

Report of the Chair of the Peace-building Configuration from his Mission to Burundi

From 18 to 25 April 2012 I visited Burundi in my capacity as Chair of the Burundi Configuration of the UN Peace-building Commission. Before traveling to Bujumbura I paid a brief visit to EU headquarters in Brussels to meet with Ambassador Koen Vervaeke, Director and Principal Coordinator of the EU for the Great Lakes Region. During my visit in Burundi, I was accompanied by Mr. Vincent Kayijuka from the UN Peace-building Support Office (PBSO). The Permanent Representative of Burundi to the United Nations, Ambassador Herménégilde Niyonzima, also participated in the visit.

Purpose of the visit:

The objectives of my visit were:

To determine with the authorities the review process of the outcome document adopted by the PBC on 26 April 2011. This document states, in its para. 24, that the progress in the mutually agreed areas of cooperation would be reviewed after one year. The PRSP-2 mentions the same in para 778. To that end, I intended to participate in the meeting of the "Forum politique" which was scheduled to take place in Bujumbura on 23 April. Eventually, the "Forum" was postponed to mid-May since the document which served as the basis for the discussion had not been finalized.

To inform myself of the plans of the government of Burundi to hold a meeting in fall of this year to mobilize resources for their Poverty Reduction Strategy 2 (PRSP-2). I also wanted to hear from the authorities, but also from the various UN actors about the state of expectations and preparations for this meeting and inquire about the expectations of the government towards the PBC in this regard.

To consult with the government on the future partnership between Burundi and the PBC in order to have a clearer understanding on possible deadlines or phasing out.

To assess the development since my last trip to Burundi by gathering the views of as many stakeholders as possible. In the spirit of a light engagement with Burundi the Configuration decided to evaluate the progress in peace-building through regular visits of the Chair rather than by reports.

Contacts and Meetings

In the course of the week I met with several interlocutors both from the governmental as from the non-governmental sector. Among the Burundian authorities I was received by the President of the Republic, the 1st and 2nd Vice-Presidents, the Foreign Minister, the Minister for National Solidarity, Gender and Human Rights, the President of CENI (National Electoral Commission) and the Permanent Secretary of the Ministry of Finance (in absence of the Minister who was in Washington at the Spring meeting of the World Bank). I had an extended conversation with the President of the Independent National Human Rights Commission, Frère Emmanuel, and a telephone call with the Ombudsman who was out of the country at the time. Among the international community, I met with SRSG Karin Landgren and her BNUB staff and had a substantive exchange of views with the international community represented in Bujumbura. Over telephone I conferred briefly with the Regional Director of the World Bank for Burundi, Philippe Dongier, who happened to meet with the Burundi delegation at the WB Spring meeting. In addition, I continued with the tradition to gather both with ambassadors from WEOG as well as from African countries at two separate informal working dinners. All those meetings provided me with a lot of insight and support. The same can be said of my various meetings with the private sector, political parties (CNDD-FDD, UPRONA, FRODEBU) and representatives of civil

society (NGOs, media, church leaders). On Saturday, 21 April, BNUB organized a field trip to the province of Cibitoke (on the border to the Congo and Rwanda) to visit projects for former combatants and returnees financed by the PBF.

General assessment of the situation in Burundi

From the various formal and informal conversations that I held, I sense that the overall political situation has further stabilized and progressed since my last visit in fall of 2011. While a substantive improvement in the relationship between the ruling political party and the opposition not represented in parliament, in particular through a return of opposition leaders in exile to Burundi, still seems elusive the political atmosphere appears more relaxed than before. Harsh and at times radical language which I heard from both sides in the past has disappeared or at least toned down a lot. I felt that the government and the CNDD-FDD as the majority party came to the conclusion that it would be better to give political space to the opposition in view of the next elections in 2015. The recent change in the leadership of the CNDD-FDD (party leaders, women's and youth wings of CNDD-FDD) might also indicate a trend in that direction. At the same time, the opposition, while still vehemently criticizing the government, moderated its behavior and participated for instance in a recent seminar on the Law on Opposition. Along with this "détente" the President of the CNIDH noted a decrease in human rights violations and assassinations with a likely political background over the last months, though such violent deaths still take place.

With the considerable price increases in gasoline and basic food commodities such as rice and beans the focus of public dissent shifted to the economical and social situation. Everybody in Bujumbura mentioned to me "la vie chère" (the expensive life) which has become the common slogan for the problems caused by the rise of food and commodity prices. Civil society reacted with protests and a "stay-at-home" rally in March. In turn, the government accuses civil society organizations of abusing their respective roles and acting as a political opposition. So far, the controversy limits itself to mutual recriminations which are at times acrimonious, but not violent. But several interlocutors told me that the worsening economical and social situation has a clear potential for unrest and is seen as potentially dangerous.

Certain observers detect ethnic undertones in the debate about the economical situation although it was difficult for me to assess whether this could constitute the germ for any renewed ethnic tension. Similar allegations were at times made against the performance of the "Commission nationale des terres et autres biens", CNTB, (National Land Commission) whose policy some commentators perceive as one-sided since its decisions to attribute land seem to favor the rights of returnees over existing landholders. Since the land issue is one of the most delicate in a densely populated Burundi heavily dependent on agriculture a fair and equitable distribution of land is important also from a peace-building perspective.

On a more positive note, the fiscal situation has improved quite substantially due to the increased efficiency of the "Office Burundais des Recettes" OBR (the revenue office). With the assistance mainly from the UK, the OBR has been reformed into an independent, more effective and efficient institution. Fiscal loopholes have been mended and corruption was reduced. The energetic behavior of the OBR has provoked counter-reactions from both the political spectrum and parts of civil society who feel that the agency is acting too

aggressively. Still, the reformed OBR is a positive development in the institutional architecture of Burundi and its independence and effectiveness should be preserved.

Overall, the positive signs prevail despite an increasingly difficult economical situation which is likely to worsen. I encouraged the government to continue progressing in the areas of political openness, good governance and human rights and the rule of law. In that context, I mentioned among other matters the trial of the murder of Ernest Manirumva whose apparent lack of progress had the potential to hurt the image of Burundi. The PBC and its Chair remain committed to assist and support Burundi. Advancements in the political and institutional fields would help me a lot to generate the goodwill on the international level which is beneficial in the running-up to the meeting for the PRSP-2 which Burundi wants to convene in fall.

Major substantive issues addressed during my visit

1. Review Process of the Outcome Document of 26 April 2011

As stated above, the planned meeting of the "Forum politique" did not take place for organizational reasons. My suggestion to convene on short notice an informal "mini Forum politique" to provide input to the draft text for the forum could not be realized either. According to information I received after my return, the government intends to hold the forum in the week of 14 to 18 May. In Bujumbura, I asked the authorities to transmit a copy of the finalized draft to the Burundi Configuration when it sends it to the sectoral groups. This would give the PBC an opportunity to comment on the draft in writing since it won't have the opportunity to participate in the forum as it had in the past.

Recommendation for follow-up: When the Configuration receives a copy of the draft, the Steering Group could formulate a short comment as an input to the "Forum politique". The comment could be elaborated within the Steering Group first and then circulated among the members of the Configuration to be endorsed through a silence procedure. Since the national peace-consolidation strategy was merged into the poverty-reduction strategy in 2011, the question arises whether another Outcome Document of the Configuration similar to the one adopted in April 2011 still makes sense. In the Chair's view, it would be useful to produce one more such document, albeit a short one, in order to illustrate the continuity of the peace-building process. Since the PRSP-2 has just recently been adopted, a review within this framework is not yet possible. In 2013, the situation may be different and the evaluation of the peace-consolidating components could indeed be made within the procedural framework of the poverty-reduction strategy. But for the time being, the Chair recommends to adopt, on the basis of the final document approved by the "Forum politique", an addendum to the Outcome Document of 26 April 2011 which would define the mutual commitments of Burundi and the PBC for the next twelve months. This document could be approved at a Configuration meeting fairly soon after the "Forum politique". Initially, I had hoped to convene the Configuration by the end of May at the latest to that end. Since the date of the "Forum" has been set to mid-May, a Configuration meeting could take place in the first half of June. I would like to take the opportunity of that meeting to invite the Ombudsman of Burundi and the President of the CNIDH to speak before the PBC and to have an interactive discussion with them since these two institutions symbolize the advancements Burundi has made in the field of good governance and the rule of law.

2. International Meeting to support the PRSP-2

Burundi's plan to hold an international partner's meeting to generate support for the PRSP-2 was one of the important topics of my visit. I discussed it extensively with a variety of national and international interlocutors, mainly with the 2nd Vice-President who is leading the process and the Ministry of Finance which is in charge of the preparation of the event. For the government, the conference serves as a means to generate financial resources for the implementation of its PRSP-2 whose overall cost Burundi estimates at USD 2.5 billion. This being said, the contours of the conference still remain open at this stage. As a possible date, October 2012 has been mentioned. Through the President and the Minister of Foreign Affairs, Burundi asked Switzerland to host the meeting. I have transmitted the request to my authorities and promised an early answer. Amongst traditional donors and partners, there is a variety of views, with some indicating a preference for Bujumbura as a venue for the conference since this would allow for a gathering with the civil society and the public sector which have an important role to play for the PRSP-2, and others urging that an international local would provide more prominence to Burundi. Overall, the reaction of the international community in Bujumbura to the planned event is positive, but guarded concerning its financial impact. The echoes I have received indicate that it seems unrealistic to generate resources in the amount Burundi seeks. Most traditional donors assured me that they would continue to support Burundi within existing amounts. Some non-traditional donors signaled interest in participating at the meeting and openness to consider financing based on a project basis. But there still seems to exist a gap between the expectations of the government of Burundi and its international partners. I have informed the 2nd Vice-President and the Permanent Secretary of the Ministry of Finances of the budgetary difficulties major donors are currently facing and warned Burundian interlocutors that it may be hard to generate additional funding. I also urged them to define priorities, both in substance and in time. It would be important to identify the most pressing and important needs which have to be addressed first. Besides, Burundi has to step up the pace of both the conceptual and organizational preparations of the meeting. If it is indeed to be held in October this is only short six months away.

Recommendations for follow-up: Several things need to be done within the next weeks: a) Burundi and the international community should agree on the objectives, the setting and the format of the meeting. It may be helpful to establish scenarios on possible outcomes of the meeting and ensuing follow-up; b) an operational "task force" in Bujumbura should be set up comprising the major national and international actors: A time-line with a to-do list needs to be established and a division of labor defined. Burundi has the leading role in this exercise, but the international community, especially the UN system should closely assist; c) Burundi, with the help of UNDP and the World Bank should define its most important priorities bearing in mind that the international donor environment is tight; d) the PBC, through its Chair, but also through all its members, should intensify the advocacy for Burundi, particularly among non-traditional donors.

3. Outlook on the future of PBC activity in Burundi

Due to the more imminent issues mentioned above the future of the PBC accompaniment was discussed a little less prominently. I raised the question with the Foreign Minister and the President of the Republic. It was also brought up by a few delegations in the meeting with the international community. While the government of Burundi did not offer any determined views for how long the PBC should carry on with its mandate, I received unequivocal messages from the highest levels that the work of the Commission was appreciated and should continue. In my conversations, I offered the opinion that the

elections of 2015 could constitute a good meeting point to take stock of the progress achieved and to jointly agree on the completion of the transition. From the governmental side, no-one objected to this view, but it may still be necessary to continue the common reflection on the shape and the duration of the PBC mandate.

Recommendations for follow-up: To the extent that consolidation towards sustainable peace and development progresses in Burundi, even lighter forms of engagement of the Configuration could be envisaged. Already now, the reporting and the frequency of Configuration meetings have been reduced considerably in comparison to earlier periods of the mandate. This trend could continue. As of 2013, the evaluation of the progress in peace-consolidation would be done exclusively within the framework of the PRSP-2 process.

4. Regular exchange of views with various actors in Burundi

Besides discussing the role of the PBC in supporting the socio-economical development of Burundi I used my visit to address a variety of political and institutional topics with various stakeholders both from the public and the private sector. In my conversations with the government of Burundi (President, Vice-Presidents, Minister for National Solidarity, Gender and Human Rights) I commended the advancements made in the field of good governance, human rights and the rule of the law. I cited namely the establishment of the Ombudsman and the Independent National Human Rights Commission as notable examples. I encouraged the government to continue and increase its efforts to guarantee human rights and individual freedoms and to strengthen the independence and effectiveness of institutions, namely the judiciary. In that context, I repeated the offer of the PBC to provide advice and support. In comparison to earlier visits I sensed more openness in addressing these issues, recognizing shortcomings and the need for further progress. Similarly, I had the impression that the political atmosphere was more relaxed than before. There is growing awareness within the government and the CNDD-FDD that a level playing field for the elections of 2015 and an open political competition with fair chances for all political parties would be in their best interest for the country and all parties involved should work towards this goal. Accordingly, the competent authorities are willing to review again the draft of the electoral code. At the same time, the extra-parliamentary opposition appears to have backed down from a number of preconditions to engage in political talks with the government and agreed to a forward-looking perspective rather than insisting on coming back to the elections of 2010. With the President of the Republic, I also addressed the question of a possible constitutional reform. He replied that he indeed envisaged reforms that would mainly intend to align the normative framework of Burundi with the requirements of the EAC. However, the outcome of Arusha would remain untouched. A question which may create legal and political controversy is whether the President can present his candidature again in 2015. Last not least, I enquired about the state of affairs in the truth and reconciliation process. While in 2011 there seemed a sense of urgency within the government to move ahead with the draft legislation for the Truth and Reconciliation Commission the momentum has slowed down a bit as parties involved have come to realize that complex issues still need to be addressed. All interlocutors assured me that dealing with the past is an important issue to them, but needs to be carefully prepared in order to achieve the desired healing and conciliatory effect. It may well be that parliament will adopt the necessary legal framework only at the end of 2012 or in 2013.

Recommendations for follow-up: While fully respecting national ownership and sovereignty, the PBC collectively and individually through its members should continue to support the work of BNUB and offer advice and capacity-building to Burundi in order to

further promote and consolidate political freedom and openness, good governance, namely the fight against corruption and the efficient delivery of basic public services to the population, human rights and the rule of law. It should also actively accompany the truth and reconciliation process.

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