUCOME)
13. Réseau des Citoyens Probes (RCP)
14. SOS-Torture/Burundi
15. DefendDefenders (East and Horn of Africa Human Rights Defenders Project)