

Seminar Report

Keeping Post-Conflict Peace-building on Track: The Role of Security Sector Development in the Case of Burundi

Conflict Research Unit, Clingendael Institute, The Netherlands
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Rapporteurs: Maria Derks, Niki Frencken and Sylvie More

Opening:

Prof. Dr. Jaap de Zwaan

Director, Clingendael Institute

In his words of welcome, Prof. Dr. Jaap de Zwaan underlined that the meeting aimed to provide a platform to explore in greater depth the role and challenges of Security Sector Development (SSD) in consolidating peace and security in Burundi and how the progress achieved thus far could be maintained. He acknowledged the presence of an informed audience including senior representatives of the Burundian and Dutch Governments, members of the Burundian Diaspora, Dutch parliamentarians, researchers and representatives of non-governmental organisations (NGOs) active in Burundi.

H.E. Bert Koenders

Minister for Development Cooperation, The Netherlands

His Excellency Bert Koenders began by referring to the political dialogue between the Governments of Burundi and the Netherlands and the commitment of The Netherlands to assisting the peace-building process in Burundi. Mr. Koenders' used the words of a Burundian farmer taken from Professor Peter Uvin's book¹ which in his eyes illustrate the great responsibility held by political leaders: "The light comes from the capital and shines all over the country." In Mr. Koenders' opinion, a light has indeed been shining from Bujumbura in recent years. He applauded the country's achievements since the end of hostilities: security has improved considerably, hundreds of thousands of refugees have returned, the FNL and other parties had been registered and the death penalty has been abolished. In order to build on this and ensure a peaceful future, the Burundian government must facilitate free, fair and peaceful elections. The work undertaken by Clingendael's Conflict Research Unit indicates three things are generally essential for this: political dialogue and power-sharing arrangements in the short term, and political reforms in the longer term. Mr. Koenders acknowledged Burundi's complex history and the progress made thus far but also shared concerns about reports of intimidation on the part of youth militias allied to political parties, the disruption of party meetings, politically-motivated arrests and the restriction of NGOs' freedoms. The Minister underlined that a strong United Nations (UN) presence will be crucial on the eve of the elections and emphasised the need for continued cooperation by the Burundian Government with the UN.

¹ Peter Uvin, *Life After Violence; A People's Story of Burundi*, Zed Books, London, March 2009.

Mr. Koenders praised the Burundian Government's courage in engaging in a cooperative partnership in 2009 with the Dutch army and police and paid tribute to the fact that this courage has been rewarded with a rise in confidence in the police and an increasing number of Burundians feeling safer. At a practical level, police officers have received motorcycle riding tuition, barracks have been renovated, the police have been issued with radio-equipped cars and soldiers have received human rights training. The Dutch Government wishes to help on a more strategic level in the years to come. The Minister made reference to four main priorities of the *Baseline Study of the Burundian Security Sector* presented on 3 January 2010: greater clarity on the roles and responsibilities of the police and army; a stronger focus on corruption and human rights violations; improving internal oversight; and strengthening political leadership in order to move the change process into the next phase. He referred also to a recent report by the UN which highlighted the importance of transparency, ethics and democratic controls in the security apparatus. His Excellency ended his address by expressing his hope that the political leaders in Bujumbura will shine a clear light all across the country in the coming months and that the Dutch stand ready to assist in such a challenging and difficult process.

H.E. Germain Niyoyankana

Minister of Defence and Former Combatants, Burundi

His Excellency Germain Niyoyankana opened his speech by acknowledging that the support of the international community had been critical for the implementation of the peace agreement in his country and by expressing his particular gratitude to the Dutch Government for their support. After briefly describing the historical process and referring to the fact that there still remain a large number of weapons in the hands of civilians as well as cases of indiscipline within the ranks of the defence and security forces, Mr. Niyoyankana noted that Burundi is preparing for elections at a time when difficulties still remain. He spoke of six such difficulties. Firstly, the nervousness of politicians and mutual accusations are easily perceptible; these tensions undoubtedly have an effect on the defence and security forces given the role they have played in the past. The Minister underlined that political leaders are highly vigilant towards this.

Secondly, Burundi remains in a deplorable economic situation and the population lives in indescribable poverty. The demobilization of 33.000 people – the majority of whom are male, between 20-35 years of age and have not been suitably prepared for reinsertion into civilian life – has swelled the ranks of the unemployed. These men are easily manipulated and remobilised; this risks jeopardising the peace-building efforts made thus far. Thirdly, the return of a large number of refugees has led to tensions and confrontations due to the occupation of land. The national commission that was created to deal with competing land claims is struggling to find solutions. Fourthly, Burundi is situated in a very unstable regional environment riddled with trans-border disturbances. Mr. Niyoyankana was pleased to announce however that dialogue has been restored and that bilateral and sub-regional relations have improved.

A fifth difficulty which became apparent during the establishment of the new defence and security forces was the large disparity in the technical expertise and ability of the personnel. Training aimed at harmonizing the expertise and ability is ongoing. The training also includes a normative aspect: military and policing ethics, human rights and gender equality. A sixth difficulty is the vast undertaking that SSR represents given the difficult economic context as resources are severely lacking. However the commitment to professionalising the country's defence and security forces is total and this will lead to a defence review process and the continuation of the right-sizing of these forces. Finally Mr. Niyoyankana affirmed that the Burundian Government is ready to secure the elections and to ensure the neutrality of the defence and security forces. He noted however that this determination alone will not be sufficient as the degree of mobility of these forces risks posing a

problem due to a lack of means. His Excellency ended his speech by stressing that although there are security concerns, the situation is not alarming, and by emphasising the commitment of the authorities to guaranteeing free and fair elections; a commitment which will undoubtedly require support from Burundi's partners.

Presentations:

Joke Brandt

Director General for International Cooperation, The Netherlands

Ms. Joke Brandt underlined in her presentation that the Netherlands aims to help Burundi consolidate peace by responding to their need for a more professional and democratically controlled security sector which enhances the security of the Burundian population. The Dutch approach is based upon the premise that security, stability and development are intricately linked. After briefly describing the history of Burundian-Dutch cooperation in the area of security, Ms. Brandt explained that the substantial changes in the Burundian context since 2005 had called for a new approach. The Netherlands are now taking an integrated approach which means that the Ministries of Defence, Interior, Foreign Affairs and Development Cooperation are all working together. The new approach also means a shift from an ad hoc to a more strategic approach which Ms. Brandt characterised by a number of factors. Firstly, a Memorandum of Understanding has been signed for a period of eight years as capacity-building of the police and army requires far-reaching changes and is time-consuming. Secondly, a more strategic approach entails replacing isolated projects and a blue-print approach with an 'evolutionary approach'. The latter includes the flexibility to allow for ongoing adjustments in light of the changing Burundian context and also the ability to adapt activities to a longer term vision and to programmes that Burundi has developed itself. The *Baseline Study of the Burundian Security Sector* is key here and highlights the need for increased coherence between activities, which is in fact the third goal of this more strategic approach. Democratic control of the security sector should be further connected to police and army activities. Democratic oversight includes the role of parliament, safe-guards to ensure that defence and security forces keep to their mandates, and respect for the principles of the rule of law.

Fourthly, the SSD programme is centred upon a genuine partnership, yet it is crucial that the ownership of the process lies in Burundian hands. A structure has been set up which puts an emphasis on Burundian leadership. Fifthly, the programme is based upon the premise that Burundians need a security sector that provides security and safety; there is no hidden Dutch agenda and the Netherlands is thus keen to work with other Governments just as they do with Belgium on the Police Professionalisation programme. Finally, the success of the SSD programme depends on the level of political support and leadership. This is why an ongoing political dialogue, such as that which has taken place between the two Governments over the last few days, is so important.

Jonathan Sandy

Senior Advisor, ISSAT, Geneva Centre for the Democratic Control of Armed Forces

Mr. Jonathan Sandy drew from his experience as a practitioner involved in SSD processes in Sierra Leone and Guyana. His presentation focussed on several issues, namely the importance of identifying national interests, aligning these with a long term political vision, strategic planning, policy development and democratic control. Mr. Sandy initially emphasised that SSD is not solely about defence reform but also about how to empower ministers to take the right decisions when managing instruments of national power. Strategic planning is key to this. According to Mr. Sandy it

is important to ensure that the desired end-state (such as improved human security or reduced poverty) is kept in mind when planning, rather than merely reacting to effects. It is also important to involve a variety of ministries in the strategic planning process in order to mitigate threats, such as the massive return of refugees to Burundi as mentioned by H.E. Germain Niyoyankana. SSD can be used as a process to enable the Government to define national security interests and core values based on identified threats to the country and its people. The process of identifying security threats can be lengthy. In Sierra Leone this took two years as it involved wide-ranging dialogue, consultations and consensus-building with local populations. This was necessary in order to align national needs with long-term political vision.

Mr. Sandy referred to the fact that in post-conflict contexts it is common that there is a lack of clarity or understanding of the roles and responsibilities of different actors within the security sector and how important it is to define these in an SSD process. He underlined that it can be useful to build relationships between traditional, non-state actors, such as civil society, and formal state security services because the nature of threats often shift after a conflict. Priorities may well shift from a focus on defence to issues such as transnational organised crime or gender violence for example. All this must be taken into consideration when developing legal policies and strategies.

Mr. Sandy underlined the need to align the defence and security budgets with the overall national budgetary process and the challenges that post-conflict countries can face in this domain given that spending, because heavily focussed on defence during a conflict, is often opaque. The development of a national security action plan can be useful in terms of sequencing and costing the required budget. In order to illustrate the importance of civilian democratic control, Mr. Sandy explained the crucial role the Parliament played in Sierra Leone by enacting the National Security and Intelligence Act which provides the basis of the SSD process undertaken today. Mr. Sandy ended his presentation by emphasising the value of creating management structures for national security decision-making and of building trust and confidence between partners in order to foster sustainability.

Colonel Isaïe Nibizi

Principal Advisor on Defence and Security to the 1st Vice-President of Burundi

Colonel Isaïe Nibizi focussed his presentation on Burundi's security and defence forces: the national police force and the army. He began by describing the strengths and weaknesses of these forces. Amongst the strengths, he cited (i) the fact that these forces are now representative of the population – a huge step forward, (ii) commitment from the highest levels of the country's leadership to see the reform through, (iii) political actors who respect the neutrality of the security and defence forces, despite certain problems that occur from time to time, and (iv) genuine support from the Burundian population for the reform. As regards weaknesses, he cited capacities and training and explained that the current defence and security forces are still very young, having only been established in 2005. He also cited poor management of human, financial and logistical resources as a weakness, as well as a lack of equipment.

Colonel Nibizi also highlighted several factors which illustrate the progress that has been achieved. Firstly, there has been harmonious integration of opposing elements into the defence and security forces; secondly, a legal framework respectful of the Constitution is being established albeit with considerable delays; thirdly, all members of the security and defence forces are being trained in international humanitarian law; fourthly, internal and external communication is improving; fifthly, new units are being created within the police for civil protection for example; sixthly, Burundian troops are participating in peacekeeping operations abroad; and finally, the civil disarmament programme, which took a while to start up, is registering its first results: approximately 80 000 arms have been collected this year.

Colonel Nibizi presented Burundi's priorities in terms of SSD. In the short-term the priorities are to secure the elections, pursue the civilian disarmament process, continue training on the neutrality of the defence and security forces and improve the legal framework. The medium-term priorities are training, right-sizing the forces given that they are currently too large for the country's means, improving the planning and management of resources and providing equipment (notably equipment that is suitable for the police's mandate).

Finally Colonel Nibizi highlighted some of the challenges that Burundi is encountering, namely: (i) a lack of means, (ii) high levels of corruption, (iii) the unsatisfactory reintegration of demobilised former combatants, and (iv) high levels of criminality in which members of the security and defence forces are sometimes involved. He explained that efforts are being undertaken to tackle the issue of corruption such as the recent establishment of an Anti-Corruption Court and a special unit. Colonel Nibizi ended his presentation by expressing his confidence that with the support of its partners, Burundi would achieve its aim of having security and defence forces which work for the benefit of, and are accountable to, the population.

Panel and Discussion

Eveline Rooijmans

Policy Advisor, Oxfam Novib

In response to the presentations, Ms. Eveline Rooijmans congratulated the Government of Burundi on the results achieved in recent years notably as regards integration and the fact that the army is now a stabilizing factor. However she pointed out that challenges remain and that the population is critical of the security forces. According to Ms. Rooijmans the concept of human security – including gender – is missing from the SSD debate in Burundi; it should be at the heart of the discussion. She stressed the importance of increasing the dialogue with civil society and the population and remarked that there is a need to go beyond communication. The needs of women should be taken into account given that their security has not improved and that domestic violence remains a considerable problem. The proliferation of small arms and light weapons should be addressed and the voluntary civil disarmament campaign extended. Finally, impunity is one of the main concerns of the Burundian population and thus there should be a greater link between SSD and the justice sector, notably in the areas of sexual violence and political violence which is on the increase in the run-up to the elections.

Sylvie More

Research Fellow, Conflict Research Unit, Clingendael Institute

In response to the presentations, Ms. Sylvie More praised the recognition of the need to prioritise given the enormous needs in the security sector. She confirmed that following the interviews conducted for the *Baseline Study* that the areas of intervention identified for the first two years of the SSD programme met several urgent needs and expectations of Burundians as regards their security, however pointed out that several aspects are not dealt with or need to be reinforced by activities taking a different approach (reinforcing internal control as well as training on ethics for example). Ms. More specifically referred to the need to pay more attention to the governance of the security sector. She highlighted that there are two ways of doing so. The first is to work on internal control of the security and defence forces to ensure that existing disciplinary and punitive mechanisms are operational and that capacity of oversight bodies is strengthened. The second is to work on external oversight by focusing on parliament, civil society and the media. Although certain NGOs and journalists undertake valuable work in this area, there is a substantial need to strengthen their capacity, and also to develop the expertise of parliamentarians in the area of security and defence.

Questions from the audience and discussion

Mr. Klaas de Jonge of Impunity Watch raised the issue of impunity and asked why there is no vetting process within the police and army. He also asked whether the current ethnic balance within the security and defence forces will be maintained or whether future Governments will have the power to change this. Colonel Nibizi replied that the ethnic balance is enshrined in the constitution; yet the clause says that the balance will be maintained 'for as long as will be necessary'. The decision as to how long the balance must be maintained resides with the Senate. Colonel Nibizi explained that the security and defence forces were for a long time perceived as mono-ethnic. However their ethnic composition does not pose as much of a problem today and although the balance is still respected it will probably not be necessary to keep the clause in the constitution forever.

Ms. Janouk Bélanger from RCN Justice et Démocratie drew attention to the need, during the reform of the army, to pay attention to supporting the military justice system and to involving the army in development activities to help rebuild the country and which arm them with technical expertise.

Mr. Stéphane Doppagne of the Belgian Ministry of Foreign Affairs highlighted the importance of dealing with the large number of weapons in circulation given the high levels of armed violence and asked what the Burundian Government plans to do in the future to disarm the civilian population. Colonel Nibizi admitted that disarmament of the population is not an easy task and that despite some progress they realise that the process will still take a number of years. The legal framework on the possession of weapons has been updated but there is a need to ensure that it is implemented. A National Action Plan has been developed inspired by best practice. H.E. Germain Niyoyankana emphasised that given that the period of voluntary disarmament has now ended, disciplinary measures will be applied for illegal possession of weapons in accordance with the law.

Mr. Doppagne also made an appeal to place more emphasis on justice in the SSD process and indicated the need for the blockages in the justice sector to be overcome.

Mr. Severin Minani of Burundian Women for Peace and Development stressed the importance of improving communication with the population on the SSD process and that citizens should be trained on Human Rights and peaceful conflict resolution in order to complement the training of the defence and security forces. Mr. Minani also added the upcoming elections are not only creating nervousness amongst politicians but also within the defence and security forces.

Mr. Sandy was asked by the Burundian delegation to provide insight into how Sierra Leone dealt with the reintegration of ex-combatants into civilian life and the challenges inherent in this. Mr. Sandy referred to the value of adult literacy programmes as preparation for a return into civilian life. Furthermore in Sierra Leone a multi-donor trust fund was established to provide micro-loans. Alongside this it was important to encourage a business approach and the creation of agricultural business units given that Sierra Leone, like Burundi, is a predominantly agricultural country. In Sierra Leone many ex-fighters went into private security companies and regulating this sector was therefore an important component of the National Security Strategy. A social pension scheme was also created.