

# Opportunities for setting up a TRC in Burundi

(Original French title:

L'opportunité de la mise en place de la commission vérité et réconciliation au Burundi)

**By Astère Muyango** | Edited by Jean Pierre Misago | Summary compiled by Margot Champeix

After four decades of ethnic violence and serious violations of human rights, Burundi is now at a suitable stage in its history to begin revisiting its past and constructing the foundation for the building of a new future. Burundian society needs to shed light on past events in order to avoid the reappearance of conflict. The main argument brought forward by the author in this policy brief is that the current socio-political context is favourable for setting up transitional justice mechanisms and specifically for setting up a Truth and Reconciliation Commission.

The article briefly assesses the conflict in Burundi after which it delves into the peace and reconciliation process of the 2000 *Arusha Peace and Reconciliation Agreement for Burundi*. The agreement stipulated the formation of an International Commission of Inquiry to conduct investigations, an International Criminal Tribunal to prosecute perpetrators of serious crimes and a National Truth and Reconciliation Commission in charge of establishing the truth of Burundi's longstanding and violent conflict. The author explains that the National Truth and Reconciliation Commission was prevented from being set up as a result of criticism and opposition expressed by some politicians. In 2005, the report of an International Commission of Inquiry recommended the creation of only one commission made up of national and international members instead of the two commissions as suggested by the Arusha Agreement. Meanwhile, a Tripartite Steering Committee (consisting of the Burundian Government, the United Nations and Civil Society) was created in order to conduct national consultations. The objective was to involve Burundian society and to take into consideration its views regarding the implementation of transitional justice mechanisms. With regards to the establishment of the Truth and Reconciliation Commission, Burundians expressed their views in respect of the period of investigations, the composition of the Commission, the mandate and the operating procedures in general.

The author argues that the current socio-political context is favourable to begin engaging in a reconciliation process. A number of factors speak for the implementation of transitional mechanisms and especially the establishment of a Truth and Reconciliation Commission. Specifically, the author mentions:

- *Political will.* At present, obstacles to the building of peace are relatively minimal. During his inaugural speech at the beginning of his second term, in 2010, the President of the Republic expressed his commitment to the promotion and facilitation of peace, security and reconciliation. He also expressed his commitment to implement transitional justice mechanisms and a Truth and Reconciliation Commission in particular.
- *The Arusha Agreement provided a compromise with which both the rebels and the former regime could move towards building a peaceful future.* The current army is the result of the integration of combatants of both groups, an important element for a sustainable peace and reconciliation process.
- *The policy of national unity initiated by the ex-President Buyoya during the early nineties.* This policy allowed the break-down of taboos related to ethnic issues. Indeed, since the implementation of this policy, matters pertaining to ethnicity have been discussed in a more open manner.
- The tendency on the part of Hutu's and Tutsis to blame one another for the conflict decreased as a result of the successful implementation of reforms stipulated by the Arusha Agreement. This allowed for a start in calming ethnic tensions.
- Work already done by civil society, the media, NGO's and faith-based organisations to promote reconciliation and a peaceful resolution to the conflict. Workshops have been organised to reflect on the conflict and its resolution, and land conflicts have been resolved through mediation. A good example is the Studio Ijambo programme that allowed reducing hate speech directed towards specific ethnic groups.
- Finally, the international community has supported the country in promoting peace and stability.

The success of this transition period relies on the commitment of all stakeholders to go beyond individual interests and think about the future of the country. Their impartiality and independence regarding past events is crucial.

The author highlights the importance of bearing in mind that reconciliation is not an aim but rather a voluntary process through which relationships between enemies, victims and perpetrators of the past are rebuilt.

### **The author proposes the following recommendations:**

- The government has to be fully involved in the process. However, the reconciliation process must be free of political interference and influence. The process of truth seeking and reconciliation refers to and includes the whole society, irrespective of political affiliations. Commissioners have to be neutral and impartial with respect to the conflict. The national interest must take precedence over personal interests.
- Traditional mechanisms of conflict resolution should be integrated into the Truth and Reconciliation Commission process.
- The Truth and Reconciliation Commission should learn from and be inspired by the experiences of countries that have implemented similar processes, especially South Africa.
- The amnesty process has to be clarified, and a group of experts should be assigned to look at this issue.
- The Truth and Reconciliation Commission should take into consideration the views and opinions of the Burundian population during the national consultations.
- The Truth and Reconciliation Commission should be able to recommend institutions and measures that promote reconciliation and forgiveness. The Commission should have the power to decide on restitution and compensation. Finally, it should have the power to propose social, economic or political measures to promote reconciliation.

# ABOUT THE INSTITUTE FOR JUSTICE AND RECONCILIATION



The Institute for Justice and Reconciliation (IJR) was launched in 2000 in the aftermath of South Africa's Truth and Reconciliation Commission with an aim of ensuring that lessons learnt from South Africa's transition from apartheid to democracy be taken into account in the interests of national reconciliation. IJR works with partner organisations across Africa to promote reconciliation and socio economic justice in countries emerging from conflict or undergoing democratic transition. IJR is based in Cape Town, South Africa. For more information, visit <http://www.ijr.org.za>, and for comments or inquiries contact [info@ijr.org.za](mailto:info@ijr.org.za).

## CONTACT US

Tel: 021 763 7128

Fax: 021 763 7138

Email: [info@ijr.org.za](mailto:info@ijr.org.za)

Physical address:

Wynberg Mews  
Ground Floor, House Vincent  
10 Brodie Road  
7800  
Cape Town  
South Africa

Postal address:

PO Box 18094  
Wynberg  
7824  
Cape Town  
South Africa

[www.ijr.org.za](http://www.ijr.org.za)



The opinions expressed in this paper do not necessarily reflect those of the Institute for Justice and Reconciliation (IJR). Authors contribute to the IJR Policy Briefs series in their personal capacity.

© IJR 2011

Designed and typeset by COMPRESS.dsl