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Conflicts in Africa

With the end of the Cold War, demise of apartheid in South Africa, and the advent of the new millennium, there were high expectations that Africa's conflicts would be rapidly resolved and the continent would enjoy an unprecedented era of peace and stability. Despite significant progress in the past few years, however, stable peace is still elusive in many parts of the continent. It is difficult to provide a generalized view of African conflicts as they do not resemble the conventional wars and conflicts familiar to the world, but instead they are highly irregular involving a combustible mix of ethnic conflicts, malfeasance and competition for plunder of natural resources. To further exacerbate the situation, there is a growing tendency of countries to intervene in the internal conflicts of their neighbours.

Violent conflicts have continued to be one of the major sources of hunger and malnutrition, which have become perennial features of life in the region. Today, an estimated 23 million people face starvation and death if not provided with emergency assistance. Hunger and despair stalks the regions' fast growing urban slums and refugee camps where millions live in squalor. In the countryside, peasants and nomad pastoralists struggle against the ravages of war, natural calamities and the inefficient and inequitable economies of their shattered countries. In addition, Africa is home to 70% of the adults and 80% of the children who are living with HIV/AIDS in the world.

The NEPAD/UNHCR/JICA initiative

As a program of the African Union, the New Partnership for Africa's Development (NEPAD) was established in 2001, with an objective to eliminate poverty; improve the socio-economic status of African countries, to facilitate the participation of women in all sectors, and to empower African countries to fully participate in the global economy and create the conditions that would ensure peace and stability.

For the purpose of effective formulation of assistance programs foreseen under the NEPAD Sub-Cluster "Humanitarian Response and Post-Conflict Recovery", JICA and UNHCR have launched a study on the development and causes of conflict in Burundi. The report, which attempts to assess the post-conflict situation, covers: political governance and transition; security; humanitarian assistance, reconstruction and socio-economic development; human rights, justice and reconciliation; and gender. The report also attempts to make a preliminary set of recommendations based on studies conducted by an independent consulting firm.

Conflicts in post-independence Burundi

Since its independence as a kingdom in 1962, Burundi has experienced four distinct and prolonged periods of conflict – in 1965, 1972, 1988, and 1993. There are four major characteristics observed in the conflict in Burundi. First is the cyclical nature of the violence, in which each episode created the conditions that set the stage for the next. One of these conditions, born out of the experience of violence itself, is the fear of ethnic genocide by both Hutus and Tutsis. Each group sees the other as a force determined to exterminate the other. These views have formed strong mutual distrust that triggered deadly violence of immense proportions. The second underlying characteristic has been the fundamental and long-term repression and exploitation of the majority by a minority, which was strong because of a centralized state administration. Third, there were various external and internal factors that triggered violence at particular times. And

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fourth, impunity for the killing of civilians, especially by the army, has undermined cross-community respect for the rule of law.

Causes of the conflicts in Burundi

The causes of the conflicts in Burundi are multi-layered and intertwined. No one cause can be singled out as the main source of the conflict in isolation from the other causes. The biggest cause, and at the same time the result of the conflicts in Burundi, is the ethnic hatred, often fomented by political groups, between Tutsi and Hutu. The following are some of the major causes of conflict:

Ethnic cleavages

Belgian colonial rule in Burundi, although to a lesser degree than in Rwanda, systematically hyped the Tutsi/Hutu ethnic distinction. The subsequent assassination of Prime Minister Ngendandumwe in 1965 by a Rwandan Tutsi refugee in Burundi made the Hutu-Tutsi divide the dominant lens through which Burundian political conflict came to be viewed. Events in neighboring Rwanda further crystallized the Burundian conflict around ethnicity. Growing Burundian Hutu resentment of post-independence Tutsi dominance was fueled by the situation in Rwanda, and Burundi's Tutsi minority began to fear the extension of the Rwandan "Hutu power" revolution to Burundi. Appeals on ethnic issues became a powerful device for legitimization and mass mobilization.

Exploitative economic system

Burundi's economy is based on the export of primary commodities, mainly coffee and cotton. Government revenues come from taxes on international trade and goods and services. The Government is more concerned with the mechanism of transaction rather than producing particular goods and services. This is a fundamental difference of the Burundian economy from that of resource rich countries like Angola. In Angola, both the Government and rebel forces dwell on oil or diamond production.

Government revenues from such transactions turned into expenditure on 'key sectors'. Nearly half of government expenditure is made on salaries, goods and services for use by civilian officials and the military. The number of civil servants is kept high intentionally in order to benefit elite officials. Some government funds are spent on minimal private sector activities mostly dominated by government-related individuals. This mechanism of national exploitation established largely for the benefit of Tutsis generated resentment among Hutus.

Differential social opportunities have also significantly exacerbated the ethnic, social, economic, and regional divides. The concentration of economic and political power in the hands of a relatively small number of urban elite who are mostly Tutsis, in the context of an overall weak economic situation, and conflicts relating to access to land dramatically increased the potential for violent conflict. The situation became untenable as the exclusion of Hutus from almost all of Burundi's key political, economic, and social institutions.

Biased social policy

Having the above exploitative mechanism set up, the people in power aimed to establish social policies that would protect such a lucrative mechanism. For example, unequal regional access to education could effectively deprive Hutus of chances of access to government positions and other economic opportunities. People, including non-elite Tutsis and women in general, also had very little chances of social participation.

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The agricultural sector suffered the most from the biased investment policies. The Government focused on export/cash crops like coffee and cotton at the expense of subsistence farming. As a result, the government was reluctant to make significant investment in the sector. This situation, coupled with shortage of cultivable land and high population density, created recurrent famine and food insecurity breeding resentment over diminishing resources amongst various groups.

The privileged southern province was once one of the poorest regions in the country as it is not suitable for agricultural production. Its residents resorted to exploring possibilities that would enable them to be engaged in civil services and other types of economic activities. This local unsuitability to agricultural production in the South might have been another reason for the state's neglect of investment in the agricultural sector.

Elite groups and their protection of vested interests

The Tutsi-dominant UPRONA's electoral defeat by the Hutu-dominant FRODEBU in 1993 was the immediate cause of the last phase of the conflict – which also changed the fundamental setup of conflict in Burundi. Until 1993, the conflict could be described as Hutu rebellion against Tutsi domination. However, since 1993 and until the coup by Buyoya in 1996, the conflict was largely characterized by a struggle between the former Tutsi elites who feared losing their vested interests to the newly established Hutu authority that intended to reform the society and the structure of the economy. The Tutsi chose to continue fighting against the Hutu rather than compromise and lose their interest in the reforms. That struggle for power was a major cause of the latest stretch of the conflict.

A poor track record in governance, political, and judicial institutions

Authoritarianism, corruption, and nepotism have shaped institutions and relations between government and citizens. Despite the current inclusive transition, participation and accountability mechanisms remain undeveloped and uncertain at the national level.

Decades of conflict and a brutal civil war have produced a civilian population that is deeply alienated and cynical, and views its leaders as self-serving, corrupt, and unresponsive to the needs of the public. The rebuilding of public confidence in the institutions of government will take time and requires considerable effort.

Weak judicial institutions have given rise to a culture of impunity with repeated waves of pre-emptive violence and revenge killings. Many citizens have lost confidence in the judicial system's impartiality and legal accountability and assume that the courts are corrupt, lack independence, and are incapable of impartial adjudication. The perceived absence of justice and accountability for acts of violence has given rise to both pre-emptive murders and revenge killings.

Arusha Peace Agreement and subsequent developments

The Arusha Peace and Reconciliation Agreement for Burundi provides the country with the main roadmap to peace. Just like the preceding failed power-sharing agreement, this agreement was also a product of international consultations. The Arusha agreement was followed by smaller but relevant agreements on power-sharing during the transition period (July 2001) and in the post-election constitution (August 2004).

On 1 November 2001, the transitional government was formed with the President Mr. Buyoya (UPRONA) for the first 18 months. Even after the start of implementation of the Arusha Agreement, however, fighting continued. The transitional government had held negotiations with CNDD-FDD on a ceasefire and power-sharing during 2002-03 in South Africa. The Pretoria

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Protocol on Political, Defense and Security Power-Sharing in Burundi provides for a ceasefire between FAB and the rebel group, and a program of reform of the security sector. Following the agreement, the AU deployed multinational forces in early 2003, which were later replaced by the UN Peacekeeping Mission in Burundi (ONUB).

Mr. Buyoya was succeeded by the Hutu interim president, Mr. Ndayizeye (FRODEBU) on 30 April 2003. The remainder of 2003 was devoted to negotiations between the transitional government and CNDD-FDD for actual implementation of the signed ceasefire agreement. After long negotiations, CNDD-FDD agreed to stop fighting, and regroup its forces into cantonment camps, obtain four ministerial positions, 40% of armed-forces command positions, and various local government positions. CNDD-FDD formally joined the transitional government on 23 November 2003; however, PALIPEHUTU-FNL continued fighting.

Since CNDD-FDD's entry into the Government at the end of 2003, Burundian citizens have largely been enjoying peace in most areas of the country. Although some sporadic fighting by the only remaining belligerent group PALIPEHUTU-FNL against the FAB was reported, mainly in the Bujumbura area, conditions are generally conducive for the return of refugees and IDPs. During 2004, more than 90,000 Burundian refugees returned, mainly from Tanzania, either spontaneously (nearly 6,500) or facilitated by UNHCR (83,500). The main challenges against continued large-scale returns have been drought, food shortages and weak socio-economic recovery.

In August 2005, Burundians went to the polls for the first time in twelve years, choosing a president, Pierre Nkurunziza, who declared his commitment to establishing the rule of law in a country marked by years of widespread human rights abuses. His government took office under a new constitution that guarantees power sharing between Hutus and Tutsis and among political parties. The constitution was adopted by over 90% of voters at a 28 February 2005 referendum and requires that 30% of parliamentary seats be reserved for women, a first such decision in Burundian politics. Under the new constitution, 40% of government and administrative posts and 50% of places in the armed forces are allocated to Tutsis.

In addition to winning the presidency in 2005, the CNDD-FDD easily carried both the legislative and communal elections, which significantly reduced the power of the parties that had controlled the previous government. The polling, except one disruption by the PALIPEHUTU-FNL, was generally peaceful.

Preliminary recommendations

1. Political governance and transition

National and provincial elections held in 2005 are one of the indicators of progress in the peace agreement and the effort to build a lasting peace and an all-inclusive democratic process. However, this is only the beginning and the success of the system could be determined only by the extent to which it will contribute towards the Country's long-term stability, reconciliation among its people and its socio-economic recovery and reconstruction. The following are additional steps that need to be taken to further cement the achievements made to-date:

- **Fostering civil society organizations:** Encourage healthy development of NGOs, professional, academic, and religious bodies, think tanks and advocacy groups in order to help flourish a free, mature and responsible civil society capable of serving as a balance to political forces in the country. The proliferation of such entities and their ability to operate, without interference, as agents of the different values of the population would be crucial for the long-term sustainability of peace and a democratic order.

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- **Independent media and the press:** Fully guarantee the independence and freedom of the media and the press by respecting the rights stipulated in the constitution and creating institutions that facilitate their implementation.
- **Protection of minorities:** Strengthen advocacy, undertake awareness-raising activities and strengthen accountability mechanisms in order to ensure respect and protection of the rights of minorities and their guarantee their full participation in all aspects of the country's political and socio-economic life.
- **Better governance capability:** Enhance the capacity of governance in public institutions including through decentralization of political, economic and social powers to the local level and adequate support to enable lower levels of government to effectively dispense with their responsibilities.

2. Security sector

Much of the efforts made so far in enhancing peace and security adhered to the provisions of the Arusha Peace Agreement. As the peace process advances, however, the focus of initiatives in the security sector should increasingly lean towards a comprehensive approach that embraces the principles of human security. In this connection, the following recommendations may be considered:

- **Promotion of security sector reform:** Develop comprehensive and realistic plans for security sector reform based on the concepts of human security and ensure their effective implementation. Strengthen the police forces through training in human rights, building confidence with the civilian population and putting in place transparent accountability mechanisms vis-à-vis the public as well as other branches of government.
- **DDRR:** The DDRR process should be invigorated and proceed according to established plans. Particular attentions needs to be paid to ensure the equal treatment of the demobilized by providing them with fair and equitable reintegration packages including training, access to land, agricultural inputs, support for establishing small scale businesses as well as active programmes to encourage grass-roots level reconciliation in areas of reintegration.
- **Protection of ex-child soldiers:** Strengthen programmes for support to ex-child soldiers including health, education, counselling and other psycho-social support to expedite their reintegration in society.
- **Arms control:** Control over the illicit circulation of small arms and light weapons should be strengthened including through speedy implementation of the civilian disarmament decree and enhancing institutional capacities for improved border management.
- **Mine action:** Mine action activities, in all its three major components (identification and de-mining, mine awareness, rehabilitation and support to victims) should be strengthened.

3. Humanitarian assistance, reconstruction and socio-economic development

A bulk of Burundi's long-term recovery and reconstruction challenges relate to its ability to meet the humanitarian needs of its populations and laying the foundations for sustainable socio-economic recovery and development. As the direct humanitarian impacts of violent conflict subside, the efforts of all actors including international humanitarian and development entities should shift their focus to creating bridges between relief and development. The newly elected Government needs to take ownership of this process and guide the activities of its international partners. The following areas require particular attention:

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- **Returning refugees and IDPs:** Programmes for the reintegration and rehabilitation of returning refugees and IDPs should be enhanced including through the provision of initial reintegration assistance, ensuring food security, property restitution and access to land, basic services including health, water, sanitation and education in areas of return.
- **Health sector:** The public health sector requires urgent attention. While the cost recovery policy in this sector is principle economically reasonable, care should be taken that this policy does not deprive low income segments of the population access to health services. Recruitment, training and placement of adequate numbers of medical professionals, instituting a fair compensation system, rehabilitation of existing health infrastructure and expanding services - especially in outlying areas of the country require priority attention.
- **Primary education:** The Government's initiative to expand primary education must be supported by further recruitment of teachers, improvements in conditions of service for teachers and rehabilitation of infrastructure. Measures should also be taken to facilitate the recognition of academic achievements obtained by returnees while in exile or areas of internal displacement.
- **Better economic management:** The capacity of institutions responsible for the country's fiscal and economic management need to be further enhanced in order to enable them improve assessment of the states of the national economy, design and implement appropriate socio-economic policies – especially at the regional and local level.
- **Reviving agricultural production:** Increased agricultural production, productivity and diversification of the sector are critical for enhancing the population's food security and the economy's recovery. The newly established Food Fund must be fully utilized to strengthen the sector. Issues of land tenure also need to be addressed in parallel with agricultural development in order, inter-alia, to ensure the effective reintegration of demobilized former combatants, returned refugees and IDPs with the resilient community.
- **Foreign investment promotion:** Attracting foreign investment, which is crucial for longer-term development, requires creating an environment conducive for small- and medium-scale enterprises especially in the rural areas, simplification of legal requirements and administrative red-tape and, enhancement of legislative provisions that protect private investment and tackling corruption.
- **Infrastructure rehabilitation:** Increased attention and allocation of resources for the rehabilitation and reconstruction infrastructure, particularly in the transportation, communication, energy, education, health and water supply sectors is critical in encouraging increased private sector investment.

4. Human rights, justice, and reconciliation

Human rights problems in Burundi are further aggravated by the absence of a vibrant civil society including the press and media, weak confidence of the population in the judicial system and low-enforcement institutions to administer fair, transparent and timely justice, interference in judicial processes by other branches of government, absence of protection for vulnerable segments of the population and corruption. The following recommendations may be considered in addressing these problems:

- **Human rights of the vulnerable population:** Human rights abuses, especially against the most vulnerable segments of the population such as women and children must stop. The government should develop and implement national action plans that encompass the protection of all human rights including in the civil, political, economic, cultural, and social spheres. Capacity building of national institutions, enhancing the role of civil society and

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public advocacy to raise awareness on these issues are some of the measures that could be considered.

- **More respectful treatment of detainees and individuals:** Arbitrary arrests, detentions, and the treatment of detainees and prisoners should be improved in accordance with national laws and international standards.
- **Strengthening the Justice sector and ensure adherence to rule of law:** The justice sector needs to be strengthened through strict adherence to rule of law, by eliminating interferences from the executive and other branches of government, building public confidence through transparency and accountability, improving working conditions for legal professionals and investments in the rehabilitation of infrastructure and support services.
- **Elimination of impunity:** Eliminate the culture of impunity and selective application of justice especially within the military organizations so that all war criminals and violators of human rights can be brought to justice. Establish the special chamber recommended by the UN Mission as part of the effort to fully institutionalize the justice system to address such problems.
- **Reconciliation:** Promote national and local reconciliation processes by setting up the National Truth and Reconciliation Commission recommended by the UN assessment mission. Build a culture of peace through organized public awareness activities and the introduction of peace education in schools. Civil society institutions could play a major role in this area.

5. Gender

- **Gender mainstreaming:** Integrate a gender perspective into sector policies that could have optimal impact in addressing problems relating to gender. In line with the Country's Poverty Reduction Strategy Paper and the Millennium Development Goals, a systematic gender mainstreaming approach should be adopted in all programmes and projects.
- **Higher capacity for more effective gender policies:** Methods, tools and techniques, including disaggregated gender analyses, need to be developed, made publicly available, regularly reviewed and monitored in order to ascertain the impact of policies in addressing gender-related problems.
- **Empowering women:** Empower women, particularly single heads of households, returnees and those in rural areas by creating opportunities such as access to employment, land and other natural resources, inputs to productive activities, credits and assure and protect their rights to property ownership.
- **Higher availability of social services (education and health):** Encourage and provide support to families to ensure the education of girls at the primary, secondary and higher levels. Supply adequate and accurate information on family planning and the threat of HIV/AIDS to families, and particularly mothers, to enable them protect themselves and make informed decisions.
- **Measures against GBV:** Institute enhanced measures to prevent gender-based violence against women including through public advocacy, awareness building, tasking of law enforcement institutions, and rigorous prosecution of violators and provision of all-rounded support to victims of violence.

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- **Promoting women's participation in social spheres:** Encourage women's participation in the political and decision making arenas at all levels including the economic, public finance and social spheres as well as instituting policies and monitoring mechanisms to ensure gender balance in all spheres of national life.