

December 2018



Burundi (1996–2014)

Name of process

The Arusha Peace and Reconciliation Agreement and Implementation (1996–2014)

Type of process

Peace negotiations and political reform

Outcome of process:

- The Arusha Peace and Reconciliation Agreement for Burundi was signed in 2000 and a transition process began
- Violence declined, but only ended years later, when ceasefires were agreed with the main armed opposition groups

Women's inclusion

- Direct representation at the negotiation table
- Observer status
- Consultations
- Inclusive commissions
- Public decision-making

Women's influence

High influence on the negotiations, pushing the process forward and achieving the transfer of many of their preferences to the agreement thanks to:

- effective coalition-building and transfer and advocacy strategies;
- support from the mediators, the UN, and regional networks and NGOs

However, women were constrained by having no decision-making power, and resistance from the negotiation parties.

The Arusha peace process for Burundi was an attempt to end a war that had killed tens of thousands of people and displaced more than a million. The process began in 1996, and culminated in all Burundian political parties signing an agreement at Arusha in August 2000. The final ceasefire, however, was only signed in 2008. Women, who had been working for peace since fighting broke out, energetically campaigned for their inclusion throughout the process. With the support of international NGOs and the UN, they formed a strong coalition across ethnicities and proceeded to seek the ear of negotiating parties, mediators, and influential external actors. After consultations with mediators, women's civil society became formal observers to the process, and more women were included in negotiating delegations. Women's preferences for peace, justice, and gender equality were included in the Arusha agreement. Women then voted in the referendum marking the end of the transition, took part in public consultations on transitional justice, and made up four of 11 members of the Truth and Reconciliation Commission. During implementation—between the signing of the agreement and the referendum on the constitution in 2005—women continued to advocate for increased rights. However, their influence appears to have declined, notwithstanding the notable achievement of a 30 percent quota for women's political representation in the constitution.

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I. Background

Traditional Burundian society is patrilinear and patriarchal

Traditional Burundian society is patrilinear and patriarchal, with women recognized as holding an important role of moral guide and peace-maker, but not a public role.¹ Neither do women have formal economic power: they make up 97 percent of the total active population engaged in agriculture, but they do not have control over production, and they cannot inherit land from their father.² Socially and politically, there are no legal barriers to women's participation in politics, but prevailing social norms meant that few women had roles in public life before the war began in 1993.

The war of 1993–2008 disproportionately impacted upon women. As an illustration, maternal mortality increased from 445 per 100,000 live births in 1993 to 826 in 1997.³ A vast proportion of women were displaced, and women heads of households struggled for their livelihoods because very few owned land. While women were not generally fighters in the war, they did provide support to fighters. Many women also set up and volunteered for associations providing relief and working for peace.⁴

The roots of the war lie in the country's colonial history. The minority Tutsi, who make up around 15 percent of the population, were favored under colonial rule. They retained power both within the military and government after independence, and generally held higher socioeconomic status than the majority Hutu (around 80 percent of the population—the rest of the population is mainly indigenous Twa).⁵ While the divisions between Hutu and Tutsi appear stark, identity is relatively fluid, with intermarriage common, and the main political parties have never been exclusively Tutsi or Hutu. Moreover, there are other cleavages in the country, such as between regions, and divisions over land: the population depends on agriculture, but the country is small and densely populated. Conflict is about far more than identity.

Nonetheless, armed conflict, mainly between Hutu and Tutsi, and at varying levels of intensity, has been recurrent in Burundi since independence in 1962. An estimated 200,000 people were killed in the genocide of 1972, and 20,000 in 1988.⁶ Up to 350,000 people are estimated to have died in intercommunal violence since independence.⁷ The war that began in 1993 was triggered after Burundi's first democratic election, which was won by Hutu leader Melchior Ndadaye. Three months after his victory, Ndadaye was assassinated by members of the military. The war that ensued involved armed activists from Hutu-dominated political groups, and the army and Tutsi-dominated groups. In 1994, the Tutsi-led UPRONA party and the Hutu-dominated FRODEBU came to a power-sharing agreement, but it failed to hold and war continued, predominantly between the military, the Hutu-based National Council for the Defence of Democracy (CNDD) and the Party for the Liberation of the Hutu People—Forces for National Liberation (PALIPEHUTU-FNL). It is hard to find reliable estimates of the scale of violence during the civil war, but hundreds of thousands of people are thought to have been displaced.

The war took place within a context of regional turmoil and devastating humanitarian crises, with war in the Democratic Republic of the Congo (then Zaire) and genocide in Rwanda in 1994. Regional intervention in the conflict in Zaire, large-scale refugee flows across the region, existing diaspora populations, as well as local Hutu and Tutsi populations in DRC and Rwanda, all added to the complex dynamics of the conflicts.

The Arusha process grew out of international concern for the humanitarian crises across the Great Lakes region

The Arusha process therefore grew out of international and regional concern for the instability, violence, and humanitarian crises across the Great Lakes, and the potential impact of an escalation of the war in Burundi. And the process reflected the complexity of the regional context: it involved a vast number of internal as well as external stakeholders. And while a peace agreement was signed in 2000, the final ceasefire was only signed in 2008.

1996 saw the establishment of the Regional Initiative for Peace in Burundi, composed of Burundi, Rwanda, Tanzania, Uganda, and Zaire, following a summit organized by the Organisation of African Unity and the Carter Foundation. Julius Nyerere, former President of Tanzania, took on the role of mediator. Talks began in Mwanza, Tanzania, between UPRONA and FRODEBU.⁸

Little progress was made, and to push the process forward, the Regional Initiative advocated for a regional peacekeeping force in Burundi. Response to the proposal in Burundi was deeply divided, and led to chaos. Pierre Buyoya, who had introduced the democratic elections while president in 1993, took power via a coup. The regional governments imposed sanctions, and Buyoya withdrew from the externally-sponsored process. He did not attend the first attempt to achieve all-party talks, in August 1997, and neither did he permit parties inside Burundi to attend.

Instead, Buyoya focused on internal processes. However, he also took measures that the Regional Initiative had called for: in January 1997, he lifted the ban on political parties, and re-opened the National Assembly, enlarging it by selecting 28 representatives from civil society.⁹ In May 1998, FRODEBU joined the Government. However, this then caused a split between in-country members of FRODEBU and those in exile.

In June 1998, 19 parties finally came together at talks in Arusha. Crucially, however, the main armed opposition was excluded. The armed wings of the CNDD (the CNDD-FDD) and of PALIPEHUTU (PALIPEHUTU-FNL) broke away from their respective political leadership, and wanted to replace the CNDD and PALIPEHUTU delegations at the negotiation table. Nyerere, the mediator, would not accept this, and the armed factions refused to attend the talks as new, additional parties. Armed conflict therefore persisted throughout the talks and the transition period.¹⁰

As the talks went on, participation broadened slightly to include women and other civil society groups as observers. The process underwent significant change in 1999, when Nyerere died, and Nelson Mandela took over the mediation. Mandela increased

the pressure to come to an agreement. Talks continued until almost the last moment, and involved a number of closed-door meetings between selected delegations, and the Arusha Peace and Reconciliation Agreement for Burundi was signed on 28 August 2000.¹¹

The substance of the agreement lay in five protocols, each of which had been drawn up by a commission. They covered the nature of the conflict; democracy and good governance; peace and security for all; reconstruction and development; and implementation. However, the protocols did not cover critical details, and power-sharing negotiations continued after the agreement, with the transition period lasting five rather than three years (during which it saw two attempted coups). Elections were held in 2005, as was a referendum on the new constitution, in line with the provisions of the Arusha agreement. Final ceasefires were agreed between the Government and the CNDD-FDD in 2003, and between the Government and PALIPEHUTU-FNL in 2008.

There are indications that women are more active in public life than before Arusha

The Arusha accord brought a period of stability to Burundi, but the power-sharing arrangements entrenched rather than healed divisions. There are indications that women are more active in public life than before the Arusha process, but the impact on women's lives more generally appears to have been minimal.¹²

Actors Involved in the Process

The 19 negotiating parties comprised the 17 political parties who had contested the 1993 elections or formed since the elections, the National Assembly, and the Government. The political parties grouped themselves into the G7 (Hutu-dominated groups) and the G10 (primarily Tutsi parties). The G3 was composed of the Government, National Assembly, and UPRONA.¹³ The military did not have its own delegation, and the CNDD-FDD and PALIPEHUTU-FNL were excluded from the talks, but all armed actors continued to exert influence, because fighting continued.

The process was initially mediated by Julius Nyerere, then Nelson Mandela. Other international experts had roles on the protocol commissions. Regional governments were highly involved in the process, and other external actors also sought influence, including the UN, Western governments (including Belgium, France, and the US), and international civil society (International Crisis Group, Amnesty International, Search for Common Ground, International Alert, ACCORD, among others). The signatories of the peace agreement were the 17 parties, the National Assembly, and the Government; Mandela, the Nyerere Foundation, and the Presidents of Kenya, Uganda, and Tanzania; and the Secretaries General of the UN and the OAU, and a representative of the EU.

Women's organizations, religious organizations, and other associations were consulted and observed the talks.

Women Involved in the Process

There were 126 delegates at the first round of negotiations in June 1998: two were women.¹⁴ This number increased slightly as delegations were later expanded to include more women. Seven women from civil society were present as observers from 1998, and they gained permanent observer status in 2000. Two women were involved in the mediation teams (Ruth Perry of Liberia worked with Mandela's team and Carolyn McAskie of Canada worked with Nyerere).¹⁵ Their presence facilitated women's groups' access to the process.¹⁶

Tutsi and Hutu women, and women from the diaspora, were represented within the group of observers, as well as during consultations. CAFOB (Collective of Burundi Women's Associations and NGOs) was highly influential among women's organizations. As voters, all women were involved in the referendum on the constitution. Finally, four of the eleven members of the Truth and Reconciliation Commission, which had been mandated in the agreement and started work at the end of 2014, are women. There were also a number of women in the transitional parliament and government: SOFEPA was an active cross-parliament women's organization.

Women's primary aim was peace, but they also sought measures on women's rights

Women's primary aim was peace, but they also sought an end to impunity, recognition of the impact of the war on women in particular, and measures to increase women's participation in politics in the future.¹⁷ The final declaration of the All-party Women's Conference made clear demands: equal participation in decision-making; land ownership rights; an end to impunity on sexual crimes; and women's rights.¹⁸

Modalities of Inclusion of Women's Groups

Women were included via five modalities: direct representation at the negotiation table; observer status; consultations; commissions; and public decision-making.¹⁹ There is mention of public demonstrations in the early 1990s, but records of such events are rare.²⁰ This study focuses primarily on the modalities of observers and consultations, as this is where women's groups were most influential over the process.

1 | Consultations

Consultations during Negotiations

Consultations were a key modality of inclusion

Consultations were a key modality of inclusion for women. Several meetings and conferences proved influential over the process and the agreement, and arguably, consultations facilitated women gaining observer status.

Nyerere began consultations with a group of seven women in October 1998. These women had been present at a conference of 65 Burundian women in Kampala, where they demanded the lifting of the sanctions against Burundi, and women's representation in the Arusha talks, and where they had consulted with Ugandan women politicians, and met with the President of Uganda.²¹ Mandela also held

meetings with women's groups in Cape Town and Pretoria, as well as closed-door meetings with the women observers in Arusha.²² In Pretoria, women addressed all themes covered by the peace talks. They stressed the need for justice. They advocated for traditional authority's presence in new institutions, and women's increased participation in both the process and the future public and economic life of the country. They wanted the armed actors brought into the peace process, and a ceasefire.²³

***A turning-point
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A turning-point for women's inclusion and influence was the July 2000 All-party Women's Conference. This was set up after UNIFEM and the Nyerere Foundation had convened a briefing at Arusha to advocate for the inclusion of women in the process;²⁴ the briefing resulted in the delegates agreeing to an all-women negotiation session as a formal part of the negotiations. The All-party Women's Conference was attended by two women from each negotiating party, as well as representatives of civil society, refugees, the diaspora, and international organizations.²⁵ The conference, taking place just weeks before the agreement was finalized, has been called a "catalyst" for the talks; more than half of its recommendations were included in the Arusha accord.²⁶

Post-agreement Consultations

The Arusha agreement provided for a range of transitional justice mechanisms, but movement was slow, and in 2009 national consultations were held on the topic to try and build some momentum.²⁷ A Tripartite Committee (two UN representatives, two government representatives, and two civil society representatives) supervised the consultations. There appears to have been little civil society mobilization around the consultations, including from women; the women's movement was not particularly vocal about transitional justice.²⁸

The consultations started on 13 July 2009 and ended in March 2010, with the report published in April 2010. The committee employed a private company, which carried out individual interviews, focus groups, and community meetings. Sampling was set up to respect the social and ethical composition of Burundi society; there were also interviews with the diaspora. Altogether, 3,887 people took part. The report made recommendations regarding the period of investigation, the scope and composition of the Truth and Reconciliation Commission, and aspects of the Special Tribunal. The results of the consultations are not disaggregated, so it is not clear to what extent women influenced the outcome of the report.²⁹

2 | Direct Representation at the Negotiation Table

***The negotiation
process was not
transparent***

The negotiation process was not transparent and has not been documented in detail. It is not clear how decisions were made within the five thematic committees, and it has been indicated that changes to the final document were made in closed-door last-minute negotiations without full consultation.³⁰

At the first round of negotiations in Arusha, there were 126 delegates: two were women.³¹ The number later crept up as delegations were expanded specifically to

include more women.³² There is no evidence that these women delegates worked beyond the agenda of their respective party, or that they advocated for the stated preferences of women's groups. They were not in contact with or affiliated to any of the women's organizations active outside the talks.³³ (One exception is Sabine Sabimbona, National Assembly delegate to the talks, who also participated in the All-party Women's Conference and attended the women's conference in Kampala.)³⁴

In the transitional parliament, some 20 percent of deputies were women

In the transitional parliament, some 20 percent of National Assembly deputies were women (44 out of 214), and this included women representatives of civil society. Each party not represented in the 1993 National Assembly could appoint four deputies, at least one of which had to be a woman. The Senate counted 10 women among its 52 senators.³⁵ There were four women ministers in the Government.

3 | Observer Status

The exact point at which women achieved permanent observer status is disputed; it is known that women attended the second round of talks in an unofficial capacity in July 1998, gained temporary observer status in October 1998, and were observers from then on.³⁶ Twelve women were present in October 1998: two parliamentarians, one former minister, four civil servants, one NGO representative, one educator, one banker, and two consultants, as well as two members of the regional NGO Femmes Africa Solidarité.³⁷ Later, seven women made up the group of observers from women's civil society (five had been in the group present in October 1998): three were Tutsi, and four Hutu, including the representative of the diaspora.³⁸

The women made the most of their presence at the negotiations

The other observers were required to affiliate themselves to a political party.³⁹ No observers signed the agreement, and they had no voice during the talks. The women, however, made the most of their presence at the negotiations: they formulated positions on the topics under discussion, and used their physical presence to gain access to negotiating parties as well as to mediators, making written submissions and presentations to the delegates. They worked to build links between the representatives from different delegations, to move the process forward.⁴⁰

4 | Inclusive Commissions

The Arusha agreement provided for a number of inclusive commissions, but only the provisions for the Truth and Reconciliation Commission (TRC) are specific regarding inclusiveness.⁴¹ The agreement states that "Candidates for membership of the Commission shall be put forward by civil society associations, political parties, religious denominations or women's organizations, or may stand as individual candidates."⁴² It took 14 years to achieve the legislation creating the TRC, and even then the opposition in parliament boycotted the vote, because the law makes no provision for civil society representation on the commission, nor for non-Burundians to be commissioners, as requested in reviews of the law and in the national consultations.⁴³ Other complaints are that the commission will be a tool to pardon members of the Government, rather than to bring people to justice.⁴⁴

There is little sign that the inclusion of women in the TRC has brought any influence of women's groups

The law does stipulate that at least four of the 11 commissioners must be women. The commissioners were elected by a parliamentary committee in December 2014. All four women are political figures (two former government ministers, and two were senators upon their appointment), and there is little sign that the inclusion of women in the TRC has brought any influence of women's groups to bear.⁴⁵ There is little record of women's advocacy regarding the commission, which has yet to publish a report.⁴⁶

5 | Public Decision-making

The referendum on the new constitution, provided for in the Arusha agreement, was held on 28 February 2005. Turnout was 92 percent, and approval of the new constitution was also 92 percent. There is no breakdown available on the vote.⁴⁷ Women's groups, particularly CAFOB and SOFEPA (the organization of women's parliamentarians) did mobilize for a yes vote, but mobilization was weak: the political parties were campaigning in different camps, and a number of women civil society members had joined the parties to be able to have a seat in parliament.⁴⁸

II. Analysis of Women's Influence: Enabling and Constraining Factors

The agreement includes more than half the recommendations of the Women's Conference

"The Arusha Agreement has, among the agreements signed between 1975 and 2011, the most extensive provisions for women's rights. The agreement is only one of three that include women's rights related to the conflict, transition, and the long-term. It is only one of five agreements that reflect CEDAW's 16 articles."⁴⁹ It explicitly references gender equality and gender balance in relation to administration, education, defense and security forces, and the judiciary. It states that there should be no discrimination based on gender, and refers to freedom of marriage and equal property rights (Protocol II, Article 3). The agreement includes more than half the recommendations of the Women's Conference in July 2000. Other recommendations were implemented later: rape was made a crime against humanity in 2003, and the 2005 constitution established a 30 percent quota on women's representation in politics. However, women's land rights is a longstanding issue that remains unaddressed.⁵⁰

Women pushed hard for their inclusion in the Arusha process, and beyond. They built an effective coalition, lobbied and advocated with negotiation parties and other influential actors, and benefited from strong support from UN agencies, international NGOs, and the mediators. However, the resistance of negotiating parties, and selection criteria and procedures constrained their influence. The gender provisions in the Arusha Agreement are vague: despite multiple assertions of gender balance, there are very few stipulations on how to assure it.

The following section distinguishes between these process and context factors, explaining why or not women were able to assert influence on the negotiations, and their implementation.

Process Factors

1 | Exclusive Selection Criteria and Non-transparent Procedures

Women pushed hard for a place at the table, but negotiating parties opposed their presence

The Arusha negotiations were inclusive only so far as they involved all political parties—and some talks were not even inclusive of all the negotiating parties. They excluded armed actors as well as civil society, including women’s groups. The selection criteria developed for the negotiating parties was such that it was extremely difficult to broaden formal participation: any new party had to be unanimously approved by existing parties. Women pushed hard for a place at the table, but negotiating parties opposed their presence. The women that were eventually included within the delegations were selected by the parties themselves. The selection of women to the TRC was not enabling for women’s groups, given that all were politicians.

However, informal and non-transparent selection procedures also enabled women’s influence as observers and in consultations. Women’s observer role appears to have been unique: other civil society observers had to be affiliated to a negotiating party. Similarly, women’s consultative role with stakeholders in the process (such as mediators and regional powers) was gained through advocacy rather than a formal process: the mediators decided whom they wanted to consult.⁵¹ It is possible that more formal and transparent procedures would have led to women’s groups having a less prominent role.

As regards the referendum, and the public consultations regarding transitional justice, the selection procedure was transparent, and women had parity in terms of participation. Registration requirements were eased, which enabled more women to participate in the referendum than in the 1993 election, although it is not clear who advocated for this change.⁵²

2 | Resistance of Conflict Parties

The mediators twice tabled the representation of women at the talks; both times the negotiating parties rejected the motion, and women only gained permanent observer status eight months before the agreement was signed.⁵³

A number of delegates made it clear that women should be at home

Women’s groups were not necessarily above the generalized suspicion regarding the independence of civil society: a number of women’s groups were affiliated to political parties, and women activists were generally part of the political class.⁵⁴ However, a number of delegates in Arusha were particularly opposed to women’s presence, and made it clear that they should rather be at home, because they were not considered party to the conflict, and “peace is a men’s issue.”⁵⁵ Much of women’s initial advocacy work was for the negotiators to recognize that gender was pertinent to the peace talks, as were women’s perspectives. Despite the extent of references to gender in the final agreement, even at the end, it was said that the provisions on women’s rights were tolerated simply because “it did not matter.”⁵⁶

3 | Strong Coalition-building

Women's interests diverged along a number of lines—Tutsi and Hutu, urban and rural, diaspora and within Burundi—but they managed to overcome their differences and come together around a programme for peace, reconciliation, and reconstruction, that took into account women's rights and issues particularly impacting women.

**Organizing within
CAFOB gave
women visibility
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Historically, women's political organizations had been affiliated to political parties, and there were few cross-party links. It was not until the war that the role of associations grew, and networks developed. Organizing within CAFOB gave women visibility and strength; it enabled women's associations to advocate at the national level, and gain access to actors involved in the talks.⁵⁷

There were meetings where political and ethnic divisions dominated and little progress was made.⁵⁸ But frequent meetings, and focusing on common topics of women's identity and rights, led to the shaping of joint positions.⁵⁹ One first act of coalition-building was when women inside Burundi put aside their differences to press for the lifting of the embargo, and this paved the way for coalition-building on issues relating to the wider peace process and women's rights. In December 1997, 45 women from over 20 organizations and a number of regions and backgrounds met in Bujumbura and agreed on a declaration that committed them to organize and act for peace in Burundi. In September–October 1998 women from different sociopolitical and ethnic backgrounds met in South Africa. Women leaders from other African countries were there in support, and the participants wrote a draft statement that they went on to use in the important Kampala conference.⁶⁰

During the implementation of the accord, CAFOB worked hard with a cross-party caucus of women parliamentarians to get the 30 percent quota for women's political representation into the constitution.⁶¹

4 | Successful Transfer, Communication, and Advocacy Strategies

**Having built a joint
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Having built a joint position, women were strategic about making sure they reached the mediation team and negotiating parties. They advocated at every level: through large conferences, closed meetings, and personal networks, often using external actors to push their demands. The women's conference in Kampala, convened by Spéciosa Kazibwe, Vice President of Uganda, was important, and the women also managed to meet with President Museveni, and requested his backing for their effective participation in the peace process as well as lifting the embargo.⁶² This led to Nyerere meeting a group of women.⁶³ Women then met with each head of delegation, and argued for membership.⁶⁴ When they could not influence people directly at the table, they worked in the hallways, literally lobbying for their cause.⁶⁵ And they continued to lobby both negotiators and influential stakeholders, after they had gained observer status.

The women made use of traditional views of their apolitical role to make explicitly political demands

Once women had gained observer status, they were able to make written contributions that were taken up for discussion in the formal negotiations. They made sure to develop positions on almost every topic under discussion.⁶⁶ They made use of the traditional view of a woman's role as apolitical to gain acceptance and access, and to then make explicitly political demands in the face of resistance from the negotiating parties.⁶⁷

During the transition period, the women who had entered parliament (which included CAFOB leaders such as Catherine Mabobori) and government exploited their civil society networks to advocate for their preferences. They applied pressure by indicating that they could bring women onto the streets.⁶⁸

5 | Support of Mediators

Mediators assisted and facilitated women's access to the negotiations

Without the supportive action of the mediators, and given the resistance of the negotiating parties, it is not clear how women would have achieved observer status, or managed to transfer their preferences to the peace process. Both mediators held a number of consultations with women, in Burundi and elsewhere, assisted women in gaining access to the negotiations, and facilitated meetings with negotiators as well as external persons of influence.⁶⁹ However, the talks involved a vast array of negotiating parties, mediators, and other influential stakeholders. It was hard to hear women's voices among the multitude, particularly in their limited, "non-speaking" role of observer.⁷⁰

Context Factors

1 | Heterogeneity of Women's Identities

Altogether, the women's organizations within CAFOB and the networks advocating for peace represented women from across the country as well as outside the country, and a range of backgrounds (not least ethnic) and political affiliations. From the first meeting, there was disagreement: women in exile were more likely to be in favor of the embargo on Burundi, while those in country tended to oppose it.⁷¹ Political affiliation also led to divisions, which perhaps proved most marked during the All-party Conference. Women overcame their heterogeneity, however, to build a strong joint position. Indeed, the fact that both Tutsi and Hutu women were represented in women's groups added force to their position.⁷² CAFOB worked hard to ensure that the diversity of women's identities were represented when they attended events—Hutu and Tutsi, as well as political affiliation.⁷³ Two women presented the demands from the All-party Conference to the negotiating parties.⁷⁴ However, this approach went so far that women could not reach consensus on one woman signing the peace agreement for all women, as Mandela had suggested: civil society organizations had agreed on Laurence Ndadaye, peace activist and widow of President Ndadaye, but the political party delegates refused (under the influence of their parties), arguing that it would strengthen FRODEBU and the G7.⁷⁵

Some have argued that the women at the conference and talks, speaking on behalf of women to the negotiators and mediators, were not representative. They were mainly from the urban, educated elite, and had strong ties to politics and the military.⁷⁶ Others have noted, however, that this urban elite was more independent of the political sphere than assumed, and that they brought the advantages of knowing how to work at this level, while also linking the grassroots to the international process, through consulting with them in preparing for the talks, and feeding back to them afterwards, as well as providing a means to access international support such as training, funding and networking.⁷⁷ There is scant evidence of other stakeholders communicating with the grassroots in a similar way.

During the implementation of the agreement, and with elections approaching, women's groups were again impacted by diverging political entities: a number of civil society activists had joined parties and were hoping to become MPs, which impacted on the strength of women's support for a yes vote in the referendum.⁷⁸

2 | Support from Regional Networks and International Actors

Women benefited from a lot of outside support, in gaining access to influential parties, as well as funding, training, and advice. A number of international non-governmental organizations supported CAFOB and its member organizations. Women met with Museveni as well as other politicians in Uganda. Femmes Africa Solidarité brought women leaders to work with Burundian women, and these women also advocated on their behalf in Burundi as well as with the AU, UN, France, and even business leaders.⁷⁹ A group of women politicians from Uganda, Rwanda, and Tanzania visited Buyoya, Museveni, and Nyerere, to ask why women were not represented.⁸⁰ ACCORD brought women to the meeting with Mandela in Pretoria.⁸¹

UNIFEM's support—particularly the briefing to the negotiating parties and the All-party Women's Conference—was a determining factor for women's influence. The conference was also organized by the Nyerere Foundation, and funded by the AU. Logistical support was not the only assistance: the skilful facilitation of meetings helped women to focus on their coalition and common interests, rather than diverging interests. One facilitator was the Ugandan politician Winnie Byanyima, brought in by UNIFEM.⁸²

3 | Beneficial Early Involvement

The women's organizations pushing for inclusion in the peace process were not, as a rule, old. While a lot of women's organizations had come into being at the beginning of the war, very few focused on peace at the national level; they had not institutionalized or developed much strength, and they struggled to organize and to be heard as an independent voice. Political organizations dominated public debate.

*Women benefited
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Women built capacity during their opposition to the embargo

However, women's early involvement in opposition to the embargo was beneficial. Their work in Kampala drew the attention of the mediator, and the women that led advocacy on lifting the embargo went on to be leaders of women's involvement in the peace process and beyond. They had put together an address book, and improved their capacity to work within the negotiations.⁸³

Their early experience was vital to the success of their work during the negotiations, but also during the transition. More women entered politics, and campaigned together, particularly for the 30 percent quota for women's political representation.

4 | Existence of Prior Commitments

Burundian women used CEDAW and the Beijing Platform to legitimize their demand for participation in the peace process. The Arusha process also coincided with the drafting of Resolution 1325 on Women, Peace and Security. UNIFEM's investment in the Burundian women's peace movement clearly helped Burundian women's influence over the process, but it was also useful for UNIFEM's global strategy. By focusing Burundian women's campaign on agreed international principles, the Burundian case had the additional benefit of being a useful example in support of UNIFEM's work elsewhere.⁸⁴

III. Conclusion

Women changed the dynamics of the negotiations and broadened the agenda

Women succeeded in changing the dynamics of the negotiations and widening the agenda, and a large proportion of their preferences were included in the agreement. This was in large part thanks to their effective coalition-building, and communication, transfer, and advocacy strategies. It was assisted by support from the mediators, regional networks, and external actors such as the UN.

The legacy of the Arusha process for women in Burundi is, however, mixed. The accord includes a number of women's demands, and makes numerous provisions on gender equality, while the 2005 Constitution includes a 30 percent quota for women in elected positions. There is a Ministry of National Solidarity, Human Rights, and Gender. Rape was recognized as a crime against humanity in 2003. "A generation of women leaders" was born,⁸⁵ more women participate in politics, and women have indicated that they participate more in public space than before the war thanks to role models in politics and the impact of associative life.⁸⁶ However, land rights, the most sensitive issue, which women advocated for from the very beginning, have still not been adequately addressed. Burundi has seen more political violence and turmoil in recent years, which has had a severe impact on women, and while women continue to advocate for peace, their involvement in efforts to address the violence and instability has been marginal.

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- ³ United Nations, CEDAW/C/BDI/1, 29.
- ⁴ An insight into how women organized during the war is provided in: Christine Ntahe, *Elles: un hommage aux oubliées. Recueil de témoignages sur des pionnières de la paix au Burundi, au risque de leurs vies* (Cape Town: Institute for Justice and Reconciliation, 2018).
- ⁵ The Arusha Peace and Reconciliation Agreement itself underlines that “the colonial administration, first German and then Belgian under a League of Nations mandate and United Nations trusteeship, played a decisive role in the heightening of frustrations among the Bahutu, the Batutsi and the Batwa, and in the divisions which led to ethnic tensions” (Protocol I, Chapter I, Article 2). There is general agreement that the war in Burundi is political, and divisions are socioeconomic and sociopolitical, rather than ethnic. For more on the history of Burundi and conflict see Nigel Watt, *Burundi: The Biography of a Small African Country* (London: Hurst, 2008).
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- ⁷ Christina Bentley and Roger Southall, *An African Peace Process: Mandela, South Africa and Burundi* (Cape Town: HSRC Press, 2005), 22.
- ⁸ Ethiopia and Kenya joined the Initiative a little later. Howard Wolpe, *Making Peace After Genocide: Anatomy of the Burundi Process* (Washington: USIP, 2011); Bentley and Southall, *An African Peace Process*, 56–7.
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- ¹⁰ The armed conflict ended only with the ceasefire negotiations. See the Uppsala Data Conflict Program summary for Burundi, <http://ucdp.uu.se/#country/516>, accessed 25 June 2018.
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- ¹⁸ Saiget, "Women's Participation in African Peace Negotiations," 38.
- ¹⁹ See Thania Paffenholz, "Civil Society and Peace Negotiations: Beyond the Inclusion-Exclusion Dichotomy," *Negotiation Journal* (2014): 69–91.
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- ²¹ *Ibid.*, 14; Interview, Sow.
- ²² Saiget, "Women's Participation in African Peace Negotiations," 36.
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- ²⁴ Miriam J. Anderson, *Windows of Opportunity: How Women Seize Peace Negotiations for Political Change* (Oxford: Oxford University Press, 2016), 62.
- ²⁵ Interview, Sow.
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- ²⁷ Movement was slow because there was disagreement between the Burundi Government and the UN on implementation, as the topic of transitional justice had been more imposed by external actors than initiated from within Burundi. Interview, Sow; Author interview with Marie Saiget, Assistant Professor of Political Science at the University of Lille, 15 October 2018. On the disagreement, see for example United Nations Human Rights Council, *Interim Report of the Independent Expert on the Situation of Human Rights in Burundi, Akich Okola*, A/HRC/4/5, 26 February 2007, paragraphs 15–17.
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- ³² Patricia Daley, *Gender and Genocide in Burundi*, 206; Interview, Sow.

- ³³ Catherine Mabobori, head of the women's civil society observer delegation, said that she met many of the women party delegates for the first time at the all-party women's conference. Cited in Anderson, *Windows of Opportunity*, 21.
- ³⁴ Saiget, "Women's Participation in African Peace Negotiations," 32.
- ³⁵ Ndikumana and Sebudandi, *A La Conquête de La Parole*, 23.
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- ³⁸ The women in the group were Catherine Mabobori (CAFOB president); Imelda Nzirorera (leader of human rights organization); Euphrasie Bigiramana (FRODEBU member); Perpétue Miganda (civil servant), Emilienne Minani (former Minister who went into exile), Adelaide Ndayishimiye (civil servant), and Alice Ntwarante (civil servant). Anderson, *Windows of Opportunity*, 62; Interview, Saiget; Exchange with Catherine Mabobori, 15 December 2018.
- ³⁹ Resistance to the inclusion of civil society has been explained by the rules of procedure, which required unanimity for the inclusion of new groups, and would have been difficult to achieve. There was also concern that civil society groups were not sufficiently autonomous or representative, and would be likely to represent government interests. See Daley, *Gender and Genocide in Burundi*, 206.
- ⁴⁰ Interview, Saiget.
- ⁴¹ The Independent Monitoring Committee allocated positions to "six Burundians of Moral Integrity," and two of the six appointed were women, but the body became unwieldy and had little influence on the transition. Arusha also provides for an Independent National Electoral Commission, which had two women out of the five commissioners, but it was only installed with the 2005 Constitution. Arusha Peace and Reconciliation Agreement for Burundi, 28 August 2000, Protocol V, Article 3; Caroline Sculier, *Négociations de paix au Burundi : Une justice encombrante mais incontournable* (Geneva : Centre for Humanitarian Dialogue, 2007), 28; Ndikumana and Sebudandi, *A La Conquête de La Parole*, 23.
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- ⁵¹ For example, it is reported that Nyerere selected the seven women who eventually became observers for consultation in October 1998 (Ndikumana and Sebudandi, *A La Conquête de La Parole*, 14); Mandela invited ACCORD to bring a selection of civil society to meet him (Bentley and Southall, *An African Peace Process*, 156).
- ⁵² Henri Bishoff, Waldemar Vrey, and George Rautenbach, *The Burundi Peace Process: From Civil War to Conditional Peace*, Monograph 171 (Pretoria: Institute for Security Studies, 2010), 105.
- ⁵³ Saiget, "Women's Participation in African Peace Negotiations," 37.
- ⁵⁴ Daley, *Gender and Genocide in Burundi*, 206. The lists of women participating in civil society conferences often includes politicians, and wives of politicians. See George, *Engendering the Peace Process in Burundi*, for examples.
- ⁵⁵ Cited in Rose M. Kadende-Kaiser, "Frontline Peacebuilding: Women's Reconstruction Initiatives in Burundi," in *Defying Victimhood: Women and Post-Conflict Peacebuilding* (New York: United Nations University Press, 2012), 137.
- See also George, *Engendering the Peace Process in Burundi*, 61, 63.
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⁷⁴ Ibid.

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⁷⁶ Anderson, *Windows of Opportunity*.

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Women in Peace and Transition Processes

Case studies in this series are based on findings of the “Broadening Participation in Political Negotiations and Implementation” research project (2011–2017), a multi-year comparative research project led by Dr. Thania Paffenholz at the Graduate Institute of International and Development Studies, Geneva. The Broadening Participation project examined how and under which conditions various actors participated in and influenced peace and political transition processes. The project’s dataset comprises 40 mainly qualitative case studies of negotiation and implementation processes, covering 34 countries, and ranging from 1989 to 2014. These cases are categorized according to a range of groups of included actors and a framework of seven inclusion modalities developed by Thania Paffenholz. Among the case studies under review for this project, 28 included measurable involvement of women. In this context, women were defined as relatively organized groups, including delegations of women, women’s civil society organizations, coalitions or networks, which sought inclusion in peace negotiations and the implementation of agreements. The project did not investigate the role of women as mediators. For more information, see: www.inclusivepeace.org

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