

## Coalition to Stop the Use of Child Soldiers

### Forum on armed groups and the involvement of children in armed conflict Chateau de Bossey, Switzerland, 4 to 7 July 2006

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#### Burundi

#### The CNDD - FDD (Nkurunziza) and the use of child soldiers

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All of Burundi's armed groups as well as the government armed forces recruited and used children throughout the Burundi conflict which escalated into civil war in 1994 and, after the August 2000 Peace and Reconciliation Agreement, continued for a further three years or more. Under various leaderships, and with minor name changes, the *Conseil national pour la défense de la démocratie - Forces pour la défense de la démocratie* (National Council for the Defence of Democracy – Forces for the Defence of Democracy, CNDD-FDD) has existed since 1994. Periodic leadership changes and splits in the movement did not, however, significantly affect its use of child soldiers. In fact, only the dominant breakaway faction continued fighting, retaining the bulk of combatants as well as many key political and military figures. Accordingly, although Pierre Nkurunziza assumed leadership of the CNDD-FDD only in 2001, this paper looks at the movement's use of child soldiers since 1994.

#### Historical context of the CNDD-FDD (Nkurunziza)

Burundi's first multi-party elections were held in June 1993. The Hutu-dominated *Front pour la démocratie au Burundi* (Front for Democracy in Burundi, FRODEBU) won a landslide victory, to the surprise of the incumbent president and the dismay of sectors of the minority Tutsi community and armed forces who had become accustomed to decades of relative privilege and power. In October 1993 President Melchior Ndadaye, a Hutu and Burundi's first democratically-elected president, as well as his constitutional successors and other key figures in the administration were killed in a coup attempt.<sup>1</sup>

Once the extent of international condemnation became clear, the coup failed. However, the Tutsi political opposition, backed by the Tutsi-dominated army, continued to force political concessions, enshrined in a 1994 power-sharing agreement, from the weakened FRODEBU government which could not consolidate its position. Tutsi youths formed armed groups, with the knowledge and assistance of

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<sup>1</sup> Amnesty International, *Burundi: Between hope and fear* (AI Index: AFR 16/007/2001), 22 March 2001, <http://web.amnesty.org/library/engindex>.

Tutsi soldiers. Armed Hutu groups, allied to Hutu-dominated political parties, sprang up in and around the capital, Bujumbura.

The *Conseil national pour la défense de la démocratie* (CNDD) and its armed wing, the *Forces pour la défense de la démocratie* (FDD), brought together the various Hutu armed groups with the support of Hutu political leaders and from 1994 onwards began an open war against the armed forces and their political allies. While its direct origins are in the 1993 crisis, this and Burundi's ongoing conflict emerged out of a decades-long context of violent political and economic domination of the Hutu majority by the Tutsi minority.<sup>2</sup>

From Burundi's independence in 1962, members of the minority Tutsi ethnic group dominated virtually all successive governments and the security forces as well as the judiciary, the educational system, business and news media. Repeated and violent Hutu challenges to Tutsi domination were each time followed by mass reprisals against Hutu civilians by the security forces. Waves of killings occurred in 1965, 1969, 1972, 1988, and 1991. Between eighty thousand and several hundred thousand mainly Hutu civilians were killed in 1972 alone. In a repeat of this pattern, from October 1993, following the killing of thousands of Tutsi civilians as well as Hutu supporters of the former ruling party, the *Union pour le progrès national* (Union for National Progress, UPRONA) by Hutu civilians, many of them FRODEBU members, mass and indiscriminate reprisals against the Hutu population were carried out by the Tutsi-dominated security forces and Tutsi civilians. Some 60,000 civilians are thought to have been killed.<sup>3</sup>

Violence escalated into civil war. The FDD, like all parties to the Burundi conflict, had an appalling human rights record throughout the war,<sup>4</sup> including the use of child soldiers, unlawful killings, widespread rape, indiscriminate attacks on civilian targets and other violations of international humanitarian law.<sup>5</sup>

Lengthy negotiations, supported first by the former president of Tanzania, Julius Nyerere, and then, following Nyerere's death, by former South African president Nelson Mandela, eventually led to the signing of the Peace and Reconciliation Agreement for Burundi in August 2000. Although the international

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<sup>2</sup> Although the conflict is essentially a struggle for power and resources, played out upon ethnic lines, ethnicity has for many a greater resonance than nationality, and has been manipulated on all sides, often to great effect, and leading to extreme violence. Regional and clan alliances have also come into play, with the traditional power base being centred in Bururi province – home to former presidents Jean-Baptiste Bagaza and Pierre Buyoya, as well as to Léonard Nyangoma and Jean-Bosco Ndayikengurukiye, and many senior army officials.

<sup>3</sup> Amnesty International, *Burundi: Between hope and fear*, op. cit. The controversy and political manipulation of public opinion on whether these killings by armed Hutu civilians constituted acts of genocide continues today.

<sup>4</sup> The CNDD-FDD was led initially from exile by Léonard Nyangoma, former Minister of Interior in the FRODEBU government. However, divisions stemming in part from the move to begin negotiations with the government of Burundi in 1998, led to Nyangoma's expulsion from the movement in 1998. His nephew, Jean-Bosco Ndayikengurukiye, then commander-in-chief of the FDD, took power. Under his leadership, many operations focused on the Democratic Republic of the Congo (DRC), where Ndayikengurukiye established his base. In 2001, Ndayikengurukiye was ousted in an internal coup and Pierre Nkurunziza was nominated as leader. Nkurunziza's leadership was confirmed in a FDD meeting in Makamba in 2002.

<sup>5</sup> See reports by Human Rights Watch, <http://www.hrw.org> and Amnesty International, <http://web.amnesty.org/library/engindex>.

community was heavily involved in the peace process, the lack of genuine interest in and understanding of the situation led to blatant manipulation. Moreover, the agreement failed to involve either of the two major armed political groups still fighting at the time.

Further negotiations were needed before a Transitional Government took office in November 2001. During this time conflict and human rights abuses, including the use of child soldiers by all parties, continued. The CNDD-FDD (Nkurunziza) finally signed a ceasefire agreement with the government of Burundi in December 2002, but both parties repeatedly violated the agreement. New negotiations under the auspices of the African Union and regional governments, in particular on the entry of the CNDD-FDD into the armed forces, subsequently led to a power-sharing agreement in October 2003. A new inclusive government came to power in late November 2003, and in 2005 the CNDD-FDD (Nkurunziza), established as a political party in January 2005, won a decisive majority in the communal (local) and legislative elections. Pierre Nkurunziza was elected President of the Republic in August 2005.<sup>6</sup>

While much of the country is now at peace, armed conflict continues sporadically between Burundi's new armed forces and the armed group *Forces nationales de libération* (National Liberation Forces, FNL)<sup>7</sup> in the provinces of Rural Bujumbura, Cibitoke and Bubanza. FNL combatants and government soldiers and police continue to kill unarmed civilians and commit other atrocities with little or no accountability for their actions.<sup>8</sup> The FNL itself continues to commit serious human rights abuses, including the use of child soldiers; this has been condemned by the new authorities.

### **Group ideology**

The CNDD initially stated it was fighting for the restoration of democracy and against the 1994 power-sharing agreement, arguing that armed struggle was necessary to force the army to accept the 1993 election results.<sup>9</sup> Later, demands made in the context of the peace negotiations focused on reform of the armed forces and release of those identified as "political prisoners".<sup>10</sup>

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<sup>6</sup> Despite the initially close relationship of FRODEBU and the CNDD, as a result of the war and personal rivalry between leaders who were jockeying for power and position the two parties are now bitter opponents.

<sup>7</sup> The FNL, based primarily in Rural Bujumbura province, is a breakaway faction of the *Parti pour la libération du peuple Hutu* (Party for the Liberation of the Hutu People, PALIPEHUTU), which was formed in the 1980s. It is the only armed group currently fighting and estimated to have fewer than three thousand fighters.

<sup>8</sup> Human Rights Watch, *Warning Signs: Continuing abuses in Burundi*, 27 February 2006, <http://www.hrw.org>.

<sup>9</sup> International Crisis Group, *The Burundi Rebellion and the Ceasefire Negotiations*, Africa Briefing Paper No. 9, 6 August 2002, <http://www.crisisgroup.org/home/index.cfm>.

<sup>10</sup> The question of what constitutes a political prisoner is a highly emotive subject in Burundi, particularly as many prisoners have been associated with acts of violence. Different political leaders have indirectly sought amnesties for their supporters for acts of political violence. The current government of Burundi has always refused to acknowledge that there are any political prisoners, and in particular that those accused of participation in the massacres of Tutsi civilians in 1993 are political prisoners. (For more information, see Amnesty International, *Between Hope and Fear*, op. cit., p.52.)

There have been Tutsi members in the CNDD-FDD from the outset, some in prominent positions, but accusations of ethnically motivated attacks on the Tutsi have not been without foundation. As with all political parties and armed movements in Burundi, only a minority of members and supporters have truly risen above the ethnic question, while some retain a clearly ethnic perspective.

Despite the appalling human rights record of the FDD, many CNDD and FDD members have expressed the profound and apparently genuine belief that they are fighting for human rights and justice, seeking to address and prevent massive human rights abuses by the Burundian armed forces and economic and other ingrained social injustices, including lack of educational opportunities.<sup>11</sup>

### **Military strength, command and leadership structure**

The military strength of the FDD throughout the war was commonly estimated to be somewhere between ten and fifteen thousand members, although it was not possible to obtain accurate figures, and adherence is reported to have fluctuated in line with the FDD's fortunes and resources.<sup>12</sup>

While even at the height of the conflict the CNDD-FDD did not control significant amounts of territory within Burundi, it operated parallel administrations which co-existed alongside the government administration, imposing taxes, focusing on mobilization and propaganda (facilitating the recruitment of child soldiers) and in some cases creating "popular tribunals" to try civilians. Captured government soldiers were also reportedly sentenced to death by popular tribunals and summarily executed.<sup>13</sup>

The FDD is known to have had a code of military discipline that was enforced in practice to some extent. Training on military discipline was reportedly provided and court martials, sometimes followed by summary executions, are reported to have taken place.<sup>14</sup> Alongside denials of any human rights abuses attributed to its forces, the FDD has claimed to investigate and punish alleged human rights abuses by its combatants. The veracity of such claims is not known.

From the beginning, the CNDD-FDD had a well-defined political and military structure. The military structure was modelled on the Burundian armed forces.<sup>15</sup> It is not clear how communication between political and military structures, or between units, took place in practice.

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<sup>11</sup> Conversations with CNDD-FDD members and former members, refugee camps, 1997.

<sup>12</sup> Human Rights Watch, *Everyday Victims: Civilians in the Burundian War*, December 2003; International Crisis Group, *The Burundi Rebellion*, op. cit.

<sup>13</sup> CNDD-FDD representative, 1999.

<sup>14</sup> Confidential source from conversations with CNDD-FDD representatives and combatants.

<sup>15</sup> Some FDD officers, including Jean-Bosco Ndayikengurukiye, came from the Burundian armed forces.

## Foreign support

The FDD is believed to have been largely funded by supporters within Burundi, from the imposition of taxes, and by the Burundian diaspora. International support appears to have come primarily from the Democratic Republic of the Congo (DRC) and Tanzania, as well as from Rwandese armed groups.<sup>16</sup>

The level of support and collaboration with Rwandese armed groups associated with the 1994 genocide is not entirely clear. Allegations of such were systematically used by the Burundian government to demonize the FDD. However, some collaboration clearly did take place despite denials by the FDD leadership.<sup>17</sup> From 1994, Burundian refugees in eastern DRC were organized into camps along the Burundian border. Some lived in the Rwandese refugee camps where a military alliance was reportedly formed and training and other military support given to the FDD. Some joint operations were carried out.<sup>18</sup> Later, regional involvement in the wars in the DRC also facilitated links between various armed political groups, and the FDD are reported to have recruited Rwandan Hutu in the DRC, Rwanda and Burundi.<sup>19</sup>

In 1998, when full-scale war broke out in the DRC, the FDD quickly moved to the DRC to support the Kabila government, securing funding, equipment and training from the DRC itself, and allowing access to its mineral resources. Kabila's ally Zimbabwe also allegedly provided training and equipment. The DRC reportedly provided arms to the FDD and arms traders were caught shipping weapons originally from Zimbabwe through Zambia to the CNDD-FDD.<sup>20</sup>

The CNDD-FDD clearly received active political and passive military support from the Tanzanian authorities, which allowed it to use Tanzania as a retreat and a base. Scores of cross-border incursions were launched from Tanzania and activities such as military mobilization, recruitment, training, fundraising, political strategizing, arms trafficking, communications, resource distribution, medical treatment, and naval operations were also carried out.<sup>21</sup>

The association between Tanzania and Burundian armed groups dates back to the period after 1972 when hundreds of thousands of Burundians fled to western Tanzania. Solidarity with the Hutu cause grew immensely after the October 1993 crisis and Burundian armed groups reportedly received limited military assistance and political support even while Tanzania denied asylum to new influxes of Burundian refugees. Following the 1996 Buyoya coup Tanzania took the lead in

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<sup>16</sup> International Crisis Group, *Burundi Refugees in Tanzania: The Key Factor to the Burundi Peace Process*, Africa Report No. 12, 30 November 1999.

<sup>17</sup> International Crisis Group, *Burundi Refugees in Tanzania*, op. cit.

<sup>18</sup> Some Burundians within that refugee population were reported to have been implicated in the 1994 genocide in Rwanda. International Crisis Group, *Burundi Refugees in Tanzania*, op.cit.

<sup>19</sup> Human Rights Watch, *Burundi: Neglecting Justice in Making Peace*, 23 March 2000.

<sup>20</sup> Human Rights Watch, *Burundi: Neglecting Justice in Making Peace*, op. cit.

<sup>21</sup> International Crisis Group, *Burundi Refugees in Tanzania*, op. cit.

encouraging regional governments to impose sanctions against the Burundi government.<sup>22</sup>

The Tanzanian authorities appear to have been prepared to tolerate the presence of Burundian armed groups on their territory provided that it was not too visible. A limited number of arrests, either of suspected combatants or of more senior officials, did occur over the years but appear to have been the exception rather than the rule. The groups themselves are reported to have deliberately kept a relatively low profile to avoid endangering the Burundian refugee population and thus their own access to medicines and supplies in the camps.<sup>23</sup>

### **Popular support and engagement with civil society/NGOs**

Undoubtedly, in the early years of the war the FDD benefited from considerable support from the Hutu civilian population, who paid a heavy price for it. However, as the war lengthened the poverty of the predominantly rural population deepened, and abuses against it by both government and opposition forces increased. Food and money which had previously been given voluntarily was taken by force either by extortion or banditry, and the FDD itself began directly punishing the population.<sup>24</sup> The population, accused by the armed forces of collaborating with the FDD, and by the FDD of collaborating with the armed forces, at times even sought protection from the armed forces.<sup>25</sup>

Despite the years of human rights abuses, extortion and banditry, widespread popular support for the CNDD-FDD (Nkurunziza) was evident in Nkurunziza's triumphal return to Burundi in December 2003. However, some sources, including human rights groups, have attributed the subsequent decisive electoral victories of mid-2005 to the overt threat to return to war if electoral victory was not secured and to other intimidations, rather than to continued, genuine political support for the CNDD-FDD (Nkurunziza).<sup>26</sup> However, other Hutu-dominated political parties were seen as having links to cases of human rights violations by the Burundian armed forces as well as being tainted by accusations of elitism and corruption.

Civil society and human rights groups do not appear to have made serious attempts to influence the FDD, or to tackle the issue of child soldiers. To some extent, this appears not to have been considered an issue as such, possibly because much of the use of child soldiers was away from Bujumbura and thus less visible to many civil society actors; it may also have been because child soldiers were considered part of the problem. As human rights groups began to address the issue towards the end of the war, it was described as having been "taboo"; why this was so, and why it was considered more taboo than abuses such as killings is not clear.

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<sup>22</sup> International Crisis Group, *Burundi Refugees in Tanzania*, op. cit.

<sup>23</sup> International Crisis Group, *Burundi Refugees in Tanzania*, op. cit.

<sup>24</sup> International Crisis Group, *Burundi Under Siege: Lift the Sanctions; Re-launch the Peace Process*, Africa Report No. 1, 28 April 1998.

<sup>25</sup> International Crisis Group, *Burundi Under Siege*, op. cit.

<sup>26</sup> International Crisis Group, *Elections au Burundi : Reconfiguration radicale du paysage politique*, Africa Update Briefing No. 31, 25 August 2005.

One small Bujumbura-based non-governmental organization (NGO) attempted to work on the issue of child soldiers, and received into its care a small number of child soldiers who were reportedly released from their units for medical or other reasons, or had otherwise escaped. However, it was unable to establish itself properly within Burundian civil society or to gain significant funding and its attempts to set up rehabilitation projects met with limited success.

### **Child recruitment policy**

The FDD has through its various incarnations used child soldiers, although the numbers used during the conflict are not known and estimates have varied considerably. Girls are reported to have been recruited, some forcibly, but the extent of their use remains unknown.

Some recruitment was the result of specific propaganda or recruitment exercises through extensive networks on the *collines*.<sup>27</sup> A key argument used in recruitment appears to have been that joining was a way of countering decades of social and ethnic discrimination, and of ending years of repression by the “Tutsi army” with its history of massacring Hutu. Many volunteer recruits had been directly affected by the conflict, either seeing the murder of family and neighbours or being forced to leave their homes. Some children were reportedly encouraged by their families to join, sometimes after receiving payment or in the belief that payment would be forthcoming. In reality, financial benefits were largely illusory, and many units depended on robbery and extortion to survive. Others reportedly joined partly as a result of social or peer pressure, or fled to Tanzania to escape such pressures.<sup>28</sup>

The FDD recruited directly from schools, which were also attacked and destroyed, a tactic that may have facilitated the recruitment of children. An already low level of schooling dropped significantly during the war and the majority of child soldier recruits are thought not to have been enrolled in schools.<sup>29</sup> As well as recruitment and abduction within Burundi, the FDD recruited child soldiers from refugee camps, particularly in Tanzania and the DRC.

The reported use of child soldiers was perhaps most obvious under Ndayikengurukiye. In 1999, as the CNDD-FDD (Ndayikengurukiye) lost ground to *Rassemblement congolais pour la démocratie* (Congolese Rally for Democracy, RCD) forces in the DRC, hundreds of combatants fled to Zambia from the DRC. Independent observers estimated at one point that 50 per cent were children.<sup>30</sup>

Under Nkurunziza, further recruitment and a number of mass abductions took place from schools, including the abduction of nearly 300 children from schools in Ruyigi and Kayanza provinces in November 2001. Most, but not all, returned home shortly afterwards. Children as young as eight are known to have been recruited, sometimes forcibly. In November 2003 when the CNDD-FDD (Nkurunziza)

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<sup>27</sup> Literally a “hill”, a *colline* is a local administrative unit. Administratively, a province breaks down into communes, zones, sectors, *collines* and *sous-collines*.

<sup>28</sup> Confidential source, Bujumbura, 2006.

<sup>29</sup> Confidential source, Bujumbura, 2006.

<sup>30</sup> Amnesty International, *Burundi: Child soldiers – the challenge of demobilization* (AI Index: AFR 16/011/2004), 24 March 2004.

leadership returned to Bujumbura to take part in the new government they were accompanied by scores of child soldiers, some of whom formed part of the entourages of key figures. Some of the children were estimated to be under the age of 10.<sup>31</sup>

Some children also fought with government forces, after deserting from the FDD, and thousands were used by the government in its *Gardiens de la paix* (Peace Guards) militia.<sup>32</sup>

The FDD recruited new child soldiers, some as young as 12, to boost claims of military relevance ahead of demobilization.<sup>33</sup>

### **Tasks of child soldiers**

Children were used as look-outs and porters, often in exposed positions. They were also used as spies, to transport ammunition, the wounded and the dead, and as bodyguards, which CNDD-FDD leaders have presented as a less dangerous task.<sup>34</sup> Less precise information is available on the roles undertaken by girls, although they are reported to have participated as active combatants, spies, cooks, porters and looters. Anecdotal evidence supports accusations of the use of girl soldiers as “wives”, although the extent of this is not clear.<sup>35</sup>

The level of training provided to child recruits appears to have varied depending on the commander or the group to which the child was attached. According to reports, in most cases children were initially used for non-combat duties but gradually progressed to combat. Some children were given a limited but structured program of training, with both military and ideological components, as well as training in military discipline. Training could vary from a matter of days to three months. Some children were reportedly taken straight to the front without training.<sup>36</sup>

General conditions were reportedly harsh for all combatants. However, some former child soldiers reported that they were treated worse than adults, receiving less food and medical attention and no financial payment. Many were openly

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<sup>31</sup> Amnesty International, *Burundi: Child soldiers -- The challenge of demobilization*, op. cit.

<sup>32</sup> The Peace Guards, an unpaid, largely untrained and armed militia, was responsible for numerous human rights abuses including extrajudicial executions and ill-treatment and torture. It was created in the late 1990s as an expansion of a national "self-defence" policy through which arms were distributed to the civilian population. Many of the initial recruits were former child soldiers from armed political groups who had deserted. Officially under the command of the Ministry of Interior, they took on a multitude of tasks, providing intelligence and night-time community "protection", guarding roads and taking part in military operations. See Human Rights Watch, *To Protect the People: The government-sponsored "self-defense" program in Burundi*, December 2001.

<sup>33</sup> Amnesty International, *Burundi: Child soldiers – the challenge of demobilization*, op. cit.

<sup>34</sup> Confidential source, Bujumbura.

<sup>35</sup> Amnesty International: *Burundi: Child soldiers – the challenge of demobilization*, op. cit.

<sup>36</sup> Confidential source, Bujumbura.



malnourished, some suffering from kwashiorkor (severe protein deficiency).<sup>37</sup> Former child soldiers have testified that attempts to desert were punishable by death.<sup>38</sup>

### **Disarmament, demobilization and reintegration (DDR)**

Prior to the official demobilization UNICEF estimated that 6,000 to 7,000 under-18s, of whom 3,000 were with government forces, would need to be disarmed, demobilized and reintegrated into society.<sup>39</sup> With demobilization of child soldiers officially complete,<sup>40</sup> the actual figures have turned out to be significantly lower: by March 2006, 3,015 child soldiers had been demobilized, of which 593 were with the CNDD-FDD (Nkurunziza) at the time of their demobilization.<sup>41</sup> Approximately 1,400 child soldiers were also demobilized from the Peace Guards militia. No information appears to have been produced to show how many of the child soldiers in the Peace Guards originated from the FDD.

There is, however, general acceptance that thousands more children were involved in the conflict than those actually demobilized, not least because a considerable number of child soldiers from the CNDD-FDD (Nkurunziza) and the Peace Guards were demobilized as young adults, and as such not considered to be child soldiers. Their number does not appear to be known and it is not clear whether efforts were made to identify them as a specific group, or to look into their specific needs resulting from their early recruitment.

While demobilization programs in Burundi use the broad definition of a child soldier as defined in the Cape Town Principles and Best Practices,<sup>42</sup> it appears in fact that the main group demobilized so far has been young male active combatants. A total of 26 girl child soldiers from the CNDD-FDD (Nkurunziza) were reportedly demobilized.<sup>43</sup> It is not known whether or how their specific needs have been met, and many more girls are presumed to have been left out of the official program. Little information is available to answer these concerns.

In October 2001 the government of Burundi and UNICEF signed a Memorandum of Understanding setting the framework for the development of a plan

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<sup>37</sup> Confidential source, Bujumbura.

<sup>38</sup> Confidential source, Bujumbura.

<sup>39</sup> The Ministry of Human Rights acknowledged that the real figure of child soldiers to be demobilized from government forces could have been higher, Bujumbura 2004.

<sup>40</sup> The Burundian armed and security forces now claim there are no under-18s in their ranks, although the official recruitment age remains 16. However, non-official sources report the continued use of children in portering and other non-combat tasks by the armed forces. Confidential sources, Bujumbura, 2006.

<sup>41</sup> Information provided by the *Commission nationale chargée de la Démobilisation, de la Réinsertion et de la Réintégration* (National Demobilization, Reinsertion and Reintegration Commission, CNDRR), March 2006. Figures from other bodies and organizations involved in the DDR process vary slightly.

<sup>42</sup> “[A]ny person under 18 years of age who is part of any kind of regular or irregular armed force or armed group in any capacity, including but not limited to cooks porters, messengers, and those accompanying such groups, other than purely as family members. It includes girls recruited for sexual purposes and forced marriage. It does not therefore only refer to a child who is carrying or has carried arms.” The Cape Town Principles and Best Practices were adopted at a joint UNICEF/NGO symposium on 30 April 1997.

<sup>43</sup> Information provided by the CNDRR, March 2006.

of action for the demobilization, reintegration and recruitment prevention of child soldiers. The program involved the participation of a wide range of ministries. Child soldiers were to be provided with assistance for a period of 18 months after being demobilized and to be supported in their reintegration by non-governmental and civil society organizations.

The program was finally launched in late January 2004.<sup>44</sup> It appears to have been well received in parts. However, there are some issues that are likely to cause serious problems in the future: lack of focus in programs for the prevention of re-recruitment; treating battle-hardened 18 year olds as children rather than adults; and lack of long-term reintegration strategies including vocational training.

At the community level, attitudes towards former child soldiers appear to vary from considering them as victims of the conflict, to fearing them due to their violence and brutalization through involvement in the war. Economic factors were perceived to be key to the successful and sustained reintegration of former child soldiers.<sup>45</sup>

No significant demobilization or reintegration of FDD child soldiers took place prior to these programs. Child soldiers who deserted from the FDD were largely incorporated into the Peace Guards militia, exposing them to new dangers and trauma, while others who were captured by the Burundi security forces were detained and routinely tortured.<sup>46</sup>

### **The stated position of the CNDD-FDD on child soldiers**

The FDD, under all leaderships, has in general publicly denied recruiting and using children, despite widespread evidence to the contrary, claiming that any children present in its ranks were being “protected”. Despite the insistence on the “voluntary” nature of recruitment, when voluntary recruits did not come forward forcible and sometimes mass recruitments were initiated.

In a series of meetings by representatives of the Child Soldiers Coalition and Geneva Call in Bujumbura in October 2005 with senior CNDD-FDD (Nkurunziza) officials, the latter acknowledged the presence of children in their ranks but denied a policy of voluntary or forced recruitment of children. The officials insisted that the FDD had “accumulated” children, primarily orphans seeking refuge and protection.

The use of children over 15 as combatants was however broadly acknowledged. One reason given for children not taking active part in combat was the physical inability of children to perform frontline duties, but the CNDD-FDD (Nkurunziza) officials claimed that, although rare, the presence of frontline child soldiers was unavoidable in view of some children’s desire to fight. One official stated that many members denied using child soldiers because the international community would not understand the protection that was being offered to the children. They also

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<sup>44</sup> Amnesty International, *Burundi: Child soldiers – the challenge of demobilization*, op. cit.

<sup>45</sup> Confidential source, Bujumbura.

<sup>46</sup> Amnesty International, *Poverty, Isolation and Ill-treatment: Juvenile justice in Burundi* (AI Index: AFR 16/011/2002), September 2002.

acknowledged that children were not released due to fears they could provide intelligence on the FDD and thus be damaging to their campaign.<sup>47</sup>

One representative acknowledged the presence of children aged between 12 and 15 as “a necessary evil”. Some military training was given to children for protection, or to become bodyguards, while schooling was also offered. They could act as spies and porters without suspicion, were able to walk long distances and could defend themselves and the base while the main troops were out fighting.<sup>48</sup>

### **Significant initiatives**

The issue of child soldiers was only beginning to be addressed in the later stages of the war, largely in the context of the peace process and demobilization. One CNDD-FDD (Nkurunziza) representative acknowledged that while there was some international condemnation of the use of child soldiers, in reality there was no pressure on them to change their practices.<sup>49</sup> National and international human rights groups, faced with massive and systematic human rights abuses by all parties, were unable to tackle all abuses in depth, and for the most part prioritized killings and issues around impunity and justice.

The Burundian Ministry for Human Rights, under Eugene Nindorera (formerly of the NGO *Ligue ITEKA*, the Burundian Human Rights League), paved the way for work on child rights, initiating a series of actions aimed at publicizing the rights of children and Burundi’s international obligations. It also publicly acknowledged the use of child soldiers by the Burundian armed forces in its report *Enfants soldats: Un défi à lever pour le Burundi*, published in September 2001, which identified manipulation by adults, poverty and a desire for protection as key factors behind child recruitment by all parties. Governmental acknowledgement of the issue seems to have been important in giving human rights groups the confidence to begin to address it.

In October 2001 the International Programme on the Elimination of Child Labour (IPEC) of the International Labour Office (ILO) launched a “Sub-Regional Programme for the Reintegration of Child Soldiers and the Prevention of the Use of Children in Armed Conflict in Central Africa”. The program focused on research and also reviewed existing programs of prevention and rehabilitation and set out recommendations for the development of effective intervention strategies. The research did not include contact with leaders, and the follow up remains unclear.<sup>50</sup>

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<sup>47</sup> Coalition meetings, Bujumbura, October 2005.

<sup>48</sup> Coalition meetings, Bujumbura, October 2005.

<sup>49</sup> Coalition meetings, Bujumbura, October 2005.

<sup>50</sup> ILO/IPEC, *Wounded Childhood: The use of children in armed conflict in Central Africa*, 2003, <http://www.ilo.org/public/english/standards/ipecc/publ/childsoldiers/woundedchild.htm>. The report focused on Burundi, Congo, DRC and Rwanda. Interviews with FDD child soldiers were limited to those who were by then in the Peace Guards.

## Conclusion

An overall context of poverty, injustice and subsequent years of armed conflict made it easier for children to be drawn into the conflict. Ongoing human rights abuses were manipulated by military and political leaders to incite further violence or adherence to “the cause”. Ignoring their own human rights record, FDD leaders were able to point to widespread and systematic human rights violations by the Burundian armed forces, including thousands of extrajudicial executions and other unlawful killings, the forced relocation and regroupment of hundreds of thousands of unarmed civilians into camps where the conditions led to the deaths of tens of thousands,<sup>51</sup> as well as rape, arbitrary arrest and torture, reinforcing the message that protection would not come from state institutions.

There was undoubtedly a strong ethnic identification with the FDD. However, factors such as desperation, poverty, social and family breakdown and displacement, or fear of reprisal were also key issues in facilitating the recruitment of children. While these grave human rights violations give only a partial picture of the situation in Burundi, they are a key factor in the recruitment of child soldiers, as well as one of the root causes of the conflict itself.

During the conflict, the integration of former FDD child soldiers into the Burundian armed forces was clearly a disincentive for demobilization, as was the potential intelligence they could provide on the FDD.

The CNDD-FDD (Nkurunziza) had enough knowledge of international humanitarian law to insist that only children over the age of 15 could be used. Their deliberately low profile presence in Tanzania also indicates sensitivity to the impact of their actions, suggesting that greater international and national engagement could have had an influence. That sustained, informed engagement is required now.

Addressing systematic human rights abuses, as well as poverty, and offering an alternative to violence, is essential if re-recruitment is to be avoided. Potentially, the FNL could recruit former FDD child soldiers who have been unable to reintegrate successfully into society. Moreover, the new Burundian armed forces need constant monitoring, as well as training, to prevent recruitment of child soldiers, and more broadly the involvement of children in conflict, particularly when the challenges to establishing a durable peace are huge.

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<sup>51</sup> The practice of forcibly regrouping the rural population of Burundi in conflict areas began in 1996, when approximately 500,000 Hutu were forced into camps. Hundreds of people were killed in the process. Although ostensibly for their protection, it was soon clear that the policy was part of a counter-insurgency strategy designed to remove protection and potential support, whether freely given or coerced, from Hutu-dominated armed political groups. As a counter-insurgency strategy it was effective and the armed political groups lost ground. On a humanitarian and human rights level it was a catastrophe. Many of the original camps were subsequently closed and the population allowed to return home. However, in September 1999, following repeated attacks on Bujumbura by the armed opposition, the Burundian government again resorted to mass regroupment and forcibly relocated more than 290,000 mainly Hutu civilians from their homes in Rural Bujumbura province, forcing them into various regroupment camps within the province. Most camps were closed in 2000 following strong international condemnation. (Amnesty International, *Burundi: Child soldiers --The challenge of demobilization*, op. cit.)

#### **Further points for discussion**

- Like several other former armed groups which have used children as soldiers in the past (for instance the National Resistance Movement, President Museveni's former armed group in Uganda; or Hamas in the Occupied Palestinian Territories), the CNDD-FDD has now become the government. They have an obligation now to abide by international human rights treaties ratified by Burundi, which demand an end to impunity and injustice (and therefore require investigations into human rights abuses of the past), as well as to put in place effective prevention programs to protect children from recruitment and re-recruitment.
- Some children were recruited by Burundian armed groups in refugee camps in neighbouring countries, mainly Tanzania. Similar cases of transnational recruitment can be found in West, East and Central Africa, Latin America and Southeast Asia and there seem to be few coordinated efforts by the host nations to protect children and their families from these human rights abuses. Better and more effective strategies to stop recruitment in refugee camps need to be developed worldwide.
- Local communities and national and international NGOs paid little attention to the issue of child recruitment, focusing on other human rights violations to the detriment of child rights. International NGOs subsumed the issue within other serious concerns until later in the conflict. Civil society and NGOs must ask themselves why child soldiering was not seen as a violation of child rights and how they can now ensure there is no repeat of the past.