



BURUNDI

Executive Summary

There have been arguably more coups, attempted coups and changes of government in Burundi since the country's first democratic elections in 1993 than in any other African country. Ethnic divisions, entrenched during the colonial period between the Hutu and Tutsi groups, lie at the heart of the conflict which has raged for over a decade.

The years of violent struggle for power between different Burundian political parties and militias, marked by the use of genocidal tactics by Hutus and Tutsis, culminated in the country's first democratic elections in June 1993. These were won by the *Front pour la Démocratie au Burundi* (FRODEBU), led by Melchior Ndadaye, a Hutu, who emerged as the nation's first democratic president – bringing an end to decades of one party rule that had been dominated by *Union pour le Progrès National* (UPRONA), a predominantly Tutsi party. Ndadaye was killed four months later in a coup that was led by a faction of the army. The coup shattered hopes for national unity and posed the question whether western-style democracy, based on multi-party politics, could work in a society as deeply divided as Burundi.

Peace talks resulting from the 2000 Arusha Accord, subsequent elections and a later decision by the *Forces Nationales de Libération* (FNL) to join the peace process suggest that Burundi has a realistic chance to forge a lasting peace agreement. All major political parties are committed to see this happen. There are, however, still many challenges that have the capacity to plunge the country back into war. These include the need to decide on how to deal with the country's violent past, marred as it is by gross violations of human rights. Options include an internationally-driven process to set up a hybrid truth commission and special chamber within the judiciary involving both Burundian and international commissioners.

Peace in Burundi is not solely in the hands of Burundians. Regional stability too is crucial. If peace is not sustained in the Democratic Republic of Congo (DRC), stability in Rwanda does not hold, and Uganda, Rwanda and the DRC fail to pacify Congo's eastern corridor, the chances for lasting peace in Burundi are likely to diminish.

Introduction

Continuing violence in Burundi since the failed attempt at democratisation in 1993 needs to be understood in relation to patterns of ethnic-based marginalisation and control in pre-colonial times, colonial manipulation of these divisions, and post-colonial exploitation of ethnic tensions by political leaders. This is made more complex by a regional dimension comprising large refugee populations, cross-border support for militia groupings, the militarisation of societies throughout the region, and growing economic constraints hampering development efforts.

Regional involvement contributed to a peace process which resulted in the 2000 Arusha Accord and the installation of a transitional government on 1 November 2001, although a Hutu rebel group, *Forces Nationales de Libération* (FNL) refused to join the process. Successful ceasefire negotiations however, brought the Conseil National pour la Démocratie (CNDD) of Pierre Nkurunziza, and the Forces pour la Défense de la Démocratie (FDD) of Jean-Bosco Ndayigenkurukiye into a transitional government. Elections were held and won by the former Hutu rebel party, the Conseil National pour Démocratie-Forces pour la Défense de la Démocratie (CNDD–FDD), that had initially refused to join the peace process. Nkurunziza has since been elected President in presidential elections.

Despite these developments, the political stakes in Burundi remain high, not least with government being the foremost repository of wealth, power and privilege.

Early Ethnography

Ethnic divisions, driven largely by a competition for land and resources, prevailed in Burundi from the time of early settlements in the area. Prior to colonization, the differences between the Twa, Tutsi and Hutu were mainly occupational, with societal order being one of class rather than race. The Twa, comprising only one percent of the population, lived in the forests as hunter-gatherers. The Tutsi were cattle owners who traversed the highlands looking for pasture, affording them privilege and status. The Hutu were regarded as of a lower class, although historically a select group of Hutu advisors, known as the *Baganwa*, played an important role in the royal household - guarding the top secrets of the Kingdom. They were considered to be above both Tutsi and Hutu groups in the royal household, being a symbol of unification and common belonging. Historical accounts further indicate significant movement between the two major ethnic groups, as a result of marriage, family alliances and property acquisition – making it possible for a Hutu to become a Tutsi and vice versa.

Colonialism

Colonial rule, enforced by the Germans and subsequently the Belgians from the nineteenth century onwards, capitalised on the existing societal divides, with racial and class differences being entrenched in colonial law and practice. Ethnic divisions were imposed by creating rigid identity categories, with the Tutsi being cast in the role of a “national elite” and a “superior race”. With this came economic gain, access to education and employment being concentrated in the hands of the Tutsi, through whom the colonial government chose to exercise indirect rule.

The Hutu were in turn left marginalised poor and powerless. This status was to a large extent internalised by most Hutus. Mahmood Mamdani suggests that this “racialisation of the Tutsi/Hutu difference” is the most damaging and long-lasting bequest of colonialism to independent Burundi.

Independence

Burundi achieved independence in 1962, becoming a monarchy under Tutsi Mwami (King) Mwambutsa IV, with two major political parties competing for power -- namely the Union pour le Progrès National (UPRONA) and the Parti Démocrate Chrétien (PDC). The former, led by Prince Louis Rwagasore, a Tutsi, won the legislative elections in 1961 despite there being a majority Hutu electorate, marking a positive step forward in the bridging of ethnic divisions in Burundi. He was, however, assassinated in a plot orchestrated by the PDC within two weeks of his inauguration. With this, ethnic-based turbulence and violence became entrenched in post-independence Burundi. When King Mwambutsa refused to appoint a Hutu prime minister, despite the Hutu having won a majority in parliamentary elections of 1965, there was an attempted coup led by the radical Hutu leader Gervais Nyangoma,. This was brutally crushed and thousands of Hutus were slaughtered -- including Hutu politicians and most Hutu officers serving in the army.

Mwambutsa fled into exile in Europe, from where he appointed his son Charles Ndizwe as regent in an attempt to preserve the monarchy. Ndizwe subsequently deposed his father and declared himself king under the name Ntare V. He was overthrown a short while later by his prime minister, Michel Micombero, who declared a republic and appointed himself president. Micombero purged the army of remaining Hutu officers and further entrenched Tutsi power.

Genocides

Hutu responded to these and related developments with an insurrection in 1972, precipitating a round of mass killings that left thousands of Tutsis dead. An estimated 200 000 Hutu were massacred in reprisal, with 150 000 Hutu's fleeing into exile.

In 1976 Micombero was overthrown by Colonel Jean Baptiste Bagaza who further promoted Tutsi hegemony, while at the same time introducing a series of constitutional and land reforms. Ten years later Major Pierre Buyoya, also a Tutsi, ousted him in a military coup. He abolished the constitution, suspended the national assembly, released hundreds of political prisoners, and sought to draw Hutu elites into government.

Tutsi radicals in the armed forces feared this would lead to a further genocide. Buyoya compromised on his plans, giving rise to Hutu disappointment that led to an outbreak of violence in 1988 and the massacre of thousands of Tutsi. An estimated 20 000 Hutu were killed by the army in reprisal and approximately 60 000 Hutu fled to Rwanda. Seeking to placate both sides, Buyoya at the same time reined in Tutsi militias and indicated his willingness to negotiate

with opposition and rebel groups. He introduced a number of reforms. These included the appointment of a Hutu prime minister and a cabinet consisting of an equal number of Hutu and Tutsi. He further appointed a commission to study the question of national unity, comprising 12 Hutu and 12 Tutsi members, which produced the *Charter of National Unity* that was formally adopted in a referendum in 1989. Despite opposition from Tutsi hardliners and a number of coup attempts, his efforts prepared the way for Burundi's first democratic elections.

National Elections

Hutu-Tutsi relations remained tense. Hutus were cautious of Buyoya's moves and Tutsi hardliners were alarmed. He appointed a constitutional committee which emphasised the importance of national unity across ethnic lines, but the 1993 elections were dominated, inevitably, by ethnic concerns, with the mainly Hutu FRODEBU under the leadership of Melchoir Ndadaye gaining a clear and decisive victory over UPRONA, made up essentially of Tutsi intellectuals who supported Pierre Buyoya. Ndadaye was elected president with 65 % of the vote and FRODEBU won the national assembly vote with 80% of the vote against 20% for UPRONA.

The military at the same time remained essentially under the control of Tutsi who continued to fear a resort to violence by the Hutu majority – with civilians (Hutu and Tutsi) excluded from all major government positions. Within four months of coming to power, a group of soldiers attacked the palace killing Ndadaye, which sparked a wave of massacres by Hutus, seen by Tutsis as genocide. The Tutsi-controlled military crushed the uprising and killed several Hutu cabinet ministers as well Tutsi activists who resisted military control.

After a period of direct military rule, Cyprien Ntaryamira was appointed, with bipartisan support in the national assembly, to fill the vacancy caused by the death of Ndadaye, while Tutsi constraints were imposed on government to support the demands of the Tutsi political wing. This in turn prompted the Tutsi elite to claim several key positions in government in what has been dubbed a "creeping coup".

Things came to a head with the shooting down of a plane carrying Ntaryamira and Rwandan President Habyarimana, which precipitated the Rwandan genocide. In Burundi the Hutu party, FRODEBU appointed Sylvestre Ntibantunganya to replace Ntaryamira, while fearing the possibility of revenge similar to that in Rwanda. UPRONA, in turn, seized the opportunity to force further concessions out of government. Both FRODEBU and UPRONA lost popular support, breakaway parties were formed, and the country was again on the brink of collapse. During this time an estimated 150,000 people lost their lives and almost a million individuals were displaced, with many fleeing to Rwanda, Tanzania, and Zaire.

International Involvement

As the situation worsened Ntibantunganya sought international assistance to prevent Burundi from collapsing into total civil war. In August 1995, still smarting from its failure to intervene a year earlier in the Rwandan genocide, the UN Security Council adopted resolution 1012 of 1995

to investigate the violations of international humanitarian law in Burundi. A commission of enquiry was appointed with a mandate to recommend ways “to prevent any repetition of deeds similar to those investigated by the commission and, in general, to eradicate impunity and promote national reconciliation in Burundi.” In March 1996 the former president of Tanzania, Julius Nyerere, was mandated by the Organisation of African Unity (OAU) and the UN to mediate in the Burundian situation. This led to deep insecurity in the Burundian armed forces. Ntibantunganya was forced to take refuge in the US Embassy and Buyoya was again installed as president. The coup was condemned by the international community and Burundi’s neighbours, with the exception of Zaire, imposed sanctions.

Partly in an attempt to end sanctions, the national assembly was restored in 1996. In 1998 Buyoya entered into an agreement with UPRONA and FRODEBU. There was still, however, the Tutsi-oriented group of parties, known collectively as the G-10, and their Hutu counterparts, the G-7, who were not part of this development. Within and between each constituent party there were also substantial differences of opinion. Rebel groups threatened the uneasy alliance. These included the Parti pour la libération du peuple hutu (PALIPEHUTU), together with its military wing, the Forces nationales de libération (FNL), as well as the Front de libération nationale (FROLINA) and its armed wing, the Forces armées du peuple (FAP).

Peace Negotiations

Peace negotiations commenced in June 1998. The Achilles heel of the process had always been the exclusion of armed rebel groups from the talks, and when Nelson Mandela took over the mantle as chief facilitator of the peace process from Nyerere in October 1999, he pushed for their inclusion and a quick settlement. The FNL and CNDD-FDD had agreed to join the settlement – although ultimately neither delivered on their commitments.

Mandela escalated international support for the settlement and imposed 28 August 2000 as a deadline for signing the Arusha Peace and Reconciliation Agreement. With Mandela insisting that he would not allow those who chose not to sign to stall the process, 13 of the 19 delegations signed the Peace Agreement. The remaining six delegations, all Tutsi-based, signed a month later in Nairobi. Mandela also brokered a deal between Buyoya on behalf of UPRONA and FRODEBU under the leadership of Domitien Ndayizeye, on security concerns. This allowed a transitional government to be inaugurated, despite the continuing violence and non-involvement of all political groupings.

A two-phase transition was in place, in which it was agreed that Pierre Buyoya would lead the country for 18 months, to be followed by the leader of FRODEBU, Domitien Ndayizeye. The process began in November 2001, with the ceasefire proving more difficult to implement than the signing of the Accord. When South African Deputy President Jacob Zuma took over the mediation role from Mandela in 2002, CNDD-FDD and FNL had still refused to disarm. Later, following an intense period of negotiation, FDD and later CNDD-FDD, agreed to participate in the process, signing political and security protocols in Pretoria and Dar es Salaam respectively. This, in turn, led to the Pretoria Protocol on Political, Defence and Security Power Sharing in

Burundi, signed in the presence of President Thabo Mbeki and Deputy President Jacob Zuma in October 2003. The result was a marked improvement in the security situation throughout the country. It also created a new security climate in which the Burundian Armed Forces and the FDD joined forces against a recalcitrant FNL.

The CNDD – FDD signed a cease-fire nineteen months later in May 2005, prompting questions by the FNL, especially its leader Agathon Rwaso, regarding the legitimacy of the peace process. Despite these and related concerns, the process has resulted in the adoption of a new constitution by parliament and the installation of a democratically elected government. The CNDD-FDD's Nkurunziza was installed as president in 2005, with efforts to reign in the remnant Hutu rebels as a top agenda priority.

In September 2006, a comprehensive Ceasefire Agreement was signed with the last remaining rebel movement, the FNL-Palipehutu. The agreement officially terminated the conflict, and stipulated the demobilization of FNL forces and its transformation into a political party, with small-scale clashes instigated by the FNL continuing until May 2008, when the rebels signed a ceasefire agreement, with a new peace agreement being concluded in December of the same year. Significantly, on 9 January 2009 the FNL, the last active armed rebel group in Burundi, agreed to remove Palipehutu (referring to the ethnic composition of the party) from its name.

Transitional Justice Initiatives

Transitional justice in Burundi, as anywhere else, can only be implemented in relation to a context shaped by a deeply divided past. The major challenges facing Burundi are clearly the need for peace, the building of national unity and economic development. The country also faces the need to decide on how to deal constructively with its violent past. Difficult negotiations between the Government and the United Nations around the establishment of a Special Tribunal and a Truth and Reconciliation Commission continue with no clear end in sight. The need for holding perpetrators of gross violations of human rights accountable is strongly favoured by some political players, although the country has to date failed to agree on a way of doing so, with a new round of national elections due to take place in 2010 – suggesting that any developments in this regard ought to be postponed until after the elections. It is widely hoped in Burundi that the outcome of national consultations, in progress at the time of writing, will contribute to the formulation of a transitional justice process which would be acceptable to the majority of Burundians.

While formal discussion concerning this development continues, the role of traditional structures for justice and peace in Burundi continues to be disputed. In some circles the Bashingantahe institution, a traditional dispute settlement mechanism, appears to be gaining ground, while others regard it as a system that has been too severely compromised in Burundi's conflict-ridden past to play a constructive role in the prevailing situation.

Clearly formal state, traditional and civil society initiatives will be required to address the challenges facing the nation, as articulated in the Strategic Framework for Peace Building adopted through the UN supported the Peace Building Commission in October 2006, which identifies the following focus for priority attention:

- The promotion of good governance, particularly the respect for the Constitution and laws, the creation of additional space and mechanisms for consultation and dialogue on the main issues related to peace building, the fight against corruption and strengthening the capacity of the public administration, the decentralization process, and the preparation of future elections through the establishment of an independent national electoral commission.
- The completion of the implementation of the cease fire agreement between the Government and the FNL.
- The completion of the reform of the security sector and of the disarmament of the civilian population.
- The equitable access to justice, the promotion of human rights, the fight against impunity as well as reaching a consensus on the modalities of the implementation and functioning of transitional justice mechanisms.
- Finding sustainable solutions to the land issue and to socioeconomic recovery of populations affected by the war and conflicts, including through monitoring the implementation of the PRSP.
- Ratification and implementation of the Pact on Security, Stability and Development in the Great Lakes region.

Burundi Fact Sheet

Basics¹	
Capital	Bujumbura
Total population (millions), 2009	9.5
Population distribution (%), 2009	
Urban	10
Rural	90
Population annual growth rate (%), 2005-15	3.6
HDI (ranking out of 179 countries), 2007 ²	174

¹ Information taken from the UNDP Human Development Report 2009, http://hdrstats.undp.org/en/countries/data_sheets/cty_ds_BDI.html [accessed 6 May 2010]

² The United Nations Development Programme's Human Development Index (HDI) is calculated using the following indicators: Gross enrolment ratio (GER), Adult literacy rate, Life expectancy at birth and GDP per capita (PPP US\$).

Adult literacy rate (% aged 15 and older), 1995-2005	59.3
Health	
Life expectancy at birth (years), 2005	48.5
Infant mortality rate (per 1000 live births), 2005	114
HIV prevalence (% aged 15-49), 2007	2

Demographics³			
Ethnicity		Religion	
Hutu (Bantu)	85%	Christian	67%
Tutsi (Hamitic)	14%	Indigenous beliefs	23%
Twa (Pygmy)	1%	Muslim	10%
European	3,000		
South Asians	2,000		

Economy⁴	
GDP (US\$ billions), 2005	3.25
GDP per capita (US\$), 2005	300
Inequality measures (Gini Coefficient Index)	42.4
GDP- Composition by sector (%), 2008 ⁵	
Agriculture	33.3
Industry	21
Services	45.8
Other	-
Imports of goods and services (as % of GDP), 2005	36
Exports of goods and services (as % of GDP), 2005	8
Government Expenditure (as % of GDP)	
Education, 2002-5	5.1
Health, 2004	0.8
Military, 2005	5.9
Total debt service (as % of GDP), 2005	4.9

³ Information taken from the Central Intelligence Agency, Government of the United States of America, <https://www.cia.gov/library/publications/the-world-factbook/geos/by.html> [accessed 6 May 2010]

⁴ Information taken from the UNDP Human Development Report 2007/8, http://hdrstats.undp.org/en/countries/data_sheets/cty_ds_BDI.html [accessed 9 June 2009]

⁵ Information taken from the Central Intelligence Agency, Government of the United States of America, <https://www.cia.gov/library/publications/the-world-factbook/geos/BY.html> [accessed 9 June 2009]