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Postgenocidal Reconstruction *Building Peace in Rwanda and Burundi*

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Briefly...

- Future security in both Rwanda and Burundi is closely linked to how successfully the Lusaka cease-fire agreement lays a foundation for peace in the Democratic Republic of the Congo (DRC).
- An effective, internationally supported disarmament and demobilization program for the Rwandan and Burundian rebel forces based in the Congo could significantly enhance security in the entire region.
- International support could come in part through the creation both of a Friends of Peace in the Congo donor-coordination mechanism and through the proposed International Coalition Against Genocide.
- A multifaceted program of military action, civic education, local elections, and reintegration of ex-FAR soldiers (former Rwandan Armed Forces) and Hutu refugees, has achieved progress toward enhanced security and reconciliation in Rwanda. The

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Arusha peace negotiations have reached a critical stage but are threatened by anxiety produced from the increasing violence in Burundi; success requires redoubled efforts on the part of both Burundian and international participants.

- Key components of the political transition process for Rwanda have recently been launched. Critical constitutional questions must be addressed, and the answers widely agreed upon if genuine democracy is to be achieved at the end of the four-year transition period.
- Escalating violence in Burundi is jeopardizing the viability of the government there. Urgent efforts particularly by Burundi and Tanzania must be exerted to end the violence.
- Political parties in Burundi are intentionally skirting most justice issues, while Rwanda is embarking on a bold and risky new approach to try the 125,000 remaining cases against those charged with genocide.

Introduction

To adapt an old metaphor, when Rwanda sneezes, the Congo and Burundi catch a cold. It is widely understood that the continuing conflicts in the Congo, Rwanda, and Burundi are linked inextricably through cross-border insurgencies, cross-border ethnic linkages, and cross-border economic ties. The legacy of genocide--both the 1994 Rwandan genocide in which nearly a million Tutsis and moderate Hutus were killed and the smaller, but no less significant, 1972 genocide of Hutus in Burundi--and major communal massacres, such as the 1993 massacre of Tutsis in Burundi, hangs heavily over the Great Lakes region. The cycles of violence and the culture of impunity that have intensified as a result of these

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Special Report 2001

[The Genocide Convention at Fifty](#)
Special Report 1999

[Genocide Convention at Fifty: Web Links](#)
Other web sites with information on genocide.

[Preventing Genocide in Burundi: Lessons from International Diplomacy](#)
Peaceworks 1998

[Rwanda: Accountability for War Crimes and Genocide](#)
Special Report 1995

ordeals must be overcome if peace and reconciliation are to be possible in Central Africa.

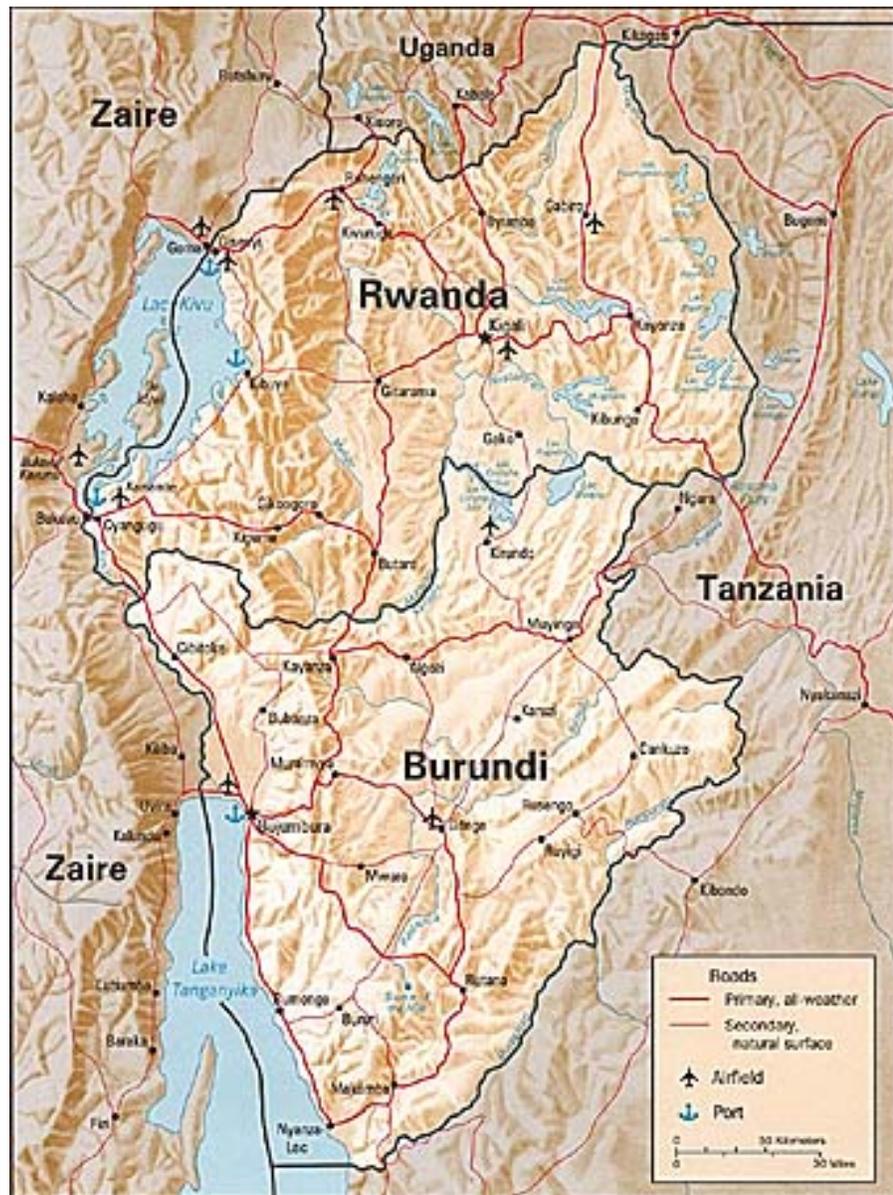
Our previous reports focused primarily on the dynamics of the conflicts in the horn of Africa and the Congo and prospects for their resolution. This report examines the state of affairs in Rwanda and Burundi, the impact of these countries on the region, the region's effect on them, and ways to advance political and economic participation and the rule of law.

Rwanda is a country full of contradictions. Its government preaches reconciliation and downplays ethnicity only a few years after the previous regime perpetrated the most extreme form of ethnic-based killing that could possibly occur--genocide. A successful counterinsurgency campaign has removed from Rwandan soil the terror and attacks sown by the groups dedicated to continuing the genocide, but human rights groups continue to criticize sharply the Rwandan government for its abuses both in Rwanda and the Congo. The government has initiated a bottom-up strategy to widen participation and create a new political structure without most of the old elites, but some observers--including many Rwandans--characterize these reforms as dressing up a dictatorship. They point to the Hutu ministers who have left the government in the few months preceding this report, the exclusion of non-RPF (Rwandan Patriotic Front) insiders from decision-making circles, and the discrediting or disappearance of credible Hutu interlocutors. Finally, the Rwandan government characterizes its war in Congo as one for its own survival, while much of the rest of Africa sees it as an arrogant power play aimed at expanding Rwanda's political and economic influence.

Perspectives on Burundi are equally divergent but for different reasons. In contrast to Rwanda's bottom-up program, Burundi is pursuing a top-down strategy of change aimed at an accommodation among elites, although the government claims that its efforts to hold seminars and debates at the local level constitute its own version of a bottom-up approach. Some view the Burundian peace process underway in Arusha, Tanzania, as a stage upon which all of the parties posture, but no serious negotiations occur. Others see the Arusha process as the only hope for a peaceful transition to eventual majority rule. Still others see internal Burundian efforts to forge a coalition government as the most hopeful process, while some charge that buying off individuals does not represent true power-sharing and democracy.

In both
countries,
governments
perceive
themselves
as the
careful
stewards of
volatile
processes of
change, but

much of the outside world perceives them as minority regimes unwilling to share real power. Both are perceived as being controlled by narrow cliques with common origins: in Burundi, they are southerners from Bururi Province, while in Rwanda they are the returned refugees from Uganda. The reality, as always, is much more complex.



Rwanda and Burundi

The Status of Insurgencies in Rwanda and Burundi

In the aftermath of the huge return of refugees following Rwanda's attack on the Zairian refugee camps in 1996, thousands of ex-FAR/Interahamwe (the former Rwandan army and associated militia that carried out the 1994 genocide) infiltrated back into Rwanda and stepped up its brutal insurgency. The insurgents largely targeted civilian populations, including bus passengers, local government officials, and schoolchildren. The insurgency aimed at making the northwest ungovernable, restoring the former government, evading justice for those that committed the genocide, and continuing and completing that genocide. The command-and-control structure remains largely intact from that which executed the 1994 genocide.

During 1997--98, ex-FAR/Interahamwe attacks dramatically increased in Gisenyi and Ruhengeri prefectures and occurred occasionally in Gitarama,

Kibuye, and even Kigali. Combining wave after wave of anti-Tutsi propaganda, the insurgents continued to use the politics of hate as their mobilizing message, which they targeted at the northwest as the traditional headquarters of Hutu extremism. Thousands of people--including women and children--residing in the northwest appear to have participated in the attacks or at least provided information and logistical support, further confusing the line between civilian and combatant.

The insurgents destroyed the economy of the northwest, once the breadbasket of Rwanda. Families have been torn apart, and many fields left unplanted. Now, nearly a year after the insurgency has ended, nearly one-third of the population of Gisenyi prefecture is still living in tents and only half have access to their own land. Moreover, returning refugees have swollen the population by one quarter during the first half of 1999.

The Rwandan army's counterinsurgency was itself often brutal. The army's operations aimed at separating civilians from militia were harsh and violent, and noncombatants were frequently caught in the middle or even indistinguishable from insurgents given their use by ex-FAR/Interahamwe units as human shields. Soldiers also conducted revenge attacks and in some cases extorted or looted from civilians. All told, thousands of civilians, genocidaires, soldiers, Congolese-Tutsi refugees, and prisoners were killed during this two-year period.

Late in 1997, the Rwandan government transformed its counterinsurgency strategy into a much more political and social effort, which within a year, broke the back of the insurgency. Stability was restored to northwest Rwanda, although some human rights abuses continue. Most ex-FAR/Interahamwe militia were driven into the Congo, even more deeply when Rwanda, Uganda, and their Congolese-rebel allies launched their war against the Congolese government in August 1998. Rwanda and Uganda both say that the main reason they invaded was that the Congolese government under Laurent Kabila had begun to train and equip ex-FAR/Interahamwe forces as early as April 1998.

At the height of the insurgency in the northwest, human rights groups focused more on the nature of the counter-insurgency than the genocidal insurgency itself, rightly pointing out that Rwandan-government forces were committing abuses on a large scale. But these analyses often exaggerated the extent of the government's abuses. Lack of clarity about who was actually being killed--civilian or combatant--in many cases further inflamed the situation, and the difficulty of accessing these areas made rumor and allegation the primary sources of "evidence" for much of the reporting during this period. Ex-FAR/Interahamwe abuses were often underreported by critics of the government and the post-genocidal historical context underappreciated. No compelling evidence has emerged that the government's policy was or is to encourage these abuses.

Rwanda's intervention in the Congo has come under heavy criticism in Africa and beyond. The events of late August in Kisangani, Congo brought further

condemnation down on Rwanda and its neighbor Uganda. In that sequence of events, Rwandan and Ugandan troops fought each other for control of a Congolese city far from the military front, raising further questions internationally about both countries' objectives and interests in the Congo. The clashes resolved nothing and led to a further deterioration in living standards in Kisangani, immediately increasing the number of malnourished children in that city.

A static economy, severe demographic pressures, high levels of poverty and unemployment, and shrinking land holdings per family all add serious strains to conflict management and reconstruction. If the economy is not structurally reformed to allow greater opportunity, the potential for violence will persist.

Similarly, the Burundian conflict has been displaced in part to Congolese soil. The principal armed Hutu-rebel groups are not party to the Burundian negotiations in Arusha, Tanzania. They continue to prosecute violent wars against the government, instigating even more violent reprisals by government forces against areas suspected of harboring insurgents. Civilians are often victims of attacks by both rebel and government forces. In mid-August, for example, allegations emerged of two massacres only a few miles from Bujumbura, in which over 200 Hutu civilians were killed. Another attack on August 28 against a Tutsi neighborhood in Bujumbura by Hutu rebels left nearly 40 civilians dead, including many children. The most insecure areas are the southern border with Tanzania across which FDD (Forces for Democracy and Development) launches attacks and Bujumbura Rurale, where the FNL (National Liberation Front) operates. One of our interlocutors described the current instability as "not a real war, but rather just a systematic looting of the population."

Recent attacks are reaching areas that were previously safe. Amnesty International reports that the Burundian army killed up to 600 civilians in Bujumbura Rurale between November 1998 and August 1999. The Burundian human rights organization Ligue Iteka published an open letter of alarm and protest to the political leadership, citing the increased violence.

The two most significant rebel groups, FDD and FNL (the armed wings of CNDD and PALIPEHUTU, respectively) organize and conduct operations against targets in Burundi both from Congo and Tanzania. The Congolese and Zimbabwean governments have also recruited FDD units to fight alongside those ex-FAR/Interahamwe units they have trained and equipped. This has sparked accusations against the FDD of creating tactical alliances with--and thus supporting--genocidaires. When the Lusaka cease-fire agreement is implemented fully and the Joint Military Commission, created under the agreement, begins to fulfill its mandate of disarming these militias, the FDD will be exposed and cut off. The FDD and FNL units will likely melt into the forest or go to Tanzania or into Burundi, further destabilizing the region.

Escalating violence in Burundi has created a precarious situation. The Tanzanian government needs to make a serious commitment to stop new

incursions by rebels into Burundi from Tanzania. The Burundi government needs to rein in its army to stop abuses of civilians and to thwart any resumption of action by paramilitary groups. A concerted international effort is required to contain the violence that seriously threatens the peace process.

A series of splits in the opposition has dissipated pressure on the government to share power more fully and undermined reform. Key Hutu organizations, FRODEBU and CNDD, have suffered splits, making it impossible for the opposition to put forward a unified political program in the Arusha negotiations. UPRONA, a Tutsi party, is also split, with some remaining loyal to former President Bagaza, who is in exile in Uganda and continues to recruit extremists.

President Buyoya's coup in 1996 unified the army and reined in Tutsi extremists and militias. The success of the government's military operations against the insurgents increased rapidly. Heavy recruitment tripled the number of men under arms. The Burundian army remains overwhelmingly Tutsi-led and hard-line in its defense of Tutsi interests. It is particularly sensitive about military reform and the possibility of some kind of integration with rebel forces as part of a future agreement, one of the FDD's main objectives. The military presents a major wild card should a peace agreement be forged, and President Buyoya will be expected to "deliver" the military in the context of any settlement. Regional dynamics remain important in this regard; if the army believes Hutu rebels retain the capacity to attack from Congo or Tanzania, they will not demobilize or integrate the army.

Burundi is experiencing a major showdown between those willing to change the system and those strongly resisting change. President Buyoya seeks to build a cross-ethnic coalition that will slowly erode the influence of the extremists, but increasing violence and a lack of movement at the negotiating table have galvanized support for those advocating ethnic solidarity.

As long as this low-intensity war continues, military officers on the government and rebel sides will remain ascendant. Meanwhile, though, these power plays are impoverishing Burundi and shrinking day by day the country's economic prospects. Parallel economies are being established, in which smuggling and dealing in illicit contraband are becoming more and more lucrative, introducing a further source of instability.

In fact, conflict throughout the region is slowly eroding the population's capacity to cope. Since the beginning of 1999, the number of people affected by the conflict has increased roughly 20 percent. At the time of writing, nearly four million people are in need of external assistance in the Great Lakes region.

Addressing the Roots of Regional Conflict

Much of the conflict on Congolese soil has little to do with internal issues in the Congo; it simply exploits the vacuum presented by the erosion of Congolese state authority. Ending insurgencies in Rwanda and Burundi, which are being played out in the Congo, would do much to stabilize the entire Central African region.



Co-author John Prendergast and local officials in Rwanda.

Photo by David Smock

Although the Burundian insurgency affects

South Kivu and parts of the Tanzanian border, as well as Burundi itself, it is the Rwandan genocidaires and the alliances they build that provide the greatest impetus to cross-border conflict.

One of the most important strategies for ending the insurgency that is fueling the war on Congolese soil and heightening divisions within Rwanda would be to adopt a multifaceted approach of luring refugees and combatants back to Rwanda or--in the case of those accused of genocide--to face justice. Such a strategy has not yet been clearly articulated but would require political, judicial, economic, social, and military elements, some of which are already in place, including:

- movement toward more democratic economic and political participation;
- due process and a presumption of innocence until proven guilty;
- allowing local populations to decide whether any accusation will be lodged against returnees to Rwanda, thus determining whether the individual will reintegrate or face justice;
- certainty that returnees not accused of genocide can take back their old houses, reintegrate into economic life, and run for local office if they so choose;
- economic support for reintegration and restoring livelihoods;
- social rehabilitation through support for initiatives aimed at coexistence, mutual respect, and reconciliation;

- major demobilization and reintegration program to provide training and employment to demobilized militia; and
- more effective counterinsurgency strategy with fewer human rights abuses in the Congo.

In the process of developing a more effective counterinsurgency strategy in the Congo, lessons could be taken from Rwanda. The government's initial efforts to contain the insurgency in the northwest were brutal and one dimensional. However, over time adjustments were made, and the problem was addressed more holistically. The government realized it could not deal with the insurgency solely from Kigali, as the insurgents were mostly the sons (and some daughters) of many of the families residing in the northwest. Consequently, it enlisted Hutu leaders from the northwest to help develop and implement a multifaceted strategy, which included:

- gathering information with the help and participation of local leaders on the location of infiltrating ex-FAR/Interahamwe units;
- providing resources to ease the suffering of the residents of the internally displaced camps;
- organizing a political campaign to demonstrate that the government is not exclusively Tutsi by sending out key Hutu ministers to tour the northwest and talk about Rwanda's future;
- making known the government's presumption that most insurgents undertake their actions under extreme duress, so only those convicted of participation in the genocide will be punished.
- discouraging reprisals against the thousands of people who abandoned the insurgents beginning in early 1998;
- constructing a public education campaign involving churches, community leaders, and others to isolate the genocidaires and separate civilians from militia members;
- providing resources to returnees and internally displaced populations;
- stepping up efforts to reintegrate ex-FAR into the Rwandan army and once reintegrated using some of these soldiers and officers to convince other insurgents to return;
- deploying to the northwest ex-FAR Hutu commanders who had been reintegrated into the Rwandan army; and
- creating and training local defense forces, selected by the resident populations, which are partially responsible for the security of their own areas.

These and other strategies drove the insurgents into the Congo and displaced the conflict onto Congolese soil, an outcome that benefits Rwanda but

severely destabilizes the Congo. Success in the northwest is jeopardized, though, as a result of drought and unavailability of seeds and tools for those returning to their homes. This keeps malnutrition rates high, production low, and security problematic. To forestall another crisis, increased donor assistance must be forthcoming for basic humanitarian and reintegration requirements.

If the political will exists among the belligerents in Congo, the international community will have to play a large role in disarming the ex-FAR/Interahamwe in the context of the cease-fire agreement brokered in Lusaka and in encouraging Rwandan refugees to return home. (See Special Report on the Congo.) In the aftermath of the lack of response to the genocide, permitting the rearming in the refugee camps, and the reconstitution of ex-FAR/Interahamwe units by the Zimbabwean and Congolese governments in the context of the current war, the international community suddenly has an opportunity to rectify past inaction. Second chances do not come along very often. We propose two main mechanisms:

1) The Friends of Peace in the Congo:

A "Friends of" donor coordination mechanism should be established to ensure full support to the joint military commission (JMC) called for in the Lusaka cease-fire agreement, the UN/OAU (United Nations/Organization of African Unity) observer mission, and other elements of the cease-fire agreement. Specifically, the JMC will need transportation and communication assistance in its effort to track and disarm ex-FAR/Interahamwe and other nonstate actors named in the cease-fire agreement. The "Friends of" group could also help underwrite a demobilization program aimed at militia not implicated in the genocide, and support the reintegration of returning Rwandan refugees.

2) The International Coalition Against Genocide (ICAG):

Originally proposed at the March 1998 Entebbe Summit in which President Clinton and a number of African leaders participated, it is time to create such a mechanism for international coordination in genocide prevention in the Great Lakes. Rwanda's perceived isolation in its efforts to counter the genocidaires is one of the reasons for its aggressive policies in the Congo. The formation of ICAG could go some way toward multilateralizing these efforts and reducing Rwanda's insecurities. The ICAG could share intelligence and information about the genocidaires and their supporting international networks, tighten and enforce the sanctions against the ex-FAR/Interahamwe and any individuals and/or countries supporting them, strengthen customs enforcement and border controls throughout the region, and help build cases against the genocidaires' ringleaders.

Encouraging Peace and Reconciliation Processes

The Arusha Accords, the power-sharing arrangement agreed to in 1993 by most of the key political forces in Rwanda, were perceived to be such a threat

to the existing power bloc that the genocide was planned and executed to forestall its implementation. With that historical context and the widespread participation in the genocide by the previous ruling class, the Rwandan government does not view negotiations as sufficient to achieve peace and reconciliation in Rwanda, particularly with elements associated with those that organized the 1994 genocide.

The recently created National Reconciliation Commission, headed by Aloysie Inyumba, has initiated consultations throughout the country on issues related to coexistence. It seeks to highlight common problems and solutions and to promote a common history for all Rwandans, remove myths, and confront bigotry in all its forms. Perhaps its most innovative mandate is to monitor all government programs to determine how they affect peace, reconciliation, and national unity.

By contrast, in Burundi external and internal processes of negotiation are the principal means adopted to achieve conflict resolution. With former Tanzanian President Julius Nyerere as convenor, the Arusha peace process got underway in mid-1998. Its objective is to negotiate a transitional arrangement and timetable for elections. To its credit, Arusha has made progress in getting various opposing groups to sit together and begin to talk about needed reforms. But many analysts charge that substantive negotiations take a back seat in Arusha to procedural maneuvering, posturing, and horse-trading over future positions. Furthermore, the principal armed opposition groups, the FDD and the FNC, are not represented at the talks, thus undermining agreements on security matters in particular. Nyerere appears to seek balance between the opposition and government on the battlefield as a prerequisite for forward movement in the negotiations. Progress is also dependent on healing the political and military splits within the key Hutu organizations, an objective that remains elusive. Finally, the uncertainty of Nyerere's health adds additional confusion regarding the future of the process.

In June 1998, the Buyoya regime concluded an Internal Partnership for Peace with elements of FRODEBU, the predominant Hutu political party, as a conflict-resolution tool. Although adopted as a vehicle for power-sharing, the Partnership is not a long-term solution. The FRODEBU party has divided, primarily over the question of whether to participate in the Partnership. The external wing of FRODEBU wants the Arusha process to be the main vehicle for progressive change in Burundi, while the internal FRODEBU wing prefers to sustain and strengthen the Partnership. Hopefully, the

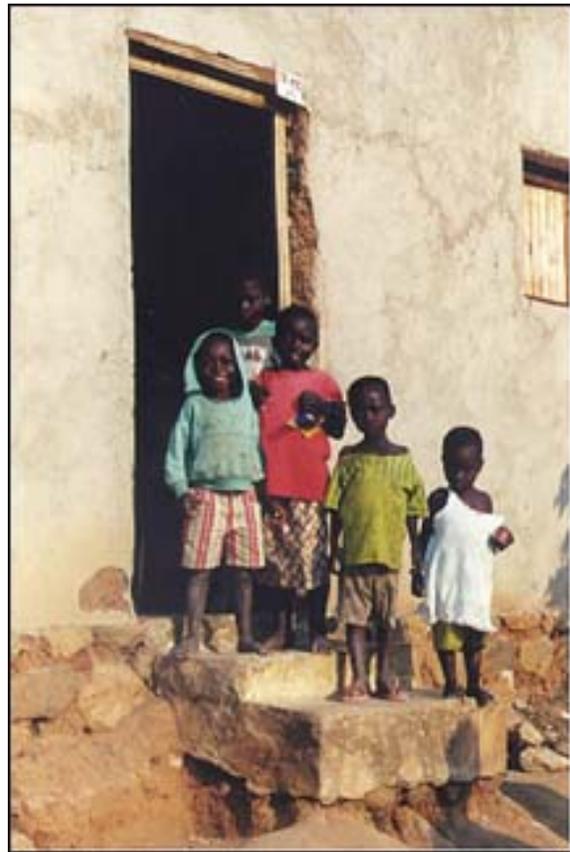
Partnership itself can serve as a confidence-building measure in the Arusha process.

A potential third conflict management track involves direct contacts between the government and the FDD. The possibility that a comprehensive cease-fire and roadmap could be negotiated and then fed into the Arusha process is not out of the question. However, a major drawback to all of these processes is the lack of dialogue about the issues at the grassroots level. It is a process confined to the elites.

The Arusha process remains the most significant initiative. But a number of enhancements are needed to increase its chances of success, including expanding the number of professional mediators, reducing the number of parties represented at the talks, and increasing the effectiveness of the committees. On this last point, four committees exist within the Arusha structure to address four issues: the nature of the conflict, institutions and good governance, security, and economic reconstruction. More specific technical assistance to these committees from the international community would increase the chances of success. When roadblocks are identified, donors and regional governments could apply focused incentives and pressures to encourage forward movement.

Donor and regional governments have both worked to create incentives and pressures designed to push the negotiation process forward. (U.S. Special Envoy Howard Wolpe and European Union Envoy Aldo Ajello have worked closely on this issue, as well as the larger negotiation strategy.) The most significant pressure was the economic sanctions that the region imposed on Burundi, lifted at the beginning of 1999. These sanctions were not able to reverse the coup that brought Pierre Buyoya to power, but they did increase the pressure to reach a negotiated settlement. In terms of incentives, most donors have agreed that development cooperation will resume only when a peace agreement is forged in Arusha, but there are areas where progress could be made now (see Economic Peace-Building section).

The United States and other international actors should seek means to facilitate dialogue and promote other incremental processes that can address the emergency posed by the recent escalation in violent conflict. Immediate



Children in reconstructed area near Bujumbura, Burundi.
Photo by David Smock

interaction and dialogue among the parties in conflict are essential to restore order and salvage the peace process in Arusha.

At the local level, a handful of organizations, many of them church-based, are involved in grassroots reconciliation efforts in Rwanda and Burundi.

Nevertheless, the elite-driven nature of the conflict and manipulation of ethnic differences, the context of genocide, and the hierarchical structure of these societies often inhibit meaningful discussions at the local level on the issues.

Democratic Institution Building

The Rwandan government is carefully managing the post-genocidal political transition process. Despite the effort to achieve greater ethnic parity in the cabinet and among prefects (regional governors), the government has been heavily criticized for the narrowness of the ruling clique and its silencing of certain voices of dissent. The challenge for the government is to increase meaningful Hutu participation while maintaining security for Tutsi populations.

National elections will follow the extended transition and the introduction of a constitution, but the government has initiated a number of interim steps designed to promote discussion about the nature of democratic participation and to establish a bottom-up approach to rebuilding governance in Rwanda. The inherited legacy of overcentralization, in which blind obedience to authority was the objective of the leadership, made state-sponsored genocide possible. The bottom-up process aims to decentralize decision-making power and destroy a culture of blind obedience to authority. Discussing democratic values, allowing participation, and focusing on problem solving are seen as methods to lay the groundwork for the transition to some form of multiparty democracy.

Like some of the other governments (Ethiopia, Eritrea, Uganda), which have been called a "new generation of African leaders," Rwanda is attempting to destroy the old elite-based political leadership structure. (Like Eritrea, Rwanda will likely outlaw ethnically based parties in the future.) This is a prerequisite to building a new, broader, more participatory base of authority, but runs the risk of human rights abuse in the interim and the entrenchment of the new elite in the long run. Allowing for maximum political and economic competition is a key safeguard against this possible outcome. Elements of Rwanda's current transitional strategy include:

- a Constitutional Commission, which will elicit wide input and discussion on the nature of the constitution, the form of elections, and issues related to ensuring Hutu participation and Tutsi security;
- a bottom-up election process, starting with the cell and sector levels, aimed at moving up the chain of political and social organization, culminating eventually in national elections;
- a decentralization process aimed at transferring to the local-level, decision-making authority for development and other critical

responsibilities, initially through community development committees;

- a series of "Saturday discussions" in which President Bizimungu hosts debates about the central issues facing Rwanda;
- a series of meetings between Rwanda's political parties on the nature of a future political system and their roles in it; and
- a more participatory justice process.

Building on the progress and momentum of the local elections, the United States and other interested countries must support and advocate for the rapid movement to commune-level and parliamentary elections. There should be continued forward and upward movement in this bottom-up democratic initiative, which cannot happen overnight but should not take a decade, either. Participation and freedom of association must be widened and perceived to be widened. Media criticism should be allowed without repercussion. Taxation authority should be decentralized to complement the effort to decentralize development planning. A full democratic system--tailored to local sensitivities and context--should be developed with some urgency.

In Burundi, institutional reforms have received very little attention. In general, Hutu politicians and military leaders seek an end to Tutsi domination of the political system. By definition this means the endorsement of the principle of universal suffrage/ winner-take-all elections. President Buyoya's government stresses the importance of moving forward slowly and cautiously to allow the military and key Tutsi constituencies to buy into the reform process. Buyoya seeks both to protect the favored position of the Tutsi and ensure that any reforms will not compromise security for Tutsis.

The Internal Partnership has attempted to forge a transition roadmap, which could be an important bridge to a serious reform process. The nature of the democratic system will be debated fiercely, particularly when and if an ethnically blind "one person-one vote" system should be implemented, as will the question of who will lead the transition.

As in Rwanda, interested external parties should advocate on behalf of a free press in Burundi, along with more transparent support for the responsible exercise of free speech and assembly. Any effort at improving governance also will have to address corruption, which itself can be an engine of violence.

Human Rights Promotion

The issue of justice for those accused of participating in the genocide is one of the most politically charged issues in the Great Lakes today. Roughly 130,000 people are detained in Rwanda as a result of being accused of participating in the genocide. Establishing accountability and breaking the cycle of impunity are key to creating conditions for peace and stability, so timely and transparent justice for those that stand accused is vital. In the five-plus years since the genocide, the foundation of the justice system has been rebuilt and

nearly 1,000 people have been tried for genocide and crimes against humanity.

The progress of the International Criminal Tribunal for Rwanda has been much slower, having only tried a handful of suspects and not coordinating well with the authorities in Rwanda. After five years, it has spent over \$200 million despite just thirty-eight suspects in custody. Bureaucratic delays and internal power struggles combine to handcuff progress on the Tribunal's work.

The formal justice system, including the new process of plea bargains and confessions adopted by Rwanda to expedite handling of the genocide caseload, has begun to work, albeit much too slowly. Because of this painfully slow progress, a political decision was made to move the process of justice along at a faster pace by initiating in early 2000 a Rwandan justice instrument called gacaca, derived from a traditional, dispute-resolution mechanism. This process is expected to allow communities to establish the facts and decide the fate of the vast majority of those accused of lesser offenses, while at the same time addressing reconciliation objectives and involving the population on a mass scale in the disposition of justice. The court system will continue to try planners and organizers of the genocide, while the cell, sector, and commune levels will handle the rest of the cases.

On the downside, gacaca holds the potential for undermining the rule of law and perpetuating the culture of impunity if friends, family, and neighbors refuse to hold people accountable for their crimes. Furthermore, some members of the Catholic Church are urging that the Church undertake its own process of "gacaca christu" in advance of the regular gacaca process. The concept is that before Christians talk about crimes in front of strangers, crimes should be told within the Church and the killers should be forgiven. This has the potential for emasculating the actual gacaca process and predetermining a sort of religiously sanctioned impunity.

It is all the more important, therefore, that the thousands of people who will be administering the process at the local level be educated and trained for their responsibilities. President Clinton's Great Lakes Justice Initiative (GLJI) resources can be catalytic for this purpose. The GLJI could make a specific contribution toward supplies, logistics, and support for the participatory elements of the initiative. At the same time, rebuilding a decimated formal justice system is a long-term effort which will require several years of international aid, including by the United States.

The impartiality of the Rwandan justice system will be key to genuine reconciliation and social development. Both Hutus and Tutsis need to be convinced that justice will be done if crimes are committed, no matter who the perpetrator and the victim. Moreover, the Rwandan population needs to be convinced that the justice system is being rebuilt in an impartial manner, such as by increasing the number of Hutu judges and lawyers. Ensuring that the civilian justice system will respond to the new cases and issues that are now emerging is challenging but important. Impartiality in military justice is also vital.

Breaking the cycle of impunity for crimes committed by the armed forces is an ongoing challenge. By most accounts, the transparency and efficiency of the military justice system are improving, though still plagued by accusations of official disregard for potential cases against key commanders accused of war crimes. This undermines the government's credibility and may increase support for the insurgents. The Rwandan government is attempting to increase the transparency of its justice efforts and educate its army on the rules of war. Military justice is an area in which the United States could make a much greater contribution. Stronger international advocacy for prosecution of war crimes in both Rwanda and Congo would help particularly if coupled with some institutional support and training.

If Congress were closely involved, the administration could fashion a program from the GLJI designed to promote more effective military justice. The GLJI should not just fund projects; it should also be a mechanism for advocating an equitable justice system, both military and civilian.

Accusations of participation in the genocide can be a powerful and dangerous weapon in Rwanda today and can be used as a tool for political control. This has certainly been abused in the five years since the genocide. The RPF recently issued a statement which condemned accusations made without solid evidence and charged that such accusations are tantamount to attempted murder. Such statements from the RPF can reassure Rwandans that the rule of law is the basis of state legitimacy.

In Burundi, those accused of human rights violations must be prosecuted. So far, the issue of justice is not being addressed sufficiently within the Arusha peace process. For real progress to be made with national reconciliation, two justice issues must be addressed: culpability for past massacres and institutional reform. Both sides have agreed on a commission of investigation of the 1972 and 1993 massacres. Buyoya has indicated he supports a truth commission. The Internal Partnership has produced a set of commitments which would result in the government updating existing laws, redefining the role of the Council of Magistrates, decentralizing the judiciary, strengthening the operational capacity of the criminal courts, and increasing the number of magistrates. Donors must aggressively promote reform efforts and provide the technical assistance necessary to implement whatever agreements are reached.

Economic Peace Building

One of the most important prerequisites for reconciliation is broad-based economic development. In fact, peace and reconciliation themes ring hollow for many Rwandans and Burundians (and their Congolese neighbors) in the absence of economic opportunity. Social harmony in the region requires improvements in material well-being. A comprehensive strategy for peace-building should be constructed by donors, the government, opposition parties, and nongovernmental organizations (NGOs) for the Great Lakes. Greater investment in productive infrastructure and activity is needed to expand the pie

and generate the revenue necessary for sustainable social development.

Rwanda's admission to the East African Community (EAC, a regional mechanism for cooperation) is a further step toward regional economic integration and development. Some EAC representatives have spoken of the possibility of Burundi's eventual membership, as well. A follow-up meeting to Commerce Secretary William Daley's meeting in 1998 with East African finance ministers should be considered, perhaps to mark Rwanda's membership.

Perceptions abound that the Rwandan government discriminates in favor of Tutsis over Hutus in many spheres. Although we heard some evidence to the contrary, many anecdotes support the allegation that the issue must be taken seriously. The Rwandan government should consider a limited-time, affirmative-action policy in favor of disadvantaged Hutu-owned businesses for government contracting, Hutu students for scholarships and admission into universities, and Hutus for government employment.

Villagization constitutes another major socioeconomic initiative in Rwanda. To minimize the tension that villagization engenders, there must be assurances that it is not coerced, that it maximizes scales of efficiency, that services are provided to more people, that security is indeed enhanced, that resource use is better rationalized, that it fully recognizes the ties people have to their land, and that compensation is provided to those whose land will be used for the construction of villages or associated infrastructure. To ensure maximum support from Rwandan villages, the government should consider a more decentralized, participatory process of decision-making about how villagization is implemented. The more local communities are able to decide about their living and working arrangements, the more supportive the new arrangements will be.

In Burundi, when and how development aid cooperation should be resumed is a contentious question. A major donors meeting in January 1999 agreed to expand humanitarian aid and allow community-development initiatives but did not approve close cooperation with the Buyoya government. This incremental step is designed to reward some progress in security and forward movement in the internal and external peace processes but to delay major payouts until after a peace agreement is reached at Arusha.

A multilateral roadmap of incentives and pressures would help clarify to the Burundi parties what they need to do if they want more aid, trade, and international cooperation. A set of conditions could be laid out for the convening of a donors' roundtable. To assure that there are no illusions about the depth of structural reform that must occur, any serious roadmap would have to have at least a ten-year time horizon. A clear statement of potential benefits could give the peace negotiations added impetus.

Such assistance could begin as soon as intermediate conditions are met or certain benchmarks of forward progress are achieved. For example, resources

could be provided for the holding of local and regional elections by a date certain. Aid could be given to training and education programs as soon as a serious demobilization program begins, in recognition of the fact that economic opportunities increase the likelihood that soldiers will lay down their guns. This kind of incremented and conditional aid could strengthen the hands of those advocating reform. A total freeze on aid until after a comprehensive peace is achieved could set the country back for decades.

The field of education requires immediate attention. Economic and employment opportunities in Burundi are largely determined by access to educational opportunities, particularly secondary school. Secondary schools are not equitably distributed around the country. The largest concentration of schools lies in Bururi Province, whence come most of the country's elites. Donors can play a major role in promoting a more equitable education system in Burundi.

A great deal has been learned about the mistakes of past patterns of development assistance in Burundi and Rwanda and how those mistakes contributed to the exacerbation of conflict. When constructing future aid policy, these lessons must be revisited and applied. The International Crisis Group is doing excellent work analyzing this issue in Burundi, and the multidonor evaluation of the response to the Rwandan genocide raises and answers difficult questions about past patterns of aid to Rwanda, as well.

Security Enhancement

A key element in undermining the insurgency in northwest Rwanda has been the reintegration of ex-FAR forces into the Rwandan army. The soldiers-turned-insurgents-turned soldiers now have a new uniform, a modest salary, and a stake in the country's future. They also have become an important component of both the command and rank and file of the Rwandan forces deployed in the northwest.

Just as reintegration of ex-FAR was key to the counterinsurgency effort in northwest Rwanda, demobilization is key now for similar efforts in the Congo. The joint military commission created by the Lusaka agreement is charged with apprehending and disarming the ex-FAR/Interahamwe and other militia forces operating out of the Congo. Their job will be much easier if a serious international initiative aims at demobilizing and reintegrating ex-FAR/Interahamwe forces not accused of participating in the genocide. Such a program could include setting up demobilization camps in Congo under international auspices and UN-peacekeeper protection that would provide education and training (including civic education) to these demobilized forces. At the end of this period, they could choose whether to return to Rwanda or to resettle elsewhere. At the outset of the program, individuals would be vetted to determine whether they are hard-core genocidaires, and, if so, they would have to return to Rwanda.

Similarly for Burundi, provisions will need to be made for reintegrating rebels

into Burundi's society and economy. Appropriate guarantees for their security will have to be constructed. Military reform is a prerequisite for peace and probably the most contentious issue between Hutus and Tutsis in Burundi. Effective reform will require opening up recruitment, integrating some of the rebel forces, demobilizing, and setting in motion a process leading to more equal representation between Hutu and Tutsi in the military. The current government has initiated some reform efforts, but little information is available on how extensive these reforms have been. More far-reaching reforms will need to be negotiated as part of the Arusha process.

The Way Ahead

Peace will not come to Central Africa until the territorial integrity of the Congo is fully restored and participation is widened in the political and economic life of Congo, Rwanda, and Burundi. Territorial integrity will not be restored in Congo until foreign forces withdraw and destabilizing insurgencies are expelled or neutralized. Participation and democratization become more meaningful when Congo holds a fair national dialogue, Rwanda continues its processes of bottom-up elections and constitutional development, and Burundi concludes a meaningful power-sharing and transitional agreement leading to free elections.

USIP Library Resources

Burundi Web Links

www.usip.org/library/regions/burundi.html

Rwanda Web Links

www.usip.org/library/regions/rwanda.html

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About the Report

This is the third and final report in a series on African conflict-resolution efforts. This report results from a fact-finding mission by the Institute's Coordinator for Africa Activities [David Smock](#) and Executive Fellow [John Prendergast](#) to the Great Lakes during July 1999. Discussions were held with over 200 government and civil-society leaders in the Great Lakes, OAU officials, UN

representatives, U.S. and European aid and diplomatic officials, and international NGO employees. Particular thanks goes to Fabienne Hara of the International Crisis Group for her invaluable assistance during our visit to Burundi.

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