



AFRICA POLICY BRIEF

Burundi on the brink again? Identifying risks before the 2020 elections

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In less than a year Burundi will hold its first elections since the 2015 political crisis was triggered by the president's bid for a third term. Almost five years after the start of the crisis, Burundi is still stuck in a political impasse with strong authoritarian undertones and with little hope of conducting free and fair elections. This policy brief identifies four developments which could turn the current situation into a high-intensity violent crisis: forced refugee return; repression of the opposition; implosion of the ruling party CNDD-FDD and the threat of an Ebola outbreak. Given the tense climate and the limited space available to foreign actors, it is suggested that external actors scale down expectations for democratic elections. Instead, focus should be on keeping options open to provide humanitarian assistance in the event of a large-scale outbreak of violence or Ebola, while maintaining political pressure for democratic space.

INTRODUCTION

In May 2020, Burundians are supposed to go to the polls and elect a new leader. Yet almost five years since the latest political crisis erupted after President Nkurunziza decided to stand for a highly contested third term, Burundi remains stuck in a political impasse characterised by strong authoritarian undertones, low-intensity violence and repression of the opposition. As both international and regional attempts to mediate the crisis have failed, the outlook for the 2020 election is grim.

This brief identifies four developments which could further destabilise the situation and increase the risk for high-intensity violence as the election preparations draw closer. The first threat is the return of refugees from Tanzania, which could exacerbate identity politics and fragment social cohesion while introducing new land conflicts. The second risk is increased violent repression of the opposition, which has already been heavily curtailed and silenced. Given the tense situation, small incidents risk initiating large-scale violent responses with long-term consequences for stability.

Nkurunziza's ambiguous stance within the National Council for the Defence of Democracy – Forces for the Defence of Democracy (CNDD-FDD) and the increasing divisions within the party present another risk which could not only threaten the cohesion of the ruling party and engender a turbulent political scene but also trigger violent outbursts among the Imbonerakure, the CNDD-FDD's youth wing, which already seems to be increasingly out of control. Finally, the current malaria epidemic and the looming risk of Ebola crossing the border from the Democratic Republic of Congo (DRC) could entail long-term socioeconomic and political consequences.

Given these risks and the current tense security situation in Burundi, it seems unwise to hope for free and fair elections, although all measures should nevertheless be undertaken to facilitate elections taking place in an atmosphere of stability and calm. The Burundian government's strong stance against external presences makes it difficult to address many of the risks outlined above, yet there is a possibility that the urgency and the humanitarian dimension of the risks related to the refugee influx and the Ebola threat makes the government more receptive to outside assistance. If such an opening for dialogue and assistance presents itself, it should be seized to limit disastrous humanitarian consequences and to maintain a channel of influence for applying pressure for more democratic space.

The first section of this brief describes the current situation in Burundi and highlights the recent developments before discussing in

detail the four risks outlined above. The conclusion emphasises the need for external actors to remain vigilant about the different developments and prepare for humanitarian assistance responses.

FAILED MEDIATION ATTEMPTS AND INCREASING ISOLATION

There have been several attempts by external actors to mediate the current political crisis in Burundi, yet so far, all have failed. The African Union's attempt to send in a stabilising mission in 2015 never materialised,ⁱ nor did the UN's effort to deploy police officers. EU sanctions have remained in place since 2016 but have not produced any tangible result when it comes to the political stalemate. The Inter-Burundi Dialogue process led by the East African Community (EAC) has stalled repeatedly, partly because of lack of pressure from regional leaders, and partly because Nkurunziza, CNDD-FDD and allies have refused to concede any ground.ⁱⁱ

True to form, Nkurunziza has continued to expel foreign actors, making it increasingly difficult to influence the course of the crisis and pressure the government to open dialogue with the opposition. The most recent incidents include the closure of the Burundi Office of the UN High Commissioner for Human Rights in February 2019 and the expulsion of three members of the UN Commission of Inquiry after the publication of a report which criticised the government's repressive measures in the autumn of 2018.ⁱⁱⁱ

In September last year, the Burundian government also suspended international

NGOs for three months, forcing them to abide by a new law that regulates their ethnic quotas. The law, which not only demands NGOs establish the ethnic identities of their employees but also communicate the information to the Burundian authorities, has resulted in several long-standing NGOs leaving the country.^{iv} Given that many national and international news media organisations have either been suspended or had sanctions imposed on them, it is increasingly difficult for external actors to have accurate information about the current situation in the country.

OSTRACISING OLD ACTORS, WELCOMING NEW ONES

The government has targeted its former colonial power in particular. In 2015, the Burundian government demanded that Belgium replace its ambassador, then went on to accuse Belgium of instigating the failed coup attempt and later of ‘arming the opposition,’ a claim deemed absurd by the Belgian authorities.^v

These allegations have been followed by new claims regarding Belgium’s colonial past in the country. In October last year, Burundi accused Belgium of having ordered the murder of independence hero Prince Louis Rwagasore in 1961.^{vi} Shortly afterwards, a new law prolonging the mandate of Burundi’s Truth and Reconciliation Commission (TRC) for four years and extending it to cover the colonial period from 1885 onwards was introduced.^{vii} The TRC now covers a period of 123 years – one of the longest in the history of transitional justice. Such an extension can, apart from

pointing a finger at Belgium’s colonial past, also serve as a convenient diversion from the Burundian government’s current political crisis.

Not all external actors are, however, unwelcome in Burundi. As Western partners have distanced themselves through the suspension of aid programmes and the imposition of sanctions, both China and Russia have stepped up collaboration with Burundi. In addition to new weapon deals, Russia and Burundi signed a visa exemption last year,^{viii} while China and Burundi recently decided to reinforce bilateral relations in what was considered the best period historically between the two states under their current leaders.^{ix} These events exemplify a broader trend in Africa, wherein Russia and China are keen to fill spaces left by Western states.^x It is against this background, of a Burundian government which has alienated its previous Western partners and intensified authoritarian measures, that the following risks should be seen.

REFUGEE RETURN FROM TANZANIA

The recent bilateral agreement between Burundi and Tanzania to repatriate approximately 200,000 Burundian refugees^{xi} risks exacerbating political and social unrest in Burundi and possibly also affecting the election outcome. One observation is that the refugees will return to a situation of status quo, where little has changed in socioeconomic terms since they left. This situation has led many of the returning refugees to stay close to the borders to

maintain a possible exit-strategy, should the situation in Burundi further deteriorate, while maintaining access to land in Tanzania.

Assistance to the returning refugees has so far been insufficient and a source of tension, with challenges in the shape of both corruption and accessibility. The lack of clear organisation and planning for the return has left many of the refugees at a loss for how to access the return package. Widespread corruption surrounding the distribution of the packages has made access even more problematic, especially given that many refugees find themselves in precarious socioeconomic situations.^{xii}

Assistance has also been inappropriate at times, as some of the packages have included agricultural tools, yet many of the returning refugees do not have access to land. As Burundi is one of the most densely populated yet smallest countries in Africa, the pressure on land is a long-standing problem aggravated by the recent socioeconomic dip, which is linked to the political crisis and suspended aid from external donors. The return of refugees, who in some cases departed alone but are returning with families, implies additional competition for land.

The forced return of refugees could increase political tensions in tandem with deteriorating socioeconomic relations. Refugees are associated with the opposition, as it is assumed that they fled due to Nkurunziza's hold on power. While the government has repeatedly attempted to ethnicise the crisis to facilitate 'divide-and-

rule' strategies, dividing lines remain political rather than ethnic. However, this does not prevent local communities from increasing socio-political pressure on returning individuals. The assumed political position of the returning refugees – as opponents of the current government – makes them subject to increased surveillance and at times, harassment, from the Imbonerakure, the militarised youth wing of the governing party. The challenge of a massive influx of refugees less than a year before general elections into a population which is already among the world's poorest and most distressed, could provoke an explosive situation which could generate renewed violence against (assumed) opponents to the government.

REPRESSING OPPOSITION

The failed coup attempt in 2015 gave the Burundian government an opportunity to link opposition actors to political violence and unrest and thereby justify violent repression in the name of security – an opportunity which was seized and has been upheld ever since. Targeted killings of key opponents, including opposition leader Zedi Feruzi and Charlotte Umugwaneza, have taken place in a climate of impunity.^{xiii} Recent years have seen the government clamping down on political opposition more generally, ramping up violent intimidation ahead of the constitutional referendum in May 2018.^{xiv}

The CNDD-FDD's narrative linking political parties to rebel movements has also resulted in a heavily curtailed domestic political scene with key opposition figures

exiled abroad and civil society silenced. The long-term opposition party, the National Liberation Forces (FNL), led by Agathon Rwasa, first deputy speaker of the National Assembly, remains one of the only population-based opposition forces, and hopes were raised as it was re-established under a new name: Congrès National pour la Liberté (CNL) in February 2019. Yet, these hopes have rapidly been dashed as its members were harassed, and the party's activities restricted or banned. CNL rallies continue countrywide, yet it remains difficult to talk about a new generation of political leaders that can connect with and establish a voter base in the Burundian population.

Reinforcing this tendency is external actors' preference for maintaining links with actors belonging to the current political system, with whom they already have established contact. This makes it more difficult for new leaders to carve out space and support from both domestic and external actors.

UNDER HIGH PRESSURE: CNDD-FDD AT RISK OF IMPLOSION

In a region where it has become a national sport to bypass presidential term limits, it is difficult to evaluate whether Nkurunziza will stay true to his word of stepping down in 2020. The constitutional referendum in May 2018 increased presidential terms to seven years with a maximum of two consecutive mandates, raising unanswered questions regarding the sitting president's eligibility to stand for new terms.

As the new constitutional text does not contain any specification of whether the new rules apply to a sitting president or not, two interpretations are possible. The first allows Nkurunziza to run for two new seven-year terms in 2020 and 2027, while the second does not permit a sitting president on his second term (or third in this case), to reset the clock to zero.^{xv} This loophole in the new constitution clearly adds to doubts about the sincerity of Nkurunziza's declaration to step down.

The slide into religiosity, evidenced by the increasingly common reference to the divine origin of Nkurunziza's power^{xvi} and a new title of 'Eternal Supreme Guide'^{xvii} have also raised questions about Nkurunziza's standing within the party. Coupled with the recent decision to place the royal motto – 'God, King, Country' – on public monuments, these developments have also led to speculations about a possible restoration of the monarchy,^{xviii} which would concentrate power on Nkurunziza for an undefined period of time. Such a move would, however, face resistance not only from outside actors but also from members of the CNDD-FDD.

Divisions within the CNDD-FDD have grown since 2015, linked to the freefall of the economy, the atmosphere of fear and the general style of leadership of the top tier of the party. Added to this, there is an increasing frustration with the current situation of uncertainty with regards to the president's and the party's future.

Discussions about a possible successor to Nkurunziza have been tainted by the internal fragmentation and ambiguity, while FNL's Agathon Rwasa's continued popularity and loyal supporters add pressure to the discussions.^{xix} While the senate president, Révérien Ndikuriyo, has emerged as a heavyweight within the CNDD-FDD since 2015, the party's general secretary, Evariste Ndayishimiye, seems to have taken on an increasingly prominent role within the party. This was most recently evidenced in his demand for a month of 'cease fire',^{xx} after CNL members were attacked by persons assumed to be part of the Imbonerakure. However, it is unclear if Ndayishimiye actually has the power to control the Imbonerakure.

Imbonerakure: The rulers of the streets

Having created turbulence and violence during the past decade, the Imbonerakure is rising in power and becoming increasingly uncontrollable. Used as a tool of repression by a powerful network of CNDD-FDD leaders dominating the state, the Imbonerakure has regularly featured in reports of human rights violations, been identified as perpetrators of torture, sexual violence, killings and beatings. With the murder of the former head of the intelligence services and Nkurunziza's right-hand man, Adolphe Nshimirimana, in August 2015, the Imbonerakure appears to lack a central command but still enjoys general impunity.

The Imbonerakure has gradually integrated all security forces in Burundi^{xxi} and regularly replaced them in rural areas. A recent

statement by Burundi's Catholic bishops explicitly deplored the fact that the Imbonerakure 'seemed to replace the security forces'.^{xxii} The UN documented the training and arming of the Imbonerakure by the Burundian authorities in the DRC in 2014,^{xxiii} and members occasionally have access to military material and equipment normally reserved for the defence forces, pointing to their close connection with the authorities. The recent appointment of a key Imbonerakure figure, Eric Nshimirimana, to lead the state broadcaster RTNB,^{xxiv} is another sign of the group's increasing power within the country. Their integration into the security forces is likely to increase internal divisions and contribute to a politicisation and 'de-professionalisation' of the whole security sector.^{xxv} This could have disastrous effects in the event of a national emergency, such as the outbreak of Ebola.

THE RISK OF EBOLA

The DRC has been facing its largest-ever Ebola outbreak from August 2018 onwards, with over 3,000 documented cases in North Kivu and Ituri provinces. The important cross-border movement between Burundi and the DRC along the porous border between the two countries has been identified as a significant risk of transmission of the virus to Burundi.^{xxvi} At the same time, Burundi is already fighting a malaria outbreak which has reached epidemic proportions. Almost six million cases have been recorded since the start of the year, killing about 1,800 people. Yet so far the government has refused to declare an emergency, even though there is an obvious

lack of human, logistical and financial resources for an effective response.^{xxvii}

Burundi's difficult socioeconomic situation, which has gotten worse as the political crisis has continued, has affected all sectors of society, including the healthcare system. The economic crisis has led to a dip in financial capacity to develop health infrastructure, while the political crisis and resulting expatriation has contributed to a lack of human resources, leaving just 500 medical doctors in 2017 for a population of over ten million.^{xxviii}

Both the government and external partners have recently stepped up initiatives to strengthen preparedness for Ebola in Burundi. The EU has allocated €465,000 through the World Health Organization,^{xxix} while the national contingency plan was revised in June 2019 and an immunisation campaign for front-line workers was initiated in August.^{xxx}

These initiatives notwithstanding, Burundi remains one of the poorest and most corrupt states in the world, making a possible Ebola outbreak not only a major humanitarian risk but also a possible spark for intensified political confrontation between government supporters and opposition, should the outbreak be politicised. A government without a clear response to such a health crisis would become a target for increasing criticism from opposition actors, which in turn could escalate the spiral of violence already underway.

CONCLUSION

Less than a year from elections, Burundi is once again at the brink of an intensified political and violent crisis. With over 340,000 refugees scattered in the region and beyond, the implications of such a crisis would not stop at Burundi's borders. This is especially the case as relations between Burundi and Rwanda have continuously deteriorated over the past few years, making explicit Rwandan support to one of Burundi's exiled opposition groups a plausible development in the event of widespread violence.

As the previous paragraphs have shown, there is little space for external actors to mediate the current crisis and prepare for the elections. Over the past five years, Nkurunziza has intensified the ostracisation of foreign actors and alienated most Western partners. It is unlikely that this will change in the coming months, leaving few options for partners to engage. Partly as a result of this development, expectations of free and fair elections are unrealistic and deceptive.

External actors should therefore scale down expectations for the upcoming elections and concentrate on maintaining existing channels of influence and prepare for humanitarian assistance. While both the return of refugees and a potential Ebola outbreak have political dimensions, they are still less politically sensitive than other topics and may offer a means to maintain connection with the Burundian population.

At the same, if multilateral organisations, such as the UN, engage with the Burundian authorities outside of the political scene, they will undoubtedly strengthen the

authorities' position. Humanitarian access remains crucial but should, if possible, be accompanied by political pressure on democratic space in a long-term perspective, even if it is unlikely that this will change the conditions for the 2020 elections.

Twenty years after the signing of the Arusha Accords, Burundi has both seen significant steps towards a democratic and peaceful society and violent backlashes against one. It is important for foreign observers not to let Burundi slip off the radar and fall into the abyss. Upholding existing connections with the population and leaving space for new Burundian actors to create bonds and establish support is crucial for this.

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For an overview of electoral legislation, electoral results, election observation reports and other elements of analysis regarding all elections in Burundi since 1993, see: <https://www.uantwerpen.be/en/projects/centre-des-grands-lacs-afrique/droit-pouvoir-paix-burundi/elections/>



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