

Central Africa Briefing

Arusha/Brussels, 27 August 2000



BURUNDI PEACE PROCESS: TOUGH CHALLENGES AHEAD

I. BACKGROUND

Burundi has been involved in a civil war since the assassination of the first-ever democratically elected President and FRODEBU leader Melchior Ndadaye, in October 1993. For the last 26 months, the government of Major Pierre Buyoya, which took power in a coup four years ago, has been engaged in negotiations with FRODEBU together with the other political parties. Nelson Mandela took over this process in December 1999 following the death of the first Mediator, the late Julius Nyerere.

Mandela breathed life into the Arusha process and rallied the international community to devote attention to the Burundi conflict.¹ His first priority was to conclude the Arusha process as quickly as possible. In order to do this, he speeded up negotiations in the five areas of focus (Committee I on the nature of the conflict; II on democracy and good governance; III on peace and security; IV on reconstruction and development; and V on guarantees to support implementation of the accord).

A draft agreement was presented to the nineteen parties on 16 July 2000. By his assertive approach, Mandela has provoked a healthy debate on questions related to an amnesty for those guilty of political crimes, the integration of rebel forces into the army, power sharing and the transitional period. He has also pressured the government to dismantle regroupment camps in Bujumbura Rural, to allow political parties the right of assembly and to permit freedom of the press.²

II. HURDLES TO CLEAR

Mandela's hope for a signature on 28 August 2000 is based on the progress made since Nyerere launched the process. The idea of negotiating with the Hutu rebels, once violently rejected by Tutsi public opinion, is now widely accepted.

¹ see ICG *The Mandela Effect*, Africa Report No. 21, 18 April 2000

² see ICG *Burundi: The Issues at Stake*, Africa Report No. 23, 12 July 2000

However, the details of what will be signed remain uncertain. Since the end of the last round of talks on 12 August when the nineteen political parties failed to reach a consensus on modifying the draft agreement, Mandela and his team have been working flat out in this very brief time to come up with a meaningful, if incomplete accord. The latest talks between key leaders that have taken place in South Africa on the sticking points have produced encouraging results. Significant consensus has been reached on the contents of protocols I, II and IV. The negotiations have also provided for a fresh format for direct talks between the government and rebels to finalise protocols III and V post-Arusha.

However, whatever documents are signed at Arusha, the true work of the peace process will follow.

Ceasefire

In the first place, the warring parties have agreed neither a ceasefire nor even a temporary truce. For their part, the rebel CNDD-FDD and FNL groups should now endorse the results of Arusha and declare a cessation of hostilities.

Congo conflict

It is essential that Mandela and the international community persuade the rebels to henceforth invest solely in the Burundi peace process rather than being sidetracked by their role in the war in the Democratic Republic of Congo (DRC). Nor must any party try to argue that a solution in Burundi depends on resolution of the DRC conflict.

The stalemate in the Lusaka process dealing with DRC, together with the deteriorating situation in the eastern Congolese provinces of North and South Kivu have had a severe impact on regional stability, which in turn undermines prospects for peace in Burundi.

Panic at home

This threat gives ammunition to the spoilers of peace in both main communities in Burundi. These spoilers are already stoking the panic of the Tutsi population over the prospect of the return to power of those guilty of mass killings in 1993 and the disbandment of the Tutsi-dominated Army that they feel is their only protection against a repeat of this catastrophe. This hysteria partly explains the escalation of tensions, general strike and anti-Arusha protests that have taken place in Bujumbura over the past fortnight. For their part, Hutu leaders also jeopardise the process by bragging of victory over their opponents.

Just as Burundi is reaching a moment of truth, despite all the progress so far, there is a risk that fear will strangle aspirations for peace. Even Buyoya himself may lose support within the security forces. The Tutsi community fears that if Buyoya stays, nothing will change, while if he goes, there is a threat of chaos. One cannot expect

trust for whatever is signed at Arusha unless, on the one hand, assurances are given to the Tutsi population on its future security, and on the other, the promise of change seems real to the Hutus.

III. CONCLUSIONS

The Arusha process has been completed. But the negotiations are far from over. In the coming weeks and months, it is absolutely essential that the Burundi avert a fresh wave of violence – and unfortunately there are signs that preparations for the escalation of fighting are being made on both sides.

To sign an accord in Arusha without support on the ground could be more dangerous than not signing at all: the stage could be set for a failure. The Burundi have to be convinced that Arusha is a meaningful step towards a comprehensive peace settlement, which has now to be finalised through a new format of direct talks. After a string of failed peace agreements in Africa, the international community must also back up its rhetoric with action. If serious violence does erupt inside Burundi, the United Nations Security Council must be ready to order intervention.

IV. RECOMMENDATIONS

To Nelson Mandela and the international community:

- 1) Maintain the pressure on Burundi's parties to move into the next phase of the peace process without losing momentum post-Arusha.
- 2) Call on all parties to announce a cessation of hostilities as the first step towards a permanent ceasefire, in order to avoid ruining what has already been achieved at Arusha and to create the conditions for the success of the next round of direct talks.
- 3) Publicly condemn and sideline those parties that sharpen their knives for further war. Strong measures should be applied against those who threaten the peace process, such as the freezing of their bank accounts, the refusal of visas for their travel and the issue of international arrest warrants for prosecution for their crimes.
- 4) The international community, after funding and supporting the Arusha process and calling for this agreement, should be ready to mobilise the United Nations Security Council to order rapid intervention should violence escalate on the ground in Burundi after 28 August.
- 5) A framework for direct talks between the rebels and the government must be established under South African mediation in order to reach a permanent ceasefire. The rebels should be provided with adequate information on what has been gained in Arusha. Talks will also allow soldiers and political leaders of

the armed movements to express their views on the ceasefire, the reform of the army, their future and the transition.

- 6) Pressure must be applied to the CNDD-FDD and the FNL to detach themselves from their allies in DRC and commit solely to the Burundian process.
- 7) Nelson Mandela should urgently visit Burundi to reassure both the Hutu and Tutsi populations about the benefits of the peace process.
- 8) The Facilitation team should immediately establish an office in Bujumbura to conduct large-scale campaigns aimed at explaining the peace process and leading debates on its contents.

To regional states:

- 9) Regional states must also commit themselves to the full implementation of the accord and to provide the necessary support for the transitional period. For example, they should provide neither rebels nor the Army with support or bases on their soil. Nor should they use Arusha as a pretext to forcibly repatriate refugees from their territories.

To Western governments and institutional donors:

- 10) Support should be given to Mandela to reach a comprehensive peace agreement including all factions of the rebellion and an immediate cessation of hostilities.
- 11) Whatever has been agreed at Arusha must be implemented with the support of donor funds to be mobilised rapidly. The resumption of development co-operation to revive the economy will demonstrate to the population the dividends gained from the negotiations and the normalisation of the political situation.
- 12) Political, economic and military support should be given to the future transitional government and an active role must be played in ensuring guarantees for the implementation of the agreement.
- 13) Expert advice should be offered with regard to the different technical recommendations contained in the agreement for: the reform of the army, the development of an electoral system, the reform of the justice system, the management of land and property and repatriation.

Arusha/Brussels, 27 August 2000