

The Peace Process in Burundi: Successful African Intervention?

by
Devon Curtis*

Introduction

Three years have passed since the August 28, 2000 signing of the Arusha Peace and Reconciliation Agreement for Burundi, which was intended to bring an end to long-standing conflict in that country. Unlike previous attempts to resolve conflict in Burundi, the Arusha process has been largely driven by Africans. The former President of Tanzania, Julius Nyerere, was the mediator for the Arusha process until his death in October 1999, after which he was replaced by Nelson Mandela. The Deputy President of South Africa, Jacob Zuma, is the facilitator for Burundian ceasefire negotiations, and Ugandan President Yoweri Museveni is the Chairman of the Regional Initiative on Burundi.

When the Arusha Agreement was signed in August 2000, it was widely recognised as a significant achievement in the history of that troubled nation. Nonetheless, the Arusha Agreement has many shortcomings, which, three years later, have not been resolved. Many of the parties that signed the Arusha Agreement did so with formal reservations. Furthermore, two active rebel groups did not sign the Arusha agreement, and have continued their armed struggle. Negotiations with one of these rebel groups, the Conseil national pour la defense de la democratie-Forces pour la defense de democratie (CNDD-FDD), have progressed considerably in recent weeks, but the other active rebel group, the Forces nationales de liberation (Palipehutu-FNL) has not yet agreed to formal negotiations. Violence continues. Therefore, three years after the signing of the Arusha Accord, can the Burundian peace process be considered an African success? At best, the assessment is mixed. The Arusha process has established an important reference point for African intervention and has provided near consensus on a number of difficult issues, but the process and agreement are fundamentally flawed and still face a number of important challenges.

International efforts to resolve the Burundian conflict

The most prevalent view of the Burundian conflict is that of an ethnic conflict, pitting the historically disadvantaged majority Hutu (85%) against the dominant minority Tutsi (14%), with the 1% Twa completely marginalised. However, this view of the conflict fails to capture many of the important nuances in Burundian history and social structure, and the way in which ethnicity has been used as an instrumental tool by elites. A more accurate description of the Burundian conflict takes into account political and economic ambitions, ethnic divisions, regional divisions, urban-rural divisions, the links to the conflicts in neighbouring Rwanda and Congo, and the problems of a politicised military. Burundi was a German colony until World War I. It then fell under the Belgian mandate, until Independence in 1962. The Belgian colonial administration privileged members of the Burundian royal family and the Tutsi, and the post-colonial regime continued a policy of ethnic exclusion. The Tutsi, particularly Tutsi from the southern province of Bururi, dominated political, military and economic structures, but they faced repeated challenges. Despite massive waves of killings in 1965, 1969 and 1972, the Burundian conflict was virtually ignored by international leaders until the late 1980s. Instead, the international donor community played a role in perpetuation of undemocratic institutions in Burundi, by providing successive military governments with significant aid and loans.

Burundi has sometimes been called a laboratory for conflict resolution approaches. External responses to the conflict in Burundi have reflected dominant trends in intervention, but have not always been appropriate. International pressure to hold majoritarian style elections in Burundi in 1993 reflected the democratic enthusiasm of the international community at that time, but elections were set up too quickly, without establishing appropriate

institutions or ensuring that the population was ready. Melchior Ndadaye, the candidate from the predominantly Hutu party FRODEBU, won the 1993 elections. However, less than three months after taking office President Ndadaye and other high-ranking FRODEBU members were assassinated by Tutsi army officers. These assassinations sparked inter-ethnic massacres across the country. By November 1993, out of a total population of 6 million, between 50 000 and 100 000 people were killed and over 800 000 people, mostly Hutus, went to neighbouring countries as refugees. Another 400 000, mainly Tutsis, became internally displaced.

Following the horrific failure of elections in Burundi as well as the genocide in neighbouring Rwanda, international attention shifted towards power-sharing as the appropriate response to conflict in Burundi. A power-sharing agreement between the predominantly Tutsi UPRONA party and the predominantly Hutu FRODEBU party was brokered by the UN Special Representative of the Secretary-General, Ould-Abdallah, and signed in September 1994. The 1994 Convention of Government succeeded in temporarily restoring calm, but did not address important issues such as the distorted histories of the Tutsi and Hutu communities, the problem of justice and impunity, the use of violence as a political strategy by elites, military reform, and long-term political structures. There was also no foreign military force to guarantee the agreement.

Within months of the signing of the 1994 Convention, sporadic killings continued and the political landscape remained divided. In July 1996, Pierre Buyoya was reinstalled as President of Burundi following another military coup. From 1996 onwards, the international response to the conflict in Burundi was fragmented. Regional states denounced Buyoya's coup and imposed economic sanctions on Burundi, but there was no overarching coherent policy towards the country.

The Arusha Process

The Arusha process has been the most comprehensive attempt to bring about peace in Burundi, and it represents an improvement on previous conflict resolution strategies. Although there was significant international support for Arusha, including financial support from the EU and other western countries, the process was primarily led by Africans. Unlike the 1994 Convention of Government, the Arusha discussions did not only address political issues. Rather, Arusha took an all-encompassing approach. Five committees were established to look at various aspects of the conflict, including security arrangements, and international/regional guarantees of the agreement.

After two years of negotiations, the Arusha Peace and Reconciliation Agreement for Burundi was signed on August 28, 2000. It was not a complete agreement, several parties signed with formal reservations, and two active rebel movements did not sign at all (see below). Nonetheless, three years since the signing of the accord, there have been some steps forward. **Protocol 1** of the Arusha Accord looks at the Nature of the Burundi Conflict, Problems of Genocide and Exclusion, and Solutions. Under this protocol, a Truth and Reconciliation Commission is to be established. The Commission is not yet in place, but the Transitional National Assembly (TNA) passed a law outlining its functions in April 2003. **Protocol 2** of the Accord focuses on Democracy and Good Governance, and sets out the principles underlying the transitional arrangements and post-transition constitution. A Transitional Constitution was agreed upon in November 2001, which provided for a Tutsi President and Hutu Vice-President for the first 18 months of the transition, and the reverse for the second 18 months. Indeed, despite initial reluctance, President Pierre Buyoya (at Tutsi from UPRONA) handed power to President Domitien Ndayizeye (a Hutu from FRODEBU), at the end of the first 18 months of the transition period, on April 30, 2003. **Protocol 3** deals with Peace and Security. The inability to reach an agreement with the active rebel groups will be discussed in the next section. **Protocol 4** looks at Reconstruction and Development. Following this protocol, the TNA passed a law creating a commission on the rehabilitation and resettlement of refugees and internally displaced peoples, but the law does not follow all the principles outlined in Arusha. Protocol 4 also lists economic and social development objectives. However, despite pledges of assistance from many countries and two donor conferences, very little money was actually disbursed for Burundian development needs. **Protocol 5** outlines Guarantees on the Implementation of the Agreement. As agreed in Arusha, an Implementation and Monitoring Commission (IMC) was

established to monitor, supervise and coordinate its implementation. The IMC has held 14 sessions. Protocol 5 also looks at military guarantees, which are discussed below.

Successes

Clearly, it is impossible to talk of unmitigated success of the Burundian peace process. Thousands of Burundians have died as a result of conflict since the signing of the Arusha peace agreement. In certain respects however, there have been some positive outcomes to Arusha. The Arusha process has served as an example of leadership and cooperation among several African countries. The Heads of State of at least seven African countries have been involved. There have been twenty regional summits focusing on Burundi, and high levels of cooperation between the regional actors and international donors. The Arusha process has strong regional and international legitimacy, and the brokers have an interest in making it work. In some instances, there has been tension and diverging interests among the African mediators, but they have generally tried to coordinate their efforts and pursue a common strategy.

The Arusha Agreement itself is reasonably sound, particularly in its treatment of ethnicity. The Agreement states that the Vice-President must be from a different ethnic background than the President and that the 26 members of Cabinet must be largely representative. The Minister for National Defence cannot be from the same “political family” as Minister for Police, and the Agreement mentions the necessity to maintain ethnic, regional, religious, political, gender balance in nominations for public service and diplomatic posts. For a period determined by the Senate, the defence corps cannot be more than 50% members from an ethnic group. The Transitional National Assembly is made up of 4 members from each political party, and 28 members from civil society, while the transitional Senate is made up of two senators from each province from different ethnic groups, including a minimum of three Twa senators. The agreement therefore recognises the legacy of ethnic identification and ethnic exclusion, but attempts to create a transitional political system that will overcome these divisions and will not further heighten the salience of ethnicity.

Regional leaders recognised that it was necessary to guarantee the agreement, with military force if necessary, and to invest considerable time and resources in resolving outstanding issues. Were it not for South Africa’s leadership in guaranteeing Arusha and ensuring its implementation, the peace process would undoubtedly have collapsed. To secure the implementation of Arusha and the establishment of the transitional institutions, South Africa sent a force of 700 troops in November 2001. This South African Protection Support Detachment (SAPSD) was mandated to protect Burundian politicians who returned from exile to take part in transitional institutions. South Africa maintained its military presence and contributed more troops after the signing of the December 2002 cease-fire agreement between the CNDD-FDD and the Government of Burundi. The African Union peacekeeping force, called the African Mission in Burundi (AMIB), deployed in June 2003 and will consist of 3099 troops. The 1600 South Africans have already arrived, and will be joined by 1297 troops from Ethiopia and 202 troops from Mozambique. Given the unwillingness of western countries to send troops to Burundi, and the United Nations decision not to send a peacekeeping force until a comprehensive cease-fire agreement is implemented, the African Union initiative is laudable. This foreign military presence makes it harder to envisage a Burundian coup d’etat, as has happened so often in Burundi’s past.

Shortcomings

The most obvious failure of the Arusha peace process is the lack of a comprehensive cease-fire. Two active Hutu rebel groups did not sign the August 28, 2000 accord, and have continued their armed struggle despite repeated efforts by African mediators, including South African, Tanzanian, Ugandan and Gabonese leaders. Part of the problem has been the factional nature of the CNDD-FDD and Palipehutu-FNL rebel groups. Both groups are prone to internal splits and power struggles within their respective movements. An agreement was signed with one wing of the CNDD-FDD (led by Jean-Bosco Ndayinkengurukiye), and with one wing of the Palipehutu-FNL (led by Alain Mugabarabona) on October 7, 2002. Yet the larger and more active wings of both rebel groups, continued to fight. A cease-fire was signed with the CNDD-FDD wing led by Pierre Nkurunziza in December 2002, but both

the CNDD-FDD and the Burundian army have continually violated the accord. Recent negotiations with the CNDD-FDD in Tanzania and South Africa progressed in July-August 2003, but the outcome is uncertain. There have been no direct negotiations with the active wing of Palipehutu-FNL, led by Agathon Rwasa, the group responsible for a large-scale outbreak of violence in the capital Bujumbura in July 2003. The lack of a comprehensive cease-fire has meant that there is a peace accord, without peace.

Another failure of the Arusha peace process has been an overall misrepresentation and misunderstanding of the conflict by regional and international actors. It has been portrayed as an ethnic conflict, and the Arusha solution has been ethnic power-sharing. However this ignores other divisions in Burundi. At the moment, perhaps the biggest rivalries are between parties and movements that are predominantly Hutu, for instance the rivalry between the FRODEBU party (President, Domitien Ndayizeye and National Assembly speaker Jean Minani) and Pierre Nkurunziza, leader of the most active wing of the CNDD-FDD. Likewise, the divisions within the rebel movements, and within the army, cannot be understood using the simple Hutu-Tutsi dichotomy.

The Burundian conflict is closely linked to politics and conflict elsewhere in the region. Small arms, refugees and combatants flow easily through the region's porous borders. While there have been good reasons to address the Burundian peace process separately from the peace processes elsewhere in the region, international and regional actors have not devoted enough time in exploring the links between these conflicts more closely, in order to understand what is fuelling the continuation of armed hostilities in Burundi.

The Burundian peace process has been a process among elites. To prevent anyone from spoiling the peace process, Arusha granted power-sharing political positions to many individuals who have no basis of support within the Burundian population. Furthermore, while individual elites from all sides have benefited from Arusha, the bulk of the Burundian population has not. Rural Burundians are the main victims of violence and poverty, whereas groups of urban Burundians have largely benefited from the peace process positions and international aid. The Arusha peace process has achieved international and regional legitimacy, but this has not been matched with domestic legitimacy. Similarly, it is Burundian civilians who have suffered through the side effects of war. While the Arusha process guarantees protection for political and military elites, it has not provided protection for ordinary civilians. Indeed, for the vast majority of Burundians, the future is just as uncertain as ever.

Policy Recommendations

1. *The African Mission in Burundi (AMIB) is critical in ensuring the success of the next stages of the Burundian peace process.* African leaders need to continue to pressure donors for adequate financial and logistical aid for AMIB. At the moment, AMIB is seen as a South African force. If AMIB is to serve as an example of African cooperation, participation should be broadened.
2. *The regional dimensions of the Burundian conflict should be analysed more systematically.* The ongoing conflict in the Democratic Republic of Congo, the constantly shifting alliances in the region, and criminalized cross-border extractive activities will continue to have a negative impact on peacemaking in Burundi. The upcoming United Nations conference on peace in the Great Lakes region presents an opportunity to look at the issues confronting the region in a more holistic fashion. Burundi's immediate neighbours should continue to play an important role in promoting the peace process, but should not engage in direct military activities, for this could further divide Burundians.
3. *Regional and international actors should continue to put pressure on both rebel groups, as well as the government.* Recent negotiations with the CNDD-FDD have led to significant advances, but the Palipehutu-FNL also needs to be encouraged to pursue a negotiated settlement. The leaders of rebel groups should be pressured to prevent and condemn human rights abuses by their combatants, including the killing of civilians, torture, rape, looting, and the recruitment of child soldiers. At the same time, it is necessary to rebuild the broken trust between the military and the Burundian population, and continue to assist the Burundian government with military reform.
4. *It should be recognised that peacebuilding efforts can have negative side effects.* In some instances, the Arusha peace process has sparked renewed violence because some individuals feel threatened by changes. Due to these side effects,

humanitarian protection must go alongside peacebuilding efforts. Protection should be granted to civilians, not only to elites. Without humanitarian protection, the peace process is meaningless for those who suffer the most from ongoing conflict.

5. *There is a need to align and reconcile the interests of Burundian leaders with those of the people they are supposed to represent.* There should be increased attention to how to broaden the Arusha peace process beyond elites. There is a danger that elite Burundians in their power-sharing offices will settle in the comfort of their positions, without advancing social justice and human rights.

* Devon Curtis is a Ph.D. candidate at the London School of Economics.