

NATIONAL DEMOCRATIC INSTITUTE (NDI) AND INTERNATIONAL REPUBLICAN INSTITUTE (IRI)

Burundi: Strengthening the Legislature's Role in Peace and Reconciliation
Orientation Conference Report
April 16-18, 2002
Bujumbura, Burundi

SUMMARY

On April 16 to 18, 2002, the National Democratic Institute (NDI) and the International Republican Institute (IRI) hosted an orientation conference for the Senate and select Deputies of the National Assembly as part of a six-month Office for Transition Initiatives (OTI)-funded joint program of legislative support for the transitional parliament of Burundi. The overarching objective of the program is to support the Arusha Peace and Reconciliation Accords (APRA) and a lasting peace in Burundi through a series of targeted workshops and public outreach initiatives. The goals of the orientation conference were to: 1) increase the knowledge and understanding of the roles and responsibilities of the legislature; 2) clarify the roles of the National Assembly and the Senate within the APRA framework; and 3) increase the level of dialogue and cooperation between the two chambers.

ORIENTATION SESSION OVERVIEW

The conference was held at the Centre Professionnel de Formation in Bujumbura, a temporary meeting venue for the Senate, and was attended by 51 Senators and 20 designated Deputies of the National Assembly. NDI sponsored-international resource persons included the Honorable Nathaniel Bah, Deputy of the Parliament of Benin and Honorable Sabo Saidu, the Third Vice President of the Nigerian National Assembly. Former Minister Parliamentary Affairs, Eugene Nindorera, the Head of the Constitutional Court, Honorable Domitille Barancira, and key Burundian Senators served as local resource persons. NDI and IRI also collaborated with the U.S. Embassy, who sponsored the participation of Professor Edward Errante, a constitutional and parliamentary expert from the University of Panthein-Assas in Paris. Mr. Jean Lavoie, former NDI/Burundi Country Director, and Mr. Jacqueline Cocharin, former Legislative Director for US Representative Thomas Campbell, served as project consultants for NDI and IRI, respectively.

The conference was well attended throughout the entire duration. Participants were well engaged and contributed fully during question and answer sessions and expressed a sincere commitment and political will towards fulfilling their constitutional responsibilities. Their questions indicated a desire to grasp the seminar themes and to connect the theoretical discourse to the present-day reality in Burundi.

The NDI/IRI team made significant efforts to encourage greater participation of National Assembly Deputies, however given timing conflicts in the Assemblies legislative schedule, only a select group could attend. Since the Senate was in recess, it was agreed to host the event at the temporary Senate complex located across town from the National Assembly building. Moreover, since ethnicity remains perhaps the most significant and complex political dynamic in Burundi, efforts to encourage greater dialogue between the two chambers proved challenging as relations between their respective Presidents are tenuous (The Senate President is Tutsi and the National Assembly President is Hutu); an attempt to include the National Assembly President in the opening session, for example, was not acceptable to the Senate.

It is also important to note that given the orientation conference groundwork laid by representatives of OTI prior to the NDI/IRI team's arrival (making initial contact with key National Assembly and Senate officials, arranging conference dates, and circulating draft agendas) coupled with the participation of a U.S. Embassy-sponsored Public Diplomacy speaker, the final orientation agenda and timing reflected the outcome of several negotiations between NDI/IRI, OTI, and the U.S. Embassy, as well as key Members and staff of the Senate, and should therefore be regarded as a collaborative effort among the four parties.

Day One

Mr. Ousmane Sane, NDI Country Director and Mr. Roger Moran, Deputy Chief of Mission of the U.S. Embassy provided opening remarks for the session. The Senate President, Mr. Libere Bararunyeretse, formally opened the conference and facilitated the proceedings, which were organized around a plenary format involving presentations followed by question and answer sessions.

The major themes of the first day focused on the basic role and functioning of parliamentary institutions in democracies and the relationship between the two chambers. Prof. Errante provided a theoretical overview, while presentations by Hon. Bah and Prof. Eugene Nindorera highlighted complementary practical applications for the Parliamentarians.

Errante's presentation, titled "The role of parliament in the consolidation of democracy", drew extensively from the American political experience. While the topic may have been theoretical and general in nature, questions from the audience displayed a basic understanding and desire to localize the information within the Burundian context. Hon. Bah spoke on the role of parliamentary commissions and their functions in the Beninese context, which was well received.

To close off the day, former Minister Nindorera spoke on the role of the Senate and National Assembly and the relationship between the two houses. Nindorera,

a rare and unifying figure in Burundi who is respected by both Hutu and Tutsi alike, was able to convey information to the audience in a manner that addressed the wide-range of capacities and educational backgrounds of the Parliamentarians. Feedback from the audience included several requests for clarification on the separate chamber's roles and responsibilities, which demonstrated a sincere interest in transcending some of the institutional and political challenges facing coordination between the two bodies.

Day Two

Among the second-day presenters were Mr. Maitre Segatwa and Mrs. Christine Ntagwirumugara, two Burundian Senators who had directly participated the APRA negotiations. They spoke with first-hand experience on the organization of the Senate and legislative procedure in the transitional period, respectively. Professor Errante also presented a paper on legislative process, The audience was fully engaged when receiving specific instruction from the architects of the Accords and internal rules and procedures for the Senate, and posed several questions focusing on practical, day-to-day implementation. Feedback from the participants reflected the need to design follow-on thematic workshops to address basic legislative procedures such as committee processes and bill analysis.

Day Three

Day three began with a presentation by the President of the Constitutional Court, Hon. Barancira, who discussed the role of the court in implementing new legislation, oversight and basic judicial review. In addition to being a high-ranking jurist, she is also one of the most influential women among the country's political elite. Hon. Barancira's discussion focused on the role of the Constitutional Court in implementing new legislation, oversight, and basic judicial review. The need to involve the constitutional court in the legislative strengthening program is critical, as evidenced by the previous lack of coordination between the judiciary and executive/legislative branches, as well as specific judicial reform responsibilities conferred upon the Parliament by the Arusha Accords.

Nigerien Vice President Sabo's presentation capped off the third day. Scheduled to speak for 30 minutes, Sabo held a captive audience for over two hours. Niger holds significant parallels for the Burundian parliament given their similar experiences with a transitional government following political instability.

Closing Reception

NDI and IRI hosted a reception for all conference participants on the evening of the third and final day, which included the Senate President and the U.S. Deputy Chief of Mission. The opportunity for informal, yet substantive dialogue between Parliamentarians and our team was invaluable. Not only did the participants

express sincere gratitude for the orientation, but we had the opportunity to solicit strategic advice and guidance in formulating the next steps for the program.

LOOKING FORWARD

Overall, the orientation session laid a solid foundation for future NDI/IRI work with the Burundian Parliament and provided the team with valuable insights into strategies for follow-on targeted workshops. Given the wide range of experience and educational background among the Members that attended, it is clear that a focus on basic legislative procedures and practices will be key to the Parliament's ability to address critical substantive tasks as specified in the APRA. This could include the provision of on-site consul and technical assistance during actual committee sittings and exercises, as well as real-world simulations of public hearings or analyzing bills. Given the delicate nature of ethnic relations, creative approaches to building confidence and trust will be essential. This could involve conducting retreats outside of Bujumbura and other small group exercises led by professional facilitators and aimed at transcending ethnic differences and addressing common interests and agendas. NDI and IRI are in the process of developing a comprehensive work plan to guide orientation follow-on activities through the end of September.

A complimentary program emphasis will involve a public outreach component that focuses on developing constituency relations through provincial and colline (local government) visits and the production of civic education materials in the Kirundi language for widespread distribution. The materials will focus on the role of the transitional parliament under the APRA and seek to increase public dialogue and understanding on critical issues of national interest.

Following is the draft thematic work plan for follow-on thematic parliamentary workshops

June

Functional Relations between the National Assembly and the Senate.

Roles and functions of Parliamentary Committees:

Example of the Budget Committee

Example of the Justice and Human Rights Committees

July

Analyzing, amending and drafting legislation related to APRA's implementation

The role of female parliamentarians in the peace and national reconciliation process.

August

Partnership between the parliament and civil society in the implementation of APRA

Civil-military relations in the context of APRA

September

Role of political parties in the legislature within the context of the APRA

KEY CONFERENCE ORGANIZERS AND RESOURCE PERSONS

NDI

Ousmane Sane, Burundi Country Director

Jean Lavoie, Consultant. Currently Country Director, NDI/Serbia, former NDI/Burundi Country Director

Todd Dusenbery, Program Officer

IRI

Frances Naiga Muwonge, Assistant Program Officer for Africa

Jackie Corcoran, Consultant

USG

Roger Moran, DCM, US Embassy

Scott Stepien, Political Officer, US Embassy

Patrick Wingate, OTI Representative

Professor Edward Errante, University of Panthein-Assas (Paris)

Burundian Officials

Senator Libere Bararunyeretse, Senate President

Honorable Jean Menani, National Assembly President

Mr. Phillipe, Chief of Staff to the Senate President

Mr. Jean de Dieu, Chief of Staff to the National Assembly President

Senator Ferdinand Sindyigaya

Senator Segatwa Fabien

Senator Joseph Ntidendereza

Luc Rukingama, Ministre Charge de la Mobilisation pour la Paix et la Reconciliation

Ambassadeur Serge Karonkano, Directeur General charge de la coordination des ONG
Terence Sinunguruza, Ministre des relations exterieurs et de la cooperation

Eugene Nindorera, Former Minister of Parliamentary Affairs

Domitille Barancira, Presidnet de la Cour Constitutionnelle (constitutional court)

Leonce Ndikumana, Former President of the National Assembly

International Organizations

Louis-Marie Nindorera, Senior Project Officer, International Human Rights Law Group

Anthony Tate, Resercher, Human Rights Watch

Colonel Mbaye Faye, Conseiller Militaire, United Nations

Edward Kibirige, Country Director, Oxfam