Burundi: Prospects for Peace
BURUNDI: PROSPECTS FOR PEACE

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THE PROCESS

As part of its methodology, MRG conducts regional research, identifies issues and commissions Reports based on its findings. Each author is carefully chosen and all scripts are read by no less than eight independent experts who are knowledgeable about the subject matter. These experts are drawn from the minorities about whom the Reports are written, and from journalists, academics, researchers and other human rights agencies. Authors are asked to incorporate comments made by these parties. In this way, MRG aims to publish accurate, authoritative, well-balanced Reports.

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This Report has been commissioned and is published by MRG as a contribution to public understanding of the issue which forms its subject. The text and views of the author do not necessarily represent, in every detail and in all its aspects, the collective view of MRG.

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A specialist on the Great Lakes Region, Professor Reyntjens has published numerous articles and several books on the region and its peoples. His latest book, La Guerre des grands lacs: alliances mouvantes et conflits extraterritoriaux en Afrique Centrale, was published by L’Harmattan in Paris in 1999.

BY FILIP REYNTJENS

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Internally displaced people. Child looking after his younger sibling.

MRG/PIROZZI/PANOS PICTURES
Preface

MRG’s timely new report Burundi: Prospects for Peace has been commissioned to further the search for peace and stability in Burundi, giving a number of recommendations to this end. The negotiations in Arusha, Tanzania, that have been underway since 1998, have reached a conclusion but there is some chance that the peace which has so long eluded Burundi’s population could be within reach. All agree that the path to peace has not been an easy one and it will remain extremely difficult to implement proposals for peace. Burundi: Prospects for Peace gives a balanced and critical analysis of the crises which have befallen Burundi and charts the course of the peace negotiations. Burundi has been in conflict for much of its history since independence, leading to genocide and civil war in which tens of thousands of people from all ethnic groups within Burundi – Hutterites, Tutsis and Twa – have been victims. Some knowledge of the background to these events is essential for anyone wanting to understand the issues which the country now faces in order for Burundi to move towards peace and to rebuild the lives of its people.

Much of the violence within Burundi has been characterized as ‘ethnic’ whereas, as this Report demonstrates, it has actually been of a distinctly political nature, manipulated by elites wishing to capture or maintain power. Ethnicity has undoubtedly proved to be a strong mobilizing force where a numerical minority – the Tutsi – currently controls much of the state, including its army, and the numerical majority – the Hutterites – are politically and economically marginalized. Moreover, the position of the Twa – who self-identify as indigenous and who represent less than 1 per cent of the population – has been largely ignored in any discussions on Burundi. Yet their situation is dire: they are generally despised by both Hutterites and Tutsis and have been caught up in a war in which they have suffered disproportionately.

MRG’s Report is forward-looking and seeks to highlight some of the most important issues that will need to be addressed in any peace deal. The aim of peace negotiations and the confidence in the democratic process to be restored. Alongside this, the army and the judicial institutions must be reformed to institute respect for human rights and to end the impunity of those responsible. The right to the mass human rights violations of recent years. Health and education will also need to be overserved.

A durable peace would encourage a redirection of spending away from armaments and towards clinics and schools which serve all of the people. It is essential that the international community helps by insisting and currently the vast majority of the population live in extremely poor conditions, not least the Twa.

This Report has been written by Filip Reyntjens, who is renowned for his work on Burundi and who wrote MRG’s last Report on Burundi in 1995 (updated in 1996). The author highlights how a failure to move towards peace in the current climate would lead to yet more violence, especially given the recent conflicts in neighbouring states in the Great Lakes Region. As he argues, ‘If Burundi were to revert to massive violence, this would further compound an already explosive regional situation.’ MRG offers this Report, with its set of recommendations aimed at the Burundian government and the international community, to support peace and stability based on human rights for all.

Alan Phillips
Director
October 2000
Country, people and region

Country

Burundi is a small, densely populated, landlocked, poor country in the Great Lakes Region of East-Central Africa. Its size (27,834 sq km) compares to that of Belgium or Wales. It has about 6.5 million inhabitants which gives it a population density of 230 per sq km; after Rwanda, this is the second-highest population density in mainland Africa. The country depends on transit routes through neighbouring countries: Dar es Salaam and Mombasa to the east are at a distance of about 1,500 and 2,000 km respectively, while the Atlantic coast is almost 2,000 km away (and inaccessible, due to the situation in the Democratic Republic of Congo and Angola). With a per capita income of US $140 in 1998, Burundi ranks as the third-poorest country included in the World Bank statistics.

Over 90 per cent of the population is involved in agriculture, generally at subsistence level. In 1998, the agricultural sector provided about 50 per cent of GNP. The peasant mode of production, combined with the high population density, means that Burundi’s main problem is pressure on land: most farmers have less than 1 ha of land, while at the same time the soil is deteriorating due to over-exploitation and, increasingly, marginal land is brought under cultivation. I shall return to the land issue later.

The industrial sector is very small; comprising enterprises in the areas of brewing, match production, textiles and processing of agricultural products, it amounts to slightly over 20 per cent of GNP. While the main subsistence crops are bananas (many of which are grown for beer production), beans, sorghum, maize, sweet potatoes and cassava, the principal export crop is coffee, which accounts for almost 50 per cent of export earnings, followed by tea and cotton. Important nickel reserves have been discovered near Musongati in the south-east, but doubts about profitability and the prevailing insecurity have postponed effective exploitation. Burundi runs a consistently high trade deficit: in 1998, export earnings stood at about US $49 million, while imports were worth about US $182 million. Likewise, the budgetary deficit is large: in 1998, foreign debt amounted to about US $1.1 billion, and its service cost over 58 per cent of export income. These macro-economic imbalances have been in large part manipulated by elites in their political strategies. The prominence of the ethnic factor in politics explains the cross-border implications of crises in Burundi and Rwanda. As both have a similar ethnic composition, violence in one country has tended to exacerbate tensions in the other and vice versa. Thus, for instance, the October 1993 coup in Burundi dealt a fatal blow to the Rwandan Arusha peace accord, while the genocide against the Rwandan Tutsi in April–June 1994 radicalized Burundian Tutsi, thus handicapping the search for solutions in Burundi.

While the ethnic groups figure prominently in this report, we shall see that Burundi is not just the country of Hutsu, Tutsi and Twa: other cleavages – based on gender, region, clan or rural/urban belonging – are at least as relevant. As a matter of fact, it is paradoxical that the ethnic divide should be so paramount in Burundi’s recent history, while the genocide against the Rwandan Tutsi in April–June 1994 raised to a new level the search for solutions in Burundi.

People

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opened all the characteristics of ‘ethic’ groups belonging to one or the other determines access to power, jobs, wealth, education and privileges, and even makes the difference between life and death.

Region

In the context of the Great Lakes Region, a short comment on the concept of minority/majority is called for. As the Hutu constitute a large demographic majority (about 85 per cent), the Tutsi (about 15 per cent) and the Twa (under 1 per cent) would seem to be the minorities in need of protection. While this is undoubtedly true for the Twa, the Tutsi have dominated politics, the army, the civil service, the judiciary, education and the economy, and—up to the massacres of late 1993, when about half the dead were Tutsi—the Hutu were by far the most numerous victims of ethnic-political violence. As Eide has pointed out, were Tutsi—the Hutu were by far the most numerous victors in the economic and political power. The overwhelming majority of Burundian Hutu, Tutsi and Twa is absent from politics and shares poverty and lack of access to health services and education.

Burundi can only be understood in a broader regional perspective. Particularly since the first Congo War, which in 1960–6 brought Laurent-Désiré Kabila to power in Kinshasa, several conflicts have tended to merge; these include the Great Lakes conflict, which has been the most immediately visible one, and the Sudanese and Angolan civil wars. The geographical proximity of these hotbeds of instability and the play of objective alliances (where all actors reason in terms of ‘the enemy of my enemy is my friend’) have linked up these conflicts, thus opening the possibility of the emergence of a war zone stretching from Luanda to Kigoma, as it then was, constituted the junction between these zones for two reasons. First, the Zairean state had virtually disappeared, thus leaving a ‘black hole’ with porous borders, almost no effective national army or administration, very poor communications between centre and periphery and between peripheries, an essentially informalized economy. Second, the Mobutu regime was implicated in the neighbours’ wars it supported the Khartoum government in its war against the southern Sudanese rebellion, which was in turn supported by the USA. Uganda, Ethiopia and Eritrea. Zairean territory served as a rear base for attacks by armed movements against Uganda, Rwanda and Burundi; and the support offered by Mobutu to the Angolan rebel movement UNITA (National Union for the Total Independence of Angola) did not end with the 1994 Lusaka peace accord. As the alliances in the region are conjunctural, they are fragile and shifting. This has become clear from the beginning of the second Congo War in August 1998: yesterday’s allies are today’s enemies. Thus Rwandan and Burundian Hutu forces, which were opposed to Kabila in 1996–7, now side with him in the context of an ‘anti-Tutsi’ alliance. More shifts are likely to occur in the future, thus creating a highly unpredictable and unstable regional political-military landscape, which inevitably affects attempts at reaching a peaceful solution in Burundi.

Historical background

From monarchy to republic

Unlike most African states, Burundi and its northern neighbour Rwanda were not an artificial creation of colonial rule. When they were absorbed by German East Africa in 1899, they had been organized kingdoms for centuries, belatedly forced to open their borders to European intrusion. When, in 1914, Belgium occupied Ruanda-Urundi (as the League of Nations mandated territory encompassing both Rwanda and Burundi was designated); it continued the system of ‘indirect rule’ operated by the Germans. This choice of colonial policy had a particular impact, as the ethnic minority of Tutsi had long been dominant. Unlike the situation in Rwanda, however, the potential for conflict between Hutu and Tutsi was contained by the existence of the mwami, an intermediate prime minister between the monarch (king) and the population. The Tutsi and Twa stood apart from the Hutu masses, who, in turn, comprised two main groups, the Banyarutuguru and the Himba. The paramount Hutu and the Tutsi were on an equal footing, and intermarriage was common.

The exercise of its perceived duties under the League of Nations mandate led to disruptive interventions by Belgium in Burundian social and political systems. However, to fulfill the criteria imposed by the UN Trusteeship Council after 1949, the Belgian administration was moved towards some degree of democratization. Two main parties came to the fore. The Union pour le Progrès National (UPRONA), led by Prince Louis Rwagasore (the eldest son of the mwami), was a nationalist movement, aiming to unite all groups and interests. The rival Parti Démocrate Chrétien (PDC) was more conservative and maintained cordial links with the Belgian administration. Old rivalries between Tutsi lineages also came into play. Rwanda was long dominated by the Tutsi dominant. Virtually all Hutu elements were eliminated from the army and the youth wing of UPRONA. An estimated 200,000–300,000 Hutu were killed, and a further 300,000 fled the country, mainly to Zaire, Tanzania and Rwanda. In 1962 the monarchy emerged as the only source of legitimacy to which both Hutu and Tutsi could relate in any meaningful fashion. In order to consolidate his own position, the mwami, Mwambutsa IV, sought to ensure a prop-

er balancing of ethnic interests in government. Four governments held office during 1963–5, each comprising almost equal proportions of Hutu and Tutsi. Tensions reached a climax when the Hutu prime minister, Pierre Ngenuhumwe, was assassinated in January 1965, only a week after taking office. The ensuing political crisis was resolved by 3,000 Tutsi, who held sham elections and declared Burundi a republic. With the abolition of the monarchy, the most important stabilizing element in the political system was removed, and subsequent purges of Hutu officers and politicians further consolidated Tutsi supremacy. More specifically, the birth of the republic heralded a decades-long domination by Tutsi-Hima elites from Bururi province.

Genocide and the Bagaza years

Following a violent attempt at incursion by exiled Hutu in April 1972, during which between 2,000 and 3,000 Tutsi were killed, massacres of unprecedented magnitude unfolded. Throughout 1972, Tutsi communities were subjected to attacks by the Burundian army and the youth wing of UPRONA. An estimated 100,000–200,000 Hutu were killed, and a further 300,000 fled the country; mainly to Zaire, Tanzania and Rwanda. Virtually all Hutu elements were eliminated from the armed forces. ‘This genocide’ has been a major watershed in Burundian contemporary history, and it still provides a crucial point of reference for the two main ethnic groups today. For the Hutu, it is proof of the existence of an ongoing genocidal plan nurtured by extremist Tutsi for the Tutsi, the fear of ‘le péril hutu’—the threat that the majority exterminating the minority—is genuinely felt. The events of 1972 also deepened a culture of impunity: the fact that no one was prosecuted and punished has convinced those responsible for massive human rights violations that anything is possible without fear of prosecution by either the domestic judicial system or the international community. As will be seen later, this practice of impunity
Buyoya embarks on a new policy

Apart from its adoption of a more liberal approach to the issue of religious freedoms, initially the new regime did not differ significantly from that of Bagaza. It remained dependent upon the support of a small Tutsi-Hima elite, who dominated the army, the civil service, the judiciary and educational institutions. Although Buyoya emphasized a desire for rapprochement and released hundreds of political prisoners, it was clear that the major challenge facing the new leadership, as had been the case with Bagaza’s regime, was the claim by the Hutu majority for fuller participation in public life. The reins of power remained firmly in the hands of the minority Tutsi elite, and Buyoya continued to be the victims of discrimination and persecution.

New violence erupted in August 1988, less than a year after Buyoya came to power. In a tense situation, caused by rumors and fears of a ‘new 1972’, on which PALIPEHUTU capitalized, several hundred Tutsi were killed and many more fled. During an operation aimed at ‘restoring order’ the armed forces randomly killed thousands of unarmed Hutu civilians in several northern communities, Ngozi and Marangara in particular. The death toll may have been as high as 20,000, while another 60,000 Hutu fled to neighbouring Rwanda.

Although initially the reactions of the authorities did not differ much from those in the past, these dramatic events led to the start of a new policy. Encouraged by a great deal of pressure from abroad, the president realized that the cycle of ethnic violence had to be broken, and he initiated a courageous programme of reform. His first two actions were of considerable psychological value. In October 1988, Buyoya set up a ‘National Commission to Study the Question of National Unity’, comprising 12 Hutu and 12 Tutsi, and later that month he appointed a Hutu, Adrien Sibomana, as prime minister, while at the same time creating a cabinet where Hutu and Tutsi held an equal number of portfolios. Although these measures could be seen as cosmetic to a large extent, they were the beginning of a profound dynamic of change.

In April 1989 the National Commission published its report which, while inadequate in many respects, initiated a public debate that was to lead to the drafting of a ‘Charter of National Unity’. For this purpose many ‘symposia on unity’ were organized both in towns and in the countryside. Freedom of expression was considerable and the low profile of the powerful State Security Bureau at this time contributed to the emergence of a climate favourable to debate and reflection. The Charter was published as a draft in April 1990 and, after a new round of consultations, was approved by referendum in February 1991.

Assessing the situation beyond declarations, texts and reports, the progress made between late 1988 and early 1991 was obvious. At the political level, many Hutu entered the apparatus of the state: at the end of 1990, half the cabinet, a sizeable number of provincial governors and mayors, and even the secretary-general of UPRONA were Hutu. Furthermore, they were equally represented with Tutsis in all major state bodies of a political nature. A marked improvement likewise occurred in two of three key areas where discrimination against the Hutu had been highly visible in the past. The first was education, where the by-and-large fair organization of national examinations after 1989 resulted in a considerable increase in the number of Hutu having access to secondary and higher education. The second was the civil service, whose higher echelons in particular used to be a near monopoly of Tutsis. Here, again, progress was clear: not only did recruitment procedures become more transparent, but the government took a number of measures aimed at recruiting Hutu into responsible positions, sometimes even at the expense of incumbent Tutsis. However, the third and most sensitive area remained problematic. The armed forces and the security services, which, during the subsequent crises since 1965, had become almost exclusively Tutsi, resisted change. Coup attempts in February 1989 and March 1992, and the way in which some army units misbehaved during the November 1991 disturbances in particular showed that Buyoya’s message of reconciliation was meeting considerable resistance in penetrating the military establishment.
Initiated in a single-party context, the process of reform was to continue in quite a different environment when the 'winds of change' started to blow over Africa in the early 1980s. Indeed, when in the past Burundi had returned to constitutional government after a period of military rule (in 1974 and 1981), this had been partly a self-imposed act of defiance, with UPRONA acting, together with the army, as the guarantor of Tutsi hegemony. Like many African leaders before him, Buyoya was eventually forced into accepting the introduction of multi-party democracy, with all the dangers it entailed for his efforts at ethnic reconciliation. Many feared that ethnic voting in a competitive system that was difficult to control would result in the demographic majority of Hutus emerging as a political reality.

The Burundian Constitution, which came into work in April 1991, right after the approval of the Charter of National Unity, this concern was ever-present in the minds of its members. As a consequence, the report published in August 1991 and the Constitution approved by referendum in March 1992 are remarkable documents. Certainly no other country's constitutional engineering has resulted in such an attempt to create a 'spirit of national unity'. Formulated as a principle in as many as 11 Articles, this objective was made operational by the obligation in several fields to take account of the 'diverse component parts of the Burundian population', a reference to the ethnic groups and, to a lesser extent, to the component parts of the Burundian population, referenced in the ethnic groups and, to a lesser extent, to the regions. Thus, for example, the government shall be 'comprised in a spirit of national unity, taking into account the diverse component parts of the Burundian population' (Article 84); likewise, the lists of candidates for the parliamentary elections shall be comprised in a spirit of national unity, taking into account ... [etc.] (Article 101).

After the promulgation of the law-decree on political parties in April 1992, the practice of multi-partyism started to take shape. Although the recognition of parties was subject to stringent conditions – which meant that some organizations were forced to change their programmes, and even the opposition parties were operating legally by the end of the year – during 1992–3, the government decided to set up a transitional regime or to hold a national conference as elsewhere in French-speaking Africa. But, despite some incidents and accusations that UPRONA was taking undue advantage of its position as the former single party, the country moved quickly towards the electoral moment of truth. Although the opposition parties insisted on a later date, President Buyoya, who mistakenly believed he would emerge as the winner, announced in early 1993 that the presidential elections were to take place on 1 June, followed by National Assembly elections on 29 June.

During the run-up to these deadlines, two realities soon emerged. First, it was clear that the context was to be very much a two-party affair. The Front Démocratique du Burundi (FRODEBU) emerged as the only significant challenger to the entrenched rule of UPRONA because of its successful recruitment campaign nationwide, its organization, the commitment of its members and the undeniable charisma of its leader Melchior Ndadaye. In addition, many sympathizers of the outlawed PALIPEHUTU saw FRODEBU as a valid alternative to further the Hutu cause. This led to the second reality: starting at the end of 1992, the salience of ethnicity as a major electoral element emerged with increasing clarity, after realizing the considerable ground that the new party was gaining. UPRONA embarked on a campaign which attempted to discredit FRODEBU, accusing it of being an ethnic organization of Hutu, and even the 'legal arm' of PALIPEHUTU. Indeed, some Tutsi who had joined FRODEBU were even physically intimidated by UPRONA supporters in order to make such 'traitors' quit that party. This was a paradoxical and counter-productive policy, not only because it was contrary to the spirit of the Charter of National Unity and thus to UPRONA's own ideology, but also, and more importantly, because it strengthened the view that UPRONA was the real leader of the FRODEBU which – given the relative demographic weights of the ethnic groups – could only play into the hands of FRODEBU. Although this was contrary to the latter's stated policy, some local propagandists capitalized on this feeling, making their constituents understand that FRODEBU was the only efficient defender of Hutu interests. In particular, those local FRODEBU leaders who were in reality PALIPEHUTU sympathizers became an increasingly manipulated ethnicity as the campaign proceeded.

Although some outspoken members of FRODEBU were the victims of harassment, arrest and even physical violence by local authorities, and while the government-owned media were far from impartial, the electoral campaign was relatively open, with FRODEBU in particular drawing huge audiences at its meetings and rallies. As was to be expected, the other opposition parties were hardly visible, except in the home areas of some of their main leaders.

Transition to democracy

The 1993 elections

Three presidential candidates were put forward to the electorate. The incumbent Pierre Buyoya's bid was supported by his own party, UPRONA, and by the Rassemblement Démocratique pour le Développement Economique et Social (RADDES), a small satellite organization. The main challenger, Melchior Ndadaye, was put forward by his own party FRODEBU, as well as by the Rassemblement du Peuple Burundais (RPB), the Parti du Peuple (PP), and the Fédération Libertaire (FL), the clear 'outsider'. Pierre-Claver Sendegeya, was proposed by the royal party, Parti pour la Réconciliation du Peuple (PRP).

The elections were a clear victory for FRODEBU, reversing the dying hope of a third term for Buyoya's bid. Indeed, Buyoya's campaign was based on the charismatic image of his leadership, which had been destroyed by the charade of unanimity. What should have confirmed the monopolization of power in the hands of a small Tutsi elite. While UPRONA was the political facade for this legitimacy, the army was its physical base. The voters destroyed the charade of unanimity. What should have been an asset for Buyoya eventually turned out to be a major liability: the material and financial means of the state, the complicity of the administration and the official media and, above all, the support of a party supposedly well-organized and omnipresent. The association of Buyoya with these symbols of past injustices, violence and oppression undoubtedly put off many voters who might otherwise have recognized his qualities of statesmanship.

The ballot

The elections of 1 June took place in a generally calm and dignified atmosphere, under the watchful eyes of about 100 foreign and 1,000 national observers. Apart from a number of minor technical problems, the operation was conducted in a fairly transparent manner. In a press release, one of the observer missions, the National Democratic Institute for International Affairs, confirmed: 'whatever the people of Burundi already know: the June 1st elections have been organized in an atmosphere of calm and transparency, thus allowing the free expression of the Burundian people in the choice of their new President'. (Translated from French)

There of course, a clear connection between the highest-ranking officials who were in reality PALIPEHUTU sympathizers and the FRODEBU propaganda campaign. The former national director of FRODEBU, accusing it of being an ethnic organization of Tutsi, had been put forward by his own party FRODEBU. However, the elections of 1 June were the first opportunity ever to determine who should be their new President.

A demographic majority turned political majority

After having ruled in Burundi since 1965 without challenge, Buyoya's bid was supported by losing the presidency and holding only a politically useless minority of under 20 per cent in the National Assembly. The former single party (FPD since 1965) had comfortably won every election since 1965. The major liability: the material and financial means of the state, the complicity of the administration and the official media and, above all, the support of a party supposedly well-organized and omnipresent. The association of Buyoya with these symbols of past injustices, violence and oppression undoubtedly put off many voters who might otherwise have recognized his qualities of statesmanship.

The 1993 elections was determined by the percentage of votes cast in favour of each party, the only ‘distortions’ being those resulting from the reallocation of votes from parties that obtained no seats, as well as those caused by unmarked or spoiled papers. Since seats were apportioned to provinces in terms of their relative demographic weight (approximately one seat for 70,000 inhabitants), they ranged from nine for Céléga to two for Cankumi. As a result the composition of the Assembly in July 1993 was as follows: out of a total of 81 seats, UPRONA held 16 and FRODEBU 69, or 80.2 per cent changes could only be made to Burundi’s Constitution by a vote of four-fifths of the 81 deputies, and FRODEBU’s overwhelming majority lifted it just over that 80 per cent threshold. In ethnic terms, the breakdown in the membership of the new National Assembly was as follows: 69 (about 85 per cent) Hutu and 12 (about 15 per cent) Tutsi. Of the latter, eight were FRODEBU and four were UPRONA, which meant that about 12 per cent of FRODEBU’s members were Tutsi, compared to 25 per cent of UPRONA. A major implication of the ethnic breakdown was that, even across party lines, the Tutsi did not have a blocking minority of 20 per cent, should they feel that they proposed constitutional amendment threatened their vital interests.

A demographic majority turned political majority
The regime threatened

This was certainly the interpretation given to the electoral exercise by the Tutsi elite. They saw FRODEBU’s victory as proof that a demographic ethnic majority had translated into a political majority and they feared that they would be at the bottom of the pyramid. The Tutsi were therefore extremely concerned about the outcome of a vote that was seen as having taken place essentially on an ethnic line. The further landslide by FRODEBU at the National Assembly elections, however, resulted in a distribution of seats (80 per cent versus 20 per cent) that came close to reflecting the demographic weight of the two main ethnic groups (85 per cent versus 15 per cent). Hence, for many members of the Tutsi elite, the spectre of the country’s demographic majority being turned into a political majority became a reality, all the more so since the ethnic component of the National Assembly fitted the 85 per cent/15 per cent breakdown almost exactly.

The new regime threatened

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The coup and large-scale violence

During the night of 20–21 October 1993, several units of the army staged a coup d’etat. President Ndadaye, the speaker and the deputy speaker of the National Assembly, and a few of Ndadaye’s close associates were assassinated. There was a power vacuum. The government went ‘into exile’ in the French embassy, stating that it did not trust the army and that its security could only be guaranteed by an international military force. The army, while claiming since 23 October that it obeyed the constitutional authorities, in fact continued to operate outside the law, and rejected any form of foreign intervention. The power vacuum had two consequences: on the one hand, for several weeks the civilian authorities were unable to take control of large parts of the country and to engage in a campaign of propaganda and order. This undoubtedly contributed to the violence which overwhelmed the country on a massive scale. On the other hand, this situation allowed certain political forces of the opposition, in coincidence with the army, to implement a ‘creeping coup’ as the initial formal coup collapsed. As the coup unfolded in Bujumbura, violence erupted in the provinces. In many places, resistance to the army and reprisals against Tutsi and even Hutu belonging to UPRONA were immediately organized by local authorities (e.g. municipal administrators, bill chiefs); in other places, the violence was carried out spontaneously. The population started blocking roads and cutting bridges in order to prevent the military from coming into the countryside. Indeed, people knew from experience that ‘restoration of order’ by the Burundian army tended to be ‘dead city’ days by small opposition parties in Bujumbura: the whole power play took place in the capital, controlled by the army and by small extremist groups, in a way totally disconnected from the expectations of the vast majority of the rural population, whose electoral choice was disregarded and who had no say whatsoever.

The search for a settlement: from Kigobe to Arusha

In an attempt to find a modus vivendi, the so-called Kigobe talks were held in early 1994. However, rather than addressing the real problems of the country, this process dealt with the distribution of offices and functions, a feature we will meet again later. This was an approach in which only FRODEBU could make concessions, and that is what happened increasingly. The Kigobe Accord was signed on 19 January 1994 by nine political parties. It was agreed by all but three small Tutsi parties (ANADDE, PSD and ABASA) that the successor to President Ndadaye was to be elected by the National Assembly, and a constitutional amendment to that effect was promulgated. The parties also agreed that the new president was to come from the ranks of FRODEBU and that Cyprien Ntaryamira was to fill the position. The prime minister was to be appointed after consultation with all political parties, and it was understood that he or she was to be from a party and ethnic group other than that of the president. However, the implementation of the accord was jeopardized by the violence which accompanied the organization of ‘dead city’ days by small opposition parties in Bujumbura: during the next round of talks at Kajaga it was agreed that the president was to be inaugurated under the condition that the government be formed by a prime minister from the opposition and that 60 per cent of the ministers came from FRODEBU and its allies and 40 per cent from the opposition. Furthermore, the opposition was to be represented in so-called ‘sensitive sectors’ (intelligence, information, police); it would also obtain 40 per cent of the positions of provincial governors and local administrative authorities. The so-called Kajaga Agreement of 4 February finally allowed the inauguration of President Ntaryamira the next day. Still dissatisfied, the most radical micro-parties rejected the accord and called for resistance against what they called a ‘coup d’état’. The threat of urban street violence was renewed on the occasion of the formation of the government. When the new prime minister designate, Anatole Kanyvediko (a Tutsi belonging to UPRONA), announced his cabinet on 9 February, its composition did not correspond to the wishes of the small opposition parties, which were not offered portfolios. They threatened violence, and, only two days later, on 11 February, representatives of PIT, BADDES, FRP and Inkinino were appointed to government posts; at least two of the new ministers had been actively involved in the organization of the violence at the beginning of the month. Not only was this arrangement thus seen as politically rewarding, but the composition of the government formed on 11 February explicitly confirmed the ethnic bipolarization of the political system: all the ministers from the opposition parties were now Tutsi, while – apart from two Tutsi from FRODEBU – those from the majority (the presidential side) were Hutu. The way in which the government was formed, in two steps, under the threat of street violence and under the aegis of the army, expressed the deep political impasse. This episode also exemplified the profound rift between Bujumbura and the rest of the country: the whole power play took place in the capital, controlled by the army and by small extremist groups, in a way totally disconnected from the expectations of the vast majority of the rural population, whose electoral choice was disregarded and who had no say whatsoever.

Less than two months later, the country was again facing an institutional vacuum as a result of President Ntaryamira’s death in the attack against the Rwandan presidential plane in Kigali on 6 April 1994. This allowed the opposition to claim new negotiations, and thus attempt to obtain further concessions from the majority. As the ‘Novel negociations’ proceeded, from July onwards, the opposition required more and more, going so far as to claim 60 per cent of positions in government in a document produced in August. A new agreement, finally signed on 10 September 1994, allowed for the designation of Sylvestre Ntshantunganya of FRODEBU as the new president. The ‘Government Convention’ was extremely far-reaching, not so much because the opposition increased its share in government to 45 per cent, but rather because the 1992 Constitution was effectively suspended and replaced by mechanisms which annihilated FRODEBU’s electoral victory. In addition, it had supra-constitutional status, because ‘the Constitution remains valid (only) insofar as it is not contrary to this Convention’ (Article 6) during a transitional period which was to last
The search for a settlement: from Kigobe to Arusha

Coup presented a plan for re-launching the peace process to the Oyo was to move slowly and cautiously towards negotia-
region reacted by imposing an embargo on Burundi, Buyo-
confirmed the existing situation. While the countries of the re-
restored former President Buyoya to power, this in effect the
political landscape led to a total breakdown: president and
numerous FRODEBU officials at the local, provin-
paralysed. When the cabinet was reshuffled on 12
the institutions were increasingly drago-
committees, and the army effectively controlled what little state
National Assembly were impotent, the cabinet was divid-
complexity of the process. Although, at the beginning of the
talks, the exchanges remained at a rather general level, the
participants paved the way for the future discussions. First, they committed themselves to ‘undertake serious
negotiations until a fair and sustainable solution to the cri-
sis in the country is reached’, and ‘to resolve the Burundian
conflict by peaceful means and to put an end to all forms of violence’; therefore, ‘all armed parties in the con-
flict declare a cessation of hostilities beginning July 20,
the latest’. These general commitments were fol-
lowered by a series of issues which were to form the subject of negotiations. They constitute a fairly
complete list of issues to which solutions should be found.25
The decision was taken to entrust the study of each of these issues to a committee, whose presidency and com-
position would be decided during the subsequent rounds of
negotiations. Nevertheless, while setting the agenda constituted an important step, in stark contrast to previous
efforts,26 the reservations expressed not only by the gov-
ernment but also by the ‘Tutsi parties (UPRONA, AV-
INTERNARI, INKINZO, PIT, FRP and PSD), clearly indi-
acted their willingness to enter into the discussions.
Thus, for instance, the government’s reservations concerned the location of the next meeting, but more so the
agenda itself. The government contended that the sus-
pending hostilities was raised: the government made it
clear that this mention only related to ‘armed factions’ and
did not concern the Burundian army.27 Since, for its part, the
military wing of the CNDD-FDD,28 which was not
involved in the talks, did not consider itself as being bound by any ceasefire arrangement, the chances of a ces-
sation of hostilities were rather slim, and, in fact, even after the agreed date of 20 July, the fighting continued and
involved parties such as FROLINA and PALIPEHU29
which were present in Arusha.23 The non-inclusion of some armed groups in the respective peace talks was to prove a
fundamental handicap throughout the process.
This did not impede the continuation of the negotia-
tions. A second round of talks took place between 20 and
29 July, no spectacular progress was made, but a relaxed
atmosphere allowed the adoption of procedural rules, an
initial debate on the substantive conflict and agreement on
the dates for the third round. The government also ini-
tiated steps to convince Nyere, who was adopting a legis-
local party) and FROLINA (Front pour la Libération
Hutu, killed by the army and Tutsi militias, but the num-
bear the bruises and be pleased with the progress made to date.24 In order to maintain pressure, he attempted to convince donors to maintain pressure, he attempted to convince donors
began to the region was raised, but not debated. The third round
brought the participants together from 13 to 22 October. As
the army and the government were pleased with the progress made to date.24 In order to maintain pressure, he attempted to convince donors to maintain pressure, he attempted to convince donors
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of political prisoners and the ‘regrouped’ populations: others agree with the head of state … Others are in
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described as not for any human being to live in … That is a situation unacceptable to a person as me, who has spent 27 years in jail.24
While some Tutsi groups (such as the Mukanti wing of UPRONA and the organization AC-Génocide Criticism) had already openly opposed the peace process in the past, the primary concern expressed in the document published on 26 February, Tutsi organizations demonstrated in Bujumbura;
a document published on 26 February by the govern-
ment, while couched in cautious and ambiguous terms,
ne negotiations should be conducted between two groups, those who hold power today and those who lost it after the coup in 1996, another former president, Jean-Baptiste
Bagaza, stated that the prerequisites for meaningful nego-
tiations had not been met.30 The positions on the delicate
topic of reforming the security forces remained very divergent, while the same was true for the interpre-
tation of the country’s history: Huts and Tutsi blamed each other for genocide. The mediator became irritated by these impasses and viewed progress as being too slow:
I would not be telling the truth if I told you that I am pleased with the progress made to date.24 In order to maintain pressure, he attempted to convince donors to maintain pressure, he attempted to convince donors
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contended a warning to the mediator. ‘No solution will be imposed or precipitated’. The government intends to play its leading role.¹⁸ A worse omen still, on 3 April, five organizations of the radical Tutsi opposition vowed to take up arms to fight any agreement with the ‘authors of genocide’.¹⁹ For their part, the FDD and FNL rebel groups also remained very reluctant to commit themselves unrestrainedly to the search for a political settlement.

Insecure outcome

Clearly, many obstacles remain on the road to peace: the resistance of certain small but powerful groups in Bujumbura is one; the situation in the Congo is another. The siding of Burundian rebels, the FDD in particular, with Congolese President Kabila and his allies²⁰ tempts them to believe that they can remove the Burundian regime by force. In addition, the constantly shifting geopolitical landscape, demonstrated, for example by the Rwandan-Ugandan conflict, affects the predictability necessary for negotiations to be held in good faith. Because of constantly emerging obstacles, deadlines set for the signing of the accord were postponed on several occasions, adding to increasing donor fatigue. Moreover, some ‘professional negotiators’ have an interest in prolonging the process. The Human Rights League Iteka has calculated that, by savaging on the daily allowances, delegates can ‘earn’ their normal income for five months in just one week’s attendance at Arusha.²¹ While progress has undoubtedly been made,²² the slow pace, the lack of trust and genuine commitment, the constant challenges, and the constant shifting of the political landscape threatens the process and irritable regional and international observers. Finally, the Rwandan (Arusha 1993) and Angolan (Lusaka 1994) precedents serve as a warning of the consequences of the peace accord breaking down.

These fears materialized during what Mandela hoped was to be the last round of talks in July 2000. While the mediator announced that the accord was to be signed on 20 July, it became clear that agreement was lacking on a number of major issues, such as the organization of the transition, the electoral process, the reforms of the army and the presence of international peace-keepers. Mandela grudgingly accepted the need for new consultations, but announced that the accord was to be signed on 28 August.

During the days preceding the ceremony, it was obvious that, while the Hutu parties by and large agreed with the terms of the proposed text, the Tutsi parties and the Burundian government had grave misgivings. US President Clinton was called in to exert pressure and, on 28 August, 13 of the 19 negotiating parties signed the accord. Although several of the six Tutsi parties who initially refused did sign during the following days, most of the Tutsi parties and the government expressed reservations on points that are so important that part of the accord is exempted from substance. In addition, as the rebel groups were not present, no ceasefire agreement was negotiated, and the Burundian army expressed grave dissatisfaction about the integration of rebel forces. The implementation of this complex accord by parties who profoundly distrust each other would be difficult in itself; but the implementation of what is, to some extent, a non-accord may well prove almost impossible. On the other hand, the 28 August signing could be one step in an ongoing process. Only the future will tell, but the possibility of the violent rejection of an agreement, perceived as imposed by those who feel implementation in contrary to their interests, cannot be ruled out from the outset.²³

**Not just Hutu and Tutsi: disadvantaged groups in society**

**Regions**

Because of both history and the present, the notion of ‘groups’ and ‘minorities’ in Burundi tends to refer exclusively to Hutus, Tutsis and Twa. This is due to what the French historian Pierre Chéron has called ‘ethnic regression’, i.e. the fact that all conflicts and divisions in Burundian society are interpreted in terms of the ethnic divide. Yet, other cleavages pit groups against one another. In fact, even the ethnic groups are not homogenous categories. Thus, there exists an old antagonism between Tutsi-Banyarugence and Tutsi-Hima, the latter being geographically concentrated in Bururi province and dominating the successive military regimes since 1965. This division even affects the armed forces, considered the ‘bastion of Tutsi hegemony’.⁴ In a document released in early May 1996, a group of officers from provinces other than Bururi, commonly called ‘Tiers Monde’ (‘Third World’), who constituted a ‘Front d’Action pour la Vérité’ (FAV, Action Front for Truth), challenged the injustice, regionalism and cult of personality which was put in place a long time ago by the military leaders of Bururi.⁴² Even among the officers from Bururi, clan cleavages oppose the Banyambya to the Bashinji.⁴³ Moreover, the neighbouring Bururi municipalities of Matana and Rutobo are engaged in constant political competition. Regional antagonisms divide the Hutu as they do the Tutsi, so much so that some Hutu leaders from Bururi, e.g. Léonard Ngunguna, have been suspected by others of seeking alliances with Tutsi from their home province. FDD leader Colonel Ndakengurukiye and the leader of the FRODEBU disdains allied to the government, Augustin Ntaganzwa, are actually brothers and both from Bururi. At the time of finalizing this report, there were suggestions that players from Bururi in both camps were trying to ‘come to an arrangement’.⁴⁴

**The rural/urban divide**

Another major cleavage is that between urban and rural Burundi. While over 90 per cent of the population lives in the countryside, government policies and budgetary allocations show a very strong urban bias. In the 1980s, Bujumbura and its hinterland absorbed 50 per cent of all public investment; this figure reached 90 per cent for social sector outlays. Total funding for the rural sector amounted to a mere 20 per cent.⁵ Commenting on a villagization programme in the Imbo region, J.C. Willame notes that ‘many peasants were not the owners of the plots they received and they worked for (Tutsi) civil servants and political notables living in Bujumbura’.⁶ FRODEBU’s 1993 electoral programme,⁷ however, reflected a desire to initiate a redistribution in favour of the rural world. Investments in the primary sector (agriculture) were to reach 50 per cent of the state investment budget; tax incentives were to stimulate the agricultural sector; associations of farmers were to be encouraged; and an institution specialized in the funding of activities in agriculture and stock-breeding was to be put in place. It is impossible to tell whether these policies would have been effectively implemented, as FRODEBU was neutralized as a result of the October 1993 coup; at any rate, the civil war and attempts to put an end to it have taken centre stage since 1994 at the expense of structural policies. Also, it is not certain that the current leadership of FRODEBU is still committed to strategies aimed at redressing the balance in favour of Burundi’s rural majority.

In addition, the rural populations have been the main victims of the violence during recent years. Most of the killings in October–November 1993 took place in the countryside, and the majority of the 50,000 killed were peasants and local elites (teachers, municipal leaders, shopkeepers, etc.). Hutu and Tutsi alike. Again, most of the 200,000 people reportedly killed during the following years were rural populations. When the government embarked on a ‘reoccupation’ policy in early 1996, this was, once more, essentially targeting the rural areas. While some ‘reoccupation camps’ – officially aimed at protecting the population, but in reality an anti-insurgency strategy – have been closed, more have been opened. At the end of 1999, over 500,000 people were thus ‘regrouped’; of these, about 350,000 were confined to camps in the province of Bujumbura Rural, which amounted to a staggering 85 per cent of the province’s population.⁸ Adding up the ‘regrouped’, the ‘displaced’ (Tutsi concentrated under military protection) and the refugees abroad (almost all of
them Hutu), about 20 per cent of the Burundian population was not living in its original homes. Even though most of the camps in Bujumbura Rural were closed by the end of July 2000, this serves as a measure of the tragedy of this country. In the ‘regroupment camps’, which Nelson Mandela has called ‘concentration camps’, rural people suffer maltreatment, untreated illnesses, killings and other abuse by the army. Clearly, those entrusted with implementing the peace accord agreed at Arusha will have to come to terms with the overwhelming majority of its population.

Gender

Women in Burundi, as elsewhere in Africa and the world, are another massively disadvantaged group. While they constitute over half the population, they are discriminated against in all spheres of society: politics, the civil service, the economy, education, the justice system. The under-representation of women in the political institutions has actually worsened as the crisis has deepened. Only one woman holds office in the current transitional government, and her portfolio is a ‘typically female’ one carrying little political weight (she is in charge of social action and the promotion of women). Ten women sit in the transitional National Assembly out of a total of 121 members, i.e. a mere 8 per cent. Perhaps even more surprising is that so few reach a position where they can fully participate in the Arusha negotiations, where the future of the country was debated. Yet women have borne the brunt of the conflict. As more men than women have been killed or jailed, or have joined the rebel movements, most single-parents are women, who must ensure their families’ survival in extraordinarily harsh circumstances. With the government army and rebel groups engaged in operations country-wide, women are also exposed much more than in peace-time to the risk of being raped. Data are hard to come by, as Burundian culture – like many other cultures – discourages complaints by the victims of sexual aggression. However, research carried out by the International Rescue Committee’s (IRC) Sexual and Gender-Based Violence Program shows a high prevalence of sexual and other forms of violence against women. In a survey of 339 women in Kamemba refugee camp (Tanzania), 27 per cent said they had experienced at least one incident of rape during the conflict. In the regroupment camps too, women and girls are frequently subjected to rape and other forms of sexual abuse by government soldiers and rebels. While they are not seen as a direct threat to the enemy, women are also targeted for their role in reproducing their ethnic group. Specific methods of killing, such as cutting off wombs and dismemberment, particularly of pregnant women, aim at eliminating ‘enemy’ children. The threat of violence even follows women from the conflict to their place of refuge. Many report an increase in forced marriages, and in domestic violence, as a result of the loss of family and community structures that offered them some degree of protection in Burundi, also tensions arise over scarce resources, such as camp food rations. Girls constitute between 40 and 45 per cent of the pupils in elementary and secondary schools – already lower than their proportion in the population of school-going age – but this rate drops to around 25 per cent in higher education. In addition, women remain disadvantaged in certain legal matters, particularly in the area of inheritance, which is still regulated by the male-biased customary law. In particular, the issue of access to land rights, which women cannot directly hold at present, will need to be addressed in a context of changing gender relations (women performing ‘men’s functions’) and possible gender imbalance (more women than men) as a result of years of conflict and displacement. Although the government has published two reports on the status of women in August and December 1999, the Human Rights League Ikela deplores the: ‘total lack of directives and mechanisms to implement the recommendations contained in the general programme of the transitional government adopted in November 1998 which stipulated that all sectoral policies of the ministries should include policies aimed at the promotion of women’. Of course, gender discrimination is not only attributable to the state. Custom plays a part, as well as short-term economic considerations: many parents, including mothers, prefer girls to contribute to household work rather than to enjoy formal education. Some girls even fear that they will ‘grow old at the school desk’ if they engage in long periods of study.

The Twa

The ethnic group that is worst off is also the one hardly ever mentioned in the debate on Burundi. The Twa number less than 1 per cent of the total population, while they are the earliest known inhabitants of Burundi and self-identify as ‘indigenous’, they are marginalized socially, culturally, economically and politically, and despised by Hutu and Tutsi alike, who will generally not share a beer or a meal with them. Even in normal times, the major issue confronting the Twa is discrimination, which takes the forms of negative stereotyping, segregation and denial of rights. Their access to resources essential for their economic activities is increasingly limited: land for cultivation, clay for pottery, forest for hunting and gathering (including medical herbs), lakes for fishing. Likewise, state-provided resources are less accessible to the Twa than other groups; these include health care, justice, jobs and education. Limited access to the latter, being an avenue of social promotion, is a particular handicap for the promotion of Twa rights. As those with a full secondary education represent less than 0.5 per cent of the Twa population, it is hardly surprising that so few reach a position where they can fully participate in public life: no Twa has ever been a member of government, an army officer, an executive civil servant, a judge or prosecutor, or a university teacher. One of the few who did emerge, Stanislas Mashini, a former executive member of the opposition party RPF, was sentenced to death and executed on 31 July 1997, after a trial labelled ‘grossly unfair’ by Amnesty International. The government seemed to attempt to redeem itself through the appointment of Mashini’s widow, Libérata Nyakayezu, as a co-opted member of the transitional National Assembly in July 1999, she is the only Twa in the 121-member Assembly, and the first Twa MP ever.

The Twa have been particularly vulnerable in the context of violent conflict in the Great Lakes Region. During the 1994 genocide in Rwanda, they were targeted by both Hutu extremists and the Rwandan Patriotic Front (RPF). As they do not fit into the Hutu-Tutsi bipolar divide, they are forced to ‘take sides’ in Burundi too, and as a result become the victims of killings by both camps in a war that is not theirs.

Cross-cutting cleavages

The fact that groups other than Hutu and Tutsi – regional groups, class, peasants, women, Twa – have objective interests which transcend the Hutu-Tutsi divide could be an asset for Burundi. Indeed, here are cross-cutting cleavages waiting to be articulated: there are Hutu and Tutsi peasants and women, there are Hutu and Tutsi living in the same disadvantaged regions, the clans are multi-ethnic. The bipolar ethnic divide, which in Burundi and elsewhere proves difficult to manage peacefully, would become more multipolar and easier to accommodate. It would also allow the real issues, which have been obfuscated for years by the prominence of the ethnic conflict, to be put on the political agenda. As the ethnic divide is essentially kept on the agenda by a small minority of urban elites, such a shift of attention would also allow the issues confronting the vast majority of Burundians to be addressed.
Democracy, the rule of law and human rights

Experience of democratic government is very limited in Burundi: apart from the period 1961–5 and the few months between the elections and the coup of 1993, the country has been governed by regimes without an elective mandate, and at times by brutal dictatorships since independence. As already mentioned, the ethnic equation creates a situation where the demographic majority, who are the victims of the political system, a prospect which is naturally resented by the Tutsi elites who have dominated the state and the economy since 1961.

Therefore, inspiration might be sought in consociational techniques used elsewhere, which attempt to correct the effects of a strictly majoritarian system. While some authors have claimed that a democratic system cannot function in plural societies, Arthur Lewis has challenged that view. According to him, it is not democracy that fails in these societies, but a particular form of democracy, namely majoritarian democracy in their more general terms. According to him, in such societies the political system which emphasizes consensus instead of opposition, that includes rather than excludes, and that tries to solve the inherent in the situation of Burundi.

The Burundian situation offers two additional difficulties. The first is that territorial devolution is precluded by the fact that there are no Hutu or Tutsi areas. Historically, the ethnic groups have lived side by side, and only recently has the violence caused some – hopefully temporarily – segregation. A second problem relates to the identification of appropriate mechanisms of power sharing. The Burundian system of minority protection. This would require the registration of people according to their ethnic origin, a measure that might rigidify and possibly exacerbate ethnicity rather than diminish its salience: the risk of perpetuating the ethnic divide is obvious.

Opinions on this issue naturally differ widely. The Hutu-dominated parties in Arusha favour the one-person-one-vote system, while the predominantly Tutsi parties advocate indirect electoral systems which they expect would dilute ethnic voting. FARENA and PPR even favour a system of community voting in which Hutu and Tutsi would organize elections within each group. This application of the ‘two peoples, one nation’ vision to which these parties adhere would, of course, create substantialities, an option which effectively institutionalizes ethnicity as the main, if not the only, politically relevant variable.

It also leaves the ‘Two and the naturalized Burundians out in the cold. Other means to alleviate the majority principle advocated in Arusha are the introduction of the (suspect) veto, the requirement of higher than 50 per cent majorities and the institution of a Senate.72 A High Council of the State. While mechanisms of this kind, which are in fact consociational – may be helpful, they will not by themselves eliminate the fears and frustrations inherent in the situation of Burundi.

The prominence of ethnic considerations leads to two dilemmas with regard to democracy. The first is the relation between democracy and genocide. Many Tutsi feel that democracy was at the origin of the crisis of late 1993: and that a democratic system, seen as ‘rule by the Hutu’, contains the constant threat of genocide against the Tutsi. This opinion ignores the fact that it was not democracy, but rather the lack of it, which caused the violence. It also marks the reality that both Hutu and Tutsi have been killed on a massive scale, and that fighting genocide is, therefore, in the common interest of all Burundians. The second is the relation between democracy and ethnicity. As already stated, the introduction of ethnic quotas and other mechanisms based on ethnic belonging rigidifies and perpetuates ethnicity as the most relevant political variable, which in the long run may not be in the interest of those, the ‘Tutsi’ whose schemes are supposed to protect. In reality, demands for the ‘protection of the Tutsi’ are often part of a strategy developed by small Tutsi parties, who know that they do not have the slightest chance in a ballot, to claim a share in power.

These dilemmas translate elite concerns, thus masking the nature of the relations between politicians and the population they supposedly represent. These relations are generally distant, authoritarian and paternalist: urban rulers claim to know what is best for rural populations, but in reality they are engaged in power politics played out in Bujumbura (and its extra-territorial extension Arusha) in total disconnection from the rest of the country. Most parties lack even a genuine urban base and are instruments for the promotion of personal and sectarian interests. Therefore, creating a viable political system will require more than accommodating elite ethnic concerns and claims; it will need to benefit all Burundians as citizens, actively concerned by and involved in running the affairs of state.

To achieve this, upholding the rule of law will prove at least as important as mechanisms of power sharing. Amnesty International observes that most of the people detainted are Hutu and that the members of Tutsi militia generally escape prosecution and punishment. Moreover, in the few cases where the military has been prosecuted, double standards continue to operate: ‘While hundreds of people, convicted of participation in the massacres of mainly Tutsi civilians which followed the assassination of President Ntaryamira have received long prison sentences or the death penalty, the few soldiers who have actually been convicted of similar offences have received substantially lower sentences, often of only a few months.’

The chiefs of mission of the European Union in Bujumbura reached a similar, and indeed severely worded conclusion.

The judicial system thus disperses a biased justice which favours the Tutsi minority over the Hutu majority … The prison population is essentially composed of Hutu, who are the victims of a selective justice. The judiciary has received substantially lower sentences, often of only a few months.’

A more democratic political system and a functioning justice system would almost automatically lead to an improvement of the human rights situation, which has been dire for many years. Most basic rights, including the right to life, are massively violated, routinely and on a daily basis. Almost 10,000 people are detained for real or imaginary politically inspired crimes, while the prison capacity is about 3,000. At the going rate (436 judges rendered in 1999), it will take 25 years to process the cases of those who have already spent several years in pre-trial detention. The death sentence can be commuted before a judge, who under Burundian law, must decide on their continued custody. Moreover, death sentences are on the increase: 47 in 1998, 50 in 1999, during January

Reforming the state

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The security apparatus

The future of the armed forces is such an important issue that one of the committees in the Arusha talks deals exclusively with peace and security. This is natural, given the history of Burundi. Most Tutsi consider control of the army as an essential life insurance policy, a conviction that has become even more compelling since the genocide of the Tutsi in Rwanda in 1994. For most Hutu, the Tutsi-dominated army is a constant threat; in their view, the military have not only killed vast numbers of Hutus, but they are also the principal instrument of Tutsi domination. Both positions are based in reality, which makes the search for a compromise difficult, particularly as this is literally a matter of life or death.

However, there is now a consensus that the security forces must be reformed. The government and the army even accept that the armed forces should include 50 per cent Hutu and 50 per cent Tutsi, although in their view this does not mean that the Hutu contingent must be the integrated elements of the rebel forces. As with some institutional arrangements, 50/50 arrangements again raises the issue of the perpetuation of ethnic subnationalities. In contrast to reforms in the judicial system, the military system presents more of a challenge, as there is still inevitably to be the expense of troops and officers presently serving in the more so since the Burundian army has grown considerably in recent years; reducing a force that probably numbers between 30,000 to 40,000 for a manageable and affordable peace-time force of under 20,000, as well as reducing 50 per cent to new recruits will require the demobilization of tens of thousands. This is likely to cause resistance and will, at any rate, be very expensive in terms of demobilization premiums and re-training for civilian occupations.

Two other related issues give rise to debate. Most Hutu parties want to separate the gendarmerie (national police) from the army; indeed, this was one of the decisions taken by the Ndadaye administration when it came to power in July 1993, it was heavily resented in army circles and never implemented. Although many Tutsi fear that the gendarmerie would counterbalance the army, such a measure would make sense, as the gendarmerie is in charge of internal law and order, while the army is committed to the defence of the country and of the international issue is that of international supervision. Again, this is rejected by the Tutsi and the army; indeed, the prospect of the deployment of an international force will be at the expense of troops and officers presently serving in the integrated units.

Integration of new elements in the army will inevitably raise the issue of the perpetuation of ethnic subnationalities. This does not mean that the Hutu contingent must be the most balanced army, but also a military establishment that is professional and politically neutral. It must be transformed into the body of the armed forces of democratic institutions, without its own agenda. Only then will it avoid being the tool of factional and regional interests and thus become a truly national army.

Education and health

The civil war has badly affected the social sector. While, between 1992 and 1997, defence spending soared from 8.1 billion Burundian Francs (FB) to 21.1 billion, an increase of 100 per cent, expenditure on health dropped from 20 per cent to 1.5 per cent of the GDP to 2.6 billion FB into 2.9 billion FB, expenditure on education increased only marginally by 8 per cent from 10.5 billion to 11.2 billion. Put in another way, the Arusha Agreement for Peace and Unity, which guarantees a third of the defence budget in 1992, but only 62 per cent in 1997. The UNDP’s Human Development Index shows that Burundi ranks 152nd, but it had dropped to 170th place by 1997.

Even before the conflict erupted, education was a major political issue. It has preface to a recent report of International Alert, Bill Yates notes that exclusion starts with differential access to education, especially in a society and economy in which state employment is virtually the only alternative to peasant agriculture, and education is the only path to such advancement. Therefore, education has been a major instrument for the promotion of Tutsi hegemony in the civil service, the army and the judiciary. However, here as elsewhere, regional differences are discriminatory. Six provinces, with about one-third of the population, have over half of the university places. There are as many teachers in the province of Bururi as in the provinces of Cankuzo, Muyinga, Butana and Rusizi taken together. Net primary school attendance in 1996–97 was 44.17 per cent in Bururi, compared to 65 per cent in Bujumbura, 12 per cent in Bujumbura city account for 32 per cent of all secondary pupils, while these provinces represent only 11 per cent of the national population. Similar imbalances affect higher education, a fact which explains the recent creation of a private university in the northern town of Nguri.

While it was already in crisis before the beginning of the civil war, the education system has all but collapsed since. During the last ‘normal’ school year, 1992–3, 52 per cent of primary age children were at school, a very low proportion which plunged even lower to a mere 37 per cent in 1998/99. There is also a worrying extent of the quality of education, while internal displacement, runs in the thousands. Hundreds of schools were destroyed, damaged or used for other purposes, leaving displaced children out of school. Like the justice sector, the education system will need a major injection of resources. This is essential, not just for the sake of a much needed improvement of this sector, but also as a means of ensuring peace. Better access for disadvantaged, ethnic and gender groups must not be provided at the expense of those who are now (relatively) privileged. A victim strategy is required. Yates stresses that the cake must be made larger with significant new resources being allocated to even up the proportions. The health sector has also been badly affected by the present conflict. The body of the armed forces of democratic institutions, without its own agenda. Only then will it avoid being the tool of factional and regional interests and thus become a truly national army.
We have seen earlier that attempts by the newly elected government in 1993 to address the issue of privatization and the economy more generally was among the principal reasons for the privileged of former regimes staging the October 1993 coup.

The war economy has generated a logic of looting, created new opportunities for making profits, for instance through speculation and by-passing the regional embargo, and engendered new categories of ‘entrepreneurs of insecurity’, including army officers, who cash in on the opportunities offered by regional war and instability. In a declaration made on 4 December 1999, the ANAC, a grouping of parties opposed to the government, referred to army officers ‘engaged in mercantile racketeering’. Even though his name did not appear in the document, the then Defence Minister, Colonel Alfred Nkuruziza, was amongst the officers targeted, as he was mentioned in relation to various illicit forms of trading, particularly in sugar.

Since the beginning of the civil war, army officers and their civilian partners have controlled most of the ‘survival economy’ (beans, palm oil, sugar, rice, fuel), the import-export of essential commodities and the security of transport channels. While, even in ‘normal’ times, Burundians were already quoted as an example of a criminalized transport channels. While, even in ‘normal’ times, Burundians are amongst the officers targeted, as he was mentioned in relation to various illicit forms of trading, particularly in sugar. Since the beginning of the civil war, army officers and their civilian partners have controlled most of the ‘survival economy’ (beans, palm oil, sugar, rice, fuel), the import-export of essential commodities and the security of transport channels. While, even in ‘normal’ times, Burundians were amongst the officers targeted, as he was mentioned in relation to various illicit forms of trading, particularly in sugar.

A last aspect of the economic sphere must be mentioned, as it affects most Burundians living in the countryside. As mentioned in the introduction, pressure on land is enormous in Burundi. In the event of an effectively implemented peace deal, over half a million Burundian refugees are likely to return, mostly from Tanzania. If not managed properly, this will cause considerable tensions, as it did in 1993, and may contribute to the derailing of the accord. Transparent procedures must be put in place and the inevitable disputes over ownership must be dealt with fairly and impartially. In addition, here again, the donor community will have to release the means necessary to allow more rural Burundians to make a living otherwise than in agriculture.
Recommendations

1. The international community should continue to support the peace process. This support should not be limited to the accord signed at Arusha, but should aim at involving all strata and sectors of the population within Burundi. The international community could contribute by providing not just adequate diplomatic and financial backing, but also coordinated and, whenever possible, unified approaches. The bilateral and multilateral, governmental and non-governmental parties involved should provide coordinated mediation and search for durable solutions in ways which are impartial, and which are seen to be impartial by parties within the polarized environment of Burundi.

2. Solutions for peace should be inclusive of the views and interests of all sectors of society including those of the most marginalized groups and those marginalized and disadvantaged for reasons besides those of ethnicity. A high degree of inclusion and acceptance of peace solutions needs to be achieved not just to ensure the successful implementation of peace measures, but also to avoid a return to cycles of violence which have deeply affected the country since independence.

3. Given the extreme and increasing poverty of the country, the international community must support solutions for peace by injecting resources in key sectors such as health, education and justice, which affect all sectors of the population. Due to the modest size of the country, and its extreme poverty, efforts on a relatively modest scale would offer real benefits to the country and to redress deeply ingrained discrimination and imbalance against the disadvantaged without necessarily leading to an overall decrease in resources for other groups.

4. Amongst the priority areas to be considered in the peace negotiations are restructuring of the army and civilian security forces under international supervision and with international assistance.

5. Solutions will have to be found to the issues to be raised by the likely demobilization of tens of thousands of government troops and rebels. Plan of action, backed by adequate funding and other resources, will have to be devised in order to reintegrate demobilized soldiers into civilian life and the civilian economy, for instance by providing adequate resources, training and, whenever possible, opportunities for employment for former soldiers and others in the communities where reintegration is to take place. Demobilization of soldiers and the return and reintegration of refugees and internally displaced persons will have to be part of integrated plans of action which, drawing on experiences from other countries in transition from civil conflict to peace, will address potential areas of conflict, such as over housing, land and other resources, control of local government and other key sectors, etc.

6. International development and government policies in post-conflict Burundi should focus on redressing discrimination against disadvantaged groups and discrimination along geographical, gender and other lines, with a view to supporting implementation of international human and minority rights standards.

7. All branches of government in Burundi will have to prioritize measures for respect of basic international human and minority rights standards, which Burundi is party to. Appropriate measures should be devised, with the support of the international community, for capacity-building measures which would support the implementation of such standards, such as reforms of the judiciary and education systems, human rights training for members of the security forces, grassroots human rights education and awareness-raising, and measures towards an end to impunity as a key obstacle to protection of rights.

8. To the latter purpose the international community should support the institution of mechanisms to address impunity for the mass violations of human rights which have occurred in Burundi’s recent past, such as a national truth and reconciliation commission and/or an international criminal tribunal for Burundi, drawing on the experiences of other countries emerging from similar situations. Failing this, the reign of impunity will continue, thus paving the way for further massive human rights violations.

9. Non-state actors have an important role to play. Civil society organizations at the local, regional and national levels, must be supported by both the government and the international community. Likewise, in the light of Burundi’s history of militarization, unarmed democratic political groups need promotion and protection.

N O T E S

5 This term is used in its strict legal sense, as defined by the Genocide Convention, i.e. ‘acts committed with intent to destroy, in whole or in part, a national, ethnic, racial or religious group, as such’ (emphasis added).
6 Whenever there is a rise in ethnic-political tension, many Hutus refer to the so-called ‘Simbananyi Plan’, named after an extremist Tutsi politician, one of the most influential ministers of the Miconburo regime. However, there is proof that such a plan existed.
7 Amnesty International, Background briefing on Amnesty International’s concerns in Burundi, May 1996.
14 Others, considered opposed to the Charter of National Unity and accused of waging armed attacks against neighbouring countries, were refused recognition, including PALIPEHUUTU.
15 National Democratic Institute for International Affairs, Communiqué de presse, Bujumbura, 2 June 1993.
18 An account and analysis of these negotiations and their aftermath can be found in Oudid-Abdallah, A., Burundi on the Brink 1993–95: A UN Special Entity Reflects on Preventive Diplomacy (Washington, DC, United States Institute of Peace, 2000).
21 The government, National Assembly and 15 political parties in the presence of some observers from the civil society.
22 For a detailed list of these issues, see Parpé, op. cit.
24 The minister responsible for the peace process, Ambose Niyonzima, stated that at this stage, the government is not concerned by the cessation of hostilities and it has to continue its action of policing and defending the population.
25 In early 1998, the armed wing of the CNDD-FDD broke away. While both wings call themselves CNDD-FDD, for the sake of clarity I shall use the term CNDD for the political wing, led by Léonard Nyangoma, and FDD for the military wing, led by Jean-Bosco Ndayikengurukiye.
26 It should be noted, however, that the political wing of the PALIPEHUUTU, led by Etienne Karatasi and representing the PALF, is not part of this government, and has not taken over its military dissidents in the FNL, which formally broke away at the beginning of 1993.

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For a useful analysis of this first round of negotiations, as well as the internal partnership, see International Crisis Group, Burundi. Négociations à Arusha. Quelles chances pour la paix?, 20 July 1998.

ANADDE had joined the talks in the meantime.


A survey can be found in International Crisis Group, 'Les coûts de la guerre au Burundi', Bujumbura, June 2000, p. 2.

81 See the annual reports of the Burundian Human Rights League Iteka, Amnesty International, Human Rights Watch and the US Department of State.


83 ‘In principle’ because the parties diverge widely over modalities and even disagree on which violent events in Burundi’s history constitute genocide. Thus the Hutus claim the 1972 massacres as ‘their’ genocide, while the Tutsis claim those of 1993 as ‘theirs’.

84 The anticipated minimal cost of this operation in the Rwandan Arusha peace-accord of 1993 was the equivalent of the total annual state budget.


87 Interestingly, primarily school attendance is almost 90 per cent in the refugee camps in Tanzania.

88 In addition, almost 2,000 foreign teachers have returned to their countries of origin, Rwanda in particular.


90 Ibid., p. 4.


95 International Crisis Group, Burundi: Proposals for the Resumption of Bilateral and Multilateral Co-operation, 4 May 1999, p. 3.


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Acronyms

ABASA: Alliance Burundoise Africaine pour le Salut
ABDF: Alliance Burundaise pour la Défense des Droits des Prisonniers
ANAC: Alliance nationale pour le Changement
ANADDE: Alliance Nationale pour le droit et le développement
CNDP: Conseil National pour la Défense de la Démocratie
DRC: Democratic Republic of Congo
FDD: Forces pour la Défense de la Démocratie
FNL: Front National de Libération
FRODEBU: Front Démocratique du Burundi
FLORINA: Front pour la Libération Nationale
ICRG: International Committee of the Red Cross
Inkimbo: Parti Socialiste et Panafro-antiste
IRC: International Rescue Committee
MOLIBA: Mouvement de Libération des Bahutu
PARENA: Parti pour le Redressement National
RADDRES: Rassemblement Démocratique pour le Développement Économique et social
PDCP: Parti Démocrate Chrétien
PIT: Parti Indépendant pour les Travailleurs
PL: Parti Légal
PP: Parti du Peuple
PRP: Parti pour la Réconciliation du Peuple
PSD: Parti Social-Démocrate
RPF: Rassemblement du Peuple Burundais
RPF: Rwandese Patriotic Front
UNITA: National Union for the Total Independence of Angola
UPRona: Union pour le Progrès National

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Burundi: Prospects for Peace

Burundi has experienced conflict during most of its history since independence in 1962. The violence has generally been interpreted as ethnic, but is in fact political, aimed at maintaining or capturing power. Controlling the state in Burundi is of major importance as it is the main avenue for accumulation and reproduction of a dominant class. Ethnicity is a strong mobilizing force, manipulated by elites in their political strategies and, since so many have been killed on the basis of their ethnic belonging, it has become a major political variable in its own right.

MRG’s timely new Report, Burundi: Prospects for Peace, by Filip Reyntjens, has been commissioned to further the search for peace and stability in Burundi. It gives a balanced and critical analysis of events in Burundi, from the transition to democracy, through to the 1993 coup and its aftermath. Finally, it charts the course of the peace negotiations, contributing to an understanding of the issues that must be faced if Burundi is to move towards peace and rebuild the lives of its people. The author highlights how a failure to move towards peace in the current climate would lead to yet more violence, compounding an already explosive regional situation.

The Report ends with a set of recommendations aimed at the Burundian government and the international community, to support peace and stability and human rights for all.