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**BURUNDI: THE PEACE ACCORDS -  
IMPACT AND PROSPECTS**

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## 1 Introduction

The situation in Burundi in the first half of 2002 could be described as an uncomfortable marriage between war and peace. In August 2000, 19 domestic parties relevant to the conflict, including the government, signed the "Agreement on Peace and Reconciliation" in Arusha, Tanzania - a peace accord that came to be known as the Arusha Agreement - aimed at establishing power-sharing between Hutus and Tutsis in Burundi. By the end of the first half of 2002, some significant steps towards implementation of the accords had been taken. A transitional government was installed on 1 November 2001, beginning a three year transition period which is supposed to end in free presidential and parliamentary elections. At the same time, there is still a war going on in Burundi. The two major Hutu armed rebel groups - Forces pour la défense de la démocratie (FDD - Forces for the Defence of Democracy) and Forces nationales pour la libération (FNL - National Liberation Forces), who did not sign the Arusha Agreement, have continued their attacks on government forces. Human rights violations, allegedly affecting both sides, are still being reported.

This ambivalent character of the course of events in Burundi was reflected in the situation concerning refugees and internally displaced persons (IDPs). On the one hand, humanitarian workers were making plans in the early months of 2002 to accommodate the return of some of the 600,000 Burundian refugees in Tanzania, after thousands of them had indicated they wanted to return, apparently assuming the situation in their home region had by then stabilized. At the same time, clashes between rebel and government forces prompted new refugee flows and displacements, mostly within Burundi's borders.

Given the long history of the conflict and the complex power relations between the two antagonistic groups,<sup>1</sup> most analysts seem to feel that it is safest to predict that this double track of developments will continue: moves toward repatriation of refugees and return of displaced persons, coinciding with new involuntary migrations occurring over the next three years or so. Humanitarian and relief workers may, therefore, continue to be engaged in operations connected to post-conflict refugee repatriation as well as in activities related to new, mid-conflict refugee flows.

While acknowledging that the Arusha Agreement of August 2000 is an achievement within the Burundian context, most analysts express doubts about the chances of its full implementation. They say that the prospects for peace remain bleak, as long as there is no cease-fire between government forces and the rebels. They also say that there is reason to doubt whether the political elite of Burundi is currently genuinely committed to making deals about power sharing and making peace.

## 2 The Main Actors

Both political and military alignments in Burundi are fragmentary and often fragile. Not only is the number of political parties comparatively high for such a small country - the Arusha Agreements were signed by 19 parties - the parties are suffering from internal turmoil and secessions as well.

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<sup>1</sup> For overall accounts of the history and complexities of the Burundi conflict, including the intricacies of its ethnic aspects, see, Lemarchand, R., *Burundi: Ethnic Conflict and Genocide*, Washington DC: Woodrow Wilson Centre Press, 1996; Reyntjens, F., *L'Afrique des Grands Lacs en Crise: Rwanda, Burundi, 1988-1994*, Paris: Karthala, 1994

## 2.1 Burundi Political Parties and Rebel Movements

The following are the main actors engaged in the Burundi crisis and the peace process:

### *Tutsi parties:*

**Uprona (Union Pour le Progrès National)** is the major Tutsi-dominated party, established in 1961. The party of President Pierre Buyoya, it used to be the only political party allowed, until the introduction of a multiparty system in Burundi in the early 1990s. Uprona currently consists of two major factions. One is the faction led by Charles Mukasi, himself a Hutu but a long-time Uprona official, which is very critical of the peace process and generally opposes Buyoya's policy. The other faction, led by Luc Rukingama, is pro-Buyoya.

**Parena (Parti pour la Rénovation Nationale)** is one of the radical Tutsi parties most reluctant to make compromises on power sharing with the Hutu majority. Its leader is Jean-Baptiste Bagaza, a cousin of Buyoya, and a former president of Burundi, from 1976 to 1987, after he ousted his predecessor in a coup d'état.

The other predominantly Tutsi parties are the **Parti pour la Réconciliation du Peuple (PRP)**, **Alliance de Vaillants-Intwari** (Alliance of the Brave, **AV-Intwari**), **Alliance Burundo-Africaine pour le Salut (ABASA)**, **Parti pour la Socio-Démocratie (PSD)**, **INKINZO** ("The Shield"), **Alliance pour le Droit et le Développement Economique (ANADDE)** and the **Parti Indépendant pour les Travailleurs (PIT)**.

### *Hutu parties:*

**Frodebu (Front pour la Démocratie au Burundi)** is the major Hutu opposition party. It is divided among several factions; some observers count up to five. Most prominent is the faction led by Jean Minani, leader of the faction that also delivered transitional vice-president Domitien Ndayizeye. Minani, who is speaker of the transitional National Assembly, spent five years in exile in Tanzania before returning to Burundi in November 2001. Frodebu won an absolute majority in parliamentary elections in 1993. The three Hutu presidents who governed Burundi from 1993 to 1996 were all from the Frodebu party: Melchior Ndadaye, who was assassinated by the military in October 1993, Cyprien Ntaryamira, who was killed in the same plane crash that killed Rwandan President Habyarimana in 1994, and Sylvestre Ntibantunganya, the president who was ousted in July 1996 by Pierre Buyoya.

The **Conseil National pour la Défense de la Démocratie (CNDD)** is the political wing of the rebel movement FDD, seceded from Frodebu in 1994. The CNDD is led by Léonard Nyangoma and signed the Arusha Agreements. The party is represented in the transitional government at ministerial level. However, the CNDD seems to be internally split. Nyangoma's rival Festus Ntanyungu, who also claims to speak for the CNDD has said he favoured stepping up military attacks after the signing of the Arusha Agreements.

The **Force pour la Défense de la Démocratie (FDD)**, just as its political counterpart the CNDD, has been sending out ambivalent messages, indicating the movement is not always internally unified. Its then leader Jean-Bosco Ndayikengurukiye indicated, in 2001, that he was willing to sign a cease-fire with the Burundi government, but other officers from the rebel army denied this and in October 2001 said they had ousted Ndayikengurukiye. In the spring of 2002, Pierre Nkurunziza, a rival of Ndayikengurukiye, claimed to be in control over most of the FDD. Since this time, the FDD has been considered to be split into two wings: one led by Nkurunziza and one led by Ndayikengurukiye. Nkurunziza initially resisted diplomatic efforts, led by Tanzania, to come to the negotiating table for cease-fire talks, but

his faction participated in a round of cease-fire talks in South Africa. These talks were deadlocked in May 2002.<sup>2</sup>

The **Parti pour la Libération de Peuple Hutu (Palipehutu)** is one of the oldest Hutu parties, established in the early 1980s. It has the reputation of taking a hard and radical stance, rejecting compromises aimed at allowing a degree of over-representation of the Tutsi community in the army and civil service. Palipehutu, led by Etienne Karatasi, favours Hutu majority rule without too many precautions to guarantee the Tutsis' safety. Palipehutu is linked to the **Forces Nationales pour la Libération (FNL)**, as its armed wing. It is most active in and around the capital of Bujumbura.

**Front National pour la Libération (Frolina)** is a small Hutu party led by Joseph Karumba. Other small predominantly Hutu parties are the **Parti du Peuple (PP)**, **Rassemblement pour le Peuple du Burundi (RPB)** and the **Parti Libéral (PL)**.

## 2.2 Regional Actors with Impact on Burundi Developments

Uganda, Rwanda, the Democratic Republic of Congo (DRC), Tanzania and South Africa are the major partners in the so called Regional Initiative for Burundi, a framework to support the peace process which led to the Arusha Agreement.

President Buyoya has repeatedly accused Tanzania of supporting Burundi rebels by allowing, or condoning, their presence on Tanzanian soil. Tension between Burundi and Tanzania came to a climax in 1997, when the Burundian government indicated it might take military steps against its eastern neighbour. Tanzania is seen as continually seeking a balance between its alleged pro-Hutu convictions on the one hand and the need to avoid confrontation with the Tutsi-led government in Bujumbura on the other. Its President, Benjamin Mkapa, is said by some observers, such as the International Crisis Group, to be the regional politician most hostile to Burundian President Buyoya. Tanzania was urging Burundi's Hutu rebel movement to enter negotiations on a cease fire directly with the Burundi army.

Developments in the DRC have to a large extent contributed to the shape and direction of the Burundi conflict. Kinshasa was reported to support Hutu rebels staging attacks in Burundi from eastern DRC territory. This support significantly diminished after rebels supported by Rwanda and Uganda took control over eastern DRC and Kinshasa entered the Lusaka peace process. The breakdown in the spring of 2002 of the DRC peace negotiations in Sun City, South Africa, led to fears of a detrimental effect on the peace process in Burundi and increased likelihood of renewed support from Kinshasa for the FDD rebels in Burundi.

Both Uganda and Rwanda have shown support for the Burundi peace process and the Arusha Agreement. Ugandan President Yoweri Museveni co-signed the additional accord of 23 July 2001, which opened the way towards installation of the transitional government in Bujumbura. Rwanda's policy toward Burundi is to a large extent based on the direct security interests it has in its neighbouring country. Preventing further destabilization of Burundi is perceived to be a vital interest for Rwanda. The country is also involved on a more direct level in the Burundi conflict, with members of the former Hutu-led Rwandan army, who

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<sup>2</sup> Piecemeal: Nelson Mandela's Plan Annoys Almost Everyone but There's No Alternative in Sight, *Africa Confidential*, Vol. 42, No. 21, 26 October 2001, p 7; Agence France Presse, Burundi Ceasefire Talks Deadlocked, Fighting Continues, 28 June 2002

allegedly played a role in the Rwandan genocide of 1994, fighting alongside Burundi rebels. Rwanda reportedly deployed troops in Burundi to help fight these rebels in 2001 and 2002.<sup>3</sup>

South Africa has not only provided a prominent mediator in Nelson Mandela, it also deployed a protection force in Burundi during the current transition period starting in November 2001. South Africa's model of democratization has been mentioned several times by mediators and actors in Burundi as a model for Burundi, like South Africa seeking to create a stable balance between a powerful minority and a large but (formerly) oppressed majority.

### **3 The Arusha Agreement and Its Aftermath**

#### **3.1 Background**

The Burundi conflict is generally understood to have its roots in the division between the Hutu majority, representing about 85% of Burundi's total of 6.6 million people, and the Tutsi minority, which represents 14% of the population but has dominated the political, military and economic realms since national independence from Belgium in 1962. The remaining 1% consists of the so called Twa, called Pygmies in colonial days, who play only a minor role in the conflict and the political efforts to stop it.

Burundi's post colonial history is tainted by violent eruptions. The ethnic clashes have been fuelled by a continuing power struggle between Hutu and Tutsi political elites who are trying to secure access to scarce economic resources through control of state power. Conflict among factions within the two ethnic groups is also vehement. Major massacres took place in 1965, 1972 (100,000-200,000 people killed), 1988 and 1993.

The violent ethnic confrontation and mutual killings of 1993 can be seen as the starting point of the current phase in Burundi's civil war. In response to the installation of a Hutu majority government, brought to power by the first democratic elections earlier that year, elements in the Tutsi-led army staged an attempted coup d'état in October 1993. Their attempt failed, but they did kill the democratically elected Hutu president, Melchior Ndadaye, and many other senior Hutu members of government. The events triggered ethnic massacres of Tutsis by Hutus in revenge, while the Tutsi army killed many Hutus in retaliation. At least 100,000 people were killed, among them many children and elderly, often slaughtered in an extremely brutal fashion. After October 1993 minor ethnic clashes continued to occur, killing dozens of people every week. Since the late 1990s, "spontaneous" outbursts of mutual ethnic violence have decreased. Most killings and human rights violations have since been perpetrated by the government forces and rebel groups.

#### **3.2 How the Arusha Agreement Came About and What It Entails**

Amidst the simmering violence and step-by-step genocide that has characterized developments in Burundi since 1993, a large number of efforts to stop the violence and to mediate peace have been made. The United Nations and the European Union appointed special envoys who sought to bring the parties to the negotiating table. The Organization of African Unity (OAU) sent an observer mission to Burundi in 1994 with the task of trying to reduce tension by monitoring, among other things, the conduct of the national army. UN

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<sup>3</sup> International Crisis Group, *Après six mois de transition au Burundi: Poursuivre la guerre ou gagner la paix?*, Nairobi; Brussels, 24 May 2002, p 23

special envoy Ahmedou Ould-Abdallah, a former minister and ambassador from Mauritania, brokered a political accord in September 1994, which became known as the Convention of Government (*Convention du gouvernement*).<sup>4</sup> This accord contained an outline of a new concept of power sharing between the Tutsi-led Uprona party and Frodebu, the party associated with the country's Hutu majority. It did not materialize and was finally eliminated by the bloodless coup d'état that brought President Pierre Buyoya, a Tutsi and a major in the Burundi armed forces, to power in July 1996. Buyoya ousted the Hutu-led government of then President Sylvestre Ntibantunganya. Foreign non-governmental organizations, such as International Alert and Search for Common Ground, after 1993 also embarked on efforts to help reduce tensions and stimulate mutual contacts and understanding between the two antagonistic ethnic groups. Initiatives included radio broadcasts giving equal voice to both ethnic positions.<sup>5</sup>

In the summer of 1999, the government of President Pierre Buyoya unveiled a ten-year transition plan which envisaged the enlargement of parliament to include members of civil society. But these and other moves, such as efforts to set up a national debate on the conflict, did little to stop the violence and crisis in Burundi. War weariness seemed to be the only basis for any substantive willingness of the Burundian factions to try to come to a political agreement. The central issue of mutual distrust between the two main ethnic groups seems to have never disappeared and both groups seem to genuinely fear, even today, that the other group, or at least some extremists within it, is plotting to subordinate or even physically exterminate the other. Both groups also seem to realize that a complete victory on the battlefield is not within reach.

Since 1998, diplomatic mediation efforts have increasingly been centrally coordinated, as a "facilitator" of what came to be known as the "Arusha Peace Process for Burundi" was nominated. Former Tanzanian President Julius Nyerere was the first in this position. After his death in October 1999, the position was taken over by Nelson Mandela. In addition to the facilitator and his assistants, the peace process was sustained by leaders or diplomats of a number of countries in the Central and Southern African region. It was this African-led, strongly coordinated peace process that resulted in the signing of the Arusha Agreement of 28 August 2000.

Under Nyerere's guidance, several rounds of peace talks were held in the second half of 1998 and in 1999 in Arusha. In 1998, Nyerere succeeded in gaining approval for the appointment of five committees that were to start to make progress on the following five subjects:

- the nature of the conflict
- democracy and good governance
- reconstruction and economic development
- peace and security
- guarantees for implementation of a peace accord.

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<sup>4</sup> Ould-Abdallah depicted his experiences with the Burundi crisis and Burundians, lively and often bluntly, in Ould-Abdallah, A., *La Diplomatie Pyromane: Burundi, Rwanda, Somalie, Bosnie...*, Paris: Éditions Calmann-Lévy, 1996

<sup>5</sup> European Platform for Conflict Prevention and Transformation, *Searching for Peace in Africa: An Overview of Conflict Prevention and Management Activities*, Utrecht, 1999, pp 203-4

These five subjects reappeared as five protocols in the final Arusha Agreement. Nyerere had also determined a time schedule for the process, aiming for a final agreement between rebels and the government to be signed before the end of 1999, but this deadline was not met.

After Nelson Mandela took over as facilitator of the peace process in December 1999 he eventually managed, by putting his personal prestige in the balance and by imposing strict deadlines, to persuade the political factions to sign a peace agreement, in Arusha, on 28 August 2000. The ceremony was attended by regional heads of state and by US President Bill Clinton.

The Arusha Agreement<sup>6</sup> contained five main chapters, or protocols, corresponding to the five committees nominated by Nyerere, each of which stated specific principles and arrangements, all aimed at achieving a system of stable and secure power sharing between the antagonistic groups in Burundi. The major agreements made were as follows:

- An International Judicial Enquiry Commission should be established to in order to investigate war crimes, crimes against humanity and genocide perpetrated in Burundi since independence. A national Truth and Reconciliation Commission is also to be established to address other political crimes.
- The transitional government must work towards the repatriation and reintegration of refugees and other victims of the civil war and arrange for the restitution of their possessions, including land.
- The armed forces should be reformed during the transition period, to achieve equal representation of Tutsis and Hutus.
- The judicial system should be reformed and both ethnic communities should be represented in the judicial institutions in a fair way.
- In the new Senate 50% of seats will be assigned to the Tutsi community and 50% to Hutus. In the medium term, the Tutsi community is guaranteed about 38% of seats in the National Assembly.
- The transitional government must prepare for elections, to be held before the end of the transition period, for the presidency, parliament and local government. The first post-transition president is to be elected indirectly by the National Assembly and the Senate.
- The parties agreed that an International Peacekeeping Force could be deployed, but only if the Burundi government requests it. Deployment of such a force was understood to be dependent on reaching agreement on a cease-fire with the rebel groups.
- An Implementation Monitoring Commission (IMC) was established to oversee and coordinate implementation of the Arusha Agreement. This 30 member commission consists of members of all Burundian political parties that signed the agreement as well as representatives from the UN, the EU and the OAU.

### **3.3 Current State of Implementation**

The Arusha Agreement was received with mixed feelings. The major point of concern was that the rebel groups had not signed the accord and that they continued fighting. Another concern was that many issues had been left open, or had been addressed in general terms only, with details to be decided upon later. For instance, the Arusha Agreement did not specify the distribution of powers between the Government, the President, the National Assembly and the Senate, nor did it state the exact distribution of posts in the government.

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<sup>6</sup> *Accord d'Arusha pour la paix et la réconciliation au Burundi (Arusha, 28 août 2000)*, Fondation Hironnelle, August 2000, <http://www.hironnelle.org> [accessed May 2002]



More importantly, the leadership of the transition period had not been settled. Neither was there a mechanism for the pursuit of cease-fire negotiations.<sup>7</sup> In addition to concerns about such supposed limitations of the agreements, doubts were also expressed about the fundamental commitment of the Burundian parties to compromise and peace making. According to a report by the International Crisis Group (ICG), commenting on the negotiations immediately preceding the signing of the Agreement, “the parties to the conflict ... invested more effort in inventing resistance strategies than in participating in the peace process ... the players in the war do not believe that the Arusha process will guarantee their future”.<sup>8</sup>

The redistribution of all posts in the senior civil service, the judiciary system and the armed forces was to be decided within the first three months of the implementation of the Agreement. However, except for the nomination of a handful of Frodebu supporters in senior civil service positions, none of this had yet happened by the end of June 2002. Nevertheless, one important step towards implementation of the Agreement was taken in November 2001, when a transitional government was installed with 26 ministerial posts, 14 of which were reserved for Hutu officials and 12 for Tutsis. The Tutsis hold the ministries for Defence, Foreign Affairs and Finance, while Domestic Affairs and Public Security are in the hands of Hutus.

The appointment of the transitional government was the result of an additional accord reached on 23 July 2001 between the signatories of the Arusha Agreement, again under the auspices of Nelson Mandela, who gained approval for his proposal to nominate the existing President, Pierre Buyoya, and Domitien Ndayizeye, the senior official of the Hutu Frodebu party, as President and Vice-President for a three year transition period. The posts of President and Vice-President would be exchanged between the two camps halfway through the transition period.<sup>9</sup> Therefore, if the agreed schedule is followed, Pierre Buyoya will step down as President on 1 May 2003, to be succeeded by Domitien Ndayizeye or another nominee from the Hutu community, with Buyoya then expected to become Vice-President. If everything goes according to plan, presidential, parliamentary and local elections will be held during the final six months of the transition period, so that a new President and Parliament could take over from 1 November 2004.

The government and political parties also agreed, in July 2001, that a new special protection force under Burundian command would be formed, given that no UN peacekeeping force would be deployed as long as there was no cease-fire. This special force, the Unité spéciale de protection des institutions (USI), would consist of equal numbers of Hutu and Tutsi soldiers and policement. Its task would be to protect the transitional institutions and, in particular, the Hutu politicians returning to Burundi from exile to take up posts in the government or in parliament. The special force would be trained by a planned international peace keeping force from Ghana, Nigeria, Senegal and South Africa.

However, the Burundian special protection force had not materialized by 1 November, when the transition government took office (and was still not in place by end of June 2002). As an

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<sup>7</sup> International Crisis Group, *Burundi: Neither War Nor Peace*, Arusha; Brussels, 1 December 2000, p 16

<sup>8</sup> *Ibid.* p 32

<sup>9</sup> International Crisis Group, *Burundi: One Hundred Days to Put the Peace Process Back on Track*, Arusha; Brussels, 14 August 2001, pp 1-4

alternative, South Africa deployed its own protection force in October 2001 with the task of protecting the returning politicians. About 80 soldiers acted as bodyguards, while 200 were stationed outside politicians' homes. During the first weeks of the transitional government a total of 26 opposition politicians, mostly Hutus, asked for such protection. The South African government emphasized that the force, officially named the South African Protection Support Detachment (SAPSD), whose operations were mostly limited to the Bujumbura area, had neither the right nor the obligation to intervene in the civil war. Its commanders warned that the South African contingent would withdraw from Burundi if it were to be targeted by any of the warring factions.<sup>10</sup>

Although the implementation of the Arusha Agreement made further progress in January and February 2002, when the National Assembly and Senate were established, the most sensitive issues of the agreement, such as the reform of the army and the judiciary, were still waiting to be addressed.

### **3.4 Recent Developments at the Military Level**

Notwithstanding the Arusha Agreement the civil war has continued in Burundi, with both main rebel movements, the bigger and stronger FDD and the FNL, escalating the violence both after the signing of the Agreement and after the installation of the transitional government, apparently in an effort to demonstrate their relevance to any solution of the Burundi crisis. Partly in response to rebel activity operations by government forces also continued. Both military camps regularly target the civilian population, and human rights organizations have reported violations perpetrated by both government and rebel forces. FDD, which is aligned to the CNDD political party, but operates independently from it, gave the transition government a lukewarm response. It said it welcomed the installation of the government, but added it would only open talks after "the unconditional release of all political prisoners and de disbanding of all concentration camps", a demand that was unlikely to be met, as the prisoners that the FDD referred to as political were seen as rebel fighters or terrorists by the authorities.<sup>11</sup> The FNL flatly refused any contact with what it called a "powerless" transitional government and said it would only negotiate with the armed forces.

Within a week of the transitional government being set up in Bujumbura, the FDD was involved in fierce battles with the army, particularly in the South and East of the country, with significant numbers of casualties: on one single day in early November about 30 civilians were reported to have been killed, while the army claimed to have killed 160 rebels and the FDD announced that they had killed about 50 soldiers. The FNL was also engaged in clashes with the army, predominantly in the area of the capital.<sup>12</sup> Clashes between rebel and government forces have continued to occur on a regular basis, again around the capital, Bujumbura, and throughout the country. In early July 2002, for instance, Hutu rebels bombarded two villages in eastern Burundi with mortar shells, causing minor damage, and in a separate incident attacked Bujumbura's northeastern Gihosha district, killing three civilians and a soldier.<sup>13</sup>

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<sup>10</sup> Risky Business in Burundi, *Mail and Guardian* [Johannesburg], 8 March 2002

<sup>11</sup> Le gouvernement multiethnique burundais est entré en fonctions, *Le Monde*, 2 November 2001

<sup>12</sup> Amnesty International, Burundi: Massacres and Abductions of Children Continue, London, 14 November 2001 (press release)

<sup>13</sup> Agence France Presse, Hutu Rebels Bomb Two Villages in Eastern Burundi, 8 July 2002; Agence France Presse, Three Civilians, Soldier Killed in Burundi Capital, 8 July 2002

Humanitarian and relief workers have not escaped fighting over the past few years. On 2 April 2001, in Ruyigi province unknown gunmen attacked a convoy of World Food Programme (WFP) trucks carrying 90 tonnes of food for 20,000 vulnerable people in Cankuzo province. Four aid workers were wounded in the attack.<sup>14</sup> On 11 May 2001, FDD rebels abducted six humanitarian workers delivering health supplies for the Dutch-Burundian non-governmental organization Memisa-Coped from Bukeye in the southern Makamba province. The aid workers were taken into Tanzania, forced to walk great distances, and then released unharmed five days later.

The FDD reportedly also abducts young school-children and teenage students in attempts to forcibly recruit youths for their ranks. In the early hours of 6 November 2001 four teachers and around 54 children, aged between 12 and 15, were forcibly abducted from a primary school in Ruyigi, while on 9 November some 250 children, aged between 15 and 18, were abducted from Musema boarding college in Kayanza province. The college itself was burnt down. The *New York Times* quoted two young men, 17 and 25 years of age, who said they managed to escape from the hands of the rebels after they were abducted from the Musema boarding school. One of the students said the rebels told them that “you can’t study before there is peace.... You have to fight. You can study after there is peace.”<sup>15</sup> All those abducted from Musema are understood to have been subsequently released or to have escaped, and the four teachers and 25 of the children abducted from Ruyigi have also returned home. However, as many as 29 of the children abducted from Ruyigi are still remaining unaccounted for by mid 2002. The FDD claimed that the children were taken away in order to protect them from reprisals by government troops. Some of the children were reportedly made to carry military equipment or assist wounded soldiers. On 13 November 2001 the United Nations Children’s Fund (UNICEF) reported that over the previous three days 107 children had also been abducted from refugee camps in Tanzania by Hutu rebel groups.<sup>16</sup>

In addition to fighting and targeting of the civilian population by both army and rebel forces, the instability in the country was further increased as a result of coup attempts perpetrated by elements of the Tutsi-led army. On 18 April 2001, a group of about 30 junior army officials seized control of the state radio and television station in Bujumbura and announced that a small, dissident military group, the Front de la jeunesse patriotique (FJP – Patriotic Youth Front) had overthrown the government. However, the following day the participants in the attempted coup d’état surrendered peacefully.<sup>17</sup> Three months later, on the night of 22 July, young Tutsi soldiers again staged a coup d’état attempt against the Buyoya government. Government troops pursued the about 100 perpetrators north of Bujumbura, and the rebelling officers surrendered in the town of Ngozi on 23 July.<sup>18</sup>

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<sup>14</sup> United States, Office for Food and Development Aid., *Burundi: Complex Emergency Information Bulletin No 1 (FY2001)*, Washington: USAID, 3 July 2001, p. 2, [http://www.usaid.gov/hum\\_response/ofda/burundice\\_ib1\\_fy01.html](http://www.usaid.gov/hum_response/ofda/burundice_ib1_fy01.html) [accessed June 2002]

<sup>15</sup> Musema Journal: In Burundi Schools, War Is a Deadly Nonelective, *New York Times*, 21 December 2001

<sup>16</sup> Amnesty International, Burundi: Massacres...

<sup>17</sup> United Nations, Integrated Regional Information Network, Burundi: Coup Attempt Fails, *IRIN Update 1160 for the Great Lakes*, 19 April 2001, <http://reliefweb.int> [accessed 30 April 2002]

<sup>18</sup> United Nations, Integrated Regional Information Network, Burundi: Coup Attempt ahead of Regional Summit, *IRIN-CEA Weekly Round-up 82 Covering the Period 21-27 July 2001*, 27 July 2001, <http://www.reliefweb.int> [accessed 30 April 2002]

The transitional government also inherited an expanding “self-defence” programme that has the potential to be extremely destabilizing for both parties to the conflict. This programme was started by the Buyoya government in the late 1990s, purportedly to protect civilians against rebel attack. It included the rural-based Gardiens de la Paix (Guardians of the Peace), most of them Hutus, and their urban counterparts, which are civil patrols manned by either Hutus or Tutsis, depending on the neighbourhood they operate in. According to human rights organizations, these groups have been perpetrating human rights violations. Some members have also been subject to maltreatment and violations themselves. According to testimony received by Human Rights Watch three young teenagers died as a result of beatings suffered during the course of training. The Guardians are considered to be purely civilian bodies by the Burundian authorities, but they are reportedly trained and armed by the military and operate under military order and protection. Members of the Guardians take direct part in hostilities in the civil war as auxiliaries to the Burundian government forces. Hundreds are reported to have died in military operations, including in combat.<sup>19</sup> By July 2002 there were no signs yet that the transitional government was taking steps to disband the Guardians of the Peace.

According to the Burundi League for Human Rights (ITEKA) the army and rebels killed a total of 894 people in 2001. Rebels were behind 621 of the killings, with Burundi’s Tutsi-dominated army being responsible for 265 and the Guardians of the Peace for 8. ITEKA said that unarmed civilians were the main victims of the civil war. While the 2001 figures were lower than those of 2000 ITEKA stressed that the installation of the transitional government seemed to have done little to improve the situation in the country. Figures for 2002 were not yet available, but fighting seemed to continue with the same intensity as in the preceding months.<sup>20</sup>

Amnesty International also said human rights violations continued to occur in the country, despite the political moves toward democracy and power sharing. In a memorandum issued in December 2001, it cited torture and ill-treatment in security force custody, including a case of a 15 year old boy who was held incommunicado and allegedly stabbed with a bayonet after his arrest on suspicion of collaboration with an armed opposition group and the murder of a local government official. Amnesty said that a culture of impunity continued to exist.

The presence of the South African protection force since October 2001 seemed to have had no measurable impact on the fighting between rebels and government forces, as the South Africans, in line with their mandate, restricted their activities to maintaining the security of repatriated politicians. The South African contingent is not a peacekeeping force.

### **3.5 Recent Developments at the Political Level**

Since the signing of the Arusha Agreement in August 2000 most efforts on the diplomatic level have been focussed on reaching a cease-fire between the government forces and the rebels. Negotiations took place between the Burundi government and the FDD on 25 and 26 July 2001 in Pretoria, South Africa, but failed.

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<sup>19</sup> Human Rights Watch, *To Protect the People: The Government-sponsored “Self-defence” Program in Burundi*, New York, December 2001

<sup>20</sup> Ligue Burundaise des Droits de l’Homme, *Burundi: Accord de paix sans cessez-le-feu et violations massives des droits de l’homme: rapport annuel sur la situation des droits de l’homme en 2001*, Bujumbura, February 2001, <http://www.ligue-iteka.bi/rdh2001.htm> [accessed 30 April 2002]

Both President Buyoya and the South African Vice President, Jacob Zuma, who has been engaged in the Burundi peace process since Nelson Mandela became its facilitator in 1999, urged the Tanzanian President, Benjamin Mkapa in January 2002 to step up efforts to persuade the rebels to come to the negotiating table. Mkapa said he would hold direct talks with the Hutu rebel groups aimed at achieving a cease-fire. Several rebel groups in March 2002 agreed to take part in future talks on a cease-fire with the government. The rebel movements made the decisions after week-long closed door meetings in Tanzania with a Tanzanian government official. The weight of this commitment was uncertain, as the rebel groups consenting to negotiate turned out to be certain factions of the FDD and FNL only, and not necessarily the most powerful ones. "Those who met in Dar es Salaam [in March 2002] are not the real fighters, the meeting served no purpose", according to Anicet Ntawawuhiganayo, spokesman of the FNL faction that claims to be strongest on the battle field.<sup>21</sup> Chances of putting an end to the fighting continued to seem remote throughout the first half of 2002.

In other domestic political areas there was also little progress. In March, the National Assembly vice-president Pierre Barusasiyeko, member of the Tutsi-led Uprona party, said that the Arusha Agreement was at risk because the party leaders who had signed it were wavering and not trying hard enough to promote it.<sup>22</sup>

Western powers limited their support to the peace process to expressing support for the Arusha Agreement and promising financial assistance. The United States in December 2001 expressed support for "President Buyoya's appeal for a permanent cease-fire". Washington also put pressure on the rebel groups, saying they "should join the peace process". The Bush administration also pledged to continue its "diplomatic and financial support for the Burundi peace process".<sup>23</sup> Donor countries appeared prepared to support the political process in Burundi, with Germany announcing it would resume aid to Burundi in March 2002, after a break of nine years, in line with pledges made by international donors at a donor conference in Geneva in December 2001.

## **4 Refugees and Displaced Persons**

### **4.1 Pre-Arusha Distribution of Displaced**

By mid-2000, about 11% of the Burundi population of 6.6 million were displaced in camps, mainly in the provinces of Bujumbura-Rural, Bubanza and Makamba. The number of IDPs amounted to 704,000, living at 328 sites. This situation reflected a modest improvement from the situation in 1999, when there were 821,000 IDPs, or 13% of the Burundi population. At that time, an estimated 500,000 IDPs were located at 300 IDP sites, while an estimated 300,000 to 350,000 were people who had been relocated into regroupment camps by the government.<sup>24</sup> A large part of the change was accounted for by the disbanding of the

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<sup>21</sup> Agence France Presse, Burundian Rebel Groups to Participate in Cease-fire Talks, 28 March 2002

<sup>22</sup> Alternating Currents: The Government Is Transitional but the Opposition Fears Its Power Is Permanent, *Africa Confidential*, Vol. 43, No. 6, 22 March 2002

<sup>23</sup> United States, Delegation to International Donor Conference on Burundi, Statement by Keith Brown, Senior Deputy Assistant Administrator for Africa, United States Agency for International Development, Geneva, 7 December 2001, <http://www.us-mission.ch/press2001/1207burundi.htm> [accessed June 2002] (press release)

<sup>24</sup> Food and Agriculture Organization and World Food Programme, *Special Report: Crop and Food Supply Assessment Mission to Burundi*, 27 July 2000

regroupment camps in Bujumbura Rural by the Burundi government under international pressure, resulting in a reduction in the number of IDPs in camps in the province from 317,000 to 28,420.<sup>25</sup> The regroupment camps had been set up in 1996 in what the government said was a move to protect rural citizens against rebel attacks. At its first peak, the policy resulted in the regroupment of nearly 300,000 people into 40 to 45 camps. The vast majority in these camps were Hutus, although some were Tutsis. The camps were criticized by international human rights organizations, including Amnesty International, who reported appalling living conditions. In 1997, the government allowed some of the regrouped people to return to their homes and half of the regroupment camps were dismantled by the end of 1997. In 1998 the government had formally ended its regroupment policy. However, the regroupment policy was stepped up again in September 1999 after fighting broke out in the Bujumbura area. Thousands of people were again forced from their homes and farms into government-run camps. The forced regroupment more than doubled the number of people requiring WFP food assistance.<sup>26</sup>

Following the renewed dismantling of virtually all the regroupment camps, over 200,000 IDPs were believed to be dispersed in other areas of the countryside, beyond the reach of humanitarian assistance, and unable to return home. International concern about their position prompted the signature, in February 2001, of a Framework for Consultation on Protection of Internally Displaced Persons by the Burundi Minister of Human Rights and the UN Humanitarian Coordinator. This established an open forum to discuss IDP issues, including access and protection. The situation of IDPs in particular was further exacerbated by the troublesome nutritional situation in the country. Poor and erratic rainfall in 1999 and 2000 affected an additional 600,000 to 700,000 people. A long-term effect of the continuing violence and insecurity is limitations on access to basic health services and food and water supplies. Burundi's entire public health system has deteriorated as a result of the ongoing crisis.

The number of refugees living outside Burundi at the time of the Arusha Agreement was estimated at 559,000. Of this group, approximately 200,000 were Burundians who had fled their country in the wake of the massacres of 1972 and had since then been living semi-integrated in Tanzania, outside refugee camps. Well over 20,000 Burundian refugees were in the Democratic Republic of Congo and 1,200 in Rwanda. In 2000, there was spontaneous return to Burundi, predominantly from Tanzania, of 6,830 refugees. There were also about 20,000 refugees from the DRC and 1,500 from Rwanda in Burundi in the summer of 2000.

#### **4.2 Refugees and IDPs since Arusha**

Since the installation of the transitional government in November 2001, clashes between rebel and government forces have continued to prompt people to flee their homes. Erratic rainfall in parts of the country over the past five years has contributed to widespread food insecurity and malnutrition, which in turn made people more likely to flee whenever the security situation worsened. At the same time humanitarian workers in Burundi have been

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<sup>25</sup> United States, Office for Food and Development Aid., *Burundi: Complex Emergency Information Bulletin ...*, p. 1

<sup>26</sup> United States, Office for Food and Development Aid, Burundi: Complex Emergency, in its *Annual Report (FY 2000)*, Washington: USAID, 2001, [http://www.usaid.gov/hum\\_response/ofda/00annual/burundi.html](http://www.usaid.gov/hum_response/ofda/00annual/burundi.html) [accessed June 2001]

developing extensive contingency plans against the possibility of the return of some of the 600,000 Burundian refugees who were in Tanzania late 2001.<sup>27</sup>

An overview of the total number of IDPs and refugees in mid 2002, based on several sources, suggests the following:

- A total of 475,000 IDPs, of whom 375,000 were living at 212 sites countrywide.
- A total of 845,000 refugees: 820,000 in Tanzania (of whom about 200,000 living semi integrated in this country since the 1970s), 20,000 in the DRC, 2,000 in Zambia, 2,000 in Rwanda, 1,000 in Zimbabwe.
- A total of about 26,000 refugees from other countries in Burundi: 25,000 from the DRC and 1,000 from other countries.
- A total of 46,000 repatriated Burundian refugees, of whom 6,830 returned in 2000, 27,800 (estimate) in 2001 and approximately 13,000 - 16,000 during the first six months of 2002.<sup>28</sup>

New IDP and refugee flows have continued during 2002. At least 20,000 people fled continued fighting in parts of Burundi during the first two weeks of March 2002, according to the US Committee for Refugees (USCR), who noted that despite the Arusha Agreement an estimated 150,000 or more Burundians had been uprooted since early 2001. Fighting between the government army and the rebel group FNL continued to disrupt the lives of tens of thousands and USCR reported that according to some observers in the field, as many as 80,000 civilians were displaced between January and March 2002, exemplified by the clashes that erupted on 11 March, some 20km from Bujumbura, in the hilly region of Nyambuye, where several dozen people were reportedly killed and approximately 10,000 displaced.

Juxtaposed to the continued uprooting of thousands of civilians in Burundi, a tentative movement in the opposite direction started to take hold in the early months of 2002, when thousands of Burundians in Tanzania apparently showed interest in a return to Burundi, encouraged by the establishment of the transitional government. Both the Burundian and Tanzanian governments had been actively encouraging the refugees to go home since January 2002. The Tanzanian President, Benjamin Mkapa, was reported to have referred to the refugees as “an unbearable burden”. President Buyoya’s government had also been encouraging repatriation, partly out of concern that rebel groups would continue to use the camps for recruitment.

UNHCR’s response to this development was cautious at first, due to concern about the security situation in Burundi. However, faced with spontaneous return by refugees, on foot over long distances, often through areas of conflict, UNHCR agreed to facilitate the return through a registration exercise in refugee camps in early February 2002, to enable Burundians to sign up for voluntary repatriation. under a tripartite agreement with the Tanzanian and Burundi governments. UNHCR also agreed to transport the refugees to transit centres inside Burundi where they would be provided with food and domestic supplies. In March 2002 a small group of refugees from the camps in Tanzania went on a “go-and-see” visit in Burundi.

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<sup>27</sup> United States, Office for Food and Development Aid, *Burundi: Complex Emergency Situation Report No 2(FY 2002)*, Washington: USAID, 20 June 2002, [http://www.usaid.gov/hum\\_response/ofda/burundice\\_sr2\\_fy02.html](http://www.usaid.gov/hum_response/ofda/burundice_sr2_fy02.html) [accessed June 2002]

<sup>28</sup> *Ibid.*, citing information from the Norwegian Refugee Council, United States Committee for Refugees and United Nations High Commissioner for Refugees

They spent two days in their home villages or neighbourhoods, attended a session of the transitional National Assembly and met Stefano Severe, the UNHCR representative in Burundi, before returning to western Tanzania where they would inform refugees in seven camps about the situation in their home country.<sup>29</sup> As of 25 March, 48,000 people had signed up with UNHCR officials to be repatriated. Most refugees signed up to return to the provinces of Makamba and Ruyigi, both bordering Tanzania in the south and east. A first group of approximately 430 refugees left Tanzania on 4 April 2002. Their convoy, facilitated by UNHCR, went from Ngara in western Tanzania through the Kobero border crossing, stopping briefly in a transit camp in Fongore, before the refugees were transported to their respective homes, in this case mostly in the northern provinces of Muyinga, Ngozi and Cankuzo. By July 2002, about 80,000 refugees were reported to have registered for repatriation. The actual repatriation process seemed to be dwindling by that time, however. UNHCR reported that an increasing number of Burundian refugees in the camps in Tanzania were dropping out of the repatriation process, probably due to the volatile security situation in Burundi. UNHCR was still limiting repatriation to the northern provinces, which were deemed relatively secure. The governments of Burundi and Tanzania were pressing the UN organization to allow repatriation to all areas of Burundi.<sup>30</sup>

The repatriation operation gave rise to controversy. The organized return of refugees was explicitly denounced by the two rebel movements FDD and FNL. The FDD said it “could not guarantee security whatsoever” and also complained that it had not been “consulted by those who are going to return”, according to an AFP press report.<sup>31</sup> A FNL spokesperson was quoted as saying that “the returnees will meet nothing but famine, illness and war”. The ministry for the Return and Reintegration of Displaced Persons in the transitional government also expressed reservations about repatriation. “Refugees will not come home until there is true peace in Burundi, and Burundi will not know peace until all refugees are home”, a ministry spokesman said in January 2002. Several foreign non-governmental organizations, such as the International Council of Voluntary Agencies (ICVA), warned against mass repatriation of refugees as long as the civil war was going on and no feasible policy for redistribution of land to returnees had been developed. ICVA said the return of large numbers of Burundian refugees under the current circumstances in Burundi would be “potentially disastrous”.<sup>32</sup>

UNHCR developed its experience with reintegration programmes for returnees in Burundi during the late 1990s, when it operated numerous reintegration programmes for a total of 200,000 Burundians returning to their homes. In 2000, UNHCR ran programmes for nearly 2,000 returnees. UNHCR’s reintegration projects included construction and rehabilitation of schools and health clinics, supplies for housing construction by landless returnees, distribution of seeds for farming, small-loan programmes and meetings to bolster

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<sup>29</sup> United Nations High Commissioner for Refugees, *Thousands of Burundian Refugees in Tanzania Register to Return Home*, Bujumbura, 14 March 2002

<sup>30</sup> United Nations Integrated Regional Information Network, *Burundi-Tanzania: Dwindling Numbers of Refugees Opting for Repatriation*, Nairobi, 8 July 2002

<sup>31</sup> Agence France Presse, Burundi-réfugiés. Les rebelles s’opposent au retour des réfugiés burundais en Tanzanie, 25 March 2002

<sup>32</sup> United Nations, Integrated Regional Information Network, *Burundi-Tanzania: ICVA Warns against Refugee Repatriation from Tanzania*, Nairobi, 4 April 2002, <http://www.reliefweb.int> [accessed 30 April 2002]



“coexistence” between Hutus and Tutsis.<sup>33</sup> However, in the early summer of 2002, the UNHCR was still not actively promoting or encouraging renewed repatriation to Burundi, except in so far as that the UNHCR office in Tanzania continued to facilitate the repatriation of Burundian refugees who were choosing to return home to relatively safe areas.<sup>34</sup>

The repatriation issue is closely related to the political and military dimensions of the refugee crisis. Like many other refugee camps around the world, the Tanzanian camps are used by rebel group members as a safe haven for their wives and children, as a retreat from armed activity in Burundi and for the recruitment of new members. In addition, rebel groups are reported to have used the camps for fundraising and to obtain medical treatment for wounded fighters. According to Human Rights Watch, refugees in the Ngara and Kibondo camps in Tanzania were regularly “taxed” by rebel groups. Human Rights Watch interviewed refugees who said that rebels of both the FDD and FNL came into their camp and coerced them to pay some money, usually the equivalent of US\$0.50 per person. Other refugees said that contributions were also given voluntarily and sometimes consisted of food. Rebels were also reported to operate a vigilante system in at least one of the camps. In 1998, the security guardian of a camp in Tanzania reported that FDD supporters were operating a “detention centre” in a home in the camp where they reportedly interrogated and used violence against refugees whom they suspected of spying for the Burundian government.<sup>35</sup>

Refugees have confirmed there was recruitment in the camps, but claimed recruits joined voluntarily. Several cases of rebel commanders trying to recruit new rebels in the camps have been reported. Training and weapons possession seemed to be limited within the camps. Rebels are said to prefer to train their ranks outside the camps, preferably on Burundian soil, in order not to provoke the Tanzanian authorities.<sup>36</sup>

## 5 Conclusion: Prospects

The International Crisis Group, a non-governmental group of academics and former diplomats, which has been monitoring the peace efforts in Burundi closely for a number of years, expressed optimism after the parties had agreed upon the leadership of the transitional government. “Settling the issue of the transitional leadership is a very significant step ... The peace process is now firmly back on track”, the ICG said.<sup>37</sup> However, the ICG was much less positive about developments in Burundi by the early summer of 2002, when it claimed that six months after the installation of the transitional government, the promises of peace and reconciliation embodied by the Arusha accords had not materialized. There still was no cease-fire and the Arusha accords were not being implemented, steadily reducing the credibility of those who wanted this to happen, ICG stated.

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<sup>33</sup> United States Committee for Refugees, *Country Report: Burundi*, Washington, January 2001, <http://www.refugees.org/world/countryrpt/africa/burundi.htm> [accessed May 2002]

<sup>34</sup> United States Committee for Refugees, *Returning to Partial Peace: Refugee Repatriation to Burundi. Findings & Recommendations Tanzania/Burundi Site Visit, April 15 - May 17, 2002*, Washington, 13 June 2002, p. 1

<sup>35</sup> Human Rights Watch, *Tanzania: In the Name of Security: Forced Round-ups of Refugees in Tanzania*, New York, July 1999

<sup>36</sup> *Ibid.*

<sup>37</sup> International Crisis Group, *Burundi: One Hundred Days to Put the Peace Process Back on Track*, Arusha; Brussels, 14 August 2001

One reason for the failure of the current process is that the parties to the negotiations do not all want the same ceasefire. President Buyoya had barely been confirmed as first leader of the transition when the army restarted the war in the hope of crushing the rebels and so avoiding the reform of the security forces foreseen in the peace agreement. FRODEBU, the champion of the Arusha accord, would prefer a technical ceasefire negotiation and a swift integration of the rebels into the army, to avoid the rebel leaders emerging as political competitors for the Hutu electorate. But trapped by its inability to rally the rebels behind it, FRODEBU now finds itself locked into supporting Buyoya's war.<sup>38</sup>

Belgian Africa expert Filip Reyntjens is also far from optimistic, stating that he considers the Arusha Agreement to be a "non-agreement" as long as provisions for solutions to many essential issues regarding power sharing, especially the reform of the Tutsi-dominated army and judiciary, were still waiting to materialize. "In the first five to six months after the installation of the transitional government, none of the crucial issues have been addressed. Nothing has changed in Burundi, except for a new allocation of political posts among Hutus and Tutsis, with only about twelve months left until the first half of the transition period is over. I see little sign of willingness to come to a settlement for the most controversial issues of the Agreement", Reyntjens said.<sup>39</sup>

Another unresolved issue, according to Reyntjens, is the question of who was responsible for the mass killings and the assassination of the first democratically elected Hutu president Melchior Ndadaye in 1993. Several senior politicians of the Hutu-led FRODEBU party are suspected by the Tutsi community of being responsible for mass killings in the wake of that incident. Similarly, many in the Hutu community believe that political players in the Tutsi camp were responsible for the attempted coup d'état in which Ndadaye was killed.

Louis-Marie Nindorera, executive secretary of the Burundian human rights organization ITEKA, also presented a rather bleak outlook. He said that the time still seemed not ripe for genuine political consensus, pointing out that by late 2001 many Tutsi parties were still against all or part of the agreements made in Arusha, including the anti-Buyoya faction of the major Tutsi party Uprona and the Parena party, led by Jean-Baptiste Bagaza, a former president and cousin of Buyoya. Tutsi suspicion centred to a large part on the consequences of the Agreement for the military. Plans to include former rebels in the security force earmarked to protect politicians and civil servants of the future institutions aroused most resistance. The Tutsi minority in Burundi tends to consider its control of the army as its "life insurance" and their main instrument to protect their community against alleged plans of radical Hutus to push the Tutsis into a tight corner.<sup>40</sup> In a statement issued in February 2002, ITEKA reiterated that the Arusha Agreement seemed to have brought little good up to that point. It said the civil war "has intensified" since the signing of the treaty in August 2000, adding that the power-sharing government put in place in November 2001 has apparently done little to improve the situation in the country.<sup>41</sup>

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<sup>38</sup> International Crisis Group, *Après six mois de transition au Burundi : poursuivre la guerre ou gagner la paix ?* Brussels; Nairobi, 24 May 2002, p. 1

<sup>39</sup> Filip Reyntjens, Telephone interview, 4 April 2002

<sup>40</sup> Louis-Marie Nindorera quoted in *Piecemeal: Nelson Mandela's Plan...*, p. 6

<sup>41</sup> Agence France Presse, *Burundi Rights Group Blasts Government and Rebels*, 27 February 2002

Filip Reyntjens also explained that, as a worst case scenario, he feared that President Pierre Buyoya might try to seek to retain the presidency after 1 May 2003 if the provisions of the Arusha Agreement had by that time not been implemented according to schedule and in the absence of a cease-fire. The longer the political elites refrain from taking real steps towards changing the composition of the currently Tutsi-dominated army and judiciary, the weaker the position of the transitional government would become. "In such a scenario, the power of those on the street would prevail once more", he said, referring to both government forces and rebels. He added that in such a scenario "the risk of another coup d'état is still hanging over Burundi like the Sword of Damocles".

Both Reyntjens and other observers confirm that a solution will not come from developments on the battle field, as both parties are believed to be incapable of winning the civil war militarily.

On a more optimistic note, Reyntjens iterated that developments could take a turn for the better in Burundi provided reforms were implemented step by step. "It is my hope that government and parliament will find common ground, maybe under moderate pressure from the international community, on how to implement the most controversial provisions of the Arusha Agreement, especially regarding the composition of the army." But any reform should be implemented under a very gradual time schedule. "Radical moves toward giving the Hutu community a bigger share in power carries the risk of provoking violent action from certain groups in the Tutsi community, especially the army", he said.

Reyntjens believes that the Burundi crisis requires a solution that is almost entirely of domestic origin. Deployment of an international peacekeeping force would be redundant as soon as the Hutu and Tutsi communities reach agreement on substantial reform of the composition of the army, he says. Burundi expert René Lemarchand, on the other hand, has been calling for intervention by an international force since the mid 1990s, but this suggestion has encountered lack of political will from both western and regional African powers.<sup>42</sup> François Grignon, regional director in Nairobi of the International Crisis Group, seems to take a middle position, saying "real support from the international community" is of essential importance for the peace process to succeed and indicating that international support could also amount to material aid in order to reward the Burundian parties for willingness to compromise.<sup>43</sup>

With regard to refugees and IDPs, the observers just quoted joined NGOs and IGOs in expressing concern about repatriation, with Filip Reyntjens saying:

You can't stop them if they come voluntarily, but encouraging repatriation would be wrong under the current circumstances. Firstly, there is still a civil war going on, which is still inciting new displacements. Secondly, the return of refugees complicates the problem, instead of solving it. This is because returnees will make claims to the land and other possessions they left behind and will have to enter a difficult discussion with the new occupants.

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<sup>42</sup> René Lemarchand quoted in Willum, G. and Willum, B., *The West Did not Learn from Rwanda: Ill-Fated Peace Agreement*, *Aktuelt* [Copenhagen], 29 August 2000, posted at [www.willum.com/articles/aktuelt29aug2000/indexright.htm](http://www.willum.com/articles/aktuelt29aug2000/indexright.htm) [accessed June 2002]

<sup>43</sup> Grignon, F., *Accord historique. Avenir incertain, L'Autre Afrique*, 14-20 November 2001, p 21

Reyntjens added, however, that as long as the refugees remained in their camps in Tanzania, humanitarian organizations and the Tanzanian authorities should try to “demilitarize” the camps and end recruitment of refugees by rebel groups there.

Based on the assessments of foreign and domestic observers, it seems most likely that Burundi will continue to harbour hundreds of thousands of IDPs within its borders and that the refugee camps in Tanzania will continue to exist, despite spontaneous and partly UNHCR-supported repatriation of thousands of refugees from those sites. However, this situation would begin to change significantly if a lasting cease-fire could be agreed between the rebels and government forces.

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