



impunity watch

“One should not rejoice when the neighbour’s hut burns”
Regional Dynamics Facing the Burundian Crisis

Great Lakes Dispatches | Issue 4 | February 2016



Peace Beyond Borders Programme | Programme Paix Au-Delà des Frontières

Research Report

“One should not rejoice when the neighbour’s hut burns”

Regional Dynamics Facing the Burundian Crisis

Great Lakes Dispatches | Issue 4 | February 2016

Impunity Watch

Cover photo: A young Burundian boy in a refugee camp in the DRC, 31 July 2015.

Source: MONUSCO (Reproduced under “Creative Commons” licence, modified from the original)

Translated from the original in French by Babylonia Fair Translation Services

Contents

Contents	3
Introduction.....	4
I. Electoral Issues: the question of a third presidential term in the region ..	5
The forthcoming electoral period in the region	5
Rwanda: the country where everyone agrees	5
The issue of Congolese “glissement” (sliding).....	6
II. Perceptions and Opinions of the Youth of Rwanda and the DRC on the Crisis in Burundi	10
Citizens of Burundi defending their rights.....	10
Fears of a regionalisation of the crisis.....	11
Forthcoming electoral processes	12
How to resolve the crisis?.....	15
III. Conclusion and avenues for further thought.....	17

Introduction

In April 2015, Burundi was plunged into a conflict of a political nature new to the region, if not to Africa.¹ Upon the announcement of the candidature of President Pierre Nkurunziza, civil society groups and opposition parties called for demonstrations against what they saw as a violation of the Burundian Constitution and the Arusha Peace and Reconciliation Agreement for Burundi signed in 2000. These demonstrations, peaceful in the first instance, met with strong police repression. The situation has since deteriorated inexorably, leading to fears of an escalation of violence and possible armed confrontation.

We frequently note that instability in one country in the Great Lakes Region has consequences for its neighbour. In this respect, it is of interest to seek to understand how the situation is viewed by Burundi's neighbours, the Democratic Republic of Congo (DRC) and Rwanda. Through three focus groups, each comprising twelve young people (six men and six women), organised at the end of June 2015 in Kigali in Rwanda, Bukavu and Goma in the DRC (in North Kivu and South Kivu), Impunity Watch surveyed the views of people who had already come forward to offer their opinions during the implementation of the Peace Beyond Borders Programme. These discussions took place immediately after the protests in Burundi. Through a qualitative questionnaire, we sought to understand their perceptions, understandings, and concerns regarding the unfolding of the crisis in Burundi and its regional implications.

It is important to note that those interviewed in the two countries and three areas follow the situation with interest. They understand the issues, while being influenced by their respective national contexts. The observations we present are their raw opinions of the situation and their understanding of the issues from their home context, interpreted through their daily lives. Elements which come directly from these discussions but which are not necessarily quotations are presented *in italics* in this document. These elements do not represent the opinions of Impunity Watch, nor of our partner organisations working on a daily basis in these territories.

The opinions we have collected do not purport to be representative of the whole population of these countries, but reflect the inclinations and current state of mind of these youths, whose opinions on the present problems are shaped by their respective societies. This document should be seen as a rough basis for reflection and an indicator of regional perceptions on the constantly evolving Burundian crisis. These perspectives are of interest at this time when the region is expected to face new elections where the "third term" question will be the undercurrent. Particularly in the Democratic Republic of Congo, certain dynamics similar to the pre-crisis period in Burundi (contestation by civil society, calls for protests, positioning by the Catholic Church, international pressure) are visible. The opinions of these young Congolese can be seen as a warning of the risk of deterioration of the situation in the DRC in the coming year.

¹ The involvement of the United Nations, the African Union and sub regional groups, including a decision to commit African Union troops trained for this kind of situation, speaks volumes.

I. Electoral Issues: the question of a third presidential term in the region

In the context of forthcoming elections in the Democratic Republic of Congo (2016) and in Rwanda (2017), where constitutional amendments and a third term for Presidents Kagame and Kabila are key questions, the solution to the Burundian crisis is a key challenge for the region. Although the root causes of the conflict cannot be disregarded, present-day new and urgent situations push us to examine how this crisis is viewed by Burundi's neighbours, its impact upon them, the responsibilities of each and finally how to resolve the crisis.

While in Rwanda the process has resulted in constitutional change, throwing off constitutional limits through referendum on 18 December 2015,² questions around elections in the Democratic Republic of Congo seem focused on the risk of electoral "glissement" (sliding),³ delaying elections beyond the limits set by the Constitution, leading some Congolese socio-political actors (in opposition and civil society) to fear the risk that Kabila will hang-on to power.

As Christian Thibon, professor of history and Great Lakes Region specialist, reminds us, "*we are in a situation of an escalation of violence that is becoming more and more extreme and regionalised, essentially through the involvement of militiamen in what can be called a civil war in Burundi.*"⁴

The forthcoming electoral period in the region

Rwanda: the country where everyone agrees

Everything suggests that in Rwanda, the risk of violent confrontation during the coming elections leading up to the presidential election in 2017 is minimal.

In legal and judicial terms, the recent process undertaken by the Rwandan parliament to amend the Rwandan Constitution seems to have conformed to the rules of the game as prescribed by the basic law in force. Those opposed to a third mandate for President Paul Kagame cannot therefore hope to win by contesting its legitimacy, maintaining that it is a violation of the spirit of the voters in 2003 with regards to democratic alternation of power. Further, in light of the current state of the opposition parties and civil society in the country, a popular uprising with a risk of escalation to violence seems unlikely. In a tightly controlled political landscape, contestation is marginal. Western countries, including the United States, of course protested against the constitutional change,⁵ but an apparent respect of the processes allowing constitutional change permitted the authorities in Kigali to come through with a crushing 98.3% victory for the "yes" vote.⁶ This change comfortably consecrates

² RFI, *Rwanda : un référendum constitutionnel sans suspense*, 18 December 2015. Available at: <http://www.rfi.fr/afrique/20151218-rwanda-referendum-constitution-suspense-enjeux-kagame>.

³ See *RDC Vers un report des élections présidentielles pour cause de recensement*, le carnet de Colette Braeckman, January 2015. Available at: <http://blog.lesoir.be/colette-braeckman/2015/01/18/rdc-vers-un-report-des-elections-presidentielles-pour-cause-de-recensement/>.

⁴ RFI, *Le Burundi est une sorte de marche d'économie de guerre*, 11 January 2016. Available at: <http://www.rfi.fr/emission/20160111-christophe-thibon-burundi-marche-economie-guerre/>.

⁵ See for example, John Kirby, *Reaction to Rwandan President's Decision To Run for Third Term*, Press Statement, Spokesperson, Bureau of Public Affairs, Washington, DC, 2 January 2016.

⁶ AFP, *Le Rwanda vote la révision de la Constitution permettant un nouveau mandat pour Kagame*, 19 December 2015. Available at: http://www.lemonde.fr/afrique/article/2015/12/19/le-rwanda-vote-la-revision-de-la-constitution-permettant-un-nouveau-mandat-pour-kagame_4835071_3212.html.

Paul Kagame's leadership. The same amendment that reduced the presidential mandate from 7 to 5 years, gave the sitting president the right to seek two further 5-year mandates. This made-to-measure reform bestows upon President Paul Kagame the opportunity to retain the leadership of Rwanda until 2034.

Despite the significant strings, no-one seems to want or have the courage to challenge head-on the continuation of Paul Kagame in power. Between fear and real economic results, Rwandans seem to prefer political stability. In earlier studies, IW⁷ has already highlighted that Rwandan citizens were satisfied by an improvement in economic indicators and access to basic services. In parallel, with President Kagame representing a guarantee in terms of security for a society still traumatised by the Genocide, there is little chance that internal voices will be raised publicly in opposition to the will of the Rwandan leader. Finally, despite the voices raised outside of the country, Paul Kagame also embodies the "model" African leadership, based on an apparent fight against corruption, and a policy that favours investment. At the end of December 2015, without surprise, he finally declared his candidature for his own succession.⁸ With that decision, and as the French International Trade Magazine put it, "*Rwanda's strongman will now be able to face the 2017 presidential elections with confidence and continue to work towards the economic development of his country, assuring political stability, fighting corruption and establishing a safe environment for business.*"⁹

With democratic lock down, administrative division of the country and good economic results, it seems there are no obstacles for President Kagame.

The issue of Congolese "glissement" (sliding)

In contrast to Rwanda, in the DRC everything points to a significant risk of violent opposition, such as that seen in January 2015.¹⁰ In legal, judicial and legitimacy terms, the powers in Kinshasa are blocked from achieving a third term for President Joseph Kabila.

Unlike in Burundi, there is no legislative ambiguity in relation to the number of terms or the method of election. After a transition period which allowed for the adoption of the National Constitution in 2005, Joseph Kabila was elected for the first time in 2006 and then again in 2011. As the Constitution does not allow more than two presidential terms, he must leave the presidency in 2016. There are strong suspicions, however, that President Kabila will attempt to remain in power. Already in 2013, an attempt to amend the Constitution raised a clamour of protest from the opposition, civil society, the Catholic Church and the international community.¹¹ Faced with this demonstration of opposition, the presidential camp stopped its push before the details of the proposed changes were known. The notion of electoral "glissement" (sliding) began to emerge, the idea being to take the time

⁷ Impunity Watch, *Citizens' perceptions of conflict transformation in the Great Lakes Region (Burundi, Rwanda, Democratic Republic of Congo)*, November 2014. Available at: [http://www.impunitywatch.org/docs/IW_Rapport_Grands_Lacs_\(Nov_2014\)_EN_FINAL.pdf](http://www.impunitywatch.org/docs/IW_Rapport_Grands_Lacs_(Nov_2014)_EN_FINAL.pdf).

⁸ France 24, *Paul Kagame annonce qu'il se représentera en 2017 pour un troisième mandat*, 1 January 2016. Available at: <http://www.france24.com/fr/20160101-rwanda-paul-kagame-candidature-2017-troisieme-mandat-election-presidentielle-referendum-con>.

⁹ Le Magazine Francophone du Commerce International, *Classe Export N0 8*, p.11

¹⁰ In January 2015, demonstrations mainly in Kinshasa and in Goma were bloodily suppressed. Official reports gave 27 dead while NGOs spoke of more than 40 dead following the repression. On this subject, see Jeune Afrique, *RDC : bilan officiel, conséquences politiques...Retour sur les manifestations de janvier*, February 2015. Available at: <http://www.jeuneafrique.com/33432/politique/rdc-bilan-officiel-cons-quences-politiques-retour-sur-les-manifestations-de-janvier/>. See also, Human Rights Watch, *DR Congo : Deadly crackdown on protests*, 24 January 2015. Available at: <https://www.hrw.org/news/2015/01/24/dr-congo-deadly-crackdown-protests>.

¹¹ Jeune Afrique, *RDC : vers un troisième mandat pour Joseph Kabila en 2016 ?*, 2 July 2013. Available at: <http://www.jeuneafrique.com/169884/politique/rdc-vers-un-troisi-me-mandat-pour-joseph-kabila-en-2016/>.

necessary to update the electoral roll, including young people who had reached majority age.¹² This updating would take a certain time, especially if it had to be conditional on the results of a population census. It would therefore be impossible to organise elections within the constitutional timeframes, thus the idea of electoral “glissement” (sliding). The President could therefore remain in power for several more years, the time required to clean up the electoral roll.

In January 2015, when Parliament was asked to consider a bill to amend the electoral law with the objective of organising elections after the census, young people, especially in Kinshasa but also in Goma and to a lesser extent in Bukavu, mobilised in the streets. This opposition was emboldened by dozens of deaths and hundreds of arrests.¹³ These youths, encouraged to take to the streets by an opposition party, decrying a “constitutional coup d’état”, chanted slogans against the continuation in power of Joseph Kabila. The controversial bill was eventually withdrawn.¹⁴

Nevertheless, the powers that be seem to want to overcome the obstacles by provoking a “glissement” (sliding) of the electoral processes. The causes that provoked the violent protests of January 2015 appear still present, though in different forms, and political tensions are mounting. It is in this context that the Dynamic for Unified Action of the Congolese Opposition (*Unité d’Actions de l’Opposition Politique Congolaise*) plans to protest the manoeuvre for power of Joseph Kabila. To this end, driven by certain citizens organisations, a vast movement came together towards the end of 2015 under the banner “Front Citoyen 2016” (*Citizens’ Front 2016*).¹⁵ The Front brought together citizens’ organisations that had already been at the forefront in January 2015, such as Lucha and Filimbi, civil society organisations such as La Voix des Sans Voix (*The voice of the voiceless*), Asadho and the Nouvelle Société Civile Congolaise (*New Congolese Civil Society*) and leaders of the political opposition such as Moïse Katumbi, ex- governor of the former Katanga, Vital Kamerhe, former president of the National Assembly, Félix Tshisekedi, son of historical opponent, Étienne Tshisekedi, Ève Bazaiba, Secretary General of the Movement for the Liberation of the Congo (MLC, the party of Jean-Pierre Bemba), and Martin Fayulu, the leader of Forces Acquisées au Changement (FAC). When the National Episcopal Conference (Cenco) did not join the coalition, Fayulu recognised a shared position with Cenco.

This vast and unprecedented movement in the DRC has as its clear objective the respect for constitutional boundaries and therefore calls for presidential elections in 2016. In particular, “Front Citoyen 2016” is calling for publication of a timetable for consensual elections by 31 January, or for the beginning of electoral registration on 10 February. The 16 February is put forward as a red line, the date for which the episcopal conference itself had announced a peaceful march by Christians. Although this was cancelled by the Catholic Church, the call to demonstrate is being upheld by “Front Citoyen 2016”. These recent developments show the extent of the tensions in Congolese national politics at the start of a year of many dangers.

In addition to the strong forces within the DRC, much of the international community has already signalled that if President Kabila fails to announce clearly that he will not try to run for a third

¹² See *RDC Vers un report des élections présidentielles pour cause de recensement*, le carnet de Colette Braeckman, January 2015. Available at: <http://blog.lesoir.be/colette-braeckman/2015/01/18/rdc-vers-un-report-des-elections-presidentielles-pour-cause-de-recensement/>.

¹³ On 21 January, as the protests unfolded, FIDH denounced 42 deaths. Several weeks after the confrontation, the Congolese Government gave the official figure of 27 dead, including 23 in Kinshasa and 4 in Goma.

¹⁴ Colette Braeckman, *op. cit.*

¹⁵ *Jeune Afrique, Présidentielle en RDC : comment le « Front citoyen 2016 » compte faire respecter la Constitution*, 15 January 2016. Available on: <http://www.jeuneafrique.com/294234/politique/presidentielle-rdc-front-citoyen-2016-compte-faire-respecter-constitution/>.

term or remain in power beyond the timeframes allowed for in the Constitution, violent protest will be inevitable. Unlike in Rwanda, an opponent of substance (political and economic) appears to be pursuing President Kabila: Moïse Katumbi.¹⁶ Although he has kept himself at a distance from the popular protests, his economic strength makes him a genuine threat for the Kabila camp. For the moment, dialogue and discussion, or rather attempts at dialogue, are the order of the day. Although this has been boycotted by the Congolese opposition, it is an opportunity the Congolese people should seize to try to find honourable ways out of the tension before the situation deteriorates. This is an opportunity that Burundians were not able to avail themselves of, with the consequences now being seen. Logistical obstacles and the deficiency of the electoral register are of course arguments that will be strongly put forth, but these challenges are not insurmountable. In light of the intransigence demonstrated by the anti-Kabila camp, some concessions will be necessary. In particular, it will be necessary to calm the electoral climate and guarantee a discussion without prevarication, taking into consideration the views of the youth who are ready to mobilise for protest. If the national and international political, economic and social players cannot reach agreement on the best way to organise the forthcoming elections, the DRC risks finding itself facing a protest movement “à la Burundaise”.

The risk of a clamp-down by security forces in response to demonstrations may further polarise positions, so that the pre-conditions for a repeat of the Burundian scenario are already appearing. We must remember that, according to Amnesty International and confirmed by the Congolese Minister of Justice, more than 200 protestors have been arrested and imprisoned since January 2015. These people had mobilised against a likely amendment to the Constitution. This brutal pro-government attitude violates human rights, notably to peaceful assembly and expression, guaranteed for the Congolese through the Principal Act.¹⁷ In addition, the United Nations Joint Human Rights Office (UNJHRO) exposed in a December 2015 report, “143 human rights violations related to the electoral process throughout the Congolese territory between 1 January and 30 September 2015”. The same report points to the fact that, “members of opposition political parties (111 cases), of civil society (50 cases) and media professionals (22 cases) were particularly targeted by agents of the State, with a view to restricting their activities, intimidating them, suppressing their activities or dissuading them from exercising their fundamental rights. The main perpetrators of the documented violence were agents of the Congolese National Police (PNC) and the National Intelligence Agency (ANR), often acting outside of the legal framework for their duties.”¹⁸

Finally, we must not forget that this emerging risk of crisis comes in the context of chronic insecurity and permanent tensions regarding identity, especially in the east of the Republic and the two provinces of North Kivu and South Kivu. The constant presence of armed groups is an abscess of which the DRC cannot rid itself, where ethnic tensions are very strong. Recently, in a communication to the United Nations Security Council, the Special Representative of the United Nations

¹⁶ Moïse Katumbi is the former Governor of Katanga, a businessman who made his fortune in mining. A former ally of Kabila, he makes no secret of his political ambitions and is running for the Congolese Supreme Court. He is also President of the well-reputed Tout Puissant Mazembe Football Club, and has a profile which combines economic strength and popularity in the powerful Katanga province and nationally thanks to his footballing exploits. Strong from his achievements as Governor and from this power, he is feared by one Congolese opposition party that he risks cannibalisation.

¹⁷ Constitution of the DRC, article 26. African Charter on Human and People’s Rights (ACHPR), adopted 27 June 1981, OAU Doc.CAB/LEG/67/3 rev. 5, 21 I.L.M. 58 (1982), entered into force 21 October 1986, ratified by the DRC on 9 December 1982.

¹⁸ UNJHRO, *Report of the United Nations Joint Human Rights Office on Human Rights and Fundamental Freedoms during the Pre-electoral period in the Democratic Republic of the Congo, between 1 January and 30 September 2015, December 2015*. Available at: <http://monusco.unmissions.org/LinkClick.aspx?fileticket=kibmGzAlcV0%3d&tabid=10770&mid=13783&language=en-US>

Secretary-General evoked the persistence of the presence of the groups ADF and FDLR in North Kivu. The town of Beni and its region have suffered repeated attacks since 2014 resulting in more than 500 civilian deaths and the displacement of 10,000 people. The region of Lubero is victim of the presence of the FDLR who oppose the Mai Mai militia. The UN Special Representative of the Secretary-General for the Democratic Republic of the Congo highlighted therefore the risk of “seeing the situation worsen in Lubero into openly inter-ethnic conflict between the Hum and Nande communities.” He warned that “this dynamic could easily spark violence in adjoining territories where competition over land and customary authority has already heightened tensions.” Finally, he notes that “Reports of increased recruitment into ethnically-based self-defence groups are a worrying sign, and the upcoming elections period could further politicise and instrumentalise the groups on the ground.”¹⁹ The accumulation of “structural” security problems in the DRC and the cyclical risk of the coming elections is of concern. In view of the inability to guarantee regular security for citizens in the east of the DRC, the pressure of Burundian refugees in the territory, and finally the presence of armed opposition groups in South Kivu, 2016 is becoming the year of manifold dangers and of manifold possible manipulations.

The sum of these elements makes the DRC a covered pot ready to boil over. The Burundian example should show that keeping the lid on this pot is the worst of all solutions and everyone must seek a way to decrease the pressure. The last chance is therefore this dialogue initiative, but it must be sincere and all participants must be willing to engage in it without pretence.

For these two countries, the direction of the crisis in Burundi leads to more and more fears of serious violence, with direct and indirect repercussions on the sub-region, over and above the impact already felt through the presence of Burundian refugees, both civil and military. The underground roles²⁰ the states may play in the Burundian crisis only amplifies the risk of regionalisation of the conflict, even if this is a red line that no country seems able to cross, falling back on declarations of diplomatic immunity.

¹⁹ MONUSCO, ‘*Very real risk of violence*’ looms over DR Congo elections, senior UN official warns, 14 January 2016. Available at: <http://monusco.unmissions.org/Default.aspx?tabid=10662&ctl=Details&mid=14594&ItemID=21655&language=en-US>.

²⁰ See for example on this subject accusations of military training that point more and more to Rwanda and are supported by certain journalists and organisations. Refugees International, *Asylum Betrayed: Recruitment of Burundian Refugees in Rwanda*, Field Report, 14 December 2015. Available at: <http://static1.squarespace.com/static/506c8ea1e4b01d9450dd53f5/t/566b3f97c647adfee2374e5/1449869207555/20151214+Rwanda.pdf>.

II. Perceptions and Opinions of the Youth of Rwanda and the DRC on the Crisis in Burundi

Citizens of Burundi defending their rights

In general, the three groups of young people encountered in Rwanda, North Kivu and South Kivu, consider the crisis to be linked to the defence of democratic principles.²¹

All these youths were aware of the elements on which the crisis is based: different readings of legal texts and articles (Constitution and Arusha Agreement) which seem to maintain a vagueness that has led to disagreement. For them, the principal reason for the protests that triggered the deterioration of the situation on the ground was either defence of the Constitution, or democracy, via an uprising against the candidacy of the President of the Republic Pierre Nkurunziza for a third term.

In Rwanda, poor governance and poverty in Burundi, caused by *a government which does not fight for the development of its people* are added to this perspective. Thus, these *socio-economic problems* compound a sort of *demand for democracy from the Burundian people*. Other aggravating factors, in their eyes, are the *manipulation of identities*, and also the *group of pro-government youths, the Imbonerakure*. All these factors provoked protests by *urban citizens, especially the young unemployed and women*, against the *absence of democracy because the population doesn't want the current government anymore because of bad governance*. This criticism is led by *leaders of the political opposition*.

In South Kivu, the young people interviewed considered that those in power were maintaining *uncertainty around the legal texts*. The protests were centred on the fact that *Burundians did not want the Constitution to be violated*, which therefore crystallised around the candidature of the sitting president for a third mandate. In addition, the group considered that the *people were not well served by the current exercise of power* and that *the people needed an alternation of power*, while recognising that the opposition played a role because *it wanted to come to power*. This contestation is being driven, according to them, by *all of civil society (the Church, Human Rights NGOs, unions, students, youth,...) and the political opposition*.

In North Kivu, the group of youths felt that what was occurring today in Burundi was a *political crisis with the question of a third term for Pierre Nkurunziza as a backdrop*. After all, this crisis could appear on the surface as *mobilisation of the Tutsi population against the ethnic Hutu President*. Nonetheless, although these youths consider that this is not a profoundly ethnic crisis, because according to them the fiercest opponents are Hutu, *the longer it lasts, the more chance it has to become one*.

These youths of North Kivu were more exhaustive on the make-up of the opposition to the third term than their neighbours. Indeed, while they see an “anti-third term” collective, made up of *the opposition and civil society*, leading the protests, they associate with this group *some military who have mounted a coup d'état*. They see youth and women making up the majority of the numbers which swelled the *peaceful demonstrations*. They point also to the *Catholic Church having categorically declared its opposition to a third term*, as had human rights organisations. They know also that all living former Burundian Heads of State (Sylvestre Ntibantunganya, Domitien Ndayizeye, Jean Baptiste Bagaza and

²¹ As indicated in the introduction to this document, comment drawn from the discussion groups is recorded in italics in this part.

Pierre Buyoya) have publicly expressed their disapproval of the candidature of Pierre Nkurunziza. They note also that the *private independent media have assisted the mobilisation against the sitting President*, while noting that *Radio Télévision Nationale supports the President*. Following the silencing of the private independent media we have witnessed a *muzzling of opinion*.

Youth in the two countries, as well as in Rwanda, have a fairly positive opinion of the protests which occurred in the country. In Rwanda, their utility as a *battle against injustice and to express discontent* is recognised, but they are also seen as a way to put an argument or to *express a view when other means of negotiation have failed*. In South Kivu as in North Kivu, the young people interviewed even thought these demonstrations *were good and to be encouraged* because they allow people to *regain their constitutional rights* or because it is *legitimate to protest in a peaceful way to highlight a problem and find a solution*.

For these young people gathered in Bukavu, these protests are *the exact translation of what freedom of expression means*. They can also enable *the leaders to improve their way of governing and prevent African leaders from hanging on to power*. However, they recognised that they could also be bad because they were always accompanied by *human and material loss*.

In Goma, the young people interviewed considered that *the leaders had missed an opportunity to embed democracy*. If the protests had allowed *the rulers to understand the nature of the problem*, they were confronted with violent repression by the police *in favour of the status quo*. As a result, many youths had to *risk death to express their political opinion* and the population may have *lost confidence in itself* because of this repression. Nevertheless, this showed in their eyes *the need for alternation in Burundi*. Finally, these youths noted that the *rural population kept its distance from the demonstrations*, which proved to them the need to *raise awareness in rural areas and produce legal texts in plain language*.

Fears of a regionalisation of the crisis

All of the youth recognised the consequences for their countries, even if these consequences are to differing degrees.

In Rwanda, a *clear overpopulation* following the arrival of the refugees was evoked. The youth expressed a fear that *members of the FDLR could infiltrate amongst the Burundian refugees*. They also consider that as a consequence of the crisis their country has *increased responsibility* because *Rwanda must prepare itself to welcome and protect the Burundian refugees appropriately* and because the situation brings with it *socio-economic problems* because *the country had not expected to have to worry about this crisis*. The problem is amplified in their eyes by the fact that *movement of people between the two countries (especially businessmen and students) has reduced*. They note *an increase in theft in the fields around the refugee camps*. Finally, they are aware that *this crisis could provoke a political conflict between Rwanda and Burundi*.

From South Kivu, a consequence of this crisis is seen to be *unfair occupation of indigenous land by the refugees* and the arrival of Burundians is thought to be *spreading promiscuity*. From an economic standpoint, they consider *the cost of living is becoming high* because *cross-border traffic between Burundi and Congo (Kinshasa) has stopped*. Finally, they think the crisis in Burundi may lead to a sort of *mental contagion in relation to the ideology of the claims*. This situation leads to *insecurity in the border regions*.

In Goma, there is concern about the impact of the Burundian crisis on the DRC. The youths stress that *“one should not rejoice when the neighbour’s hut burns”* meaning that *such a crisis could occur in the DRC through contagion if the President doesn’t guard against this and if he acts like the President of Burundi*. In terms of social issues, many Congolese students who were studying in Bujumbura have become unemployed. They also consider that *the movement of people must surely have harmful consequences, leading to sickness, famine, difficulties surviving, inadequate housing for the refugees etc.*

On the economic front, there is a loss of earnings for the DRC. *Commercial transactions have slowed* following the insecurity. Economic activity, especially *traffic on Lake Tanganyika* between Burundi, the DRC and Tanzania, and *fishing activity* along the shores of the lake are also affected.

Nevertheless, they identify a positive outcome of the crisis, in that it will *allow Congolese to think differently: “It’s up to us Congolese to get something out of this, anticipate crisis and take precautions.”*

On the specific question of the arrival of Burundian populations in their country, the youths think this has negative consequences, especially for Rwanda and South Kivu. In Rwanda, there is seen to be a *reduction in economic activity between the two countries*. But they also note an *increase in prostitution, especially in town*. Finally, they see *pressures on health and education, for which the country is not necessarily prepared*.

Young people interviewed in Bukavu consider that *the situation has a negative effect on them*. They see these movements of people resulting in *begging by the new arrivals and prostitution which spread disease*. They also see this as contributing to *unemployment* and fear an *increase in militias or foreign armed gangs on their soil* as a rear operations base for armed action against the Burundian Government.

In Goma, the youth recognise that the regions bordering Burundi in the south of South Kivu are the worst affected by the displacement of the Burundian population. *Seen from Goma, few people, other than traders, directly feel this crisis* in terms of displacement of people, given the distance between the two centres.

Forthcoming electoral processes

In the context of forthcoming elections in the Democratic Republic of Congo (2016) and in Rwanda (2017) where the issues of constitutional change and third terms for Presidents Kagame and Kabila will be at play, it is important to ask if these young people see parallels between the prevailing situation in Burundi and their national contexts.

In Rwanda, the young people think *there are no similarities*. In their eyes, *Burundians are above all unhappy particularly because the government has been unable to change people’s lives at the economic level while the Rwandan population is happy with its governance because its government has brought about concrete improvements in living conditions*.

This idealistic view is not necessarily present in the DRC. *The youth of South Kivu think that some common ground must be reached* around the question of a third presidential term. They see a *parallel between the attempts of the two sitting Presidents to stand for election*. They consider that *the consequences are and will be the same, that is revolt by the people, acts of intimidation, arrests, and abductions*. To a certain extent, this situation is already apparent in the DRC.

In North Kivu, the youths noted a *long list of similarities between the two countries*. First of all, *an attempt and a desire to amend the constitutions in the two countries*, which has already led to the same sort

of popular uprising, notably the demonstrations held in January 2015 in Kinshasa and in Goma. These protests spilt over for the Burundians who would have seen them as a way of opposing the decision to manipulate the Constitution. They further note that the two Presidents came to power after troubles caused by rebellions. They are both young and draw their power from agreements signed by warring parties. Each has held power for two terms. Finally, they see a general defiance of the chief by the population. Moreover, they identify a *glissement* (sliding) of power in Burundi towards transitional institutions, which is what is beginning to occur in the Congo with the attempt to push out constitutional timeframes.

However, these youths also identified a long list of elements which differentiate the two contexts. Firstly, they see Nkurunziza as belonging to the Hutu community of Burundi which is a strong majority, while in the DRC, there are more than 473 tribes with which the President does not identify. They further consider that the political opposition in Burundi is strong, whereas, in the DRC, it is a puppet as it is seen working with those in power. In addition, the geographic and geostrategic positions of the two countries are markedly different. The DRC is resource-rich while Burundi is poor in global terms. A further difference is that in Burundi the parties are in conflict around the candidature of the President for a third term because of uncertainty in interpretation of the Constitution and the Arusha Agreement, whereas in the DRC, there is no uncertainty because the texts do not lend themselves to it and are clear on the question of the number of terms and method of election. Furthermore, they note the behaviour of the women leading the National Independent Electoral Commission (CENI) in Burundi who proved there had been threats made against them, resigned and fled the country, whereas in the DRC nobody resigns when he becomes aware of activities that run counter to the greater good of the nation.

They consider that some parts of the Congolese population (especially youth and women) are easily manipulated, while Burundian youth and women were ready to die rather than abandon their struggle. In addition, Congolese civil society is unstructured and does not represent the population well. It does not stand by the positions it takes, as it seems to bring itself into line with the government, whereas in Burundi, we can clearly see a civil society with a more radical position.

After these observations, we asked if a scenario similar to that in Burundi could be repeated in Rwanda and in the DRC.

Whereas in Rwanda the young people are asking themselves what will happen in the 2017 elections, they think it unlikely that such a crisis could occur in their country. According to them, Rwandans are coming out of a delicate situation of "Genocide". Because of this, they don't want anything that could destabilise the security and national unity which were so difficult to achieve. This response confirms the continued weight of the Genocide upon Rwandan society. Similar explanations were given in the districts in Burundi which resisted the recent violence.²² The traumas of a past that is still present seems to have a greater hold on the situation than political issues. Yet Rwandans insist on the positive nature of the actions of their government whereas this is not always the case in Burundi. As always with Rwanda, it is difficult to evaluate in any depth this sort of statement in the context of a country maintaining strict control of its population, just as it is difficult to evaluate the difference there might be between repetition of official discourse and genuine personal opinion. Nevertheless, it is certain that maintenance of security coupled with the trauma of the 1994 Genocide will trump questions of political freedom for as long as the economy is in a state of growth and recovery.

In Bukavu, the youth think that for the moment, it is difficult to predict. President Kabila has not yet clearly indicated his wish to remain in power for a further five years. But if that were to occur, they

²² Impunity Watch, *Burundi: La citoyenneté en crise*, Great Lakes Dispatches, Number 1, August 2015. Available at: [http://www.impunitywatch.org/docs/IW_Great_Lakes_Dispatches_\(Numero_1_-_Aout_2015\).pdf/](http://www.impunitywatch.org/docs/IW_Great_Lakes_Dispatches_(Numero_1_-_Aout_2015).pdf/).

think a similar scenario would be possible. Firstly because *Burundi and the DRC are neighbouring countries with a largely similar culture and a common way of life*, but also because they think that, like the Burundians, *Congolese are aware of their misery and will seek to free themselves*.

In the same way, the young people encountered in North Kivu felt that *the Congolese population is beginning to understand that they are the ones who must fight to make their way out of chaos and that if the people show the same determination as in January 2015, they will win the political fight in the end*. However, they think that *if the Congolese remain as passive as they usually are, there is a risk of seeing the President win his gamble on changing the Constitution in order to retain power, especially because the youth and opposition are easily manipulated*. In any case, they see a need to *take lessons from the Burundian situation, take inspiration from it and see where strength can be drawn to lead to success*, in terms of protecting the Constitution. This is important, in their eyes, because a *“No to Kabila” uprising would be highly likely if he were to force the situation but would risk being steered poorly or not at all*. Finally, they fear a *prolonged transition with Kabila at the head in violation of established laws*.

To reduce these risks, Rwandans think there must be *regular dialogue* between the people and their leaders. Everyone must *respect the established laws in the common interest*. Finally, *the population must be educated on human rights*. In fact, the youth assembled in Kigali considered that *African countries are not yet genuinely democratic, largely because their leaders are too selfish*. They don't seek what is in the interests of the population and the country in general. On the other hand, they believe *the population is not mature enough to express itself peacefully and publicly: it is locked in a circle of poverty which leads to incessant conflict*. In their eyes, *the African people should put their own interests forward for a better future, because as long as a country does not have enduring stability in all domains, the Constitution can be changed to suit any situation*.

The young Congolese of South Kivu felt *the leaders must agree to hand over power in a civilised manner* and politicians should know that when *we choose democracy, we must respect its principles*.

In Goma, the young people felt first and foremost that *it was essential that the President not want to seek a third term*. If he did not, there was little risk of seeing such a crisis unfold. These youths implied a fear that, in the name of budget constraints placed on the organisation of elections across the Congo, *“glissement” (sliding) beyond constitutional timeframes could result in Kabila remaining in power through transitional mechanisms for an indeterminate time, avoiding any possible pitfall of an attempt to amend the Constitution*. To reduce this risk, these young people believe the 2016 elections must be prioritised, giving preference to the Presidential elections, even if that means pushing back the local elections (local and provincial governments) which have been delayed. This rhetoric is similar to that of the Congolese opposition and civil society.

Furthermore, in relation to these risks they consider that *youth and women must be informed of all the whys and wherefores of the situation in DRC*. These groups must be made aware of *the benefits and necessity of political alternation*. Seeing the crisis in Burundi as *an expression of this desire for change*, these young people think *the Congolese should see the Burundian mobilisation as a reference*. While believing that *those who govern must be convinced of the need to respect the laws*, they also think *the media and civil society must take a role in providing the population with information about electoral issues by establishing permanent frameworks for dialogue, ensuring the free flow of information, and keeping citizens aware*.

In addition, these youths think that *the nomination of an independent person to supervise, organise and prepare for elections between now and the end of 2016 is an absolute necessity*.

Finally, *the police and the army must be capable of guaranteeing security to all citizens across Congolese national territory*.

How to resolve the crisis?

To conclude the discussion in the three towns, we asked how a peaceful solution to the crisis in Burundi could be reached. While the situation seems inextricable when viewed by young Burundians from within their country, their brothers and sisters in the region could perhaps help identify some possible solutions.

On the question of who could resolve the crisis in Burundi, youth in all the three groups said firstly *Burundians themselves*. The Rwandans felt the *President and his government with the support of the CNDD-FDD party in power were the key players* in the resolution of the crisis. They believe categorically that *the President must cede power* and that it is up to the *party of the President to propose another candidate*. *The region and the international community must also play a key role* because Burundi is part of this community of nations. But this action should aim to *place pressure on Burundi* and could take the form of *an embargo against the country*. Finally, *the citizens of Burundi must come together because they are the first victims of these crises*. However, *if peaceful means are not effective, the citizens of Burundi must force the current President to act in the common interest*. This enigmatic statement is open to many interpretations, including the most aggressive. *Rwanda can play a role, they say, in resolving the crisis, firstly, by making representations to the President to encourage him to withdraw, but also by trying to convince other members of the EAC to work towards a resolution of the crisis*.

In addition, if these young people were given the chance to speak to the political leaders, *they would speak to President Nkurunziza and ask him to step down from power*. They would also address the CNDD-FDD party to ask that it *cede power to other political parties*. Finally, they would call on the *International community to act to protect the Burundian population*.

The youth of South Kivu would first *recommend to the Burundian Government that it instate a genuine dialogue with all the driving forces and the opposition*. *The international community must also engage directly in the search for solution instead of remaining helpless in face of the crisis*. Civil society must also be active especially in *raising awareness around peaceful coexistence*. Finally, *political parties and opinion leaders must play a role in calming the situation*.

The Democratic Republic of Congo could also play a role in mediation as well as organising itself to provide an adequate welcome to Burundian refugees. After all, it is only through *mediation of the conflicts that they see a possible way out of the crisis*.

If these young people were able to speak to the political leaders, they would take the opportunity to try to *convince the presidential camp to cede power in keeping with the law*. *The CENI should reject the candidature of the President if he wants to remain in power*. Above all, these youths would ask *the political leaders to have a culture of political alternation and to clean up the political environment to favour a common way of life*. Finally, they stress that *this sort of crisis does not do any good for the country and each participant must answer for their acts*.

The youth of North Kivu insisted on the fact that it was up to *Burundians themselves to solve the crisis*. They have not yet had time to *talk sincerely with one another* (the principal actors in the crisis: certain civil society organisations, the opposition, those in power, the former Presidents). For this to occur, they needed to be accompanied by the SADC, the ICGLR and the East African Community.

As far as the action to be taken, the inclinations are clear. For some, *Nkurunziza must be sanctioned by the ballot box* since he does not want to withdraw his candidature. After all, *the conscience of the Burundian people should be worked upon so as to create a humanist community*. For others, *the electoral process should simply be stopped*. In their eyes, *the elections must not or should not have been able to be held in these conditions*. As a result, *a transition is necessary so that credible elections can be organised*. Eventually, *dialogue must be permanent*. They also think that *an opinion poll should be held before elections are organised*. From a technical point of view, *a genuinely independent electoral commission must be selected as there is suspicion that the current commissioners contribute to electoral fraud*.

On the role for their country in the resolution of the crisis, these youths think that *the Congolese State has little chance of influencing Burundi*, noting *the weakness of Congolese leadership and diplomacy*, as well as the similarities between the two countries. They consider that *the Congolese have no lessons to offer the Burundians*. Nevertheless, there could be *an avenue via civil society organisations*, which have the power to influence Burundian organisations, such as *the large Churches found in both countries*.

Finally, one way or another, *the DRC could represent a threat to Nkurunziza's power*, particularly as it is *from within the Congo that he has amassed his own force in the past*. The threat of seeing Congolese territory used as a rear operating base for a future armed group may give *the DRC an opportunity to influence, albeit marginally, the powerbrokers in Burundi*.

All suggestions which could be made must be put *to the Burundian people who must gain ownership of the Arusha Agreement and the Constitution* in order to insist that they be upheld. Specifically, the youth should speak to *urban women so that they can expand their actions to those in the countryside*.

President Nkurunziza must respect the laws to leave honourably like his predecessor and especially to honour his military career. The CEPGL must become involved to *force the rules of the game to be applied*. *The Heads of State of the Great Lakes Region have the ability to advise the Burundian President and must do so*. The international community and donors *must apply pressure for the maintenance of peace*. CENI must *genuinely publish the real outcome of the ballot exercise*. Finally, civil society must work on *raising consciousness of the benefits of political alternation*.

If these young people could speak to participants in the Burundian crisis, they would speak firstly to the *President of the Republic*. They would focus upon *the honour that it would be to transfer power peacefully, especially after having given so much to the country*. As a *clearly perfectible man*, others could *identify the weaknesses in his rule*. They would ask him *to resist acting selfishly and to think of the aspirations and happiness of the people*. These same youths would advise the President to choose himself a *"Dimitri"* (reference to President Putin who ceded his presidency to Dimitri Medvedev while continuing to hold the reins of Russian power).

These youths would question the President *on the democratic character of his country* asking if *he should not therefore be convinced of the importance of alternation*. These same young people would take the opportunity to speak to Lambert Mende, Congolese Government spokesman, asking him if *he is not ashamed to lie publicly in the media*. We can well ask ourselves whether the opinions of these youths on Burundi would apply for their own country, or whether in talking about Burundi they were not in fact talking about the DRC.

III. Conclusion and avenues for further thought

In conclusion, we can take from this series of focus groups, organised immediately following the Burundian mobilisation at a time when the conflict was not yet as militarised as it is today, a certain recognition of the action taken by the Bujumbura youth. Although the national contexts influence the perspectives of these different groups of young people, we can see a clear thread of information gleaned from past history and transnational dynamics. The year 2016 will see the Burundian crisis mutate into a lasting form (Peace? War?) at the same time as the Congolese debate will clarify the direction of the electoral process announced at the end of the year. This year is therefore crucial for the DRC *but also* for the whole region. In addition, focus is more and more turning to Rwanda and its underground role in the Burundian crisis and well as on the strings pulled by the President to hang on to power. Well controlled from within, Rwanda's borders are not impenetrable and we can ask questions about the real consequences of the Burundian crisis on the social structure of Rwanda and especially the eventual consequences of a second crisis on its borders in a worst case scenario in the DRC.

After a 2015 which saw stalemate in Burundi, 2016 presents a new challenge for the national and international political decision-makers, and for those working for peace. The challenge will be to avoid a regional morass. Since international actors were unable to stem the Burundian crisis, it is legitimate to question their ability to prevent a regional crisis. This is nonetheless the challenge emerging on the horizon. The perspectives gathered from the young people in North and South Kivu suggest that in the case of a political impasse, these young people would mobilise just as in Burundi.

While for the first time in its history, Burundi was experimenting with non-violent forms of protest, the country has now inexorably reached a new level of militarisation and is sliding towards war. Despite the military direction that the Burundian uprising has taken, the country remains an important step forward in the region for the democratic assertion of rights. The risk of a repeat scenario of mobilisation/repression/militarisation is strong, with the amplifying phenomenon of the vast circulation of arms in the region. Furthermore, an absence of economic prospects, and the "structural" risk of manipulation based on ethnic identity, are aggravating factors, at least in the DRC. These latter factors are partly due to unresolved tensions inherited from the past and a fragile social fabric. More than ever, regional actors must question themselves and sincerely evaluate the Burundian situation so as not to repeat the same mistakes as Burundi.

It is important to remember that resolution of the crisis in Burundi could send a signal that the rights of citizens are more important than the interests of the strongmen, and have a positive influence on democratisation and transformation of conflicts in the entire region.

The legitimate fears of these youths of seeing a regional conflict develop are real and well-founded. Local conflicts are once again on the rise, which in the past has always sparked tensions between different communities (ethnic, national, etc.) throughout the region. These tensions in turn provoke political and others tensions based on identity, which find expression in a context of more widespread violence. This risk must be avoided.

Finally, palpable fear of violence, leaders who act with impunity, and other frustrations demonstrate that the rule of law and the creation of democratic norms have yet to take root among the

political elites of the Great Lakes Region. Paradoxically, while this is due in part to an entrenched culture of impunity which prevents transformation of these elites, the citizens are clearly ready (in certain aspects) for a new form of governance in the region.

In the face of these elements that are a threat to peace, we recommend that governments, political actors, and national and international civil society seek to understand the causes and the lessons of the Burundian crisis with a view to preventing related crises, making the slogan *African solutions to African problems* a reality. This reflection should focus on:

- i. **The political leaders of the region, in particular those in the Democratic Republic of Congo, so that they commit to work to reduce the risk of violence.** Demonstrations by citizens are healthy if they are accepted. Fierce repression only increases the frustrations and favours the militarisation of citizens who were attempting to use non-violent forms of protest;
- ii. **Political leaders in the region who place the concepts of security for citizens and freedom (public, political, of expression) against each other.** These strategies to maintain power in post-conflict countries are short-term and undermine efforts to develop these countries;
- iii. **Political leaders in the region who, in the absence of tangible economic results, continue to manipulate political tools to try to stay in power.** In a region that is completely interconnected and unstable, no country can be considered completely protected from the risk of plunging into violence;
- iv. **The political dialogue underway in the Democratic Republic of Congo which must conclude with a consensus acceptable to the politicised and unemployed youth.** With a heightened level of political consciousness and a lack of economic prospects, the frustrations of youths whose future is “blocked” are enormous, especially in urban areas. Political calculations aimed to take or hold on to power must be considered in relation to this youth, often outside the political parties but becoming a group of considerable informal influence. The DRC still has the opportunity to find solutions which will prevent a serious crisis, whereas Burundi was unable to seize such an opportunity;
- v. **Current dialogues aimed at preventing or resolving conflicts so that they are not just simple trading mechanisms between elites, but based on the interests of citizens.** Appropriately, dialogue is often favoured for the resolution of conflict. However, often these essential dialogues are only meetings between elites with the goal of maintaining power or sharing it between them. Listening to the aspirations of the population is secondary. To be more effective, these dialogues need three levels: a grassroots community level that can bring up issues for discussion amongst the elites; an intermediary level between the elites and the population; and one at a high level, between actors in the conflict on the basis of previous dialogue. These dialogues will not be effective if they are not sincere and sufficiently reassuring for those who participate;
- vi. **The citizen and political actors opposed to the powers that be must be responsible and able to anticipate the reactions of the governments in place.** As such, they must also be able to suggest alternatives to suppressed popular demonstration and aim to avoid a recourse to arms as a form of political expression. The political opposition has never really been able to offer an alternative political vision to that of the CNDD-FDD. The Congolese have, once again, the opportunity to avoid repeating this error;

- vii. **The broad international community (regional, continental and beyond) which must question itself on its inability to concretely resolve a political crisis.** These strategies of intervention must be analysed both upstream and downstream to be effective on the ground;
- viii. **The preventative mechanisms, the ratified treaties and other international instruments, which must be examined** in order to understand their weaknesses and evaluate the gap between the will shown by the countries of the region and the reality of their application;
- ix. **Regional security forces who use violence and at the same time seem unable to foresee it or control it.** Repressive State security apparatus intentionally use disproportionate force to control their populations. Despite this apparent strength, the governments are weak at preventing a proliferation of armed groups. The circulation of arms in the region is a major risk for the militarisation of civilians. Despite some shallow success, real effort to apply international principles aimed at ending arms proliferation is essential for a long-term solution. These elements must be considered in order to avoid repeating Burundi's errors;
- x. **All actors in order to understand the mechanisms of recurrence in the region.** The weight of a traumatic past not yet dealt with is considerable and paradoxical for the citizens of the region. Although on the one hand this weight can keep the populations in inertia, lessons that are not drawn from the past are likely to lead to repetition by the generations which did not live through the violent events. Between these two groups are those who were present in the past and now reproduce the actions they fought against. Impunity entrenched in culture is an obstacle to peaceful settlement of such crises and must be shattered to calmly move forward to a peaceful region.

IMPUNITY WATCH

Impunity Watch is a Dutch international non-profit organisation that seeks to promote accountability for past atrocities in countries emerging from a violent past. IW produces research-based policy advice related to processes aimed at ensuring victims' rights to truth, justice, reparations and the non-recurrence of violence are respected.

PEACE BEYOND BORDERS PROGRAMME

The 'Peace Beyond Borders' Programme is being implemented by a consortium of ten national and international organisations, in which Impunity Watch is responsible for coordinating the research activities. The Programme aims to promote the transformation of conflicts in Burundi, the DRC and Rwanda through the adoption of a 'Roadmap to Peace' by a 'Virtual Regional Parliament' composed of 'Peace Brokers'. With the aim of incorporating the specific needs and priorities of young people, a 'Youth Agenda for Peace' has been developed based on a participatory action research approach.

ACKNOWLEDGEMENTS

This report was undertaken by the Impunity Watch team in Burundi. The research was made possible by funding from the Peace Beyond Borders Programme. Our thanks go to our NGO partners on the Programme in Burundi, Rwanda and the DRC who helped prepare the field research. We express our deep gratitude to the young Burundians, Congolese and Rwandans who were willing to participate in this research, recounting their daily lives and sharing their fears and hopes regarding the current crisis. We hope that a solution may quickly be found to this crisis, to ensure a more peaceful future for the next generation in the Great Lakes Region.

CONTACT US:

Impunity Watch (Burundi)
Avenue Bweru n° 32 Rohero II
Bujumbura
Burundi
Tel: +257.22.275.923 /
+257.22.275.924

Impunity Watch (Head Office)
't Goylaan 15
3525 AA Utrecht
The Netherlands
Tel: +31.302.720.313
E-mail: info@impunitywatch.org
www.impunitywatch.org

*** The opinions expressed in this report are not necessarily those of IW, the organisations who helped collect the data, or the partners of the Peace Beyond Borders Programme.*



impunity watch