

The Burundi Peace Process

From civil war to conditional peace



Henri Boshoff, Waldemar Vrey and George Rautenbach

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List of acronyms and abbreviations

AMIB	African Mission in Burundi
AU	African Union
APPM	Armed political party or movement
BAF	Burundi Armed Forces
BEAT	Basic election administration training
BINUB	UN Integrated Office in Burundi
FDN	Forces de Defense Nationale
BNDF	Burundi National Defence Force
BNP	Burundi National Police
CENI	Independent National Electoral Commission
CEPI	Provincial Electoral Commissions
CIMIC	Civilian-military coordination
CG	Convention of government
CIVPOL	See UNPOL
CNDD	Conseil National pour la Défense de la Démocratie/ National Council for the Defence of Democracy
CNDD-FDD	National Council for the Defence of Democracy – Forces for the Defence of Democracy
COFS	Combatants on foreign soil
DC	Demobilisation centre
DDR	Disarmament, demobilisation and reintegration
DRC	Democratic Republic of Congo
DFA	Department of Foreign Affairs, South Africa
EC	European Commission
EISA	Electoral Institute of Southern Africa
ES/NCDRR	Executive Secretariat of the NCDRR
EU	European Union

FAB	Forces Armées Burundaises/Burundian Armed Forces
FBU/FBu	Burundian Franc
FDD	Forces pour la Défense de la Démocratie (Forces for the Defence of Democracy)
FDN	Forces Défense Nationale/National Defence Forces
FNL	Forces Nationales de Libération/National Forces of Liberation
FRODEBU	Front pour la Démocratie au Burundi/Burundi Democratic Front
FROLINA	Front pour la Libération Nationale
FTA	Forces Technical Agreement
GOB	Government of Burundi
HOM	Head of mission
ICG	International Crisis Group
IC/GLR	International Conference for the Great Lakes Region
IDP	Internally displaced persons
IFES	International Foundation for Electoral Systems
IMC	Implementation Monitoring Committee
ITS	Indemnité Transitoire de Subsistance (reinsertion package)
JLT	Joint Liaison Team
JCC	Joint Ceasefire Commission
JMAC	Joint Mission Analysis Cell
JOC	Joint Operations Centre
JOP	Joint Operations Plan
JRS	Journées de Réflexion Stratégique
JVMM	Joint Verification and Monitoring Mechanism
MDRP	Multi-Country Demobilisation and Reintegration Programme
MILOBS	Military observers
MONUC	UN Mission in the Democratic Republic of Congo
MOU	Memorandum of understanding
NCDRR	National Commission for Demobilisation, Reinsertion and Reintegration
NPDRR	National Programme for Demobilisation, Reinsertion and Reintegration (also PNDRR)
NSC	National Security Council
OAU	Organisation of African Unity

OECD	Organisation for Economic Cooperation and Development
ODA	Official development assistance
ONUB	UN Operation in Burundi
PALIPEHUTU	Parti pour la Liberation du Peuple Hutu/Party for the Liberation of Hutu People
PALIPEHUTU-FNL	Party for the Liberation of Hutu People–National Forces of Liberation
PD	Political Directorate
PDAAs	Pre-disarmament assembly areas
PDC	Parti Democratie Chretien/Christian Democratic Party
PNDRR	National Demobilisation, Reinsertion and Reintegration Programme (also NPDRR)
PPB	Partnership for Peace in Burundi
PRSP	Poverty reduction strategy paper
SAA	South African Airways
SANDF	South African National Defence Force
SAPSD	South African Protection Support Detachment
SASS	South African Secret Service
SNES	Structure Nationale Enfants Soldats/National Structure for Child Soldiers
SOFA	Agreement between the African Mission and the Government of Burundi on the Status of Force of the African Mission in Burundi
SPRU	South African Strategic Planning Reform Unit
SPU	Special Protection Unit (Burundian)
SMSG	Special representative of the UN Secretary-General
SSR	Security sector reform
STT	Special task team
TCT	Technical Coordination Team of the National Commission for DRR
TGOB	Transitional Government of Burundi
UN	United Nations
UNDP	United Nations Development Program
UNICEF	UN Children’s Fund
Unita	National Union for the Total Independence of Angola
UNOB	United Nations Office in Burundi

UNPOL

United Nations Police

UNSC

United Nations Security Council

UPRONA

Union pour le Progrès National/Union for National
Progress

Political timeline of Burundi

- 1890** The Tutsi kingdom of Urundi and neighbouring Ruanda are incorporated into German East Africa.
- 1962** Urundi is separated from the Belgian-administered Ruanda-Urundi and becomes an independent monarchy under King Mwambutsa IV.
- 1972** An estimated 150 000 people, mainly Hutus, are killed in what is sometimes described as Burundi's 'first civil war or genocide'. Many Hutus flee to Rwanda, Zaire and Tanzania.
- 1988** Thousands of Hutus are massacred by Tutsis and many flee to Rwanda in what can more accurately be described as a retaliation following a number of Hutu insurgencies.
- 1993** In October, four months after his election, Burundi's first Hutu president, Melchior Ndadaye, is assassinated in a coup d'état.
- 1994** Ahmedou Ould Abdallah, special envoy of the UN Secretary General, establishes a UN Office in Burundi.
- 1994** President Ndadaye's successor, Cyprien Ntaryamira, and Rwandan president Juvénal Habyarimana die in a plane crash in April. The massacre of Tutsis starts in Rwanda. Sylvestre Ntibantunganya succeeds Ntaryamira as president.
- The National Council for the Defence of Democracy (CNDD) led by Léonard Nyangoma splits from the ruling Front for Democracy

in Burundi (FRODEBU). The CNDD establishes an armed wing, Forces for the Defence of Democracy (FDD), which operates out of eastern Zaire.

1994/1995 Mediation by the Carter Centre lays the groundwork for a regional peace initiative.

1995 The regional peace initiative takes off in November under the leadership of Julius Nyerere, former president of Tanzania, and the presidents of Rwanda, Burundi, Uganda and the DRC.

1996 Initial meetings with FRODEBU and the Union for National Progress (UPRONA) are held at Mwanza in Tanzania in April and June.

In July, UPRONA takes over power from FRODEBU in a coup d'état. Sanctions are imposed on Burundi.

A joint Rwandan and Ugandan offensive is launched in September against Hutu rebel groups in Kivu Province, eastern DRC.

1996/1997 UPRONA seeks domestic political reconciliation. Secret talks between UPRONA and the CNDD are facilitated by the Community of Sant Egidio. Four rounds of talks are held between September 1996 and May 1997.

1998 Peace talks begin in Arusha under the auspices of Julius Nyerere in June.

In August, a second joint Rwandan and Ugandan offensive against forces of Laurent Kabila is launched in the DRC.

1999 A second phase of talks is convened at Arusha by the Regional Peace Initiative in June. Five commissions are created to deal with various aspects of the negotiations.

The government of Burundi agrees to a political partnership with parliament and to holding talks with the rebels.

Nyerere dies in October and is succeeded as mediator by Nelson Mandela.

2000 A multiparty Arusha Peace and Reconciliation Agreement is signed by 19 signatories in August, but the main armed movements active in Burundi do not participate.

2001 Several coup attempts are made by Tutsi opposed to the Arusha-mandated political transition.

A formula for political leadership is finally agreed to in July and a transitional government is formed in November.

2002 The transitional government, the minority CNDD-FDD faction led by Jean Bosco Ndayikengurukiye and the minority FNL faction led by Alain Mugabarabona agree to a ceasefire in October, but the ceasefire between the transitional government and the mainstream CNDD-FDD signed in December is violated immediately.

2003 In January, the transitional government agrees to the return of Mugabarabona and Ndayikengurukiye to Bujumbura.

A memorandum of agreement entered into between the transitional government and the mainstream CNDD-FDD of Nkurunziza to implement the December 2002 ceasefire provides for the creation of a Joint Ceasefire Commission. But in February the CNDD-FDD breaks off talks with the government.

President Buyoya steps down in April to allow FRODEBU's Domitien Ndayizeye to take over as president. The African Mission in Burundi (AMIB) is deployed. Among other things, AMIB is tasked with implementation of the Arusha Agreement and the ceasefire protocols, and the Disarmament, Demobilisation and Reintegration (DDR) programme.

In October and November, protocols are signed with the CNDD-FDD in Pretoria on power-sharing and defence and security arrangements, as well as a 'forces technical agreement'.

Also in October, a ceasefire agreement is signed with the CNDD-FDD in Dar es Salaam; Nkurunziza joins the government.

- 2004** A 5 600-strong UN peace support mission, the UN Operation in Burundi (ONUB), replaces AMIB in June.
- 2005** General elections are held from June to August.
Talks between the government and Agathon Rwasa of PALIPEHUTU-FNL are held in September.
- 2006** A ceasefire agreement is signed between the government and the PALIPEHUTU-FNL in September, but the agreement is not implemented.
In December, ONUB is replaced by the UN Integrated Office in Burundi (BINUB), whose unit on security sector reform oversees the work on DDR and small-arms control.
The SANDF Battalion is rehattd as the AU Special Task Force to oversee the return of the Palipehutu-FNL in December.
- 2008** In February, the Programme of Action to Take Further the Peace Process in Burundi is established in Cape Town.
The Palipehutu-FNL's Rwsa returns to Bujumbura in May.
The Political Directorate, including members of Palipehutu-FNL and the Group of Special Envoys for Burundi, meet in South Africa in June and issue the Magaliesburg Communiqué on ending the process.
In August, the Ngozi Declaration is signed between Rwsa and Nkurunzisa to complete the peace process.
In November, the Regional Peace Initiative to Burundi issues a message that the process must be completed by 31 December 2008.
- 2009** At a meeting in March 2009 between Burundi's president, the FNL, the Political Directorate and the Donor Community, a High-level Task Team consisting of Major Gen. Derrick Mgwebi from South Africa, Major Gen. Evariste Ndayishimiye of the Burundi government and Mr Jonas Nshimirimana of the FNL is established.
During a meeting of all the role players in Pretoria in April 2009, a declaration is issued on the way forward. Later that month the chairperson of the Joint Verification and Monitoring Mechanism

(JVMM) confirms that the FNL has handed in its weapons and that demobilised FNL combatants have started moving to Burundi military and police barracks. The FNL is registered as a political party.

In June, Ugandan President Yoweri Museveni, who chairs the Regional Initiative for Burundi, initiates the Partnership for Peace in Burundi (PPB), which is to monitor the consolidation of peace in Burundi until December 2009.

In early August 2009, the SANDF withdraws the bulk of its troops from Burundi, leaving behind just 300 soldiers until the elections planned for 2010.

1 Introduction

HENRI BOSHOFF

The Burundi peace process has essentially been completed. At the time of writing this monograph (August 2009), the last rebel group to the conflict, Parti pour la Liberation du Peuple Hutu – Forces Nationales de Libération (PALIPEHUTU-FNL), had just begun its Disarmament, Demobilisation and Reintegration (DDR) process and had been registered as a political party.

This monograph will focus on the role played by peacekeeping missions in the Burundian peace process to ensure that agreements signed by parties to the conflict were adhered to and implemented. The deployment of peacekeeping missions went full circle and more. An African Union (AU) peace mission followed by a United Nations (UN) mission replaced the initial South African Protection Support Detachment (SAPSD). Because the peace process had not yet been completed, and because of the return of the PALIPEHUTU-FNL to Burundi, the UN Security Council (UNSC) approved the redeployment of an AU mission to oversee the completion of the final phase by December 2008.

Chapter 2 gives a broad historical overview of the political situation in Burundi from the country's independence from Belgium in 1962 to the signing of the Arusha Peace and Reconciliation Agreement in 2000 and its immediate aftermath.

Chapter 3 discusses the case for diplomatic and military intervention in Burundi and South Africa's involvement in achieving a solution to the country's political problems. There was never a conscious South African decision to intervene in Burundi, but by default the situation in that country became an opportunity for South Africa to give concrete meaning to foreign policy formulated by President Thabo Mbeki and his Minister of Foreign Affairs, Dr Nkosazana Dlamini-Zuma.

The decision taken by the 8th Arusha Regional Summit to ask Nelson Mandela, the former South African president, to assume the role of facilitator in the Burundi peace process was the prelude to South Africa's intervention. Mandela's involvement affected his health and mobility and it became necessary to protect him from unnecessary stress and physical activity. Although he was still in a position to make a significant contribution and remained the chief facilitator, at the end of the Arusha process he requested Jacob Zuma, who as South Africa's Deputy President had assisted him in the earlier negotiations, to continue South Africa's efforts in seeking a ceasefire agreement between Burundi's transitional government and the rebel groups that still remained outside the Arusha process, namely the National Council for the Defence of Democracy – Forces for the Defence of Democracy (CNDD-FDD) and PALIPEHUTU-FNL.

The fourth chapter addresses the deployment of a South African Foreign Affairs representative to Bujumbura, the subsequent establishment of a South African embassy in 2004 and the deployment of the SAPSD.

Chapter 5 deals with the deployment of the AU mission to Burundi. This was the AU's first deployment of a military force after its establishment. The mission comprised military contingents from South Africa, Ethiopia and Mozambique. During the time of the AU mission CNDD-FDD combatants began to demobilise and the security situation improved to such an extent that the UN approved the deployment of a UN mission to Burundi.

The sixth chapter covers the rehatting of the AU mission to the UN Operation in Burundi (ONUB), the completion of the DDR process, reform of the security sector and support for the 2006 elections.

Chapter 7 focuses on major events that occurred subsequent to the 2006 elections, including the closing of ONUB, the establishment of a new UN mission, the UN Integrated Office in Burundi (BINUB), re-engagement with PALIPEHUTU-FNL, the demobilisation of PALIPEHUTU-FNL and the registration of the FNL as a political party.

2 Historical overview

HENRI BOSHOFF

INTRODUCTION

Burundi, situated in the Great Lakes Region, has experienced cycles of war since independence was attained on 1 July 1962. Of these, two major conflicts have caused the greatest political and social upheaval. In April 1972, Hutu rebels from the south, using Tanzania as a springboard, invaded the country through the province of Bururi, where they systematically slaughtered Tutsis. The repressive reaction of the Burundian Army (FAB) took the form of equally brutal reprisals against Hutu members of the population, including members of the elite. The war resulted in the first manifestation of internally displaced people (IDP) within Burundi and refugees outside the country's borders, after thousands of Burundians had fled to neighbouring countries.

In October 1993, the first democratically elected Hutu president, Ndadaye Melchior, was murdered. When Ndadaye's successor, President Cyprien Ntaryamira, and Rwandan president Juvénal Habyarimana were killed in a plane crash in April 1994, the United Nations Security Council (UNSC) described the reaction that followed as an act of genocide against Tutsis and moderate Hutus. It is estimated that more than 300 000 people were killed during the massacre.

THE POLITICAL STRUGGLE AFTER INDEPENDENCE

Belgium committed itself to a programme of reform in Burundi in November 1959. It agreed to devolve legislative authority to an indirectly elected council with the *mwami*¹ acting as a constitutional monarch. The process was overseen by Burundian armed forces, initially formed as a territorial guard in 1960. Recruitment occurred on the basis of reasonable Hutu and Tutsi representation. At independence in 1962, the territorial guard became the national army. In 1963, special commando units were set up and placed under the control of a Tutsi officer, Capt. Michel Micombere. The armed forces were soon deeply divided along ethnic lines.²

All the Belgium plans were not implemented and new political parties were formed, such as Union pour le Progrès National (UPRONA), which was associated with Prince Louis Rwagasore, the *mwami*'s eldest son who adopted a nationalistic direction in line with developments in Rwanda. To counter UPRONA, Belgium supported the Parti Democratie Chretien (PDC), which formed the first provincial government in 1961. However, because of its alignment with Belgium, the PDC was defeated in the first elections in 1961, with UPRONA winning 58 of the 64 parliamentary seats. Rwagasore became the first prime minister, but was assassinated by PDC agents on 13 October 1961 and this resulted in a split in UPRONA.³

The monarch was the remaining source of stability in the uncertain time after independence. The *mwami*, Mwambutsa, attempted to balance the proportion of Hutus and Tutsis in four successive governments formed between 1963 and 1965. In January 1965, the king appointed a Hutu prime minister, Pierre Ngendendumwe, to replace the previous Tutsi prime minister. Ngendendumwe was assassinated three days later by a Tutsi refugee from Rwanda. Mwambutsa attempted to reduce tensions by holding new elections, but this only increased tension further. Hutu candidates took 23 out of the 33 seats. Contrary to expectations, the *mwami* appointed Leopold Biha, a prominent Tutsi, as prime minister. This resulted in an attempted coup by Hutu army and gendarmerie officers, which was suppressed by loyal troops led by Capt. Micombero. Mwambutsa was forced to flee to Zaire. Tutsi officers took revenge and cleansed the army and gendarmerie of Hutus. The heavy blow to the Hutu political class and their rural supporters ended their political ambitions for a long time.⁴

Mwambustsa tried to preserve the monarchy by sending his son, Charles Ndizeye, back to Burundi. He revoked the constitution in July 1966 and declared himself *mwami* Ntare V, appointing Captain Macmero as prime minister. Ntare V was soon overthrown by Captain Micombero, who declared Burundi a Republic in November 1966 and appointed himself as president, prime minister, minister of defence and leader of UPRONA. Another attempted coup by Hutu officers in 1969 failed, further entrenching Tutsi power. This set the stage for an insurrection and major conflict in 1972.⁵

THE 1972 INSURRECTION

The insurrection of 1972 resulted in the death of between 2 000 and 3 000 Tutsis. The consequence was the massacre of between 100 000 and 200 000 Hutus, with a further 150 000 Hutus displaced to neighbouring countries. Ntare was summarily executed to prevent him from becoming a focus of Hutu support. His cousin, Col Jean Baptise Bagaza, overthrew Micombero in 1976. He promised liberalising reforms, but in the elections of 1982 he won 99 per cent of the vote and his regime committed gross human rights abuses. This resulted in another coup by Major Pierre Buyoya, who appointed himself as president. He relaxed political constraints and freed hundreds of Hutu political prisoners. But in October 1988, an outbreak of violence in the north of country in which a number of Tutsis was killed, resulted in a military retaliation that cost the lives of some 20 000 Hutus.

Buyoya introduced a series of reforms and, in an effort to rebuild national unity, he appointed a Hutu prime minister and a government composed equally of Hutu and Tutsi ministers. However, under pressure from Belgium and France, Buyoyo introduced a new constitution under which Tutsis would enjoy protection as the country moved towards a return to democracy through elections in 1993.⁶

In the 1993 election, a new party, Front pour la Démocratie au Burundi (FRODEBU), recorded a victory that mobilised the majority of Hutus, including followers of the outlawed Hutu nationalist Parti pour la Libération du Peuple Hutu (PALIPEHUTU). Its leader Melchior Ndadaye defeated Buyoya in the presidential elections and became head of the new government. The transfer from a Tutsi to a Hutu president was peaceful. Tutsi dominance of the army remained unchanged.⁷

THE 1993 COUP AND CIVIL WAR

On 21 October 1993 a small group of officers attacked the presidential palace in Bujumbura and assassinated Ndadaye and high-ranking officials of FRODEBU, including the speaker and deputy speaker of parliament. The coup lacked the backing of key elements in the military, leaving the FRODEBU government in control, which unleashed revenge attacks against Tutsis across the country. This provoked a backlash by the army. The violence that ensued was not quelled for weeks and in the power vacuum that followed, a ‘creeping coup’, the steady seizure of power by opposition Tutsi forces with the complicity of the military, was to evolve. The creeping coup had four major elements, as follows:⁸

- The army and local youths were employed to perpetrate urban and rural violence to intimidate members of FRODEBU, which prevented the government from fulfilling its duties
- The opposition seized the initiative in a propaganda campaign in which the government, more particularly FRODEBU, was accused of Tutsi genocide
- State institutions were undermined by manipulation of the Constitutional Court
- The enforcement upon FRODEBU of Tutsi ethnic constraints. The government was forced into conceding more and more power to Tutsi extremists
- In effect, the creeping coup restored the Tutsi elite to power under a Hutu president. The situation was worsened by the death of President Ntaryamira in a plane crash over Kigali in April 1994

EFFORTS TO RESTORE PEACE

An agreement reached in September 1994, the Convention of Government (CG),⁹ made provision for the establishment of a coalition government led by a president from FRODEBU and a prime minister from UPRONA, among other transitional agreements.¹⁰ This arrangement was not very successful and some Hutu politicians rejoined armed groups such as the CNDD, PALIPEHUTU and the Front pour la Liberation Nationale (FROLINA), which responded with attacks on civilians. The government requested regional military intervention and Major Pierre Buyoya took power in a coup.¹¹

Following extensive contacts with the Burundian government, political parties, the army and civil society, former president Julius Nyerere of Tanzania convened meetings between FRODEBU and UPRONA in Mwanza, Tanzania, in April and May 1996 to begin negotiations. No progress was made at these meetings and Nyerere proposed a summit of regional heads of state on Burundi in Arusha, Tanzania.

ARUSHA I, JUNE TO JULY 1996

UPRONA and FRODEBA, as well as smaller parties, were invited to the summit in June 1996. Julius Nyerere and presidents Yoweri Museveni of Uganda and Benjamin Mkapa of Tanzania tried to convince President Sylvestre Ntibantunganya to accept the intervention of a regional peacekeeping force.¹² This was unacceptable to the Burundian Army and Major Pierre Buyoya replaced Ntibantunganya in a coup on his return. At a follow-up meeting on 31 July 1996, it was decided to impose a blockade on Burundi until constitutional order was restored. This provoked the withdrawal of Burundi's government from the negotiations and inflamed Tutsi allegations that Nyerere was partial to the cause of the Hutu.

ARUSHA II, JULY 1998 TO AUGUST 2000

Under external pressure, Buyoya attempted to reach his own internal settlement. He lifted the ban imposed on all political parties after the coup and announced the reinstatement of the 1993 Assembly in September 1996. He also opened unilateral talks with rebel groups, including CNDD. These talks deadlocked in May 1997, forcing Buyoya to open negotiations with FRODEBU, which did in fact join the government, but at the cost of an internal split and condemnation by external members of the party. Nyerere was not satisfied with these developments and asked the region to continue with the blockade. Buyoya agreed to participate in a second round of negotiations in Arusha. Nineteen delegations from Burundi, representing 17 political parties, the government and the National Assembly, attended the talks. Also present were presidents Museveni (Uganda), Arap Moi (Kenya), Paul Kagame (Rwanda) and Mkapa (Tanzania).¹³

The process was disrupted early on when efforts by armed military groups to join the talks failed. Factions of the armed wings of CNDD and

PALIPEHUTU, the FDD and FNL broke away from their political delegations at Arusha and demanded representation in their own right as independent organisations. Unable to break the deadlock, the summit decided to continue discussions with the political leadership and to exclude the military factions.

The death of Nyerere in October 2008 provided the opportunity to appoint a new chief mediator who stood above the suspicions that had built up around Nyerere. Retired South African President Nelson Mandela accepted the role. He immediately insisted on renewed efforts aimed at making it an inclusive process. On 28 August 2000 the Arusha Agreement was signed by 13 of the 19 delegations. The six parties that refused to sign were Tutsi dominated. Mandela used regional pressure to convince them to add their signatures at a summit in Nairobi on 20 September 2000.¹⁴

The Arusha Agreement provided for the following:

- A transition led by an interim government to culminate in democratic elections
- The creation of a Senate and amendments to the composition of the National Assembly
- Judicial reform to decrease Tutsi domination
- Military reform to decrease Tutsi domination and facilitate the integration of rebel forces into the army
- The establishment of a Truth and Reconciliation Committee
- An international military force to assist in the management of the transition
- An independent investigation into alleged crimes of genocide

The accord also provided for a 30-month period of power-sharing. Buyoya would act as the interim president for 18 months from 1 November 2002, after which Domitien Ndayyizeye of FRODEBU would succeed him on 1 May 2003.¹⁵

The main armed groups were not signatories to the agreement, but continued efforts to involve them eventually led to several ceasefire agreements between the government and the groups. The Arusha Agreement finally brought the war in Burundi to an end. The power-sharing agreement resulted in elections in 2005, which were won by the former armed group CNDD-FDD. Its leader, Pierre Nkurunziza, became the new president.¹⁶

NOTES

- 1 A king (*mwami*) headed a princely aristocracy (*ganwa*) that owned most of the land and required a tribute, or tax, from farmers and herders who lived in the forests. The Tutsi monarchy ruled the nation for centuries, but became largely ceremonial with the colonisation of the nation by Germany in 1899. The last kings were deposed in coups d'état. Burundi ceased to be a monarchy when King Ntare V Ndzizeye was deposed by the chief of staff, Capt. Michel Micombero, who declared a republic in 1966.
- 2 Bentley, KA and Southall, R, *An African peace process: Mandela, South Africa and Burundi*, Cape Town: HSRC Press, 2005.
- 3 Ibid.
- 4 Ibid.
- 5 R Southhall, *South Africa's role in conflict resolution and peacemaking in Africa*, Cape Town, HSRC Press, 2006.
- 6 Ibid.
- 7 KA Bentley and R Southall, *An African peace process*, Cape Town, HSRC Press, 2005.
- 8 RH Brandsetter, in C Legum (ed.), *Africa contemporary record 1992-94*, Volume XXIV, New York & London, Holmes and Meier, 2000.
- 9 The Convention of Government (Convention de Gouvernement) signed by 13 political parties on 10 September 1994 put into power President Sylvestre Ntibantunganya from Frodebu, with a prime minister from UPRONA.
- 10 International Crisis Group, *Burundi under siege, Rapport Burundi*, 1 (27 April 1998).
- 11 R Southhall, *South Africa's role in conflict resolution and peacemaking in Africa*, Cape Town, HSRC Press, 2006.
- 12 President Ntibantunganya came into office when the previous president, Cyprien Ntaryamira, was killed in a plane crash (an assassination in which the Rwandan President Juvénal Habyarimana was also killed). He was deposed in a military coup soon after.
- 13 Bentley, KA. and Southall, R, *An African Peace Process*, Cape Town: HSRC Press, 2005.
- 14 Ibid.
- 15 Ibid.
- 16 International Crisis Group, 'Burundi: Finalising peace with the FNL', *Africa Report*, 131 (27 August 2007).

3 South Africa's foreign policy and Africa

The case of Burundi

GEORGE RAUTENBACH AND WALDEMAR VREY

INTRODUCTION

The bitter civil war in Burundi has been the subject of much research and political enquiry. The resolution of this conflict was a milestone in African politics and accentuated the capacity and resolve of continental players to achieve independence from international domination. For the first time in Africa, a well-organised effort to support a peace process was accomplished by a partnership of African nations. In the book *African Renaissance*,¹ former South African President Thabo Mbeki is quoted as saying:

The new African world which the African Renaissance seeks to build is one of democracy, peace and stability, sustainable development and a better life for the people, non-racism and non-sexism, equality among the nations, and a just and democratic system of international governance. None of this will come about of its own [accord]. In as much as we liberated ourselves from colonialism through struggle, so will it be that the African Renaissance will be victorious only as a result of a protracted struggle that we must wage. Yesterday is a foreign country - tomorrow belongs to us.

These important words set the backdrop for what was to happen in one of the most troublesome regions of Africa, the Great Lakes Region. As Deputy President of South Africa at the time, Mbeki set the tone for South Africa's foreign policy towards Africa. The intervention in Burundi was the first real test for the African Renaissance policy and it is for this reason that the intervention is an important event in the history of Africa. It was the first time that South Africa set the tone and pace for a solution by Africans of an African problem.

These sentiments were echoed in a message from South Africa's then Minister of Foreign Affairs, Dr Nkosazana Dlamini-Zuma, in the Department of Foreign Affairs' (DFA) Strategic Planning Document²:

During the coming year, we shall continue to make a contribution to build a new Africa in which there is enduring peace and security, a deepening of democracy and permanent prosperity so that there is a continuous improvement in the quality of African people's lives. Among our urgent tasks in the year ahead are the strengthening of the African Union and its organs. We shall continue to advance peace in the Cote d'Ivoire, to consolidate democracy in the DRC and Burundi and to assist in the post conflict reconstruction in Angola, Comoros as well as Sudan.

It is clear that the focus of the DFA is on Africa, and rightly so since interdependence within the continent is a geographical reality. It should also be remembered that the leadership of South Africa and of many other African countries are indebted to their neighbours. Several African countries were involved in the struggle against apartheid in one way or another. There is therefore, in addition to continental realities, a moral obligation to plough effort back into the continent. This is something of which South Africa's leadership is all too aware, as indicated by the following remarks by Mbeki:

[the rest of Africa] acted in solidarity with us, with the countries of Southern Africa sustaining great losses in terms of life and property through apartheid aggression; the peoples of our region and continent did not say that support for our struggle for freedom would be too costly for themselves.

He concluded that the rest of Africa acted in solidarity with the anti-apartheid struggle without much consideration for the price they had to pay and that South Africa needed to respond to them in the same manner.³

Given these clear indications of South Africa's foreign policy direction, Burundi becomes a case in point of how determined South Africa is to support a new approach to promoting and ensuring peace, security and development on the African continent.

THE CASE FOR DIPLOMATIC AND MILITARY INTERVENTION IN BURUNDI

South Africa began to engage in the Burundian peace process when then President Nelson Mandela was requested to do so by the Regional Summit. There was never a conscious decision for intervention, but by default this became an opportunity for South Africa to give concrete meaning to the implementation of its foreign policy, as highlighted by Mbeki and Dlamini-Zuma. The decision taken by the 8th Arusha Regional Summit to ask Mandela to assume the role of facilitator in the Burundi peace process was the prelude to South Africa's later physical intervention.

In a sense, Burundi showed similarities with the South African situation under apartheid. Although in South Africa it had been a black/white issue and it was a black/black issue in Burundi, the two situations were not entirely dissimilar in that in both countries a minority governed the majority for its own benefit. Even though the Hutu/Tutsi argument was used in Burundi, the conflict's underlying motive was largely a form of class struggle.

When Mandela was drawn into the Burundi process it gave South Africa an opportunity to demonstrate its intentions on the continent. Burundi did not have significant resources, which are so often thought to accompany interventions in Africa. All it had was a need for assistance to break out of a vicious spiral of violence. The country was geographically far removed from South Africa and there was thus no direct interest, except the strategic interest of having an ally in Africa on the road to stability for the continent.

The process that saw South Africa drawn into the Burundi situation began with the intervention by Mandela and developed further through the efforts of Dlamini-Zuma and Mbeki. It was followed by the opening of a Liaison Office in Bujumbura and the deployment of the South African Protection Support

Detachment (SAPSD). Intervention reached maturity in 2004 with the establishment of an embassy. This process was not flawless, as we shall see, but it showed resolve and commitment to the African Renaissance, especially on the part of South Africa's leadership.

MANDELA IS DRAWN IN

When Julius Nyerere, the mediator in the Burundi peace process, died in 1999, it was not difficult finding a suitable facilitator. The relationship between Nyerere (often referred to as 'Mwalimo', which means teacher) and Mandela was long-standing. Mandela was one of the leaders who had voiced support for Nyerere to act as facilitator in the Burundi peace process. In turn, Nyerere often consulted Mandela during the process. Mandela further strengthened their relationship by making his most important legal advisor, Fink Haysom, available to Nyerere to assist in the peace process. Furthermore, the men shared one fundamental concept in terms of Africa, namely 'African solutions for African problems'.⁴ Mbeki echoed this sentiment of there being a deep-rooted 'obligation' to Africa.⁵

Upon the death of Nyerere there was an urgent need to identify a new facilitator, someone who commanded respect and who above all could continue the pan-African approach established by Nyerere. There was an urgency to move forward with the process on the international, regional and Burundian levels, especially in the light of the fact that the process had been going on for some time. Nyerere's style had been a passive one, which allowed endless discussion and resulted in a vicious circle of repetitive rhetoric. It was time for change, for a new approach by a freedom fighter who knew what suffering was about and who could identify with the plight of the Burundi people.

It quickly became clear who should follow in Nyerere's footsteps, or who would be worthy of following in his footsteps. A communiqué issued by the 8th Arusha Regional Summit contained the following declaration:

'The Regional Summit realised the importance of having a new Facilitator to provide political leadership and in this regard it designated, in consultation with the Organisation of the African Union (OAU) and the United Nations (UN), HE Nelson R Mandela, former President of the Republic of South Africa, as the new Facilitator of the Burundi Peace Process.'⁶

Mandela was not at the meeting, but Mbeki and Dlamini-Zuma were present. That same day, Mbeki spoke to Mandela, conveying the wishes of the

Regional Summit, while presidential spokesperson Parks Mankahlana made a statement to the effect that the choice of Mandela was an indication of the confidence regional leaders had in South Africa to help resolve regional and continental conflicts.⁷ This statement was intended to ease certain reservations as to the intentions of South Africa as a 'big brother' on the African continent, a sentiment that was often exploited to cause division between South Africa and the rest of Africa.

Mandela is a fast thinker and an even better diplomat. The fear that somehow took root in Africa and the world that South Africa might want to impose a new form of colonialism on Africa and that it would try to lay claim to or 'steal' the Arusha peace process, which would lead to Tanzania losing face, needed to be counteracted. Mandela allayed these fears and gained the confidence of the parties involved in the Burundi peace process by offering the reassurance that the facilitation team would not change and that the administrative mechanisms would be retained as established under Nyerere.⁸

Immediately after the 8th Regional Summit, Judge Marc Bonani, Nyerere's right-hand man, travelled to South Africa to inform Mandela of the impatience on the international, regional and Burundian levels vis-à-vis the delays that had been encountered in the peace process. At the international level, parties were impatient because significant funds had been invested over a period of four years in a process that did not have an end in sight, mainly because strong rebel opposition continued to exert pressure on the fragile process.⁹ Even though progress was being made in Arusha, this was not having any significant effect on the lives of the Burundian population.

Continued fighting throughout Burundi and around the capital had given rise to an acute humanitarian crisis. Furthermore, a tacit system of dual and often-triple taxation was imposed on the population. It was normal for the National Council for the Defence of Democracy – Forces for the Defence of Democracy (CNDD-FDD) and the Party for the Liberation of Hutu People – National Forces of Liberation (PALIPEHUTU-FNL) to infiltrate areas and help themselves to food, firewood, money etc. When the Burundi Armed Forces (BAF) became aware of this they would give chase and while in the area they would also have their share of looting and extortion.¹⁰ This was the *modus operandi* within the country for much of the period from 1996 to 2004.

Regional representatives had also made it clear during the regional summit that, notwithstanding the efforts made under the facilitation of Nyerere, 'the

political and security situation has not improved significantly'.¹¹ The wording in the communiqué was chosen carefully to ensure that reference was made to the need to speed up the process so as to attend to the needs of the population, in particular those of children.

MANDELA AND THE ARUSHA PROCESS

With the following statement in January 2000 Mandela set the tone for his style of negotiations: direct and frank, speaking in public where all could hear. It was almost as if a father was talking to his children.

'Please join the modern world. Why do you allow yourselves to be regarded as leaders without talent, leaders without vision? When people in the West hear these things they say: "Africans are still barbarians – no human being could do what they are doing". The fact that women, children and the aged are being slaughtered every day is an indictment against all of you.'¹²

It was clear that he wanted to speed up the process and early in January he held consultations with the leadership of all the Burundian parties in Arusha. Immediately thereafter he left for New York to address the UN Security Council (UNSC) on the issue of Burundi, adding further momentum to the peace process. He knew that if he could make his voice heard in the UN it would be difficult for anyone to refuse any requests he might make, and it would be even more difficult for the international community to ignore the plight of the people of Burundi. Mandela wanted the world to participate in the process and he knew this was possible if he could get the backing of international leaders. In his UN address he invited heads of state to play a more active political role.

His international effort was based on Africa's awareness that the former colonial powers guarded their interests with vigour. In this context, Nyerere, in a rare occurrence, lost his temper and stated that: '(T)his is interference [referring to efforts on the fringes to influence events] which must stop. We must not have another kind of nonsense called competition in Africa – we must organise ourselves. We are not French or English but Africans until the end of time. Europe must stop that nonsense about spheres of influence.'¹³ By inviting the world leadership to join him in an effort to find a lasting solution to the Burundi problem, Mandela effectively made the leaders part of the solution rather than the problem.

But in his speech before the UNSC Mandela also made it clear that the leadership of Burundi had to accept responsibility for the country's problems, and in particular for the outcome of the Arusha agreement. He further called on the international community to support the process financially and to continue humanitarian assistance to Burundi despite the fact that the security situation was deteriorating. Humanitarian assistance was the only visible benefit the people of Burundi derived from the situation.

Nevertheless, from mid-July to the end of August it seemed as though everything was going wrong. Efforts to bring the PALIPEHUTU-FNL and CNDD-FDD rebel groups on board and to agree to a ceasefire failed. PALIPEHUTU-FNL did not show up at the negotiations and the CNDD-FDD refused to talk to anyone except the facilitator. It became evident that the rebels would not be part of the Arusha agreement.¹⁴ Mandela was nevertheless of the opinion that if agreement could be reached on who would lead the transition and if ceasefire agreements could be negotiated with the rebels outside the Arusha process, then the signing of an agreement would be possible and the peace process would move forward.

Preparations were made for the signing of the Arusha Peace and Reconciliation Agreement in the presence of world leaders on 30 August 2000. Mandela's invitation to a wide range of high-level leaders to attend the ceremony was part of a strategy to place the leadership of Burundi under pressure. In a diplomatic context, this was a huge gamble as there was no guarantee that all parties would sign the agreement. Many Burundian leaders were uncertain about what they were signing. But nobody says 'no' to Mandela and no one was going to tell him that Burundi did not want the agreement. Last-minute negotiations delayed the signing ceremony by four hours.

The Tutsi minority's argument for not signing was that more time was needed to discuss the differences between the two opposing groups, the G10 (mainly Tutsi) and the G7 (mainly Hutu). In the main, these differences revolved around aspects of the transitional period and the need to have ceasefire agreements with the remaining rebel groups, PALIPEHUTU-FNL of Col Cossan Kabura and the CNDD-FDD of Jean-Bosco Ndayikengurukiye. The G10, whose leader was President Pierre Buyoya, resisted signing to the last minute, saying they were unhappy with the power-sharing arrangements and the electoral system. They also expressed the fear that they would not be protected against genocide.

These hitches led Western leaders and diplomats to believe that the process would not hold. The US delegation threatened to leave, but President Bill Clinton's commitment to Mandela forced it to stay. Mandela and others realised that if the Burundi leadership was allowed to stall this particular process, an agreement would never be reached. In the end, Mandela, together with the then Deputy President of South Africa, Jacob Zuma, and President Paul Kagame of Rwanda, convinced the majority of delegates to sign, thereby saving the day.¹⁵

As Mandela had planned, the agreement was signed in full view of the world. He used the opportunity to publically criticise those whom he considered to be trying to sabotage the deal. In the presence of Clinton and various African leaders, he said that the minority group, the Tutsis, was trying to sabotage the agreement by insisting on renegotiating all the issues that had already been agreed to. Clinton added to the pressure by alluding in his speech to leaders who were becoming trapped in history instead of being part of the solution.¹⁶ In the end, and under considerable pressure, 13 out of the 19 parties signed the Arusha agreement.

Needless to say, Mandela was furious with President Buyoya for his deliberate stalling tactics. Had the G10 not signed it would have been a major embarrassment, not only for Mandela but for Africa as a whole. In fact, if the signing of the Arusha agreement had not gone ahead it would have been a major blow for the African Renaissance, as it would have 'proved' to the world that Africa was incapable of finding solutions to its own problems.

However, the process did not escape considerable criticism from the international community. There was a feeling that Mandela had wanted an agreement at any cost, resulting in the agreement, rather than peace, becoming the objective. But the idea of making an agreement the objective in Africa is much misunderstood in the West. Ambassador Mamadou Bah, the AU's special representative in Burundi, once remarked to Western ambassadors based in Bujumbura that the difference between Africa and Europe was that Europe had the wristwatches and Africa had the time.¹⁷ The aim was to bring about an agreement that would force parties into submission by virtue of a *fait accompli*. It was clear from events that occurred just before the signing of the agreement that without pressure the negotiations would have had to start all over again.

For Westerners this is a difficult concept to understand as for them every negotiation should be based on a detailed discussion of the problem, frameworks and consensus. Africa, however, needs to manage its problems on its own

terms. In certain cases there is a greater need for force and forceful diplomacy than there is for elaborate discussions and the drafting of frameworks. The approach followed by Mandela was therefore correct in the African context. The agreement became a catalyst to a process that would eventually see the first democratically elected president of Burundi.

This does not mean that there was no room for improvement. But the Arusha agreement was also a step within a larger framework, one aimed at bringing about an African solution as part of an African Renaissance. Had it not been for the personality of Mandela and the direct and frank manner in which he dealt with the signing of the agreement, it is quite possible that the leaders of Burundi would still be talking in Arusha, with the international community still filling the hallways and pumping money into a never-ending spiral of non-cooperation.

The aim was to reach an agreement that would force this small central African country to deviate from the vicious circle of violence it was caught up in. The leadership of Burundi was becoming more distant from the country's problems and time was running out. Pressure had to be applied and Mandela identified the various ingredients required to arrive at an agreement. Firstly, the internationalisation of the question would limit the manoeuvring capability of the Burundi leadership and force the participants to commit themselves. Secondly, open and public discussions exposed weaknesses at crucial stages of the process. Thirdly, exposure of the plight of the Burundi people brought them, as the main victims of the conflict, back into the picture.

Fourthly, by setting dates and deadlines Mandela provided benchmarks for the process. Finally, Mandela knew that it was impossible to please all parties; he made no secret of this and thus created no illusions. Bringing this to the realisation of the more radical parties involved in the process made them accept the situation in the end. Mandela also understood that Buyoya was an important player and thus established a close, almost fatherly relationship with him. Buyoya was the leader of the minority aspirations in Burundi and, more significantly, the leader of the army, where he commanded great respect among the Tutsi command structure. By virtue of his relationship with Buyoya, Mandela was able to influence events, even after the installation of the transitional government.

Whatever the criticism of the process, the conclusion of the agreement was the first step in achieving an African solution to an African problem. Significant

in this regard was the fact that an African method was used to resolve the issue, even though the modus operandi was risky. The method may not be considered ideal in terms of developed-world standards, but in general it coincides with a common understanding among Africans on how issues of this nature should be handled. The process is usually accompanied by a lot of noise and many 'ifs' and 'buts', but at the core of its success are highly significant personal relationships rather than textbook solutions.

By the time the Arusha agreement was signed, there was no longer any question about whether South Africa saw Burundi as an important issue or not. The participation of Mandela and other South African experts in the process led to South Africa's growing involvement in Burundi.

ZUMA AFTER MANDELA AND THE CEASEFIRE AGREEMENTS

The stress of the Burundi process affected Mandela's health and his entourage therefore looked after him with great care. Although he still had much to contribute and remained the chief facilitator, his physical mobility suffered and at the end of the Arusha process he asked Zuma, the then Deputy President of South Africa who had assisted him earlier on in the negotiations, to continue with the task of seeking a ceasefire agreement between the government of Burundi (GoB) and the rebel groups still outside the Arusha process, namely the CNDD-FDD and PALIPEHUTU-FNL.

It was therefore no coincidence that Zuma stood in for Mbeki during the signing ceremony of the Arusha agreement. It placed Zuma in the public eye and gave him the opportunity to use his renowned skills to negotiate, in the final hours, with the Tutsi parties that were reluctant to sign the Arusha agreement.¹⁸ Zuma became known among the Arusha parties for his quiet but effective diplomacy. His capacity to listen at length, sometimes to the frustration of his entourage, was welcomed by all.¹⁹

Zuma was requested to work closely with a long-time friend of Mandela, President Omar Bongo of Gabon. The relationship between Bongo and Mandela was a strong and private one. Mandela often 'escaped' to Libreville to spend a few quiet days there.²⁰ The South African leadership was also very aware of the Francophone/Anglophone divide in Africa and the way it was often used to fuel differences. Every opportunity was therefore used to stress the 'Afriphone'

reality of the continent, and by drawing Bongo into the process there were two benefits. Firstly, he was well connected and respected within the Francophone sphere and could thus make an invaluable contribution to the process. Secondly, it sent a strong signal to the rest of the world that the Anglophone/Francophone divide was a thing of the past and that Africa looked at African problems from the perspective of one united continent.

After the signing of the Arusha agreement, Zuma immediately started consultations on a ceasefire agreement and already in October a CNDD-FDD delegation visiting Pretoria indicated that the movement was willing to enter into negotiations with the GoB. A follow-up meeting with Zuma in December in Pretoria did not result in concrete progress, however, as the CNDD-FDD was unhappy with certain statements made by Mandela during a Paris donor conference. A week later, Zuma received a letter from Ndayikengurukiye indicating regret at the meeting not having reached any conclusion, but expressing a willingness to cooperate.

From September to December 2000 Zuma also met with delegations from PALIPEHUTU-FNL led by Kabura. The delegations indicated a willingness to negotiate, but expressed distrust in the government of President Buyoya. It became apparent at this time that a power struggle was occurring within PALIPEHUTU-FNL and in January 2001 it was announced that Kabura had been replaced as leader by Agathon Rwasa, apparently because he had negotiated with the GoB without a proper mandate. Alain Mugabarabona, PALIPEHUTU-FNL's spokesperson residing in the Netherlands, started leading the negotiation team.²¹

That same month, Buyoya and Ndayikengurukiye met face to face for the first time in Libreville, Gabon at a meeting that had been facilitated by Bongo. Nothing of substance was agreed to, but the meeting paved the way for further discussions. In March, Zuma held discussions with a delegation of PALIPEHUTU-FNL led by Mugabarabona. Once again, the main issue was distrust of Buyoya's government, but this time the delegation also tabled six conditions that would need to be met before PALIPEHUTU-FNL would consider entering into negotiations with the GoB. The conditions included the dismantling of the regrouping camps, the disarming of the civil population, the immediate liberation of all political prisoners, official recognition of PALIPEHUTU-FNL, the dissolution of the criminal chambers that dealt with political crimes, and the confinement of government forces to their bases.

Zuma held more meetings with the rebel groups in Libreville in April. The CNDD-FDD raised their mistrust of the role of South Africa and, in particular, of Zuma's mandate. Mandela was subsequently advised by the CNDD-FDD that it was not yet ready to enter into peace discussions. However, Ndayikengurukiye did indicate to Zuma that he supported him as facilitator. For much of 2001 Zuma had to deal with groupings that did not want to meet face to face with the GoB and his role was more of a go-between than facilitator.

Confusion resulted from a statement by Buyoya that he was committed to the Arusha process and not the 'Libreville process', referring to the intervention by Bongo. He also raised questions about the position of Bongo, and word was getting around in Bujumbura that South Africa was handing the facilitation over to Bongo. Zuma stressed that the position of South Africa was one of neutrality and that no conclusions should be drawn from statements made by Buyoya or anybody else, and at a meeting in Libreville in April the Vice President of Gabon, Didjob Divungi Di Ndinge, representing Bongo, reiterated that the Gabonese president was neither a facilitator nor a mediator.

At the 17th Regional Summit held in Pretoria on 16 October it was agreed to set the date for the start of the transitional period as 1 November 2001. The CNDD-FDD committed itself to not interfere with the SAPSD to be deployed in Burundi as long as it did not interfere with the operations of the CNDD-FDD. But, on various occasions, Ndayikengurukiye showed signs of differing from the rest of the CNDD-FDD delegation. He never alluded to the fact that his personal position was one of support for the facilitation and often confided in Zuma that he had no quarrel with South Africa. Following the meeting, the CNDD-FDD announced that Ndayikengurukiye had been relieved of his position and replaced by Pierre Nkurunziza.

Zuma scheduled a meeting with the CNDD-FDD and the newly installed government in Libreville on 15 November. In the meantime Ndayikengurukiye made contact with the facilitator and indicated that he was still the leader of CNDD-FDD, which implied that there were now two CNDD-FDD factions. Following discussions with both factions, it was agreed that Ndayikengurukiye still had sufficient support to continue including him in the process.

At meetings held in February 2002, the Nkurunziza faction of the CNDD-FDD indicated that it wanted to have direct talks with the leadership of the Burundian Armed Forces (BAF). The BAF had always been a bone of contention as it was generally perceived to be under the control of the Tutsi minority.

This was true in the sense that it was the instrument through which the Tutsi minority protected its interests. In the meantime, Zuma succeeded in drawing the Ndayikengurukiye faction closer to a ceasefire agreement and it subsequently indicated that it was open for negotiations within the framework of the Arusha agreement, proposing that the 'Libreville process' be incorporated into the Arusha process.

It now transpired that both the CNDD-FDD of Nkurunziza and the PALIPEHUTU-FNL of Rwasa were still confused as to the identity of the facilitator. The fact that nothing had ever been clarified or explained in Burundi itself was a major cause of the confusion. Issues such as the role of Bongo were often dealt with outside Burundi. The situation was exploited by Buyoya, who refrained from informing people in Burundi about developments.²² PALIPEHUTU-FNL and the CNDD-FDD also made claims to the effect that despite the Transitional Government of Burundi (TGoB) having indicated a willingness to negotiate a ceasefire, the army continued to bombard them on a daily basis.²³ The position taken by the TGoB reduced the possibility of reaching an agreement and was communicated to the facilitator.²⁴

Another issue raised by the PALIPEHUTU-FNL of Rwasa was that there was insufficient time between the issuing of invitations and the dates set for negotiations. The movement's delegates often had to travel by foot to cross the border into Tanzania unnoticed. It also claimed that the little time available for travel was being exploited by the TGoB to discredit it, and it was a fact that the government had repeatedly stated that PALIPEHUTU-FNL did not want to negotiate.²⁵ The establishment of a Liaison Office in Bujumbura by South Africa during the course of February 2002 eventually provided a channel of communication for the rebels in Burundi.

On 7 October 2002 the Ndayikengurukiye faction of the CNDD-FDD signed a framework agreement with the TGoB and agreed to another meeting with the government. Discussions on PALIPEHUTU-FNL participation in negotiations continued, but were hindered by their insistence that the six pre-conditions be met. Furthermore, they demanded guarantees from the TGoB that it would keep to its part of the bargain.

During May 2002 the situation became more complex when the CNDD-FDD's Nkurunziza faction indicated that it did not have faith in the South African facilitation and requested a new facilitator, suggesting Tanzania. In its declaration of 10 May 2002 it stated that it had noted with bitterness and

regret that the role of the facilitator was not clearly defined. It also shared the PALIPEHUTU-FNL's view that the facilitator was not allowing enough time to prepare for meetings, thus not giving it a fair chance. An allusion was made that the TGoB was exploiting this situation. The Nkurunziza faction nevertheless reiterated its willingness to engage in negotiations.²⁶

There was a price to pay for the all-inclusive approach followed by the facilitator (in this sense 'all-inclusive' refers to the manner in which Bongo's good offices were used, as well as the roles played by Tanzania and others). It was the main reason for the discontent on the part of the two remaining rebel factions. The fact that the process moved constantly between Dar es Salaam, Kinshasa, Libreville and South Africa caused further confusion. The rebels' lack of logistical capacity to move quickly restricted their movements and made them feel that there was a deliberate attempt to make things difficult for them.

At this time it was reported that PALIPEHUTU-FNL was experiencing serious internal conflict. Claims were made that senior members of the movement had been killed and there was even speculation that this had included Rwsa. The conflict revolved around differences between pro- and anti-negotiators.

Negotiations resumed in Dar es Salaam on 12 August 2002, but quickly ground to a halt when the Nkurunziza CNDD-FDD again insisted that the 'real belligerents' needed to be identified, hinting at the role of the BAF. It is important to note that from 2001 to 2003 the BAF continued to put enormous pressure on the rebel movements with attacks and counter attacks taking place on a continual basis, promoting a vicious circle of violence inside Burundi. At the meeting the CNDD-FDD Nkurunziza faction again raised the issue of confusion and asked for clarification on the exact roles of South Africa, Gabon and Tanzania. In addition, it demanded to know why Zuma had forwarded invitations to the parties in his capacity as Deputy President of South Africa and not as facilitator. Although a small technical detail, it was an indication of the growing discontent with facilitation. The delegation insisted on a meeting with the chief facilitator, Mandela.

Meanwhile, progress was being made at negotiations between the Ndayikengurukiye CNDD-FDD faction and the TGOB. An agreement was reached that culminated in the signing of a Memorandum of Understanding (MOU) on 25 August 2002.

Mugabarabona now announced that Rwsa had been removed as head of PALIPEHUTU-FNL for the sake of the people of Burundi in view of his

unwillingness to negotiate a peace deal. This was, however, nothing but a ploy to score points for himself. Mugabarabona spent most of his time in the Netherlands and had very little contact with the situation on the ground in Burundi.²⁷ The facilitator nevertheless gave him the benefit of the doubt in the hope that this would further weaken PALIPEHUTU-FNL. A split in the movement would lead to its disintegration or disappearance owing to a lack of support. It had the opposite effect, however. The movement became more stubborn and dug in further. The real extent of Mugabarabona's support in Burundi was confirmed, however, when 22 soldiers from his support base arrived from Burundi. Only ten of them had weapons.

In a strongly-worded letter to Zuma, Rwsa now accused South Africa of supporting the BAF with weapons, and of being part of a conspiracy to kill Rwsa in a way similar to that in which the Unita leader, Jonas Savimbi, had been killed in Angola.²⁸ He also claimed that Mugabarabona was a South African puppet and was being used as a pawn to manipulate international opinion.

On 7 October, Zuma succeeded in obtaining a ceasefire agreement between the TGoB and the Ndayikengurukiye CNDD-FDD faction and the Mugabarabona PALIPEHUTU-FNL faction. The ceasefire was signed during a Heads of State Summit held in Dar es Salaam. The summit gave a 30-day ultimatum to the remaining CNDD-FDD and PALIPEHUTU-FNL factions to come on board or risk being sanctioned.²⁸ The setting of deadlines had become fashionable by virtue of Mandela's achievement with the Arusha agreement. However, when it came to ceasefire agreements, deadlines were never really respected.

Although not within the period stipulated, the TGoB under the leadership of Buyoya and the biggest rebel group outside the Burundi peace process, the CNDD-FDD of Nkurunziza, did eventually sign a ceasefire agreement in the early hours of 3 December 2002. The occasion was almost a repeat of what had occurred two years earlier at the signing of the Arusha agreement, when at the last minute the parties claimed that the document presented for signing did not represent that which had been discussed.²⁹

During the period of Zuma's involvement in the ceasefire talks it seemed as though Buyoya was succeeding in creating confusion and weakening the base of the G7, an alliance of seven predominantly Hutu parties that was earmarked to win elections at the end of the transitional phase. When Jean Minani, leader of the Burundi Democratic Front (FRODEBU) within the G7, arrived in Bujumbura after having lived in exile in Tanzania, his first remark in private

was that he would be the next president of Burundi.³⁰ But Buyoya slowly chiselled away at the G7.

As early as June 2002, the South African Liaison Office in Burundi received information that a member of CNDD-FDD in Bujumbura and a member of parliament for FRODEBU, reported that FRODEBU parliamentarians were in fact members of the CNDD-FDD of Nkurunziza and that they were waiting for the right moment to leave FRODEBU.³¹ This was significant information in that the arrival of Nkurunziza's CNDD-FDD would eventually weaken the G7 alliance and especially FRODEBU. Apparently a couple of CNDD-FDD members, in fear of their lives, were not yet ready to declare their real allegiances.

The diplomatic shuffling was far from over despite the signing of the CNDD-FDD/TGoB ceasefire agreement. The movement temporarily suspended negotiations with the government on 21 February 2003 because of continued fighting between TGoB and CNDD-FDD forces. In a carefully worded statement, Nkurunziza said that the CNDD-FDD was suspending negotiations with Buyoya as he had failed to respect his commitments.³² It had already become clear to South Africa during the early part of 2002 that the nationally active CNDD-FDD of Nkurunziza could win a future election. The Tutsi-dominated BAF was not the flavour of the month with the Burundi population and Rwas'a FNL had little support except around Bujumbura.

In this context it should be noted that during 2002 and most of 2003 the CNDD-FDD received training in South Africa on matters pertaining to negotiation skills and good governance.³³ It was therefore not surprising that the CNDD-FDD resorted to diplomatic tactics to exert pressure on its opponent, rather than threatening to return to the bush, something that FRODEBU still often referred to. This indication of a measure of maturity by the CNDD-FDD scored points with the international community in Burundi.

In the meantime it was agreed that the leadership of the PALIPEHUTU-FNL and CNDD-FDD splinter groups should be allowed to return to Burundi. This was more of a political than a military victory for the facilitation effort as support for Ndayikengurukiye and Mugabarabona was relatively insignificant.³⁴ After many delays the leaderships arrived in Bujumbura on a chartered plane from South Africa on the night of 13 February 2003. They were received by a delegation from the South African Liaison Office, an SAPSD guarding contingent and a large group of Ndayikengurukiye's supporters. There had been

fears that the latter's arrival might spark violence and even an attack on the airport, but there were no incidents.

Relatively early on in the ceasefire negotiations it became clear to the facilitator that not much would be achieved without some form of logistical support being provided to the rebel movements. To this effect they were given financial and other support to participate in the negotiation process, but no more. Keeping Ndayikengurukiye and Mugabarabona on board did, however, become a balancing act for Zuma. Their ambivalence to the negotiations stemmed from frustration caused by a feeling that they had become marginalised by the ongoing discussions between the facilitator and the CNDD-FDD of Nkurunziza.³⁵ Another difficulty arose for the facilitator when it became known in Bujumbura that Ndayikengurukiye and Mugabarabona's rented accommodation was paid for by South Africa. Since the country was directly involved in setting them up in Bujumbura, suitable housing was found for them and other perks were also added. The understanding was that this arrangement would be for a limited period only.

Concerning the suspension of negotiations by the Nkurunziza CNDD-FDD, it became clear that its aim was to try and get what it wanted from its opponents without jeopardising the peace talks. At this point the CNDD-FDD knew that it would win the upcoming election as it was the only rebel grouping operating in most parts of the country. On 2 March 2003, after extensive consultations in Dar es Salaam, the CNDD-FDD and the TGoB recommitted themselves to implementing what had been agreed to in Pretoria.

On various occasions the South African Liaison Office indicated to the facilitator that there was a need for constant pressure on all parties to move forward with the transitional arrangements and the search for a ceasefire. The implementation of the provisions of the Arusha agreement was moving at a very slow pace and it appeared as though stalling tactics were being used by Buyoya to prolong his 18 months in office. Even the leadership of FRODEBU started hinting at the possibility of the president having to extend his tenure beyond what had originally been agreed to.³⁶

By January 2003 Buyoya actively started looking at ways to prolonging his tenure. Arguments put forward at the time by an advisor to the president was that FRODEBU and the G7 had lost much support and that the time was not right to hand over power to the G7 in the absence of the implementation of the ceasefire agreements. Another advisor alluded to the inability of FRODEBU to

govern the country, stating that the leadership had only its own and not the interests of the country at heart. France and Belgium, who also viewed the confusion as not being conducive to the handing over of power to FRODEBU, supported the idea of extending Buyoya's term.³⁷

Buyoya was discreetly invited to visit South Africa for a meeting with Mandela, who was the only one who could ensure that Buyoya would keep to his promise of leaving office by 1 May 2003. According to senior officials, Mandela took a hard line with Buyoya.³⁸ Mandela knew that as long as Buyoya was in the presidency he would manage the country on his terms. As the rebel groups had all returned to Burundi, Buyoya had the opportunity to 'manage' them. Needless to say, Buyoya maintained publicly that he would be leaving office as planned. Mandela was often called upon to deal with him.

The Liaison Office referred repeatedly to the need to establish a low-level task team that could work behind the scenes in the absence of Zuma on issues pertaining to the peace process. This suggestion was widely supported by the diplomatic community, as well as by recommendations of the International Crisis Group (ICG). Even the Special Representative of the Secretary General of the AU, Ambassador Bah, made such a proposal.³⁹ In November 2001 the Liaison Office made a firm proposal for the establishment of a Technical Task Team in Burundi, but this was not put into effect.

South Africa's presence in Burundi received a major boost when it was announced by Zuma's office on 13 March 2003 that Ambassador WAW Nhlapo, Director General in the Office of the President of South Africa, was being seconded to Burundi to represent South Africa and Zuma in the AU Mission to Burundi (AMIB), which was to take over South Africa's role.⁴⁰ Nhlapo was well versed in the peace process, having assisted both Mandela and Zuma. Nhlapo was a quiet but hard and reliable worker and he was constantly engaging all the players in Burundi. He knew the Burundians well and was aware of the games being played and the tactics being employed.

On 30 April, Bah was appointed as head of AMIB and the major facilitation task was theoretically shifted from South Africa to the AU, even though the role of facilitator still remained with Zuma. The appointment of Bah was an effort to boost the all-inclusive approach followed by Zuma.

Following the hand-over of the presidency to Domitien Ndayizeye on 1 May 2003, the new Hutu president took the initiative of going on a regional tour in late July 2003 to propose that in future, negotiations should be held directly

between the TGoB and the CNDD-FDD of Nkurunziza. His proposal was accepted by South Africa, Tanzania and Uganda.⁴¹ This did mark a change in pace. The added pressure and the streamlining of the process led to a meeting in Pretoria in early October at which, under the influence of a direct intervention by Mbeki, Ndayizeye and Nkurunziza signed agreements that would enable the largest rebel grouping, the CNDD-FDD, to participate in the transitional structures.⁴² Mbeki put the final touches to the agreements.

After the signing, both the president and Ndayizeye called on their respective armed forces to stop all hostilities immediately. Upon his return to Burundi, the Minister of External Affairs and International Cooperation, Therence Sinunguruza, briefed the diplomatic community on what had transpired. He was full of praise for Mbeki, stating that he had ‘worked’ with them and, like a professor, had written all situations, proposals and differences on a blackboard and discussed each and every issue to the point where it was impossible to have differences.⁴³

On 4 December 2003, Zuma visited the UN in New York and, to the amazement of many, requested the UN to take over AMIB, which was suffering from financial problems and a lack of logistical capacity. Zuma rightly argued that five per cent of the country could not hold the other 95 per cent hostage, thereby preventing the continuation of negotiations.⁴⁴ Also during this month, Nkurunziza and other members of the CNDD-FDD arrived in Bujumbura to take up their posts in the transitional structures as agreed. This effectively brought the high-level diplomatic intervention in the process to an end.

Efforts to bring PALIPEHUTU-FNL on board continued, but without success and it remained the only grouping outside of the Burundi process. From October 2003 onwards, Zuma paid various visits to Burundi to resolve this issue and during his visit in March 2004 he had telephonic conversations with Rwasa, as arranged by the UN and the South African Liaison Office. The general feeling among Zuma’s entourage was that PALIPEHUTU-FNL had had sufficient time and that further efforts would be a waste of time. However, Zuma requested the Liaison Office to set up a meeting with the organisation in Nairobi. Pasteur Habimana, spokesperson for PALIPEHUTU-FNL, proposed 31 March and 1 April. There was the eternal problem of finances to assist the delegation to attend the meeting and the question of enough time being available for them to reach the venue. This time Habimana sounded convinced that PALIPEHUTU-FNL could get a team to Nairobi for the meeting with Zuma.

Zuma's advance team was already in place when it became clear that this time the South Africans were dragging their feet. PALIPEHUTU-FNL was involved in various other international discussions and it became known that the movement had solicited money to cover travel expenses. Certain South African officials were of the opinion that PALIPEHUTU-FNL would be using such funds to buy weapons. Accordingly, the meeting was cancelled and this further alienated PALIPEHUTU-FNL.⁴⁵ Habimana indicated to the Liaison Office that South Africa was playing a cat and mouse game with his organisation and alluded to the fact that South Africa had chartered a plane to transport Ndayikengurukiye, Mugabarabona and Nkurunziza's political groups.⁴⁶

The means used by South Africa to create the environment for and to guarantee the implementation of the agreements almost became a serious bone of contention. As mentioned earlier, Nkurunziza, Mugabarabona, Ndayikengurukiye and others received perks such as housing etc. to help 'guarantee' the implementation of the agreements. Individual housing allowances alone amounted to around US\$3 000 a month. This caused a great outcry as some felt that they received less than others and wanted more. Eyebrows were raised by the fact that certain CNDD-FDD army officers, who earned a meagre US\$300 a month, lived in housing costing US\$3 000 a month. The Burundian Foreign Ministry informed South Africa officially about this situation. Eventually all support was phased out. Although the methods used were unorthodox and could have resulted in serious difficulties, the risks taken did pay off.

A final meeting was set up for 5 August 2004 in South Africa. All in all about 30 parties were invited and South Africa supplied a chartered plane to carry the delegates. At the meeting Zuma accused the TGoB of delaying tactics as it was deliberately dragging its feet concerning the establishment of an independent electoral commission to oversee the elections scheduled for 31 October of that year. This was used as an opportunity by Ndayizeye to request an extension for his term of office.⁴⁷ Zuma realised that the situation was becoming impossible and that an extension would be necessary. Ndayizeye eventually got an extension to his transitional period as president and the first polls were held in 2005.

Zuma's task had not been an easy one, but his style of quiet diplomacy worked and he was slowly able to bring the belligerents around to a willingness to negotiate a peace deal with the Burundian government. In the beginning, following the signing of the Arusha agreement, the rebel factions often perceived negotiations with the GoB to be negotiations with Buyoya and the BAF. With

Buyoya out of the way, things began to move in a positive direction. Zuma had a profound understanding of the Burundi problem and always made sure that he dealt with all the parties involved. He consulted as widely as possible, both in Burundi and within the region.

NOTES

- 1 Thabo Mbeki & William Makgoba Malegapuru (ed.), *African Renaissance: The new struggle*, Tafelberg Publishers Ltd, 1999.
- 2 Message from the Minister of Foreign Affairs, Dr NC Dlamini-Zuma, Department of Foreign Affairs, Strategic Plan: 2005–2008, pp 10–11.
- 3 Thabo Mbeki, Letter from the President: Our obligations to peace and development in Africa, *ANC Today* 1(42) (9–15 November 2001).
- 4 I Bunting, Wars in Africa are becoming increasingly Pan-African – but so too is the first genuinely Pan-African peace initiative, *New Internationalist* (August 2000). The author was a member of the Nyerere Foundation and worked closely with Nyerere on the Burundi peace process.
- 5 Thabo Mbeki, Letter from the President, *ANC Today* 1(42) (9–15 November 2001). President Mbeki refers to the need to help Africa and to the process in Burundi specifically.
- 6 Joint Communiqué of the 8th Arusha Regional Summit on Burundi, Arusha, 1 December 1999.
- 7 South African Press Association, Mandela accepts mediator role in Burundi, 1 December 1999.
- 8 Xinhua General News Service, Nyerere Foundation receives \$9,6 M for Burundi peace talks, 25 January 2000.
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- 10 Amnesty International Report January to December 2002, Burundi, 2003.
- 11 Joint Communiqué of the 8th Arusha Regional Summit on Burundi, Arusha, 1 December 1999.
- 12 BBC News Africa, Mandela slams Burundi's failed leaders, 16 January 2000.
- 13 P Gillespie, Nyerere warns Europe it must help 'to clean up the mess', *Irish Times*, 30 November 1996.
- 14 Hirondelle Foundation, Peace talks flounder but facilitation sticks to deadline, 12 August 2000. static.rnw.nl/migratie/www.radionetherlands.nl/.../rwanda-p.htm.

- 15 Discussions held with members of the entourage of former President Mandela.
- 16 BBC World News, Burundi accord 'sabotaged', 29 August 2000.
- 17 Ambassador Bah made this remark during a meeting of ambassadors at the Novotel in Bujumbura.
- 18 Burundi exposes those rare qualities of Zuma, *Business Day*, 4 September 2000, 9.
- 19 All parties liked Zuma and on official visits to Burundi it was noted that he had a special quiet way of getting to the heart of the process.
- 20 Panafrican News Agency, Mandela calls for dialogue in DRC, 19 June 1999. The relationship between Mandela and President Bongo was of such a nature that Mandela took his new wife, the former first lady of Mozambique, Graca Machel, on honeymoon to Gabon.
- 21 Agence France Press, I'm still in charge, insists 'sacked' Burundi rebel leader Kabura, 5 March 2001.
- 22 International Crisis Group (ICG), Burundi: One hundred days to put the Burundi peace process back on track, *Africa Report*, 21, 14 August 2001, vi. It was clearly stipulated in the recommendations of the ICG that the Burundian President should keep the country informed of developments, but the matter became a point of contention, with South Africa maintaining that it had never been the intention for this function to be the role of South Africa's Liaison Office in Burundi. However, in the absence of an office for the facilitator in Bujumbura it was generally assumed that the Liaison Office was included in all aspects of the negotiations.
- 23 Conversations held with both FDD and FNL members by telephone in 2002.
- 24 During discussions with the facilitator on 21 March 2002 both the FDD and FNL confirmed that there was confusion as to who was in charge of the facilitation.
- 25 Conversation with Agathon Rwasa in March 2002.
- 26 Declaration du CNDD-FDD no 001/RL/Decl/2002 sur L'organisation du Processus de Negociations entre Belligerants en vue d'Arriver Rapidment a la Paix et a la Restauration de la Democratie au Burundi, Makamba, 10 May 2002.
- 27 Press conference held by Jan van Eck, an independent researcher, in Bujumbura, 4 December 2002. This position was also put forward by the South African Liaison Office, which was requested to investigate the support for Alain Mugabarabona.
- 28 Pasteur Habimana, spokesperson for PALIPEHUTU-FNL, confirmed this.
- 29 BBC World News, Burundi President hails ceasefire agreement following talks with rebels, 8 October 2002.
- 30 Burundi govt. rebels make their peace, *Mail & Guardian* [online], 3 December 2002,
- 31 Private visit to Dr Jean Minani by the South African Liaison Office in Bujumbura, February 2002.

- 32 Conversation with Joseph Ntakirutimana, currently the Minister of Good Governance, in July of 2002 during which he indicated that FRODEBU was losing ground in Burundi. President Buyoya also came under fire for not including enough members of the G7 in his delegations that were negotiating the ceasefire. It was claimed that the president was once again manipulating the situation to the advantage of himself and the Tutsis.
- 33 Agence France Press, Burundi rebels suspend ceasefire talks with the government, 21 February 2003.
- 34 Training for peace in Southern Africa, Executive Summary, 2002 Annual Report, Training for Peace., <http://www.trainingforpeace.org>. The South African Liaison Office in Bujumbura also assisted the FDD in arranging travel documents for its delegations that regularly visited South Africa, either for peace talks or for training in negotiations or good governance skills.
- 35 BBC World News, Exiled Burundi rebels go home, 14 February 2003.
- 36 Discussions between the two leaders and the South African Liaison Office in Burundi in April 2003 confirmed this.
- 37 Both Minani and Ndayizeye indicated to the South African Liaison Office that the period of tenure of President Buyoya might have to be extended. It would seem that they started fearing serious competition from Nkurunziza's FDD.
- 38 This information was given to the South African Liaison Office when it was summoned to the Presidency on 10 March 2003 France and Belgium in informal discussions alluded to the possibility of this option having to be considered.
- 39 President Buyoya was invited to South Africa following indications that he was discreetly lobbying on a wide scale about extending his period of tenure. Mandela had stuck out his neck for Buyoya when he proposed that he should head up the first 18 months of transition. According to senior South African diplomats, Mandela was not pleased when he heard that Buyoya was testing the waters for an extension of his tenure. After discussions, Buyoya gave his promise to Mandela that he would leave office as agreed to in terms of the transitional arrangements.
- 40 This idea was put forward by Ambassador Bah in a report to the facilitator as it was generally felt that the unstructured treatment of the issue of a ceasefire was inadequate. International Crisis Group, Burundi: One hundred days to put the Burundi peace process back on track, *Africa Report* 21, 14 August 2001,
- 41 Statement issued by L Kaunda of the Office of the President, Cape Town, South Africa on 13 March 2003. In this statement the role of Ambassador Nhlapo was defined as assisting in obtaining the objectives of peacekeeping, overseeing the implementation of ceasefire agreements, supporting disarmament and demobilisation and advising on the reintegration of combatants, and striving towards creating conditions that will *be* favourable to the establishment of a UN Peacekeeping Force in Burundi,

- 42 IRIN News, Regional leaders agree to speed talks process, 1 August 2003. This might not have been seen as an important event by the international news media, but Ndayizeye did address a vital shortcoming of the process.
- 43 Thabo Mbeki, Africans come together to build a new future, *ANC Today*, 10–16 October 2003.
- 44 Briefing to the diplomatic community by the Burundian Minister of External Relations and International Cooperation, Therence Sinunguruza, on 10 October 2003.
- 45 IRIN News, Burundi: Zuma appeals to UN to take over peacekeeping operations, 5 December 2003.
- 46 Zuma on various occasions indicated his willingness to meet with the FNL anywhere and at any time, but this was not to be as there were always factors at play to prevent this.
- 47 Telephone conversation between the South African Liaison Office and Pasteur Habimana, spokesperson for the FNL, shortly after it became apparent that the logistical arrangements were not in place.
- 48 All Africa Burundi accused of poll delaying tactics, 4 August 2004.

4 The implementation of South African foreign policy in Burundi

GEORGE RAUTENBACH AND WALDEMAR VREY

THE DEPARTMENT OF FOREIGN AFFAIRS AND DIPLOMATIC RELATIONS WITH BURUNDI

In stark contrast to the commitment and resolve shown by Nelson Mandela, Jacob Zuma and, in the final hours, Thabo Mbeki, the Department of Foreign Affairs (DFA) never really thought Burundi merited its full support and it therefore did not seriously pursue the ideals as set out in Mbeki's concept of an African Renaissance in this regard. During the Arusha process the DFA's role was reduced to that of travel organiser and looking after logistical arrangements in Tanzania. The vision of South Africa's leadership, which saw Burundi as a test for intervention, on both a political and a military level, and for finding an African solution to an African problem, was not shared by the DFA, at least not at the lower decision-making levels. In spite of the importance given to the issue by three of South Africa's most prominent leaders, enthusiasm for the Burundi question was lacking.

When the issue of diplomatic representation in Burundi was raised, the DFA reluctantly reflected on the need for diplomatic support for the peace process and eventually opened a one-man Liaison Office in Burundi. This low level of

representation was understood by neither Burundians nor other diplomatic representation in Bujumbura. For a better understanding of this anomaly we need to look at South Africa's official relationship with Burundi since the ANC came to power in 1994.

Diplomatic relations with Burundi were maintained through the South African High Commission in Kampala, Uganda. Despite this 'official' relationship, established in 1995, there was not much diplomatic interaction in the beginning as South Africa rarely ventured into Francophone Africa. It was only after the genocide in Rwanda that South Africa established an embassy in Rwanda. Responsibility for Burundi then fell to the embassy in Kigali.

Interaction with Burundi did not improve, however. Burundi's problems were less pressing than those of Rwanda. The focus of the whole world was on Rwanda. It was only after it became clear that the Arusha process was nearing its end and the action would soon move to Burundi, that the thought of establishing direct diplomatic representation in Burundi arose. The initiative did not come from the DFA, however, but was the brainchild of South African officials in Burundi during the inauguration of the Transitional Government of Burundi (TGOB) in November 2001. The idea was supported by senior officials of the Office of the President of South Africa who attended the inauguration. It was only then that the DFA began showing interest in Burundi, albeit with reservations.

The question of direct diplomatic representation to Burundi

The DFA considered it necessary to send a diplomat from the embassy in Kigali to Burundi to attend to the protocol needs of former President Mandela and then Deputy President Zuma. This was the first time that a South African diplomat from Kigali actually visited Burundi on official business. Previous visits to Burundi by Mandela and Zuma had not been attended to by the DFA. As few South Africans speak French, the fluent French speaker from Kigali was drawn into bilateral meetings with General Andrew Masondo, vice-chairman of the committee dealing with the cessation of hostilities and related military matters.

Just ahead of the inauguration of the TGOB, the first South African National Defence Force (SANDF) members, as part of the South African Protection Service Detachment (SAPSD), arrived in Burundi on 28 October 2001. It

became obvious, from a foreign policy perspective, that having a large contingent of SANDF members deployed as part of the instrument of execution of South Africa's foreign policy would necessitate the fulltime presence of a South African diplomat in Burundi. The SADF had very little 'foreign affairs' experience and it boosted the morale of the first soldiers to arrive in Burundi to be welcomed by a diplomat from their country.

The establishment of a diplomatic presence seemed to be an obvious course of action, while direct diplomatic relations with Burundi would also send the message that South Africa was ready to back up the work of the facilitator. At a meeting between members from the Office of the President, the SANDF, the South African Secret Service (SASS) and the DFA in Bujumbura on the morning of 4 November it was decided that the respective departments would receive notes of the meeting and that a strong case for the establishment of direct diplomatic relations with Burundi should be made. It was proposed that such representation should comprise members from all departments involved and that they would act as a task team in support of the facilitator in the Burundi peace process. Diplomatic representation in Bujumbura should also provide consular services to facilitate travel by relevant Burundian stakeholders to attend meetings in South Africa.¹

It was clear to the participants in the meeting that there would now be more frequent interaction between South Africa and Burundi and that a direct line of communication between the countries was needed. Interaction would not be limited to communication with the TGOB, but would encompass all parties involved in the Burundi process. During the Arusha process the parties either had been based in Tanzania or had travelled from Burundi, but with the conclusion of that process the situation was changing in that all parties to the Arusha peace process now resided inside Burundi, while rebel groups outside the process could also be expected to return to Burundi over time.

The minutes of the Bujumbura meeting listed the following functions of a permanent office in Burundi:

- Support for the facilitator, which could include anything from being his 'eyes and ears' on the ground to logistical arrangements
- Support for the SAPSD in Bujumbura
- Facilitation of arrangements for visas and other documentation for those travelling to South Africa to participate in meetings related to the peace process

- Investigation of South African support for the peace process through bilateral socio-economic cooperation²

The main aim of the office was seen as assisting the facilitator in analysing developments in Burundi and establishing an early warning system that would make preventive rather than corrective steps possible. Another important aspect was to help with the socio-economic restructuring of Burundi. This could include direct bilateral cooperation or tripartite cooperation with South African expertise being combined with the financial assistance of a third party.

Since the DFA normally takes the initiative in foreign policy ventures it was the first to react. As there were not many options available and realising that Burundi was the focus of high-level South African interest, the DFA agreed to establish an office in Bujumbura. A diplomat from the embassy in Kigali was deployed to open an office and pave the way for other departments to join in.

Foreign Affairs acts

From 2000 onwards, Mbeki acted more and more in line with former President Mandela's hands-on approach to foreign policy issues. That this could have been the result of the DFA's inability to live up to the expectations of the president cannot be ruled out. What is known is that the president had great confidence in the Minister of Foreign Affairs, Nkosazana Dlamini-Zuma, but less in the rest of the department.

Mbeki used the African Renaissance concept as the cornerstone of foreign policy in Africa. Dlamini-Zuma was of the opinion that in addition to support for democratic processes in Africa, her department needed to support development and reconstruction programmes.³ The Deputy Minister of Foreign Affairs, Aziz Pahad, gave impetus to this view by stating that South Africa supported the peace process in Burundi and would do everything possible to assist the state with its socio-economic reconstruction and development.⁴ Interpreting the diplomatic language, this would mean a major investment on the part of South Africa, reflecting the ideas discussed at the meeting in Bujumbura in November.

Towards the end of November a *note verbale* was sent to Burundi's transitional government to advise that a diplomat from the South African embassy in Kigali would be seconded to head up a permanent Liaison Office in Burundi. The note stated that the diplomat would provide an 'essential channel of

communication between the two governments'.⁵ The diplomat who had assisted with the visit of Mandela and Zuma at the inauguration of the TGOB was officially identified for the post and classified as a Liaison Officer.⁶ When the US Embassy in Bujumbura alerted South Africa to the fact that the term 'Liaison Officer' had military/security implications, the DFA changed the title to First Secretary, which is the proper diplomatic designation. The designated diplomat was instructed to relocate to Burundi at the earliest opportunity.

Permanent representation was established in Bujumbura on 26 November 2001, with an office in the Ubuntu residence of the diplomat on Avenue de la Plage. But in early January 2002 the office received notice that it would be closed down and the First Secretary was instructed to return to his previous post in Rwanda. The reason given was that financial constraints made support of the office impossible. The news was communicated to Burundi's Foreign Ministry in January 2002. As could be expected, this caused an outcry from the TGOB and the international community.

The Liaison Office was closed on 17 January, but following a visit by Dlamini-Zuma to Rwanda in February, the decision was reversed and the office was reopened the same month. Even so, the functioning of the office was marred by difficulties, misunderstandings and a lack of support. The status and role of the office changed on a number of occasions in the first few months. Communication and the sourcing of information were the most contentious issues. There was a feeling that the office should not be linked directly to the peace process. The direct communication channel with the office of the facilitator was changed to the DFA and was eventually reduced to communication through the South African embassy in Kigali. This greatly delayed responses and reaction, and in the end information flow came to a complete halt as the Kigali embassy did not share the belief in the urgency of the situation in Burundi.

Another difficulty experienced was the inability of the office to communicate securely. Open fax and telephone lines were the only means of communication and had to be used despite the risks involved. Lack of funding also hampered the operation of the office. As the DFA did not have the funds to operate the office, it was supported from private funds for three months. When the financial problem was resolved at the end of April, it was agreed that the First Secretary would travel to Kigali to sign for advances of up to US\$15 000 at a time.

These difficulties created the impression among Burundians and the Bujumbura diplomatic community that South Africa did not take the Burundi

question seriously. With a diplomat in Burundi the facilitator should have had direct access to what was happening on the ground in that country. Although this had been the original intention, it now appeared to be far removed from the reality of the situation. Senior DFA officials considered the Liaison Office as a temporary arrangement. During a meeting at the Ubuntu residence in Bujumbura in April this was made clear in no uncertain terms. Although Burundi was of importance to the Office of the President, it was stated, the Burundi question was not a DFA priority.⁷

The relationship that nevertheless developed between the office of the facilitator and the Liaison Office was not appreciated within the DFA and in April orders were received that the Liaison Office should not involve itself in the peace process. The office of the facilitator did not share this view and by default the diplomat in Bujumbura became a source of information and a channel of communication for the facilitator. During a visit by Zuma to Burundi the problems relating to communication and the way the DFA saw the issue was relayed to him. It was agreed that reporting would continue via a private fax number of a member of Zuma's team. Thus a direct relationship developed between the office of the facilitator and the Liaison Office.⁸ Cooperation with the SAPSD in Burundi was also of a high calibre and a daily joint briefing was held. In spite of the DFA's attitude, the work thus got done. But the office still had no means of secure communication with either the DFA or the office of the facilitator.⁹

Developments in Bujumbura

In April 2002 an SAPSD escort scouting a route for a principal under their protection was caught in a roadblock south of Bujumbura and taken into custody by the local Gendarmerie. This caused pandemonium and the Minister of External Relations called the Liaison Office to establish the purpose of the escort's trip outside the city. The local media made the assumption that the group was involved in spying.

The environment the SAPSD had encountered upon their arrival in Bujumbura was not a friendly one and, as was common in Burundi, a disinformation campaign kicked off immediately. In an effort to counter ongoing allegations and speculation, a report was sent to the embassy in Kigali proposing that a statement be released immediately to refute the allegations in the strongest terms possible. The proposed statement was forwarded to the DFA, which took

four weeks to agree to its release in Burundi. Needless to say, by then nobody was interested in publishing a statement that had lost its relevancy.¹⁰

As the Liaison Office became an extension of the Kigali embassy, the South African ambassador to Rwanda, the late AM Mbere, officially presented his credentials to the President of Burundi, Major Pierre Buyoya. During this meeting, Buyoya alluded to a meeting he had had with Mbeki in December 2001 at which an undertaking was given that South Africa would assist Burundi in a programme of reconstruction and development. Mbere confirmed the intentions of South Africa to become a major partner in the Burundi peace process.¹¹ This committed South Africa to do what Pahad had referred to when he said that South Africa would assist Burundi in socio-economic reconstruction and development.

To back this up, a technical task team was established. This comprised various South African government departments, including, among others, the departments of Trade and Industry, Public Enterprise and Privatisation, Transport, and Post and Telecommunications. The technical team visited Burundi from 4 to 9 May 2002 and met its counterpart. The outcome of the visit was positive and a joint report was compiled that was to form the basis for immediate action. Numerous reminders and demands on the part of TGOB were lodged with the Liaison Office, which were forwarded to the DFA. Although there was every intention to follow up on the issue, nothing transpired except a further DFA visit to Burundi one-and-a-half years later under the pretext of arranging another meeting between the two technical teams. Needless to say, fatigue set in on the part of the Burundians, who had been very eager to develop the relationship established by Mandela and taken to another level by Zuma.

The role of the Liaison Office slowly developed in two distinct directions, one as envisaged by the DFA and the other as contemplated by the office of the facilitator. The DFA only showed interest in the Burundi question when there was a direct request from the Office of the President for information on an issue. The Liaison Office was then required to supply the information and detailed background documents, usually at very short notice. The Liaison Office established relations with the National Council for the Defence of Democracy – Forces for the Defence of Democracy (CNDD-FDD) and the Party for the Liberation of Hutu People – National Forces of Liberation (PALIPEHUTU-FNL), which were put to good use for the benefit of the facilitator.

In an effort to bring the problems encountered by the Liaison Office to the attention of the DFA, Zuma requested Pahad to accompany him on a visit to Burundi.¹² At the request of the Deputy Foreign Affairs Minister, the Liaison Office drafted a report outlining the difficulties being experienced. A senior official in the DFA subsequently questioned whether the report had indeed been commissioned by Pahad. However, three days later the Liaison Office received a departmental request to indicate its staff needs and in February 2003 a DFA official visited the office to investigate the possibility of acquiring premises for the establishment of an embassy. At this stage the Liaison Office consisted only of one person.

A complete lack of logistical planning and support further placed considerable constraints on the functioning of the Liaison Office. A year after the opening of the office, additional officials arrived. The original office still operated from the private residence of the initial diplomat and now a second office was established. The existence of two separate offices caused some confusion. The Liaison Office functioned in this manner until January 2004, when the two offices were consolidated at new premises in the Novotel. The arrival in March 2003 of Ambassador WAW Nhlapo, who was attached to the African Mission in Burundi (AMIB), added confusion as Burundians assumed that he was South Africa's ambassador to the country. He was often inundated with requests for travel documents and so on.

The diplomatic relationship between South Africa and Burundi was slowly reduced to an exchange of good intentions without real substance, particularly on the part of South Africa. In terms of the African Renaissance, the ideal of assisting Burundi with its socio-economic development did not come to much. During the whole period from 2000 to 2004, South Africa's Foreign Minister visited Burundi only once, in a short stopover of three hours to participate in the handing-over ceremony of AMIB to the UN.¹³ She had no time to meet her counterpart in Burundi.

There appeared to be a complete lack of direction and coherence on the part of the DFA as far as Burundi was concerned. Towards the end of the peace process some officials started taking a more active interest in the Burundi question, which implied becoming involved in logistical arrangements of some kind or another. When Zuma arranged a meeting with all Burundian actors in Pretoria in August 2004, the DFA was charged with arranging the transport for the 30 or so parties. The department advised the Liaison Office about the parties

that had been invited and the names of the delegates. The office prepared for 60 people to be flown to South Africa by charter plane. As is standard practice and as requested, copies of the 60 passports were forwarded to Pretoria, and to ensure that all delegates arrived in South Africa in good time, a plane was sent to Bujumbura on 31 July.

All 60 delegates, including ministers of the TGOB, were at the airport ready for departure at 08h00 that morning. But the plane did not arrive and could not be traced by the DFA. It transpired later that the aircraft had had to land in Lusaka, Zambia, because of a technical problem. At noon the Liaison Office ordered in food for the delegates, which calmed the nerves somewhat. The charter plane finally landed at 15h00, only for it to be discovered that it only had space for 44 passengers. It was a very difficult moment, but eventually the problem was resolved when certain parties volunteered to stay behind. Another plane was sent the next morning to pick up the balance of the delegates, who had had to return home for the night.

This episode indicates that the DFA's involvement in the Burundi process lacked serious commitment and more often than not caused confusion or delay when it was least expected. While Mandela and Zuma set the tempo for the process, the DFA kept up appearances only half heartedly, with the result that its assistance was often an embarrassment to the facilitator.

A full South African embassy was eventually established in Burundi in the latter part of 2004, well over a year after the first steps in this direction had been taken in February 2003. Ambassador MD Lembede was appointed as ambassador to the country. Rather than being part of the process, the embassy's establishment came almost as an afterthought. The official hand-over of the process to the UN had already taken place and the UN was actively pursuing its aim as set out in Resolution 1545 of 21 May 2004.

THE INVOLVEMENT OF THE SANDF IN BURUNDI – DEPLOYMENT OF THE SAPSD

In order for the transitional government to become a reality, it was agreed that the AU would put together a small multinational force to provide protection and support for members of the TGOB. South Africa agreed to participate, but because no ceasefire agreements had been concluded at the time no other African country was willing to take the risk. The SANDF was made

aware of its imminent deployment and certain support and standby arrangements were put in place. However, the SANDF received no clear guidance about the extent of the support required, the input to be made by the AU and the TGOB, and what was expected from the South African forces. Time for arrangements was running out fast because Mandela was adamant that the SAPSD be ready to assume its protection function in Burundi before 1 November 2001 so as to avoid the TGOB initiative from failing even before it was properly in place.

Forty-three SA Brigade Headquarters was identified to lead the first detachment into Burundi. Joint Operations Staff and Brigade Staff officers completed a reconnaissance trip to Burundi only in mid-October. During the visit arrangements were made for the location of bases and preliminary discussions commenced about Status of Forces Agreements and MOUs, but nothing was concluded. High command, itself bound by the fact that a final political decision to proceed with the mission had not yet been made, delayed the order to deploy to a point where it was almost too late.

The first forces arrived at the De Brug mobilisation point in Bloemfontein after 20 October, while most of Headquarters staff were still caught up in final preparations in Pretoria. However, on 27 October the first flight left for Burundi. Once in Burundi, the SAPSD, consisting of 700 troops, was rapidly deployed to provide security for Burundian leaders returning from exile. This was the first and only mission to date where South African Airways (SAA) assisted with the deployment of SANDF forces. SAA provided a B747 to airlift the men to Burundi. It only became known later that the aircraft used had at that time already been decommissioned and was only brought back into service for the purpose of this deployment.

The SAPSD had many difficulties to overcome in the initial period. It immediately became clear that the force was not welcomed by the Burundi Armed Forces (FAB). FAB deployed close to two SAPSD brigades positioned around the airport and it was not clear at the time whether this was motivated by a perception of the South Africans' being a security risk, or whether they simply wanted to intimidate the SAPSD. Other challenges included contingents having to wait for hours in the sun at the airport before busses arrived to take them to their bases. For the sake of safety, soldiers were separated from their weapons during the flight to Burundi and the rapid offloading of the aircraft and the distribution of the equipment to the right locations became a nightmare for commanders.

Every night government forces would fire at will throughout Bujumbura and it was never clear whether they were dealing with a real threat, were intimidating the population and the SAPSD, or were simply badly disciplined. The routine explanation was that they were countering rebel forces, but there were never any bodies or casualties to be seen.

Back in South Africa, everybody was negative about the deployment. The reason was not so much the purpose of the mission, but the lack of proper preparations and the deficiency of equipment required for its success. Critics lashed out at the SANDF, but notably few of them apologised or gave any credit to the Defence Force after it became clear that the operation was effective. Logistics could certainly be faulted because of the many delays in getting equipment to Burundi and even erroneous procurements. Much of the equipment supplied proved to be outdated and/or had reached the end of its life cycle. Only with tender love and care did the SAPSD manage to keep some of the equipment functioning. But valuable lessons were learnt and for the first time in a long time the SANDF came into contact with the realities of a potential future battle area, albeit for peacekeeping operations.

Liaison with FAB was conducted through a daily sitting of the Joint Operations Centre (JOC), which had been established to regulate matters between the two forces. Relations were cordial, but initially little assistance was forthcoming from FAB. The JOC had to approve of the list of politicians to be protected, including travel requirements and aspects such as security, logistics, transport, etc. related to the protected principals. In the beginning not many principals were returning to Burundi because of uncertainty in the absence of ceasefire agreements. This permitted the SAPSD to establish itself, but eventually the task of protecting all those returning became a major challenge. The SANDF planners had determined that 75 protectors would be needed, one for each of the 75-member Burundian parliament. To allow for rest and assistance, the number of protectors had to be increased to at least 150, but more important principals required even more protectors. In addition, the transitional parliament eventually grew to a staggering 474 members. Fortunately some members were from the old government and continued to prefer protection by FAB instead of the SAPSD, but eventually more than 400 SAPSD troops were utilised as protectors, be it for close protection or as residential guards. The training requirements of so many close protectors placed the SANDF under great pressure.

The protectors rendered an exceptional service to Burundi and the SANDF can be proud of its achievements. The task was performed throughout the period of transition, from October 2001 until the new government was sworn in on 26 August 2005, at which time the TGOB ceased to function. The provision of protection to campaigning politicians was sensitive work and quite dangerous. The SANDF never lost one of its principals, nor was one seriously injured in an incident. This is a real feat for soldiers who operated under difficult conditions.

The protectors stayed with their principals at their private homes in order to provide a round-the-clock service. Some had good quarters, but others stayed in atrocious facilities and attempts were continuously being made by the SANDF to obtain more resources to improve their conditions. Many principals misused the service until a disciplinary forum, managed by senior Burundian politicians, was established. Protectors were used in a show of force, to indicate the principal's importance and to break evening curfew arrangements. Protectors were abused when principals were intoxicated or not satisfied with their security arrangements. They were always on duty when principals visited public places in the evening and were as a result only able to prepare their own meals very late at night.

Initially, protectors were provided with standard daily ration packs, but it quickly became clear that they did not have the time to prepare the food, especially when the principal was travelling. Protectors were then paid a daily food allowance. One of the agreements with the TGOB was that principals would provide their own transport. The protectors would travel with them, but were not allowed to drive. This endangered the protectors in cases where the principals were poor drivers or could not drive at all. In such cases the SAPSD was reasonably successful in convincing the principal to appoint a capable civilian driver.

When the SAPSD first arrived in Burundi, there was only one DFA representative in the country who could provide diplomatic assistance. This made it difficult for the SAPSD in diplomatic situations and frustrated its attempts to understand international protocols and the modalities of diplomatic liaison. Soldiers are not trained in diplomacy and embarrassments could have been avoided if the DFA had supported the deployments properly. An excellent relationship was maintained with the diplomat at the Liaison Office, who relieved the SAPSD of all political and diplomatic demands, allowing it to concentrate on its core business.

Operational incidents and difficulties arose from time to time. In April 2002, FAB accused a reconnaissance patrol of espionage and arrested the members in Makamba province. Until then, the SAPSD had had little opportunity to leave the capital, but the patrol had in fact been surveying a route a principal wished to travel the next week. Although FAB did not accept this reason, the matter was settled at the JOC. FAB also accused the SAPSD in the media of trying to establish bases in Rumonge to the south with the intention of assisting rebel groups fighting the army. To its credit, FAB did issue an apology to the SAPSD after the incident had been investigated.

A way of promoting better understanding and a spirit of cooperation was the hosting of small social events for members of the JOC. These events were a great success and developed many good relationships between Burundi and SANDF officers, some of which have lasted until today. Under similar circumstances in future the SANDF should ensure that commanders have a small budget for such functions, rather than the cost having to be carried by private allowances. Functions such as these, especially when one is the only foreign force in a country, have a diplomatic flavour and there is in fact an expectation among the international community that units like the SAPSD will host social events, especially where no South African embassy exists. The capacity for this must be available.

The Burundians maintained a cool attitude towards the presence of the South Africans. The first contingent overcame this by, in true South African style, challenging FAB to a football match. This became a near-weekly occurrence and eventually included rugby, volleyball and road running. During later deployments the SAPSD even hosted a boxing championship. Except for rugby, it took the South Africans a very long time to win at anything. The first soccer match was only won in 2003 and the road-running and volleyball contests were never won. But winning was not the point. The events built bridges and eventually thousands of spectators arrived to watch. Very soon the South Africans received the affectionate nickname of 'Souzas' (Southerners). The name stuck even after AMIB and ONUB assumed responsibility.

A part of the SAPSD force had the duty to support the protectors. It was not always easy to keep these troops constructively engaged and operational boredom remained a difficult challenge for commanders to overcome. Under such circumstances disciplinary problems do unfortunately develop and a fair share of these occurred. It became clear than even though the SANDF had gone through a transformation period, the transformation was far from complete.

However, officers and men gained a lot of experience during the deployments and this later served the SANDF well in countries like the Democratic Republic of Congo (DRC) and the Sudan.

It was common practice to identify and appoint senior SAPSD commanders at a very late stage, which prevented candidates from preparing themselves properly for their operational duties. This is not only unfair to the commander, but also to the force under his command. Furthermore, the practice of viewing deployments as training courses was a dangerous one and had to be reconsidered. Initial deployments were four months, but the tour of duty was later increased to six months in compliance with standard international deployment norms. Each detachment developed a culture of its own and mostly the members developed friendships lasting well beyond the deployments.

The original plan had been for the SAPSD to undertake its protection responsibilities on a bilateral basis with an inclusive and representative all-Burundian Special Protection Unit (SPU). Although the Arusha agreement made allowance for the establishment and training of such a unit with South African support, the level of political distrust in Burundi was such that at first the SPU could not be set up.

The protection function of the SAPSD later became part of the advance deployment of AMIB and was continued even when the UN took over from AMIB. This specialised security function was even maintained as an extension of the AU's contribution to the peace process in Burundi.

NOTES

- 1 Minutes of meeting held in Bujumbura on Sunday 4 November 2001.
- 2 A follow-up meeting was held on 14 January 2002. Participants in this meeting included the diplomat from the South African Liaison Office in Bujumbura, a SASS member and the Commander of the SANDF. The report and proposals in the form of a modus operandi was forwarded to the DFA.
- 3 The Presidency – Hands-on Foreign Affairs, *Financial Mail*, 14 April 2000. The article hints at Mbeki's difference in style and his preference for a hands-on approach. The conclusion could be drawn that the DFA was being sidelined in certain crucial areas.
- 4 AllAfrica, South Africa committed to Burundi peace process, 10 February 1999.
- 5 *Note verbale* from the DFA to the embassy in Rwanda dated 23 November 2001.

- 6 The diplomat in question is George Rautenbach. He headed the Liaison Office until the establishment of South Africa's embassy in Burundi in the latter part of 2004.
- 7 In April a senior diplomat from the DFA visited the Liaison Office and communicated this sentiment verbatim to the First Secretary.
- 8 This was concluded during the visit of Zuma to Rwanda to brief President Kagame on initiatives concerning Burundi. The diplomat in Bujumbura was requested to travel to Kigali on 23 June to brief Zuma on issues regarding the situation in Burundi.
- 9 Report of the Liaison Office to the DFA, 26 March 2002.
- 10 Report from the Liaison Office to the embassy in Kigali, 4 April 2002.
- 11 Report by the Liaison Office on the presentation of credentials by Ambassador Mbere, 26 April 2002.
- 12 Press statement, Deputy President Zuma arrives in Bujumbura for the Peace Process, Office of the Presidency, 15 January 2003. Senior members involved in the facilitation indicated that Aziz Pahad had been requested to accompany Zuma to familiarise him with the Burundi peace process and the issue of the Liaison Office. On departure from Bujumbura, the Deputy Minister requested a full report from the First Secretary on the situation of the office.
- 13 Nkosazana Dlamini-Zuma visited Burundi on 1 June 2004 as the Special Envoy of the South African mediation team to attend the handing-over ceremony of the African Mission in Burundi to the UN.

5 The African mission in Burundi

HENRI BOSHOF AND WALDEMAR VREY

ESTABLISHMENT OF THE AFRICAN MISSION IN BURUNDI

The Central Organ of the Mechanism for Conflict Prevention, Management and Resolution of the African Union (AU) held its 91st Ordinary Session in Addis Ababa, Ethiopia, on 2 April 2003 to review preparations for the deployment of the African Mission in Burundi (AMIB). The session took place under the chairmanship of Ambassador Basa Sangqu, Permanent Representative of South Africa (SA) to the AU.

The Ministers of Defence of SA, Ethiopia and Mozambique attended the meeting. The SA minister briefed the meeting on the preparations being made for the deployment of AMIB. Following consideration of the briefing and an update by the AU Commission on the situation in Burundi, the Ministers of Defence of the three troop-contributing countries mandated the deployment of AMIB for an initial period of one year, subject to renewal by the Central Organ and pending deployment of a UN peacekeeping force to be mandated by the UN Security Council as envisaged in the agreements between the AU and the

UN. It was agreed that the mandate could be renewed every 6 months after the one-year mandate had expired.

Prior to this meeting, deployment of AMIB had been approved at the level of a heads-of-state meeting of the Central Organ at its 7th Ordinary Session in Addis Ababa on 3 February 2003.

In May, legal recognition of AMIB and approval for it to conduct operations in Burundi was granted in accordance with an agreement between the AU and the Transitional Government of Burundi (TGOB) on the Status of Force of the African Mission in Burundi (SOFA), which had been signed on 26 March 2003. Among other things, SOFA guaranteed AMIB's freedom of movement, which was crucial to the successful accomplishment of its mandate.

The purpose of AMIB was formulated as follows: 'AMIB will have fulfilled its mandate after it has facilitated the implementation of the ceasefire agreements, and the defence and security situation in Burundi is stable and well-managed by newly created national defence and security structures.'

Pursuant to this aim, the main objectives of the deployment of AMIB were as follows:

- To supervise the implementation of the ceasefire agreements
- To support the disarmament, demobilisation and reintegration of ex-combatants
- To create favourable conditions for the presence of a UN peacekeeping mission
- To contribute to political and economic stability in Burundi

AMIB's mandate incorporated the following tasks:

- To establish and maintain liaison between the parties
- To monitor and verify the implementation of the ceasefire agreements
- To facilitate the activities of the Joint Ceasefire Commission (JCC) and technical committees for the establishment and restructuring of the national defence and police forces
- To secure identified assembly and disengagement areas
- To provide safe passage for the parties during planned movement to designated assembly areas

- To assist with and provide technical assistance to the Disarmament, Demobilisation and Reintegration (DDR) process
- To help with the delivery of humanitarian assistance, including aid to refugees and internally displaced persons (IDPs)
- To coordinate mission activities with those of the UN in Burundi.
- To provide VIP protection for designated leaders returning to Burundi¹

Following the granting of its mandate on 2 April 2003, AMIB's deployment progressed as follows:

- **9–17 April 2003:** Arrival of advance elements in Bujumbura
- **27 April 2003:** Establishment of mission headquarters
- **1 May 2003:** Transition from the SA Protection Support Detachment (SAPSD) to AMIB
- **18 May 2003:** Arrival of 11 advance-element personnel from Ethiopia
- **25 May 2003:** Establishment of the Muyange ex-combatant assembly area in Bubanza Province²
- **26 May 2003:** Arrival of 11 advance-element personnel from Mozambique
- **1 June 2003:** Establishment of an integrated headquarters

Deployment of the main bodies of the Ethiopian and Mozambican contingents began on 27 September and was completed by 7 October. Until then, AMIB was predominantly composed of about 1 550 SA troops and 43 observers from Burkina Faso, Gabon, Mali, Togo and Tunisia.

In outline, the concept of operations of AMIB involved the following:

- The provision and establishment of outer protection and inner security for two demobilisation centres (DCs) by the SA and Ethiopian contingents respectively, together with the setting up of a third DC as a contingency measure
- The protection of each participant country's own sustainment convoys and of all other movements, including those of humanitarian NGOs, by the Mozambican contingent
- The continuation of VIP protection by the SA Strategic Planning Reform Unit (SPRU)³

THE DISARMAMENT, DEMOBILISATION AND REINTEGRATION (DDR) PARTNERSHIP

Soon after it started operations in Burundi, AMIB was invited by the Multi-Country Demobilisation and Reintegration Programme (MDRP) of the World Bank to become part of a joint planning group that was preparing to implement the DDR. The World Bank had approved a grant for the demobilisation, reinsertion and reintegration process in Burundi, which made it possible to commence with the structuring of actual operations. The joint planning group, whose work started during August 2003, consisted of representatives from the MDRP, AMIB, the Executive Secretariat of the National Commission for Demobilisation, Reinsertion and Reintegration (ES/NCDRR) and the UN Office in Burundi (UNOB), assisted by the UN Children's Fund (UNICEF).

The relationship developed very well and resulted in the design of the DDR process. Even though AMIB was replaced by the UN Operation in Burundi (ONUB)⁴ during 2004, this planning group, which is known as the DDR Cell, continues to function to this day. It presents its plans to the Joint Ceasefire Commission (JCC) for approval and implementation, and has a link to the international donor community, which enables it to seek funding for activities outside the scope of the World Bank grant. The group provides progress reports to the donors.

Structures to manage the Disarmament, Demobilisation and Reintegration process

As a result of the Arusha Peace and Reconciliation Agreement and subsequent ceasefire agreements and protocols, a number of structures, which are described in greater detail below, were set up to help implement the agreements. The most important of these were the Implementation Monitoring Committee (IMC), the JCC, the MDRP and the NCDRR. They were assisted by AMIB, UNOB⁴ and UNICEF, which supported the National Programme for the Rehabilitation of Child Soldiers. The DDR process is guided by the Joint Operations Plan (JOP) of 9 November 2004 for pre-disarmament, disarmament, combatant verification and demobilisation. The JOP also gives direction to and serves as

a Memorandum of Understanding (MOU) for ONUB, the JCC, the MDRP and the NCDRR.

The Implementation Monitoring Committee (IMC): The IMC was one of the most important committees of the transition process. It was formed on 28 November 2000 with the mandate defined in Protocol V of the Arusha agreement. Its responsibilities included monitoring, follow-up, supervision, co-ordination and ensuring the effective implementation of all the agreement's provisions. This committee managed the process in conjunction with other committees set up to deal with security sector reform (SSR) and DDR, such as the technical committee implementing the procedures preliminary to the establishment of a national defence and police force, the ceasefire commission, the reintegration commission and the national commission for the rehabilitation of displaced people. The IMC was also authorised to decide whether new parties could be allowed to participate in the national political process.

The IMC consisted of 31 representatives, namely 18 members from the Burundian signatories to the Arusha agreement, two from armed groups that were signatories to the ceasefire agreements with the TGOB (CNDD-FDD – Ndayikengurukiye and Palipehutu-FNL – Mugabarabona), six members from civil society and one each from the UN, the AU, the EU, the Regional Peace Initiative on Burundi and the donor community. The IMC met every second month under the chairmanship of the special representative of the UN Secretary General (SRSG) to AMIB.

The Joint Ceasefire Commission (JCC): The JCC was created to oversee compliance with the ceasefire accords and the reform of the Burundian Armed Forces (FAB). The commission was chaired by UNOB and included members of both FAB and the different armed groups. The responsibilities of the JCC were outlined in the Arusha agreement as follows:

- To oversee the implementation of the ceasefire agreements
- To monitor the parties and investigate violations of the ceasefire agreements
- To identify armed groups
- To decide on cantonment areas and the number of armed combatants to be placed in each
- To monitor DDR and the disarmament of illegal rebel groups in the country
- To oversee the reform of the army⁵

The Arusha agreement spelled out how the political and military powers in Burundi were to be shared, while the ceasefire agreements set out the processes to be followed before the rebels could be reincorporated into society. Brigadier General El Hadj Alioune Samba from Senegal, a member of UNOB, was appointed chairman of the JCC. He was followed in 2004 by the ONUB Force Commander, Major General Derrick Mgwebi from SA.

The Multi-country Demobilisation and Reintegration Programme (MDRP): The World Bank and the MDRP assisted the ES/NCDRR with the provision of finance and support. The MDRP's secretariat assumed a dual role in the DDR programme. It made grants using its fiduciary funds and it supplied technical support for the different processes. The World Bank and the MDRP also evaluated the success of the programme and set up specific mechanisms for financial management and the payment of funds in conformity with the regulations and procedures of the bank. In addition, the partnership provided a platform for consultation with, and the inclusion of other agencies, such as UNICEF, in the preparation of the JOP.⁶

The National Commission on Demobilisation, Reinsertion and Reintegration (NCDRR): The NCDRR was established by presidential decree in August 2003. The World Bank offered a donation of US\$33 million towards the establishment of a DDR programme and has supported the programme ever since. However, the offer was contingent on the TGOB meeting certain conditions, including the promulgation of a law pertaining to donor aid, a presidential decree defining the status of a combatant, a ministerial ordinance defining the status of the *Gardiens de la Paix*⁷ and the adoption of two manuals of procedure, one for finances and the other for the financial management of the DDR process. Because of the time required to fulfil these requirements and many operational hitches in the field, the DRR programme only got off the ground on 2 December 2004.

The National Programme on Demobilisation, Reinsertion and Reintegration (NPDRR) was launched to implement the demobilisation process and facilitate the reintegration of ex-combatants. It had four objectives:

- To assist the voluntary demobilisation of members of FAB and ex-combatants from the armed political parties and movements (APPMs)
- To facilitate the reinsertion into civilian life of those demobilised
- To promote the socio-economic reintegration of former armed fighters

- To lobby for the reallocation of national resources from the defence sector to the social and economic sectors⁸

Planning the disarmament, demobilisation and reintegration process in Burundi

The DDR process was implemented according to the guidelines of the Arusha agreement and the structures that were put in place subsequently. The JOP and the NCDRR Strategy for Reintegration provided the most important legal framework for the DDR. The objective of the JOP was ‘to indicate an exhaustive set of procedures and mechanisms for the disarmament and the demobilisation of the ex-soldiers/ex-combatants of FAB and the APPMs’.⁹

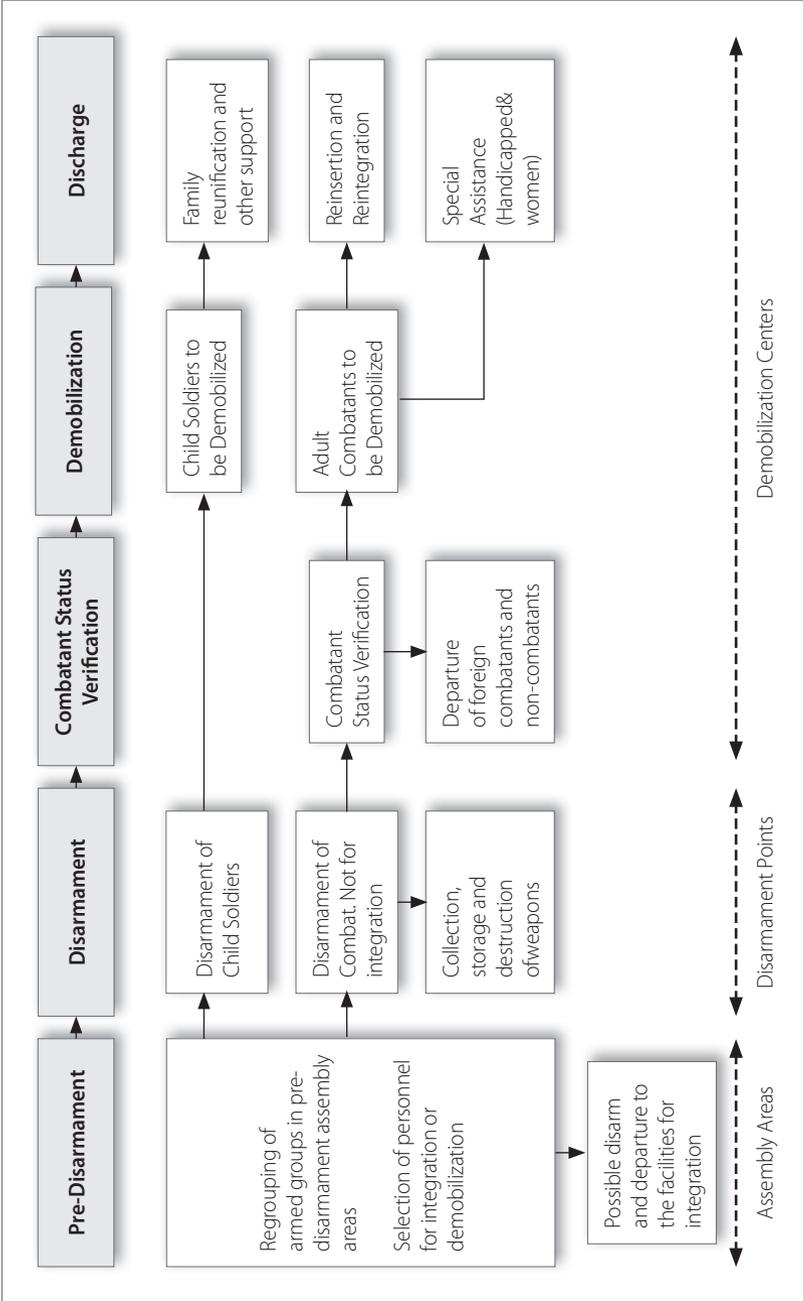
The disarmament and disbandment of militias was not included in the JOP. The TGOB published a national decree in May 2005 that provided for the disarmament and disbanding process to be managed under stage one of the NCDDR operational plan. This aspect will be discussed in greater detail later on in the paper, but it may be of interest to note here that the World Bank grant made provision for the disbanding of 20 000 *Gardiens de la Paix* and 10 000 *Militants Combattants*.

The operations concept as outlined in the JOP allowed for the completion of the DDR in two stages, namely:

- **Stage 1:** One year was allotted for voluntary disarmament, demobilisation and reintegration of members from the ranks of the APPMs and FAB. The target was to create a Burundian National Defence Force (BNDF) of not more than 30 000 men and a Burundian National Police (BNP) with a maximum size of 20 000, always bearing in mind the 50–50 ethnic representativity principle
- **Stage 2:** Two to four years was envisaged as the timeframe for ongoing DRR of soldiers from the BNDF to reduce its size to an internationally acceptable and affordable security sector structure¹⁰

The JOP spelled out the detailed plan for the demobilisation process. It made provision for the members of the APPMs to gather in pre-disarmament assembly areas (PDAAs) in which they would be disarmed and moved to the demobilisation centres (DCs). Candidates who had volunteered for integration

Figure 1 Overview of Activities



Source: Joint Operational Plan, 2004, 12

into the security forces would follow another route to either the BNDF or the BNP. During the process the government troops were to return to their barracks, if the security situation permitted, and their weapons to be deposited in armouries. Ex-combatants who failed to meet the conditions for recruitment into the new army would be demobilised and handed over to the NCDDR. The JOP identified six steps for the DDR of combatants:

- Step 1: Pre-disarmament assembly or cantonment
- Step 2: Selection for demobilisation
- Step 3: Disarmament of demobilising combatants
- Step 4: Combatant status verification
- Step 5: Demobilisation
- Step 6: Discharge

Figure 1 outlines the activities involved:

Table 1 For every activity, the following responsibilities were selected

Activity	Venue	Responsibility
Pre-disarmament	Assembly area	JCC/AMIB/ONUB
Disarmament	Disarmament point	AMIB/ONUB/JCC
Demobilisation (status verification and discharge)	Demobilisation	<ul style="list-style-type: none"> ■ Joint Liaison Team (JLT)/NCDDR/JCC/AMIB/ONUB ■ JLT/JCC/NCDDR/UNICEF/AMIB/ ONUB

Source D Nkurunziza and C Muviru, Report on disarmament, demobilisation and reintegration of ex-combatants in Burundi, paper presented at the conference on Disarmament, Demobilisation, Reintegration and Stability in Africa, Freetown, Sierra Leone, 21–23 June 2005

Disarmament: It was initially envisaged that AMIB should plan and implement the disarmament process. However, with the replacement of AMIB on 1 June 2004 by ONUB, the latter assumed operational responsibility. ONUB was given the task of guaranteeing security at the disarmament points and during the movement of ex-combatants to the DCs. The JOP framework determined that the registration, storage and/or destruction of the weapons handed in would be the responsibility of ONUB and the JCC, while the ES/NCDDR would look after the registration of all combatants after disarmament.¹¹

Disarmament of FAB members who volunteered for demobilisation fell to the TGOB. Once disarmed in their barracks, the former soldiers were registered and moved to the DCs, where they underwent the same procedures as ex-combatants.

Demobilisation: Demobilisation involved a change of status for the individual from soldier or ex-combatant to civilian. This process was implemented by the ES/NCDRR, supported by the MDRP, ONUB and UNICEF, as required. It consisted not only of demobilisation, but also of support for those returning to civil society during the reinsertion process. The following table indicates the steps followed in the DCs, explains what occurred during each phase and names of the agencies involved.

Reinsertion payments: On the basis of lessons learnt from DDR in other countries, the NPDRR adopted the following two-phased approach for post-demobilisation support:

- *Reinsertion package:* This grant was intended to help the beneficiaries of the programme to see to their own and their families' immediate and basic needs as they re-entered their communities and resumed civilian life. The total reinsertion benefit (*Indemnité Transitoire de Subsistance – ITS*) for ex-combatants and ex-soldiers was differentiated by rank and amounted to a minimum of FBu (Burundi franc, also FBu) 566 000 per candidate (indexed on the ex-FAB salary scale), which was paid in cash. Upon discharge from a DC each demobilised person received the first of four instalments (FBu 300 000 for privates)
- *Subsequent payments:* These were made through the banking system in the place where each ex-combatant/soldier resettled. This approach had the additional advantage of ex-combatants/soldiers being able to familiarise themselves with the banking system. Indirectly it also made access to credit easier. The remaining three instalments were paid over a 10-month period once recipients had settled. The payment schedule is outlined in the table below

The payments allowed the ex-combatants and ex-soldiers to meet the expenses that came with her or his re-entry into the community and financed a basic livelihood for about 18 months. Initial findings are that ex-combatants did not experience difficulty in accessing these payments and that the money was generally well used.

Table 2 Steps followed in the DCs

Steps	Observations	Actors
Disarmament	Each ex-combatant entering a DC was disarmed and given a voucher attesting to this.	ONUB AMIB
Verification of identity and combatant's status	The JLT (which included ONUB units) verified the identity and status of a fighter according to criteria accepted by all parties to the conflict, who was then given a non-transferable identity card. ¹²	JLT JCC
Medical screening	Medical structures were under contract to the ES/NCNDRR and were given a permanent base in the DCs. Each ex-combatant was given a medical screening.	NGO
Registration	The socio-professional profile of each ex-combatant was established with the help of a questionnaire in order to capture information about him or her and to build up a reliable data bank.	ES/NCNDRR
Delivery of identity cards	Photos were taken and non-falsifiable identity cards were provided.	ES/NCNDRR
Orientation before departure	An orientation talk was given to each ex-combatant in preparation for his or her reintegration into society so that livelihood choices could be made in advance.	ES/NCNDRR NGO
Allowances for reinsertion and transportation	A fixed reinsertion allowance (equivalent in value to 18 months' wages, indexed to the ex-FAB salary scale) was provided to each demobilised person leaving a DC to assist with socio-economic reintegration. Nine months' wages were paid out on departure from the DC and three tranches of three months' pay were deposited into the ex-combatant's bank account at regular intervals. A special transportation fee of US\$20 was also paid to every demobilised person, regardless of his or her destination.	SE/CNDRR
Period of stay in the DC	The length of each ex-combatant's stay in the DC was between six and seven days. It was not to exceed 10 days.	ES/NCNDRR

Source D Nkurunziza and C Muviru, Report on disarmament, demobilisation and reintegration of ex-combatants in Burundi, paper presented at the conference on Disarmament, Demobilisation, Reintegration and Stability in Africa, Freetown, Sierra Leone, 21–23 June 2005

Table 3 Reinsertion payments by rank and schedule (in FBU)

Rank category	Payment in demobilisation centre	4 months after demobilisation	7 months after demobilisation	10 months after demobilisation	Total payment
Troops	300 000	88 676	88 676	88 676	566 028
Non-commissioned officers	570 000	168 272	168 272	168 272	1 074 816
Junior officers	600 000	175 162	175 162	175 162	1 125 486
Senior officers	970 000	284 179	284 179	284 179	1 822 536

Source ONUB, DDR-SSR Newsletter 26, 03–31 March 2006

The phasing of the reinsertion package allowed the ES/NCDRR to ensure that ex-combatants/soldiers not only had funds for the first 18 months after their return to civilian life, but it also provided additional time for the ES/NCDRR to prepare reintegration assistance activities in communities where ex-combatants and ex-soldiers had settled.¹³

The design of reintegration: The ES/NCDRR was responsible for the overall implementation of the NPDRR. It developed the strategy outlined below to support the socio-economic reintegration of ex-combatants and ex-soldiers taking into account their individual aspirations as expressed at the time of demobilisation, current socio-economic opportunities and the contributions of a broad spectrum of stakeholders (government, UN agencies, national and international NGOs, and donors). It is important to note that the ex-combatants/soldiers themselves, their dependants and the receiving communities were central players in the reintegration process.

- *Reintegration support:* Once the returnees had resettled in their community of choice, demobilised ex-combatants/soldiers could seek support in kind from the PNDRR (also known as the NPDRR) to assist their reintegration
- *Social reintegration:* The staff of Provincial Offices engaged directly with the ex-combatants/soldiers and their communities. This effort was supplemented by special activities conducted in the communities by NGOs and community organisations contracted by the ES /NCDRR

- *Economic support:* Various options were available to returnees to assist them to develop a means of livelihood. Members could select their (targeted) economic support from five ‘tracks’, as follows:
 - *Targeted community-based assistance:* A comprehensive scheme responding to the income-generating preferences of ex-combatants/soldiers
 - *Training and self-employment:* The utilisation of institutional agreements with service providers
 - *Continuing education:* All those who were interested were given access to schooling starting during the month of September 2005
 - *Business skills improvement:* A scheme to upgrade business skills and training and possibly to raise funds for those that had already established a credible business
 - *Promotion of employment:* A project that offered referrals to and special arrangements with employers who were willing to provide employment combined with a training element

Partners were identified and contracted to carry out each of these activities. Most of these had ongoing activities. As part of each of the five tracks, additional

Table 4 Targeted economic reintegration support

Options	Basic support	Additional support
Income-generating activities	Provision of investment and operating inputs for a broad spectrum of income-generating activities	In-situ technical assistance
Vocational training for self-employment	Vocational training	Kits and materials for self-employment
Formal education	School fees and subsistence stipend	Assistance with school books and supplies
Promotion of entrepreneurship	Management and business development training	Funding for expansion and improvement of ongoing activities
Employment promotion	Subsidised employment and referral	Permanent employment

Source Reintegration of ex-combatants in Burundi. Paper presented at the conference on Disarmament, Demobilisation, Reintegration and Stability in Africa, Freetown, Sierra Leone, 21–23 June 2005

benefits were made available to those ex-combatants/soldiers who successfully completed the first phase, as reflected in the following table.

Child soldiers: The demobilisation and support process relating to underage combatants was implemented by the National Structure for Child Soldiers (SNES) with assistance and funding by UNICEF and the MDRP trust fund.¹⁴

Implementation and challenges

Assembly area at Muyange, Bubanza: When AMIB deployed to Burundi in early April 2003 it was under considerable pressure from both the TGOB and the international community to rapidly show that the DDR process was under way. In response, AMIB set up a cantonment at Muyange during June/July. About 189 members from the National Council for the Defence of Democracy–Forces for the Defence of Democracy (CNDD-FDD)(Bosco)¹⁵ and the National Forces of Liberation (FNL)(Mugabarabona)¹⁶ were assembled at Muyange, where they were disarmed and kept in a safe custody. The site had no infrastructure, no food and no medical supplies. Because the JOP was still being formulated, the MDRP had not been allocated the necessary resources to meet these needs. Fortunately, EU funding for the delivery of food to the CNDD-FDD combatants started to flow through during August 2003. The EU was prepared to include the FNL members on condition that AMIB did not accept any more ex-combatants before the commencement of operations. However, because of political events, the number held at Muyange eventually increased to 228 persons during November. AMIB persuaded the EU to provide food for them as well.

When all parties eventually agreed upon the 11 PDAAs, the ex-combatants from Muyange were moved to the PDAAs allocated to their parties in December 2003 and January 2004. Muyange was never identified as a PDAA, but always served some purpose in the DDR process. It was eventually accepted as the 12th PDAA and was renamed Buramata when ONUB took over from AMIB.

Providing the necessities of life at Muyange presented great challenges. AMIB had barely enough resources for its own forces. Over Christmas, Ambassador Bah managed to raise some funds from private sources to provide meat for the ex-combatants. When a member of FNL (Mugabarabona) died from an illness, AMIB troops had to collect money among themselves to help the family pay for the funeral since Alain Mugabarabona did not show any interest in the matter.

Some CNDD-FDD (Bosco) members also died while at Muyange, but the party leadership took good care of their families.¹⁷

An attack on Muyange: The site at Muyange had hardly been established when the SA contingent of AMIB received intelligence that their position would be attacked. Preparations were made for defence and towards the end of July an unidentified force of unknown strength launched a night attack. This was repelled successfully without loss, but eight attackers' bodies were recovered the next morning. There were indications that wounded attackers had escaped. Unconfirmed reports received later indicated that there may have been up to 12 casualties on the side of the attackers. The political or party affiliation of the attackers was never identified as most of them were wearing civilian dress.

A serious incident of this nature is not an auspicious start for any peace mission. However, AMIB's response sent a message to the armed parties that it should not be toyed with. After this incident, neither AMIB nor ONUB experienced a similar incident. Despite high tension at times, no other shooting incidents have occurred.¹⁸

Food delivery to the CNDD-FDD: Even though a ceasefire agreement had been signed, fighting between FAB and the CNDD-FDD (Nkurunziza) combatants continued throughout the first half of 2003. The CNDD-FDD looted produce and other goods from the local population. FAB considered it as its responsibility to protect the population. Since the combatants on both sides were armed, no UN agency was prepared to assist and help had to be found from other quarters. The international community, in particularly the EU, agreed to sponsor a programme of food delivery to the CNDD-FDD (Nkurunziza) on condition that they remained in their traditional areas and refrained from plundering the local population. Food deliveries to Ruyigi, Makamba and Bubanza started during August 2003. The food was provided through the Deutsche Gesellschaft für Technische Zusammenarbeit (German Cooperation Agency – GTZ), with AMIB escorting the convoys. Deliveries continued on a weekly basis until the CNDD-FDD (Nkurunziza) joined the DDR process formally. Their move to PDAAs was completed by January 2004.¹⁹

Progress on the Joint Operations Plan: Such was the progress made in developing the JOP that AMIB was able to commence consultations with individual parties by October 2003. The comments of all parties except the CNDD-FDD (Nkurunziza) were summarised and presented to the JCC for discussion. AMIB Operational Manuals, which specified the technical procedures needed, were

ready by the end of November, but because the biggest party, the CNDD-FDD (Nkurunziza), had not presented itself in Bujumbura yet, no further progress was possible.²⁰ The JOP was finally adopted by the JCC in November 2004.

Locating appropriate pre-disarmament assembly areas and demobilisation centres: In support of the ES/NCDRR, AMIB started reconnaissance missions to locate suitable areas for DCs and PDAAAs during November 2003. Its manpower allowed it to operate two DCs. Possible sites were submitted to the JCC, which approved the two suggested locations at Randa Farm (Bubanza) and OTRACO Transport Depot (Gitega), and referred the decision to the TGOB for approval. Owing to long delays in obtaining governmental consent to the use of these facilities, AMIB could not occupy or begin preparing the sites. The military quarters at Muramvya were made available to the ES/NCDRR for the full period of DDR and this site (known as DC 3) was selected for the demobilisation of ex-FAB members.

In addition, AMIB, FAB and members of the APPMs worked together to suggest appropriate countrywide locations for the PDAAAs where ex-combatants would assemble while awaiting the start of the DDR process. Each PDAA was allotted to a different party or movement. In December the JCC agreed to the 11 PDAAAs proposed and all parties began moving to these locations. At highest count, 21 000 combatants were assembled in the camps. They were not confined, but were allowed to visit their families, take leave etc. FAB was responsible for security around the PDAAAs, while the ex-combatants, who were at that stage still armed, provided their own security in the camps. Military observers (MILOBS) from AMIB monitored the situation.

Incidents did occur, for example when members of CNDD (Nyangoma) were harassed by FAB soldiers and CNDD-FDD (Nkurunziza) combatants. Arguments centred on combatants being in the wrong assembly area and making trouble for the local population. AMIB did not have sufficient manpower to provide security, but once a supplementary security platoon was deployed to this PDAA, the trouble ceased.

No infrastructure was provided in the camps. Ex-combatants/soldiers had to build their own shelters. UNICEF donated plastic sheeting to AMIB and Bah used it to provide some cover. Food continued to be provided through the EU-funded programme, which was no longer limited to the CNDD-FDD (Nkurunziza), but extended to all PDAAAs. The GTZ remained the supplier and AMIB protected the convoys. Medical supplies were a major problem, however.

The World Health Organisation (WHO) donated some supplies and the EU later extended its support to include medical aid.

The ex-combatants spent between 12 and 16 months in the PDAAs. Minor problems occurred in the rural areas, but none presented a threat to the process. By and large, the ex-combatants were reasonably well behaved.

Provision of the necessities of life in the PDAAs: Finance for the demobilisation and reintegration process in Burundi was to be provided through the MDRP. It was envisaged that the World Bank and MDRP trust fund would fund transport, encampment and demobilisation procedures following the disarmament of ex-combatants. However, there was a period during which armed ex-combatants were assembled in the camps awaiting the start of the process. This pre-disarmament phase was lengthy, for the following reasons:

- Parties had to agree on the location of assembly zones and demobilisation centres
- AMIB required at least 30 days following the signing of a ceasefire agreement to establish, train and equip mobile disarmament teams
- The ES/CNDRR required at least 60 days following its establishment to become operational
- The JLTs had to be set up

The completion of military integration and demobilisation was estimated to last four to eight months, during which time a number of armed ex-combatant groups awaiting DDR would remain in the pre-disarmament stage. During the waiting period, the groups required at least a minimum of food and other relief assistance for which complementary financing was needed, since the World Bank, the MDRP trust fund, various UN organisations, several bilateral partners and most humanitarian NGOs could not finance the assistance of armed ex-combatants.

This financial gap was closed when the EU agreed to finance this process as well. The need for supplementary funds eventually extended beyond the envisaged 12-month period and continued until the end of March 2005, when all ex-combatants had been disarmed and moved to the cantonments. The EU was a major contributor to the success of the operation.²¹

The arrival of the CNDD-FDD in Bujumbura: The first official meeting between AMIB, the Burundian Armed Forces (FAB) and CNDD-FDD

combatants on Burundian soil took place at Rugazi in Bubanza at the end of October 2003. Provisional discussions were held about the need for PDAAs and the need for all parties to work together in this regard. Many combined efforts to identify suitable locations followed.

The facilitator, Jacob Zuma, escorted the first official delegation of CNDD-FDD (Nkurunziza) leaders, including Nkurunziza's deputy, Hussein Rajabo, to Bujumbura on 7 November. The official return to Burundi of the movement's leadership started under AMIB protection on 3 December and was followed by the arrival of Pierre Nkurunziza by AMIB helicopter on 6 December. This positive development was accompanied by new difficulties. The movement demanded that its own combat cadres should provide VIP protection, a request that raised a potential for conflict. The TGOB was unhappy about the situation, but nothing could change the minds of the CNDD-FDD. This matter was never quite resolved and very careful management was needed.

The CNDD-FDD (Nkurunziza) reached a bilateral agreement with the TGOB to join forces in joint operations against the PALIPEHUTU-FNL (Rwasa) in and around Bujumbura. An estimated 7 000 combatants joined the FAB in operations and withdrew only in March 2005 when they had to begin moving through the DDR process. Although this situation contributed to an uneasy environment, co-operation between the two forces had the positive effect of building confidence in the lower ranks. The effect on FAB was also far more positive than had been anticipated by the international community, which had expressed fears that it would foster instability. It was indicated to the CNDD-FDD (Nkurunziza) that discipline among combatants was fast becoming a requirement. They could not behave like an irregular army any more.²²

The first official structures for the security sector: In January 2004 a presidential decree was issued appointing the integrated chiefs of staff, as required by the ceasefire agreements. These were not appointments to actual posts, but commissions to certain persons to devise plans for the new structures. Nevertheless, it was the first step towards creating the new BPDF and the BNP. Results from these appointments were forthcoming only after the UN mission had taken over the operation, when proper channels of liaison were established with the BPDF chief of staff and an exchange of information commenced.²³

Creating conditions for the UN mission: After all combatants had moved into the PDAAs, discussions took place on a number of issues, such as the need to unify the conditions of the ceasefire agreements, the Forces Technical Agreements

(FTAs) and equivalent documents. Long meetings were held on the subjects of rank harmonisation, the possibilities of direct integration, the verification of ex-combatants' status and the modalities of integration. The process had reached a point of no return, which made conditions much more favourable for a UN mission. As a result, the Security Council approved the deployment of ONUB and preparations for its deployment on 1 June 2004 commenced in March.

AMIB was one of the AU's biggest success stories. Although it lacked resources throughout, it had the internal capacity and willingness to do its best under difficult circumstances. It made the task of the UN much easier, since it could build on the good relationships and collaboration between the Burundi political and military opponents established during AMIB's period of involvement. The South Africa National Defence Force continued its presence in Burundi as part of the VIP Protection Force, since the UN was not prepared to incorporate this function into its mission.

The achievements and challenges of AMIB: The most significant achievements of AMIB include the following:

- AMIB was deployed at full strength by the end of October 2003. Its mere presence contributed to creating an environment conducive to peace and stability, which made progress possible
- The force commander presented various seminars to create better cohesion and to ensure that all troop-contributing countries (TCCs) operated from the same baseline of information. Seminar topics included the mission's mandate, its code of conduct, its structure and its administrative order. It played an important role in promoting the 'one force' concept favoured by the commander. Another aspect of the preparatory phase was a training course, assisted by the NGO Accord, to brief all the contingents on aspects of civilian-military cooperation (CIMIC) and future expectations. The effects of the training were positive and consideration should be given to providing regular refresher courses
- AMIB assisted the ES/NCDDR to establish the JOC and made suggestions concerning its design, equipment analysis and procedures
- A highlight of AMIB's mission was the arrival of the CNDD-FDD (Nkurunziza) in Burundi to participate in the peace process formally. AMIB committed all its resources to enable the movement's members to travel to the capital safely

- AMIB spent much time and effort to brief all parties about the JOP and to address their concerns. This contributed to the eventual acceptance of the plan
- AMIB helped the JCC to achieve the following:
 - Agreement by all parties on the establishment and location of the DCs
 - Agreement on the 11 assembly areas
 - Agreement from both the JCC and the ES/NCDRR on the means of financing and the method of food delivery²⁴
- AMIB supported the TGOB in Brussels at the pledging conference with a much appreciated presentation on progress with DDR to date
- Throughout, AMIB maintained very good relationships with the APPMs. This contributed to the underlying confidence of all participants in the process
- Unresolved matters at the time the mission was handed over to the UN included the following:
 - Obtaining consensus on the criteria for combatant verification
 - Exerting pressure to receive the required number of MILOBS for the mission's contribution to the JLT, as well as appropriate equipment
 - Assisting the BNDF with the training of the Joint Self Protection Unit
 - Supporting the newly integrated chiefs of staff in the restructuring and reform of the security sector
 - Ensuring that the processes for the DDR of ex-combatants and ex-FAB members were well co-ordinated and carried out simultaneously to ensure everyone's safety
 - Finding a source (country) to assist the BNDF with setting up an independent body for rank verification
 - Obtaining foreign sources (countries) willing to assist with officer training for those who were to become senior BNDF officers
 - Discussing the possibility of direct integration into the BNDF to bridge the apparent stalemate reached during the early months of 2004
 - Finding funding for AU missions

Although it was appreciative of the funds contributed by donors, AMIB suffered from a serious lack of critical equipment. This had logistical as well as operational implications. Even where the UN provided equipment, this took four to six months to arrive. Good opportunities were wasted because of delays in funding.

Internal lessons pertaining to AMIB:

- AMIB's mandate expired in April 2004, but the MOUs between the AU, the TCCs and TGOB were never finalised. This indicates poor management on the part of the AU. The organisation should also have adopted a unified approach to the needs of an integrated mission and should have ensured that the forces were deployed with basic amenities and equipment. Provision should have been made to overcome cultural and communication barriers between the participating forces
- Sustaining an AU mission is a challenge. In the case of AMIB, the contributing nations depended on assistance from international partners. The UK assisted the Mozambican contingent with equipment and deployment to Burundi, but once they were in the mission area, they were largely dependant on SA support. Similarly, the Ethiopian contingent had US support but was sustained by the SA contingent. This created difficulties as it was not always easy to have proper command and control over support. However, friendly arrangements on the ground made it possible for the different forces to work together. Future AU deployments will probably always lack the internal resources to sustain forces on the ground, and further thought needs be given to how the system should operate. A centralised system managed by mission HQ and funded by an international partner would always be the preferred option
- The integrated HQ must be planned and implemented with appropriate communications infrastructure that does not belong to or is controlled by contingent commanders, since it becomes impossible for HQ to operate properly if this is not the case. HQ must also provide Standard Operating Procedures (SOPs), as was the case with AMIB, to govern operations, and all participants must adhere to such SOPs
- The establishment of a functional CIMIC office is an important requirement. Such a centre needs to ensure that troops understand the local culture and have respect for the inhabitants. CIMIC must engage the media in at least weekly media sessions to inform about developments and report on progress. It must also establish and maintain contact with local partners, for example, in the case of Burundi, the MDRP, the UN representatives, the UN Office for the Coordination of Humanitarian Affairs (OCHA) and donors
- The AU will be used increasingly as a quick intervention force in Africa in preparation for an eventual UN mission. Since unstable conditions are likely

to exist, participating forces must be ready for combat and/or to come under fire in the initial stages. The forces must be prepared and equipped for such eventualities

- Financing of the mission is a major challenge and AMIB certainly suffered greatly from a lack of funding. The AU should consider how international partners can be involved to provide funding for missions. On the other hand, it must be clearly understood that once budgets have been approved and funded, those budgets cannot be changed according to preferences on the ground. Donors do demand an audit trail. It is understood that priorities on the ground may change from time to time, but wholesale changes are unacceptable. Budget changes raise doubts among donors about the ability of the AU to manage and control approved funds efficiently
- The forces deployed must inherently have field capabilities, such as tents, field rations and communications equipment. During the initial stages of an operation, when forces are deployed in the field to ensure stability, it is not always possible, nor affordable, to hire buildings to accommodate tactically deployed forces and to set up full-scale field kitchens
- It is important to note that participation in informal sports competitions is an excellent way in which to develop and maintain good relationships with the host nation and the forces encountered. More is better than less and these occasions contribute to confidence building between all parties

NOTES

- 1 AMIB was an integrated mission comprising both a civilian component and military contingents from South Africa, Ethiopia and Mozambique, as well as AU observers. AMIB's Head of Mission (HoM) was Ambassador Mamadou Bah, the Special Representative of the Chairperson of the AU Commission in Addis Ababa. He was assisted by three deputies from South Africa, Tanzania and Uganda. The Force Commander of AMIB's military component was Major General Siphon Binda from South Africa. AMIB had a total strength of up to about 3 335 people.
- 2 Muyange was the first site where ex-combatants were accommodated during the peace process. It was later renamed Buramata when the UN office in Burundi (UNOB) took over.
- 3 AMIB: An initiative and partnership for peace in Burundi and AU second-generation peace support agenda in the continent, October 2003, South African Government policy document, February 2003.

- 4 UNOB was replaced during 2004 by the Security Council-approved UN Operation in Burundi (ONUB).
- 5 Arusha agreement, 1999.
- 6 D Nkurunziza and C Muviru, Report on disarmament, demobilisation and reintegration of ex-combatants in Burundi, paper presented at the conference on Disarmament, Demobilisation, Reintegration and Stability in Africa, Freetown, Sierra Leone, 21–23 June 2005.
- 7 *The Gardiens de la Paix* were militias associated with the TGOB. Another militia group, *Militants Combattants*, had links with the CNDD-FDD (Nkurunziza).
- 8 *Joint Operational Plan*, 2004, 5.
- 9 Ibid.
- 10 The additional element of combatants on foreign soil (COFS) became apparent during 2005 only and was to be added to this stage, although the stage had not been intended to last longer than one year.
- 11 The World Bank grant was very specific in requiring all participants, whether ex-FAB or ex-combatants, to be disarmed before they became eligible for any privileges under the programme.
- 12 Minor cases of fraud were observed, but had no major consequences for the process in general.
- 13 Meden, N, ONUB: *The reintegration of ex-combatants*, paper, Centre for International Cooperation, July 2008.
- 14 Ibid.
- 15 Later registered for the elections as the Kaze FDD Party (Forces for the Defence of Democracy – a predominantly Hutu political party).
- 16 Later registered for the elections as the FNL Icanzo Party.
- 17 Vrey, W, AMIB Chief of Staff Monthly Reports, Bujumbura, August 2003–February 2004.
- 18 Ibid.
- 19 Ibid.
- 20 The JOP version dated 9 November 2004 was finally approved by a joint sitting of the JCC during December 2004.
- 21 Wiederhofer, I, MDRP: *Minding the gap – Financing of pre-disarmament activities in the DDR process for armed movements in Burundi*, Bujumbura, 2003
- 22 Vrey, W, AMIB Chief of Staff Monthly Reports, Bujumbura, August 2003–February 2004.
- 23 Ibid.
- 24 The assistance of the MDRP and EU was significant and must be acknowledged.

6 The United Nations Operation in Burundi

HENRI BOSHOF, ONUB ELECTORAL SECTION AND
WALDEMAR VREY

INTRODUCTION

The UN Security Council (UNSC) on 21 May 2004 unanimously adopted Resolution 1545 authorising the deployment of a UN Operation in Burundi (ONUB). It would act under Chapter VI and would operate for an initial period of six months. The mandate was the result of a series of formal requests by the president of Burundi and by the facilitation team, led by South Africa's then deputy president, Jacob Zuma, to transform the existing African Union Mission in Burundi (AMIB) into a UN peacekeeping operation. A multidisciplinary assessment mission to Burundi from 16 to 27 February 2004 recommended in favour of a Burundi peacekeeping force being approved by the UNSC.

Similar to the approach taken with regards to the UN Mission in the Democratic Republic of Congo (MONUC), ONUB was conceptualised as a fully fledged, multifunctional mission and given responsibilities that transcended traditional peacekeeping activities. ONUB's mandate incorporated the following tasks:

- To ensure respect of the ceasefire agreements by monitoring their implementation and investigating violations

- To promote the re-establishment of confidence between the various Burundian forces by monitoring and providing security at their pre-disarmament assembly sites, and collecting and securing weapons and military material as appropriate
- To contribute to the dismantling of militias as called for in ceasefire agreements
- To carry out the disarmament and demobilisation of combatants as part of the national programme of disarmament, demobilisation and reintegration (DDR)
- To monitor the quartering of the Armed Forces of Burundi (FAB), as well as the disarmament and demobilisation process
- To monitor, as far as possible, the illegal flow of arms across national borders, including across Lake Tanganyika, in cooperation with MONUC and, where appropriate, the group of experts referred to in paragraph 10 of Resolution 1533
- To contribute to the creation of the necessary security conditions for the provision of humanitarian assistance and to facilitate the voluntary return of refugees and internally displaced persons
- To contribute to the successful completion of the electoral process stipulated in the Arusha Peace and Reconciliation Agreement, by ensuring a secure environment for the conduct of free, transparent and peaceful elections
- To protect civilians under imminent threat of physical violence, but without prejudice to the responsibility of the Transitional Government of Burundi (TGOB)
- To ensure the protection and security of personnel, facilities, installations and equipment, as well as the freedom of movement of UN personnel
- To coordinate and conduct, as appropriate, de-mining activities in support of the mandate
- To provide, within its ability and subject to carrying out the tasks stipulated above, advice and assistance to the TGOB and other authorities with the aim of contributing to their efforts
- To monitor Burundi's borders, with special attention to the flow of refugees and the movement of combatants, especially in the Cibitoké province
- To carry out institutional reforms and attend to the constitution of the integrated national defence and internal security forces, and, in particular, to

train and monitor the police, while ensuring the protection of their democratic and fundamental freedoms and respecting their human rights

- To proceed with electoral activities
- To complete the reform of the judiciary and correctional system in accordance with the Arusha agreement
- To ensure, in close liaison with the Office of the High Commissioner for Human Rights, the promotion and protection of human rights, with particular attention to the needs of women, children and vulnerable persons, and the investigation of human rights violations
- To assist the TGOB and other Burundian authorities, including the civilian police and judicial institutions, as well as international partners, to extend state authority and administration throughout the territory

Headed by a special representative of the UN Secretary General (SRSG), ONUB was to have expertise in all areas required to facilitate the implementation of the outstanding provisions of the Arusha agreement. The SRSG was to chair the Implementation Monitoring Committee (IMC) and the Joint Ceasefire Commission (JCC), both of which were to report directly to the force commander. The ONUB force headquarters (HQ) in Bujumbura would have a brigade structure and its battalions would operate in Bubaza, Gitega, Makamba and Cibitoké provinces, as well as in Bujumbura. The UNSC authorised ONUB to use all means necessary to carry out its mandate in areas where its armed units were deployed, subject to coordination with humanitarian and development agencies already established there.

In terms of force levels, ONUB would have a military component of 5 650 personnel, including five infantry battalions, 200 military observers, 125 HQ staff, an aviation transport capability, transport, engineering and maritime elements, a special forces component, a level-three hospital and a military police unit. It would also include a civilian police component with an expected strength of 120 personnel over and above a civilian component. While force generation for ONUB was delayed by the slow response of member states, on 1 June 2004 AMIB's 2 612 troops were 'rehatted' as ONUB troops, giving the mission its core force component.

In view of the regional dimensions of the conflict in Burundi, the mission was to exchange liaison officers with MONUC and both missions would share information, in particular as regards the cross-border movements of armed

groups and refugees, and the flow of arms across national borders. Military observers were to be located along the border with Tanzania, especially in Makamba, Ruyugi and Muyinga, where most returning refugees were expected to cross into Burundi. Depending on the security situation, a military observation team could also be deployed in Cibitoké Province to monitor the cross-border movement of armed groups.

From its inception, ONUB's priority was to take over and reinforce the role previously performed by AMIB. In fact, after an initial consolidation period in Bujumbura, troops were deployed to strengthen former AMIB contingents. As the security situation improved, the force was expected to extend its operations into the more sensitive area of Cibitoké. In line with the planned concept of operation, a battalion had been deployed to Gitega and Bubanza, while the company responsible for Bujumbura Rural and Bururi remained in Bujumbura to build up to battalion strength. Initially, the 20 to 30 observer teams were to support the DDR process, also at disarmament centres, and were to monitor FAB's confinement to barracks.

With an election at that time being envisaged for as early as October 2004, it was crucial for ONUB to be fully staffed. Only a fully staffed mission that incorporated in addition maritime, special forces, military police, HQ protection and engineering elements would be able to execute the planned operational concept successfully. Madame Caroline McAskie was appointed as the SRSG, with Ambassador Nureldin Satti as principal deputy SRSG, Mr Ibrahima Fall as the second deputy SRSG and Major General Derrick Mgwabi as the Force Commander.¹

This chapter will focus only on three of the mandated tasks, namely DDR, Security Sector Reform (SSR) and ONUB's role in the electoral process.

INTEGRATION AND DISARMAMENT, DEMobilISATION AND REINTEGRATION

Direct integration

Once all the combatants had moved into the pre-disarmament assembly areas (PDAAs), the transition from AMIB to ONUB took place. Progress was very slow, which was frustrating for both the Burundian leadership and the international community. To ensure that the integration of former combatants and FAB

members into the new security structures maintained momentum, the TGOB entered into a bilateral agreement with the Dutch government. The Netherlands agreed to assist the process by providing camp infrastructure and a base was established at Tenga on the northern outskirts of Bujumbura. About 2 000 men, comprising former members of FAB and ex-combatants from the National Council for the Defence of Democracy – Forces for the Defence of Democracy (CNDD–FDD – Nkurunziza) moved to this base. The other movements were also invited to send members, but they could not meet the most important pre-condition, which was that all reporting soldiers had to be in possession of their own weapons. Once again the need for a proper definition of how combatants could qualify for integration into the Burundian National Defence Force (BNDF) or the Burundian National Police (BNP) was raised.

The intake at Tenga became the first integrated unit of the BNDF. Once the first CNDD–FDD and FAB combatants had assembled, an integrated unit of 1 200 men was formed and given basic training. This unit then awaited specialised training and resources from the international community to enable its members to carry out its protection duties.² Two additional intakes of recruits followed. Members of all parties were included in these after some flexibility had been exercised over the weapons requirement. Soon after the establishment of the base at Tenga, a similar process was followed for the establishment of Bururi, where the Ministry of Defence attempted to create the long-awaited Security Protection Unit.

The disarmament, demobilisation and reintegration process for child soldiers

UNICEF and the National Programme on Demobilisation, Reinsertion and Reintegration (NPDRR, also referred to as PNDRR) worked hard to compile lists of child soldiers among the ranks of FAB and the *Gardiens de la Paix*, the home guard. They traced their families and appointed partners in each province who could supervise the reintegration of the child soldiers into their families and communities. The disarmament, demobilisation and reintegration (DDR) process for children started in August 2004, while that for adult soldiers was still under negotiation. More than 2 300 child soldiers had been disarmed, demobilised and returned to their communities by November that year. Although the agencies involved experienced problems with the quality of the services

rendered by some of their partners, this first stage of demobilising children had been completed.

Following the official launch of the DDR process, the NPDRR and UNICEF started demobilising all child soldiers in the PDAAAs who had fought for the armed political parties and movements (APPMs). Special arrangements were made to allow this programme the dedicated use of a specific demobilisation centre (DC). The process was concluded by the end of December 2004, after more than 600 child soldiers of the APPMs had been demobilised.

The only outstanding target for the child-soldier demobilisation programme at the end of 2005 was the children serving in the ranks of the *combattants militants*, namely children supporting combatants as messengers, food carriers, etc. A list of about 120 children had already been submitted to UNICEF and the NPDRR, and their families were being traced so that attention could be given to the children's reintegration. Although this programme had begun in August 2005, it was extended to include the reintegration of all demobilised children.³

Launching DDR for former FAB members and ex-combatants

The DDR programme was officially launched in Muramvya on 2 December 2004 after many delays. Only minor hitches were experienced despite the fact that combatants had to be moved from the PDAAAs to cantonment sites for political reasons. At the end of 2005 the Executive Secretariat of the National Commission for Demobilisation, Reinsertion and Reintegration (ES/NCDRR) was fast approaching the end of Stage One, when all former APPM combatants were to be demobilised. To boost the effect demobilisation was having on morale and to highlight the transition Burundi was experiencing, the future president (Nkurunziza) also presented himself for demobilisation just before he was inaugurated in August 2005.

Stage Two involved the demobilisation of sufficient FAB soldiers to reduce the size of the BNDF to a maximum of 25 000 members by the end of December 2007.⁴

The cantonment phase

The delays preventing the start of the demobilisation process and the regional pressures on the TGOB to schedule national elections, presented the

administration with a legal dilemma. All leaders had to relinquish control over their combatants before their movements could register as political parties. The text of the Arusha agreement did, however, provide that parties could be allowed to register from the time when their troops had been cantoned. To take advantage of this, President Ndayize issued a decree in February 2005 ordering ex-combatants to report to different cantonment sites, as follows:

- Gashingwa and Mabanda for CNDD–FDD candidates to be integrated into the BNDF
- Kibuye for candidates from all the other parties to be integrated into the BNDF
- Rugazi for all candidates to be integrated into the BNP
- Buramata for all candidates awaiting demobilisation

Although this development caught ONUB by surprise, it did have the advantage of parties being able to register for the elections. In addition, the decree made the disarmament of the remaining ex-combatants possible, although Buramata had insufficient resources to cater for its intake. It also brought clarity about how many ex-combatants and ex-soldiers wished to be considered for integration into the BNDF and BNP. The PDAs were closed very quickly and following safety inspections of the sites they were handed back to the provincial authorities.

By the end of June 2005 all cantonment sites were also no longer in use and had been returned to the provinces. All troops to be demobilised had been processed and candidates for integration had been moved to their new bases. The anticipated delay in the release of the cantonment sites did not occur. If anything, the presidential decree assisted in speeding up the integration process.⁵

Rank harmonisation

The harmonisation of ranks continued to be a problem until the eve of integration. All parties were guilty of rank inflation and political expediency dictated acceptance of some of the inflated ranks. The Integrated Chiefs of Staff developed a system whereby the number of combatants of any given party determined the number of ranks at each level that qualified. The results of their deliberations eventually formed part of a presidential decree that specified actual appointments to the BNDF and the BNP. Although some were dissatisfied with

their allotted entry levels, all members of the new forces eventually accepted their appointments and began serving in the BNDF and the BNP.⁶

Quotas for integration purposes

Permitted quotas for the purpose of integration were as big a challenge as rank harmonisation. Once again, the Integrated Chiefs of Staff developed a formula that took into account the actual numbers of combatants versus the number of weapons a party had in its possession. After the quotas were filled, the remaining members were selected for demobilisation.⁷

Verification challenges

As the end of the demobilisation process approached, it became clear that the TGOB would have to deal with persons claiming to have been combatants, but whose names were not recorded on the master lists provided by the parties. These lists were to have been submitted to the JCC before DDR began. This issue nearly caused a political stalemate, but fortunately the combatant status verification procedure allowed for the actual testing of skills as an alternative to using the master list. This enabled those administering the tests to determine whether a combatant could qualify for demobilisation benefits. The dual verification procedure made it possible for the last group of combatants to be processed.

Just before the integration exercise came to an end, the JCC issued an instruction that all outstanding combatant lists had to be submitted by 15 August 2005. Some lists were submitted after that deadline and it was now up to TGOB to decide whether to allow those named on the lists to be processed or not. The Minister of Defence was appointed the responsible decision-making authority. It was decided that the additional lists would not be accepted because they were the result of illegal recruitment after some of the movements had signed peace agreements. Furthermore, Stage One of the processes had been completed and would not be reopened.⁸

Finalisation of the Joint Operations Plan

Only after the JCC was able to resolve most of the above issues was it possible to finally approve the Joint Operations Plan (JOP) in November 2004.

Demobilisation of the militias

The demobilisation of the militias proved to be a challenge. There was a long delay in finalising the name list of the *Gardiens de la Paix* and at the end of 2005, because a new government was in place, the lists were again under review. There were also other concerns. The World Bank grant allowed for the disbanding of a maximum of 20 000 *Gardiens*. The TGOB was to find the funding for additional numbers accepted. Several lists, which enumerated between 11 700 and over 35 000 *Gardiens*, were submitted. It was the task of the National Commission for Disarmament of the Civilian Population to resolve this matter. At the grassroots level, those who claimed to be *Gardiens* were becoming impatient and this increased the possibility of them becoming a threat to stability.

The case of the *combattants militants*, on the other hand, was on track. Funding for 10 000 members had been approved by the World Bank and the verified list totals came in below that. They were to be disbanded together with the *Gardiens*.⁹

Status of reintegration

In January 2005 a number of demobilised ex-combatants in two provinces demonstrated, demanding of the provincial authorities that their reintegration support be given to them immediately and in cash. In response, the ES/NCDRR took measures to ensure that the personnel of the provincial offices were appropriately briefed on how to handle the demonstrators' demands and that the authorities had adequate capacity to respond.

Concerns were also expressed about the ability of the ES/NCDRR to implement the reintegration component of the NPDRR at the pace required. The Multi-country Demobilisation and Reintegration Programme (MDRP) and the World Bank shared this concern and took the following steps to help address the situation:

- For several months the MDRP Secretariat provided the ES/NCDRR with direct technical assistance
- The MDRP Secretariat and the World Bank worked closely with the ES/NCDRR to ensure that recruitment of the necessary technical assistance

proceeded without further delay. This entailed the appointment of a senior advisor to provide technical assistance on reintegration issues, a consultant to assist in outlining the implementation procedures for reintegration support, and the solicitation of international technical assistance to help with contracting executive partners for reintegration projects in support of the procurement section

- An MDRP-funded institutional capacity assessment of the ES/NCDRR was conducted in July and August 2005
- A review of information and sensitisation activities (including the reintegration component) of the ES/NCDRR was begun

On 14 June 2005 a mission from the World Bank completed an investigation into the reintegration component of the NPDRR. Although those demobilised by that time had been receiving reinsertion assistance, which provided for their immediate needs, the mission expressed its concern at the delays encountered with the implementation of concrete reintegration activities under the programme. To ensure a more effective and rapid provision of reintegration activities, the World Bank agreed to work with the ES/NCDRR as follows:

- To devise an action plan for the implementation of the national reintegration strategy according to a strict time schedule
- To adopt a number of measures to strengthen the ES/NCDRR's Reinsertion and Reintegration Unit, both in terms of staffing and equipment
- To recruit international technical assistance
- To find operational implementing partners as a matter of urgency

Analysts expected that as soon as the demobilisation of ex-APPMs was out of the way, the management of the ES/NCDRR would be able to focus most of its efforts on making the reintegration programme work.¹⁰

Combatants on Foreign Soil (COFS)

In the second half of 2005 the ES/NCDRR turned its attention to the question of arranging the return of Burundian combatants who found themselves on foreign soil. A draft strategy that proposed solutions for the cases in hand was circulated among members of the TGOB. The strategy addressed individuals in

the DRC, combatants in refugee camps in Zambia and in Tanzanian jails, and Congolese combatants in Burundi who had to be repatriated.¹¹

Outcome

Demobilisation: On 25 January 2006, a total of 19 739 ex-combatants and former soldiers had been demobilised. Of these, 16 242 were adult males, 482 adult females and 3 015 children. During the second half of 2005, demobilisation primarily involved members of the National Defence Forces (FDN), mostly ex-FAB and ex-*Gendarmes*. While activities were interrupted earlier in the period to allow the ES/NCDRR to support the TGOB's efforts to dismantle the *Gardiens de la Paix* and *combattants militants* by processing the once-off service allowance to the militias, they resumed the demobilisation effort and picked up momentum at the beginning of October.

By January 2006 the total number of former FAB soldiers and *Gendarmes* demobilised totalled 7 332 (adults only). The Ministry of Defence also achieved its targeted strength of 30 000 troops for the *Forces de Defense Nationale* (FDN) by the end of 2005. This resulted in the release of some very necessary finance from the EU and France. The next official target for the FDN was to reduce the number to 25 000 by December 2007.

Dismantling of the militias: Towards the end of 2005, the ES/NCDRR, with the help of the ministerial commission responsible for the name lists, made good progress with the dismantling of the militias. A total of 10 988 militias had been dismantled, of which 7 148 were *Gardiens* and 3 840 were combatants. Operations could not immediately resume in 2006 mainly because of technical errors in budget submissions and a resultant lack of finance. The issue was resolved without much difficulty and operations resumed later in January.

Weapons recovery: In total 5 640 weapons had been surrendered by the various APPMs at the end of 2005, either to the TGOB or the FDN (5 403 weapons were obtained through the direct integration process), or to ONUB (237 weapons were recovered during the DDR of ex-combatants). The weapons covered a reasonably wide range, from the traditional AK47s to light machine guns, mortars, grenade launchers and RPG7 or SPG9 guns. Some of these weapons required more than one handler, but for the purpose of statistics one combatant was allocated to each weapon. In this manner, the following ratio of ex-combatants to guns handed was calculated:

Table 1 Ratio of ex-combatants to guns

APPM members demobilised	10 134
APPM members integrated into the FDN	9 240
APPM members integrated into the BNP	6 921
Total	26 295

Calculation 1: 26 295 ex-combatants ÷ 5 640 weapons = 4,66 troops to each weapon.

Calculation 2: When the 742 demobilised child soldiers formerly associated with the APPMs are deducted from the total of ex-combatants, a ratio of 4,53 combatants to each weapon is obtained.

Closure of transitional structures: The JCC was disbanded at the end of August 2005. By that time, the IMC in its old format had also been closed down and discussions with the TGOB were underway to establish new structures with a view to monitoring the post-transitional activities in support of the TGOB.

Achievements and challenges

Overall, the DDR process in Burundi went reasonably well and was approaching a state of finalisation in December 2005. Burundi is generally regarded as exemplifying a country in which a DDR process went the plan. It is often referred to as a model for current and future UN and AU missions.

The following aspects can be considered achievements:

- The development of the JOP for demobilisation as a joint effort between the TGOB, the APPMs and all implementing parties (donors, the AU, ONUB, the MDRP and the World Bank)
- The assembly of ex-combatants and ex soldiers in PDAAAs while the negotiations and technical preparations were being finalised
- The collaboration with the donor community on all aspects of the process and the development of a very good donor coordination platform, as a result of which funding for food and medical requirements could be provided to ex-combatants for more than 14 months
- The commencement of demobilisation and the achievement of numbers that were well over the target in the first year of operations¹²

- A high level of collaboration with the principals of the Burundian security sector, which made the transition to a new and integrated defence force and national police possible
- The successful negotiation between the existing command structure and the APPMs of integration plans for both a new defence force and national police force, and the implementation of these plans
- The design of a baseline proposal for an SSR strategy in consultation with donors and senior members of the TGOB (including the president), which would develop into a plan the TGOB would accept responsibility for

The challenges listed below represent tasks that still had to be completed at the end of 2005:

- Finalisation and implementation of the SSR strategy as a government-driven initiative that would allow for clear linkages to the Poverty Reduction Strategy Paper (PRSP) in support of the general development process¹³
- Assistance to the government with the design and establishment of a national intelligence agency for Burundi
- Resolving problems and completion of the demobilisation of the *Gardiens de la Paix* and *combattants militants* as Stage One of the civilian disarmament plan
- Completion of the next three stages of civilian disarmament, including the voluntary surrender of arms, withdrawal of all government-issued arms from civilians and forced disarmament through the legal system
- Helping the government to implement a well-designed reintegration programme for vocational and skills training
- Completing the demobilisation of members of FAB and the police
- Demobilising Burundian COFS based mainly in Tanzania, Zambia and the DRC
- Establishing government mechanisms for small-arms control that link in with regional initiatives already in operation

Lessons learnt and recommendations

The most salient lesson learnt from the Burundi process is that parties negotiating an end to hostilities should exercise great care to avoid making separate

ceasefire agreements. Such a practice leads to unnecessary animosity between parties, and causes endless delays in the negotiation processes as it always contains an element of exclusion. During the early stages of transition, such exclusion might undo all the gains already achieved. Ceasefire agreements also have a tendency to address political aspects to the exclusion of other important considerations. For example, if insufficient guidance is given to the security sector, the subsequent negotiations may break down and hostilities may resume. Leaders should look beyond political goals to ensure that the ensuing agreement provides substantive guidance for the processes that are to follow.

The establishment of a JCC was a very positive step. It created a forum for the military leaderships of the different parties in which all sides could be heard. It also enabled all parties to be informed about the plans in hand and allowed agreement to be sought on future operations. However, this only applies when all the parties are present. While the biggest role-player in the Burundi process, the CNDD–FDD, was still absent from the JCC, the forum was virtually powerless to make decisions on future actions. But this instrument eventually served the peace process well.

Verification remains an extremely sensitive issue, and although name lists and other measures were in place, the establishment of Joint Liaison Teams (JLTs) was another good development. JLTs were representative of all stakeholders and formed the final verification mechanism. The presence of military observers (MILOBs) on these teams was crucial to their success.

The EU's financial contribution to feed combatants while they were still armed was another major factor of success. This removed the combatants' biggest source of insecurity.

Although ceasefire agreements were in place, this did not result in a cessation of hostilities as different factions continued fighting with government forces until they had been assembled in their camps. ONUB had too few observers to report all incidents and the mission had to rely on reports from other organisations. The upshot was that few incidents were investigated and the JCC was virtually powerless to act. Early missions need to have sufficient numbers of MILOBs to be able to perform this function adequately. The deployment of too few MILOBs results in a loss of credibility. Although MILOBs are normally not protected, in the initial stages such protection would probably be beneficial, although care would need to be taken that protection elements do not limit the functioning of MILOBs.

A key factor contributing to the success of the transition was that the Burundian authorities and other role-players were able to come to their own decisions, rather than being forced to accept externally imposed judgements that could be misunderstood. Although this procedure led to time-consuming debate at times, the results were worth it in the end. The role of international bodies was to guide, advise and assist the TGOB, not to impose decisions whose implementation could be short-lived since they were not fully backed by the authorities.

It is clear that much time was wasted during the transition process. However, measured against the quality of the process and the need for due weight being given to the decision-making process, the time spent can be regarded as a sound investment.

When assembly areas, such as the one opened by the AU at Muyange, are established, government needs to consider all logistical and financial support requirements, as well as a formal exit strategy to terminate the process. This will prevent the development of stalemates and limit the chances of failure. Another important lesson to be learnt from the AU's experience at Muyange is that given the possibility of a camp having to be defended, it should be ensured that its forces are ready for combat and able to win the fight. Hostile parties must realise that a mission's role in a country is to be taken seriously.

Joint operations, such as the one that came about between FAB and the CNDD-FDD in Bujumbura Rural, are risky ventures, but do provide an excellent opportunity for confidence building. Future missions should consider similar collaborations.

In retrospect, both AMIB and ONUB should have had the capacity to protect the assembly areas. This would have limited incidents between the TGOB and the APPMs. Confidence in government forces to perform this function was not at the necessary level at the start of the process and all parties tended to blame the TGOB for incidents even where it was not involved. The mission should at minimum have a permanent observer at an assembly area.

The mission also needs to take great care when planning the location of camps and ensure that the government approves the areas selected. A mission should not become involved in negotiations with landowners as the use of the land and reimbursement will eventually become an issue. This is a matter for the government to negotiate.

Direct integration of ex-combatants into the security forces is a useful technique to overcome situations that appear to have reached a political impasse. The TGOB used this opportunity very well. Even though some difficulties were encountered, this initiative helped to propel the process forward. The initial move towards integration also forced the other parties to think about their positions in order to avoid exclusion from the new army and police services.

Strategic planning for reintegration can never be done too early. The political pressure on a government to find solutions to the enormous range of tasks associated with the disarmament and integration of combatants, tends to become all consuming. As a consequence, little attention is paid to reintegration planning, which is a very technical process and requires not only careful design but also logistical support that takes time to mobilise within the necessary legal frameworks. The time spent on the implementation of the reintegration strategy is not wasted and can contribute greatly to preventing the recurrence of instability in a country.

The operation in Burundi is a good example of what is possible when there is a positive relationship between a government and international role-players, as well as among international partners themselves. The resident country representatives, the AU, the EU, the MDRP and the missions, AMIB, UNOB and ONUB, contributed to the success of the TGOB by their support of the ES/NCDDR. The partnerships were important and care had to be taken to maintain them throughout the process.

Conclusion

The DDR process in Burundi was at one stage considered to be one of the most intractable problems to be addressed during the transition period. The TGOB was faced with the dilemma of starting DDR with the two main APPMs, the CNDD-FDD and the Forces Nationales de Libération/National Forces of Liberation (FNL), still outside the negotiation process. The DDR programme became feasible only after the CNDD-FDD signed a peace agreement. Contrary to expectations, disarmament proceeded well, even though the Party for the Liberation of Hutu People – National Forces of Liberation (Rwasa) (PALIPEHUTU-FNL – Rwasa) had still not joined the transitional process at the end of 2005.

DDR became one of the positive drivers of transition after its start-up in December 2004. Despite an initial delay, most of the disarmament and demobilisation was completed within nine months. By then, the reintegration process had begun. The political will of the TGOB and the CNDD–FFD ensured that the short-term goals of the JOP were accomplished and that the elections took place in a stable environment.

The biggest challenge for the future will be the reintegration of the ex-combatants into civilian life. By the end of 2005 this process had only just begun. Demobilised ex-combatants and former soldiers were given reinsertion payments to support them for 18 months. The long-term goal, however, was for them to acquire a sustainable social and economic role in a peaceful society. The concurrent reinsertion and reintegration processes of the ES/NCDDR and the MDRP were well designed. The successful DDR process in Burundi can serve as a model for operations of a similar nature in future.

At the end of 2005 the government of Burundi still faced the challenge of security-sector reform. Government performed very well and is to be congratulated on its achievement with DDR, but only once the security sector has been reformed will Burundian society be ready for sustained development and longer-term poverty eradication.

TOWARDS SECURITY SECTOR REFORM IN BURUNDI

International cooperation to reform and improve governance in the security sector in conflict or post-conflict countries is a risky, complicated and long-term undertaking. Burundi was no exception and illustrated the need for both a multi-actor partnership and a comprehensive programme in support of strengthening security sector governance. But Burundi also highlights the difficulties in developing security sector reforms.

Early opportunities in the country to link the demobilisation and integration of former combatants and FND soldiers to a structural transformation of the security system were hampered by a number of contextual obstacles. Early in the implementation phase of the ceasefire agreements there were competing emergencies, such as who could be classified as a combatant and how many combatants could be integrated into the new defence force, while trust between the major players was also lacking. The Burundi peace process entered a new phase following the first democratic elections in over a decade and the establishment

of a democratically elected government in September 2005, which presented new opportunities for SSR. This section deals with the way ONUB and its international partners sought to engage first the interim authorities and then the newly elected government on SSR.

Background to security system reform

The security of states and their inhabitants are essential to sustainable development and poverty reduction. In developing countries or regions emerging from violent conflict, UN agencies, programmes and departments, donors and specialised non-governmental organisations are called upon to cooperate with partner countries to restore or create security as a precondition to recovery and development. Security-sector or system reform, as defined in the table below, requires a multi-actor partnership and reforms need to occur in various policy areas, including defence, internal affairs, public security, intelligence services, justice, public service and governance.

Security sector reform in countries emerging from conflict is inherently political in nature and differs from other public-sector reform processes. A sector-wide approach in, for example, health and education, primarily involves the health or education line departments, the ministry of finance and possibly the ministry of infrastructure. In contrast, security sector reform involves a variety of actors and institutions. It requires political commitment at the highest level of the partner countries and the engagement of a range of national departments such as defence, internal affairs, public security, justice and finance. Donor countries need to develop 'whole-of-government' responses that are coherent and involve departments responsible for development cooperation, diplomacy, defence, police etc. Moreover, the nature and complexity of the security challenges, which often involve major violations of human rights, the displacement of populations, humanitarian crises and dysfunctions in the security apparatus, require improved cooperation mechanisms between donor countries and relevant international, regional and non-governmental partners. Increasingly, such reforms are being promoted in countries with peacekeeping missions, such as ONUB.

SSR requires, among other things, a proper assessment of security needs and threats, and the availability of resources. Typical challenges include the professionalisation of the police and the army, the establishment of democratic control and oversight over the security forces and the intelligence service, the

Box 1 Objectives of security sector reform and redefining security

The overall objective of security system reform is to create a secure environment that is conducive to development, poverty reduction and democracy. This secure environment rests upon two essential pillars. The first is the ability of a state, through its development policy and programmes, to generate conditions that mitigate the vulnerabilities to which its people are exposed, while the second is the ability of a state to use the range of policy instruments at its disposal to prevent or address security threats that affect the society's well-being.

The traditional concept of security, which revolves around the protection of states from military threats, is being redefined in three important respects that provide the basis for the security-system reform policy agenda, as follows:

- The focus of security policy itself is broadening from an almost exclusive focus on state stability and regime security to include the well-being of its population and human rights.
- Security and development are increasingly seen as being inextricably linked, which opens the way to mainstreaming security as a public policy and a governance issue. This invites greater public scrutiny of security policy.
- State institutions involved in providing security are being re-evaluated. The military is now seen solely as an instrument of security policy, with traditional legal, social and economic instruments receiving greater attention.

Source *Security System Reform and Governance: Policy and Good Practice*, OECD, 2004¹⁴

improvement of the governance systems of these forces (with appropriate levels of transparency and accountability), and reform of the judicial and prison systems. At all times, human rights need to be protected. It makes little sense to professionalise the police if reform in the justice and penitentiary systems is not addressed at the same time. The missions, roles and tasks of the army and the police should be distinct, and should respond to both security needs and the level and nature of threats to the security of the state and its citizens. Both forces should be governed in an effective, affordable and democratic way.

There is no one-size-fits-all approach to SSR. Such reforms in societies undergoing profound transformation are very context-specific and time-consuming processes. In fact, few comprehensive SSR processes have at this point been completed. The potential for SSR is largely determined by the nature of the conflict, the specifics of the peace process and the level of international response.

Peace and security in the context of Burundi

In Burundi, the space for gradual reform of the security system opened up after the signing of the Arusha agreement in August 2000 and the signing of ceasefire

agreements with the APPMs thereafter. The signing of the Pretoria protocols in November 2003 with the largest APPM, the CNDD–FDD (Nkurunziza), was a breakthrough in the establishment of a more inclusive interim government. Another significant contextual element was the regional/international engagement in the brokering of peace in Burundi, as well as the preparations for the disarmament and demobilisation processes. The AU and the World Bank managed an MDRP, while UNOB, the EU, bilateral donors and UN agencies such as UNICEF and the World Food Programme all worked in close collaboration to support an early start to the implementation of disarmament, demobilisation and socio-economic reintegration processes.

A number of basic principles for reform of the security forces were enshrined in the Arusha agreement, and in the two sets of ceasefire agreements and their respective technical-forces agreements. Protocol three of the Arusha agreement summed up the missions of the integrated army and police, referred to the principle of good governance of these forces and defined their ethnic make-up. Nevertheless, a number of issues remain to be addressed. The Arusha agreement did not spell out the size of the forces, or the broader change in management processes. The CNDD–FDD (Nkurunziza) did not sign the key Arusha agreement, but a separate ceasefire agreement and technical-forces agreement with the TGOB. These agreements either differed on a number of points with the agreements signed by the other five APPM's, or contained some contentious clauses. For instance, the Pretoria Protocol allocated 20 per cent of the senior officers' corps of the new army (being two-fifths of the 50 per cent reserved for the Hutu community as agreed upon in the Arusha agreement) to the CNDD–FDD (Nkurunziza). The quorum in the police was set at 35 per cent of the 50 per cent Hutu distribution.

At the January 2004 Round Table Conference between donors and the TGOB, the transitional authorities provided insight into its priorities, such as good governance and reform of the security forces.¹⁵ However, the reform paper did not cover good governance in the security sector and focused less on the structural military and police reforms than on short-term emergencies related to demobilisation and reintegration.

Concerning the BNP, the paper identified areas of support and spelt out the broad outlines for its establishment, including restructuring plans, training, and equipment and infrastructure needs. The police, according to the TGOB, ought to transform so as to function at the service of the citizens (*police*

de proximité) and its main missions should be the protecting or restoring of public order, prevention of crises, fighting of crime, control of the movements of people and penitentiary policing. Previously, four different institutions under four different ministries fulfilled these functions. To implement the missions, the conference paper argued that the 7 189 persons fulfilling the main policing functions (including 4 500 *gendarmes* previously under the control of the Minister of Defence) had to be increased to 20 000. It was envisaged that one ministry and one minister would in future have to bear responsibility for the integrated BNP.

The document was less explicit on the missions and the restructuring of the army. It concentrated on integration and the ‘progressive demobilisation’ of ex-FAB and ex-combatants over a four-year period in order to reach an effective BNDF strength of not more than 25 000.

Early security sector reform efforts in Burundi

During the Round Table conference some donors and partners involved in DDR in the Great Lakes Region conferred to look at the possibilities of exploiting early linkages¹⁶ between DDR and SSR. Representatives from Burundi’s military and foreign affairs, and aid departments from Belgium, France, the Netherlands and the United Kingdom (UK), agreed to broaden their dialogue with the TGOB to assess opportunities for early support to the restructuring and reform of the army and police, and to reduce the inherent political risks of such support. It was hoped that such cooperation and dialogue would contribute to the integration of security reform programmes into broader recovery and development frameworks, such as the poverty reduction strategy. Official Development Assistance (ODA) had been readily available for DDR processes for over ten years. However, mobilising ODA for transformation in the security sector would be far less easy. Another motivation for donors to cooperate more closely in this sensitive and complex domain was Burundi’s history of increased violence at times of political transformation, i.e. during elections, and the donors’ concern about long-term stability and security as essential pillars for economic recovery, sustainable development and poverty reduction.

Subsequently, the four donors organised three joint missions to Burundi, as well as follow-on meetings in Brussels and The Hague during the first half

of 2004. Jointly they assessed the willingness and preparedness of the TGOB to develop an integrated approach to democracy and good governance in the security sector, among others. In accordance with Organisation for Economic Cooperation and Development – Development Cooperation Directorate (OECD–DAC) guidelines, the donors agreed to cooperate and to strengthen cooperation mechanisms to ensure that their respective interventions were complementary. The donor partnership linked up with the Burundian interim authorities, the AU and ONUB to create a better foundation for dialogue on SSR.

The countries drafted a framework spelling out a set of basic partnership principles. It was agreed to put forward a proposal to the TGOB to intensify dialogue, establish a forum and organise a workshop to develop a global plan on SSR. Such dialogue should involve all relevant government departments (defence, police, justice, finance, planning and good governance) and the presidency. It was envisaged that the dialogue would inform the international community on opportunities for emergency support and more structural forms of assistance to the security sector. The most important orientations and principles for the design of this comprehensive plan included the following:

- The development of nationally-owned policies for the sector based on an assessment of institutional strengths and weaknesses, and security needs and threats
- The strengthening or development of institutions to enable policy implementation. The institutions would have clearly defined roles and responsibilities, structured to task and functioning within budget
- Efficient service delivery, implying a well-trained and equipped sector able to perform its defined tasks
- Greater transparency
- Improved governance under civilian oversight with greater accountability for actions, policy and expenditures

It was argued that a comprehensive SSR strategy would enable the timely planning and mobilisation of more substantial and structured international support for the multiple security-related challenges facing the country. It would help promote confidence and streamline the support mechanisms of the different external partners. In addition, it would help reduce the incentives for

uncoordinated ‘donor shopping’ by different government departments involved in improving governance in the security sector.

Initial responses from various key players within the TGOB were very positive and key ministers indicated their willingness to engage in dialogue. The joint donor initiative had proposed the *Journées de Réflexion Stratégique* (JRS) dialogue concept, an inclusive workshop formula, on the interlinked components of security sector reform. At a joint meeting chaired by the Burundian president, various government departments advised their most urgent needs. But this early attempt at SSR planning through inclusive dialogue was abruptly halted in May 2004. The JRS proposal was turned down because of suspicion about the motives of a transparent dialogue and confusion as to what it entailed. The president summarised the mood by remarking that SSR seemed to offer no more than pie in the sky.

Subsequent bilateral discussions with Burundian players also revealed that the newly established army and police commissions of the *Etats Majors Intégrés*, the ministers of Justice, Finance, Public Security, Defence, State and Good Governance, as well as the Inspector of Institutions, were not certain enough of their positions to agree on a joint dialogue on such ‘sensitive’ issues. A UN official defined the situation as follows: ‘The political situation was not mature enough for such a variety of actors to engage in a formal brainstorming on such a sensitive and complex agenda.’

ONUB and SSR: The long and winding road towards security sector reform planning in Burundi

Renewed efforts to engage the TGOB on structural security sector reforms were made following the establishment of ONUB on 1 June 2004. Already in March that year a UN mission had explored new mandate areas and identified SSR as requiring external support, referring to ‘military and civilian expertise to help Burundi and international counterparts in harmonising efforts and developing strategic support plans for the process’.¹⁷ ONUB, with a section dedicated to DDR/SSR and a team of civilian police/UN Police (UNPOL, previously CIVPOL), was able to build on DDR efforts by the World Bank, donors and other multilateral partners, as well as AMIB. Coordination of DDR work remained with the existing Coordination Committee of the Multi-Country Demobilisation Program. Donors had expressed an interest in complementing

this cooperation mechanism with one that would focus on SSR and its linkages with the DDR process. In response, ONUB created an international coordination group on DDR/SSR.

It quickly became apparent that an elected government would need to be in place before any progress beyond integration could be made on the SSR front. The President's Office explicitly requested ONUB to postpone any engagement on the transformation of the intelligence services until after the elections. In addition, the priorities of the TGOB were centred on more immediate concerns. The integration process also stalled because of conflict around rank harmonisation, the verification of combatants' status and modalities for the integration of ex-combatants into the army and the police. In the absence of sufficient consensus, CNDD–FDD (Nkurunziza) unilaterally reached an agreement with the TGOB on the direct integration of a number of its ex-combatants into the army. The Netherlands assisted by funding the harmonisation camp of Tenga (Camp Espoir) and the construction of *ilots* (training centres to be used in the later stages of the integration process). This facilitated the creation of the first mixed battalions, which were deployed to fight PALIPEHUTU–FNL of Agathon Rwasa.

Continued crisis management, delays in the start-up of the demobilisation process and the postponement of the referendum on the interim constitution drained national and international energies. However, towards the end of 2004 two developments created some space for international actors to attempt to re-engage the TGOB in a dialogue on SSR. After concerted efforts by the international community, a relatively smooth demobilisation process began on 2 December 2004. On 31 December the president promulgated the long-awaited legislation on the BNDF and the BNP.

This opened the way to the creation of new security structures, but it also confronted the TGOB with pressing logistical and managerial challenges, such as the large-scale integration of members from the various APPMs into the army and the police. The sheer numbers the new BNP had to cope with illustrates the nature of these problems: from just 2 400 members, its numbers grew almost eightfold in the space of a few months. The BNP integrated 3 000 FAB soldiers and 4 500 *gendarmes*. Later, in the run-up to the elections, another 3 000 FAB soldiers were transferred to the BNP, together with about 7 000 former APPM members. The four policing components – border, traffic, penitentiary and public order – had to be integrated into one national police service

under the responsibility of one minister. Personnel had to be deployed quickly at provincial and community levels to create a safe and secure environment for the various elections to be held in 2005, starting with a referendum on the interim constitution in February 2005. These requirements placed a lot of strain on the fledgling defence and security forces.

Short-term developments thus continued to crowd out longer-term SSR concerns. In the absence of a meaningful dialogue on a comprehensive security sector approach, donors and ONUB adopted a step-by-step approach. Targeted material and technical assistance for short-term projects was provided to the two national departments concerned. By February 2005, consultations with the Ministry of Public Security resulted in the signing of a plan for the integration of the police, which outlined the major steps for integrating former combatants into the BNP. This allowed the Dutch government to proceed with its planned support for this initiative. In record time, the Netherlands donated 1 200 tents to provide shelter for the deployment of new police officers throughout the country. Thirty-four police cars and communications equipment were delivered by September 2005. ONUB assisted with the drafting of the tri-partite support agreement between the TGOB, the Netherlands and ONUB. This assistance coincided with preparations by UNPOL, Belgium and France to enhance the training capacity of the BNP. Throughout the process, the UK remained actively interested in the partnership and supported leadership-training workshops for new BNP and BNDF cadres through the Woodrow Wilson Institute. Inter-agency dialogue increased the potential for complementarities between these projects.

At this time some of the principal SSR concerns – transparency, budgetary discipline, sound management principles etc. – were addressed, but only partially and in an ad hoc manner. These were knee-jerk responses to queries or situations that arose suddenly. For instance, when the TGOB began topping up demobilisation payments to ex-FAB soldiers exclusively, the World Bank/MDRP in consultation with donors such as the EU, reminded the TGOB of its commitments in its Letter of Demobilisation Policy to the President of the World Bank. The insistence on budgetary rigor, transparency and respect for the equity principle that underpinned the demobilisation programme was successful. On other occasions, attempts were made to continue discussions on good governance in the security sector as an integral part of the consultations on the Full Poverty Reduction Strategy Paper. At the level of day-to-day project management, some donors cooperated with ONUB to strengthen capacities and

to include aspects of proper management of public resources in the design of the contractual arrangement between the new BNP and the Netherlands. It was stipulated that UNPOL would provide training, technical advice and back-up in the implementation phase of the projects.

ONUB tried again to create momentum for a multi-partner dialogue on SSR planning in April 2005. After consultations with its major international partners, it presented a draft baseline proposal on SSR to relevant government ministries and ministers. However, the logistical and operational challenges then being faced by the BNP, the BDNF and, in fact, the whole government remained momentous in an environment of scarce experience, lack of financial and human resources, and political transformation.

After the elections the first interaction between ONUB and the newly-elected government on SSR took place in the context of a dialogue on the renewal of the ONUB mandate. Government demanded that relations with ONUB be reviewed and that the mission reduce its size and mandate areas. Although the DDR/SSR component of the mandate remained unaffected, it became clear that there was considerable confusion and limited understanding of the scope of meaningful transformation of the security system. The government's eventual request of a substantial reduction of UNPOL was reason for concern since the UNPOL contingent was part of the planning process and provided sorely needed training for the BNP. Moreover, the TGOB had agreed that UNPOL would provide technical assistance in the context of the Netherlands-BNP co-operation agreement.

The mission subsequently pursued a number of one-on-one sessions with line ministers and relevant government officials. Their views were solicited on the organisation of a high-level workshop to develop a better understanding on SSR, as well as priority reform programmes in and between the different ministries concerned. By the end of January 2006 the Minister of Defence and Veterans Affairs and the Director General of the BNP indicated their support for a joint SSR workshop that would allow the security environment to be assessed and a roadmap to be developed for future SSR work. Meanwhile ONUB continued to provide assistance at the request of the ministers of National Defence and Veterans Affairs, and Interior and Public Security, and the Executive Secretariat of the National Commission on DRR in areas such as civilian disarmament (in conjunction with the UN Development Programme – UNDP), demobilisation and the dismantling of militias.

Conclusion: Challenges and the way forward towards an effective SSR partnership

By the end of 2005 there was a window of opportunity for SSR in Burundi,¹⁸ but it remained a limited one. On the one hand, the Burundian peace process had progressed considerably in areas such as demobilisation, the integration of ex-combatants into the BDNF and the BNP, and the adoption of a legislative framework for the BNP, the BDNF and the intelligence services. The international community had been supportive throughout and some partners had moved into early project support or exchange programmes, mainly for the BNP. The AU, ONUB and certain donors, including the UNDP, the European Commission (EC) and international financial institutions, encouraged the government to pursue its commitment to ensuring democratic governance of the security sector as a whole. Key government stakeholders had indicated their willingness to engage in a dialogue on structural and sustainable security sector reforms. Proposals for an inclusive SSR workshop to develop a consensual SSR roadmap had received positive responses.

On the other hand, there were important challenges at both ends of the partnership. In general, there was limited experience in developing a 'sector-wide approach' to security reforms in post-conflict developing countries. There were also limits to what the international community could contribute to the reform process. The mandates, missions and operational modalities of external partners differed. Not only were external capacities for the highly political and sensitive SSR-related work limited, but so were technical and financial resources. Furthermore, levels of trust remained low in an environment where low-level conflict was still ongoing.

To develop trust and strengthen the partnership, a credible, coherent and sustainable policy on SSR was required. Such a policy had to fit in with government's overall priorities and there had to be clarity on what could be funded by the national budget and what additional resources were being solicited from the international community. The newly-elected government was on a steep learning curve and was familiarising itself with various external support mechanisms and development frameworks. Government still identified its overall priorities for international short and medium-term support in either the form of emergency appeals, donor conferences or the finalisation of the Full Poverty Reduction Strategy. In the absence of a comprehensive SSR strategy there was

little indication of linkages between priorities for improved security sector governance and efforts to mobilise additional resources.

Above all, the government's commitment to SSR and its ownership of the process were essential conditions for building an effective and predictable partnership with the international community. Although focal points within key departments had been identified, there was no key player within government to champion multi-departmental SSR and to promote consensus between the president, relevant ministers, the legislature and the leadership of the BNDF.

Lack of progress in this regard did affect the manner in which ONUB engaged in support of SSR. Functional cooperation between the Burundian stakeholders and their international partners had thus far been instrumental in building confidence. ONUB had assisted with brokering trust and mobilising support. This was not enough, however. The mission needed to give its support to transforming current ad hoc security sector cooperation into a consistent, predictable and forward-looking partnership that covered all the critical dimensions of structural reform.

ELECTIONS IN BURUNDI: PAVING THE ROAD TOWARDS PEACE AND RECONCILIATION

On 26 August 2005 the second democratically elected president of Burundi, Pierre Nkurunziza, was sworn in before a panel of newly elected MPs, regional heads of state, the diplomatic community and UN officials, thus bringing to an end four years of political transition. A few weeks later, on 23 September, Burundians were called on, for the sixth time in eight months, to elect 14 540 *colline* councillors. This concluded the electoral process as prescribed by the Arusha agreement and subsequent ceasefire agreements.

The transition period agreed to in Arusha was meant to have ended on 31 October 2004 after two transitional presidential terms of two years each, which were served by Pierre Buyoya, a Tutsi, and Domitien Ndayizeye, a Hutu, but was extended for six months to prepare for the elections. In addition to the implementation of the ceasefire agreements, the TGOB's main task had been to ensure the holding of free and fair elections. To this end, it was to establish an independent electoral commission and to promulgate an electoral code and communal law compliant with the arrangements made in Arusha in consultation with the transitional institutions. As a result of significant delays, partly

because consensus could not be reached between the major political parties on power-sharing arrangements and partly because there was a lack of goodwill on the part of certain political leaders, the Independent National Electoral Commission (CENI) was set up in August 2004, just two months before the initially scheduled completion of the electoral process. At this time the electoral code was still awaiting parliament's approval. A partly contested power-sharing agreement had been signed in Pretoria on 6 August 2004, which raised the hope that a constitutional referendum would follow soon after.¹⁹

On 15 October 2004 the Regional Initiative convened a summit in Nairobi. Having assessed the political situation marked by the refusal of major Tutsi parties to accept the power-sharing mechanisms proposed in Pretoria and having taken into consideration the technical requirements to conduct peaceful elections, the Regional Initiative extended the transition period for a further six months. It also recommended that the draft text of the Pretoria Protocol be used as an interim constitution until it was adopted by a referendum. CENI then published the first electoral timetable, based on the 120-day cycle suggested by ONUB's electoral unit.²⁰ The Regional Initiative endorsed the timetable, which was very tight considering the various preparatory activities required, namely a credible voter registration process, the adoption of a new electoral code, the preparation and dissemination of election materials etc. A second extension of the transition period was approved by the Regional Initiative in April 2005 and a new electoral timetable was endorsed.

During the period of delays, CENI made an effort to strengthen its organisational capacity with the technical support of ONUB. On 11 November 2004, 149 provincial electoral commissioners, most of whom had a religious background, were appointed. Ten of the 17 Provincial Electoral Commissions (CEPIs) were chaired by priests or pastors. By appointing a high number of religious leaders, CENI intended to reinforce its neutrality and reassure the Burundian people, who continued to be haunted by the tragic memories of the 1993 electoral aftermath. The first challenge for the electoral commission and its international partners was to ensure that the population believed in the process and was ready to take an active part in it. At the end of the 11-day voter registration period from 20 to 30 November, in which ONUB played an active role, 3,2 million voters, representing more than 90 per cent of the targeted voting population, had registered. This was a clear indication of the willingness of Burundians to participate in the peace process.

The successful conduct of the registration process, despite ongoing fighting in the Bujumbura Rural province, was an unprecedented achievement that paved the way for the smooth running of the elections.

This section discusses the essential processes that took place, the evolving partnerships²¹ that made the processes possible, and the challenges and lessons learnt from the contributions of the international community.

A dynamic institutional framework: Agreements, laws and ad hoc rulings

As a result of the lengthy peace negotiations, the legal framework in Burundi became a patchwork that required continuous adjustment to permit the proper organisation of the elections according to nationally and internationally accepted standards.

The Arusha Peace and Reconciliation Agreement: The Arusha Agreement was the defining text for the electoral process in Burundi. It clearly set out the underlying principles of the process, as follows:

- Elections at the commune level and at the national level shall be held during the transition period in accordance with the provisions and within the time frames set forth in the present Protocol
- The transitional Government shall establish an Independent National Electoral Commission
- The Commission shall be made up of five independent personalities and shall solicit advice from a multiparty commission of the transitional National Assembly. Its members shall be approved by a three-fourths majority of the transitional National Assembly, and may include non-Burundians who have expertise and integrity²²

The agreement also provided guidance for an electoral code (article 12, Chapter 2, Protocol III) that was meant to embody the principles of ethnically balanced power-sharing arrangements. In the quest for a legal framework against which to conduct the registration process and organise the referendum, CENI resorted to the electoral code of 1993,²³ basing its argument on the fact that the Arusha agreement allowed the application of existing laws until new ones were passed. CENI's aim was to avoid further delays in holding the

constitutional referendum. The solution was widely accepted by political actors, who themselves were still busy negotiating the cornerstones of the constitution from which a new law could be derived.

The 1993 electoral code: This electoral law was the basis of the first democratic elections held in Burundi in June 1993. It had various limitations, the first of which was that it had been passed in the context of a political environment that was shifting from a one-party system to a democracy after more than 30 years of political exclusion. Even though it allowed for an electoral commission, whose members were all appointed by the incumbent government, the Ministry of the Interior had played a major role in organising the elections. In 2004, in a different political setting, confusion arose between CENI and the Ministry of Interior about responsibility for organising the elections. However, since the Arusha agreement superseded the electoral code, CENI became the institution that had full responsibility for conducting the electoral activities.

Other limitations of the 1993 electoral code concerned the fact that it did not provide for the holding of commune and *colline* elections, that it did not cover the power-sharing principles contained in the Arusha agreement, and that it prescribed technical limitations related to the types of ballot boxes and ballot papers to be used, the documents required to register as a voter and the use of indelible ink. To address these limitations, CENI, with the support of ONUB, took a number of decisions aimed at making the process transparent and technically affordable for the majority of people. For example, the electoral code stipulated that only a national identification document would be accepted for registration. This provision had been the major factor responsible for the disenfranchisement of many women and students during the 1993 elections.²⁴ To encourage as many people as possible to register for the 2004 referendum, CENI authorised the use of any valid document or witness testimony that could prove the identity of registrants. Despite the challenging aspect of this decision, it became the foremost tool in encouraging the rural population to register. Women outnumbered registered men by 0,5 per cent.

The new electoral code:²⁵ Three months after the interim constitution came into effect, a constitutional referendum was held on 28 February 2005. The constitution was adopted by 90,4 per cent of voters and despite a no-vote campaign conducted by parties opposed to the text, the final turnout was an overwhelming 83 per cent. The adoption of the new constitution deprived certain political leaders of the justification to delay the electoral process further. The National

Assembly adopted the new electoral code on 11 March.²⁶ It was approved by the Senate on 19 April and promulgated by the president on 20 April.

The new electoral code incorporated the principle of ethnical balance entrenched in the new constitution. All political parties and independent candidates fulfilling the eligibility criteria were allowed to contest elections at all levels. But there was a rather demanding screening process that in the end would not allow small political movements to be represented in parliament. For example, any party or list of candidates that obtained less than two per cent of the national vote was excluded from obtaining a seat, regardless of the number of votes obtained within each constituency. The code also reinstated an old practice in Burundi that permitted scribes to assist illiterate voters during the *colline* elections, where the names of candidates being voted for had to be written down on blank ballot papers. Instead of clarifying the modalities of cooptation mechanisms, the law placed the burden of this political exercise on CENI. Finally, the law determined that the staffing of polling stations should be based on equal political representation, thus putting the neutrality of polling officers at risk.²⁷

Other legal instruments: One of the particularities of the electoral process in Burundi was the ad hoc power given to CENI to ‘legislate’ whenever needed. Throughout the process CENI issued 58 orders covering a range of technical areas. Contrary to legal norms, CENI’s decisions and orders tacitly superseded the existing legal framework. They were made in response to needs that arose as the process evolved. One such instance arose between the senatorial and presidential elections, when the two chambers of parliament were hesitant to convene to elect their chairpersons and participate in the presidential poll. Facing a stalemate, CENI convened the sessions. This ruling, despite its challenging nature, was widely accepted by political leaders who were thus driven to abide by the electoral calendar.

This proactive response to legal gaps, despite its shortcomings, was one of the significant factors that permitted six elections to take place in a very short timeframe. Sticking to realities and adopting a flexible approach to the elections was the major strategy of CENI.

Evolving partnerships

In January 2004 the TGOB officially requested through the UNDP the UN’s assistance in organising the elections. The UN Electoral Assistance Division

deployed a needs assessment mission charged with identifying areas of support. Based on its recommendations, the Security Council in Resolution 1545 assigned to ONUB the task of contributing to the successful completion of the electoral process as stipulated in the Arusha agreement. An electoral unit progressively established within ONUB in June comprised 125 technical advisors and support staff deployed at ONUB's HQ and at five regional offices.²⁸ The reason for deploying teams in the provinces was to provide on-the-ground advice to CENI's provincial and communal bodies as regards planning and management, resource mobilisation, logistics, information outreach and election security.

Planning and management: Shortly after the establishment of ONUB's electoral unit, the team began drafting planning tools, starting with a strategic plan followed by a US\$20 million comprehensive electoral budget. When CENI was set up in August, ONUB provided a comprehensive set of draft documents, including an electoral timetable, a budget, a logistical support plan, a voter education strategic plan, an organisational chart for CENI and various election planning tools. This support allowed CENI commissioners to organise a capacity-building seminar funded by the UNDP just five days after they were sworn in.

The early availability of strategic tools allowed CENI to proceed immediately with electoral operations. Each of the five commissioners took responsibility for a specific area of operations.²⁹

Resource mobilisation: By August 2004 the TGOB had still not submitted a formal request for election funding to the donor community, and quick action had to be taken to accelerate fundraising activities. The UNDP set up an electoral trust fund and ONUB took the lead in establishing a coordination mechanism with potential donors. A regular weekly meeting was convened to discuss the technical aspects of the electoral process. Chaired initially by ONUB and later by CENI, the meetings provided a useful consultation framework for those involved in the process. In addition, monthly meetings of ONUB, CENI, the UNDP and bilateral and multilateral donors reviewed the progress made in mobilising necessary resources. Regular briefings to the diplomatic community by the SRSG and continuous lobbying of donors smoothed the progress of disbursing pledged resources. By August 2005, US\$19,4 million had been disbursed.³⁰ This was sufficient to meet CENI's needs.

Contrary to a widespread view among Burundi's population that delays in the electoral timetable resulted from a lack of funds, this was not the case. Even though funds were disbursed at a relatively slow pace, sufficient funds

were available for each election. Donors were, in fact, ready to make additional funds available provided there was substantive progress in the electoral process. Some delays in the channelling of funds through the UNDP and CENI did, however, result from the necessity to follow UNDP financial and administrative procedures. The strategic direction provided by ONUB in resource mobilisation and the financial management tools provided by the UNDP reassured the donor community.

Logistics: The initial logistical plan had to be revised during the process to account for delays that arose from political and geographical constraints, as well as CENI's capacity to respond to growing logistical burdens. ONUB had to dedicate most of its logistical resources (trucks, helicopters and generators) to support the electoral process. Support amounted to 172 hours of helicopter flying time and thousands of kilometres of road journeys to distribute 504 t of election materials to the country's 17 provinces. Three generators were installed at the data processing centre for seven months to ensure continuous electricity supply. ONUB warehouses were also used as transit points for election materials. The UN system provided computers to strengthen existing capacity during the data processing operation, which took longer than planned because of the inexperience of the contractor.

Civic education, outreach and training: A civic education campaign was at the centre of the confidence-building strategy aimed at the people of Burundi. This activity mobilised a large number of national and international players. The campaign was designed by ONUB's electoral and public information units in conjunction with CENI. At no cost to the electoral budget, ONUB's public information unit assisted in the design, printing and distribution of thousands of documents and leaflets, and broadcast radio messages to promote the elections, peace and national dialogue. UNESCO also participated by providing media training support.

The International Foundation for Electoral Systems (IFES) established an office in Burundi in August 2004 and was a key partner of CENI in the area of civic education and training. IFES provided banners and posters, funded the printing of training manuals and trained the 149 members of the Provincial Electoral Commissions and the 17 provincial governors using the Basic Election Administration Training (BEAT) programme. Through pyramid training conducted by national trainers, IFES also trained about 6 000 polling station managers for each election. It printed 10 000 copies of the new constitution, and

the Electoral and Communal laws for distribution to polling officials. ‘Lessons learnt’ sessions were also organised after each election.³¹ The Electoral Institute of Southern Africa (EISA) conducted various gender-related sessions and media outreach campaigns.

The Search for Common Ground NGO, supported by USAID and the organisation and training advisors PADCO, initiated an unprecedented activity entitled *Synergie des Medias*, which consisted of the synchronisation of all media programmes on polling days. As a result, media coverage was sufficient and self-controlled. Reporters were deployed throughout the country to provide regular updates on turn-out, incidents and logistical gaps, which helped CENI and the security forces to respond to problems. The *Synergie des Medias* was also a handy tool for CENI to provide up-to-the-minute clarifications on procedures through radio broadcasts, which were listened to widely on polling days. CENI even provided radio sets in the electoral kit in order to allow polling officers to monitor operational developments and procedural changes.

The fact that Kirundi, the Burundi national language, is understood by all components of society provided a great opportunity for information outreach. However, difficulties were encountered with printed materials because the majority of the population is illiterate.

Election security plan: Before the referendum in February 2005, ONUB developed a comprehensive security plan for the election, defining the roles of each participant. The security concept was developed jointly with the BNDF and the BNP to ensure effective cooperation and coordination. The aims were as follows:

- To provide a framework for security planning at all levels during the elections
- To integrate electoral security into a broader framework of support provided by ONUB
- To create synergies for actions to be taken by both ONUB and the Burundian authorities during the elections
- To provide a framework for the efficient utilisation of ONUB resources for security needs
- To pave the way for safer elections in the future through capacity-building in the Burundian defence and security forces. Coordination mechanisms were established between ONUB and those forces

ONUB forces were mobilised to support all field operations. As a number of the electoral teams were operating in areas declared insecure by the UN Department of Safety and Security, no activity could be undertaken without proper escort procedures executed by ONUB forces. On polling days, ONUB military detachments secured electoral convoys and were deployed strategically in various areas of the country, thereby providing strong support for the Burundian security forces positioned at the polling stations. The government requested and obtained financial support from the Electoral Trust Fund to cover the cost of transport and rations for BNP and BDNF forces.

During the elections, UNPOL closely supported the BNP and the *gendarmerie* in their deployment plans and strategies. UNPOL was in charge of police reform in general, but a more important role was the training and advising of BNP forces deployed in the field.

A Joint Operation Centre (JOC) was established by ONUB prior to the elections to serve as a forum for information analysis, planning and the coordination of security-related matters. It was attended by representatives from all components of ONUB. JOC steered ONUB election support, especially during the critical days before elections. ONUB regional offices also adopted the JOC concept by organising ‘mini-JOCs’ and were connected to the JOC in Bujumbura. The Joint Mission Analysis Cell (JMAC) provided analyses of information gathered by the mission’s components in the field.

Monitoring: As it was involved in preparations for the elections, ONUB did not have a mandate to deploy observers, but it did provide logistical support and information to observer missions and played a key role in monitoring progress on a daily basis. In the run-up to the polls, these activities were reduced or suspended so that ONUB could dedicate all its logistical resources to the elections. The aim of the integrated monitoring activity was to enable CENI and the TGOB to respond as needed. The willingness of ONUB civilian staff to be deployed throughout the country created an atmosphere of mutual trust between the mission and national actors. The most illustrative example was the monitoring of elections in the western part of the country, especially Bubanza and Bujumbura Rural provinces, where PALIPEHUTU–FNL (Rwasa) was still active.

During the commune elections on 3 June 2005, voting was disrupted in 133 polling stations in Bubanza and Bujumbura Rural provinces by suspected PALIPEHUTU–FNL combatants. On the same day, ONUB troops were fired

at in Gitaza *colline* in the province of Bujumbura Rural, seriously injuring one soldier from the South African contingent. These incidents, however, did not stop ONUB from supporting the by-elections held on 7 June in the two western provinces amidst large population displacements and continuous security threats. On that day ONUB deployed more than a hundred teams in problematic polling stations, which encouraged the local population to turn out and vote. The fact that the by-elections were successful reassured Burundians that the remaining elections were possible, despite obvious security risks.

ONUB's integrated approach was one of the mission's greatest achievements and helped to turn the population's initial doubts into acceptance of the mission's role of encouraging positive transformation through peaceful elections.

Challenges

The electoral process in Burundi faced various political and technical difficulties, as outlined below.

Managing political and ethnic divides against electoral deadlines: Ongoing dialogue between Burundian parties on power-sharing mechanisms and an inability to reach agreements in time resulted in repeated election delays. Even when an agreement was reached with the majority of parties in Pretoria in August 2004, uncertainty continued as some parties refused to adhere to aspects of the agreement. Uncertainty increased further when supporters of the incumbent president, Domitien Ndayizeye, began airing the idea of amending the interim constitution to allow Ndayizeye to contest the presidential election. This was in clear contradiction of the transitional arrangements made in Arusha. Thanks to international and national pressure, the proposal was dropped, but the constitutional amendment debate created such turmoil in the Burundi Democratic Front (FRODEBU) that it barely recovered from it in time for the elections.

The atmosphere between CNDD–FDD and FRODEBU deteriorated progressively and resulted in what was referred to by the local media as ‘targeted assassinations’. Following the victory of CNDD–FDD over FRODEBU in the commune elections, political violence erupted during the campaign for the legislative elections in July 2005. Two FRODEBU members elected to communes were killed in a bomb blast in a café on the outskirts of Bujumbura, while a CNDD–FDD militant was killed as well. The insidious atmosphere of distrust

could have been a major disrupting factor for the legislative elections were it not for constant encouragement by the Regional Initiative, the UN and the diplomatic community in Burundi to continue dialogue and consultations.

Security: Ongoing clashes between the BDNF and PALIPEHUTU–FNL (Rwasa) in three western provinces were a major threat to the elections in those provinces, particularly in Bujumbura Rural, the FNL's stronghold. The registration process in November 2004 took place without incident and provided the assurance that elections could be held in the latter province as well. Pledges were given on various occasions by PALIPEHUTU–FNL (Rwasa) that it would not disturb the elections, but it is not known to what extent the presence of an international peacekeeping force working closely with the BDNF acted as a deterrent.

The TGOB did not have the means to deploy the BDNF throughout the whole of Burundi and the BNP had little experience. It can therefore be said that the generally peaceful will of the Burundian population represented the real force that resulted in successful elections.

Respect for the electoral procedures: Burundi's first democratic elections were held in 1993, but the country immediately thereafter descended into more than a decade of civil unrest and the population was thus denied enjoyment of its hard-won rights. Twelve years later a large part of the population was voting for the first time and found the electoral rules difficult to understand, despite an intensive voter education campaign. The recruitment of polling officers suffered from an enormous shortage of qualified professionals, especially in the rural areas. Teachers were the only qualified group that could have been called on, but the education ministry prohibited their involvement.

The available polling officers were only trained for a few days and were generally not in a position to manage the polling stations effectively. The pyramid-training approach was a useful response to pressing needs, but may not have been the most appropriate method since sufficient time and resources were not available. Trained personnel were not always able to correctly pass on the training they had received. Most of the procedural irregularities that were recorded by international observers and CENI's technical advisors were neither intentional nor malicious. Irregular actions included the misplacement of election materials, violation of the secrecy code, incorrect decisions being made concerning permission or refusal to vote, the misuse of indelible ink and the incorrect completion of polling forms etc.

Conclusion and lessons learnt

The 2005 election process is seen as having been a successful experience that can provide a number of valuable lessons, as outlined below, for the next round of elections due to take place in 2010.

- In 2005, Burundi benefited from unprecedented support from the international community. ONUB was the leading force and created a dynamic framework for productive partnerships. It also provided technical advice and logistical support to CENI and used its political influence to support resource mobilisation and consultation among key actors. The teamwork between CENI, the UNDP and ONUB, based on clearly defined roles, eradicated most of the conflict that is commonly inherent within the UN family. ONUB assumed overall leadership and provided political and logistical/operational support, while UNDP led in the area of financial support
- Regular briefings and information exchange sessions between ONUB and the diplomatic community ensured transparency and dynamic partnerships that helped donor countries to make both financial contributions and provide strategic support without overdue concerns
- The success of the elections in Burundi was a product of dynamic partnerships that commenced with peace negotiations following the establishment of AMIB. ONUB's close and regular contact with regional heads of state that had influence with Burundi's political leaders played a decisive role in curbing isolated political attempts to sink the process
- A manageable independent electoral commission, composed of five commissioners with clearly defined roles, supported by subsidiary electoral commissions at the provincial and communal levels, proved to be a proficient organisational setup. Even though certain political leaders questioned the independence of CENI, it was generally recognised that regular attempts to manipulate it had not changed its course of action. CENI maintained its unity despite suffering a number of internal disputes
- The latitude allowed CENI to adjust legal instruments made it possible for all elections to proceed within a relatively short timeframe. CENI's rulings superseded legal provisions and could have been lawfully challenged, but the political parties were happy not to do so. Although the end result of CENI's actions was a good one, this practice should not be encouraged since

it could have jeopardised the elections. The holding of six elections in eight months was a complex operation and resulted in voter fatigue, as indicated by the turnout rate, which slipped from 84 per cent in the referendum to 49 per cent in the *colline* elections. Although there was an urgency to bring the transitional phase to an end, the process would have benefited from more time being allowed between the different elections. Rather than extending the transition period further, this could have been achieved by applying early and steady political pressure to the negotiation process

- The absence of PALIPEHUTU–FNL (Rwasa) from the peace negotiations placed the peace process at risk. Ongoing skirmishes in the western provinces right up to the end of the election process was a destabilising factor.
- The role of the media was instrumental in informing and reassuring the people. While the dramatic after-effects of the 1993 elections cannot be discounted, fear among Burundians decreased progressively and built mutual trust and hope in the future
- The former rebel movement, the CNDD–FDD, won the elections with an extensive majority, while the Union for National Progress (UPRONA) and FRODEBU were unable to capitalise on their former experience as ruling parties. It transpired that the Burundian people wanted peace and sought a change in leadership, policies and social setting. The CNDD–FDD was viewed by voters as the major contributor to ending a decade of violence in the country. But the new government faced various challenges, the main ones being the provision of an immediate peace dividend and ensuring political stability that would help to create an enabling environment for long-term peace and development

NOTES

- 1 Extract from the Report of the Secretary-General on Burundi, United Nations, New York, 16 March 2004.
- 2 ONUB, weekly reports to the SRSG on DDR SSR, Bujumbura 2005.
- 3 Ibid.
- 4 Ibid.
- 5 Ibid.
- 6 Ibid.

- 7 Ibid.
- 8 Ibid.
- 9 Ibid.
- 10 D Nkurunziza and C Muviru, Report on disarmament, demobilisation and reintegration of ex-combatants in Burundi, paper presented at the conference on Disarmament, Demobilisation, Reintegration and Stability in Africa, Freetown, Sierra Leone, 21–23 June 2005.
- 11 ONUB, weekly reports to the SRSR on DDR SSR, Bujumbura 2005.
- 12 Although 14 000 were expected to be processed in the first year, the total had surpassed 16 500 by the beginning of December 2005.
- 13 Ongoing government and donor forums were an important requirement. This strategy would focus on good governance, sound financial management and civilian oversight. The redesign of ministerial policies, structures, training and facilities was also required.
- 14 The Development Assistance Committee, the watchdog and mentor of the international aid community, drew up a comprehensive set of guidelines for work in this relatively new area of development cooperation. See *Helping prevent violent conflict: The DAC Guidelines*, OECD, Paris 2001, and *Security system reform and governance: Policy and good practice*, OECD 2004. DAC also prepared an implementation framework on SSR to assist member states and policy-makers in these areas.
- 15 *Programme national de renforcement des capacités pour une bonne gouvernance and Appui au processus de réforme des corps de défense et de sécurité*, Forum des Partenaires au Développement, Bruxelles, 13 and 14 January 2004
- 16 See also the useful MDRP position paper, Linkages between disarmament, demobilisation and reintegration of ex-combatants and security sector reform, October 2003, www.mdrp.org.
- 17 Report on Burundi, UN Secretary-General, UN Security Council, 16 March 2004.
- 18 Compared to developments in the DRC, chances for initiating an SSR process in Burundi certainly looked promising. For an interesting insight into recent transformation processes of the army and police in the DRC see, Security sector reform in the Congo, International Crisis Group, *Africa Report*, 1005, 13 February 2006.
- 19 The agreement was signed by 19 mainly Hutu-led political parties and boycotted by ten Tutsi-led parties. The agreement suggested a 6 : 4 power-sharing ratio between Hutus and Tutsis in government and the National Assembly, but not the Senate, which would comprise equal representation of the two groups.
- 20 This timeline proposed that the constitutional referendum take place in January 2005, to be followed by the *colline* elections on 9 February, the commune elections on 25 February, the legislative elections on 9 March, the senatorial elections on 23 March and the presidential elections on 22 April.

- 21 When in December 2004 there were indications that the funds disbursed might not be sufficient to cover the costs of the referendum, the South Africa government offered a large quantity of election materials, including 14 000 polling booths, 7 000 ballot boxes, 7 000 indelible markers, 3 500 sets of office furniture, 3 500 rubber stamps and 28 000 seals.
- 22 Article 20, Protocol II, Arusha Peace and Reconciliation Agreement for Burundi, 2000.
- 23 Décret loi n° 1/022 du 16 mars 1993.
- 24 Sinunguruza, 2004: 43.
- 25 Loi n°1/016 du 20 avril 2005 portant code électoral.
- 26 The draft electoral code was already available and had been widely discussed with political parties in February 2004, long before the end of the initial transition period.
- 27 In the limited space available the 2005 electoral code cannot be analysed in detail, even though a close review of the law is needed to improve the electoral process in Burundi.
- 28 The Electoral Unit was set up by Marco Carmignani, Senior Political Affairs Officer, who was replaced in July 2004 by Ahmedou El Becaye Seck, a former high-ranking Senegalese official who had been involved in many elections in francophone Africa.
- 29 The five commissioners were Mr Paul Ngarambe (chairman), Mr Leonard Nduwayo (vice-chairman), Ms Liberate Kiburago (commissioner in charge of finance and operations), Ms Clotilde Niragira (commissioner in charge of legal affairs) and Abbé Astere Kana (commissioner in charge of external relations and civic education). CENI did not include a non-Burundian commissioner as suggested by the Arusha agreement, probably because of national pride.
- 30 European Commission (\$5 188 067), Japan (\$2 997 606), Belgium (\$2 000 000), The Netherlands (\$1 888 111), Norway (\$1 155 211), the UNDP (\$1 094 332), the UK (\$982 790), Sweden (\$706 846), Italy (\$662 502), France (\$538 120), Germany (\$528 402) and Switzerland (\$1 000 000).
- 31 IFES also provided the provincial electoral commissions with equipment such as fax machines, computers and generators.

7 Bringing the peace process in Burundi to an end

HENRI BOSHOFF

INTRODUCTION

Three major events occurred after the 2005 elections, namely the dissolution of the UN Operation in Burundi (ONUB), the establishment a new UN mission – the UN Integrated Office in Burundi (BINUB), and re-engagement with PALIPEHUTU–FNL (*Parti pour la Liberation du Peuple Hutu–Forces Nationales de Libération*). The interaction with the latter was particularly important as it was the last rebel group to join the newly established democracy in Burundi. This chapter will deal with these three events.

FROM ONUB TO BINUB

The mandate of ONUB was successfully concluded on 31 December 2006. BINUB was formally established on 1 January 2007. The transition from ONUB to BINUB was well coordinated and involved all UN departments, programmes and agencies participating in Burundi, the country's government and other partners.

UN Resolution 1791 (2007) sets out BINUB's two key roles as follows:¹

- Provide support to the efforts of the government of Burundi (GOB) to create peace and stability
- Ensure coherence among and coordinate the UN agencies in Burundi

The main priorities for BINUB were as follows:²

- Consolidation of the peace and fostering democratic governance: strengthening the capacity of national institutions and civil society, promoting good governance and press freedom, and consolidating the rule of law
- Disarmament, demobilisation and reintegration (DDR), and reform of the security sector: Support for the Comprehensive Ceasefire Agreement and reform of the security sector, demobilisation and reintegration of former combatants, and combating the proliferation of small arms
- Promotion and protection of human rights: Assisting with the design and implementation of a national human rights action plan, and helping to establish transitional justice mechanisms, including a truth and reconciliation commission and a special tribunal
- Coordination of the work by donors and UN agencies: strengthening the partnerships between government and donors, and the government's capacity to work with donors

Two developments assisted BINUB in its peace consolidation efforts. The first was when on 7 September 2006 the GOB and PALIPEHUTU–FNL signed the Dar es Salaam Comprehensive Ceasefire Agreement, which heralded an end to 13 years of civil war. A Joint Verification and Monitoring Mechanism (JVMM) to oversee the implementation of the ceasefire was launched on 11 October 2006. However, PALIPEHUTU–FNL did not attend the launch because one of its JVMM representatives had been detained in Bujumbura. The UN Secretary-General, by virtue of a letter of 22 December 2006 (S/2006/1030), rehatted ONUB's last military contingent, the South African battalion, to form the core of the African Union (AU) Special Task Force established to support the implementation of the Comprehensive Ceasefire Agreement.³

The second development occurred on 13 October 2006 when the Peace-building Commission discussed Burundi and recommended it for assistance from the Peace-building Fund, which had been launched on 11 October 2006. BINUB supported the commission and the GOB by developing a

strategic framework for peace-building to serve as the basis for the commission's longer-term engagement with Burundi. BINUB also provided a clear delineation of the commitments, roles and responsibilities of all national and international actors involved. The framework was based on existing peace consolidation policies and strategies and complemented the role of BINUB in ensuring greater coordination and coherence of practical international assistance to Burundi.⁴

Security sector reform

Important developments took place with regard to security sector reform. On 31 August 2006, President Nkurunziza signed a law creating a 17-member National Security Council (NSC) in accordance with the constitution. Two months later (5 November) the president signed a decree appointing nine of the council members, including two bishops and two women. The remaining eight members were the president, the first and second vice-presidents, and the ministers of the Interior, Foreign Affairs, Public Security, Defence and Justice. The NSC's role was to assist in the development of a comprehensive national plan for security sector reform in order to coordinate the reform of the police, the defence and intelligence services, and to render them accountable to parliament.

On 3 June 2008 the Minister for Public Security unveiled a 10-year strategic development plan designed to transform the Burundi National Police (BNP) into a modern and professional police force by 2017. The organisational structures and operational capacities of the BNP were to be enhanced and its equipment levels to be improved.

The mid-term review of the 2006–2010 Strategic Development Plan of the Burundi National Defence Force (BNDF) was endorsed on 22 August 2008 by the Minister for National Defence. On 23 June 2008 the National Intelligence Service, in partnership with BINUB, launched a Peace-building Fund focused on the professionalisation of the intelligence services, with the object of placing them under parliamentary control.

The downsizing process to 'right size' the BNDF and the BNP to 25 000 and 15 000 members respectively has stalled, most likely because proceeding with this shortly before the 2010 elections could increase security difficulties. To achieve the targets, a further 4 300 members need to be demobilised and provided with reintegration assistance.

PALIPEHUTU–FNL

The Comprehensive Ceasefire Agreement

Implementation of the Comprehensive Ceasefire Agreement with PALIPEHUTU–FNL was slow. In December 2006 the South African facilitator organised a meeting in Dar es Salaam at which the two parties reached agreement on the issue of provisional immunity for the movement's members and the release of detained members who had been nominated to participate in the JVMM.

Following the government's release of six PALIPEHUTU–FNL prisoners on 18 February 2007, the South African facilitator accompanied 17 members of the movement to Burundi to participate in the work of the JVMM. The following day the facilitator chaired the body's first meeting, which was attended in addition by representatives from the GOB, the regional technical team, the AU and BINUB. The JVMM members agreed on priorities, namely the identification of suitable assembly areas for PALIPEHUTU–FNL combatants and the establishment of a joint liaison team to address the issue of political and war prisoners.

The work of the JVMM was disrupted on 22 February when government accused PALIPEHUTU–FNL of violating the ceasefire agreement in an incident in Bujumbura that led to the death of two BNP officers. On 27 March the JVMM suspended its activities following preconditions put forward by PALIPEHUTU–FNL. These included the negotiation of a forces technical agreement and the disengagement of BNDF from provinces where its combatants were to assemble. The movement also requested that the modalities of its inclusion in national institutions be discussed before the commencement of disarmament and the demobilisation of its combatants.⁵

Ending the stalemate in the peace process

On 22 and 23 February 2008, the South African facilitator convened a meeting in Cape Town of regional and international bilateral and multilateral stakeholders to discuss the Burundi peace process. The meeting agreed on a common approach to support the conclusion of the peace process on the basis of a roadmap of sequenced steps, entitled the Programme of Action to Take Further the Peace Process in Burundi. A Group of Special Envoys for Burundi

was also established to support the work of the facilitation group, as was a Political Directorate (PD), which comprises representatives of the countries involved in the process. These are the chairperson of the Regional Initiative from Uganda, the deputy chair from Tanzania and a representative from South Africa as the facilitation country. The representatives of these countries based in Burundi are part of the PD. The Regional Initiative's international partners also participate. The EU is a member, with France as the EU's leading representative. Also involved are those people who are responsible for matters relevant to the armed combatants, in other words the military aspects of the programme who deal with the JVMM.

The Programme of Action, comprising two phases, envisaged the implementation of the Comprehensive Ceasefire Agreement and the conclusion of the peace process by the end of 2008. The first phase entailed the conclusion of the disarmament and demobilisation process following the return of the PALIPEHUTU–FNL to the JVMM by 1 April 2008 and the return of its leadership to Burundi by 1 May 2008. The second phase envisaged the integration of PALIPEHUTU–FNL members into national institutions, as well as socio-economic reintegration at community level. This process would be monitored by the PD. The Programme of Action was endorsed by the GOB late in February and by the PALIPEHUTU–FNL on 1 March. PALIPEHUTU–FNL's leader, Agathon Rwaswa, thereby agreed to return to Bujumbura by 1 May.

Despite these positive developments, PALIPEHUTU–FNL did not return to the JVMM on 1 April 2008. Its leadership argued that the existing legal framework, which granted its members provisional immunity, was insufficient and demanded that a new law be adopted by parliament as a precondition for its return. A law on provisional immunity for the signatories of the Comprehensive Ceasefire Agreement had been adopted by the National Assembly in November 2006 and was followed by a presidential decree in December 2006 that named the PALIPEHUTU–FNL as the beneficiary of the law. Public assurances given by the president on 11 March 2008 and at meetings with the PD to the effect that the law and the decree were still valid did not convince PALIPEHUTU–FNL.

However, on 6 May 2008, in a letter to the Tanzanian Foreign Minister, PALIPEHUTU–FNL indicated its intention to return to the JVMM and the PD 'within the specified time frames'. PALIPEHUTU–FNL requested protection by Tanzanian troops of the AU Special Task Force upon its return to Burundi.

The return of Agathon Rwasa

On 26 May the GOB and PALIPEHUTU–FNL signed a ceasefire agreement that made provision for an immediate end to all fighting. This came as a surprise to other actors because ongoing fighting between the BNUF and the rebel movement since April 2008 had killed more than a hundred people and displaced thousands. This was not the end of the good news, however. The work of the South African facilitator, Minister Charles Nqakula, the AU's special representative in Burundi, Ambassador Mamadou Bah, and the head of the BINUB, resulted in the return of Agathon Rwasa from exile in Tanzania four days after the signing of the ceasefire. Within days Nqakula invited the Group of Special Envoys on Burundi, the delegations of PALIPEHUTU–FNL and the GOB to meet in Magaliesburg, South Africa, from 9 to 10 June. Rwasa headed the PALIPEHUTU–FNL delegation, while Major-General Evariste Ndayishimiye headed the GOB delegation.

At the meeting, the GOB and the movement committed themselves to the following:

- To renounce violence and to resolve all their differences by dialogue
- To fully respect the timelines outlined in the Revised Programme of Action to Take Further the Burundi Peace Process, including the implementation of the agreements signed in 2006
- To address simultaneously all the outstanding political issues, including the political accommodation of PALIPEHUTU–FNL in national institutions, as well as the integration of its combatants in the security and defence forces
- To undertake specific initiatives to sensitise the national institutions, PALIPEHUTU–FNL members and the population about the on-going peace process
- To refrain from any inflammatory actions or declarations
- To find, at the earliest opportunity, a mutually acceptable solution to the question of the registration and naming of PALIPEHUTU–FNL as a political party
- To spare no effort in completing all the steps outlined in the JVMM Programme of Action and the Joint Operations Plan (JOP), including the demarcation and establishment of assembly areas

- To ensure that resolution of these issues would not be used in any way as a precondition for implementing the JVMM Programme of Action and the JOP
- To abstain from all actions that might be perceived as fresh recruiting drives, particularly among children

Specifically, the GOB committed itself to the following:

- Within the framework of the constitution of Burundi, to demonstrate the necessary flexibility to address all issues that could hamper the full implementation of agreements reached
- Once the PALIPEHUTU–FNL combatants had been assembled, to accommodate and integrate the movement’s members in the national institutions in accordance with agreements reached between the parties

In turn, PALIPEHUTU–FNL committed itself to the following:

- To engage in the immediate implementation of the Comprehensive Ceasefire Agreement in good faith

The Group of Special Envoys on Burundi undertook to continue to support the facilitation efforts and the PD, and committed themselves to the following:

- To continue mobilising the international community to provide financial support for the facilitation and peace process, including interceding with donors on the provision of humanitarian assistance until the conclusion of the DDR process
- To support the transformation of PALIPEHUTU–FNL into a political party, including the provision of training for its cadres
- To pay special attention to the reintegration aspects of the DDR process of PALIPEHUTU–FNL combatants
- To promote security sector reform efforts for the integration of PALIPEHUTU–FNL members into the national security forces
- To consider ways of providing financial support to the GOB to address the pressures caused by the rising prices of food and fuel

A revised calendar for the implementation of the peace process was also accepted. The calendar made provision for the following activities:

- June 2008
 - A team of representatives from the GOB and PALIPEHUTU–FNL to start assessing the position of political and war prisoners
 - To start the demobilisation process of PALIPEHUTU–FNL combatants and their reintegration into communities under the auspices of the UN and the AU
 - The PD to start discussions on the inclusion of PALIPEHUTU–FNL in the institutions of state and the transformation of the movement into a political party
 - Political and war prisoners to be set free
 - PALIPEHUTU–FNL combatants to be moved from assembly areas to DDR sites
 - The Group of Special Envoys to meet to evaluate the implementation of the peace process
- July 2008
 - Transformation of PALIPEHUTU–FNL into a political party and participation by its members in the political, economic and social sphere
 - Completion of the integration of PALIPEHUTU–FNL in the institutions of the state
- August to December 2008
 - The PD to report on demobilisation and reintegration of PALIPEHUTU–FNL combatants into the social and economic environment

The facilitator also announced that the JVMM had on 2 June 2008 adopted a Joint Operational Plan that would guide it during the process of disarmament, demobilisation, reintegration and rehabilitation.⁶

Not the end yet

Following the return of Rwaswa and the leadership of the PALIPEHUTU–FNL, progress was slow. The Ngozi Declaration of 29 August 2008, signed in Burundi, recommended that the PD assists parties in reaching a common ground as far as the registration of the PALIPEHUTU–FNL and its integration into national

life are concerned. It also defined how the two parties would pick up on issues relevant to the process, particularly as defined in the Comprehensive Ceasefire Agreement. Even though the Regional Leadership had been mandated to finalise the process by the end of December 2008, major matters were still outstanding at that time, in particular issues of a political nature.

In the first place the PALIPHEHUTU–FNL used a name that was seen as militating against the letter and spirit of the constitution. *Paliphehutu* means ‘for the Hutu alone’, denoting a struggle of the Hutus against Burundi’s other population groups. In terms of Burundi’s constitution, the usage of any term that may hurt or injure other Burundians on the basis of tribalism is unconstitutional. This issue loomed very large since PALIPHEHUTU–FNL insisted on continuing the use of that name.⁷

Another issue of concern to PALIPHEHUTU–FNL was its registration as a political party, but this was dependent on the resolution of the name issue. Participation in the political process also meant that space had to be created for participation in the socio-economic life of the country. There were difficulties with this as well since PALIPHEHUTU–FNL did not have any representatives in parliament and could therefore have no impact on policy and decision-making. The resolution of these issues required political will on the part of both parties.

Participation in the political process also meant the inclusion of members of PALIPHEHUTU–FNL in decision-making processes. Resolution of this matter related to the constitution: in order for the movement to participate in national structures, it should participate in elections. However, it had returned to Burundi as part of a negotiated process and space therefore had to be made for its reintegration in society and political life.

This point also related to its involvement in parliament. PALIPHEHUTU–FNL wanted to have a presence in parliament, which it defined as observing the parliamentary processes. If one wanted to be an observer in parliament one went into the gallery and observed the process. But this is not how PALIPHEHUTU–FNL defined what it wanted: it wanted to gain experience relevant to the operation of parliament.⁸

The resolution of these issues would result in rapid progress in other areas. However, non-resolution militated against the speedy gathering of combatants in the assembly areas and finalisation of the DDR programme. PALIPHEHUTU–FNL’s announcement on 9 January 2009 that it would drop the word ‘PALIPHEHUTU’ from its name was therefore excellent news.

The end of the peace process

On 18 April 2009 a ceremony to mark the beginning of the demobilisation of thousands of PALIPEHUTU–FNL combatants took place in Rubira in the eastern province of Bubanza. Rwasa handed in his AK-47 and military uniform, and stated: ‘My demobilisation officially means the end of the war in Burundi. It is a sign that the country’s peace process is progressing.’ The movement had already announced that it was in the process of registering as a political party.

The Burundi facilitation led by South Africa’s Minister of Defence, Charles Nqakula, played a key part in finalising the peace process. After a meeting on 13 and 14 March 2009 in Burundi with Burundi’s president, PALIPEHUTU–FNL leaders, the PD and the donor community, Nqakula put in place a High-level Task Team comprising Major General Derrick Mgwebi of South Africa, Major General Evariste Ndayishimiye of the GOB and Jonas Nshimirimana of PALIPEHUTU–FNL. The team was tasked to complete the process of disarming, assembling and verifying PALIPEHUTU–FNL combatants for either integration or demobilisation. It met on 16 March to set its goals and objectives, and worked closely with Jeroboam Nzikoanyanka, chairperson of the Technical Coordination Team of the National Commission for DDR (TCT), BINUB, UNICEF, the PALIPEHUTU–FNL leadership and the PD. On 1 April the facilitator visited the Rubira Assembly Area and the Gitega Demobilisation Centre (DC).⁹

During a meeting between all the role players in Pretoria a week later, a declaration issued on the way forward determined the following actions and deadlines:¹⁰

- Within three days PALIPEHUTU–FNL would have to assemble its remaining combatants and surrender all weapons to the AU Special Task Force. Combatants were to be separated into the following groups:
 - 3 500 to be integrated into the BNDF and BNP
 - 5 000 to be demobilised
 - Up to 10 000 who did not fit into either of the above groups, but who could be considered ‘adult associated’
 - Up to 1 000 women who were not on the list, but could be considered ‘women associated’
- The GOB agreed to attend to the following:

- To take responsibility for children that had been separated from PALIPEHUTU–FNL in the Gitega Demobilisation Centre
- To rapidly convert the Rubira and Randa sites into demobilisation centres, leaving Gitega open for processing children
- To register PALIPEHUTU–FNL as a political party immediately upon confirmation that the movement had been demobilised
- To initiate the integration of 3 500 combatants into the BNDF and BPF
- To train 390 combatants for the interim Joint Protection Unit for PALIPEHUTU–FNL leadership
- To demobilise 5 000 combatants into civil society with the support of the international community
- To release the remaining PALIPEHUTU–FNL combatants from prison

DISARMAMENT, DEMOBILISATION AND REINTEGRATION

Initially, 27 300 PALIPEHUTU–FNL elements were thought to have to go through the DDR process. Among these were 21 100 reported PALIPEHUTU–FNL rebels, a figure that was considered suspicious. Some 2 155 elements were assembled in the Rugazi assembly area under the protection of the AU Special Task Force together with 4 300 security service elements who were to be demobilised and reinserted into civilian life. A decision was taken to include in the DDR programme 3 321 alleged PALIPEHUTU–FNL dissidents who were initially encamped in Bubanza Province under the protection of the BNDF.

The Bujumbura Declaration, a action plan to complete the DDR process of the PALIPEHUTU–FNL combatants, stated that the DDR process would commence no later than 30 January 2009 and that the GOB would commit to staffing a new DDR structure by that date. The DDR of PALIPEHUTU–FNL combatants was to take place under rather unusual conditions in that Burundi no longer hosted a peacekeeping mission, which would ordinarily have assisted with this task. ONUB had been withdrawn at the end of 2006 and replaced by BINUB, which incorporated a unit on Security Sector Reform that focused on DDR and the AU Special Task Force that mainly consisting of South African National Defence Force (SANDF) personnel. Its deployment was extended to 8 August 2009.

The World Bank multi-country demobilisation and reintegration programme had confirmed that the regional programme would end on 31 December 2008,

which resulted in the termination of the funding mechanism for the Burundian demobilisation programme. However, the bank did make available a further \$10 million by April 2009 through a World Bank International Development Association loan to a new trust fund mechanism created specifically for Burundi. On 16 June the World Bank also approved a \$15 million grant to the GOB to support the demobilisation of elements falling not only under the Comprehensive Ceasefire Agreement, but also outside the agreement.

While the GOB continued its dialogue with its partners on this new mechanism, it was restructuring its national agency and re-evaluating its national demobilisation and reintegration programme. Working with the World Bank and the UN Development Programme (UNDP), BINUB supported the GOB in developing a new national strategy for DDR, which addressed not only the demobilisation and reintegration of the PALIPEHUTU–FNL combatants, but also sustainable community-based reintegration of all demobilised combatants. It also addressed certain linkages between DDR and security sector reform.

One of the difficulties at this time was a lack of resources to prepare assembly areas and demobilisation centres, as well as a reluctance by PALIPEHUTU–FNL to send selected combatants to assembly areas. There was also confusion about the numbers and names of PALIPEHUTU–FNL combatants to be taken through the DDR process. Although various lists had been submitted, the movement delayed in the submission of a final certified list.

Consultations with both parties in the middle of March led to the establishment of a Special Task Team (STT) to move the process forward. The STT was to work closely with the TCT, BINUB and other relevant stakeholders. The April meeting of the PD in Pretoria dealt with the last outstanding issues. Regarding DDR, it was decided that 5 000 combatants were to be demobilised and 11 000 so-called militant combatants (also referred to as ‘adults associated’), including 1 000 women, were to receive allowances.¹¹

Because of the consensual approach taken by the facilitating team, the DDR process unfolded speedily from this point onwards. Various stakeholders, among others the World Bank, BINUB and the facilitating team, collaborated on the implementation of the process, which was split into the following parts:

- Assembly, disarmament and verification under the leadership of the JVMM, with support by the facilitation team, the AU, the GOB and BINUB

- Demobilisation and reintegration led by the TCT, with support from the World Bank

In addition, a strategy for the long-term socio-economic integration of former combatants, including those previously demobilised, was to be developed by the GOB with support from the UNDP and other relevant stakeholders.¹²

Initial concerns regarding the group of 11 000 ‘adults associated’ were resolved at the beginning of July when the PD issued a communiqué to explain the process put in place to deal with this group. The ‘adults associated’ were noted to be ‘those individuals on the FNL certified combatant list who could not be integrated into security and defence forces, or be demobilised under the national Transitional Demobilisation and Reintegration Project’. The process for this group consisted of verification and registration of beneficiaries in a national database, the provision of identification cards and return kits, the payment of 50 000 Burundian francs in return assistance, and transport to their communities of origin.¹³

On 10 August the GOB announced the official end of the DDR programme, citing 16 948 persons as the total number of ‘demobilised FNL’. Approximately 1 500 combatants of the PALIPEHUTU–FNL dissident group were demobilised as well. The Technical Coordination Team successfully processed 4 950 PALIPEHUTU–FNL ex-combatants and 1 556 dissidents at the Gitega DC. The last assembly area and the Gitega DC were officially closed on 10 and 15 August respectively. The process to assist some 11 000 ‘adults associated’ continued in the pre-assembly areas with the support of BINUB and UNDP and was financed by a \$2 million emergency fund. The first phase of the process was completed on 19 August when a total of 9 138 men and 1 048 women had been issued with return kits and the first instalment of return assistance, and were transported to their home communities.¹⁴ The status of an unknown number of PALIPEHUTU–FNL combatants based in the Democratic Republic of Congo (DRC) remained unclear.

INTEGRATION INTO STATE SECURITY STRUCTURES

The number of PALIPEHUTU–FNL combatants to be integrated into Burundi’s defence and security services was the final and arguably most difficult issue to be resolved because of complexities surrounding the BNDF. The

ethnic composition of the army had always been a major point of contention for PALIPEHUTU–FNL. For the sake of brevity we will not go into the historical reasons, except to note the role played by the mostly Tutsi-led BDNF in the waves of violence that gripped the country. It is for these reasons that the Arusha agreement and Burundi’s constitution stated that the country’s armed forces were not to be comprised of more than 50 per cent of one ethnic group.¹⁵

Following the integration of combatants of various rebel movements, especially those from the CNDD–FDD, the BDNF was said to have been closer to achieving this requirement.¹⁶ Under pressure from donors to achieve a compliment deemed adequate to make up an army for a country the size of Burundi, the BDNF had to undergo a general ‘rightsizing’ process, resulting in many soldiers being taken through a DDR process as well.¹⁷ Integration of additional combatants into the BDNF would not only have increased the army’s size, but would also have upset the ethnic balance, given the fact that PALIPEHUTU–FNL was comprised mostly of Hutus.¹⁸

At the April 2009 PD meeting it was decided that 3 500 PALIPEHUTU–FNL combatants would be integrated into the national security services. The integration, which included some training, commenced soon thereafter. Approximately 2 100 elements joined the BDNF and about 1 400 the BNP. As is often the case in such a process, many of the combatants integrated into the BDNF expressed their discontent with the ranks given to them. However, the protests soon died down, probably because of the realisation of the fate of demobilised combatants, who were now unemployed.¹⁹

ESTABLISHMENT AS A POLITICAL PARTY AND INTEGRATION INTO GOVERNMENT STRUCTURES

In accordance with the Bujumbura Declaration, PALIPEHUTU–FNL filed a request for registration as a political party on 30 January 2009. However, the GOB then indicated that it could not agree to the movement being registered as a political party and refused to provide a list of positions members could fill in various government departments, citing a lack of consultation as the principal reason.²⁰

At the April meeting of the PD it was decided that the completion of the DDR process would not be a condition for the registration of PALIPEHUTU–FNL as a political party. The facilitation team committed to notifying the GOB once

the movement had commenced the DDR process. Accordingly, following the official commencement of the DDR process on 18 April, the Forces Nationales de Libération (FNL) was registered as the 42nd political party in Burundi, even though one other condition for its registration, namely total demobilisation, had not yet been met. At the beginning of June, senior members of the FNL took up positions in the GOB. Rwasa was appointed head of the National Social Security Institute (INSS) and other positions ranged from military advisor in the presidency to a senior management function in the National Tea Company. Pasteur Habimana, the party's spokesman, was offered a position in the country's mission to India, but elected to join the National Intelligence Service as an operative.²¹

Transformation from a rebel movement to political party involves more than being registered, taking up of positions in government and having its members disarmed and/or demobilised. The FNL in particular, which has been responsible for the longest-running rebellion known to Burundi, is likely to face considerable challenges in making the shift from military to political thinking. Its long-standing demand for a representative army has become irrelevant to a large extent and it will have to come up with other election issues for a solid campaigning programme. This, as well as the question of intra-party democracy, is a challenge that other Burundian parties have also had to struggle with.

Despite these challenges, one would have expected that the upcoming election would result in some unity developing in the party to ensure that the FNL survives the many changes it has been subjected to in a short space of time, more so as it has the potential, according to analysts, of winning a considerable number of votes. However, towards September it became clear that the party was suffering increasingly from divisions among its leaders. These became more apparent when a number of members expelled from the party organised a special congress in Bujumbura in October. It was reported that the Minister of the Interior provided special authorisation to the Kenese faction for the congress to be held. At the congress, the 400 or so participants voted in favour of ousting Rwasa as head of the FNL.

In the context of restrictions placed on the activities of political parties in Burundi, this event increased suspicion that the ruling party was attempting to divide its arguably biggest competition. Following a period of speculation about whether the Minister of the Interior would indeed recognise the new FNL leadership, in mid-October he publicly stated that Rwasa was still considered

the head of the FNL. Speculation concerning the ruling party's support for the Kenese faction nevertheless continued. For his part, Rwsa raised concerns about the motives of his opponents who wanted 'to throw Burundi back to violence and insecurity' and cautioned against 'fresh unrest'. Needless to say, a divided and recently disarmed FNL is likely to exacerbate tensions in Burundi's pre-electoral phase.²²

THE WAY FORWARD

With the objective of monitoring the consolidation of the peace process between the GOB and FNL, the PD created the Partnership for Peace in Burundi (PPB) during its April 2009 meeting. The PPB is composed of representatives of the PD, BINUB and the International Conference for the Great Lakes Region (IC/GLR). Besides ensuring that the protracted peace process is brought to a successful closure, the PPB will aim to promote sustainable peace in the country and 'contribute to an enabling environment for the period leading up to the elections'.

NOTES

- 1 Security Council Update, Burundi, No. 3, 23 October 2006.
- 2 Ibid.
- 3 First report of the Secretary-General on the UN Integrated Office in Burundi, 17 May 2007.
- 4 Ibid.
- 5 Ibid.
- 6 First report of the Secretary-General on BINUB, 2007.
- 7 *ISS Today*, The return of Agathon Rwsa could signal permanent peace in Burundi, 23 June 2009, http://www.issafrika.org/index.php?link_id=5&link_type=12&tmpl_id=3 (accessed 17 August 2009).
- 8 Briefing to the media by the Director-General International Relations and Co-operation of the Republic of South Africa, Dr Ayanda Ntsaluba, in Pretoria on the Burundi Peace Process, 14 October 2008, <http://www.dfa.gov.za/docs/speeches/2008/ntsa1015.html> (accessed 18 October 2008).
- 9 Ibid.
- 10 Press release of the High-Level Task Team, Bujumbura, 17 April 2009.

- 11 Declaration of the Political Directorate of the Burundi Peace Process, Pretoria, 8 April 2009.
- 12 Henri Boshoff, *ISS Today*, The end of the Burundian peace process, 6 May 2009, http://www.is-safrica.org/index.php?link_id=5&mlink_id=7643&link_type=12&mlink_type=12&tmpl_id=3 (accessed 6 May 2009).
- 13 UN Secretary-General, Fifth Report on BINUB, 22 May 2009.
- 14 Political Directorate, communiqué on the processing of adults associated with the FNL, 9 July 2009, <http://binub.turrettev.com/en/images/articles/DP97E.pdf> (accessed 14 September 2009).
- 15 UN Secretary-General, Sixth Report on BINUB, 30 June 2009.
- 16 See Protocol II, article 11(d) of the Arusha agreement and article 257 of the Constitution of Burundi.
- 17 In a statement by Niyombare it was indicated that, according to a recent census, the required ethnic balance in the army had not yet been achieved exactly. He confirmed that achievement of this balance remained the ultimate objective. ABP, Le chef d'état – major général de la FDN révèle sa feuille de route, 15 June 2009. http://www.abarundi.org/v2/modules.php?na_me=News&file=article&sid=594 (accessed 6 July 2009). Niyombare's position as Chief of Staff is in itself a noteworthy development. In April 2009 the Senate approved President Nkurunziza's nomination of Niyombare for this position. Niyombare is a Hutu, who previously served as Deputy Chief of Staff under General Samuel Gahiro, a Tutsi. This is the first time that a Hutu has been appointed army Chief of Staff. AFP, Burundi appoints a Hutu as military chief for the first time, 16 April 2009, http://www.newssafety.org/index.php?option=com_content&view=article&id=12838:burundi-appoints-an-hutu-as-military-chief-for-firsttime&catid=436:burundi-security&Itemid=100200 (accessed 6 July 2009).
- 18 In mid-June 2009, the BNDF's Chief of Staff, General Godefroid Niyombare indicated that following the integration of Palipehutu–FNL combatants, the number of soldiers in the BNDF was approaching 29 000. He noted that, in collaboration with the international community, the next phase of rightsizing would see the number reduce to 25 000. ABP, Le chef d'état – major général de la FDN révèle sa feuille de route, 15 June 2009. Although donors initially insisted on an army of not more than 25 000, they appear to have accepted the additional compliment of 4 000 for now, most likely because proceeding with the rightsizing process shortly before the 2010 elections could increase security difficulties. Pers. int. with independent analysts, Bujumbura, June 2009.
- 19 Since the exact ethnic balance of the country's security forces is unknown, some argue that the additional PALIPEHUTU–FNL combatants integrated into the army and police forces did not necessarily upset the balance as there may have been a 'surplus' of Tutsi in the security forces at the time. Pers. int. with independent analysts, Bujumbura, June 2009.
- 20 UN Secretary General, Fifth Report on BINUB, 2.

- 21 Jamila El Abdellaoui, Another crossroad for Burundi: From the FNL to peaceful elections in 2010, Institute for Security Studies, Situation Report, 19 November 2009.
- 22 Ibid.
- 23 Ibid.



This monograph focuses on the role peacekeeping missions played in the Burundi peace process and in ensuring that agreements signed by parties to the conflict were adhered to and implemented.

An AU peace mission followed by a UN mission replaced the initial SA Protection Force. Because of the non-completion of the peace process and the return of the PALIPEHUTU-FNL to Burundi, the UN Security Council approved the redeployment of an AU mission to oversee the completion of the demobilisation of these rebel forces by December 2008.

On 18 April 2009, at a ceremony to mark the beginning of the demobilisation of thousands of PALIPEHUTU-FNL combatants, Agathon Rwasa, leader of PALIPEHUTU-FNL, gave up his AK-47 and military uniform. He said, "My demobilisation officially means the end of the war in Burundi; it is a sign that the country's peace process is progressing."

On 22 April, when the chairperson of the Joint Verification and Monitoring Mechanism confirmed that the FNL had handed in its weapons, the FNL was registered as a political party. This technically ended the peace process in Burundi.

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