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The East African Community takes on the Burundi crisis

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Summary

Since 2014, the East African Community has been a key player in attempts to resolve the ongoing instability in Burundi. The organisation recognised early on that a crisis was looming, but it waited too long to act at the highest level and was unable to affect key aspects of the crisis, such as the elections in June and July 2015. The coup attempt of 13 May 2015, as EAC heads of state were discussing the crisis at an EAC summit in Dar es Salaam, widened splits along political lines between the member states and undermined a coherent stance and policies on Burundi. The most successful aspects of the EAC's intervention may be the initiative for a dialogue between key Burundian parties – but nearly two years after it was first mooted, it has yet to make tangible progress.

BY STANDING FOR a third term on 25 April 2016, Burundi President Pierre Nkurunziza sparked a deep and complex crisis. The move was in violation of the Arusha Peace and Reconciliation Agreement that ended a 10-year civil war, and it was condemned by the opposition, a large portion of civil society, the Catholic church and even by senior officials from inside the party in power, the National Council for the Defence of Democracy and Forces for the Defence of Democracy (Conseil National pour la Défense de la Démocratie et Forces de Défense de la Démocratie) CNDD-FDD.

Demonstrations in the streets of the capital led to violence and brutal repression by security forces and the Imbonerakure, the CNDD-FDD's youth militia.

Many regional and international organisations became directly involved in an attempt to put an end to the violence and bring about a consensual political solution to this

new crisis in a country marked by cyclical violence. The United Nations (UN), the African Union (AU), and the East African Community (EAC) had already dispatched high-level crisis prevention missions. When the crisis erupted, these organisations increased their initiatives to try to deal with it. For the first time, the EAC took upon itself the mantle of leadership in a crisis affecting one of its member states.

This article will explore the role played by the EAC in the quest for a solution to the Burundi crisis. It will examine the process that led the organisation to take up the Burundi dossier, the different initiatives within the framework credited to the EAC, how the various parties positioned themselves in Burundi's low-intensity conflict, and the ensuing inter-state tensions, as well as the gaps, weaknesses and contradictions of the EAC's preventive diplomacy. Finally, this study concludes with the prospects for the success of these initiatives, asking whether the organisation is willing and able to carry out this mission.

Tensions among EAC members weaken cohesion

Created in 1999, the EAC commenced its activities on 30 November after the three founding member states, Kenya, Uganda and Tanzania, signed the treaty of establishment. In June 2007, Burundi and Rwanda joined this regional economic organisation, which aimed for the progressive integration of states sharing the same economic and political space. The last country to join the grouping was South Sudan, effectively becoming a member of the community in April 2016.

> For the first time, the EAC took upon itself the mantle of leadership in a crisis affecting one of its member states

The EAC belongs to various regional economic organisations. However, its economic performance sets it apart, for it is one of the drivers of the continent's growth. Four of its six member countries are classified amongst the 10 most rapidly growing African economies.[1] Undoubtedly, this is one of the factors that make it so attractive to foreign investors.

FOUR OF THE SIX EAST AFRICAN COMMUNITY MEMBERS ARE CLASSIFIED AMONG THE 10 MOST RAPIDLY GROWING AFRICAN ECONOMIES

Since 2013, as it has grown it has separated into two blocs. Believing, rightly or wrongly, that Tanzania was throwing up barriers to several integration projects,[2] Kenya, Uganda, and Rwanda decided to initiate a certain number of projects amongst themselves, to speed up the implementation of various joint regional infrastructure projects, in particular.

Burundi initially found itself torn between this new bloc and Tanzania.[3] It eventually openly criticised the process instigated by the three states,[4] implicitly taking sides with its neighbour from the east. It must be pointed out that Dar es Salaam is the major port supplying and exporting produce from the Burundian markets, since Burundi is a land-locked country.

Following on the November 2015 general elections, with the arrival of John Magufuli at the helm, the new Tanzanian leadership seemed willing to temper

the various disputes and back a new regional balance.[5] The new president also succeeded in warming up relationships with the Rwandan regime that had plumbed new depths in the last few years of Jakaya Kiwete's presidency.

In May 2013, during an AU summit, Kiwete had called for negotiations between the government of Rwanda and the rebel movement of the Democratic Forces for the Liberation of Rwanda (FDLR), provoking the wrath of the Rwandan authorities. Rwandan President Paul Kagame described these statements as 'nonsense', proof of Kikwete's ignorance of the Rwanda dossier, before turning on Kikwete's advisors, whom he accused of 'dancing on peoples' graves'.

The verbal escalation got so heated that Kagame threatened to strike against his neighbour and the latter promised, in return, 'sinister consequences', before the diplomats stepped in to try and put out the fire.[6] Ever afterwards, Kigali suspected the Tanzanian regime of collusion with the FDLR and attempts to destabilise his regime.[7] Previously cordial, though tinged with suspicion and distrust, relations between the heads of state of the two countries descended into outright hostility.

The tense relations between Rwanda and Tanzania were not without effect on the relationship between Bujumbura and Kigali that, up until then, had been smooth sailing. In fact, the Rwandan regime did not look kindly on the rapprochement between Bujumbura and Dar es Salaam inside the regional grouping and feared the two countries could collude in attempts at destabilising it. The regime's suspicions were raised, specifically, over the FDLR presence in Burundi, and the alleged Imbonerakure training camps in eastern Congo whose true motivations they found questionable.[8] In addition, Kigali was concerned about allusions to ethnicity creeping into the discourse of certain Burundian authorities.[9]

Furthermore, a certain number of issues concerning the two countries contributed to deteriorating relations, such as the bodies found floating in Lake Rweru over which Burundi and Rwanda blamed each other.[10] Finally, Kigali felt the Burundian regime was making some unfriendly overtures.[11]

The EAC seizes the leadership

Inside the EAC is an office responsible for political cooperation, divided into three departments: peace and security, political affairs and international relations. Beyond this institutional architecture, since 2006, the EAC has formulated its own regional security strategy, adopted after a lengthy participatory process – its guide for peace and security interventions. A sectoral council on inter-state security has also been established to oversee the implementation of the regional EAC peace and security strategy in the field of inter-state cooperation.

> The third-term issue was on everybody's minds without there having yet been any debate on the subject

Throughout, the Summit of Heads of State of the EAC had been the highest body of the organisation,[12] and it defined its major political and strategic orientations. But up until 2015, the EAC had never had to manage an internal crisis in any of its member states. It remained absent during the management and resolution process of the post-electoral crisis in Kenya in 2007/2008; it had been the AU, conversely, that played a key and very discreet role[13] in the post-electoral crisis in Burundi, in 2010/2011.

As a result of his visits to Burundi, the organisation's secretary-general had, right from 2014, observed the first simmerings of conflict. He was initially intrigued by signs of a climate of fear within the CNDD-FDD over the advent of the next elections. Considering that this party occupied nearly all the political space and the opposition was said to be weak and fragile, it was odd to sense that party leaders felt they were being persecuted by the outside world.[14]

The third-term issue was on everybody's minds without there having yet been any debate on the subject. For its part, the CNDD-FDD made no secret of its wish to avoid this hurdle.[15] Receiving confirmation of his convictions from discussions in the course of his visits, the EAC Secretariat's top official felt the time had come to promote dialogue on the third-term issue as well as on all matters of the moment. Thus, he would succeed in getting approval to send a high-level delegation to prepare this dialogue.

To this end, a Delegation of the Wise was appointed by the EAC and the Common Market for Eastern and Southern Africa (COMESA) at the end of 2014. Right from the month of January 2015, it travelled to Bujumbura as part

of an observer mission for the upcoming elections. This delegation, headed by Joseph Sinde Warioba,[16] a former prime minister of Tanzania, worked for three consecutive months and met with numerous institutions, organisations, political personalities and civil society.

At the end of his mission, a list of 10 major areas of concern to Burundian society was drawn up, number one being the third-term issue and the varying perceptions depending on the political sensitivities at play. In particular, Warioba observed how opinions on the matter coalesced, with some threatening to take to the streets to contest the president's wish to run for a third term and others threatening to use violence against any demonstrations. Despite the explosive nature of the situation, the authorities refused the EAC delegation's request to open up dialogue leading to discussion of these issues.

> Initially, the EAC had no clear position on the question of a third term for Nkurunziza beyond the principle of encouraging the continued stability of Burundi

The EAC saw the inevitability of a grave crisis ahead for Burundi. It was its early investment in an attempt to prevent the breakdown that made it a natural leader for managing this situation.[17] This led to the convening by the current president of the EAC of an Extraordinary Summit of Heads of State in mid-May 2015 when the latent crisis turned into an open crisis and took the form of street demonstrations, violently repressed by the security forces. Besides, in the new distribution of prerogatives concerning conflict resolution in member states between the pan-African institution and regional economic organisations, the latter take precedence over the AU in conflict management within their geographical space.

Contradictions and divisions among the EAC states

Initially, the EAC had no clear position on the question of a third term for Nkurunziza beyond the principle of encouraging the continued stability of Burundi in respect of the basic texts: the Constitution and the Arusha Agreement. Taking these considerations into account would require, *de facto,* an appeal to Nkurunziza to renounce his claims to a third term. As was the case for high-level missions both at the bilateral and multilateral levels, this was the position that Kikwete came to express loud and clear in his capacity as then-president of the EAC to Nkurunziza, emphasising the risks of regional destabilisation.[18]

Yet, right from the start of this preventive diplomacy in action, several African countries, including certain EAC member states, began defending contradictory positions. Certain embassies based in Bujumbura were making opposing statements from their respective countries.

All the heads of state of EAC member countries attended the First Extraordinary Summit on the crisis in Burundi on 13 May, but the

THE NUMBER ONE AREA OF CONCERN FOR BURUNDIAN SOCIETY WAS THE THIRD-TERM ISSUE

announcement of an attempted coup d'état in Burundi disrupted events. The coup was immediately condemned by the summit.[19] This event caused a shift on the issue by Tanzania and then by the EAC, and raised many questions that would further envenom relations between Burundi and Rwanda on the one hand,[20] and between Dar es Salaam and Kigali on the other.

Up until then, the stand on the third-term issue taken by the EAC's constituent bodies had been relatively coherent. Now cracks would gradually begin to show inside the organisation as positions changed.[21]

From the beginning of 2015, Kagame had openly expressed his concerns about the risk of violence in Burundi, its repercussions on his country, and his inability to understand Nkurunziza's stubbornness over staying in his post against the wish of his people.[22] For its part, the new Tanzanian position was not clear, shot through with ambiguity and pregnant silences. Kikwete seemed convinced of Rwanda's backing for the attempted coup. This new strategy was based more on geopolitical considerations. He now suspected Kigali of trying to put in place in Bujumbura a regime answerable to Rwanda.[23]

Kikwete's change in position was to be clearly expressed at the end of May 2015 during the Second Extraordinary Summit convened on the Burundi crisis. In the opinion of the Burundian powers-that-be, Kigali had something to do with the coup attempt and was attempting to destabilise the country. They found proof of this from the fact that Rwanda had given refuge to several coup plotters who had succeeded in fleeing from arrest after the aborted coup d'état[24] and from hostile statements from the Rwandan president against Nkurunziza.[25]

> Kigali saw in the rapprochement between Bujumbura and Dar es Salaam an ideological coming together on the question of ethnicity

On the other side, Kigali saw in the rapprochement between Bujumbura and Dar es Salaam an ideological coming together on the question of ethnicity.[26] For his part, the Ugandan head of state, the president of the regional peace initiative in Burundi during the peace processes 15 years earlier, although ready to show closer involvement on the matter, had no clear position on the question. And Kenya barely showed any interest in the subject.

EAC's Burundi initiatives lose ground

The issue of the constitutional legitimacy of a third presidential term was put before the Constitutional Court and on 5 May 2015 the court unsurprisingly ruled in its favour. Nevertheless, this ruling lost its credibility when the deputy chief justice fled into exile and spoke on the French external broadcasting service (RFI), denouncing the pressure exerted on the justices.

An extraordinary summit of the EAC was convened in Dar es Salaam at the end of May to discuss the Burundi crisis. The Burundian president, trying

CRACKS BEGAN TO SHOW INSIDE THE EAC AS POSITIONS ON THE THIRD-TERM ISSUE CHANGED

to forestall a new attempt at destabilisation,[27] decided to send two of his ministers. The Rwandan head of state did not deem it necessary to attend, a decision interpreted by some as a sign of his pessimism about the likely summit outcome.[28]

Prior to that, on 18 May, EAC affairs ministers from the organisation's member states had once again requested the assistance of influential representatives of the EAC and COMESA to try to solve the crisis, and on 22 May, the EAC executive secretary called on the Burundian authorities to postpone the elections so that refugees could return home.

Then on the eve of the ministerial meeting that was to precede the EAC summit, Bernard Membe, the Tanzanian Foreign Affairs Minister, came out very clearly: 'Our position is two terms. But the Burundi Constitutional Court has already ruled (….) Burundi is a sovereign state.' The change in Tanzania's position would be vigorously reiterated by Kikwete during the summit on 31 May.

> No clear mechanism was decided upon to facilitate the implementation of the summit decisions, let alone any binding measures

The 30 May meeting of the EAC foreign ministers concluded with two proposals for submission to the summit, each of which was accompanied by an inventory of strengths and weaknesses, conditions and guarantees. In their view, the best scenario was to convene elections without Nkurunziza, whom his peers would convince to stand down in the interests of the country and the region, identified as the best option. The other scenario included Nkurunziza in the presidential race.

The first option outlined three risks: disturbances and violence triggered by Nkurunziza supporters; the fact that they would deprive the president of a right that was conferred on him by the Constitutional Court; and the need to impose regional sanctions to convince him to withdraw. The second option listed 14 weaknesses, notably, according to the attorneys general of EAC member states, the questionable legal basis of the Constitutional Court ruling;[29] the absence of legitimacy for institutions emanating from the elections; the risk of eroding gains from 10 years of stability; dissensions that would arise within the security forces; the risks of an escalation in violence and of civil war.[30]

THE HEADS OF STATE SUMMIT ON 31 MAY 2015 SIDESTEPPED THE THIRD-TERM ISSUE

The Heads of State Summit on 31 May sidestepped the third-term issue after Kikwete's statement on the subject. The Tanzanian head of state put it to the summit that they did not have the latitude to act counter to a ruling handed down by the Burundi Constitutional Court, the only body empowered to pass judgment on the question by the basic texts of Burundi. He insisted on the primacy of this body and the sovereign nature of the state

of Burundi on the question, in the absence of a political federation of the EAC.[31]

Thus, the summit mainly discussed conditions favourable to convening elections and laid down a series of recommendations along these lines, particularly on opening up dialogue between the president and the opposition under the auspices of the AU, the EAC, and the UN, postponing legislative and communal elections planned for 5 June by at least 45 days, and the disarmament of the militia, instructing ministers to urgently communicate these conclusions to the Burundian authorities.

These proposals were well received by the government of Burundi and, conversely, dampened the enthusiasm of the opposition. South African President Jacob Zuma, African Union President Nkosazana Dlamini-Zuma, the UN Special Envoy for the Great Lakes, and the executive secretary of the International Conference on the Great Lakes Region (ICGLR) also participated in the summit, where Dlamini-Zuma sometimes seemed frustrated by the watered-down nature of the decisions adopted.[32]

In fact, the pan-African organisation would also take up the matter, whilst validating the decisions adopted by the EAC whose leadership role in seeking a solution to the Burundi crisis was now implicitly accepted by the international community. This acquired legitimacy would not prevent divergences of opinion on how to conduct the process and certain contradictions in the various initiatives and recommendations of the organisations involved in attempts to resolve the Burundi problem.

Beyond the EAC summit's decisions, one of the major weaknesses of this body was its vagueness over how to implement the recommendations. No clear mechanism was decided upon to facilitate the implementation of the summit decisions, let alone any binding measures. It was as if the heads of state were primarily depending on the good will of the Burundian authorities.

Secondly, the EAC mission of foreign affairs ministers did not leave for Burundi until two weeks after the summit was held. During this delay, several senior officials in Burundi started wondering about the meaning of the recommendations and whether or not they were binding, before concluding that they had plenty of room to manoeuvre.[33] Neither Kenya nor Rwanda was to participate in the mission. The former were becoming increasingly uninterested in the question, as revealed by the absence of President Uhuru Kenyatta at the Third Extraordinary Summit on Burundi, and the Rwandan minister had undoubtedly sought to avoid the possibility of an incident due to his presence in Bujumbura, since relations between Kigali and Bujumbura were now tense.

The mission was received by the Burundian head of state[34] and the statement of Membe at the end of the mission somewhat seemed to confirm the new calendar of elections proposed by the government,[35] although this ran counter to the summit recommendations, none of which had been taken on board by the Burundian authorities.[36] At the end of June 2015, the government boycotted the proceedings of the dialogue on the political, security, and socioeconomic and humanitarian situation in Burundi, which were fora convened by the Joint International Facilitation Team made up of representatives and/or special envoys of the different international organisations involved in the Burundian crisis, namely the ICGLR, EAC, UN and AU.[37]

International players were increasingly divided over the Burundi question

The EAC Heads of State Third Extraordinary Summit on Burundi, boycotted by the presidents of Burundi, Kenya and Uganda, was to take place after Burundi's 29 June legislative and communal elections, which were boycotted by international observer missions. The summit simply called for a new postponement of the presidential elections and designated Ugandan President Yoweri Museveni as facilitator for the Burundi crisis.[38] It endorsed the elections that had already been organised by the people in power and seemed disinclined to put pressure on Bujumbura.

The waning interest shown by several countries in the face of the worsening crisis, the empty chair policy of Rwanda, and the weakening of its position due to its alleged involvement in supporting the rebellion, and especially the new closeness between the Burundian and Tanzanian regimes and, let us mention, Tanzania's murky attitude in managing the Burundi crisis, all played into Nkurunziza's hands.

International players were increasingly divided over the Burundi question, to the extent that the UN Special Envoy publicly declared his disappointment and expressed the view that the EAC Summit had been 'below par'.[39] But the AU did not give up and seemed to ratchet things up a notch,[40] unlike the EAC, weakened by the divergent interests of its member states and buffeted by inter-personal conflicts between the heads of state.

Its first experience in attempting to solve an impending conflict had failed and nobody seemed to believe in the chances of success of any new facilitation.

Not much of a facilitation

The sole concession made by the Burundi government was to postpone the presidential elections from 15 to 21 July. Museveni, as the new EAC facilitator, was dispatched to Bujumbura where he remained on 14 and 15 July, meeting with the highest officials and various stakeholders in the Burundi crisis. He had come to propose an exit plan from the crisis in which Nkurunziza would head transition institutions for a two-year period, after which elections would be organised in which he would not take part. Museveni also tabled 10 discussion points on the issue of the third term.[41] However, he left rebuffed by the gap between both parties and he delegated his Minister of Defense, Crispus Kiyonga, to pursue the dialogue.

> The Burundi powers-that-be had already understood what they could gain from standing firm in the face of international pressures

The Burundi powers-that-be had already understood what they could gain from standing firm in the face of international pressures. Certain African countries had reservations about the sanctions policy envisaged by the AU's Peace and Security Council, set out in a statement on 17 October. It was an eventuality feared by those in power.[42] The Burundi regime had succeeded in driving a wedge between the various regional African organisations on the Burundi question and was now able to stick to its guns on the issues, including that of inclusive dialogue. Kiyonga arrived on 16 July in the hope of obtaining a postponement of the elections and starting up fresh dialogue. He was to go home empty-handed, with presidential elections still scheduled for 21 July.[43]

ELECTIONS WERE HELD IN A BURUNDI WRACKED WITH VIOLENCE

The facilitation had been a total failure. Elections were held in a Burundi wracked with violence. The EAC was able to step away from the Burundi question by moving it to a facilitation process already undermined by its initial failures and difficulties in getting the parties to the table for dialogue. If the entities within the organisation were able to take up the Burundi dossier on occasion, and even make statements on it,[44] the most important body in the organisation, the Summit of Heads of State, seemed, to a certain extent, to wash its hands of it.

Besides, general elections in Tanzania and Uganda pushed the Burundi dossier to the back burner. Museveni was far too busy handling internal developments and Kikwete was handing over the presidential seat to John Magufuli. Kiyonga was to carry out a new mission to Bujumbura, without being able to get the Burundian authorities to agree to the principle of inclusive dialogue. Most observers were of the opinion that Kiyonga did not have the weight or the required authority to convince the government to participate in the dialogue.[45] Under severe pressure from donors, the Ugandan president agreed to take things up again in an attempt at renewed dialogue.

> The situation in Burundi has gone back to a low-intensity conflict that could deteriorate into civil war

By the end of December 2015, all the stakeholders responded to an invitation from the facilitator to attend the first dialogue session in Entebbe, designed as a first move. This rendezvous was to lead nowhere, the government side having come to express their grievances and reaffirm their refusal to negotiate with 'coup plotters' and 'people with blood on their hands'. Nevertheless, this meeting did breathe new life into the Burundi dossier at the EAC level. The new Tanzanian foreign minister was no stranger to this dynamic, having himself been pressed by different capitals – including Washington – to try and bring his country's influence to bear on the relaunch of dialogue.

Thus, on 15 January 2016, a meeting at Arusha, in Tanzania, saw the participation of the foreign affairs minister of Angola, and the current presidents of the ICGLR, Burundi and Tanzania with a view to relaunching the dialogue. At the beginning of March, during an ordinary summit of EAC Heads of State, former Tanzanian president Benjamin Mkapa was appointed to assist Museveni who everybody knew was barely doing anything. Mkapa immediately got to work, meeting the Burundian and Rwandan presidents, although the first negotiating session he organised for 2 – 5 May 2016 was cancelled at the last minute, the official reason being a lack of consultation with both parties.

At the end of May 2016, Mkapa did succeed in convening a dialogue session in Arusha and heard each of the parties in separate sessions.[46] In mid July 2016, a second session of the EAC-led talks was cut short as the government refused to sit at the same table with certain delegates from the opposition. The Burundian dialogue is now in a political deadlock over the issue of who participates and what should be on the agenda for discussion.

Conclusion

A little over one year after the outbreak of the Burundian crisis, despite new rhetoric from the powers-that-be about 'a return to normal', the situation in Burundi has gone back to a low-intensity conflict that could deteriorate into civil war. Various initiatives on the part of African organisations to try and emerge from the political impasse have all failed. The international community

VARIOUS INITIATIVES ON THE PART OF AFRICAN ORGANISATIONS TO TRY AND EMERGE FROM BURUNDI'S POLITICAL IMPASSE HAVE ALL FAILED

has now firmly set its sights on the new facilitation process designated by the EAC to restore dialogue. Indeed, leadership changes in Tanzania and the nomination of Mkapa open up new prospects for a wider engagement in the process by the regional organisation, particularly as it is now rid of some of the internal conflicts that shook it in the past. Furthermore, the constant refugee movements in several of its member states could have negative repercussions on the host countries.

Finally, the crisis in Burundi affects the EAC's dynamism and could jeopardise some of its regional projects. Between a Rwanda accused of being a party to the crisis and on the defensive over the Burundi dossier, a Kenya that is not up to speed on these issues and is focused on its own domestic threats, and a Ugandan regime whose legitimacy has been sullied by the last general elections, only Tanzania, which holds the current EAC presidency, for that matter, and hosts the main port for the entry and exit of Burundian goods, can exercise the required influence to get the Burundian government to cede ground, relaunch the dialogue process and steer it to a successful conclusion. To achieve this, the international community must provide assistance and stay mobilised over the Burundi dossier. However, will the new Tanzanian leadership have the necessary will and commitment to empower it to succeed? Therein resides, in part, one of the keys to the Burundian problem.

The next EAC Head of States summit scheduled for 8 September 2016 in Dar Es Salaam could provide some elements for way forward.

Recommendations to the EAC

1. To the facilitation team:
    - Adopt a chronogram for dialogue that should not extend beyond the end of 2016.
    - Guarantee the inclusiveness of the dialogue process and an agenda for discussions aiming to deal with all the issues at the core of the Burundi crisis.
    - Draw up a road map for an exit strategy from the crisis over the short-, medium- and long-term based primarily on respect of basic rights and public freedoms, and on the gains from Arusha and the Burundian Constitution.
2. To the Executive Secretariat:
    - Facilitate the complementarity and the synergy of human and technical resources placed at the disposal of the Mkapa team by the other international and regional organisations in solving the Burundi crisis.
3. To the Summit of Heads of State:
    - Endorse the road map for an exit strategy to the crisis proposed by the team of facilitators and make provision for binding measures to ensure its implementation and, where required, impose sanctions against those unwilling to ensure its implementation.

THE INTERNATIONAL COMMUNITY MUST PROVIDE ASSISTANCE AND STAY MOBILISED OVER THE BURUNDI DOSSIER

Notes

1 Kenya, Uganda, Rwanda and Tanzania. IMF World Economic Outlook, April 2016.

2 Particularly regarding issues of infrastructure, free movement of persons, tourist visa, single air space. Discussion with an economist specialised in integration issues.

3 Discussions with a Burundian official.

4 Communiqué of the Government of Burundi, dated 27 September 2013.

5 To this effect, the decision of Uganda to export its oil through Tanzania may have major repercussions on the regional balance and, to a certain extent, weaken the strategic role of Kenya. 'Uganda: oil production shall transit through the pipeline passing through Tanzania.' RFI, 23 April 2016, www.rfi.fr/afrique/20160423-ouganda-production-petrole-brut-transitera-oleoduc-passant-tanzanie.

6 Jeune Afrique, Le Rwanda et la Tanzanie à couteaux tirés, *Jeune Afrique,* 27 August 2013, http://www.jeuneafrique.com/168895/politique/le-rwanda-et-la-tanzanie-couteaux-tir-s/.

7 Meeting with Rwandan officials.

8 Ibid.

9 Ibid.

10 Along these lines, mention must also be made of numerous investments in Burundi by Tribert Rujugiro, a Rwandese businessman. Despite being in the sights of the Rwandese regime and the object of pressure by Kigali on Bujumbura to sanction him, this has not succeeded.

11 Kigali expressed surprise at the absence of President Nkurunziza during the commemoration of the 20th anniversary of the genocide in April 2014. Meetings with Rwandese officials.

12 The others are the Council of Ministers, the Coordination Committee, the Sectoral Committees, the Court of Justice, the Legislative Assembly and the Secretariat.

13 International Crisis Group, Kenya in crisis, *Africa Report* n°137, 21 February 2008.

14 Meetings with Richard Sezibera, former EAC Secretary General.

15 Ibid.

16 It was also composed of Bishop Mary, former President of the Malawi Central Bank and Vice-Chairman of the delegation, the Ugandan Nuwe Amanya Mushega, and Ambassador Kiplata, former EAC Secretary General.

17 These last two paragraphs draw on discussions with the former EAC Secretary General.

18 M&G Africa reporter, Tanzania's Kikwete says Burundi should heed president term; risk regional tensions, *Mail&Guardian Africa*, 20 March 2015, http://mgafrica.com/article/2015-03-20-tanzanias-kikwete-says-burundi-should-heed-president-term-limit-risks-regional-tensions.

19 13th Extraordinary Summit of the EAC Heads of State. State House Conference Hall, Dar es Salaam, Tanzania. 13 May 2015.

20 Grievances formulated by the Burundian regime against Kigali are listed in a document entitled 'Memorandum: Acts of Rwandan Aggression against Burundi'.

21 Meetings with diplomats.

22 Belga News, Crisis in Burundi: The Rwandan President criticizes the attitude of Nkurunziza, *Belga News,* 8 May 2015, www.rtbf.be/info/monde/detail_crise-au-burundi-le-president-rwandais-critique-l-attitude-de-nkurunziza?id=8976235.

23 Meetings with diplomats.

24 Meeting with the EAC Minister from Burundi.

25 Ibid.

26 Some claim that Jakaya Kiwete's spouse is of Rwandan Hutu origin, and partially attribute the antagonism between the Heads of State of Rwanda and Tanzania to the influence of her ethnic origins.

27 He has not gone on any new missions abroad since May 2015.

28 Meetings with Rwandan officials.

29 The attorneys general of the EAC member states before whom was laid the question of the constitutionality of the Nkurunziza quest for a third term gave an unfavourable decision. In so doing, the EAC foreign affairs minister from Burundi stated that only Rwandan and Ugandan judges had examined the document whilst the EAC secretary general had called on all member states, with the exception of the Tanzanian prosecutor. On examination of their report, the heads of state did, however, come to the conclusion that the Constitution was ambiguous on this question. See East African Community, Meeting of the Attorneys General/Ministers of Justice and Constitutional Affairs. Arusha, Tanzania, 15 May 2015. Report of the meeting (ref/EAC/AG/05/2015)

30 Report of the emergency summit of the EAC heads of state on the situation in Burundi, 31 May 2015.

31 Discussions with the EAC minister from Burundi.

32 Discussion with a source requesting to remain anonymous.

33 Meeting with diplomats.

34 The mission was granted audience on 16 June, during the day. A diplomatic source nevertheless claims that the Tanzanian minister was received first, alone and in secret, in the early morning, by the president of Burundi.

35 On 10 June, the head of state signed a decree on the new electoral calendar. Communal and legislative elections were planned for 29 June, presidential elections on 15 July and elections to the Senate on 24 July.

36 Meeting with diplomats.

37 Statement by the Joint International Facilitation Team (JIFT) on Burundi. 26 June 2015.

38 Burundi: An Ambitionless Summit (*Burundi: un sommet sans ambition*), *Le Monde,* 7 July 2015, www.arib.info/index.php?option=com_content&task=view&id=12413&Itemid=1.

39 Abdoulaye Bathily, The UN is not throwing in the towel (*L'ONU ne jette pas l'éponge*), RFI, 7 July 2015, www.arib.info/index.php?option=com_content&task=view&id=12417&Itemid=1.

40 The AU is ready to sanction the Burundian political actors party to violence. APA, 7 July 2015, www.arib.info/index.php?option=com_content&task=view&id=12409&Itemid=1.

41 Meeting with the EAC secretary general.

42 Meetings with Burundian officials.

43 Burundi: negotiations adjourned until 2 days before the presidential elections, *Le Monde,* 19 July 2015, www.lemonde.fr/afrique/article/2015/07/19/au-burundi-les-negociations-ajournees-a-deux-jours-de-la-presidentielle_4689839.

44 Press release, EALC concerned about Burundi. East African Legislative Assembly, Arusha, Tanzania, 21 January 2016.

45 Meetings with Burundian politicians.

46 Burundian Dialogue: the Arusha session sets the direction, but everything remains to be done (*Dialogue burundais : la session d'Arusha fixe le cap, mais tout reste à faire*), RFI, 25 June 2016, www.arib.info/index.php?option=com_content&task=view&id=14971&Itemid=1.

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