Conflict overview

Since Burundi gained independence from Belgium in 1962, a longstanding conflict has persisted between the dominant Tutsi minority and the marginalized Hutu majority over unequal distribution of wealth and power. Hundreds of thousands of Burundians died because of massacres in 1965, 1972 and 1988. The year 1993 saw the first democratic presidential election of Melchior Ndadaye, a Hutu. However, his assassination in October 1993 sparked a new period of violence. The rejection of free elections is argued to be the root of the civil war (Nindorera 2012: 13f).\(^1\) The Hutu-based National Council for Defense of Democracy (French acronym CNDD) was officially founded on 24 September 1994 as a response to this situation (Nindorera 2012: 15). Due to a change in leadership, the group is also titled with the appendix ‘Forces for the Defense of Democracy’ (CNDD-FDD), the name used for the armed wing since 1998. The basic goals of the CNDD-FDD were to restore the democratic order of 1993 and to change the composition of the army, which was controlled by the Tutsi elite.

After the assassination of Ndadaye, his Hutu-dominated FRODEBU party (Front for Democracy in Burundi) continued to lead the unstable government while the army sought to regain control of the state. Thus, the army can be said to be the CNDD-FDD’s primary opponent. This de facto rule was consolidated by a bloodless coup d’état carried out by the military in 1996 that reinstated former president Pierre Buyoya. The Arusha Agreement of 2000 led to the installation of a transitional government in 2001, over which Buyoya presided

\(^1\) http://www.ucdp.uu.se/gpdatabase/gpcountry.php?id=26&regionSelect=2-Southern_Africa# (25 Nov 2014).
until 30 April 2003; he was succeeded by Domitien Ndayizeye (a Hutu), who remained president until the elections in 2005 (Reyntjens 2006: 117ff.). According to the Uppsala Conflict Data Program (UCDP), the war with the CNDD-FDD ended with the signing of the Global Ceasefire agreement on 16 November 2003. This marked the finalization of preceding agreements and was carried out within the context of a peace process that began in 2000 with the Arusha Agreement [WARENDUC=1]. The case literature generally agrees that with the signing of this document, the war with the CNDD-FDD ended [WARENDOS=1]. However, we consider 2004 to be the war’s ending year: in this year, fighting between the CNDD-FDD and another Hutu rebel group, the PALIPEHUTU-FNL, took place; this conflict surpassed the threshold of 25 deaths in one calendar year, qualifying as a non-state conflict by the UCDP. Since we cannot pinpoint the exact date of this conflict, we calculate the last calendar year with six months. Considering that the peace agreement set the course for the post-war years, we still consider it to be the reason for the end of the war between the CDNDD-FDD and the government [WARDUR=116].

The exact number of fatalities proves difficult to count. This is due to the fact that there as a diversity of armed groups, the two largest being the CNDD-FDD and the PALIPEHUTU-FNL. The UCDP gives specific numbers for the dyad of the government versus the PALIPEHUTU-FNL; the numbers are not as easily attributable to the various groups in the cases of non-state conflict and one-sided violence. In the case of one-sided violence, the numbers are only specifically attributed to certain groups from 2001 onwards; prior to that, they belong to a cluster titled ‘Hutu rebels’. In the case of non-state conflict, the CNDD-FDD fought the PALIPEHUTU-FNL; one can therefore not ascribe this total to either group as it would result in double counting, one for each conflict description. Opting for a pragmatic decision, we halved the numbers given in cases that were indistinguishable, since the main groups were the CNDD-FDD and the PALIPEHUTU-FNL and others were merely marginal. Using this method, we arrived at a death toll of 8,164 [FATALUC=8000]. In contrast, case-specific literature and other sources state significantly higher numbers for the death toll. A number which is frequently given is 300,000 fatalities for the whole Burundian

4 Party for the Liberation of the Hutu People-National Liberation Forces.
civil war (Bouka 2014: 2; Falch/Becker 2008: 8; Fuhlrott 2007: 325). As we are dealing with more than one rebel group, we cannot take this as the total. In this case, the pragmatic solution was to consider the relative distribution of the UCDP data for the two cases in our study and calculate accordingly. Using this method, we arrived at 160,499 for the dyad in question [FATALOS=160000].

The population in 1993 was about 6 million [PREWARPO=6000000]; based on the UCDP data, the war therefore claimed the lives of 0.13% of the pre-war population. According to other sources, this estimate would be 2.67% [INTENSUC=0.13; INTENSOS=2.67].

The military balance at the end of the war
The war ended with a peace agreement between both warring parties and several other political parties and groups. As such, there is no indication that any one side can be considered a military winner. There were internal and external factors on both sides as well as additional international pressure that led the parties to enter into peace negotiations (Nindorera 2012: 21f.). However, there was no indication of a military advantage for either side, even until relatively shortly before the peace agreements. Instead, a military stalemate existed [VICTORY=0].

The assessments of the territorial control by the CNDD-FDD are quite ambiguous. Cunningham et al. (2009) state that the rebels did not control any territory during the war. The International Crisis Group (2002: 5) also states that the main bases of the CNDD-FDD were not in Burundi but in Tanzania and in the Democratic Republic of Congo (DRC). However, Nindorera states that the movement leaned on support from the Hutu peasant population. He describes food contributions by Hutu families, but this was extorted from refugee camps in Tanzania. Additionally, he reports that they used their networks to sell coffee and tea and that they introduced a parallel administration and police force (Nindorera 2012: 18). This last part suggests the existence of more considerable control of territory in Burundi. An additionally confusing statement is that although the CNDD-FDD did not control significant amounts of territory, they managed to establish a parallel administration and impose taxes, even at the height of the conflict (Dilworth 2006: 4). All in all, we lean towards the assessment that the

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6 According to the UCDP Conflict Encyclopedia, the total number of fatalities is 15,259, of which 8,164 are attributed to the CNDD-FDD (53.33%) and 7,096 to the PALIPEHUTU-FNL (46.67%). Applying this distribution to the number of 300,000 fatalities, about 160,000 fatalities relate to the conflict against the CNDD-FDD and about 140,000 to the conflict against the PALIPEHUTU-FNL.


rebels did indeed exercise some territorial control [REBTERR=1]. As this control was still limited and reports state that operations within Burundi put a strain on the rebels (ICG 2002: 5), it is reasonable to judge that the government side controlled more territory [MORETERR= -1].

Cunningham et al. (2009) describe CNDD-FDD’s fighting capabilities throughout the entire period from 1994 to 2004 as ‘low’. ICG and the IISS Yearbook report military strengths of about 15,000-16,000 members. The ICG, however, assumes that not all of them were armed forces (ICG 2002: 5, IISS 2003). It therefore seems justifiable to retain the assessment by Cunningham et al. [REBFIGHT= -1].

The signing of the peace accord was not due to any party’s defeat or other weakness. Rather, it was accomplished by regional leaders and South Africa, who forced parties with political and military involvement to end the war and find sustainable solutions. Both the government and the CNDD-FDD were still able to keep fighting in more than a few areas in the disputed territory and in more than a sporadic manner [CONFIGHT=0]. None of the sides was able to capture or kill the leader of another side [LEADER=0].

In total, the military balance at the end of the civil war in Burundi was slightly in favor of the government [WARBAL= -0.17].

The post-war military balance

The peace process that began in 2000 with the Arusha Agreement led to several agreements and ultimately to the forging of a new constitution that was consolidated in 2005. One of the agreements, the Pretoria Protocol on Political, Defense and Security Power Sharing in Burundi, and its successor regulated the establishment of a new army, the Burundi National Defense Force (BNDF), and the demobilization process, reflected in the constitution from 28 February 2005 (Reyntjens 2006: 119). For the new army, 60% of the command-level positions were to be assigned to members of the former Armed Forces of Burundi (FAB) and 40% to members of the CNDD-FDD. Additionally, the new police force was to be established with a composition of 65% government forces and 35% rebel forces (both the army and police needed a 50/50 distribution of Hutu and Tutsi members); it appears that the integration of the CNDD-FDD into the new army was successful and in accordance with the agreements (Falch/Becker 2008: 24; Lemarchand 2006: 13; Nindorera 2012: 25). In December 2004, the

transformation of the security sector was concluded and the demobilization of combatants, who did not become part of the BNDF or the police, began (Fuhlrott 2007: 328; Nindorera 2012: 25). Thus, from 2005 onwards, both former warring parties participated in the state’s military and police force and did not have any separate forces at their disposal. In the year prior, there were changes in the troop size but these cannot be considered significant [STATEFOR 2004= -1, STATEFOR 2005-2012=0; SEPFORCE 2004=0, SEPFORCE 2005-2012=n.r.; TROOPS 2004=0, TROOPS 2005-2012=n.r.; ARMS 2004=n.d., ARMS 2005-2012=n.r.].

At the beginning of the post-war period in 2004, territorial control by the CNDD-FDD was limited. However, the army no longer exclusively supported Tutsi parties and rejected the possibility of returning to war (ICG 2004b: 7). It therefore seems feasible to assess that neither warring party held any substantial territorial control during this time [TERRCON 2004=d.e.]. In 2005, the CNDD-FDD won the elections and have been consolidating their control in the country since (Curtis 2012: 87). In the first five years after the democratic elections, no single political party had exclusive control of Burundi. Despite the fact that the CNDD-FDD won the presidential elections and held most seats in the parliament, it had to share power with the other ethnic groups [TERRCON 2005-2009=0]. Since the following elections in 2010, however, observers speak of the almost unchallenged control of the CNDD-FDD over the entire country on the basis of authoritarian rule (BTI 2014: 32; ICG 2011: 7f.). Burundi has increasingly been becoming a de facto one-party state [TERRCON 2010-2012=1; TERRWIN 2004=n.r., TERRWIN 2005-2009=0, TERRWIN 2010-2012=1].

The same development must be assessed for the question of territorial vulnerability. During the civil war, the CNDD-FDD exercised limited control over some parts of the disputed territory. In the post-war period, they became the strongest party through democratic elections whereas the former ruling party lost much influence in the country. But until 2010, power in Burundi was held by all of the ethnic groups, meaning that neither side was more or less vulnerable from 2005 to 2009. After the elections of 2010, the CNDD-FDD’s control of Burundi became almost unchallenged, indicating that they are less vulnerable than the former government [VULNERAB 2004=n.r., VULNERAB 2005-2009=0, VULNERAB 2010-2012=1].

From 1 June 2004 to 31 December 2006, the United Nations Operation in Burundi (ONUB) was present in the country, consisting of 5,650 military personnel. In January 2007, it was

12 Bertelsmann Foundation 2014: 12.
replaced by the UN Integrated Office in Burundi (BINUB)\textsuperscript{14}, which was a political and not a military mission and, as such, did not include armed forces (ACCORD 2007: 32). From February 2007 to the end of 2009, South Africa retained an armed force in Burundi, the African Union Special Task Force (ACCORD 2007: 33; IISS 2010). However, this mission was mainly concerned with peace negotiations with the PALIPEHUTU-FNL and not as much with the dyad under observation\textsuperscript{15}; we therefore do not consider it in this conflict \textit{[PEACKEEP 2004-2006=0, PEACKEEP 2007-2012=n.r.]}. There is no indication of any additional presence by a permanent member of the UN Security Council that would intervene in favor of one of the former warring parties in the case of a new conflict \textit{[P5ALLY 2004-2012=n.r.]}. In sum, the post-war military balance shifted to the advantage of the former rebels \textit{[POSTBAL 2004= -0.25, POSTBAL 2005-2009=0, POSTBAL 2010-2012=0.75]}. The same holds for the overall balance that combines the situation at the end of the war and post-war development \textit{[BALANCE 2004= -0.21, BALANCE 2005-2009= -0.09, BALANCE=0.29]}.\textbf{Economy}

Burundi’s economy remains at a very low level and mainly depends on agriculture.\textsuperscript{16} Nevertheless, one can see general improvement and high relative growth rate in the low absolute numbers.

\begin{table}[h]
\centering
\begin{tabular}{|c|c|c|}
\hline
Year & Population (total) & GDP per capita \\
\hline
2004 & 7510771 & 122 \\
2005 & 7770392 & 144 \\
2006 & 8042579 & 158 \\
2007 & 8328312 & 163 \\
2008 & 8624280 & 187 \\
2009 & 8926687 & 195 \\
2010 & 9232753 & 220 \\
2011 & 9540362 & 247 \\
2012 & 9849569 & 251 \\
\hline
\end{tabular}
\caption{GDP per capita in current USD\textsuperscript{17}}
\end{table}

\textbf{The scale of compromise after the war}

The conflict with the CNDD-FDD was not based on a dispute over territory. The basic aims revolved around the re-establishment of institutions in accordance with the democratic

\footnotesize
\begin{itemize}
\end{itemize}
elections of 1993 and the establishment of an army without Tutsi hegemony (Falch/Becker 2008: 8f.; Nindorera 2012: 15f.). Thus, particularly in the beginning, the conflict was the result of opposing demands from various ethnic and political groups. As the conflict evolved, army reform was still one of the main goals, but seizing state power also came into perspective. The whole state of Burundi must therefore be considered disputed territory (Nindorera 2012: 20).

In 2004, Domitien Ndayizeye, a Hutu from the FRODEBU party, presided over the transitional government, the inauguration of which was heavily influenced by regional pressures. As such, neither side formed the government in this transitional period [GOVERN 2004=d.e.].

Burundi’s 2005 constitution prescribes power-sharing between ethnic groups. The president and the vice-presidents must “belong to different ethnic groups and political parties” (art. 124). The government “includes at most 60% of Hutu Ministers and Vice-Ministers and at most 40% of Tutsi Ministers and Vice-Ministers.” Political parties that win more than 5% in parliamentary elections may take part in the government (art. 129).

Moreover, the constitution establishes a number of veto mechanisms for the ethnic groups. The National Assembly must be composed of 60% Hutu representatives and 40% Tutsi representatives. The adoption of laws requires a two-thirds majority in the National Assembly (art. 175) and constitutional amendments even require a four-fifths majority in the National Assembly (art. 300). Consequently, such decisions have to be supported both by Hutu and Tutsi representatives.

The constitution demands that the political parties “must be opened to all Burundians, and their national character must also be reflected at the level of their leadership” (art. 78). In other words, mono-ethnic parties are not allowed. As a consequence, the constitution prevents any one ethnic group from ruling alone. It does not, however, impede the dominance of a single political party with Hutu and Tutsi members.

In the democratic elections for the National Assembly, the CNDD-FDD won 59% of the votes and formed a government with the FRODEBU (22%) and the UPRONA\(^\text{18}\) (7%) parties, among others; the first was overrepresented while the latter two were underrepresented in the government (Palmans/Ansoms 2005). In the second parliamentary elections after the war, the CNDD-FDD received more than 81% of the votes, while UPRONA won 11% and a splinter

\(^{18}\) Union for National Progress, the main Tutsi affiliated party, from which Pierre Buyoya originated and which generally held important positions in the government; it was in power in the first half of the transitional government.
of the FRODEBU received around 6%. Other parties boycotted the polls (Vandeginste 2010). The CNDD-FDD, the UPRONA and the FRODEBU splinter ended up forming a government. There was no formal opposition during this period. Though provisions for power-sharing between the ethnic groups remained in force, political power was increasingly concentrated in the CNDD-FDD. Stef Vandeginste (2010) saw “little or no room for political pluralism within Burundi’s political institutions” and described “a situation of increased hegemonic (be it electoral) authoritarianism”. In accordance with other authors (BTI 2014: 29-33; ICG 2011: 10) Vandeginste states that “the political dominance of the CNDD-FDD left little room for its coalition partners” (Vandeginste 2012).

In order to reflect these trends, we assess the government from 2005 until 2009 as including both former warring parties.\(^9\) For the period between 2010 and 2012, our coding decisions consider the dominance of the CNDD-FDD \([\text{GOVERN 2005-2009}=0, \text{GOVERN 2010-2012}=1; \text{VETO 2004}=\text{n.r.}, \text{VETO 2005-2009}=0, \text{VETO 2010-2012}=1]\).

All political parties saw the ethnic quotas as a ‘necessary evil’ and were generally equally discontented with the system (BTI 2014: 33; Reyntjens 2006: 127). After 2010, the veto mechanisms were undermined by the dominance of the CNDD-FDD \([\text{VETOSAT 2005-2009}=0, \text{VETOSAT 2010-2012}=\text{n.r.}]\).

According to Freedom House\(^{20}\), the 2005 and 2010 elections can be considered as ‘basically free and fair’. Opposition parties boycotted the 2010 elections, claiming fraud and harassment, though this assessment was not shared by international observers \([\text{ELECT 2004-2012}=0]\).\(^{21}\)

Territorial issues, such as the secession of a specific territory or a change in borders within the country, were not related to the conflict, nor was the distribution of competences among political levels. Moreover, economic reforms were also not sought \([\text{EXBORDER 2004-2012}=\text{n.r.}; \text{INBORDER 2004-2012}=\text{n.r.}; \text{COMPETEN 2004-2012}=\text{n.r.}; \text{ECONOMY 2004-2012}=\text{n.r.}]\).

The basic goals formulated by the CNDD-FDD were the restoration of the democratic system from 1993 and the establishment of an army that would guarantee the security of the national institutions (Falch/Becker 2008: 8f; Nindorera 2012: 15). Tutsi parties demanded that Tutsi representatives in the quota system must stem from one of the Tutsi affiliated parties (BTI 2006: 4; Lemarchand 2006: 14; Reyntjens 2006: 127). Nevertheless, since the resulting

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19 Also see Boshoff/Ellermann 2010: 3; Falch/Becker 2008; ICG 2006: 9.
compromises are already accounted for in questions concerning participation in the government as well as the veto rights, we do not assess these compromises in order to avoid double counting [SPECPRO 2004-2012=n.r.].

A major issue for the CNDD-FDD was the military reform (ICG 2002: 2). Due to international pressure and the assessment that they would not win on the battlefield, the government and the armed forces agreed to a military reform that resulted in an even distribution of Tutsi and Hutu in the newly formed armed forces (Nindorera 2012: 23; Reyntjens 2006: 119f.). As this issue has also been accounted for in the assessment of participation in the state forces, we will not code it again [ISSUE 2004-2012=n.r.; ISSUE2 2004-2012=n.r.].

The same holds true for the central issue which emerged after the elections in 2010. All of the opposition parties (except one) rejected the results of the municipal elections, claiming that there was fraud on the part of the CNDD-FDD. A few weeks later, all of the opposition parties would boycott the presidential elections, with the result that only the CNDD-FDD candidate Pierre Nkurunziza participated in the competition. There was massive use of violence in the aftermath of the elections. This important aspect of the post-war situation was likewise accounted for earlier [NEWCON 2004-2012=n.r.; NEWCON2 2004-2012=n.r.].

We did not identify any implemented compromises on specified issues in the post-war years [BENEFIT 2004-2012=n.r.; BENEFIT2 2004-2012=n.r.].

In regards to compromises, a very balanced situation can be identified in the first years that followed, with a clear advantage for the CNDD after the 2010 elections [COMPROM 2004-2009=0, COMPROM 2010-2012=0.67].

**Stability of peace**

According to the UCDP, there were no new or renewed wars in Burundi until the end of 2012. Fighting with the PALIPEHUTU-FNL continued until 2008. Some splintered rebel groups still existed and there had been some attacks in the preceding years [SAMEWAR=0; DATESAME=n.r.; PEACMON1=102; ANYWAR=0; DATEANY=n.r.; PEACMON2=102].

References


Annex 1: Troop strength development (IISS 2004-2005)

<table>
<thead>
<tr>
<th>Year</th>
<th>Government</th>
<th>Rebels</th>
<th>Ratio</th>
</tr>
</thead>
<tbody>
<tr>
<td>2003</td>
<td>50500</td>
<td>16000</td>
<td>3.16</td>
</tr>
<tr>
<td>2004</td>
<td>50500</td>
<td>20000</td>
<td>2.53</td>
</tr>
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</table>