

The Peace Process in Burundi



In April 2015, protests erupted in Burundi when President Pierre Nkurunziza's sought a third term in office. Protestors claimed this was contrary to the country's constitution, but the constitutional court sided with Nkurunziza. After an attempted coup in May 2015, the government started arresting those it thought responsible. The political conflict that followed has spiralled into a protracted crisis marked by allegations of numerous human rights violations including killings, torture, and arbitrary arrests, disappearances and abductions. Since 2015, more than 325,000 Burundians have fled to neighbouring countries.

In July 2015, the East African Community (EAC) heads of state appointed President Yoweri Museveni as the mediator for an inter-Burundi dialogue, with former Tanzanian President Benjamin Mkapa as the facilitator of the process. Progress has seemingly stalled, however, after multiple failed attempts by the facilitator to bring the different parties together. Neither of the sides have agreed to participate in the peace talks.

On 21 March 2017, the Rift Valley Forum and Atrocities Watch Africa hosted a panel discussion, which examined the role of the international

community—the African Union and the United Nations in particular—in the EAC-led mediation process and explored what the crisis means to Burundians and the region as a whole.

Panelists

Rachel Nicholson, *Amnesty International*

Member, *Women and Girls Movement for Burundi*

Richard Moncrieff, *International Crisis Group*

Vital Nshimirimana, *Forum for Strengthening of Civil Society*

Dismas Nkunda, *Atrocities Watch Africa* (Moderator)

Three phases of the crisis

Richard Moncrieff of the International Crisis Group started by examining the conflict in three phases: 2015 was a year of confrontation, 2016 a year of negotiation and 2017 may be a year of normalization.

In December 2015, following the peak of the crisis, the African Union (AU) Peace and Security Commission authorized the deployment of a

protection force, MAPROBU, in the hope that this would prevent mass violence and pressure the opposing sides to negotiate. However, the force was not deployed. The government of Burundi dismissed the mission as an invasion and African leaders declined to endorse it, revealing rifts among the AU member states.

Throughout 2016, the international community attempted to negotiate with the Burundi government. In March 2016, at the seventeenth Ordinary Summit of the EAC Heads of States Summit in Arusha, former Tanzanian president Benjamin Mkapa was appointed as the facilitator for peace talks in Burundi, with Ugandan President Yoweri Museveni remaining the main mediator.

However, the process stalled after multiple failed attempts by Mpaka to bring the different parties together. As a result, the European Union suspended their financial aid to the Burundi government for failing to reach a solution to the crisis.

In 2017, Moncrieff noted that despite slow progress in the negotiations, the situation in Burundi seems to be stabilizing. However, there is only an appearance of calm, abuses are only less visible and the government is using fear and repression to stop dissent. Some international powers are likely to see this as a signal to re-engage with the government, which has skilfully used its deployment in peacekeeping operations to lever diplomatic support.

Forewarning of deeper violence

With the delay of the EAC mediation process, Vital Nshimrimana, a Burundian lawyer and Human Rights defender in exile, warns that Burundi is on the verge of deeper violence, and even the risk of genocide. The warning signs, he argues are the ongoing militia activity and prevalence of hate speech. The situation has worsened since allegations of a partnership between the Imbonerakure—the ruling CNDD-FDD youth wing, accused of carrying out some of the killings—and the FDRL. Simultaneously, the ethnic balance within the security forces was disturbed. Ethnic parity in the army and the security forces is a requirement of the Arusha Peace Agreement and the constitution. Despite the ongoing mediation process, Mkapa has seemingly been unable to

bring the opposing parties into peace negotiations. Vital warns that the risk of genocide is now not solely a Burundian issue, but a regional one if the mediation makes no progress.

Accountability

As the crisis deepens and accusations of human rights violations increase, justice and accountability remains far from reality in Burundi, warns Amnesty International's Rachel Nicholson. She cited the response to the Mukoni military camp attack as an example of how human rights violations are being committed with impunity. Deprived of access to lawyers, some of those suspected of carrying out the attack appeared in court with visible signs of torture, yet were sentenced to heavy prison terms, she stated.

The political conflict that started with mass protests has turned into a longer-term, more entrenched state of political repression. While the situation currently appears more stable, Nicholson believes the international community must remain alert to the possibility that the situation could deteriorate further with little warning if perpetrators of violence are not held to account. These include the atrocities committed during the previous crises in Burundi, because these unresolved tensions, are fuelling the current crisis, she stated. Consequently, the language used by human rights actors to break the cycle of violence and ending impunity in Burundi remains eerily similar to that of the 1990s and early 2000s.

The challenge with the current crisis, she argues, is that the mediation process is taking place on an uneven playing field, with the government having the upper hand and little motivation to engage. As a result, the Burundian government has managed to rebuff efforts by the EAC and the International community to bring it to the negotiating table. She cited numerous examples of the government's intransigence. In July 2016, for example, during its review, the government refused to respond to questions from the UN Committee Against Torture where three prominent lawyers provided testimony of numerous violations of the Convention against Torture. These lawyers were later disbarred and another suspended. The government has also stalled the deployment of AU and UN Security Council-sanctioned forces.

Nicholson concluded that there are opportunities to resolve the crisis in Burundi, but positions have hardened with neither of the sides willing to engage meaningfully in the talks. Furthermore, divisions within the EAC, AU and the UN have made it difficult for the international community to assist in resolving the crisis. The influx of refugees in the region may push the regional leaders to intervene in the crisis, but she argued there remains a lack of strong will in regional leadership, partly due to power politics and historical allegiances.

Role of girls and women in peace

A member of the Women and Girls Movement for Peace and Security (MFFPS) said that despite the oppressive situation, women in Burundi have been very active and vocal about the crisis. MFFPS is one of several women's organizations that have played a critical role in the peace process. Given the disjointed and ineffective nature of the existing efforts, the general objective of the women's movement is to raise their voices and pressure regional leaders. In trying to address the process and content of negotiation, the movement seeks to address the systemic exclusion of often vulnerable and marginalized groups such as women, youth and the media from it. The movement argues that their inclusion will produce a more reliable and sustainable solution.

In doing so, the movement has mobilized women from within and beyond Burundi, from various political backgrounds and ethnic groups, and with diverse skills, to advocate for the end of violence and the return of the rule of law. Despite its efforts, the movement worries that the looming revision of the constitution and the formation of the government of National Unity led by Nkurunziza may escalate the crisis into a civil war. Fears of the crisis deepening are fuelled by Mkapa's inability to unite the efforts of regional leaders to engage Nkurunziza's government. Currently, the MFFPS attendee concluded, Kenya and Rwanda are silent

and not taking a visibly active role in the process, while Uganda and Tanzania seem to accept the status quo.

Conclusion

Sustainable peace must take into account the history of the protracted crisis in Burundi and the region, the panellists concluded. The country has lived in a state of protracted crisis since independence with the aftermath of civil war, ethnic massacres, political assassinations, coups and other power struggles resulting in the victors seeking to entrench themselves in their positions of power.

A silver lining of these crises' has been the uniting of historically opposing ethnic groups' whose clashes have been at the root of former civil wars, and have fed into the recurring conflicts. Now, united in opposition, different ethnic groups across Burundi want the same things: to fight against poor governance, institutionalized corruption, impunity and for the return to the rule of law.

Despite this move away from ethnic hostility, there continues to be a complete misinterpretation of the will of the people, the panellists said. There is a real need for inclusivity for the mediation to be successful. The citizens' movements from across the region are strong and have the potential to make Burundian voices heard, and to push for accountability.

The region's political leaders should step up their efforts at mediation, by advocating for the process, and pushing for the rule of law and for justice for the victims of violence. Key members of the international community are well coordinated and a joint technical working group of the EAC, AU and the UN, could be formed to ensure that the process is inclusive and fair.

The promise of a successful mediation process will determine both short and long term peace prospects, and the holding of elections in 2020.



Credits

This report is the record of an event held on 21 March 2017 by the Rift Valley Forum with Atrocities Watch Africa. The views are the event attendees' alone and not those of the Institute. It was edited by Amina Abdulkadir, Elizabeth Mahiri and Pauline Skaper. It is available for free download from www.riftvalley.net

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