

Alert n° 1

The right of Voluntary return for Congolese refugees must be preserved by the government of Burundi and UNHCR.

Within the framework of UMUSEKE program, human rights organisations such as the Burundian Human Rights League Iteka and King Umurundi Freedom have monitored and documented the humanitarian situation of Congolese who fled the crisis in Eastern DRC following the capture of UVIRA city by AFC-M23 and TWIGWANEHO. The management of a massive movement of a large number of refugees, consisting of both civilians and members of various armed groups, has the primary services that these refugees across different sites, centers, or military camps, especially the members of armed groups, has raised concerns and warrants close monitoring.

Since December 9, 2025, the Busumo site, located on Busumo Hill in the Kayongozi area, Ruyigi Commune, Buhumuza Province, has alone welcomed around seventy thousand Congolese, and others continue to arrive. Our organisations appreciate the commitment of the Government of Burundi and its partners, including ONPRA, UNHCR, and Burundi Red Cross, SOPRAD-CARITAS Ruyigi, given the initial assistance provided to these Congolese refugees despite various challenges being noted.

Indeed, our organizations have been concerned by some incidents observed during transfers from transit centers to the Busumo site and other locations, where some refugees were forced into vehicles while they wanted to return home. It should be noted that to this day, their complaints persist but in vain at Busumo site where they are settled. Abnormal behaviors, including an incident where a policeman was seriously injured, have already been reported at Busumo site, which led the governor of Buhumuza province to come and mediate.

In view of this alarming situation, our organisations wish to alert the government of Burundi and international community that the ultimatum given by the government of Burundi is on solution for a person claiming their fundamental rights.

This refusal of voluntary return is seen as a blatant violation of the principles of refugee protection established by the Geneva Convention of July 28, 1951, and its Protocol of January 31, 1967, relating to the Status of Refugees, as well as other applicable international instruments, which stipulate in Article (1,C.1.) that protection

ceases to exist for a person “if they have voluntarily sought protection again from the country of which they are national.”

The 1951 Geneva Convention, ratified by Burundi, preserves the right of refugees to voluntarily return to their home country in its first article and the right to freedom of movement (art.26).

In view of all the above, the Iteka League and King Umurundi Freedom recommend :

To the government of Burundi and UNHCR

- Initiate a dialogue between the authorities of the two countries for the repatriation process of those refugees who wish to return home.
- Accelerate the process to facilitate all congolese refugees who wish to return to their country in accordance with the Geneva Convention, other relevant international instruments, and the Constitution of Burundi.
- Continue to assist refugees on its territory in general, and the new Congolese refugees who need it most.

To the technical and financial partners of the Government of Burundi, including the UN,EU, and the diplomatic missions accredited to Burundi :

- To support the Government of Burundi and its partners so that they can fulfill their duty of protecting and caring for these refugees.
- To ensure the respect of refugees'rights, especially providing a prompt and safe solution for those requesting assistance for their voluntary return to their homeland.

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