

## THE BURUNDI REBELLION AND THE CEASEFIRE NEGOTIATIONS

### I. OVERVIEW

Prospects are still weak for a ceasefire agreement in Burundi that includes all rebel factions. Despite the Arusha agreement in August 2000 and installation of a transition government on 1 November 2001, the warring parties, the Burundi army and the various factions of the Party for the Liberation of the Hutu People/National Liberation Forces (PALIPEHUTU-FNL) and of the National Council for the Defense of Democracy/Defense Forces of Democracy (CNDD-FDD), are still fighting. Neither side has been able to gain a decisive military advantage, although the army recently claimed several important victories.

A ceasefire – the missing element in the Arusha framework – has been elusive despite on-going activity by the South African facilitation team to initiate joint and separate talks with the rebels. In February 2002, the transition government and the facilitation team requested Tanzania's help to bring the rebels to the table. Since 28 July 2002, the CNDD-FDD factions have been holding internal consultations in Dar-es-Salaam that should lead to direct negotiations with the transition government. Global negotiations are to start in Tanzania on 6 August. A subsequent regional summit should evaluate the achievements of those talks. Its unspoken principles will be to decide whether sanctions should be applied to those who remain outside the process. So far both factions of the CNDD-FDD have shown signs of commitment to the talks but the PALIPEHUTU-FNL is perceived as a stumbling block and a likely target for sanctions.

Arusha provided that the presidency would be transferred after eighteen months from Pierre Buyoya to the current vice-president, FRODEBU's Domitien Ndayizeye, but there is a risk this will

not happen if a ceasefire is not agreed soon. This would almost certainly collapse the entire Arusha framework. FRODEBU – Buyoya's transition partner and the main Hutu political party – would have to concede the Hutu rebels' chief criticism, that it could not deliver on the political promises it made in signing Arusha. The fractious coalition would appear a toothless partner in a flawed power-sharing deal with a government that had no intention of reforming. All this would likely lead to escalation rather than an end to fighting.

This briefing paper provides information about and a context for understanding the rebel factions, whose history, objectives and internal politics are little known outside Burundi. It analyses their dynamics, operational situations and negotiating positions and is a product of extensive field research conducted in Tanzania and in Burundi, including meetings with key front-line rebel leaders.<sup>1</sup>

### II. THE STATE OF THE CEASEFIRE NEGOTIATIONS

The peace initiative undertaken by former Tanzanian president Julius Nyerere in March 1996 led to signing of the Arusha Peace and Reconciliation Agreement on 28 August 2000, which designed a transitional power-sharing

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<sup>1</sup>The analysis is based substantially on interviews conducted in Burundi, Tanzania and South Africa with representatives of all the Burundi rebel groups between March and May 2002. For the security of our informants, no reference will be made to the identity of those interviewees or to the dates and locations of the interviews.

arrangement between Pierre Buyoya's UPRONA (Union for National Progress) and FRODEBU.<sup>2</sup>

A great shortcoming of the process was that the two armed rebel groups, the CNDD-FDD and the PALIPEHUTU-FNL, were excluded from the talks and the agreement. They were initially barred from the table until they reconciled with the groups they split from in 1998 and 1992 respectively. After two years of negotiations, South African President, Nelson Mandela (Nyerere's successor as mediator), invited them to join. The rebel leaders first declined, then stated preconditions.<sup>3</sup> They wanted an alternative negotiating process since Arusha neither addressed their major concern, Burundi army reform, nor gave them a seat at the political 'high table' through which to push their broader security sector agenda.

Efforts since the signing of the Arusha Agreement to bring all rebel groups to the table have failed. At a regional summit in Nairobi in November 2000, the rebels were threatened with sanctions. President Bongo of Gabon hosted two meetings in Libreville in January and April 2001, that brought together the CNDD-FDD and the Burundi government and at which the belligerents began to draft an agenda for negotiations, but without reference to PALIPEHUTU-FNL. At a summit in Pretoria in October 2001, the CNDD-FDD made a renewed commitment to the Libreville exercise but again PALIPEHUTU-FNL stayed away. The day after this summit, a faction of the CNDD-FDD rejected its leader, Col. Jean-Bosco Ndayikengurukiye, and broke away to form its own splinter group. It is headed by Jean-Pierre Nkurunziza as coordinator-general, has its own central committee and calls itself "National Circle of Patriots" (FDD-CNP)<sup>4</sup>

In February 2002, Nkurunziza representatives participated in a round of talks with a government delegation in Vaal Dam, South Africa. They agreed on a code of conduct for the talks and decided to reconvene to finalise a framework of negotiations.

In March 2002, Tanzania convened another meeting in Dar-es-Salaam where all other groups and splinter groups were invited to consider a joint position for the ceasefire negotiations. These factions included the three Arusha signatories from the Hutu political family (PALIPEHUTU, FROLINA, and CNDD), who hold positions in the new transition government, and the four armed Hutu groups (the two CNDD-FDD factions and the two PALIPEHUTU-FNL factions).

The two most active rebel factions, the PALIPEHUTU-FNL of Agathon Rwasa and the Nkurunziza faction of FDD-CNP, participated initially but quickly rejected the process as an attempt to push Arusha 'down their throats'. They also objected to being given the same status as Hutu political groups they consider compromised by participation in the transition government. Moreover, the rebels demanded their own exclusive forum to negotiate army reform.

In April 2002, Ndayikengurukiye participated in another round of talks with the government of transition in South Africa and agreed on an agenda for ceasefire negotiations. But the FDD-CNP took a hard stance and presented new conditions to participate in the talks, including the facilitators' immediate rejection of their rival within the movement. The PALIPEHUTU-FNL re-stated its position that it would only negotiate directly with the Burundian army, and then only if its pre-conditions were met.

At the beginning of May 2002, the FDD-CNP leadership rejected the facilitation of South African Deputy President Zuma for his refusal to dismiss Ndayikengurukiye, and called for negotiations to be returned to Tanzania. At a meeting organised by Tanzania in Dar-es-Salaam

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<sup>2</sup> On the context surrounding this signature and for an analysis of the Arusha Agreement, see ICG Africa report n°25, 1 December 2000, "*Burundi: Neither Peace nor War*".

<sup>3</sup> Release of political prisoners, disbandment of regroupment camps, return of the Burundi army to barracks, and political recognition and legitimisation of the movement.

<sup>4</sup> The Nkurunziza faction claims that it is the genuine CNDD-FDD. However, in this report it will be designated as the FDD-CNP, and the designation CNDD-FDD will be used for that part of the movement that Ndayikengurukiye continues to lead. For a schematic portrayal of the main

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divisions within the Hutu rebel movements, see the chart at the end of this briefing paper.

(28 May to 3 June), the FDD-CNP restated their commitment to a negotiated settlement but re-emphasized they would talk only to the Burundi army, not the government, which, they said does not represent the real power in the country. PALIPEHUTU-FNL was not in Dar-es-Salaam and now stands alone as the rebel movement with no tangible commitment to the peace process. Almost simultaneously, the consultations held between the Burundi government and Ndayikengurukiye's CNDD-FDD in Pretoria hit a snag, with the CNDD-FDD declaring itself unready to discuss ceasefire modalities<sup>5</sup>.

Since then, the Facilitation team has attempted with extreme difficulty to organise direct negotiations between the transition government and the rebels. With the help of Tanzania, Gabon and UN experts, it has produced a draft ceasefire agreement and circulated it to the parties. The government of Burundi has publicly criticised the draft for including provisions prematurely answering rebel demands.<sup>6</sup>

The challenge, nevertheless, remains for all rebel groups to come to the table by 6 August. The negotiations are scheduled to start with preliminary consultations between technical teams. On 12 August, Deputy President Zuma will open officially the talks, which will be organised over three weeks with successive rounds of talks between the government, and the FDD-CNP, the CNDD-FDD, and, lastly, if they agree to join, the PALIPEHUTU-FNL. The facilitation team will then attempt to harmonise the results and finalise a comprehensive ceasefire agreement to be accepted by the Burundi government and all rebel groups. The facilitation team should present results to the members of the regional initiative on Burundi at the next regional summit on Burundi in Arusha<sup>7</sup>.

### III. THE MILITARY SITUATION

Though it has been unable for nine years to overpower the rebels, who are entrenched throughout the country, Burundi's army has long favoured a decisive campaign. President Buyoya did not authorise a major offensive during the Arusha negotiation, but the military began to prepare for serious war against the rebels immediately after the 23 July 2002 summit that named Buyoya leader of the transition government.

Two coup attempts in April and July 2001 demonstrated the military's weakening faith in Buyoya's leadership and raised serious questions about his ability to control his camp. Since then Buyoya has sought successfully to reassure the top military brass of his intentions to defeat its enemy. Clearly, Buyoya needed to co-opt army support to preserve his grip on power. Mobilisation against a common enemy also aimed at weakening the rebels decisively, imposing ceasefire conditions, and dictating terms for military reform. But this strategy has not succeeded, and as the new negotiations approach, pressure is mounting on Buyoya. Different elements of Tutsi extremists, assembled around Bagaza's PARENA or other Tutsi-dominated political parties are trying to mobilise the army against his leadership, claiming that he is bringing the Hutus back to power, first through Arusha, now through cease fire negotiations.

The rebellion provided an early excuse for an army offensive when it stepped up its own military activity in an effort to signal the transition government and the world at large that 'peace' without their participation was hollow. The massive army response was its strongest effort since 1996.

Since the beginning of 2002, the army has registered a number of significant victories that have boosted its morale and weakened the rebellion. Successes inside the Congo closed-off supply routes used by rebel units in southwestern Burundi. Capture of the Ubwari Peninsula by the combined forces of Rwanda, the Congolese Rally for Democracy (RCD), and the Burundi army dealt a severe blow to FDD capacities in South Kivu. The rebels, already under military pressure

<sup>5</sup> ICG interview with member of the government delegation, Nairobi, 30 May 2002.

<sup>6</sup> Azania/BBC Monitoring, "Burundi Government rejects draft ceasefire agreement", 20 July 2002.

<sup>7</sup> SAPA/BBC Monitoring, "Burundi cease-fire talks to open in Dar-es-Salaam 6 August", 5 August 2002.

from Tanzania in the Kigoma region, were further weakened by the disbanding of FDD training camps in Ngara and Kasulu districts and the arrests of officers outside these camps in February 2002, which affected their positions in Makamba and Rutana.

Using helicopter gunships and infrared equipment to attack day and night in March and April 2002, the Burundi army inflicted significant defeats on the FNL in Bujumbura Rurale and Cibitoke. The FNL seems to have totally lost its positions in Mbare, Kirombwe and Gasarara. By May, heavy fighting was transferred to Isale (south of Bujumbura Rurale) and Kibuye, and FNL combatants were retreating fast before army troops, whose morale had been boosted by new equipment and the belief that their leaders wanted to defeat the rebels before negotiating a ceasefire. However, the army was unable to achieve a crushing victory. By mid-July, the FDD-CNP had launched counter-offensives on all fronts (East, South and Centre) and taken control of several national highways. Similarly, on 28 July, the FNL shelled Bujumbura, and fighting erupted again in the capital's suburbs.

Since Buyoya returned to power in July 1996, the army has cooperated with its Rwandan counterpart both in the DRC and along the Rwanda-Burundi border. In the DRC, the two armies have a tactical alliance. Burundian artillery is used in Katanga to support Rwanda infantry offensives. In exchange, Burundian infantry is used to protect the rear and control the conquered territories as well as Lake Tanganyika, traditionally a route for supplies from Burundi and Rwanda.

But in the last year, despite Burundian army spokesman denials, Rwanda has directly intervened in Burundi to support the army against the rebels, especially to control rebel movements in the Kibira forest and Rukoko valley from South Kivu by the Rusizi plain. In late March 2002, twenty to thirty Rwandan soldiers were reported killed in the Rukoko valley.

Rwanda's army was also heavily involved in the operations in Bujumbura Rurale. By May, its intervention in Bujumbura Rurale was estimated by regional military experts to be 3,000 men strong.

The official justification for this is the infiltration of Rwandan rebels into Burundi from the DRC and their use of the Kibira forest to cross over to Rwanda and establish themselves in the Nyungwe forest. By the end of July, additional troops - two brigades (several thousands men) - were reported to have entered Burundi from Kibungo province in Rwanda with the aim of stabilising the eastern part of the country and preventing any further ALiR infiltrations within the Kibira forest.

Kigali has security and political motivations. It has little interest in a comprehensive reform of the Burundian army that would set a precedent in the region. While supporting the Burundian army, it is also clearing the way for any negotiations on an equal status with the so-called "negative forces", a term readily used to define rebel groups since the signing of the Lusaka agreement on the DRC. Echoing such concern, the Burundi minister of defence has similarly labelled the rebels "negative forces", accusing them of wanting only to perpetrate another genocide in the Great Lakes region and putting the emphasis on their collaboration with ALiR units within Burundi.<sup>8</sup>

#### **IV. THE PROFILE OF THE BURUNDI REBELLION**

##### **A. MILITARY CAPACITY**

Hutu rebels are supposed to benefit from the backing of the Hutu peasantry, but have been accused in the past of rackets, extortion and other acts of banditry inconsistent with an attempt to garner popular support. Both rebel movements operate civilian administrations that parallel the government's, but are mainly devoted to fundraising and mobilisation. As mentioned in previous ICG reports, the rebels' self-discipline and relationship with the population probably depends on whether they have access to external funding. Absent this, the resources necessary for food, clothing, medicine or ammunition are extracted from the population, willfully or forcefully. Most Burundians are extremely tired

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<sup>8</sup> AFP, "Bujumbura veut une force internationale d'observation à la frontière", 21 July 2002.

of the war, and popular support for the rebellion is waning.

The FDD is the larger (approximately 15,000<sup>9</sup>) of the two rebel forces and represents, at least numerically, a greater threat but is geographically vulnerable. Its operational bases are in the DRC and Tanzania, out of the army's direct reach but susceptible to regional political and military events beyond their control. The need to infiltrate across borders exposes FDD forces over long periods during operations. Indeed, the longer the operation inside Burundi, the greater the strain on the rebels and their demands on civilians. Such operations also provide greater scope for differences to develop between political leaders who remain behind and the fighters. This has been a constant problem for the FDD, whose cohesion is much undermined by communication problems.

The CNDD-FDD operates in most parts of the country, although their activities are reportedly weaker in the Northwest (Kirundo, Ngozi, Cankuzo).

The FNL is a small force (approx 3,000), operating primarily within Burundi, mainly in Bujumbura Rurale, Cibitoke and sometimes Bujumbura itself. Its strategic position allows it to keep pressure on the civilian population of the capital. The downside is that FNL forces are constantly in close proximity to the army, resulting in high levels of combat fatigue. FNL units are also constantly on the move in a relatively small area, with limited sanctuaries, of which until early 2002, the Tenga forest was the most important.

The FNL has undertaken a number of 'audacious' operations in the last eighteen months. Holding for two weeks the Northern Bujumbura suburb of Kinama in February and March 2001 indicated considerable confidence and ability. However, it also highlighted weaknesses, particularly in the

conduct of urban operations.<sup>10</sup> Similar deficiencies were apparent in the army's efforts to retake the suburb. Since December 2001, the army's continuous offensive in Bujumbura Rurale, in alliance with the Rwandans, has inflicted heavy losses on the FNL. These developments make it difficult to assess the FNL's remaining fighting capacity, although recent resumption of combat and the shelling of Bujumbura at the end of July show that the movement remains a threat to the capital.

The FNL sustains itself through voluntary and (more often) forced contributions from civilians. It also taxes Bujumbura businessmen who need to use FNL-controlled roads to transport goods to the countryside. It has strong links with Mai Mai groups across the border in Congo, from whom they buy food and supplies. There is also a strong suspicion that millenarist religious movements as well as some local adventist churches fund the FNL, which claims to be fighting to realise a millenarist prophecy of liberation from Tutsi oppression.<sup>11</sup>

## **B. HISTORY OF THE REBEL MOVEMENTS**

The Hutu rebellion originates from three major historical traumas. First, the October 1965 coup attempt by Hutu army officers and the subsequent violent repression. After Hutu Prime Minister, Pierre Ngendandumwe was assassinated in January 1965, King Mwambutsa IV, appointed a Tutsi successor despite the electoral victory of the prominent Hutu Paul Mirerekano.<sup>12</sup> The Hutu elites immediately feared political marginalisation and, inspired by Rwanda's social revolution of 1959,<sup>13</sup> pushed for a "democracy" based on ethnic majority.

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<sup>10</sup> One mistake was choosing the most obvious building (a church) as a headquarters and observation post. It was soon destroyed by army artillery fire.

<sup>11</sup> See ICG, Africa Report, n°46, 24 May 2002, *After six months of transition in Burundi*.

<sup>12</sup> This political figure in the Hutu martyrology is the father-in-law of Jean Claude Ndiho, the spokesperson of the CNDD-FDD. For more details see Lemarchand (R.), *Rwanda and Burundi* (London, 1970) and Lemarchand (R.), *Burundi: Ethnic Conflict and Genocide* (Cambridge, 1994).

<sup>13</sup> The Rwandan Social Revolution was carried out by Hutu leaders backed by the Belgian colonial authorities and the Catholic Church. Ten of thousands Tutsis fled to Uganda, Burundi, Tanzania and Kenya.

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<sup>9</sup> The reported numbers of both forces does not necessarily give a true indication of strength as the ratio of armed fighters to auxiliaries is approximately 1:4. The capability of forces is also determined by factors such as experience, leadership and motivation.

A Hutu peasant uprising broke out in Muramvya, organised at the expense of Tutsi civilians and supported by urban sections of the gendarmerie. It was brutally repressed by the army, led by the National Defence secretary, Capt. Michel Micombero, with as many as 5,000 victims.<sup>14</sup> Micombero took over power one year later.

The second historical point of reference and the great Hutu trauma in Burundi is the genocide of educated Hutus orchestrated by President Micombero and his men in 1972, which killed more than 150,000 (around 7 per cent of the total population). Hutu survivors of the 1972 massacres found refuge in Rwanda and organised themselves into two political groups, **UBU and TABARA**. UBU, born among the Movements of Progressive Burundian Students (MEPROBA), developed a Marxist reading of the conflict but stuck to non-violent political action. TABARA found similar inspiration in Marxist theory but developed a clear ethnic interpretation of the Burundian political system, emphasised exploitation of the Hutu masses by the Tutsi oligarchy, and advocated armed struggle. The first group included the vanguard who created the FRODEBU party in 1986. It came back to Burundi when Pierre Buyoya overthrew Jean Baptiste Bagaza in 1987.

The third historical focal point is in October 1993, the assassination by the army of the first elected president of the country, Melchior Ndadaye. His killing, together with that of several other key Hutu political leaders, justified for some members of the remaining political elites the creation of an armed military movement capable of protecting them, the Forces for the Defense of Democracy (FDD).

## 1. PALIPEHUTU/FNL

**Most members of the TABARA movement were granted political asylum in Tanzania. On 18 April 1980, TABARA became the Party for the Liberation of the Hutu People (PALIPEHUTU) led by Rémy Gahutu. It advocated armed struggle**

to achieve distribution of political and administrative positions proportional to the ethnic and regional spread of population. Donatien Misigaro, the former commander of the Burundi army, who had survived the 1972 genocide, began to train and organise the armed wing of PALIPEHUTU in the forests of Western Tanzania.

PALIPEHUTU's armed wing took time to mature. Started in 1985, it gained vigour after the 1988 repression of the Ntega and Marangara uprisings but inability to organise any significant armed force led to the first split in the movement. Joseph Karumba, a former parliamentarian elected in 1965, and former PALIPEHUTU executive, contested Misigaro's leadership and launched the National Liberation Front (FROLINA) in 1990.

By October 1991, the new head of PALIPEHUTU, Etienne Karatasi, was finally in a position to launch a significant infiltration into Burundi, but could not deliver the expected ammunition, weaponry and logistical support. Many combatants were arrested but PALIPEHUTU nevertheless launched suicidal attacks on Bujumbura on 23-24 November, the eve of a planned meeting between Karatasi and Pierre Buyoya in Paris brokered by Rwandan President Juvenal Habyarimana. Back in Tanzania, survivors of the failed attack demanded explanations of Karatasi's planned meeting with Buyoya and the military fiasco. This led to the 31 December 1992 split between Karatasi and one of his deputies, Cossan Kabura.<sup>15</sup> Since then, PALIPEHUTU has remained in the hands of close associates of Karatasi, such as Etienne Kana, its Secretary-General, and Déo Nyabenda, Secretary for Information and Security.

PALIPEHUTU-FNL, led by Cossan Kabura, remained a minor force until the mid-1990s when President Habyarimana used some of its forces to

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<sup>14</sup> Thibon (C.), "Les origines historiques de la violence politique au Burundi", in Guichaoua (A.), *Les crises politiques au Burundi et au Rwanda (1993-1994)* (Karthala/Université de Lille, 1995), pp. 55-76.

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<sup>15</sup> In response to Kabura's defection, Karatasi and Misigaro attempted to mobilise, recruit and train a force of their own. After the death of Misigaro in 1998, Jean-Nepomucène Mbanzamihiho was appointed chief of staff, but never managed to impose his authority on the 400-strong force because of his illiteracy. Thomas Bagwihigire is reported to have taken over the leadership of the group, scattered between Bujumbura Rural, Muramvya and Kayanza. It, too, was initially trained and armed by fleeing Rwandan forces.

fight against the Rwandan Patriotic Front in the Rwandan civil war. The FNL's contact with the Rwandan army and militias (ex-FAR and Interahamwe) during the 1994 Rwandan genocide considerably bolstered its military capacity. Some ex-FAR even fled to Burundi and joined the FNL after the genocide and their military defeat.

In February 2001, Agathon Rwasa, the chief of military operations in Bujumbura Rurale, took over from Cossan Kabura, who was accused of mismanagement. Kabura, a trader in Tanzania, had been cut off from military operations for some time and was also discredited by direct contacts with Buyoya, from whom he allegedly received large sums of money.<sup>16</sup>

## 2. THE CNDD-FDD

### (a) 1993-2001

The Forces for the Defence of Democracy (FDD) were launched in December 1993, with the support of FRODEBU leaders, two months after the assassination of the first democratically elected Hutu president by army officers. This assassination triggered the massacre of 30,000 Tutsis by the Hutu population, which in turn led to violent army repression, the arming of the Tutsi intelligentsia, widespread massacres against Hutus and the flight of 300,000 refugees.

On 25 March 1994, 90 Hutu leaders representing the entire spectrum of Hutu political movements met in Cibitoke to sign the first FDD constitutive act. Misigaro was made commander, and Pascal Gashirabake, a.k.a. Savimbi, head of operations in Kamenge, a Hutu suburb of Bujumbura. FRODEBU decided against formal association but supported FDD financially. The FRODEBU leadership was then actively seeking foreign intervention in Burundi. Leonard Nyangoma, then Minister for Home Affairs, joined the armed struggle in February 1994, launching the National Council for Defence of Democracy (CNDD), which became the political wing of FDD.

CNDD was thus originally a coalition of all Hutu political forces who argued that armed struggle was the only way to force the army to accept the 1993 election results. For them, democracy had been hijacked by the Tutsi parties, and FRODEBU – despite its electoral victory – was forced to function within an imposed and unfair power sharing arrangement.

Consensus within the Hutu movement has always been short-lived. Regionalism and permanent leadership wrangles have permanently weakened FDD's internal cohesion and strategic capabilities. Nyangoma quickly appointed leaders from his Bururi region and replaced the old "trainers" with young officers who defected from the Burundi military academy (ISCAM) in 1994. These officers recruited Hutu university students who fled the round ups and ethnic cleansing in 1994-1995. Hussein Radjabu, Adolphe Nshimirmana and Evariste Ndayishimiye, currently the movement's most prominent figures, joined the FDD from the ranks of PALIPEHUTU.

The first Congo war (1996-1997) was a severe blow to FDD organisational capacity. The joint military operations conducted by Rwanda, Uganda, Burundi and Eritrea in Eastern Congo destroyed FDD rear bases and disrupted supply routes. Nyangoma fled first to Kinshasa then Dar-es-Salaam. He negotiated secretly with Buyoya in Rome with assistance of the community of Sant' Egidio but these talks collapsed after they were leaked to the press. The Burundi army started to organise military campaigns and regroupment camps in an effort to cut ties between the population and the rebellion.

Amidst the unravelling Congo conflict,<sup>17</sup> loss of FDD bases, and accusations that he had mismanaged the party and ignored the needs of the combatants, Nyangoma was ousted and replaced by his Chief of Staff, Jean-Bosco Ndayikengurukiye. This occurred a month before the start of the Arusha negotiations in 1998 and paralleled a split between the movement's political and military wings. Few fighters remained with Nyangoma, with the exception of close associates such as Major Antoine

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<sup>16</sup> See ICG Africa Report N°29, *Burundi: Breaking the Deadlock, The Urgent Need for a New Negotiating Framework*, 14 May 2001.

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<sup>17</sup> ICG Africa Report N°17, *Africa's Seven Nation War*, 21 May 1999; ICG Africa Report N°26, *Scramble for the Congo: Anatomy of an Ugly War*, 20 December 2000.



Mbarushimana, a.k.a. Mbawa, who reputedly had 400 troops operating in the South of Burundi, along the Dama River. With intensification of the Congo conflict from 1998,<sup>18</sup> the Ndayikengurukiye's FDD got a new lease on life by allying with Laurent Kabila in exchange for ammunition, equipment and funding.

In terms of Burundi's stumbling peace process, it was only in January 2001 that the FDD agreed to go to Libreville for consultations, under the auspices of President Omar Bongo of Gabon, aiming at revisiting the framework of the Sant' Egidio negotiations.<sup>19</sup> FDD demands for an alternative process to Arusha and direct negotiations with the Burundian army have remained unchanged.

#### **(b) The CNDD-FDD October 2001 Split**

From June 1998 to October 2001, the FDD was led by Col. Jean-Bosco Ndayikengurukiye (General-Coordinator) Hussein Rajabu (Secretary-General), and Prime Ngowenubusa (Chief of Staff).<sup>20</sup> From March to May 2001, its political bureau met in Lubumbashi (Congo) in important part to provide a new constitution and develop a negotiating strategy which reflected the changed regional dynamic following Laurent Kabila's assassination.<sup>21</sup> The outcome radically altered the shape and balance of power between the Hutu armed rebel groups.

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<sup>18</sup> ICG Africa Report, *Scramble for the Congo*, *op. cit.*

<sup>19</sup> On the Sant' Egidio negotiations, see ICG Africa Report No 21, *The Mandela Effect: Evaluation and Perspectives of the Peace Process in Burundi*, 18 April 2000.

<sup>20</sup> The CNDD-FDD's organs are: the general-coordinator and his cabinet; the political bureau organized in five cells (politics and ideology; diplomacy; legal affairs; defence and security; economy and finances); the executive bureau; the executive secretariat, including one executive secretary and six commissioners (organisation of the masses; external relations; education and ideological training; fund-raising and financial management; social affairs; information and communication); the high command with a similar organisation to that of the Burundian army (chief of Staff, G1, G2, G3, G4, G5 and their deputies, director for health services, director for transmissions, and military region commanders); the war council (judicial body, seven members, military and civilians).

<sup>21</sup> Written communication from a member of the CNDD-FDD, 22 October 2001; see also ICG Africa Report N°27, *From Kabila to Kabila: Prospects for Peace in the Congo*, 16 March, 2002.

The internal assessment turned clearly against Rajabu who was replaced as Secretary-General by Peter Nkurunziza, the then Executive-Secretary. The chief of military operations inside Burundi, Major Prime Ngowenubusa, was promoted to General Chief of Staff.

It is highly likely that a prime motivation for the meeting on the part of the FDD leadership based in the Congo was to discredit and replace the leadership based in Burundi. Rajabu argued correctly that the so-called 'members' of the political bureau who organised the Lubumbashi meeting were all Ndayikengurukiye appointees and resident outside Burundi. He responded to his dismissal by returning swiftly to Burundi and mobilising his supporters in a bid to take over the internal structure of the movement. He offered Nkurunziza Jean-Bosco's position of General-Coordinator, and easily capitalised on the regional divisions that had always weakened the Hutu rebellion. The presence of Nkurunziza, originally from the North, reassured a section of the FDD that always feared Ndayikengurukiye and Buyoya - from the same hill in Bururi - would strike a deal favouring their home region.

Thus in October 2001, a team led by Rajabu deposed Ndayikengurukiye and replaced him with Nkurunziza as General-Coordinator. Ndayikengurukiye's recently appointed Chief of Staff, Prime Ngowenubusa, was also dropped and replaced with Comdt. Adolphe Nshimirimana, previously in charge of operations in Makamba province and now operating on the outskirts of Bujumbura rural and Kibira forest in collaboration with FNL combatants.

Two factors were decisive in allowing Hussein Rajabu and his men to take over the movement. Mobile phones among its key officers facilitated communications, while Jean Bosco's men remained cut off from the units. Secondly, Rajabu's control of most weapons and ammunition stocks was no doubt key in unit leaders' decisions to follow the new faction. The new leadership presented itself under the new banner of The National Council of Patriots (CNP). It is, however, still extremely difficult to establish who controls what within the movement. ICG believes that the Rajabu-Nkurunziza take over is still incomplete, and internal fighting are on-going.



During the takeover, Rajabu benefited from the support of the FRODEBU leadership, which successfully lobbied Tanzania and the Congo for him. FRODEBU favoured a Northern leadership and stood to gain from a new team, given the failure to convince the rebels to join ceasefire talks in 2001,<sup>22</sup> Ndayikengurukiye's uncompromising stance and the fear of a deal between him and Buyoya. Unfortunately for them, the strategy failed. Despite the changed leadership, no sustainable alliance has yet been struck between FRODEBU and the FDD-CNP.

The FDD leaders who joined Rajabu and Nkurunziza are indeed all from the North and East. Rajabu claims that the fighters inside Burundi unanimously rejected the political bureau's conclusions and welcomed the switch of Nkurunziza for Ndayikengurukiye. A congress in Makamba in January 2002 is supposed to have confirmed this. Based outside the country, Ndayikengurukiye was poorly positioned to oppose the take-over. The rift between the two factions is also linked to accusations of assassinations (Capt. Donatien Nshimiyimana, Dr Marc Nahimana, Comndt. Joseph Nduwayo) and financial mismanagement.

FDD officers interviewed by ICG in March 2002 believed that Nkurunziza had gained control of two-thirds of the troops based in the South (Makamba/Rutana), but of only one-third of those in the Northwest (Bubanza, Cibitoke). These sources, which remained faithful to Ndayikengurukiye, are likely to have downplayed Nkurunziza's real influence. Another source admitted to ICG that by November 2001 Ndayikengurukiye controlled only four unit commanders, and that their fighters were tremendously weakened by lack of supplies and FDD-CNP attacks.

**(c) *Rebellious Rebels: the New Balance of Forces between CNDD-FDD and FDD-CNP***

The emergence of a third rebel group introduces a new element into the military balance. While the situation in the Congo is unclear, inside Burundi

the FDD-CNP is gaining ground over the CNDD-FDD. Its units are the largest numerically (8,000 to 10,000), concentrated in the Southeast (Makamba, Rutana, Ruyigi), along the Tanzania border, and in the Kibira forest. The remaining CNDD-FDD elements (1,000 to 2,000) are moving southwest, toward Makamba and Nyanza Lac, seeking their supplies from the Fizi area in the Kivus, and the Bubanza, Cibitoke area<sup>23</sup>.

By October 2001, Congo army officers had taken command of FDD units based in North and South Katanga, fearing that their defence positions would collapse if fighting broke out between the movement's two factions. The Congolese also restricted radio communications between the rebel leadership and field units. However, the clampdown on FDD activities was reversed when the failure of the Inter-Congolese Dialogue<sup>24</sup> forced Kinshasa to rethink its military options. The FDD-CNP have now regained access to Katanga<sup>25</sup> while simultaneously CNDD-FDD leaders are trying to re-organise remaining FDD units based in South Kivu.

Inside Burundi, the FDD-CNP has been trying to reinforce its control over fighters through assassinations targeting individuals within the movement who maintain connections with Ndayikengurukiye. This is nothing new. Immediately after their take-over in August 2001, the FDD-CNP dealt ruthlessly with any resistance, eliminating opponents of any rank. On several occasions, orders were given by FDD-CNP officers to eliminate other FDD rebels who merely demanded explanations. These orders were received with anger and sometimes mutiny. Rank and file fighters have undoubtedly been caught between a rock and a hard place; low ammunition supplies make them easy pickings for the army, and the split means they are now also targets of FDD-CNP

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<sup>22</sup> The campaign to get rebels to agree to join the ceasefire was spearheaded by Jean Minani and Domitien Ndayizeye of FRODEBU.

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<sup>23</sup> The logistical headquarters of the CNDD-FDD (G3, G4) was based on the Ubwari Peninsula until November 2001, when it was captured and destroyed by a joint offensive of the Burundi and Rwanda armies and the RCD.

<sup>24</sup> ICG Africa Report N°44, *Storm Clouds over Sun City: The Urgent Need to Recast the Congolese Peace Process*, 14 May 2002.

<sup>25</sup> For more details on military developments in the Congo, see ICG Report, *Storm Clouds over Sun City*, op. cit.

attacks. This undoubtedly influenced decisions to join FDD-CNP units even though many did not understand the internal leadership fight. The net result has been a serious drop in morale within the entire movement.

The CNDD-FDD for its part has directed a number of its officers to infiltrate the FDD-CNP for intelligence purposes and to attempt to eliminate the FDD-CNP leadership. The incapacity of CNDD-FDD leaders to react to the FDD-CNP take-over was a serious cause for concern. Desperate messages were sent to Ndayikengurukiye by unit commandants inside Burundi, seeking clear orders but to no effect. In November 2001, he went to Kigoma and sent four officers to re-establish his authority inside Burundi. All four were killed by the FDD-CNP.

Confusion, low morale and fear were commonplace among the rank and file rebels interviewed by ICG in western Tanzania in March 2002. Many were considering returning to refugee camps. In February 2002, 200 to 300 fighters were reported to have hidden their weapons and returned to the refugee camps of Kasulu district, to seek clarification on the situation within the FDD. A degree of confusion also reigns among FDD fighters in South Kivu, who are demoralized by recent defeats and total lack of support from their headquarters. "There are not enough boats to bring back the FDD fighters to the Tanzanian refugee camps", stated one officer in Kigoma. Indeed, leadership division was a key factor in the loss of Fizi (September 2001), setbacks in the Ubwari Peninsula (October-November 2001), and its definitive loss in early 2002. Had the movement been united, they say, Makamba would have been kept. Low morale among combatants is also illustrated by the fact that the FDD leadership is forced to lure teenagers into the movement since adult Hutus are refusing to join.

In the meantime, the FDD-CNP has adopted Buyoya's favorite "fight and talk" tactics. It is busy taking over the entire FDD movement as well as organising the protection and defence of its positions inside Burundi. It wants to form a common front with the FNL to repel the army's offensives. Several reports indicate that the FDD-CNP is re-organising operations inside the

country and learning how to fight without external rear bases.

#### **(d) Cooperation between FDD-CNP and FNL**

The FDD-CNP is in a much stronger position than the FNL, both militarily and politically, but it is in the strategic interests of both to coordinate and cooperate. The potential for enhanced political collaboration has its basis in close military cooperation at the field level. Information is shared, movements are rarely restricted by the other, there have been joint operations in Bujumbura Rurale, Bubanza and Cibitoke.<sup>26</sup> The relationship is already bearing fruit. The heavy infiltration and resumed fighting around Kayogoro in Makamba province in May 2002 may have been an attempt by the FDD-CNP to force the army to ease pressure on the FNL in Bujumbura Rurale.

At a higher political level, there have been regular consultations since the signing of the Arusha agreement on harmonising positions and strategies for ceasefire negotiations. But the attempts by the FDD-CNP to take the lead on the talks and to assert that they are mandated to represent the FNL created suspicion. The FNL strongly denied any formal cooperation in a public document released by Agathon Rwasa in February 2002.

Tensions within the FNL and reports of infighting in May 2002 between pro and anti-negotiation factions likely have paralysed the budding partnership. Furthermore, the FNL stated after the April 2002 Pretoria talks that it needed more time to finalise its own negotiation strategy and its partnership with the FDD-CNP before obtaining a necessary endorsement by its congress. On 3 July 2002, Rajabu reportedly insisted his movement cannot cooperate with the FNL because it is a radical movement dominated by 'Hutu ideology', and he does not want to create an ethnic society.<sup>27</sup>

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<sup>26</sup> See ICG Report, *Burundi: Breaking the Deadlock*, op.cit.

<sup>27</sup> BBC Monitoring/Radio publique africaine: "Burundi: rebels categorically deny collaborating with Rwandan militias", 3 July 2002.

## **V. REGIONAL ENTANGLEMENTS**

### **A. DRC**

Since October 2001, the FDD-CNP is reputed to have taken over the Kinshasa secretariat of the CNDD-FDD. Initial reports indicated that President Kabila avoided taking sides and attempted for several months to reconcile the two factions. After the visit to Kinshasa of the Burundi transition Minister for Foreign Affairs, T rence Sinunguruza in January 2002, it became clear that the DRC was eager to normalise relations with Burundi and resolve the issue of the FDD presence on its territory.

FDD officers in Kigoma indicated, for instance, that in January 2002 their families were given an ultimatum to leave the country within three months. Ndayikengurukiye complained to western diplomats in early March that Kinshasa had failed to supply fuel or ammunition for months and that his military capacity in Katanga was severely diminished. The recent RCD-Goma 'walk-in' into Moliro, where close to 1,000 fighters of the FDD's Colombe Brigade were allegedly positioned, provided clear evidence of the movement's diminished capacity. Following this incident, FDD fighters were reported to have dispersed in Zambia, Tanzania and other parts of Katanga. Similarly, those in the Fizi-Baraka area also claim not to have received supplies from Kinshasa for several months.

Despite this not all support for the FDD was lost in Kinshasa. Didier Kazadi Nyembwe, the head of the Congolese National Intelligence Agency, remained a close ally of Rajabu, who undoubtedly benefited from his support in the leadership take-over. Most importantly, the collapse of the Inter-Congolese Dialogue in Sun City, and the possibility that the war could still resume make the Congolese government's position uncertain. If war does restart, Kinshasa will need all the support it can get, including from the 3,000 FDD fighters remaining on its territory. Unconfirmed reports allege that since the end of April 2002, supplies from Kinshasa have begun to flow again to some FDD units and that the FDD-CNP leadership now benefits from access to Congolese army positions in Northern and Southern Katanga. The security agreement concluded between Rwanda and the Congo on 30 July 2002 in Pretoria,

if implemented, is likely to alter such arrangements again, however.

On paper, while ALiR units are supposed to be dismantled, disarmed and demobilised, that agreement provides for the simultaneous withdrawal of Rwandan troops and, therefore, secures Kinshasa against any new military offensive. This would give Joseph Kabila the opportunity to sever all relations with FDD units. Yet, two scenarios could then unfold. These units could hide their weapons, join the Tanzanian refugee camps, and wait patiently for the ceasefire negotiations to be concluded. They also could join their comrades-in-arms inside Burundi and help increase the pressure on the Burundian army, in order to raise the stakes ahead of and during the ceasefire negotiations. In the latter eventuality, the army would likely withdraw from the Kivus back into Burundi, and a significant element of the Congo war would then be transferred back inside that unhappy country.

### **B. TANZANIA**

Relations between Tanzania and the Burundi rebellion are complex. In recent years, Tanzania has been accused by Tutsi politicians and Buyoya's propaganda machine of harbouring, welcoming and even sometimes training the Hutu rebellion. In the camps, Burundians organise clandestine political meetings, about which Tanzanian officials can do little. At night, rebel fighters can penetrate the camps to rejoin families or meet, after hiding their weapons. The camps in Kibondo, Kasulu and Ngara districts in Western Tanzania are places where rebels rest, recuperate or seek medical aid. Yet, for two years at least, the joint policing of the camps by Tanzania and UNHCR has considerably restricted open political activities. Meetings of more than five people are officially prohibited, and the administrative pressure on refugees is genuine.

The camps cannot be seen as a sanctuary for the rebellion, where fighters come and go at leisure and recruit a never-ending supply of young men. Out of 350,000 Burundian refugees in Tanzania, at least 100,000 to 150,000 are likely to be young men between 16 and 40. Yet, the FDD has never managed to recruit more than 15,000 men (DRC and Burundi-based fighters together), barely 10 per cent. Nine of ten male refugees are often threatened

by the Burundi army and suspected to be rebels at home, but extorted and pressured to support a movement they probably only fear within the camps. The proven fact that most refugee spokesmen in the camps are rebellion sympathisers does not mean all male refugees are potential rebels. The rebellion forcefully prohibits expression of opinion in the camps counter to its line.

As for Tanzanian support outside the camps, the situation is complex. There has never been any proven training or arming of fighters by Tanzanian security services. On the contrary, the Tanzanian Popular Defence Forces (TPDF) is feared by refugees as corrupt and ruthless. Many still remember that Remy Gahutu, the founder of PALIPEHUTU, died in a Tanzanian jail in 1989. Rank and file TPDF soldiers are known to extort everything they can from the refugee population in encounters outside the camps.

The 700-km bush border between Tanzania and Burundi is extremely porous. The TPDF battalions around Kigoma and Ngara, who lack both ground facilities and helicopters, have no capacity to control movements of small groups along that border. Additionally, Waha Tanzanian communities living along the border share the same socio-cultural features and language as their neighbours, so Burundians circulating in the area can easily claim to be Waha Tanzanian citizens and escape controls.

Tanzania does possess an intelligence service capable of identifying the locations and concentrations of Burundi rebels moving within the country. In December 2001, Tanzanian police broke up a Burundi training exercise in Ngara district. The TPDF then raided the camp twice between January and March 2002, and a number of rebels were captured. Almost simultaneously, the FDD-CNP military headquarters in Kilelema, Kasulu district, was attacked by the Burundi army after Tanzania gave the go-ahead for a 'hot pursuit'.

In March 2002, quarrels between FDD-CNP fighters and TPDF units over the return of stolen cattle to Burundi led to a direct confrontation, causing 40 rebel deaths. At the end of May, more than 500 rebels were captured by the Tanzanian army in Kibondo district. Since the beginning of 2002, Tanzania has put on enough pressure to force the FDD-CNP to move stocks of weapons and

ammunitions back to Burundi's Ruvubu forest. That forest is actually one of the main channels of penetration for Burundians into Tanzania as well as a major hideout for Burundian, Rwandan and Tanzanian criminals who terrorise the refugees in camps in the Ngara district. The Kibira forest in northwestern Burundi plays a similar strategic role for the penetration of ALiR rebels into Rwanda.

By mid-July 2002, the Burundian government resumed its public attacks against Tanzania, accusing local officials of providing transport to the rebels for their infiltration into Burundi. Bujumbura demanded that these local administrators – who are all active military servicemen – be disciplined. It also called for the deployment of an international observer force along the Burundi-Tanzania border. No independent source has confirmed the government of Burundi's claims. True, up to 3,000 rebels crossed over river Maragarazi in Makamba and Ruyigi in a well coordinated operation aimed at establishing a permanent rebel base inside Burundi ahead of the talks. But there is no credible confirmation of Tanzanian logistical support or direct Tanzanian involvement in the operation.

Some sympathy definitely remains for the Hutu rebellion in corners of the Tanzanian security services, and every rebel leader has developed personal connections with different Tanzanian officials for business and political protection purposes. The general feeling in Tanzania is also that the Arusha agreement, Nyerere's baby, should be supported and that the time for ceasefire negotiations has come. Patience has run out for the rebels' refusal to join the process. But simultaneously, not all Tanzanian officials necessarily support the same Burundian group. The civilian leadership that backs Jean Minani's FRODEBU considers that Tanzania's tacit support for the rebels, which had been a lever throughout the Arusha negotiations to maintain pressure on the Burundi government, has become counter-productive.<sup>28</sup> But some military circles, closer to Hussein Rajabu's FDD-CNP, probably believe that successful ceasefire negotiations and a genuine and comprehensive reform of the Burundian army will only be achieved if the rebellion regains some military strength and field credibility.

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<sup>28</sup> For a discussion of Tanzania's position, see ICG Africa Report N°21, *Burundi: One Hundred Days to Put the Peace Process Back on Track*, 14 August 2001.

At one point, even Jean-Bosco Ndayikengurukiye was regaining Tanzanian support due to his expressed willingness to negotiate and accept Arusha. By mid-May 2002, he was given access to the Mutabira camp by the authorities in order to remobilise combatants and refugees behind his leadership and weaken the rebellion's anti-Arusha wing. Currently, however, Tanzania seems again to be favouring Nkurunziza's faction.

In the end, Tanzania's overall objective remains a rapidly negotiated peace settlement for Burundi. The TPDF ambition to become a key component of the international peacekeeping operation that will be sent to Burundi to monitor the ceasefire. Peace will also benefit Tanzania's strategic interests since it wants to become Burundi's main trading partner and gain from the resumption of international aid there, once a deal has been reached. Moreover, a rapid solution to the Burundi conflict would ease the refugee burden, which has become a political liability for the ruling party.

### **C. ARMY FOR RWANDA'S LIBERATION (ALiR)**

The ALiR is composed of ex-Rwandan Armed Forces (FAR) and Interahamwe militias that were routed and driven into exile following the 1994 Rwandan genocide.<sup>29</sup> The relationship with ALiR is dangerous for the Burundi rebellion since it contributes to its perception as a "negative force" and adds credence to the argument that the rebellion is interested only in war not negotiations.

The link between the rebellion and the perpetrators of the Rwandan genocide frightens Burundi's Tutsi minority and plays into the hands of the Buyoya regime. Clearly, only the rebellion itself can change the perception by severing any partnerships with ALiR.

The collaboration between ALiR and the Hutu rebellion has not always been harmonious.<sup>30</sup>

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<sup>29</sup> For ICG reporting on the ALiR, see ICG Africa Report N°26, *Scramble for the Congo*, op. cit., pp. 11-18; and ICG Africa Report N°27, *From Kabila to Kabila*, op. cit., pp. 9-11.

<sup>30</sup> For analysis of the relationship between ALiR and the Burundi rebellion under Laurent Kabila, see ICG Africa Report N°16, *How Kabila Lost his Way*, 21 May 1999, and

Reportedly FNL leadership quarrels led to up to 200 Rwandans from ALiR being killed by their Burundi counterparts in 2000. An additional twenty were eliminated for the same reasons in February 2001. After Laurent Kabila created mixed units of his Congo army that included FDD and ALiR, one FDD battalion defected and returned to Burundi in August 2000.

Until August 2001, the only known collaboration between Rwandan Hutu fighters and rebels inside Burundi was in Bujumbura Rurale and Cibitoke, where several hundred ex-FAR and Interahamwe were integrated with the FNL. How many Rwandan nationals remain in the FNL is unknown. Reportedly one battalion of the Southern Brigade of ALiR is fighting alongside the units of Capt. Manasse, the officer commanding the FDD-CNP northern military region. This battalion of up to 700 fighters infiltrated the Burundian Kibira forest from South Kivu in August 2001. Around the same time, an ALiR battalion moved to Rwanda's Nyungwe forest from Cibitoke, passing through the Rwandan border positions. This group still uses the Burundian part of the forest to rest and resupply. Since then the Rwandan army has deployed in the northern province but it remains frustrated by the apparent unwillingness of its Burundian partners to conduct search operations against the rebels inside the forest.

## **VI. CONCLUSION**

The strategy of the facilitators is to maintain a multi-track negotiating process, offering different avenues for participation to the various rebel groups. The South African team brokered a principled agreement between the Burundi government and Ndayikengurukiye's CNDD-FDD, and Tanzania is trying to arrange a similar agreement between the government and FDD-CNP. Both teams seem to have tacitly approved the Burundi army's campaign with the hope it will weaken the FNL's opposition to negotiations.

This strategy is probably the only one now possible but its weaknesses could jeopardise the

peace process. First, the tactical consensus may end as soon as the rebels sign the ceasefire. Indeed, weakening the insurgency serves many agendas. The South African team wants an all inclusive agreement as soon as possible that protects Mandela's peacemaker reputation. Tanzania wants the rebels to accept Arusha to safeguard Nyerere's legacy and enable either FRODEBU or another Hutu group such as FDD-CNP to assume the presidency from Buyoya in May 2003. FRODEBU wants a quick ceasefire so it can remove Buyoya from office at the eighteen-month point of the transition, consolidate its leadership within the Hutu groups and position itself for presidential elections.

Buyoya, strengthened by new regional dynamics and reaffirmation of his presidency, has turned the rebellion's isolation to his advantage, subtly dropping his "neither peace nor war" tactic and toying with the option of crushing the rebellion once and for all – a policy fully supported by his army.<sup>31</sup> To justify that strategy, the military accuses PALIPEHUTU-FNL and CNDD-FDD of collaborating with ex-FAR and Interahamwe elements, clearly suggesting they are all 'negative forces' as labelled in the Lusaka ceasefire agreement for the Congo and should be treated as such, through military defeat and a DDRRR programme, not political negotiations.<sup>32</sup> Comprehensive reform of the Burundi army would then be compromised.

If the rebels' military capacity is significantly destroyed, there will be less incentives for the oligarchy in power in Bujumbura to implement the reforms required by Arusha. Full implementation of that agreement would institute reform of governance structures and electoral systems, inevitably jeopardising the military's privileged position and access to economic spoils. Given these interests, there is a risk that the Buyoya regime will want to keep control of the

instruments of power by going beyond the agreed transition timetable and avoiding both a transfer to Hutu political leaders and any notion of army reform.

At the heart of Burundi's conflict is a fundamental governance crisis. The laborious difficulties of the ceasefire negotiations have time and again obscured the fact that the talks are simply a stepping stone toward addressing the root causes of the conflict, an urgent need to radically reform Burundi's governance structure. Only genuine and comprehensive implementation of Arusha can prove to the rebellion that its political concerns are being addressed.

Secondly, signature of a ceasefire under external pressure does not guarantee its implementation. Every time rebel leaders have been seen as compromising with the Buyoya regime, they have been rejected by some of their fellow fighters. The FNL's absence in the upcoming deal will provide an exit option for unhappy fighters. Military campaigns launched by the army that massively displace civilians only bolster the recruiting potential of rebel groups outside the process, giving credence to their arguments that the Arusha framework is flawed and should be replaced.<sup>33</sup>

Burundi's is not a conventional war that well structured and organised enemies fight along a clearly demarcated frontline. On one side highly fragmented and geographically scattered guerrillas harass government positions through hit and run operations and paralyse economic activity by cutting roads and creating insecurity. On the other side, an army uses air and ground operations supported by heavy artillery against assumed rebel positions and employs forced displacements and terror as regular tactics. In the end the rebellion and the army hardly hit one another but both kill a lot of civilians.

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<sup>31</sup> BBC Monitoring/Bonesha FM, "Burundi defence minister expresses doubt over success of government-rebel talks", 28 June 2002.

<sup>32</sup> BBC Monitoring/Radio Publique Africaine, "Burundi: Rebels 'categorically' deny collaborating with Rwandan militias", 3 July 2002.

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<sup>33</sup> This is exactly what has been happening in the past six months. See ICG, Africa Report, *After Six Months of Transition*, op. cit. For the displacements and massive human rights violations on both sides, see Human Rights Watch, "Burundi: Government Forcibly Displaces Civilians. Over 30,000 'regrouped' With No Humanitarian Access Allowed", 4 June 2002, and Amnesty International, "Burundi: Punishing the population – reprisal killings escalate", 24 June 2002.

At this stage there is no indication whatsoever that any agreement signed by rebellion leaders would translate into a suspension, let alone a cessation of hostilities. The existence of clear and respected chains of command between the politico-military leaderships of the rebellion and all units is doubtful. Some rebel units have roamed the hills behaving like murderous bandits for so many years that their willingness to return to a gun-free civilian life is probably nil.

Similarly, two coup attempts in 2001 as well as a record of ongoing human rights abuses against civilians have illustrated how unruly the Burundian army can be. The distribution of weapons to 'peace guardians' throughout the country is another cause for worry. There is no guarantee that even if Pierre Buyoya signs a ceasefire agreement, it will be implemented by the entire army or respected by these peace guardians. It is highly likely, therefore, that any ceasefire will initially be partial, and that it will take time, confidence-building and a lot of effort actually to restore security throughout Burundi territory and to disarm all armed groups.

In sum, it remains crucial for the international community to keep up the pressure for comprehensive implementation of the Arusha agreement in order to eliminate any political justification for the armed conflict. The door should always remain open for the FNL to join the negotiations. Shutting it would only provide an excuse to reject the peace process. Lastly, in addition to the political (Arusha) and security (Pretoria) paths, a humanitarian track is urgently needed in order to relieve the sufferings of the Burundian population and for the belligerents to prove that they have the capacity to deliver the ceasefire they will have negotiated. It's high time the Burundi peace process becomes meaningful for those who really need it – those who suffer daily from the fighting.

**Nairobi/Brussels, 6 August 2002**

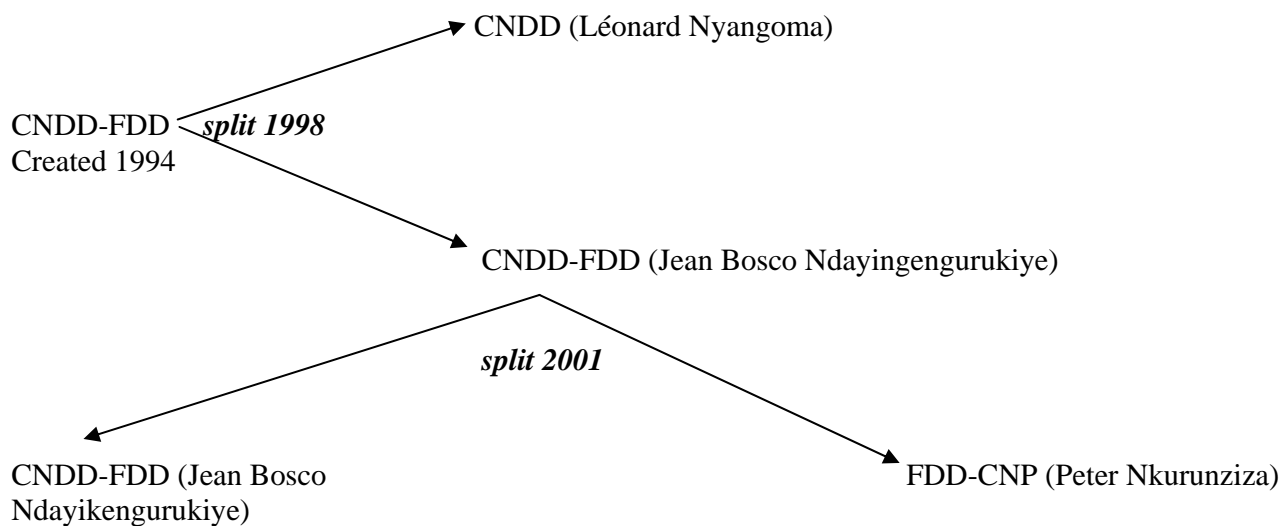


## APPENDIX A

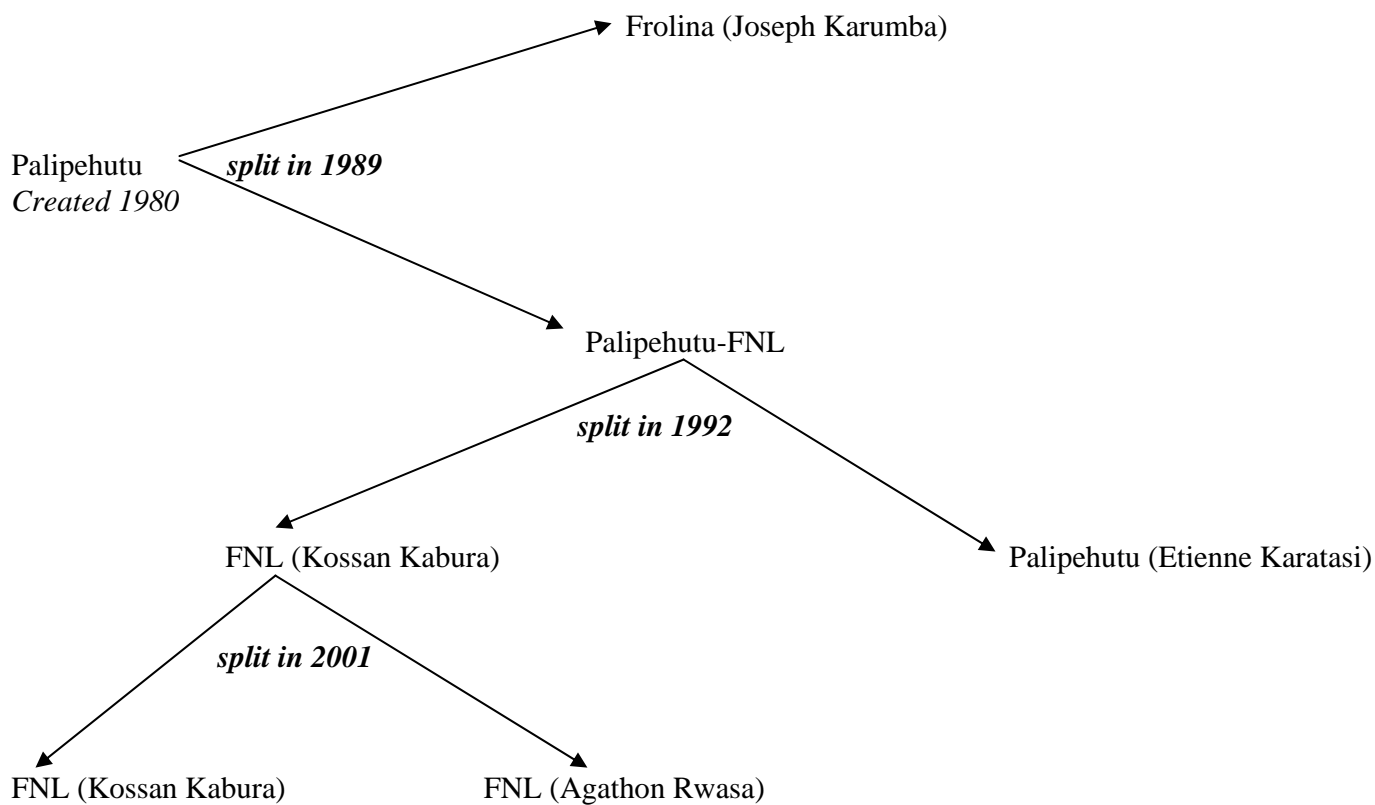
### HUTU REBEL MOVEMENTS

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#### 1) CNDD-FDD



#### 2) PALIPEHUTU



## APPENDIX B

### MAP OF BURUNDI



## APPENDIX C

### ABOUT THE INTERNATIONAL CRISIS GROUP

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The International Crisis Group (ICG) is a private, multinational organisation committed to strengthening the capacity of the international community to anticipate, understand and act to prevent and contain conflict.

ICG's approach is grounded in field research. Teams of political analysts are located within or close by countries at risk of outbreak, escalation or recurrence of violent conflict. Based on information and assessments from the field, ICG produces regular analytical reports containing practical recommendations targeted at key international decision-takers.

ICG's reports and briefing papers are distributed widely by email and printed copy to officials in foreign ministries and international organisations and made generally available at the same time via the organisation's Internet site, [www.crisisweb.org](http://www.crisisweb.org). ICG works closely with governments and those who influence them, including the media, to highlight its crisis analyses and to generate support for its policy prescriptions.

The ICG Board – which includes prominent figures from the fields of politics, diplomacy, business and the media – is directly involved in helping to bring ICG reports and recommendations to the attention of senior policy-makers around the world. ICG is chaired by former Finnish President Martti Ahtisaari; and its President and Chief Executive since January 2000 has been former Australian Foreign Minister Gareth Evans.

ICG's international headquarters are at Brussels, with advocacy offices in Washington DC, New York and Paris and a media liaison office in London. The organisation currently operates eleven field offices with analysts working in nearly 30 crisis-affected countries and territories and across four continents.

In *Africa*, those locations include Burundi, Rwanda, the Democratic Republic of Congo, Sierra Leone-Liberia-Guinea, Somalia, Sudan and Zimbabwe; in *Asia*, Indonesia, Myanmar, Kyrgyzstan, Tajikistan, Uzbekistan, Pakistan and Afghanistan; in *Europe*, Albania, Bosnia, Kosovo, Macedonia, Montenegro

and Serbia; in the *Middle East*, Algeria and the whole region from Egypt to Iran; and in Latin America, Colombia.

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