

[ PEACEWORKS ]



# MAKING PEACE AFTER GENOCIDE

## ANATOMY OF THE BURUNDI PROCESS

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UNITED STATES  
INSTITUTE OF PEACE

## ABOUT THE REPORT

This report distills the author's experience as a presidential special envoy to Africa's Great Lakes region from 1996 to 2001, and as the director of a Burundi leadership training initiative from 2003 to 2009. The report was written by the author in his personal capacity. The views expressed are his alone and do not represent the positions of any organization. Any errors or factual inaccuracies are solely his responsibility. The author would like to thank, in particular, Ambassador James Yellin, Fabien Nsengimana, Eugene Nindorera, Elizabeth McClintock, Alain Lempereur, Steve McDonald, Don Matteo Zuppi, Aldo Ajello, Carolyn McAskie, Youssef Mahmoud, Mamadou Bah, Nureldin Satti, Peter Uvin, and Rene Lemarchand for the numerous contributions they made along the way. Many others, too many to be identified by name, also offered important insights for which the author is extremely grateful.

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[ The conflict between Tutsi and Hutu in Burundi . . . is at the heart of Central African regional instability, producing massive refugee flows, insurgencies, and cross-border violence. ]



## Summary

- The Tutsi-Hutu conflict, both in Rwanda and Burundi, is unique in being the only intercommunal violence among Africans that has led to genocide.
- The conventional wisdom that ethnic conflict in Africa is the product of cultural diversity and ancient tribal antagonisms is wrong on both counts.
- The Burundi conflict is best understood as a result of the manipulation of ethnic identities by the political class in the struggle for postcolonial control of the state.
- The conflict in Burundi is significant in part because of the massive refugee flows, insurgencies, violence, and regional instability it fostered, and in part because of the innovative approach to peacebuilding in postwar Burundi.
- The Burundi peace process, which lasted more or less from 1993 to 2005, is as convoluted as the conflict.
- Four phases of Burundi's peacemaking can be distinguished: the initial UN intercession, Julius Nyerere as facilitator, Nelson Mandela as facilitator, and the transitional government.
- A number of critical lessons for establishing peace in the wake of violence can be drawn from the Burundi experience.
- Process matters.
- One of the most important facilitator skills is the ability to listen.
- All parties, especially those with destabilizing potential, must be at the negotiating table.
- Timely and coordinated donor support are imperative.
- Negotiations will, without question, be affected by the military circumstances of a conflict.
- The risks of embassy clientitis and donor or facilitator fatigue should not be taken lightly.
- Regional support for the peace process is indispensable but has its downsides.
- Effective facilitation depends on coordinated diplomatic intervention.
- Building long-term collaborative capacity among the former belligerents is critical to a sustainable peace.
- Democracy has numerous viable forms, and distinguishing between core universal principles and the institutional diversity of those forms is critical.



## Introduction

It is a small country, no larger than the state of Maryland, with a population numbering just over 8 million.

The dimensions of the human tragedy that has played itself out in Burundi since the country's independence in 1960, however, are anything but diminutive: an estimated 400,000 killed, some 800,000 forced to flee the country, and many tens of thousands internally displaced. The human catastrophe that is Burundi is dwarfed in Africa only by its neighbor, Rwanda, which in 1994 saw close to 1 million of its population systematically murdered.

This report examines the efforts that regional states and other international actors undertook to end the Burundian cycle of violence. Their efforts were significant for a simple reason: the ramifications of the conflict extended far beyond Burundi. Indeed, the conflict between Tutsi and Hutu in Burundi, as in Rwanda, is at the heart of Central African regional instability, producing massive refugee flows, insurgencies, and cross-border violence.

The Burundi conflict therefore cannot be fully understood, much less resolved, without reference to the wider region. The Tutsi-Hutu schism within Burundi and the war within the Democratic Republic of the Congo (DRC)—which involved as many as seven national armies, two rebel groups, and a host of foreign armed groups based within Congolese territory—were interlinked. Not only did the belligerent parties operate across borders, but a very large number of regional states were also interested parties in both conflicts. Moreover, events in Rwanda directly affect Burundian political dynamics and the DRC, just as Burundian developments affect the perspectives and actions of both Rwandans and the Congolese.

The Burundi conflict is significant for a second reason as well: the use of an innovative long-term leadership training initiative in collaborative decision-making, one that targets key leaders in all sectors and is designed to build the foundations for a more sustainable peace and to enable a country to effectively tackle the multiple challenges of postconflict reconstruction. The lessons gleaned from this experiment in conflict transformation may well be applicable to other divided societies.

In neither the Arusha peace process (for Burundi) nor the Lusaka peace process (for the DRC) did the United States or its diplomats take leadership of the facilitation. Rather, as a matter of policy, it was decided that the United States should play an active but secondary, supportive role—working with the key facilitators, providing financial and technical support as needed, encouraging the belligerent parties toward negotiated settlements of their conflicts, and coordinating diplomatic efforts with the regional sponsors of the two peace processes—the Rome-based Catholic lay order of Sant' Egidio that was facilitating discrete talks between belligerent parties, and the European partners (most notably, France, Belgium, the United Kingdom, and the European Union). Thus this analysis reflects, in large measure, the judgments not of a lead facilitator but rather of a diplomatic participant-observer.

## The Nature of the Tutsi-Hutu Conflict

*“The Tutsis talk of genocide, the Hutus of exclusion.”*

—Advisor to facilitator Nyerere, 1996

The conflict between Tutsi and Hutu, in both Rwanda and Burundi, is unique to the African continent in that it is the only instance of intercommunal violence among Africans leading to genocide.<sup>1</sup> Most Americans are aware of the horrific 1994 Rwandan genocide, which

claimed the lives of close to 1 million persons, predominantly Tutsis but many moderate Hutus as well.

What is less known is that the first regional genocide took place in Burundi in 1972, when the Tutsi government of the day systematically massacred approximately 150,000 educated Hutus. Thousands more, both in Rwanda and in Burundi, have been killed either in intercommunal violence or in indiscriminate attacks on civilians by rebel forces or national armies. As recently as October 1993, Burundi was plunged into another round of violence by the assassination of the nation's first democratically elected Hutu president, Melchior Ndadaye. As many as 150,000 died in the weeks immediately following that assassination—both in Hutu massacres of unarmed Tutsis and in the Tutsi-led army assault on Hutu peasants that followed.

A second recurrent theme in Burundi's immediate postindependence political history is the economic and political dominance of the minority Tutsi (an estimated 14 percent of the population), in combination with the systematic exclusion of the Hutu majority (approximately 84 percent of the population) from key social, economic, and political institutions. In the words of a leading scholar on Burundian political life, "in no other state in the continent, with the qualified exception of South Africa, has minority rule been carried to such an extreme."<sup>2</sup>

It is this combination of extreme inequality, on the one hand, and recurrent intercommunal violence, on the other, that has made the conflict one of the most intractable in Africa. Almost no Burundian commune or family has been unaffected. It should come as no surprise, then, that fear and insecurity, as well as a reciprocal demonization of the two groups, gave rise to exceedingly low levels of intercommunal trust and confidence—and to a pattern of preemptive violence, each side fearing that restraint invited vulnerability.

This was the stage on which the Burundi peace process would unfold, presenting all who were involved in efforts to resolve the conflict—diplomats and facilitators alike—unique and difficult challenges.

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### *Distinguishing Tutsi and Hutu*

Ethnic conflict in Africa is commonly characterized as the product of cultural diversity and the expression of ancient tribal antagonisms. However, this conventional wisdom is wrong on both counts.

In Africa, no less than in the United States, Europe, or Asia, most ethnic conflict arises not from the differences among people, but from their similarities. It is this that moves people into conflict—their desire to control the same political offices, the same commodity marketing contracts, the same command posts within the army, or the same restricted number of slots in educational institutions or the civil service.

It is true that if people do not speak the same language, or have different cultural understandings of what we call the rules of the game, the intensity of the conflict might increase and thus be more difficult to manage. This is particularly so when different ethnically defined groups have significantly unequal resources. Cultural differences, however, are not what bring people into conflict in the first instance, and few conflicts in Africa are linked to ancient antagonisms. On investigation, such claims almost invariably prove to involve significant historical revisionism.<sup>3</sup>

Burundi is a vivid example. One normally thinks of ethnicity as an expression of cultural, linguistic, or religious differences. No such distinctions apply to the Tutsi and Hutu, however. They speak the same language, share a common culture and Burundian identity, look back to a traditional common monarchy, have for centuries lived peacefully together occupying



the same hills and communes, and have intermarried. The two do have distinct origins and physical prototypes: the Tutsi are believed to have migrated from the East and are generally described as tall with angular facial features; whereas the Hutu are believed to be of Bantu origin, and are often characterized as short and stocky. Inter-marriage, however, has made these physical characteristics an extremely imperfect predictor of ethnic identity. Today one finds as many short Tutsi as tall Hutu. Moreover, although Burundians theoretically derive their ethnic identity from their fathers, the many children of mixed marriages have further blurred the Tutsi-Hutu distinction.

What traditionally distinguished Tutsi and Hutu were their occupational differences: Tutsis tended to be cattle herders and Hutus generally farmers. But even this distinction was not ironclad. Many Hutus grazed cattle and “it was by entrusting their cattle to the Hutu that the Tutsi were able to establish clientage ties with Hutu elements, thus bringing Hutu and Tutsi together into a complex web of reciprocal rights and obligations. Far from driving a wedge between Hutu and Tutsi, their different occupational statuses provided the basis for a closer union.”<sup>4</sup>

Before Westerners arrived and intruded, Burundi was ruled by a princely oligarchy, known as the *ganwa*, a clan traditionally viewed as ethnically distinct from both Hutu and Tutsi, and which provided a unifying point of reference for all Burundians. Tutsis and Hutus were linked to one another as “patrons” and “clients,” but social standing and ethnicity were imperfectly correlated. Moreover, the traditional order did not impose any rigid system of social stratification. Enterprising or fortunate Hutus, for example, could come to exercise considerable influence, and enjoy wealth or social standing greater than that of many Tutsi. It was, in Rene Lemarchand’s phrase, “status, not ethnic identity,” that “was the principal determinant of rank and privilege.”<sup>5</sup> In addition, regional or clan distinctions (e.g., northerner versus southerner, or Batave versus Bezi) were often as salient as or more salient than the Hutu-Tutsi categories.

Political divides in precolonial Burundi centered not on Tutsi-Hutu distinctions, but on competition within the princely *ganwa* clan. This struggle was perhaps the dominant political motif of that era. Competing *ganwa* factions sought to mobilize support among both Hutu and Tutsi. Ethnic tensions between Hutu and Tutsi, though not unknown, were rare. “When ethnic tensions did emerge, they were highly localized and more often than not were generated by the abuses of local princely authorities acting hand in hand with Tutsi elements.”<sup>6</sup> Moreover, unlike in Rwanda, where the expansion of the monarchy involved direct confrontation with existing Hutu kingdoms, in Burundi the kingship did not become identified with Tutsi supremacy, but instead “derived much of its legitimacy from its symbolic identification with Hutu elements.”<sup>7</sup>

In sum, although Burundians traditionally defined themselves as Hutu or Tutsi or Twa (a generally marginalized pygmoid group comprising no more than 1 percent of the Burundian population), evidence of ethnically based political mobilization is scant. Even by 1962, when Burundi became independent as a constitutional monarchy, the principal line of political cleavage was not between Tutsi and Hutu, but between the Bezi and Batave, two princely factions with ethnically mixed followings.

### *Decolonization and Ethnic Identities*

The conflict between Tutsi and Hutu today is thus best understood as resulting from the manipulation of ethnic identities by members of Burundi’s political class in the struggle for control of the postcolonial state.

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In Burundi, as in Rwanda, extreme population density, land shortage, and poverty were the volatile backdrop of postindependence politics. Given a miniscule entrepreneurial middle class and an agriculturally based, largely subsistence economy, private sector avenues to wealth and economic security were extremely limited. In effect, control of the state machinery in both countries was tantamount to access to the economy. Controlling the state administrative machinery meant access to civil service jobs, control of the powerful coffee marketing board, and the ability to dispense and receive state contracts and loans.

On the eve of Burundi's independence, Prince Rwagasore—beloved by Hutu and Tutsi alike as the embodiment of nationalism—was assassinated. Burundi then entered independence with political power broadly shared among Tutsi, Hutu, and ganwa, but it was not long before those competing for control of the state recognized the potency of ethnic appeals. Burundian politics quickly ethnicized and became increasingly violent. Tutsi elements, through a successful army coup, soon managed to eliminate virtually every Hutu political leader and consolidate Tutsi control over not only the army but all the key state institutions. In 1972, when a Hutu rebellion challenged the Tutsi takeover, the Tutsi powers responded with what was to be the region's first genocide of approximately 150,000 educated Hutus considered a threat to Tutsi hegemony.

The pervasive political violence of the postindependence period transformed the elite-driven conflict between the dominant Tutsi and the excluded Hutu into a mass phenomenon. Both Tutsi and Hutu internalized the deep fears and suspicions given voice by their ethnic compatriots within the Bujumbura-centered political class. This, in turn, made the political mobilization of ethnic identities all the easier, particularly given that virtually none of the killers—Tutsi or Hutu—were held accountable for the hundreds of thousands of violent deaths that occurred in the decades following independence. In effect, all Burundians came to see themselves as victims in search of justice. In Lemarchand's words, "if Hutu and Tutsi increasingly tend to define each other in terms of mutually antagonistic categories, this is not because of ancestral enmities but because ethnic identities have acquired a moral dimension—whether as a martyred community or a threatened minority—they never had before."<sup>8</sup>

This does not mean that the Tutsi and Hutu camps today are either cohesive or united, or that ethnicity is the only significant cleavage in Burundian political life. On the contrary, as we will see, both Tutsi and Hutu have remained deeply fragmented by salient clan and regional divisions and personal leadership rivalries. In recent decades, the Hima-Tutsi from Bururi Province have emerged as the dominant force, within both the army and the government. This powerful southern "Bururi lobby" not infrequently draws the wrath not only of Hutus but also of Tutsis from northern Burundi. Indeed, clan and regional divisions within the Tutsi and Hutu camps, at times, were a more formidable obstacle to a sustainable peace agreement than the Tutsi-Hutu cleavage. However, until recently intragroup competition often had the perverse effect of exacerbating the Tutsi-Hutu divide, rivals for power each accusing the other of having gone soft on their ethnic adversary or of not being aggressive enough in advocating their own ethnic group interests.

## **The Long and Tortured Path to Peace**

The history of the Burundi peace process is as convoluted as the conflict, with as many facilitators as belligerent parties. Three more or less distinct phases can be distinguished, however. In the first, the United Nations became directly engaged in attempting to facilitate the negotiation of new power-sharing arrangements that would stabilize the situation in Burundi, and end

the intercommunal bloodletting that occurred in the wake of the October 1993 assassination of Ndadaye. Although the UN intervention may have dampened the level of violence for a short period, it was not long before political violence began to spiral upward again, creating widespread fears that Burundi could become another Rwanda.

The second and most complex phase saw the emergence in early 1996 of former Tanzanian president Julius Nyerere as the regionally and internationally sanctioned Burundi facilitator. Until his sudden death in late 1999, Nyerere was effectively in charge (though not always in control) of an exceedingly complex peace process that played itself out in three geographically separate but linked arenas. The first arena was Arusha, Tanzania, from which the Burundi peace process and ultimate accord drew its name, and which served as the principal venue for all-party informal consultations and formal negotiations. The second arena was Rome, which became the venue for secret bilateral talks between the Burundian government and the National Council for the Defense of Democracy (CNDD), then the principal armed rebel group. The third arena was Burundi itself, in particular its capital city Bujumbura, wherein over time there was established a fragile but important internal partnership between the Union for National Progress (UPRONA) and the Front for Democracy in Burundi (FRODEBU), the dominant Tutsi and Hutu political parties, designed to calm the political turbulence and set the stage for the negotiation of a new power-sharing arrangement and both political and military reform.

The third phase, which followed Nyerere's death toward the end of 1999, saw former South African president Nelson Mandela agree to assume responsibility for concluding the facilitation. Eight months later, on August 28, 2000, enormous pressure from Mandela and regional leaders resulted in the signing of the Arusha Peace Accords by all but a few of the nineteen delegations that had participated in the negotiations. This agreement notwithstanding, the peace process was still very much a work in progress, having left unresolved three of the most contentious and fundamental issues: Who would lead the thirty-six-month transition? How would the critical issues of army reform and integration of armed forces be handled? What would it take to get the CNDD's armed wing, the Forces for the Defense of Democracy (CNDD-FDD) and the PALIPEHUTU's armed wing, the Forces for National Liberation (PALIPEHUTU-FNL)—the two principal armed groups who were absent from the Arusha negotiations—to lay down their arms and participate in the newly established transitional institutions?

The first of these questions was resolved essentially by a Mandela fiat—former president Pierre Buyoya would preside for the initial eighteen months of the transition, and a Hutu president would take over for the final eighteen—but army reform and integration of the armed forces were more difficult. The transitional government was officially launched on November 1, 2001, but it was not until October 2002 that the CNDD-FDD agreed to lay down its arms and participate in the transitional government. The second rebel group, the FNL, agreed to suspend hostilities and enter into negotiations many years later, only after the transition had concluded, and a new democratically elected CNDD-FDD government was in place.

In February 2005, a new constitution was adopted and followed by the National Assembly's election of the CNDD-FDD's rebel leader, Pierre Nkurunziza, as Burundi president in August 2005. Since then, considerable political turbulence has been the norm, albeit with new lines of political cleavage and conflict. Recent years have been notable in the transformation of the historically polarized and volatile Hutu-Tutsi political discourse to a preoccupation with intra-Hutu divisions and rivalries.

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I turn now to examine these phases of the Burundi peace process. The scope of this paper does not permit a detailed history. My goal, rather, is to identify the most significant events, decisions, and factors that have helped shape the process and were most directly responsible for both its achievements and its shortcomings.

### **Phase I. The UN Steps In (1993–95)**

In the wake of the October 1993 Ndadaye assassination and the large-scale intercommunal violence that erupted afterward, the UN decided to intervene in Burundi, designating a distinguished diplomat, Amadou Ould-Abdullah, as the special representative of the secretary-general to Bujumbura. For two years, Ould-Abdullah labored valiantly to calm the political turbulence and end violence. However, new power-sharing arrangements negotiated between the Tutsi-dominated UPRONA and Hutu-dominated FRODEBU parties failed to satisfy either the extremist Tutsi elements or Hutu activists. An armed Hutu rebellion took root and began to operate in the countryside with increasing effectiveness. Within Bujumbura, extremist Tutsis launched a campaign of assassination and intimidation against all those associated with FRODEBU and even perceived UPRONA moderates. In his narrative account of his experience in Bujumbura, Ould-Abdullah captured the political mood:

The country is plagued by a culture of fear: Burundians, like Rwandans, live in permanent fear of murder, displacement, and mass exodus. . . . This atmosphere has not been generated by violence, alone, however. Rather, it is the product of violence and impunity. . . . Violence has become a catalyst for fear, which in turn aggravates violence. In a similar vicious circle, the culture of impunity and the culture of fear justify and perpetuate each other.<sup>9</sup>

The 1994 Rwandan genocide sharply accelerated these negative trends, greatly deepening ethnic polarization and intercommunal fears and insecurities within Burundi. Growing anxiety within the UN that Burundi could go the way of Rwanda led UN secretary-general Boutros Boutros-Ghali, at the end of 1995, to call for the contingent creation of a UN peacekeeping force poised to move into Burundi as necessary to avert further mass violence or genocide. This initiative, however, was met with little enthusiasm by UN members: no major power was willing to assume the lead role for mounting such a force, potential troop contributors were scarce, and some feared that planning for such an intervention might trigger the very explosion the proposed intervention sought to avert. In the months and years that followed, when it came to Burundi, the UN was to give new meaning to the phrase “risk averse”—with the Security Council and the UN Secretariat both reluctant to take the diplomatic lead, or to be proactive in developing peacekeeping modalities.

### **Phase II. Nyerere as Facilitator (1996–99)**

The activity during Nyerere’s time as facilitator fell across three venues: the first being Arusha, in Tanzania, the location of the multiparty talks; the second the Rome-based Catholic lay order of Sant’ Egidio; and the third the internal partnership inside Burundi between the government and the National Assembly.

#### ***Arusha***

In 1995, sharing the concerns of the UN about the regional consequences of the 1994 Rwandan genocide, the new chairman of the Organization of Africa Unity (OAU), Ethiopian prime

minister Meles Zenawi, and OAU secretary-general Salim Salim began to encourage former Tanzanian president Julius (Mwalimu) Nyerere to become involved in an effort to defuse the deepening Burundi crisis.<sup>10</sup> Following two gatherings of regional leaders representing Zaire, Uganda, Tanzania, Rwanda, and Burundi, and consultations with UN officials, Nyerere agreed to help “assist the people of Burundi in finding means to achieve peace, stability, and reconciliation,” including “the resolution of fundamental problems relating to the access, control, and management of power, so that either the ethnic or political minority is reassured.”<sup>11</sup>

Initially, Nyerere was welcomed as a facilitator not only by the subregion but also by the United States and the wider international community. First, no country outside Africa wanted to assume the lead role in efforts to resolve the Burundi conflict. Second, the willingness of regional leaders to step up and identify one of their own to guide the peace process was seen as a significant and positive development. Moreover, few African leaders enjoyed the iconic stature of the former Tanzanian president. A world statesman, a charismatic leader of Africa’s anti-colonial struggle, a pan-Africanist who played a key role in the liberation movements of southern Africa, the first president of an independent Tanzania—Julius Nyerere was the George Washington, the Abraham Lincoln, and the FDR of Tanzania (and much of the African continent) all rolled into one. Brilliant, articulate, passionate in his convictions and advocacy, Nyerere enjoyed a moral stature comparable to that of Nelson Mandela—the kind that would be difficult for any of the belligerent Burundian parties to challenge. In addition, probably no African leader was more knowledgeable about Burundi’s volatile political dynamics.

From a process standpoint, however, the choices of Nyerere as facilitator and Arusha as the negotiating venue were problematic. Not only did much of Tanzanian society ideologically identify with the underdog Hutus but, since 1972, Tanzania had become home to hundreds of thousands of Burundian Hutu refugees. The refugee camps would shortly emerge as a principal recruiting ground for the armed rebellion, and, in the months ahead, Burundi-Tanzania relations—and the Arusha peace process itself—would be constantly strained by virtue of Tutsi complaints that Tanzanians were complicit in recruiting, training, and arming the rebellion.

Significantly, the selection of the former Tanzanian president was fundamentally a decision not of Burundians (who were never formally invited to consider this question) but of the regional leaders. Burundian Hutus were generally quite supportive of the selection of Nyerere as facilitator and, later, of Arusha as the negotiating venue, but Tutsi reaction was ambivalent, at best. On the one hand, because of Nyerere’s participation decades earlier in the establishment of UPRONA, the initially multiethnic nationalist Burundi political party, the former Tanzanian president enjoyed considerable respect among many key Tutsi figures. Moreover, Nyerere was the only regional leader to vigorously condemn the 1994 Rwandan genocide of Tutsis, in sharp contrast to other heads of state, who had effectively turned a blind eye. On the other hand, for the reasons indicated, Tutsis perceived Tanzanians generally to be pro-Hutu.

The neutrality and credibility of the Arusha peace process was therefore under challenge from its inception. In effect, by making Nyerere the facilitator and Tanzania the negotiating venue, a weapon was handed to Tutsi extremists, who were deeply suspicious of Tanzanian motives. Later, when the Tutsi-dominated army returned Pierre Buyoya to power in July 1996, he would be sharply criticized by many Tutsis for acceding to a Tanzania-dominated negotiating framework. In their view, the agenda of regional leaders was not a negotiated political settlement, but a Hutu government. From the standpoint of Tutsi hard-liners, Buyoya had fallen into a trap that would ultimately prove fatal to Tutsi interests and security.

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*The first president of an independent Tanzania—Julius Nyerere was the George Washington, the Abraham Lincoln, and the FDR of Tanzania . . . all rolled into one.*

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### First Gambit

Toward the end of April 1996 and again early in June of that year, Nyerere brought FRODEBU and UPRONA representatives together in Mwanza, Tanzania, but made little progress in defusing political tensions. In particular, UPRONA, the party that despite its initially inclusive character had come to represent Tutsi hard-line interests, rejected Nyerere's suggestion that representatives of the armed rebels be invited to join the talks.

The situation appeared increasingly desperate. Eighteen members of parliament had been assassinated. Tutsi youth militias were wreaking havoc within Bujumbura which was being ethnically cleansed of Hutus. Violence was mounting in the countryside. The capital was rife with rumors of a pending coup. Within the American government, National Security Advisor Tony Lake was talking directly with the prime minister and the minister of defense, urging that they join in condemning attacks on civilians, warning that the United States would work to isolate any regime that came to power by force or coup, and insisting that there was no military solution to Burundi's problem. American policy in this period was to support a Nyerere-led Burundian dialogue that would seek to arrive at a power-sharing agreement centered on democratic principles and the protection of minority rights.

After the second Mwanza meeting failed, the Burundian minister of defense pleaded with the UN representative to telephone Nyerere and urge him not to give up hope. The minister acknowledged that UPRONA had been intransigent in Mwanza, but said that it would be different next time. But there was to be no next time. A frustrated Nyerere asked that Ugandan president Museveni convene a summit of regional leaders to decide on appropriate next steps.

### Request for Peacekeeping Force

Then, at the June 1996 summit, with Kenya and Ethiopia joining the five states that participated in the original Cairo and Tunis summits of regional leaders, Ugandan president Museveni managed to secure from Burundi's Hutu president Ntibantunganya and Tutsi prime minister Ndiwayo a joint request that a regional peacekeeping force be established to help calm the situation in Burundi. This was wholly unanticipated, given the long-standing fear among Tutsis that an international military intervention might neutralize the Tutsi-controlled Burundian army—which Tutsis considered their last defense against the threat of Rwanda-style Tutsi annihilation. It is possible that elements of the Tutsi leadership may have seen a regional peacekeeping force as heading off the more feared alternative of a UN peace enforcement mission.

Whatever the motivation, the request was welcomed by the United States and the international community. Washington recognized that the UN secretary-general's proposal for a standby UN force was going nowhere, and saw the regional initiative as the only viable alternative. One of my first tasks as special envoy was to make clear American support for this regional initiative and consult with Burundians and regional leaders on the ways in which the United States might provide appropriate technical assistance.

Unfortunately, this conception of a regional peacekeeping force was short-lived. Almost immediately, the prime minister and president began feuding over what they and the regional leaders had agreed on. The more extreme elements of the Tutsi community, who found the prospect of a regional force threatening, reacted sharply and violently. The prime minister had apparently not adequately prepared the UPRONA hard-liners for the intervention, and had begun to retreat from the agreement he and the president had reached with regional leaders. Moreover, although Hutu leaders inside Burundi strongly supported the intervention, CNDD



leader Leonard Nyangoma also opposed it, fearing that it would pressure the rebellion to disarm before its political demands had been met.

The political and security situation inside Burundi rapidly deteriorated. In a gruesome act of violence, Hutu rebels slaughtered more than three hundred Tutsi civilians at Bungendana. At the funeral service that followed, President Sylvestre Ntibantunganya was forced to flee for his life. Then, on July 25, 1996, the Burundian army declared Pierre Buyoya—who, three years earlier, had guided Burundi into a democratic election he then lost to Melchior Ndadaye—as Burundi’s new president. The request for a regional peacekeeping force was immediately withdrawn.

### Condemnation and Sanctions

The regional response to the Buyoya coup was swift. On July 31, 1996, the Second Regional Summit on Burundi was convened in Arusha, this time without the consent or the participation of the Tutsi-controlled Burundian government. The summit issued a harsh condemnation of the coup, announced comprehensive economic sanctions against Burundi, affirmed the support of regional leaders for Nyerere to serve as Burundi facilitator, and spelled out three demands: the unbanning of the proscribed political parties, restoration of the suspended National Assembly, and immediate and unconditional negotiations with all political parties and armed groups.

Significantly, the communiqué did not demand that the deposed Hutu president, Sylvestre Ntibantunganya, who had taken refuge in the residence of the American ambassador, be restored to power. As Nyerere subsequently explained, this omission was intended as a signal that the region could live with Buyoya as a transitional leader. Strongly condemning the military coup as wrong in principle, Nyerere noted an important upside to Buyoya’s return to power. As he put it, the situation was now “clarified”—there could no longer be any doubt that the Tutsi-controlled army was effectively in control of the Burundian government. This was why, at the last moment, a sentence was added in the final communiqué, that the coup of July 25 was but the culmination of a process that had begun in October 1993 (referring to Ndadaye’s assassination). Regional leaders wanted to signal their impatience with long-standing Tutsi hegemony and continued Tutsi reliance on extraconstitutional means to hold on to power. The region was placing itself squarely behind the Hutu struggle for fundamental regime change in Burundi.

From its inception, the Arusha peace process was plagued by a host of difficulties—some the result of the complexity of the Burundi conflict, others of the multiplicity of actors that came to play a role in the political settlement. It would be almost two years before the first all-party negotiations would be launched on June 15, 1998. Everything before that time can best be characterized as talks about talks. The Arusha process was, to all intents and purposes, a process imposed by the region and unfolding in a country perceived as pro-Hutu. Other elements further complicated the situation.

### Nyerere as Enforcer

The decision to impose comprehensive economic sanctions against the government of Burundi was reportedly the most contentious issue discussed at the Arusha summit of July 1996. The regional leaders presented a united public face, but Nyerere later acknowledged their uncertainty about what they would do in practice.

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In the private deliberations that produced the final summit communiqué, Ugandan president Museveni had taken the hardest line. He wanted to demand that the Burundian army relinquish power immediately or face a regional military intervention. As he explained to his colleagues, the coup had taken the putchists only a few hours; it should take no longer for them to step down. Museveni's position reflected his fundamental contempt for the principal actors on both sides of the conflict. In his view, there were no patriots in Burundi—no leaders motivated by the country's national interest rather than personal interests or those of a narrowly defined group. Moreover, in Museveni's view, the principal contestants for power were all killers, and a sustainable peace would never come from a negotiation among killers.

But others pressed for a more pragmatic approach. Zairean prime minister Kengo, in particular, urged that the regional leaders not overreach, arguing that their credibility would suffer if a deadline for Buyoya to step down were established and no regional response should he fail to do so.

All, however, were agreed on the need to exert maximum pressure on the putchists. It was Nyerere, who had advocated the imposition of comprehensive economic sanctions against Burundi even before the Buyoya coup, who most forcefully articulated the pro-sanctions case. In Nyerere's first meeting with Buyoya after the coup, the Burundian president had claimed that he enjoyed the full support of the army and of the Tutsis, that he wanted to talk with the rebels but he needed some time. "Time for what?" Nyerere had asked. He did not want Buyoya to use this period to strengthen the Burundian army. Nyerere believed that Buyoya's professed commitment to a negotiated solution to Burundi's conflict was nothing more than lip service and that the Tutsi leadership remained committed to a military solution. Nyerere was particularly troubled by Buyoya's announcement, immediately on his return to power, of an intention to significantly expand the size and capability of the Burundi army. As the peace process was being launched, Nyerere remained deeply skeptical of Buyoya's intentions and capacity to deliver a peaceful settlement. "I don't believe that the Buyoya regime is a reformist regime," he said, "but a regime trying to establish a lasting Tutsi authority." In Nyerere's view, Buyoya needed to be told: behave or else. A Tanzanian advisor to Nyerere expressed the fundamental mistrust of Tutsi intentions even more starkly: "The region's reaction," he said, "will depend on a real response from Buyoya, not an arrogant response. The Tutsis have an absolute belief in their power, in their God-given right to rule. They see themselves as people of intellect. To change their mentality, you need shock treatment."<sup>12</sup>

Nyerere saw the sanctions against Burundi much as he and a number of international actors had seen those against the apartheid South African regime. They were a way of making it clear to the Tutsi elite that attempts to retain their monopoly of power would, in the end, be far more costly than a negotiated political settlement with the majority Hutu. He argued, in addition, that the imposition of sanctions would be an important message to the Hutu rebels—that the international community was not abandoning their cause and that means other than military force were available to bring the Tutsi-dominated regime to the negotiating table. Because Burundi was effectively landlocked, Nyerere argued, Tanzania, Uganda, and Kenya had it within their power to make sanctions work. "For once," he told the special envoys, "we can do without the rest of the world." Later, in an interview with *Le Monde*, Nyerere publicly affirmed his confidence that sanctions would be effective: "As to sanctions I would simply like to remind you that they succeeded in South Africa, which is a far stronger country than Burundi. They take effect more slowly than bullets but they work."<sup>13</sup>



Although Nyerere had minimal confidence in Buyoya, he was even more mistrustful of the people around the Burundian president. Nyerere reported that he had told Buyoya in his first postcoup encounter, “I’m not going to assume you are completely in control. I don’t think we can help you by being nice to the others around you.” In explaining his approach to Buyoya, Nyerere used the analogy of a minister of finance who knows that tough decisions have to be made even though others within the government may resist what is required and recruits the IMF to play the role of the bad cop, to make it clear that there is no alternative, no way out unless certain conditions are met. In Nyerere’s view, sanctions were intended not to box Buyoya into a corner, but to provide the “necessary shock therapy” to hard-liners around Buyoya.

Giving Buyoya the benefit of the doubt as to his professed commitment to negotiations, Nyerere argued that the Burundian president would need this external pressure so that the Tutsis around him would realize that they had to do something. Again, he compared the Burundi situation to that of South Africa: the sanctions against the South African regime were directed not so much at the reputed reformer De Klerk as they were at his core Afrikaner constituency whose resistance to change had to be overcome.

Further driving Nyerere’s insistence on the imposition of comprehensive economic sanctions was his anger with Buyoya’s declaration, immediately following his coup, that “Arusha was dead.” Nyerere had seen this declaration as defying the regional leaders who, at the earlier Arusha summit in June, had agreed to respond to the request of Burundian leaders for a regional peacekeeping force.

From the day the regional leaders announced the imposition of sanctions against Burundi, it was clear that Nyerere would call the shots on the management of the sanctions regime. Whatever the personal misgivings of some regional leaders—and, with time, these were to become more manifest—when push came to shove they would be reluctant to challenge the person they had asked to assume the onerous task of facilitating the process. The facilitator had, in effect, become also the sanctions enforcer—with profound consequences both for how Nyerere would be perceived by Burundi’s Tutsi elite and the Arusha peace process.

Nyerere recognized that his identification with the sanctions regime undercut his credibility with his Tutsi interlocutors. On one occasion, he apologized to the Burundian minister of defense for public comments he had made in defense of sanctions. On another, he agreed with my urging that he needed to remove himself from the public discussion of the sanctions issue.

But Nyerere had great difficulty in restraining his public comments, which constantly fueled Tutsi extremist claims that he was anything but a neutral facilitator. Although he had a sophisticated and nuanced understanding of Burundian political dynamics, sensitive to the need to address Tutsi fears of annihilation at the hands of the more numerous Hutus, it was clear that Nyerere emotionally identified with the struggle of the majority Hutu to overcome their history of subordination and discrimination.

The intensity of Nyerere’s conviction that external pressure was essential to secure the Tutsi elite’s acceptance of real power-sharing was made particularly clear eighteen months later, at the summit of regional leaders held in Kampala on February 21, 1998. By this point, the effectiveness of the regional sanctions regime was being called into question not only by the international community but also by a number of regional states. On the eve of the summit, regional foreign ministers meeting with OAU secretary-general Salim Salim unanimously agreed to recommend to their heads of state that the sanctions be suspended. But, following a private meeting between Nyerere, Tanzanian president Mkapa, and Ugandan president Museveni, the heads of state agreed to ignore their foreign ministers and maintain the sanctions. Nyerere

disingenuously argued subsequently that the decision was out of his hands: the regional leaders had spoken.

From a process standpoint, the problem was not the application of sanctions per se. The arguments advanced by Nyerere in their defense were sound. However, when Nyerere took on the role of sanctions enforcer he simultaneously undermined his claim to be an unbiased facilitator and put major strains on his relationship with Buyoya, his principal Tutsi interlocutor. Buyoya found it difficult to trust Nyerere's intentions, believing that the former Tanzanian president had a hidden agenda of imposing the region's notion of an appropriate political settlement on the Burundians.

In addition, with his continued forceful advocacy of sanctions, Nyerere unintentionally increased Buyoya's political vulnerability. Buyoya's critics within the Tutsi community, who viewed Buyoya as a traitor for his role in bringing about the 1993 elections, now charged that by agreeing to participate in a peace process facilitated by the very person responsible for the imposition of regional sanctions, the Burundian president was again selling the Tutsi community down the river. This political vulnerability in turn required Buyoya to harden his position at a number of critical stages, and spend an inordinate amount of time and energy in justifying his decision to remain within the Nyerere-led Arusha framework. Not surprisingly, at several different points, Buyoya toyed with breaking with Nyerere and the Arusha process entirely. "Nyerere is working to unite the countries of the region against me," the Burundian president would complain. "If nothing changes, I'll break with him and go my own way."<sup>14</sup> However, in the end Buyoya's pragmatic recognition of what this would mean in terms of regional and international reaction, led him to stay within the seriously compromised regionally sponsored peace process.

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The issue of sanctions was also to become a major irritant in the relationship between the facilitator and the donor countries supporting the Arusha process. Initially, although the United States and Belgium supported the Nyerere-led initiative, some officials in both countries had reservations about the region's decision to impose sanctions against Burundi. Some of these reservations reflected an ideological antipathy to sanctions generally; but others were based on a reading that Buyoya was the most moderate Tutsi alternative and therefore should not be the target of sanctions. Whatever the reasons for the resistance of some American and Belgian policymakers, their skittishness about the regional sanctions decision provoked a harsh reaction from Nyerere and OAU secretary-general Salim Salim, both of whom felt betrayed by the West. Salim argued that the only alternative to sanctions would be regional military action against the minority Tutsi regime. "Sanctions are a way of avoiding a massive explosion," the secretary-general told the special envoys immediately following the July 1996 Arusha summit. "They are not a guarantee, but they are a way. . . . With or without the support of the international community, the determination of the regional leaders is absolute." Nyerere subsequently pleaded that the international community do nothing to weaken the region's resolve: "Don't give us the blessed excuse to relax sanctions. . . . You have already made your point. Let the region do the job for you. You couldn't apply the pressures. We will apply the pressures."

However, when it became clear that American and Belgian opposition to sanctions would not only send mixed signals to the Burundi coup-makers, whom the United States had already condemned, but also risk a major North-South confrontation, the United States and Belgium reaffirmed their support for the regional leaders and the Arusha process. Those who had reservations about sanctions were eventually persuaded that inasmuch as only the regional states would be imposing sanctions, it would be foolish for the United States and Belgium to express

opposition; moreover, policymakers in both countries appreciated that it would be unseemly for the United States and Belgium to second-guess the regional leaders when it had become clear that not a single Western country was prepared to commit any troops to a Burundian peacekeeping mission.

The Western states ultimately heeded the admonitions of Salim Salim and Nyerere, and publicly expressed their support for the region. As the months went by, however, Western concerns about maintenance of the sanctions regime began to intensify. Some argued (not always with empirical foundation) that the most economically vulnerable elements of the population were more affected than the Tutsi elites to whom they were directed. There was concern too that the regional states were either unwilling or unable to tailor sanctions to the actions of the belligerent parties or to developments in the peace process. But the most fundamental criticism was that, because of Nyerere's close identification with the sanctions regime, the neutrality and credibility of the entire Arusha process were in question.

On several occasions, the special envoys raised their concerns with Nyerere and the other regional leaders. But to little avail. Western criticisms were often taken by Nyerere and members of his facilitation team not as constructive input offered to strengthen the facilitation, but as evidence of a pro-Buyoya bias. It was also argued that Western criticisms—though intended to be conveyed privately—had become publicly known and were weakening the effectiveness of the sanctions regime by sending mixed messages to the Burundi leadership.

### *Nyerere-Buyoya Disconnect*

The issue of sanctions was only one of the subjects that interfered with the ability of Nyerere and Buyoya to develop the degree of mutual trust and confidence essential to a successful facilitation. Perhaps even more fundamentally, there was a basic disconnect between Nyerere's conception of the peace process and that of the Burundi leader.

From the beginning of his facilitation effort in March 1996, Nyerere had consulted with Buyoya, at the time a private citizen. Nyerere, with Buyoya's knowledge, had encouraged the regional leaders to establish a technical committee to examine the request that the Burundian government had presented for the deployment of a regional military force to help stabilize the situation inside the country. Thus, when the July coup was announced, returning Buyoya to power, Nyerere felt betrayed. From the facilitator's perspective, Buyoya had come back to power to prevent the regional intervention from going forward. Nyerere was therefore determined to assert the primacy of the regionally sanctioned peace process and of his own role as the region's designated Burundi facilitator.

Buyoya, however, saw matters quite differently. From the moment of his return to power, he assumed that it would be he who would lead his fellow Burundians into a negotiated political settlement of their conflict. He insisted to all his diplomatic interlocutors that his motives were selfless. He had acted to avoid chaos: "I'm not so crazy that I want power again. It was a choice: either accept another genocide or do something."<sup>15</sup> He added that before agreeing to assume the presidency, he had made certain that he would have the support of the army and of the Tutsi community. In his initial meeting with Nyerere, he emphasized that he wanted to talk to the rebels. The government that had been overthrown, he asserted, was not capable of starting a negotiating process because its president, Sylvestre Ntibantunganya, had been accused of collaborating with the rebels.

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Buyoya had a clear vision of a phased peace process: first, it would be necessary to improve security within Burundi; second, secret negotiations would be initiated with the armed rebels to obtain a cease-fire; third, political negotiations with all the principal parties would be organized; finally, and simultaneously with the other initiatives, a national debate would be organized within the country to prepare the population for the acceptance of the final negotiated political settlement. His essential paradigm was a peace process that he, as president of the country, would unilaterally guide.

To many diplomatic observers, the initial approach Buyoya laid out, both in his public statements and in his private diplomatic conversations, was ill-conceived in several respects. Most seriously, it appeared that Buyoya was still operating within the political context of his earlier presidency. In the 1987–1993 period, it indeed was Buyoya who, responding to international pressure, changed course after his coming to power in a nonviolent coup and led the country into a new democratic dispensation. There was no third-party facilitation required in that period: the Burundi transition to democracy was managed entirely by the Burundi government under Buyoya's leadership.

In 1996, however, Buyoya was facing an entirely different situation. First, he now had to confront a deeply frustrated and embittered Hutu population and leadership that felt that the election of 1993 had been stolen from FRODEBU by the assassination of Melchior Ndadaye and by an unrelenting campaign of assassination and intimidation directed at other FRODEBU leaders. Many within FRODEBU had a difficult time accepting that Buyoya, his protestations notwithstanding, had not been involved in the 1993 attempted coup, in which a number of persons close to him had participated. Second, unlike the earlier period, there was now an armed Hutu rebellion that could no longer be dismissed as militarily inconsequential. Neither the internal FRODEBU leadership nor the external rebel leadership had any intention of again entrusting their fates to a leader of the Tutsi-controlled army.

Finally, this time around, the Burundi conflict had embroiled the entire region: the flow of refugees from both Rwanda and Burundi had placed significant economic and social burdens on both Tanzania and Zaire; the presence of active Hutu rebel insurgencies within Tanzania and Zaire was destabilizing to the entire region; and intermittent cross-border violence threatened interstate relationships within the region. Regional leaders had lost their patience with the Burundians, believing that Tutsi leaders never had any intention of permitting genuine power-sharing with the country's Hutu majority. They had concluded that, left to their own devices, the Burundians were incapable of reaching a negotiated political settlement.

Buyoya's frame of reference and that of facilitator Nyerere were thus in direct conflict. Where Buyoya wanted to unilaterally guide Burundians into a negotiated political settlement, Nyerere (and his regional colleagues) saw Buyoya not as the leader, but as one of several interlocutors. Initially, in fact, they resisted even acknowledging Buyoya as a head of state. Where Buyoya saw the peace process as fundamentally evolving from within Burundi, the region insisted that only an externally based process, in which exiled Burundian leaders and the armed rebel groups would have equal standing with the Tutsi-led army and government, could be the basis of a sustainable negotiated settlement. Where Buyoya saw himself as leading the overall peace process, Nyerere was determined to assert his internationally sanctioned authority as "the facilitator."

This Buyoya-Nyerere disconnect was also exacerbated by a conflict of personalities. Buyoya had a very proud bearing, perhaps reflecting his military background and the confidence borne from many earlier years of political as well as military leadership. He also did not take kindly

to the underlying paternalism that shaped Nyerere's approach to the Burundians. On one occasion, Buyoya observed that Nyerere, who saw himself as a cofounder of UPRONA thirty years earlier, still approached UPRONA "as if it were a child in his hands." Buyoya added, "He would never have spoken the same way to FRODEBU."<sup>16</sup> Not surprisingly, Nyerere, idolized throughout the continent as one of Africa's greatest anticolonial champions and a leader who had transformed Tanganyika and Zanzibar from a motley collection of disparate ethnic groups into a single, unified, nation, saw matters quite differently.

One of the reasons that it took almost two years to launch an all-party negotiation in Arusha was that the two visions of the peace process that Nyerere and Buyoya brought to the table had to be reconciled—a task complicated by the deep postcoup polarization within Burundi by significant divisions within both the Tutsi and Hutu political camps and inadequate mechanisms for communication and consultation between the facilitator and the belligerent parties (subjects to which we now turn).

### *Postcoup Polarization*

Inside Burundi, the days following Buyoya's coming to power were exceedingly tense. The deposed Hutu president, Sylvestre Ntibantunganya, took up what was to be a long-term residence in the home of the American ambassador, and half a dozen Hutu parliamentarians took refuge in the home of the German ambassador. At the same time, the speaker of the National Assembly, whom Nyerere and regional leaders endowed with particular importance on the basis of his constitutional standing and legitimacy among Hutus, remained under investigation by a hard-line Tutsi prosecutor for alleged involvement in the Hutu massacres of Tutsis that followed the 1993 assassination of President Ndadaye.

Casualties continued to mount in the countryside, with civilians the principal targets of the intensifying civil war. There were a number of massacres. Entire villages would be targeted by the army if they were thought to be harboring or providing assistance to the rebels. Hutu rebels also resorted to the indiscriminate slaughter of Tutsis or even fellow Hutus thought to have collaborated with the army. Buyoya, arguing that a prerequisite of a successful peace process was a higher degree of internal security, announced an expansion of the army—immediately taken by Hutu leaders as a demonstration of Buyoya's intention to secure a military victory rather than a negotiated solution. Simultaneously, however, Buyoya also began to take action to rein in the armed Tutsi youth militia—part of his determination to demonstrate that there was now a government in place that was capable of restoring some semblance of law and order.

In response to the demands of regional leaders spelled out in the Arusha declaration of July 31, 1996, Buyoya announced that the National Assembly would be restored and political parties would be unbanned. FRODEBU leaders, however, dismissed these actions as no less cosmetic than the cabinet appointments of several Hutus, none of whom had any standing within FRODEBU. FRODEBU leaders pointed out that under Buyoya's decree, the political parties would continue to be prohibited from holding public meetings or rallies, and that the restored National Assembly would not have any authority to block the budget—the most important leverage of any parliamentary body.

In the days immediately following Buyoya's coup, there was little communication between the government and FRODEBU leaders, and certainly no trust on either side. Conversations between Buyoya and the National Assembly speaker revealed deep mutual suspicions. Buyoya feared that the first act of a restored National Assembly would be to repeal the transitional decree he had issued on coming to power, and move for the restoration of the constitution of 1992.

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The speaker, for his part, doubted that Buyoya had any intention of giving to FRODEBU leaders and the National Assembly any meaningful decision-making role. He had been particularly put off by Buyoya's determination to be the sole guide of the proposed peace process. From the standpoint of most FRODEBU leaders, Buyoya, who had been defeated by Ndadaye in 1993 and was now back in power by virtue of another military coup, was hardly well-positioned to lead a credible peace process. Finally, further compounding the problems of opening a government-FRODEBU dialogue, Buyoya was under pressure from Tutsi extremists, who were critical even of Buyoya's limited opening to the Assembly and the political parties, and for his willingness to engage with Nyerere and the regional leaders despite their sanctions against Burundi.

### *Mutual Demonization*

What was unknown to most Burundians was that, immediately on returning to power, Buyoya had spoken with Sant'Egidio, the Catholic lay order in Rome, that had provided a critical track II in the negotiations that ultimately led to peace in Mozambique. In his conversation with Don Matteo Zuppi, Sant'Egidio's Africa specialist, Buyoya affirmed his interest in beginning secret talks with the principal rebel group, the CNDD. He emphasized, however, the need to proceed cautiously and discretely. The CNDD were demonized among Tutsis as "genocidaires," and any public acknowledgement of a prospective dialogue with the CNDD would be exceedingly dangerous.

The armed CNDD rebellion was not only demonized within the Tutsi community. In the eyes of some UPRONA leaders, the entire FRODEBU party was complicit in the 1993 massacres of Tutsis that had followed the Ndadaye assassination. A UN report had characterized these killings as acts of genocide. On this basis, Charles Mukasi, the UPRONA chairman, a Hutu by ethnicity who had become the public spokesman for hard-line elements of the Tutsi community, totally rejected not only negotiations with the CNDD genocidaires, but also any all-party negotiations in which FRODEBU leaders would be involved.

Feelings were no less intense on the FRODEBU side. For FRODEBU, the Buyoya coup had changed nothing. Not only was the army continuing to wreak havoc among the Hutu in the countryside, but it continued to remain effectively above the law as well—with absolutely no accountability for atrocities and human rights violations, which were almost a daily occurrence. In the capital city, which had been ethnically cleansed of most Hutus, surviving Hutu parliamentarians and other FRODEBU activists continued to live in constant fear of the security services or the Tutsi youth gangs. The common FRODEBU view was that Buyoya had been brought back into power by the ruling Tutsi oligarchy only because of the respect he enjoyed internationally for his earlier role as the military leader who had led Burundi into democracy. Buyoya's mission, these FRODEBU leaders believed, was simply to put a more acceptable face on continued Tutsi domination. Moreover, some in FRODEBU refused to accept that Buyoya was not somehow complicit in the 1993 assassination of their beloved leader, Melchior Ndadaye.

### *Poor Communications, Inadequate Consultations*

One of the most problematic aspects of the initial months of the Arusha process was the virtual absence of any clearly defined facilitation strategy or structure. Nyerere drove the process, working with a few close Tanzanian associates, and periodically consulting with UN and OAU

officials and the special envoys from the United States, the European Union, Belgium, Canada, and, a little later, South Africa.

Contact with the key players inside Burundi was minimal. Nyerere had made several visits to Burundi during the period when he was considering whether to take on the role of facilitator—but not a single visit following the Buyoya coup. He apparently feared that a visit to Bujumbura might contribute to the legitimization of Buyoya's takeover of power; moreover, the Tanzanian government resisted Nyerere's travel to Burundi for security reasons. Compounding the communications difficulties, neither the Tanzanian nor the Ugandan governments—the two countries most directly involved in shaping the Arusha process—had diplomatic representation inside Burundi. Consequently, their firsthand information about developments inside the country was extremely limited. Nyerere and his Tanzanian advisors, however, did have easy and continuing access to the Hutu exiles living in Tanzania. It is not surprising therefore that the political intelligence available to the members of the Tanzanian facilitation team was sharply skewed.

In the early phase of the Arusha process, an important element of my efforts (and those of European Union special envoy Aldo Ajello) involved reports to Nyerere on what we had gleaned from our periodic visits to Burundi. I, for example, would share with Nyerere detailed accounts of my conversations with Buyoya, with the speaker, and with other key actors within the capital city, and my understanding of evolving Bujumbura political dynamics. I made a similar effort to interpret the actions of Nyerere and the regional leaders to Buyoya and others within the Burundian capital. In so doing, I hoped to clarify misunderstandings and reduce the distance and mistrust between the facilitator and Buyoya. I recall, for example, repeating Nyerere's observation that it was not an accident that the Arusha declaration condemning his coup did not call for the restoration of the deposed Hutu president to power. This, Nyerere had made clear, was intended as a signal that the region was prepared to do business with Buyoya. Conversely, I found myself often sharing with Nyerere Buyoya's principal fears and preoccupations about the neutrality of the facilitator and the intentions of regional leaders. But none of my efforts, nor those of other envoys, could compensate for the virtual absence of ongoing communication between the facilitator and the belligerent Burundian parties inside Burundi. On more than one occasion, I urged—to no avail—that Nyerere at least place a representative of the facilitation inside Bujumbura.

### *Multiplicity of Actors and Perspectives*

The declaration from the second regional summit in Arusha, convened within days of the Buyoya coup, was remarkable for its clarity of vision and for the pragmatism of its approach—particularly given the diversity of the states and personalities that had participated in crafting the document. Tanzanian president Mkapa, Ugandan president Museveni, Rwandan president Bizimungu, Kenyan president Moi, Zaire prime minister Kengo, and Ethiopian prime minister Meles Zenawi (present in Arusha in his capacity as OAU chairman) presented a wholly united public face. But, as we have seen, behind the scenes differences among the participating regional heads of state were often significant. With the passage of time, and especially with the onset of the war within the Democratic Republic of the Congo in late 1998, these differences would become more manifest. It would also become evident that what was characterized as a regional process was in reality driven by the two most interested states—Uganda and Tanzania—and that Tanzania was effectively in the lead.

Tanzania's interests in a sustainable settlement of the Burundi conflict were clear: mass violence in Burundi, both in 1972 and again in 1993, had produced a huge flow of Hutu refugees into Tanzania—which had significant social, economic, political, and security ramifications. Although Tanzania had a well-deserved international reputation for its hospitality to Burundian and other regional refugees, these refugees were becoming a political as well as economic burden for the Tanzanian government. The Burundian Hutu rebellion drew many of its fighters from the refugee camps, and many Tanzanian border officials were complicit in the cross-border movement of both men and materiel. Maintaining the status quo would mean continued strain of Tanzanian-Burundian relations and a costly deployment of Tanzanian forces on the common border. Tanzanian president Mkapa was therefore committed to securing the long-delayed resolution of the Burundi conflict.

The reasons for Uganda's intense involvement in the July 1996 Arusha initiative were more complicated. Perhaps most important, Ugandan president Museveni had long championed the concept of regional economic integration, and recognized that continued Burundian insecurity and political instability represented major obstacles to the realization of his regional vision. He may have had other reasons as well for teaming with Tanzania on the Arusha initiative. At least one analyst has suggested that Museveni took his hard-line against the Buyoya coup to dispel lingering suspicions within Tanzania about Uganda's regional ambitions: "Museveni had to sacrifice Burundi to show Tanzania, jealous of Uganda's influence in the region, that he had no ethnic interest in extending Tutsi influence over the region and protecting Buyoya."<sup>17</sup> However, the Tanzanian concerns may have been misplaced. Museveni was indeed aware of the Tanzanian suspicions, and in the early years of the peace process was, in fact, exceedingly hostile to Buyoya, who in the late 1980s had overthrown then Burundi president Bagaza, who had provided financial support to Museveni in Museveni's own military struggle. Additionally, Museveni was passionately opposed to political leaders who depended on ethnic appeals for their political support.

As for Rwanda's support of the regional initiative, Nyerere may well have been on target immediately after the July Arusha summit when he commented to the special envoys that "the Rwandans are standing with the region because of their fears that they will sink with Buyoya."<sup>18</sup> The history of Tutsi hegemony and Hutu exclusion was an embarrassment to the new Tutsi-led Rwandan government. The Rwandan Patriotic Front (RPF) had seen itself as fighting against the kind of ethnicized politics that had produced the 1994 Rwandan genocide, and Rwandan leaders were determined to distinguish themselves from what they viewed as the retrograde Burundian Tutsi oligarchy. Moreover, with Rwanda still facing a major security threat from the former FAR/Interahamwe Hutu insurgents that were now operating from refugee camps inside Zaire, the RPF government was also keen to establish itself as an integral part of a region united in the effort to address the threat of genocide. In addition, the Rwandans had developed great respect for Julius Nyerere for his courageous public condemnation of the 1994 genocide, when so many other regional leaders had remained silent. All these considerations led to strong Rwandan support for the condemnation of the Buyoya coup and the call for an all-parties negotiated political settlement of the Burundi conflict. The Rwandans also went along with Nyerere's advocacy of economic sanctions as the best alternative to a regional military intervention, albeit with notably less enthusiasm than Tanzania and Uganda.

Zaire also had an interest in identifying itself as part of a united regional effort to address the Burundian crisis. Its president, Mobutu Sese Seko, had been supporting the CNDD rebel leader, Leonard Nyangoma, who was operating from a rear base within Zaire. But the presence



of large numbers of Rwandan as well as Burundian Hutus in Zaire had become a significant political liability for him. In addition, an increasingly beleaguered Mobutu saw cooperation with the United States on the Burundi conflict as an opportunity to secure some international credit that would enable him to more effectively deal with his domestic problems. Even before the regional initiative on Burundi, he was receptive to U.S. government *démarches* and had agreed to press Nyangoma to exercise restraint.

Kenyans, whose president had reportedly urged strengthening the sanctions language during the private deliberations of the heads of state, shared the anti-Tutsi predispositions of many others in the region. In addition, Kenya, like Uganda and Tanzania, was keen to advance the cause of regional economic integration and welcomed the opportunity to demonstrate the region's capacity for united action against a military coup.

But, although the six regional states were united in their support for the July 1996 declaration launching the Arusha initiative, it would not be long before fissures would appear in their alliance. Initially, it was uneven implementation of the sanctions regime that caused some differences—with one state or another being criticized for allowing leakages in the embargo. However, it was the eruption of the multistate Great Lakes war in August of 1998—pitting the Democratic Republic of the Congo (DRC) of Laurent Kabila, Zimbabwe, Angola, and Namibia against Rwanda, Uganda, and Burundi—that produced the greatest difficulties. The regional sponsors of the Burundi peace process now found themselves facing multiple cross-pressures of competing interests and interstate tensions.<sup>19</sup>

There was never a public breach, but the war in the DRC weakened the bond between the two countries, Uganda and Tanzania, most responsible for driving the Burundi initiative and the most enthusiastic supporters of sanctions. Tanzania remained officially neutral in the August 1998 Congolese war but was internally divided. Leading government officials generally sympathized with the Rwandans, Ugandans, and Congolese rebels arrayed against a Kinshasa government allied with remnants of the former Rwandan army and civilian militias responsible for the 1994 Rwandan genocide. However, significant elements of Tanzanian society and the Tanzanian army identified with the Hutu insurgents in the DRC and believed that Kabila's regime should be supported.<sup>20</sup> Tanzania increasingly came to be seen by Rwanda and Uganda as overly protective of Hutu interests; at the same time, many Tanzanians became increasingly suspicious of Rwandan and Ugandan intentions.

The increasing tendency of regional players to see the intersecting Great Lakes conflicts in ethnic terms was particularly problematic in maintaining regional unity. The International Crisis Group reported the situation this way in May 1999:

Some, such as the Rwandan, Ugandan and Burundian governments, see this is as a war against the Hutu "genocidaires." Others, as the president of Zimbabwe has pointed out on several occasions, consider it a racial war against Tutsi "imperialists." Anti-Tutsi statements by Kabila in August 1998 also put the Arusha facilitator in an awkward position. It was difficult to continue to justify the use of the embargo to suppress the mainly Tutsi Burundian government and army when the DRC government, supported by Zimbabwe, Angola and Namibia, was calling for the massacre of Tutsis.<sup>21</sup>

The war in the DRC forced several of the sponsors of the Arusha process to reevaluate their national interests. Most notably, Rwanda and Uganda, both of which had been zealous supporters of the regional initiative on Burundi and openly critical of Buyoya, now found that they had interests in common in resisting the Rwandan and Burundian Hutu insurgencies within the DRC. The Burundian CNDD-FDD (the military arm of the CNDD), like the Rwandan ex-FAR/Interahamwe, had joined in an alliance of expediency with Kabila's forces. Initially, Buyoya, recognizing that Laurent Kabila was among the first to drop support for the regional

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*The war in the DRC forced several of the sponsors of the Arusha process to reevaluate their national interests.*

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embargo against Burundi, insisted that Burundi had no dog in the Congolese fight. Burundi's troops were in the DRC, he said, only to guard against rebel intrusions into Burundi from the DRC. However, it was not long before Burundi became more directly involved in coordinating its military effort in the DRC with Rwanda and Uganda. For the Burundi process, all this meant a much less confrontational posture by Museveni toward Buyoya, and a much greater willingness by the Ugandan president to threaten regional action against intransigent Burundi Hutu rebels.

### *Internal Fragmentation*

Another factor seriously complicating the Burundi peace process was that both the Tutsi and Hutu were deeply divided—with leaders and aspirants to power often more focused on their internal quarrels and political competition than on the broad Tutsi-Hutu cleavage. This presented several difficult challenges to whoever was attempting to facilitate a negotiated settlement of the conflict.

Three sets of internal divisions were of particular consequence—those within UPRONA, those between the Tutsi-dominated UPRONA and PARENA, and those within the broad Hutu-dominated FRODEBU. UPRONA, which in recent decades had become most identified with the protection of Tutsi interests and power, was paradoxically led by a Hutu, Charles Mukasi—a testament to the complexity of the Burundian political landscape. Similarly, the chairman of the CNDD—the National Council for the Defense of Democracy—viewed as one of the most militant advocates for the redress of Hutu grievances, counted three Tutsis among his principal political advisors. Mukasi was a hard-liner among hard-liners—rigid in the rejection of both Nyerere and the Arusha process. There could be no justification, he argued, for negotiating with genocidaires. The key to a different kind of Burundian future was to end the culture of impunity, and this meant bringing to justice those culpable for the murder of Ndadaye in 1993 and the massacres of Tutsis that followed Ndadaye's assassination. All the efforts made by Buyoya and his closest associates to encourage greater flexibility from Mukasi were for naught, and the UPRONA chairman was unrelenting in his criticism of the Arusha initiative and of Buyoya. When UPRONA's continuing resistance to Arusha became politically embarrassing, the group's more moderate wing organized its own internal coup, deposing Mukasi in favor of a Buyoya supporter. However, even many UPRONA moderates acknowledged that it was Mukasi who probably enjoyed greater popular support among the party's rank and file. Consequently, when the Arusha all-parties process was finally launched, not only were the two principal armed rebel groups absent from the negotiating table, so was the more militant wing of UPRONA.

A second intra-Tutsi division of consequence was that between UPRONA and PARENA, the latter party led by former president Bagaza, Buyoya's cousin, whom Buyoya had overthrown in 1987. Not surprisingly, Bagaza, who enjoyed substantial support among lower levels of the Burundian army and within sectors of the more radical Tutsi community, was unremittingly bitter toward Buyoya. No one was ever in any doubt as to Bagaza's political agenda: the demise of Buyoya, whether by coup or by action of the Burundian parties negotiating in Arusha. It was Bagaza most Burundians considered the greatest political threat to Buyoya's presidency.

The Hutu FRODEBU was no less divided than the Tutsi community. Three lines of cleavage were particularly important politically: first, that between certain internal FRODEBU leaders and those identified with its chairman, Jean Minani, then resident in Dar es Salaam;

second, that between FRODEBU, on the one hand, and the principal armed rebel groups, the CNDD and the PALIPEHUTU, on the other; third, those between the armed and political wings of the two rebel organizations. Some of these internal conflicts turned on ideological or policy issues. CNDD chairman Leonard Nyangoma, for example, had opted for armed struggle and believed that the deposed president Sylvestre Ntibantunganya and other internal FRODEBU leaders had wrongly yielded to their Tutsi adversaries. But many intra-Hutu divisions appeared to be the consequence of interpersonal conflicts and political rivalries. The divisions between the military and political arms of both the CNDD and the PALIPEHUTU were to prove the most problematic. The absence from Arusha of those who were actually doing the fighting on the ground meant that the result of negotiations would be a peace accord incapable of delivering peace.

### *Fluctuating Balance of Ground Forces*

Efforts to get all-party negotiations started were also affected by the fluctuating balance of forces on the ground. One of the most notable such instances occurred when, as one of the by-products of Laurent Kabila's 1997 ouster of Zairean president Mobutu, the CNDD lost its rear base and safe harbor in eastern Zaire. In a reminder of the inseparability of the Burundi crisis from events elsewhere in the region, this turn of fortunes on the battlefield had several political by-products:

First, it temporarily resurrected for Tutsi hard-liners both within and outside the army their belief that a military victory over the armed Hutu rebellion was feasible.

Second, the position of these hard-liners—who were Buyoya's severest critics within the Tutsi community—was temporarily strengthened, narrowing Buyoya's freedom of action and leading him to take a much more aggressive posture toward Tanzania and Nyerere's facilitation.

Third, the hard-liners' ascendancy set back Buyoya's efforts to satisfy the demands of Nyerere and other regional leaders that the speaker of the National Assembly—still under investigation for alleged complicity with the 1993 massacres—be permitted to travel freely and participate in Arusha-related consultations and meetings outside of Burundi.

Fourth, Buyoya—who had been severely embarrassed by the UN secretary-general's rejection of his appeal that an international commission of enquiry be established to investigate the 1993 events—sought to bolster his credibility with his Tutsi critics by ordering the execution of half a dozen persons believed to have participated in the killings. In the process, he further alienated Nyerere, who was already skeptical of Buyoya's intentions and capacity.

Fifth, when Nyerere rejected the government of Burundi's request for a postponement of the opening round of all-party talks, the government boycotted the meeting.

Sixth, an outraged Nyerere then called for a summit of regional leaders a week later that not only announced continuation of the sanctions regime against Burundi, but also added to the demands the regional leaders were making on the Burundian government. The leaders called for the immediate suspension of all trials and executions inside Burundi and insisted that not only the speaker, but also former presidents Ntibantunganya and Bagaza, be permitted to travel outside Burundi.

Seventh, the consequence of the above was further extended delay in the convening of all-party negotiations. Indeed, all-party negotiations were not formally launched in Arusha until June 15, 1998.

### *Tensions between Facilitation and Donors*

The United States and other Western countries initially reacted positively to the Arusha initiative on Burundi. Particularly given their own reluctance to mobilize an international peacekeeping force, that regional countries had come together to sponsor their own peace initiative was enthusiastically applauded. Nyerere reached out to several of these donor countries, and quickly secured commitments to fund what was to become known as the Arusha process. Later, in response to concerns that had been voiced about financial mismanagement, Nyerere acquiesced to a signed memorandum of understanding that provided for external financial oversight and auditing of what was to become a very costly process.

The appointment of several international special envoys to the peace process was intended to strengthen Nyerere's hand. Nyerere periodically drew these envoys together, ostensibly to consult on recent developments and exchange ideas on the appropriate next steps. However, the very strong-willed former president had his own ideas and his own perspective and, though always a gracious listener, often seemed minimally receptive to ideas that did not correspond to his own predispositions. At times, the special envoys had the feeling that Nyerere's outreach to them was motivated less by a genuine interest in consultation than by a desire to keep his funders happy.

An undercurrent of resentment and mistrust in the relationship between Nyerere and his regional colleagues, on the one hand, and the Americans, Canadians, and Europeans, on the other, also seemed to be fairly consistent. The Tanzanians, in particular, resented what they saw as efforts by Western states to limit Tanzanian control of the peace process. The Tanzanians and other regional states wanted donors to support the Nyerere-led facilitation—and few donors were ever willing to say no to the revered African statesman—but they did not want Westerners looking over their shoulders or criticizing “their” process.

### *Rome*

The same regional sensitivities about Western intervention in the Arusha process were at play with regard to the involvement of Sant' Egidio in the Burundi peace process. Rome-based Sant' Egidio, a Catholic lay order deeply involved in African conflict resolution for some years, was the second arena in which the Burundi peace process played itself out during the years of Nyerere's facilitation.

Sant' Egidio's involvement began around the time that Nyerere was considering whether to take on the role of the regionally sanctioned facilitator. In 1995, in fact, Don Matteo Zuppi, Sant' Egidio's Africa expert, met with Nyerere and offered to cooperate with Nyerere's efforts. Sant' Egidio, however, never received a response to Zuppi's offer. Early in June 1996, with the encouragement of then private citizen Buyoya, with whom Sant' Egidio had established contact years earlier, Sant' Egidio facilitated a two-day meeting between a Burundian businessman who enjoyed the confidence of the then incumbent Tutsi prime minister and representatives of CNDD chairman Leonard Nyangoma. The meeting was reportedly seen by both parties as a constructive beginning of a discrete dialogue. Then, following his return to power in the July coup, Buyoya quietly reaffirmed to Sant' Egidio his interest in continuing contacts with the CNDD.

Zuppi recognized that the Burundian conflict involved more than two belligerent parties, but believed that the best point of entry was to begin a dialogue with what were then the two principal armed combatants—the government and the CNDD. There would subsequently be a need to bring in the other armed rebel organizations and the principal Hutu and Tutsi

political parties. But it was first necessary to build a minimal degree of confidence between the primary belligerents.

In 1996, the mutual demonization that had occurred between the Tutsi-controlled Burundian army and the CNDD Hutu rebels, and the volatility of the political environment inside Burundi, meant that it was very dangerous for leaders on either side to publicly advocate negotiations. The only way a negotiating process might conceivably be launched was through secret “talks about talks.” Both Buyoya and the CNDD were equally adamant on this point, each fearful about the consequences if word of their meetings were to become public before some agreement was in hand.

Sant’ Egidio’s value-added, in this circumstance, was that, as a small, nongovernmental entity, it was seen by both sides as nonthreatening, without a political agenda of its own, and as nonintrusive, trustworthy, and discrete. Don Matteo Zuppi was exceptionally well-informed about Burundian political dynamics, having access both to the Hutu diaspora and to the very large number of Catholic clerics scattered throughout Burundi. And, as was demonstrated in its critical track II role in the Mozambican peace process, Sant’ Egidio brought considerable political skill and finesse to the table.

Zuppi’s modus operandi was to work slowly and methodically to build a relationship with key belligerent interlocutors so that they are at ease with Sant’ Egidio’s involvement. Sant’ Egidio saw its mission not as imposing preconceived political solutions, but as simply facilitating the efforts of the belligerent parties to secure a negotiated political settlement of their conflict. Toward that end, Zuppi was in continuous contact with representatives of both the government and the CNDD, either in person or by telephone.

But Zuppi, who had worked closely with the United States and the United Nations in the Mozambican peace process, also recognized the importance of well-timed and calibrated external pressure, encouragement, and persuasion to a negotiating process. He therefore consulted closely and continually with the special envoys at every stage. He also sought to join his facilitation with American and European diplomacy. Thus, at the beginning of the secret process in 1996, Zuppi invited me, as the president’s special envoy, to meet with the two delegations, separately, when they were in Rome. His purpose was twofold: to lend diplomatic weight to Sant’ Egidio’s efforts and encourage the parties to take the difficult first steps to begin a negotiating process.

Zuppi also recognized that it was critical that the Sant’ Egidio track II initiative be seen as integral to the Arusha process, not as an alternative venue for negotiations. The Sant’ Egidio effort would have no chance for success if the facilitator and sponsors of the regionally sanctioned Arusha process felt threatened by, or actively opposed, Sant’ Egidio’s involvement. But coordinating with the facilitator’s team proved a difficult undertaking—and, though Nyerere told Zuppi that he should proceed with his efforts at securing a government–CNDD cease-fire, it was quickly evident that the facilitator and other regional leaders felt the same ambivalence about Sant’ Egidio’s involvement in the Arusha peace process that they did about Western diplomatic engagement. They both welcomed and resented Sant’ Egidio’s role. On the one hand, Sant’ Egidio’s track record was recognized. It was also recognized that Sant’ Egidio had excellent intelligence on the Burundi conflict and enjoyed the confidence of the principal belligerents. On the other hand, the sponsors of the Arusha process were concerned that the Sant’ Egidio track II would weaken their control of what was designed as a regional initiative.

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## Obstacles

Following discrete informal meetings that the two sides held separately with Sant' Egidio, the first informal bilateral talks between the government and the CNDD were secretly convened in the first week of September 1996. Both delegations were relatively low-level in composition and the atmospherics were decidedly frigid. Not wanting to convey the least legitimacy to the Buyoya regime, the CNDD refused to even use Buyoya's name, referring instead to "the regime of Bujumbura."

It quickly became clear that neither side was yet prepared to address matters of substance, or to enter into any kind of process that might be characterized as negotiations. Both sides remained concerned that any direct contacts remain discrete and confidential. But they also both affirmed their willingness to continue to talk together, ultimately with the presence of some external observers. And they both agreed that they wanted to delve deeply into Burundi's problems to arrive at a lasting peace.

However, it was not until early in December, three months after the first bilateral contacts, that the government and the CNDD returned to Rome. In the interval, Zuppi had struggled with several issues that flowed directly from the complexity not only of the core conflict, but also of the need to coordinate closely with the regionally sanctioned Arusha facilitator.

First, Buyoya, already under attack from Tutsi hard-liners for his failure to get the sanctions lifted, remained exceedingly anxious about any public disclosure that his government was talking with the CNDD. He therefore resisted upgrading the level of his Rome delegation, fearing that this would connote the formalization of a process whose secrecy might be more difficult to preserve. In addition, he still preferred to use the nomenclature of *talks* or *pre-negotiations* rather than the more politically problematic *negotiations*. Zuppi and the special envoys explored with Nyerere the possibility of a temporary relaxation of the sanctions, so that Buyoya might have something with which to placate the hard-liners and make him more willing to assume some risks in Rome. But Nyerere and the regional leaders were frustrated with Buyoya because both the former president Ntibantunganya, whom he had deposed, and the speaker of the National Assembly were still prohibited from traveling outside Burundi to meet with Nyerere.

Second, the CNDD began to resist the pressure to quickly return to Rome for a second round of talks. There were new reports of massacres of Hutus by the army, and CNDD leaders had great doubts about Buyoya's intentions. Moreover, the CNDD had suffered a major military setback when it lost its rear base in eastern Zaire—the consequence of Laurent Kabila's takeover from Zairean president Mobutu. It appears that this turn of fortunes led the CNDD to rethink the timeliness of the proposed negotiations. CNDD chairman Nyangoma was also concerned with the possible reaction from his own hard-liners should the talks in Rome become public knowledge.

Third, the two sides were far apart in their understanding of the purpose of negotiations, how they wanted the negotiating process to be structured, and their approach to the fundamental issues of Burundian politics. Buyoya's primary concern was to advance his efforts to have the sanctions lifted by demonstrating, through his government's participation in the Rome-facilitated talks with the CNDD, the sincerity of his commitment to a negotiated political settlement of the Burundian conflict. He was also keenly interested in securing a cease-fire, if for only a few weeks. But the CNDD had different priorities: its principal concern was to establish itself as the government's principal interlocutor. It had no interest whatsoever in discussing a suspension of hostilities agreement before its political demands had been addressed.



Fourth, Zuppi had to contend with Nyerere's continuing reservations about the Rome talks. Recognizing that the secret process Sant' Egidio had launched might have a better chance of bringing the Burundian government and the CNDD to the negotiating table—a task that he had himself unsuccessfully attempted at Mwanza in 1995—Nyerere reluctantly decided to give Sant' Egidio a chance. He needed time, in any event, to prepare for all-party talks, and perhaps, the Rome process might produce a suspension of hostilities and thereby improve the environment for follow-on all-party negotiations. But Nyerere's reservations about the Rome process deepened as time went by, and led to several weeks of discussions involving members of the facilitator's team, Sant' Egidio, and several diplomats. These informal consultations culminated in a two-day retreat that produced agreement on rules of the game devised to avoid any misunderstandings and improve the coordination between Nyerere and Sant' Egidio:

1. The Rome talks were to be understood not as a separate initiative, but as an integral part of the Nyerere-led Arusha initiative. In effect, the Sant' Egidio role was to provide a track II of a single peace process.
2. It was agreed that any decision to relax sanctions would be linked only to public events; no credit would be given for secret talks or secret undertakings.
3. The secrecy of the Rome talks would be preserved.
4. Negotiations in Rome were to be over a cease-fire, not over a political settlement of the Burundian conflict. Decisions on the latter required that all Burundian parties, not only the government and the CNDD, be at the table. The Rome negotiations between the two principal belligerents were designed to set the stage for the follow-on all-party negotiations on the fundamental political issues.
5. A representative of Nyerere would join other diplomatic observers at the Rome talks. Neither the Burundian government nor the CNDD was particularly enthralled with this decision, fearing that it increased the risks of public disclosure of the secret talks. However, Buyoya felt that the presence of a Nyerere representative might overcome the cynicism of the facilitator and other regional leaders about the sincerity of the government's commitment to negotiations. For its part, the CNDD did not want to risk offending Nyerere by rejecting the presence of his representative.
6. Nyerere would organize consultations with all the parties in preparation for the first all-party negotiating session. Buyoya had been pressing him to do so, because it was the only way he could meet the regional condition for sanctions relief. Moreover, preparatory meetings for the all-party process would provide useful cover for the secret talks, and give to the other parties—including other armed rebel groups—a sense of inclusion in the evolving peace process. Nyerere did bend to Buyoya's appeal that he not yet press for public meetings between the armed groups and the government, or between the armed groups and UPRONA. Nyerere recognized that these contacts remained extremely sensitive and needed to be handled discretely.

Zuppi felt he had no choice but to accede to Nyerere's wishes, but from a process standpoint certain of these constraints were problematic. By saying that underlying political issues could not be resolved in the Rome talks, Nyerere was effectively removing much of the incentive for the CNDD to agree to suspend hostilities for it was precisely their political grievances that were at the core of the rebels' decision to take up arms in the first place.

The constraints imposed by Nyerere were predictably resented and resisted by both the Burundian government and especially the CNDD. The truth was that both parties would have

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preferred Sant' Egidio over Arusha as the principal negotiating venue. On several occasions, both parties quietly pleaded with the special envoys that a way be found to shift the facilitation away from Arusha and the Tanzanians. At the end of the day, however, the CNDD was no more willing than the government to risk a breach with Nyerere and the regional leaders. Nor were the donor countries that were underwriting the Arusha process any more prepared than the belligerent parties to risk incurring the wrath of Nyerere and other African leaders, and provoking a major north-south confrontation.

### An Agenda

With Nyerere's assent, Zuppi returned to the task of attempting to move the Burundian government and the CNDD to be more flexible in their approach to the secret negotiations. This was no easy task, given the divergent interests and objectives of the two sides. Moreover, Zuppi had little freedom of maneuver. Although the government's highest priority was a cease-fire agreement, this was not achievable without some political concessions. A negotiation over political issues—whether army reform, or power-sharing, or judicial reform—was effectively ruled out by Nyerere. Likewise, the CNDD's priority—securing the government's agreement to restore the constitution of 1992—could not be resolved in Rome but, under the terms of the understanding with Nyerere, would have to be taken up at all-party talks.

Zuppi attempted to finesse the constraints imposed on the Rome negotiations by suggesting that the parties in Rome could agree on certain principles by which they would be guided in the follow-on all-party negotiations on the understanding that nothing agreed to in Rome would be binding until agreement had also been reached in the all-party process. Thus, an agreement might be reached, in principle, that the two parties would support the restoration of the constitution of 1992, albeit with some modifications to take account of changed circumstances. Similarly, the government and the CNDD might agree on the principles that would guide their approach in the all-party negotiations to the reform and restructuring of the national army. Here, too, however, it would be the all-party process that would make the final decisions. Zuppi hoped that such agreement on principles might be enough to secure an agreement by the CNDD and the government to suspend hostilities, pending the outcome of all-party negotiations on a comprehensive political settlement. The Rome process would not be able to fully satisfy the CNDD's political demands, but its agreement on principles and a cease-fire would position the CNDD to be the government's principal interlocutor in the all-party negotiations. As a further sweetener to the CNDD leadership, it was emphasized that the rebel movement was not being asked to lay down its arms in advance of the final political settlement; rather, it was being called on only to suspend hostilities so as to improve the environment for all-party negotiations.

The resumed December 1996 talks in Rome got off to a rough start. Mutual suspicions and mistrust were palpable. The government delegation, still fearing that the secrecy of the Rome process would not be preserved, initially did not even want to use the word *negotiations*. The CNDD branded the members of the government delegation as putchists, and refused to acknowledge the delegation as representing the "government in transition." The government delegation responded by labeling the CNDD members "genocidaires," and said it could not continue to talk without the CNDD's recognition of their standing as representatives of the transitional government. But the most serious problem arose from the CNDD demand that their precondition for negotiations was the government's agreement to restore the constitu-



tion of 1992. The government adamantly rejected this demand, insisting that the negotiations should be about a new constitutional system.

But, over the next few days, a dramatic transformation occurred in both the atmospherics and the substance of the exchange. Zuppi met with the delegations separately, as did Nyerere's representative and the special envoys who were present as observers. The tension began to dissipate and the two sides began to focus their attention on the search for common ground. The CNDD signaled that it would be willing to accept the government delegation as representing the "government in place." Both sides affirmed their agreement to negotiate and their common goal to be a lasting, durable peace. Each side, independently, asserted that they had come to believe that the other side was, in fact, serious about securing a negotiated settlement of the conflict.

The government and CNDD delegations, in effect, entered into a negotiating logic, not abandoning their initial positions but signaling a willingness to talk about means of narrowing their differences. The two sides began to consider the elements of a draft agenda that would include a Zuppi-proposed "Agreement on Modalities for Reestablishing Constitutional Order." The issues in dispute—what the government delegation would be called, how to handle the CNDD demand regarding the restoration of the constitution of 1992, how to characterize the ultimate objectives of the Rome negotiations, and what should constitute the elements of the negotiating agenda—were still far from resolution. The two sides felt a need to consult with their respective leaders. However, when the talks were adjourned, there was a clear commitment by the two parties to return within a few weeks to finalize an agreement on the Rome framework and agenda.

Throughout this process, Zuppi remained preoccupied with the challenge of moving the parties to some kind of agreement in Rome that would not violate his understanding with Nyerere that the sole objective of the Rome talks was to secure a cease-fire agreement. Even the development of a jointly agreed agenda posed some risks that others might conclude that the government and the CNDD were trying to decide other substantive issues without including appropriate other parties. Moreover, CNDD chairman Nyangoma, anxious to establish his organization as the preeminent interlocutor with the government, wanted to see everything decided in Rome, with Arusha used only to ratify the agreements. The Buyoya government, by contrast, was perfectly content to restrict Rome to the cease-fire objective, deferring the fundamental political issues to the all-parties negotiating table. At the same time, Nyangoma would have to receive something for his willingness to suspend hostilities. Hence Zuppi's suggestion that the parties seek agreement at least on the principles that would guide the parties once all-parties negotiations had been launched. This meant constant consultation with Nyerere and members of his team and constant reassurance that Rome would in no way preempt the future Nyerere-facilitated all-parties negotiations.

Zuppi was also facing additional formidable obstacles in attempting to keep the Rome negotiations on track. First, he had to deal with the continuing deep suspicions of the belligerent parties themselves. Their first bilateral discussions had ended on a positive note, in dramatic contrast to their rough beginning. Both parties had repeatedly verbalized their determination to make a serious effort to secure agreement in Rome, but, in fact, neither was confident about the other's intentions. Thus the CNDD saw the government's refusal to countenance the restoration of the constitution of 1992 as indicative of Buyoya's determination to remain in power by extraconstitutional means. Likewise, Buyoya interpreted the CNDD reluctance even to formally recognize his government's existence as evidence of rebel bad faith.

In addition, a shift in the military balance of forces on the ground had produced a new political dynamic within the Tutsi community and among Hutu rebels. Before the July 1996 coup that brought Buyoya back to power, the military position of the Hutu insurgency had appeared increasingly strong, and some observers predicted a Hutu victory within a year. By late February 1997, however, the military situation had been dramatically reversed in the wake of several developments: the destruction of CNDD bases in eastern Zaire by the forces of Laurent Kabila, a major expansion in the size of the Burundian army, and a new Burundian army strategy of forcibly regrouping dispersed Hutu peasants living in contested areas into larger and more easily controllable camps.

For a brief time, Tutsis in Bujumbura enjoyed a sense of triumph, hard-liners proclaiming that a military victory was in sight. Buyoya reaffirmed his personal commitment to the peace process, and to securing a negotiated political settlement, but simultaneously responded to the demands of Tutsi hard-liners to both expand the army and organize Hutu “regroupment camps.” As European Union special envoy Aldo Ajello observed at the time, military developments had led both sides to harden their positions in the Rome negotiations—the government because its Tutsi hard-liners felt stronger and the CNDD because it felt weaker.

The intensifying mistrust of Buyoya and increasing impatience with the pace of the Rome negotiations posed additional difficulties. Nyerere was particularly concerned about Buyoya’s announced plans to enlarge the Burundian army and the government’s refusal to allow the speaker, who was still being investigated in connection with his alleged complicity in the killings of 1993, to travel outside Burundi. Nyerere wanted quick results in Rome. He did not want Rome to become an opportunity for the government to buy time to further strengthen its military position. He was also concerned that other Burundian parties would become increasingly restive if the all-parties negotiations were not begun soon. Finally, he wanted a quick concrete achievement in Rome, because he wanted to convene the regional leaders to update them on the peace process they had sanctioned, and did not want to report that the Rome negotiations had produced nothing. To project some sense of forward movement, Nyerere undertook informal bilateral consultations with the Burundian parties—ostensibly as preparation for launching all-party negotiations. This activity had the side benefit of distracting attention from Rome.

In addition, Buyoya was increasingly preoccupied by the refusal of Nyerere and the regional leaders to provide any sanctions relief, notwithstanding the government’s initiation of talks with the CNDD. Buyoya felt betrayed, believing that the Arusha goalposts had effectively been raised. He complained that the peace process was unfolding on the basis of the facilitator’s mistrust of the Burundi president’s sincerity. He noted that the initial Arusha declaration imposing regional sanctions had stipulated that one of the three conditions for lifting sanctions was the launch of all-party negotiations with the armed rebellion as well as with the negotiating parties. The government had not only indicated its willingness to engage in all-party negotiations but had also actually taken the huge risk of beginning negotiations with the principal armed rebel movement. Nyerere, however, contended that in his report to the regional heads of state he could not use the Rome talks as evidence of the government’s intent because to do so would compromise their secrecy. It also appeared that now Nyerere was saying, in effect, that negotiating was not enough: the Rome talks had to yield some demonstrable result. At the same time, the government could not unilaterally determine the outcome. In Buyoya’s view, the principal effects of the sanctions was intensified extremism within the Tutsi community and his own diminished credibility. In addition, regional sanctions in his view had

encouraged the CNDD to take a harder line in Rome. The latter had been weakened militarily by the loss of their rear base in Zaire, and now looked to the sanctions regime to compensate for rebel military weakness.

During this period, the special envoys—working closely with Zuppi—sought to encourage both sides to be flexible and to make a serious investment in the Rome talks. I met at length with both Buyoya and the government’s negotiating team in Bujumbura and with CNDD representatives in Nairobi. Other envoys similarly engaged the parties on a bilateral basis. In our separate meetings, we attempted to narrow differences, to reassure each side of what appeared to be the good faith of the other, and—when required—to press for required accommodations. Gradually, some workable compromises began to emerge.

Finally, on February 25, 1997, the government and the CNDD reconvened in Rome. Some ten days later, after another round of difficult negotiations, two secret documents were signed by the two delegations in the presence of Sant’ Egidio officials and the special envoys of the United States and South Africa. The first of these documents laid out a seven-point negotiating agenda:

1. reestablishing institutional and constitutional order, with appropriate modalities and necessary guarantees
2. addressing army and public security forces
3. suspending hostilities
4. addressing the justice system, including establishing an international penal tribunal charged with judging acts of genocide and other political crimes committed in Burundi since independence, and considering ways to suppress the ideology of genocide
5. identifying and engaging with other Burundian parties
6. establishing modalities and guarantees for a permanent cease-fire
7. determining guarantees for the general accord

The second document consisted of minutes of the Rome talks, a narrative prepared by Sant’ Egidio, that included language on some particularly sensitive issues that one or the other side had had difficulty formally accepting. Sant’ Egidio, for example, wanted some indication that both sides would undertake restraint on the battlefield so as to avoid incidents that might interfere with the negotiating process. In addition, the minutes included language affirming the intention of both sides to move as quickly as possible to secure agreement in Rome, so as to minimize the possibility of deal-breaking leaks and rumors. In that connection, it was contemplated that the parties would return to Rome within four weeks to begin negotiations on the substantive issues.

### Progress Undone

Although the parties had come to agreement on little more than what would be their negotiating agenda, the product of the first Rome talks was nonetheless a stunning achievement—particularly given that the parties, only a few months earlier, had been demonizing each other as genocidaires and putchists. Remarkably, as one observer noted at the time, “a minimal complicity or partnership” had begun to emerge between the CNDD and government delegations.

Nonetheless, Buyoya and the members of his delegation felt personally vulnerable should word of their negotiations with the CNDD leak before an agreement to suspend hostilities was announced. The government desperately wanted a formal cease-fire in place before turning

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to the sensitive issues of the constitution and the army. In the words of one member of the government delegation, “Our main concern is that [if the Rome talks become known] without a suspension of hostilities, and killings in Burundi continue, the massacres of defenseless people, then the whole process will come apart. Back home, people around the president know about the talks. The political forces suspect something, but no one is sure. People generally don’t know what is happening in Rome. Even the members of the negotiating team are not known. We fear for our physical security.”<sup>22</sup>

The CNDD, however, had no intention of yielding its principal leverage in advance of agreement on the constitution and the army—the very issues that had led it to take up arms in the first place. Considerable efforts of persuasion by Zuppi, reinforced by pressure from the envoy and observers, finally produced an agreed formula of simultaneity—that is, when the negotiators were reconvened, they would break into two committees to deal simultaneously with the cease-fire (the government’s top priority) and the constitutional and army reforms (the CNDD’s top priority). It was agreed, further, that the constitution and the army would not be finally decided until the agenda’s third item, the suspension of hostilities agreement, had been concluded. In effect, nothing would be considered decided until everything was. It was also agreed that military and constitutional experts would be on tap for the next round of negotiations.

Although both sides were evidently committed to a serious negotiating process—and each side, on occasion, privately acknowledged the apparent good faith of the other—the belligerent parties remained profoundly mistrustful of one another. The CNDD delegation, for example, privately expressed their conviction that one of the members of the government’s delegation had been personally involved in the 1993 assassinations.

The government and the CNDD also remained divided on how much could be achieved in Rome. Both parties chafed under the limitations Nyerere had placed on the Rome process. To their annoyance, the parties were constantly reminded by Nyerere’s representative that any agreements between the CNDD and the government in Rome would be nullified if they went beyond the facilitator’s definition of the limited parameters of the Rome talks. The government, like the CNDD, felt that all issues should be on the table for discussion in Rome. But, unlike the CNDD, the government was deeply fearful about a potential backlash within the Tutsi community should word get out that it was negotiating Burundi’s future with the CNDD. It therefore insisted that while issues such as power-sharing and army reform could and should be discussed in Rome, decisions on such fundamental issues had to await the convening of an all-parties conference. The CNDD, however, reluctant to acknowledge that there were other significant political and military actors in the Burundi conflict, wanted such issues not only to be discussed but also to be decided in Rome.

However successful the second round of Rome negotiations may have been as a confidence-building exercise, the talks nonetheless did not produce the cease-fire agreement that Nyerere had stipulated was the only appropriate function of the Rome track II. Nyerere and his team were not impressed by the agreement on a negotiating agenda, and felt that it was time to launch the all-parties process that would bring to the table all the Tutsi and Hutu elements not privy to the rationale or substance of the secret Rome talks, and who had seen little evidence of a peace process. Besides, Buyoya was threatening to delay the return of his delegation to Rome until the regional leaders acted to relax sanctions.

Thus the focus shifted from the secret government-CNDD contacts in Rome to the prospective all-party negotiations to take place in Arusha. Rome was not abandoned: although Nyerere remained unenthusiastic about Sant’ Egidio’s involvement and skeptical about the

prospects of a cease-fire agreement, he told Zuppi that Sant'Egidio could continue its track II efforts to secure a suspension of hostilities. But the facilitator did not want the Rome talks to become an excuse for further delay in the all-party negotiations.

### 1997 Summit

At the facilitator's initiative, regional heads of state convened at Arusha on April 16, 1997, to take stock of recent events inside Burundi and to discuss the next steps in the peace process. It was a summit that had a host of unanticipated political consequences that, in hindsight, set back the Arusha initiative by more than a year.

Buyoya, deeply frustrated by the suspicions of regional leaders about his sincerity in pursuing a negotiated settlement, wanted an opportunity to meet directly with heads of state. At the urging of the special envoys, the facilitator arranged to have an invitation extended—though only after an extended debate as to whether Buyoya should be received as a head of state or merely as the leader of one of Burundi's warring factions. In the end, to Buyoya's great satisfaction, it was decided that he would be received as a head of state.

The summit also took another decision welcomed by Buyoya. Responding primarily to the concerns voiced by international humanitarian organizations about the impact of sanctions on the Burundian population, the summit modestly relaxed the sanctions regime: eliminating them on food, agricultural inputs, medicine and medical supplies, educational materials, and construction supplies. In addition, although sanctions on international air links and fuel imports were maintained, land travel in and out of Burundi was now permitted.

But the April 16 summit also made clear the continuing skepticism of regional leaders that Buyoya had either the will or the capacity to deliver on his promises. The leaders called for an international arms embargo to be imposed on Burundi and urged that visa bans be imposed on individuals who impeded the peace process. The regional leaders forcefully expressed their displeasure with the performance of the Burundian government on several counts.

First, the leaders strongly protested the refusal of the government to abandon the regroupment camps, into which hundreds of thousands of Hutu peasants had been forcibly herded, ostensibly for reasons of security. To the region, as to the international community, this was only the most recent example of the government's coercive and dehumanizing treatment of Hutus.

Second, the regional leaders were also increasingly dismayed over Buyoya's failure to take action that would permit the speaker to travel outside Burundi. They were not impressed by Buyoya's insistence that the legal system could not be circumvented, and that anyone under criminal investigation was prohibited from such travel. On more than one occasion, Nyerere observed that it was unseemly for someone who had overthrown the constitutional order and come to power through a coup to now hide behind the need for an orderly judicial process. In Nyerere's view, the ultimate key to the peace process was the National Assembly, the only institution inside Burundi that had any legitimacy—and this meant that the speaker had to be a full participant in the Arusha process.

Third, another subject of growing concern to the facilitator and other regional leaders was the government's stated intention of moving to try some of those in prison for their alleged involvement in the 1993 killings. Nyerere and others pleaded with Buyoya to put on hold all politically charged criminal cases until negotiations yielded agreement on a judicial process that all Burundians considered fair and legitimate. Processing such cases by a virtually mono-ethnic Tutsi judiciary would never be seen as such by the country's Hutu majority.

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Fourth, in a closed meeting with the Burundian president, the regional leaders also pressed Buyoya to create conditions that would permit deposed president Ntibantunganya to leave the residence of the American ambassador and travel freely, both inside and outside Burundi.

In the same meeting, Buyoya did something that was to have a host of unintended negative consequences both for the secret Rome negotiations and for the entire Arusha process. Frustrated by the continuing skepticism of regional leaders about the government's commitment to negotiations, Buyoya decided to show to the assembled heads of state the government's copy of the memorandum of accord signed a month earlier by the government and the CNDD in Rome. This initiative, though taken in a meeting not open to the public or the media, later became known to the CNDD leaders, who were outraged that Buyoya had betrayed the pledge of secrecy both sides had taken in Rome. To the CNDD, it appeared that Buyoya had effectively used the Rome talks to gain relief from sanctions, whereas the CNDD had received no benefit whatsoever. Not only had pressure on the illegal Buyoya regime been relaxed, but the CNDD still had not received any public recognition for its role in Rome and had, therefore, not yet established its claim as the government's principal interlocutor.

Not surprisingly, the Rome talks stalled. CNDD anger with Buyoya and the regional decision to relax sanctions, complicated Zuppi's attempt to reconvene the parties in Rome. Then, when the two parties finally did return to Sant' Egidio, at the end of May, the talks stalemated amidst mutual recriminations about Buyoya's actions at the April summit.

It was not long before the secret Rome talks were no longer secret, the proposed Rome negotiating agenda actually being printed in Burundi papers. Not only did this bring an effective end to the Sant' Egidio track II, but the public disclosure also significantly shifted the political landscape inside Burundi and profoundly changed the course of the peace process.

### *Internal Partnership*

As we have seen, among the demands of the original July 1996 Arusha declaration was the restoration of the National Assembly and the unbanning of political parties—demands made to underscore the illegitimacy of the putchist regime and indicate regional sympathy for those who had been democratically elected to their parliamentary positions. These measures were also seen by Nyerere and the regional leaders as important confidence-building steps designed to calm tensions within Bujumbura and set the stage for substantive negotiations.

But, in the days immediately following the Buyoya coup, deep mutual suspicions and mistrust made impossible a quick rapprochement between Buyoya and the UPRONA leadership, on the one side, and the FRODEBU leadership, on the other. A large part of my effort in those early months, as well as that of other diplomats, was focused on encouraging Buyoya and the speaker to open the door to one another.

Initially, this was an exceptionally difficult undertaking. Buyoya recognized the importance of attempting to stabilize the internal political situation and had proposed a national debate as the best way to deepen the dialogue between the Tutsi and Hutu communities and restore a modicum of mutual confidence and interethnic civility. But Hutu leaders, by and large, were hugely skeptical of anything Buyoya propounded. A Buyoya-led national debate, in their eyes, was a fraudulent proposal designed to substitute talk for action on the fundamental issues that had given rise to the conflict in the first place. FRODEBU leaders were also inclined to look to the Nyerere-led, regionally sponsored Arusha process as their ultimate salvation. Early in 1998, however, a perceptible change in attitudes among both Tutsi and Hutu leaders began to produce a growing sense of partnership between the government and the National Assembly

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or, in political terms, between Buyoya and his UPRONA supporters, on the one side, and the internal FRODEBU leadership, on the other.

Two personal experiences in Bujumbura brought home to me the dramatic nature of the political transformation taking place within Bujumbura. The first was a dinner that the American deputy chief of mission hosted at my request with a mixed group of UPRONA and FRODEBU parliamentarians. In my earlier visits to Bujumbura, I had been struck by the frigid atmosphere at any event when both Tutsi and Hutu political figures were present. Everyone appeared to walk on eggshells and avoid any direct reference to their fundamental differences. Even references to Tutsi and Hutu ethnicity were problematic, many Burundians trying to insist that Burundian problems were not ethnic, but simply traceable either to Burundi's colonial past or to bad governance. As a consequence, all serious discussion of either Tutsi or Hutu grievances and fears was suppressed.

But the April 1998 dinner was different. The UPRONA and FRODEBU parliamentarians explained that they had realized it was up to them to unblock the peace process and that they had begun to work together to establish a basis for an internal political partnership. As they discussed their plans, and the attendant risks that would accompany their joint initiative, they began to focus less on the political problems a partnership would present within their respective constituencies and more on the need to recognize the political challenges their counterparts faced. Remarkably, they had moved away from the finger-pointing and blame-throwing that had characterized their earlier interaction, and were now in a problem-solving mode, focusing on their common ground.

The second event, during the same visit, was even more stunning. I had asked that a group of mid-level army officers be convened for an informal dinner discussion. I was interested in knowing how the army was reacting to Buyoya's support of the emerging internal partnership. During the course of the evening, the officers present asked that I answer two questions of pressing concern to them:

- What would the reaction of the American government be if Buyoya were to retire tomorrow?
- Do you feel the speaker is genuinely committed to peace, or is he, and those around him, only seeking to ensure that members of the National Assembly and the parliamentarians keep their jobs?

I responded at some length to both questions, emphasizing that the United States believed that the emerging internal partnership was a very positive development, but one wholly dependent on the relationship that had been established between President Buyoya and Speaker Ngendakumana. Therefore, from the U.S. perspective, the absence of either of these individuals—for whatever reasons—would be a significant setback to the peace process. As to the sincerity of the speaker's commitment to peace, I noted that their question mirrored FRODEBU suspicions that Buyoya's support of the Arusha process was designed to secure the lifting of sanctions. I could not vouch for everyone involved with either the president or the speaker, but the significant risks these two leaders had already taken to launch a viable peace process had persuaded me of the genuineness of their joint commitment.

That these questions were being put to a representative of the American government by senior Burundian army officers was dramatic testimony to the seriousness with which the army viewed the emerging internal partnership. If these officers believed that Buyoya was engaging in a purely cosmetic exercise, they would not have been so evidently anxious about what was in train. Similarly, if they thought the emerging partnership was little more than a political sham

and of little substantive importance, they would have had far less interest in an outsider's judgment. But they were clearly concerned about what the unfolding developments might mean for Burundi's future, fearing that the government (and the Tutsi army command) was embarking upon a risky and uncertain path. They were seeking assurances that the other partner in this effort could be trusted.

By the end of the evening, the lack of enthusiasm of these officers both for the Arusha process and the internal partnership was unmistakable. But so was their grudging continued support of Buyoya. "At this point," one of them concluded, "we don't see any alternative." This was hardly a ringing vote of confidence, but was, nonetheless, an indication that for the moment at least, the army would follow Buyoya's lead.

At its core, the emerging internal partnership reflected a pragmatic realization that any hope for a more peaceful and secure Burundian future would require a joint effort of Tutsi and Hutu political leaders inside Burundi. As the months went by, the collaboration between the president and the speaker intensified, and the government and the National Assembly began to structure a new kind of relationship. It was a fragile process—with mutual trust and confidence in short supply—but nothing short of remarkable. Both sides saw their joint undertaking as the product of neither altruism nor coercion, but as a matter of enlightened self-interest and pragmatic necessity.

There was a desire, first of all, to demonstrate that the government and the National Assembly could work together to control the internal situation and dampen down the violence. There was also an interest in developing a new "law of transition" that would provide for a more amicable resolution of the differences between the democratically established 1992 constitution and the coup-imposed decree law that replaced the constitution when Buyoya took over. The government, intent on reducing hard-line Tutsi resistance to the regionally sanctioned all-party negotiations, also needed to demonstrate that a working relationship could be established with moderate Hutu leaders. Moreover, the government saw FRODEBU as a link to the armed Hutu rebellion. FRODEBU, for its part, believed that if the Tutsis were genuinely prepared to share power and accept FRODEBU as a partner in the peace process, it could deliver a cease-fire.

Several developments appear to have contributed to this transformed political environment and the emergence of the internal partnership.

### Executions

It had become evident that the Arusha all-parties process was going nowhere fast. Not only had Buyoya not responded to the demands of the Arusha declaration in a fashion that satisfied Nyerere, but his always-tenuous personal relationship with the facilitator and with the regional leaders had deteriorated further.

One event, in particular, had deeply angered Nyerere. Responding to hard-line Tutsi criticism that his willingness to negotiate with the CNDD in Rome meant that he was prepared to grant immunity to genocidaires, Buyoya wrote to UN secretary-general Annan, asking that the United Nations establish an international tribunal to investigate and prosecute those guilty of the crimes related to the 1993 assassination of President Ndadaye and the killings that followed. Much to Buyoya's dismay, the UN secretary-general rejected the Burundian government's request, dismissively asserting that "four years after the events took place [the assassination of the president and the massacres that followed] and where no apparent threat to



international peace and security exists, there seems to be no justification for the establishment of a tribunal.”<sup>23</sup>

The secretary-general's letter became public and was extremely embarrassing to Buyoya, who felt more exposed and vulnerable to Tutsi criticism than ever. At the end of July, under pressure to demonstrate his toughness, Buyoya ordered six executions (three Hutu, two Tutsi, one Twa) allegedly involved in the 1993 violence. In so doing, he defied the regional leaders who, at the April regional summit, had demanded that all adjudication of politically sensitive crimes be suspended. He also ignored warnings by the United States and others that such an action would never be seen as legitimate in the eyes of either the majority of Burundians or the international community, and would constitute a serious provocation to the facilitator and regional sponsors of the Arusha peace process.

Predictably, the entire international community condemned the executions. Nyerere, who two days earlier had announced that the first all-parties meeting would be convened in three weeks, was outraged and hung up on Buyoya when Buyoya attempted to speak with him.

### Tanzania Accused of Complicity

This period was also characterized by a deterioration in the Burundian-Tanzanian relationship. Several issues had raised tensions and led to strident rhetoric. Each side accused the other of planning an invasion. The Burundians accused Tanzanians of being complicit in rebel activity from the Burundian refugee camps within Tanzania. Buyoya repeatedly spoke of his conviction that Nyerere and the Tanzanians had a hidden agenda and were helping train and supply Hutu rebels. The Burundians also criticized the Tanzanians for doing nothing to halt the takeover of the Burundian Embassy in Dar es Salaam by Hutu elements hostile to the Buyoya government. In addition, there was the continued Burundian frustration with the sanctions, as well as with Nyerere serving not only as facilitator but also, effectively, as sanctions enforcer. For its part, the Tanzanian government flatly denied the Burundian charges, insisting that the Burundian government was simply attempting to divert attention away from its own internal failures.

### Government Rejects Invitation

Nyerere had established the all-party negotiations launch date as August 25, 1997. At the last minute, however, the Burundian government asked for a short postponement. Nyerere, angered both by the executions and by the request, refused. The Burundian government was a no-show at the negotiations and a series of events was set in motion that led to a one-year hiatus in the peace process. So, at a summit of regional leaders held in Dar es Salaam on September 3 and 4, 1997, regional leaders decided to maintain the sanctions regime and to increase the demands on the Burundian government. Even FRODEBU leaders inside Bujumbura were frustrated by this regional posture, believing that it contributed to nothing but additional tension in an already difficult situation.

Ironically, and tragically for the Arusha process, the facilitator's mistrust of Buyoya's intentions had led to a misreading of the situation inside Bujumbura. Contrary to the perception of regional leaders, Buyoya and his government had, in fact, been making preparations to participate in the August 25 meeting. On the one hand, his government's participation in all-party negotiations would meet one of the principal conditions for the lifting of sanctions. On the other, given the regional and international backlash from the executions, Buyoya did not want to do anything to further weaken his standing with Nyerere or with the international com-

munity. Indeed, he had gone so far as to arrange for the speaker, former president Bagaza, and FRODEBU secretary-general Augustin Nzogibwani to travel to Arusha—thereby meeting one of the principal long-standing demands of the regional leaders that the speaker and others be free to travel. However, at the last moment, Tutsi hard-liners—never comfortable with the Arusha process, and still convinced that the speaker was complicit in the 1993 killings—threatened to lie down on the airport runway to block the speaker’s travel. Buyoya had a major political problem on his hands and felt he had no alternative but to ask for a short postponement.

### Buyoya, Taking Risks

As mentioned, Buyoya’s reaction to the unanticipated public disclosure that he and his government had, for some time, been involved in secret talks with the CNDD also contributed to the new internal political dynamic. When these talks were leaked to the press, many observers feared that Buyoya’s life was on the line. Coup rumors were afoot, and the entire diplomatic community focused on the prospect of another round of intercommunal bloodletting. Buyoya, however, rather than retreating, instead publicly defended the necessity of a negotiated settlement to the Burundian conflict, and personally lobbied both the army rank-and-file and hard-line Tutsi constituencies to understand and accept the need for negotiations. A military solution was simply out of reach, he argued, and a negotiated political settlement was required.<sup>24</sup>

In mounting this vigorous campaign in support of negotiations, Buyoya assumed considerable personal risk. This was both recognized and appreciated by FRODEBU leaders. It may well have been this act, more than any other, that made Buyoya a credible interlocutor for FRODEBU. The possibility of a political partnership could now be seriously entertained. The president and the speaker began to be more open to one another, and to deepen their dialogue on the fundamental issues underlying the Burundian conflict.

At the same time, the Buyoya-inspired national debate was launched. Initially believed by the Hutu community to be simply a cosmetic exercise involving little more than Tutsis talking among themselves, the national debate began to evolve into a broader and more inclusive public dialogue. Political discourse became notably more relaxed. The concept of negotiations with the armed rebels, initially a politically taboo subject, increasingly became a legitimate subject of discussion. Similarly, with time, the public demonization of certain FRODEBU leaders began to diminish.

When Buyoya asked that the August 25 Arusha meeting be postponed, key FRODEBU leaders were surprisingly sympathetic. They were disappointed by the government’s decision, but interpreted the request as an expression not of Buyoya’s bad faith, but of his impotence in the face of hard-line Tutsi resistance. The government had actually informed both the speaker and former president Bagaza of the travel arrangements and both had planned to go to Arusha. Buyoya’s decision to call off participation in the Arusha meeting was therefore understood, inside Bujumbura, as having been forced upon him. What FRODEBU took away from this incident was that it would be necessary for them to engage more directly with the hard-liners themselves to reduce their sense of vulnerability and resistance to negotiations.

### UPRONA and FRODEBU Initiative

Finally, as we have seen, even before the August debacle, UPRONA and FRODEBU parliamentarians had begun to talk informally about ways of breaking the political logjam and setting the country on the path to a settlement. Their conversations continued over several

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*The Buyoya-inspired national debate . . . began to evolve into a broader and more inclusive public dialogue. Political discourse became notably more relaxed.*

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months and eventually produced a consensus that, given the blockages in the external Arusha process and the collapse of the Rome talks, the parliamentarians needed to seize the bull by the horns and build an internal partnership that would establish the conditions to make negotiations feasible. By joint action on their part, they believed, they could help build the confidence required for a real political partnership.

Paradoxically, the emergence of the internal partnership between UPRONA and FRODEBU, and between the Buyoya government and the National Assembly, was a direct consequence of the initial failure of the Arusha process. Burundian leaders felt that they simply had no alternative.

An intensive effort by the special envoys to narrow the differences between the facilitator and the Burundian government, and to persuade Nyerere to make another attempt to launch all-party negotiations, went nowhere for many months. As one of the special envoys involved in this effort observed, “Time was not on the side of the peace process, but on the side of war. The internal dialogue without the start-up of an all-party process would only deepen divisions within FRODEBU. The internal dialogue isolated from the external process was a bomb waiting to go off. Besides, only the all-parties process would provide a true test of Buyoya’s intentions and credibility.”<sup>25</sup>

But Nyerere remained adamant. He was in no hurry to make a second effort to convene all-party talks, at least not until the government had complied with the five demands from the September 1997 summit: Arusha accepted as the venue; Nyerere reaffirmed by Buyoya as facilitator; all Hutu regroupment camps closed; all political trials suspended; and the speaker and former presidents, Ntibantunganya and Bagaza, allowed to attend the Arusha talks.

The key parties inside Bujumbura began to despair that they were being ignored. One FRODEBU leader lamented, “We continue to bury people and to cry.” Recent rebel attacks in and around Bujumbura and the killing of hundreds of civilians had significantly increased interethnic tensions and insecurity. Tutsis feared that a rebel invasion of the capital city was imminent and Hutus feared an explosively violent reaction by frightened Tutsis. The civil war continued on the ground, the Rome track II had collapsed, the internal situation remained precarious, and communications between Nyerere and his facilitation team, on the one hand, and both the government and the internal FRODEBU leadership, on the other, were almost nonexistent.

Negotiating the terms of the internal partnership was difficult and time-consuming. After all, FRODEBU and UPRONA had quite different interests and perspectives on the causes of the conflict, making the search for a basis for collaboration difficult. In addition, particularly violent incidents—most notably, a rebel attack on the Bujumbura airport on January 1, 1997, and a subsequent army massacre of several hundred Hutu civilians—had significantly raised interethnic tensions and fears. Further complicating the negotiations, internal FRODEBU leaders faced severe criticism from their exiled chairman, Jean Minani, and others in the Hutu diaspora. Understandably, those outside Burundi were deeply suspicious about any deals that their Hutu brethren might cut with the reviled Buyoya regime. They feared that Hutu interests would be subjugated in any partnership with UPRONA and Buyoya.

Both sides also had to contend with the deep mistrust and suspicion of the facilitator, other Tanzanian political leaders, and President Museveni. On one occasion, Museveni dismissed the concept of a partnership as equivalent to that between a kidnapper and the kidnapped. Nyerere, for his part, was fearful that the government’s support for an internal partnership was a strategic effort to do an endrun on Arusha and undercut his facilitation of the overall peace

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*Paradoxically, the emergence of the internal partnership . . . was a direct consequence of the initial failure of the Arusha process.*

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process. He insisted that it was only in Arusha with third-party facilitation, that Burundi's Hutus and Tutsis would have equal standing at the negotiating table; otherwise, the Hutus would always be at a significant disadvantage.

During this period, the special envoys—and the Bujumbura-based diplomatic community—welcomed the emergence of the internal partnership. They saw it as a significant confidence-builder that, by demonstrating the existence of a critical mass of Hutu and Tutsi moderates capable of working together, would pave the way for all-party negotiations. We spent considerable time and effort attempting (with little success) to persuade both Nyerere and Museveni that something more fundamental and hopeful was occurring within Bujumbura. At the same time, we pressed Buyoya to continuously and explicitly acknowledge the primacy of the Arusha all-parties process. Not only would it be foolish to alienate the facilitator and regional leaders, but peace would simply not be achievable without the full engagement of all parties.

Both Buyoya and the speaker consistently reaffirmed that the partnership was designed not as an alternative, but as the only way for the Arusha process to succeed. Yet, as the partnership began to take shape, the facilitator was increasingly concerned. There is little doubt that Buyoya saw the partnership as a way to exercise greater control over the negotiations, but was never under any illusion that it could emerge as an alternative to the all-parties Arusha process.

FRODEBU was even more adamant on the supremacy of Arusha. As one key FRODEBU leader put it, every effort needed to be made to avoid conflict between the Tanzanian and Burundian governments, and between the Burundian government and facilitator Nyerere. Such conflict would become a larger regional problem for FRODEBU. Moreover, it made little sense not to engage with the government that, after all, would be a principal party in any ultimate political settlement.

The truth was that, from a process standpoint, the partnership and the all-parties negotiating framework were equally vital. The Arusha process, were it to have any chance of success, required that some minimal confidence be established among the principal parties. For Buyoya, in particular, Tutsi hard-line resistance required a demonstration that a critical mass of Hutu leaders were both moderate and committed to a negotiated settlement. That was the principal value, to Buyoya, of the internal partnership. From a FRODEBU perspective, this confidence-building exercise was no less important: party leaders recognized the need to assure elements of the Tutsi community that a negotiated political settlement was, in fact, doable and would not mean Tutsi annihilation.

The internal partnership was inherently fragile. Pressure on internal FRODEBU leaders from members in exile, and from the Tanzanians, led to inconsistency and periodic charges of bad faith by the Buyoya-UPRONA side of the partnership. Similarly, Buyoya's inability to fully deliver on FRODEBU expectations led to disappointment on the FRODEBU side. Both Buyoya and FRODEBU recognized that success of the internal partnership depended on relaunching a regional all-parties process that would include armed groups and the external wing of FRODEBU. Otherwise, extremist violence would always trump internal dialogue. Moreover, recent attacks in and around Bujumbura had increased the volatility of the situation. Buyoya needed to deliver increased security to his Tutsi constituency. And, although he had not ruled out resumption of a bilateral dialogue with the CNDD in Rome for this purpose, that would not be feasible until all-party negotiations had been launched.

FRODEBU had additional reasons for wanting all-party negotiations off the ground. Only in Arusha would all Hutu elements be at the table. A lengthy delay would only lead to more fragmentation within the Hutu political family. Already, internal leaders were being accused

of having sold out to the Buyoya regime. The armed rebels had been even more dismissive. In effect, the Hutus saw the Arusha process as a protective umbrella. In Arusha they would have parity with the government—and much greater leverage than in their internal partnership.

However, this political logic—as compelling as it was to both UPRONA and FRODEBU leaders inside Burundi—was often submerged in the mutual mistrust and suspicion that characterized the facilitator-government relationship. Each party assumed the worst about the other and the process became mired in an unproductive series of confrontations that only delayed the negotiations.

One of the more dramatic examples of a missed opportunity was the Kampala summit of regional leaders, held in the middle of February 1998. Before this summit, the speaker had made a public speech describing a new level of collaboration between the government and the National Assembly, and outlining plans to expand the Assembly to make it more inclusive. Nyerere, who had repeatedly voiced his respect for the speaker, seemed impressed. “Something real is happening in Burundi,” he observed. “One does not want to do anything outside that would get in the way of this progress.”<sup>26</sup>

Buyoya was invited to meet with the regional leaders in Kampala to report on the progress in meeting the demands of the Dar summit held five months earlier. In addition, it was announced that the government and the National Assembly, to demonstrate their internal reconciliation, had agreed to dispatch to the Kampala summit a joint government-National Assembly commission to press for a renewed effort to start all-party negotiations, improve the Tanzanian-Burundian relationship, and lift sanctions. Against the backdrop of what appeared to be positive political movement inside Bujumbura, there was a general anticipation among diplomats and other observers that sanctions were at long last to be lifted. This anticipation was only elevated when, the day before the gathering, the foreign ministers met with OAU secretary-general Salim Salim and unanimously recommended suspending sanctions.

It therefore came as a rude shock when Nyerere met with FRODEBU chairman Minani and the FRODEBU members of the Joint Commission before the summit, but held no meeting with the full Joint Commission until after the summit ended. This oversight, which may well have been unintentional, had the effect of reinforcing a strong Tutsi perception of Nyerere’s pro-FRODEBU bias. Then, compounding Buyoya and the government’s frustrations, Nyerere, Mkapu, and Museveni overrode the recommendation that sanctions be suspended.

This decision dramatically showcased Nyerere’s continuing profound mistrust of Buyoya—and the determination of the facilitator and regional leaders to extract further concessions from the government before another effort would be made to launch all-party talks. Nyerere, meeting with the special envoys during the summit, was blunt: “Until today, no conditions have been fulfilled. So on what basis should sanctions be lifted?” Of particular concern to the leaders, according to the facilitator, was the continued inability of high-profile figures, such as the speaker and former presidents Bagaza and Ntibantunganya, to travel. The regional leaders were determined to keep sanctions in place until the freedom of these individuals was assured. Nyerere added yet another condition: “We will not tackle sanctions until we see progress in the negotiations.”<sup>27</sup>

An embittered Buyoya indicated later that he would persevere with his efforts to work with the facilitator and meet the regional demands. In particular, he was determined to resolve the cases of the speaker and Bagaza so that they would be free to travel. But he had lost confidence in Nyerere and feared the reaction within the Tutsi community if the region remained implacably hostile to the government and continued to move the Arusha goalposts.

In the months following the Kampala summit, the government acted to finally resolve the judicial cases involving the speaker and former president Bagaza, and to ensure that the two of them and former president Ntibantunganya would be free to travel. In addition, the government committed itself to closing its regroupment camps within six months and, though Buyoya would not agree that all political trials be suspended, a moratorium was imposed on executions.

Meanwhile, the government and the National Assembly continued to flesh out the nature of the new internal partnership. They focused on three objectives: the search for peace, the development of a model of society that would represent a shared vision of the Burundian future, and a transitional government. Agreement was reached on a constitutional act and a political platform.

In the first, the National Assembly was expanded to include many of the smaller parties and civil society organizations that were part of the Tutsi power structure, FRODEBU thereby accommodating Tutsi feelings of being submerged in an 80 to 90 percent Hutu body. At the same time, the executive branch was restructured to give a prominent role to FRODEBU.

The second document, the political platform, defined in general terms the mission of the transitional institutions: to bring about peace and stabilize the country. It also identified the agenda of issues to be tackled if these goals were to be achieved: security, genocide, justice, social and economic development, exclusion, reconstruction, and the external peace process.<sup>28</sup>

The two sides undertook other confidence-building measures as well: the government decided to rebuild a Bujumbura neighborhood that two years earlier had been “ethnically cleansed” of Hutus; the Tutsi minister of interior agreed to assign special security to the visiting members of the CNDD, who had come to Bujumbura to test both the security and the political space available to Hutus; and the new Hutu first vice president undertook to visit army barracks immediately after his appointment to provide assurances of his collaborative relationship with the (Tutsi) minister of defense (who reported to him). Another significant FRODEBU gesture to its Tutsi partners was to signal its acquiescence to the suspension of sanctions. In addition, FRODEBU committed itself to work for an early cease-fire by reaching out to the CNDD-FDD military commander, who happened to be a brother of the FRODEBU secretary-general.

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### *All-Party Talks*

On July 15, 1998, more than two years after regional leaders gave Julius Nyerere his mandate to facilitate the Burundi peace process, the long-awaited all-party talks were finally launched in Arusha, Tanzania.

It was a stunning sight to have a public meeting and a civil discourse involving persons who, only a few months earlier, had been demonizing one another as genocidaires and putchists. The Burundian participants expressed delight at the first opportunity they had had in many years to connect with one another. It was not the formal sessions they found most compelling, but the informal conversations over drinks and dinner that brought together both Tutsi and Hutu and people of all political persuasions.

Also striking were the repeated expressions by all participants of the commitment to a negotiated settlement. The political positions of the various Hutu delegations were spelled out, but moderately, and without confrontation. FRODEBU emphasized that the conflict did not arise from deeply rooted ethnic differences but from the manipulation of ethnicity by a self-



serving political class, and the CNDD similarly focused on its goal of restoring democracy and the constitution of 1992. Both affirmed their commitment to a negotiated settlement. Likewise, on the Tutsi side, the opening remarks by former president Bagaza, who had a reputation for extremism, was notable for its statesmanship and support of the Arusha process.

The first round of talks was generally seen as a success. Not only did the first session have profound symbolic and psychological significance—in bringing almost all the belligerent parties into the same room—but Nyerere and his team made a concerted effort to allow the Burundians to “own” the process. Although he sought to facilitate agreements among the participants, he did not (to the relief of the Burundians) attempt to impose solutions. Nyerere also made clear his intention to draw all the chairs of the Arusha working committees from outside the region. This was a subject the special envoys had discussed at length with Nyerere, and he had become sensitive to the complaint of Tanzanian domination of the peace process. He was also anxious to reduce the discomfort that many donors had begun to voice about both the inefficiency and cost of the Arusha process. To satisfy these concerns, he not only internationalized the chairs of the Arusha working committees,<sup>29</sup> he also brought on to his team a former British ambassador to Burundi and Rwanda, and agreed to have European Union and Canadian personnel handle budgeting and funds management for the peace process. In addition, he invited ACCORD, a South African conflict resolution nongovernmental organization, to assist his facilitation team in crafting a strategic plan for the facilitation. However, Nyerere never lessened his political control over the Arusha process.

The gathering, however, also demonstrated just how difficult the negotiations would likely be. Given the deep-seated fears, insecurities, and suspicions of the Burundian participants, even the most picayune subject would be debated ad nauseum to ensure that there were no traps or hidden agendas. The parties eventually reached agreement on a negotiating agenda, the designation of five working committees,<sup>30</sup> and a final declaration affirming their joint commitment to negotiations and a cease-fire agreement effective as of July 20, 1998. Most of the basic procedural issues—who would be considered official participants, the size of the respective delegations, whether Burundian observers would be present, the rules governing the negotiations, who would chair the working committees—could not be resolved and were postponed until the next gathering.<sup>31</sup>

Several fundamental process problems that were to plague the Arusha negotiations over the next two years were also surfacing.

First, the large number of participants posed major organizational and logistical challenges for the facilitator and a financial challenge for the donors. No fewer than seventeen delegations had been invited: the government and the National Assembly, twelve political parties registered in Bujumbura, and three armed rebel organizations. It was recognized that the delegations had uneven political weights—some of the smaller parties representing little more than the party leaders and their immediate families. Nyerere, however, had pledged that the process would be wholly inclusive. Moreover, because he planned to establish several working groups to tackle issues simultaneously, each delegation had to have enough members to ensure representation on the committees. The large size of the working groups meant that they came to function less as negotiating venues than as public debating societies. This became a source of considerable frustration to the six leading Burundian delegations, which repeatedly asked that they be permitted to meet discretely among themselves to try to reach their own consensus and identify a way forward. Indeed, in the months ahead, it was when

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the principal players were given the opportunity to interact discretely, without the presence of the smaller parties, that the most progress was made.

Second, the two armed groups responsible for the continuing fighting on the ground were not at the negotiating table. By the time the first all-party talks had convened, the CNDD-FDD had divided—with its military arm, the FDD, rejecting the leadership of CNDD chairman Nyangoma, who led his movement's delegation in Arusha. In addition, the PALIPEHUTU-FNL had also fragmented, and the PALIPEHUTU representatives in Arusha had no control of its fighters in Burundi. Thus, the joint commitment entered into by the government and the three rebel groups present in Arusha to suspend hostilities by July 20, 1998, was devoid of meaning and did little to dilute the violence on the ground.

Over the next several months, all efforts to bring the absent armed groups into the Arusha process failed. Nyerere decided to put the best face on a bad situation, arguing that progress in the Arusha talks with the delegations that were present would ultimately be a powerful incentive for at least the largest of the armed groups, the CNDD-FDD, to come into the process. In the end, however, this did not happen. Some in the Burundian government questioned whether the facilitator and the Tanzanians had, in fact, done everything they could to bring the CNDD-FDD into the table. The suspicions of a Tanzanian hidden agenda were such that some Burundians believed that the Tanzanians wanted to maintain the CNDD-FDD military pressure on the government as a further incentive for the Tutsi regime to make concessions in the all-party negotiations. In any event, the absence of the CNDD-FDD and the FNL from the Arusha process was to ultimately prove disastrous. The August 2000 Arusha accord laid the basis for a new transitional government. But, without the assent of the two principal armed groups, the fighting on the ground continued unabated.

Third, although the Burundian participants appreciated the efforts of Nyerere and his facilitation team, they were frustrated with the team's inefficiency and confusion. Some of the problems were attributable to language barriers (English-speaking facilitators working with French-speaking Burundians), but others were related to facilitator inexperience. Little thought had been given in advance to how negotiations would be structured, and no preparatory work had been done to build consensus on the basic rules of the game.

Because these issues had not been resolved, the facilitation team ran into numerous difficulties, and substantive differences were compounded by Burundian frustration with the methodology of the facilitators. Rather than encourage face-to-face negotiations, for example, the facilitation team initially tried to produce its own agreement based on discussions that Nyerere had had with each of the delegations. One or another delegation would invariably strongly object, however, and a new round of consultations would begin. On one occasion, one of the draft documents ended up in the hands of the media, further undermining Burundian confidence in the discretion and professionalism of the facilitation team. Ironically, it was Burundian frustration with the facilitation team that led to the first negotiating breakthrough. When it appeared that the Burundians were hopelessly deadlocked, the head of the government delegation took the initiative (with Nyerere's acquiescence) to bring together four of the principal delegations to meet on their own: the government, FRODEBU, UPRONA, and the CNDD. It was this meeting—the first without a facilitator—that broke the logjam and yielded the compromise language of a final declaration.

Fourth, there was a sharp disconnect between the expectations of the Nyerere-led facilitation team and some of the Burundian delegations as to the pace and length of negotiations. At one point, the Tanzanians had given thought to a Dayton-type conference, with everyone

held in Arusha until a comprehensive agreement had been reached. The government, however, wanted only a short initial gathering to secure agreement on a negotiating agenda and methods, followed by a one- or two-month recess to permit the delegations to prepare for the beginning of substantive negotiations. This issue would be a constant point of debate in the months ahead—the facilitation team frequently critical of the government delegation for dragging its feet, and the Burundi delegations arguing that the facilitators did not recognize the importance of the time delegations needed to consult with their constituencies and prepare the population for agreements being negotiated at Arusha. As it turned out, Nyerere and his team were stunned by the difficulty of securing agreement on even simple procedural matters.

Fifth, to the surprise of the Burundian government, both Nyerere and Tanzanian president Mkapa, who spoke at the opening plenary session, made it clear that there would be no near-term move to lift regional sanctions. Nyerere noted that there was no consensus on this issue among the parties. It was more important, Nyerere asserted, that the parties focus on suspending the violence. Furthermore, Buyoya had still not implemented the initial demands. Suspending sanctions, Nyerere continued, would be tantamount to lifting them, because re-imposing them once they had been removed would be well-nigh impossible. It was important to proceed cautiously in making the decision to relax the sanctions regime. Not surprisingly, Nyerere's hard-line stance greatly angered the government and UPRONA delegations, resurrecting Tutsi suspicions and misgivings about their facilitator and their Tanzanian hosts. The presence of the Tanzanian foreign minister on the dais during plenary sessions only reinforced the sense of Tanzanian control of the overall peace process.

Sixth, Nyerere's decision to hold the line on sanctions also provoked a major confrontation between him and the special envoys, who had been arguing that sanctions were no longer effective. Their major effect, at this point, it seemed to the envoys, was to weaken Nyerere's credibility among Tutsis (who recognized that Nyerere was effectively calling the shots) and strengthen hard-line resistance to Buyoya's acceptance of the Arusha framework. Entreaties were to no avail. If anything, Nyerere seemed more resolved to maintain the sanctions.

Nyerere's relationship with the special envoys was turbulent. He did convene periodic meetings with them, usually on the eve of Arusha gatherings, to compare political intelligence and share ideas on the way forward. Ostensibly welcoming the input of diplomats who were actively involved in the region, he sometimes appeared irritated by alternative views. On the issue of sanctions, in particular, he did not take kindly to the pressure directed at him from outside the region. Some encounters with him were tense. Thus, when European Union special envoy Ajello and I told Nyerere that Ugandan president Museveni had indicated he could support the suspension (but not the termination) of sanctions, Nyerere responded angrily. He complained that "what appeared as a campaign" from Western states to lift sanctions had made his job more difficult, and he insisted that the international community had consistently misread the mood of the regional heads of state. He pointed to a visit to Arusha that U.S. Secretary of State Warren Christopher had made back in October 1996. He said that he had been urging regional leaders to meet directly with Buyoya to gauge the Burundian leader's sincerity, but that the regional leaders had refused—largely, according to Nyerere, because of their resentment of the pressure from outside powers.

Seventh, one of the issues that arose at the first Arusha gathering and reappeared in subsequent sessions concerned the structure of the negotiating table. The facilitator and at least one of the Burundian delegations, the CNDD, envisioned a two-sided table such as at the South African apartheid negotiations. On one side would be the minority regime and its military and

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political allies, on the other, the parties and rebel groups advocating restoration of a democratic political system. However, this proposal was bitterly resisted by the government and its internal FRODEBU partners on the grounds that such a bipolar framework would deepen ethnic divisions in an already dangerously polarized political environment. The principal objective of the internal partnership was to reduce ethnic fears and sensitivities by building confidence in collaborative arrangements. A two-sided negotiating table would only increase such anxieties. Advocates of a two-sided table countered that this arrangement would permit a much more focused negotiation on the core issues. The issue was never explicitly resolved. Instead, the various working groups adopted their own negotiating methods.

### Meetings, No Resolution

Over the next fifteen months, the Arusha negotiations proceeded in fits and starts. The initial gatherings were designed to permit all seventeen delegations to debate, in plenary sessions chaired by the facilitator, the core issues around which the working committees would be organized: the nature of the Burundian crisis, the constitution and good governance, peace and security, national economic reconstruction. The forums served several important objectives: all delegations were able to present their points of view; the process effectively legitimized a civil discussion on sensitive issues; and the presentations had a cathartic function. No one walked out and all delegations listened courteously to the opinions and views that were often exceedingly contentious. These plenary debates laid bare the huge political divide that had developed between Burundi's Tutsi and Hutu communities, and the very different political worldviews of Tutsi and Hutu leaders. At the same time, some speakers appeared to go out of their way to be self-critical, recognizing their own responsibility for the Burundian political crisis, and acknowledging the legitimacy of grievances felt by their ethnic adversaries. What came through, loudly and clearly, was a common yearning for an end to the killing.

In addition, the working committees were organized and began to function, seeking a consensual approach to the resolution of the problems on which they were focused. The overall negotiating game plan envisioned that the final product of these committees would ultimately be submitted to the plenary for final ratification and incorporation into the ultimate peace accord. Progress, however, was slow—for a variety of reasons.

The debate over sanctions remained an extremely divisive distraction—poisoning the relationship between the facilitator and his team, on the one hand, and the Burundian government and the Tutsi parties, on the other. It was not until the summit of January 23, 1999—six months after the launching of formal all-party negotiations—that the sanctions were finally suspended. Throughout this period, Buyoya was subject to growing criticism from Tutsi hardliners, who argued that the Burundian president was being played for a fool in having accepted the Arusha framework, consistently allowing himself and Burundi to be humiliated by both the Tanzanians and the Ugandans. To Burundians, the region's maintenance of sanctions was a constant reminder both of the facilitator's fundamental mistrust of Buyoya and of the coercive nature of the Arusha process. The Burundians were not being permitted to own their own process; indeed, the Burundian parties were often spending more time negotiating with the facilitator and the members of his team, than with one another.

As time went on, Nyerere's hard line on sanctions—which he maintained even in the face of demonstrable commitment to a settlement—became a matter of growing consternation to the special envoys and to the donors underwriting the peace process. Even observers in

the United States and Europe had begun to wonder whether the agenda of Tanzanian and Ugandan leaders was, in fact, to topple the Buyoya regime. However, when this was reported to Nyerere, he reacted indignantly. To the contrary, he said, he believed that Hutus saw Buyoya as their preferred interlocutor, and he expected Buyoya to ultimately emerge as Burundi's transitional president. However, he added, this was a decision for the Burundians to make, and it would serve no one's interest for outsiders to intervene.

It was not until the January 23 summit that the regional leaders decided to suspend sanctions. Responding both to external pressure and a positive evolution on the ground, they—on Nyerere's recommendation—announced that the sanctions would be suspended (but not lifted). However, Nyerere also pleaded that the donor countries restrict their economic cooperation with Burundi to humanitarian assistance, and continue to withhold balance of payments support for the government until further progress in the negotiations had been made. Nyerere apparently accepted the argument the United States and the European Union had been making, that Burundi's need for structural development assistance represented important donor country leverage on the government even in the absence of regional sanctions.

The Burundian government welcomed the suspension of sanctions and reaffirmed its commitment to a negotiated settlement. The working committees continued to meet and, for a time, the relationship between Buyoya and Nyerere appeared to improve. But the Arusha process continued to struggle with a variety of challenges: ongoing violence, the absence of the armed groups, deep divisions within the Hutu and the Tutsi political camps, and the large number of delegations whose views had to be taken into account regardless of their political significance inside Burundi.

The continuing absence of the CNDD-FDD, the largest of the armed rebel groups, was of mounting concern to Buyoya and his government. At this time, the CNDD-FDD was under the leadership of Jean Bosco Ndayikengurukiye, the FDD military commander who had broken away from CNDD chairman Leonard Nyangoma. Buyoya believed that Nyerere was simply not doing enough to bring Jean Bosco to the table, and that the entire Arusha process would be jeopardized if those representing the fighters on the ground were not part of the process.

In fact, several initiatives had been launched to bring Jean Bosco into the Arusha negotiations. The South Africans hosted some secret meetings between the Government and the CNDD-FDD, but these yielded little progress. Similarly, Sant' Egidio's Don Matteo Zuppi was asked to reach out to Jean Bosco—and even to explore a possible reconciliation. Yet, the effort was complicated by two factors:

- Nyerere was concerned that Nyangoma would act on his threat to pull out of the negotiations if Jean Bosco were invited to participate. Nyerere therefore sought to reassure Nyangoma by stipulating that, given Jean Bosco's refusal to recognize Nyangoma's leadership of the CNDD, the only way Jean Bosco could be admitted would be as the leader of a differently named organization. But this Jean Bosco rejected out of hand. Another Nyerere suggestion, that Jean Bosco come into the process as part of one of the other Burundian delegations, likewise went nowhere.
- Jean Bosco's FDD forces had been provided safe harbor in the neighboring Democratic Republic of the Congo by DRC president Kabila; they were also being supplied and trained in the DRC, and were fighting alongside the Congolese army and Rwandan insurgent ex-FAR/Interahamwe elements in the Congolese war. Some speculated that Jean Bosco, who reportedly had little confidence in the Tanzanians, was either unable or

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unwilling to break his ties with Laurent Kabila, and had little incentive to join the Arusha negotiations.

When the various approaches to bringing Jean Bosco's FDD into the Arusha process failed, Nyerere decided that as much as he wanted to have everyone on board, he was not about to give to the FDD a veto over the peace process. It was important, he believed, to move forward with the negotiations. The FDD would still have the option of joining the process at a later stage.

However, the deepening involvement of the FDD with the Congolese war presented another extremely worrisome threat: diplomats and regional analysts became increasingly concerned about the ethnicization of the Great Lakes conflict—with allied Hutu elements from Rwanda, Burundi, and the Congo taking on the Tutsis of Burundi and Rwanda. The region had already seen two genocides and several other episodes of intercommunal violence between Tutsi and Hutu, and no one relished another round. This placed a special responsibility on the Burundian negotiators. As EU special envoy Ajello put it to a Burundian delegation, "We have a historic responsibility—you and the international community—to kill the monster in the cradle—and in Burundi it is where you two have agreed to talk."<sup>32</sup>

Aside from these external distractions, the Arusha process itself was the target of persistent complaints, by virtually all of the principal Burundian parties. The facilitation appeared to be defined not as an ongoing process, but rather as a series of formal all-party meetings in Arusha. Virtually no shuttle diplomacy was undertaken, and meetings were seldom well prepared. The facilitation team made little effort between sessions to follow up on the progress made in the Arusha talks, such as meet with the belligerent parties, identify their bottom lines, or narrow differences. Efforts to establish a more flexible negotiating framework—for example, permitting working committee chairs to organize meetings of their groups in other venues or undertake some shuttle diplomacy with key parties—were resisted. Consequently, every Arusha negotiating session effectively began from scratch, and it was often difficult to pick up the threads of talks held many weeks earlier. In addition, one of the most commonly voiced complaints was that the presence of so many parties and delegates meant that the Arusha meetings were more conducive to public posturing than to serious negotiations.

Another factor increasing internal tensions among the Arusha negotiators was a move on Nyerere's part. At the suggestion of some of the Hutu parties, Nyerere agreed to convene and meet in Moshi, Tanzania, with representatives of all the Hutu groups present in Arusha. Although his intention was reportedly wholly benign—to simplify and expedite negotiations by reducing the fragmentation among the Hutu and establishing a more orderly two-sided negotiating table—his Moshi initiative greatly angered the Burundian government and the Tutsi parties. Once again, Nyerere's neutrality was called into question, with his Hutu initiative reawakening old suspicions of the facilitator having an anti-Tutsi agenda.

At about the same time, Nyerere was also being accused of putting the brakes on a slowly building rapprochement between the Tanzanian and Burundian governments. The perception of some Tutsi parties was that the facilitator saw the Hutu refugees in Tanzania as leverage on the Tutsi government until a peace accord had been finalized.

Moreover, the concept of an ethnically defined negotiating table ran directly counter to the effort to establish the ability of moderates on both sides of the ethnic divide to collaborate and develop common positions. Immediately, FRODEBU chairman Minani's identification with the Moshi initiative increased tensions within both FRODEBU and the internal partnership. At one point, there were even rumors of threatened FRODEBU resignations from the gov-



ernment. The Moshi initiative led, over time, to the eventual creation of a coalition of Hutu-dominated parties known as the G-8, in reaction to which the Tutsi-dominated G-10 grouping emerged. Neither coalition was particularly cohesive—and one or the other party would frequently break with the group orthodoxy of the moment—but this development moved the negotiating process in the direction of the two-sided negotiation that Nyerere and some of the Hutu parties had advocated for some time.

In an effort to address some of the broader process concerns, Nyerere, the special envoys, and representatives of donor countries, came together in New York a few weeks before the regional summit of January 25, 1999. The donors welcomed the announced intention of Nyerere at the upcoming summit to recommend suspending sanctions, an indication that the Burundian government and Nyerere had agreed to seek signing a peace agreement within six months to one year, and Nyerere's report on steps taken to strengthen his facilitation team. In addition, they discussed ways of coordinating more effectively the efforts of the donor community in support of Nyerere's facilitation. In particular, the donors agreed that economic assistance should be provided on a phased basis and integrated with developments in the peace process. On this the envoys and the facilitator were in agreement. Given the suspension of regional sanctions, the only remaining international leverage on the Burundian government and the intransigent Tutsis was the government's desire for a cash bailout and the normalization of its relationship with the donor community. There was also concern that the premature legitimization of the Burundian government (in advance of a signed peace accord) would lead to a sense of abandonment by the Hutu majority and could invite greater violence. However, in a meeting that involved representatives of the Burundian government, the World Bank was more forward leaning in laying out its planned role in Burundi. It had not been part of the previous evening's donors-only strategy meeting, and that it was not in sync with the other donors did not escape the Burundian government's attention. With the sanctions issue resolved, the government shifted its focus to a full-court press in support of expanded economic cooperation with the international community.

Finally, further complicating the Arusha process, the premature contemplation of the negotiating end-game led to elevated personal rivalries and a preoccupation with who would occupy which roles in a transitional government. Tensions inevitably increased long before any agreement on the principles around which the transitional institutions would be organized. Particularly troublesome were new divisions within FRODEBU centering on Buyoya's role in a transitional government, and the continued value of the internal partnership. Some argued that with the Arusha process taking off, the internal partnership was no longer required. Others insisted that the collapse of the partnership would undermine the Arusha negotiations. What appeared to be really at issue, however, was the jockeying for power within FRODEBU, party leaders anticipating their roles in a post-Arusha transitional Burundian government. In any event, the internal conflicts within the Hutu political family made forging a common partnership position in the Arusha talks more complicated and independently further slowed the process. The working committees continued to meet and resolve the less contentious issues—but the more sensitive questions of power-sharing, judicial reform, and genocide were postponed. Moreover, the government increasingly began to warn of the dangers of a forced agreement. The process would take time, government officials insisted. Noting the earlier failed Rwanda negotiations at Arusha, Buyoya and his allies emphasized that signatures on a paper document would mean nothing absent real political will. The ground had to be prepared for popular acceptance of whatever would be agreed at Arusha.

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By August 1999, the all-parties talks were effectively stalemated. At the same time, a number of factors contributed to a sharp escalation in political tensions inside Burundi: the weakening of the internal partnership, an army massacre of Hutus, and rebel attacks that claimed the lives of Tutsi civilians. In an effort to unblock the negotiations, the facilitation team agreed to bring together in Dar es Salaam the six principal Burundian delegations: the government, the National Assembly, UPRONA, FRODEBU, the CNDD, and PARENA. These more manageable and relatively discrete talks began to produce some modest convergence among the key players on the more sensitive issues. But continued escalation of the fighting and the government's decision to again bring Hutu villagers in the hills into regroupment camps kept tensions high.

Suddenly, the entire process was interrupted by the death of Nyerere to leukemia in a London hospital on October 14, 1999. All negotiations were suspended, and the government insisted that it would not return to the negotiating table until a new neutral facilitator had been appointed.

The fighting on the ground continued to intensify, and only five days after Nyerere's death the UN decided that it was necessary to pull out some of its personnel and greatly restrict the UN presence in parts of the country. An intense period of behind-the-scenes diplomacy ensued—with the UN, the OAU, the regional states, representatives of the involved donor countries, and the Burundian parties all seeking to identify a new facilitator acceptable both to the principal Burundian players and to the regional sponsors of the Arusha process.

The search for a new facilitator was complicated by the Burundian government's initial position that it would boycott any negotiations that included the Tanzanians. What it wanted was a facilitator from outside the region whose neutrality would not be in question. Eventually, the government withdrew its boycott threat and—at a heads of state summit on December 1, 1999—the regional leaders invited a reluctant Nelson Mandela to assume the role of facilitator. It was understood that Nyerere's facilitation team, led by Tanzanians, would remain intact and support Mandela.

### **Phase III. Mandela Takes Over (1999–2001)**

The choice of Mandela was exceedingly controversial—both among some of the Burundian parties and within the region. Many Tutsis feared that Mandela would project the ANC struggle against white minority rule onto Burundi, and that he might force them to accept an agreement that would be insensitive to their fears about what majority Hutu rule might mean for their security. Some Hutu leaders, intimidated by Mandela's moral authority, also worried about their ability to stand up to him should his views not correspond with their own. On one occasion, CNDD chairman Nyangoma, angry that the South African government had tried to facilitate talks between the Burundian government and his CNDD-FDD rival Jean Bosco, publicly condemned the idea of Mandela being brought in to take over from Nyerere.

The Burundian government, however, threw its support behind Mandela. South Africa was from outside the immediate region and did not carry the baggage of perceived bias, as did Tanzania. Moreover, it was believed that South Africa would provide an important political counterweight to Tanzania, and might even be helpful in pressuring Zimbabwe to abandon its support for the CNDD-FDD inside the Congo.

The Tanzanians were not at all pleased with the South African intervention. They did not relish losing leadership of the process in which they had invested so much over so many years.

Moreover, Mandela had made it very clear that he would be taking on the job of facilitator only reluctantly, and would be able to give the Burundi negotiations only intermittent attention. But the Tanzanians, like others who had reservations, did not want to give offense to the South Africans or to the iconic figure of Mandela.

### *A New Political Dynamic*

Although Mandela attempted to assuage Tanzanian concerns—affirming his intention not to redo the negotiations, but begin from where Nyerere had left off, and use the Tanzanian-led team as his own—Mandela as facilitator gave to the Arusha peace process a very different political dynamic. Two elements of his approach were particularly notable.

### **More Interventionist Facilitation**

For all of its flaws, the Arusha process had produced some noteworthy progress by the time Mandela arrived on the scene. A certain comfort level had emerged among the delegations and, although the most contentious issues were far from resolution, consensus had been achieved on a number of points.

All were agreed, for example, that mechanisms needed to be established to end the culture of impunity and hold accountable those responsible for the violent episodes that had marked Burundian postindependence history regardless of whether those who had been victimized were Tutsi or Hutu. There was also broad agreement on the need to restore democratic political institutions in which leaders would be elected and the rule of law would prevail. Also accepted was a commitment to seek major reform of the army, and to integrate rebel and army forces following a cease-fire. A program of postwar economic reconstruction was elaborated by one of the working committees, with particular attention given to the return of hundreds of thousands of refugees and internally displaced persons. And, though it did not reach agreement on all issues, the working committee responsible for the analysis of the origins of the Burundian crisis had produced a document generally acceptable to both Tutsi and Hutu.

By providing a forum in which members of Burundi's diaspora could interact with persons from inside Burundi, the Arusha process had created an important political space for inclusive dialogue and debate—and, over time, the participants became comfortable in discussing emotionally volatile, once-taboo subjects. Deep mistrust and suspicion remained, but it was evident that each side had, at least, developed a greater appreciation of the other's concerns and perspectives.<sup>33</sup>

It was also apparent, however, that the Arusha modalities were not well suited to resolve the most sensitive and difficult issues: how political institutions would balance majoritarian principles with the need to protect and reassure minorities, whether amnesty should be considered for previous violent acts, how to address the issue of genocide, how the army would be reformed so as to give confidence to all Burundians, who would lead the transition and how precisely would power be shared, and how would a cease-fire finally be achieved. There was growing impatience among regional leaders with the pace of negotiations and the seeming inability of Burundians to confront the more fundamental issues. The regional leaders had convened no less than ten times since their first summit at the end of 1995; yet the Burundian negotiators seemed as far apart as ever on the fundamental issues that had given rise to the conflict.

Mandela soon came to realize that the Burundian conflict would require far more effort than he had originally anticipated.<sup>34</sup> Anxious to come to a final resolution as quickly as possible,

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he decided on a radical change of method. Following a series of face-to-face meetings with the various Burundian delegations, Mandela decreed that the Arusha working committees would quickly conclude their work, and that the Tanzanian facilitation team would develop a document that synthesized the concluded agreements; where no agreements had yet been achieved, the facilitation team would devise a compromise between conflicting positions. The parties would then have a few weeks to review the draft accord and share their proposed amendments. It would then be up to the facilitation team to decide which of these amendments would be incorporated into the final document.

Although Mandela engendered greater confidence that a resolution was indeed achievable, his efforts to accelerate the negotiating process greatly intensified political anxieties on all sides. In effect, under his leadership, Arusha was transformed from a facilitated peace process into, first, a mediation and, over time, into a de facto arbitration. In so doing, the Burundian participants became increasingly focused not on the achievement of their negotiating agreements, but on their attempts to influence Mandela and the members of the facilitation team. Thus, paradoxically, though Mandela succeeded in accelerating the pace of negotiations and increasing the sense of urgency with which the Burundian negotiators approached their task, the new approach tended—at least in the short term—to harden positions and deepen polarization rather than move the Burundians closer to agreement. Instead of being encouraged to continue their search for common ground and for compromises that would satisfy all, the parties now sought to persuade Mandela of the correctness of their respective points of view.

At the same time, Mandela's directness had several salutary effects. He succeeded in bringing to the negotiating table the more sensitive issues that, up to the time of his intervention, the parties had tended to avoid. He put pressure on the Burundian government to dismantle the Hutu regroupment camps in the hills surrounding Bujumbura, and permit more open political expression.<sup>35</sup> He explicitly and repeatedly spoke of the need to end Tutsi domination, repeatedly warning that continued minority rule was a formula for continued war and insecurity. But he also spoke of the need of the majority Hutu to reassure the Tutsi minority that it need not be anxious about its future in a democratic Burundi. In that connection, he proposed that the army be composed equally of Tutsis and Hutus. By dealing so openly and directly with the issue of ethnicity, Mandela made it possible for the Burundians to begin to tackle the most sensitive and difficult issues with greater candor—even the taboo subject of amnesty for past crimes. Mandela also succeeded in persuading the Burundian parties that negotiations could not continue indefinitely, and that the time for decisions was at hand.

When Mandela did meet with the Burundian parties, he often lectured them on their responsibilities. Although his tone was often exceedingly harsh and patronizing, no one dared take public exception with this iconic figure. Mandela's intimidating aura meant that Burundians often dissimulated in his presence. When Mandela would emerge from one of his meetings with a Burundian delegation and report the achievement of an agreement, not infrequently the Burundian response would be a figurative eye-roll. But, whatever their private feelings may have been, the Burundians were reluctant to challenge the facilitator, particularly once he had offered a public characterization of the meeting they had held with him. Perhaps not so incidentally, Mandela typically had no staff present during his meetings with the delegations; there was therefore no one to whom the Burundians could turn for an alternative interpretation of what had transpired.

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### Increasing International Pressure

Mandela also was determined to significantly increase the pressure on the Burundians to reach agreement. He decided to further internationalize the peace process by inviting world leaders to be present when the Burundian delegations came together. Mandela was not shy—calling on all of the regional leaders, together with President Clinton and European leaders, to play a role and accept some responsibility. At one time or another, Bill Clinton from the United States, Charles Josselin from France, Peter Hain from the United Kingdom, and Louis Michel from Belgium all found their way to Arusha. On one occasion, when President Clinton was unable to travel on the assigned date, a teleconference was arranged so that he could address the assembled Burundians.

Mandela called on his American and European allies in this effort also to commit to providing tangible resources to assist Burundi in its postwar reconstruction. It was this combination of stick and carrot that Mandela believed held the best chance for moving the process forward. And all of the countries that Mandela called on responded affirmatively, pledging significant assistance once a real peace had been secured.

### Reaching Out to Armed Groups

Mandela made one further departure from the Nyerere-led process. Recognizing that the Arusha agreement would be inconclusive if it did not include the missing armed groups, he reached out to both the FNL and the CNDD-FDD—on several occasions inviting both groups to send delegations to South Africa to meet with him. At one stage, as the Arusha talks were concluding, he succeeded in persuading the CNDD-FDD leader of the moment, Jean Bosco, to make an appearance at Arusha. Although Jean Bosco refused to embrace the Arusha accord, he went out of his way to say that he had no objection to the finalization of the Arusha process and that he looked forward to beginning direct talks with the new transitional government. But both the CNDD-FDD and the FNL continued to condemn the Arusha negotiators as representing nothing more than elements of the corrupt and discredited Bujumbura political class; in their eyes, the Arusha agreement therefore had no legitimacy.

As the months went by, Mandela's attitude toward the rebels and his public rhetoric in characterizing their behavior shifted considerably. At times, he spoke of the rebels as engaged in a liberation struggle akin to what the African National Congress had waged in South Africa. On at least two occasions, he publicly declared that he could understand the rebel resistance to laying down their arms before their political demands had been met. "Only over my dead body," Mandela said, "would the ANC have laid down its arms before realizing its demands." On other occasions, however, appalled by the killing of civilians by rebels and army alike, he described the rebels as no better than terrorists. Not surprisingly, Mandela's public statements often invited sharp reactions from one or the other of the rebel groups.

### Applying Pressure

At a July 2000 Arusha gathering of regional leaders and the Burundian parties, Mandela circulated what was characterized as a final draft of the proposed peace agreement. This document had been prepared by the facilitation team, and purported to resolve the issues still in dispute. Mandela told the regional leaders that the Burundian negotiators had all promised him, in his private meetings with the various delegations, that they would adopt the facilitation team's document without amendment. He said that he expected them to honor their commitment,

and he announced that a signing ceremony would be held in Arusha in a month's time, on August 28, 2000.

The South African facilitator did acknowledge that two issues were still unresolved: a cease-fire remained elusive and there was as yet no agreement on who would lead the transition. Concerning the cease-fire, Mandela welcomed the first appearance at Arusha of the FDD leader Jean Bosco Ndayikengurukiye. However, he did not spell out how a cease-fire agreement might be negotiated—and, Jean Bosco, for his part, made clear that he would not associate himself with the Arusha accord. As for the selection of the transitional president, Mandela asserted that it would be for the nineteen parties to meet and come up with a consensus choice.

In fact, however, the negotiating parties were far apart not only on the issue of the transitional leadership, but also on virtually all elements of the draft agreement that concerned power sharing. In particular, the draft Arusha accord was silent on what most Burundians regarded as the fundamental issue: the reform and integration of the Burundian army. From a FRODEBU perspective, the most urgent prerequisite of a stable political future for Burundi was an army that would fully represent the national population, and no longer be simply a tool to maintain Tutsi hegemony. By the same token, because the army had come to be seen by Tutsis as their last defense against the possibility of annihilation by the more numerous Hutus, no subject aroused more intense anxieties among Tutsis. The Arusha negotiators, sensitive to the complexity of this subject and recognizing that resolving it required direct negotiations between the armed rebel leaders and the government, decided to limit their August 28 agreement to language affirming noncontroversial broad principles, together with a proposal advanced by Mandela that a reconstituted national army be 50 percent Tutsi and 50 percent Hutu. But, even on this, the Arusha signatories were divided. Whereas Mandela appeared to be thinking in the broadest ethnic terms when he called for the fifty-fifty division of the army, the signatory armed groups—CNDD, PALIPEHUTU, and FROLINA—contemplated a fifty-fifty division between the Army (which always included a large number of Hutus) and the Hutu rebel organizations—a much more contentious proposition.

More generally, Tutsis felt strongly that minority protection provisions in the draft accord were inadequate, whereas Hutus believed that they gave too much weight to minority concerns and too little to democratic principles. The government also strongly objected to a proposed ten-year sunset provision on the fifty-fifty ethnic division of the army, and to proposed monitoring mechanisms it considered both too intrusive and a violation of Burundian sovereignty. Finally, Tutsi delegations noted that the proposed accord called for Tutsis to make significant power-sharing concessions, without any assurance that the armed rebels outside of the Arusha process would cease their military operations.

The weeks leading up to the August 28 signing ceremony saw virtually round-the-clock negotiations—in both Arusha and South Africa—as the Burundian delegations attempted to resolve the issue of transitional leadership as well as the myriad of power-sharing issues that (notwithstanding Mandela's assertion) were still in dispute. As these talks moved forward, the South Africans attempted to get both the FDD and the FNL into direct talks with the Burundian government.

In an effort to intensify the pressure on the parties, Mandela and the facilitation team refused to contemplate a contingency plan should the Arusha negotiators fail to reach agreement by the August 28 deadline or the armed rebels refuse to sign the draft accord. It was feared that any hint of a possible deadline extension would only invite further procrastination. Moreover,



a kind of facilitation fatigue had set in. Mandela and many members of the facilitation team simply wanted to be done with the Arusha process and get on with their own lives and other responsibilities. Some members of the team argued that the special envoys were undercutting their efforts by arguing that more time might be required to reach a sustainable agreement.

The results from Mandela's pressure tactics were mixed. On the positive side, his insistence that the Burundians come up with their own consensus candidate to lead the transition had the salutary effect of inspiring key Burundian parties to begin engaging with one another on their most fundamental concerns. Moreover, the search for a consensus candidate meant that they would be required, for the moment at least, to move from mutual confrontation to a search for common ground—a vital shift in perspective if the parties were to find their way to a sustainable political agreement.

On the other hand, trust levels were minimal—the highly coercive peace process having done little to strengthen confidence levels among the Burundian parties. Thus, when the parties were asked to tackle perhaps the most contentious issue of all—who would lead the transitional government—they had little in the way of mutual trust and confidence to sustain them. In truth, the peace process had come to depend wholly on the personality of Mandela. There was as yet little evidence that the belligerent parties recognized either their interdependence or their common interests, or that the ground had been prepared for a negotiated agreement. As a consequence, it seemed likely that Mandela's pressure could yield a peace agreement that would have too little buy-in or ownership by the various parties. This was particularly true of the armed rebel groups that were only beginning to interact with the Arusha facilitators and had had no hand in the earlier negotiations.

### *Peace without Peace*

As the August 28 deadline neared, many diplomatic observers feared that the Burundian parties were still finding a negotiated agreement elusive. But Mandela was not to be deterred, and all parties were put on notice that world leaders, including President Clinton, would be arriving in Arusha to witness the signing ceremony.

In an effort to encourage flexibility by the parties, Mandela made some last-minute gestures—saying that changes in the draft document would be acceptable if all nineteen parties agreed, promising to personally travel to Burundi with the negotiators “to sell” the Arusha agreement, and pledging to press the rebels to suspend hostilities before the signing of the accord.

What was described as the Mandela magic was still much in evidence. All parties were anxious about their ability to meet Mandela's signing deadline. The government negotiators, in particular, feared that were the fighting to continue after an accord was signed, they would be accused of getting nothing in return for the significant power-sharing concessions they were being asked to make. Nevertheless, rather than reject the proposed draft agreement as an unwarranted imposition, all the Burundian parties characterized the draft accord as an important step forward, and privately acknowledged that most elements were not unreasonable and that the pressure of the August 28 deadline was finally leading Burundians to negotiate with one another rather than with the facilitation team.

The negotiations over the remaining unresolved issues, however, were neither smooth nor swift. Recognizing the distance that the parties still had to traverse to reach a negotiated settlement, I felt obliged to recommend that President Clinton decline Mandela's invitation to join with other heads of state at the August 28 signing ceremony. I did not want to expose Clinton to what I feared could be a diplomatic debacle. However, like so many others, Clinton could

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not say no to Mandela. He agreed to turn up at Arusha, and I was sent to observe the end-game negotiations, and to prepare for Clinton's arrival in Tanzania.

As I feared, by the time Clinton and the other invited heads of state had arrived in Arusha, a number of the Tutsi parties were still balking at signing the proposed accord. Mandela shared his frustration with Clinton, and asked the American president to use his speech before the Burundian delegates to press for their signatures on the agreement. As it turned out, that speech was pivotal in persuading some of the most resistant Tutsi delegations to sign the accord.

Finally, late in the evening of August 28, following speeches by Mandela and Clinton, and in the presence of a number of African heads of state and other foreign dignitaries, the Burundian parties were invited to sign the accord. All but a few of the smaller Tutsi parties did so—though a number of delegations, both Hutu and Tutsi, entered formal reservations with respect to one or another provision. Even more worrisome, however, was that the parties had been unable to reach agreement on who would lead the thirty-six-month transitional government. Likewise, neither of the armed rebel groups had agreed either to suspend military operations or to sign the Arusha agreement. Consequently, the sensitive issues of army reform and integration of the armed forces were put on hold, in recognition that these subjects required that the rebels be at the negotiating table.

### **After the Accord (2002–present)**

After the Arusha accord was signed, the unresolved issue of the transitional leadership became the focus of continued Mandela-led consultations and negotiations. After considerable pressure from Mandela, and direct talks between the two principal political parties, FRODEBU and UPRONA, the Arusha signatories eventually agreed that the transition would be divided into two equal parts, the first part to be led by a Tutsi president and the second by a Hutu president. However, when the parties still could not settle on who the Tutsi president would be, the regional leaders accepted Mandela's recommendation that Buyoya serve the first eighteen months of the transition; Domitien Ndayizeye, a Hutu who would occupy the vice presidency during this period, would ascend to the presidency in the second half of the transitional period. With the reluctant acquiescence of the principal UPRONA and FRODEBU leaders to this agreement, the transition was formally launched on November 1, 2001—more than five years from the start of the Arusha peace process in July 1996.

Not surprisingly, in the weeks immediately following the Arusha gathering, the war on the ground intensified. Rebel leaders generally regarded the Arusha process as having done little more than advance the interests of a self-serving Burundian political class, whose members were more interested in negotiating job security for themselves than in addressing the fundamental issues underlying the Burundian tragedy. The rebels continued to assert that they did not feel bound by the Arusha agreement, and insisted on their own direct negotiations with whoever controlled the Burundian army.

Mandela delegated to South Africa's deputy president, Jacob Zuma, the principal responsibility for bringing the armed rebels and the Burundian government to the negotiating table. At different points, Gabonese president Bongo also became involved, working with Zuma in an effort to start cease-fire talks. Subsequently, the post-Arusha facilitation came to be managed by a partnership of the South Africans, the Tanzanians, and the Ugandans.

Progress in securing an inclusive cease-fire agreement was slow. Internal Hutu political fragmentation greatly complicated the efforts to secure a sustainable agreement between the

government and the CNDD-FDD. Trust levels between FRODEBU and CNDD-FDD leaders were minimal, and both FRODEBU and the rebel organization were attempting to position themselves for the long-awaited national elections. In addition, divisions within the facilitation team—both among Tanzanians and between Tanzanians and South Africans—often produced mixed messages and encouraged the belligerent parties to play off the members of the facilitation team against each other. Finally, the three-headed facilitation effort was inherently difficult to manage, and negotiating sessions therefore often inadequately prepared.

On December 2, 2002, the larger of the rebel groups, the CNDD-FDD, and the Burundian government signed a cease-fire. Implementation, however, was delayed pending conclusion of difficult negotiations over the integration of the CNDD-FDD into both the country's security organs and political institutions. A power-sharing agreement between the government and the CNDD-FDD, negotiated in Pretoria, lent significant new momentum to the peace process, but a number of unresolved issues made implementation both slow and complicated. Moreover, the second armed rebel group, the PALIPEHUTU-FNL, for a long period continued to refuse to talk to anyone but the Tutsi representatives of the Burundian army—a position that effectively blocked all negotiations with the Hutu-led transitional Burundian government

### *Yearning for Peace*

Contrary to the predictions of many Burundians and outside observers, on May 1, 2003, at the transitional period's eighteen-month midpoint, President Pierre Buyoya yielded his office, as he had promised, to a Hutu president—Domitien Ndayizeye. This was an extremely important step, greatly strengthening the partnership between the Hutu-led FRODEBU and the Tutsi-led UPRONA parties. However, Buyoya's decision to honor the agreement that had been negotiated (some would say decreed) by Mandela was not an easy one. For, contrary to what had been assumed at the time of the original agreement on the transitional leadership, neither the issue of the cease-fire nor that of security reform had yet been resolved. This meant that it would be a Hutu president who would have the responsibility of negotiating with Hutu rebels these extremely sensitive subjects—to the considerable consternation of Tutsi hard-liners and Tutsi army officers.

That the Burundian transitional government was able to stay on track with the agreed-upon timetable for a shift in presidential leadership is attributable to several factors. First, the entire population, including the country's political class, had wearied of the war.

Second, the Bujumbura political climate had changed dramatically since the tumultuous period following the 1993 assassination of President Ndadaye. In these days, it was dangerous even to refer to one's ethnicity or to use the term negotiations. When word of the secret talks in Rome was leaked, many observers feared that Buyoya's own assassination was imminent. By contrast, by 2003, all issues were on the table and were being debated openly. Moreover, it was evident that the principal political voices—on both sides of Burundi's ethnic divide—were preaching moderation, conciliation, and compromise.

Third, the Arusha process, for all of its warts and problems, had increased the familiarity and comfort level of the principal political actors—making possible reasonably effective collaboration between the principal Hutu and Tutsi political parties.

Fourth, pressure from the international community played a role in facilitating the May 1 changeover from a Tutsi to a Hutu presidency. Virtually all concerned countries, with the

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single exception of the French government, insisted that the Arusha agreement and the May 1 changeover date be honored.

Fifth, the Tutsi-dominated UPRONA party recognized that its interests and those of FRODEBU were linked. Both had a stake in going through with the transition as scheduled—to put more pressure on the Hutu rebels to cease the fighting, and to establish FRODEBU's political pre-eminence vis-à-vis their more militant Hutu rebel political rivals.

Finally, Hutu president-designate Domitien Ndayizeye displayed considerable political acumen, reaching out to the leading Tutsi officers and bringing the army into his confidence. The highest levels of the army command structure pledged support for Ndayizeye; he in turn made certain that the army was kept fully informed of every aspect of the ongoing negotiations with the rebels.

In December 2002, the CNDD-FDD and government signed a cease-fire agreement that began to be implemented toward the end of 2003. But the FNL still refused to negotiate with the government. Then, following an FNL massacre of Tutsi refugees in August 2004, the government issued arrest warrants for the FNL leadership and declared the FNL a terrorist organization. Subsequently, a May 2005 cease-fire agreement between the FNL and the government did not hold, and it was only in September 2006 that a full cease-fire agreement was signed. However, the demobilization and reintegration of FNL forces proceeded very slowly, and it was not until 2009 that the FNL was finally accorded the status of a political party. In the interim, in August 2005, following elections to the National Assembly, CNDD-FDD leader Pierre Nkurunziza was sworn in as Burundi's first post-transition president.

### *Building for Sustainability*

Despite the evident success of the transitional government in bringing some sense of legitimacy and stability to the Burundian political system, and laying the foundation for democratic elections, the political dynamics remained volatile. The conditions for a sustainable peace were still elusive: trust among the key political actors was scant, relationships among key leaders were exceedingly tenuous, and leaders continued to operate on the basis of a war-induced zero-sum, winner-take-all mindset. Each side believed that its survival or success could come only at the expense of the other. There was little or no recognition of their interdependence, or of the value of collaboration with one's competitors. It was increasingly clear that, for the peace to be sustainable, something needed to be done to shift this conflict paradigm, and build collaborative capacity among Burundi's leaders, enabling them to work together effectively in advancing the country's postwar economic and social reconstruction.

It was this concern with the absence of a cohesive national leadership class that inspired the launching by the Woodrow Wilson International Center for Scholars, with the support of the World Bank and USAID, of a new and experimental leadership training initiative designed to achieve the four imperatives of a sustainable peace: (1) transforming the conflict zero-sum, winner-take-all paradigm to a search for win-win solutions; (2) rebuilding trust and relationships among key leaders; (3) building a new consensus on the rules of the game, that is, on how power was organized and shared; and (4) strengthening the communications and negotiations skills of key leaders, so they would be better able to put themselves in the other's shoes, and identify solutions that would satisfy the interests of all.

The Burundi Leadership Training Project was launched toward the end of 1992, with the consent and endorsement of all of the top leaders on both sides of Burundi's conflict. The initial goal was to identify, strategically and with the assistance of many of the seventy institutional

and organizational leaders with whom we met initially, up to one hundred key Burundian leaders from all sectors—half from the political class (inclusive of the Burundian army and rebel organizations) and half from civil society. The original program was conceived as an eighteen-month venture, in which the participants (in groups of thirty to thirty-five) would be convened for an initial six-day retreat, followed every two or three months with two- and three-day follow-on training events designed to reinforce skills and strengthen relationships. The challenge in postconflict situations is to help the parties begin to identify win-win possibilities, in which enlightened self-interest is understood as inextricably linked with the welfare of the wider community. Only in this way will former belligerents be able to move from blame-throwing to problem-solving, from adversarial confrontation to a search for common ground. Our goal was, in effect, to build a national, cohesive leadership network that would cut across all the lines of political and ethnic division.

We secured the services of two globally renowned trainers, expert in the techniques of conflict transformation and the building of cohesion and collaborative capacity, and the first workshop of what became known as the Ngozi process (named for the initial training venue), was held in March 2003 and involved a mixed group of thirty-five key leaders.

The actual results of the Burundi Leadership Training Program (BLTP) are reported elsewhere.<sup>36</sup> The impact of the training initiative exceeded all expectations. Six months into the initiative, such remarkable cohesion had been established among the former belligerents that the Tutsi leaders of the Burundi army and the six Hutu rebel groups represented in the workshops asked that a workshop be organized on an urgent basis to bring together both army and rebel commanders to prepare for the implementation of the then pending cease-fire agreement. So, in November 2003, thirty-seven army and rebel commanders were brought from the battlefield into a six-day training retreat in Nairobi. At the end of the retreat, the former belligerents spoke with one voice in asking that their training experience, which had yielded a degree of trust and social cohesion that none had anticipated, be extended as quickly and as widely as possible. Subsequently, the army chief of staff asked that the training be provided to members of the Joint Cease Fire Commission, and to a commission that was established to lay the foundations for a newly integrated army. Then the United Nations asked that the BLTP train a mixed group of eighty-four former combatants to serve as monitors of the demobilization, disarmament, and reintegration process. This led to a request from the army chief of staff that one hundred members of the newly integrated army high command receive BLTP training, which was followed by a similar request from the chief of the newly established national police force.

The cumulative impact of this training was one of the most successful of Africa's postconflict reconstruction experiences. The integrated Burundian army, despite continuing turmoil within Burundi's political class, has emerged as a professional and cohesive organization, contributing not only to Burundi's immediate security, but also to the challenging Somalia peacekeeping effort. The BLTP remains much in demand in Burundi—with the Ministry of Defense asking that a "training of trainers" program be established so that the techniques of collaborative decision-making and building of social cohesion could be extended to a wider group of officers and decision-makers. Even in the most recent presidential elections, the BLTP was invited to train a mixed group of army and police commanders responsible for ensuring electoral security.

In 2005, as the first election approached and Burundians grew anxious about the possibility of electoral violence, the BLTP brought to a leadership training retreat the top officers of the multiple political parties. The goal was to give to the political parties ownership of the

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*The integrated Burundian army, despite continuing turmoil within Burundi's political class, has emerged as a professional and cohesive organization.*

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electoral process. The substantive product of the workshop participants was remarkable: the party leaders decided to write their own electoral code of conduct (which subsequently became the official electoral code), issue a joint communiqué to the public to reassure everyone of their joint commitment to work for an election without violence or intimidation, request further joint training, and ask that the media be present during the second training event so that party leaders could be seen collaborating instead of fighting with each other. Then, following the election, newly elected President Nkurunziza asked that the BLTP provide a leadership training retreat for his entire Council of Ministers, and that the BLTP begin to work with the parliamentary leaders as well. On one occasion, when negotiations over a new power-sharing arrangement between the ruling CNDD-FDD and the principal opposition parties were stalemated, the president encouraged the BLTP to organize a retreat for the country's top leaders—including all four former living presidents, the minister of interior, the army chief of staff, the chief of police, the top leaders of the principal political parties, and a number of the country's most prestigious leaders of civil society. A short while after this retreat, which renewed the confidence and trust levels among the key players, the president was able to bring the power-sharing negotiations to a successful conclusion.

### Remaining Challenges

Significant progress has been achieved in Burundi's political transition, but many formidable challenges remain. Although the Tutsi-Hutu political divide has virtually been eliminated from the national political discourse—an amazing development, given the decades of inter-communal massacres and bitter political conflict that Burundi has experienced—and the integrated Burundian army command has remained a professional and cohesive military force, the political class remains sharply divided. Burundi's second round of elections in 2010 was highly contentious, and despite the conclusion of Burundian civil society and regional and international observers that the elections were—despite several glitches—free and fair, the opposition parties refused to accept the outcome of the elections, which saw the CNDD-FDD returned to power. Most parties withdrew their presidential candidates, and President Nkurunziza was elected unopposed. The most significant opposition parties then boycotted the elections to the National Assembly and challenged the legitimacy not only of Nkurunziza's election but also of the entire electoral process.

There was blame on all sides for these developments. The CNDD-FDD never fully transitioned from its status as a rebel armed group to that of a democratic political party. It has therefore carried its historical paranoid and authoritarian tendencies into its style of governance—intimidating opponents, harassing opposition political parties, torturing its political enemies. At the same time, the opposition parties were simply unprepared to accept their electoral defeat, regardless of the broad international consensus that the elections were legitimate and an accurate reflection of popular sentiment. The political environment thus remains highly unstable—though most of the current tensions reflect not the Hutu-Tutsi divide, but instead intra-Hutu divisions that are largely a matter of personal rivalries. The sense of insecurity has intensified, and several opposition figures have fled the country, alleging that the CNDD-FDD intended to imprison them or incite political violence against them. Rumors are rampant that armed groups are reemerging, and that Burundi may be facing a return to civil war. Many observers, however, feel these rumors are exaggerated and that the violence will be contained. In testimony to its confidence about the country's future stability, the European Union has announced plans to increase its development assistance to Burundi.

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*Although the Tutsi-Hutu political divide has virtually been eliminated . . . the political class remains sharply divided.*

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## Lessons Learned

We turn now to some of the principal lessons and policy implications that emerge from this review and analysis of the ongoing Burundi experience.

### **Process is fundamental to resolving conflict.**

The Burundi peace process is an eloquent testament to the fundamental importance of process to successful conflict resolution. Even if one is faced with a conflict between parties whose fundamental interests are not terribly divergent, a failure to get process right can greatly impede the conflict's resolution. At least ten process lessons emerge from the Burundi experience.

#### 1. Mutual trust and confidence are critical.

If facilitation is to succeed, a modicum of mutual trust and confidence must be established not only between the belligerent parties, but also between the parties and the facilitator. The Arusha process was inherently difficult given the deep-seated fears and suspicions the principal protagonists brought to the table. But it was made infinitely more difficult by the mutual mistrust and lack of confidence between the original facilitator, on the one hand, and some of his principal Burundian interlocutors.

#### 2. Belligerent parties must “own” the agreements being negotiated.

One of the unfortunate aspects of the Burundi peace process was the extent to which many decisions made in the course of negotiations—particularly on matters of process, and sometimes on matters of substance—were determined by the facilitation team, rather than by the Burundian parties.

As the process morphed from facilitation to mediation to arbitration, Burundians were thus increasingly negotiating not with each other, but with the facilitator. In not being forced to come up with their own agreement on the leadership of the transition, they were, in effect, being permitted to leave some of their most fundamental differences unresolved. A situation was also created wherein parties who did not agree with the facilitator's adjudication could always claim that the transitional leadership decision was effectively imposed, and that they therefore did not feel any particular responsibility for its implementation.

Ultimately, agreements that are coerced or imposed—or, more precisely, perceived as such—are inherently less stable than those for which the parties take full responsibility. The transformation of facilitation into mediation and, especially, arbitration carries with it enormous risks, particularly if this change has not been explicitly and voluntarily agreed upon in advance by the principal parties.

#### 3. A search for a quick fix is almost always counterproductive.

When Nyerere finally succeeded in launching the all-party negotiating process, the civil war was extracting a steep humanitarian toll, both the army and the rebel forces being far more adept at launching attacks on civilians than on each other. Nyerere therefore pressed for a suspension of hostilities. Three of the rebel groups were represented—the CNDD, FROLINA, and PALIPEHUTU. It was not certain, however, whether the political arms of the two other armed groups effectively controlled their fighters, and several of the parties and diplomatic observers therefore had their doubts about the agreement. But Nyerere wanted to do something he felt would reaffirm the determination of all the parties in Arusha to come to a negotiated political settlement.

The agreement was therefore signed by all the parties, though the Burundian government and other delegations inserted formal reservations with their signatures. No one wanted to

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*The Burundi peace process is an eloquent testament to the fundamental importance of process to successful conflict resolution.*

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*Premature agreements on cease-fires that cannot be implemented can be used by the belligerent parties to demonstrate that their adversaries are not trustworthy.*

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defy the facilitator, or to appear less interested than the others in supporting negotiations. But, predictably, the war continued unabated and the signed agreement lost what force it had had. Its failure to end the violence also raised questions about the prospective value of whatever agreements would subsequently be reached.

As Sant' Egidio's Don Matteo Zuppi had observed in Rome, premature agreements on cease-fires that cannot be implemented can be used by the belligerent parties to demonstrate that their adversaries are not trustworthy. This makes negotiations even more difficult to move forward.

Trust and confidence levels take time to mature, especially in a society as divided and traumatized as Burundi's. It was a huge step to have parties who had demonized each other as murderers and genocidaires simply sit down together. But it would take much more time, and often the assistance of third parties, to begin to break down the walls of suspicion and mistrust that decades of fear and insecurity had developed.

Americans, in particular, have a cultural predisposition to seek instant solutions, and to think and plan in terms of extremely short time frames. Time and again, I heard State Department colleagues bemoan the slow pace of the Great Lakes negotiations, both on Burundi and on the DRC. "They're not really far apart in their fundamental interests," I was often told. "Why can't they simply make a decision?" Unfortunately, effective diplomacy is a tough, slow, time-consuming, hands-on, incremental process. Trust and confidence must first be established to permit the negotiation of substantive differences. And, when the social compact has been ruptured, as it had been in Burundi, there is no instant solution for the restoration of trust among belligerents. Moreover, the search for the quick fix can compromise and make more difficult the quest for sustainable negotiated agreements. In sum, absent mutual trust and confidence among the negotiating partners, it is possible to win an agreement but still lose the peace.

4. Confidence-building must come before, not after, agreement-making.

In one sense, the Burundi process reversed the normal sequence of successful conflict resolution, putting agreement-making ahead of confidence-building. This is particularly unfortunate for Burundi, given its unique history of minority domination and intercommunal violence, and the resulting high levels of fear and insecurity. The transition the Burundians launched was intrinsically shaky, particularly because the continuation of war added to the pressure on the transitional government that had been unable to secure peace. That does not mean that there was no progress on the confidence-building front. That the transitional government worked as well as it had, in spite of continuing rebel attacks, indicates that some confidence-building did occur in the course of the extended Arusha process. (As suggested earlier, it was also testimony to the conflict fatigue of most Burundians, who desperately yearned for a respite from the violence and insecurity.) Given Burundi's violent history, and the sharp divisions among Burundian Hutu elements, it remains to be seen whether current levels of social and political cohesion in Burundi will be enough to sustain the agreement negotiated in Arusha.<sup>25</sup>

5. The perception of neutrality of both the facilitator and the negotiating venue are critical to smooth facilitation.

The Burundi peace process is an emphatic reminder of the importance of two core principles of most conflict resolution frameworks: first, the need for the facilitator not only to act as an honest broker, but also to be perceived as doing so; second, the negotiating venue helps shape belligerent perceptions of facilitator neutrality.

Facilitator neutrality does not mean that the facilitator cannot make or express value judgments about the social equities that may be at issue in the conflict. At the outset, all Burundians understood that Nyerere felt passionately that Tutsi hegemony and Hutu political and economic exclusion were at the center of Burundi's political conflict. Nyerere did not disguise his determination to see an end to what he had characterized as black apartheid. Even knowing that, on the basis of his open condemnation of the killing of Rwandan Tutsis in 1994, Tutsis saw Nyerere as a moral, principled figure. Moreover, Nyerere repeatedly emphasized that in his view any sustainable political agreement needed to address not only Hutu aspirations for the restoration of political democracy, but also Tutsi fears of ethnic annihilation. In short, peace had to be built on two pillars: democracy and minority rights.

The problem was that, in the eyes of the Tutsi community, although Nyerere was indeed an exceptional figure of unique moral authority and stature, the former Tanzanian president could not totally transcend his national origins. Tanzania was seen as a pro-Hutu partisan. Consequently, whenever Tutsis became uncomfortable with the directions the Arusha process was taking, hard-line critics of Buyoya would immediately allege that Nyerere's real purposes were hostile to the Tutsi community.

No less problematic was the choice of Arusha as the principal venue of the all-party negotiations. This decision made the facilitator's task even more challenging given the periodically strained relationship between the Burundian and Tanzanian governments. The Tutsi perception of a Tanzanian pro-Hutu bias was inevitably reinforced by the fact that several hundred thousand Burundian Hutus had taken refuge in Tanzania, that the armed rebellion drew many of its fighters from those refugee camps, and that local police and border officials were thought to be complicit in the flow of men and arms from Tanzania into Burundi.

#### 6. Confusion of facilitator roles must be avoided.

As the years went by, Nyerere and Museveni often pointed out to critics of the sanctions regime that whatever concessions the Burundian government had made were the direct consequence of the sanctions. In fact, the constant complaints of UPRONA and the Tutsi business community about the impact of the embargo on Burundi suggests that the sanctions really did have an impact on the Tutsi elites at whom they were primarily directed.

The problem was not sanctions per se, but the facilitator's assumption of the role of sanctions enforcer. The facilitator's job was made infinitely more difficult by his total identification with the sanctions regime as well as by his resistance to appeals that the embargo be relaxed. This gave Tutsi hard-liners, who were the most serious political threat to Buyoya, the ammunition they needed to portray the Burundian president as putting the fate of the Tutsi community into the hands of the person most directly responsible for the regional economic assault on Burundi. This, in turn, reduced Buyoya's freedom of maneuver, thereby greatly complicating the facilitator's task. Intellectually, Nyerere recognized that his public advocacy of sanctions was inconsistent with the role of a neutral facilitator. On one occasion, he actually apologized to the Burundian minister of defense for public pro-sanctions remarks he had made. But Nyerere found it difficult to restrain himself, particularly when he felt disappointed or let down by Buyoya or the Burundian government.

#### 7. You can't negotiate in a crowd: the real work of negotiations must be done in secret, discrete meetings involving a limited number of players.

The original Arusha blueprint envisioned the Burundian government entering into negotiations with all of the parties, including the armed groups. Consequently, when the first

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*You can't negotiate in a crowd: the real work of negotiations must be done in secret, discrete meetings involving a limited number of players.*

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all-party meeting was finally convened, no fewer than seventeen delegations were present. This number was to be increased to nineteen. Two delegations represented the institutions of the government and the National Assembly, three represented the political wings of armed rebel groups (the CNDD, the PALIPEHUTU, and FROLINA), and the remainder included the two principal Burundian parties (UPRONA and FRODEBU), and a host of smaller Tutsi and Hutu parties. Most of the smaller parties were closely allied with the two larger ones. The one significant exception was PARENA, the Tutsi party headed by former president (and Buyoya nemesis) Bagaza.

It was understood from the outset that many of the smaller parties had questionable constituencies, little more than their leaders and those immediate families. But some of the smaller Tutsi parties were among the most hard-line, and both Buyoya and Nyerere felt that it was important to give them a sense of inclusion at every stage and in every aspect of the process. Their fear was that if the smaller extremist parties felt marginalized they would remain a source of constant trouble for those Tutsi moderates attempting to build support within Burundi for the concessions that would be required in a negotiated political settlement. (For the same reason, Buyoya asked that a way be found to include so-called civil society representatives, at least as observers. Many of the most extreme Tutsi voices fell within this grouping, for the most part labor unions and youth groups, and Buyoya was seeking to reduce their suspicion and hostility by including them in the process.)

Despite the inclusiveness of the Arusha sessions, the large number of delegates was to emerge as a source of confusion, considerable cost, and inefficiency. The Arusha process was structured as a series of committee sessions, interspersed with occasional plenary meetings. Nyerere intended that the real work would be done within the five working committees, but that nothing would be finalized until ratified by the plenary. The problem was that every delegation was represented on every committee, making the committee an unwieldy mechanism. Discussions were long and often without resolution. The number of people involved meant that individual delegations tended to play to the crowd rather than focus on the agreements. Several facilitators of the working committees also had the feeling that the smaller parties, in particular, were intentionally foiling the deliberations.

Eventually, when it became clear that the most sensitive issues simply could not be resolved in what was often a circus-like atmosphere, Nyerere acquiesced to the urging of several key players that the six principal delegations be convened for more discrete negotiations on the fundamental issues. It was at these meetings—of the government, the National Assembly, FRODEBU, UPRONA, the CNDD, and PARENA—that substantive progress finally began to be made. As anticipated, the smaller parties, though resenting their exclusion from the process, generally came into line with the emerging consensus of the leading delegations. Of course, some issues—most notably, the leadership of the transition, and the reform and integration of security forces—were to remain in dispute long after the signing of the accord on August 28, 2000.

#### 8. Getting reasonable decision-making rules at the beginning of a process is critical.

One of the procedural problems that was to plague Nyerere's facilitation efforts was the failure to clarify at the outset what it would take to finalize negotiated agreements. The envoys urged him to explicitly write into the rules governing the negotiations that final decision-making would be not on the basis of unanimity but "sufficient consensus." The concern was that it needed to be clear that a minor party would not have a veto over agreements reached by the principal delegations. Nyerere, however, feared provoking the smaller parties and fur-

ther delaying the start-up of serious negotiations. The rules therefore remained silent on this issue—and the smaller parties were to emerge as a constant source of irritation, frustration, and delay for both Nyerere and the delegations.

When Nelson Mandela became facilitator, the rules of the negotiating game changed dramatically—both by Mandela’s decision to have the facilitation team offer a compromise draft accord to which the parties were pressured to accede, and by his reliance on smaller meetings of certain key players to drive the negotiating process. The smaller parties did not take kindly to their diminished role, but ultimately were powerless to change the outcome and acquiesced in the decisions the key players reached.

#### 9. Nothing beats preparation.

Another lesson that emerges from the Burundi process is the importance of adequate preparation. One of the most frequently voiced complaints of the government (and several other delegations as well) was that the facilitation team would spend little time consulting with them in advance of formal meetings. Both the Arusha process and the follow-on efforts to bring the armed rebels into direct negotiations followed a similar pattern. Typically, the delegations would be assembled and told to resume their negotiations despite little work having been done in advance to clarify the positions of the various negotiating parties, or to attempt to narrow their differences and identify potential areas of agreement. Consequently, precious weeks and months that might have been devoted to shuttling between the parties, or even to bringing subgroups of key parties together for discrete talks, were wasted, and the actual negotiating sessions were often more extended and contentious than they needed to have been.

#### 10. The “shape of the table” can really be a big deal.

The almost inevitable debates at the beginning of peace processes on what is referred to as the shape of the table are often treated as symbolic but ultimately inconsequential. The Burundi case suggests that this issue can have profound substantive implications for the negotiating process.

The structure of negotiations consumed much of the Arusha process. Some within Nyerere’s team felt that a two-sided table would greatly simplify negotiations by sharpening the core issues dividing Hutu and Tutsi. To the Tanzanians, who tended to view the Burundi state as a form of black apartheid, there was a certain political logic to it—and, in the South African experience, a recent precedent. In South Africa, despite the many political parties, negotiations had been structured around a two-sided table, with the various parties free to align themselves with either of the two principal belligerents, the African National Congress and the National Party.

Some of the Burundian parties, notably the CNDD, were similarly strong advocates of a two-sided table—but one defined in political rather than in ethnic terms. In the CNDD view, the fundamental cleavage in Burundi was not between Tutsi and Hutu, but between those who supported democracy and those who did not. Thus the CNDD contemplated a two-sided table, in which the current putchist regime and its allies would face the CNDD and other “democratic forces.”

Another proposal was, in effect, a three-sided table, in which the numerous parties would be organized on the basis of the three distinct political orientations that had emerged. One group, consisting of PARENA and seven small Tutsi parties, articulated the perspective of Tutsi hard-liners, focusing on constitutional mechanisms to ensure minority protection or control. The second, encompassing the delegations representing the government, the National Assembly, UPRONA, and a small moderate Tutsi party, pressed for a democratic framework that would take into account ethnic security concerns but avoid establishing ethnically explicit

state structures. The third group, including the CNDD and Hutu elements supportive of the external FRODEBU leader Jean Minani, advocated straightforward democratic mechanisms, arguing that Burundi had no ethnic problem per se, but was simply the victim of bad governance and the manipulation of ethnicity by its leaders.

However, all attempts to restructure the alignment of Burundian parties proved more complicated than anticipated. First, both Buyoya moderates and internal FRODEBU leaders were made especially anxious by anything that highlighted ethnically defined political differences. The internal partnership, which had set the stage for the all-party negotiations, was designed as a demonstration that moderate Tutsis and Hutus held common interests and constituted a critical mass that could ultimately negotiate a peaceful resolution. Moderates feared that regrouping the Arusha delegations into two or three “tendencies” threatened to polarize the delegates along ethnic lines and play into the hands of the more extreme elements of the two ethnic communities. The moderates of both groups, they feared, would be intimidated and silenced by the extremists. This approach, it was argued, would encourage greater confrontation rather than a willingness to compromise.

Second, these efforts at combining delegations had the unintended effect of deepening or making more explicit existing divisions between Hutu leaders. FRODEBU leaders, for example, were initially extremely discomfited by being grouped with the CNDD. They acknowledged that they and the CNDD had common political views, but their partnership with Buyoya and UPRONA had been predicated on their being perceived as not having bought into the CNDD doctrine of armed struggle. As one internal FRODEBU leader explained to the chairman of the Working Committee on Governance, “if you leave the impression we are with the CNDD, it will confirm the impression that we are one and the same.”

Even more important, the effort at regrouping the delegations in Arusha put major additional strain on both FRODEBU and the internal partnership, with internal FRODEBU leaders in effect being asked to choose between partnership with the government and their ties with external FRODEBU and other exiled Hutu elements. One internal FRODEBU leader expressed his reservations about this development:

We must find areas of agreement. If at Arusha we can't get beyond confrontation, and find areas of agreement, the process will not advance. The Burundi conflict is based on fear and suspicion. And every time at Arusha, you appear to be against some, you increase the fear of others. And you move away from a solution. It is difficult for the partnership to work on compromise solutions if FRODEBU itself is not internally agreed. If FRODEBU does not find a way of resolving its internal dispute, it will slow down the whole peace process.

Toward the end of the Arusha negotiating process, two broad groupings of political parties, the Hutu G-7 and the Tutsi G-10, did finally emerge—but it is arguable whether this represented either increased political coherence within the two opposed camps, or an advance in the negotiating process. In the traumatized Burundi context, the principal effect was simply to make the ability of the moderates to devise and sustain pan-ethnic political agreements more difficult.

### **The most important facilitator skill is listening.**

Repeatedly, over the years of my involvement in the Burundi peace process I was reminded that the most critical of all skills of an effective facilitator is listening. Listening involves far more than recording the literal words of an interlocutor. What is critical is attending to the intent of the interlocutor—which is often conveyed in complex and subtle ways—through body language, eye contact, and inflection. Effective listeners must also be open to whatever mes-

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sages are conveyed, careful not to filter the words of an interlocutor through a lens distorted by emotional involvement. When one is angry or agitated, it is often difficult to hear accurately. Such distortions are likely to frame the negotiating process.

Listening, for a facilitator, involves more than accurate and attentive hearing. The facilitator must listen not only closely but also respectfully. Parties in conflict desperately want to be heard. The first step for a facilitator in establishing confidence with a belligerent party is to do some heavy-duty listening. It meant far more than can be imagined to the rebel CNDD that they had a sympathetic, respectful “ear” in Sant’ Egidio’s Don Matteo Zuppi. Their sense was that he cared and was prepared to really listen to their grievances and concerns. They felt they could trust him. And, just as important, the CNDD’s most immediate adversary, the Buyoya government, was equally comfortable with Zuppi and Sant’ Egidio—strong testimony to Zuppi’s evenhandedness.

**Parties with destabilizing capabilities need to be at the negotiating table.**

Without a doubt, the most serious flaw in the Arusha process was the absence of the principal armed rebel groups, who were doing the fighting on the ground. The reasons they never joined the Arusha process are complex, and a complete explanation is beyond the scope of this paper. What is clear, however, is that their absence meant that the war was destined to continue despite the accord signed in August 2000.

The Burundian government repeatedly warned first Nyerere and then Mandela that it was taking a huge risk in negotiating new power-sharing arrangements with representatives of the Hutu majority without any certainty that an accord would end the fighting or a resolution of the most sensitive issue of all, security reform. The Arusha negotiators, recognizing that it was not practicable to address this issue without involving the rebels, who had the most immediate interest in how the national army would be restructured, left the accord’s security provisions intentionally vague, anticipating that they would be elaborated subsequently in direct negotiations between the government and the rebels. Consequently, the broadly based transitional government, in which power was shared between Tutsi and Hutu, was under immense pressure. The FRODEBU members of the government, in particular, who had assured both the facilitator and their UPRONA partners that they would be able “to deliver” the rebels to a cease-fire agreement and secure their involvement in the transitional institutions, appeared increasingly impotent. At the same time, the Buyoya moderates who acquiesced to Mandela’s pressure both to sign the accord and launch the thirty-six-month transitional period even in the midst of continuing war, appeared to have made a very bad deal. Buyoya, in particular, had to contend with accusations by Tutsi hard-liners of again selling the Tutsis down the river—just as he allegedly had done in 1993 when he had made the election of a Hutu president possible.

In some ways, the accord and the transitional government may have made a cease-fire more difficult. On the one hand, the signatories, who came to occupy various positions within the transitional government, acquired a vested interest in the Arusha provisions and feared that a separate negotiation with the intransigent rebel groups might diminish their own political standing. On the other hand, in the eyes of the rebels, the Arusha process was wholly illegitimate, and represented little more than members of a discredited political class dividing jobs among themselves. Thus, the more the facilitators emphasized the Arusha framework, the more the rebels resisted.

Three additional factors further complicated the efforts to secure a comprehensive cease-fire agreement between the Burundian government and the armed rebels. First, the rebel organizations themselves faced serious internal divisions, and it was not always clear as to

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*The most serious flaw in the Arusha process was the absence of the principal armed rebel groups.*

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who controlled what on the ground. Second, divisions among Tanzanians about how to deal with the rebels, and tactical differences between the South African and Tanzanian facilitators, weakened the coherence of the facilitation strategy. Third, certain rebel leaders remained quite isolated politically, and repeatedly voiced their distrust of the facilitators.

**Regional sponsorship of a peace process has a definite down side.**

In July 1996, when the region mobilized to condemn the Buyoya coup and launch the Arusha peace process, the world applauded. African leaders were assuming responsibility for addressing a major crisis within their own region, and were reacting creatively and with determination to impose sanctions on the military regime, and to put in a place the framework for a negotiated settlement of the Burundi conflict. The Arusha process appeared to be an eloquent affirmation of the viability of “African solutions for African problems.” For the regional leaders, acting collectively on Burundi was in their immediate self-interest, given that the conflict had major destabilizing potential for the entire region.

With the benefit of hindsight, however, it appears that regional sponsorship of the Burundi peace process was not an unmitigated blessing. The belligerent parties saw several of the regional states as partisans of one side or the other and were therefore less inclined to trust the neutrality and professionalism of the regionally sponsored facilitation. Moreover, the regional states themselves tended to view the Burundi conflict through the prisms of their own experience and history, which may well have skewed their analysis and reading of intentions. In one sense, their proximity may have prevented the kind of objectivity and emotional distance so essential to effective facilitation.

This is not a repudiation of the conflict-resolution capacity of African leaders. It is merely an acknowledgment that facilitators from within the region in conflict will inevitably face far greater challenges in establishing their neutrality and credibility. Just as one would be unlikely to ask a Serb or a Croat to serve as a Balkans facilitator, so one should question the wisdom of inviting a central or eastern African leader or nation to facilitate the resolution of conflicts in Burundi or Rwanda.

**Negotiations will inevitably be affected by a changing military situation.**

The Burundi peace process is additional evidence of the conflict resolution nostrum that negotiations cannot be divorced from the battlefield. Negotiations between the government and the CNDD became conceivable only after both the Burundian army and the rebels had concluded that a definitive military victory by either side was out of reach. The army was not about to be defeated by the rebels, and the rebels would never be able to permanently hold and control territory.

However, when the CNDD lost its rear base in eastern Zaire toward the end of 1966, the calculations of the belligerent parties temporarily changed. Not wanting to enter negotiations from a position of perceived weakness, the CNDD became for a time less enthusiastic about the Rome-based bilateral negotiations. At the same time, a sense of Tutsi triumphalism that accompanied the developments in eastern Zaire temporarily strengthened the position of Tutsi hard-liners and caused Buyoya to approach the risky Rome talks with even greater caution than before.

**Effective facilitation often depends on skillful use and coordination of diplomatic interventions by external players.**

Nyerere, Mandela, and Zuppi all sought to mobilize and coordinate the diplomatic weight and energies of the international community in support of their efforts to bring the bel-

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*The belligerent parties saw several of the regional states as partisans of one side or the other and were therefore less inclined to trust the neutrality and professionalism of the regionally sponsored facilitation.*

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ligerent parties to a negotiated political settlement. The Burundi conflict was unusual in the number of special envoys appointed to work on a continuous basis with the facilitators and regional leaders. We jokingly referred to our Special Envoy Club, made up of diplomats from the United States, the European Union, Belgium, the UK, Canada, South Africa, the OAU, and the UN. In addition, France, Switzerland, Sweden, and Norway, though they did not appoint special envoys, were nonetheless very engaged diplomatically in supporting the peace process.

Nyerere periodically called the envoys together to share political intelligence and consult on appropriate next steps. Zuppi did likewise. Mandela had less frequent contact with the special envoys, but invited President Clinton, President Chirac, and other heads of state to be present at key moments in the peace process to encourage or intimidate the belligerent parties to reach a negotiated settlement.

EU special envoy Aldo Ajello and I did a good deal of shuttle diplomacy among regional states, and spent considerable time in Bujumbura, listening to the parties, carrying messages to and from the facilitator, working through misunderstandings that developed, pressing the belligerent parties to be flexible and to keep their focus on their common interest.

The envoys also sought to coordinate the formal diplomacy and economic assistance provided either bilaterally or through such institutions as the United Nations and the World Bank. For the most part, we succeeded in speaking with one voice, thereby lessening the temptation of the belligerent parties to play us off against each other. We also successfully resisted the frequent attempts by the Burundian government to garner international support to move the peace process out of Tanzania and out of Nyerere's control. Although the envoys were critical of some aspects of the Nyerere-led facilitation, there was a common understanding that Nyerere needed to be supported by the international community. Any hint to the contrary would only have played into the hands of Burundians looking for any excuse to walk away from negotiations.

**Donor or facilitator fatigue may lead to imposed, and hence unsustainable, agreements and be more costly in the end.**

One of the enduring concerns of Nyerere and his Tanzanian colleagues was that the international donors would grow weary of a process that seemed to have no limits. On occasion, the facilitators would suggest that donors might abandon the process in an attempt to persuade the negotiators to be more flexible.

In fact, the donors who provided the most support were privately very critical of what appeared to be, at times, an inordinately expensive and inefficient process. Several times donors pressed, albeit unsuccessfully, for methodology to be streamlined. But when push came to shove, no donor wanted to say no to Nyerere and the funds continued to flow.

Nyerere, just before his death, was clearly growing weary of the lack of progress. Mandela, his reluctant successor, had no intention of engaging in a prolonged process. He wanted results, and he wanted them quickly. He therefore changed the rules of the game by instructing the facilitation team to propose a compromise accord, which the parties were ultimately required to accept with minimal amendment. He also decreed that part of the solution to the sensitive security issue was that the army would comprise 50 percent Hutu and 50 percent Tutsi.

As the months went by, Mandela became increasingly impatient. He decided to put as much pressure as possible on the Burundians to sign the accord regardless of their reservations, and to accept the principle of a thirty-six-month transitional government divided into two equal parts, the first led by Buyoya and the second by a Hutu. Mandela then insisted that

the transitional government be formally launched on November 1, 2001, despite the lack of a cease-fire agreement with the armed rebels not part of the agreement. Thus the transitional government was required to operate in the midst of a continuing civil war, without core issues ever having been fully resolved, and with many Burundians remaining in political exile or housed in regional refugee camps.

**Facilitators and diplomats must guard against embassy clientitis and biased analyses of conflicts or peace processes that have an interstate dimension.**

One of the more fascinating aspects of my diplomatic role as special envoy was to read the daily cable traffic coming in from the American embassies in the various state capitals. What was striking was the extent to which the political reporting on the Burundi and DRC conflicts from these embassies was colored by the political perspectives of their host governments. Particularly striking at times were the divergent perspectives of Embassy Kigali and Embassy Kinshasa, or Embassy Bujumbura and Embassy Dar.

The problem of clientitis was not unique to these embassies. Nor was it a problem only for American diplomats. Diplomacy everywhere is affected by the tendency of diplomats to have their political analyses heavily influenced by the political environment of their host country. That is why, when multiple countries are involved either in a regional conflict or a regionally sponsored peace process, it is critical that diplomatic efforts are led not by sitting ambassadors but instead by persons with the freedom to move between state capitals and comprehend a broader regional perspective.

**A lack of timely and coordinated donor support can complicate, if not seriously undermine, a peace negotiation.**

One of the more frustrating aspects of the international community's engagement with the Burundi peace process was its inability to mobilize, in a timely way, technical and material assistance that would have improved the material situation of the impoverished and war-torn Burundian population, and provided tangible benefits for those who had taken the risks for peace. Donor aid agencies almost universally resisted engagement with Burundi, arguing that the peace process had not yet matured enough, or that the country was too insecure to permit ramping up economic cooperation.

When at last the Arusha accord was signed, the donors came together in Paris and pledged more than \$300 million in assistance to Burundi. But, a year later, virtually none of this promised additional support had been delivered. In December 2001, yet another donors' meeting resulted in further pledges of hundreds of millions of dollars, much of which appeared to simply replicate the unfulfilled commitments of a year earlier.

In my experience, USAID was extraordinarily resistant to a contingent commitment of resources. Yet, as both Nyerere and Mandela realized, what would have greatly assisted the facilitators, both in Arusha and in the follow-on efforts, would have been their ability to point to a substantial pool of economic resources that would flow once an agreement was signed, sealed, and delivered. But severe resource constraints, combined with a risk-averse bureaucratic culture, made this kind of planning virtually impossible.

Another constraint on the appropriateness and timeliness of American assistance was long-standing legislative restrictions that greatly limited USAID's ability to assist governments that have come to power by nondemocratic means. The operative language effectively prohibits assistance even to governments transitioning to democracy. Although certain waivers from these prohibitions were technically possible, they were in practice remarkably difficult to secure.

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Whatever the explanation, the harsh reality is that the international community's non-responsiveness made an intrinsically difficult process all the more challenging, for both the facilitators and the affected Burundian parties.

**A simplistic characterization of democracy as one person, one vote may interfere with sustainable resolutions to intercommunal conflicts.**

One person, one vote—the shorthand definition of democracy often heard in the United States—has unsurprisingly become the rallying mantra for ethnic communities struggling against minority or despotic rule. Yet, as the search for a sustainable resolution of the Burundi conflict makes clear, the slogan invites unhelpful negotiating rigidity and discourages a more considered reflection on the conditions required for deeply divided and insecure ethnic groups to live peacefully together.

In truth, probably no democratic society—including the United States—functions on the basis of pure majoritarianism. Indeed, as the contrast between the U.S. House of Representatives and Senate attests, American political institutions combine majoritarianism with regionalism—a compromise negotiated by the founders. Other culturally plural democratic societies, such as Switzerland, have similarly established ethnically explicit state structures and rules of representation, all of which are departures from simple majoritarianism.

But, in one sense, all of this preoccupation with electoral systems is beside the point. Stable democracies are defined by much more than their electoral methodology. That is why the fixation of American democracy promoters with the mechanics of democratic elections—with whether elections have been free and fair—is often counterproductive, diverting attention away from other equally fundamental issues: such as making national institutions truly inclusive, so that the principal ethnic communities have a feeling of common ownership of their political system; building participant-based, accountable national institutions with appropriate balancing and checking mechanisms, so that the various ethnic communities have a sense of control over their own political destinies; and establishing protections for ethnic minorities that fear their victimization or annihilation at the hands of the ethnic majority.

As the Arusha negotiators discovered, there are an infinite number of institutional configurations and electoral rules consistent with political democracy—as long as one understands democracy to mean much more than majority rule or one person, one vote. Sustainable peace in Burundi will require a fundamental agreement on all of the rules of the game—not only on how elections will be organized, but also on how power is to be shared, how political decisions will be made, how the judicial system will be structured and operated, and how security institutions will be managed.

Burundi is also a reminder of the dangers associated with political systems that place a premium on competition rather than on institutional mechanisms that encourage a search for consensus and common ground. In a society so deeply divided along ethnic lines, simple majoritarianism is a formula for political disaster. The Arusha negotiations were difficult, but in the end, Hutu leaders recognized the need for a pragmatic accommodation to Tutsi fears—and accepted a series of institutional checks and balances that give to the Tutsi community effective institutional power out of proportion to their numbers. This was understood by Burundians as the price that had to be paid for an end to Tutsi hegemony and the civil war, and for the restoration of the country's constitutional democracy.

The United States would certainly benefit from a more sophisticated discourse on democracy, one that distinguishes between core universal principles—regular election of government officials, the rule of law, the protection of fundamental human rights, and a system of

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*The Arusha negotiations were difficult, but in the end, Hutu leaders recognized the need for a pragmatic accommodation to Tutsi fears.*

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institutional checks and balances to guard against authoritarian rule—and the institutional diversity of democratic states.

**The key to the sustainability of peace agreements is long-term collaborative capacity.**

Democratic nation-building is not simply a matter of persuading political leaders to subordinate their parochial interests to those of the nation. Real transformation requires recognition that self-interest can be more effectively advanced through collaboration and inclusive political processes. But collaboration is more than conventional diplomatic interventions. It also requires organizational development specialists or trainers, specialists in the techniques of institutional and conflict transformation. Diplomats are in position to access the key leaders of a society, and to exert the leverage required to bring these leaders into a long-term training process. But it is the trainers who must implement the training program. Working together, diplomats and trainers are a powerful synergy, capable of addressing in a holistic way the fundamental challenges of peace and democracy-building in all divided societies.



## Notes

1. The first African genocide actually occurred in Namibia (the former Southwest Africa) when the Herrero people were slaughtered by the German occupiers.
2. Testimony of Rene Lemarchand before the U.S. House of Representatives Subcommittee on Africa.
3. This analytical perspective is developed more fully in Robert Melson and Howard Wolpe, "Modernization and the Politics of Communalism: A Theoretical Perspective," *American Political Science Review* 64, no. 4 (December 1970): 1112–30.
4. Rene Lemarchand, *Burundi: Ethnic Conflict and Genocide* (Cambridge: Woodrow Wilson Center Press and Cambridge University Press, 1996), 9.
5. *Ibid.*, 10.
6. *Ibid.*, 37.
7. *Ibid.*, 42–43.
8. *Ibid.*, xii.
9. Amadou Ould-Abdullah, *Burundi on the Brink 1993–95: A UN Special Envoy Reflects on Preventive Diplomacy* (Washington, DC: U.S. Institute of Peace, 2000), 25.
10. *Mwalimu* is Swahili for *teacher*. In a Tanzanian village, and within a school community, every teacher is normally addressed as *mwalimu*. Nyerere, a former teacher, was still given this honorific title long after he had left teaching for politics.
11. Stephen R. Weissman, *Preventing Genocide in Burundi: Lessons from International Diplomacy* (Washington, DC: U.S. Institute of Peace, July 1998), 17.
12. Meeting notes of the author, 1996.
13. Nyerere, interview with *Le Monde*, August 1996.
14. Meeting notes of the author, 1996.
15. Interview with the author, 1996.
16. Meeting with the author, 1996.
17. Meeting notes of the author, 1996.
18. Meeting notes of the author, 1996.
19. For an excellent analysis of these war-induced regional tensions, see International Crisis Group (ICG), "Burundi: Internal and Regional Implications of the Suspension of Sanctions," May 4, 1999, 4–5, [www.unhcr.org/refworld/docid/3de21e1c4.html](http://www.unhcr.org/refworld/docid/3de21e1c4.html) (accessed January 14, 2011).
20. In the 1970s and 1980s, erstwhile anti-Mobutu rebel Laurent Kabila actually operated out of Tanzania. At one point, in 1975, the Tanzanian-based Kabila took hostage four American students from naturalist Jane Goodall's primate research center in Tanzania. Following his takeover of Kinshasa and ouster of Mobutu, Kabila apologized to Nyerere for this unseemly incident that had occurred during Nyerere's presidency.
21. ICG, "Burundi."
22. Meeting notes of the author, 1997.
23. Meeting notes of the author, 1997.
24. Given their public exposure, a resumption of discrete two-party negotiations in Rome was no longer feasible, at least in the short term. Although not wanting to cut off his contacts with Sant' Egidio, what Buyoya now advocated was the organization of a negotiating framework to which all parties would have access.
25. Meeting notes of the author, 1998.
26. Meeting notes of the author, 1998.
27. *Ibid.*
28. At the last moment, Nyerere and Museveni pleaded, unsuccessfully (as did the bitterly opposed Dar-based FRODEBU chairman, Jean Minani), that these documents not be ratified until the Arusha process had been restarted. They did not want an appearance of an internal partnership fait accompli even before all-party negotiations had been initiated. The facilitator believed this would undercut Arusha. Buyoya, however, felt just as strongly that the ratification of these documents, before Arusha, would validate the existence of a politically viable partnership and pressed the speaker to ratify the documents in advance of Arusha. The speaker eventually acquiesced. However, to reduce the anxiety of external actors, the documents explicitly affirmed that they would be open to subsequent amendment and revision.
29. Among the chairs and co-chairs Nyerere invited to participate were Sant' Egidio's Don Matteo Zuppi, President Mandela's former legal advisor, a prominent Mozambican political figure, the head of Austria's Economic Cooperation Agency, and a high-ranking official of the Canadian International Development Agency.
30. The five working groups, which became the principal negotiating arenas, were each charged with different substantive responsibilities: The Nature of the Burundian Conflict, Democracy and Good Governance, Peace and Public Security, Economic Reconstruction and Development, and Guarantees and the Implementation of the Agreement.

31. The issue of observers was politically difficult to resolve. The government, recognizing that much of the Tutsi hard-line resistance to the Arusha process came from within Tutsi-dominated trade unions and among Tutsi businessmen, very much wanted these elements in Arusha—not as delegates but as observers. Such groups would have no role in ultimate power-sharing, but their support would be critical in addressing the difficult issues of justice, genocide, impunity, and security reform. However, Hutus, recognizing that Burundian civil society was, in large measure, simply an extension of the Tutsi power structure, feared that the government was simply attempting to stack the cards in its favor at Arusha.
32. Another consequence of the war in the neighboring DRC was that it at times posed a major distraction for both the Burundi facilitator and others—for example, Sant' Egidio's Don Matteo Zuppi, and the special envoys—who were often drawn into DRC war-related travel and consultations. Nyerere himself undertook a major trip to the DRC and was also called into Libya on a couple of different occasions to discuss DRC issues.
33. An excellent review of the state of the Arusha negotiations at the time Mandela took over as facilitator is presented in the ICG report “The Mandela Effect: Prospects for Peace in Burundi,” April 18, 2000.
34. At one point, greatly underestimating the work that remained, Mandela said that he wanted President Clinton and President Chirac to join with him in Arusha to “close the deal” in February 2000, one month after his initial meeting with the Burundian parties. On another occasion, he spoke of his goal of concluding the Burundi peace negotiations by June of the same year.
35. In a stroke of genius, one of Mandela's first acts was to press the UN Security Council, which was working on a Burundi resolution, to eliminate all critical references to the regroupment camps. He told the Burundian government and the Security Council that he had confidence that the government would close down these camps without further pressure from the Security Council. Not wishing to displease the new facilitator, the Burundian Foreign Ministry immediately announced it would begin closing the camps forthwith. Mandela, in one fell swoop, had inspired a significant human rights initiative while permitting the government to save face before the international community. He thereby gained considerable leverage with the government on still-unresolved issues.
36. See Howard Wolpe, with Steve McDonald, Eugene Nindorera, Elizabeth McClintock, Alain Lempereur, Fabien Nsengimana, Nicole Rumeau, and Alli Blair, “Re-building Peace and State Capacity in War-Torn Burundi,” *The Roundtable: The Commonwealth Journal of International Affairs* 93, no. 375 (July 2004): 457–67; Howard Wolpe and Steve McDonald, “Training Leaders for Peace,” *The Journal of Democracy* 17, no. 1 (January 2006): 126–32; Howard Wolpe and Steve McDonald, “Democracy and Peace-building: Rethinking the Conventional Wisdom,” *Roundtable: The Commonwealth Journal of International Affairs* 97, no. 394 (February 2008): 137–45.



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This report examines the efforts by regional states and other international actors to end the Burundian cycle of violence, one unique in African history in having led to genocide. These peace-making efforts were significant both because the ramifications of the conflict extended far beyond Burundi, and because the peace process involved a new approach to postconflict reconciliation. The circumstances within Burundi—from colonialism to monarchy to constitution to assassination to unfettered conflict—may have seemed at first glance to be little more than ancient tribal and cultural antagonisms unleashed in the modern world. They proved to be far more than that, however, and were at best difficult to resolve. The extended peace process took more than ten years, is as complex as the conflict itself, and offers a number of critical lessons—not least of which is a reminder that democracy has many viable forms and is more than simple majoritarianism.

## Related Links

- *Getting In: Mediators' Entry into the Settlement of African Conflicts* by Mohammed O. Maundi, I. William Zartman, Gilbert M. Khadiagala, and Kwaku Nuamah (2006)
- *Burundi on the Brink, 1993–95* by Ahmedou Ould-Abdallah (2001)
- *Preventing Genocide: A Blueprint for U.S. Policymakers* (2008)
- *Beyond Emergency Response in the Democratic Republic of Congo: Regional Solutions for a Regional Conflict* by Raymond Gilpin, Catherine Morris, and Go Funai (Peace Brief, August 2009)
- *Preventing Genocide in Burundi: Lessons from International Diplomacy* by Stephen R. Weissman (Peaceworks 22, July 1998)
- *Can Foreign Aid Moderate Ethnic Conflict?* by Milton J. Esman (Peaceworks 13, March 1997)
- *Transitional Justice: How Emerging Democracies Reckon with Former Regimes* edited by Neil J. Kritz (1995)

