

## **Burundi: Critical challenges to the peace process**

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### Introduction

Three years after the signing of the Arusha Accord, the peace process in Burundi remains deadlocked. The much anticipated summit of the 15-16 September 2003 has ended without success. The impasse remains centred around a number of issues of a political and security nature. This latest summit was the 22<sup>nd</sup> attempt by Heads of State to find a solution to the protracted conflict in Burundi. What factors are responsible for the current deadlock between the Transitional Government of Burundi (TGoB) and the Conseil National pour la Défense de la Démocratie- Forces pour la Défense de la Démocratie (CNDD-FDD) of Pierre Nkurunziza? Reflection on the previous rounds of negotiations is needed to understand this. In this update on the peace process in Burundi, the July 2003 Dar es Salaam talks and the Sun City talks of August 2003 are discussed, with a view to explaining the current stalemate.

The December 2002 Cease-fire Agreement between the TGoB and the CNDD-FDD made provision for a mediation initiative that was intended to lead to the conclusion of a detailed cease-fire agreement and the resolution of a number of key political and military issues. Both parties agreed that before the end of December 2002, the date on which the cease-fire was to have come into force, these issues would have been agreed upon. In mid-December 2002 the two warring parties were invited to Pretoria for consultations with a view to concluding the negotiations. However, the CNDD-FDD refused to go to Pretoria, arguing that it was not possible to change the venue for negotiations which, up until then, had been held in Tanzania.

At the end of December 2002, however, the truce was broken, and reports came in of heavy fighting throughout the country between the Burundian Armed Forces (FAB) and the CNDD-FDD. As a result, the constructive momentum created during the December negotiations, which for the first time included provision for humanitarian assistance to rebel forces, was lost. Since then, negotiations have taken place against a background of continuing hostilities. At the end of January 2003, Pierre Nkurunziza eventually went to Pretoria following regional and other international pressure. There he signed a memorandum of understanding with President Buyoya intended to take the process further. Negotiations between the technical teams in Dar es Salaam resumed in February 2003. These were marred, however, by the

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protagonists cleaving to fundamentally conflicting positions. For its part the CNDD-FDD, persisted in its refusal to recognise the validity of the Arusha Accord. The TGoB, on the other hand, insisted that it was unnecessary to re-negotiate any of the political issues already addressed in the Arusha Accord.

#### Build-up to the Dar es Salaam talks of 16 to 20 July 2003

Given this deadlock, Uganda's Yoweri Museveni, in his capacity as President of the Regional Initiative on Burundi, convened a mini-summit on 1 March 2003 in Dar es Salaam. His aim was to bring the belligerents together to achieve a conclusion of the December negotiations. This process, however, was frustrated by the CNDD-FDD, which remained inflexible in its demands. Consequently, on two subsequent occasions, in March and in April 2003, the CNDD-FDD was invited to Kampala to clarify its objectives, with a view to overcoming the deadlock. It was then decided that a team of experts from three of the countries participating in the Regional Initiative on Burundi (Tanzania, South Africa and Uganda) would be established to analyse the various political and technical military problems. The CNDD-FDD submitted its proposals on both political and military posts during March 2003, and added to these at the next meeting, in June 2003.

On 8 May 2003 another summit was announced in the hope of reaching a final political and military settlement. During Burundian President Domitien Ndayizeye's visit to Uganda on 7 May 2003, Museveni had asked the TGoB to submit its reactions to the CNDD-FDD proposals so that the team of experts could attempt to reconcile the two parties' diametrically opposed positions. The TGoB refused to comply with this request, and instead used delaying tactics to avoid any debate about the existing political balance. It confined itself to discussing only the integration of the CNDD-FDD into state institutions, insisting on respect for the "spirit" of the Arusha agreement. The government wanted to hold a final summit to compel the CNDD-FDD unconditionally to accept integration into the existing transitional institutions.

At the beginning of July 2003, even as President Ndayizeye was seeking support in Europe for the TGoB's strategy, the (acron)FNL-Palipehutu attacked the capital, Bujumbura. These attacks, which lasted for ten days, came as a severe shock to the region and the international community. Museveni, as President of the Regional Initiative, had to respond swiftly to safeguard his status as "regional peacemaker", announcing two weeks later that a regional military solution was envisaged *vis-à-vis* the FNL-Palipehutu. On the same day, the mediator, South African Deputy President Jacob Zuma, began a tour of the region to hold discussions with the presidents of Uganda, Rwanda and Burundi.

#### *Conflicting regional positions*

To a large extent the incompatible negotiating positions adopted by the two protagonists reflected competing regional agendas. For their part, Uganda and Tanzania favoured deploying a regional force against the FNL, and compelling the CNDD-FDD and TGoB into serious negotiations. The second position, backed by Kigali, Bujumbura, Pretoria, and the United Nations' and African Union (AU) representatives in Burundi, sought to enforce unilateral cantonment upon the rebel fighters; to oblige the CNDD-FDD unconditionally to accept institutional power-sharing; to impose sanctions upon and isolate the FNL and, lastly, to reinforce the mandate of the African Mission in order to support the transitional institutions. These parties therefore wanted a summit that would unite all their heads of state to counterbalance the Tanzanian and Ugandan positions.

In the event, the long-awaited summit became, instead, a 'working summit' aimed at establishing the agenda for the suspended negotiations between the two parties. This was followed by three weeks of bilateral consultations, in which the expert team met separately with each of the belligerents, concluding with a final summit meeting. This option was welcomed by the CNDD-FDD, which for seven months had been calling for the finalisation of negotiations.

The African Union summit took place earlier on in the same month in Maputo against the backdrop of President George Bush's visit to Africa. Immediately after its official opening, heads of state Yoweri Museveni, Thabo Mbeki and Olusegun Obasanjo left to receive the American President in their respective countries. As expected, the AU summit ended without any resolution on Burundi; indeed, the matter was not even on the agenda despite an attempt by the Rwandan and Burundian delegations to raise the issue in order to rally African heads of state behind the transitional government. As this omission the result of regional agendas or simply a lack of interest in Burundi on the part of the AU heads of state?

In fact, the UN and AU ambassadors to Burundi, Dinka and Bah, had expected a great deal from the AU summit and had hoped to strengthen their mission by obtaining a clear condemnation of rebel activity, which they considered responsible for the deadlock. A cessation of hostilities was crucial in order to strengthen the UN and AU's authority since the present mandate does not empower them to stop the fighting, nor could they make their presence felt in the process.<sup>2</sup> It was therefore imperative that the rebels integrate into the existing transitional institutions as soon as possible. However, by openly supporting the Burundian government's stance, they further contributed to the rebels' perception that both organisations lack the necessary neutrality, a perception which endangers their credibility.

During Deputy President Zuma's visit to Uganda, President Museveni had informed him of his wish to send a regional force, principally Tanzanian, to balance and strengthen the African Mission in Burundi (AMIB). He believed this would reassure Nkurunziza's CNDD-FDD, which regarded the South Africans as pro-Tutsi and or pro-TGoB. Zuma was opposed to Museveni's proposal, however, and left for Kigali, where he spent two days in meetings. Rwanda seized this opportunity to propose to him that Rwanda should participate in the forthcoming summit, arguing that he, as much as Tanzania, could exert influence on the CNDD-FDD.

In Kigali, Jacob Zuma organised a meeting with Ambassador Dinka with a view to alerting the UN to the potential dangers of a regional intervention. His next stop was Bujumbura, where he persuaded Domitien Ndayizeye to turn down the offer of regional troops, and instead to incline towards strengthening AMIB's mandate. Zuma also told the BBC that negotiations with Nkurunziza had ended, that he had no excuse not to rejoin the process, and that measures would have to be taken against the CNDD-FDD during the summit. The Tanzanian and Ugandan experts, for their part, drafted a series of documents responding only to the Nkurunziza's proposals, since the Burundian government had failed to respond to requests for input. The intention was to submit documents during the consultative summit to provide the technical, political and military teams with a basis for negotiation.

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<sup>2</sup> The two ambassadors are key players in both the implementations and the monitoring of the political and ceasefire agreements in Burundi.

### The regional consultative summit in Dar es Salaam, 20 July 2003

The Dar es Salaam summit opened on Sunday 20 July in an atmosphere of serious tension between the Burundian Government delegation and the South African mediation team on the one hand, and the Tanzanian and Ugandan facilitation team on the other. During Museveni's meeting with President Ndayizeye on the eve of the summit, he announced that Tanzanian troops would be deployed to protect members of Nkurunziza's CNDD-FDD because the South African forces within AMIB were seen as being pro-Tutsi and pro-government. He maintained that it was necessary to maintain a balance and said he had received a promise of financial support from President George Bush for the restoration of peace in Burundi.<sup>3</sup> He added that there was no sense in holding political and military negotiations as long as there was no end to the fighting. Since the government and the rebels were incapable of stopping the conflict, he proposed that peace should be imposed by force.

As the morning of the 20<sup>th</sup> wore on, the atmosphere at the summit deteriorated further. Eager for support, the Burundian government delegation revealed the import of Museveni's plans. South Africa was concerned by what it saw as Uganda's and Tanzania's attempts to obstruct any progress at the summit. However, the Burundian government delegation had yet to articulate a reasoned position.

The meeting between the CNDD-FDD delegation and the heads of state lasted for five hours. The CNDD-FDD defended its position and listened to the proposals of President Museveni, although he did not reveal his entire plan. The plenary session opened only at 3.30 in the afternoon, and had been expected to last only an hour to allow for the adoption of a final text prepared by the presidents. The meeting lasted much longer, however, until eventually at 5 o'clock President Museveni announced that he was leaving for the airport, and handed over the chair to President Mkapa. The final communiqué was expected to be released the following day. Was Museveni's sudden departure arranged so that he could avoid being questioned on the issue of an imminent regional deployment?

At 6 o'clock the Burundian negotiator Ambroise Niyonsaba was called into the plenary, which continued for another three hours. During the closing plenary session, a communiqué was released on the following matters:

- *Power sharing.* The Regional Initiative prevailed upon the TGoB to finalise the power-sharing arrangements aimed at involving the CNDD-FDD in the transitional government institutions;
- *Forces Technical Agreement (ATF).* The parties were urged to complete the outstanding issues in the ATF discussions so as to speed up the implementation of the cease-fire agreement. The Regional Initiative entrusted the task of finalising this to the belligerents, with a final document being presented to the summit planned for 14 September 2003;
- *Temporary immunity.* A Memorandum of Understanding (MoU) was to be signed by the TGoB and the CNDD-FDD giving temporary immunity to the latter and allowing it to participate in the Joint Cease-fire Commission. The regional leaders would also sign the MoU as guarantors of this immunity.

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<sup>3</sup> Interview with a member of the TGoB in Dar es Salam, July 2003.

- *Joint Cease-fire Commission (JCC)*. It was agreed that the CNDD-FDD, together with the African Mission (AMIB), would be responsible for the security of the CNDD-FDD's representatives on the JCC. The CNDD-FDD agreed to join the JCC immediately.
- *Recent attacks on Bujumbura*. The Regional Initiative condemned the recent attacks by the Rawasa's Palipehutu/FNL on Bujumbura and urged this group to participate in the Burundi peace process instead of resorting to violence.
- *The African Mission in Burundi (AMIB)*. The Regional Initiative called for the complete deployment of AMIB as soon as possible.<sup>4</sup>

#### The Dar es Salaam follow-up sessions

Though the Burundian government appeared to have warded off the threat of regional military intervention, at least for the present, its negotiators were persuaded by the Ugandans into staying on in Dar es Salaam to work on the technical details of the issues identified in the communiqué of the 20<sup>th</sup> July 2003.

In the week of talks that followed the summit, the government was willing to offer only deputy command posts, arguing that the rebels were untrained and had yet to achieve the academic qualifications required. In the meantime the government wanted integration to continue and to achieve a 50:50 level between Hutu and Tutsi within four years. As regards the deputy posts, of the 100 posts on offer to the Hutu, the government wanted to give about 40 to Nkurunziza's CNDD-FDD, 20 to the other armed movements and 40 to the Hutu already in the army. Bujumbura's reasoning was that the Hutu already had been integrated in the security forces in accordance with the spirit of Arusha. The government still failed to supply the statistics on which its view was based, despite requests from the mediation team.

The government suggested that the balance of power between the President and Deputy President should not be upset, in order to remain within the spirit of the Arusha Accord. Bujumbura was willing to offer CNDD-FDD two ministerial posts in view of the fact that there would be about 22 parties for 26 ministries. It proposed four parliamentary seats and one seat in the Senate. As for commissions, the government was prepared to integrate the CNDD-FDD in the same proportion as the other parties, and the same would hold for future commissions. In the case of governor's posts, the government was prepared to relinquish one, considering that reorganisation had already taken place and that, for reasons of administrative stability, calling everything into question was a delicate matter. This was also the case with ambassadorial posts: new ambassadors had just been nominated and, given the expense and concomitant problems, the government offered only one post to the CNDD-FDD.

Politically these proposals represented the minimum offer; the government naturally expected to relinquish three more ministries in the course of negotiations. Eager to complete the integration of the CNDD-FDD as soon as possible, President Ndayizeye set a target of three weeks, and ordered his negotiators to remain in Dar es Salaam until such an agreement had been concluded. He was particularly eager to achieve a settlement on this basis with Nkurunziza so that he could turn his attention to dealing with the military threat of the FNL. President Ndayizeye was even prepared to give as much as 50% of the army to the CNDD-FDD, being aware that this would force the encampment of all its fighters, who would then lose their hold

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over the population and open the political field to a counter-attack by his FRODEBU party.

The CNDD-FDD's military proposal claimed that the organisation had more than 38 000 men under arms, though Nkurunziza was unwilling to provide further details. The mediation team was not taken in by this figure and the general conclusion was that the CNDD-FDD probably had some 10 000 combatants.

The division subsequently suggested was: 50% to Nkurunziza's CNDD-FDD; 40% to the FAB, and 10% to the other groups. The Gendarmerie was also to be abolished and its numbers reduced to 20 000. These military proposals were more reasonable allowed negotiations to make progress, always providing that the FAB decided not to upset things. As far as implementation was concerned, President Ndayizeye refused to accept the FAB's assertion that this should take four years and supported the CNDD's view that this could be carried out immediately.

As regards political integration, the CNDD-FDD asked for the creation of two new ministries, Domestic Security and Supervision of Local Administration. On the subject of governorships, it demanded several posts and designated certain districts. It also wanted the question of banks and parastatals to be included in the division of posts. It asked for a second deputy presidency and presidency of the National Assembly, and wanted an extension of the transitional period. This posed a problem for the mediation team, which tried to find a compromise by creating a post for a prime minister, based on the Tanzanian model: a "super minister" who would take responsibility for the coordination of the joint political programme and for putting it into practice (similar to the role of the prime minister in Rwanda between 1994 and 2000

**Table 1: Summary of the parties' positions on the various discussion points**

Discussion Issues	Positions
<b>Cease-fire</b>	On this point the parties agreed to renew the commitment made in the cease-fire agreement of 3 December 2002.
<b>Joint Cease-fire Commission (JCC)</b>	The CNDD-FDD's position was that a combined guard unit be formed and that this should accompany its representatives into the JCC in addition to AMIB protection. This guard unit would be responsible for the security of homes and, as a liaison team, would ensure the delegation's safety by working together with AMIB. For the CNDD-FDD delegation's visit to Bujumbura on 28 July 2003, protection would be provided exclusively by the AMIB. The security problem was not completely resolved and would be addressed anew during the following summit.
<b>Cantonment</b>	No conclusion was reached on this point and the final press release remained vague. The government believed that the Nkurunziza's CNDD-FDD should be billeted alone. Deputy President Zuma supported this view, arguing that the CNDD-FDD had not interpreted the December accord correctly. The CNDD-FDD was referred to the December text, which clearly stipulated that cantonment of all forces would be simultaneous, though the FAB was still trying to avoid cantonment; Museveni said that cantonment would definitely be simultaneous and practical details would be negotiated in the JCC once the ATF ( <i>Accord Technique des Forces</i> ) had been concluded.

<p><b><i>Deployment of African Mission (AMIB)</i></b></p>	<p>Parties asked that the African Mission be fully deployed. The CNDD-FDD wanted more countries and troops to be deployed. However, nothing was settled on this issue. Museveni was not able to impose his view on strengthening the AMIB, and the problem would once more be on the agenda during the full summit.</p>
<p><b><i>Forces Technical Agreement</i></b></p>	<p>Zuma insisted that the ATF be negotiated within the JCC as provided in the December 2002 accord. The CNDD-FDD replied that in the agreement, reference was made to “one of whom will particularly take care of the <i>Accord Technique des Forces</i>” (ATF), and that this did not mean “negotiate”, but rather, in its view, “implement”. The JCC was a commission that was responsible for the implementation of the cease-fire accord, not for the negotiation of the reform of the army. This point was accepted; the ATF would be negotiated during the next three months and then signed during the full summit.</p>
<p><b><i>Division of power</i></b></p>	<p>The government tried to use the same method as with Jean Bosco and Alain Mugabarabona, that is to say they asked Nkurunziza's CNDD-FDD to return to Bujumbura, where it would then receive posts according to their availability. The CNDD-FDD's response was that its coming to the process meant that the country was going to emerge from conflict, and it therefore insisted that a full political programme be negotiated to integrate the achievements of Arusha on the one hand and its own position on the other. For the first time, Deputy President Zuma was in agreement on this point. It was decided that negotiations on the transitional political programme be held within the following three months to settle who would do what, and how. The “who” referred to the division of posts, the “what” to an act of commitment (proposed by the CNDD-FDD), and the “how” to the possible planning of a constitution. The CNDD-FDD stressed that it wanted to participate in organising elections at the same level as FRODEBU and UPRONA.</p>
<p><b><i>Transformation of the rebel movements into political parties</i></b></p>	<p>The government explained that a law on political parties had been passed by Parliament, and that it would be possible for the CNDD-FDD to be integrated into the political process if it met the criteria stipulated. One of the clauses specified that a political party could not have an armed wing. It was thus agreed that the CNDD-FDD could be registered as a political party once it had billeted its troops.</p>
<p><b><i>Provisional immunity</i></b></p>	<p>Provisional immunity in the Arusha Accord extended only to leaders of the various movements. The CNDD-FDD's position was that the war had involved not only leaders but also the rank-and-file, and it therefore demanded that immunity be extended to all its members and political prisoners. It suggested that all political trials be suspended, that an international inquiry should identify the various crimes committed, and that individual cases then be judged at an international level, until such time as the Burundian judicial system had been overhauled.</p>
<p><b><i>Violations of the cease-fire</i></b></p>	<p>These were held to be the result of non-implementation rather than a cause of it. The parties thought that this point would resolve itself later and should not in itself curb implementation.</p>

### The Sun City consultative talks, 12 to 24 August 2003

Three days of consultative meetings in Sun City, South Africa, between the delegations of the Government of Burundi and the rebel movement failed to produce concrete results, despite the expectations of mediators and members of the respective delegations. From the outset, the report to the Heads of State Summit warned that the current situation was preventing the division of power both in terms of control of transitional political institutions and in terms of the command of the Army. Under the mediation of Deputy President Zuma, and after the opening plenary session on 20 August at the Kwa Maritane Hotel, the discussions between the two delegations were held a few kilometres away at the Lost City Hotel. Each delegation was restricted to four members.

Since contact had been established between the two opposing groups, the rebel delegation had made various accusations against the TGoB, with regard to alleged FAB attacks against their positions in the northern Bubanza province and the eastern Ruvigi province. This was the main subject of the discussions during the evening session, before embarking on the following day's theme: the division of power in the context of a transitional government. The transitional period was to last until the end of 2004, after which the first President of the republic would be designated. Particular emphasis was given to the coveted position of Second Vice-President in this transitional phase.

The rebel movement based its argument essentially on its own reading of one passage from the Arusha Accord of August.<sup>5</sup> This introduced the concept of a Second Vice-President of the republic, and provided that the post be occupied by a person of a different ethnic group and different political party from that of the President. It came as no surprise that the government delegation rejected this proposal, which it considered to be contrary to the spirit of Arusha. The government maintained that the Arusha Accord foresaw this new position as being relevant only to the post-transition period. The disagreement on this issue has been a constant threat to political and ethnic equilibrium within transitional political institutions during this interim phase. Faced with this impasse, Deputy President Zuma was obliged to adjourn the discussions, which ended at around midnight on 20 September 2003, to the following morning.

This second morning of discussions was reserved for several rounds of consultations with the mediator, Deputy President Zuma, who met separately with each of the delegations and finally with both in a meeting that yielded no successful results. At the end, his message was to emphasise the need for both sides to be more flexible in their positions and to hope that the next summit between heads of state would see an end to the serious obstacles raised to considering the post of Second Vice-President.

The government delegation's position on this issue reflected its own strategy of preserving the political equilibrium within the interim political institutions. If the rebel demand is not met, however, some form of compensation will be required from the government. This gives the rebel movement a margin for manoeuvre and a chance to make an alternative demand such as control over the post of President of the National Assembly: a strategy of asking for more to gain less, or an alternative.

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<sup>5</sup> Arusha Agreement, p. 34 (English version); p. 35 (French version).



During the current phase, the rebel movement claims the third place in power in terms of political forces and the uncontested second place in terms of the armed forces.

There is a risk that the lack of results of the Sun City meeting will be blamed on the South African Deputy President and that this may lead to internal problems for him. Some experts believe that Zuma should have taken greater advantage of the presence of the Burundians at Sun City to obtain concessions from the government delegation. Others believe that too much time was wasted after the delegations' arrival in South Africa and regret that more emphasis was not placed on the observations and views of the Ugandan and Tanzanian mediators.

Working in parallel on the outstanding issues with the two belligerent delegations are two teams of experts. Based on the results of the July and August discussions in Dar es Salam and their partial conclusions, these teams of experts have drafted a form of Memorandum of Understanding which obliges each party to report regularly to the other on the needs of each delegation. This aims to allay suspicion and to open up channels of constructive communication.

In their report on the work at Dar es Salam and the consultative meeting at Sun City, the experts produced a summary of the points of agreement and discord between the Burundian negotiators. Concerning the reform of the armed forces, the areas of agreement were:

1. The new names of the defence and security organs
2. Role and functions of the defence and security organs
3. Command, control and supervision of the defence and security organs
4. The provision of data concerning force levels of the parties to the agreement
5. Size, composition and training
6. Structures: existing FAB without gendarmerie, police and intelligence

However, the experts noted four main points of disagreement:

1. The Nkurunziza's CNDD-FDD is prepared to enter the structure of the Burundian Army but requires the abolition of the gendarmerie. The Army delegation, on the contrary, wishes to maintain this corps and to later conduct a progressive transformation according to the decisions of the National Assembly and Executive.
2. Although the Army rejects the abolition of the gendarmerie, it would accept a progressive transformation and has committed itself to signing a memorandum of understanding to emphasise its good faith on this point. From its side, the rebel movement wants to see the immediate transformation of the corps or a transfer of its roles to a police force.
3. Burundi has been divided into five military zones since the start of the conflict in 1993. The Army delegation demands control of all these zones while the rebel movement claims control of four of the five zones.
4. The government delegation proposes that the rebel movement be allowed to nominate deputies to all the command posts of the Armed Forces. In this spirit, the government suggests that all the signatories of the Arusha Accord be taken into account equally, including other parties to the conflict who signed the ceasefire agreement in October 2002. They insist on maintaining their control of all the command positions, all superior positions and three out of the five military zones.

The results of the work carried out at Sun City by the teams of experts with the two delegations indicate that some progress has been made on certain proposals. The government is also willing to concede command of 16 of the existing 60 army battalions. It has subdivided the Army into six posts for Nkurunziza's CNDD-FDD and six posts for the Hutus currently serving in the Army, the remainder to be divided between other minority rebel groups. With regard to the ten directorates that make up the Ministry of Defence, the Tutsi groups would like to keep half according to the spirit of the Arusha Accord, and to subdivide the remaining five. Two would be given to the CNDD-FDD, two to the Hutus now in the Army, and one to the remaining minority rebel groups.

#### The Regional Summit of 15-16 September 2003: preliminary analysis

The Regional Summit of the 15-16 September 2003 has ended without agreement on any of these issues. TGoB and CNDD-FDD delegates to the summit have once again resisted the pressure, this time exerted by four regional Heads of State (Thabo Mbeki; Benjamin Mkapa; Yoweri Museveni and Joaquim Chissano), to reach a final agreement. Despite the remarkable work of the regional experts team in producing a document which, by any standards, was equidistant to the concerns of both parties, neither the TGoB and the CNDD-FDD were able to commit themselves. The task of proposing ways to overcome the current deadlock (as they termed it, 'existing hurdles') has now been given back to the mediator, South Africa's Deputy President Jacob Zuma.

What then are the possible future scenarios? If the TGoB, with the blessing of the region, were to accept the maximalist rebel claim to be given either the second vice-presidential post or the Speakership of Parliament or, in a reconciliatory move, the new post of Prime Minister, this could exacerbate the volatile situation that has prevailed within the political institutions that have been in place since November 2001. This would necessitate the rewriting of a transition constitution because this sudden provision was not included in the Arusha political agreement in the chapter on power sharing. The risk, as pointed out by the actual transition executive team, would be to create a disequilibrium in terms of both political and ethnic power sharing. The risk of handing the post of Speaker of Parliament to the CNDD lies in the negative message about the Arusha document that it would send to the signatories. It would mean a total reshuffle of Parliament by providing a majority to the newly-appointed speaker. The fact that the incumbent would not have endorsed the Arusha political agreement would be tantamount to acknowledging that the Arusha Accord would not endure for much longer.

The CNDD's strategy of getting an influential political post is intended to allow it to prepare comfortably for the coming legislative elections, which will be crucial for the election of the post-transition President. The various attempts to resolve the issue of cantonment have failed. It will be difficult to add more forces than already agreed, because of lack of funds. This places the Army in a situation where it can accept the reform, sign the agreement, and wait for its failure because there are no means with which to implement it.

Meanwhile, competition on the ground has escalated, with CNDD-FDD claiming total control and the FNL challenging any CNDD-FDD attempt to operate in its traditional stronghold (rural areas of Bujumbura). The two movements are now engaged in fierce fighting in Bujumbura Rural as well as the northwest of the country.