NEGOTIATING DISARMAMENT

country study

The Negotiation of Security Issues in the Burundi Peace Talks
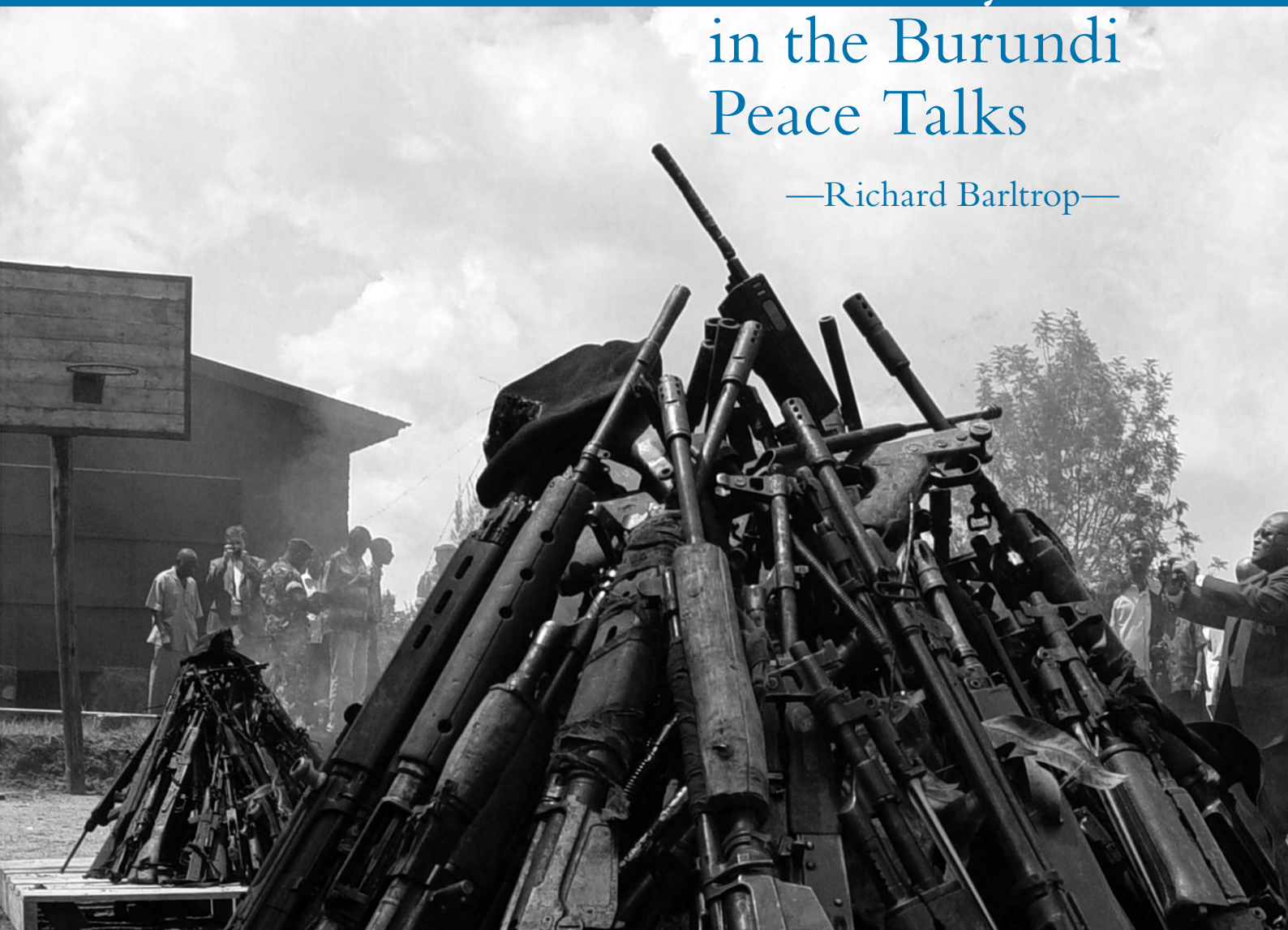
—Richard Barltrop—

ABOUT THE HD CENTRE

The Centre for Humanitarian Dialogue (HD Centre) is an independent Swiss Foundation dedicated to helping improve the global response to armed conflict. It attempts to achieve this by mediating between warring parties and providing support to the broader mediation community.

The HD Centre is driven by humanitarian values and its ultimate goal is to reduce the consequences of violent conflict, improve security, and ultimately contribute to the peaceful resolution of conflict. The HD Centre began operations in 1999 and has since become one of the world's leading conflict mediation organisations. Operational engagements are complemented by policy and analytical work focused on civilian protection, mediation techniques, transitional issues and arms and security matters.

The Negotiation of Security Issues in the Burundi Peace Talks

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NEGOTIATING DISARMAMENT: STRATEGIES FOR TACKLING SECURITY ISSUES IN PEACE PROCESSES

Negotiating Disarmament explores issues surrounding the planning, timing and techniques of a range of security issues: violence reduction, weapons control, disarmament, demobilisation and reintegration activities and justice and security sector transformation in the processes of peacemaking—negotiations, agreements and implementation strategies. Through expert meetings, specific peace process reviews, perception studies, interviews and analysing experiences over the last two decades, as well as drawing upon the HD Centre's own operational engagements, it aims to:

- provide practical and accessible guidance on a range of security issues to those actively engaged in peace-

making, including mediators, government officials, armed groups, donors, civil society and UN officials;
- demystify concerns through identifying strategies, trends and lessons over time;
- identify and describe common obstacles faced in addressing security issues in peace processes, and suggest ways these may be tackled; and
- contribute to the generation of analysis and the building of linkages within the violence reduction and prevention, peacemaking, peacebuilding, conflict resolution, and arms control communities.

The project is supported by the Governments of Canada, Norway and Switzerland. For more information, go to www.hdcentre.org

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Acknowledgements

INTRODUCTION

THE PATH TO peace in Burundi has been long and winding, and continues to unfold. The country's journey to stability, with its many attendant successes and stumbling blocks, offers lessons on the unpredictable nature of peacemaking and the negotiation of contentious elements such as security. While numerous reports have looked at the dynamics of the conflict and its economic, identity and human rights facets, this report tells a different story. It focuses on how various actors directly involved in the Burundi peace talks addressed four intertwined issues:

• the disarmament, demobilisation and reintegration of rebel groups and government forces;
• security sector reform;
• the vast quantities of weapons in circulation throughout the country; and
• the needs and rights of the countless traumatised and disabled individuals affected by armed violence.

How these questions were managed—or not managed—in the peace negotiations has had important implications for post-war human security, development and prosperity in Burundi. This report seeks to illuminate those connections, and reflects on the experience to gain insights for future peace processes.

This report is one of three country reports—the others consider El Salvador and Sudan—for the HD Centre's 'Negotiating Disarmament' project.[1] It is part of a commitment to refining the practice of peacemaking and mediation, and enhancing the positioning of security concerns within those processes. The project explores how guns and violence, those who hold and use them and the impacts of armed violence are understood and addressed around the peace negotiation table. Little information exists for mediators, facilitators, and negotiating parties on public security, weapons control and violence reduction issues. Most parties to armed conflicts by definition have little experience of negotiation, having been enemies for often

lengthy periods; therefore, mediators can make a significant contribution in this area. "Many peace agreements contain 'silences' on key issues. Although such silences may be a means to avoid derailment, they also may result from negotiators not appreciating what is involved in disarmament and demobilisation."[2] It is hoped that this Country Study contributes in some way towards filling this critical gap, both building knowledge and identifying lessons.

In Burundi, the peace process is a work in progress: as of March 2008, negotiations continue with one armed group. The process has now spanned a decade, during which much research, analysis, and programming has been devoted to understanding the intricacies of weapons availability and misuse and to proposing strategies to reduce armed violence. This intellectual and practical activity has dramatically influenced policy and practice. This report aims to convey the evolution of thinking around some of these security issues and how this evolution was—and was not—taken into account around the negotiating table.

This country study, however, does not attempt to provide a detailed review of the implementation of various security elements. It seeks to illuminate the pressures on, and perspectives of key actors to the peace talks, and how these actors tackled complicated security issues and the needs of those who survived armed violence. To inform the analysis, through late 2007 and early 2008, Dr. Richard Barltrop conducted interviews with some of the individuals who negotiated various agreements and accords, and their advisers; who mediated or assisted with the process; and who watched the process closely (see Annex 1 for a list of interviewees). Importantly this was not an exhaustive process, and thus provides a sample of viewpoints. Respondents were asked to reflect on:

• the timing and sequencing of the negotiations related to security concerns, and the relevance or importance of where these issues were situated in the overall process;

- the models or approaches that were ultimately agreed on, and how this unfolded in practice;
- the relationship between disarmament and arms control in the peace negotiations;
- the process of security sector transformation;
- the attention given to regulating and reducing the number of guns in the hands of civilians;
- consideration of violence reduction strategies; and
- provisions to promote the rights, protection and needs of victims and survivors of armed violence.

The Centre is appreciative of the time people gave to these inquiries: the report is richer for the reflections offered.

—Cate Buchanan
Editor, March 2008

TERMS AND DEFINITIONS

THE LAST TWENTY years have seen a broad evolution in the collective understanding of, and approach to, the resolution of violent conflict and the multiple strands of human security. This ongoing evolution has fundamentally altered how the simultaneously complex and simple processes of taking up and laying down arms are conceptualised and framed. Terms in this report are used by a wide range of constituencies—including violence prevention, human development, security, disarmament, mediation, and peacebuilding, amongst others. The terms are not used consistently across disciplines, and sometimes overlap. With these caveats in mind, this report uses the following definitions:

Weapons control—includes efforts to regulate, control and manage small arms and light weapons, ammunition, bombs and explosives. Small arms include grenades, landmines, assault rifles, handguns, revolvers, and light machine guns. Light weapons generally refer to anti-tank and anti-aircraft guns, heavy machine guns, and recoilless rifles. The control, regulation, management, removal, storage and destruction of weapons is understood to be distinct from disarmament in peace processes, which is usually directed at removing weapons permanently or temporarily from fighting forces. Weapons control can include a range of measures directed at numerous actors including civilians, paramilitaries, militias, police, other security forces, private security companies, and fighting forces. It can entail:

- developing new standards, laws and policies related to the use, possession, sale and movement of weapons;
- banning certain types of guns and ammunition or particular uses;
- banning particular types of people from using or possessing weapons;
- new techniques and standards for the storage of state-held (police, military) weapons;

- removing weapons from circulation—annual destruction events, for example, or amnesties for handing in illegal weapons;
- implementing a 'weapons in exchange for development' scheme;[3]
- creating 'gun free zones'; and
- awareness campaigns targeted at particular populations or actors to stigmatize weapons possession, and misuse or to advertise changes to laws and policies or events and processes.

In this report the terms 'guns', 'arms', and 'weapons' are used interchangeably.

Disarmament, Demobilisation and Reintegration (DDR)—is defined in the United Nations (UN) Integrated DDR Standards as:

- **disarmament** is "the collection, documentation, control and disposal of small arms, ammunition, explosives and light and heavy weapons of combatants and often also of the civilian population."
- **demobilisation** is "the formal and controlled discharge of active combatants from armed forces or other armed groups. The first stage of demobilisation may extend from the processing of individual combatants in temporary centres to the massing of troops in camps designed for this purpose (cantonment sites, encampments, assembly areas or barracks). The second stage of demobilisation encompasses the support package provided to the demobilised, which is called reinsertion."
- **reintegration** is "the process by which ex-combatants acquire civilian status and gain sustainable employment and income. Reintegration is essentially a social and economic process with an open time frame, primarily taking place in communities at the local level. It is part of the general development of a country and a national responsibility and often necessitates long-term external assistance."[4]

Security Sector Reform (SSR)—is defined in the UN Integrated DDR Standards as "a dynamic concept involving the design and implementation of strategy for the management of security functions in a democratically accountable, efficient and effective manner to initiate and support reform of the national security infrastructure. The national security infrastructure includes appropriate national ministries, civil authorities, judicial systems, the armed forces, para-military forces, police, intelligence services, private-military companies, correctional services and civil society 'watch-dogs'."[5] A key goal of such reform efforts is to instil or nurture the development of democratic norms and principles of good governance in justice and security sectors.[6] More simply, SSR has been described as a "process for developing professional and effective security structures that will allow citizens to live their lives in safety."[7] In the course of this report, reference to SSR implicitly entails judicial and justice related processes and components.

Survivors and victims of armed violence—encompasses combatants and civilians who have survived war-related violence with trauma, injury or impairment.[8] In all the Country Studies, efforts were made to assess whether survivors were recognised as legitimate stakeholders in the peace process, and the extent to which measures to address their needs were highlighted in the peace talks and agreements. Such recognition can take several forms and may include access to physical or psychological rehabilitation services and long-term care or particular consideration of injured fighters in the reintegration phase of DDR. It may also entail dedicated truth and accountability seeking processes and attention to efficient justice mechanisms.

Violence reduction—is understood to include both implicit and explicit recognition of the need to contain and reduce violence over a set of time periods: short, medium and long term. It is understood to be separate from the ceasefire and demilitarisation process, and casts a spotlight on cultures of violence and weapons misuse that may be prevalent amongst a range of actors, including interpersonal, gang, youth, family, gender, ethnic and identity-based violence. It may entail a variety of processes such as research and policy development, changing laws, and awareness raising, and can include a range of disparate strategies such as youth focussed programming, employment schemes, town planning, challenging gender roles, tackling urbanisation and rural decline, and promoting sustainable development.

Acronyms

AMIB African Union Mission in Burundi

BINUB United Nations Integrated Office in Burundi

CNDD National Council for the Defence of Democracy

CNDRR National Commission for Demobilisation, Reinsertion and Reintegration

CTNDC National Technical Commission for Civilian Disarmament

DDR Disarmament, demobilisation and reintegration

DRC Democratic Republic of the Congo

FAB Burundian Armed Forces
(the national army until 2004)

FDD Forces for the Defence of Democracy

FDN National Defence Forces
(the national army from 2005)

FNL National Liberation Forces

FRODEBU Front for Democracy in Burundi

FROLINA National Liberation Front

HD Centre Centre for Humanitarian Dialogue

MDRP Multi-Country Demobilization and Reintegration Program

MSF Médecins Sans Frontières

ONUB United Nations Operation in Burundi

PALIPEHUTU Hutu People's Liberation Party

Peace Guardians Gardiens de la Paix

PRSP Poverty Reduction Strategy Paper

SSR Security sector reform

UNDP UN Development Programme

UPRONA Union for National Progress

SECTION 1: BACKGROUND TO WAR

THE TRAJECTORY OF war and peacemaking in Burundi since the early 1990s presents an unusual story. The most celebrated peace agreement was a detailed and politically comprehensive multi-party agreement reached in 2000—the Arusha Peace and Reconciliation Agreement (Arusha Agreement).[9] Less celebrated and politically comprehensive were a series of bilateral ceasefire agreements reached in 2002–2006, the most notable being the Pretoria Protocol. During this period, the government changed several times, with the result that from 2005 it was led by a former rebel movement which was not a signatory to the Arusha Agreement.

It would therefore be wrong to think that over this period there was a single, monolithic conflict, and that there were core parties or groups of parties making up two sides to a constant overall conflict. The conflict was never simply 'Hutu versus Tutsi' or simply a 'tribal' conflict, although perceptions and ideological constructs of ethnicity contributed to the conflict.[10] It is also potentially confusing to think of peacemaking over this period as a single 'process;' rather, the 'peace process' was multifaceted and changed as the violent conflict shifted. Finally, it is misleading to regard Burundi's most noted peace deal—the Arusha Agreement—as bringing about a transition from war to peace. The Agreement signalled a political transition, and the possibility of stability, while the task of bringing about ceasefires and a tangible end to fighting was the subject of subsequent talks.

The violent conflict which was to lead to the Arusha peace talks began in earnest in 1993 and continued beyond the Arusha Agreement in 2000.[11] The coup and assassination in October 1993 of Burundi's first Hutu president, Melchior Ndadaye, only four months after his election, prompted a series of political crises that led to war. Ndadaye's assassination was followed in April 1994 by the death of his successor, Cyprien Ntaryamira, when the plane in which he was travelling with the Rwandan president Juvénal Habyarimana was shot down, providing the catalyst for the 1994 genocide in Rwanda.

That a war with no immediate prospect of overall victory for one side or another escalated and continued as long as it did is testament to the strength of underlying causes and drivers of the conflict, as well as the complicating fusion of ethnicity, ideology and history. A key feature of the path to organised violence was imbalances in power between Hutus and Tutsi, most immediately visible and felt in the Tutsi domination of the national army, the Burundian Armed Forces (FAB). This imbalance remained problematic in the mid-1990s, despite progress in making government and the civil service more representative. Imbalances in the structures of power reflected an uneven distribution of wealth and economic power, both fed by and fostering social division in the country.[12] As fighting escalated, various extreme parties in Burundi exploited ethnicity to mobilise support, thereby polarising and exacerbating the conflict.

Ntaryamira's successor, Sylvestre Ntibantunganya, tried to accommodate the demands of the FAB, the former ruling party Union for National Progress (UPRONA) and smaller Tutsi parties. Nevertheless, in 1994 elements of the ruling Front for Democracy in Burundi (FRODEBU), led by Léonard Nyangoma broke away, forming the rebel National Council for the Defence of Democracy (CNDD). The CNDD allegedly benefited in its formation from the complicity of FRODEBU leaders, although others point to the contribution of Hutu dissatisfaction with the choice of Ntibantunganya—distrusted as a Hutu from the South, a region dominated by formerly ruling Tutsis—as Ndadaye's successor. The CNDD in turn formed an armed wing, the Forces for the Defence of Democracy (FDD), which operated out of eastern Zaire.[13]

In July 1996 the FRODEBU-led government was overthrown in a military coup led by former president Pierre Buyoya of UPRONA. In response, Burundi's neighbours imposed sanctions. These were eventually suspended in early 1999 for various reasons: the consent of the Burundian government to a political partnership with the parliament; the government's opening of dialogue with rebels; and regional differences over how to approach the war in Democratic Republic of the Congo (DRC).

> "The use of force and the power of arms and money, at the expense of the rule of law, are perceived to be normal. With this deregulation of Burundian society . . . [the conflict] has engendered innumerable sub-conflicts around issues such as family, property, succession and descent."
>
> —Louis-Marie Nindorera, 2003[14]

In 2000 the Arusha Agreement brought the promise of political stability, but several coup attempts and armed offensives around Bujumbura during 2001, prompted by Tutsi opposition to the Arusha-mandated political transition, provided a reminder that the remaining armed groups could not be ignored. As the violence wore on, Burundian social and economic life was further eroded. As one observer noted: ". . . the use of force and the power of arms and money, at the expense of the rule of law, are perceived to be normal. With this deregulation of Burundian society . . . [the conflict] has engendered innumerable sub-conflicts around issues such as family, property, succession and descent."[15]

Although armed conflict continued, the political transition went ahead, with a small South African special protection unit providing security for leading political figures. With monitoring from the regional backers of the Arusha Agreement, a transitional government was formed in November 2001. As provided for by the Agreement, in April 2003 President Buyoya stepped down to allow Domitien Ndayizeye of FRODEBU to take over the position. At the same time, a 2,900-strong peace support mission, the African Union Mission in Burundi (AMIB), began to deploy. However, fighting continued between the transitional government and the CNDD-FDD, led by Pierre Nkurunziza, until a series of ceasefire agreements were secured in late 2003 and Nkurunziza joined the government. In June 2004 AMIB was replaced by a 5,600-strong UN peace support mission, the United Nations Operation in Burundi (ONUB).

General elections were finally held between June and August 2005, eight months later than scheduled by the Arusha Agreement. These were won by the CNDD-FDD and its leader, Pierre Nkurunziza, who became president. To some extent this victory showed that many Burundians had come to see the core parties to the Arusha Agreement—FRODEBU and UPRONA —as no longer voteworthy.[16]

On paper the elections marked the end of the political transition mandated by the Arusha Agreement, and were a milestone in what was intended to be the transition of Burundi out of war and into peace and stability. But in practical terms, because at least one armed group, the Hutu People's Liberation Front National Liberation Forces (PALIPEHUTU-FNL) of Agathon Rwasa, was not party to the Arusha Agreement or any ceasefire agreement, and was still fighting, the conflict was not finished. Subsequent events, and other important historical markers in the Burundian timeline, are summarised in Box 1.

Weapons availability and supply

Inevitably, the proliferation of armed groups fuelled the widespread availability and misuse of small arms.[17] Burundi had already seen one influx of weapons during the genocidal conflict in 1972. The intense conflict in 1993–1994 brought a new wave of weapons into circulation. Throughout the 1990s and the early 2000s, the availability and supply of weapons were bolstered by the regional context, including the violent conflict in neighbouring Rwanda and DRC and the movement of large numbers of people back and forth across weakly policed borders. Proliferation mushroomed further because the government and armed groups resorted to issuing guns, ammunition and grenades to civilians, and kept inadequate records of what they had issued.[18] In particular, in 1997 the government established a civilian militia known as the Peace Guardians, *Gardiens de la Paix,* armed by the Ministry of Defence. Guns were also issued to state

Box 1
Selected Burundi historical timeline[21]

1889–1918 German colonial period.

1890 Tutsi kingdom of Urundi and neighbouring Ruanda incorporated into German East Africa.

1918–1962 Belgian colonial period.

1962 After separating from Belgian-administered Ruanda in 1961, Urundi becomes the independent monarchy of Burundi, under King Mwambutsa IV.

1966 Military coup led by Michel Micombero overthrows monarchy and makes Burundi a republic.

1972 An estimated 150,000, mainly Hutus, killed in what is sometimes described as Burundi's first civil war or genocide.

1988 In an outburst of violence, thousands of Hutus massacred by Tutsi and thousands more flee to Rwanda, Zaire and Tanzania.

October 1993 Burundi's first Hutu president, Melchior Ndadaye, assassinated in coup d'état four months after election.

April 1994 President Cyprien Ntaryamira dies in plane crash together with Rwandan President Juvénal Habyarimana; genocide starts in Rwanda; Sylvestre Ntibantunganya becomes president.

1994 National Council for the Defence of Democracy (CNDD) led by Léonard Nyangoma splits from ruling Front for Democracy in Burundi (FRODEBU) of Sylvestre Ntibantunganya; CNDD forms armed wing, Forces for the Defence of Democracy (FDD), which operates out of eastern Zaire.

1993–1994 'Good offices' process by Ahmedou Ould-Abdallah, Special Representative of the UN Secretary General; establishment of UN Office in Burundi.

1994–1995 Mediation by the Carter Center lays groundwork for a regional peace initiative.

November 1995 Regional peace initiative set up under leadership of former Tanzanian President Julius Nyerere, together with the presidents of Rwanda, Burundi, Uganda and Zaire.

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

July 1996 Coup d'état; UPRONA takes over power from FRODEBU; sanctions imposed on Burundi.

September 1996 Rwandan and Ugandan offensive in Kivu (eastern Zaire) against Hutu rebel groups.

1996–1997 UPRONA seeks political reconciliation; four rounds of secret talks between UPRONA and Nyangoma's CNDD, facilitated by the Community of Sant'Egidio, held September 1996-May 1997.

June 1998 Peace talks start in Arusha under auspices of Nyerere.

August 1998 Start of second Rwandan and Ugandan offensive in Democratic Republic of Congo (DRC, former Zaire) against forces of Laurent Kabila.

June 1998–2000 Second phase of talks convened at Arusha, Tanzania, by Regional Peace Initiative; five commissions created to deal with various aspects of the talks.

1999 Burundi government agrees to political partnership with parliament and to talks with the rebels.

October 1999 Nyerere dies; succeeded in Arusha talks by South African President Nelson Mandela.

August 2000 Signing of multi-party Arusha Agreement between nineteen signatories; however, main active armed groups excluded (see Box 2).

2001 Several coup attempts by Tutsi opposition to Arusha-mandated political transition.

July 2001 Formula for political leadership finally agreed on.

November 2001 Transitional government formed.

October 2002 Ceasefire between the transitional government, minority CNDD-FDD faction led by Jean Bosco Ndayikengurukiye, and minority National Liberation Forces (FNL) faction led by Alain Mugabarabona.

December 2002 Ceasefire between transitional government and mainstream CNDD-FDD; ceasefire immediately violated; proportion of the population living below the poverty line (USD 2.15 a day) rises from 58.4 per cent in 1993 to 89.2 per cent by 2002.

January 2003 Government agrees to Mugabarabona and Ndayikengurukiye's return to Bujumbura; Memorandum

▶▶

of Understanding (MoU) between government and Pierre Nkurunziza (mainstream CNDD-FDD) for implementation of December 2002 ceasefire, providing for creation of Joint Ceasefire Commission.

February 2003 CNDD-FDD breaks talks with government.

April 2003 President Pierre Buyoya steps down to allow FRODEBU's Domitien Ndayizeye to take over as president; deployment of African Union Mission in Burundi (AMIB), tasked with implementing of Arusha Agreement and ceasefire protocols, including the DDR programme.

October–November 2003 Protocols signed with CNDD-FDD in Pretoria, South Africa, providing for power sharing, defence and security, and a 'forces technical agreement.'

23 November 2003 Ceasefire agreement with CNDD-FDD signed in Dar es Salaam, Tanzania; Nkurunziza joins the government.

June 2004 Interim constitution agreed on; AMIB replaced by 5,600-strong UN peace support mission, United Nations Operation in Burundi (ONUB).

December 2004 DDR programme launched.

June–August 2005 General elections held; won by CNDD-FDD; Nkurunziza becomes president.

September 2005 Talks between the Nkrunziza government and Agathon Rwasa of Hutu People's Liberation Front-National Liberation Front (PALIPEHUTU-FNL).

September 2006 Ceasefire agreed to by government and PALIPEHUTU-FNL but not implemented.

December 2006 ONUB replaced by UN Integrated Office in Burundi (BINUB), whose unit on security sector reform oversees work on DDR and small arms control.

2007 Burundi ranked 167 of 177 countries in UNDP's Human Development Index, with per capita GDP of USD 700.

March 2008 As part of the World Bank–Government of Burundi process, 24,498 combatants demobilised (from a target of 55,000); 21,457 individuals moved through a reinsertion program and 13,869 people reintegrated (from targets of 47,000).

employees who were loosely organised in so-called 'Civil Self-Defense Groups.'[19]

The government and major armed groups such as the CNDD were able to procure arms from suppliers further afield, such as Angola, China, South Africa, and Tanzania.[20] Minor armed groups obtained guns either by being issued with them by supporters in the government or the armed forces, or by buying them domestically or from small arms markets outside Burundi, especially in DRC. Meanwhile, civilians resorted to arming themselves because they distrusted the security forces and various armed groups, or because they wanted to protect themselves from rebel incursions from DRC.

Fighting forces

Burundi's war did not take a conventional form of massed troops, front-lines and occupied territories. Instead, it was characterised by intense violence diffused across the country. Broadly speaking, the fighting pitted the army, allied militias, and (from 1996) the mainly Hutu Peace Guardians militia against Hutu civilians, FRODEBU members, and later the CNDD-FDD, as well as (from 1994) the armed wings of the Hutu People's Liberation Party (PALIPEHUTU). Factionalism in government, political parties and armed movements complicated the lines of conflict. Many fighters from the various entities were ill-disciplined, committing frequent massacres of civilians, rampant sexual violence, and wide-ranging human rights transgressions.[22]

Over the decade or more of conflict, the shape and makeup of the various armed forces changed considerably. Part of the change was due to the formation of new governments and the merger of armed groups into the police and the new national army, the National Defence Forces (FDN), which replaced the Burundian Armed Forces (FAB) in 2005. But most of the change was due to factionalism and the failure of political and ceasefire agreements to include *all* armed groups, which contributed to the continuation of fighting. During the 1990s armed groups proliferated, although most remained small (see Box 2). By 2003 there were at least ten armed groups or political movements, including:

- the CNDD-FDD (around 19,000 members);
- the Peace Guardians (also around 19,000 members);

- the Militant Combatants (around 10,000 members);
- the core CNDD (2,180 members);
- the PALIPEHUTU–FNL (500–1,000 members);
- the PALIPE-Agakiza (510 members); and
- the FNL–Icanzo (256 members).[23]

The FAB numbered around 45,000 personnel.

The proliferation of fighting forces was exacerbated by the regional context, including the genocide in Rwanda in 1994 and the wars and instability in DRC. These accentuated and complicated the political and military dynamics in the region, increasing the scope for insurgent movements to gain materiel support, and for governments to deploy forces across borders in support of national agendas or regional allies.[24] These forces were not the primary cause of instability in Burundi, however, as the various domestic armed movements were generally politically independent from external sources.

Box 2
Parties to the war in Burundi

Party	Predominant ethnic identity	Related armed group(s)	Notable leader(s)	Notes
Union for National Progress (UPRONA)	Tutsi		Pierre Buyoya	President 1987–1993 and 1996–2003
Burundian Armed Forces (FAB)	Tutsi			Replaced in 2005 by the more ethnically representative National Defence Forces (FDN
	Hutu	Peace Guardians		Militias created by Buyoya and FAB after 1996
		Civil self-defense groups		
Front for Democracy in Burundi (FRODEBU)	Hutu		Sylvestre Ntibantunganya Domitien Ndayizeye	President 1994–1996 President 2003–2005
Council for the Defence of Democracy (CNDD)	Hutu[25]		Léonard Nyangoma	Founded CNDD in 1994
		Kaze-FDD Jean Bosco	Jean Bosco Ndayikengurukiye	Formed June 1998; support from DRC's Kabila after 1998
		Forces for the Defence of Democracy (FDD)	Pierre Nkurunziza (CNDD-FDD)	Formed October 2001. Nkurunziza elected president in 2005
Hutu People's Liberation Party (PALIPEHUTU)	Hutu	National Liberation Forces (FNL)	Etienne Karatasi Kossan Kabura Agathon Rwasa	
		FNL	Alain Mugabarabona	
		FNL-Icanzo		
		PALIPE-Agakiza		
National Liberation Front (FROLINA)	Hutu		Joseph Karumba	

The human cost

Over the last fifteen years, armed violence has killed hundreds of thousands of people in Burundi, most of them essentially civilians (even if notionally under arms). It is estimated that between 50,000 and 100,000 people were killed in 1993–1994 alone. In the same period, hundreds of thousands, mainly Hutus, fled their homes—some 400,000 to Rwanda, 250,000 to Tanzania and 60,000 to Zaire. Many others were internally displaced or dispersed, some as a result of deliberate ethnic cleansing. Although the intensity of killing and displacement generally did not return to the levels of 1993–1994, it was estimated that by 2000 the war had cost some 200,000 lives. Today, estimates of the total number killed run to 300,000 people, although no detailed data exist for overall excess mortality during the war. Furthermore, as the World Health Organisation has stressed, direct deaths represent only the "tip of the iceberg" as far as the impact of armed violence is concerned; thus the number of people who survived Burundi's violence with permanent disabilities and trauma is not known.[26]

The economic costs of the armed violence and long-running war were, and continue to be, wide-reaching. From 1993 to 2002 the proportion of people living below the poverty line (USD 2.15 a day) rose from 58.4 per cent to 89.2 per cent. During the same period, official military expenditure increased from 10.7 per cent to 27 per cent of the budget, further depleting resources for human development.[27] Although political stability has improved since 2004, human development indicators for Burundi are still very low. In 2007 Burundi was ranked 167 of 177 countries in the UN Development Programme's Human Development Index, with a per capita GDP of barely USD 700 (at purchasing power parity).[28]

SECTION 2: THE PEACE NEGOTIATIONS

"The process is not complete. Things that have been agreed have not been implemented, especially regarding truth and reconciliation . . . as an incomplete process, it could still go either way."

—Sylvestre Ntibantunganya,
former president of Burundi, 2007[29]

PEACEMAKING IN BURUNDI between 1993 and 2005 can be roughly divided into four phases:[30]

- 1993 to 1997—through the 'good offices' of the UN and under the auspices of a regional peace initiative set up in 1995;
- 1998 to 2000—talks at Arusha, convened by the regional peace initiative and culminating in the multiparty Arusha Peace and Reconciliation Agreement signed in August 2000;
- 2001 to 2005—a phase of sporadic talks on implementation matters and negotiation of successive bilateral ceasefire agreements, the most notable being the Pretoria Protocol; and
- 2006 to 2008—the PALIPEHUTU-FNL Agreement.

Box 3 presents a summary of the key meetings and agreements secured throughout the peacemaking process since 2000.

1993–1997
Opening lines of communication: 'good offices'

The first phase of peacemaking began in 1993, principally using the 'good offices' of Ahmedou Ould-Abdallah, the Special Representative appointed by the UN Secretary-General to contain or turn back the crisis.[31] Ould-Abdallah established the UN Office in Burundi and sought a return to constitutional rule. In 1993 and 1994 these efforts went some way to preventing

Box 3
Timeline of key meetings and agreements

Since 2000 a number of peace and ceasefire agreements have been reached, ranging from the multi-party Arusha Agreement, to the bilateral protocols and ceasefire agreement referred to as the Pretoria Protocol, and other ceasefire agreements between the incumbent government and minor rebel factions. Key amongst these are:

Arusha Peace and Reconciliation Agreement—signed 28 August 2000, Arusha, Tanzania. This was the most substantial peace agreement, with five protocols on topics ranging from the causes of the conflict to arrangements for governance, security and implementation. The third protocol on 'peace and security for all' contained three chapters, covering (i) principles, (ii) the defence and security forces, and (iii) a 'permanent ceasefire and cessation of hostilities.' The Arusha Agreement was signed by nineteen parties, including the CNDD Nyangoma and the PALIPEHUTU of Etienne Karatasi, but not the CNDD-FDD of Jean Bosco Ndayikengurikiye and later Pierre Nkurunziza or PALIPEHUTU-FNL of Kossan Kabura and later Agathon Rwasa.

Ceasefire Agreement between Transitional Government of Burundi and CNDD-FDD Jean Bosco Ndayikengurikiye and FNL Alain Mugabarabona—signed October 2002, Dar es Salaam, Tanzania. A ceasefire between the government and two minor rebel factions.

Ceasefire Agreement between Transitional Government of Burundi and CNDD-FDD Pierre Nkurunziza—signed December 2002, Arusha. The agreement was rapidly broken, necessitating new ceasefire talks.

Pretoria Protocol between Transitional Government of Burundi and CNDD-FDD Pierre Nkurunziza—signed October–November 2003, Pretoria, South Africa, and Arusha. This protocol referenced the December 2002 ceasefire agreement and comprised four further agreements:

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* *Protocol on Political, Defence and Security Power Sharing*—signed October 2003, Pretoria. This protocol provided for the CNDD-FDD to hold four ministries in the transitional government and fifteen seats in the National Assembly; specified provisions for cantonment and verification; and detailed the shares of posts in the army, police, gendarmerie and intelligence to be held by the CNDD-FDD.

* *Protocol on Outstanding Political, Defence and Security Power Sharing Issues*—signed November 2003, Pretoria. This protocol added detail to the October protocol.

* *Forces Technical Agreement*—signed November 2003, Pretoria. This agreement was subsidiary to the two protocols. Part II of the agreement covered SSR and DDR.

* *Global Ceasefire Agreement between Transitional Government of Burundi and CNDD-FDD Nkurunziza*—signed November 2003, Dar es Salaam, Tanzania. This stipulated that the ceasefire was an 'integral part' of the Arusha Agreement and revoked 'all earlier conflicting provisions of the Arusha Agreement in relation to the CNDD-FDD.'

The Comprehensive Ceasefire Agreement between Government of Burundi and PALIPEHUTU-FNL Agathon Rwasa—signed 7 September 2006, Dar es Salaam. As of March 2008 yet to be successfully implemented.

widespread violence and genocide in Burundi.[32] During 1994 and 1995 peace talks were not held, but actions by the Carter Center and former US President Jimmy Carter himself helped to lay the groundwork for peacemaking efforts from the region.[33]

In November 1995, at the prompting of former Tanzanian President Julius Nyerere, the presidents of Burundi, Rwanda, Uganda and Zaire (as Democratic Republic of Congo was still known) announced the 'Regional Peace Initiative on Burundi.' With Uganda as chair and Nyerere in the role of regional 'facilitator' or chief mediator for the peace process, two initial meetings were held with FRODEBU and UPRONA at Mwanza in Tanzania in April and June 1996. However, the delegates from both parties lacked the authority to negotiate substantively. The modest progress represented by these meetings and the creation of the regional initiative was then set back by the UPRONA coup in July 1996. Although Buyoya allegedly benefited

from the support of Rwanda and Uganda, in the context of imminent Rwandan and Ugandan offensives in eastern Zaire, the countries of the regional initiative imposed economic sanctions on Burundi and Buyoya's government in response to the coup.

Subsequently, Buyoya made efforts to promote political reconciliation. Within Burundi, he sought internal talks involving representatives of all groups and parties. In addition, he agreed to participate in secret talks in Rome with Leonard Nyangoma's CNDD. Four rounds of bilateral talks, mediated by the Community of Sant'Egidio (a Rome-based Catholic lay organisation), were held between September 1996 and May 1997.[34] The talks were controversial within both Buyoya's government and the CNDD, but were significant in getting Buyoya and Nyangoma to meet at a time when they were refusing open negotiations under the mediation of Nyerere and the Regional Peace Initiative, who were seeking all-party talks.[35] From the Sant'Egidio meetings, an agreement was reached in March 1997 on a framework for further meetings. Subsequently the talks reached an impasse on constitutional matters and were suspended after exposure by the media.[36]

1998–2000
Designing a political way forward: the Arusha talks

A second phase of peacemaking took place under the auspices of the Regional Peace Initiative. Encouraged by Buyoya's efforts at dialogue and reconciliation, and believing circumstances were right (and with regional support for the embargo on Burundi crumbling), in June 1998 Nyerere convened a round of 'all-party talks' at Arusha, Tanzania.[37] Despite the notional inclusivity, important active armed groups (notably the CNDD-FDD of Jean Bosco Ndayikengurukiye, which formed at this time, and the PALIPEHUTU-FNL of Kossan Kabura) were excluded from the talks. Nonetheless, the participants decided to continue talks, structured around five commissions, covering:

* the nature of the conflict, problems of genocide and exclusion, and their solutions;
* democracy and good governance;
* peace and security;
* reconstruction and development; and
* implementation guarantees.

Steered by Nyerere until his death in October 1999 and then by South African President Nelson Mandela, talks took place from July 1998 to August 2000, with consultations and related activities between sessions. Each commission worked towards a protocol that was consolidated into the final agreement. The African Union (AU), European Union (EU) and UN were represented as observers. Mandela also encouraged greater involvement from other interested international organisations as well as donor countries, although their involvement was largely confined to funding the talks and providing some technical resources for the commissions. The prevailing international mantra for responsibility for the talks was 'African ownership.'

The climax of the process was the signing of the Arusha Agreement in August 2000. Thirteen parties (including FRODEBU) signed the agreement in full, with six (including UPRONA) signing with reservations. The focus of peacemaking then shifted towards implementation and bringing about the political transition stipulated by the Arusha Agreement, which aimed at bringing about an inclusive and ethnically balanced government. The transition period was to be one of three years (eventually extended to four years) during which the presidency was to alternate between FRODEBU and UPRONA, and Burundi was to be governed by a transitional government until new general elections were held. The focus of peace talks therefore moved to the two core political parties, FRODEBU and UPRONA. Given the peripheral nature of some of the minor parties to the Arusha Agreement, this shift was in effect an end to "the fiction of discussions between nineteen equal parties."[38] Nonetheless, it was only in July 2001 that Mandela succeeded in getting the parties to agree to a formula for leadership during the transition.

The main challenge mediators faced was how inclusive talks should be. The Regional Peace Initiative chose to use a non-inclusive approach, preferring to reach an imperfect agreement sooner rather than a perfect agreement later. However, with the benefit of hindsight, almost all of those interviewed for this report thought that talks should have been more inclusive from an earlier stage.[39] In the opinion of one participant, the mistake of not bringing the armed movements to the negotiating table was made "because of the mediation techniques used, and because of the interests of some of the parties—some of which wanted to use the armed groups which were

outside the talks at a later stage."[40] Mediators' perceptions of the armed movements outside the talks have also been criticised. For example, when interviewed for this report, former president of Burundi Sylvestre Ntibantunganya argued that the use at the time by some mediators of the term 'negative forces'—intended to draw parallels with the perpetrators of the genocide in Rwanda—was "a negative and inappropriate formula for Burundi."[41]

The mediators too faced challenges which reduced the prospect of them facilitating discussions and negotiations on a range on security issues.

Although more inclusive talks doubtless would have taken longer to reach an initial breakthrough agreement, it may be true that such talks could have created better conditions for a detailed discussion of security issues, within or outside the context of the initial agreement. However, the question of inclusivity is more complex than ameliorative hindsight suggests. For example, at the time of the Arusha Agreement the mediators believed that the most important of the armed forces excluded from the talks was the CNDD of Jean Bosco Ndayikengurukiye, and made some efforts to engage this group.[42] By 2002, however, the CNDD Jean Bosco was clearly no longer the major armed force, especially as it had lost the support of its main external backer Joseph Kabila (DRC president since 2001). Nonetheless, there is good reason to judge that it was "a big faux pas to sign the Arusha Agreement without the CNDD [of Nkurunziza]."[43]

The mediators too faced challenges which reduced the prospect of them facilitating discussions and negotiations on a range on security issues. Firstly, as is common, they faced the challenge of inclusion and exclusion or parties—of influencing or determining (if possible) who participated in talks and who did not. For the Arusha Agreement the exclusion—or non-participation—of the major armed groups meant that the agreement did not bring about a meaningful ceasefire. On the other hand, the exclusion of armed groups did not prevent agreement and formation of a transitional government that—its shortcomings

A man walks past coffins prepared for burial in a mass grave in Gatumba, Burundi, 16 August 2004. © Finbarr O'Reilly/Reuters.

notwithstanding—was nevertheless sufficient to fulfil the requirements of the Arusha Agreement.

Julius Nyerere and Nelson Mandela—in their roles as 'facilitator' or chief mediator—were well respected: both individuals had exceptional standing. All the same, criticisms have been levelled about the manner of their mediation and some of the decisions that they took. At the milder end of the spectrum of criticisms, some Burundian participants and observers of the Arusha talks feel that that Mandela's high regional and international standing made him too confident about imposing his own ideas.[44] Before Mandela, Nyerere had sometimes been regarded as partial by the government and Tutsi public opinion. Another criticism voiced by a number of Burundians interviewed for this report was that the mediators were wrong to try to make the peace process all-African, following the idea that 'African solutions' were what was needed for 'African problems' (an idea that gained renewed popularity in the late 1990s as a result of the re-launch of the Organisation of African Unity as the African Union). Thus, for example, one Burundian

participant in the Arusha talks opined that "the mediators were not up to the job," and should have drawn more on conflict resolution expertise from outside Africa, including from the UN.[45]

Another challenge for the mediators was the seemingly unending need to convene further talks in pursuit of successive agreements. A related problem was that of developing the parties' confidence in the negotiations and providing credible guarantees for the agreements—a task that was ultimately met through regional and international monitoring and support from AU and UN peacekeeping missions. For the mediators, as for the parties, the regional context also was difficult, as the situation in DRC and Rwanda made it easier for the armed parties to continue or revert to violence by seeking shelter and support from regional allies who used them as proxy forces. At the same time, hanging over Burundi and over the regional and international community—both haunted by inaction in Rwanda—was the risk of the country falling into greater violence, including the prospect of genocide.

2000–2005
Expanding the negotiating table: the Pretoria Protocol

Substantial though it was, in essence the Arusha Agreement was an agreement between competing parties about a political path forwards, not an agreement that ended a war. Despite Mandela's efforts, the Arusha Agreement did not include the main armed movements active in Burundi, and getting them to the table was complicated by the ongoing war in neighbouring DRC.

From 2000 onwards another phase of peacemaking therefore took place. Although still mainly under the auspices of the Regional Peace Initiative and using Mandela's successor, Jacob Zuma, as facilitator, peacemaking in this period did not follow the form of a single, coherent process. Instead it was characterised more by 'consultations' and occasional bi-party talks, focused on reaching agreements on ceasefires and their implementation.

The first ceasefire agreement, between the transitional government and the minority CNDD–FDD faction led by Jean Bosco Ndayikengurukiye and the minority FNL faction led by Alain Mugabarabona, was reached in October 2002. In December the government also signed a truce with the mainstream CNDD–FDD, led by Pierre Nkurunziza, but this was immediately violated. In late January 2003, at talks in Pretoria, South Africa, Ndayikengurukiye and Mugabarabona signed an agreement with President Buyoya providing for their return to Bujumbura. At the same talks, Nkurunziza signed a memorandum of understanding with the government for the implementation of the December 2002 ceasefire, providing for the creation of a Joint Ceasefire Commission, as envisaged in the Arusha Agreement. But in February the CNDD–FDD broke off talks with the government, citing continuing clashes and the government's obstruction of humanitarian aid.

At the end of April 2003, however, a changeover in the presidency from Buyoya to Ndayizeye and the deployment of AMIB, combined with further efforts by the Regional Peace Initiative, gradually brought about renewed talks between the government and the CNDD–FDD of Nkurunziza.[46] These led to two protocols signed in Pretoria in October and November 2003, covering power-sharing, defence and security; a Forces Technical Agreement; and a global ceasefire agreement signed on 16 November in Dar es Salaam,

Tanzania. Collectively these came to be referred to as 'the Pretoria Protocol,' and from 23 November 2003 Nkurunziza and the CNDD–FDD began to be integrated into the transitional government. It should be noted that Nkurunziza had previously refused to recognise the Arusha Agreement, but did so implicitly when he signed the Pretoria Protocol.

In the eyes of some observers . . . the parties to the ceasefire agreements also continued to pursue various strategies to make and consolidate political gains.

The Arusha Agreement and the Pretoria Protocol led to a political transformation in government in Burundi. First the Arusha Agreement led to a transitional government alternately headed by the two traditional core political parties. Then the Pretoria Protocol broadened that government and opened the way to the election of a third party, the CNDD–FDD Nkurunziza, to lead the government from mid-2005. During this time, important confidence building developments occurred, including an effective referendum on a post-transition constitution, the promulgation of the electoral code and communal law, and announcement of an electoral schedule. In the eyes of some observers, during this period the parties to the ceasefire agreements also continued to pursue various strategies to make and consolidate political gains.[47] For example, in its determination to consolidate its political gains, the CNDD–FDD government appears to have tried sometimes to foster divisions in opposition parties. Critics argue too that the CNDD–FDD used pretexts to avoid adhering to the Arusha and ceasefire agreements.

Looking back, some individuals involved in the talks and interviewed for this report criticise the mediators, arguing for example that South Africa and Tanzania (the key regional mediators) became too close to the CNDD–FDD, and that such close involvement sometimes obstructed progress. One senior FAB/FDN general, for instance, argues that if South Africa and Tanzania had not involved themselves so closely in contacts with the FDD, the parties would have made more use of their own means of contacting

each other directly and so reached ceasefires sooner. The general in question knew his rebel counterpart: there was "a sort of camaraderie."[48] It is likely, however, that this critical view would not be shared by representatives of groups in a weaker negotiating position, whose interests were sometimes better served by the regional mediators' efforts to mediate contacts between the parties.

Given the size and strength of the CNDD-FDD Nkurunziza, the Pretoria Protocol represented major, tangible progress in ending violent conflict in Burundi. The country's formal political transition continued on the basis of both the Arusha Agreement and the Pretoria Protocol. In the improved security environment, and with the transition approaching its end, ONUB was deployed in June 2004 and tasked with supporting the completion of the transition and the holding of elections in 2005. ONUB was headed by the UN Secretary General's Special Representative for Burundi, Carolyn McAskie, who during the negotiation of the Arusha Agreement had participated in the fourth commission (on reconstruction and development issues). However the conflict had still not ground to a complete halt; as before, the PALIPEHUTU-FNL, led by Agathon Rwasa, continued to oppose the transitional government.

2005–2008
Towards reconciliation? Talks with the PALIPEHUTU-FNL

This last phase of the conflict continued beyond the end of the Arusha-mandated transition in 2005, through to a ceasefire agreement between the government of Pierre Nkurunziza and the PALIPEHUTU-FNL signed in September 2006. The focus was on ceasefires, demobilisation and/or integration of various armed groups into the national army or police force.

In September 2005, after the election of Nkurunziza as president, the Regional Peace Initiative convened talks in Dar es Salaam between Nkurunziza and

Rwasa. These initial talks were brief and unsuccessful. New talks eventually started in May 2006 and led first to a joint communiqué, then in June to a preliminary agreement, and finally to a ceasefire agreement signed in Dar es Salaam in September 2006. During 2007 efforts to implement the PALIPEHUTU-FNL Agreement were unsuccessful, and as of March 2008 it had not been effectively implemented.

South African mediation between the government and the PALIPEHUTU-FNL came under fairly strong criticism from some Burundian participants in and observers of the talks. Among the criticisms were the claims that the mediators no longer 'listened enough' and that they appeared too close to the government—making a reconciliation with the FNL all the more difficult. Some felt that the South Africans was beguiled by the idea that there were similarities between the African National Congress and the CNDD-FDD.[49]

More than seven years after the Arusha Agreement, and four years after the Pretoria Protocol, peacemaking in Burundi was still not at a definitive conclusion. On the ground, the level of open armed conflict was very low, but guns were still widely held and the peace was fragile and incomplete. As one former official noted: "The process is not complete. Things that have been agreed have not been implemented, especially regarding truth and reconciliation . . . as an incomplete process, it could still go either way."[50]

The prospects for resolving the long standing alienation of FNL improved in February 2008 with the convening of a meeting of a group of special envoys from Uganda, Tanzania and South Africa, as well as the AU, the European Union, the US and the UN, appointed by the South Africans after the FNL again accused the South Africans of bias. An understanding was reached on key issues relevant to the implementation of the ceasefire—power-sharing, FNL transformation into a political party, political prisoners, and the Forces Technical Agreement, amongst other issues.

Box 4
Women's roles and interests in the Burundi peace process

In October 2000, the UN Security Council agreed on Resolution 1325 (UNSC 1325) on Women, Peace and Security, enshrining the rights of women to full participation in peace processes. Specifically, UNSC 1325 requires "an increase in the participation of women at decision-making levels in conflict resolution and peace processes."[51] It also "encourages all those involved in the planning for disarmament, demobilization and reintegration to consider the different needs of female and male ex-combatants and to take into account the needs of their dependents."[52]

In the history of Burundi peace negotiations, women have not played a significant role. The groundbreaking international commitment to women's interests embodied in UNSC 1325 was agreed upon two months after the Arusha Agreement, regarded as the start of the formal peace process. In the many talks and agreements that were to follow, Burundian women made a concerted effort to take their rightful place at the negotiating table—with varying degrees of success.

The previous July, women delegates from the nineteen negotiating parties that would eventually sign the Agreement, as well as observers, refugees, internally displaced people and members of the Burundian diaspora, convened an All-Party Women's Peace Conference in Arusha.[53] Under the auspices of UNIFEM and the Mwalimu Nyerere Foundation, some 80 participants met to discuss principles and specific language for the peace agreement that would reflect the concerns and needs of women. The delegates presented their recommendations to Nelson Mandela, the heads of the negotiating parties, the facilitation team and observers from the international community.

The Conference took place one month after the nineteen parties had committed themselves to guarantee women's participation in the implementation of the peace accord. Each party nominated two women to participate in the Women's Peace Conference. Prior to that decision, only seven Burundian women had been permitted to observe selected plenary sessions of the Mandela-facilitated peace talks.[54]

Among the proposals were: a women's charter to be included in the constitution barring all discrimination based on gender; an affirmative action plan to increase women's participation in all decision-making during and after the transition period and quotas for female representation in the legislature, judiciary and executive branches; women's rights to property, land and inherit-

ance; and mechanisms to ensure that the commitments proposed by women are adequately budgeted and realised.

Concerted lobbying and awareness-raising by the Burundi NGO network Collectif des Associations et ONGs Féminines du Burundi (CAFOB), founded in 1994, was also important. Women from CAFOB were able to attend the Conference as observers, making written contributions and recommendations throughout the process about the questions being debated and also about the draft peace agreement.[55]

The government and transitional institutions included women in peace and development activities, albeit in small numbers.

As a result of these and other efforts, a number of the broad recommendations to ensure political and social equality are reflected in Protocol I, Chapter 2, Articles 7 and 8; Protocol II, Chapter 1, Article 3; Protocol IV, Chapter 1, Articles 2, 4, 8, and 10 of the final Agreement, among other places.[56] The government and transitional institutions included women in peace and development activities, albeit in small numbers.

The 2004 Constitution went further, stipulating a 30 per cent quota for women in government, senate and parliament, with a process established for adding women members if the quota is not met (Article 164); in election lists, at least one out of four candidates must be a woman (Article 147).[57] These commitments perhaps help explain why women came out in record numbers to vote in the 2005 elections, outnumbering men. The government fulfilled its obligations, and 36 women took seats out of 118 parliamentarians (30.5 per cent).[58] The positions of head of parliament, both vice-presidents of the Senate, and four provincial governors were all filled by women.[59] The CNDD government also appointed women to the prominent and powerful ministries of Justice, Foreign Affairs, Human Rights, and Health, among others.

It is no exaggeration to call the 2005 elections a revolution for Burundian women.[60] For the first time, women were represented at all levels of government and had

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advocates working on their behalf, even across ethnic lines. But while this dramatic change has been empowering, it has not eliminated the many challenges that women still face today, including legal discrimination, gender-based violence and trafficking in women and girls. Today, however, women are in positions of power working to address these challenges.

The HD Centre takes an active interest in the gender composition of negotiating teams, and more broadly women's substantive participation in peacemaking. Despite the growing commitment by governments and international organisations to implement UNSC 1325, women's involvement around peace tables and the inclusion of gendered views in decision-making to end violent conflict remains very limited. The position of Special Representative of the Secretary-General to Burundi was held by one of the few senior women peacemakers in the UN system, Carolyn McAskie. On the Resolution's fifth anniversary in 2005, the HD Centre sparked an ongoing debate with its Opinion Piece *We the Women – Why Conflict Mediation Is Not Just a Job for Men*. This paper offers cogent reasons as to why the impediments often cited to women's participation in peacemaking at Track One level are surmountable or irrelevant, and suggests practical options to counter the discrimination and inertia which remain.[61]

—Written by Emile LeBrun with input from
Carolyn McAskie and Cate Buchanan

SECTION 3: DISARMAMENT, DEMOBILISATION AND REINTEGRATION

"Disarmament was never a priority for the negotiators. . . . Yes, it was written into the Arusha Agreement, but they didn't believe in it. . . . DDR was relevant, but what was needed was more reflection and more detail."

—UN official in Burundi, 2007[62]

THE EVOLUTION OF DDR in the past twenty years into a detailed doctrine has been the subject of intense analysis and debate.[63] The three components—disarmament, demobilisation and reintegration—are largely considered to be sequential, although the order is increasingly recognised as fluid and the components as overlapping. There is a growing shift at the conceptual level to recognise the overtly political nature of DDR, questioning the technical status it is assigned in many peace processes. At the operational level, this shift has yet to consistently make itself shown.

Broadly speaking, DDR is a set of procedures introduced after a violent conflict to move fighting forces through a transition to civilian status or integration into state security forces. This entails decommissioning armed groups, their collective disarmament, and efforts designed to 'reintegrate' former fighters into new occupations. In practice, DDR—especially reintegration—faces multifarious challenges in fragile post-war nations, including:

- coordination problems;
- sequencing issues;
- an absence of reliable baseline data;
- under-funding or delayed funding;
- omission of some armed actors;
- an overemphasis on short-term disarmament; and
- a tendency to neglect substantive reintegration measures.

DDR programmes are typically facilitated by actors such as the World Bank and the UN. The political and financial commitment of the recovering country is widely considered to be essential to a positive outcome, though the track record on this front is patchy.

DDR serves not only to integrate ex-combatants, but also to address key security issues in the post-war phase. While DDR is typically conceptualised as one discrete 'package' of processes and measures, it has clear linkages to other doctrines, concepts and processes. DDR is often undertaken—either explicitly or implicitly—as a precondition for, or complement to, larger institutional reforms, particularly SSR. In effect, DDR is one in a series of steps logically followed by or undertaken concurrently to further weapons reductions and controls as well as longer-term, systemic efforts to create lasting security.

In Burundi, the priority for the parties to the peace talks was a political agreement that would bring fighting between signatories—not necessarily all armed forces in the country—to a halt. For the mediators, the priority was to end the war by winning over to a political agreement as many parties as they could. Whatever its exact content and omissions, the mediators hoped an agreement would at least contain, if not end, the war in Burundi, and prevent a collapse into a worse crisis, such as wholesale genocide. At times, the parties and mediators may both have believed that they were working towards a comprehensive peace agreement. In reality, the process was more piecemeal: significant armed groups were not originally party to the Arusha Agreement, and even when the Pretoria Protocol was signed at least one significant armed group remained outside it.

All the same, within this imperfect framework, there is much to say about how the various peace talks and agreements, and their implementation, did and did not address security themes, of which survivors of armed violence are included. In practical terms, the place for elements of DDR and SSR was identified firstly in the merger of armed forces to form the new national army, police and security forces, and

secondly in efforts to collect arms from armed groups not being integrated into these forces. In both areas, however, obstacles ranging from the structural to the mundane hindered effective progress.

DDR in the Arusha Agreement

In the Arusha talks, the strategies of the parties did not encourage concerted negotiation of DDR. "Disarmament was never a priority for the negotiators. . . . Yes, it was written into the Arusha Agreement, but they didn't believe in it. . . . DDR was relevant, but what was needed was more reflection and more detail."[64] The key priority was, as it needed to be, reaching a political settlement, but with hostilities continuing, all parties with armed elements needed *and* wanted to keep open the option of resort to the use of arms. In addition, some smaller groups achieved national significance only because they were armed; disarmament thus was not in their interests.

"The Arusha Agreement couldn't do much for disarmament while the war was still continuing."

—Jean-Baptiste Manwangari, UPRONA, 2007[65]

A hurdle to meaningfully addressing security issues in detail during the Arusha talks was the unusual sequencing of the peace process, which came well before any ceasefire agreement. It took more than three years after the signing of Arusha Agreement before an effective ceasefire was signed with the most significant armed group fighting the government and national army. Although the terms 'global ceasefire' and 'comprehensive ceasefire' existed on paper, in reality there was not a comprehensive ceasefire: the FNL Rwasa remained active *and* alienated.

In substance, disarmament provisions were included in the third protocol of the Arusha Agreement, the protocol on 'peace and security for all.' It provided for establishing a Joint Ceasefire Commission responsible, among other things, for verifying disengagement, and monitoring the storage of arms and munitions.[66] (However, what was to happen to collected weapons was not specified.)

The Arusha Agreement also included provisions for establishing mechanisms for "dismantling and disarming all militias and disarming civilians holding arms illegally," requiring parties to the agreement to "locate, identify, disarm, and assemble all armed groups in the country" and to ensure that "armed groups operating under their command comply with the process."[67] A number of mechanisms were included to oversee and monitor implementation of the Arusha Agreement. The first was the 29-member Implementation Monitoring Committee. This comprised representatives from the Arusha parties, Burundian civil society (including the *Bashingantahe*, Burundi's traditional elders), the region, the AU, donors and international community.[68]

Furthermore, the Agreement gave a limited amnesty to the leaders of various movements "for crimes committed as a result of their involvement in the conflict, but not for acts of genocide, crimes against humanity or war crimes, or for their participation in *coups d'état*."[69]

Continuing hostilities had consequences both for who was signed up to any demobilisation and disarmament stipulated by an agreement, and for perceptions of what scope there was for realistic security measures. "The Arusha Agreement couldn't do much for disarmament while the war was still continuing."[70] A participant of the Arusha talks put it more strongly, arguing that an opportunity to substantially address weapons issues and security never actually arose: the objective of the Burundian negotiators was a political agreement, he felt, and they succeeded in making possible the formation of a new government, enabling political progress, but leaving the security situation virtually the same.[71]

Although ceasefires were reached after the Arusha Agreement, their effectiveness was limited, as they excluded some of the belligerent parties (the Arusha Agreement excluded the CNDD-FDD; the ceasefires in 2002 and 2003 excluded the FNL Rwasa). The exclusions and sequence of agreements also had consequences for basic ideas about who 'disarmament' should or could apply to: "There was confusion about who was carrying arms: was it the FNL, was it civilians? This confusion was because the ceasefires weren't signed at the same time."[73]

There were various reasons why parties to the different rounds of peace talks and consultations did not prioritise DDR in particular. Firstly, each party faced the challenge of carrying its followers and maintaining support, a difficult task for political parties and

armed movements in which factionalism was rife. Secondly, the parties faced the task of reaching agreement on a myriad of concerns related to democracy, security, justice and representation; what institutional arrangements were needed; and how they should *and* could be composed. In a climate of deep mistrust and one where genocidal ideology still lurked, these topics were highly contentious, inducing the parties to hold their arms (directly or indirectly) for as long as possible. The negotiations did not, for example, address the question of arms caches. Considering all these factors, it is reasonable to speculate that, even if the government had been given appropriate funding to implement arms management and disarmament, "it still wouldn't have done so" in the prevailing political climate.[74]

"There was confusion about who was carrying arms: was it the FNL, was it civilians? This confusion was because the ceasefires weren't signed at the same time."

—Festus Ntanyungu, CNDD-FDD, 2007[72]

During the post-Arusha Agreement peace talks leading to the various ceasefire agreements and the Pretoria Protocol, detailed discussion of DDR was similarly limited. The parties distrusted each other and feared that agreements would not be honoured; keeping arms in the hands of allied combatants or militias was seen as insurance. The consultations and talks on ceasefires during 2001–2003 focused on essential ceasefire requirements and arrangements, such as the scope of the cessation of hostilities, and monitoring and liaison mechanisms. Where the ceasefire agreements addressed DDR, it was only in the context of arrangements for cantonment, verification and integration of forces into the new FDN and national police and security services. Combatants who were screened out of possible integration into security forces faced demobilisation.

DDR in the Pretoria Protocol

The Pretoria Protocol on Political, Defence and Security Power Sharing in Burundi explicitly called for the disarmament of militias: "Militia will be disarmed according to the December 2002 Ceasefire Agreement under the supervision of the African Mission, at the beginning of cantonment and barracking exercises."[75] This was to be included as a part of the formal DDR process. It also conferred temporary immunity on leaders and combatants of the CNDD-FDD and the various security and armed forces of the government.

The Pretoria Protocol provided for the ceasefires and the Arusha Agreement to be implemented by AMIB, the Implementation Monitoring Committee and the Joint Ceasefire Commission. From June 2004, these mechanisms were supported by ONUB, the mandate of which covered ceasefire monitoring and implementation, DDR (support for implementing a national DDR programme), human rights, reform in the security sector, and monitoring of arms flows. ONUB's mandate was extended to December 2006, after which ONUB was succeeded by the UN Integrated Office in Burundi (BINUB).

The Joint Ceasefire Commission provided for by the Arusha Agreement was finally established after the Pretoria Protocol in November 2003. It comprised six representatives each from the FAB and the CNDD-FDD as well as representatives from the factions which had signed ceasefires in 2002. The Joint Ceasefire Commission was responsible for overseeing the implementation of all existing ceasefire agreements, including cantonment, registration, and agreement on who would be integrated into the new armed forces and police and who would be demobilised.

Operations of the Joint Ceasefire Commission, chaired by an official from the UN Office in Burundi, were delayed by the CNDD-FDD's failure to field participants for the commission until February 2004. Subsequently, some of the Commission's discussions were considered ineffective because it comprised only military personnel who did not have the authority or confidence to address and decide political issues. According to several interviewees, this made the mechanism more prone to deadlock or inertia than if there had been at least one influential politician on it. When FNL participants in the mechanism raised political questions, for example, the government counterparts in the mechanism were able to say that they did not have a mandate to discuss political matters. The Joint Ceasefire Commission completed its work in late 2005 and was then replaced, together

with the Implementation Monitoring Committee, by the Joint Verification and Monitoring Mechanism. This body has also been criticised for including only military personnel with little expertise in handling political matters raised by armed groups such as the FNL.

To plan and manage the demobilisation and reintegration process, a National Commission for Demobilisation, Reinsertion and Reintegration (CNDRR) was established in August 2003. Although the CNDRR was initially envisaged as a DDR commission, disarmament was deliberately omitted from the name and nominal mandate of the commission. This was because the government expected it to be funded by the World Bank Multi-Country Demobilization and Reintegration Program (MDRP, see Box 5), which excluded disarmament from its scope. According to the CNDRR director of demobilisation and reintegration, Leonidas Nijimbere, "the government decided it wouldn't do disarmament because the World Bank doesn't do disarmament."[76] As far as arms were concerned, the CNDRR dealt only with deposit and registration, while ONUB carried out disarmament in the form of collecting arms from former rebels.

The CNDRR later blamed World Bank procedures for some of the delays in implementing the DDR (or strictly 'demobilisation, reinsertion and reintegration') programme, saying the procedures were too slow and that some administrative structures were

Box 5
The World Bank Multi-Country Demobilization and Reintegration Program

Launched in 2002, the Multi-Country Demobilization and Reintegration Program (MDRP) is a multi-agency effort to support a regional planning and financing framework for the demobilisation and reintegration of ex-combatants in the Great Lakes region. The MDRP targets an estimated 415,000 combatants in seven countries: Angola, Burundi, the Central African Republic, DRC, the Republic of Congo, Rwanda, and Uganda. The program is financed by the World Bank and 13 donors— Belgium, Canada, Denmark, Finland, France, Germany, Ireland, Italy, the Netherlands, Norway, Sweden, the United Kingdom and the European Commission—and collaborates with over 30 partner organisations, including UN agencies, the African Development Bank, the EU, and NGOs.[77]

too cumbersome. According to a CNDRR director, the lengthy procedure for obtaining a 'non objection' notice from the World Bank for activities sometimes delayed their operational work.[78]

In concrete terms, no significant disarmament measures were undertaken until 2004. As in other situations, the first effective DDR was of children— a category of combatants for which it was relatively easier to get political agreement to demobilise. Starting in this period, UNICEF took the lead on the demobilisation and reintegration of 3,041 children, most of whom had been members of either the army or the Peace Guardians.[79]

Meanwhile, during 2004 the Implementation Monitoring Committee encouraged armed groups to gather at the designated cantonment and demobilisation sites, in preparation for the start of a national DDR programme.

The assembly of combatant forces met with the common problems of verification, uncertainty about numbers, and impact on cantonment areas. Thus, for example, in November 2004 former combatants from five former rebel groups (CNDD-FDD Nyangoma, PALIPE Agakiza, FNL-Icanzo, Kaze-FDD and FROLINA) cantoned at Buramata complained about a lack of food at the camp. The environment for the planned DDR programme was also complicated by the continuing conflict between the FNL-Rwasa and the government. Notably, in August 2004 the FNL attacked and massacred around 150 Tutsi Congolese civilians—*Banyamulenge*—at the Gatumba refugee camp in western Burundi, shortly after the withdrawal of CNDD-FDD soldiers.

By November 2004 ONUB estimated that the total number of combatants falling within the scope of the DDR process would be around 70,000, comprising 45,000 from the FAB (its estimated total number), 21,000 combatants already gathered in the cantonment areas, and some 4,000 combatants elsewhere in Burundi. In December the DDR programme formally began, with a symbolic burning of 100 guns and the demobilisation of 216 former combatants at a demobilisation centre in Muramvya. Under its initial plan, the CNDRR aimed to demobilise over four years a total of 55,000 former combatants, who would receive cash payments according to their rank as part of reinsertion and reintegration.

Again, there were challenges. Inevitably, the programme was subject to difficulties of registration and

verification (of identity and numbers) and problems in the support that was offered to former combatants passing through the programme. In February 2005, for example, it was reported that three former combatants from the CNDD-FDD had died from hunger while waiting at the Buramata cantonment camp in north-western Burundi. Nkurunziza used the reported incident to call for more assistance for the CNDD-FDD combatants recently arrived at Buramata, though ONUB's mandate did not cover the provision of food to former combatants. In June 2005 around 100 ex-combatants protested to ONUB that three months after they were cantoned, they had still not been paid the 100,000 Burundian francs (about USD 100) they had been promised. The identity and claims of the protestors were not verified, and UN DDR officials claimed that the DDR programme was proceeding normally.[80]

"Giving people $100 was an invitation to waste the money on guns and other things."

—Frédéric Bamvuginyumvira, FRODEBU, 2007[81]

Notwithstanding the practical and contextual problems, the DDR programme broadly did what it was supposed to do, although it did not meet its numerical targets. By April 2005, according to ONUB, 7,282 rank and file combatants had been disarmed and demobilised. In August 2006 officers began to be included in the demobilisation programme. However, only limited progress was made in registering, collecting, securing and destroying arms.[82] Still, some arms were surrendered and gathered during the integration of forces and the associated demobilisations. Between 2003 and 2005 the mainstream of the CNDD-FDD surrendered some 3,500 arms, and the government claimed that some 5,500 guns were collected from the Peace Guardians and Militant Combatants in the second half of 2005. The CNDD-FDD factions of Leonard Nyangoma and Kaze-FDD surrendered a total of just 350 guns. In the same period FROLINA-Karumba, Palipehutu-Agakiza and three factions of the FNL-Icanzo surrendered a total of only 105 guns. The management and destruction of arms stocks was the responsibility of the army logistics brigade, which received some assistance from the UNDP and international arms and mine action advisors.

As in other conflicts, arms collection and demobilisation were fraught with problems. Lists were missing or contained irregularities. It was not always necessary to surrender a weapon to obtain the USD 100 compensation on offer—an important, though operationally challenging principle for adequately including those who were not senior enough to have their own gun, such as child soldiers, some female fighters, militias, junior officers. Additionally, as is common worldwide, not all members of militias were issued with guns. Arms collection data were unreliable, as were claims about the management and disposal of stocks of collected arms. In all likelihood, some militia members sold their weapons or joined the rebels. It also seems likely that former rebel groups did not declare or surrender all their arms, but instead maintained secret arms caches, including heavy weapons.[83] Inevitably, too, there were reports of people using the money they received for surrendering a weapon to buy a replacement, and of demobilised soldiers re-enlisting with groups such as the FNL in the search for additional demobilisation benefits.

From the viewpoint of the CNDRR, disarmament went smoothly compared to demobilisation, in which the army, the Ministry of Defence and the rebel groups had to agree who would be integrated into the armed forces and police and who would be demobilised. On top of this were the difficulties of developing viable reinsertion and reintegration in a weak war-affected economy. In the view of a CNDRR director and others, not enough support was provided for combatants who were demobilised, some of whom were undisciplined. As one interviewee commented, "Giving people $100 was an invitation to waste the money on guns and other things."[84] The practice of giving money in return for disarmament was therefore gradually replaced by alternatives, such as financial support for associations of former combatants, and other initiatives of a 'development in exchange for arms' nature.

By March 2008, some 24,498 combatants, including 506 women and 3041 children, have been demobilised (in an ongoing process) out of a targeted 55,000.[85] The cumulative outcome of disarmament efforts was regarded as disappointing, with only an estimated 6,000 weapons handed in as part of the DDR process—although given the inadequate information available

on numbers of weapons to begin with, actual overall progress is difficult to measure.[86] The majority of guns are estimated to be in the hands of civilians and former rebels who had been integrated into the army and police; the only people who had been disarmed were those who had been demobilised; and people more widely did not want to disarm while there was little community security and crime was increasing.[87] As noted by the Small Arms Survey, "Collecting and destroying guns, for example, will not reduce arms availability in the long term unless accompanied by measures aimed at reducing people's desire for weapons, as well as their ability to acquire them through controls on supply."[88]

Reintegration

"The demobilized combatants will receive financial support for reinsertion equivalent to 18 months salary; the amount of the support corresponds to the wages paid by the FAB in each category. . .(individuals) will also receive help with social and economic reintegration. . .in the form of a benefit in kind, to help the individual concerned to pursue a project of his choice."

—CNDRR press release, 2004[89]

The various agreements are noteworthy for their combined absence of any significant focus on reintegration measures or content. Where these are mentioned, it is either as part of the definition of DDR or noting that the CNDRR will manage this aspect. The main focus through all the documents is on integration of forces into the various security forces: police, military and intelligence service. As a result, there is little to reflect on from the formal negotiations. In practice, reintegration was supported by the official institutions and mechanisms, namely the CNDRR and the associated World Bank MDRP, but also with the support of some veterans associations and, for example, the Centre for the Training and Development of Former Combatants.[90]

The PALIPEHUTU-FNL

In the case of talks between the government and the PALIPEHUTU-FNL, discussions about disarmament may also have been undermined by the degree to which the parties still believed they could achieve a military victory. As one CNDRR official commented: "That possibility should have been ruled out."[91] However, a strong case can be made that, as with the 2002 and 2003 ceasefires, more important opportunities were missed in implementing the September 2006 ceasefire. As one CNDD interviewee commented, once a ceasefire is signed, "Even if disarmament is difficult it should be under way."[92] In practice, however, the parties' lack of trust and confidence in the September 2006 agreement meant that implementation of ceasefire arrangements rapidly ran into problems.[93] The FNL quit the Joint Verification and Monitoring Mechanism and did not return to it, despite efforts to persuade it to do so, and despite a presidential decree in December 2006 naming the FNL as the intended beneficiary of a law on provisional immunity for former combatants. Political conditions in Bujumbura did not increase the prospect of fruitful dialogue with the FNL. Instead, during 2007 increased friction between political parties hampered the workings of the national assembly and the government, notwithstanding a reshuffle in November 2007.

SECTION 4: SECURITY SECTOR REFORM[94]

The relationship between dysfunctional justice and security sectors and the demand for guns in the population is not yet clearly understood. Intuitively, corrupt police—whether themselves misusing their guns or failing to prevent weapons misuse by civilians—will leave people with a sense of injustice and insecurity that can drive individuals to take the law (and the gun) into their own hands or to hold on to weapons as a form of 'insurance.'[95] While more research is needed to better understand this relationship, in recent years it has been acknowledged that justice and security sector reform is closely linked to violence prevention and peacebuilding.[96]

Judicial reform is often slower than police and military reform due to the length of time required to recruit and train judges, prosecutors and defenders, reduce backlogs, upgrade infrastructure, and improve the management and conditions of penal institutions. This is initially compounded by its general omission from peace agreements: "civil war adversaries do not typically view the establishment of dispassionate judicial institutions as a priority, judicial system reforms are neglected in most civil war settlements."[97]

"The sustainable reform of Burundi's defence and security corps is an arduous and costly process, not only because lives and careers hang in the balance, but because this reform process is intricately linked to Burundi's peace, security and socio-economic development."

—Willy Nindorera and Kristiana Powell, 2006[98]

Unlike DDR, there is no hegemonic formula for SSR, and such reform varies considerably across contexts. It may include the application of regional and international agreements, standards, or legal instruments, such as guidelines on the use of force and firearms by police; the civilian control of the armed forces; transparency and accountability procedures; downsizing; vetting of personnel for past transgressions; the creation of oversight mechanisms and institutions; and revitalising slow and unrepresentative judicial processes, amongst various options. These steps are widely seen as crucial to both enhancing security in post-war contexts, addressing a structural basis for violence, and contributing to a decreased demand for weapons through returning a measure of civilian confidence in the military and/or police.

SSR and the Arusha Agreement

The Arusha Agreement provided general detail on the mission, composition and key tasks of the army, police and intelligence service. However, the specifics (for example the structure of the army) were left to the transitional government.

With regards to the composition of the army, the Agreement declared that no ethnic group should surpass 50 per cent representation, "in view of the need to achieve ethnic balance and to prevent acts of genocide and *coups d'état*."[99] This was a predictable and important measure given the repressive history of the FAB which had "transformed largely into a tool of domination for the Tutsi elite."[100] As such various references on the necessity of training on human rights, democracy, humanitarian law, amongst other principles and standards were also included.

The Agreement provided quite clear content on the organisation and tasks of the new police force, which was to serve as a counterpoint to the previously militarised policing that Burundian civilians

were subjected to. The same provisions on ethnic balance as per the army were included.

However, the Agreement was very short on content related to the intelligence services; interestingly, no such caveat on ethnic balance was applied to the personnel of this security organ. In later agreements this was rectified.

The size of the various security forces was not specified, nor was the distribution of positions. Some of that detail would be fleshed out in the subsequent ceasefire agreements and Pretoria Protocol, and mostly delegated to a separate decision making process (see below).

The Agreement also noted that FAB personnel and rebel fighters found guilty of war crimes and human rights abuses were to be excluded from the new army and police force. However, these provisions were undermined when the December 2002 (CNDD-FDD) ceasefire with the government was agreed, which extended immunity to all FDD fighters and FAB personnel. The form of this immunity was confirmed in the Pretoria Protocol.

SSR and the Pretoria Protocol

The bulk of the Pretoria Protocol, specifically the Forces Technical Agreement, provides greater indications of what was possible around the negotiating table. The provisions were in part the result of assistance to the parties from two teams of technical advisers, who were fielded by the mediators.[101] As is common practice, some members of the FAB and other officials also visited other countries during the peace talks and early implementation to gauge how security sector reforms and transitions had been managed in other conflict-affected countries.

In addition to the Joint Ceasefire Commission, the parties to the Pretoria Protocol established a 'Joint Integrated Staff' body, responsible for negotiating and developing the structure of the new army and allocating posts in accordance with the provisions stipulated in the ceasefire agreements since the Arusha Agreement. It was eventually agreed that the numbers of the army were to be reduced from 45,000 to 25,000 personnel over the period of 2004–2007. The parties also decided to retain most of the FAB architecture, resisting demands for major changes to the structure.[102] The Protocol was specific about the numbers of CNDD-FDD members in the army (40

per cent of officers); the police and intelligence service (35 per cent each). The 50/50 ethnic balance was reiterated.

The Protocol had some several provisions such as those for entry into the new army: "Officers shall be volunteers, serving as officers; be Burundian nationals; be physically fit; have a degree or experience as an officer."[103] Much has been said of the varying levels of education amongst contenders for FDN positions; combining previously opposing forces is an incredibly difficult proposition, and one that comes with inherent compromises. Aside from the obvious example of former enemies working alongside each other, people were expediently given positions and responsibilities for which they were not properly qualified. For example, some former members of the CNDD-FDD became generals in the FDN despite being only around 30 years old, a matter which raised practical questions about salaries and pensions, and what those young generals would do for the next several decades that they are potentially able to serve in the armed forces.

> "The international community only saw the ceasefires in terms of DDR, not in terms of politics and integration of forces."
>
> —Pierre Bardoux, BINUB, 2007[105]

Police reform was signalled with the harmonisation of four previous forces under the direction of the Public Security Ministry. Those selected to join the police from various fighting forces were stipulated to "receive accelerated training to enable them to work together."[104] In none of the various agreements were oversight mechanisms or institutions mentioned, aside from the importance of civilian authority and the power invested in the parliament. This critical aspect of SSR can be easily overlooked, particularly in the context of multiple institutions being revitalised or developed in the post-war period.

Despite the integration of forces being a central and politically sensitive part of the process implementing the ceasefire and the Pretoria Protocol, international attention tended to focus primarily on DDR, (or more precisely disarmament and demobilisation) rather than on what was a major challenge of SSR.

In the view of one interviewee, "the international community only saw the ceasefires in terms of DDR, not in terms of politics and integration of forces."[106] Notably, this narrow focus dominated despite the fact that the institutional framework actually was able to cover a wider remit than DDR. For example, from December 2006 a BINUB unit for SSR provided the overall framework for work on DDR and small arms by UN bodies, including the work of agencies such as the UNDP.

SSR is not part of the mandate of the World Bank-led demobilisation and reintegration process, as the Bank historically does not engage in security sector reform. However, governments requesting Bank support and partnership in the MDRP process are required to provide a statement of intent regarding the strategic direction of the security sector.[107] And whilst the MDRP does not explicitly engage in SSR, it certainly can be seen to be encouraging consideration of more effective security services.

Much therefore remains to be done to bring the various security forces into line with the ambitions stated in the various peace agreements of services that guarantee and respect the security of all citizens. Criminality amongst members of various security forces has been widely publicised—and experienced by civilians—and is a key factor in the retention of arms by civilians.[108] Low levels of renumeration, despite an increase in pay for the army effective from July 2006 (a 100 per cent increase for high ranking staff, and varying lower amounts for other levels), appear to exacerbate the situation. The intelligence service, to date largely exempt from any reform process, has also retained a problematic reputation and has been implicated in a series of abuses.[109] The police force also suffers from a lack of resources and adequate training, leading some observers to note that in "spite of significant progress, the Burundian police remains far from the final objective of a civilian, accountable and transparent police service which serves the population."[110]

In short, a history of abuse of power and force has meant that it has not been an easy task to create new national security forces. The integration of rebels and FAB personnel into the various agencies and the reconfiguration—albeit slowly—of doctrine and outlook are to be regarded as significant steps forward, ones that require ongoing encouragement, practical support and monitoring. As noted, though, the "sustainable reform of Burundi's defence and security corps is an arduous and costly process, not only because lives and careers hang in the balance, but because this reform process is intricately linked to Burundi's peace, security and socio-economic development."[111]

SECTION 5: WEAPONS CONTROL AND REDUCTION[112]

"The general neglect of public security provisions in peace accords reflects the logic of peacemaking: the parties, and outside mediators tend to focus on the post-settlement security of the warring parties, since this is what will make or break a peace process in the short run. Indeed, inattention to public security issues has seldom, if ever, caused renewed civil war. It has, however, contributed to extreme hardships, and undermined longer-term prospects for both peace and democracy."

—Charles Call and William Stanley, 2002[113]

As THE NATURE of contemporary armed conflicts has changed, so has the definition of 'combatants.' Gone are the clearly defined opposing lines of uniformed armed forces. Instead, violent conflicts over the last twenty years have featured a range of armed actors other than traditional soldiers: civil defense forces, militias, paramilitaries, criminal groups, armed gangs, child soldiers, mercenaries and inadequately demobilised and reintegrated combatants from previous cessations of war and hostilities. In addition, a wide range of people may not have been involved in direct combat, yet possess an array of weapons for hunting, sports shooting, self-protection or other reasons.

Civilians who are armed have been a feature of the violent conflicts in Afghanistan, Angola, Colombia, Côte d'Ivoire, El Salvador, Eritrea, Ethiopia, Guatemala, Haiti, Liberia, Mozambique, Sierra Leone, South Africa and Turkey. The guns they carry partly explain the spikes in violent crime and the rise of armed criminal gangs observable in the wake of armed conflict. Indeed, in "the aftermath of virtually all civil wars in the 1980s and 1990s, civilians perceived greater insecurity, often as a result of documented increases in violent crime. Ironically, in places such as El Salvador and South Africa, civilians faced greater risk of violent death or serious injury after the end of the conflict than during it."[114] This has contributed to high levels

of perceived as well as real insecurity, resulting in an increased demand for firearms. Such a lack of security has also been enhanced by an erosion of confidence in policing. In such a context, people often acquire guns because they believe that in doing so they are better able to provide for their own and their families' security.

Weapons reduction efforts often pick up where official disarmament processes end, typically addressing groups left out of the peace agreement, including civilians and those weapons not fully declared. Weapons reduction programmes have evolved slowly in the last decade, largely in recognition that DDR does not provide enough focus and mandate for arms control in post-war contexts. Such management and reduction efforts are commonly thought to 'fill in the gaps' after the end of a DDR process, which in fact refers to the end of the disarmament and demobilisation components, though they may be initiated before the completion of the formal reintegration process.

Arms reduction differs from context to context in terms of scope and tactics. It may include incentive-based efforts to drain the pool of excess weapons, as well as entail the development of legislative frameworks, border controls, and other efforts to decrease access to the tools of war that often become tools of armed criminality in the post-war period. Regardless of the setting, a mixture of reduction, control and management techniques and objectives is necessary. Activities can occur concurrently and can include:

- revising and strengthening outmoded laws and policies regulating access, holding, storage and criteria for owning or using arms by a range of actors—civilians, police, military, or private security;
- devising national action plans to coordinate across government agencies and civil society with agreed benchmarks of progress;
- voluntary and coercive weapons collection and destruction of surplus or illegal arms (deemed illegal following changes to the gun laws);

- amnesties to allow individuals time to comply with new laws and policies or to hand in illegal weapons;
- public awareness campaigns and education to reduce gun violence and illegal or inappropriate weapons holding and use;
- securing state-held stockpiles to control movement and avoid 'leakage' into illicit markets;
- agreements and plans with neighbouring states to tackle cross border arms flows;
- handing in guns and ammunition in exchange for development assistance; and
- establishing arms free zones (effectively, in peace process parlance, multiple localised ceasefires).

Weapons control and reduction—which, like DDR, goes by many names—is a goal and process in and of itself, with a growing coherent conceptual basis.[115] It has become a standard feature in societies emerging from war, as recognition increases that excess or residual weapons—in the hands of the military, law enforcement agencies, private security companies and civilians after various weapons collection initiatives—need to be controlled through legislative and other normative processes, including assertion or re-evaluation of cultural and social values. Thus governments, the UN, NGOs and regional bodies have actively promoted the strengthening or revision of outdated gun laws, through a combination of regulating the gun itself, the user, and the use of weapons.

However, as a political objective, weapons control and reduction—as distinct from disarmament—remains largely ignored in the peacemaking process. This is curious given that civilians hold nearly 75 per cent (650 million) of the world's small arms and light weapons (of a total of 875 million).[116] For those around the peace table, it is no longer possible to ignore or overlook the need for explicit provisions in agreements to control guns in the hands of civilians. As peace agreements provide the legal basis for post-war security gains, they are an appropriate place for the authorisation of dedicated weapons control efforts. Leaving their discussion to the post-agreement phase can hinder the timing and follow-on aspects of these interventions, creating dangerous gaps that allow for the re-circulation and re-supply of arms.

Arms control and reduction programming is used both preventively and reactively in a variety of contexts: peaceful settings, situations of urban armed violence, in nations recovering from war, and those teetering on the brink of armed conflict. Timeframes are more

in the medium to long term as opposed to the short to medium term of DDR. Although DDR looms largest in peace processes, there is considerable room for arms reduction efforts to be utilised as a flexible set of measures to complement and multiply the impacts of DDR and SSR.

Cambodia and Sierra Leone are prime examples of nations recovering from lengthy civil wars where large numbers of civilians were armed; the governments of both have recognised that DDR programmes must be followed by and consolidated with strong gun control laws. In South Africa, where the collapse of apartheid was associated with increasing levels of armed violence and crime, the first democratically elected government quickly focused on a series of reforms to address guns in the hands of civilians, private security firms, the military, and other armed actors. Approved in 2000, these legislative reforms, informed by a series of transparent public consultations, included stringent new licensing requirements, limits on the kinds and quantity of arms an individual could own, and tough new penalties for violations.[117]

"At the end of the negotiations, it was expected that all parties would surrender all controlled arms. It was understood that non-controlled [civilian] arms were another thing, and that a campaign for civilian disarmament would need to be undertaken."

—Festus Ntanyungu, CNDD-FDD, 2007[118]

In Burundi, civilian ownership of small arms and light weapons appears considerable for the country's small population size, with estimates starting at 100,000—the most common estimate—and ranging to 300,000 weapons.[119] The Small Arms Survey cautions, however, that the former figure should be regarded as a minimum.[120] Fear of actual and perceived criminality is the greatest overall driver for weapons possession in post-war Burundi, with important variations between provinces of opinions about security, criminal behaviour and weapons possession and misuse.

"Burundians holding arms justify themselves by citing the need to ensure their personal safety, as well as that of their family and property. Boosting their self-image or respecting tradition are hardly ever mentioned, which suggests that it is possible to influence demand for arms by improving the security conditions under which people live."[121] Most weapons (mostly hand-guns) are found in the capital and in the provinces along the DRC border, where military weapons are predominant. Burundians commonly say that civilians want to keep weapons for their own security, for example because they fear "increased conflict between the government and the PALIPEHUTU" or because they fear "elements in the police and security forces who do things to stir up fear." Civilians almost never evoke prestige or tradition as reasons to keep firearms.[122] In short, "people do not feel protected by the law," and many suspect the key political forces—including the CNDD—of keeping secret caches of weapons.[123]

Weapons control and the Arusha Agreement

The Arusha Agreement directed that "(m)echanisms for dismantling and disarming all militias and disarming civilians holding arms illegally shall be established."[124] One function of the Ceasefire Commission was "(t)o ensure the search for and recovery of all arms, the neutralization of militias throughout the country and the disarming of the civilian population."[125] Elsewhere, the Agreement noted the existence and role of the arms trade in the region and the wide availability of small arms and light weapons. However, beyond these points, clearer measures, structures or processes were not specified.

According to various negotiation participants interviewed, a common understanding existed about the need to reduce and control arms. Festus Ntanyungu, who participated as a member of the CNDD-FDD in the third commission at the Arusha talks, reflected: "At the end of the negotiations, it was expected that all parties would surrender all controlled arms. It was understood that non-controlled [civilian] arms were another thing, and that a campaign for civilian disarmament would need to be undertaken."[126]

Weapons control and the Pretoria Protocol

The Pretoria Protocol contains no direct provisions for civilian disarmament or arms control, although as with the Arusha Agreement this did not prevent

people assuming that the agreement implied action on civilian disarmament. In practice, the army logistics brigade established to destroy weapons collected as part of the DDR process was also responsible for managing and destroying arms collected from civilians.

> "The mediators could have provided stronger guarantees for the implementation of the Arusha Agreement and the ceasefires. But disarmament is otherwise a domestic political matter; it is not the responsibility of the mediators, though the international community can provide support, such as technical assistance and financing."
>
> —CNDD-FDD official, Bujumbura, 2007[127]

The CNDD-FDD later adopted an opportunistic approach to arms control. In May 2005 it opposed the government campaign for civilian disarmament, arguing that it should be done under UN supervision; that the effort was premature; and that incentives were necessary to persuade civilians to give up their guns. Illustrating this point, in the commune of Rumonge in Bururi province some 2,000 people who had enrolled as Peace Guardians in 1994–1995 told local officials that they would only hand over their guns if they were given money for demobilisation, and warned that they would otherwise join the FNL-Rwasa.[128] A CNDD-FDD spokesman also argued that elections had been conducted in other countries (e.g. Liberia, Mozambique and Sierra Leone) before civilian disarmament.

Others felt that tackling guns in the hands of civilians was a matter for the government at a later point. "The mediators could have provided stronger guarantees for the implementation of the Arusha Agreement and the ceasefires," said one interviewee. "But disarmament is otherwise a domestic political matter; it is not the responsibility of the mediators, though the international community can provide support, such as technical assistance and financing."[129]

Once it had come to power, however, the CNDD-FDD became slightly more supportive of civilian arms control, at least to the extent of supporting rel-

Box 6
Armed violence in Burundi

"The peace accords foresaw nothing for disarmament and reducing violence. Even though we have been in a peace process, the violence continues, and it creates fear."

—Séraphine Nisable, Women's Peace Centre, 2007[130]

Research carried out in 2005 by the Small Arms Survey and League Iteka pointed to a relative decrease in levels of armed violence in Burundi since the November 2003 Pretoria Protocol ceasefire agreement. These findings are based on several sources:

- the number of admissions registered at Médecins Sans Frontières (MSF) Belgium's *Centre des Blessés Légers* (Centre for Lightly Wounded) in Kamenge (which closed in early 2006);
- violent deaths recorded in the annual reports of the League Iteka; and
- security incidents recorded by the UN security cell in Burundi.

A household survey revealed that perceptions of security clearly improved over the previous two years in the six provinces covered by the survey. It found that, as of late 2005, almost one in ten households were home to a victim of violence.[131] Victimisation rates were much higher in Bujumbura City and Bujumbura Rural than in the other four provinces (Bujumbura Rural still had one last active rebel movement at the time).

The types of violence most frequently cited, in decreasing order and for all six provinces, were: armed robberies, gangs, fights due to alcohol, other fights, and assassinations. Armed robberies appeared to be particularly

common in Bujumbura City, while assassinations were strikingly frequent in Bujumbura Rural, which reflects the different types of threats (criminal versus conflict-related, respectively) prevalent in the two provinces at the time of the interviews. Gang violence rated first in the provinces of Bururi, Mwaro and Ruyigi.

Only 2.8 per cent of respondents admitted being victims of intimate partner or family violence ('domestic violence'), but given that such crimes are generally underreported in household surveys due to the sensitivity of the issue, this figure is not surprising. In comparison, a study conducted in 1999 in the municipality of Bujumbura revealed that 42 per cent of women surveyed reported to be victims of such violence.[132] The Ministry of Health also notes that armed conflict and the massive presence of armed men has led to a dramatic increase in rape, with an estimated three hundred cases reported monthly.[133]

Violence in Burundi is strongly associated with the use of firearms, as evidenced by data obtained from public health actors, such as MSF. During 2004 and 2005, the MSF hospital treated 1,298 violence-related injuries.[134] Almost 60 per cent of these wounds were inflicted by firearms. Grenades were responsible for 22 per cent of admissions for violent injuries, with landmines and mortar shells responsible for two per cent and one per cent respectively. Blunt force and bladed weapons were responsible for fifteen per cent of treated injuries.

Officials at the Kamenge Military Hospital, which treats wounded army soldiers, note that while landmine injuries were common during the war (i.e. until 2003), they became much scarcer after the war. The proportion of patients treated for bullet wounds in the military hospital increased after the war when compared with landmine injuries.[135]

evant measures such as a national strategy. But it still did not embark on a concerted campaign for arms control or to complete the DDR process begun in 2004.

In time, some action was taken to address civilian weapons control and disarmament, but with only limited success. At the recommendation of a March 2004 government report on strategies for civilian disarmament, in early May 2005 the president approved a new law on firearms and authorised the establishment of a commission, arguing that disarmament would assist with the climate for forthcoming elections.[136] "But the programme proved to be a failure: not a single weapon was recovered as a result. It probably

failed because it was held on a date too close to the elections."[137] Immediately following this, a new plan was developed with greater emphasis on voluntary disarmament and government ministers touring the country explaining the process. These steps slightly helped the campaign to demobilise and disarm militias, in particular the Peace Guardians and the Civil Self-Defense Groups, although numbers of weapons collected were still low.

In 2007 the Small Arms Survey judged that it was likely that the majority of guns distributed to the Peace Guardians during the war had not been collected, and that none of the arms distributed to the Civil Self-

Defense Groups had been collected.[139] The government also tried to launch a forced civilian disarmament campaign, but without success. Nonetheless, it occasionally made further sudden attempts at voluntary civilian disarmament, for example in early 2008 around the capital, with little success. The assumption that those given guns by various sides in the war would hand them over freely has clearly proved a great frustration in Burundi. Yet it appears that little consideration was given to the expectations or needs of these fighting forces: "It may be difficult for ex-combatants to give up their weapons if they have no livelihood options. This is no different for armed civilians."[140]

In April 2006 the civilian disarmament commission, the National Technical Commission for Civilian Disarmament (CTNDC), was established. In October 2006 the cabinet approved a National Strategy for Combating the Proliferation of Small Arms and Light Weapons which provided for the establishment of an institutional and legal framework for combating small arms proliferation, and contained guidelines for matters such as practical arms control and collection.[141] Meanwhile, as of late 2007 (a year after its establishment), the CTNDC still did not have a budget and thus could not carry out its work. Although meant to bring together officials from different government ministries, its professional capacity and credibility were limited, and its operations were variously described as "negligible" or "nil."[142] The CTNDC received assistance from the UNDP to improve its capacity to register and control stocks of arms, to oversee civilian arms amnesties and to introduce regulations on small arms and light weapons. A draft law on small arms and light weapons was expected to be published by mid-2008.[143]

Some NGOs have complained of a lack of information about the civilian disarmament campaign, making it hard for them to raise awareness of the process despite supporting the broader goal.[144] In the absence of effective civilian disarmament led by the government, some Burundian NGOs—such as Centre d'Encadrement et de Developpement des Anciens Combattants, an NGO bringing together former combatants, together with League Iteka—attempted disarmament initiatives of their own, although with minimal impact, as people were disinclined to hand in commercially manufactured weapons and instead handed in 'home-made' guns, *mugobore*.[145]

Meanwhile, the impact of international efforts—principally through the UN—was also limited. After December 2006 BINUB's unit for SSR provided the overall framework for UN work on DDR and small arms. Another possible avenue for addressing the challenge of weapons availability and gun violence was *and* is through the pilot country programme Burundi is a part of in the UN Peacebuilding Commission (PBC). The Commission and the government produced a 'Strategic Framework for Peacebuilding in Burundi' in June 2007 outlining key goals.[146] The PBC can play a considered role in promoting substantive violence and weapons reduction. As noted by Assistant Secretary-General for Peacebuilding Support Carolyn McAskie, "DDR programmes are just one aspect of disarmament, weapons control and armed violence reduction efforts. Areas where further guidance could be developed include linkages between DDR and security sector reform; efforts at controlling guns in the hands of civilians; or interventions aiming at shifting attitudes, reducing violent behaviour and thereby preventing armed violence."[147] Indeed, SSR has been identified as a priority issue for the PBC effort in Burundi, including significant funding from the PBC Fund (alongside justice and human rights, land, and governance issues). Therefore, linkages can be made to wider use of force and weapons possession in that context. In this regard, NGOs can play an instrumental role in raising awareness and challenging the misuse of weapons.[148]

Certainly there appears a need for an overarching strategy to tackle weapons possession and misuse; perhaps a more robust international mechanism for civilian weapons control might be beneficial.

The PBC can only be one avenue amongst many to raise awareness of the consequences of armed violence. Certainly there appears a need for an overarching strategy to tackle weapons possession and misuse; perhaps a more robust international mechanism for civilian weapons control might be beneficial.

As one senior UN official observed, "at the moment it depends on ad hoc initiatives. . .It would be good if it were mandated by the UN Security Council, with agreements with governments, and with funding through that route."[149]

At the regional level, efforts at disarmament and arms control have proceeded slowly. The International Conference on the Great Lakes Region, a body comprising eleven countries from the region, held its first summit in November 2004. A "Declaration on peace, security, democracy and development in the Great Lakes region" called for common policies to combat small arms proliferation and implement effective DDR programmes, but did not mention civilian arms control.

In March 2006 the government ratified the Nairobi Protocol on Small Arms and Light Weapons, requiring each of the twelve signatory countries to incorporate into their national law:

- prohibition of unrestricted civilian possession of small arms;
- total prohibition of civilian possession and use of all light weapons and automatic rifles, semi-automatic rifles, and machine guns;
- regulation and centralised registration of all civilian-owned small arms in their territories;
- provisions for effective storage and use of civilian-held firearms, including competency testing of prospective owners;
- monitoring and auditing of licences held and restriction of the number of guns that may be owned by individuals;
- prohibitions on pawning or pledging of small arms; and

- registration to ensure accountability and effective control of all guns owned by private security companies.[150]

In April, following on from this agreement, President Nkurunziza announced that civilians possessing weapons should register their arms within three weeks or they would risk being arrested. However the announcement had little effect.

In December 2006 the International Conference on the Great Lakes Region agreed on a "Pact on security, stability and development," which merely called for cooperation on disarming rebel groups and combating small arms proliferation. Again, consideration was not given to the plethora of guns in the hands of civilians, or robust reintegration and SSR principles.

Inevitably, the gaps between the Nairobi Protocol, the preparation and adoption of related law, and the reality on the ground in Burundi have led to disappointment and frustration. Some involved in DDR and arms control feel there has been "no respect" for the Nairobi Protocol, because of the government's "other priorities." The UN has reminded the government of its responsibilities towards implementing the Nairobi Protocol and helped mobilise funds.[151]

Meanwhile Burundian civilians vulnerable to armed violence feel the government has done "nothing" about the problem of small arms, and therefore keep or obtain their own arms. The logical conclusion for many is the political will needed for substantive civilian arms control has been lacking. Another conclusion is there cannot be effective weapons management until Burundi has "a complete peace accord."[152]

SECTION 6: ASSISTANCE TO SURVIVORS OF ARMED VIOLENCE[153]

"[One] night, at 7 o'clock, armed bandits attacked my house. . . . they fired at me. I have an open wound and fractured my femur (thigh bone). In the morning, the people from the church came and took me to the hospital in Gitega where I spent several months. The nurses finally asked me to pay a sum of money, although I had none. From that day, the nurses stopped treating me properly. My wound and fracture became infected. Nobody came to change the dressing. The nurses isolated me in a room so as to distance me from the other patients because my wound was purulent. The nurse only came to cover the wound. I was expecting to die."

—Déo, 47 years old, from Muramvya province, 2004[154]

I N BURUNDI, AS in others violent conflicts, an important consideration is whether those who survive armed violence are recognised as legitimate stakeholders in the peace process, and the extent to which measures to address their needs are highlighted and addressed in peace talks. Such measures might include, for example, access to physical or psychological rehabilitation services and long-term care, or special consideration for survivors and victims in the reintegration phase of DDR; dedicated welfare or medical services; and/or direct attention to those who have been sexually violated, to name a few possibilities.

Burundi's various agreements make scanty reference to attention to disabled civilians and combatants, but not in any great detail—certainly not suggestive of what action could *and* should occur at a minimum. Trauma recovery and psychosocial assistance are not mentioned, although in the minds of the drafters these may have been implicit in the aforementioned clauses.

Survivors provisions in the Arusha Agreement

The Arusha Agreement refers to some categories of civilian survivors of violence, including people with disabilities, and provides that the government "shall ensure, through special assistance, [their] protection, rehabilitation and advancement."[155] The agreement also states the governments intent to "correct the imbalances in distribution of the country's limited resources" and sets five goals, of which "giving the entire population access to health care" and "improving the well-being of the population in all areas" are included.[156]

Survivors provisions in the Pretoria Protocol

The Pretoria Protocol notes that war wounded or handicapped combatants would remain eligible for army service, "unlike disabled servicemen who will be demobilised but assisted."[157] What differences were understood by 'handicapped' and 'disabled' in this context is unclear.

Poor infrastructure, scarcity of drugs, insufficient medical personnel and allied professionals, and the prohibitive cost of care sees less than three per cent of the people requiring hospital admission every year actually use hospitals.[158] The health system is "plagued not just by huge funding shortfalls but also by irregular payments of state subsidies to hospitals and by fraud and corruption."[159] Since 2002 the Burundi public health system has had a policy of 'cost-recovery,' with patients paying the full cost of treatment. As an example, a gun shot injury may cost USD 100 to treat—an amount far out of the reach of the majority of Burundians. A 2005 study by MSF revealed that some 81 per cent of patients were unable to pay their medical bills.[160] If patients are unable to pay, they are detained until payment is forthcoming, with many people experiencing involuntary detention for many months on end.[161] Furthermore, as Burundi has moved through the transition period, various international agencies specialised in caring for the war wounded have withdrawn from the country, as it is no longer an emergency setting. For example, the country's one free clinic, run by MSF, closed down in early 2006, exacerbating problems of access to health care.

Wounded military personnel remain privileged in the Burundian context: 80 per cent of their medical costs are covered by the civil servant healthcare scheme (as for any other civil servants), while the remainder is covered by the army.[162] They also have access to military hospitals that are better equipped than the public hospitals. Wounded ex-combatants also receive assistance as part of the demobilisation and reintegration packages. As an example, the MDRP offers medical rehabilitation assistance for disabled ex-combatants, and implements programmes targeting child soldiers, including support to demobilised child soldiers in need of care; provision of community-based psychosocial support services to address the mental health issues of demobilised children and their families; and support for quick, high-impact projects for youth participation (community service initiatives, apprenticeships, small business, sports and cultural activities).

"The psychological consequences of the conflict and other traumas show up as after-effects in the great majority of displaced populations. As a result, the rehabilitation of victims is not only of a material nature—it also requires coverage for victims in terms of psychological and mental health care. The government attaches a particular priority to this component of the program to rehabilitate victims of the conflict. It will be planned in such a way as to ensure national coverage with professional staffing and substantial resources."

—Burundi: Poverty Reduction Strategy Paper, 2007[163]

Interestingly, the 2006 National Strategy for Combating the Proliferation of Small Arms and Light Weapons points out that society must "continue caring for the victims of armed conflict at both the physical and psychological levels."[164] While concrete suggestions for addressing the problem will have to be spelled out in the forthcoming National Action Plan on small arms, the strategy insists that small arms reduction initiatives will have to help "provide victims and communities affected by armed violence with the assistance and follow up they need."[165]

The 2007 Poverty Reduction Strategy Paper (developed after an exhaustive consultation process between the government, the International Monetary Fund and numerous national and international actors over several years) provides a more detailed outline of intentions, picking up on the broad themes referenced in the peace agreements. It notes that "(s)pecial emphasis will be placed on implementation of appropriate statutes and regulations, preparation of a specific policy, support to associations of the disabled, and the rehabilitation of disabled individuals."[166] In 2007 the government signed the UN Disability Convention, regarded as groundbreaking for its fusion of human rights and development concerns. Burundi is also one of the 24 target countries with high numbers of land mine survivors, and a global strategy exists to tackle this issue; therefore, on a number of fronts Burundi is well placed to request support to ensure words become deeds.

Progress in the reform of the justice system has moved slowly in Burundi. Indeed, the system has been beset by "executive interference, excessively slow judicial decisions, and corruption."[167] Impunity is perceived to be the rule rather than the exception and it widely believed that political authorities influence judicial processes.[168] Burundian law enforcement and judiciary fail to exercise due diligence, and perpetrators of serious crimes such as rape and sexual violence routinely escape punishment.[169] Problematically, the establishment of a Truth and Reconciliation Commission (TRC) and the Special Tribunal for war crimes has not yet been established.

Access to justice for victims is also weak. The Pretoria Protocol endorsed provisions in the Arusha Agreement for an international criminal tribunal and a national Truth and Reconciliation Commission (TRC); however, these excluded crimes against humanity, war crimes and genocide. The Pretoria Protocol also provided for establishing a joint commission to study cases of civilians currently in detention to determine if they should be granted temporary immunity.

The Arusha Agreement requested the UN to assist in the establishment of these bodies and, after a UN fact-finding mission, the Security Council agreed in 2005 to develop in cooperation with the Burundian government a commission to "establish the historical facts" of the conflict and a special court to "prosecute those bearing the greatest responsibility for genocide, crimes against humanity and war crimes."[170]

"The Burundian justice system is beset by 'executive interference, excessively slow judicial decisions, and corruption'."[172]

—Laurent Banal and Vincenza Scherrer, 2008

The UN and the government have not seen eye to eye on some of the important details of these bodies, however. One subject of disagreement was which crimes would and would not be the focus of the tribunal. There is now agreement that amnesties will not be offered for genocide, war crimes and crimes against humanity.[172] Another dispute concerns the relationship between the commission and the tribunal. The UN favours an independent prosecutor who can initiate proceedings, while the government wants the court to only act on cases brought to it by the commission.[173]

Before the commission and tribunal are established, joint civil society- and government-led consultations must complete their work to document public expectations for the bodies. That work is expected to be completed by mid-2008. In principle, the TRC and the Special Tribunal will be made up of a mixture of Burundians and international experts, but this will need to be established in a General Framework Agreement between the UN and the Burundian government.[174]

SECTION 7: OBSERVATIONS

EVERY PEACE PROCESS is unique and should be analysed on it own terms; nevertheless, some reflections on what did and did not happen in Burundi can add to the growing body of thinking and practice on how to approach the complex of security issues and the impacts of armed violence in peace negotiations and processes. Some general observations include:

Balancing the political and the technical

In Burundi, as in many other peace processes, security issues are often relegated to the status of technical matters, despite the profoundly political nature of the use of force, weapons possession, and the purpose and nature of state security forces. Yet the lines between the technical and the political are sometimes blurred. Power-sharing, for example, contains detailed technical elements, yet it is rarely ascribed a technical status. In some instances invoking a technical status can greatly assist in moving issues into working groups or out of the hands of entrenched politicised debate. In others, it leads to security decisions being made in an apolitical vacuum. Parties to peace processes, and those assisting them or mediating, have a difficult balance to find: ensuring that the most appropriate practices and principles are agreed based on sound political and technical judgement.

Assessing the various options

DDR is not the only (and frequently not the most effective) 'tool' with which to achieve sustainable violence reduction and arms control. The negative connotations that parties sometimes attach to it may require refocusing on different measures. In the intense environment of a peace process, mediators and parties alike may too easily overlook less standard options. If the DDR of fighting forces is temporarily

off the table, for example, it still may be possible to secure general agreement about other aspects of arms control, such as decommissioning, or the legal norms for controlling weapons possession and use. Even though rigorous control of guns in the hands of civilians, for example, is a longer-term measure—in the sense that it is typically sequenced after DDR—there is no prohibition on getting agreement on tackling wider weapons availability early if parties are willing to do so. Securing understanding and/or agreement on different aspects of security matters can build confidence to help the parties eventually address the more contentions pieces of the weapons and violence 'puzzle.' In the case of Burundi, this did not take place to the degree it might have had the necessary insights and expertise been provided.

Thinking—and acting—ahead

The security provisions in the series of Burundi agreements were piecemeal and incomplete in many ways. Some matters were only to be settled in the implementation phase, leading to delays and further complications. Perhaps more could have been done during the time between the Arusha Agreement and the Pretoria Protocol, especially, to sensitise the parties to the importance and interdependence of SSR, DDR, assistance to survivors and arms control. Briefings by experts, information workshops, open forums and other gatherings could have been convened to encourage a discussion of the options, preparing the way for more specific, focused agreement terms, and smoother implementation.

Overcoming reluctance to tackling 'domestic' issues

Parties sometimes resist discussing the details of weapons control measures in peace negotiations because they are 'domestic concerns' and they feel that they

are not for outside actors such as mediators to bear influence upon. Some Burundian participants held this viewpoint. However, mediators and facilitators play various roles in resolution of issues that are technically 'domestic' in nature, including the cessation of hostilities, the withdrawal of forces, the return of internally displaced persons, the creation of power sharing arrangements, wealth sharing and so on. Security issues, weapons control and the needs of those traumatised and disabled from armed violence fall squarely into this category, and are an appropriate focus for third parties to draw attention to. Without encouragement and guidance to do so by informed experts and third parties, negotiating teams may not focus on or resolve such issues.

Keeping expertise current

Some observers at the Burundi peace talks criticised the restriction of the mediation, negotiation and advisory teams to African participants. The crucial criterion is not the nationality of the mediators and experts, however, but their level of knowledge and expertise in the relevant areas. It is likely that, given the extremely fast pace at which the knowledge base about DDR, SSR and arms control moved over the period of the negotiations at both the conceptual and programmatic levels, few mediators would have been as up-to-date on these issues as the context required. This facet of the peace talks no doubt made it that much more difficult to overcome whatever reluctance the parties had to discussing vital weapons and security-related measures. The provision of dedicated impartial security advisors to peace processes could be one mechanism both to provide historical perspective from other contexts and to bring contemporary analysis and information to the table.

Skeletons in the closet: survivors of armed violence

The survivors of the Burundian war have not been treated with the consideration they deserve. Despite being promised 'protection, rehabilitation, and advancement,' the reality of the Burundian health system, economic priorities, and political environment make this promise difficult to deliver. Similarly, justice for those traumatised is hard to come by. The temporary immunities for former combatants and the delays in establishing a truth commission are telling. This

situation was perhaps inevitable in a process in which the practical perspectives of survivors of armed violence was limited, and reflects the most basic power dynamics: with no lobby of their own, no one took up their cause. It should be the responsibility of all parties to continually look for—and create—opportunities for survivors to state their needs and interests in peace processes.

Delivering on the promise: institutions for arms control

Greater precision is required in identifying what institutions, including oversight mechanisms, will facilitate robust security measures taking hold. Peace agreements can be opaque on providing parameters or criteria and contribute to considerable mandate confusion, duplication, simple inertia and inaction. Mediators and facilitators in particular can compile examples of 'good practice' from other settings on the machinery of revitalised or reformed security institutions or processes. The potential relationships and roles of national institutions and external organisations can also benefit from clear references.

Reintegration

Detailed consideration of sustainable reintegration was overlooked in the Burundi negotiations, largely due to the focus on large numbers of combatants being absorbed into various security forces. Given the shortage of land and tensions surrounding land use and access, as well as the low levels of marketable skills and education of so many combatants, the challenge of meaningful reintegration options in Burundi was *and* remains a pressing concern. Parties to talks, and those facilitating peace processes are encouraged to actively discuss and debate reintegration options, particularly if socio-economic disparities are a feature of conflict and violence originally. Practical matters such as sequencing reintegration activities to the resumption of schools or colleges and crop cycles may seem at first glance trivial, yet they can be crucial for synchronising opportunities and the movement of large numbers of people. As seen in Burundi, veterans associations and ex-combatant-led NGOs have played positive mobilising roles in the recovery period. Such leadership can be more positively harnessed and encouraged in the agreement process.

Recognising the links between DDR, arms control and security sector reform

Given that many violent conflicts share a 'root cause' in the unrepresentative or repressive nature of security forces, parties and mediators have a critical responsibility to ensure the reformation or revitalisation of police, intelligence, military forces and justice mechanisms with respect for human rights and citizen security as a central feature. The reality is that security measures such as DDR, SSR, arms control are often de-linked (or, more accurately, never linked in the first place) in peace processes. This has been the case in Burundi. Compounded by a slow-moving judicial system, this poor linkage has resulted in many civilians maintaining a deep distrust of state security services, and retaining weapons as a form of insurance.

SECTION 8: SUGGESTED FURTHER RESOURCES

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Web sites

CENAP (Centre d'Alerte et de Prevention des Conflits), a Burundian NGO focusing on human security, violence prevention, peace transformation, security sector reform and dialogue, provides monitoring, research and news reports: www.cenap.bi

Department of Peace and Conflict Research, Uppsala University (Sweden), provides full texts of all Burundian agreements and ceasefires: www.pcr.uu.se/gpdatabase/peace/

UN Peacemaker, a web-based operational support tool for international peacemaking professionals, provides texts of peace agreements and documentation from peace processes (registration required): http://peacemaker.unlb.org

ANNEX 1: LIST OF INTERVIEWS

This paper draws on interviews carried out in person in Bujumbura in December 2007 and by phone in early 2008. Individuals interviewed were:

- Frédéric Bamvuginyumvira, FRODEBU
- Celsius Barahinduka, Ligue Burundaise des Droits de l'Homme, ITEKA
- Pierre Bardoux, BINUB
- Marc George, Embassy of Switzerland
- Hervé Gonsolin, UNDP Burundi
- Fabienne Hara, independent analyst
- Déo Kamoso, General, Logistics Brigade, National Defence Forces
- Falmata Liman, AU Mission in Burundi
- Carolyn McAskie, former UN Special Representative of the Secretary General for Burundi, current Assistant-Secretary General for Peacebuilding Support

- Jean–Baptiste Manwangari, UPRONA
- Célestin Ndayisaba, Major-General, Ministry of Defence
- Léonidas Nijimbere, former FAB, CNDRR
- Eric Niragira, Centre d'Encadrement et de Developpement des Anciens Combattants (CEDAC)
- Séraphine Nisable, Women's Peace Centre
- Festus Ntanyungu, CNDD–FDD
- Sylvestre Ntibantunganya, former president of Burundi, FRODEBU
- Aloys Rubuka, UPRONA
- Jérémie Sindayirwanya, Reseau des Journalistes pour le Developpement Durable

Additional interviews were undertaken by Nicolas Florquin and Stéphanie Pézard for the HD Centre in early 2006.

ENDNOTES

1   For more information see www.hdcentre.org/projects/negotiating-disarmament

2   Spear, Joanna (2002), 'Disarmament and demobilization' in Stedman, S J *et al.* (eds), *Ending Civil Wars: The Implementation of Peace Agreements,* Lynne Rienner Publishers, Boulder and London, p. 148.

3   A concept pioneered by the UN Development Programme in many post-war contexts. See, for example, Small Arms Survey (2005), Chapter 4, 'Obstructing development: The effects of small arms on human development' in *Small Arms Survey 2005: Weapons at War,* (2005), Oxford University Press, Oxford, pp. 125–156; Centre for Humanitarian Dialogue (2005), Theme 5, 'Taking Weapons Out of Circulation' in *Missing Pieces: Directions for Reducing Gun Violence Through the UN Process on Small Arms Control,* pp. 79–89.

4   UN Inter-Agency Working Group on Disarmament, Demobilization and Reintegration (2006), *Operational Guide to the Integrated Disarmament, Demobilization and Reintegration Standards,* p. 25.

5   UN Inter-Agency Working Group on Disarmament, Demobilization and Reintegration (2006), *Integrated DDR Standards, 1.20 Glossary and Definitions,* United Nations, New York. Available at www.unddr.org/iddrs/01/20.php

6   Organisation for Economic Co-operation and Development–Development Assistance Committee (2005), *Guidelines and Reference Series, OECD/DAC Security System Reform,* p. 20.

7   United Kingdom Department of International Development (2003), *Security Sector Reform Policy Brief,* p. 2.

8   See Centre for Humanitarian Dialogue (2005), Theme 3, 'Considering the needs of gun violence survivors' in *Missing Pieces,* pp. 51–62; Centre for Humanitarian Dialogue (2006), *The Skeleton in the Closet: Survivors of Armed Violence* , RevCon Policy Brief; Centre for Humanitarian Dialogue (2006), *Assistance to Survivors of Armed Violence in Burundi,* Background paper No. 2.

9   All the Burundi agreements are available at the Department of Peace and Conflict Research, Uppsala University, Sweden: www.pcr.uu.se/gpdatabase/peace/

10 It is of course a mistake to try to explain the conflict using primordialist arguments about Hutus, Tutsis and conflict in Burundi. Equally, it is (or would be) wrong to deny that Burundians (whether participants in or witnesses to the conflict) perceive, explain and mythologise the conflict in widely varying ways that sometimes partially legitimise reductivist ethnic explanations of the conflict. See Lemarchand, René (1996), *Burundi: Ethnic Conflict and Genocide,* Cambridge University Press, chapters 1–2.

11 Armed conflict in Burundi predates the 1990s. For a careful account, especially of the 'crystallisation' of ethnic tensions and the conflict in 1972 and 1988, see Lemarchand, René (1996).

12 In this respect, one of the requirements for longer-term stabilisation and peace in Burundi is or will be changes in attitudes. See Government of Switzerland (2000), *Preventing conflicts, building peace, strengthening democracy. The peace policy of the Directorate of Political Affairs of the Federal Department of Foreign Affairs,* p. 10.

13 Until 1997, Democratic Republic of Congo was known as Zaire.

14 Nindorera, Louis-Marie (2003), 'Keepers of the Peace: Reviving the Tradition of Bashingantahe in Burundi,' *Online Journal of Peace and Conflict Resolution* 1.4, p. 1.

15 Ibid.

16 Jackson, Stephen (2006), *The United Nations Operation in Burundi (ONUB): Political and Strategic Lessons Learned,* independent external study, UN Department of Peacekeeping Operations, p. 11.

17 Externally, the spread and leakage of guns in Burundi received attention from a relatively early stage; see Lemarchand, René (1996); Human Rights Watch (1997), *Stoking the Fires: Military Assistance and Arms Trafficking in Burundi,* HRW arms project, Washington DC; Rackley, Edward B (2004), *Burundi: The Impact of Small Arms and Violence on Women*, *Report for the UNDP Small Arms Reduction Programme*; and Pézard, Stephanie and Nicolas Florquin (2007), *Small Arms in Burundi: Disarming the Civilian Population in Peacetime,* Small Arms Survey, Geneva.

18 See Rackley, Edward B (2004) and Pézard, Stephanie and Nicolas Florquin (2007).

19 Pézard, Stephanie and Nicolas Florquin (2007), pp. 66–70.

20 Weissman, Stephen R (1998), *Preventing Genocide in Burundi: Lessons from International Diplomacy,* United States Institute for Peace 'Peaceworks' paper no. 22, Washington DC, p. 7. Available at www.usip.org/pubs/peaceworks/pwks22.pdf

21 Sources include: Lemarchand, René (1996); United Nations Development Programme (2008), *Human Development Report 2007/2008: Fighting Climate Change, Human Solidarity in a Divided World,* New York; Boshoff, Henri and Waldemar Very (2006), *A Technical Analysis of Disarmament, Demobilization and Reintegration: A Case Study from Burundi,* Institute for Security Studies, Monograph Series. No. 125, August; Bunting, Ikaweba, B. Mwansasu and Walter Bgoya (1999), *Overview of the Burundi Peace Process,* Mwalimu Nyerere Foundation; World Bank (2008), *Program Overview, Multi-Country Demobilization and Reintegration Program,* 29 February.

22 Documented in detail by League Iteka, Human Rights Watch, International Crisis Group, and various UN reports, amongst others.

23 There was deliberate inflation of numbers before and during the DDR process which began in late 2004. Pézard, Stephanie and Nicolas Florquin (2007), p. 18.

24 The conflict in DRC also presented a peacemaking challenge which overshadowed the challenge of resolving Burundi's conflict. For further reading, see Carayannis, Tatiana and Herbert F Weiss (2003), 'The Democratic Republic of Congo, 1996–2002,' in Boulden, J, ed., *Dealing with Conflict in Africa: The United Nations and Regional Organizations,* Palgrave Macmillan, pp. 253–303.

25 Many of the senior political figures in the CNDD were from the southern Bururi region, while the fighters were mainly from other parts of the country, which contributed to the splintering of the movement.

26 World Health Organisation (2002), *World Report on Violence and Health,* WHO, Geneva, p. 11.

27 UN Development Programme (2004), *Human Development Report 2004: Cultural Liberty in Today's Diverse World*, New York. Also see 'Burundi, The Human Development Index – going beyond income,' *UNDP Human Development Index 2007/08.* Available at http://hdrstats.undp.org/countries/country_fact_sheets/cty_fs_BDI.html

28 UN Development Programme (2007), p. 232.

29 Interviewed in Bujumbura, 13 December 2007.

30 For an account of the machinations of the peacemaking process, see Khadiagala, Gilbert M (2007), 'Mediation efforts in Africa's Great Lakes Region' in *Africa Mediators Retreat Briefing Pack,* Centre for Humanitarian Dialogue, Geneva. Available at www.osloforum.org

31 For reflections from this period, see Ould Abdallah, Ahmedou (2000), *Burundi on the Brink, 1993–95: A UN Special Envoy Reflects on Preventive Diplomacy,* United States Institute of Peace Press, Washington, DC.

32 Jackson, Stephen (2006), p. 5.

33 See www.cartercenter.org/countries/burundi.html

34 See www.santegidio.org/en/pace/pace6.htm

35 Nonetheless, a round of 'consultations' was held at Mwanza in December 1996 and was attended by representatives from most political groups, including the government, the CNDD and FRODEBU, but not UPRONA.

36 Weissman, Stephen R (1998), pp. 24–25.

37 The regional economic sanctions were never adopted by western governments, which saw Buyoya as a 'moderate alternative,' although sanctions were not condemned either. During this period external actors favoured the bilateral Sant'Egidio talks over the all-party talks sought by Nyerere and the Regional Initiative, a difference in approach which caused some tension. See Weissman (1998), pp. 17–20.

38 International Crisis Group (2001), *Burundi: One Hundred Days to Put the Peace Process Back on Track,* Africa Report no. 33, p. ii.

39 This view has been shared elsewhere. See for example, Boshoff, Henri, and Waldemar Vrey (2006), *A Case Study for Burundi: Disarmament, Demobilisation and Reintegration during the Transition in Burundi,* Institute for Security Studies paper no. 125, South Africa, p. 46.

40 Interview with FRODEBU official, Bujumbura, 11 December 2007.

41 Interview with Sylvestre Ntibantunganya, Bujumbura, 13 December 2007.

42 Telephone interview with Carolyn McAskie, former UN Special Representative of the Secretary-General for Burundi, currently Assistant Secretary-General for Peacebuilding Support, 7 February 2008.

43 Interview with FAB/FDN General, Bujumbura, 10 December 2007.

44 Interviews with various individuals, Bujumbura, December 2007.

45 Interview with Jean-Baptiste Manwangari, UPRONA member in the National Assembly, 13 December 2007.

46 For more on this period see Gasana, Jean-Marie and Henri Boshoff (2003), *Burundi: Critical challenges to the peace process,* African Security Analysis Programme, Situation report, 16 September, Institute of Security Studies.

47 Interviews with various individuals, Bujumbura, December 2007.

48 Interview with Célestin Ndayisaba, Ministry of Defence, Bujumbura, 10 December 2007.

49 Interviews with various individuals, Bujumbura, December 2007.

50 Interview with Sylvestre Ntibantunganya, former president of Burundi, Bujumbura, 13 December 2007.

51 United Nations Security Council Resolution 1325 (2000), p. 2. Available at www.un.org/events/res_1325e.pdf

52 United Nations Security Council Resolution 1325 (2000), p. 3.

53 UNIFEM (2000), "Mandela Ushers Women into Peace Process,' press release, 21 July. Available at www.unifem.org/news_events/story_detail.php?StoryID=45

54 UNIFEM (2000).

55 Address to the UN Security Council on women in Burundi, Sabine Sabimbona, representative of the Collective of Burundian Women's Associations, 23 October 2002. Available at www.peacewomen.org/resources/Burundi/Sabine2002.html

56 Arusha Peace and Reconciliation Agreement Protocol II, Article 3. See www.usip.org/library/pa/burundi/pa_burundi_08282000_pr2ch1.html

57 La Constitution Interimaire Post-transition de la Republique du Burundi (2004), available at http://burundi.news.free.fr/actualites/constitutionbu.html

58 The Global Database of Quotas for Women (2006), Burundi, accessed March 2008. See www.quotaproject.org/displayCountry.cfm?CountryCode=BI

59 UN Burundi (2006), *Burundi and Women's Political Participation— the Role of ONUB,* p.5. See www.un.org/africa/osaa/reports/Burundi%20and%20Women's%20Political%20Participation.pdf

60 Ibid., p.5.

61 Potter, Antonia (2005), *Opinion Piece,* Centre for Humanitarian Dialogue, Geneva. Available at www.hdcentre.org/files/We%20the%20Women.pdf

62 Interview with UN official, Bujumbura, 8 December 2007

63 DDR is the standard acronym; however, in some contexts variations include the addition of other 'R's, for example for rehabilitation, reconciliation, repatriation, or resettlement. Key reports or documents charting the scope, objectives, and methods of DDR include Mats Berdal (1996), *Disarmament and Demobilisation After Civil Wars,* Adelphi Paper No. 303, Oxford University Press, Oxford; United Nations Department of Peacekeeping Operations (1997), *Multidisciplinary Peacekeeping: Lessons from Recent Experience,* available at www.un.org/Depts/dpko/dpko/lessons/handbuk.htm; United Nations Security Council (2000), *Report of the Secretary-General: The Role of United Nations Peacekeeping in Disarmament, Demobilization and Reintegration,* S/2000/101 of 11 February; Small Arms Survey (2003), Chapter 9, 'Talking about disarmament: The role of small arms in peace processes'

in *Small Arms Survey 2003: Development Denied,* Oxford University Press, Oxford pp. 277-313; Small Arms Survey (2005), Chapter 10, 'Managing "post-conflict" zones: DDR and weapons reduction' in *Small Arms Survey 2005: Weapons at War,* Oxford University Press, Oxford, pp. 267–289; Swedish Ministry of Foreign Affairs (2006), *Stockholm Initiative on Disarmament Demobilisation Reintegration. Final Report.*

64   Interview with UN official, Bujumbura, 8 December 2007.

65   UPRONA Chairperson, interviewed in Bujumbura, 13 December 2007.

66   Arusha Peace and Reconciliation Agreement for Burundi (August 2000), Protocol III, Chapter III, Article 27.

67   Ibid., Article 26.

68   See Nindorera, Louis-Marie (2003) for background on the significance of the Bashingantahe tradition. See also Dexter Tracy and Dr Philippe Ntahombaye (2005), *The role of informal justice systems in fostering the Rule of Law in post-conflict situations: The case of Burundi,* Centre for Humanitarian Dialogue Report.

69   Arusha Peace and Reconciliation Agreement for Burundi (August 2000), Protocol III, Chapter III, Article 26.

70   Interviews with various individuals, Bujumbura, December 2007.

71   Interviewed in Bujumbura, 11 December 2007.

72   Interview with Festus Ntanyungu, a participant in the third commission on the Arusha Agreement, Bujumbura, 11 December 2007.

73   Interview with Festus Ntanyungu, CNDD-FDD, Bujumbura, 11 December 2007.

74   Interview with Jean-Baptiste Manwangari, UPRONA, Bujumbura, 13 December 2007.

75   Pretoria Protocol on Political, Defence and Security Power Sharing in Burundi. (October 2003), Defence and security issues, section IV.

76   Interview with Léonidas Nijimbere, CNDRR director, Bujumbura, 11 December 2007.

77   For more information, see www.mdrp.org.

78   Interview with Léonidas Nijimbere, CNDRR director, Bujumbura, 11 December 2007.

79   World Bank (2008), *Program Overview, Multi-Country Demobilization and Reintegration Program,* February 29. See www.mdrp.org/burundi.htm

80   IRIN (Integrated Regional Information Network) report (2005), 'Burundi: Ex-combatants protest non-payment of demobilisation fee,' 17 June.

81   Interview with Frédéric Bamvuginyumvira, FRODEBU, national vice president 1999–2003, Bujumbura, 11 December 2007.

82   World Bank (2008).

83   Interview with various individuals, Bujumbura, December 2007.

84   Interview with Frédéric Bamvuginyumvira, Bujumbura, 11 December 2007.

85   World Bank (2008).

86   Pézard, Stephanie and Nicolas Florquin (2007), p. 2.

87   Interview with Hervé Gonsolin, UNDP, Bujumbura, 8 December 2007, and other interviews.

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91   Interview with Léonidas Niimbere, CNDRR, 11 December 2007.

92   Interview with Festus Ntanyungu, Bujumbura, 11 December 2007.

93   See International Crisis Group (2007), *Burundi: Finalising Peace with the FNL.* Africa Report No. 131, 28 August.

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110   Banal, Laurent and Vincenza Scherrer (2008), p. 38.

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122   Pézard and Florquin (2007) and interviews by Richard Barltrop in Bujumbura, December 2007.

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126   Interview with Festus Ntanyungu, CNDD-FDD, Bujumbura, 11 December 2007.

127   Interview with CNDD-FDD official, Bujumbura, 11 December 2007.

128   IRIN (Integrated Regional Information Network) report (2005), 'Burundi: CNDD-FDD against method of civilian disarmament,' 13 May.

129   Interview with CNDD-FDD official, Bujumbura, 11 December 2007.

130   Interviewed in Bujumbura, 12 December 2007.

131   Respondents were asked how many people in the household were victims of an act of violence during the previous six months, then asked to specify the kind of act of violence (armed robbery, theft, kidnapping, threats, assassination, attack, rape, gang violence, fight, violence linked to illicit trafficking, revenge, family or partner violence, nuisance due to alcohol, burglary, drug trafficking, other).

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133   Ministry of Health 2005, ibid.

134   Interview by Stephanie Pezard and Nicolas Florquin with international source, Bujumbura, February 2006.

135   Interview by Stephanie Pezard and Nicolas Florquin with Dr Protais Ntimogora, Directeur Chargé des Soins/Adjoint du Directeur, Hôpital Militaire de Kamengue, Bujumbura, 31 March 2006.

136   The law references the Arusha Agreement, the 1971 firearms law, and earlier relevant laws and decrees.

137   Pézard and Florquin (2007), p. 65.

138   Jensen, Steffen and Finn Stepputat (2001), *Demobilizing Armed Civilians,* CDR Policy Paper, Centre for Development Research, p. 20.

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144   Banal, Laurent and Vincenza Scherrer (2008), p. 48.

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146   See www.unpbf.org/burundi.shtml for more information.

147   McAskie, Carolyn (2007), 'Weapons control at the Peacebuilding Commission,' Opinion Piece by Assistant-Secretary General for Peacebuilding Support, *Small Arms and Human Security Bulletin,* Centre for Humanitarian Dialogue, Issue 8, November 2006– February 2007.

148   Some of the projects funded by the PBC have been criticised. In the opinion of the Women's Peace Centre, the projects funded by the PBC were "devised without the participation of women," and too much of the responsibility for their implementation was given to foreign organisations, at the expense of local NGOs. Interview with Séraphine Nisable, Bujumbura, 12 December 2007.

149   Telephone interview with Carolyn McAskie, 7 February 2008.

150   Burundi, Democratic Republic of the Congo, Djibouti, Ethiopia, Eritrea, Kenya, Rwanda, the Seychelles, Somalia, Sudan, Tanzania and Uganda. See www.recsasec.org

151   Interviews with various officials in Bujumbura, December 2007.

152   Interview with FRODEBU official, Bujumbura, December 2007.

153   This section was drafted by Cate Buchanan. Some information draws upon research undertaken for the HD Centre in 2006 by Nicolas Florquin and Stéphanie Pézard, as well as research by Mireille Widmer in early 2008.

154   Médecins sans Frontières Belgique (2004), *Accès aux soins de santé au Burundi: résultats de trois enquêtes épidémiologiques,* p. 3.

155   Protocol IV, article 10: "The Government shall ensure, through special assistance, the protection, rehabilitation and advancement of vulnerable groups, namely child heads of families, orphans, street children, unaccompanied minors, traumatized children, widows, women heads of families, juvenile delinquents, the physically and mentally disabled, etc."

156   Arusha, Protocol IV, Reconstruction and Development, Chapter III, Article 15.

157 Forces Technical Agreement, part II.

158 Ministry of Health (2005), *Plan National de Développement Sanitaire,* Bujumbura, 13 December, p. 21.

159 Human Rights Watch and the Burundian Association for the Protection of Human Rights and Detained Persons, (2006), *A High Price to Pay: Detention of Poor Patients in Burundian Hospitals,* September. Available at http://hrw.org/reports/2006/burundi0906/

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164 Government of Burundi (2006), *Stratégie nationale de lutte contre la prolifération des armes légères et de petit calibre et de désarmement des civils,* Art. 14.

165 Government of Burundi (2006), Art. 19.

166 International Monetary Fund (2007), p. 84. In May 2006, President Nkurunziza announced free healthcare for children under five and women giving birth, aimed to reduce maternal and neonatal mortality rates. This saw the end of detention for many women and children unable to pay hospital bills. Human Rights Watch and national NGOs have maintained steady observation of this crisis, and noted that at the end of 2006 numerous people were detained throughout the country by virtue of being impoverished. See Human Rights Watch (2006), 'Burundi: Donors Should Press for End to Impunity Financial Support Needed for Reforms in Justice and Healthcare', press release, 22 May. Available at http://hrw.org/english/docs/2007/05/21/burund 15976.htm

167 Ibid.

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171 UN General Assembly (2007).

172 Banal, Laurent and Vincenza Scherrer (2008), p. 40.

173 Centre for the Study of Violence and Reconciliation (2008), 'International Commission of Inquiry' Information. Accessed March 2008. See www.justiceinperspective.org.za/index.php? option=com_content&task=view&id=6&Itemid=21

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