

29 January 2013

To: Members of the Peacebuilding Commission, Burundi Configuration

Dear Colleagues,

In my capacity as Chair of the Burundi Configuration of the UN Peacebuilding Commission, I visited Burundi from 13 to 16 January 2013, as part of the PBC's regular engagement with Burundi, and more specifically to follow up on the Burundi Partners' Conference that took place on 29-30 October 2012 in Geneva, and discuss with the Government the next steps of the PBC's engagement with Burundi.

In the course of the three days I met with the main governmental representatives – including the President and the Second Vice President –, representatives of all political parties – including the extra-parliamentary opposition –, civil society, the President of the Independent National Electoral Commission (CENI), the President of the Independent National Human Rights Commission (CNIDH), the Burundian Tax Authority (OBR), the private sector and various international partners, including SRSG Parfait Onanga-Anyanga and his senior BNUB staff. [Please find attached to this letter my program of visit for an exhaustive list of all interlocutors I met with].

This visit was also an opportunity to deepen the partnership between the PBC and the World Bank: Philippe Dongier, the WB Country Director for Burundi, Tanzania and Uganda joined me for key meetings in Bujumbura, including with the President and the 2nd Vice-President. Furthermore, on 17 January 2013, I also visited the World Bank's Global Centre on Conflict, Security and Development in Nairobi.

It is my pleasure to share hereby the main outcomes of my trip to Burundi. The Report of the Secretary-General on the United Nations Office in Burundi, [S/2013/36](#), issued during the same period already provides a comprehensive update on the political situation in Burundi, which I fully share; therefore, I decided to focus my report on specific elements of my visit that are relevant to the current and future work of the PBC in Burundi.

### **Overall impression**

My overall impression is that the country is making progress, though it still faces important hurdles, some common to post conflict countries, others specific to the history of Burundi. On the one hand I noted a considerable sense of optimism generated by the spirit of the Geneva Conference and the magnitude of financial pledges made by donors, but on the other hand also a sense of concern regarding the reality of the on-going political and socio-economic challenges, including the pre-2015 elections environment and the fragility of the economy. Additionally, my

visit took place at a time when the Government and the UN were in the process of discussing the future configuration of the UN presence in Burundi after 2013. This was reflected in most of my exchanges both with the Government and the international community.

From my discussions, I identified a number of emerging opportunities and outstanding challenges – sometimes overlapping – which provide a useful framework as we redefine the content of the future PBC engagement with Burundi.

The four opportunities are 1) the momentum created by the Geneva Conference and its aftermath; 2) the elections of 2015 and the potential they offer to further consolidate the culture of democracy in Burundi; 3) the development of national institutions and the emergence, within these institutions, of actors who can champion reforms if properly supported; and 4) the evolving partnership between the PBC and the World Bank and the possibilities to mutually reinforce our policy work. I also consider the [upcoming] renewal of the BNUB mandate and of the PBF engagement as key UN assets that will complement the work of the PBC as we support the peacebuilding agenda in Burundi.

The main challenges include 1) the implementation of the mutual commitments made at the Geneva Conference; 2) the ongoing tension and lack of confidence between the ruling party and the opposition, growing with the prospect of the 2015 elections; 3) the national reconciliation agenda and related issues around the mechanisms of transitional justice; 4) the human rights situation and 5) the land issue, further exacerbated by the recent return of about 35,000 old case refugees and the evolution of the working methods of the National Commission for Lands and other Goods (CNTB). The current crisis in eastern DRC was also mentioned as a recurrent risk to the stability of the region.

More generally, the Burundian authorities expressed their wish to continue the engagement of Burundi with the PBC; they requested that I specifically assist with the follow up to the Geneva Conference to ensure that pledges made are translated into concrete funding.

### **The opportunities**

The **Geneva Partners' Conference** has generated a momentum for both, the Government of Burundi and its international partners. Burundi's expectations in terms of participation and financial pledges were exceeded. As such, the conference laid the ground for a new phase of a strengthened and institutionalized partnership between the government of Burundi and its international partners. This reinvigorated partnership rests on two assumptions. On the one hand, the international community, through its strong financial and political commitment, clearly acknowledged the far-reaching and impressive progress achieved by Burundi so far. On the other hand, this sign of trust expressed by the partners in Geneva should encourage the government of

Burundi to double its efforts in implementing much needed reforms in both the politico-institutional and the socio-economical spheres. As a follow up to the Geneva Conference, the Government is planning to organize a number of sector-specific conferences on infrastructure (transportation and electricity), development of the private sector, health, good governance and environment, starting in April. If carefully planned and executed, these events could provide a good cadre for policy dialogue, matching programmes and funding, improving coherence among donors, as well as promoting public-private partnerships. The expectations expressed to me in Bujumbura by the international partners and the governmental authorities were twofold. While the latter expect the Chair and the PBC to support these events and ensure that donors respect their commitments made in Geneva, the former wants the Chair to keep the Government engaged in the reforms it committed to in Geneva. In a sense, the Chair would act as a link between the Government and its partners, holding each side accountable to the commitments made in Geneva. While I am ready to fulfill this role, I call on both sides to be as realistic as possible in their expectations.

The **2015 elections** offer an opportunity to further consolidate the culture of democracy if they are well prepared and built on the main lessons learned in 2010. A national electoral commission, CENI, has been put in place early on to prepare and conduct the 2015 elections. The key players – government party, parliamentary opposition, extra-parliamentary opposition and the electoral commission– appear to have a keen interest in avoiding the mistakes and errors of 2010. Representatives of the ruling party acknowledged that they would like to have real competition in 2015, for the likely victory to be more genuine and “sweet”. The other political parties, and especially the president of the opposition coalition ADC-Ikibiri, expressed their eagerness to participate while at the same time realizing that victory in 2015 most likely amounts to wishful thinking at this stage. They have adopted a rather long-term perspective on the whole democratic process and recognized the importance of being part of the national legislative institutions as a first step. The workshop on lessons learned from the 2010 elections, which BNUB and UNDP are organizing on 27 February to 1 March 2013, will certainly positively contribute to the preparation of the 2015 elections. The PBC could offer a platform to share these lessons with Member States in New York as an entry point to mobilize international support. If required, the PBC could also help bringing in other institutions specialized in democracy building to help with the challenges in a pre- and post-elections phase.

During my visit, I witnessed **important institutional developments** that have a positive impact on the peacebuilding agenda. Institutions such as the Human Rights Commission (CNIDH) and the Ministry of Good Governance are quite new and yet they are playing a lead role in key peacebuilding issues, including human rights and the fight against corruption. At the same time, I continue to perceive the emergence of a number of individuals who can champion reforms and

help with the dialogue on central peacebuilding issues. Such institutions and individuals deserve an adequate support and the PBC can play its role by vouching for them.

To a certain extent this visit marked a milestone in the relationship between our Configuration and the **World Bank**. Building on our successful collaboration in Geneva I paid my visit to the senior leadership of the country, i.e. the President and the 2nd Vice President, together with the Country Director of the World Bank, Philippe Dongier. Mr. Dongier also joined the key discussions with international partners. The message conveyed by these joint visits is clear and captures the essence of the PBC's engagement: the socio-economic and the political agendas are intimately linked. As emphasized in Geneva, the overall development of the country depends on progress in both, the socio-economic and the politico-institutional fields. The PBC and the WB will continue to work closely as we envisage supporting the Government in the follow-up to the Geneva Conference and, more specifically, in the preparation of the sector-specific conferences. I have also agreed with Mr. Dongier to jointly advocate for more budgetary support to Burundi, to help the country face current and future budget deficits, which make covering even the essential needs a major challenge. With the Director of the World Bank's Center on Conflict, Security and Development, Joel Hellman, we discussed the opportunity to analyze closely the challenges and opportunities posed in the larger Great Lakes region for Burundi (integration in the EAC, but also security challenges posed for example by the conflict in Eastern Congo) and integrate them in our common work. We also briefly mentioned on-going efforts to strengthen the cooperation between the Peacebuilding Fund and the WB State and Peacebuilding Fund; the next PBF tranche and the participation of the WB Country Manager offer concrete entry points to materialize this cooperation.

### **The Challenges**

Keeping the momentum generated by the **Geneva Partners' Conference** and securing the resources pledged while pursuing reform efforts will require leadership and capacity from the Government. Only by achieving such progress will the donors be willing to release the money promised in Geneva. I also conveyed this message to President Nkurunziza himself. I encouraged him to undertake concrete reform steps as soon as possible in order to send a strong signal to the donor community. Leadership and technical capacity will be essential to prepare programmes/projects and organize the sector specific meetings. I have advised the Government to carefully prepare these meetings and, if need be, reconsider the calendar and the priorities. Enough lead time will help to prepare quality projects, define realistic expectations and outcomes, target the right audience and communicate and achieve the key objectives of policy dialogue and matchmaking.

Securing the resources pledged will also require that donors respect their promises and show more flexibility in their policy and attitudes towards Burundi. An interesting discussion I had with a

group of donor countries suggested that it is not time to give up on Burundi; rather it is time to consider more flexible forms of aid, including, as I already stated, increasing budgetary support. The discussion did not conclude but I clearly sensed the need for the donor community to pursue such an important policy dialogue and consider involving the Government of Burundi.

The latest SG report on Burundi provides a comprehensive analysis of the **democratic process**. From my discussions with the ruling party and the opposition parties, I perceived once again tension and mistrust between them. This will likely exacerbate as we approach the elections of 2015. Promoting ways of upholding the political dialogue between the government and the extra-parliamentary opposition will be essential in mitigating these disruptive risks. Another issue that was discussed in this regard is the return of the exiled opposition leaders. While the government has expressed its wish for a PBC involvement in this matter, concrete modalities and means on how this would be carried out still have to be defined. The bigger challenges from my point of view lie in capturing the lessons from the 2010 elections, ensuring an environment conducive for free and fair elections in 2015, putting in place the right mechanisms to address electoral-related disputes and prevent political violence. And, most importantly and beyond the elections, the longer term challenge is to consolidate the culture of democracy where the winning party governs properly and other parties are provided with the opportunity to participate in national institutions and contribute to the political and socio-economic life in the country.

Similarly, the challenges around **transitional justice and the national reconciliation agenda** are well reflected in the SG report. Obviously this is a rather complex, sensitive and long term agenda item with which Burundi will have to grapple with. The challenge is to manage potential tensions between the principle of national ownership – it is Burundi's past – and the respect of international standards, as well as reconciling the logic of pardon with the need for justice. For the time being, most of the stakeholders expressed disappointment that the draft law on the Truth and Reconciliation Commission [currently being discussed by the Parliament] is below the expectations of many Burundians as expressed through the national consultations that were conducted in 2009-2010 and the subsequent report that was produced under the lead of Minister Kavakure. As some within the international community in Bujumbura said, the way forward is not very clear and I propose to continue to follow up on this process. The PBC is not specialized in transitional justice issues, however, we will continue to engage the authorities together with BNUB and the OHCHR, and individual countries supporting the process will continue to provide their assistance. If required and when opportune, the PBC could offer a platform for the Government of Burundi to present to international partners progress in the establishment of the transitional justice mechanisms, and to discuss the challenges of establishing the Truth and Reconciliation Commission, as well as the needs in terms of financial resources, advice or lessons and practices

I noted some encouraging signs regarding the **human rights situation** in Burundi. For instance, the number of extrajudicial killings has considerably decreased. The problem still exists though.

Additionally, Burundi has seen an increase in cases of mistreatment. Helping to develop national capacities for the protection of human rights will prove to be key to address this challenge. During my visit I once again met with the President of the National Independent Human Rights Commission (CNIDH). Frère Emmanuel and his team are doing terrific work and the PBC will continue advocating the Commission. As a concrete step, I also envisage inviting Frère Emmanuel to New York in the near future to present its work to the Configuration.

The **land issue** was reiterated by Burundians as an important component of the Arusha Accords and as a major potentially destabilising factor. I was reminded that the National Commission for Land and other Goods, CNTB, was designed in Arusha as a tool for reconciliation. Pressure and conflict over land have been further exacerbated by the recent return of about 35,000 old case refugees from Tanzania. In the meantime, people have noticed that the working methods of the National Commission for Lands and other Goods under the new leadership have changed and some expressed concern that settlements done through an approach that overlooks the reconciliation spirit might fuel tensions. I recall that during my last visit to Burundi in April 2012 there were already comments that the decisions of the CNTB were favoring the rights of returnees over the existing landholders. In the early days of its engagement, the PBC organized a thematic meeting on land issues in Burundi, which was appreciated as a useful contribution and established the link to peacbuilding. Perhaps a similar exercise could help to sustain the attention of the Government on this important issue and to remobilize the international support in this area.

### **The way forward**

On the basis of these challenges and opportunities, I intend to continue our double track approach of socio-economic and politico-institutional engagement. On the socio-economic front, the Government expects me to follow up on the Geneva Conference and help them to ensure that pledges made by partners do materialize. I will try to do my best in this regard. I will also continue to work with the World Bank in supporting the sector-specific conferences and advocating for more flexibility in funding Burundi. On the politico-institutional front, I will focus on the challenges related to transitional justice, trust among political actors and consolidation of democracy, human rights and fight against corruption. I will build on the opportunities highlighted in this report, as well as on the work of the UN and international actors on the ground. The PBC will continue to offer a platform for dialogue and exchange on these issues.

I intend to communicate this agenda to the Minister of Foreign Affairs, His Excellency Laurent Kavakure, in a formal letter. My letter and his ensuing reply will form the basis of the work of the PBC Configuration and Burundi, replacing the “Outcome Document” of July 2012. Subsequent review of progress in peacbuilding will be conducted under the monitoring and evaluation

structure of the PRSP-II, with the PBC focusing on the first pillar of the PRSP-II, as we all agreed to.

In conclusion, let me reiterate my gratitude to the government of Burundi for facilitating the visit and for an excellent cooperation. I also warmly thank the SRSG Parfait Onanga-Anyanga and the staff of BNUB and PBSO for the careful preparation and helpful accompaniment.

Paul R. Seger, Chair

Peacebuilding Commission – Burundi Configuration