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**“ UNOFFICIAL DIPLOMACY AS A TOOL OF CONFLICT
MANAGEMENT IN THE GREAT LAKES REGION:
An assessment of Track One-and-a-Half diplomacy in the 1993
Burundi conflict ”**

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This dissertation is submitted in partial fulfillment of the award of the degree of Master of Arts in International Studies at the Institute of Diplomacy and International Studies, University of Nairobi.

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DECLARATION

I declare that this thesis is my original work and has not been submitted for a Masters degree in any other university.

Oyugi Cynthia Caroline Akinyi

Signature: Oyugi

Date: 28th November 2007

This thesis has been submitted for examination with my approval as a university supervisor.

Professor Makumi Mwagiru

Signature: Mwagiru

Date: 04.12.07

DEDICATION

This thesis is dedicated to all people who dedicate themselves to ending conflict.

ACKNOWLEDGEMENT

I extend my sincerest appreciation to the following for their invaluable guidance and support:

my family for being ever so supportive over the years it took to get this work done:

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Thank you.

ABBREVIATIONS

AU	The African Union
CMTs	Crisis Management Techniques
CNP	Conseil National des Patriots
CNDD	Conseil National pour la Défense de la Démocratie
CNDD-FDD	Forces for the Defense of Democracy
DRC	Democratic Republic of Congo
EU	European Union
GLR	Great Lakes Region
FNL	Forces Nationales de Libération
FRODEBU	Front for Democracy in Burundi
HNT	Human Needs Theory
ICG	International Crisis Group
IDPs	Internally Displaced Persons
IMC	International Monitoring Committee
ITC	International Technical Committee
MIPROBU	Mission for Protection and Restoration of Trust in Burundi
OAU	Organisation of African Unity
POWs	Prisoners Of War
SADC	South African Development Community
SRSG	Special Representative of the Secretary - General
UNHCR	United Nations High Commission for Refugees
UPRONA	Union for National Progress Party

ABSTRACT

This study proceeds from the premise that in a world where tragedy and insecurity posed by the threat and actual existence of conflict is everybody's nightmare, conflict management and resolution consequently becomes every individual's business, not just the preserve of international bodies such as the United Nations Organisation, incumbent heads of state and accredited diplomats. In such a climate, therefore, steps to bring about the resolution of conflicts can also be taken by individuals, especially with the backing of accredited and credible regional organisations.

The study presents the historical background to the Great Lakes conflict with particular emphasis on the chronology of events as they unfolded in Burundi. It then shows how the events in Burundi link up with the wider conflict within the region. International responses to the unfolding conflict in Burundi and how these responses eventually lead to the appointment of track one-and-a-half diplomatic facilitators to the Burundi peace process are also analysed. Thereafter follows a presentation of the approaches and efforts of the appointed track one-and-a-half diplomatic facilitators to the Burundi peace process. The study eventually highlights the achievements and frustrations faced by each of the track one-and-a-half diplomatic facilitators involved in the Burundi peace process. The assessment takes into consideration the context and limitations of the prevailing socio-political climate in Burundi.

In conclusion, the study flags the important role played by track one-and-a-half diplomatic facilitators in the Burundi peace process. It also offers recommendations that could be taken into account by regional and broader international bodies when appointing or choosing track one-and-a-half diplomatic facilitators to act in similar circumstances.

CHAPTER ONE

BACKGROUND TO THE STUDY

Introduction

Conflict is inherent in world society. It is one of the main themes of international politics.¹ Man by nature is a political animal, born to pursue and enjoy the fruits of his power. This *animus dominandi* consequently lusts for power and seeks to dominate his environment and what may be within it. Inevitably, this search for advantage and dominion over others brings people and communities into conflict with each other.²

Conflict occurs at all levels of social life; the interpersonal, inter-group, inter-organisational and inter-state. During the Cold War, conflicts were largely expected to occur across borders and between states. However, with the end of the Cold War, conflicts occur more at the intra-state level, rather than the traditional inter-state level. At any moment, a worrying number of states in the international political arena seem to be embroiled in anarchy, and many more dangle precariously on the brink of disintegration due to internal armed conflict. Unfortunately, conflicts rarely respect borders, and whenever a domestic conflict threatens to destabilise a contiguous country, the conflict soon becomes of regional or international concern. Power is the central pre-occupation of rivals in a conflict situation within a state.³ At least two actors or their agents, try to pursue goals that are interpreted by their rivals as a threat to general well being and security. Since this can eventually result in escalated competition to achieve mutually incompatible goals, the means and the use of power result in each party resorting to a determined campaign to outwit, disable or destroy the

1. John W. Burton, *World Society* (Cambridge University Press, 1972), pp.137-8.

2. Morgenthau, H. J.; *Scientific Man versus Power Politics*, (Chicago, Phoenix Books, 1965).

3. Sandole Dennis, 'Paradigms, Theories and Metaphors in Conflict and Conflict Resolution: Coherence or Confusion?' pp.6, in Sandole (ed.) *Conflict Resolution Theory and Practice: Integration and Application*, (Manchester, Manchester University Press, 1993).

the perceived enemy.⁴

The research problem

The purpose of this study is to critically evaluate the diplomatic initiatives of two eminent former African statesmen in an effort to diffuse existing crises and curb the emergence of fresh conflicts Burundi. These statesmen are the late Mwalimu Julius Nyerere, the first post-independence president of the Republic of Tanzania, a large country in East Africa; the second is Nelson Mandela. Nelson Mandela was the first post-apartheid president of the Republic of South Africa.

When states experience internal conflict, rarely do they envisage it exploding and threatening to destabilise their neighbors. When domestic conflicts spill over into neighboring states, they invariably threaten the ability of the affected victim states to meet the basic security needs of their own citizens. This is particularly true of state systems such as in Africa where regime legitimacy is often under challenge and borders are porous⁵.

The fire-fighting approach, where only conflicts that flare up and threaten immediate international interests are decisively subdued, has resulted in African countries receiving minimal consistent international attention in the face of the threat of violent conflict. The norm seems to be to allow conflicts in the continent to literally blow up before the apathetic world is roused to some form of action.

The approach to African conflicts is heavily grounded on theories that fail to take into consideration particular political and socio-cultural peculiarities of each conflict which

4. Gunnar Sorbo & Peter Vale (eds.), *Out of Conflict: From War to Peace in Africa*, (Upsalla, Nordiska Afrkainstitutet, Upsalla, 1997), pp.5.

5. Jackson R. and Sorensen G; *Introduction to International Relations: Theories and Approaches*, (New York, Oxford University Press, 2003) pp.29

must be taken into account whenever the management and eventual resolution of a conflict are in focus. ⁶ This apparent neglect of the African continent, whether by coincidence or by design, should however, not always be an issue to bemoan, as it eventually fosters self-reliance in tackling domestic problems. As one African statesman aptly said: "... a little neglect would not be bad... the more orphaned we are, the better for Africa. We will have to rely on ourselves". ⁷

The Organisation of African Unity (OAU) literally handicapped itself as far as timely and effective intervention in regional conflict was concerned. This was due to the ironical fact that the regional body is an institution innately bent on the promotion and preservation of order in the continent for the achievement of common goals that include the preservation of international society; the upholding of the independence of member states; the maintenance of peace in helping to secure the normative foundations of all social life which includes 'the limitation of violence' [expressed in the laws of war], 'the keeping of promises' [expressed in the principle of reciprocity], and 'the stability of possession' [expressed in the principle of mutual recognition of state sovereignty].⁸

Consequently, in the event that the organisation's intervention was called for in an internal conflict in the continent, the principle of state sovereignty and the insistence that the borders of a state or nation were sacrosanct, and consequently beyond violation by foreign forces, forestalled any meaningful intervention other than verbal condemnation of the forces behind the conflict.

Limited financial, military and other resource capabilities also made it imperative that alternative means of resolving the continent's woes be formulated

6. Milton Leitenberg, 'Anatomy of a Massacre', in the *New York Times*, 31st July, 1994 pp.15.

7. Morrow Lance, 'Africa: The Scramble for Existence', *Time Magazine*, 7th September 1992, pp 46, quoting President Museveni of Uganda.

8. See Bull, H; *The Anarchical Society: A Study of Order in World Politics*; (London, Macmillan, 1995).

and put into use. The multiplicity of issues surrounding each conflict has also further complicated and, sometimes, discouraged intervention. The study proceeds on the conviction that Africa's protracted problems could be best resolved using homegrown solutions that neither undermine the sovereignty of states nor encourage violation of state borders. It further argues that there can be no foreign or western blueprint that will prove infallible in the context of Africa's problems. African countries must chart their own road to democracy and peaceful co-existence. They need not perish in the wilderness of conflicts.⁹

Justification of the study

The Great Lakes conflict, left unresolved, has the potential of eventually evolving into a continental war. This is because, as is often the case in conflict systems, there are multiple actors and issues involved in any segment of the conflict. Regional and sub-regional organisations must learn to establish, employ and sustain conflict resolution techniques specifically crafted for the (Sub)region. The conflict in Burundi was adjudged grave enough to merit the deployment of two eminent statesmen as track one-and-a-half diplomatic facilitators, Mwalimu Julius Nyerere and Nelson Mandela.

Track one-and-a-half diplomatic facilitation is set to gain prominence in the African continent. Lessons derived from techniques that have proved to be effective and sustainable in the management of any contributory segment of the Great Lakes conflict, can be modified and replicated elsewhere in the same and other conflict systems. This could, thus, evolve into a range of proven intervention policies and track one-and-a-half diplomatic facilitation mechanisms that actually produce durable results for peace.

9. See Ngoy Daniel Mulinda, *The Reconstruction of Africa: Faith and Freedom for a Conflicted Continent*, (Nairobi, 1997).

Objectives of the study

The study will:

1. investigate how former statesmen can make use of their regional or international influence, prestige, experience and moral standing to influence the conflicting parties into, and sustaining, a dialogue whose ultimate objective is to prevent the escalation of an already existing conflict; avert the flare up of potential conflicts and find durable and mutually acceptable solutions to the causes of disharmony;
2. highlight the significance of various procedural, technical and personal attributes that contribute to the choice of track one- and-a- half diplomatic facilitators;
3. critically examine the strategies employed by each of the diplomatic facilitators in the study.

Methodology for the study

The methodology applied in this study will entail the scrutiny of comments, papers and articles written periodically on the Great Lakes region, with specific interest on those that refer to the conflict as it unfolded in Burundi. Track one-and-a-half diplomacy focuses on resolving both the immediate conflict, as well as addressing the overall relationship of which a particular conflict is but a component.¹⁰ In-depth examination will be carried out on material and human resources that are instrumental in isolating the principal events relating to the conflict in Burundi as well as how each of the track one-and-a-half diplomatic facilitators chose to address them.

Despite a heavy reliance of the research on secondary data, where possible, interviews will be conducted with diplomatic representatives and nationals of

countries involved in, or connected in one way or the other, with the conflict, resident in Kenya. Secondary data is readily accessible in both the University of Nairobi and United States International University libraries to which. Data retrieved from the libraries will be useful in that they help clarify issues related to the Great Lakes conflict which have been the subjects of earlier studies and researches. Secondary data will also be useful in determining the extent to which the conflict in Burundi has evoked interest in international circles. In commentaries, proceedings of conferences and conclusions derived from various analyses are all sources of information critical to this study.

Literature Review

The literature in this study reviews the concepts surrounding conflict and diplomatic facilitation in conflict management. Writings on the origins and causes of conflict will be analysed so as to lay a background to the understanding of the conflict in Burundi. The human needs theory and conflict resolution are of prime interest to this study. The analysis of these concepts will be useful in defining the scope of the conflict so as to place it in its proper perspective.

According to Burton¹¹, the human needs theory is pivoted on the belief that human actors in conflict situations are instinctively struggling at basic social levels within their respective institutional levels to satisfy basic and universal needs such as the need for identity, the need to feel secure and the need for development. The desire and struggle to gain mastery of the immediate environment is essential to the satisfactory achievement of these needs. Based on the propositions of this

11. J. Burton, "Conflict Resolution as a Political System", pp.187, in Vamik Volkan et al (eds.), *Psychodynamics of International Relationships: Unofficial Diplomacy at Work*, Vol. III, (Lexington, MA, Lexington Books).

hypothesis, Burton suggests that there is a need for a paradigm shift away from power politics and towards the reality of individual power.

In this case, the needs and potential of the individual for disruption counts even when considering the needs of the collective group. An attempt, by either the elite groups or other groups of authoritative institutions to deny this reality only serves to breed resentment and eventually leads to conflict. With this view in mind, Burton posits that the way out, for groups entangled in conflict, is to work through their issues of contention in an analytical way, supported by third parties who play the role of facilitators to the process of conflict resolution.¹²

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It entails the termination of conflict by analytical means so as to get to its core causes. This process is opposed to simple conflict management or conflict settlement as it holds the view that the parties involved have the ability to reach a permanent solution to the problem. The significance of this theory in the context of the conflict in Burundi, and to a greater scale, the Great Lakes conflict, is that it legitimises and recognises the significance of on-going conflicts. It further calls for their collective analysis if lasting peace that gives room to development is to be realised. Dougherty and Pfaltzgraff observe that social scientists are divided over the question whether social conflict should be considered to be something rational, constructive and socially functional, or as an irrational, pathological and socially functionally entity.¹³ They, along with Cunningham, seem to vouch for two opposing views on the nature of conflict. The classical approach focuses on the macro-level analysis and is mainly concerned with the analysis of the interaction of groups divided along a variety of cleavages that in the immediate and long-term range

12. Ibid.

13. James E. Dougherty & L. Pfaltzgraff, *Contending Theories of International Relations*, (New York, Harper & Row, 1981) pp.187-188.

range end up including ideologies structured around class, ethnicity, institutions and even nationality.¹⁴

The behaviourist analysis, on the contrary, is concerned with micro-level analysis where the unit of measurement is the individual, not the collective group. According to this theory, in order for one to understand one's unstated motivations, it is imperative that the sub-conscious be examined.¹⁵ Zartman argues that an understanding of handling violent conflicts must of necessity begin with a conceptualisation of their causal ingredients so as to get clues to their solutions.¹⁶ He singles out need as the basic component of conflict. He argues that the denial of collective need is a basic condition for the ignition of conflict.

Schelling notes that although competition, conflict and cooperation are inherently interdependent, conflict erupts when competing groups' goals, objectives, values or needs collide. Aggression, and not necessarily violence, results from this clash.¹⁷ In Mwangi's opinion, conflict results from incompatibility of goals of parties about a specific issue.¹⁸ In this context, the process to resolve any conflict cannot be simply tied to the conceptualisation of causal links. It is not merely sufficient to know about the possible causes of conflict. The resolution of conflicts will eventually have to go further and understand who the actors are and their perceived stakes in the conflict.

14. William G. Cunningham, *Theoretical Framework for Conflict Resolution*, (University of Auckland, 1988).

<http://cain.ulst.ac.uk/conflict/cunningham.htm>.

15. Ibid.

16. William Zartman, "Mediation in Ethnic Conflicts: Facing Ethnic Conflicts", Paper presented at the Centre for Development Research, ZEF, Bonn, 14th- 16th December, 2000.

www.zef.de/download/ethnic_conflict.pdf.

17. Thomas Schelling, *The Strategy of Conflict*, (Cambridge, M.A, Harvard University Press, 1960).

18. Makumi Mwangi, *Conflict: Theory, Processes and Institutions of Management*, (Nairobi, Watermark Publications, 2000).

Modelski argues that the outbreak of a conflict may really be an internalised, or local, affair. However, its continuance and escalation eventually alter the mechanisms that relate to its management and resolution since it eventually creates demand for foreign intervention.¹⁹ Mwagiru further contends that that it is important to disentangle the various levels of individual conflicts and even go further, to identify different types of interfaces. In this regard, he introduces the notion of conflict systems which fronts the belief that every conflict has intimate linkages regionally. Thus, what might initially appear to be an individualized conflict may in fact be part of a wider regional conflict system.²⁰

Zartman categorically asserts that neighbouring countries are hardly ever indifferent to an internal conflict.²¹ Their disposition can be either hostile or friendly, but none can claim to be indifferent to the situation across the borders. Boulden concurs with the observation that no conflict operates in isolation. She cites case studies that illustrate the subtle intertwining of conflicts within the African continent.²² This fusion has resulted in widely reverberating sequels to upheaval, or the threat of upheaval, in a region. As such, one conflict is almost always linked to another, or to a series of other seemingly different conflicts.

With such a broad approach, the basis on which the analysis, management and eventual resolution is embedded must of necessity, be defined since lack of a

19. George Modelski, "The International Relations of Internal War", in J.N Rosenau (ed.), *International Aspects of Civil Strife*, (New Jersey, Princeton University Press, 1964) pp.16-20.

20. Makumi Mwagiru, *The Greater Horn of Africa Conflict System: Conflict Patterns, Strategies and Management*

21. William Zartman, "Internationalization of Communal Strife: Temptations and Opportunities of Triangulation", in Midlarsky, (ed) *Communal Strife*, pp. 27-46

22. Boulden Jane (ed.) *Dealing With Conflict in Africa: The United Nations and Regional Organizations*, (Palgrave, Macmillan, 2003).

sound conceptual basis in any type of conflict management is bound to flounder.²³ In this context, the conflict in Burundi ought to be viewed in terms of the wider Great Lakes region conflict system which currently comprises Angola, Burundi, Chad, the Democratic Republic of Congo, Namibia, Rwanda, Sudan, Tanzania, Uganda and Zimbabwe. It is in reality a web of violence and destabilisation that is deep-seated in the centre of the continent and gradually threatens to suck in the rest of the continent.

Despite the apparent lack of consensus among international relations scholars on how exactly one ought to view conflict, both the synchronic view of conflict that focuses more on the immediate causes and the diachronic view that takes into consideration the historical and long-range perspective of conflict are useful. In Martin's view, an analysis of conflicts in Africa requires a historical perspective.²⁴ Conflicts in the African continent, as in any part of the world, are part and parcel of wide-ranging social dynamics. The struggle among individuals, families, clans, ethnic groups and nations for the control of scarce natural, economic and political resources is a perennial one. He notes that while conflicts are a constant in African history, African conflicts should be studied within specific historical parameters. The nature and intensity of African conflicts is the result of a complex, dialectical relationship between internal societal factors and the structure of the external environment.

Tatiana and Weiss²⁵ propose the approach that argues that any analysis of the Great Lakes region conflict must take into account the beginnings, development

23. Makumi Mwangi, "The Greater Horn of Africa Conflict System: Conflict Patterns, Strategies and Management", (2003).

24. Guy Martin, *Conflict Resolution In Africa*, (School of Government, University of Western Cape, 1990).

25. Tatiana Carayannis & Herbert F. Weiss.: "The Democratic Republic of Congo, 1996-2002", in Boulden J. *Dealing With Conflict in Africa*, (Palgrave, Macmillan, 2003).

and results of the 1994 genocide in Rwanda. In so far as each country eventually affected already had its portion of internal problems, the genocide served to provoke mass movements of human populations in and out of various borders. The prevailing atmosphere of insecurity from within and without the large refugee camps created to accommodate those fleeing the genocide, in turn produced fresh mass movements of human traffic whose effects will be analysed in Chapter Three of this study.

Lemarchand attributes the civil war in Burundi to conflicts over beneficial political participation and resource scarcity, compounded by regional imbalances and the regimentation of the Burundi society.²⁶ In Orogun's perspective, however, internal and interstate conflicts in the sub-Saharan countries of Angola, Sierra Leone, Liberia and the Democratic Republic of Congo which forms the heart of the Great Lakes region, have been triggered, sustained and funded by the economic imperative of actors mainly interested in annexing and monopolising territorial control over lucrative mineral-producing regions.²⁷ A case in point is that of the Democratic Republic of Congo, where mineral wealth has, for years, allegedly been illegally mined and exploited by the armies of Burundi, Rwanda and Uganda.

Trench and Paton analyse the Great Lakes conflict from a dual perspective.²⁸ The regional perspective exhibits an implicit struggle for prestige and sub-regional dominance between President Robert Mugabe of Zimbabwe, former South African President, Nelson Mandela and the incumbent South African head of State, Thabo Mbeki. As the chair, then, for the now disbanded South African

26. Rene Lemarchand, *Burundi: Ethnocide as Discourse and Practice*, (Cambridge, Cambridge University Press, 1994).

27. Paul Orogun, 'Blood Diamonds and Africa's Armed Conflicts in the Post Cold War Era', *World Affairs*, (Winter 2004).

28. Trench A & Paton C. "Inside the Congo Conflict", *Sunday Times*, (Johannesburg, 23rd August, 1998).

Development Community's security organ²⁹ Mugabe was thought to be in a pitched battle to wrest superiority away from the South African leaders and gain international acknowledgement as the spokesman for this part of the continent.

On matters relating to the resolution of conflicts, Waltz asserts that it is the unseen, continual actor or situational transformation within a conflict that eventually paves way for its resolution.³⁰ This transformation could be calculated or unintended, foreseen or sudden. This complements Haass' argument for the need for the ripeness of a conflict as a pre-condition for its resolution.³¹

Zartman and Touval hold the view the conflicts that result from the mix of political and security issues, and which take place within a power politics context, have a major impact on facilitation and mediation processes. Through interest calculation which involves determining the strength and content of those expressed interests and ranking them, mediators can recognise when the parties to the conflict might be ready to accept mediation, and who might be more willing or interested in facilitating a favorable conclusion.³² It is in such a context that the role and potential impact of track one-and-a-half diplomatic facilitation is considered.

Zartman and Berman advance a step further than simply explaining the

29. Initially formed as the Southern Africa Development Coordinating Conference (SADCC) in July 1981; SADCC became SADC on 17th August, 1992. *Membership*: Angola, Botswana, Democratic Republic of Congo, Lesotho, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, Swaziland, Tanzania, Zambia, Zimbabwe.

30. Kenneth Waltz, *Man, the State and War: A Theoretical Analysis*, (New York, Columbia University Press, 1959).

31. Richard Haass, *Conflicts Unending: The United States and Regional Disputes*, (New Haven, CT: Yale University Press, 1990).

32. W. Zartman & S. Touval, "Mediation: The Role of Third Party Diplomacy and Informal Peacemaking" in S. Brown & Kimber Schraub (eds.), *Resolving Third World Conflict: Challenges for a New Era*, (Washington, Institute of Peace Press, 1992) pp. 239-261.

rationale behind the ripeness theory. In their opinion, the management and resolution of a conflict is equally dependent on the timing or initiatives to tackle the conflict.³³ In addition to appropriate timing, 'a stalemate is the most propitious condition for settlement'. The concept of ripeness, right timing and the parties' perception of a Mutually Hurting Stalemate,³⁴ when the parties find themselves locked in conflict from which they cannot extricate themselves and rise to victory, they are likely to seek an alternative way out. Rothchild says that it is not just enough for the stalemate to hurt mutually to eventually pave way for the resolution of a conflict. The stalemate needs to progress a notch higher and be mutually damaging³⁵. It is at this point that a resolution is likely to be reached since the leaders of the warring factions face losing credibility before their constituents.

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There is extreme external pressure to reach an agreement as the conflict and reasons justifying its continuation have probably changed. Despite the contemporary bias scholars and practitioners of international law have for the employment of soft power, rather than hard, or military-based, power in the resolution of conflicts, particularly since the *Agenda For Peace*,³⁶ and the end of the Cold War, there is a dearth of literature specifically focused on the processes and consequences of track one-and-a-half diplomatic facilitation initiatives. This study will make a significant contribution to the literature in this field

33. W. Zartman & Berman M; *The Practical Negotiator*, (New Haven, Yale University Press, 1982).

34. Zartman, "Ripeness: The Hurting Stalemate and Beyond", in Stern, P. and Druckman D. (eds.) *International Conflict Resolution after the Cold War*, (Washington, Brookings, 2000).

35. Donald Rothchild, "Responding to Africa's Post-Cold War Conflicts", in E. Keller & D. Rothchild (eds.), *Africa in World Politics*, (Boulder, Colorado, Westview Press, 1999).

36. Boutros-Boutros Ghali, *An Agenda For Peace*, (New York, United Nations, 1992).

of diplomatic facilitation. Schelling, meanwhile, provides a useful guideline on the general nature of diplomacy. According to his observation,

"Diplomacy ... seeks outcomes that, though not ideal for either party, are better for both than some of the alternatives...The bargaining can be polite or rude, entail threats as well as offers, assume a status quo or ignore all rights and privileges, and assume mistrust rather than trust. But ...there must be some common interest, if only in the avoidance of mutual damage, and an awareness of the need to make the other party prefer an outcome acceptable to one self".³⁷

Theoretical Framework

The International society approach revolves around the concepts of soft power and rationalism.³⁸ An ideal relationship between differing parties within a state, and who are likely to bring about internal conflict, is that of equals where each party respects and seeks the best for itself and for its opponents. Since this ideal relationship is rare, a near- ideal can only be achieved on the basis of communication. Understanding the opposing parties' interests and point-of-view is therefore, essential. Talk, or dialogue, with individuals, free from arbitrary power, coercion or violence becomes the basis for sustaining such relationships.

As Phillips states:

"Today the dialogue is no longer at the level of legal principles but of pragmatism. It is not a question of whether the international community has the right to intervene or whether it should intervene. It is a question of how and in what way".³⁹

This assumes the practice of reason, rationality, cooperation and honest desire for human progress. It calls for a judicious and sober approach to contentious issues and the principal actors in international relations are people specialised in

37. Schelling, T: *The Strategy of Conflict*; (Boston, Harvard University Press, 1980), pp.168.

38. Jackson, R. & Sørensen, G. *Introduction to International Relations: Theories and Approaches*, 2nd ed. (New York, Oxford University Press, 2003). 39. Phillips L. Robert, "The Ethics of Humanitarian Intervention", in Phillips and Cady, *Humanitarian Intervention*, (Lanham, M.D, Rowan & Littlefield), pp.23.

statecraft, especially in the area of diplomatic communication.⁴⁰ Lessons from past experience are also considered⁴¹ as conflict resolution process that has a clear understanding of the inter-linkages amongst various factors⁴² becomes a path to peace and an antinomy of political violence.⁴³

Clarification of the mechanisms of how to deal with the takeover or maintenance of power; the maintenance of internal cohesion and finding means of making those in power perceive an unbearable situation as a problem⁴⁴ are crucial functions in this approach. Soft power options need adoption long before giving in to hard power intervention in conflict situations.⁴⁵ In such a situation, both, or all, parties in a conflict situation can participate in the design of a legitimised post-conflict relationship as the structure of the peace process is a win-win⁴⁶ one, as opposed to the dreaded *vae vietis*, where, woe betide the defeated.

40. Mwagiru, M., *Diplomacy: Documents, Methods and Practice*, (Nairobi, IDIS, 2004) pp.92-105.

41. Bull, H; "International Theory: The Case for a Classical Approach", in K. Knorr & J. N. Rosenau (eds.), *Contending Approaches to International Politics*; Princeton, Princeton University Press, 1969) pp.20-38.

42. Mwagiru, M. "Conflict and Peace Management in the Horn of Africa: Theoretical and Practical Perspectives;" (*Project Ploughshares, 1998*).

43. Raimo Väyrynen, "To Settle or to Transform? Perspectives on the Resolution of National and International Conflicts", in R. Väyrynen (ed.) *New Directions in Conflict Theory: Conflict Resolution and Conflict Transformation*, (London, 1991).

44. William Zartman I, 'Negotiations in South Africa', *Washington Quarterly* 11 (4): pp.11-15.

45. Fogg R. Wendell, "Dealing With Conflict: A repertoire of creative peaceful approaches", *Journal of Conflict Resolution* 29 (2): 1985. pp. 330-358.

46. Mwagiru, M. "Conflict and Peace Management in the Horn of Africa; Theoretical and Practical Perspectives;" (*Project Ploughshares, 1998*).

Hypotheses

The findings derived from this study will show that:

1. track one-and-a-half diplomatic facilitation is capable of yielding a sustainable resolution to the Great Lakes conflict and should therefore be given more attention by scholars in international studies and conflict management.
2. track one-and-a-half diplomatic facilitation is of little consequence in the resolution of the Great Lakes conflict and thus merits little interest in international conflict management.

Chapter outline

Chapter One introduces the background to the study and lays the foundation for the research problem.

Chapter Two traces the types and functions of diplomacy.

Chapter Three traces the issues, actors and causes of the Great Lakes conflict, with a specific focus on Burundi.

Chapter Four presents the case study of track one-and-a-half diplomatic facilitation initiatives by Mwalimu Julius Nyerere and Nelson Mandela to resolve the conflict in Burundi.

Chapter Five is a critical analysis of track one-and-a-half diplomatic facilitation.

Chapter Six is the conclusion and recommendations of the study.

Chapter Two

Types of Diplomatic Facilitation

Introduction

This chapter begins with an overview of the history and the evolution of diplomacy. It then proceeds to the general nature and functions of diplomacy. This section captures the trends of diplomacy. It also recognises track One-and-a-half diplomacy by establishing its current place in recognised diplomatic practice.

Traditional diplomacy is focused on national interest. In its broadest sense, it is the conduct of international relations by non-violent means. A diplomat, in any capacity, is therefore an agent of the appointing body or person and is entrusted with acting on the sending, or appointing entity's behalf in the conduct of international relations. The conspicuous nature of the dilemmas faced by diplomats was not evident until the twentieth century. In the medieval era, diplomats were free from ethical torment. But, after the bloodbaths and the atrocities that befell the world population with millions left dead, and more still maimed and wounded, both physically and psychologically, it became general opinion that issues of war and peace were no longer the concerns of military expertise alone, but everyone's business.

In the words of the English diplomat, Lord Strang "...in the world where tragedy is every body's nightmare, then it means diplomacy is everybody's business."¹

This is how contemporary diplomacy arose and modified the way international affairs between and amongst actors in the international arena was to be conducted. It emphasized a resort to dialogue rather than to armed battle. As a Greek statesman argued, "ambassadors do not have any battleships at their disposal, but it is their

1. Eban, A; *Diplomacy for the Next Century* (London: Yale University Press, 1998), pp. 27.

very words that are their weapons and opportunities.”² The Greek city-states are regarded as the primary master-minds of diplomatic traditions, and are the exemplary case that diplomacy flourishes in conditions of fragmentation, pluralism and more so, theoretical equality of states. However, where social stratification and inequality prevails, be it economic, social, military, it can then be rightly concluded, as observed in the international system that ‘the strong do what they can, and the weak suffer what they must’.³

In the same vein, national interests being the determinant of the course of any diplomatic venture, the zero-sum gain is the rule of the game. Hence, it is only in conditions without any unit claiming superiority over others, that it would be possible to achieve goals only by persuasion, eloquence, inducement, threats, and - if need be, intimidation. According to the literature available, there have been several attempts at the classification of the types of diplomacy. One method classifies diplomacy as comprising bilateral and multilateral diplomacy.⁴ Bilateral diplomacy basically involves a meeting of two parties while

Multilateral diplomacy involves consultations amongst multiple parties to negotiations. Even in processes involving a multiplicity of actors, who may include permanent world and regional organisations, at the end of the day, it is the meetings of two, or bilateral diplomacy, that eventually yields results. Advances in transport and communications and increased joint global concerns such as environmental issues have fostered the growth and practice of multilateral diplomacy

2. Ibid., pp.28.

3. Op cit., pp. 28-29.

4. Kappeler et al; *Diplomacy: The Concept, Actors, Organizations, Rules and Processes*, (Nairobi, IDIS, 1994).

The second type of diplomacy, under this classification, is public and secret diplomacy. Public diplomacy is conducted openly, even when not in the full view of the media. Woodrow Wilson in his fourteen points called for 'open covenants, openly arrived at'. It is close to propaganda. It is a process of creating an overall initial image that enhances one's ability to achieve diplomatic success. Propaganda includes what is said and done for the sake of impressing observers.⁵ Public diplomacy is more widely reported and documented. Its main advantage is that leaders have less room to keep information away from their own populations and from neighbouring states.⁶

Secret diplomacy is that which takes place without the knowledge of the public or the media. It is when its results are made public, that people become aware of the meeting that took place. Secret diplomacy is most effective when trying to persuade opponents to consider one's point of view. It thrives particularly in issues involving the military or defense.

The third grouping is of formal and informal diplomacy. Formal diplomacy is conducted in formal settings by properly appointed and empowered diplomats. Their interactions obey established procedure or rules of protocol. They include leader-to-leader, or summit, meetings and parliamentary diplomacy that involves debates on voting in international organisations. Unlike formal diplomacy, informal diplomacy takes place in a variety of settings and venues, such as cocktail parties and receptions. Informal diplomacy pays no regard to rules or procedure. It is also practiced by a wide host of people, including business tycoons and representatives of non-governmental organisations.

5. Rourke J. T; *International Politics on the World Stage*, 10th edtn. (New York, McGraw Hill, 2005), pp.254.

6. Gibbs D. N; "Secrecy and International Relations", *Journal of Peace Research* 32: pp.213-238.

Summit diplomacy is mainly practiced by heads of state or government. Due to the frequency of meetings involving heads of state from all over the world, summitry has become a regular tool of modern diplomatic practice.

Another classification method categorises the types of diplomacy as comprising first of track one diplomacy also known as official diplomacy. The agents here are officially appointed and trained diplomats. Their main concern is to look out for and defend the interests of their individual countries. Track two diplomacy is unofficial diplomacy. It has a special meaning, particularly in the context of conflict management. It represents a view of international relations which is not state-centric, but emphasizes that the individual is at the centre of all international interactions. Agents of track two diplomacy tend to be scholars and former diplomats.

Track one-and-a-half diplomacy is slightly lower than track one diplomacy yet, higher in rank than track two diplomacy. The individuals involved in this type of diplomatic practice are former heads of state who are in official retirement from public office, but are still influential in continental or world affairs.

Changes in the international order and norms have been accompanied by corresponding shifts in conflict management and resolution practices. Consequently, there are several factors that affect, and dictate the regulatory procedures and mechanisms of diplomatic practices. The procedures and mechanisms that are applied at any time depend largely on the level of conflict, and the success or failure of practical measures taken.

The timing of the intervention is also important. Applying the right method at the wrong time delays results, as the application will most probably have to be re-done. The wrong approach applied at an inappropriate time results in escalating the conflict. For instance, in *the Agenda for Peace*, Boutros-Ghali outlines the four areas of action that may offer a coherent contribution towards securing global peace. These encompass aspects of preventive diplomacy, where actors seek to ease

tensions between states before they result in armed conflict. This mode of diplomacy focuses more on the underlying causes of tensions and takes preventive steps based on timely and accurate knowledge and application of facts. It takes into account the social and economic roots of potential conflicts.

Individual agents, in this case, track one-and-a-half diplomats and representatives of parties to the conflict in Burundi are observed at work in an internal conflict, but also in a largely international context which has an influence on their options and in shaping their perceptions.⁷

Functions of track one-and-a-half diplomacy

As is the case for other categories of diplomats, track one-and-a-half diplomats conduct initial informal discussions with representatives of parties to a conflict and regional leaders to determine whether a peace process is warranted, wanted and possible. Their functions⁸ cover a broad range of activities which include observing and reporting. This is a process of gathering information and impressions from both formal and informal gatherings. It also includes analysing and synthesising information received.

A second function is involvement in actual negotiation. This function calls for art and technical skill in helping parties to a conflict find common ground on divergent positions. Track one-and-a-half diplomatic facilitators also work with initial parties to a conflict to identify other key stakeholders whose inclusion in the negotiation process is important. This involves providing general procedural ground rules.

7. S. Hobden, *International Relations and Historical Sociology: Breaking Down Boundaries*, (Routledge, London, 1998), pp. 37-38.

8. Rourke T.J; *International Politics on the World Stage*, (New York, McGraw Hill, 2005), pp. 241-245.

Ground rules include defining the scope and limitation of the diplomatic facilitation, legitimised areas of coverage and as the rules governing conduct and behaviour during the facilitation process. Track one-and-a-half diplomatic facilitators work with the parties to the conflict to assist them in being effective participants in the process and thus increasing the likelihood that, eventually, the envisaged peace process will be both successful and effective.

Track one-and-a-half diplomatic facilitators are in a unique position to act as sounding boards for ideas to be advanced at the negotiation table. They do this by attending to the details of meeting logistics and ensuring that progress is recorded. The track one-and-a-half diplomatic facilitator can help to head-off relatively simple problems that, if ignored, might otherwise lead to the breakdown of the facilitation and negotiation process.⁹

Track One diplomats carry out the policies that reflect both the long-term and the short-term interests of the governments to which they have been accredited. These representatives are in the same vein, expected to discuss the implications of the policies discussed and agreed on, with their respective governments, and within an international organization where they interrelate with delegations of other states.¹⁰ Likewise, track one-and-a-half diplomatic facilitators need to foresee the possible consequences and repercussions of the results of the peace process they may be involved in.

9. B. Stuart et al (eds.) *Building Consensus for a Sustainable Future: Putting Principles into Practise*, (Ontario , Canadian Cataloguing Publication,1996), pp.108-109.

10. J.R. Lee & W. C. Olson, (eds.) *The Theory and Practice of International Relations*, (New Jersey, Prentice Hall, 1994), pp.163.

Facilitation in track one-and-a-half diplomacy

In order to channel the interests of all the involved parties towards a mutually acceptable solution to a conflict, track one-and-a-half diplomatic facilitators can, and do employ three key tactics, namely, communication, formulation and manipulation.¹¹ As a communicator, the track one-and-a-half diplomatic facilitator makes direct contact between key parties to a conflict possible. This kind of bilateral contact would ordinarily be hindered by the threat of conflict or the outbreak of armed confrontation. Violent conflict obstructs the flexibility required for making concessions without one side appearing weak or at risk of losing face before its opponents. The track one-and-a-half diplomatic facilitator can therefore play the role of a communicator who acts as a conduit for the flow of information, opening contacts, keeping the channels of communication open and carrying messages to and from the participating parties.¹¹

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Due to conflict, meanings in messages may be distorted. The facilitator is then called upon to help the parties understand the intended message without adding more meaning than is intended to the content. The track one-and-a-half facilitator needs skill in persuading the parties to support or comply with recommendations. In such a situation, tact in communication, wording of messages, sympathy with the interests of the parties to the conflict, accuracy and confidentiality are essential traits to the track one-and-a-half diplomatic facilitator in the principal role of a communicator.¹²

11. A.K. Scheneider et al, *Coping with International Conflict: A Systematic Approach to Influence In International Negotiations*, (New Jersey: Prentice Hall, 1997), pp. 27-40.

12. W. Zartman & S. Touval, 'Mediation: *The Role of Third-Party Diplomacy and Informal Peace-making*' in S. Brown & K. Schraub (eds.) *Resolving Third World Conflict: Challenges for a New Era*. (Washington: Institute of Peace Press, 1992), pp.239 -261.

The facilitation process calls for creativity. The conflict may be so encompassing, that it prevents the parties involved from conceiving ways out of it. Formulae are the key to a negotiated solution to a conflict. They provide common understanding of the problem, and its solution or shared notions of justice to govern an outcome. The track one-and-a-half diplomatic facilitator, in the role of a formulator¹³ needs to persuade the parties to see the need to negotiate for a solution to the conflict at hand before more damage is incurred by the parties to the conflict. Persuasion requires greater involvement than mere communication.

Formulation of solutions and how to get round to achieving them force the track One-and-a-half diplomatic facilitator to get involved in the substance of the conflict at hand. Despite this deep involvement, the track one-and-a-half facilitator also relies on the parties' willingness to adopt their own perceptions of a way out of an unfavorable situation. The Track One-and-a-Half diplomatic facilitator can also use manipulation as a tool to help achieve a desirable end to a conflict.¹⁴ In such a situation, facilitators assume a maximum degree of involvement, making themselves parties to the solution, if not to the conflict. They use their power to bring the parties to an agreement, pushing and pulling them away from the conflict and into a solution.

Track one-and-a-half facilitators enhance the value of the solution by adding benefits to its outcome and presenting it in such a way as to overcome imbalances that may have prevented one or the other of the parties from subscribing to it. This may mean shoring one party and condemning another as may be necessary. Reversing the approach to each party, as appropriate, helps maintain a balance during the negotiation process. As much as manipulation seems to cast doubt over

12. Ibid.

13. S. Weiss; 'Enhancing Negotiator Successfulness,' *Journal of Conflict Resolution*, Vol.4; pp. 706-739

14. Ibid.

the facilitator's neutrality, it has been proven to be an effective model of facilitation even with other tracks of diplomatic intervention.

The nature of track one-and-a-half diplomatic facilitation is affected by the setting of the crisis situation at hand.¹⁵ One aspect of the setting is the system or the situation in which self-interested actors pursue their goals through the use of power. The diplomatic environment is another aspect of the setting.¹⁶ This environment is determined by the relationships among the various actors or parties to a conflict. The environment is said to be hostile if one or more parties are engaged in armed confrontation and there is substantial possibility of armed confrontation erupting.

The diplomatic environment is adversarial when the interests of two or more parties clash but there is limited chance or possibility of the clash escalating into an all-out war. When a number of parties have similar interests, often in opposition to the interests of one or more other parties, then one is said to be engaged in a coalitional diplomatic environment.

Finally, there is the mediational diplomatic environment which allows for the involvement of third party mediation in a situation of conflict and as well as the search for steps to resolve the conflict.¹⁷ This is important in the eventual analysis of the effectiveness of track one-and-a-half diplomatic facilitation, as, indeed, the two diplomatic facilitators in the Burundi conflict operated under two very different diplomatic environments.

15. Dirk Kotzé, "Issues in Conflict Resolution," *African Journal on Conflict Resolution*, Vol.2. No.2, 2002, pp.77-98.

16. Ibid.

17. Fogg R. Wendell, "Dealing With Conflict: A repertoire of Creative Peaceful approaches", *Journal of Conflict Resolution* 29 (2): 1985. pp.350-358.

Selection of Track one-and-a-half Diplomatic Facilitators

The choice of track one-and-a-half diplomatic facilitators is based on the same criterion that applies to the selection and eventual appointment of practitioners of the three tracks of diplomacy. For instance, proven effectiveness in past assignments augurs well for the one chosen. This is because in international circles it is usually expected that one who has been involved in the facilitation of a peace process, in a similar capacity, will be more likely to make use of lessons already learned in a conflict. Past successes and experience improve an individual's rating and credibility in the eyes of both local and international analysts.¹⁹

It is also important that the individual appointed to the role of a track one-and-a-half diplomatic facilitator, be willing to become engaged in a conflict, in the same capacity.²⁰ As already clarified in the introductory sections of this study, those considered to be potential track one-and-a-half diplomatic facilitators are retired heads of state. It is possible that during a statesman's tenure as head of state, there may have existed bitter rivalries between his country and a neighbouring one, now embroiled in a situation of conflict.²¹

The retired head of state may be called on to help facilitate a peace process between his successor and the erstwhile rival. If the potential track one-and-a-half diplomatic facilitator believes that his/her past experience with one of the parties will not allow him/her to remain impartial throughout the process, s/he can then decline involvement in the diplomatic facilitation process. However, given the intertwined relationships and conflicts in neighboring states, it is highly unlikely that a track one-

19. Rourke J.T. (2005), *International politics on the World Stage*, (New York, McGraw Hill, 2005), pp. 245-247.

20. Ibid., pp. 249-251.

21. William Beinart, *Twentieth Century South Africa*; (Oxford University Press, 2001).

and-a-half diplomatic facilitator will be dealing with parties to conflict who are absolute strangers to him/herself or to each other.

It helps when a track one-and-a-half diplomatic facilitator has significant material assets of power and prestige at his disposal. These assets include sound character, human resources, material resources as well as a sound financial base. These are power assets that help a diplomatic facilitator wield influence. Diplomatic facilitation can be a lengthy, resource-demanding and consuming process. It therefore, helps when the peace process is not forever faced with the threat of imminent collapse due to lack of resources and funds.²²

An assessment of an individual's performance as head of state will rarely earn the person a perfect rating. However, a certain level of consistency in character and policy, with a view to improving the state over which one rules, is likely to be regarded favourably. It is also important that the track one-and-a-half diplomatic facilitator be acceptable to both regional and internal parties. A track one-and-a-half diplomatic facilitator who cannot win the confidence of the parties to a conflict is faced with an uphill task even before s/he begins the assignment. S/he first has to spend precious time 'selling' him/herself to the unfriendly party and win the hostile party over, before s/he can eventually get down to the critical tasks of the appointment.²³

Another crucial point is that the track one-and-a-half diplomatic facilitator should enjoy direct access to the necessary participants. This means that the track one-and-a-half diplomatic facilitator should, ideally, have an office that is secure and

22. See Douglas Brinkley, *The Unfinished Presidency: Jimmy Carter's Journey Beyond the White House*; (New York, Viking, 1998).

23. See Legum Colin & Mmari Goeffrey (eds.); *Mwalimu: The Influence of Nyerere*; (New Jersey, Africa World Press, 1995).

also readily accessible to the parties to a conflict. Outside the premises of his/ her office, the track one-and-a-half diplomatic facilitator should also be willing and able to meet each party to the conflict, in an individual capacity. Having direct access to participants also means that the facilitator to a peace process is able to privately hold face-to-face talks with individual leaders of each party to the process. This facility counts a lot in ensuring the fluidity of communication between all those involved in the peace process.

The choice of track one-and-a-half diplomatic facilitators is also based on how relevant the individual is to the conflict. Relevance to a conflict refers to how much the potential facilitator is aware of what has been going on and for what reasons those events have taken place. S/he needs to understand the motivations behind the moves made by different parties to the conflict. This calls for intelligence, insight and the ability to objectively analyse issues, both historical and contemporary. The immediate and long-range effects of the prevailing situation to the facilitator's country are also important.²⁴

Julius Nyerere, former president of the Republic of Tanzania, is said to have been more than willing to facilitate an end to the conflict in Burundi because his own people, in Tanzania, were getting over-burdened by the refugee crisis arising from the overflow of people coming into Tanzania from Burundi.

The track one-and-a-half diplomatic facilitator also needs to be a continual learner. S/he needs to read and scrutinize previous documents already available that are related to the conflict and the peace process s/he intends to facilitate. Familiarity with a wide scope of issues touching on the root causes of the conflict; the immediate and long-term consequences of the same conflict, and, reasons for the continuation of the conflict, among other issues, give track one-and-a-half diplomatic

24. Ibid.

facilitators confidence and authority to carry out their role effectively.

Finally, and very critical to this study, unlike diplomats from tracks one and two, track one-and-a-half diplomatic facilitators should have at one time governed an independent country. As of the time they are appointed, or mandated, to facilitate a peace process, they should be in retirement.

Chapter Three

The conflict in Burundi

Introduction

Chapter two of this study outlined the different forms of diplomatic facilitation, important factors to be considered in the selection and appointment of track one-and-a-half diplomatic facilitators, the functions of this group of facilitators as well as steps in track one-and-a-half diplomatic facilitation. In this section, the study will outline and examine the interplay of social and political events that directly and indirectly contributed to, and sustained the civil war in Burundi since the assassination of President, Melchior Ndadaye, in October 1993.

The chapter will also highlight how the war in Burundi intertwines with the larger conflict in the Great Lakes region. The Great Lakes region spans an extensive geographical area within the continent. The study adopts the geographical delimitation which includes the territory covered by Burundi, the Democratic Republic of Congo, Kenya, Rwanda, Tanzania and Uganda.

Origins and development of the conflict in Burundi

The conflict in Burundi cannot be attributed to a single factor. It arose from a series of successive and inter-linked events and historical, geographical and social circumstances. Burundi is a small country in the Great Lakes region. It has a population of about eight million. Among the earliest inhabitants of the region of the region are the pygmy Twa who currently account for one per cent of the country's population.

Anthropological and historical studies point to a series of immigrations of the Hutu and the Tutsi settlers into the same region. The immigrant settlers supplanted

the Twa and ended up being the main ethnic groups in Burundi. ¹ The Hutu, Twa and Tutsi basically share a common culture. They speak the same language, have identical religious beliefs and have for long intermarried. However, in pre-colonial times, the Tutsi and Hutu were occupationally defined groups. Those people who were peasants, making a living by cultivating and tilling the land were known as the Hutu, while those who were pastoralists were known as the Tutsi. Tutsis were the smaller and wealthier class, but movement between the two social classes existed. Hutus who accumulated enough wealth could become Tutsis, and Tutsis who lost considerable wealth became Hutus.

The coming of German and Belgian colonial powers saw the colonialists favour the minority Tutsis through whom they chose to govern the country. This favouritism angered the Hutu, who alongside the Twa, had literally no access to education, government service and political participation. The Tutsis also did all they could within their economic and political power to assert themselves as the dominant and ruling group.²

When Burundi obtained its independence from Belgium in 1959, the Tutsi had gained considerable dominance over the Hutu mainly due to the support the Tutsi obtained from the departing colonial administration. The Tutsi were largely opposed to democratisation after independence since they feared the eventual effect of having powers redistributed from them to the Hutu and Twa.

1. See, Survivors Rights International, <http://www.survivorrightsinternational.org.rw>.

2. Ibid.

In 1965, the Hutu revolted and thus began a civil war where they sought to overthrow the Tutsi-dominated government from power. The Tutsi responded by engineering the killing of Hutu members of the army and Hutu political leaders. In addition, thousands of people fled Burundi to live as refugees in neighbouring states. After the uprisings in 1965, the Tutsi strengthened their control over the national army and political institutions. In 1972, Hutu rebels staged a *coup d'état* that resulted in between 80,000 and 100,000 deaths of both Tutsi and Hutu civilians.³

The 1980s saw a series of rallies organised by the Party for the Liberation of the Hutu People (Palipehutu) against the oppressive Tutsi regime. The Tutsi retaliated by waging a war against the Catholic Church which offered education and provided medical care for the poor Hutu. The anti-Catholic campaign culminated in the massacre of more civilians when the Hutus launched an assault of local government officials in 1988.

Tutsi discrimination against the Hutus was most keenly felt in two ways. First was the denial of educational opportunities. This meant that most government positions which required some education and other specialised skills were filled by Tutsis. Secondly, by means of a strange 'girth by height' requirement, the Hutu were blocked from entry into the national armed forces.⁴

The Tutsi control of the armed forces allowed Tutsi leaders to use the security forces to prevent dissenter from protesting or organising themselves against the government. To discourage dissention, the security forces detained dissenters and

3. 'Hutu and Tutsi in Burundi', by Mike Dravis at <http://www.cidcm.umd.edu/mar/burundi.htm>.

4. *Ibid.*

deprived them of their rights. However, the search for and action against dissenters, or those suspected to be trouble-makers, often resulted in civilians caught up in the cross-fire between the government and its suspected enemies.

In 1990, the conflict between Hutu dissenters and the government security forces resulted in 3,000 deaths and 50,000 refugees fleeing from Burundi. In November 1991, the security forces killed 1,000 Hutus, who were mainly civilians. In the same year, the Palipehutu attacked northern provinces of Kayanza and Cibitoke. After the creation of the Palipehutu and the events of November 1991, the Hutu formed new rebel groups such as the *Armée Populaire* which operated from the Kemente region. The existence and activities of new rebel groups resulted in an escalation of the massacre of innocent civilians.

Following decades of Tutsi military and political supremacy, international pressure for democratisation prevailed on the Union for National Progress Party (UPRONA) led by President Buyoya to launch constitutional reforms. These reforms climaxed with the June 1993 multi-party elections.⁵ Melchior Ndadaye's principally Hutu-dominated party carried the presidential vote, capturing 65 per cent of the total votes cast, while the Front for Democracy in Burundi (FRODEBU), emerged victorious in the parliamentary elections, having garnered 80 per cent of parliamentary seats.

In a reconciliatory gesture reflecting the willingness to share power, President Ndadaye appointed some Tutsis in his government. This olive branch did not do much to placate the Tutsi's sense of loss, particularly in the armed forces. Not too long after assuming power, the new regime had to contend with pressure from Tutsis seeking to regain their traditional military and economic supremacy. The

5. For a detailed presentation of events in Burundi, see, Lemarchand R.; *Burundi: Ethnocide as Discourse and Practice*; (Cambridge, Cambridge University Press, 1994).

Hutus, on the other hand, wasted no time in according themselves the benefits of suddenly being the ruling majority.

President Ndadaye's attempts to redress the ethnic power imbalances ended with his assassination in October 1993. His death plunged the country into a wave of communal massacres. An estimated 150,000 people were displaced from the country. The neighbouring countries of Rwanda, Tanzania and Zaire (later the Democratic Republic of Congo) bore the brunt of the influx of the fleeing refugees.⁶ A further 100,000 persons were internally displaced.⁷

After the massacres, surviving Hutu militants created an armed military movement known as the Forces for the Defense of Democracy – *Les Forces pour la Défense de la Démocratie* (FDD). This movement gained the support of the FRODEBU party, a Hutu political party created in 1986. FRODEBU emphasised the need for armed resistance against Tutsi exploitation of the Hutu.

While the FRODEBU assisted the FDD financially, the national Council for Defense of Democracy (CNDD), became the political wing of the FDD. In 2001, a sub-group of the FDD would re-organise under the name of the National Council of Patriots - *Le Conseil National des Patriotes* and become the FDD - CNP. In addition to the two wings of the FDD, the CNDD - FDD and FDD - CNP, a group of Hutus led by Cossan Kabura created another armed opposition group known as the forces for national Liberation - *Les Forces pour la Liberation Nationale* (FNL).

Due to the political and military organisation of the Hutu, the Burundi army, mainly occupied by Tutsis started to organise military campaigns and

6. For details of events after the coup, see, 'Military Coup Dissolves New Democracy', *The Christian Science Monitor* (i), 22nd November, 1993.

7. 'Civilians Dying Around the Capital While hundreds of Thousands are Forcibly Moved', by Amnesty international at <http://www.amnesty.org.ai.nsf/indexAFR160211999>.

regroupment camps in an effort to cut ties between the civilian population and the rebels. This included acts such as forcibly moving people of rural Bujumbura and the southern provinces of Makamba and Bururi from their homes to counter attack the Hutu rebels. The security forces also moved an approximated 260,000 people into regroupement sites.⁸

However, the search for revenge and re-dress of perceived historical, socio-economic and political inequalities now led to reverse perennial ethnic rivalry between the Hutu and Tutsi tribal factions. Each group justified its right to be the one in power and over-seeing the running of the country. The dominant Tutsis are speculated to have encouraged racial claims that justified their rule. This policy however poisoned Burundi culture with racism that became a danger for the Tutsis once they lost power.

There is also a possible economic explanation for the conflict and violence in Burundi. The Great lakes region has rich volcanic soil and a more temperate climate because of its altitude. Due to such favourable climate, it is one of the most densely populated parts of Africa. This has led to competition for scarce land and other resources. Author-scientist Diamond, argues that over-population contributed heavily to the development of the conflict in Burundi.⁹

However, scholars are basically in agreement that the predominant factors contributing to the conflict were the militarisation of the state, conflicts over political ideology and participation in the governance of the state, resource scarcity as well as ethnic and regional imbalances in various spheres of social, military and political life

8. "Burundi: Government Forcibly Displaces Civilians: Over 30,000 'Regrouped' With No Humanitarian Access Allowed", by Human Rights watch at <http://www.hrw.org/press/2002/06/burundi0402.htm>.

9. Cited in <http://en.wikipedia.org/wiki/RwandanGenocide>.

in Burundi. ¹⁰

President's Ndadaye's assassination and the reversal of the democratisation process in Burundi , attracted international pressure for external intervention, to at least achieve two main objectives. The first was to stall the wave of inter-ethnic annihilation. Secondly, it would help restore some form of constitutional order within the country.

However, the external actors were faced with clear – cut resistance to their involvement by the Tutsis who were keen to reclaim the country's leadership. On the contrary, the Hutus, anxious not to lose their new-found political grip, wanted immediate external intervention.

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United Nations' Response to Events in Burundi

The United nations Security Council promptly condemned the military act "against the democratically elected government of Burundi", and demanded that the perpetrators of this act desist from any action that would "exacerbate the tension and plunge the country into more violence and bloodshed, which would have serious implications for peace and security in the region".¹¹ The United Nations Security organ also made an unequivocal demand for the reinstatement of democracy and constitutional rule in Burundi. It also demanded that the 'perpetrators of the putsch should lay down their arms and return to their barracks'.¹²

10. Ibid.

11. See, "Burundi: 'UN Responds to Coup d'Etat; Sudden Refugee Crisis", UN Chronicle, March 1994, pp.58.

12. Ibid.

Considering issues of expense of intervening in the unfolding crisis in Burundi, and still smarting from the lingering memories and humiliation of the recent Somali debacle, the United Nations basically ruled out an emergency physical intervention in Burundi. In place of physically intervening, James Jonah, the United Nations under Secretary- General, was dispatched on a fact-finding mission to Bujumbura, in October 1993.

On his return from the mission, Jonah suggested a re-settlement plan that entailed the withdrawal of the militia from politics and the reconstruction of civilian institutions. He also urged the Organisation of African Unity ¹³ to intervene by putting into use the recently created mechanism on conflict prevention. The roles of the organisation of African Unity, and the United Nations' mediation initiatives that took place between October 1993 and the late 1995 are the focus of a different study. ¹⁴

The obvious reluctance of the United Nations Security Council to be directly engaged in the internal turmoil in Burundi forced the sub-regional states, particularly those most affected by the influx of refugees, to support the Organisation of African Unity initiative to resolve the conflict. The Organisation of African Unity-led intervention force, the Mission for Protection and Restoration of Trust in Burundi (MIPROBU), composed of about 180 soldiers and 20 civilians was proposed to carry out a number of tasks.¹⁵

These tasks included the restoration of order; the mediation of the process to select a new president for the country and to oversee the military's withdrawal from active political participation. This apparently small token external force was

13. Formed on 25th May 1963, the Constitutive Act of the African Union was adopted on 11th July 2000, and the African Union came into existence in July 2002. Membership: All African states except Morocco.

14. See, Boulden, J., *Dealing With Conflict in Africa: The United Nations and Regional Organisations*, (Palgrave, Macmillan, 2003).

15. See, <file://A:\ONUB%\United%\Nations%\Operation%20IN%\Burundi.htm>.

not expected to be in active confrontation with the Burundi army but rather act as facilitators of dialogue. It was simply a force that effectively protected a government that no longer trusted its own army.¹⁶ As the OAU- mandated team was being commissioned to help restore order in Burundi, a mediation team led by the Special Representative of the Secretary - General, Ahmedou Ould - Abdallah, who was at one time Mauritania's foreign minister, came up with four goals to help resolve the Burundi crisis.

In order of priority, these goals were first, to work in collaboration with the Organisation of African Unity, ensuring that the purposes of the mediation team and the efforts of the organisation were aligned. This would allow for ease in the achievement of the ultimate objective of averting a crisis in Burundi. Secondly, the role of the mediation team was to facilitate dialogue between the warring parties in Burundi.

This was in essence a challenge to try and bring the leaders of both the Hutu and Tutsi ethnic groups to round-table talks in an effort to reach an agreement endorsed by both parties.¹⁷ The Ould-Abdallah- led mediation team was also charged with the task of establishing a commission of inquiry into the October events and the ensuing massacres. In addition, the team was to come up with proposals on mechanisms that would help restore the democratic institutions overthrown by the abortive October 21st coup.¹⁸

16. Quoted in Horace Awori, 'Burundi: Army Continues To Haunt Hutus', Inter Press Service, 26th November 1993.

17. See, <file:///A:\ACCORD%20-%20aFRICAN%20solutions%20to%20the%20challenges.htm>.

18. Ahmedou Ould – Abdallah, 'Burundi on the Brink', 1993 – 1995; (Washington DC: US Institute of Peace, Perspectives Series, 2000). pp. 37 – 40.

The Special representative of the Secretary-General, Ould- Abdallah, managed to forge and sustain a working relationship with representatives of the United Nations and regional actors. He engaged the parties in a confidence-building process that would lead to the restoration of civilian institutions. In January 1994, a collective agreement resulted in the selection of Cyprien Ntaryamira, a Hutu, to the presidency.¹⁹ Ntaryamira, in turn, appointed a Tutsi prime minister.

This power sharing agreement managed to produce a lull in the conflict in Burundi. However, violent clashes re-ignited in Bujumbura in March 1994 as Hutu leaders clamoured for a renewed and enhanced military force that would deal decisively with the ethnic clashes.²⁰ On 6th April 1994, President Cyprien Ntaryamira died in a plane crash that also involved Rwanda's president, Juvénal Habyarimana. Their plane was shot down as it prepared to land in Kigali.²¹ This assassination provoked killings that swiftly spread from Kigali to all corners of Rwanda. Within a hundred days, almost a million Rwanda Tutsis and moderate Hutus died in grisly massacres as militants within the two ethnic groups went on rampage intending to eliminate members of the enemy camp. International attention promptly switched from the conflict in Burundi to Rwanda's unfolding genocide. Urgent measures needed to be taken by both the local and international communities so as to avoid relegating Burundi to the international political dumpsite.

19. 'Government Parties Reach Truce', FBIS-Afr-94-010, 14th January 1994, pp. 1-3. For discussions of the actual negotiations, see *Op Cit*, pp. 67 – 75.

20. 'Interior Minister Calls for International Force', FBIS- Afr-94-062, 31st March, 1994. pp. 1.

21. See, http://en.wikipedia.org/wiki/Rwandan_Genocide.

Sub-regional intervention

For the next twelve months, initiatives to restore peace and chart a way forward to peaceful co-existence included fresh negotiations to work out the modalities of sharing power, and the launch of a national debate to draft a new constitution that laid emphasis on human rights. The war did not subside and pressure for regional intervention soared when the national army clashed with the rebels on the Burundi- Tanzania frontier, provoking a mass exodus of fleeing Hutus into the Tanzania.

Tanzania's initial response to check the surge of human traffic was to seal its border with Burundi. When this move proved unsuccessful in controlling the exodus of people fleeing Burundi, Tanzania, along with the Organisation of African Unity, threatened to intervene militarily to stop the 'abuse of human rights and murder of civilians in Burundi'.²² In an effort to spur sub-regional intervention, President Ali Hassan Mwinyi of Tanzania, President Yoweri Museveni of Uganda and Mobutu Sese Seko of Zaire jointly invited former United States president, Jimmy Carter, to assist in the search for peace in the region.²³ The Carter Centre launched a sub - regional diplomatic initiative in September 1995. Among the participants in these initiatives were African elder statesmen: South African Archbishop Desmond Tutu, former president of Mali, Ahmadou Toure and former president of Tanzania, Mwalimu Julius Nyerere.

22. Paul Chintowa, 'Burundi – Politics: Tanzania Threatens to Intervene', Inter – Press Service, 12th June 1995.

23. Jimmy Carter left the White House in 1981 after one term in office. He has devoted his time to help 'alleviate tension in troubled parts of the world, promote human rights, enhance environmental quality...'. This study considers him the prototype of a global track one-and-a-half diplomatic facilitator. For details visit, <http://www.emory.edu/CARTER-CENTER/homepage.htm>

Also see, Douglas Brinkley, *The Unfinished Presidency: Jimmy Carter's Journey Beyond the White House*, (New York, Viking, 1998).

While this intervention did not stop the violence in Burundi,²⁴ it helped institute a consultative forum for conflict resolution in the Great Lakes region. Following a series of meetings, Burundi, Rwanda, Uganda, Tanzania and Zaire ranked the repatriation of refugees, cross-border incursions and the proliferation of arms within the refugee camps as priority issues. The Burundi delegation to the Tunis summit in March 1996 pledged to end insecurity by starting a national debate on democracy, national reconciliation and reforms in the armed forces.²⁵

One significant decision reached at the end of the Tunis summit was the appointment of Mwalimu Julius Nyerere as the mediator in the Burundi crisis. His mandate was to help parties engage in a national debate on power sharing. It is worth noting that until this particular time in the history of Burundi, the country had undergone a lot of turmoil. In barely three years, two Heads- of -State had been assassinated and anarchy was evident all over the country. Left unattended to, the situation in Burundi risked being classified as beyond salvage. The international community was interested in seeing a sustainable change in the political, social and economic fortunes of Burundi.

Despite the disheartening series of events that took place as different regional and international bodies looked for a solution to the leadership problem in Burundi, all hope was not lost for the country. There had to be hope because hundreds of thousands of displaced civilians were displaced and desperate to go back home. In addition, the incumbent leaders were also keen to appear to the wider

24. Douglas Brinkley, "The Rising Stock of Jimmy Carter: The 'Hands-On' Legacy of Our 39th President", Stuart L. Bernath Memorial Lecture, delivered in Chicago, 30th March 1996; and Richard N. Smith & Timothy Walch(eds.) *Farewell to the Chief: Former Presidents in America's Public Life*, (Worland, New York, 1990).

25. 'Cairo Declaration on the Great Lakes Region', News & Info; 29th November 1995; and 'Great Lakes Heads of State Issue Declaration in Tunis', News and Info; Atlanta; 18th March 1996.

world that they were willing to sort out their internal problems for the general good of the Burundi populace.

Until 1995, Burundi commanded a lot of international attention compared to any other country in the Great Lakes region, albeit for the wrong reasons. However, this was set to change in a short while as unrest flared up in different parts of the Great Lakes region. The unexpected spread of regional turmoil would eventually shock the leadership in Burundi back to its senses and help hasten the restoration of order and acceptable governance Burundi.

Chapter Four

Track one-and-half diplomacy in Burundi

Introduction

In Chapter Three, this study traced the roots and development of the crisis in Burundi from October 1993 until April 1994. The Chapter also gave a detailed progression of international and regional interventions that eventually led to the appointment of the first track one-an-a-half diplomatic facilitator in the crisis, in September 1995.

This chapter is dedicated to the presentation of the track one-and-a-half diplomatic facilitation of the negotiations leading to the Burundi peace accord. The first part of the chapter discusses the efforts of Mwalimu Julius Nyerere as the Organisation of African Unity-appointed facilitator to the Burundi peace process. In the second part, the study focuses on the Mandela initiatives in Burundi.

Culturally sensitive variables have been credited with influencing typical negotiating styles.¹ Ali Mazrui best summarizes the common thread running through the labours of the great statesmen who constitute the essence of this chapter: "...the involvement of elders in conflict resolution is one of its characteristic values in Africa."²

1. Dirk Kotzé, "Issues in Conflict Resolution", *African Journal on Conflict Resolution*, Vol. 2 No.2, 2002, pp. 77-98

2. *Ibid.*

The search for peace

Preliminary talks to try to broker a peace accord took place in March and April 1996 in Mwanza, Tanzania. The facilitator, Mwalimu Julius Nyerere, tried to set up a broad-based dialogue that would be all inclusive. This meant that even the rebel group *le Conseil National pour la Défense de la Démocratie* (CNDD), would eventually be able to send delegates to the peace process negotiations.

The ruling coalition parties held divergent views over the participation of armed rebel groups. The Union for National Progress Party (UPRONA) and the military would not hold dialogue with armed rebel groups. CNDD and UPRONA claimed that the inclusion of rebel groups would obliterate the Convention of Government. Meanwhile, the Front for Democracy in Burundi (FRODEBU) would not participate in the talks unless the rebel factions were included. After a lot of bickering, the ground-breaking talks collapsed in June 1996, barely two months after they were launched. Accusing UPRONA of not being committed to the talks, the facilitator, Julius Nyerere threatened to solicit regional military action.³

This threat would however not translate to reality as material resources and international will to effect it were limited on both the international and sub-regional level. The first of a series of regional summits⁴ on Burundi was held in

3. Hackel Joyce, Interview with Julius Nyerere: 'Peace May Hinge on One man', *The Christian Science Monitor*, 19th June 1996, pp.6.

4. These summits are known as the Arusha regional Summits on Burundi. Participating countries included: Ethiopia, Kenya, Uganda, Tanzania, Rwanda, Zaire and Namibia.

Arusha in late June 1996. Here, leaders decried the extensive militarisation of the Burundi society, urged an immediate ceasefire and restated the urgency for all inclusive negotiations.⁵

The Burundi leadership, on its part, requested for regional security assistance that would complement the Nyerere initiatives. An International Technical Committee (ITC), chaired by Tanzania, was set up to look into the logistics of granting Burundi's request. The Burundi leadership faced re-entry problems back home because as far as the populace understood, their appeal was interpreted to be a compromise on the country's sovereignty. The president and the prime minister consequently beat a hasty retreat and issued a fresh appeal for military help.⁶ The only difference was that this time round, they wanted the mission to be under the command of the government of Burundi.

This appeal was rebuffed by Nyerere who, in no uncertain terms, stated the impracticability of such an arrangement. A military coup against the government, on 24th July 1996, brought Pierre Buyoya and UPRONA to power. President Buyoya immediately suspended the constitution and the National Assembly and instituted a UPRONA - dominated cabinet. He promised to enter into national dialogue with all groups, including the rebels, on condition that they renounced violence and activities akin to genocide.⁷

5. 'OAU Supports Nyerere's Peace Efforts in Burundi', Agence France-Presse, 17th June 1996.

6. For in-depth analysis of events in Burundi see, Gilbert M. Khadiagala, "Burundi", in, Boulden J. (ed). *Dealing With Conflict in Africa: The United Nations and Regional Organisations*. (Palgrave, Macmillan, 2003).

7. See, The Joint Communiqué of the Second Arusha Regional Summit on Burundi², Arusha, 31st July 1996.

Regional states denounced the coup as an affront to regional peace and stability. In a concerted effort to restore constitutional order, the regional summit convened in July 1996 and resolved to impose economic sanctions on Burundi.

The lifting of these sanctions would be subject to the fulfillment of three principle conditions,⁸ namely that; the Buyoya government takes steps to restore the National Assembly; that the ruling party takes steps to ensure the recognition of other political parties; and finally, that there be unconditional dialogue with all other political parties; and, finally, that there be unconditional dialogue with all political parties under the framework of the Mwanza Peace Process brokered by Nyerere. The immediate effects of the sanctions on Burundi were devastating⁹ as unemployment soared and humanitarian organisations had their activities curtailed. Agricultural and industrial output also decreased.

In an effort to boost his image in the face of an effective sanctions regime, President Buyoya rebuilt the army and launched a national debate on national reconciliation. This was to serve as the principal move in helping Burundi embark on internally-driven negotiations to broker peace for the country. Soon, both the sub-regional and international communities began campaigning for the lifting of the sanctions.¹⁰ The embargo was eased in April 1997 although a majority of regional countries still favored a total lift.

8. Ibid.

9. For a detailed analysis of the impact of sanctions on Burundi, see, Eric Hoskins and Samantha Hunt, *"The Humanitarian Impact of Economic Sanctions on Burundi"*, (Providence: The Thomas J. Watson Institute for International studies, Occasional Paper No. 29, 1997).

10. Ibid.

Only Uganda and Tanzania wanted the total lifting of the sanctions to remain conditional on Burundi's acceptance of Nyerere as the facilitator for the Burundi peace process.

Political upheaval in eastern Zaire provoked a fresh flow of refugees from the Kivu region into neighboring Tanzania.¹¹ The unprecedented population growth simply served to further strain bilateral relations between Burundi and Tanzania, as well as between Burundi and Nyerere the facilitator. The Burundi leadership made it clear that as far as it was concerned, it was the facilitator, Nyerere, who was an impediment to progress in the peace process.

The Buyoya government consequently sought to sideline him. Nyerere offered to step down as facilitator to the peace process on condition that Burundi's position on his role and performance be a reflection of regional consensus on his facilitation of the peace process.

A consultative meeting of regional Heads of State and representatives of the West was held in Dar-es-Salaam in September 1997 to deliberate, among other issues, on Nyerere's offer to resign from the peace process.¹² The meeting reaffirmed Nyerere's legitimacy as the facilitator in the peace process. Given that Nyerere was actually appointed and mandated by the Organisation of African Unity to take up the facilitation role in the Burundi peace process, accepting Nyerere's resignation was an admission that the regional body had faltered in its choice in

11. Op cit.

12. See, Boulden J.(ed.) *Dealing with Conflict in Africa: The United Nations and Regional Organisations;* (Palgrave, Macmillan, 2003).

in the first place.¹³

Consequently, retaining Nyerere as the facilitator in the crisis also served to re-affirm the soundness of the regional body's choice. The peace process resumed, albeit with sullen parties seated around the negotiation table. The sanctions imposed on Burundi were eventually suspended in January 1999. The suspension of the sanctions not serve to augment the momentum of the negotiation process as had been hoped by observers. The participation of the CNDD-FDD still remained a thorny issue as Nyerere had categorically refused to include the splinter rebel faction in the talks, even when the key parties to the negotiations had expressed their willingness to accommodate them.

The Technical Committee's progress, in particular, was at best, painstaking, and the facilitator criticised the members' lackadaisical attitude to the mission they were involved in. While still awaiting co-ordinated comprehensive progress reports from the technical committees, Nyerere died nine months later, in October 1999. By then the committees had presented draft accords on a range of issues including, a national truth and reconciliation commission, democracy and electoral reforms.

13. Ibid.

Search for Nyerere's successor

With Nyerere's death, sub-regional leaders were faced with the urgent task of ensuring a speedy continuity of the Burundi peace process. In fact, the person who would eventually end up replacing the late Nyerere as facilitator in then peace process was expected to both jump-start and maintain progress within the negotiation process.

This individual who would take over the mantle of the facilitation process had to meet certain prerequisites. First, the new facilitator would preferably be an outsider to the crisis. An insider, that the previous facilitator had been, had been tried and had proven to be occasionally too involved in the conflict to remain objective enough to help sort it out. It was hoped that an outsider would be perceived as untainted by internecine feuds in Burundi.¹⁴

The potential candidate also needed to be able to attract broad - based international limelight. This was crucial since it was generally felt that the Burundi crisis had lost the international appeal and support it once commanded and yet still needed. Other developing crises within the continent, mainly in Zaire and Rwanda, seemed to command more significant international attention. In short, the region needed a person who had the capability to re-focus international attention on Burundi.¹⁵

14. See, 'Burundi: IRIN Focus on Mandela Mediation', UN OCHA Integrated Regional Information Network for central and Eastern Africa (IRIN - CEA), 7th December 1999.

15. Ibid.

Thirdly, the facilitator had to elicit sufficient regional leverage and legitimacy to enable him/ her sustain the peace process. Nelson Mandela, recently retired from the presidency of the Republic of South Africa, seemed to fit this high bill. The decision by sub-regional leaders to appoint Mandela to take over the Burundi peace process negotiations also took care of issues seemingly external to the core Burundi crisis, but which could still threaten to forestall the peace talks.¹⁶

This included the retention of Arusha as the venue of the talks, a decision that placated Tanzania and ensured the continued participation of the Nyerere team in the negotiations. It also guaranteed a sliver of sub-regional control over the peace process. The Buyoya government also felt placated in that their demand that South Africa's objectivity and constructive influence in the Great Lakes region be considered as a factor that could enhance the peace process in their country.

Mandela in the Burundi peace process

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The first move Mandela made as the diplomatic facilitator to the Burundi peace process was to invite the CNDD-FDD to the negotiation table.¹⁷ In his opinion, sidelining them would guarantee that the process and the government would forever have an unending source of trouble and irritation. Since the CNDD-FDD were a potential source of instability in their country and had made known

16. Op cit.

17. <http://bbc.co.uk/1/hi/world/africa/693542>.

their interests and demands, their inclusion in the talks was of great significance.

Mandela candidly berated the leaders of both sides for failing to consider the international implications of a drawn-out civil war in Burundi.¹⁸ This was significant particularly in light of the horrendous genocide that had occurred literally next door to them in Rwanda. Issues of contention were similar in both countries and there was really no need for the parties in Burundi to insist on practically learning their lessons the Rwanda way.¹⁹ Seven years of war had brought the country nothing but suffering and disgrace.

Mandela also took time to clarify to the parties in the Burundi peace process the expectations that the broader international community had for the negotiations. At the very least, the peace process was to reassure the anxious world that the parties were averse to war and bloodshed, and that finding a formula for durable peace and co-existence was their unanimous priority issue.

As the newly-appointed facilitator to the peace process, Mandela also went ahead to provide a five-point plan that would steer the parties and their constituencies into achieving desired objectives.

According to this plan, the parties to the conflict in Burundi would have to keep in mind that there could be no peace and reconciliation without provision for an amnesty. As much as there were lessons to be drawn from past

18. Ibid.

19. British Broadcasting Corporation, 'Mandela Slams Burundi's Failed Leaders', Summary of World News, 16th January 2000; David Gough, 'Mandela Hits Out at Warring Leaders', Mail and Guardian, 17th January 2000; Ian Fisher, 'Warring Sides in Burundi get a Scolding', New York Times, 17th January 2000.

events that had occurred in the country, and which had eventually led the country to its current position, the parties had no option but to shift the focus of their strategies from individual interest to activities with a focus on the country's future.²⁰

Secondly, in order to have an armed force with a nationalistic outlook, the Hutu groups had to be absorbed into the army rather than solely into the civil society. Elections would also not take place before finalisation of relevant modalities relating to the various levels of elections, in Arusha. A transitional regime whose leadership would be collectively determined within the framework of the Arusha talks, would have a maximum tenure of five years. Finally, the property rights of returning refugees would have to be seriously considered by those eventually mandated to govern the new Burundi.²¹

The working committees had strict deadlines within which to draft, amend and submit their reports. Each committee concentrated on particular aspects extracted from the five-point plan. Six months later, on 28th August 2000, Mandela formally submitted a two hundred - page draft agreement for endorsement by the parties. The Arusha Accord for Peace and Reconciliation²² was a partial agreement designed to bind the parties into a framework from which actual peace would germinate. It provided for a three year transition period leading to a return to democratic rule in Burundi.

20. Ibid.

21. See, 'Mandela Wins Ovation for Burundi Peace Recipe', Agence France – Presse, 16th January 2000.

22. The full text of the agreement is available on the United States Institute of Peace website:

<http://www.usip.org/library/pa/index/pa-burundi.html>.

The transitional government which would be put in place in Burundi would oversee the re-establishment and management of judicial, military and civic institutions that were expected to be accountable to both the citizens of Burundi and the international community's watchdogs. The proposed constitution would be subject to a national referendum before general elections were held.

With the signing of the Arusha Accord that would guide Burundi back to the path of normalcy, international donors met in Paris, in December 2001, and put together a financial aid package to help revive Burundi.

Beyond the Arusha Accord

The Arusha Accord created the International Monitoring Committee.²³ It was chaired by the Special representative of the Secretary- General, Berhanu Dinka. The committee was charged with overseeing the implementation of the recommendations of the Arusha Accord. Representatives of the nineteen political signatories to the accord, six representatives of the civil society, and one representative each from the Great Lakes region, the European Union and the Organisation of African Unity formed its membership.

It has since November 2000, helped establish commissions looking into the plight of political prisoners, issues relating to the mechanisms of refugee

23. 'Burundi Peace Talks: Monitoring Committee to Review Burundi Peace Deadlines', Fondation Hirondelle,

repatriation and re-integration into civil society. One commission was particularly charged with sensitizing the public on the finer details of the peace accord.²⁴

The fact that representatives of the various parties to the Burundi conflict had appended their signatures to the Arusha Accord did not, however, translate into an automatic cease-fire between the government and the rebels. The rebels briefly continued occupying parts of the capital city, Bujumbura. This occupation took place in spite of a meeting held between President Buyoya and the CNDD-FDD leadership in January 2001.

Another worrying matter concerned the boundary between Tanzania and Burundi. This frontier continued to be such a volatile region that a United Nations Council team visiting the area warned of the risk of imminent conflict²⁵ due to the 'complexity and intractability' of the political atmosphere.

In July 2001, Nelson Mandela, the South African deputy president, Jacob Zuma, and President Omar Bongo of Gabon jointly mediated the establishment of technical committees between the government and the CNDD-FDD rebel faction to cover key aspects pertaining to the establishment and sustenance of a cease-fire between the rebel groups and the government. The maiden meeting between two rebel groups, the FNL and the CNDD-FDD, the government and all signatories to the Arusha agreement was able to take place three months later, in October 2001.²⁶

24. Ibid.

25. See, S/2001/521.29th May 2001, para.133.

26. Ibid.

Negotiations for the establishment and administration of transitional institutions, led by Mandela, ran parallel to the International Monitoring Committee initiatives.

A compromise was reached after six months of often frustrating and long-winded talks. Over a three year transition, a Tutsi president and a Hutu deputy president would run the country in the first half of this period, and in the second half, a Hutu president would, in turn be deputised by a Tutsi.²⁷ The parties retained Buyoya as president and Domitien Ndayizeye, a Hutu, as his deputy. This position came at a cost to president Buyoya. In the face of the threat of renewed regional sanctions²⁸ against Burundi, the president agreed to adhere to eleven conditions.

These conditions were broad in range, covering almost every aspect of social, economic and political aspects of life in the new Burundi. First and foremost, the president and his deputy had to agree to the implementation of the provisions of the peace agreement *in toto*. No amendments would be accepted outside the framework of the current agreement and before the expiry of the transitional period.²⁹

Representatives of all the signatory parties in the transitional government were to be included in the transitional process. This move was to help avoid instances of so-called minority parties being left out once the

27. See, 'Burundi Peace talks: Region Threatens Sanctions if Buyoya Violates Conditions', Fondation Hirondelle, 23rd July 2000.

28. *Ibid.*

29. See, <http://www.crisisgroup.org/home/index=1057>.

government was in power. The Buyoya government was also urged to speedily invite the sub-region and the international community to provide troops and peace keepers to beef up security and protect political leaders returning to Burundi from exile.³⁰

The government was also to take immediate steps to promote the reformation of the Tutsi - dominated army by integrating armed groups and Hutus into it. Hutus were not to be forced to integrate into the civil society alone. The government was, in addition, expected to fully cooperate with the United Nations High Commission on Refugees (UNHCR) in working out modalities on the return of refugees and the resettlement of Internally Displaced Persons. This was important as it would also ensure the protection of vulnerable groups like children, women and the aged. It would also discourage blatant violations of human rights.

The transitional government would also offer full protection to all political leaders, particularly those returning from exile. The government was also expected to ensure the release of all political prisoners and guarantee to refrain from victimising political opponents. Buyoya's government would also fully agree to cooperate with the International Monitoring Committee. Finally, the transitional government was expected to be committed to promptly vacate office at the expiry of the eighteen month period.

Setting up a special army with a national outlook to protect returning exiled leaders proved to be a formidable task. Past mistrusts between the Tutsis

30. See, file://A:\SURVIVORSRIGHTSINTERNATIONALBACKGROUND.HTML.

and the Hutus were not going to make this easy. Not wanting to risk a delay in the inauguration of the transitional government, Mandela personally intervened and prevailed on his government of South Africa to provide a seven hundred strong man force which would be joined later by peacekeeping troops from Ghana, Nigeria and Senegal.³¹ The transitional government took office in late October and the International Monitoring Committee moved its operations from Arusha, in Tanzania, to Bujumbura, the capital city of Burundi.

31. See, 'Foreign Troops Can Protect Returning Exiles: Burundi's Buyoya', Agence France - Presse, 2nd October 2001.

Chapter Five

A Critical Analysis of Track One-and-a-half Diplomatic Facilitation

Introduction

Chapter Four of this study presented the track one-and-a-half diplomatic facilitation efforts of Mwalimu Julius Nyerere and Nelson Mandela. It also outlined the broad decisions reached by various meetings held to discuss the crisis in Burundi. Each one of the track one-and-a-half diplomatic facilitators discussed in Chapter Four faced obstacles that needed to be overcome in order to forestall an abortion of the Burundi peace process. This chapter will critically analyse the problems the facilitators faced. The problems include issues on inter-personal relationships, fiscal constraints, threat of loss of credibility with a section of the actors, international or regional abandonment, as well as intransigence of parties to the conflict

The essence of Track One-and a-half diplomatic facilitation is the management of complex issues pertaining to negotiations amongst the range of actors involved in the search for peace.¹ The very nature of the negotiation process that has been outlined in the study, calls on the track one-and-a-half diplomatic facilitator to avoid stagnation and ensure progress in the peace talks. This calls for commitment and keenness when moving from the agenda stage through to the formulae, detail and eventually, the termination phases of negotiation.² Such a process must be supported and aided by an assembly of

1. Zartman, W; *Two's Company and More's A Crowd :The Complexities of Multilateral Negotiation*, in Zartman, *International Multilateral Negotiation* (John Hopkins University Press, 1994).

2. Augsburg David, *Conflict Mediation Across Cultures: Pathways and Patterns*, (Louisville, Westminster, John Knox Press, 1992).

committed and informed heterogeneous mix of actors sourced from within and without the conflict situation. The resulting multiplicity of actors directly and indirectly engaged in the peace process is fertile ground for recurring disagreements and shifts in alliances. So other than dealing with the essential problem that brought about the need for the Track One-and-a-Half diplomatic facilitation in the first instance, the facilitator also has to be alert to the subtle instances of the emergence of new conflicts as the peace process is underway.³

Challenges during Nyerere's facilitation

Julius Nyerere was mandated to facilitate negotiations between parties to the Burundi crisis by the Tunis summit. One of the first challenges he came across was to do with funding the peace process. Since the Organisation of African Unity, that endorsed Nyerere's appointment as track one-and-a-half diplomatic facilitator was itself cash-strapped, the fledgling peace process relied heavily on funding from the broader international community. This meant that the track one-and-a-half diplomatic facilitator, apart from looking into ways of guiding the peace process, also had to find time to sit with the donors and lay down workable fiscal and other strategies with their representatives.

Western countries may be able donors to peace processes, but alongside the financial and technical or logistical support comes unwelcome interference. The United States special envoy, Howard Wolpe, and the European Union envoy, Aldo Ajello had since 1996, jointly coordinated international policy efforts in Burundi. The roles of the envoy were intended to complement those of the diplomatic facilitator's team but, on the contrary, they often conflicted. Both the

3. Richard V. Sidy, *World Diplomacy*, (Valencia, California, 1992).

facilitator and the envoys had important roles to play in the peace process but it was not quite clear who was accountable to the other. Often, Nyerere was accused of interfering with the envoys who expected him to be subordinate to them. Nyerere, on his part was not about to yield to the whims of outsiders to the peace process.

During a meeting between Nyerere and Western envoys held on 18th June, 1998, the envoys pressed for the conditional suspension of sanctions, suggesting that the sanctions could be re-imposed in the event that talks failed to make significant progress. This was construed by Nyerere as a campaign to undermine the region's leverage on president Buyoya. The envoys, in turn, retaliated by questioning the credibility of the former Tanzanian president's facilitation of the peace process. This asperity was evident in a European Union report that stated that:

" The acrimonious exchange between the Special Envoys/ representatives and the facilitator on the issue of sanctions also raises a more general question on the relationship between the facilitator and Special envoys/ representatives of the international community and the support of the international community for the Arusha process. At the meeting of 18 June, the Special Envoys/ representatives had the clear impression that any divergence of opinion with the facilitator was immediately imbued with the connotations of a North – South confrontation".⁴

The Nyerere team did not take kindly to this allegation and promptly responded:

"In view of the political interests and diplomatic style [of Western Envoys] as well as their potential for disrupting and undermining the Arusha Peace process, it was thought necessary that the relationship of the envoys to the facilitator's team and peace process be defined. It was further noted that it is not always productive to strategize with them considering that they have their own interests. Being representatives of large countries, they have a tendency to want to dominate and control the process..."⁵

4. "Report of the Special Envoy on the First Session of the Burundi Peace Negotiations, Arusha, June 15 -21, 1998", EU office, Arusha 9th September 1998.

Nyerere was also accused of being impartial in the selection of the auxiliary facilitation team. The international community put him to task over the claims of the dominance of his compatriots in the composition of the facilitation staff. Apart from having 'too many' Tanzanians on the facilitation team, particularly in the secretariat, the Tanzanians' professional ability to handle the various technical and other tasks related to the organisation and day-to-day running of the peace process was put to question. This concern is documented in another European Union observation:

The dominance of Tanzanian nationals in the facilitator's staff, a factor that is now also of concern to representatives of other countries of the region present at Arusha, does not help to dispel this impression. The unanimous view of the Special Envoys/representatives present in Arusha was that it would be useful for international partners, and particularly those who have funded the process up to now, to go into the next round with a clearer understanding among themselves of the kinds of benchmarks agreed to with the facilitator, both in political terms and in terms of organization of the talks, particularly the identification of Chairmen of working committees.⁶

The criticism of Tanzanian domination of the facilitation team was later neutralised in the following ways. First, two changes to the structure of the negotiations and mediation were agreed to with the western envoys. Given the presence of multiple parties in Arusha, five committees were created to focus on the key elements of the conflict.

To boost this, the envoys accepted to appoint eminent international personalities to chair these committees. With the appointment of these committees, intricate, broad-based issues were fragmented along manageable

5 "Report of the First Session of the Burundi Peace Negotiations", Facilitator's Office, Tanzania, 21st June 1998.

6. See "Report of the Special Envoy on the First Session of the Burundi Peace Negotiations", Arusha, June 5 - 21 1998 ; International Crisis Group, 'Burundi Peace Process: The Road From Arusha', ICG Report, 20th July 1997.

lines.⁷ The working parties were thus enabled to proceed coherently as communication improved and mutual trust developed among the members.

The United Nations Secretary-General's appointment of Ayite Jean-Claude Kpakpo of Benin to be a senior advisor to the Burundi Peace Process, further boosted the international outlook of the process. It was also suggested that the Nyerere Foundation begins to seek for funding from the sub-regional countries, other African countries and the Organisation for African Unity so as to minimize the potential for disruptive influence from Western donors.

For most of 1997, Nyerere seemed to lose the support of international bodies whose active participation in the peace process and material support which would have added credibility to the facilitation initiatives. This dampened the resolve and coherence that had previously been the hallmark of international bodies whose active participation in the peace process and material support which would have added credibility to the facilitation initiatives.

This dampened the resolve and coherence that had previously been the hallmark of his facilitation. With the facilitator to the peace process apparently deserted, Buyoya gained the the impetus to consolidate his domestic position by reorganising the army and getting villagers into 'regroupement' camps.⁸

7. The committees and their chairs were:

The nature of the conflict:- Armando Guebuza, president of Mozambique's ruling FRELIMO;

Democracy and good governance:- Nicholas Haysom, a South African judge;

Peace and security:- Father Mateo Zuppi of the Sant'Egidio community;

Economic development:- Goerge Lennkh, head of Austria's International Development Agency, and

Implementation of the final agreement :- (which did not begin meeting until after an agreement was signed).

8. Peter Capella, "Burundi Troops 'Massacre 1,000'", *The Times*, 30th January 1997 ; Burundian Leader Promises to Probe Killings", *Reuter Information Service*, 30th January 1997.

Buyoya's government eventually marginalised Nyerere's diplomatic facilitation of the peace process in two ways. First, the Buyoya government launched a debate on national reconciliation in January 1997. All political parties except the *Conseil national pour la Défense de la démocratie* (CNDD) were invited, to map the country's way forward out of the political quagmire it currently found itself in. According to Buyoya, internal negotiations "would show the world that Burundi could solve its own problems without external interference..."⁹ External interference in this case was the facilitator, Nyerere.

Launching this national debate was a tactic president Buyoya hoped would bluff the international community into seeing and accepting, that Burundi was keen to sort out its own problems. It also portrayed the CNDD as a non-entity, not worthy to be invited to participate in the peace process. The second way in which the Buyoya government attempted to sabotage Nyerere's facilitation of the peace process, was when the government began clandestine negotiations with the earlier discredited CNDD party, in Rome. The Italian Catholic lay community, Sant'Egidio mediated these secret talks while a number of western countries provided the needed funds. The objective of one of the key items on the talks' agenda was to discredit Nyerere's facilitation endeavours and forestall the search for all-party negotiations.¹⁰ The talks however broke down when the agenda and participants to the negotiations became public. By approving the imposition sanctions on

8. Peter Capella, "Burundi Troops 'Massacre 1,000'", *The Times*, 30th January 1997 ; Burundian Leader Promises to Probe Killings", *Reuter Information Service*, 30th January 1997.

9. Sonya Laurence Green, "Burundi-National Debate", *Voice of America*, Correspondent Report, No. 209316, 28th January 1997.

10. Weissman, "Preventing Genocide in Burundi", pp.26.

Burundi, regional states practically expressed their displeasure at the coup that brought Buyoya into power. This collective denunciation was in effect a symbolic message to other governments that military *coup d'états* would not be entertained as a means of attaining power in the region. The ultimate goal of imposing sanctions on Burundi was to subdue and force the Buyoya government to cooperate with the international community in negotiating for a peaceful and lasting solution to the crisis in the country.

The effects of the sanctions were immediately felt as they provoked a series of economic and social crises. However, their effectiveness waned with time as sympathizing countries exploited the loopholes that existed, in favour of Burundi and international trade. The Nyerere team had no foolproof method of ensuring compliance with the dictates of the sanctions, particularly from neighbouring countries. Effective monitoring of the sanctions was implicitly ruled out as that required specially skilled and, possibly, armed personnel.

Providing for such resources would only end up further stretching the already poor financial capability of the facilitation team. The sanctions also appeared to fail to punish those it was intended for. This is because the imposition of sanctions is generally based on some basic tenets or principles.¹¹

These principles, ideally, ought to include the promotion of a just cause such as peace or human dignity. The intention of sanctions should be to promote the development and practice of just structures, policies and government. Likewise, the severity of the sanctions need to be proportional to the harm done by those being

11. For a review of recent literature on sanctions see Neta C. Crawford and Audie Klotz, *How Sanctions Work: Lessons from South Africa* (New York, Macmillan, 1999); Robert A. Pape, "Why International Sanctions Do Not Work", *International Security*, Vol. 22, no.2 (1997); and Richard Farmer, "Costs of Economic Sanctions to the sender," *World Economy*, Vol.23, No.1(2000).

'punished' and to the good they aim at achieving. This calls for careful calculation of the probability of the sanctions succeeding.

Fair sanctions are also expected to be discriminatory. This means that they should target economic hardship on the government and the elites that support it as opposed to inflicting harm on innocent civilians. Finally, the imposition of sanctions should, have ideally been preceded by other less coercive instruments of inducing compliance. A number of the factors listed above were apparently over-looked in the rush to impose sanctions on Burundi.¹²

Realizing this error, regional states urged Nyerere to look into the modalities of having the sanctions imposed on Burundi lifted. Nyerere would hear none of it. The continued enforcement of the sanctions, despite both regional and international calls for their removal, was suggestive of a sub-regional façade to enable the facilitator, Julius Nyerere, save face in light of the sanctions' failure. The partial suspension of the sanctions, in June 1998, was, in effect, a sub-regional compromise at placating Buyoya, the West and the Nyerere facilitation team.

Intermittent skirmishes between government troops and rebel groups, even while the peace process was in progress, resulted in regular waves of fresh exoduses of refugees fleeing into Tanzania. The situation was further worsened by the brewing political upheaval in eastern Zaire where refugees who had earlier fled from Burundi and pitched camp in the Kivu region of Zaire, were now de-camping, due to the heightened insecurity, and flocking into Tanzania.¹³ This unprecedented population growth soon became a source of bilateral restiveness between Burundi and Tanzania.

12. Ibid.

13. See [file:///A:/Survivor rights international background.html](file:///A:/Survivor%20rights%20international%20background.html)

Tanzania wanted Burundi to hurry up and sort out its internal problems so that the refugees could be quickly repatriated. Their presence in Tanzania stretched physical and social facilities. It also resulted in environmental pollution and degradation as more space had to be created to accommodate large groups of refugees. Diseases spreading in the refugee camps also threatened the well being of the host community. Above all, since the fleeing groups also harboured leaders of groups in opposition to the government, the internal security of the host country was in peril. ¹⁴

Nyerere did not hesitate to make known his country's sentiments to the parties in the Burundi peace process. The tension between Burundi and Tanzania, who had provided the facilitator for the peace process, compromised Nyerere's stature as an objective diplomatic facilitator to the negotiations for peace. Eventually, as the refugee crisis threatened to obscure the peace process, Buyoya and his allies accused Nyerere of pursuing national interests under the cloak of regional consensus. ¹⁵

A spirited campaign, that almost united the leaders of the different parties involved in the Burundi peace process, was soon set in motion to replace Nyerere. The Buyoya government also made demands for the international community to shift the secretariat of the peace process to a new venue.¹⁶ The Arusha all-party peace conference that was held at the end of August 1997, marked the climax of this campaign. Burundi kept up its demand for a new venue for future talks and appealed for the expansion of the consultative team to include prominent personalities from other countries.

14. Ibid.

15. 'Buyoya Resists Nyerere,' *The Indian Ocean Newsletter*, No.777.6th September 1997.

16. Ibid.

Speaking on behalf of the Burundi delegations to the peace talks, one spokesman declared that:

"Jimmy Carter, Ahmadou Toumani Toure from Mali, President Mandela, Omar Bongo,.. these are all competent mediators around the world and in Africa who can help Burundi to find a solution to its crisis. Nyerere has no solution to offer the people of Burundi because Tanzania is pursuing the same policy which is at the root of the continuing instability in Burundi".¹⁷

It was at this point that Nyerere expressed his willingness to relinquish the facilitation of the peace process if the regional states concluded that his efforts were, indeed, an impediment to the negotiations. Having initially been instrumental in legitimising Nyerere's facilitation of the peace talks, regional leaders attending a consultative meeting of regional heads-of-state and western representatives in Dar-es-Salaam in early September 1997, were in a quandary over whether to continue supporting their choice diplomatic facilitator, or discharge him of the regional appointment and placate Buyoya, a colleague in power.

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Given that implementing the sanctions had already had their toll on the facilitator's mettle, summarily dismissing him would have resulted in a rupture of the delicate consensus underpinning regional intervention. Regional leaders eventually reaffirmed Nyerere's mandate as facilitator to the peace process, all the while collectively emphasizing their confidence in him and in his ability to successfully facilitate the peace process. The summit also decisively retained Arusha as the venue of the deliberations on Burundi.

17. 'Burundi Wants South African Help in Mediation', *Agence France-Presse*, 3rd October 1997 and 'Buyoya Resists Nyerere', *The Indian Ocean Newsletter*, No. 777, 6th September 1997.

Another thorny issue that continually dogged Nyerere's tenure as the facilitator to the Burundi peace process was the exclusion of the CNDD-FDD from the talks. ¹⁸ Nyerere, as facilitator, would not even consider seating the rebel faction at the round table. This made him openly partial to the CNDD leader, a factor that did not augur well for open and meaningful discussions in the search for peace. This partiality crippled meaningful negotiations from an early stage and earned Nyerere more criticism from western envoys.

Nyerere's successes as facilitator

Nyerere's tenure as track one-and-a-half diplomatic facilitator to the Burundi peace process was not all bleak. Despite the many challenges he faced at various levels, credit must still be accorded where due. First and foremost, Nyerere deserves credit for getting the parties to the conflict to agree to negotiate for peace. The very fact that the facilitator was able to get the leadership of the various parties to at least consider negotiations as an option to armed confrontation is itself a credit to Nyerere's tenure.

Secondly, the secretariat to coordinate the logistics of the peace talks was also established during Nyerere's time as facilitator. This was no easy task given the amount criticism this team elicited. With the eventual composition and Terms of Reference for the special committees streamlined, the secretariat was eventually able to get more organised. Later, when Nelson Mandela took over the facilitation process, Mandela was able to reap the results of working with an informed, experienced and more organised and efficient team. Nyerere's willingness to step down for the sake the negotiations' success was clearly a sign of the statesman's humility. The fact that he did not count himself as indispensable to the peace

18. Ibid.

process sent a message to the observing, and erstwhile very critical international community that the facilitator ranked the success of the peace process higher than his own position in it.

Obstacles to Nyerere's facilitation of the peace process

The three years over which Nyerere was the track one-and-a-half diplomatic facilitator to the peace talks were volatile in Burundi, and in the Great Lakes region in general. Nyerere's facilitation of the peace process almost appears to have been the region's maiden attempt at resolving conflicts in the continent without appealing to the outside world for help. It was ultimately, a series of trials and errors, both on the side of the regional leaders and the facilitator.

Despite this, certain occurrences further complicated the facilitation process. The Burundi leadership did not have a very high regard for Nyerere as a leader. Having just retired from the presidency, Nyerere's performance as the head of a state that had since independence faithfully practised the philosophy of *Ujamaa*¹⁹ had just been appraised. The former president's scorecard was less than satisfactory. The Burundi leadership felt that the region had given them a raw deal by appointing a failed head of state to facilitate their peace process and provide guidance for the way forward in Burundi. Often, the line between Nyerere the facilitator to the peace process and Nyerere the patriotic Tanzanian was blurred. This was most obvious when the North-western provinces in Tanzania were overwhelmed by the exodus of refugees coming in from Burundi, and later Zaire. For instance, Karago refugee camp, one of the five camps in Tanzania's Kibondo district

19. C. Legum & G. Mmari, (eds.) *Mwalimu: The Influence of Nyerere*, (New Jersey; Africa World Press; 1995).

along the Burundi-Tanzania border, registered the entry of an average of a thousand refugees daily. The camp's population rose from zero to 36,000 in December when it was opened.²⁰ Nyerere knew what kinds of problems the unchecked influx of refugees could spell for his country. And he reacted as the president of a threatened country would.

The diplomatic facilitator's adamant refusal to give the CNDD-FDD party a hearing at the negotiations is another factor that worked against him. The CNDD-FDD apparently had a considerable following and the facilitator's unwillingness to even consider rating the delegation as a group that mattered was both disappointing and suspect. Nyerere would not change his stand over the participation of the CNDD-FDD in the talks even when the other parties to the peace talks had softened their stance towards the same party. This stubbornness lost the facilitator some measure of credibility as an objective participant in the negotiations.

It is not just the facilitator who contributed to slowing down the peace process. The Burundi leadership also appears not to have been committed to the success of the negotiations. They were, apparently, more occupied with sizing each other up and establishing support bases. The Buyoya government and other parties to the negotiations took international interest in the Burundi crisis for granted. This gave the parties false sense of security in assuming that they could take their time in settling down to serious business of reaching a compromise for peace in Burundi. The genocide in Rwanda and the emerging crisis in Zaire woke up the leaders of Burundi to the reality that the international community could actually write them off.²¹

Until this realisation dawned on the parties, one may conclude that they were simply basking in the limelight of having been identified as the people who had the

20. Action by Churches Together (ACT) website: <file:///A:/dateline%20ACT.htm>

21. *Ibid.*

potential to help solve the crisis in Burundi. They were, however, not yet really committed to the actual task of ending the conflict in the country.

Mandela's facilitation

Nelson Mandela's success in forging a breakthrough with the parties to the Burundi negotiations within six months is attributable to a number of factors. These factors can be categorized generally as Nelson Mandela's character and personality; Mandela's guiding and driving philosophy; previous events and experiences that contributed into shaping Mandela, the facilitator's attitudes and approach to the task he had to perform²² and finally, other factors outside the facilitator's control. Nelson Mandela is without doubt one of the most prominent figures of the late twentieth century.

He is one person who is preceded by his reputation as his life and work find resonance across the world. To many, he is an icon who wholly represents personal, national and international achievement that the vast majority of the world's population and world leaders can only dream about. He is revered as that leader who "gives voice to the thoughts and aspirations of the voiceless. In so doing, his life work continues to challenge the material conditions which keep so many people in silence. His words express what so many people feel, while his actions create the possibility for those millions of people to start speaking for themselves".²³ As Nelson Mandela is seen as the person who led the struggle to overthrow the apartheid

22. F. Meer, *Higher Than Hope: The Authorized Biography of Nelson Mandela*. (New York, Harper Collins Publishers, 1988).

23. P. Waldemer, *Anatomy of a Miracle: The End of Apartheid and The Birth of a New South Africa*; (New York, Rutgers University Press, 1997) pp. 185.

regime in South Africa, so, in many ways, does the world look to Mandela to provide leadership in the effort to attain global peace and harmony.²⁴

He is admired for his integrity, incisive intellect, warmth, dignity, charm, bearing and eloquent oratory. His integrity is such that when he was elected the first black president of the new South Africa, he gave his word that he would occupy the position as head of state for only one five-year term. Not many observers believed he would keep his word as what he was promising was unheard of particularly in the African continent. To the amazement of the watching world, in May 1999, when his tenure as president ended, he graciously stepped aside into retirement.

In a continent where leaders generally rule for life and can only be forced out through a *coup d'état* or assassination, Mandela's act was simply unprecedented. He consequently, earned unassailable credibility by proving that he could be trusted. He was a leader who could keep his word. Such acts that have enabled him ace the test of integrity and soundness of character have earned him acclaim as "standing head and shoulders above all statesmen and world leaders".²⁵ Thus, in terms of character and integrity, Nelson Mandela was above disrepute. Nelson Mandela's presence in any setting has been described as 'pure power'. He naturally exhibits an extraordinary combination of personal dignity and strength, combined with public warmth, humour and the ability to respond to a diversity of people and circumstances. Even de Klerk, with whom he had to work out the plan to end apartheid in South Africa, acknowledged that Mandela 'had an exceptional ability to make everyone with whom he came into contact feel special...'²⁶

24. Ibid. pp.182

25. F. Meer. *Higher Than Hope*, pp.273 and Lyn S. Graybill, *Truth and Reconciliation in South Africa: Miracle or Model*, (Colorado, Lynne Rienner Publishers), pp. 315-318.

26. J. Barber, *Mandela's World: The International Dimension of South Africa's Political Revolution 1990 – 9;9* (Ohio University Press), pp. 87-88.

Amazingly, this powerful presence served not to intimidate the people Mandela worked with, but instead boosted their morale and made them feel honoured to be part of the peace process alongside him.

Secondly, Mandela was not a novice in facilitating negotiations between rival parties. His ability to bring opponents together, in the most unlikely of places had been tested and proven. Even while a prisoner, in the various prisons that the apartheid regime held him in, it was Mandela who often paved the way for prisoners to reason with the prison wardens. He was a dependable source of leadership and organisation to groups that needed to iron matters out. An instance is cited where:

“...On one occasion, there was a deadlock between ourselves and the wardens. Nelson persuaded the authorities to hold a discussion about the problems. Each cell was to send representatives. We were conducted to the small office. There weren't enough chairs, so some of us were standing, others sitting two to a chair. The officials were seated comfortably. Nelson was about the last to join us. He cast one look and said, 'We can't hold a discussion under these conditions. We must be properly seated.' They brought in more chairs and the discussions were conducted in a more appropriate environment”.²⁷

In terms of a model character in the role of facilitator, the esteem in which those who had the opportunity to interact with him held him, “he stood head and shoulders above the others. Everyone looked up to him and respected him. When he spoke, we listened. He was patient, tolerant and I never saw him lose his temper.”²⁸ Mandela's patience has been the subject of a lot of discussion and speculation. He is reputed to be tolerant almost to a fault, of different points of view. He definitely was not always so saintly. The younger Mandela, just starting out as a lawyer and a novice in politics was more of the firebrand that the politics of the day in his country required. Yet, Mandela's tolerance of the range of attitudes that prevail among the

27. Ibid.

28. F. Meer. *Higher Than Hope*. (1968), pp. 270.

membership of the various parties that have presented on many occasions themselves for negotiations that he has facilitated, continues to baffle many.²⁹

Such enduring tolerance was an asset in the Burundi peace negotiations. The parties in these talks were fast losing patience with each other and with everyone else. The regional states were literally fed-up with the Burundi parties' leadership who seemed eager for a bloody confrontation. The wider international community was hard pressed to pay attention to fresher emerging international matters and was, consequently, also a bit testy with Burundi. Burundi was taking too long to sort itself out and get back into the business of re-building the nation.

The west's mellow attitude towards President Buyoya could only last for as long as Buyoya, himself, took concrete steps to play his part in ending the war in Burundi. He would not be tolerated forever. So, together with the leadership of the rebel parties, he had to make up his mind to take action and to be seen to be achieving results.

Mandela's legendary patience is said to have come about in two ways. First, through the long prison experience. It appears that as he spent day after day, breaking lime in the quarries, Mandela's spirit also got tempered. Secondly, Mandela grew up in the home of a traditional African leader. It is in the Great Place in Mqhekezweni, that he observed negotiations take place:

" ..The meetings would continue until some kind of consensus was reached. They ended in unanimity or not at all..democracy meant all men were to be heard, and a decision was taken together as a people. A minority was not to be crushed by a majority. Only at the end of the meeting, as the sun was setting, would the regent speak. His purpose was to sum up what had been said and form some consensus among the diverse opinions. But no conclusion was forced on people who disagreed. If no agreement could be reached, another meeting would be held."³⁰

29. N. Mandela, *Long Walk to Freedom, The Autobiography of Nelson Mandela*; (London, Abacus, 1995) pp. 24

25.

30. Ibid.

Apparently, Mandela would apply the same principles in his role as a facilitator of peace negotiations. Thus the conditions that produced Mandela the patient statesmen may not be unique, but there is value in looking at the way his experiences shaped his thinking.

At the time Mandela stepped in to the peace process as the facilitator, the parties' were ready and willing to fruitfully engage in the peace negotiations. The conflict was apparently ripe for resolution. This could explain the acceptance, of then parties to the negotiations, of the choice of the new facilitator. It would have been imprudent of them to squander this opportunity particularly when a second chance to negotiate for peace presented itself. In addition, the parties to the peace talks had at one time specifically asked to be given a quality statesman, such as Mandela, to help sort out Burundi's problems when their spokesperson declared in a meeting that:

"Jimmy Carter, Ahmadou Toumani Toure from Mali, President Mandela, Omar Bongo,.. these are all competent mediators around the world and in Africa who can help Burundi to find a solution to its crisis. Nyerere has no solution to offer the people of Burundi because Tanzania is pursuing the same policy which is at the root of the continuing instability in Burundi.³¹

Mandela did not have to get into the organising the secretariat as the ground rules guiding its operations had already been put in place during Nyerere's time. Regional leaders were getting weary of hosting and attending endless summits on the Burundi crisis. Worse still, the various recommendations of the summits went unheeded and those that took off often fizzled off in stalemates. One very significant move that Mandela made was to recognise and include the CNDD-FDD delegation in the talks. The CNDD-FDD a potential major source of disquiet, could now be appealed to, to help find and keep the peace in Burundi.

31. 'Burundi Wants South African help in Mediation,' Agence France-Presse, 3rd October 1997.

As facilitator, Mandela reasoned:

“...We cannot sideline anybody who can create instability in the country and we must find ways of accommodating them in these discussions either by inviting them to join or by addressing them separately...The process must be all-inclusive, otherwise there can be no guarantee that the decision of the 18 parties, even if it is unanimous, will be respected by the armed groups on the ground”.³²

Mandela could candidly proffer this seemingly dangerous standpoint based on his country's experience during the negotiations for an end to the apartheid regime. On his release from Robben Island, where he had been incarcerated for 27 years, Mandela facilitated negotiations between the African National Congress (ANC) whose leadership was mainly in exile and the National Party which formed F.W.de Klerk's apartheid government. Negotiations attempting to chart the way forward into the election on a Government of National Unity were often threatened by the activities of the Inkatha Freedom Party, led by Mongosuthu Buthelezi and which generally controlled the Kwa Zulu Natal province.

For as long as this seemingly small group whose leadership was mainly in exile and the National Party which formed F.W.de Klerk's apartheid government were not represented in the talks, they made their presence felt in the country by engaging in destructive activities that cost lives and damaged infrastructure.³³ The Inkatha Party had bases in crowded townships such as Johannesburg and its membership was naturally militant, and proud of their traditional militancy. Their eventual inclusion in the talks did not result in an automatic stoppage of violent activities. Their leader had numerous demands he wanted considered and met. For instance, The African National Congress was for the formation of a highly

32. P. Waldmeir, *Anatomy of a Miracle: The End of Apartheid and the Birth of a New South Africa*; (New York, Rutgers University Press, 1997), pp.185. Also <http://news.bbc.co.uk/1/hi/world/africa/693542.stm>.

33. Ibid.

centralized state; the National Party wanted the party with the majority to draw up the new constitution while the Inkatha Freedom party favoured maximum devolution of power to give regional leaders, such as Chief Buthelezi, power bases.³⁴

Differences in preferences, such as this one, would result in Buthelezi's supporters resorting to violent reactions, while the other two main parties continued with the negotiations. The Inkatha team was, however, at least continually recognised as stakeholders in the process of democratising South Africa. The Inkatha party's demands such as that the impending democratic elections be postponed were ignored. The international community was generally worried about the Inkatha threat to not only boycott the elections, but also to sabotage them, should the preparations go on as scheduled.

At the very last minute, Buthelezi's team decided to cooperate _ with the rest. They neither boycotted nor sabotaged the historic South African elections.

Nelson Mandela has an uncanny ability to demonstrate to even the most sophisticated that their interests are inextricably entwined with the interests of all. We either rise together, or together, fall. Eventually, he helped the differing parties to the conflict in Burundi realise that there was more to gain from working together than from fighting each other; together, they could, at least, learn to focus more on the ties that bound them together as the people of Burundi, rather than the lines that divided them. Negotiations were to be viewed as the culmination of all the parties' efforts on different levels, through the use of a variety of methods, under different conditions to achieve the nations' strategic objective of knowing democracy, peace, equality and prosperity.³⁵

34. Op cit.

35. K. Asmal et al (eds.) *In His Own Words: From Freedom to the Future. Tributes and Speeches*, (London, Little Brown , 2003), pp. 115-116.

Mandela repeatedly emphasised the need for the parties and their constituents to “learn to live together, to transcend our prejudices, to resolve our differences amicably, to respect one another and together reach towards co-operation and attainable common goals”.³⁶ Mandela as facilitator of the Burundi negotiations, was forthright with the parties about both his and the international community’s expectations of the negotiations. He offered alternatives to stalemates and was clearly impartial to the parties. He injected momentum into the process by working with the parties within tight but manageable time frameworks.

He also gave the international community more leverage in asserting control over the negotiation process.³⁷ Nelson Mandela frequently points out that the achievements for which he receives credit and so much honour would not be possible without a broader framework of people, organisations and groups with whom he worked.

This is characteristic humility, but also the wisdom that recognises collective leadership and action and compassion that places human solidarity at the centre of his guiding set of values. Mandela is known to have a deep-seated appreciation of difference and diversity as the constituent parts of national unity. In fact, he has often been criticized for over- emphasising and over-accommodating diversity.³⁸ Nelson Mandela is reputed to have instincts that are attuned to talking and negotiating; for restoring friendship and winning friendship, all the while without being patronizing. He is driven to reconcile; to bridge the gap between parties that refuse to see

36. Villa-Vincencio C; *The Spirit of Freedom: South African Leaders on Religion and Politics*, (Berkeley, University of California Press, 1996), pp.150.

37. See <http://news.bbc.co.uk/1/hi/world/africa.stm>.

38. Antony Sampson; *Mandela: The Authorised Biography*; (Johannesburg, Jonathan Ball Publishers , 1999) pp. 226- 245.

eye-to-eye. Mandela literally looks for opportunities for bridge-building.³⁹

Thus emerges the portrait of a statesman who, even in retirement, is widely revered and respected; a diplomat who in a world of technocrats, bureaucrats and other intermediaries has been able to use personal diplomacy while maintaining great respect for multilateral institutions. Mandela is an optimist⁴⁰ whose capacity to connect with and win over adversaries led him to believe that conflicts, internal or international, could be resolved through 'brains rather than blood'.⁴¹

Nelson Mandela is also an international icon whose statesmanship was recognised long before he became the head of the South African state. Mandela is also a transforming leader who has the innate capacity to move and persuade people,⁴² change their attitudes and appeal to the best in their nature. Mandela represents soft power at work.⁴³

38. Antony Sampson; *Mandela: The Authorised Biography*; (Johannesburg, Jonathon Ball Publishers , 1999) pp. 226- 245.

39. Ibid.

40. Catherine Houc; *Nelson Mandela: Fighter for Humanity*; (Sasa Sema Publishers, 2002), pp.13-18.

41. William Beinart; *Twentieth Century South Africa*; (Oxford University Press, 2001), pp. 270-271.

42. See Michael Watkins; *Breakthrough negotiations: How Great Negotiations Transformed the world's Toughest Post Cold-war Conflicts*; (Jossey-Bass, New York, 2001).

43. James A. Joseph, 'Promoting Peace and Practising Diplomacy', in K. Asmal et al (eds.) *Nelson Mandela In His Own Words; From Freedom to the Future; Tribute and Speeches* (London, Little Brown, 2003,) pp. 449-507.

Chapter Six

Conclusions

In Chapter Five, the study assessed the opportunities that came the way of each of the track one-and-a-half diplomatic facilities. The chapter also analysed the difficulties they faced and the character or personal traits that may have favoured or worked against the progress of the Burundi negotiations. This chapter will conclude the study on track one-and-a-half diplomatic facilitation.

On the 15th of November 2004 Heads of State from countries in and around the Great Lakes region took part in a two-day conference in Dar-es-Salaam. Countries of the Great Lakes that were then experiencing political events of major concern to the conference were Burundi, the Democratic Republic of the Congo (DRC), Rwanda and Uganda. Kenya, Tanzania, and Zambia, formed part of the core membership of the region while Angola, the Central African Republic (CAR), Sudan and the Republic of Congo were the latest subscribers having joined the group in September 2004.

The challenge before the delegates in attendance was to focus on the few all-encompassing principles that reflect a shared understanding of how the region can ensure its collective security and development. The sentiments expressed by a delegate to the conference, aptly expressed the general air of optimism with which the conference was convened and attended.

" ... I think that now there is a more favorable climate in the region, at least more than there has been in the last couple of years. Moreover... the international community is more aware than ever that the problems in countries in the region at least more than there has been in the last couple of years. Moreover... the international community is more aware than ever that the problems in countries in the region are not going to go away unless the (member) countries and donors take a more coordinated regional approach".¹

The summit ended with the signing of the Dar-es-Salaam Declaration for Peace, Security, Democracy and Development in the Great Lakes region. The final draft of the declaration was already approved during the summit by the foreign ministers of the eleven core countries. The declaration includes a preamble in which participants agree on the various causes of conflict in the region. It is followed by a vision in which the parties to the declaration announce their commitments.

The declaration lays out "priority policy options and guiding principles in areas of peace and security, democracy and good governance, economic development and regional integration and humanitarian and social issues. It concludes with a section called "follow up mechanisms".²In a speech delivered during the summit, the Secretary-General to the United Nations, Kofi Annan, said it was noteworthy that the continent was not doomed. There was a glimmer of hope for the Great Lakes region, since 'the regional leaders have made a strategic decision to pursue peace.'³

It is in light of the proceedings of the sub-regional conference that the relevance and functions of track one-and-a-half diplomatic facilitators to peace processes becomes significant. The functions carried out by this category of diplomatic agents in the resolution of the conflict in Burundi shows that there is great potential for its replication within other troubled areas of the Great Lakes region. Violence still continues within and across borders.

1. <http://africaonline.com>

2. Ibid.

3. Statement by Adebayo Adedeji to the Kampala Forum on Security, Stability, Development and Cooperation in Africa, in Olesgun Obasanjo and Felix G.N. Masha (eds.) *Africa: Rise to Challenges*, (New York, Africa Leadership Forum, 1993).

However, as stated earlier in this study, in the contemporary political arena, armed confrontation is now more likely to flare up in communities that compose an independent state rather than between two different states. This consequently means that at any one moment, there are multiple internal conflicts in different parts of the world that require simultaneous attention.

The United Nations can no longer be relied on to be the sole provider of solutions to conflicts. Decentralisation of responsibility for the achievement and maintenance of peace and relative harmony from the United Nations to regional bodies enables those in close proximity to the zone of conflict to come up with mechanisms that work for the region, so as to resolve conflicts.

This is in effect a *carte blanche* that gives regional bodies like the African Union, a wider scope of options that may be applied uniquely, serially or in combination reach peace within African states. Effective intervention of regional bodies in situations of conflict further calls for regional order and organisation. Frameworks within which intervention can be applied need to be clarified, preferably before the need for regional intervention arises. This should reduce instances of certain regions, or states within the same continent appearing to get more attention and assistance than others.

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There is a growing resolve to develop African solutions to African problems and to fight the trend towards the continent's marginalisation in international affairs. This resolve to redeem the continent and the Great Lakes region's image prevails despite the existence of "a major lacuna in existing sub-regional and continent-wide political institutions and the lack of viable peacekeeping arrangements; a situation that has led to the exacerbation of several intra-state and inter-state African conflicts".⁴

4. Ibid.

Given the prohibitive costs of international military engagements in areas of disquiet and the negative publicity a region receives when the United Nations is forced to act so as to help resolve a conflict within a region, heads of state within the Great Lakes region, with the backing of various western powers, took a laudable step in opting to give track one-and-a-half diplomacy a chance in Burundi. The conflict in Burundi and the fragile political environment in which the Burundi negotiations were launched and sustained were signs enough that the facilitators were in for a monumental task.

The enormity of the task before them undoubtedly called for certain qualities and skills from each of the track one-and-a-half diplomatic facilitators. The international political climate is dynamic as are the myriad problems affecting relations amongst countries. This dynamism in international relations also affects diplomatic procedures.⁵

Track one diplomatic procedures are viewed as having too rigid rules of procedure that may neglect seriously addressing the grassroots causes of conflicts. The relative inflexibility of track one diplomacy is also likely to produce biased results that may only serve to prolong a conflict. On the other hand, track two diplomacy tends to lack the influential capacity often required to help in fast-tracking pertinent issues in the international political arena. Track one-and-a-half diplomacy then becomes a symbolic bridge between track one and track two diplomacy.

Track one-and-a-half diplomatic facilitators are key actors in the current political arena. This is because in trying to forge an agreement between conflicting parties, they possess a certain interest in the outcome. They have a role and a

5. W. Zartman & S. Touval, 'Mediation: *The Role of Third-Party Diplomacy and Informal Peacemaking*' in S. Brown & K. Schraub (eds.) *Resolving Third World Conflict: Challenges for a New Era*. (Washington: Institute of Peace Press, 1992), pp. 239-261.

reputation to protect, based on the outcome of the negotiations between the parties. It is ultimately in their interest to emerge from the negotiations as effective and successful facilitators. Unlike arbitration, this bonds the parties involved to judicial procedures and, consequently reaches a verdict that the parties commit themselves to accept, the track one-and-a-half diplomatic facilitator can only suggest possible remedies to the problem at hand and offer his/her support for proposed ideas in the hope that they will be adhered to by the conflicting parties.

Moreover there is no direct use of force that can guarantee advance commitment from the parties to accept these ideas. This makes track one-and-a-half diplomacy appear to be a passive occupation. As discussed earlier in the study, the global culture also shapes the design of the peace-finding and peace-keeping initiatives in fundamental ways.

In so doing, however, it may produce challenges that have an impact on diplomatic procedures. For instance, peace-keeping agencies seem pre-disposed to adopt strategies that conform to global culture, and to reject strategies that they view as normatively inappropriate. This rejection is likely to occur even if the rejected strategies have a greater potential to accomplish the goals of a peace-realisation process. Global norms of diplomatic behaviour should, therefore, not be allowed to curtail the range of strategies that peace-seekers and track one-and-a-half diplomatic facilitators can realistically pursue.

The Epitome of Track one-and-a-half Diplomacy

The epitome of track one-and-a-half diplomacy can only be realised if and when regional problems are mediated by their very own as illustrated in the Burundi peace process. There is, however, no set formula or traditional approach that could

be taken as the model for the diplomatic facilitation of a peace process. A wide variety of approaches to the facilitation of peace negotiations is available.

The negotiation process in Burundi, despite having benefited from the efforts of two diplomatic facilitators, can in fact be viewed as one process with two interconnected phases, despite each phase being quite distinct in character from the other. It is possible, all the same, to proffer certain guidelines or recommendations that could ease the work of track one-and-a-half diplomatic facilitators. They are deduced from the analysis of the content of this study. In typologies of leadership, it is often the pragmatist who makes peace processes possible.⁶

This is because it is the pragmatic statesman who is able to determine the form and timing of diplomatic initiatives while allowing for reasonable flexibility in the eventual determination of crucial issues. First, it is important for the diplomatic facilitator to have a reliable resource base to which he has unrestricted access and control.⁷ The resources referred to here include financial and human resources.

This aspect is best illustrated by the tribulations Nyerere underwent at the hands of donor countries that controlled the purse strings to the Burundi peace process. The slow pace in which the secretariat worked is partly attributed to the process to enable them procure much-needed equipment and other material was slow and generally plagued with bureaucratic obstacles. The facilitator, Nyerere could not do much to change the regulations put in place by those who had the financial means. As much as the people who can solve these problems may themselves be partial or impartial, the donor countries, because of their key financial input, have an upper hand in dictating how and when the conflict is resolved.

6. INCORE, *'From Protagonist to Pragmatist'*, (Feb. 2001).

7. See Henri Boshoff & Matin Rupiya, *African Security review* 12(3), 2003.

Since it is unwise to bite the hand that feeds one, the progress of peace processes, and the implementation of their resolutions tend to be left at the mercy of actors external to the peace process. The indifference of the international community to a problem, or the marginalization of the peace process can thwart the possibilities of meaningful resolution.⁸In the contemporary political sphere, retired heads of state, who still want to play an active role in regional and global politics are encouraged to set up foundations or trusts that eventually give them a secure financial and logistical base from which to co-ordinate their operations. Human and technical expertise may be sourced by the appointing bodies, but it helps for the facilitator to set standards which they need to meet before they can be acceptable on the facilitation staff.

The Carter Foundation, for instance, is professionally run despite more than half the rapporteurs and other secretariat staff being intern volunteers. The Carter Foundation, for example, benefits a lot from the services of volunteer interns who, in turn, gain valuable wealth in the domain of international relations. The diplomatic facilitator also needs to be realistic. Goals that are set during the process of negotiation need to be prioritised and they should also match their ability to achieve them. The linkages between the various issues to be dealt with should also be established. The real test of a statesman is his ability to recognise the relationship of forces.⁹ These forces are both internal and external to the situation and the parties involved in it. These relationships of relevant and important issues also need to be understood within their contexts or circumstances.¹⁰ Lack of insight into the root causes of the conflict may trigger a vicious cycle of conflicts.

8. A.K. Schneider et al, *Coping With International Conflict: A Systematic Approach to Influence in International Negotiations*, (New Jersey, Prentice Hall, 1997) pp.27-44: 38-39.

9. Kissinger, H; 'Statecraft' in K. Asmal et al, *Nelson Mandela In His Own Words*, (2003), pp. 506.

10. Edmund Burke 'Historical Reason in International Relations', in David Boucher, *Political Theories of International Relations*, (Oxford University Press, 1998).

This may happen especially so when conditions that lead to an initial agreement have changed with time, or enmities between the parties concerned have been revived. For this reason, although the facilitator is often tempted to start a process and then fade away from the limelight as the peace process develops its own momentum, the track one-and-a-half diplomatic facilitator may in fact be required to be more involved in the regional structure of relations after a negotiation process, than before. However, if this cycle continues, the facilitator is faced with the challenge of following the process through to completion, and monitoring events structured to help keep the peace and yet, still be able to disengage when the time comes to do so.¹¹

The facilitator should therefore be able to diagnose the essential features of various situations. This includes the ability to anticipate and diagnose potential sources of conflict even as the negotiations are underway. The facilitator should seek to help the parties to a conflict to seek and gain common ground. This calls for him to stress the key roles of reconciliation and amnesty. In the case of Burundi, the common ground touched on matters to do with peace and governance of the country.

It also helps when the diplomatic facilitator is able to empathise with the needs of the parties to a conflict. Empathy enables the facilitator to clearly perceive things from each party's point of view. In the Burundi conflict, it is empathy on the side of the diplomatic facilitator that was key to either the exclusion or the inclusion of the CNDD-FDD delegates from the negotiations. This particular point is in accord with the theories on which this study is based. The argument they present highlights the

11. W. Zartman & S. Touval, 'Mediation: The Role of Third-Party Diplomacy and Informal Peacemaking' in S. Brown & K. Schraub (eds.) *Resolving Third World Conflict : Challenges for a New Era*. (Washington: Institute of Peace Press, 1992) pp. 239-261.

importance of any party that can sabotage a peace negotiation. The potential saboteurs must be included in the negotiations so that they, too, can own the outcome of the negotiations. Once they feel, or know that they own the negotiated outcome, they are less likely to work against it.

With patience, the track one-and-a-half diplomatic facilitator is likely to gain much ground with the parties s/he is dealing with. Patience made a whole lot of difference in the way Nyerere and Mandela reacted or responded to issues. In the analysis of events in Burundi, this statement should not be construed to imply that Mandela succeeded in Burundi because he was more patient with the negotiating parties than Nyerere was.

A more objective analysis of events actually shows that Nyerere could have exercised more patience with the parties than they probably deserved. His patience consequently gave the parties to the peace negotiations time to get distracted by other issues and peripheral interests. Mandela was tolerant but firm in stating his expectations from the peace process despite the fact that during his tenure, he had to listen to, understand and harmonise the expectations of nineteen delegations to the peace process.

This ties with the fact that the facilitator must say what s/he means and mean what s/he says. When at one point, Nyerere threatened military intervention in Burundi, as a way of curbing the influx of refugees,¹² both the regional leaders and the leadership of the rebel groups knew that this was an empty threat. There was no way such a threat could have been effected without the backing of the Organisation of African Unity. Nyerere's word was not taken seriously and this eroded credibility and his seriousness as facilitator to the negotiations for peace. It also helps when the diplomatic facilitator to the peace process is precise about his expectations. It is

12. Paul Chintowa, *'Burundi – Politics: Tanzania Threatens to Intervene'*, Inter Press Service, 12th June 1995.

important for the diplomatic facilitator to be able to secure an early agreement on the basic principles of the overall framework guiding the peace process. Mandela, just having retired from the presidency and probably eager to get himself some rest from regional politics, was quite candid on his expectations from president Buyoya and the leaders of the rebel groups. He made them accountable to more than just the parties they represented at the negotiations.

Mandela knew, from experience, that addressing these groups in general and vague terms would not achieve much in the peace process. For instance, he openly berated Buyoya for keeping his rivals locked up in prison and yet expecting their supporters not to retaliate.¹³ Forcing large populations of civilians into regroupment camps in an effort to control rebel influence was another act that earned the Buyoya government criticism from the facilitator. The facilitator also made it clear to the leaders of the delegations that he valued their commitment to the achievement of peace in Burundi. He expected them to keep their word where they had given it. To these groups, he emphasised that violence could never be the ultimate solution to any problem. It had never worked, in the past, and it was not working even in the present.

In addition, Mandela emphasised to the groups that the nature of human relationships required negotiation and the sharing of insights. No single party could keep peace by force. Peace can only be achieved by reasonable compromise and understanding. By providing clear time frames within which certain activities should have been done, the facilitator helps shape the structure of the negotiations as well as build momentum towards an agreement.

Mandela did not stop at assuming that all those engaged in the Burundi peace process were clear of what their intentions were. He guided them into determining

13. <http://news.bbc.co.uk/1/hi/world/africa/693542.stm>.

achievable and realistic benchmarks. For example, Mandela drafted a compromise proposal which was basically a format for a peace agreement. The draft was circulated to the delegations. The groups were given time to go through the draft individually before it was discussed in the plenary meeting. In this respect, the ability to practise quiet diplomacy boosts the facilitator's efforts. This form of contact with the leaders of each participating group helps the facilitator maintain personal contact with each leader and ensure that all are at par as the negotiations progress.

The set targets were not simply to be ranked as achievable, but also had to reflect national diversity, equity and social justice. Here, foresight and a singularly visionary view of processes and outcomes enabled the facilitator to meaningfully guide the negotiation process. Persuasive reasoning and inspired timing of initiatives also help ensure progress in the peace talks. It is during these private sessions that the facilitator is able to bridge divergent interests of the factions' constituencies.

The relevance of the track one-and-a-half facilitator to a situation of conflict is a relative issue. Nyerere's relevance was from the point of view that he came from the Great Lakes region. His understanding of the conflict was considered to be an asset to his facilitation initiatives. His closeness to the conflict eventually hampered his objectivity in the negotiations.

Mandela was able to identify with the pertinent issues touching on the conflict from a different angle. He had more-or-less lived through what Burundi was experiencing. He was consequently a unique source of historical experience; a rich fount of information and first-hand knowledge of the negative consequences of divisions in a country to its populace.

The track one-and-a-half diplomatic facilitator also needs to be open and available to the press. Updates and regular briefs, particularly those that convey the facilitator's optimism and confidence over the eventual outcomes of the talks also help influence the attitudes of the participants to the process they are involved in.

In track one-and-half diplomatic facilitation, there is minimal chance of progress or success if the facilitators insist on keeping all issues under the cover of secrecy and simply waiting to announce the final result of deliberations to a world kept in the dark. The support of the media is invaluable. Knowing this, Mandela gave regular updates on what was going on during the deliberations, and what he expected from the next round of talks. ¹⁴

It also helps if the track one-and-a-half diplomatic facilitator can apply leverage to his efforts to bring peace talks to a fruitful end, then so be it. A good example here concerns Nelson Mandela's success in the Burundi peace process that has had him repeatedly asked to assist in the Middle East crisis. Mandela's power is not based on national interest, and economic and military capacity, but more on moral authority and international status. It is also widely known that he has access to about any international forum or leader should their leverage be required.

Not many statesmen have emerged from countries, who are dedicated to selflessly serving the needs of humanity. This repository of individuals should be openly acknowledged for the role they play in bringing about regional and ultimately global peace. Their efforts in ensuring the success of peace negotiations need to be validated, reinforced and reproduced. It is an innate tendency that reinforcement accelerates motivation.

Therefore, acknowledging these individuals would give them the right motivation to persist in the quest for attainment of peace. The implications of failing to support, neglecting or taking for granted track one-and-a-half diplomatic facilitators are grave. In the event of conflicts within states, there would be no plan to fall back on when this small category of statesmen are long gone or just unwilling to help out

14. See 'Mandela Predicts Burundi Breakthrough', Tues. 28th march 2000, in <http://news/bbc.co.uk/1/hi/world/africa/693542.stm>.

in times of crises.

However, nurtured and encouraged to mentor younger heads of state in the mechanisms of attaining peace, there would, in future, be available several competent facilitators working simultaneously at any given time and also held in high esteem by the international community. With the recommended mechanisms, and others that are likely to come up with time, there is no doubt that the Great Lakes region has the capability to find its own solutions to conflicts within the region and implement commitment to the rule of law.

Eventually what brings success to the efforts of a track one-and-a-half facilitator may really be a mix of a number of factors and attributes. These include the facilitator's personality, abilities, talents and charisma. The individual's skill in bringing rival parties to at least agree to talk to each other and eventually help them see sense in reaching a mutually acceptable agreement, will also count. Factors beyond the facilitator's immediate control include historical factors relevant to the crisis and other global events that may occur and change the parties' perception of their roles in the conflict.

Finally serendipity too, could count. This is when the facilitator just happens to be called upon at a time when the conflicting parties are amenable to reach an agreement. Such situations may not be common, but they do occur.

Track one-and-a-half diplomatic facilitation is a viable option in conflict management, particularly for the Great Lakes region and the African continent in general. With more attention paid to it and structures put in place to embrace and support it, track one-and-a-half facilitation may just be the way to go in the near future.

BIBLIOGRAPHY

- Aamsi, Kader et al. (eds.) (2003); *Nelson Mandela In His Own Words: From Freedom to the Future. Tributes and Speeches*; London, Little Brown.
- Augsburger David W. (1992): *Conflict Mediation Across Cultures: Pathways and Patterns*; Westminster, John Knox Press.
- Beinart, William. (2001): *Twentieth Century South Africa*; Oxford University Press.
- Berridge, G.R. (1995); *Diplomacy : Theory And Practice*; Hemel Hempstead; Prentice Hall, Harvester Wheatsheaf.
- Barber, James. (2004); *Mandela's World*. Ohio, Ohio University Press.
- Boucher, David. (1998); *Political Theories of International Relations*; Oxford University Press.
- Boulden, Jane(ed) (2003); *Dealing With Conflict in Africa: The United Nations Regional Organizations*; Palgrave, Macmillan.
- Boutros-Boutros Ghali (1992); *An Agenda For Peace*; New York, United Nations.
- Brown, S & Kimber, Schraub (eds) (1992): *Resolving Third World Conflict: Challenges for A New Era*; Washington, Institute of Peace Press.
- Burton, John W. (1972); *World Society*; Cambridge, Cambridge University Press.
- Burton, John & Dukes F.(1990); *Conflict: Readings in Management and Resolution*; London, Macmillan Press.
- Cunningham, William G. (1988); *Theoretical Frameworks for Conflict Resolution*; University of Auckland.
- Dougherty, James E. & Pfaltzgraff, L. (1981); *Contending Issues of International Relations*; New York, Harper & Row.
- Eban, A. (1998); *Diplomacy for The Next Century*; London, Yale University Press.
- Fisher, Roger et al. (1994); *Beyond Machiavelli: Tools for Coping With Conflict*; Harvard University Press, Cambridge.
- Fisher, R. (1997); *Coping With International Conflict: A Systematic Approach to Influence in International Negotiation*; New Jersey.
- Gore-Booth. (1979): *Satow's Guide to Diplomatic Practice*; Longman, New York.

- Guy, Martin. *Conflict Resolution in Africa*; School of Government, University of Western Cape.
- Haass, Richard. (1990); *Conflicts Unending: The United States and Regional Disputes*; New Haven, C.T, Yale University Press.
- Hamilton, Keith & Langhorne Richard. (1995); *The Practice of Diplomacy: Its Evolution, Theory and Administration*; Routledge, London.
- Hobden, Stephen. (1998); *International Relations and Historical Sociology: Breaking Down Boundaries*, London, Routledge.
- Houe, Catherine. (2002); *Nelson Mandela: Fighter for Humanity, Sasa Sema Publications, Nairobi*.
- Jachson, R. & Sørensen, G. (2003); *Introduction to International Relations: Theories and Approaches*; New York, Oxford University Press.
- José, Calvet De Magalhães (1998); *The Pure Concept of Diplomacy*; New York, Greenwood Press.
- Kappeller, et al. (1994); *Diplomacy: The Concept, Actors, Organizations, Rules and Processes*, Nairobi, IDIS.
- Keglay, Charles W. (1999); *How Nations Make Peace*; New York, Worth Publishers.
- Knorr, K. & Rosenau, J.N. (eds.) (1969); *Contending Approaches to International Politics*; Princeton, Princeton University Press.
- Lee, J. R. & Olson, W.C.(eds.) (1994); *The Theory and Practice of International Relations*; New Jersey, Prentice Hall.
- Legum, C. & Mmari, G. (eds.) (1995); *Mwalimu: The Influence of Nyerere*; New Jersey, Africa World Press.
- Lemarchand, Rene. (1994); *Burundi: Ethnocide as Discourse and Practice*; Cambridge, Cambridge University Press.
- Meer, Fatima. (1988); *Higher Than Hope: The Authorized Biography of Nelson Mandela*; New York, Harper Collins.
- Melsen Jan (ed.) (1994); *Innovation in Diplomatic Practice*; Palgrave, New York.
- Merrills, J.G. (2000); *International Dispute Settlement*, Cambridge, Cambridge University Press.
- Monsieur, De Callières (1963); *De La Manière de Négocier Avec Les Souverains*; University of Notre Dame, Indiana.

- Moore, Jonathan(ed.) (1998); *Hard Choices: Moral Dilemmas in Humanitarian Intervention*; Lanham, MD; Rowman & Littlefield.
- Morgenthau, Hans,J. (1965); *Scientific Man versus Power Politics*; Chicago, Phoenix .
- Mwagiru, Makumi (2000): *Conflict: Theory, Processes and Institutions of Management*; Nairobi, Watermark Publications.
- Newsom, D. (ed.)(1989); *Diplomacy Under a Foreign Flag*; London, St. Martin's Press.
- Ngoy, Daniel M. (1997); *The Reconstruction of Africa: Faith and Freedom for A Conflicted Continent*; Nairobi, Kenya.
- Nicholson, Harold. (1954); *The Evolution of the Diplomatic Method*; London, Constable.
- Phillips, Robert L. & Cady. (1996;: *Humanitarian Intervention*; Lanham MD; Rowman & Littlefield.
- Rourke, John, T. (2005); *International Politics on the World Stage*; McGraw-Hill, New York.
- Rosenau, James N. (ed.) (1964; *International Aspects of Civil Strife*; Princeton, New Jersey, Princeton University Press.
- Rothchild, Donald. (1999): *Africa in World Politics*; Boulder, Colorado, Westview Press.
- Rubin, J.Z. (ed.) (1980): *Dynamics of Third Party Intervention: Interdisciplinary Perspectives on International Conflict*, New York, Praeger.
- Sandole, Dennis et al. (ed.) (1993); *Conflict Resolution Theory and Practice: Integration and Application*; Manchester, Manchester University Press.
- Schelling,Thomas. (1980); *The Strategy of Conflict*, New York, Harvard.
- Schneider A.K. et al. (1997); *Coping With International Conflict: A Systematic Approach to Influence in International Negotiations*, New Jersey, Prentice Hall.
- Sidy, Richard V. (1992); *World Diplomacy*, Valencia, California, SNS Press.
- Stern, P. & Druckman, D. (eds.) (2000): *International Conflict Resolution After the Cold War*, Washington, Brookings.
- Stuart, B. et al. (eds) (1996): *Building Consensus for a Sustainable Future: Putting Principles into Practice*; Montreal, Canadian Cataloguing Publication.

- Varynen, Raimo. (ed),(1991); *New Directions in Conflict Theory: Conflict Resolution and Conflict Transformation*; London, Sage.
- Waldmeir, Patti.(1997): *Anatomy of A Miracle: The End of Apartheid and The Birth of the New South Africa*; Rutgers University Press, London.
- Watkins Michael (2001): *Breakthrough International Negotiations: How Great Nations Transformed the World's Toughest Post-Cold War Conflicts*; Jossey Bass, New York.
- Volkan, Vamik et al. (eds) (1991); *The Psychodynamics Of International Relationships: Unofficial Diplomacy At Work*; Vol.3.Lexington, MA, Lexington Books.
- Watson, Adam. (1991); *Diplomacy: The Dialogue Between States*; London, Routledge.
- Webster, Charles. (1961);*The Art and Practice of Diplomacy*; London, Chatto & Windus.
- Weeks, Dudley (1992); *The Eight Essential Steps to Conflict Resolution*; New York, G.P. Putnam's Sons.
- Wight, M. (1991); *International Theory: The three Traditions*, Leicester, Leicester University Press.
- Woodhouse, Tom & Ramsbotham, Oliver (2000); *Peacekeeping and Conflict Resolution*; Portland, Oregon.
- Zartman, William I. (1994); *International Multilateral Negotiation*; John Hopkins University Press.
- Zartman, W. & Berman, Maureen R. (1982); *The Practical Negotiator*, New Haven, Yale University Press.