



Security Sector Reform and the Protection of Civilians in Burundi: Accomplishments, Dilemmas and Ideas for International Engagement

CENAP/NSI Working Paper

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CENAP is a policy research and dialogue centre based in Burundi. CENAP was established in 2001 and has conducted research on the evolution of the conflict in Burundi, land redistribution and displaced populations, the role of the media during elections, post-election conflict transformation and security sector reform.

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Executive Summary

In 2001 the International Commission on Intervention and State Sovereignty released *The Responsibility to Protect* (R2P) report. The R2P concept reframes the debate surrounding civilian protection from a “right” to suggest that the international community has a “responsibility” to protect populations threatened by large-scale loss of life and/or ethnic cleansing. *The Responsibility to Protect* argues that it is the responsibility of international actors to help reformed national authorities develop the will and the capacity to protect their populations. An important element of this succession of responsibility is the reform of the security sector. In recent years, a number of multilateral and bilateral actors have developed policy and programming options for sustainable security sector reform (SSR) in developing and post-conflict contexts. Recent documents from the Organisation for Economic Co-operation and Development’s Development Assistance Committee (OECD-DAC) and the United Nations articulate a number of key programming priorities for sustainable and democratic SSR.

With other key multilateral organizations and bilateral partners, the United Nations and the African Union have worked with Burundian authorities and civil society to gradually shift protection responsibilities to reformed national agencies. This Working Paper and related outputs and processes provide insight into the ways in which R2P is being devolved to national authorities through SSR in Burundi, with a particular focus on how international actors are supporting this process. A complementary Working Paper by Willy Nindorera explores the national dynamics of SSR processes in Burundi.

This paper focuses on three themes in the area of SSR: police reform, the transformation of the military and civilian disarmament. Civilian oversight and democratic control are crosscutting considerations. In addition to providing insight into the Burundi-specific dimensions of international engagement in SSR, this paper attempts to elucidate opportunities and challenges for implementing a number of the core multilateral SSR commitments.

Police reform

Over the past two years there has been some progress in the reform of Burundi’s national police force. Yet a number of important challenges for police reform remain, including the fact that some members of the Burundian police continue to be implicated in human rights violations and that many police agents lack the capacity to adequately prevent or react to crime. The range of international initiatives designed to help reform the police – and to provide much-needed training, equipment and strategic guidance – will likely make an important contribution to addressing some of these challenges and to fulfilling the priorities for reform identified by populations interviewed in a national survey conducted for this research. However, there are important elements of these contributions, including plans for training, coordination of external initiatives, and challenges with national ownership that need to be addressed. This paper offers a number of recommendations on how international and national actors can make a contribution to improving the Burundian police’s capacity to protect vulnerable populations.

Transformation of the military

The transformation of the military is a central component of civilian protection and sustainable peacebuilding in Burundi. Despite progress in this area, the transformation of the military continues to face numerous challenges. A range of donors and civil society organizations are providing support to this important area of security sector reform. However, more can be done to improve external contributions to helping the military to transform into a professional force able to protect the state and its citizens. In addition, Burundi's contributions to multilateral peacekeeping operations may create new channels of influence for Burundi in Addis Ababa and New York. However, if not properly managed, the deployment selection process may become a controversial one and may leave critical personnel gaps. Ultimately, to further improve the performance of the military, there is a need to address politicized institutions and other critical governance challenges. This paper sets out initial recommendations for improving external support for the Burundian military, for managing deployment to multilateral peacekeeping operations, and for strengthening military justice, civilian control and democratic oversight mechanisms.

Civilian disarmament

There are a number of opportunities for civilian disarmament in Burundi. Plans are underway for a range of national and international initiatives for civilian disarmament, including awareness-raising and arms for development programming. However, gaps and weaknesses in anticipated programming remain as do challenges of political will and confidence in the police and the military. This paper offers a range of recommendations to help national and international actors deliver on commitments to civilian disarmament.

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CENAP is a policy research and dialogue centre based in Burundi. CENAP was established in 2001 and has conducted research on the evolution of the conflict in Burundi, land redistribution and displaced populations, the role of the media during elections, post-election conflict transformation and security sector reform.

Selected acronyms and abbreviations

AFD – Arms for Development
AMIB - African Mission in Burundi
ASF - Lawyers without Borders/*Avocats Sans Frontières*
BINUB - United Nations Integrated Office in Burundi/*Bureau intégré des Nations Unies au Burundi*
CNDD-FDD - *Conseil national pour la défense de la démocratie – Forces de défense de la démocratie*
CTDC - Technical Commission for Coordination of Activities related to Disarmament and the Fight Against the Proliferation of Small Arms/*Commission Technique de Désarmement civil et de lutte contre la prolifération des armes légères*
DPKO – United Nations Department of Peacekeeping Operations
EAC – East African Community
FAB - Burundian Armed Forces/*Forces Armées Burundaises*
FDN - National Defence Forces/*Forces de Défense Nationale*
ICISS - International Commission on Intervention and State Sovereignty
ICRC - International Committee of the Red Cross/Red Crescent
ICTJ - International Centre for Transitional Justice
ISP - Higher Police Institute/*Institut Supérieur de Police*
OECD DAC - Organisation for Economic Co-operation and Development's Development Assistance Committee
ONUB - United Nations Operation in Burundi/*Opération des Nations Unies au Burundi*
PALIPEHUTU-FNL- *Parti pour la Libération du Peuple Hutu – Forces Nationales de Libération*
PBC- Peacebuilding Commission
PBSO – Peacebuilding Support Office
PBF - Peacebuilding Fund
PMPA - Armed Parties and Political Movements/*Parties et Mouvements Politiques Armées*
PNB - Burundian national police/*Police Nationale du Burundi*
RCN - *Réseau des citoyens network justice et démocratie*
RECSA - Regional Centre for small arms/*Centre Régional sur les armes légères*
SAS – Small Arms Survey
UNDP – United Nations Development Programme
UN OHCHR - United Nations Office of the High Commissioner for Human Rights

Section I: Introduction

In 2001, the International Commission on Intervention and State Sovereignty (ICISS) released *The Responsibility to Protect* report. The responsibility to protect (R2P) concept reframes the debate surrounding civilian protection from a “right” to suggest that the international community has a “responsibility” to protect populations threatened by large-scale loss of life and/or ethnic cleansing. The report recognizes that strong and accountable states are best able to protect their citizens and that “state authorities are responsible for the functions of protecting the safety and lives of citizens and the promotion of their welfare”.¹ However, when a state is unwilling and/or unable to protect its population, the international community is obligated to assume the responsibility to protect.

The ICISS report also underscores the international community’s responsibility to prevent conflict in the first place and to help a society to rebuild following an intervention. The report argues that in order to deliver on the responsibility to rebuild and ultimately to prevent the re-emergence of conflict, intervention forces need to provide basic security and protection to *all* members of society in the immediate term. However, over the long term, they have to work toward the eventual devolution of this responsibility to national actors in a sustainable and comprehensive manner.² An important element of this succession of responsibility is security sector reform (SSR), which is identified in the report as a “major protection task.”³

In Burundi the need for reform of the security sector – particularly the military and the police – has been central to the conflict and its resolution.⁴ The 2000 Arusha Peace and Reconciliation Agreement and the 2003 ceasefire agreement between the Government of Burundi and the principal rebel group, the Conseil national pour la défense de la démocratie-Forces de défense de la démocratie (CNDD-FDD), include important provisions on the organization, structure, mandates and composition of post-conflict security forces that will act professionally and apolitically, adhere to human rights norms, and provide defence and security to all Burundians. In addition, Protocol III of the Arusha agreement notes that civilian disarmament is a preliminary condition for re-establishing peace and security in Burundi. These commitments are reinforced in the 2005 Burundian constitution, which adds that the defence and security forces must reflect the will of all Burundians and are obligated to function as instruments of protection for the entire population.⁵

A number of international actors have contributed to resolving the conflict in Burundi and working toward transferring protection responsibilities to national actors.⁶ For example, Tanzania, South Africa and the Organization of African Unity (now the African Union (AU)) played active roles in negotiating an end to the conflict.⁷ In 2003 the African Union sent its first peacekeeping mission to Burundi – the African Mission in Burundi (AMIB) – to help implement the ceasefire agreements and to help facilitate the creation of a stable defence and security situation effectively managed by restructured national defence and security institutions.

In June 2004, elements of AMIB were re-hatted and absorbed into the United Nations Operation in Burundi/*Opération des Nations Unies au Burundi* (ONUB) which, in broad terms, had a mandate to ensure respect for the ceasefire agreements, to support disarmament, demobilization and cantonment activities, and to contribute to the successful completion of the electoral process. Over the past three years the AU and the UN along with other key multilateral organizations, bilateral partners and civil society organizations have worked with Burundian authorities to gradually shift protection responsibilities to reformed national agencies.

This Working Paper and related outputs provide insight into the ways in which the responsibility to protect is being devolved to national authorities in Burundi, with a particular focus on how international actors are supporting these processes. This paper uses a human rights-based, gender-sensitive framework to assess these contributions. That is, the paper's evaluation of international initiatives to support security sector reform in Burundi considers the extent to which these initiatives are likely to contribute to respecting and promoting the human rights of vulnerable populations, including women and girls. The paper focuses on three themes in the area of SSR: police reform, transformation of the military and civilian disarmament. Civilian oversight and democratic control are cross-cutting considerations. The final section of the paper concludes with early recommendations for strengthening international and related national contributions to sustainable progress in these areas of SSR.

The paper also provides insight into more general questions and early recommendations on advancing human rights-based and gender-sensitive security sector reform agendas in post-conflict contexts. For example, it exposes the gaps and interfaces between multilateral SSR policies and principles, and the realities of programming in a specific context. It considers the advantages and disadvantages of certain models of donor coordination in SSR. It questions donor commitment to broad consultation and national ownership, and elucidates the difficulties of promoting system-wide approaches to SSR programming in a divided political environment. It also examines the challenges of strengthening accountability and civilian oversight capacity. It concludes by considering how external actors can deliver on more comprehensive programming at the interface of the reform of the security services and civilian disarmament.

Methods

The processes of researching, validating and drafting this Working Paper were completed through a partnership between the Bujumbura-based Centre d'Alerte et de Prévention des Conflits (CENAP) and The North-South Institute (NSI) based in Ottawa, Canada. This Working Paper explores the international dimensions of SSR in Burundi and is complemented by a Working Paper on the national dynamics surrounding SSR by Willy Nindorera. Both papers draw on primary documentation and secondary literature as well as over 75 interviews with key informants within government; Burundian and international civil society; and representatives of bilateral and multilateral agencies. In addition, CENAP and NSI held separate focus groups and a June 2007 validation event with civil society members, officers from the Burundian national police, officers from the

Burundian military, and representatives from multilateral and bilateral agencies as well as the African Union.

CENAP and NSI also sought to ensure that research results and preliminary recommendations capture the security concerns and reform priorities of a diverse sample of Burundian society. To accomplish this objective, we completed surveys and fieldwork in eight distinct communities in five provinces throughout Burundi in August and November 2006.⁸ The survey explored people's perceptions of security and their priorities for the reform of the police and the military. Survey results were shared with a number of communities and other stakeholders in validation workshops, bilateral meetings, and small focus group meetings in Bujumbura. In addition, CENAP and NSI with the *Centre d'Encadrement et de Développement des Anciens Combattants* co-hosted a focus group on civilian disarmament with 20 former combatants representing seven different armed groups.

In 2007-2008 the two CENAP/NSI Working Papers will be widely disseminated and will be used as the basis for the development of a national policy brief and a 12-month policy engagement process in Burundi and a number of sites of multilateral decision-making. These papers and policy recommendations will be linked to similar studies led by NSI in South Sudan and Haiti, undertaken with partners in those countries. CENAP will also continue to work on SSR-related issues in Burundi with support from the Belgian Cooperation/*La Coopération Belge* in 2007 and 2008.

Theme selection

This paper focuses on the reform of the police, transformation of the military and civilian disarmament with democratic control and civilian disarmament as crosscutting considerations. The police and military are two of the three main security institutions in Burundi.⁹ We decided to focus on the police since they interact most closely with the Burundian population and have the most direct role in the state's provision of security. Our policy research focuses on the military since its transformation is essential for long-term stability in Burundi. The paper explores civilian disarmament, because it is an official government priority and because people's willingness to disarm depends on their sense of security. This in turn is largely influenced by confidence in the military and police. Civilian oversight and democratic control are crosscutting themes because oversight mechanisms – like internal police control and military justice systems as well as Parliamentary and civil society oversight – can play a role in holding members of the security and defence corps to account for their actions, providing mechanisms for civilians to voice concerns, and helping to assess security threats and reform priorities.¹⁰

Section II: Multilateral policy developments: Burundi in a broader context

In recent years, policy objectives and programming priorities in the area of security sector reform have been widely debated in a number of multilateral forums. These developments have a two-way relationship with SSR in Burundi. On the one hand, an exploration of selected processes in Burundi provides insight into the realities of SSR in a

fragile context and exposes the pervasive gaps and promising linkages between policy and programming in this challenging area. On the other hand, SSR policy frameworks developed by credible multilateral and bilateral actors may help national and international actors to design and deliver effective SSR programming in Burundi. For these reasons, this section of the paper situates SSR in Burundi within relevant multilateral debates.

In accordance with the Responsibility to Protect, emerging security sector reform guidelines – like those espoused by the Organisation for Economic Co-operation and Development’s Development Assistance Committee (OECD DAC) – focus increasingly on building the capacity of the state to deliver on its responsibility to ensure the well-being of its citizens through the reform of the security sector.¹¹ The DAC’s 2005 Guidelines on SSR note that effective SSR programming should reflect the concerns and aspirations of a range of national stakeholders, including security personnel themselves, civil authorities, and populations whose interests they are meant to serve. They stress the importance of “people-centred” and “locally owned” reform agendas that empower national actors to address the unique priorities and circumstances of their contexts.¹² They also underscore the need to assume an integrated system-wide approach that addresses a diverse range of security and justice priorities.

The DAC created the *DAC Handbook on Security System Reform* to help development practitioners implement the DAC SSR guidelines in specific contexts. The DAC SSR Handbook explicitly sets out the objectives of international engagement in SSR. It notes that “[t]he focus for international actors should be to support partner countries in achieving three overarching objectives:

- The establishment of effective governance, oversight and accountability in the security system
- The improvement of basic security and justice service delivery
- The development of local leadership and ownership of the reform process.”¹³

The United Nations is engaged in SSR through a number of its integrated missions. In addition, the UN recently renewed its efforts to develop a strategic, coherent and coordinated interagency approach to SSR. The February 2007 statement of the Security Council Presidency (then held by Slovakia) made internal consideration of the UN’s policy and programming on SSR a central priority. The presidential statement called for a Security Council debate on how the United Nations might “more efficiently and comprehensively” address SSR issues. The outcomes of this debate reflect a number of core DAC SSR principles, including an acknowledgement that SSR is a critical step in the consolidation of peace and stability, poverty reduction, and good governance. The debate further stressed that SSR needs to be a nationally owned process “rooted in the particular needs and conditions of the country in question.”¹⁴

SSR definitions, key actors and objectives

The DAC *defines* security system reform as “the transformation of the ‘security system’ – which includes all actors, their roles, responsibilities and actions – working together to manage and operate the system in a manner that is more consistent with democratic norms and sound principles of good governance and thus contributes to a well-functioning security framework.”¹⁵

The DAC identifies the component parts of the security system as *core security actors, management and oversight bodies, justice and the rule of law mechanisms and non-statutory security forces*.

According to the UNDP, the main *objective* of SSR “is to strengthen the ability of the sector as a whole and each of its individual parts to provide an accountable, equitable, effective, and rights respecting service.”¹⁶

The United Nations plays an important role in Burundi, particularly in the area of security sector reform. ONUB was mandated to perform a number of SSR-related functions, which included:

- assistance with disarmament
- demobilization and reintegration (DDR) processes
- carrying out institutional reforms and contributing to the creation of integrated national defence and internal security forces
- assisting with the implementation of judicial reform and reform of the correction system in accordance with the Arusha Agreement.¹⁷

In December 2006 ONUB’s mandate was terminated and the UN presence in Burundi was downsized and transformed into a development support office, the United Nations Integrated Office in Burundi/*Bureau intégré des Nations Unies au Burundi* (BINUB). The Office has a mandate to support the government to: consolidate peace and democratic governance; advance the processes of disarmament, demobilization and reintegration and security sector reform; promote and defend human rights and the fight against impunity; and coordinate donors and UN agencies.¹⁸

In addition, in late 2005, the General Assembly and the Security Council created the UN Peacebuilding Commission (PBC), the Peacebuilding Support Office (PBSO) and the Peacebuilding Fund (PBF). The mandate of the PBC is to provide advice on integrated strategies for peacebuilding and to serve as a forum for coordination and consultation on peacebuilding with strategic support from the PBSO. The PBF is meant to help provide quick financing for targeted peace consolidation projects. The PBC has selected Burundi as one of two countries of focus and has earmarked US\$35 million to support government priorities for peace consolidation. The sustainable reform of the security sector is one of the PBC’s top priorities in Burundi.

At the continental level, the African Union’s Policy Framework on Post-conflict Reconstruction and Development, adopted in July 2006, includes specific provisions on security sector reform. For example, it identifies professionalization of the security

and defence corps, governance and accountability of the security sector, disarmament and demobilization as well as efforts to curb the proliferation of small arms and light weapons as constitutive elements of its aspired contributions to post-conflict reconstruction in Africa.

The African Union has played an important role in Burundi, including in the area of security sector reform. For example, AMIB helped in the preparation and assembly phases of the DDR process to implement the 2003 ceasefire.¹⁹ More recently, the AU has assumed a rejuvenated role in Burundi by supporting the peace negotiations with the PALIPEHUTU-FNL, the last remaining rebel group. The AU helped negotiate a ceasefire between the FNL and the government in September 2006 and will assist with its implementation. Specifically the AU has created a special task force – comprised largely of the ONUB South African battalion – to assume the DDR-related responsibilities originally allocated to ONUB in the ceasefire agreement.²⁰

This paper provides insight into the possibilities and obstacles facing international and national actors committed to implementing a number of the core multilateral SSR principles described above in a post-conflict context like Burundi. It also considers the role of the United Nations, the African Union as well as a number of key bilateral actors and civil society organizations in delivering on SSR in Burundi. This assessment sets the groundwork for early recommendations on enhancing international and related national contributions to SSR in Burundi and beyond.

Section III: Police reform

“The police, in other countries, protect people. But here the PNB, despite the fact that they are now an integrated force, don’t know what they are supposed to do or how they are supposed to behave.”²¹

The reform of the police into a professional service that is able and willing to protect all civilians is a critical element of sustainable security sector reform in a post-conflict country. In general the police service is the element of the security and defence corps that has the most direct impact on people’s lives. If well-trained and well-disciplined, a national police service can contribute to security and stability in communities, counteract extra-judicial violence, help bridge divisions within a community by acting as fair arbiters of the justice system and facilitate civilian disarmament, among other tasks. However, a police service that is not well-trained and well-disciplined may abuse human rights, undermine people’s confidence in their governing and judicial authorities, and compromise the security and stability necessary for sustainable development and durable peace.

The professionalization of the police is central to the post-war transition in Burundi. Historically the Tutsi-dominated police in Burundi acted as an instrument of repression for a series of authoritarian governments. The Arusha agreement sought to address this ethnic imbalance and to create a national police force at the service of the population, a notion referred to as a *“police de proximité,”* often translated as a “community policing

strategy”. Arusha indicates that no more than 50 per cent of police positions can be occupied by a single ethnic group and the Technical Forces Agreement signed between the government and the CNDD-FDD indicate that 35 per cent of police command positions should be reserved for the CNDD-FDD. Accordingly, the number of police in Burundi has increased from 3,000 to approximately 20,000 and is currently comprised of former police, ex-gendarmes, ex-rebels and ex-Burundian Armed Forces/*Forces Armées Burundaises* (FAB) members representing both Hutu and Tutsi elements.²² To address the new and urgent needs of a reconfigured and enlarged police service, national authorities in Burundi requested that international donors and civil society provide assistance with training, equipping and restructuring the Burundi National Police/*Police Nationale du Burundi* (PNB).

The purpose of this section is to evaluate the efforts of a number of key international actors to meet the needs of Burundi’s new police service. This section draws on Willy Nindorera’s analysis of the state of police reform in Burundi which notes that, while some progress has been made in the process of professionalizing the police, major challenges remain. It then provides an overview of the ways in which international actors, notably the Belgians, French, Dutch and the United Nations, as well as number of civil society organizations are contributing to police reform in Burundi.

An early assessment of these actual and planned interventions reveal that these initiatives are likely to make a valuable contribution to improving the PNB’s policing capacities and to providing important strategic and infrastructure support. However, there are problems here too, including potential gaps in emerging training programs and a lack of broad-based consultation in defining police and broader security sector reform priorities. There are also challenges with donor coordination and delivery, and the formulation of a nationally owned, system-wide SSR strategy for Burundi. This section builds the foundation for a number of early recommendations for international and national actors committed to building a national police in Burundi that is willing and able to serve the population.

Progress and challenges²³

Despite a number of positive developments, the transformation of the police into a state service that respects human rights and to provide security to vulnerable populations faces important challenges. For example, our national survey results reveal that 14 per cent of the population interviewed identified the PNB as one of the groups responsible for insecurity and human rights violations in their community. In addition, gender-based violence and sexual abuse is a particular concern for police reform. Our national survey identifies sexual violence as commonly experienced violent crime. In addition, when we asked which groups were victims of crime, women and girls, along with people with means, were the two categories most often cited.

Willy Nindorera’s companion piece highlights a number of other obstacles for the PNB, including the lack of clear and updated rules and procedures as well as the absence of a coherent strategic plan. Nindorera also elucidates serious financial, equipment, and

human resource constraints as well as diverse training histories and links these to poor performance of the police. In addition, our national survey and interview process revealed that many of the new PNB agents lack a fundamental understanding of the role they are meant to play in the community and how they are meant to fulfill this role.²⁴ Consider, for example, that it is not unusual to see police agents drinking beer while in uniform and on duty in Bujumbura.²⁵ Moreover, an international NGO involved in human rights training with the PNB informed us that the majority of police officers trained by this organization did not know that torture is illegal.²⁶ Yet it is important to note that confusion over appropriate roles is not limited to the police. Our national survey and focus group discussions suggest that many people in Burundi have a general sense of the duties of the police, including for example, fighting crime and providing security. However, in spite of this understanding, many people are not clear what they can ask from the police.²⁷

Poor performance on the part of the police is also partly the result of a lack of functional oversight mechanisms. For example, the Burundian government has created an Office of the Inspector General operating under the Ministry of the Interior, parallel to the Directorate General of the Police. This office could play a critical role in helping to establish and enforce the rules governing the conduct of the police. However, while it has conducted a number of investigations, the Office's small staff lacks training and it suffers from basic equipment constraints.²⁸ As a result, it has not been able to consistently assume an effective oversight role.

In addition, problematic practices on the part of the police reflect larger governance challenges in Burundi, including weaknesses in the justice system. While a comprehensive discussion of the challenges facing the Burundian justice system is beyond the scope of this paper, many stakeholders interviewed for this paper noted that the absence of an independent judiciary in Burundi serves as a major obstacle to the professionalization of the police. Indeed, one diplomat remarked that the whole justice system itself – including the police – is an instrument of the Executive and “is used to settle scores”²⁹. If this is accurate, these dynamics would clearly compromise the PNB's capacity to implement its constitutional commitments to the protection of all Burundians. These and broader security sector governance dimensions are discussed in more detail in this paper's next section on military transformation. Suffice it to note here that, given the many diverse and complex obstacles facing police reform in Burundi, it is not altogether surprising that our national survey found that in urban centres “in general, the police create more fear among the population than they reassure.”³⁰

International initiatives

It is useful to selectively review donor initiatives for police reform in order to consider the extent to which they have addressed or are likely to address these constraints. A number of international actors play or plan to play central roles in assisting with police reform in Burundi. This section considers selected initiatives led by a range of

multilateral and bilateral donors as well as a number of non-governmental organizations active in this area.³¹

Belgium is planning to make a major contribution to the professionalization of the PNB by leading basic training of the entire police force (approximately 20,000 individuals) from the agent to the officer level. The objective of the Belgian initiative is to help improve the basic level of knowledge of the police and to create the attitudes necessary to exercise the functions of a civilian police at the service of the population.³² In partnership with the PNB, Belgium has started to develop a number of training modules. Sessions within these modules will focus on deontology and conduct, discipline and values, behaviour toward the population, human rights, and justice and policing, among other elements. The Belgians have earmarked funding for a second phase of police training to start in 2009. To prepare for these training initiatives, the Belgians are in the process of conducting a baseline census on the training experiences of all PNB staff from the agent to officer level. Belgium also plans to assist a recently established PNB commission on deontology with the creation of a booklet on basic practices and on police doctrine for the PNB higher command as well as a smaller guide on conduct written in Kirundi for the police agents.

France's efforts to support the PNB could in theory reinforce the Belgian training initiative. France intends to focus on both training in management and control at the officer level and on providing other infrastructure and institutional support. For example, France organized a seminar in late April 2007 with officials from the PNB, civil society and a number of key donors to help formulate a training strategy for the PNB. The strategy emerging from this seminar identified a number of training priorities, many of which emphasized the importance of building confidence between the police and the community. However, it was not clear at the time of writing whether the PNB was intending to use this strategy to guide its planning for training. In addition to engaging in training, the French will provide financial and technical support to relaunch a training institute for PNB officers, the *Institut Supérieur de Police* (ISP), in Bujumbura.

Dutch support for the PNB could also complement the Belgian and French initiatives. The Netherlands was one of the first donors to provide much-needed infrastructure support to the PNB³³ and since July 2006 have become more engaged in PNB assistance. The Dutch will reinforce the French and Belgian programs by providing material support, equipment and construction/rehabilitation of infrastructure, including the construction of training centres. The Dutch have also provided strategic advice to the PNB. For example, they have placed a policing expert in Bujumbura to assist the Directorate General of the Police with the development of a strategic plan and hosted a seminar with the PNB on this theme in May 2007. At the time of writing, the Dutch were considering supporting efforts to implement commitments to gender-sensitive policing articulated in the PNB's sectoral plan.

As well, Egypt has provided some support to the PNB, including training to high-ranking Burundian police officers in Egypt. They have also conducted modest training for a number of PNB officials in Burundi on counterterrorism and border control. If able to

secure adequate funding, Egypt intends on launching a larger-scale training program for officers and brigadiers in a variety of specialized areas, including for example, VIP protection, border security, and crime scene investigation.

Through ONUB's Civilian Police (CIVPOL), the United Nations has provided some technical support and training to the PNB. Early in the reform process, CIVPOL officials helped national authorities draft the PNB's broad legal framework. CIVPOL has also led a number of trainer-of-trainers programs focused on basic policing practice, harmonization and human rights among different elements of the newly integrated PNB. A number of modules were delivered in partnership with the Belgian NGO Réseau des citoyens justice et démocratie (RCN). In December 2006, CIVPOL completed a basic police skills training for several hundred brigadiers and senior officers. More recently, BINUB police advisors (the unit which has replaced CIVPOL), worked with the PNB to identify a number of training priorities, particularly in specialized areas like rapid intervention, airport security, and anti-drugs. In addition, the UN's Office of the High Commissioner for Human Rights has implemented a training of trainers program within the PNB and has conducted some basic training on deontology, professionalization and the development of a national police at the service of the population.

The ONUB (and now BINUB) gender unit has also provided support to the PNB. The gender unit has suggested that the PNB create a special police unit on gender-based violence in each of Burundi's 17 provinces. In addition, the unit envisions developing a procedure manual as well as training material on the role of the police in preventing and responding to gender-based violence. At the time of writing, the PNB had agreed in principle to create these units and was designing a budget to submit to donors.

BINUB with UNDP supported an independent assessment of the office of the Inspector General to determine needs and recommendations to operationalize this office. At the time of writing BINUB was exploring options to help reinforce the basic human resource and infrastructure capacity of this office. Finally, the Peacebuilding Fund may also provide financing for specific PNB projects. At the time of writing, the precise allocation of PBF funding was still under debate, but will most likely include the provision of uniforms and telecommunications equipment.

A number of civil society and other organizations have undertaken programming to support the professionalization of the PNB. For example, Lawyers without Borders/*Avocats Sans Frontières* (ASF) has provided training to judicial police officers in the treatment of victims of inhumane acts, with an emphasis on sexual violence and torture. The Burundi Leadership Training Program has led trainings of the police and military personnel in communication skills, decision-making, conflict management and negotiation strategies. For its part, the International Committee of the Red Cross/Red Crescent (ICRC) has developed modules on training for the PNB in human rights and international humanitarian law and has delivered these courses in Bujumbura and in a number of provinces. ICRC may deliver the human rights and international humanitarian law courses envisioned in the Belgian basic training program. In addition to its work with CIVPOL, RCN also provides training for judicial police and support in logistics and

document management. With financial support from the Dutch and technical support from UNDP, the International Centre for Transitional Justice (ICTJ) is supporting the PNB to undertake a census of the police to determine the exact numbers of police agents operating in Burundi, as well as to record their salaries, their backgrounds and their discipline histories.

Early best practices and emerging lessons learned

To what extent have these initiatives contributed to or are likely to contribute to building a *police de proximité* that is willing and able to protect civilians? To address this question this section draws on the analysis derived from interviews with national and international stakeholders as well as media scans and human rights reports. In addition – and consistent with the OECD DAC guidelines on SSR which stress that the priorities of the populations most directly affected by reform initiatives need to be taken into account throughout the design, implementation and evaluation of SSR activities – this section uses our national survey results as guiding benchmarks for an early evaluation of international contributions to the professionalization of the PNB.

In order to develop a sense of people’s priorities for reform of the police (and military), our national survey asked interviewees to explain what role ideally they would like the police and the military to play in their communities. The most frequently cited response (44 per cent) was that the police should assure the security of the population, become involved in resolving social problems, and fight crime and banditry. These responses suggest that Burundians feel that the new Burundian police could be important agents of the state and that they have demands with respect to the service the police should provide to their community with a focus on greater – not less – engagement in resolving community problems and a greater capacity to prevent crime.

When asked what is required to improve security and respect for human rights in their community, close to half of those interviewed (45 per cent) responded that a key priority is training in human rights for both the PNB and Burundi’s National Defence Force/*Forces de Défense Nationale* (FDN). This response is consistent with findings from the May 2007 CENAP/NSI focus group with close to 40 PNB officers where training was identified as a top priority for police reform. Finally, a majority of persons interviewed in our national survey (61 per cent) identified a role for the United Nations and other members of the international community in advancing this reform, particularly in training police, helping to alleviate poverty, assuring respect for human rights, and building capacities to respond appropriately to sexual violence.

Early Best Practices

In light of the challenges facing the police and given the priorities of the population revealed in our national survey and in focus group discussions, international initiatives to focus on training and equipping the PNB to improve their capacities to fight crime, to increase their understanding of their roles in society and to better respect human rights seem well-placed. Accordingly, the Belgian plan to provide basic training to all PNB is

critical, given the varied experiences of the composite elements of the PNB. The French support for officer training could complement the Belgian training, as could the potential Egyptian and UN proposals for specialized training. In addition, BINUB/UNDP's support to the office of the Inspector General could contribute to building oversight capacity of the police and may help limit misconduct on the part of the police.

Training to date also seems to offer an important element of “mixing” – that is, creating opportunities for police agents from diverse backgrounds to spend time together and develop personal relationships – which may help contribute to a more cohesive force. The Burundi Leadership Training Program's in-house evaluations have found, for example, that the mixing of police (and military) of different backgrounds has helped overcome initial mistrust between these elements.³⁴ This has served to create a more effective working environment. In addition, ASF and RCN training programs have brought together parts of the justice system that have few other functional mechanisms for interaction. This has helped to increase understanding of respective roles and responsibilities of different elements of the police and of how these elements might better work together.³⁵

Furthermore, the support of the Netherlands in the area of strategic planning may help overcome organizational challenges facing the Directorate General of the Police, may help the PNB identify priorities and thus may contribute to a more professional police service. The census that the PNB plans to undertake with technical support from the ICTJ should help clarify the size and varying capacities of the PNB. This may help facilitate PNB planning as well as make an important contribution to managing PNB personnel and undertaking performance evaluations in due course.

Emerging Lessons Learned

Despite the (potential) positive contributions of international initiatives to building a *police de proximité* in Burundi, there are a number of critical areas that require attention. These include the planned duration and emerging content of training modules, the sustainability of training initiatives, the coordination and delivery of donor initiatives, and the challenges of developing a nationally owned, system-wide SSR strategy in a divided political context. An exploration of shortcomings in these areas may help shed light on more general lessons for police reform and broader SSR in Burundi and beyond.

An overview of the training initiatives mentioned above suggests that there may be several critical gaps in emerging training strategies. The Belgian initiative will provide specific modules, for example on human rights and behaviour toward the population.³⁶ However, each of these modules may last only a few days out of several weeks of intensive training. Yet, as many of the international and national officials engaged in training told us, the mentality and behavioural changes required to re-engineer relationships between the police and the population “take a long time”. It is therefore critical that national and international actors involved in basic training consider this a first step – not a one-off contribution – and make significant and reliable commitments to assisting the PNB with real transformation over the long-term.

It is important to recall that the Belgians are considering supporting a second phase of training in 2009. However, it will be essential that the PNB, the Belgians and other partners facilitate an external evaluation of strengths and weaknesses of training initiatives to date and build on this evaluation to design and implement a second phase. This evaluation should take into account the perspectives of PNB agents on the effectiveness of training. However, it should also prioritize the perspectives of communities throughout Burundi, particularly regarding perceived changes in behaviour of the PNB. In addition, this evaluation could help map out the extent to which the plethora of training initiatives being undertaken with the PNB may reinforce or duplicate each other. This may help the PNB to eventually improve coordination in this important area.

In addition to concerns about the duration of training, critical gaps in emerging training modules remain, particularly regarding the lack of focused attention on the gender dimensions of policing, including police responses to gender-based violence and their role in respecting and enforcing the rights of women and girls. When we asked an official working in the area of police reform why the PNB's basic training modules did not explicitly address the gender dimensions of policing, the official noted that, at this stage, police training was "focusing on basics".³⁷

This is a troubling response that reflects a fundamental misunderstanding of vulnerability in Burundian society. Recall that our national survey results revealed that women and girls are perceived as one of the social groups most vulnerable to insecurity and that sexual violence is a frequently experienced act of violence, data that reinforces findings on the part of the UN and others that gender-based crimes are widespread in Burundi. Indeed, in order to develop a *police de proximité* that is willing and able to protect *all* Burundians, it is critical that the PNB develop the capacity to prevent and appropriately respond to sexual abuse and gender-based violence.³⁸

National and international actors therefore need to find ways of filling gaps in the gender dimensions of police training. An important first step here is to work more closely with women and women's organizations throughout Burundi to help identify priorities and build these into training modules and other initiatives to respond to and reduce gender-based violence. In addition, there is a need for national actors and key donors (like Belgium, France and the Netherlands) to coordinate with BINUB's gender unit, which is already working with the PNB to strengthen capacities to prevent and respond to sexual- and gender-based violence. At the time of writing there had been no coordination or communication between these stakeholders and BINUB's gender unit.

Moreover, as elucidated above, our national survey revealed that a major priority for the population is that a *reformed* PNB – that is, a PNB that respects human rights and is able to prevent and respond to crime – play a more central role in their lives by resolving social problems. Yet, the training package that will be delivered with support from Belgium provides only limited attention to preparing the police to interact more effectively with the communities in which they operate. The strategy emerging from the

French-sponsored PNB seminar on defining training priorities does stress developing a better relationship between the PNB and the rest of the population. Yet at the time of writing there were no concrete plans for follow-up for this strategy. There is therefore a need to develop tools to meet these immediate challenges while planning continues for longer-term training. As mentioned above, a commission on deontology within the PNB is creating tools on basic practices and on police doctrine in both French and Kirundi. This is an important initiative but it would have been useful to create a simple conduct guide for the police earlier in the reform process, possibly immediately following the completion of the integration process.

At the same time, to complement this initiative, there is a need for awareness-raising among communities about the duties, rights and limitations of the police to ensure that their demands and, indeed, expectations of the police are manageable. The CENAP/NSI PNB focus group revealed that a number of participants felt that community members, including the local administration, also need to develop a better understanding of the role they play in contributing to community security and how they might work with the police to this end. They also felt that there needs to be better collaboration between the police, the local administration and the community and that the absence of mechanisms for dialogue between the police and communities served as a major challenge for the establishment of a *police de proximité*.

These lacunae shed light on a more general observation about identifying security sector reform priorities in Burundi. Both national and international actors working on police reform and broader SSR would benefit from consultation with a wider range of stakeholders on their priorities for reform, including diverse communities throughout Burundi, civil society groups representing vulnerable populations and the police agents themselves.³⁹ Indeed stressing the importance of consultation with diverse stakeholders is not innovative thinking. The DAC SSR guidelines underscore the centrality of dialogue and people-centred reform. Yet we are not seeing this in practice in Burundi, suggesting an important gap between policy and programming as well as illuminating the practical difficulties of implementing this recommendation. Who, for example, might be best positioned in Burundi to facilitate a broad consultation process in a neutral way on such a politicized theme?

While there are no easy answers to this question, there are mechanisms in place in Burundi that could help facilitate dialogue among a range of stakeholders on SSR priorities. For example, the PBF process has led to the formulation of an expert working group on security issues comprised of representatives from civil society, the UN, other donors and the Burundian police, military and the national intelligence service. This group meets regularly to discuss priorities and programming ideas for allocations of the PBF funds for SSR-related projects. This process has created a space for exchange on SSR issues that could serve as a basis for a longer-term and inclusive dialogue process, if membership is expanded to include a broader range of stakeholders, including representatives of vulnerable populations within and outside the capital.

An overview of initiatives to support police reform in Burundi also provides interesting lessons on donor coordination for SSR. The efforts on the part of Belgium, France, and the Netherlands in the area of police reform have the potential to create a fairly comprehensive package of training, training infrastructure and strategic support to the PNB. Accordingly, this configuration could serve as an effective model for donor coordination based on a manageable number of like-minded donors working with national actors to deliver programming in a specific domain of SSR.

Yet there are also important lessons in this model's limitations. Linking the Belgian, French and Dutch efforts has meant that joint elements of these contributions can only move as quickly as their slowest parts. Consider for example that, although the Belgians signed a training agreement with the PNB in November 2005, the seminar serving as the *de facto* launch of this project was not held until early 2007, in part due to delays in the Dutch-led construction of the training centres. In addition, the French have not yet started their project on relaunching the ISP due to disagreements with the government of Burundi.⁴⁰ These delays are not only frustrating for national actors who are keen to start training the PNB but they also mean the vast majority of the PNB have continued to operate without formal training almost a year and a half after a number of key training commitments were made. Moreover, despite the working relationship between these three donors, their support for the PNB faces problems of redundancy⁴¹ and poor sequencing.⁴²

Shortcomings in this are due in part to the fact that there are no official mechanisms to ensure that these donors coordinate their efforts in the area of police reform or other aspects of SSR. Coordination to date has been pursued on an *ad hoc* basis and depends on the willingness of Bujumbura-based technical assistants to work together. There are no guarantees therefore that these donors will continue to consult or attempt to coordinate following staff change-overs. This could lead to further duplication, waste and unnecessary strain on an already over-stretched PNB administration.

Ideally the BINUB SSR/small arms unit would be in the position to help national authorities to coordinate donor contributions to SSR in the short term. ONUB did host fairly regular meetings of international stakeholders engaged in SSR and led on producing a "map" of donor and NGO contributions to SSR. Key personnel in ONUB's DDR/SSR unit were also instrumental in encouraging Belgium, France and the Netherlands to consult with each other regarding their respective contributions to police reform. However, BINUB has not yet been able to fully resume this coordination role due in part to critical staff shortages.

In addition, BINUB is also confronted with the challenge of limited consultation and coordination among UN agencies. Consider, for example, that staff in BINUB's SSR/small arms unit were not informed by headquarters that the police division of the United Nations Department of Peacekeeping Operations (DPKO) had started to circulate a proposal for over US\$40 million in funding for police reform in Burundi. This development begs the question of how BINUB can be expected to assume a central role in coordinating other donors when its efforts are undermined by a lack of internal UN coordination and consultation.

Ultimately, the PNB should be responsible for tracking and managing external support but to date has not been in the position to assume this role. Interviews with a variety of stakeholders suggest that there may be a number of reasons for this. Chief among these is that there is no coordinating cell within the police and the National Commission on the Coordination of Aid/*Commission Nationale de Coordination des Aides* that is meant to help support coordination of donor initiatives in Burundi faces capacity constraints. But there are deeper difficulties here too. For example, the PNB lacks a comprehensive strategic plan and, as a result, the PNB's programming priorities and financial needs are not entirely clear. The Dutch plans to offer strategic planning guidance to the PNB may strengthen the capacity of the Directorate General of the Police to identify and issue clear requests for external support and to track, coordinate and evaluate donor and civil society contributions. However, weaknesses in this area to date make it difficult for donors to determine how they can appropriately respond to the PNB's needs.

Yet problems with coordination may not simply be a result of limited capacity or a lack of planning. A number of informants have suggested that donor delays in delivering have meant that decision-makers at the Directorate General of the Police are eager to "take what they can get". That is, at times these stakeholders agree to multiple offers for similar types of donor support in the hope that at least one donor will deliver in a timely fashion. Others have suggested that the PNB prefers to negotiate with donors on a bilateral basis so that they can "pick and choose" among a variety of support options. These varying observations underscore the need for the PNB, possibly with external support, to perform a diagnostic of coordination challenges and to develop a plan to address these constraints. They also underscore that donors must be willing and able to deliver their pledged support in an efficient and timely manner.

The importance of coordination among multiple donors in the area of SSR is well recognized in the DAC guidelines, which recommend that multiple stakeholders engage in a national dialogue at the beginning of SSR processes to facilitate joint agenda-setting and coordination. These and related processes are also meant to facilitate system-wide approaches to SSR based on a common threat assessment and a clear understanding of the division of labour between security services like the military and the police. In Burundi, there have been a number of attempts to develop a global SSR strategy. For example, almost immediately following its deployment in July 2004, ONUB proposed a national dialogue to help formulate a comprehensive strategy on SSR. However, these plans were shelved due to resistance on the part of key government ministries.

Officially at least two ministries claimed to prefer to "get their own houses in order," that is, develop capacity and coherence within their own ministries before participating in a national and system-wide discussion. However, other well-placed observers have cited differences in approach, priorities and politics among various ministries as key deterrents to a national seminar. For example, at the time that stakeholders were considering a national dialogue, there was still a general lack of trust between the Ministry of the Interior and Public Security (in which the Directorate General of the Police is housed), the Ministry of Justice and the Ministry of National Defence and Veterans' Affairs

(herein the Ministry of Defence). This may have been due to the different histories and political orientations of these ministries. Consider, for example, that top decision-makers in the Ministry of the Interior and the Ministry of Justice were mostly members of the CNDD-FDD. Key personnel at the Ministry of Defence, on the other hand, were largely members of the former national army. These divergent political influences combined with a history of mistrust may have served as an obstacle to interministerial dialogue on the sensitive issue of security sector reform and ultimately to the development of a global SSR strategy.⁴³

Others have suggested that attempts at a national dialogue ultimately failed because key Burundian ministries were concerned that this process might serve as another opportunity for them to be side-lined by the United Nations and other donors coming to the table with their own agenda. Indeed a number of stakeholders interviewed for this paper noted that, despite the rhetoric on “national ownership” circulating throughout Bujumbura, donors are still seen as pushing their own agendas at government-donor consultations. In short, these explanations underscore the challenges of attempting to develop a system-wide SSR strategy, particularly in a post-conflict context.

Section IV: Transformation of the military

“The soldiers more or less respect us now.”⁴⁴

The transformation of the military into an apparatus of the state that is able to protect the state and its population is a critical step in human rights-based and sustainable security sector reform. The military can be a source of stability by protecting the state and its population from external aggression and internal rebellion. It can also act as a first response to natural disasters. However, if not appropriately configured and managed, the military can play a central role in repression and in the protection and promotion of the narrow interests of specific groups.

The military in Burundi has historically been a source of instability and repression and its reform is a critical element of ending active conflict and helping to create conditions conducive to sustainable peacebuilding. Accordingly, the Arusha agreement calls for a 50/50 split between Hutu and Tutsi representation in an integrated army, renamed the National Defence Force/*Forces de Défense Nationale* (FDN). Arusha also stipulates that 40 per cent of officer-level positions need to be reserved for ex-CNDD-FDD. This has led to the creation of a national army comprised of ex-FAB, ex-FDD and former members of Armed Parties and Political Movements/*Parties et Mouvements Politiques Armées* (PMPA).⁴⁵

This section explores the contribution of a number of international actors in helping the new Burundian military transform into an element of the security apparatus that is able to protect the state and its citizens. It provides a short overview of the opportunities and challenges for military transformation, drawing on Nindorera’s work and our national survey results. It demonstrates that, in spite of a number of important advances, the transformation of the military faces numerous challenges, including material constraints,

diverse levels of training among the FDN's composite forces, the potentially problematic integration of the FNL and continued human rights abuses.

The paper then provides an overview of international assistance, particularly in the areas of training, infrastructure and strategic support. It exposes obstacles to translating training into changes in behaviour as well as weaknesses in systems of accountability. This section sets the groundwork for preliminary recommendations on how national and international actors might better support national efforts to transform the military into a force that is willing and able to protect the Burundian state and its citizens.

Opportunities and challenges

As Nindorera notes, a significant portion of the individuals interviewed in our national survey stated that the capacity of the military to provide security was "good" (48 per cent) and its ability to respect human rights was also "good" (41 per cent). Half of those interviewed declared that they had confidence in the military, particularly in comparison to the police. There also appears to have been a decline in human rights violations committed by members of the military since the 2006 ceasefire with the FNL.⁴⁶

However, despite these positive indicators, the transformation of the FDN faces a number of obstacles, including a lack of adequate accommodation for personnel and families, a deterioration in already poor working conditions, and different levels of training and experience among the composite forces. Moreover, while the FDN has become a fairly coherent force, the eventual integration of the FNL might undermine the integration process and compromise FDN coherence.

In addition, while there has been a quantitative decline in human rights violations on the part of the FDN, our national survey found that some interviewees complained of forced labour and violence in the hands of the FDN. As this survey was conducted in August and November 2006, it was suggested in a CENAP/NSI focus group with a number of FDN officials that conditions have improved, particularly since the September 2006 signing of a ceasefire agreement with the FNL. However, a scan of human rights reports and a number of radio broadcasts between November 2006 and June 2007 reinforce our national survey findings and reveal that elements of the FDN continue to be implicated in human rights abuses against the local population within the vicinity of their military posts.⁴⁷

Also unsettling are the wider-scale human rights abuses committed in connection with an agenda to combat the FNL. A number of high-profile cases are illustrative in this regard. For example, in July 2006, in Bujumbura Rurale the FDN killed 12 rebels in what the FDN claimed was an exchange of fire.⁴⁸ Between May and September 2006, in the province of Muyinga, approximately 30 civilians accused of collaboration with the FNL were detained. A recent investigation has confirmed that all captives were killed. As is discussed in more detail below, these cases are instructive inasmuch as they reveal serious challenges to accountability and oversight of the military.

International engagement⁴⁹

As with the police, a number of international actors are supporting the FDN's transformation into a coherent force able to protect civilians and the Burundian state by offering training, infrastructure and strategic support to the FDN. Belgium, for example, has provided training and strategic assistance, most recently through a partnership framework signed with the Burundian military in January 2006. Belgian support has consisted largely of training activities including harmonization trainings for former ex-PMPA officers as well as mixed trainings with both ex-PMPA and ex-FAB officers. At the time of writing, Belgium was planning to develop a third iteration of this program that will bring together the top candidates from previous courses to collectively develop new modules.

Belgium has also provided strategic support to the FDN. For example, a team of Belgian specialists has worked with the Ministry of Defence to conduct a review of the administration and human resource capacities of the ministry and the FDN. According to a Belgian evaluation, this initiative signals that there is a high degree of trust between Belgium and the Ministry of Defence, which can be explained in part by the fact there has been consistent contact over a period of several years between the Belgian military attaché and the Ministry of Defence.⁵⁰

The French are making a contribution to FDN reform through modest training and infrastructure development. The Dutch are also providing training and infrastructure support for the FDN including, for example, financing training exercises abroad for FDN personnel. In addition, like the Belgians, the Dutch have staffed a military advisor position to work directly with the Ministry of Defence to provide assistance with strategic planning, information-sharing and the identification of quick impact projects that can be financed by the Dutch government. This is an important development because it may position the Dutch to move beyond providing technical support to offering strategic advice to the FDN high command. However, the fact that the Dutch military attaché position is on a two to three month rotation has compromised the continuity of Dutch contributions and may serve to undermine trust-building with the FDN.⁵¹

China has resumed its military cooperation with Burundi and has provided some material support and modest training to the FDN.⁵² While China is not currently a major donor to the FDN, a senior Burundian official recently speculated that China may eventually become the FDN's primary external partner.⁵³ Given that the Chinese are not bound by official development assistance eligibility guidelines, they are in a position to fill critical gaps in FDN reform, including providing weapons necessary for the military to fulfill its constitutional responsibilities. In addition, China's Africa Policy clearly states that China aims to increase its assistance to African countries with "no political strings attached".⁵⁴ This may mean that China's assistance – including to the FDN – can be delivered quickly because it is not likely to be linked to governance or human rights conditions which can

take time to negotiate. However, while the Chinese have a long history of engagement in Burundi and have participated in official donor channels like the Burundi Partners' Forum, a senior official who occupies a coordinating capacity in SSR in Burundi informed us that he has significantly less contact with China than with any other donor engaged in SSR.⁵⁵ This may exacerbate the challenges of coordinating external contributions to SSR if the Chinese become more engaged in this area.

The FDN is also engaging with African interlocutors. For example, a number of African countries have provided modest training to a small number of FDN officers, including Sudan, South Africa, Rwanda and Egypt. In addition, it is worth noting here that the FDN (and the PNB) are participating in a number of multilateral peacekeeping missions.⁵⁶ For example, Burundi has contributed a number of observers and police to the AU mission in Sudan. In addition, the Burundian government has announced that it plans to commit 1,800 soldiers to the African Union Mission in Somalia. It has also contributed FDN and PNB personnel to the UN peacekeeping mission in Côte d'Ivoire.

There are a number of possible benefits to the participation of the FDN and PNB in multilateral peacekeeping missions. First, Burundi's participation in AU and UN missions may provide another channel of influence in Addis Ababa and New York as well as help improve the image of Burundi, provided of course that the FDN demonstrates appropriate behaviour. Secondly, the participation in peacekeeping missions may also advance the professional development of deployed FDN. Thirdly, the co-deployment of ex-FAB, ex-CNDD and ex-PMPA may help promote coherence and harmonization within the FDN and may help reduce the number of personnel in an already over-staffed military and police service.⁵⁷

Yet there may also be disadvantages to FDN (and PNB) participation that will need to be addressed, particularly if Burundi begins to commit troops to multilateral peacekeeping missions on a regular basis. For example, because participation in peacekeeping missions – specifically UN missions – pays significantly better than the salaries of most FDN and PNB personnel, many members of the security and defence corps are eager to be deployed with a multilateral peacekeeping mission. As a result, the deployment selection process may become a controversial one, and may create tension within the FDN and the PNB. It will therefore be essential for decision-makers within these two corps to develop a fair and transparent selection process and to avoid creating the perception that selection decisions fall along political or ethnic lines. In addition, a number of informants for this paper noted that the deployment of senior PNB staff members with a multilateral peacekeeping mission has left critical gaps in policing structures.⁵⁸ To avoid this in the future, it will be necessary to develop systems of continuity and temporary replacement for top personnel deployed to peacekeeping missions.

For its part, ONUB offered focused human rights training for a small number of FDN and has also assisted with the partial rehabilitation and equipping of training school for officers. Close to US\$500,000 in funding from the Peacebuilding Fund will be used for a second smaller project focused on promoting discipline and improving relations between the FDN and the population through the *moralisation* of the FDN.⁵⁹ This initiative aims

to help promote respect for the rule of law and political neutrality, to decrease human rights violations on the part of the FDN, to build cohesion within the FDN and to improve relations between the FDN and surrounding populations. This will be undertaken through, for example, training sessions, the translation into Kirundi and dissemination of rules of discipline, and the creation and distribution of a handbook on the military penal code to all officers. In addition, the FDN will receive support from the Peacebuilding Fund for the rehabilitation of barracks in 14 locations.

A few key civil society organizations have also contributed to training with the military. For example, the Burundi Leadership Training Program has provided training to officers in communication skills, decision-making, conflict management and negotiation strategies. The ICRC has also provided training to ex-PMPA and other composite forces in international humanitarian law and may provide technical assistance to a Commission within the FDN charged with the task of developing rules for armed forces.

Emerging best practices and early lessons learned

In order to provide an early evaluation of the actual and potential impact of this range of international contributions to military transformation in Burundi, it is helpful to return to our national survey results to generate a clearer picture of people's priorities for reform. As with the police, we asked people what they thought was required to improve the functioning of the FDN. Recall that the most often cited answer (45 per cent) was that the FDN requires training in human rights. The majority surveyed also noted that there was a role for the United Nations and other members of the international community to contribute to the reform of the FDN.

Given these priorities and the challenges identified earlier in this section, the focus of a number of international actors on training, including in the area of harmonization, discipline, human rights and international humanitarian law seems well-placed. Clearly a central concern will be to ensure that this training translates into changes in behaviour on the part of the FDN. The Belgian approach to training appears to be particularly well-suited to meet these needs inasmuch as their method for devising modules helped to ensure that the content was suitable in a Burundian context.⁶⁰ While its impact is difficult to measure, the fact that there is a demand for continued and mixed (ex-PMPA/ex-FAB) training sessions suggests that this initiative is considered valuable and has helped improve relations among FDN composite forces.

The Belgian harmonization training also provided some focus on international humanitarian law and human rights. But, given the challenges cited above there is a need for more work in this area. The PBF-funded initiative for the *moralisation* of the FDN could make a contribution in this regard. The fact that the Ministry of Defence has recognized that some FDN personnel continue to commit human rights abuses and lack discipline is a critical step in opening space for improvement in these areas. However, in order to contribute to changes in behaviour, training and awareness-raising need to be delivered eventually to a critical mass of FDN, particularly at the troop level. In addition, the FDN – possibly with support from donors – needs to identify ways of ensuring the

sustainability of training and awareness-raising following the termination of the 12-month PBF initiative. Finally, the barracking initiative that will be funded by the PBF may help reinforce command, control and discipline among the FDN and lead to a decrease in the frequency of human rights violations by limiting the FDN's contact with the population.

Ultimately though there is a need for a long-term change in the attitudes and techniques of the FDN, particularly among the troops. A piece of this puzzle is a comprehensive evaluation of national and international initiatives in this domain to determine their impact on FDN coherence and behaviour. This would ideally draw on broad consultations with communities where the FDN has a significant presence as well as with FDN personnel from the high command down to the troop level. This sort of evaluation may also help set the groundwork for similar planning and training for the integration of elements of the FNL into the FDN.

Yet training is only one element of improving the human rights record of the FDN. A functional, serious and effective military justice system could have an immediate impact on the behaviour of the military vis-à-vis the population. Compared to the police, the military does have a reasonably functional legal system comprised of a permanent war council and a military court. In addition, there appears to be the requisite political will among key elements of the military justice system, including the Military Prosecutor and his office, to make this system effective. For example, plans are underway to try to make the military court and the war council more accessible to victims, including increasing the mobility of investigation teams.

However, the military justice system is slow in processing crimes committed by military personnel with some cases backlogged for several years. More troubling are the types of crimes tried in the system. While a comprehensive scan of the cases dealt with by the military justice system was not possible for this paper (although this would make a rich contribution to further work in this area), some observers have suggested that the military justice system generally tries crimes related to breaches of code of conduct, like desertion or drinking on duty. It tends not to deal seriously with human rights abuses, including those connected to the conflict with the FNL.⁶¹

There are a number of possible explanations for this, including the fact that there are too few personnel with a law background working within the military justice system.⁶² In addition, there are too few resources to ensure the proper functioning of the military justice system, including the vehicles and communication equipment necessary to render this system more mobile and thus more accessible. Moreover, political interference in military justice processes has compromised the capacity of these mechanisms to adequately address excesses committed by security personnel. The Muyinga case mentioned above is instructive here. In the months immediately following this event, the Attorney General's office investigated this case, arrested two FDN officials and suggested the involvement of the Commander of the 4th Military Region. However, the Procureur General de la République later intervened to suppress arrest warrants for the

FDN commander as well as four administrators implicated in this event, despite mounting evidence against them.

Yet it is important to note that the Auditor General's office played a key role in initiating investigations and that over the past few months some progress has been made in this case. This suggests that opportunities may be opening up to reinforce mechanisms to deal with the transgressions of security personnel.⁶³ In addition, the fact that the Military Prosecutor and the Ministry of Defence asked the United Nations Office of the High Commissioner for Human Rights (OHCHR) and *Avocats Sans Frontières* to provide training – including in the area of human rights – to military magistrates may mean that space is being created for donors and civil society to reinforce this system.⁶⁴

Strengthening democratic control and civilian oversight of the military is also a key element of improving the human rights performance of the FDN. In December 2006 the Government of Burundi announced its intention to create an Independent National Commission for Human Rights comprised of civil society and government experts. This initiative will receive support from the Peacebuilding Fund to cover start-up costs, including consultations, although there are no plans in place for longer-term funding. While the government has not yet clearly defined how the Commission will operate, the Commission's central objectives may include monitoring human rights abuses, and promoting human rights among state institutions and the general population. This Commission could therefore function as an oversight mechanism by creating a forum for citizens to hold the security services to account for human rights violations. In order to play this role, however, it will be critical that the Commissioners are able and willing to act independently and that sufficient funds are in place to ensure the proper functioning of this Commission, including its capacity to facilitate access by vulnerable populations.

Yet, even under these conditions, this Commission is no substitute for effective oversight by a capable Parliament. In theory the Burundian Parliament could play a role in reviewing budgets, helping to assess security needs and threats, and serving as a watchdog for the activities of security institutions.⁶⁵ However, the capacity of the Burundian Parliament to provide independent oversight of the security and defence corps remains limited. For example, until recently Parliament was largely controlled by the CNDD-FDD and made political decisions that bypassed protocol.⁶⁶

Political changes like the removal of Hussein Rujabur as the leader of the CNDD-FDD party⁶⁷ could theoretically create more space for independent decision-making on the part of Parliament. Whether these openings are sustainable remains to be seen. But even if Parliament now has room to exercise independence in its oversight of the military and police, Burundian parliamentary institutions, including the Commission for Defence and Security, face capacity constraints that undermine their oversight potential. For example, many members of the Commission for Defence and Security have no training in reading a budget and could not provide much guidance to the President's office, even if it were requested.⁶⁸

Although a number of international actors are now starting to contribute to building Parliament's capacity, support until recently was limited and its delivery slow.⁶⁹ BINUB's security sector reform/small arms unit recently procured a small budget from UNDP to build the oversight capacities of the Commission for Defence and Security. However, at the time of writing, there was no timeline for implementation and little other progress had been made in delivering on this initiative.⁷⁰

These dynamics can be explained in part by the fact that the political constraints mentioned above have undermined donors' capacity to provide support to Parliament. However, there appear to be other explanations for limited and late external engagement in this important area. For example, the interview process for this paper suggested that many Burundian authorities and representatives of some of the most significant donors engaged in SSR do not seem to have a clear sense of the modalities of civilian – including Parliamentary – oversight in SSR processes.⁷¹

To further support improvements in the human rights performance by security services in Burundi, there is ultimately a need to address politicized institutions and other critical governance challenges. As one diplomat remarked during an interview, “the problem with the army is a problem of politics.”⁷² This official was likely referring to problematic linkages between certain state institutions – like parts of the justice system – and some elements of the FDN as demonstrated by the Muyinga case. Yet, as Nindorera notes, there are positive agents of change within the current government and within the military who are willing to call certain members of the security and defence corps to account for their transgressions. At a civil society focus group meeting organized for this research a representative of a reputable human rights advocacy NGO noted that, “[w]e are not welcome in all offices but there are nonetheless people within the system who are willing to work with us.”⁷³ Moreover, the past few months have seen a number of improvements in governance, including the removal of Hussein Radjabu as the president of the CNDD-FDD, the release of a number of political prisoners, and some progress in the fight against corruption.⁷⁴

Part of a donor strategy to support positive agents of change and to help consolidate democracy in Burundi could include assistance for those elements of civil society and the media that conduct objective research and provide concrete recommendations to national and international actors in response to abuses of power and violations of human rights on the part of state institutions.⁷⁵ However, the inconsistent relationship between the Burundian government, the media and other elements of civil society suggests that the choice of support strategy pursued by donors is critical.⁷⁶ In order for the media and civil society to reinforce their independence and to position themselves to provide oversight of key state institutions, donors need to provide direct funding and diplomatic accompaniment to a wide-range of professional media outlets and civil society organizations. At first glance, this observation may appear trite. Yet we were surprised in our interview process to learn that a number of well-financed development agencies were not willing to provide direct funding to the media in Burundi because they felt the government might find this “too controversial”.⁷⁷

Moreover, regional and international actors need to be willing to constructively challenge problematic practices on the part of the military, the police and other government institutions in Burundi. The African Union, for example, could theoretically now be better positioned to take on this role as it resumes an important position in assisting with the implementation of the ceasefire agreement with the FNL. As an African institution with a history of involvement in Burundi, the AU could constructively engage the Burundian government in forums in Bujumbura and regionally.⁷⁸

Yet the AU's mixed performance in criticizing member states guilty of more egregious human rights violations against their populations suggests that the AU is unlikely to assume an advocacy role in Burundi. But, even if the African Union had the will to express concerns over governance practices in Burundi, a key AU informant told us that the flow of information on Burundi within the AU system tends to be unilateral: that is, information travels from the Bujumbura mission to AU headquarters in Addis Ababa with little follow-up once it has reached its destination.⁷⁹ The AU system may not, therefore, be an effective mechanism for regionalizing concerns and generating peer pressure in response to problematic political developments in Burundi.

Other subregional engagements may facilitate improvements in governance practices in Burundi. For example, Burundi is becoming an increasingly important site for regional exchange and has recently hosted a number of regional meetings, including the Intergovernmental Committee of the East African Community and the Tripartite Plus Commission. Burundi has also been selected to host the Secretariat of the International Conference of the Great Lakes Region and the Economic Community of Great Lakes Countries. In addition, Burundi's June 2007 entry into the East African Community (EAC) is supposed to be contingent on the ability of the Burundian government to adhere to certain standards of good governance, rule of law, observance of human rights and social justice.

In theory these developments may provide incentives for the government to continue to work toward improving its governance record, including the performance of the Burundian security and defence corps.⁸⁰ However, in practice it is not clear if the governance record of member states is in fact a central priority of regional organizations like the EAC. Consider that the EAC decided to admit Burundi as a full member in November 2006, just a few months after Musinga, and at a time when the human rights situation in Burundi was a particular cause for concern.⁸¹ This sequencing calls into question the will and the capacity of the EAC to assume a peer-pressure role.

The United Nations may be well positioned to actively promote good governance practices in Burundi and to voice concerns over transgressions of government institutions. Indeed, ONUB became increasingly critical of the Burundian government as it started to disengage.⁸² However, when asked if BINUB is likely to play an advocacy role in Burundi, a senior UN official admitted that the Bureau itself would likely choose to improve the tense relationship between the UN (specifically ONUB) and the CNDD-FDD government⁸³ and strictly adhere to its "development support" role.⁸⁴

Yet, the Peacebuilding Commission and the process surrounding the allocation decisions for the Peacebuilding Fund may provide new opportunities in this regard. The PBC dialogue process and the programming work associated with the PBF have already created unique opportunities for government, civil society representatives, as well as the UN and other donors to dialogue over peace consolidation priorities in Burundi.⁸⁵ This process – along with the fact that PBC engagement is backed by a modest albeit reliable funding package – may help to build trust and encourage dialogue among the government, the UN and key national stakeholders. It may also help create a space for exchange on good governance strategies and may create incentives for the Burundian government to work toward improving its governance record. What is less obvious, however, is if the government will want to continue to engage with these stakeholders – particularly the UN – once financial incentives are exhausted. To underscore this point, a UN official asked rhetorically during an interview for this paper, “Who knew that dialogue was so expensive?”⁸⁶

In addition, at the time of writing, senior PBC analysts were considering negotiating a “compact” with Burundi (and Sierra Leone) that would aim to link UN support to these governments’ capacities to live up to certain commitments to good governance.⁸⁷ Yet it is not clear what type of influence the PBC will have in this regard. The decision to provide Burundi with US\$35 million for peace consolidation was made in late 2006 but the Strategic Peacebuilding Framework for Burundi was only approved by all stakeholders in June 2007, thereby limiting the PBC’s capacity to use the PBF as leverage to influence the contents of the strategy.⁸⁸ In addition, it is not yet clear what role the PBC itself will play in the monitoring and evaluation process of PBF-funded projects. Finally, PBC representatives make only infrequent trips to Burundi and have limited direct contact with Burundian stakeholders. All these factors call into question the potential capacity of the PBC – in its current configuration – to exercise real influence over the practices of the government of Burundi.

Section V: Civilian disarmament

“Possessing a gun is like having a guard dog. When we have a guard dog, we feel safe. If people are not assured of their security, they will not give up their arms.”⁸⁹

The third theme of security sector reform explored in this paper is the disarmament of the civilian population. Civilian disarmament is a central component of security sector reform for a number of reasons. First, large-scale disarmament of the civilian population is critical to create conditions under which a reformed police and military can fulfill their responsibilities to serve and protect the state and its population as well as to help contribute to community development and – ultimately – sustainable peace.⁹⁰ As the DAC SSR Handbook notes, “[p]rogrammes to control the spread of small arms can play an important role in peacebuilding and reducing insecurity and armed violence in both post-conflict countries and other developing and transitional societies.”⁹¹

Secondly, the willingness of a population to disarm depends on its sense of security, among other considerations. Effective reform of the security and defence corps can make

an important contribution to allow people to feel more secure and thus more willing to disarm. The DAC SSR Handbook makes clear that this raises important questions about the timing of disarmament programs:

People will be unwilling to surrender their weapons while they are still in danger from armed groups and in the absence of effective provision of security... Visible progress on police reform is often vital to increase the public's perceptions of security as a precursor to weapons collection programmes. Too often though, these programmes are pursued in isolation.⁹²

In Burundi large-scale armament of the civilian population has been one of the consequences of the conflict.⁹³ In response to wide-spread violence, many people obtained arms for personal protection or to join a number of active armed groups throughout the country. The Burundian government, a number of donors as well as civil society organizations have taken important steps toward addressing the issue of wide-scale disarmament of the civilian population. However, concerns remain about implementation in this domain. These challenges have implications for the disarmament strategies envisioned by donors and the government.

This section starts with a summary of the possibilities and challenges of civilian (dis)armament in Burundi, drawing on Nindorera's work in this area as well as a number of focus group discussions led by CENAP/NSI.⁹⁴ It then provides an overview of national and international efforts to undertake disarmament initiatives. It sets the groundwork for preliminary recommendations that might help national and international actors to formulate effective and timely strategies in this important area.

Possibilities and challenges

A recent study conducted by the Small Arms Survey and Ligue Iteka⁹⁵ found that people have retained or purchased arms for personal protection or to protect their families, not for reasons of tradition or status. The majority of persons interviewed for that study also felt that the level of security in their neighbourhood/*colline* would increase if arms were collected. Finally, most people said they would participate in a disarmament program if certain conditions were met.⁹⁶ In addition, Nindorera's paper makes clear that – for civilian disarmament to be effective – there is a need for compensation programs as well as appropriate awareness-raising about the risks of keeping arms in one's house and about the security and confidence benefits of community-wide disarmament.

Although these findings are promising, a number of factors may serve as obstacles to civilian disarmament. As Nindorera notes, these include the observation that many people continue to fear criminal violence.⁹⁷ Perhaps even more troubling is the fact that many people fear political violence, including the re-emergence of civil war. A number of participants in a CENAP/NSI focus group on this issue expressed fears that elements of the government were engaged in rearmament of the population, fears exacerbated by rumours to this effect. Others felt that while they were not clear if they believed the

government was engaged in rearming the population, they were not convinced that the government had sufficient will to try to disarm the civilian population.

Nindorera argues that this fear of both criminal and political violence, and the tendency on the part of much of the population to retain weapons, are also linked to a significant portion of the population lacking confidence in the police and the military to provide adequate security. In addition, people continue to feel insecure due to the lack of progress in the implementation of the ceasefire agreement and sustainable resolution of the conflict with the PALIPEHUTU-FNL. Nindorera writes: "...a number of people, particularly those who live in neighbourhoods just outside the capital and in certain rural locales, prefer to wait to see the entrance of [former FNL] combatants into political institutions and into the military before having confidence that the last remaining rebellion is resolved."⁹⁸ All these factors have implications for people's willingness to disarm.

National and international responses

The Burundian government has taken a number of important steps forward in the area of civilian disarmament. For example, civilian disarmament has been identified as a priority in Burundi's Poverty Reduction Strategy Paper, a development that may help to leverage funds for programming.⁹⁹ In 2004 the transitional government participated in the process concluding in the *Nairobi Protocol for the prevention, control and reduction of small arms and light weapons in the Great Lakes Region and the Horn of Africa* and in March 2006 the CNDD-FDD government ratified this Protocol. In addition, Burundi, along with a number of other countries in the Great Lakes Region, is a member of the Regional Centre on Small Arms/*Centre Régional sur les armes légères* (RECSA) and assumed its presidency in March 2007.

In April 2006 the government launched a civilian disarmament campaign and created the Technical Commission for Coordination of Activities related to Disarmament and the Fight Against the Proliferation of Small Arms/ *Commission Technique de Désarmement civil et de lutte contre la prolifération des armes légères* (CTDC) to deliver on the government's programming on civilian disarmament in partnership with international actors and civil society. The CTDC's main priorities are awareness-raising and the implementation of an *arms for development* (AFD) program. Approximately US\$500,000 in funding was recently approved through the Peacebuilding Fund to pilot a joint awareness-raising and AFD project. The Swiss have also committed US\$400,000 to help support the AFD project in Burundi. If the piloting process is successful, the CTDC will look for additional funding to implement a country-wide campaign.

The objectives of the awareness-raising campaign are to convince people of the dangers of retaining arms in their homes, to persuade communities that the security situation has significantly improved, and to generate the will to participate in an AFD program. The campaign will draw on information collected through fairly broad consultations with key national, international and civil society stakeholders as well as the survey data collected by Small Arms Survey and Ligue Iteka. Awareness-raising programs may also serve as a

means to develop a better sense of the reasons for arms proliferation and to identify criteria for the implementation of a community-specific compensation program. The CTDC will help to set up provincial and local commissions that will determine the best strategy for awareness-raising in consultation with a broad range of stakeholders, including women and women's groups. The CTDC with technical support from the UNDP will then contract well-positioned actors to lead theme days, seminars, and media campaigns tailored to the specific needs of each targeted community.

The arms for development program is based on the recognition that people will require compensation to give up their arms but that "buy-back" programs are not viable options since they risk creating an illicit arms market.¹⁰⁰ The AFD program will therefore likely consist of both individual and community development compensation packages. The modalities of these packages will be determined on a community-by-community basis and will depend on the number of arms collected, the availability of resources and the needs of each community. However, they are likely to combine in-kind assistance to individuals with the construction of shared community assets, like schools or health facilities. The AFD will be piloted in two provinces in 2007 before potentially being extended to other provinces in 2008.

The United Nations is making an important contribution to civilian disarmament in Burundi and in setting the groundwork to engage other international donors in this area. For example, the operationalization of the CTDC was supported largely by the UNDP. It appointed a technical advisor on small arms who has helped the CTDC develop a strategy on civilian disarmament. BINUB has also identified civilian disarmament as a major priority. Accordingly, the position of UNDP small arms technical advisor is now situated within the BINUB unit on security sector reform/small arms. Under this umbrella UNDP has developed a strategy for 2007-2008 on the control of small arms and civilian disarmament. In addition, the Bureau for Crisis Prevention and Recovery of the UNDP has also promised US\$500,000, part of which will be used to build the institutional capacity of the CTDC and to reinforce civilian disarmament programming.

A preliminary assessment

There are a number of opportunities for civilian disarmament in Burundi and the efforts of the CTDC, UNDP/BINUB and a number of civil society organizations could make a valuable contribution in this area. The fact that national and international actors engaged in civilian disarmament have supported and drawn on the Small Arms Survey/Ligue Iteka national survey results as well as consulted a range of stakeholders suggests a commitment to broad consultation and to trying to meet the needs of populations affected by (dis)armament. In addition, the awareness-raising and "arms for development" pilot campaign led by the CTDC with support from BINUB and the Peacebuilding Fund will likely meet some of the needs identified above by trying to convince people of the dangers of arms and by building a collective sense of the benefits of disarming. In addition, the provincial and local commissions' capacity to facilitate work on a community-by-community basis is valuable in as much as it will help identify and

ultimately address the specific reasons why certain communities have retained their arms and what they require to relinquish them.

Yet there are challenges here too. There have been delays in developing the provincial and local commissions that are so critical for community-based work, in part due to the fact that the government has not provided sufficient resources for these commissions. The UNDP/BINUB's plans to provide technical and material assistance to the commissions could make an important contribution. But, in light of the enormous amount of work required,¹⁰¹ there is a real need for additional financial support in this area, particularly from the government. The commissions as well as the CTDC will also need to define clear criteria for determining if awareness-raising has effectively convinced people to disarm and if the timing is right to initiate an AFD program.

In addition, the composition of these commissions will be critical to avoid exacerbating ethnic and other divisions related to civilian (dis)armament. If these commissions are not seen as objective and transparent, they may be perceived as favouring some communities over others.¹⁰² The awareness-raising program will also have to pay close attention to the needs of former combatants. As an ex-CNDD-FDD fighter noted during a CENAP/NSI focus group:

Before proceeding with a disarmament program, it is necessary to first disarm the spirit. There are many demobilized combatants throughout the country and nobody really knows what they are doing. They are potentially dangerous because they have kept their military spirit.¹⁰³

Indeed this statement suggests that the Small Arms Survey/Ligue Iteka findings that Burundians tend not to equate arms with status or identity may not fully apply to ex-combatants. Accordingly, the psycho-social dimensions of arms, particularly among ex-combatants will have to be adequately considered in awareness-raising programs.

National and international plans to implement an arms for development program in lieu of forced disarmament and buy-back programs also seem sensible. Using the awareness-raising process as an opportunity to determine the specificities of AFD programming in each community may help find the right balance between individual- and community-based compensation packages. However, voluntary and compensated disarmament is an extremely expensive and complex undertaking. Raising awareness of the dangers of arms and the prospects for compensation without the resources or capacity to follow-through with programming may do more harm than good. This is because it may call into question international and national commitments to wide-scale disarmament and undermine people's confidence and willingness to participate in disarmament programming.¹⁰⁴ Donors and the Burundian government need to be willing to deliver sufficient resources to implement this program.

Ultimately, however, for civilian disarmament to be successful, it is necessary to address a range of broader, contextual challenges. Chief among these is the question of political will among certain elements in the government. One participant in a CENAP/NSI focus

group with ex-combatants noted that “the government has not yet demonstrated to us that it has the will to disarm [the population].” It will be extremely difficult to convince people to participate in an AFD program if they do not have confidence that the government is committed to evenly disarming the population or indeed is thought to be re-arming certain parts of the population.¹⁰⁵

In addition, as noted above, many Burundians have retained their arms because they fear criminal and political violence, and because they lack confidence in the government – including the police and the military – to protect them. Recall that a major component of the awareness-raising strategy is convincing people that the security situation has improved. High profile violence against innocent civilians – like the grenade attacks in a number of bistros in Bujumbura in July and August 2006 – seriously compromises these efforts.¹⁰⁶ Furthermore, the belief shared by some parts of the population that the police may have been involved or at least complicit in these attacks undermines the confidence necessary to create conditions conducive to voluntary disarmament. Moreover, uncertainty with respect to the ceasefire with the FNL continues to serve as an obstacle to civilian disarmament.

Changing these dynamics is a profoundly complex and long-term process that requires improvement in the performance of the security services as well as a sustainable resolution of the conflict with the FNL. However, donors and the government can make an immediate contribution to instilling confidence in the security environment in Burundi, for example, by demonstrating that they are working toward building a professional police service that is capable of fighting crime and respecting human rights. This is an important initiative given that 59 per cent of persons interviewed in our national survey did not know that that plans were underway to professionalize the police and the military. In addition, donors can also better cross-fertilize their work in civilian disarmament, on the one hand, and police, on the other. For example, donors working on PNB reform could prompt discussions and provide focused training on how the police can contribute to civilian disarmament including building police capacity to enforce revised arms legislation and to deal appropriately with arms in the community. BINUB is particularly well-positioned to take advantage of these overlaps in SSR programming since it has created a joint SSR/small arms unit.

Section VI: Conclusions

The Responsibility to Protect makes clear that it is the responsibility of international actors to help reformed national authorities develop the will and the capacity to protect their populations. An important element of this succession of responsibility is the reform of the security sector. In recent years a number of multilateral and bilateral actors have developed policy and programming options for sustainable security sector reform. Recent documents and policy statements from the DAC and the United Nations articulate a number of core SSR principles. One of these is that SSR policy and programming should reflect the concerns and aspirations of national stakeholders, including populations most directly affected by reform efforts.

In addition, international actors need to ensure that SSR processes are locally owned and build the capacity of state institutions to address the unique security challenges and priorities in their countries. The DAC also underscores the importance of integrated system-wide approaches to SSR that address a range of security and justice priorities and help to establish effective governance of the security sector. Accordingly, the ultimate objectives of international engagement in SSR are to help improve the delivery of basic security and justice services, to establish effective oversight of the security sector and to ensure that these and other related initiatives foster local ownership of SSR processes.

In Burundi a number of multilateral organizations as well as key bilateral and civil society partners have worked with Burundian authorities to gradually shift protection responsibilities to reformed national agencies. This paper looked at accomplishments, dilemmas and ideas for transferring the responsibility to protect vulnerable populations to national actors through security sector reform. It focused in particular on opportunities and challenges for human rights-based, gender-sensitive outcomes in the areas of police reform, transformation of the military and civilian disarmament.

An exploration of these processes in Burundi also provided insight into a number of general opportunities and enduring difficulties for external engagement in SSR processes in post-conflict contexts. It revealed that donors can help improve the provision of security services by building the capacity of the police and the military and by supporting civilian disarmament. However, it also demonstrated the challenges of delivering on many of the policy commitments articulated by the DAC, the United Nations and other actors.

Police reform

This paper demonstrated that over the past two years there has been some progress in the reform of Burundi's national police force. Yet a number of important challenges for PNB reform remain, including the continued implication of some members of the PNB in human rights violations and the inability of many police agents to adequately prevent or react to crime. The range of international initiatives designed to help reform the police – and to provide much-needed training, equipment and strategic guidance – will likely make an important contribution to addressing some of these challenges and to fulfilling the priorities for reform identified by populations interviewed for our national survey. However, there are important elements of these contributions that need to be addressed.

In light of the challenges facing the police and given the priorities of the populations consulted in our research process, international initiatives to focus on training and equipping the PNB to improve their capacities to fight crime, to increase their understanding of their roles in society and to better respect human rights seem well-placed. The efforts of a number of international actors to strengthen the strategic planning and oversight capacity of the PNB will also make an important contribution to improving the performance of the PNB. In addition, efforts on the part of Belgium, France, and the Netherlands in the area of police reform have the potential to create a fairly comprehensive package of training, training infrastructure and strategic support to the

PNB. Accordingly, this configuration could serve as an effective model for donor coordination based on a manageable number of like-minded donors working with national actors to deliver programming in a specific domain of SSR. This may be particularly important in a context like Burundi where political divisions between key ministries served as an obstacle to developing a global approach to SSR.

However, linking these initiatives has also led to delays, which have meant that a large portion of the PNB continues to operate without any formal training. Moreover, the efforts of these three donors face problems of redundancy and poor sequencing. This is also true for the UN system. The fact that UN DPKO's police division has circulated a funding proposal for approximately US\$40 million for police reform in Burundi without consulting or attempting to coordinate with BINUB's SSR/small arms unit underscores the obstacles to coordination within the UN system itself.

Challenges of coordination also emerge on the part of the PNB, resulting from a lack of strategic plan as well as in-house capacity constraints. However, the PNB may also agree to overlapping offers of support because of concerns that donors are often not able to deliver on pledges in a timely and efficient manner. Finally, attempts to hold a national dialogue to identify a common, system-wide SSR agenda have been unsuccessful to date. This may be because of political divisions among key ministries. It may also be a result of concerns on the part of these ministries that a national dialogue would provide another opportunity for donors to sideline national priorities and come to the table with their own agenda, despite the rhetoric of "national ownership" circulating in Bujumbura.

Transformation of the military

The transformation of the military is a central component of civilian protection and sustainable peacebuilding in Burundi. Despite progress in this area, the transformation of the military continues to face numerous challenges related to continued human rights abuses, varying levels of professionalism, dire resource needs, limited oversight and a difficult political context. A number of international actors and civil society organizations are providing support to the transformation of the military, including training to improve behaviour and to create coherence among FDN personnel.

Several externally-led training initiatives have provided some focus on international humanitarian law and human rights but – given the challenges – there is a need for more work in this area. The barracking initiative that will be financed by the PBF may lead to a decrease in the frequency of human rights violations by the FDN by limiting contact with the population. In addition, the PBF-funded initiative for the *moralisation* of the FDN could contribute to this if training and awareness-raising are eventually delivered to a critical mass of FDN, particularly at the troop level and if the FDN – possibly with support from donors – identify ways of ensuring the sustainability of training and awareness-raising following the termination of the 12-month PBF-funded initiative.

Yet training is only one element in improving the human rights record of the FDN. An effective military justice system could have an immediate impact on the behaviour of the

military vis-à-vis the population. The military does have a reasonably functional military justice system but this system faces resource constraints. In addition, political interference in military justice-related processes may undermine efforts to address excesses committed by security personnel. Other mechanisms like the Independent National Commission on Human Rights, the Burundian Parliament and independent media and civil society could play an oversight function but will require support from national and international actors. Ultimately, to further improve the performance of the FDN, there is a need to address politicized institutions and other critical governance challenges.

Burundi's contributions to multilateral peacekeeping operations like the AU's missions in Sudan and Somalia and the UN's mission in Côte d'Ivoire may create new channels of influence for Burundi in Addis Ababa and New York. In addition, the co-deployment of the composite forces of the FDN may help promote coherence and harmonization. It also may help reduce the number of personnel in an already over-staffed military and police service. However, given the advantages of participating in multilateral missions, the deployment selection process may become a controversial one. In addition, it may create critical human resource gaps in both the FDN and the PNB.

Civilian disarmament

Many people in Burundi have retained their arms because they fear criminal and political violence, and because they lack confidence in the government and government institutions – including the police and the military – to protect them. In general, Burundians would be willing to give up their arms *if* important conditions were met, including adequate compensation and a better sense of security. With technical support from the UNDP/BINUB and financial support from the Peacebuilding Fund and the Swiss, the CTDC will implement an awareness-raising and an arms for development program. The UNDP is also pursuing a number of other promising initiatives in the area of civilian disarmament, including providing additional material and technical support to the CTDC and to the provincial and local commissions. These efforts could make a contribution to civilian disarmament. However, gaps and weaknesses in awareness-raising and AFD programming remain, as do challenges of political will and confidence in the police and the military.

Section VII: Emerging recommendations

Police reform

Training and enforcement

- Externally-supported training initiatives should be thought of as part of a longer-term commitment to professionalize the PNB. The Belgians have started planning for a second phase of training. The design of modules and implementation modalities for this training should be based on an external evaluation of best practices and lessons learned from the first phase of training. This evaluation

should prioritize the perspectives of communities throughout Burundi, which may best be collected through a large-scale survey on people's perceptions of changes in behaviour among the PNB as well as areas for improvement. In addition, this evaluation could help map out the extent to which the numerous training initiatives being undertaken with the PNB may reinforce or duplicate each other. This may help the PNB to eventually improve coordination in this area of police reform.

- The training package for the PNB should focus more attention on preparing the police to interact effectively with the community. The initiative undertaken by the PNB's new commission on deontology to provide tools to guide police conduct will fill important gaps in the short-term. In retrospect the PNB, with support of donors, should have developed a simple guide on basic policing duties (limits to use of force, respect for rights and discipline) earlier in the police reform process to help guide the newly integrated PNB.
- The PNB training initiatives supported by donors should pay due attention to the gender dimensions of policing, including police responses to gender-based violence and their role in respecting and enforcing the rights of women and girls. An important first step here is to work more closely with women and women's organizations throughout Burundi to help identify priorities and build these into training modules and other initiatives to respond to and reduce gender-based violence. In addition, there is a need for national actors and key donors (like Belgium, France and the Netherlands) to coordinate with BINUB's gender unit, which is already working with the PNB to strengthen capacities to prevent and respond to sexual- and gender-based violence.
- For training to lead to improved performance on the part of the PNB, it must be integrated into a system of enforcement whereby PNB members are held accountable for misconduct. The Office of the Inspector General could play an important role in this area but faces human resource and equipment constraints. Donors could work to complement the potential capacity-building initiative of the BINUB/UNDP by providing additional financial and technical support to this important office.

Consultation

- There is a need for awareness-raising among communities about the duties, rights and limitations of the police to ensure that their demands and expectations of the police are appropriate. In addition, community members, including local administrations, need to develop a better understanding of the role they play in contributing to community security and how they might work with the police in this regard. To this end, there needs to be better collaboration between the police, the local administration and the community facilitated by regular dialogue. A number of civil society groups in Burundi, many of which have focal points throughout the country, may be well-positioned to facilitate consultations between

communities, the local administration and the police in order to identify priorities, to build trust and to help establish clarity on roles and responsibilities. Ultimately, however, the PNB – perhaps with financial and technical support from donors – needs to find ways to formalize mechanisms of exchange with these key stakeholders.

- Both national and international actors working on police reform and broader SSR would benefit from consultation with a wider range of stakeholders on their priorities for reform, including diverse communities throughout Burundi, civil society groups representing vulnerable populations, women and women’s organizations and police agents themselves. The PBF-related expert working group on security could serve as a basis for a more permanent and inclusive dialogue process on SSR priorities, if its membership is expanded to include a broader range of stakeholders, including representatives of vulnerable populations within and outside the capital.

Coordination

- Coordination among donors engaged in police reform remains *ad hoc* and dependent on the willingness of individuals based in Bujumbura to work together. This could lead to duplication, waste and strain on an over-taxed PNB administration. There is a need to formalize mechanisms of coordination. In the short term BINUB could re-assume a light coordination role by updating and circulating its “map” of donor and NGO contributions to SSR. However, it first needs to recruit more staff in its SSR/small arms unit to manage the demands made on this unit. At the same time, the UN needs to find ways of ensuring better communication and coordination between headquarters and field missions to avoid duplication.
- As soon as possible, there is a need to develop the in-house coordination capacity of the PNB. A first step here is to identify the reasons why the PNB’s coordination capacity is weak. Based on this assessment, the PNB and donors might be in a better position to build this capacity. To facilitate PNB planning, donors need to be willing and able to deliver on their pledges in a timely and efficient manner.

Transformation of the military

Training and other donor support to the FDN

- A comprehensive and consultative evaluation should be undertaken to determine the extent to which training efforts are contributing to building coherence and to changing FDN behaviour. This evaluation could provide important insight into lessons learned and best practices as preparations are made for the potential integration of members of the FNL into the FDN. Such an evaluation should draw on broad consultations with communities where the FDN has a significant

presence as well as with FDN personnel from the high command to the troop level.

- Donors should consider staffing each of their military attaché positions with the same person over multiple years. This may help build a relationship of confidence and collaboration that may position donors to move from providing technical to more strategic support to the FDN.

Civilian oversight and democratic control

- The military justice system suffers from resource and capacity constraints. Donors with a military partnership with Burundi could play an important role in strengthening this system by providing much needed material resources like vehicles and communication equipment, by offering financial support for training, ‘experience’ exchanges with other African and European experts and evaluation of military magistrates and by providing strategic and technical support for the revision of key texts.
- The recently launched Independent National Commission on Human Rights should commit to performing an oversight function of the security services by providing a channel for individuals or associations to report on human rights abuses against the population at the hands of state security agencies. The Government of Burundi should make provisions for the long-term functioning of this Commission, possibly by fixing costs into the state budget. Donors could offer to complement this funding as well as provide diplomatic and technical support for this Commission. Donors should also apply pressure to ensure this commission operates independently and is accessible to vulnerable populations.
- Recent political changes in Burundi may lead to new opportunities to engage the Burundian government on issues related to oversight of the security services. However, a number of donors need to develop a clearer understanding of civilian oversight and their potential contributions in this area. An overview of DAC guidelines and an “introduction” to the DAC SSR Handbook in this area may be useful in this regard.
- The UN should develop clearer guidance from headquarters on the modalities of democratic control and civilian oversight of the security sector and the role integrated missions should play in strengthening these mechanisms. These elements should be central considerations as a number of UN agencies develop a strategic, coherent and coordinated interagency approach to SSR.
- Part of a donor strategy to help build oversight capacities in Burundi should include assistance for those elements of civil society and the media that conduct objective research and provide concrete recommendations to national and international actors in response to abuses of power and violations of human rights on the part of state institutions. In addition to facilitating dialogue processes

between the government, media and civil society, donors should provide direct financial and technical support to media outlets in order to help build their capacity and maintain their independence.

- The PBC and PBF planning and funding processes have created new spaces for dialogue that may help to build confidence between the government, the UN and other key stakeholders. This may provide some incentive for the Burundian government to work toward improving its governance record. However, for the PBC to increase its capacity to influence governance practices, it needs to identify a clear role for itself in the monitoring and evaluation of PBF-funded projects. It also needs to ensure that PBC representatives have frequent contact with stakeholders in Burundi, for example, through regular trips to Burundi.

The FDN and multi-lateral peacekeeping operations

- It will be essential for decision-makers within the FDN and PNB to develop a fair and transparent selection process for participation in multi-lateral peacekeeping operations and to avoid creating the perception that selection decisions are made along political or ethnic lines.

Civilian disarmament

Awareness-raising strategies

- The government should provide sufficient support to provincial and local commissions to ensure they function properly and to demonstrate its commitment to civilian disarmament. The government should make provisions for paying the salaries of these commissioners, possibly by fixing these costs into the state budget. Donors could offer to complement this funding.
- Perhaps with assistance from the UNDP or other donors, the CTDC will also need to define clear criteria for determining if awareness-raising has effectively convinced people to disarm and if the timing is right to initiate an AFD program.
- The CTDC and the UNDP will need to think carefully about the composition of the provincial and local commissions to avoid exacerbating ethnic and other divisions related to civilian (dis)armament.
- Awareness-raising will also need to give due attention to the psycho-social dimensions of arms in Burundi, particularly among ex-combatants.

Arms for development

- Voluntary and compensated disarmament is an extremely expensive undertaking. Donors and indeed the Burundian government need to be willing to provide

sufficient resources to deliver on the promises made throughout the awareness-raising process and to implement AFD programming evenly throughout Burundi.

Linking civilian disarmament to other aspects of security sector reform

- Donors could better coordinate their work in civilian disarmament and in police reform. Donors working on PNB reform could prompt discussions and provide focused training on how the police can contribute to civilian disarmament including, for example, by building police capacity to enforce revised arms legislation.
- National and international actors working on civilian disarmament could ensure that police participate consistently in awareness-raising.
- BINUB could draw on its strategy of creating a single SSR/small arms unit to help better identify the overlaps between SSR programming in the areas of police reform and civilian disarmament. If successful, this model of linking SSR and small arms programming in a UN operation may serve as a positive example of overcoming the DAC SSR Handbook's observation that elements of an SSR agenda, like police reform and small arms programming, tend to be "pursued in isolation".

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¹ International Commission on Intervention and State Sovereignty. *The Responsibility to Protect* (Ottawa: International Development Research Centre, 2001: Chapter II: 13).

² Ibid. Chapter V: 41.

³ Ibid. Chapter VII: 65.

⁴ For a background discussion of the conflict in Burundi see Nindorera's companion piece.

⁵ The Constitution of the Republic of Burundi, Title X: Of the Defence and Security Forces, Article 241.

⁶ See Nindorera's companion piece for an overview of international involvement, including among regional powers, in the peace negotiations in Burundi.

⁷ This paper pays particular attention to a small number of donors because these actors are providing targeted assistance in the paper's areas of focus. As a result, the paper does not focus on the critical contribution a number of other actors, like Tanzania and South Africa, have historically made and continue to make in peace consolidation in Burundi. South Africa, for example, is playing a leading role in implementing the ceasefire agreement between the FNL and the government.

⁸ These sites include two communities in each of Bujumbura Mairie (Musaga and Kinama), Bururi (Burambi and Rumonge), Ngozi (Ngozi and Kiremba) and Bubanza (Bubanza) and Bujumbura Rurale (Mutimbuzi). The surveys involved a sample size of 400 interviews and offer contexts in which the FNL was still active until very recently; where there is a large population of demobilized former combatants; where SSR (in particular police reform) is said to be relatively successful and a number of contexts where SSR remains highly problematic.

⁹ The third is the intelligence service, the National Intelligence Service/*Service National de Renseignement* (SNR). Due to constraints in the political context when we started this research in April 2006, we have not been able to focus on the SNR.

¹⁰ Our work at this stage does not consider non-state systems of security, for example, private security or informal community security mechanisms like community watch. However, these important elements of a security system in Burundi may be considered in more detail in a later phase of this project. In addition, due to resource and time constraints, we were not able to consider penitentiary reform. Yet this is an area that merits more attention particularly given the egregious conditions of many of Burundi's prisons as well as the fact that prison reform is a central element of broader security and justice sector reform.

¹¹ OECD DAC. *Security System Reform and Governance*, OECD DAC Guidelines Reference Series (Paris: OECD Publications, 2005).

¹² Ibid: 20.

¹³ Ministerial Statement: Key Policy and Operational Commitments from the Implementation Framework for Security System Reform: OECD DAC. *Handbook on Security System Reform: Supporting Security and Justice*. OECD 2007 Edition, 2007: 12.

¹⁴ United Nations Security Council. Statement by the President of the Security Council. S/PRST/20073. 21 February 2007.

¹⁵ OECD DAC. Security System Reform and Governance, page 19.

¹⁶ United Nations Development Programme, "Security Sector Transformation and Transitional Justice: A Crisis Post-Conflict Programmatic Approach" (New York, UNDP: 2003).

¹⁷ For a more detailed study on the UN's work in the area of SSR in Burundi, see: Laurent Banal and Vincenza Scherrer. "Recent Experience of UN Integrated Missions in SSR: The Case of Burundi." Draft case study report, Geneva Centre for the Democratic Control of Armed Forces, February 2007 and Dr. Stephen Jackson, "The United Nations Operation in Burundi (ONUB) – political and strategic lessons learned." Independent External Study. July 2006.

¹⁸ For an overview of BINUB's mandate, see: United Nations Security Council. Seventh Report of Secretary-General on the United Nations Operation in Burundi: Addendum. S/2006/429/Add.1. 14 August 2006.

¹⁹ For an overview of DDR processes and partnerships in Burundi, including AMIB's role, see Henri Boshoff and Waldemar Vrey, "A Case Study for Burundi: DDR during the transition in Burundi: A technical analysis." Institute for Security Studies Monograph 125, August 2006.

²⁰ Due to delays in the implementation of the ceasefire agreement, ONUB was no longer able to assume these responsibilities because it was already in the process of downsizing and terminating its mission. The DDR tasks of the AU will include: protection of designated assembly areas; provision of engineering, logistical and administrative support for establishment of assembly areas; disarmament of combatants; storage and destruction of weapons collected through the disarmament process; transportation of FNL combatants to designated demobilization centres or integration facilities of the FDN; and protection of demobilization centres. At the time of writing, the implementation of the ceasefire agreement was stalled.

²¹ Intervention during focus group in Rumonge, January 2007.

²² For more details on the integration process of the PNB see Nindorera's companion piece.

²³ For a deeper discussion of the progress and challenges of the PNB, see the section "La complexité de la transformation de la PNB" in Nindorera's companion piece.

²⁴ Interview. Bujumbura, August 2006.

²⁵ Author's observation. Bujumbura, June 2006 to June 2007.

²⁶ Interview with international NGO engaged in training the PNB. Bujumbura, September 2006.

²⁷ For example, people in one neighbourhood in Bujumbura asked whether police were obligated to carry water for them. Interview with policing expert. Bujumbura, November 2006.

²⁸ For example, the office lacks vehicles and a budget for petrol and is therefore generally not able to conduct investigations outside of Bujumbura. It also does not have enough computers for its staff.

²⁹ Interview. Bujumbura, December 2006.

³⁰ See Nindorera's companion paper, section entitled "La complexité de la transformation de la PNB."

³¹ A short discussion of the PNB's contributions to multilateral peacekeeping missions is included in this paper's section on military transformation.

³² La République du Burundi et le Royaume de Belgique. "Dossier Technique et Financier : 'Appui à la formation de la Police du Burundi.'" Final Draft, 2005: 17.

³³ For example, the Dutch donated 34 trucks and 34 camionettes with communication equipment to the PNB in 2005. This was an important and timely contribution. However, a donation of 68 vehicles is not enough to provide the vast majority of police stations in Burundi with even a single vehicle. In addition, one diplomat told us that many of these vehicles have been given to high-ranking authorities in the PNB, sometimes for their personal rather than professional use. We were not able to confirm these findings.

³⁴ Interview. September 2006.

³⁵ Interviews. August 2006 and September 2006.

³⁶ Interview. Bujumbura, December 2006.

³⁷ Interview. Bujumbura, August 2006.

³⁸ We recognize that there are limits to the impact police can have on combating gender-based violence. The frequency of these human rights abuses in Burundi is a reflection of a problematic broader context where women and girls are accorded less status than men and boys. Consider that when a group of women in Musaga (a popular neighbourhood in Bujumbura Mairie) were asked what they required to protect themselves from gender-based violence many responded that they wanted tools that would help increase their status in society. That is, these women were clearly drawing the link between their status in society

and their vulnerability to abuse. (Interview with policing expert. Bujumbura, November 2006). As this example suggests, there is ultimately a need for more effective social and legal structures to protect woman and girls from gender-based violence. We maintain that appropriate training of police to prevent and react to these abuses is a critical element of a women's rights regime. For an exposé of women's status in Burundi, see Ligue Iteka, "Etude de la monographie genre: Cas du Burundi," Juin 2004, Bujumbura.

³⁹ See Nindorera's companion paper for a reflection on improving dialogue between representatives of the security and defence corps, the population and the local administration.

⁴⁰ France had originally planned to provide €700,000 (of its €2 million contribution to the PNB) to assist with the ISP. However, at the time of writing, this initiative had been stalled due to disagreements with the government about whether French funding would be used to construct a new ISP or to rehabilitate the current, dilapidated ISP.

⁴¹ Consider for example that there was initially an overlap between the Belgian pre-training information-gathering process and the PNB census supported by ICTJ and UNDP and funded by the Netherlands. In fact, it was during an interview for this paper that one of the leads on the Belgian project first learned about the ICTJ-PNB initiative.

⁴² It does not seem sensible that the joint French-PNB seminar on developing a comprehensive training strategy for the PNB took place several months *after* the Belgians and the PNB had developed their basic training program.

⁴³ See Nindorera's companion piece for an analysis of these dynamics.

⁴⁴ Intervention at a focus group meeting in Rumonge, February 2007.

⁴⁵ See Nindorera's companion piece for a detailed overview of this integration process.

⁴⁶ Interview with ONUB human rights officer. Bujumbura, December 2006.

⁴⁷ For analysis and data on abuses committed by police and military personnel in Burundi in 2006 see: Ligue Iteka. Rapport annuel 2006: Synthèse de la situation. Bujumbura, Burundi. Mai 2007. See also human rights reports issued regularly by the UN's Office of the High Commissioner for Human Rights for Burundi.

⁴⁸ There are doubts about the accuracy of this interpretation of events. The site of these deaths was closed immediately following the shooting. The bodies were later buried and local officials refused to exhume these bodies for investigation. In addition, no weapons were found at the site. Some observers have suggested that the accused rebels were executed rather than killed in an exchange of fire. Interview with human rights researcher who spoke with locals directly following this incident. Bujumbura, November 2006.

⁴⁹ It is important to note that all the international stakeholders we interviewed for this work expressed their willingness to engage the FNL, if there is movement on plans to integrate FNL members into the FDN and PNB. However, as progress has stagnated on implementing the ceasefire agreement with the FNL, plans for international assistance with integration, training and harmonization have been put on hold.

⁵⁰ The Belgian military attaché position has been held by the same person for several years.

⁵¹ Interview with Burundian official. Bujumbura, April 2007.

⁵² These contributions are consistent with China's Africa Policy which notes that China will actively carry out military-related technology exchanges and cooperation" as well as "train African military personnel..." China's Africa Policy, "Peace and security": paragraph 1, January 2006.

⁵³ Interview. Bujumbura, December 2006.

⁵⁴ China's Africa Policy, "The economic field": paragraph 9, January 2006.

⁵⁵ Interview. December 2006. The CENAP/NSI research team tried on two separate occasions to meet with a representative of the Chinese embassy in Bujumbura but our requests were denied both times.

⁵⁶ FDN participation in peacekeeping missions has been identified as a major priority for the FDN. CENAP/NSI focus group meeting with 9 FDN officers. Bujumbura, May 2007.

⁵⁷ Interview. Bujumbura, March 2007.

⁵⁸ Consider, for example, that the Inspector General of the PNB left his post to participate in the UN mission in Ivory Coast. Until a replacement was found, this compromised initiatives to develop the capacity of the Office of the Inspector General.

⁵⁹ In French, this project is entitled: « Promotion de la discipline et amélioration des relations entre la FDN et la population à travers la moralisation du corps. »

⁶⁰ For example, a Belgian and Burundian team worked together in partnership to develop a number of training modules, which were then delivered in Kirundi – not French – to make them more accessible to a broader audience.

⁶¹ Interviews with human rights researcher and senior UN officer. Bujumbura, November and December 2006.

⁶² Prior to the re-organization of the police and military, much of the expertise in the military justice system resided in the gendarmerie. When this unit was integrated into the police, this expertise was transferred from the FDN to the PNB. In addition, the military justice system has tried to adhere to the ethnic and political quotas set out in the Arusha agreement and has integrated elements of the ex-CNDD-FDD and ex-PMPA, many of whom have no formal training in law.

⁶³ For example, the Ministry of Defence recently facilitated access to implicated FDN members for a new commission created to investigate this case.

⁶⁴ This three-week course for military magistrates involved the training of 20 military magistrates representing all component parts of the FDN. These training modules were developed jointly by the OHCHR and the Auditor General. Interview with OHCHR trainer. Bujumbura, December 2006.

⁶⁵ For a useful consideration of Parliament's role in providing oversight of the security sector, see Born, Hans et al. *Parliamentary Oversight of the Security Sector: Principles, Mechanisms and Practices. Handbook for Parliamentarians*. Geneva Centre for Democratic Control of Armed Forces (DCAF), 2003.

⁶⁶ For example, in August 2006, the President of Parliament lifted the immunity of two accused coup plotters – the former President and Vice President of Burundi – without adequate proof or debate within Parliament. In September 2006, the Parliamentary confirmation vote of Marine Barampama, appointed to replace former Second Vice President Alice Nzomukunda following her resignation, took place without the required party representation of MPs present at the appointment session.

⁶⁷ See Nindorera's paper for a deeper analysis of the political role of Hussein Radjabu.

⁶⁸ Interview with a senior Burundian official familiar with the functioning of the Commission for Defence and Security. Bujumbura, August 2006.

⁶⁹ For example, the Association of European Parliamentarians for Africa (AWEPA) has a modest budget to provide capacity-building support to Parliament, to promote exchange among Parliamentarians in the region and to reinforce relations between parliament, civil society, political parties and the media. UNDP had a small budget in 2006 to provide internet training and to deliver modest training to 12 bureaucrats to assist Parliament's permanent commissions. The Belgian Cooperation recently approved €1 million over 3 years in funding to support the reorganization Parliament, to reinforce the capacity of elected personnel and administrative staff and to provide equipment. This project has not yet been implemented.

⁷⁰ Interview with UN official. Bujumbura, June 2007.

⁷¹ The UN might be an exception in this regard inasmuch as staff working on SSR within BINUB have a mandate to reinforce the governance dimensions of security sector reform.

⁷² Interview. Bujumbura, September 2006. Author's translation of "[l]e problème de l'armée c'est la politique qui ne va pas."

⁷³ CENAP office in Bujumbura, November 2006.

⁷⁴ For more on these developments see: United Nations Security Council. *First Report of the Secretary-General on the United Nations Integrated Office in Burundi*. 17 May 2007. S/2007/287.

⁷⁵ The OECD DAC SSR Handbook notes, for example, that improving the quality of debate on security and defence issues by supporting NGOs, research institutions and the media can make an important contribution to oversight.

⁷⁶ The government arrested and released journalists and opposition and civil society leaders for a variety of reasons throughout 2006. Consider that just a short time after the government hosted a series of "bridge-building" meetings with civil society and media representatives, a number of journalists were arrested for reports on the alleged coup d'état. These individuals were released from prison a few weeks later. There has been some recent progress in this area. At the time of writing, a new law to enhance the liberty of the press was being debated by a group of journalists before being re-submitted to the National Assembly.

⁷⁷ There are notable exceptions, including the Belgian Cooperation which has been providing direct funding to a number of media outlets and civil society for several years.

⁷⁸ Interview with AU representative. Bujumbura, July 2006.

⁷⁹ Ibid.

⁸⁰ Action Aid, CAFOD, and CARE International. “The Peacebuilding Commission in Burundi” in Consolidating the Peace? Views from Sierra Leone and Burundi on the United Nations Peacebuilding Commission. June 2007.

⁸¹ See UN Secretary-General reports on ONUB, October 2006 and December 2006.

⁸² The UN Secretary-General’s reports on ONUB of October and December 2006 are much more explicitly critical of government practices than earlier reports. While this shift in tone does correspond with problematic political developments, it may also signal a change in attitude on the part of ONUB as it prepared to downsize and transition to BINUB.

⁸³ For example, in August 2006, the CNDD-FDD government accused the Special Representative to the Secretary General in Burundi, Ambassador Nureldin Satti, of interfering in national politics and declared him *persona non grata*. This declaration was later revoked but is nonetheless emblematic of the often tense relationship between ONUB and the CNDD-FDD government.

⁸⁴ Interview. Bujumbura, December 2006.

⁸⁵ For further reflections on this theme see Action Aid, CAFOD and CARE International, op cit.

⁸⁶ Interview. Bujumbura, June 2007.

⁸⁷ Interview. UN Headquarters. New York, February 2007.

⁸⁸ Interview with representative of donor agency with a position on the National Steering Committee. Bujumbura, July 2007.

⁸⁹ Comment made by a former FAB combatant during focus group with former combatants. Bujumbura, November 2006.

⁹⁰ Consider for example that the Burundian government’s national strategy on civilian disarmament notes that “police/military are more likely to use force if dealing with potentially armed civilians.”

⁹¹ OECD DAC SSR Handbook 2007: 106.

⁹² Ibid.

⁹³ The section entitled “La problématique de la prolifération des armes: désarmer /ou intéresser les esprits” found in Nindorera’s companion piece provides a background on civilian armament in Burundi.

⁹⁴ Please see methods section for more information on these focus groups.

⁹⁵ Pézard, Stéphanie and Nicholas Florquin. “Small Arms in Burundi: Disarming the Civilian Population in Peacetime. Special Report.” Small Arms Survey and Ligue Iteka. May 2007. This study had a sample size 3,060 and was conducted between November 23, and December 21, 2005.

⁹⁶ One optimistic international expert in this area told us that “Burundi is a winnable situation vis-à-vis civilian disarmament. The country is small, large-scale armament is a relatively recent phenomenon and people in general want to give up their arms.” Interview. Bujumbura, April 2007.

⁹⁷ Indeed, among individuals interviewed in the CENAP/NSI national survey, criminality was the most frequently cited factor of insecurity.

⁹⁸ See Nindorera’s companion paper, section entitled “Enjeux, défis et opportunités autour du désarmement”.

⁹⁹ Donors pledged US\$655.6 million at the donor roundtable on Burundi held in May 2007, exceeding the US\$534.7 million requested by the Burundian government. The modalities of allocation of these funds have not yet been defined but, if donors deliver on their pledges and if the Government of Burundi continues to identify civilian disarmament as a priority area, significant funding could be directed toward civilian disarmament initiatives.

¹⁰⁰ Many participants at the CENAP/NSI focus group on civilian disarmament felt that buy-back programs might actually increase the flow of arms in Burundi.

¹⁰¹ Consider that a country-wide awareness-raising program would need to take place in 3,000 collines in 129 communes in the 17 provinces of Burundi.

¹⁰² One small arms expert articulated the complexity and importance of this task: consider for example if communities are not convinced of the utility of disarmament and if provincial commissions are not seen as balanced, a Tutsi provincial commissioner trying to promote disarmament in a predominately Hutu community might be seen as trying to disarm Hutus. At the same time, if that same commissioner tried to convince a predominately Tutsi community to participate in a weapons for disarmament program, s/he might be accused of privileging Tutsis by implementing a development program in a Tutsi community. Interview. Bujumbura, April 2007.

¹⁰³ Bujumbura, November 2006.

¹⁰⁴ Consider that the CTDC has already participated in modest radio programming on the AFD program, despite the fact that adequate resources are not yet in place to evenly implement this programming throughout the country.

¹⁰⁵ Please see Nindorera's companion piece for further reflection on this dilemma.

¹⁰⁶ See Nindorera's companion paper, section entitled "Enjeux, défis et opportunités autour du désarmement".