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Honors Thesis

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Burundian Refugees and Perpetuation of
Instability in the Great Lakes Region

For over a decade Burundi has faced internal conflict between the Tutsi and the Hutu. The Republic of Burundi received its independence on July 1, 1962 and three years later, the Prime Minister was assassinated. The assassination of Pierre Ngendandumwe, the Hutu Prime Minister, led to an outbreak of a chain of revolts by the Hutu. The conflict between the Hutu and the Tutsi in Burundi became more serious after the tragic events of Rwanda in 1994. (Situation Report: Burundi) The future of Burundi depends on the progress of possible reconciliation between the warring Hutu and Tutsi and of course the outlawed militant groups. The progress of reconciliation is essential because, although a ceasefire agreement was reached in May 2005, between the extremist Hutu group, Palipehutu-FNL ("FNL") and the government of Burundi, the fighting still continues. It is of utmost importance to analyze this long conflict because not only has it resulted in great numbers of refugees seeking asylum outside of their home country, and internally displaced persons (IDPs), but also it has greatly impeded the development of Burundi as an independent state and has had negative effects on the neighboring states. Tanzania has been particularly affected because it has been hosting large numbers of Burundian refugees for several years. In 1996, approximately 100,000 were "relocated by force into special camps." (Cohen and Deng, 15). Although the exact number of

Burundian refugees is unknown, according to United Nations High Commissioner for Refugees (UNHCR),

There are now more than 4,000 Burundian asylum seekers in three way stations in the district of Kibondo, in north-western Tanzania. Some 3,500 Burundians have crossed the border since the start of the year and the numbers keep growing at an average rate of 100 new arrivals a day (Growing Number of Burundians Flee to Neighbouring Tanzania).

The conflict in Burundi has perpetuated and prolonged the instability of the Great Lakes Region and even today, the number of Burundian refugees coming to Tanzania continues growing.

The refugee situation in the Great Lakes region is undeniably a crisis. Undoubtedly, when thousands of innocent people, civilians are dying at the hand of those whom they have been living side by side with for many years, it is a crisis. Additionally, the number of refugees is increasing and borders between Burundi, Rwanda and Tanzania are practically open, which in turn creates a serious security issue. This crisis not only affects Burundi, but every state in the Great Lakes region. Furthermore, the conflict in Burundi and the refugee crisis is humanitarian, diplomatical/political, and of course has affected national and international security.

The parallel between the events in Burundi and Rwanda is clear, and the problem seems even identical. Adrien Ntabona, secretary general of the Conference of Catholic Bishops in Burundi stresses that the tensions between the Hutu and the Tutsi were shaped

by the Belgian colonization. The colonizers favored one of the ethnic groups, Tutsi, which in turn provided to the ethnic group more resources, such as education, employment and power of rule. The Tutsi originally were the “favorites” because they had lighter skin and appeared more European, which certainly pleased the Belgian colonizers. However, it is important to note that in the 1930’s when ethnic identity cards were introduced, Burundian citizens were not sure how to identify themselves due to numerous cases of intermarriage between the Hutu and the Tutsi. Therefore, the Belgians decided that “those men with ten or more cattle were declared Tutsi and those with less than ten were declared Hutu” (Janzen and Janzen, 176). While this fact may appear insignificant, it is in fact, crucial because it shows that it was, in fact colonization, particularly the Belgian colonization of Burundi, that broke the “balance of clanship and occupational groups [because the Belgian] government sought to rule through the established elite” (Janzen and Janzen, 176).

Following Pierre Ngendandumwe’s assassination in 1965, the Tutsi controlled government has actively suppressed the Hutu opposition. Needless to say, the means of solving the “problem”--the perpetual conflict between the Tutsis and Hutu, were very violent while at the same time strategic. As stated in *Burundi: Genocide and Transition*:

Tutsis discrimination against Hutu was most keenly felt in two ways: denial of educational opportunities, which meant that most government positions (which required education and other skills) were filled by Tutsis; and, by means of a strange ‘girth by height’ requirement, blockage of Hutu entry into the armed forces. (1-2)

Because the Tutsis controlled the armed forces, they were able to utilize the means available to them to “perform acts of genocide on the Hutus” (*Burundi: Genocide and Transition*). Primarily they justify the use of the security forces as prevention against protests. However, it is clear that they utilized security forces to ensure the suppression of the Hutu voice in society, economy, and politics.

Another outbreak of violence, in 1972, according to Warren Weinstein and Robert Schrire “resulted from a discrepancy between the reality of inequality and ethnic privilege.” (21) Although government leaders denied that the Tutsi received preferential treatment, in fact the Tutsi enjoyed “economic and political benefits.” (22) Burundi had a growing population, but not enough soil to be distributed equally between all citizens, thus competition for land possession intensified and created more tension between the Hutu and the Tutsi.

In 1990, the conflict between the Hutu and the security forces controlled by the Tutsis resulted in 3,000 deaths. The conflict has escalated throughout the years, every year bringing more casualties, civilian as well as those of the security forces and the military. One of the particularly hot points in the history of the conflict arrived in November 1998. At that point, large numbers of refugees have been sent to “regroupment sites” where they were treated inhumanely by the security guards, and had no access to basic resources such as clean water and humanitarian aid. It is quite disturbing that while the international community, UNHCR and the Human Rights Watch were condemning the treatment of Burundi refugees by the host countries, the same was happening on the Burundi territory where conflict had been brewing for several years.

Due to the conflict, the relationship of Tutsi and the Hutu in Burundi is rapidly becoming worse; the hope of reconciliation seems to be dimming. Neighboring states, such as Tanzania are deeply affected by the conflict and although the Tanzanian government committed itself to providing the Burundian refugees with homes and protecting them, rather than being encouraged in their efforts, the Tanzanian government finds itself surrounded by widespread criticism. The issue of Burundi is not only a humanitarian issue for the people who are directly affected by it; although indirectly, it negatively affects neighboring states like Tanzania. Tanzania is dealing with a full-blown refugee crisis, and no one is willing to acknowledge that the problem lies within Burundi. Tanzanian government is the one being held responsible for human rights abuses by the Human Rights Watch. However, Human Rights Watch representatives entirely overlook the fact that Tanzania's government and the citizens are equally overwhelmed by the responsibility that has been bestowed on them. The conflict in Burundi is a matter of international security because the refugees coming from Burundi are not necessarily persons seeking asylum from persecution. They can just as well be the persecutors, making sure that the people they want to eliminate do not find safety in the borders of a neighboring country. Furthermore, Burundian refugees increase the instability within Tanzania's borders because when there is a problem within refugee camps, they protest and react aggressively. Thus, states like Tanzania and its citizens are put at risk.

According to the UN, Burundi is an unstable state, which means that the environment within the borders is not one where the refugees can be repatriated to, because all factors are volatile—the economy, the government and the living conditions. Attempts to resolve the conflict and move toward a more peaceful coexistence seem to

only add to the already existing instability and danger to the neighboring states of the African region. While the issue of refugees is pressing, there is also the issue of militant groups that cross borders of these neighboring states thus allowing the conflict to transcend borders. It seems that while the world promised not to allow another Rwandan genocide to happen, precisely that is happening. International community and the United Nations failed to respond to events in Rwanda in 1994 and they are failing the African people again. The question lingers, who is to be held responsible? Both sides of the conflict have been violent towards each other and the death tolls continue rising. Neither the Tutsi nor the Hutu are willing to take on a clear responsibility for what has been going on. While the Hutu have continuously instigated violent uprisings against the Tutsi government, the security forces have repeatedly retaliated with violence. The conflict has gone on for so long and so many have been and are now involved that it is no longer possible to go back in history to the very beginning of Burundi as a sovereign state and identify the “instigator” without identifying the “wrong people”.

In September 2004, during the General Assembly 6th plenary meeting in New York, President Domitien Ndayizeye addressed the plenary and the UN by thanking them for their efforts in Burundi. He also proudly claimed that:

The signing of the Arusha Peace and Reconciliation Agreement for Burundi on 28 August 2000...ushered in a new era of calm and a gradual return to peace with the conclusion of ceasefire agreements with the armed political movements, especially since the signing on 16 November

2003 of a comprehensive ceasefire agreement with the main rebel movement. (A/59/PV.6)

President Ndayizeye was clearly optimistic about the situation in his country at the time of the meeting. He felt that that Arusha Peace and Reconciliation Agreement was just what the country needed to alleviate itself of the problems and obstacles that the conflict between the security forces and the opposition forces was creating. He promised that a plan was now in place to:

protect and strengthen peace and security by integrating the fighters from the armed movements into the security and defense forces that we will need to establish our national army and police force, to the comfort of all. The process will be complemented by the disarmament, demobilization and reintegration of ex-combatants and troops not included in the integration process. (A/59/PV.6)

Furthermore, the President called on the international community, particularly the African states and the African Union, to unite and work together to prevent the spreading of armed conflict like the one that has been plaguing Burundi and other neighboring African states.

Despite the hopeful outlook that President Ndayizeye had in 2004, at the present time, Burundi still finds itself with the problem of internally displaced persons and refugees who temporarily reside in neighboring African states. Even though in the recent past, Tanzania has helped large numbers of Burundian refugees return home. According to the UN Office for the Coordination of Humanitarian Affairs, last year in January,

renewed fighting caused thousands of civilians to find themselves without a home in Bujumbura Rural. The governor of the province, Ignace Ntawembarira reported that in Kanyosha, IDPs "[were] sleeping in schools, court buildings or in people's homes [after the fighting broke out]." The only aid received immediately following the incident was from the International Rescue Committee, and all they brought was water. Ntawembarira also said that "6,000 IDPs were known to be in the Bujumbura neighborhoods of Ruyaga in Kanyosha and that another 5,000 were in Vugizo, a town on the outskirts east of Bujumbura." (BURUNDI: Year in Brief)

Following the above presented evidence, the Republic of Burundi, to this day, finds itself struggling with armed conflict within its borders. In order to analyze the issue in depth not only does the history of the conflict needs to be investigated, but also the following must be addressed: the reaction of the international community, the reaction of the United Nations, the reaction of the Human Rights organization and the amount of aid that Burundi has received. In 2004, President Ndayizeye was filled with hope after the signing of the Arusha Agreements claiming that this document will help restore the peace in Burundi and that the state was on its way to peaceful development. However, nearly two years after his enthusiastic speech in the General Assembly, reports of fighting, displaced persons, growing numbers of refugees and continued hostility keep showing up.

While the governments of the world silently watch the events in Burundi unravel, human rights organizations are voicing their opinion loud and clear. Alison des Forges, senior Africa adviser at Human Rights Watch, stated, "In their drive to defeat the FNL,

government soldiers, police and intelligence agents use tactics that violate both Burundian and international law” (Human Rights Watch). Human Rights Watch reports:

In the Burundian capital Bujumbura, the recent killing of a 16-year-old who was seen in the hands of intelligence agents and police shortly before he was shot to death. Official accounts that he was shot while trying to escape do not concur with evidence that he was shot in the face and chest (*Burundi: Donors Must Press for End to Continuing Abuses*).

In a report titled *Warning Signs: Continuing Abuses in Burundi*, released February 27, 2006, the Human Rights Watch examines the recent developments in Burundi. The report addresses and presents a list of continuous human rights abuses: killings by the FNL, executions by government forces, torture by the Documentation Nationale and the police, random arrests and collective punishment. The Human Rights Watch report advises that donor nations “need to go beyond merely pledging funds if they hope to see real improvements in the country” (2).

In the recent past, the international community focused on the Great Lakes Region. Secretary General of the UN, Kofi Annan declared:

In countries emerging from conflict like Burundi, reconstruction and development efforts are as vital as actions taken to re-establish and maintain peace and must therefore be addressed with the same attention and urgency

on the part of the international community (UN News Centre).

The situation in Burundi is a great concern for human rights groups because the refugee situation presents a “wide array of displacement issues.” (Cohen and Deng, 17) The problem that the Great Lakes Region is dealing with is not limited to refugees, there is also a large number of internally displaced persons. They are within the borders of their home country, yet they have no home and no means to support themselves. The matter at hand is also complicated by the fact that not all internally displaced persons are in dire need. As Roberta Cohen and Francis M. Deng assert, “thousands of uprooted Burundians no longer have access to land for farming, while thousands of other displaced Burundians are still able to engage in agriculture. Thousands of displaced Burundians who need relief assistance do not receive it regularly, while large numbers of uprooted Burundians who probably need little or no relief have attracted significant amounts of it.” (17)

However, besides the internal conflict, one must be aware of other factors that created the problem of internal displacement. According to Cohen and Deng, living with violence for so many years Burundians have learned to run not only when danger is clear and present but also when it is expected. (32) They further argue, that in the beginning displacement was only a result of violence, but increasingly, displacement “has become a deliberate goal of the violence” (32). One of the most pressing issues underlying the crisis of internally displaced persons is that there is not even an estimate of the number of people who are internally displaced. The government of Burundi, and even the United Nations cannot resolve the problem of internally displaced persons when the numbers and identities of the internally displaced persons are unknown. Further, there is no one to

ask such responsibility of because if we are to lay the responsibility of keeping track of displaced persons on the Burundian government, there arises an objection that Burundian government could not have kept track of internally displaced persons because it was dealing with an armed conflict and a genocide. The United Nations, theoretically, also cannot be held responsible because the United Nations can only step in to keep the peace. As was the excuse with Rwanda, “there was no peace to keep.” Cohen and Deng further stress, that it was the violence of 1972 in Burundi that “profoundly changed Burundi.” (34) A large number of the Hutu fled the country, and as a result, Tutsi occupied the lands left behind by the Hutu and their businesses. This displacement “became permanent, and the nation’s economy suffered.” (34)

In the crisis of internal displacement another crucial factor must be highlighted—the matter of humanitarian aid. In 1994, Rwandan Hutu refugees came to Burundi to seek asylum, unfortunately, their presence “exacerbated local tensions” because, as Cohen and Deng explain, Burundian Tutsi believed that Rwandan Hutu were responsible for the 1994 massacre of Tutsi in Rwanda. (46) The tensions were intensified not by the presence of Rwandan refugees in Burundi but because with their presence, the food aid would have to be given to them as well, and at this point in time, there was already a widespread belief that humanitarian aid was not distributed evenly. The Tutsi groups were convinced that the Hutu population benefited more from the humanitarian aid.

In 2004, Human Rights First came out with a summary report of the conference held in Kampala, Uganda regarding protection of refugees in the Great Lakes Region. Part of the report offers possible “durable solutions” and emphasizes that repatriation is advised only if refugees are returning to a stable and safe environment. The report also

mentions that in Burundi many returning refugees found themselves in “a new round of exile” due to lack of stability and lack of available land (13). To prevent “irregular or secondary movement of refugees,” the report suggests approaching repatriation operations “on the basis of national caseloads” (14). Furthermore, in the repatriation operations, it is vital that a refugee leaves the host country voluntarily. In the case that a refugee does not wish to return, the report urges the need to “develop accurate registration procedures” (14). Finally, the Human Rights First summary report warns, that “if procedures for the identification of continuing needs for protection [are] not thoroughly addressed concerns about the motivation for reluctance to return could poison local support for the establishment of long term refuge” (14).

While Human Rights First proposes a reliable system of repatriation, at the present time for countries like Tanzania and for refugees themselves, it is not a practical solution. Tanzania hosts over 400,000 refugees, and the largest population of refugees is from Burundi. Tanzania has been completely overwhelmed by and not equipped for dealing with such large flow of refugees into its borders. However, acknowledging that danger is still present in Burundi and that Burundi still does not offer a stable environment to those willing to come back, Tanzania cannot, and does not turn away people seeking asylum nor close its borders.

In the realm of international law, the Burundian conflict and those involved have sidestepped numerous legal boundaries and continue to do so. The Human Rights Watch Report emphasizes:

International law prohibits state forces and rebel groups from committing willful killing, torture and other ill-treatment of

civilians and captured combatants, among other abuses. The government of Burundi is also bound by international human rights law, which prohibits arbitrary arrest and detention, torture and other mistreatment, and prosecutions that do not meet international fair trial standards (2)

In January of this year, the Security Council discussed the issue of conflict in the Great Lakes region and the result was Resolution 1653 which calls on the governments of the states suffering from internal conflict “to disarm and demobilize militias and armed groups” (Resolution 1653). While Security Council resolutions are the only documents of the United Nations that do have legal power, we know from past international incidents that even the Security Council resolutions are often not obeyed by certain members of the international community.

From an academic point of view, Peter Uvin addresses the argument of ethnicity and power in Burundi and Rwanda; in his piece, Uvin suggests that colonization deeply affected and changed the nature of the Burundian government. As a result, “Political, social, and even economic relations became more rigid, unequal, and biased against the Hutu, while the power of many people of Tutsi origin greatly increased” (255). Uvin’s analysis of the Burundian history of conflict leads to the conclusion that, “violence tended to occur at key points of political change, when the interests of the elites were threatened, but it has also always involved massive popular participation” (263). Peter Uvin addresses the most recent incidents of violence in Burundi and points out that they are “the direct result of processes of democratization set in motion in large part by the pressure from the international community” (267). Militant groups and others involved

clearly have no interest in democracy. While the militant groups see democracy as unnecessary for Burundi, because they want to continue their violent activity, others see it as something evil because it comes from the very people who have continuously turned away from Burundi. Seeing that the result of attempted democratization has been nothing other than bloodshed, “the international community showed a total unwillingness to defend the processes it had set in motion” (267). Uvin presents an argument familiar to the international law and international relations students; the international community expected to see immediate resolution of the conflict and quiet willingness for consensus. However, because Burundi did not present a direct interest to the most powerful member states, the violent reaction to the democratization was used as a justification that the conflict in Burundi was hopeless. This ploy is unoriginal because, the international community tends to lack response when there is a dire need to help an African country that has been dealing with internal conflict for many years. Of course, it is easier to throw up your hands helplessly and claim that nothing can be done with “these savages”, rather than roll up your sleeves and get to action. Wars and genocides are not stopped overnight and the international community has seen enough precedents to acknowledge the complexity of the situation in Burundi. The conflict in Burundi is critical and can no longer be denied and ignored; if the leaders of the international community do not put their heads together and help Burundi fight for a peaceful future, this will affect the rest of the world even more than it already has. Furthermore, as Sylvestre Barancira, a Burundian psychologist said, “If nothing is done to put a stop to the crisis, Burundi will know many social misfits and risks being transformed into a nation of savages and madmen.” (Janzen and Janzen, 202)

Leonce Ndikumana argues in his piece Towards a Solution to Violence in Burundi: A Case for Political and Economic Liberalization, that “the conflict in Burundi is the outcome of institutional failure that has perpetuated economic and political inequality across ethnic groups and regions” and further states that “a solution to the crisis must resolve around political and economic liberalization” (432). He further offers that in order to progress in the process to stability, Burundi needs to establish institutional mechanisms that would prevent future violence. (432) Furthermore, the new political regime must be “owned by the citizens from all economic, ethnic, and regional backgrounds” thus assuring a completely equal system where there is no one group that has more power in any way, shape, or form. (432) Originally, the one party system in Burundi was promoted as a way to unify the groups involved in the conflict, “but in fact the party became an instrument of ethnic exclusion” (437). In closing his argument, Ndikumana asserts that if the conflict in Burundi is identified in terms of political and economic issues there are several viable solutions that would accelerate the progress to stability: “eradicating the tradition of using the state for oppression and accumulation; achieving egalitarian government; and protecting the rights of all citizens” (Abstract). While this proposition appears possible, in reality it is not viable due to its ambiguity. Ndikumana fails to explain who exactly would be responsible for beginning this process and, essentially, enforcing it. The Tutsis are using their power within the security forces to control the citizens and prevent them from protesting against the injustice and the abuses by the government. Therefore, there is no one left to “protect the rights of all citizens” unless it is someone who is neutral to the conflict. However, here is the obstacle; the organization that is supposed to be neutral, and was established precisely for

a situation like the one in Burundi is watching silently while the death toll rises and the refugee and internally displaced population increases to astronomical numbers.

Tony Waters reviewed several books and publications that address the Tutsi-Hutu conflict in Burundi, as well as the neighboring countries. Waters presents Renè Lemarchand's idea that the Tutsi-Hutu conflict is a "social construct" (344). Waters further argues that if the Tutsi-Hutu conflict is a "fixed social identity," the fact that similar "ethnic divisions exist in neighboring countries, particularly Tanzania" is ignored. (344) Waters points out that "most analyses of the presumed differences between Hutu and Tutsi start with the nation-state and not the ethnic categories in sub-titles" (345). He further claims that "if the assumption of the nation-state is taken away, the divide between Hutu and Tutsi can at the same time be presented as trivial, as the basis for nationalistic ideologies, as a pastoral lifestyle" (345). Essentially, Tony Waters concludes that the Hutu and Tutsi do not "inherently" hate each other, in fact, he points out that the only cases of "ethnocide" of Hutu and Tutsi occurred in Burundi and Rwanda, not anywhere else. Because Rwanda and Burundi are the only examples, analysis of the relationship between Hutu and Tutsi is alone not sufficient to get to the core of the issue. Therefore, claims Waters, it is the "political nature of the nation-state" that needs to be analyzed. He suggests that in analyzing the Burundian conflict, if ethnicity is completely ruled out as the cause for the conflict, it will be easier to get to the root of the problem. "The current strategy of placing Hutu and Tutsi in separate refugee camps is likely to perpetuate the separatist ethnic ideologies of their respective activists in the long run," emphasizes Waters. Judging from Waters's analysis, he sees the government and the colonial system as the "instigators" of the conflict between the Hutu and the Tutsi.

While Waters presents a compelling argument, saying that focus must be directed at the nation-state and not the ethnic conflict, his argument is ambiguous. When looking at the history of Burundi as a nation-state what historical options are available? Burundi before colonization—a strong and thriving kingdom; Burundi of 1962, that just received its independence from Belgium and is working on building a government, and Burundi after 1965, as we know it now, submerged in perpetual conflict. After Burundi received its independence, the prime minister was assassinated, and it has been in conflict ever since. Therefore, analysis of the nation-state is not sufficient. Furthermore, Waters' analysis above clearly shows that ethnicity is not the root of the conflict either.

It is no longer effective or practical to look back in time to find the “perpetrator” or the root cause of the conflict in Burundi. As Kofi Annan said, we must look to the future for solution because we are leaving this planet to our children. As sad as it may be, events of the past, are just that, the past. We cannot change the past and we cannot erase it. We must look to the past to learn from our mistakes and to correct ourselves to better our situation in the present. However, the solutions lie in the future, not in the past because it is blatantly clear that the way the international community has acted towards internal crises in the past, was to say the least, ineffective. An effective solution, above all must involve member states who have absolutely no way to benefit by helping Burundi. Their involvement must be for the sole reason of their passionate wish to see Burundi as a stable country in every sense of that word. The only way, the Burundi conflict will be resolved is if the states “helping” are not there to promote democracy, and are not there to promote any other kind of their interests. The solution will come from the states that have nothing to gain from being involved.

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