The choices interveners and local stakeholders make in establishing and supporting LPCs

Enhancing Local Peace Committees - Facilitating stakeholder debate on the strategic choices involved in transitional justice in Burundi and DR Congo

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Introduction

Establishing or supporting so-called Local Peace Committees (LPCs) or similar structures has become an important strategy in the toolkit of national and international development organizations that aim to enhance local peace and justice after protracted violent conflict (e. g. Hilhorst & van Leeuwen 2005, Odendaal & Olivier 2008, Paffenholz 2009, van Trier 2010, van Tongeren 2013). These committees at village, town or regional level are often considered transitional mechanisms, complementing or stepping in place of government institutions, to arrive at local solutions for local problems in a participatory way. They may play a role in early warning and preventive action, in facilitating dialogue and enhancing community relationships, as well as in reconciliation and truth finding. Though in several countries they result from national mandates, in many situations they are the result of local initiatives, or interventions by (inter)national civil society organizations.ᵢ Often, they build on existing local institutions, such as customary authorities, religious organizations, or (women) associations and they may use traditional, non-judicial means of conflict resolution and justice.

The popularity of LPCs may be understood as part of a 'local turn' in peacebuilding over the past two decades (see Paffenholz 2015). Over the 1990s, the attention for peacebuilding at the local level was driven by an increasing awareness that, to be effective, national level peace agreements required the development of grass-roots support (Lederach 2013), and parallel processes at community level, considering the civil and localized character of many contemporary conflicts (van Leeuwen 2009). After all, it is at this level that the hardships of war are mainly experienced (Lederach 2012, Pouligny 2005). More recently, disappointing results with international state- and peacebuilding interventions convinced many donors of the need to actively engage communities in peacebuilding interventions. The failure of such programmes was attributed to their donor-driven and neo-liberal character, and the idea took hold that local community's needs should become again the central concern of peacebuilding initiatives (Richmond 2006). This appreciation for the 'local' in peacebuilding coincided with more general endorsement of participatory development, considering that peacebuilding would be more effective if building on local, contextual understanding and resources, and would become more sustainable as a result of local ownership, and low bureaucracy (Odendaal 2008, MacGinty & Richmond 2013, Risley and Sisk 2005)

To (inter)national development organizations, supporting LPCs seems an adequate strategy in conflict-affected settings, where the state and its judicial system as well as traditional institutions are incapable or have lost the legitimacy to provide justice and maintain good community relations. Interveners expect that they may propagate local solutions to pressing justice concerns and insecurity, and promote peaceful co-existence between former enemies. Even if LPCs do not necessarily comply with national regulation, they may have local legitimacy and contribute to human security. Alternatively, they may regulate affairs where customary institutions and regulations fall short, are perceived as biased, elitist, or involved in conflict politics. Their authority and enforcing power may be limited, but in settings of continuing distrust in existing institutions they may facilitate consensus and have moral weight. Finally, Local Peace Committees are free to access, while state and even customary institutions are usually not.

Strategic choices involved in supporting LPCs

LPCs are often imagined as transitional mechanisms. There is considerable debate among development organizations on practical questions like how to phase out their support to LPCs: whether, when and how to integrate them into state structures or other community structures; or instead further formalize them, and seek ways to maintain them without external financial or organizational assistance. However, even if designed as temporary solutions, the ways in which LPCs are established may have significant long-term implications for justice and security provision. This raises

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ᵢ On this, see Odendaal & Olivier (2008); or the special issue on 'Infrastructures for Peace' of the *Journal of Peacebuilding and Development*, 7(3). http://www.tandfonline.com/toc/rjpd20/7/3 , last visited: 21 November 2016.

all kinds of questions about the design of such committees (e. g. Kyed & Buur 2006, Huyse & Salter 2008, Haider 2009, Odendaal 2013, Leonardsson & Rudd 2015).

First, which and whose notions of peace, justice and societal change should they promote? Who wins by their kind of conflict mitigation and resolution, and who falls out? How do they impact on women and gender relations? How to assure that the structures remain equally accessible to everybody? And how to assure that their modalities of justice provision –e. g. a focus on mediation and restoration of relationships instead of on punishment– also fulfil citizens' expectations in the longer run, for instance if this allows criminal acts to go unpunished?

A second series of question concerns how supporting Local Peace Committees complements other interventions. What is the added value of LPCs if peacebuilders aim to contribute to 'Peace-Writ-Large'? Even if LPCs may have limited impact beyond the confines of their communities, to what extent may they nonetheless address more general political and social problems, and contribute to societal transformation?

Third, questions may be raised about the relationships between these newly established structures and existing local institutions. How to go about customary authorities and rules, particularly if these favour men over women, or one social group over another? How to prevent that the establishment of LPCs contributes to legal ambiguity, a proliferation of institutions, and unclearness about who is in charge and what rules apply? And if they are phased out, which of their attributes should be retained in other institutions? Here, a key dilemma is to what extent such forms of justice and security provision might be at the disadvantage of the re-establishment of the state, and might release the state of its responsibility to take care of its citizens. Such questions imply that -already at their inception- interveners should consider the future and ideal role of such new structures vis-à-vis other institutions, both customary authorities and the state, and how this role can best be promoted; and even whether it is a good idea to establish LPCs at all.

Various development organizations have been struggling with such questions. Nonetheless, experiences are not systematically collected and analysed.ii Moreover, standardized answers to the above questions are lacking, as the contexts in which LPCs are considered are highly different. Above all, problematic is that interventions by development organizations often already imply particular strategic choices for the kind of justice and the kind of institutions promoted at the local level. Unfortunately, these choices tend to reflect the -often implicit- assumptions and preferences of intervening organizations and it remains difficult to assure the involvement of citizens as well as local government, and other public institutions like the church or customary institutions. Local peacebuilding actors are not free from such implicit assumptions, often based on their intimate knowledge or long-term experience and observation of a conflict. Even if their analyses may be more sophisticated than those of outsiders, if they are not made explicit and discussed with colleagues, it remains difficult to develop coherent intervention strategies (CDA 2009).

The research project 'Enhancing Local Peace Committees'

The applied research project 'Enhancing Local Peace Committees' aimed to enhance strategies to support Local Peace Committees, by identifying and analysing the critical choices made in such interventions, and developing tools to facilitate stakeholder debate on those choices.iii To achieve this, the project existed of the following activities:

- Literature research on academic and practitioners' experiences with establishing and supporting LPCs worldwide, and in Burundi and Uvira territory (eastern DR Congo) in particular, including an exploration of interveners' analyses of situations of local justice, or the (implicit) assumptions and preferences guiding their interventions around LPCs, and of the strategic choices they make.
- On the basis of these findings, two toolkits were designed and tested with development practitioners and local communities in Burundi and Uvira Territory: (1) a picture box that primarily caters for local communities; and (2) a series of videos which aims to assist development organizations in designing interventions around LPCs.

These toolkits may help to clarify the (implicit) assumptions and preferences guiding current efforts to support LPCs; and to engage diverse stakeholders –(inter)national development organizations, local civil society and government– in discussing the strategic choices involved.

This report brings together the main findings from the project, based on the literature research and fieldwork in Burundi and eastern DR Congo. The two toolkits that have been developed on the basis of this are available for free on the website of ZOA Netherlands.

This report: how interveners and local stakeholders in Burundi and eastern DRC deal with strategic questions

The next chapters describe 10 strategic questions that were developed over the course of the project and that -to our mind- highlight important programmatic choices intervening organizations and local stakeholders have to make when establishing or supporting LPCs. These questions were initially formulated on the basis of the research of academic literature, but were further developed and refined during the research in Burundi and DR Congo. They concern 3 major themes:

How to understand the nature of conflict, and the peace, justice and societal change envisioned
- How to deal with the past?
- Ending violence or addressing underlying, structural issues?
- Local level peace or a peaceful society?
- Working on peace directly or through development?

The methodology and approach for setting up LPCs, notably on how local peacebuilding links to development and interventions at other levels
- Which degree of vertical collaboration?
- Whom to include?
- To what extent may 'best practices' from elsewhere provide inspiration?

The type of institutions to be promoted at the local level and the envisioned relationships between LPCs and other local institutions, as well as the future role of LPCs
- How to deal with customary/traditional institutions?
- How to go about the state and the formal judicial system?
- A permanent or a transitional structure?

Each chapter provides a review of findings from the academic literature on the theme concerned, followed by findings from our own interviews with development practitioners and local stakeholders in Burundi and DRC on how they deal with these questions in their intervention strategies, and how they arrived at these responses.

Methodology

To take stock of experiences with LPCs and their support by (inter)national development organizations, and arrive at a first inventory of the strategic questions that form the core of this document, at the beginning of 2016 we conducted an extensive review of global academic literature and publications by development organizations.[iv] To complement this, interviews were held with representatives of globally operating development organizations.[v] In the review, we explored:

- the assessments academics and (inter)national development organizations make of the challenges to peacebuilding and local justice provision in post-conflict settings, and the rationales for establishing LPCs as the preferred intervention strategy;

[iv] This research was done by Mathijs van Leeuwen and Gerrit-Jan van Uffelen. See also: Gerrit-Jan van Uffelen (2016) 'Strategic Issues Paper', commissioned by the ' Enhancing Local Peace Committees' project.
[v] This was done by Anne van den Donk. See: Anne van den Donk (forthcoming), Master-thesis, faculty of Management Sciences, Radboud University Nijmegen.

- the key assumptions guiding the establishment and strengthening of local peace committees and similar structures, notably on the conflict context, models for peacebuilding and justice-provision, the kind of state and non-state institutions they support, and the kind of institutional order they envisage in the long run.

This resulted in a list of tentative strategic questions that served as the starting point for interviews in Burundi and eastern DRC from March to June 2016.vi Interviews were conducted with representatives from national and international development organizations, as well as local stakeholders –members of LPCs and representatives of local state and non-state authorities– in Burundi and Uvira territory/Bukavu (eastern DRC). Both areas may be characterized by a limited access to formal justice, limited trust in government institutions, and local preference for mediation instead of punitive justice. In both cases, not only the state administration and the judicial system, but also customary institutions lack capacity and legitimacy to deal with local disputes –e. g. about land, but also between husbands and wives; and problematic intra-community relations –e. g. between different ethnic groups. Various national and international development organizations working in these two localities have initiated programmes to establish local peacebuilding committees to fill this gap, including two of the partners in this research project, ZOA and MIPAREC (see list of interviews in the Annex). In addition to these interviews, data collection consisted of perusal of reports made available by the organizations interviewed, as well as secondary data on the case study areas.

The interviews explored three themes:

- What (inter)national development organizations consider to be the main challenges to local justice provision in Burundi and Uvira Territory, and the rationale for establishing LPCs or similar structures;
- How they dealt with the strategic choices involved in those interventions regarding the kind of justice and modalities of dispute resolution they promote, the kind of state and non-state institutions they support, and the kind of institutional order they envisage in the long run.
- Experiences with the establishment and strengthening of LPCs and similar structures, and how such strategic choices are reflected in intervention strategies. Of special concern was the question of how intervention strategies have changed over time; as well as assessments of the future prospects of the LPCs and the necessary conditions for their proper functioning.

In Burundi, in total 27 interviews were conducted. These included 8 with representatives of Burundian national organizations and 6 with representatives of international organizations that support LPCs or similar bodies, and 6 with representatives of (inter)national development organizations that do not support LPCs yet include components of conflict management, peacebuilding, justice or human rights in their programmes. In addition, interviews were held with representatives of 4 local peace committees or similar bodies and 2 with national experts in peace and conflict. 4 interviews with government representatives were foreseen, but eventually none of the people approached were available.

In Uvira Territory, in total 38 persons were interviewed. These included 7 interviews with representatives of Congolese national organizations and 5 with representatives of international NGOs engaged in peacebuilding, and 3 interviews with representatives of (inter)national development organizations that do not support LPCs. Interviews were also held with 18 members of the LPC, 7 animators of local NGOs supporting the LPCs, and 9 with representatives of public authorities and other experts. In addition to the interviews, a roundtable of the 'artisans of peace' organized by OXFAM-NOVIB and its partners has been an opportunity to better understand how interveners define their interventions.

First findings from those interviews were discussed at a workshop in Cibitoke (Burundi) in March 2016, bringing together the consortium-members from the Netherlands, the Dutch and local researchers, ZOA and MIPAREC staff from DRC and Burundi, and a selection of other (inter)national organizations working on LPCs.vii A final workshop in July 2016 further discussed and validated the findings.

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vi This fieldwork was conducted by Jean-Louis Nzweve and Joseph Nindorera, and resulted in the following reports : Jean-Louis Nzweve (2016) 'Le positionnement stratégique des Comités Locaux de Paix du Territoire d'Uvira au Sud-Kivu (Est de la République démocratique du Congo)', Bukavu, DR Congo ; Joseph Nindorera (2016) 'Rapport synthèse des interviews', Bujumbura, Burundi.

vii See: Sanne de Boer (2016) 'Atelier de Réflexion "Enhancing Local Peace Committees – Facilitating stakeholder debate on the strategic issues involved in transitional justice in Burundi and DR Congo', 21/22 Mars 2016 à Cibitoke, Burundi. Rapport interne.

The initial selection of strategic questions depended on our own experience with peacebuilding interventions. We had anticipated that during the fieldwork in Burundi and DRC additional, new concerns would emerge, after which a careful prioritization could take place. However, most interviewees underscored the importance of the themes already identified, and reformulated rather than expanded our strategic questions. Moreover, due to various delays at the start of the project, the first workshop took place when the larger part of the fieldwork still had to be completed. Yet, at that point key issues needed to be identified already to enable a start with tool-building. This implied that the iterative process of identifying key-concerns, prioritizing them, and formulating questions as foreseen in the project planning was cut short and was less participatory than expected. In addition, overlap between some of the questions could not be dealt with sufficiently, as evidenced in rather similar answers provided by interviewees to different questions. At the same time, it turned out very difficult to formulate concise and unambiguous questions, in such a way that they were also comprehensible to our interviewees. We regard the identification of key strategic questions in this report thus as a 'work in progress', to be continued.

Further, due to the particular case studies in this project, the selection of strategic questions might have been biased towards challenges that are particular for settings that are heavily affected by violence, in which state presence is limited, and legitimacy and authority of state and customary institutions are contested.

An introduction to Local Peace Committees in Uvira Territory (DR Congo) and Burundi

In Uvira Territory a variety of local peace structures exists. First, tribal committees, commonly called 'Lubunga', operate especially in urban areas and agglomerations (Uvira, Sange, Luvungi). They have been created by the members of lineages of particular ethnic groups, and mediate intra-community conflicts mainly. In addition, several NGO peace-building projects have established Local Peace Committees or similar structures. Local peace structures mainly differ in terms of the type of conflicts addressed, their action radius, and composition. Some address any type of conflict. This is the case for the 'Lubunga' and for several of the structures initiated by NGOs, notably the *Comités de Développement*, the *Cadres Mixte de Concertation* (CMC), and the *noyaux de paix*. Others are more specialized, including the *Comités Mixtes* (CMRL), and were primarily established to deal with disputes between pastoralists and farmers. Some LPCs are homogeneous, including members of the same socio-professional, religious or ethnic group, like the Lubunga and committees of pastoralists. Others aim to integrate different communities, as is the case of the *Cadres de Concertation Intercommunautaire* (CCI) and the *Comités de Développement*.

Some LPCs aim at reconciliation of parties in conflict, others try to contribute to the creation of the conditions for peaceful coexistence. Activities of the former focus on awareness-raising, mediation and negotiation. The latter LPCs try to advocate and initiate actions for regulations in the agricultural or land sector. For instance, CCI/CM is involved in the demarcation of fields and pastures, and installs sign posts indicating the corridors for cattle to pass in between fields for cultivation. The *Comités de Développement* play an important role in local development, while the *Commite des Négociateurs* mainly works on the demobilization and disarmament of armed groups. These strategies are, in most cases, defined by the NGOs that initiated these structures. Some LPC, however, adapt their strategy according to changes in the context, or after finding out that, in practice, the impact of their actions is limited. This is the case, for instance, for the *Noyaux de Paix* promoted by the partners of ZOA, which felt threatened when dealing with conflicts over power between different ethnic communities, and now instead work in a more indirect way on conflict.

LPCs operating in Uvira Territory work on diverse conflicts. At community level, these include inter-spousal disputes, and disputes within villages or among occupational groups. The latter for instance revolve around failures to repay debts, abuse of confidence, and breaches of local land contracts. In addition, in the Ruzizi plains there are basically two types of inter-community conflicts. One results from temporal movements of cattle of pastoralists causing crop damage to cultivators. Inter-community conflict also involves a struggle between the Barundi and Bafulero community for customary power in the *Chefferie de la Plaine de la Ruzizi*. Local disputes about cattle movements often get connected to the latter conflict, when the parties in the conflict belong to different ethnic communities and manage to mobilise support for their case among their ethnic group. Moreover, in local public imagination, agro-pastoral activities are mainly the domain of Banyamulenge and Barundi people, while Bafulero and Barundi people are mainly small cultivators. Even if this representation does not correspond to the reality that both

ethnic community include pastoralists as well as small cultivators, it may turn pastoralist-cultivator conflicts violent, which then may deeply affect inter-community relations.

Resolution of the latter conflicts is complicated by three factors. Firsts, cycles of resistance against the state since the 1960s have weakened state institutions, and local communities thus primarily organize around and are mobilized by their local ethnic chiefs. Second, due to frequent incursions into the plain by armed groups operating on the middle and high plateaus, whole swathes of the territory of Uvira are effectively beyond the control of the State. Customary authorities (village chiefs, grouping, chiefly) are not capable to replace fundamental state services like the provision of security and justice, or stimulate local development. Finally, the Territory of Uvira and Burundi share a natural border of almost 100 km along the Ruzizi River. Socio-cultural and economic links between people on both sides of the boundary enable socio-political tensions to cross borders. Uvira Territory regularly welcomes Burundian refugees, while many Congolese flee into Burundi, while rebels from Burundi have also found refuge in the Congolese part of the plains.

In Burundi, next to organizations that support Local Peace Committees at community level, several organizations have developed 'peace clubs', that operate mainly within schools and academic institutions, or for youth in general. Some organizations use both models at the same time. A third group of intervening organizations works on peace and conflict research. Their community structures aim to move beyond the management of local conflicts, and instead work on advocacy on human rights, governance and democracy. Names vary substantially: *Comités de Dialogue Permanents, amis de paix, acteurs de la paix.* Local peace committees or related structures are generally mixed, except that young people are often not represented, as organizations prefer to establish particular committees for the youth around particular political conflicts. Only one organization in the research explicitly targets women, establishing and supporting peace committees for women.

The oldest peace committees date back to the ethno-political crisis of 1994-2000, and the massive influx of international humanitarian NGOs. At that time, their main concern was reconciliation between the Tutsi residing in centrally-located sites of displaced persons under military protection and Hutus that had remained in the hills or had fled abroad. Peace committees aimed to reduce violence, build confidence and create dialogue between the two groups. Since 2010, the process of democratization in Burundi suffered major set-backs with the withdrawal of the opposition from the electoral process, after contested local elections. This was followed by killings of members of the opposition, particularly of the FNL, and increasing authoritarianism of the state. In response, several interveners developed programs promoting peace, good governance and democracy. Most of the peace clubs worked on awareness raising, conflict mediation, reconciliation dialogues, and conflict monitoring and warning. Since protests against a third term of the current president Nkurunziza in spring 2015, the political situation has remained particularly tense.

Encountered organizations especially try to contribute to community cohesion, facilitate dialogue to discover the truth, and promote reconciliation and forgiveness especially between the returning displaced and the people that had stayed behind in the communities. In the electoral period, several interveners focussed on young people belonging to opposing political parties and local leaders of political parties. At the end of the Arusha peace process, several organisation particularly targeted released prisoners and demobilized ex-combatants. Some organizations have done preliminary work for the preparation of local communities to the process of truth and reconciliation to be implemented by the Truth and Reconciliation Commission, and have submitted proposals to the Government to help the TRC to become more effective.

I   Defining conflict and peace

Despite the fact that the term 'peacebuilding' is very commonly used among development and humanitarian organizations, the term means rather different things to different people. Interpretations range from merely putting an end to violence, to encompassing notions of creating the conditions for the prevention of future conflict, or the entire transformation of societies. Some emphasise that peacebuilding is primarily about fostering legitimate institutions, that are capable of dealing with the conflicts inevitably occurring in every society (Cousens et al. 2001). Others underscore the need for restoring relationships, and addressing the past. Even if a coherent doctrine or 'model' for comprehensive peacebuilding never came into being, interveners agree that peacebuilding requires the combination of diverse activities in a range of domains, such as governance, the protection of human rights, economic reconstruction and development, and fostering intercommunal relationships. This makes strategizing for peacebuilding difficult: what interventions are necessary, and in what order? How to assure that diverse contributions to peacebuilding complement each other? When do we have 'enough' peace?

A recurring critique on peacebuilding is that it often remains unclear how specific interventions contribute to a peaceful society at large, or so-called 'Peace Writ Large'. Such critiques acknowledge that particular peacebuilding activities may have a specific local relevance, and may address particular and urgent issues. Yet, the question is to what extent such interventions also have a wider impact, and sustainably transform unjust social or political relations, or overcome divides within society at large (Fisher & Zimina 2008). Moreover, situations of violent conflict are often complex: they involve a diversity of cleavages at different levels, that sometimes are related, but sometimes not (e. g. Kalyvas 2003, Richards 2005). The question is then how interventions deal with one particular issue impinge on other contestations at other levels.

Theories of Change

To overcome such challenges, practitioner literature urges interveners to be more explicit about their 'Theories of Change' : their understanding of and assumptions about the changes necessary to bring about peace, together with the strategies for realizing those changes (see e. g. Mitchell 2005, Shapiro 2006, Eyben et al. 2008). For instance, the 'Reflecting on Peace Practice Project' (CDA 2013) found that the extent to which peacebuilding may affect 'Peace Writ Large' depends on interveners' effectiveness to formulate peacebuilding goals as "statements of desired changes in the socio-political realm"(CDA 2013:19), the ability to develop an explicit Theory of Change aimed to reach explicit goals in line with these statements, and the degree to which the Theory of Change is relevant to context.

Different Theories of Change, informed by different understandings of the nature of peace and conflict, may result in different intervention strategies, that are not always complementary and might even contradict (see table 1). For instance, when violent conflict is seen as driven by individual economic interests this will result in a different intervention strategy as compared to an understanding of conflict as the result of injustices in society. If justice is seen as a prerequisite for restoring stability and for the state to regain its legitimacy, this may result in radically different interventions than when justice is mainly considered in terms of intra-community reconciliation and rebuilding the local social fabric. Interventions that pragmatically build on what is there may contradict with intervention strategies that start from the idea that drastic changes are necessary in how society is organized. Moreover, we may assume that the appropriateness of particular theories of change strongly depends on the phase and development of conflict, and may change according to the stages of an intervention programme (see on this Church and Rogers 2006).

In addition, the 'Reflecting on Peace Practice Project' (CDA 2013) observes that the extent to which peacebuilding programmes complement each other depends largely on the change aspired, and the strategic combination of approaches. For instance, programmes may aim to work at the individual or personal level to achieve change in attitudes, perceptions, skills, or work at individual circumstances, to change the hearts, minds and behaviour of these individuals. This could involve activities like trauma-healing, and civic education. Or programmes may aim for socio-political change, e. g. search for institutional reform, stimulate non-violent modes of conflict resolution, and change

legislation to address grievances. Efforts to build relationships and trust across enemy lines have better impact on broader peace when linked with actions at the socio-political level, such as mobilizing larger groups to advocate for change in relation to key drivers of conflict or inter-group relationships (CDA 2013).

Of course, a single agency –let alone an individual Local Peace Committee– may be incapable to effectively combine all these approaches and realize such linkages. Many authors therefore emphasise the need to develop coordination and collaboration with other peacebuilding organizations (CDA 2013). (see on this chapter 5)

Table 1 – Theories of Change for peacebuilding

Assumptions about what is necessary to bring peace	Strategies for realizing these changes
Peace comes through a change in consciousness, attitudes, behaviour, and skills of a critical mass of individuals	Peacebuilding is then about personal transformation/consciousness-raising, dialogue, or trauma healing
Peace results from breaking down divisions and prejudices, and re-establishing healthy relationships	Peacebuilding is then about inter-group dialogue, networking, and relationship-building
Continuing war results from the presence of resources such as weapons and human capital…	Peacebuilding is then about arms embargoes, anti-war campaigns, consciousness training
Conflict and peace are the result of economic behaviour and rational choices made by people. (e. g. difficulties in making a living may stimulate joining the militia as a livelihood strategy	Peacebuilding is then about creating economic development
Peace results if people can take their development in their own hands	Peacebuilding is then about mobilizing the grassroots, strengthening advocacy, and participatory decision taking
Peace will result from a reduction of violence	Peacebuilding is then about ceasefires, introducing peacekeeping forces, promotion of non-violence
Peace is achieved when injustice, oppression, exclusion and exploitation are reduced	Peacebuilding is then about social, economic, political transformation, and promoting justice

(adapted from Church & Rogers 2006)

In the following chapters, we discuss four questions that may help Local Peace Organizations and their supporters to find out how they interpret the nature of violent conflict, the kind of changes they consider necessary to achieve peace, and the range of actions they might undertake to realize these.

1   How to deal with the past?

How to deal with wrongdoings and injustices committed in the past? Promoting peace and fostering justice may be difficult to achieve at the same time. What kind of peace or justice should Local Peace Committees and their supporters promote, and what should be their role in the realization of this?

The justice-versus-peace dilemma

Many consider transitional justice as an important element of post-conflict peacebuilding. Transitional justice concerns the judicial and non-judicial measures to deal with the legacies of conflict, mass violence and systemic human rights abuses (van Zyl, 2005), and may include criminal prosecution, truth-telling, and reparation. Transitional justice has several overlapping goals: to establish the truth about the past, end impunity for past (and sometimes continuing) human rights violations, and achieve compensation for the victims of those violations. Often, transitional justice is not only expected to redress victims, but also to re-establish the rule of law, and constrain arbitrariness and abuse of power, and so to prevent the recurrence of such abuses in the future (IPI, 2013). Promoting justice is a core concern of such approaches, as it is thought to positively contribute to the restoration and maintenance of peace "by establishing individual accountability, deterring future violations, establishing an historical record, promoting reconciliation and healing, giving victims a means of redress, removing perpetrators and supporting capacity-building and the rule of law" (Kerr and Mobekk, 2007).

However, peacebuilding literature and development practitioners point out that in many actual post-conflict situations peace and justice are incompatible and cannot be achieved at the same time (see IPI, 2013). Which one should have priority at what stage? Human rights practitioners emphasise the importance of addressing past human rights violations, prosecuting perpetrators of war crimes, and seeking compensation for victims. They argue that strategies focussing on forgiveness or amnesty may be too easy on the perpetrators and might even encourage impunity. On the other hand, conflict resolution organizations, which are primarily concerned with ending violence, may want to involve all important parties, even if some of them have abused human rights (Aall, 2001; Reimann and Ropers 2005). Such organisations may be concerned that an emphasis on justice may generate tensions, undermine willingness of antagonists to join the peace process, or recreate conditions for instability (IPI, 2013; Sriram, 2007). They consider that perpetrators of human rights violations may be unwilling to be held accountable and even withdraw from participation in the peace process if there is no guarantee of immunity.

To some extent, this 'peace versus justice' problem may be a false dilemma (IPI, 2013). Justice may be fundamental for peace, in order to end violence and prevent its recurrence. Sustainable peace requires dealing with the underlying causes and sources of violent conflict, and injustice and human rights abuses committed by elites and state representatives may constitute critical factors in causing conflict (IPI, 2013). Likewise, to result in sustainable peace, acknowledgement of past injustice needs to be accompanied by certain measures to redress those, and to prevent them from re-occurring, which requires rectifying economic marginalization or political exclusion and discrimination.

Moreover, the dilemma may result from a definition of justice in narrow terms of retribution, prosecution or criminal accountability. Yet, 'justice' may be arrived at in various ways, including through acknowledgment of wrongdoings and apology, forgiveness, (symbolic) compensation, and truth. For instance, truth-telling and understanding why violence occurred may have a healing effect on individuals, may re-humanize victims and perpetrators, and may lead to new moral order, and thus to justice in the future (Bloomfield et al, 2003). So-called restorative justice does not focus on punishment, but rather on restoring relationships. Definitions of restorative justice highlight the need for making offenders aware of the harm they have caused and the importance of repairing such harm, through constructive dialogue in informal and consensual process rather than through punishment, so as to re-integrate the offender (Johnstone 2002, in McAuliffe 2013:64). However, to what extent communities are ready for restoration rather than punishment should be carefully assessed and not be assumed (Allen, 2008).

Finding the right balance

Still, to balance the imperatives of peace and justice in a given context remains a complex challenge, involving political, moral and legal dilemmas (Sriram, 2007). It may require difficult and unavoidable trade-offs between

priorities. The immediate concern of restoring security, and the need to disarm and reintegrate armed groups, needs be accompanied by efforts to address societal divides, rebuilding institutions, and economic recovery. The sheer number and seriousness of crimes may surpass the investigation and prosecution capacities of the weakened judicial system, while states may lack resources to implement human rights policies (IPI, 2013).

Another challenge is that of timing, sequencing, and planning of transitional justice activities. Experiences in Argentina, Cambodia, Guatemala, Timor-Leste, Northern Ireland, Sierra Leone, and South Africa warns against initiating trials or truth commissions at the inception of a transitional justice process, as these may undermine the beginnings of a peace process that will at later stages provide enough opportunities to work on truth and justice. Olsen et al (2010) suggest that a careful combination of mechanisms may be the most effective to promote human rights and democracy: while trials provide accountability, amnesties provide stability.

Finding the right balance between justice and peace is often not so much a technical question, but rather a political one (ILI, 2013), which depends on context, including the power positions of the conflict protagonists. For example, in Rwanda, conflict ended by a military victory of the minority group that was the main victim of the genocide. The predominant approach in dealing with past violence was emphasising the punishment of perpetrators, rather than forgiveness (Minow, 1998). Yet, in El Salvador, those that came into power after violent conflict were the ones accused of perpetrating human rights violations, and thus promoted the idea of forgiveness (Bloomfield 2003). In South Africa, conflict ended with a stalemate, and the outcome was a compromise between punishment and forgiveness, in the form of a Truth and Reconciliation Commission (Assefa 2005). Likewise, in Argentina political realities formed an obstacle in the search for accountability for human rights abuses during the period of military rule. Continuing demands for justice by victims' groups and civil society resulted in that the government arrived at a mixture of punishment and amnesty for military officers implicated in human rights abuses (IPI, 2013).

Implications for Local Peace Committees and efforts to support them

Even if LPCs are not in a position to actually dispense justice themselves or take decisions on amnesty, they may have a large role in defining how past and ongoing violence could be dealt with. By emphasising reconciliation of individuals or communities, LPCs may actually discourage a resort to the state judicial system, and its emphasis on punishment, retribution, or compensation. At the same time, actually redressing past and present offences may be a very local process. Furthermore, operating in the absence of the state, LPCs might indeed punish offenders or demand compensation, sometimes referring to state legislation or to customary norms and conventions. LPCs might have considerable discretion in deciding whether and which cases they refer to the state judicial system.

Local and international views and expectations on dealing with past offences may strongly differ, while different choices may be required at different levels. People at the local level might consider that a different approach is needed in dealing with human rights violations committed by militia members as compared to national political actors that may have instigated such violence. Likewise, local communities might prefer development first, before both justice and peace. LPCs may form an important venue to discuss local communities' perspectives on what justice and peace mean to them.

Experiences from LPCs and their support in Burundi and Eastern DR Congo

Even if few LPCs in DRC and Burundi cannot actually dispense justice themselves, how to prioritize and combine justice and peace is of their concern, especially what this implies in terms of promoting and relating to state initiatives for transitional justice.

In Uvira Territory, only a few local organizations explicitly promote justice. They consider justice as a precondition for a lasting peace, and point out that if LPCs would sacrifice justice for peace's benefit this would delay final resolution of the conflict, and might actually condone powerful actors to disrespect the law.[viii] For this reason, UPDI tries to assist people to access the formal justice system, or at least get local decisions acknowledged by the judge:

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viii This position is notably taken by public authorities like, the *Chef de groupement* of Bwegera, and the *chef de cité* of Sange.

> One cannot achieve peace without justice. One needs justice first. That's why the mediation committees provide justice first, in order to build peace. The opposite would imply a political approach, pardoning criminals to facilitate peace. To avoid renewed questioning of the outcome it has to be approved by the judge. We pay $ 100 for this. […] The party that has an interest in the application of the sentence has to pay. (UPDI, DRC)[1]

Various others, however, point out the need to focus on 'peace' as they consider it too early for justice. They argue that **working in a context where the state is weak, and armed groups are present, LPC are unable to bring powerful actors to justice, and should thus rather work on promoting peace**.

> People seek peace, because the conflict lasted a long time, since the Mulelist rebellion. We want reconciliation. Retributive justice creates resistance and new violence. People prefer peace instead of punitive justice. (FOCHI, DRC, workshop)[2]

Overall, both Burundian and Congolese organizations tend to associate 'justice' with the formal judicial system. In DR Congo, the **judicial system is generally negatively perceived, as slow and expensive, while judicial procedures are seen as at the disadvantage of good relations within the community**. Here, the choice for peace and reconciliation appears to be rather pragmatic, considering the constraints in the judicial system.

> The choice for justice makes conflict worse. If someone is put in prison, who will take care of his children? A good study of the conflict helps towards a solution, while justice contributes to its continuation. Restorative justice is a kind of peace. (CARE, Burundi, workshop)[3]

> Local arrangements, as they aim at the rehabilitation of good social relations, are preferred over justice. The recourse to justice at all costs is not favoured in our strategy: it's expensive in terms of money and time. If someone is guilty, we try to raise his awareness and recognize his mistake and compensate for it. (IED, DRC)[4]

Rather than prioritizing peace or justice, many organizations consider that justice and peace are interrelated : **they consider peace as a minimum requirement for the application of justice, while justice is critical for reaching the goal of peace**.[ix] **Peace requires truth-finding, repair, reconciliation and social reintegration of the victims**.[x] Emphasis on justice might harm community relations: "a bad agreement is better than a good trial".[xi] They also consider that many local communities actually tend to search for a middle road, between some form of compensation for the victim, and social reintegration of the perpetrator.[xii]

> In a land dispute at Kiliba, where a man had taken the land of another whose son then joined the militias for this reason, we invited the Baraza, who managed to convince the former, through mediation, to stop violence and return the land. Now they live peacefully together. Their rights have been taken into account. At Rugenge, a man was already in prison for committing adultery. The Baraza, through mediation, convinced his wife to withdraw the complaint at the police and discuss the case locally. If we put someone in jail, his relatives may continue to blame the other party, saying that it is because of the other party that the children have no money to go to school. Hence, the cycle of conflict continues. (FOCHI, DRC, workshop)[5]

LPCs working on relationships between cultivators and pastoralists have come to consider that some form of punishment or retribution is necessary, considering the extent of the damages, and the inflexible rules governing the agricultural sector.[xiii]

> In the past, if cows had destroyed the fields of cultivators, measures were taken and sanctions imposed on the owners. But we realized that these measures resulted in more conflict and hostilities. When the Joint Committee mediates in such conflicts, in all cases, the owner of the cow is requested to pay compensation for the damages suffered. But these payments are often symbolic: to keep peace and good community relations. (ADEPAE, DRC)[6]

Likewise, several Burundian organizations[xiv] prioritize restorative justice, emphasising the need for dialogue to uncover the truth, and to achieve forgiveness, reconciliation and sometimes reparations. These organizations consider that punitive, formal justice divides parties in conflict rather than that it unites them,[xv] and that healing of trauma is an important step in the search for the truth.[xvi] They empower community structures to resolve minor offences, and refer crimes to the judicial system. The role imagined for these committees is to set up a process of

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[ix] Interview with members of CCI
[x] Interview with facilitator Commission Diocésaine Justice et Paix
[xi] Libwe Mufumbe, Uvira, DRC / ADEP
[xii] Saïdi Alo Bya Sango, RIO/ECC
[xiii] CM de Bwegera et de Biriba
[xiv] like MIPAREC, Thars, Centre Ubuntu, CENAP
[xv] CADEKA, CENAP
[xvi] Thars

dialogue between the parties in conflict, to help seek a consensus, and find a solution that reconciles them. Compensation features in these approaches as the result of consensus between conflicting parties and is often in kind (Centre Ubuntu, CARE atelier). Participatory assessment to define communities' priorities in justice and peace conducted by Oxfam Novib, Impunity Watch and CENAP show that local populations privilege restorative justice, emphasizing truth, forgiveness and reconciliation.

It is striking that, to a certain extent, **the choice for diverse forms of local justice may be seen as motivated by shortcomings in the state justice system, and not so much by dislike for punitive justice, or a principles dislike of justice provision by the state**. Likewise, organizations argue that LPC members do not know the laws, and are incompetent to apply justice, so should stick to what they are able to work on: peace.

> The justice system rather complicates the situation. Maybe people would want justice, but in the absence or weakness of the legal system, people prefer peace. (conclusion drawn during the workshop in Cibitoke, March 2016)[7]

Actually, **many Burundian and Congolese organizations emphasise that violent disputes need be dealt with by the formal justice system, and consider that committees play a role in directing parties to the judicial system before conflicts result in violence. Moreover, peace committees consider that they may continue to help the parties to restore relationships *after* conflicts have received a judgment in court. This suggests the continued added value of LPCs also after the justice sector has been reinvigorated.**

Some organizations operating in Burundi underscore that reconciliation is important, but that one cannot speak of peace, without judgement of these guilty of certain violations, which also fortifies respect for human rights.[xvii] Some point out that amnesty risks creating a precedent of impunity, while impunity is seen as one of the root causes of the conflict.[xviii] In addition, they consider that local compromises may never be final as either party may come back on issues whose resolution has not been validated by the formal justice system. These organizations thus rely on transitional justice in the absence of an effective justice system, but argue it should be outfaced once the formal justice system is restored. They try to support the formal justice system[xix] or help communities to access the judicial system. Several organizations advocate for the implementation of fair laws and fair trials.[xx] Human Rights organizations also advocate for the establishment of the Truth and Reconciliation Commission, and for involving the International Criminal Tribunal for war crimes committed during crises that started in 1965.[xxi]

[xvii] Impunity Watch, Cordaid, ABARULI, Burundian Civil Society Platform, APDH
[xviii] Abaruli
[xix] e.g. Cordaid
[xx] APDH, Dushirehamwe, Impunity Watch, Abaruli, OXFAM Novib, and others
[xxi] CENAP, MIPAREC

2   Ending violence or addressing underlying, structural issues?

Definitions on peace range from narrow views portraying peace as the absence of violence and war, to more comprehensive understandings that see peace as a process, which strengthens the prospects for peaceful co-existence and decreases the likelihood of the outbreak, reoccurrence, or continuation of violent conflict. How ambitious should Local Peace Committees and their supporters be? Should they focus on ending violence or also –or instead– try to change conditions that cause(d) violence?

Negative peace and positive peace

In the understanding of peace Galtung's work has been of fundamental importance (Galtung, 1964, 1969). Galtung considered that the absence of personal or direct violence (which he describes as violence subject to the whims and wishes of individuals) results in 'negative peace' at best. To arrive at sustainable or 'positive peace' and social justice requires the absence of structural or indirect violence (see figure 1). Galtung defined this structural violence as the violence built into social structures, including relationships of exploitation and inequality, exclusion, discrimination, and attitudes/feelings of superiority, which often show a certain sustainability over time. Later, Galtung added the notion of cultural/symbolic violence, pointing to aspects of culture, ideology and expression (language, media, art) through which direct and structural violence are justified or made invisible (Galtung 1990).

Figure 1 – Galtung's Extended Concepts of Violence and Peace
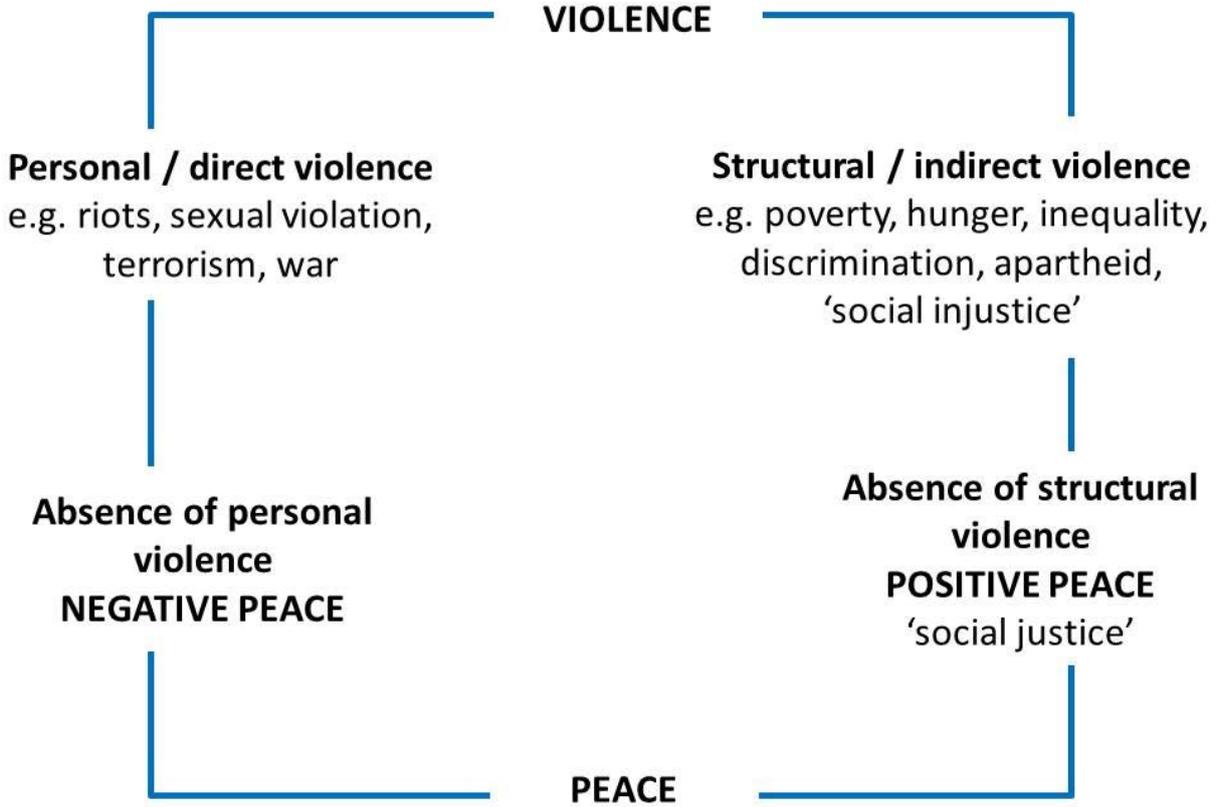
(Adapted from Galtung 1969)

Conflict managers and conflict transformers

In analogy with Galtung, one may recognize different approaches to peacebuilding, that focus either on ending direct, personal violence and its immediate effects; or rather on indirect violence, and structural causes of violent conflict. While sustainable peacebuilding may require dealing with both, in practice interveners will have to find a balance between the short-term objective of negative peace, yet with immediate effects; and long term objectives of positive peace, addressing structural causes of conflict, but with more diffuse outcomes for the parties directly affected by the violence.

Literature sometimes represents debate on this issue as a discussion between so-called 'conflict managers' versus 'conflict transformers' or 'democratisers'.[xxii] Conflict managers emphasize the need for a swift end to violence, believing that the most realistic approach to manage conflict is to end armed confrontation, produce a (political) settlement, and create minimal conditions of security and political order. Conflict transformers on the other hand concentrate on longer term solutions. They argue that a relapse into conflict can only be prevented if the so-called 'root-causes' or structural causes that brought about the conflict are addressed: socio-economic and political exclusion, inequality, and discrimination. They consider interventions that only seek to address the symptoms of violence insufficient to produce lasting peace.

Reconciliation and conflict transformation

The ambitions of the latter understanding of peacebuilding may range from conflict resolution[xxiii] or reconciliation, to conflict transformation (Lederach 1997, 2004). Reconciliation is sometimes seen as a *method* of creating encounters between parties in conflict, with the aim of exchanging perspectives and feelings, to arrive at mutual understanding and compromise (Assefa, 2005). More often though, reconciliation is defined as a *process*, focusing on the restoration and rebuilding of relationships rather than the resolution or taking away of conflictive issues as such. Reconciliation as a process includes various elements, such as truth telling, collective healing, apology, forgiveness, reparation and justice, which are seen as inter-dependent and mutually enhancing in diverse ways (Lederach 1997, 2004; Huyse, 2003), and may take place at personal, community, or even national level. An important assumption underlying the idea of reconciliation as process is that without restoration of relationships between victims and perpetrators, no lasting peace is attainable. In that sense, reconciliation also aims to counter cultural violence.

Conflict transformation is about the structural societal transformations and institutional changes that are necessary to arrive at a society in which people have equal access to resources and decision-taking power, which is based on 'social justice', and where fundamental human rights are respected (see e. g. Lewer 1999:12). Such structural transformations of a society require not just addressing symptoms of conflict, but trying to achieve a diversity of transformations in different fields: political, military, economic, social. This requires, for instance, strengthening the capacities of public institutions to mediate or solve disputes, or to provide development services. Yet, several authors argue that such interventions of a mere technical nature are not sufficient. To become truly 'transformative', interventions should engage with the 'real' issues at stake: economic injustices, denial of rights and participation, and (inter)national power imbalances (Fisher and Zimina 2009). This requires engaging with politics, e. g. through supporting civil activism, and a critical stance towards government and prevailing powerholders (Dagnino 2008).

Finally, working on positive peace does not necessarily mean reinforcing peace-promoting factors, but may also be about addressing the stakeholders, dynamics, attitudes, and behaviour that maintain or reinforce conflict: such as illicit arms imports, manipulation by the media, and funding from diaspora groups (CDA 2009, 2013).

[xxii] Call and Cousens (2008) identify 'minimalist' approaches (that aim to stop violence and prevent renewed armed conflict), approaches at the 'middle ground' (that aim to prevent renewed violence and improvement in governance), and 'maximalist' approaches (that aim to address root causes of conflict).

[xxiii] "Efforts to increase cooperation among the parties to a conflict and deepen their relationship by addressing the conditions that led to the dispute, fostering positive attitudes and allaying distrust through reconciliation initiatives, and building or strengthening the institutions and processes through which the parties interact. Conflict resolution can be used to reduce the chances of violence or to consolidate the cessation of a violent conflict in order to prevent re-escalation". 'A Toolbox to Respond to Conflicts and Build Peace', https://extranet.creativeworldwide.com/CAIIStaff/Dashboard_GIROAdminCAIIStaff/Dashboard_CAIIAdminDatabase/resources/ghai/toolbox.htm

Implications for Local Peace Committees and efforts to support them

One may assume that most LPCs are established precisely because local communities felt threatened by immediate violence, while the state failed to provide protection and justice. Such LPCs may be highly motivated and relatively - if temporarily- successful.xxiv They might be able to address specific family conflicts or intra-community violence. As such, working on 'negative' peace may have very positive local impact. But even if urgent, critical issues must find a response first, broader structural change may be envisioned and set in motion (Lederach, 1997).

Focussing on ending direct violence or addressing structural (and cultural) violence instead has concrete operational implications in terms of the extent of the reforms to engage in, the duration of the programmes to support them, and the criteria to monitor their implementation.xxv For LPCs and their support, an ambition to work on 'negative peace' would imply activities like reconciliatory and mediation meetings, peace conferences, establishing counsels for local conflict resolution, or training local actors in (new) methods for dealing with local conflict in a non-violent way.

An ambition to address so-called 'root-causes' of conflict, to transform society in order to make it more 'just', and so establish 'sustainable' or 'positive peace' would imply working on a wide range of other issues: e.g. promoting equitable development and services provision, lobbying for equal public participation in policy making, or strengthening civil society. This might include activities like advocacy at higher (national) level; but also awareness raising and efforts to address injustices, discrimination, certain cultural practices, or negative mentalities at the local level. LPCs might also play a role in combating cultural violence, trying to change or activate against feelings of superiority, abuse and derogative language.

An important question is whether and to what extent different roles can be taken up by LPCs themselves, or requires collaboration with and support from national and international development and peacebuilding organizations.

Experiences from LPCs and their support in Burundi and Eastern DR Congo

NGOs specialized in conflict transformation often believe that LPCs should not only work on the symptoms of conflict, but also on the underlying systems of conflict in Burundi and eastern DRC. They consider that the success of a peace process is conditioned by understanding of the root causes.xxvi Also representatives of LPCs claim that even a simple mediation begins by listening to the parties, and conducting an analysis of underlying causes. That is why some claim that participatory action research is at the heart of the work of LPCs.xxvii

> Once a conflict breaks out, we first try to put out the fire. This is the first step, that cannot be skipped. But to build a lasting peace, we work on the root causes. Because the conflicts are complex. Indeed, CCI works from participatory action research, and the first phases of this consist of documenting the conflict and organising inter-ethnic dialogue. These are the actions defined as the first two steps of CCI's approach since 2011. (CCI, DRC)[8]

While many LPCs in eastern DRC mainly work on mediation and reconciliation of parties in conflict, some try to work on the root-causes of conflict, doing local advocacy, and initiating actions for better land management, like the CCI/CM's initiative to demarcate fields for cultivation and pastures, by installing signposts to indicate cattle corridors, or establishing development committees that play a role in local planning at community level. The *Comité de Négociateurs* is involved in the process of demobilization and disarmament of armed groups.

Yet, particularly in DRC, Local Peace Committees operate in an environment characterized by open conflict and sometimes a dramatic escalations of violence. As a consequence, interventions to support LPCs are designed primarily to reduce daily violence in the communities, through mediation, dialogue and conflict prevention; and thus the promotion of a negative peace mainly. Also LPCs limit themselves to the kind of actions they are capable of in such settings: sensitization and mediation.xxviii Certain international NGOs in DRC and Burundi underscore the need to work on negative peace in the first place, as a humanitarian obligation in

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xxiv http://www.i4pinternational.org/local-peace-committees
xxv http://www.peacebuildinginitiative.org/index3a66.html?pageId=1766#one
xxvi Life & Peace Institute DRC; Search for Common Ground DRC.
xxvii Interview with members of the *Noyau de paix* in Bwegera
xxviii Interview with the*Chef de groupement*of Bwegera

an emergency context.xxix They also point out that the term 'negative peace' is deceptive, as it suggests a bad activity, while a focus on negative peace is sometimes essential.

Organizations working in DRC also point out that positive peace may have to start from negative peace, because the understanding of the root causes of complex conflicts, like inter-ethnic conflicts, and the construction of appropriate solutions requires a certain calming down, which implies a negative peace strategy first.xxx

> We oscillate between the two. As our aim is to build positive peace, our approach focuses on action-research. Our peace activities are based on evidence derived from the Theory of Change that we identified at the end of the research phase. It is notably the management of cattle movements which emerged as a tool for peacebuilding in the relations between the communities of herders and cultivators. However, when trying to address the issue of disarmament, we encountered resistance, as the issue is politically very strongly to the country's military history and the dysfunctioning of the institutions established after the peace agreement between the fighters. We had to be satisfied with awareness raising among the armed groups in the knowledge that the underlying problem and popular demands remain unaddressed. (RIO, DRC)9

Moreover, interviewees from LPCs point out that it is often beyond their capacities to work on 'positive peace' and address root causes of conflict., as these are beyond their influence. As structural causes are often political, this requires other types of action, or joint advocacy between organizations.xxxi

> CADEKA primarily aims reduce violence through non-violent conflict resolution. We are able to deal with the causes of conflict at community level, but do not have the capacity or competence to address the structural causes that are at the basis of divisions and injustices. These causes are very sensitive, because they involve policy makers. Conflict analysis thus limits itself to the level of the superficial causes […] and the capabilities of the [peace committee]. (CADEKA, Burundi)10

Some of the necessary structural changes can only be achieved by the state: assuring public participation in policy making, and the organization of local elections. Peace Committees thus mainly work on the consequences of these deeper roots of conflict.

> Our work is on negative peace, because we can't anticipate conflicts that will arise in the community. We are also incapable to deal with the enormity of the conflict or to promote a solution at higher level. For example, the conflict about customary powers between ethnic communities, the Burundians and the Bafulero, at our level, we analysed the root causes and appropriate solutions. To deal with this conflict would require organizing local elections which will enable all communities to share power, through being represented in the Council of the *Chefferie* which collaborates with the Chief. But they did not listen to us, and the government seemed not only biased and contributed to worsen the situation by neglecting to hold local elections. As it is not our mandate to implement this political solution, our actions are limited to building peace in the community, in daily life, without touching on the deeper problems […]. IED had large ambitions, but in their implementation we encountered a lot of constraints, that is why we now focus on negative peace. (IED, DRC, workshop)11

However, some organizations underscore however that addressing positive peace is an absolute necessity, and deplore the pragmatism of others. Some intervening organizations and state authoritiesxxxii consider that LPCs lack the capacities to analyse the structural dimensions underlying violent conflicts, and hence are satisfied with doing what is feasible and relatively easy: the mediation of small conflicts, but actually miss the point.

> The momentum for peace in Congo is stalled. Because of the project approach applied by the NGOS. These projects are designed using indicators from the field of development. We count the number of conflicts. . . and at the end we say we have contributed to peace. This is false. The context requests to be clear about things: is it possible for an NGO to build peace without having the state at the centre of the process. However, a lot of questions in the Congo are linked to the dysfunctioning of the State: poverty, impunity, etc. For instance, politicians who are at the same time conflict actors. NGOs take these issues as if they are about peace building. This is the case of ethnic conflicts, which are actually political affairs. Interests of political actors are understood as if they are ethnic issues. It is important to clearly separate the dysfunctioning of the State from conflicts. In our particular context, political actors have no interest in establishing rule of law, which will require these actors to account for their actions. For instance, in Mutarule, in the Ruzizi Plain, a problem of theft of cows [and the failure of the judicial system to deal with this crime] is interpreted as a conflict. (UPDI, DRC)12

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xxix Interview with Emmanuel Bahati de ICCO DRC, ACORD Burundi
xxx Interview with CCI / Uvira
xxxi Impunity Watch
xxxii Interview with ex-Conservateur des titres immobiliers.

Some intervening organizations, on the basis of extensive conflict analysis,[xxxiii] **try to strategically link interventions for negative peace at the local level to interventions to promote positive peace, for instance, through advocacy with policy makers who have the power to establish fair political systems and equitable management of the country**.

> We apply both approaches simultaneously. Because we have structures at different levels. The Comités Mixtes for settling disputes (CM) deal with negative peace: they mediate to a daily basis. The CCI instead work on positive peace, because they take the time to do the analysis of context and propose more ambitious solutions. ADEPAE accompanies the CCI; and the CCI accompany the CM together with the local facilitators. These structures are the results of the Participatory Action Research (ADEPAE, DRC)[13]

This shift toward addressing structural causes seems more prominent amongst organizations working in Burundi than in DRC, and is likely related to the fact that many local communities in Burundi do not experience open violence on a regular basis any more.[xxxiv] They do this for instance by strengthening the capacities for local advocacy, and train community structures on democracy, good governance, the rule of law, and the promotion of citizen participation and inclusion of all groups in policy decisions, notably women. Global Rights has initiated a programme on land conflicts that also advocates for finding strategies for sustainable land management at the national level.

> CENAP combines both the strategies to promote negative peace and to promote positive peace. Indeed, the *raison d'etre* of local actors in conflict management is to facilitate the peaceful coexistence between communities through mediating conflicts on a daily basis. The GDP also facilitate investigation of the causes of conflict at the community level and propose strategies to deal with these. One of the root causes of conflict that came out from this is youth unemployment and the lack of access to natural resources by the population. CENAP facilitates advocacy at provincial, national and international level to generate commitments by decision-makers to solve the political and socio-economic causes of conflict. Apart from conflict resolution, CENAP implements projects for income generation for youth and other disadvantaged groups. (CENAP, Burundi)[14]

> IPB would like to work on the root causes of the Burundi conflict, which are the bad system of governance which has created frustration and violence. The IPB aims to generate an exemplary educated youth on the campus and in the community of origin, and in the long term a generation of peace-promoting leaders who will give a meaningful contribution to the fight against injustice and discrimination. (IPB, Burundi)[15]

At the same time, like in DRC, organizations feel that some structural causes are difficult to resolve at the local level.[xxxv]

> The main role of the peace committees is to manage and transform conflicts through mediation, community reconciliation dialogues. Indeed, the peace committees were strengthened to enable them to help the community in the solution of problems in a peaceful way and prevent conflicts to turn violent. Indeed, the peace committees do not have the capacity to work on positive peace via activities to reduce root causes, such as the promotion of social justice or decreasing social inequalities. Their ways of working are limited to promoting peaceful coexistence of citizens, not to mention other issues that affect the political, social and economic systems of the country, as these questions are rather addressed by other organizations within civil society (MIPAREC, Burundi).[16]

[xxxiii] in particular, OXFAM Novib, Impunity Watch, CENAP, ACORD. See: CENAP, 'Etude sur les Défis de la Paix au Burundi' ; Oxfam Novib, 'Etude sur les perceptions des communautés sur la transformation des conflits dans la Région des Grands-Lacs'.
[xxxiv] like Impunity Watch, Oxfam Novib, la Benevolencia, APDH and Dushirehamwe
[xxxv] like ACORD.

3   Local level peace or a peaceful society?

Academics and practitioners increasingly acknowledge that conflict is not uniform, and that situations of violent conflict often involve a variety of contentions and antagonism at different levels, that sometimes are related, and at other times not (Kalyvas 2003, Richards 2005). To some extent, the 'local turn' in peacebuilding is inspired by this idea: to be effective, national level peace processes need be paralleled by efforts to address local conflict dynamics (e. g. Autesserre 2012). Yet, a challenge for peacebuilders remains how to deal with those different, sometimes connected, and sometimes disconnected dynamics of conflict.

The work of Anderson and Wallace (2013) highlights how the non-uniform nature of conflict may enable local communities to 'opt-out' of conflict that is dividing society at a higher level, and establish their own, local peace. However, local communities seldom exist in isolation, and frequently local disputes are manifestations or are directly related to antagonisms at higher levels. For instance, local intra and inter family land disputes may result from local competition over land or a lack of dispute resolving capacity at community level. In that case, mediation and capacity strengthening of local land administration may effectively enhance peace. Such strategies are less effective, however, if local land disputes relate to structural inequalities in accessing land, regional and national level manipulation of land registration, or if such local land disputes are perceived in terms of larger ethnic and political divides (van Leeuwen & van der Haar 2016).

The question then becomes, should LPCs focus at local level conflicts, and for instance work on specific intra-family conflicts or intra-community issues? Or should they (also) aim to address larger, more general antagonisms in society, such as ethnic and political divisions?

Implications for Local Peace Committees and efforts to support them

Addressing higher level antagonisms and divides may require more complex interventions and expertise, and may not have a direct benefit for local stakeholders or for the individuals affected by current violent conflict. In many cases the role of LPCs to work on such larger antagonisms is limited, due to lack of political will at higher levels. Addressing such higher level contestations may unwillingly turn LPCs in political actors. Based on the political space available (cf. Goodhand 2006), LPCs must then judge what risks they are able and willing to take.

Yet, LPCs might have a role to play in dealing with the local manifestations of such higher level divides, working on the creation of local economic development, transform local conflictive attitudes, and advocate against local discrimination, exclusion, and corruption, and in favour of political participation. For instance, in South Africa, peace committees were unable to end impunity among the security forces, but managed to change power imbalances between powerholders and citizens and strengthen accountability at local level (Ball 1998).

However, LPCs might also refrain from working on higher level divides, instead considering working on Peace Writ Small worthwhile by itself. Moreover, a focus on larger divides by supporting organizations may risk that attention is lost for local level issues and the specificity of conflict in particular local settings (Metz 2013)

Experiences from LPCs and their support in Burundi and Eastern DR Congo

Interviewees in Burundi and DRC point out that LPCs tend to focus on the resolution of particular local disputes, as they are limited by their capacities, political and financial space to work on larger, more general contradictions, divides and injustices. Answers provided often showed similarities to these given to question 3 (to what extent work on ending violence or trying to achieve positive or structural peace?).

In DRC, peacebuilding organizations are consciously concerned about peace at the local level, by either treating particular conflicts that endanger the stability of the community, like conflicts between farmers and herders; or instead by being concerned with any conflicts that disturb the local community relations, such as conflict within the household, or about insolvency, or inheritance. They consider that ending disputes at the lowest level corresponds to the capacities of LPCs and the room for manoeuvre that administrative and judicial authorities allow.

Interventions start from diverse notions on what is needed to achieve peace: to create spaces of encounter and dialogue to bring an end to social divides; create a venue for state and civil society to surpass the crisis of confidence

in the state; re-establish land governance to eliminate unclearness in land transactions; arm communities against the manipulation of identity; deal with ignorance and misinformation as causes of conflict.

But intervening organizations are quick to realize that many local conflicts are interrelated and that it is illusory to treat them as isolated or to specialize in the mediation of particular types of conflict, while remaining deaf to more general antagonisms in society. As a result of this acknowledgement of the systemic nature of conflict, a number of peacebuilding organizations aims to expand their ambitions towards *paix généralisé*.

> We support local level peace, conform our Theory of Change. However, our first findings showed an interconnection between conflicts to the point that we had to address several conflict dynamics at the same time, including those that are related to local governance. In addition to the problem of migrating cattle, our project has integrated the demobilization of armed groups, and transparency and traceability of taxes within decentralized government, [notably the Chiefs and the secteur] (RIO, DRC)[17]

Many interveners and LPCs themselves also point out the need to address more general issues of governance, and political manipulation that reverberate in several specific local disputes. This was for instance the case for the CMC,[xxxvi] to address the issues of cohabitation between the on-staying population and refugees, displaced people, and those that returned from refuge. Nonetheless, in the vision of their promoters, these LPC have to be capable of managing any kind of conflict that occurs at the local level. However, even if organizations may initially have larger ambitions, like CCI, they may be limited, for instance by lack of money.[xxxvii]

> Initially, the ambition of the CCI was very large and foresaw peaceful society. In the spirit of the intercommunity round table at the end of which the CCI was born, we intended to work on a peace process that would touch on all aspects of community life: inter-ethnic conflicts, the activities of armed groups, governance... But at the time of the implementation of the action plan, we had to reorganize to focus on local peace instead. The first topic we decided to tackle was the inter-ethnic conflict generated by cattle migration. It's about communities of pastoralists and cultivators who live together on a daily basis (CCI, DRC).[18]

Some organizations also point out that working on peace may be politically very sensitive, and that they therefore decided to focus on development instead.[xxxviii]

Likewise, organisations encountered in Burundi underline that community structures are first and foremost occupied with promoting local peace and help the community to cope with the main challenges to peace in the community. They see as the objective of the establishment of peace committees is **to prevent that national level issues come to disrupt peace in the community peace, e.g. through warning communities about the divisions nurtured by candidates of political parties.**[xxxix] Peace committees have the mission to maintain the age-old links between neighbours, and family and neighbourhood conflicts predominate the kind of conflicts covered by the peace committees. Peace committees primarily resolve conflicts within neighbourhoods and families, notably disputes for infidelity, adultery, abandonment of children by one of the parents, and the poor management of household resources by one of the spouses; land disputes, drunkenness and theft, but also conflicts between members of different political parties at the local level.[xl]

Intervening organizations consider that the scope of peace committees or related community structures goes hardly beyond mediating local conflict, as they properly understand these contexts and the minor conflicts that poison good neighbourliness,[xli] **and because they mostly work on request as they do not have the possibilities to investigate more complex social divisions**. They consider that the management of larger antagonisms requires more knowledge or more competent intervention such as the municipal administration or the police.[xlii]

> Centre Ubuntu is interested in local peace : the reason for this choice is that the Ubuntu committees are incapable to generate an impact beyond the community in which they won influence and legitimacy. In addition, local peace is the profound aspiration of the population, interested as they are in safeguarding their security, and in the relations between neighbours by strengthening community support systems. A peaceful society would imply the involvement

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xxxvi which were put in place by the NGO Arche d'Alliance and IEDA, with the support of UNHCR
xxxvii also ADEPAE, IED
xxxviii ZOA, FOCHI, workshop
xxxix E.g. ACORD and Oxfam Novib
xl THARS, CADEKA
xli CARE &MIPAREC(2014) 'Recherche documentaire sur clubs de paix'
xlii E.g. OPDE

of other actors outside the community, which may be difficult or even risky for members of the communities. (Centre Ubuntu, Burundi)[19]

However, in some cases where conflicts at the national level pose a direct threat to the community, **peace committees can intervene through community dialogue to prevent that these conflicts affect the communities and do not result in violence.**[xliii]

> The collective was able to bring together young people from different armed groups by facilitating dialogue and cohabitation. Actually, the Kamenge zone remained calm throughout the political crisis of 2015 up till now. The collective has prevented violence between protesters opposed to the 3rd term of the President and Kamenge youth who took no part in the protests. The collective thinks it is able to influence other nearby areas namely Ngagara and Cibitoke and organize a coalition of community structures for the promotion of peace beyond individual zones (CADEKA, Burundi)[20]

Some organizations work together with the municipal government to promote a 'peaceful society', for instance the Joint Security Commission at the communal level, supported by CORDAID. The same counts for the Permanent Dialogue Groups set up by CENAP that work on the management of imminent political problems, from the local level reach up to the national level, through the structures of the State and the leaders of political parties.

> At the local level, the GDPs also deal with family and community disputes. In the commune, all relevant actors are involved in the GDP, namely the municipal administration, government services such as the police, justice and others, which gives the GDP the ability to deal with more general questions at the communal level. In addition, these GDPs are represented at the provincial and national level, to deal with issues that go beyond local capacities, by presenting them to the decision makers at higher levels (provincial, national). Our strategy of intervention and research showed that linking these structures is an indispensable asset in the promotion of peace. (CENAP, Burundi)[21]

In addition, there are programmes for reconciling the leaders of political parties at the municipal and provincial levels.[xliv] AFSC implements community structures to manage conflicts at the local level and a so-called 'strategic option' to deal with more general issues working through high level civil society actors and government.

Some human rights and civil society organizations nonetheless have the ambition to work on leadership, promotion of human rights and good governance.

> A peaceful society is what IPB aims for in the long term, knowing that in the short term, local peace is promoted. We need to transform society at large through training responsible leaders who will assure that the values of peace, democracy and good governance are taken serious in Burundian society. Members of the Peace clubs are trained to promote peace on the campus first, and to serve as role models in their respective communities. After university, these core groups will serve as models in the services where they will be employed, and by effect of scale, they will strengthen a peaceful society. (IPB, Burundi)[22]

Finally, at national level, some international organizations are involved in lobby, and working with parliamentarians. **Several interviewees critiqued intervening organizations for being not ambitious enough, being largely interested in addressing local level conflicts through strengthening local dispute resolving capacities, and being less interested in getting involved in advocacy and promoting political reformat national level.**

[xliii] e.g. Centre Ubuntu
[xliv] initiated by ICB and BLTP

4 Working on peace directly or through development?

Even if the main ambition of Local Peace Committees is to contribute to peace, the emphasis on peace in the approach may differ. In the field of peacebuilding, three broad policy approaches are identified of how development and humanitarian organisations may deal with conflict: working *around* conflict, in which conflict is considered as a mere obstacle or negative externality to development or humanitarian aid; working *in* conflict, in which one is aware of the relationships between conflict and intervention ; and working *on* conflict, which has a more explicit focus on conflict prevention and enhancing peace (see Goodhand, 2001). We may consider that specialized peace organizations will seldom work 'around' conflict, and thus focus on the latter two.

Working *on* conflict

Some organizations consider 'peacebuilding' as a set of particular activities that directly address conflict and build peace, such as reconciliatory meetings, peace conferences, establishing counsels for local conflict resolution, or training local actors in (new) methods for dealing with local conflict. Many of such activities find their origins in the work of specialized peace-organizations. Others apply a broader definition of peacebuilding activities, and consider that a wide variety of interventions –ranging from trauma-healing, disarmament and development to the promotion of good governance and strengthening the justice sector– directly contribute to peace. One could say that such organizations work *on* conflict: their programmes have an explicit focus on conflict prevention, management, transformation or resolution.

Various development organizations consider that poverty and conflict are linked (Wood 2001, 2003; Goodhand, 2001), and that so-called 'Development-for-Peace' projects can make a significant contribution to prevent conflict (UNDP, 2001). As such, initiatives to sustain livelihoods, reduce vulnerability and save lives in areas affected by (chronic) political instability may be seen as working *on* conflict. Some instead argue that to enhance peace, interventions need to be intentionally designed to that purpose (Cousens et al. , 2001) and thus do not consider development programmes as peacebuilding per se. Others argue that poverty reduction and development programmes in conflict-affected situations at best mitigate some of the consequences of violence and war, and at worst may become a source of conflict themselves.

Working *in* conflict

Many development organizations may be said to work *in* conflict, as they acknowledge the relationship between their interventions and conflict, e. g. the side-effects that their interventions might have, and try to implement their activities in a conflict-sensitive way. This concern with conflict-sensitive approaches and activities emerged strongly in the 1990s, when it had become painfully clear that aid programmes in the aftermath of the Rwanda genocide and in South Sudan had effectively reinforced divisions among contending groups. Based on this realisation various strategies and codes-of-conduct were developed to minimise or prevent those negative side effects of intended good. The Do-No-Harm approach, for instance, highlights the need to better understand and take into consideration how aid interventions may strengthen divisions, result in danger for participants, legitimize or reinforce structural violence, divert resources, or increase cynicism (see Anderson 1996, 1999).

Other organisations try to maximize their interventions in support of peace, for instance through activities that enhance civil society and promote its conflict resolving capacities, or through interventions that enhance accountability and transparency of local governance. To this purpose they may identify and build upon 'local capacities for peace' (see Anderson 2000). This notion builds on the idea that people who are divided by conflict remain connected through for example shared markets and infrastructure, common experiences and historical events, shared symbols and culture. Moreover, every society has individuals and institutions that maintain community peace, like traditional leaders, clergy and school teachers. Such 'local capacities for peace' may often not prevent

violence, yet offer an avenue for intervening organizations to rebuild relationships, even if peacebuilding is not their primary focus. In such ways, peacebuilding is effectively 'mainstreamed' in other types of intervention. xlv

Implications for Local Peace Committees and efforts to support them

Many LPCs by their nature aim to work *on* conflict. They design intervention that directly aim to reduce conflict and violence, solve community problems through mediation, and empower local actors to become peacebuilders.xlvi Yet, the emphasis on peace in their approach may differ, for instance due to constraints in the context. Also, over time, and with a return to peace, their priorities may shift towards developmental activities.

In many conflict-affected settings LPCs lack the power to enforce peace, especially if political will is absent and they lack backing at national level (Odendaal & Oliver, 2008). When not being able to directly work *on* conflict, the question is to what extent they may continue to work *in* conflict. LPCs might, for instance, try to mainstream peace in other activities, notably through working in a conflict sensitive way, employing notions of Do-No-Harm, or enhancing 'local capacities for peace'. Working in conflict requires detailed understanding of the dynamics of conflict, for instance to be able to strengthen connectors and involving dividers, if possible.

Many LPCs depend on (inter)national donors and NGOs, which means that part of their mandate and commitment to their sustainability is located outside the local community. In that light, not only LPCs but also donors must know how to do no harm, for instance through distorting or side-tracking local institutions that are not preferred as partners (e.g. religious groups, state representatives, representatives of armed groups), but may play key roles in local peace.

Experiences from LPCs and their support in Burundi and Eastern DR Congo

Various organizations in Burundi and DRC consider themselves as specialized peace organizations, and aim to work directly *on* conflict,xlvii for instance through mediation and by training local committees in conflict transformation.

> We work 'on' conflict. We have decided to professionalize, and specialize in conflict transformation, to gradually transfer our skills and expertise to the local committees, in this case the *Cadres de Concertation Intercommunautaires* (CCI). This has implied that we strictly work on real peace activities, which means actions that aim to bring communities together, that change attitudes, institutions, and context which are responsible for conflict (RIO, DRC).[23]

Likewise, others work on conflict, through addressing structural social and governance problems. Others facilitate the management of land conflicts through the establishment of communal land offices.xlviii

> We work on the basis of the work of Jean Paul Lederach on structural and cultural dimensions of conflict. For example, to transform land conflicts, we address the ways in which land is acquired. In that specific case, conflict should be understood as evolving from institutional dualism between custom and state legislation. While working on strategies for change, on the social transformation of the actors involved, we try to address state authorities to request change of some laws that are at the roots of violence. (APC, RDC)[24]

In Burundi, various organizations work on trauma healing

> [...] in the first place, Thars would like to heal memories, in order to discover the truth and achieve reconciliation, which for Thars are at the basis of achieving peace (Thars, Burundi).[25]

> IPB helps young people to understand the conflict and make sure that conflict disappears through several combined actions: the healing of memories, truth finding, [but also] the promotion of the values of peace through a responsible leadership (IPB, Burundi)[26]

In DRC, various peacebuilding NGOs underscore that a lack of economic development is a major, destabilizing factor, and think that they should expand their activities to include development as well. As a

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xlv To facilitate such mainstreaming of peace and conflict, various checklists have been developed, such as Do No Harm, Peace and Conflict Impact Assessments, or Aid for Peace (see e.g. APF et al 2004, Paffenholz 2005).
xlvi http://www.i4p international.org/local-peace-committees
xlvii In South Kivu, these include local partners of the Life & Peace Institute, which have been called upton to professionalise themselves in conflict transformation (ADEPAE, RIO) and their local partners (CCI, CN, and CMRL).
xlviii ZOA, MIPAREC, APDH, Global Rights

representative of APC explained, with the increasing capacities of the local communities for planning their own activities, a shift took place towards development activities, and working *in* conflict.

> Between 2008 and 2011, we were in a debate with our funder [...] who wanted to only work with NGOs specialized in conflict transformation, or focused on the conflict. But we did not agree, because we believe that there is "no peace without bread". Since then, we have approached donors with a more open mind and now we are fully running. With structures like the CM/CCI, we work 'on' conflict. With agricultural cooperatives we mainly work 'in' conflict. E.g. putting people together does not directly lead to peace, however, for use, peace and development go together. (ADEPAE, DRC) 27

Other specialized peace organizations, instead, maintain that peace should remain their core business, and hope that others take up the responsibility for development.xlix

Strikingly, **some organizations that explicitly aim to work on peacebuilding find that this type of work is too sensitive, and for this reason have adopted a strategy to work *in* conflict.**

> Early in the project there was the problem of contested *chefferies*, which was a problem at the level of the *groupement*, which ZOA could not touch or influence. So the context has widely influenced our response. Besides, ZOA was new in the area. [ZOA partners who wanted to work directly on conflict faced popular resistance against their peace projects, and were suspected of favouring one party or as pursuing a hidden agenda. They had to adapt another approach, which was to work 'in' conflict, by implementing an agricultural/community development programme in which peace was only one element next to various others: support to agriculture, gender, income-generating activities, village savings and credit associations. As a consequence, the *Noyau de Paix* became part of the Development Committee. Peace is addressed only indirectly.]l In other words, when LPC members meet, they do not speak only of conflict, but of all the issues affecting community life: health, education, agriculture, politics, security. Furthermore, conflicts are a sensitive issue which is at the heart of local politics, an offensive issue which wakes up painful memories. Anyone from outside the community who speaks about this is suspicious, even if it concerns the staff of an NGO. The ZOA strategy is therefore to be very careful. The idea is also that strengthening resilience at the lowest level can make the issue less sensitive to manipulation by high-level manipulators (ZOA, DRC).28

In contrast, several development organizations find peace unavoidable, because "conflict imposes itself" as a theme that needs to be addressed, and hence have come to work *on* conflict as well.

> We are a Peasant Union in the first place, and engaged in agricultural professionalization. However, peacebuilding has come up as an essential theme, since achieving our initial ambitions came to depend on the resolution of land and intercommunal conflicts. So promoting peace has become one dimension of a more comprehensive project. (UPDI, DRC)29

In Burundi, peace seems a less prominent theme in the work of many intervening organizations. Nonetheless, many of them conduct conflict analysis and integrate conflict sensitivity in their development programmes, or strategically use development activities to promote peace. Several organizations try to bring parties in conflict together in the management of a common economic activity.li Often, such developmental activities serve as an entry points to organize peace committees or raise awareness about peace. As a ZOA representative says: "Peace is just one part of the approach ; we implement a development project, but peace is a crosscutting theme".30 For instance, in agricultural projects implemented by ZOA, targeted populations decide on varieties and quantities, and participate in the selection of beneficiaries and distribution of inputs. Income generating projects of various organizationslii also sensitize non-targeted communities to learn good practices from their neighbours in the target communities and receive coaching; or try to assure that development projects incorporate all sectors of the community.

Likewise, the LPCs supported have a broad mandate, combining development activities with peacebuilding. For instance, training modules on conflict transformation and management that are a basic element in the package provided to peace committees often include both aspects of working 'on' and 'in' conflict. Some organizations involved in capacity strengthening of peace committees focus on conflict awareness, monitoring and

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xlix e.g. RIO
l Information gathered during visit to Noyau de Paix
li like ACORD, THARS, MIPAREC, Centre Ubuntu, CADEKA, and Ndava Peace Committee
lii THARS, ACORD, MIPAREC, NCA, Dushirehamwe, Center Ubuntu

prevention, but also emphasize the need for conflict sensitivity in development programmes, to avoid that promoted development actions provoke conflict themselves.

> *Centre Ubuntu* works both 'on' and 'in' conflict; the ambition is to solve and transform conflicts, starting from the assumed causes of conflict. *Centre Ubuntu* considers that the main interests of the communities to be cohabitation and maintaining good relationships. In addition, the Ubuntu committees ensure that development activities benefit all, to prevent them from becoming a cause of conflict, and do a follow-up to prevent conflicts within communities and assure the adoption of a culture of peace, a kind of conflict sensitivity. (Centre Ubuntu, Burundi)[31]

In both settings, an important challenge remains how to move on over the course of intervention, to properly assess changing local need, and develop one's own expertise likewise, or to phase out.

II   Designing LPCs

The first 4 chapters discussed strategic questions on the nature of conflict, the peace imagined, and how to achieve this. Peacebuilding literature also emphasises the importance of the aid architecture for peacebuilding impact.

Outcomes from the 'Reflecting on Peace Practice Project' (CDA 2013) suggest that the extent to which peacebuilding approaches and activities eventually 'add up' and affect 'Peace Writ Large' depends not only on the type of change aspired, but also on how interveners manage to make cross-overs (1) between different programmatic approaches: work either at individual/personal level or socio-political level; and (2) between programmes involving different actors: address either many people or 'key' people (CDA 2013). Chapter 5 discusses the first type of cross-overs, while chapter 6 touches on the second. Chapter 7 explores the applicability of best-practices from elsewhere.

5   Which degree of vertical collaboration?

Peacebuilding requires a focus on different levels of intervention simultaneously –top level political or military leadership, middle range leadership of civil society, and grass roots leadership. LPCs and their supporters need to explore to what extent they are willing and capable to address these different levels.
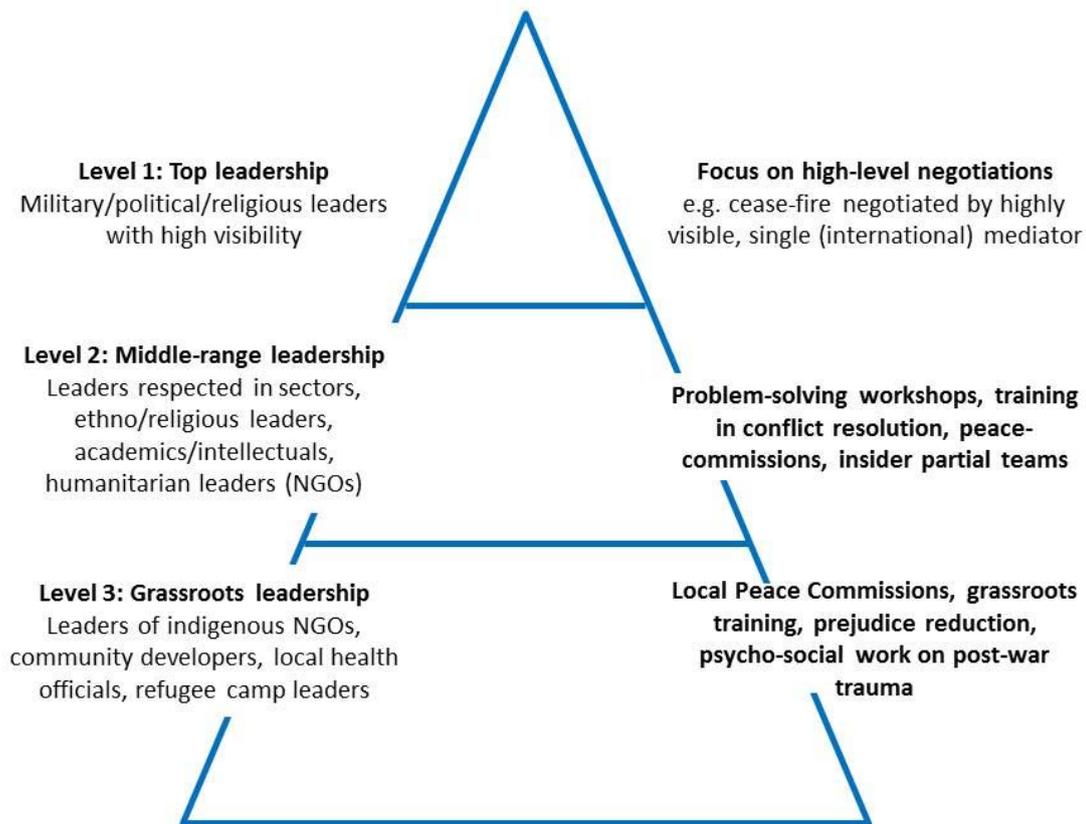
Vertical integration: multiple initiatives at different societal levels

Various authors suggest that peacebuilding should not just focus on high level actors, but must be undertaken simultaneously at every level of society (Lederach 1997).[liii] Wider social and public participation increases the sustainability and comprehensiveness of national-level peace agreements (Wanis St John & Kew 2008, Nilsson 2012, in Lederach 2013). Likewise, local compromises may only become sustainable if acknowledged and supported by higher level actors. For instance, a study on gang-driven violence in slums of Haiti's capital Port-au-Prince found that careful integration of top-down and bottom-up peacebuilding interventions effectively strengthened state-society relations, and so enhanced the sustainability of these interventions (Donais and Burt, 2014). In contrast, an evaluation of peace clubs in Burundi found that they had enhanced intra-community cohesion, and managed to reduce incidences of electoral violence *within their localities*. The intervention strategy, however, lacked linkages with national level processes, where political power struggles continued to threaten stability and risked spilling over to the community level (van Trier 2010, CARE study 2010). Peacebuilding practitioners should therefore try to reach all components of society: peace-building efforts among the elite must be accompanied by diverse other efforts at other levels of society. At the same time, at each level there is a need of key figures and institutions that strategically connect with the other levels. To analyse these dynamics and actors at various levels, peacebuilders often make reference to a conflict pyramid (see figure 2):

- The upper level is the domain of high-level negotiations between political, military, and religious leaders, and international organizations. They are the main representatives of their constituencies, have more decision taking capacity, and are highly visible, but as a consequence their space for manoeuvre may be reduced.
- The middle level is where ethnic or religious leaders, academics, prominent NGO representatives and other leaders in important sectors interact. They are in leadership positions but are not necessarily connected to the main political protagonists, and tend to have more room for manoeuvre. Their approaches may include problem-solving workshops, training in conflict resolution, and membership in peace commissions.
- At the bottom, the largest part of the pyramid, is the grassroots leadership. It includes local leaders and elders, national NGOs and social workers, refugee representatives, women and youth groups, and peace activists. Here are also Local Peace Commissions located. Grassroots leaders may have less decision taking possibilities, but represent the masses, and are the ones that actually experience conflict and violence, as well as the consequences of the decisions by the upper level. This level of leadership is involved in for example grassroots training, psycho-social work, civic education against discrimination and stereotyping. (see Lederach 1997).

[liii] Contemporary policy discourses on Infrastructures for Peace (I4P) essentially start from this need to create an interconnected approach, through developing an organizational set-up (network and role division) to achieve linkages, and capacities and challenges at different levels.

Figure 2 – Actors and Approaches to Peacebuilding

Level 1: Top leadership
Military/political/religious leaders
with high visibility

Focus on high-level negotiations
e.g. cease-fire negotiated by highly
visible, single (international) mediator

Level 2: Middle-range leadership
Leaders respected in sectors,
ethno/religious leaders,
academics/intellectuals,
humanitarian leaders (NGOs)

**Problem-solving workshops, training
in conflict resolution, peace-
commissions, insider partial teams**

Level 3: Grassroots leadership
Leaders of indigenous NGOs,
community developers, local health
officials, refugee camp leaders

**Local Peace Commissions, grassroots
training, prejudice reduction,
psycho-social work on post-war
trauma**

(adapted from Lederach, 1997 and International Alert)

Lederach (1997:46) underscores the vital importance of the mid-level, which links the highest level and the grassroots level. Lederach identifies a 'vertical gap' –a lack of connection between community and political process of negotiation– as the most important weakness in peacebuilding processes. A review of one organizations' efforts to strengthen peace clubs in Burundi, for instance, shows how efforts were made to link the peace club initiative to higher level peace processes, through the establishment of networks that linked peace clubs at district and provincial level. However, scaling up in this way was expensive and hampered by limited means of transportation. Informal meetings between peace club representatives and members of Parliament were considered successful by the peace clubs themselves, but politicians were not willing to assure a follow-up (van Trier 2010). Local Peace Committees that are part of a national structure, like in the case of Nepal, may be better able to manage the 'vertical' gap, and manage to link up with political authorities (Odendaal & Olivier 2008, McBride & Patel 2007). In other instances success in peacebuilding may precisely be due to isolation from higher level initiatives that have failed (CDA 2009).

Implications for Local Peace Committees and efforts to support them

Peacebuilding literature suggests that to be effective, peacebuilding should address all levels of society. This implies that LPCs, even if their focus is at the local level, should consider how to link to provincial and (inter)national leadership and peacebuilding processes. If the work of LPCs is acknowledged by the state or when the state has given them a national mandate, LPCs may have more clout and scope to establish a critical link between local and national peacebuilding. Likewise, if LPCs are established no only at community level, but also at district of provincial level, this might also contribute to vertical integration. Such a strategy may have political risks, and requires a long-term vision, as well as different kinds of expertise. Again, the question is to what extent such vertical linkages are the responsibility of LPCs or rather of supporting organizations.

Likewise, the question is to how to establish links between LPCs and other actors at the local level, not only to prevent duplication and avoid competition, but also to assure that different types problems are simultaneously are addressed. (see chapter 6)

Experiences from LPCs and their support in Burundi and Eastern DR Congo

Most Peace Committees in Sud-Kivu and Burundi are exclusively operational at village level, and deal with local level conflicts mainly. In DRC, mainly LPCs which operate in urban areas, for instance in Uvira town, also try to posit their local actions within a vertical approach, like the CCI or the committees of negotiators. These are the LPCs which are specialized in and dealing with the larger, more structural problems, such as inter-ethnic conflict or conflicts about power**. They ambition a vertical approach because of the nature of the stakeholders involved**: some of the instigators of local conflict reside outside the local community. Consequently, advocacy is their core-business, as they consider that conflicts result from the failure of public authorities to provide security and peace to local people.[liv]

> We apply a vertical approach. Because we are aware that the community at the local level is dragged into conflicts of interest between the elites, we interact with these elites, who live in Bukavu or in Kinshasa and we call them by phone. One day, we invited the representatives of Rutoba/MSR, Bitakwira/ ex-UNC, Mushonyo (the president of the Assembly had apologized) to a "platform for popular expression", during which we put all parties face to face, from the ordinary citizen to the political actor, to exchange views on both regular issues and on the inter-ethnic conflict. It was a great success because people were able to release tension, to reach a sort of catarsis. The Barundi and the Bafulero did express themselves freely. The conclusion [of this experience] is that in order to resolve this conflict, we need the government to act. It is also in this respect that we observed a certain conflict sensitivity in the actions of humanitarians. For lack of resources, we did not continue the exercise. (IED, DRC)[32]

In practice, their approach often implies a working division between locally embedded LPCs in the communities, national NGOs that advocate at the territorial or provincial level, and international organizations that support peace processes at national or even international level.[lv]

> Currently, there are also activities that aim for peace and informal contacts with provincial delegates regarding the security situation in the [Ruzizi] plains. And we intend to have a meeting with delegates and the OSC. Nevertheless, working with politicians and leaders has risks that need be mitigated or properly followed. For example, during the 2016-elections, ZOA risked to be seen as a supporter of one political party. (ZOA, DRC).[33]

In some specific conflicts, however, a challenge is to identify who could take the lead.[lvi]

Interveners in Burundi point out that vertical linking require specific capacities that are not present at the local level, and investments in personnel, coaching, training and follow-up.[lvii] Several interveners see limited added value of such networks, considering the local character of many of the disputes the LPCs deal with. Those willing to support advocacy at higher levels realize that local structures do not have the capacity and competence to confront policy makers. Others point out that the establishment of networks should be the choice and initiative of the communities, rather than of outsiders, in order to assure that those networks are legitimate and result in participatory decision making. Hence, most organizations interviewed support structures at the community level only, without linking to municipal or provincial level. Nonetheless, some organizations have also established committees above the community level:

> CADEKA collective is a community structure that acts at the level of the *zone*. It is a collaboration of associations located in all the districts of Kamenge area. The structure is represented at the grass roots level by members living in the neighborhoods, while the association is organized at the level of the *zone*. It constitutes a kind of vertical integration, which is limited to the *Quartier* level and *Zone* level without representation at the level of the municipality or City Hall because it's a local structure. Locally, the CADEKA collaborates with other structures such as the *Bashingantahe* and elected local officials, some of which are members of the collective. (CADEKA, Burundi)[34]

[liv] E.g. Cordaid.
[lv] Eg. Cordaid DRC, UN-Habitat DRC.
[lvi] E.g. APD
[lvii] E.g. CADEKA, Centre Ubuntu

Several organizations have nonetheless created networks up to national level,[lviii] while others work at the national level,[lix] all this to lobby with decision-makers at politico-administrative level on questions that are beyond the competence of the community. Themes addressed involve the process of decentralization, good governance, political conflicts and the promotion of a 'peaceful society' after political tensions, in collaboration with some donors or international organizations. Oxfam Novib and other organizations have been inspired by the RPP (CDA 2009) approach in particular that insists that the promotion of lasting peace should touch all levels (local, national, international).

> Issues that surpass the skills of the municipal GDP are dealt with by other more competent levels, for example the cases of imprisonment of young members of the opposition political parties during the crisis of 2015. This issue has been addressed and the accused released after lobbying at the level of the GDP of Cibitoke province. (CENAP, Burundi)[35]

Various organizations point out how local peace committees could eventually develop into structures that serve to bring messages across from the community to the state, but question how this should be achieved.

[lviii] such as CARE International, OXFAM Novib, Dushirehamwe and CENAP
[lix] COPA and ICB

6   Whom to include?

Literature on negotiation emphasises that whom to include in negotiating peace is critical. Considering the ambitions of many LPCs and their supporters to locally mediate disputes and reconcile groups, Local Peace Committees need to consider in which measure to include both people known for their capacities for bringing people together ('doves'), and people known to be responsible for conflict ('hawks').

Whom to involve in peacebuilding

Many donors and development practitioners share a preference for 'civil' partners, local institutions and people that share their values of tolerance, inclusiveness, and gender equality. However, in many post-conflict settings, important roles in the provision of security and development are played by players which legitimacy is questionable in the eyes of the international community – think of the roles of Hamaz, Hezbollah, and Sudan Relief and Rehabilitation Agency in services provision (Verkoren & van Leeuwen 2013). Such exclusivist and 'uncivil' local actors may nonetheless have local legitimacy.

In the field of peacebuilding, such 'uncivil' actors may be at the heart of conflict, and necessary to include in peace building processes. The 'Reflecting on Peace Practices Project'(RPP) found that a big challenge for peace organizations is to move beyond the easy-to-reach categories of social workers, local leaders, and victims which are ready to collaborate; to include those stakeholders that perpetuate and benefit from conflict –militia fighters, elites, diaspora; and hard-to-reach government representatives (CDA 2013).

Horizontal integration

In addition to insisting on vertical integration (see strategic question 5) Lederach (1997) also makes a case for horizontal integration of leadership at different levels, top, middle and grassroots level. Such horizontal integration is necessary as group-identity conflict often divides society at each of these levels of leadership, following lines of identity, religion, geography, rather than class, or hierarchies.

More generally, many peacebuilding organizations consider the need to assure a diversity of participants in peace processes, for instance in terms of ethnicity, gender, age-group, religion, and minorities, to assure that the interests of different constituencies within a community are taken into account. For instance, experiences from post-conflict Bosnia-Herzegovina demonstrate that women may play critical, creative, and transformative roles in challenging gendered relations of domination, and that their contributions are important for transformation from war to peace (Bjorkdahl & Selimivic, 2015).

The 'Reflecting on Peace Practice Project' (CDA 2013) found that approaches working on more people need to be combined with strategies that focus on key-people in order to add-up effective peace work. The first type of programmes aims at the involvement of many people in their activities, e.g. to expand numbers of people committed to peace. The second tries primarily to involve key actors critical to the continuation or resolution of conflict, because they are powerful or have influence, e.g. political leaders, or representatives of certain constituencies (unemployed young men).

Moreover, horizontal integration of peacebuilding may increase the coherence and complementariness of the actions of different types of actors and their approaches to peacebuilding. Numerous evaluations of peacebuilding in different countries underscore the lack of coordination and lack of exchange between interventions, with gaps and duplications as a consequence.

Implications for Local Peace Committees and efforts to support them

Often, LPCs are composed of volunteers from different sides of the conflict, who consider achieving peace and reconciliation as more important than sectarian interests. Such peace-minded volunteers –or 'doves'– may be highly committed, yet may have difficulties to connect and engage with all the important players, including the dividers – or 'hawks'– and eventually lack credibility. Including 'dividers' might contribute to the effectiveness and 'weight' and

leverage of Peace Committees, yet may result in hard-line positions and high levels of internal tension, and LPC members may even be identified with 'troublemakers'. LPCs therefore need to find a right balance between 'hawks' and 'doves' (Odendaal & Oliver, 2008).

To prevent one party to the conflict from dominating the LPC and nonetheless have leverage, LPCs might search for 'insider-partials', who belong to the communities in conflict and are highly trusted, yet manage to hold the middle ground within conflict (ibid.) These are often not neutral or impartial, yet are capable to provide critical leadership because of the trust they have among their people. In South Africa, for instance, when LPCs failed to find a chairperson acceptable to both sides, both a white and a black person were elected as co-chairs. As individuals they were affiliated with one of the sides, but together they represented the commitment to peace (ibid.).

At the same time, though a diverse composition may enhance a local organizations' legitimacy and effectiveness in reaching different groups in a community, such a composition might require more efforts in terms of building trust, and maintaining sustainability, as compared to an association that has formed more organically from within an extended family, neighbourhood, or association (see e.g. Hilhorst & van Leeuwen 2005).

Finally, while it may be difficult for LPCs to include both types of actors, intervening organizations might nonetheless try to involve different groups through separate but linked activities, e.g. local level peace building linked to advocacy work.

Experiences from LPCs and their support in Burundi and Eastern DR Congo

Perspectives of interveners in eastern DRC and Burundi on this question tend to depend on how they consider the nature of the disputes that LPC deal with: are these mainly disputes within communities? Or do these disputes involve stakeholders from outside the community?

In DRC, interveners that support LPCs with the ambition that these should deal with the small conflicts of daily life emphasise the need to work primarily with connectors. For them, the ambition is to create and consolidate a network of people of good will, and thus not to include dividers. In fact, these connectors then mediate between contesting parties. Some interveners –and representatives of LPCs as well- thus argue that dividers should not be included, as they may influence others negatively, or that analysis must be done to find out if the dividers have really changed before including them in the peace committees.

> We prefer to deal with the connectors. We do not favour a frontal approach (UPDI, DRC)[36]

Others instead consider that including dividers is beneficial, as it may help them change, while the presence of converted dividers may help to change others.[lx] Some specifically aim to include both dividers and connectors

> OPDE considers young people as a group as potential members of the peace clubs. The peace committees are composed of connectors and dividers of all the groups in conflict. Having connectors and dividers together can be beneficial because if dividers change into connectors, this will be more successful, but on the other hand if the divisors are taking over the connectors, then peace will be compromised (OPDE, Burundi).[37]

> In practice, someone who has recovered from trauma is more likely to be a promoter of peace and is useful. Theory of reconciliation suggests to be inclusive if one aims to promote a lasting peace (THARS, Burundi)[38]

> The CCI is a conglomerate of actors who can be both dividers and connectors. It consists of delegates who have the mandate to negotiate and defend the interests of their ethnic communities. In the mediation of the Barundi - Bafuliiru conflict, some of the CCI members have been cited as being among the puppeteers of conflicts. (CCI, DRC)[39]

Yet, most interveners consider that it is often very difficult to actually identify dividers and connectors at the local level. Moreover, various intervening organizations consider that both connectors and dividers should be partners in the peace committees.

> Making an analysis of the connectors and dividers is difficult, because in different situations actors can play different roles. Ideally the two groups (connectors and dividers) are put together. (discussion in workshop)[40]

> The work of conflict transformation must include all components of the community, it is recommended not to exclude one party for the reason of being a divider as this risks compromising the result. The work of the peace committees is to reconcile communities in conflict, knowing that in every group there may be dividers and connectors, and that each group should be represented that has received the confidence of the people they represent. [In addition,] who and

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[lx] E.g. CADEKA

how many people are dividers and connectors is not static but dynamic, it changes as a result of context, situation, topic, etc. The committees are not formed to specifically include connectors or dividers, but the Committee should focus their work on the dividers and the connectors. (MIPAREC, workshop)[41]

Our approach is not meant to identify the connectors or dividers, but local knowledge of the members of the GDP assures that both connectors and dividers from the communities are included, without qualifying them. The most important criterion is acceptance to contribute to peace, and adherence to the code of conduct of the GDP (CENAP, Burundi)[42]

Many intervening organizations prefer not to stipulate whether LPCs should include dividers or not, leaving the population to take its own decision during the election process.[lxi] They argue that the main criterion for inclusion in LPCs should be willingness to contribute to peace.[lxii] **The main concern of most interviewees is how to guarantee transparent procedures for establishing committees, and to assure that each elected member is recognized by the community.** Some expect that in case dividers are included and do not function well, they will be removed by the community anyway.[lxiii] Likewise, they point out the importance of allowing people themselves to appropriate the process of composing their own LPC.

The common procedure for the peace committees is to look for representatives of different groups in the community (women, leaders, youth etc.) without analysing their morality, acceptance by the community, etc. The committees must be dominated by connectors, yet with a certain minimum of dividers. When dividers are the majority in the Committee there will be problems. For this reason, the acceptance by the community of the Committee is a very important criterion for the composition of the Committee. (ZOA, DRC)[43]

MIPAREC's approach to train communities is based on the idea that everybody should be reached by training on peace, and thus that both connectors and dividers are invited for the establishment of the Peace Committee. The dividers are targeted with the aim of transforming them into connectors. To be effective, we need to involve the dividers; at the same time the composition of the peace Committee must be accepted by the community. Who and how many are dividers and connectors is not static but dynamic, it changes by context, domain, etc. Therefore, committees are not targeted as connectors/dividers (MIPAREC, DRC).[44]

Yet, **especially in land or inter-ethnic conflicts, interveners point out that those who are responsible for the continuation of violence and who manipulate local stakeholders are powerful actors** (e.g. large merchants, residing in Uvira), and some of them even have public functions, like customary chiefs, and politicians. To deal with such politicized conflicts requires involving the dividers. This is for instance the case for the *Comité des Négociateurs*. To this aim, they have to work through credible leaders in the community to arrive at the dividers.

The IAB is interested first in people of good will. Starting from these we identify the dividers, which are approached and invited, separately. It's inevitable. (CCI, DRC)[45]

The players-behind-the-scene are not ready to receive you and to tell you the truth. Therefore, we fall back on the communities. We focus on the connectors, because they are the ones who give us viable roads to a solution. (ADEPAE, DRC)[46]

Our focus is on the dividers, those who hold the guns. But to access armed groups, one goes through the connectors in the community: the social leaders. This is why, in the structuring of the Committee of Negotiators, former soldiers or militiamen have been chosen by their communities to preside over this structure. These people are supposed to have a background that allows them both to contact the leaders of armed groups and the military authorities. (RIO, DRC)[47]

However, ordinary LPC members often do not have access, nor the ability to influence this type of actors, who often live outside the community. Interveners then have to combine support to LPCs with advocacy at higher levels. This is for instance the approach of UN-Habitat DRC, that both helps LPCs and lobbies to convince powerful actors to join mediation processes on land disputes. In such a strategy, LPCs mainly include connectors, while through other activities, interveners try to involve dividers.

We are approaching the two. Because it's the conflict of interests between the elites that determines conflicts between grassroots communities. Hence the organisation of face-to-face encounters between the elites and the masses. (IED, DRC)[48]

[lxi] THARS
[lxii] CENAP
[lxiii] Centre Ubuntu, CENAP

Being the RAP, we include all actors, both connectors and dividers. Because we can't reduce violence with connectors only. That's why we approach, as much as possible, political actors and armed groups that are known as the puppeteers of inter-ethnic conflicts, or the spoilers. (APC, DRC)[49]

Finally, many organizations in both DRC and Burundi emphasise the need for horizontal integration, and linking local peace committees to other local structures, such as local administration and government services operating in the community, and political parties.[lxiv]

In our activities we promoted a vertical approach, because in our mediation of conflicts we integrate advocacy to reach stakeholders outside the community or public authorities. Yet, nowadays we put more emphasis on the horizontal dimension, because if intra-community relations are strengthened at the local level, this will by itself move upwards, by arming the community against manipulators from outside. (CCI Uvira, DRC)[50]

MIPAREC has developed horizontal [rather than vertical] collaboration, in which the committees work with the local structures of the Government and other community leaders, such as religious leaders and members of organizations of civil society for the defence of human rights. Vertical collaboration is limited to the level of the commune, and only in certain municipalities […]. The reason not to move beyond this level is that the *communes* are more concerned about the interests of the communities than the higher levels, where the focus is more on political issues. The effectiveness of networks or federations of community structures at the provincial or national level needs still to be studied. MIPAREC has a liaison office in Bujumbura to promote vertical integration, which advocates for different conflict parties at national level. (MIPAREC, Burundi)[51]

[lxiv] CENAP

7   To what extent may 'best-practices' from elsewhere provide inspiration?

While experience from elsewhere might enhance the effectiveness of Local Peacebuilding Committees, there is some concern among development practitioners that ideas and structures introduced from outside may not fit or be easily adapted to local context. The question is thus to what extent LPCs may build on practices and experiences from outside.

Blueprints for peace?

Supporters and critics alike observe striking convergence in contemporary peacebuilding interventions. This peacebuilding package is often seen as essentially neo-liberal in character: it emphasizes liberal democratic systems, sees a limited role for the state and promotes the market as the main generator of development (Andrieu 2010, van Leeuwen et al 2012, Selby 2013). Critics of this 'liberal peace project' claim that peacebuilding policies and practices in post-conflict countries aim to transform societies in the image of Western, market-oriented democracies (Duffield 2001; Paris 2004; Chandler 2006; Richmond 2006), and focus to much on formal political processes like elections and political parties (e.g. Mac Ginty 2008). Notably since 9/11 and the development of the 'fragile state' discourse, state-building -including transitional justice and promotion of rule-of-law- is high on the agenda of the peacebuilding community.

A key concern is to what extent the promotion of such generic packages of neo-liberal peacebuilding and state-building are applicable in particular local settings, and indeed contribute to peace. It is argued that such top-down social engineering can be counterproductive for the peace process and the nature of transition (Andrieu, 2010), limits space for alternative peacebuilding models (MacGinty 2008), and may even jeopardize the peace process. Such concerns have led to a search for alternative intervention models, and what may be called a 'local turn' in peacebuilding (see also the introduction chapter). An example is the 'emancipatory' version of the liberal peace put forward by Richmond (2006), which underscores the role of bottom-up processes in achieving social welfare and justice. Others underscore that the direction of development needs to be left to local actors. Andrieu (2010) points out that instead of focussing on reforming state institutions and having 'high politics' as the central target (in the hope that the rest of society will be affected in turn), transitional justice should focus on civil society, and the rebuilding of social relations and enabling dialogue between communities.

However, this 'local turn' in peacebuilding also raises questions. The notion of 'local' is ambiguous: what about the influence of diaspora communities and non-western development actors like China? To what extent are so-called 'local' initiatives or hybrid peace governance structures indeed representative of local citizens' ambitions and concerns, or instead dominated by local or even national elites (Paffenholz 2015)? Moreover, in many settings there is not so much resistance against 'western' intervention models by local recipients of aid interventions, but rather apathy and compliance. Most resistance by local people is actually against local and national power holders, while national elites both resist international peacebuilding agendas, and local ones (ibid.). At the same time, the question is whether the 'local turn' in peacebuilding indeed results in local ownership, or whether peacebuilding is still steered by outsiders' interests imposing particular conventions and models of peacebuilding. Moreover, it remains relevant to explore to what extent peacebuilding notions from outside have added value locally.

Implications for Local Peace Committees and efforts to support them

With the current emphasis on strengthening local rule-of-law and promoting transitional justice, there is a risk that donors and NGOs may prescribe their models of LPCs as well as their approach. For instance, the shift towards community-based approaches has resulted in calls for tangible indicators of the effectiveness of LPCs. This has led to the increasing standardization or 'templatization' of LPCs, and 'best practices' around which nongovernmental organizations (NGOs) converge.

Such critiques echo earlier concerns about international support to civil society, notably with regard to the pressures exerted by international aid agencies on civil society structures to professionalize. International donors and actors

may be predisposed towards local NGOs, which are not necessarily representative for the grass-roots, raising the important question of who defines the agenda, or 'who is in the driver's seat?' (see e.g. Belloni 2001, Barnes 2006). Moreover this predisposition raises the question to what extent LPCs are indeed locally rooted and legitimate, or have international legitimacy, but lack local power and embeddedness (cf. Verkoren & van Leeuwen 2013).

It may be more efficient and effective to work on the basis of existing structures and practices, that might be better embedded locally and better suited to deal with local issues. However, sometimes local arrangements have eroded, are corrupted or are seen to have played problematic roles during conflict. In case of such shortcomings, best practices from elsewhere might be useful.

Experiences from LPCs and their support in Burundi and Eastern DR Congo

Few interviewees from DRC and Burundi worried about this question. Instead, they highlight the hybridity of many peacebuilding strategies, which combine experiences from outside with local practices.

Some interveners in eastern DRC consider the LPCs as a revitalization of the traditional palaver, which actually draw on local culture or collective memory in how to deal with conflicts, and thus fit their local settings. Likewise, interviewees in Burundi highlight the validity of existing local practices in contributing to peace. In this, they mostly refer to the customary institution of the *Bashingantahe*, which are councils uniting the most respected people in a community. Other examples include the family councils that settle conflicts within the extended family, or anecdotes about Samandari who fought injustices against the poor, and showed the King the biases of some of his judgments. At the beginning of their interventions, in their baseline studies, Oxfam Novib and ACORD explicitly searched for best practices in the communities themselves, which could serve as a model.

> The Cadres de Dialogue et de Médiation (CDM, Frameworks for Dialogue and Mediation) were created following a Participatory Action Research. The CDM (or similar structure) did not yet exist, but did not come from the outside either. Exchange visits with similar initiatives only took place after the creation of the CDM (APC, DRC, workshop).[52]

> The people of Kibimba themselves formed a Committee. The two rival groups observed that both had their needs and a Peace Committee broke the barrier between the two groups. In this Peace Committee they have had dialogues and worked together for development, and they negotiated about their interest (MIPAREC, Burundi, workshop)[53]

In contrast, many representatives of organizations in DRC consider that the LPCs derive their power from inspiration from outside: the training they received, the exchange visits to neighbouring countries, and the Theories of Change of supporting NGOs. Likewise, Burundian organizations all consider that there exists a lot of experiences worldwide which could enhance local practice, referring to Martin Luther King and Gandhi on active non-violence, group therapy,[lxv] the philosophy of the Saraphistes and Menonites,[lxvi] as well as the experience of the truth and reconciliation Commission in South Africa which inspired many organizations. **In Burundi, we did not encounter a single organization which thinks it has not resorted to any type of experience from outside**.

> In fact, the CCI and the CM that we support are a some sort of rehabilitation of the traditional 'palabre' in today's society. But in the ways in which we actually do the mediation, we borrow from the trainings we took. (CCI, DRC)[54]

The general perception is that LPCs effectively build their methodologies in a moving back and forth between local experiences and borrowing from formulas that have proven their values elsewhere. The prevailing institutional context seems very important in this. In DRC, a general notion is that local communities of the Ruzizi plains and their institutions were overtaken by and incapable to deal with the ethnic violence, perpetrated by gangs of young people, and that new models were necessary anyway. Representatives of the LPCs recognize the contribution of exchange visits to Burundi on how to reconstruct torn communities, for instance through community projects, as proposed by the NGOs. Advocacy led by the 'Artisans de la Paix' in the context of a 'peace across borders' project piloted by Oxfam Novib is given as a good example of how to carefully combine external expertise with local experience. Based on experience in Rwanda, it includes the compilation of a plan for peacebuilding within the local development plan.

[lxv] In the case of THARS
[lxvi] In the case of MIPAREC

Important is also the sharing of experiences within countries. Many Burundian organizations collect good practices and use them as tools of capacity-building. They organize exchange visits with other peace committees to exchange practices and strengthen each other.[lxvii] Several mention that research competences are not present locally.

> Local practices that have proved their effectiveness at the local level must be promoted. If however conflict management requires other skills which local practice has not developed, it becomes useful to search other good practices to strengthen the work of conflict management. (CADEKA, Burundi)[55]

> We build a symbiosis between autonomous experiences and what we borrow from outside. We follow courses elsewhere that we capitalize on in assisting the structures. (ADEPAE, DRC)[56]

> We combine the two experiences, autonomous and borrowed. In both conflict and peace building, we suffer from the contamination from neighbouring countries. For example, in Burundi, the notion of vacant lands no longer exists. Due to regional pressure, this will happen soon in Congo as well. We encourage the Congolese to anticipate on the scarcity of land, through the systems of registration that now only protect few owners, to address land disputes, and find arrangements without having to go to court. (ADEP, DRC)[57]

[lxvii] IPB

III Dealing with local institutions

The establishment of LPCs does not take place in an institutional void. Past debates on peacebuilding have highlighted how interveners tended to bypass local state structures, even if they may be functional and legitimate (e.g. Crowther 2001), or other local organizations like churches, trade unions, local associations or traditional leadership structures (Hulme and Goodhand 2000). More recent critiques on peace and statebuilding claim that they promote Western models of the state, disregard non-state political actors, and fail to develop new relationships between citizens and their state (Belloni 2001, Barnes 2006, Pfaffenholz 2009, Verkoren & van Leeuwen 2013, MacGinty 2015). Yet, in many conflict-affected settings, there is a lot of debate about the extent to which state and customary institutions have the capacities, authority and local legitimacy to meaningfully contribute to solving conflicts. The question is then how LPCs might relate to these existing institutions, and how these relationships should develop.

8   How to deal with customary/traditional institutions?

Should LPCs build on customary institutions and promote local, traditional and customary practices and norms to deal with disputes, or rather promote national or international norms and legislation? This has implications for the procedures and modalities of dealing with conflicts, the solutions achieved, and the character of justice done.

The advantages and disadvantages of customary institutions

An important debate in the field of peacebuilding and transitional justice concerns the extent to which so-called 'customary', 'traditional' or other local institutions should play a role in addressing local conflict and building peace. Many peacebuilders consider local conflict resolving mechanisms or traditional justice systems –also coined 'ethno-justice'– very valuable, especially if due to conflict formal justice systems are weak, dysfunctional or have lost legitimacy.

Customary institutions are seen instrumental in rebuilding traditional order to promote social reconstruction, peace and justice after episodes of war. Being rooted in the local culture and history, customary institutions are often seen as more trusted and effective than state- or international institutions. This is attributed to the fact that customary institutions are based on consensus and principles of restorative justice, and promoting locally accepted solutions. Rather than punish, they try to restore community relations, and may contribute to trust between antagonist groups, help in psychosocial healing and democratic dialogue, and address structural causes of human rights violations (McAuliffe 2013:63). Indigenous justice may deal with issues criminal justice cannot deal with, like sorcery, the super-natural, and family breakups (McAuliffe 2013). Indigenous institutions are even seen as a counterforce to intrusive outsiders and an oppressive state. Indigenous justice is presented "as something inherently restorative, as an antidote to the shortcomings of legal formalism or as a site of resistance to the State Leviathan" (McAuliffe 2013:42). Further, customary institutions are often seen as easier to access, cheaper, and more accountable due to their local presence.

Yet, various authors warn not to 'romanticize' (e.g. Richmond 2009) and oversimplify customary institutions, pointing out that they may be elitist and unfair, or discriminate against women and youth, marginalize non-indigenous community members and non-residential user groups such as pastoralists (Meynen & Doornbos 2004). Indigenous institutions are frequently quite punitive, and their practices may be violating human rights. Customary institutions' strategy of searching for consensus may effectively silence legitimate feelings of grief (Mcauliffe 2013:52). Customary arrangements may be complicit to increasing exclusion, a deepening of social divisions and class formation (Peters 2004). Efforts to nurture customary institutions may end up extending forms of unaccountable, patriarchal power within local society (Branch, 2014, Mamdani 1996), or mainly benefit local elites (Suzuki 2005; Peluso 2007; Schelnberger 2008).

Moreover, in conflict-affected settings, customary institutions and their leaders might have lost authority and legitimacy, having been target by violence or having been complicit in violence themselves. For instance, in Burundi, members of the customary institution of the Bashingantahe were singled out during the violence in the 1990s, but also lost legitimacy due to their roles in justifying army repression and condoning exclusion (Ntsimbiyabandi and Ntakarutimana, 2004); or became perceived as an elitist and Tutsi institution (Deslaurier, 2003). Customary institutions may be less suitable to deal with conflicts involving other communities, address serious crimes and human rights violations, or be incapable to deal with stubborn armed groups and government officials, or regional dimensions of conflict.

Balancing custom and (inter)national legislation

Such debates have led to discussions on how 'custom' might coexist or complement the state in the provision of justice. Some academics and practitioners emphasize the need to maintain the independence of customary institutions. They point out that the co-existence of a diversity of institutions facilitates negotiability and flexibility to local actors, or may enlarge the scope for locally adequate solutions (Unruh 2003). Yet, such institutional multiplicity is not unanimously seen as positive: it may confusion about the responsibilities of different institutions, endless appeal of conflicts, and 'poor justice for poor people' (Stephens 2009 in McAuliffe 2013:62), as certain people are better placed than others to benefit from such negotiability (Peters 2004). Co-existence of customary and state

institutions might obstruct state consolidation. An important question is also to what extent local communities prefer custom to take precedence.

Other literature is more pragmatic, considering that acknowledging customary institutions in conflict-affected settings is inevitable as people already tend to resort to these. Even if non-state justice may not meet the ideal standards of rule of law, it is argued that it may contribute to rule-governed behaviour among citizens, awaiting the rebuilding of formal rule of law, which might take decades (McAuliffe 2013:55). The question is then how integration between customary and state institutions may be achieved, and "to combine the virtues of traditional legal institutions (accessibility, informality, economy of time and money, and familiarity of legal norms) with those of the state legal system (impartiality, uniformity of law and [state] legitimacy" (Penal Reform International, quoted in McAuliffe 2013:56). Integration may lessen the work-load of the formal system, assure oversight of the customary system, and mitigate forum-shopping. It might even strengthen indigenous justice systems, when it amounts to recognition, and state enforcement of their decisions (McAullife 2013).

Literature underscores the need to better understand what 'custom' locally amounts to when exploring complementariness with and integration into the state. Customary systems are not static and seldom completely independent from state systems (Kyed 2009). So-called 'customary systems' have often been heavily influenced or shaped by colonial intervention. Their actual practice often reflect continuities between customary and state systems, in the norms and values they promote, the modalities of dealing with conflict, and the people inhabiting these institutions (see Peters 2009, Boege et al 2009, Lund 2006). While customary institutions are often characterized in terms of restorative, embedded, or people's justice, versus the formal and distant justice of the state, such characterizations obscure the commonalities of interests between indigenous justice processes and national rule of law reconstruction (McAuliffe 2013:47).

Implications for Local Peace Committees and efforts to support them

When considering the role of customary institutions in LPCs, important to consider are the legitimacy and inclusiveness of local arrangements. Efforts to strengthen customary norms and procedures may effectively favour one group over the other and men over women. Likewise, when promoting national legislation and or international human rights the question is if norms and procedures have local legitimacy and are accessible to all. Instead of posing the question whether to promote customary or state institutions, a starting point might be to explore what norms, values and conventions do local people consider important and legitimate and how these can be promoted, through customary institutions or otherwise. Context is important as well, and whether the state is willing to facilitate customary institutions, or merely tolerates it, or would like to abandon them (McAuliffe 2013:76).

Sometimes, conflict-affected settings are seen as an ideal opportunity to both promote customary institutions, and at the same time to reform them, and so address human rights and discrimination concerns. Adjustments in local norms and values may need time and continued support while outside support is often temporal. Furthermore, reforming local institutions to make them live up to international human rights and expectations, for instance of gender equity, might increase their international legitimacy, but at the same time risks undermining their local legitimacy (Van Leeuwen 2009). Reforms resulting from internal critique may be more effective as indigenous leaders tend to be sensitive to local criticism which may undermine their local legitimacy (McAuliffe 2013:83).

Experiences from LPCs and their support in Burundi and Eastern DR Congo

Intervening organization in DRC consider custom as a set of values, beliefs, and practices inherited from the past, as the traditional social organization prior to the arrival of the State and the adoption of foreign religions (Christianity and Islam). **Many of our informants observed that custom is the frame of reference of the village communities and the LPC, as it represents a popular form of justice, which is owned, and known by all, and expressed in the local language**. To them, it represents a form of justice that integrates restorative and inclusive justice, addressing both the needs of the victim for acknowledgement and the need for social reintegration of the perpetrator. It searches solutions to conflict through dialogue.

Representatives of LPCs in DRC often see custom in stark contrast to state law. State legislation is perceived as rigid, constraining, and imposed from outside the community. It represents a public authority –the state– that is oppressive, corrupt and does not play its due role of integrating. Recourse to law or judicial institutions is perceived

by poor rural communities as a 'bourgeois luxury' and perceived as arrogance.[lxviii] Yet, members of LPCs admit also their ignorance of the contours of the law and their incompetence to apply it.

> The CCI refers first to custom, because this is the frame of reference of the Community (TCC). We support the application of custom because these practices come first, before the law is applied. Congolese law, at a certain level, is a veneer that does not refer to customs. Our communities are together in a 'communal' vision, there need be co-constructed values. That is why we are inclined to support arrangements between the parties in conflict to re-establish harmony in the society. (RIO, DRC)[58]

> The question is whether legislation and human rights will ever arrive at the local level. To protect children and their land rights it is necessary to make have these arrive at the local level. The *noyaux de paix* now solve conflicts according to custom: one asks what custom and law actually say. We first try to harmonize the two, and to arrive at an amicable settlement. If the parties do not agree, we proceed to customary institutions. If necessary, we solve disputes through national legislation. That's why we have trained the *noyaux de paix* on this. The Peace Committees cannot do without custom nor national legislation and human rights, even though the latter supersede custom, and regarding issues about which legal texts are silent, the resolution of conflict is done according to custom (BDR/Uvira, DRC)[59]

Interveners in Burundi are rather pragmatic. They consider that the rural population is illiterate, and has thus little knowledge about laws and other texts on human rights, and that customary practices thus have value when dealing with local conflicts. Some interveners indicate that they work primarily from customary institutions, notably the Bashingantahe, considering that these have local legitimacy.

> The Peace Committees are chosen and are working on the basis of the model of the Bashingantahe and family counsels, which are models based on integrity, knowledge of the problems of the community, and their ways of maintain social cohesion. As a result, practices and traditional values predominate in the selection and in the way they manage conflicts, because these are what they have experience with (MIPAREC, Burundi)[60]

Various interveners highlight the need to explore local conventions and practices and how they may complement national level legislation and international human rights.[lxix] Some mentioned the need to explore proverbs, as they have an important cultural value in Burundi, and may enhance processes of dialogue and mediation of conflicts. Likewise, organizations such as COPA have conducted research on the Bashingantahe to promote the positive values of this institution, such as peace-keeping in their vicinity, providing living examples of peace, their exemplariness in organizing their household and entourage, and willingness to give what one owns, including love to neighbours.

> Thars combines customary practices, state law and human rights. The reconciliation groups make use of customary practices, especially in group therapy and reconciliation. Legislation and human rights are consulted in the treatment of some cases of violence and violations of the rights to circumscribe the limits of jurisdiction of the local committees (THARS, Burundi)[61]

> The collective CADEKA works on the basis of customary practice, on which the whole system of conciliation and reconciliation between members of a community used to be based. At the same time, the Peace Committee tries to integrate laws proclaimed by the government into the management of conflict (CADEKA, Burundi)[62]

Several organizations also highlight the limits and challenges of customary institutions. First, they consider that particular types of conflict -like cultivator-pastoralist disputes and armed violence- require referring to state legislation. This is also the case for the Committee of Negotiators, that sticks to the national laws on demobilization and associated return of properties. It is also the case of the 'committees of human rights' (facilitated by ICCO), that intends to equip communities for their self-management, in reference to international law. Certain experts interviewed,[lxx] point out that some conflicts, such as those involving land or straying cattle, raise technical difficulties which custom cannot deal with, such as how to estimate the value of a crop destroyed by a straying herd or the delimitation of the fields.

Most organizations highlight that crime and some violence is beyond the capacities of LPCs. They refer to Congolese legislation that limits the use of custom to civil affairs and prohibits mediations for criminal offences. Conflicts related to sexual violence must thus be referred to the police.

> Sometimes we also directly refer the parties to the juridical system if conflicts include offences (such as violence) to comply with the law that leaves the responsibility for such issues with the Prosecutor (FDI, DRC).[63]

[lxviii] Interviews with LPCs
[lxix] THARS, Oxfam Novib, Dushirehamwe, APDH
[lxx] Agricultural inspector, Uvira ; Registrar of property titles, Uvira.

Likewise, organizations in Burundi also train LPCs to acknowledge the limits of their competencies, pointing out that the law distinguishes conflicts and crimes. Several peace committees make reference to the Law on Persons and Family in cases of violence within households, while physical violence and rape are transferred to the structures of justice.

> Centre Ubuntu strengthens the knowledge of local committees in on criminal and civil law, and monitors committees to strengthen their knowledge of what kind of cases this concerns. We also update our training on the basis of changes in national legislation (Centre Ubuntu, Burundi)'[64]

Second, some organizations consider state legislation as superior, and its application essential to overcome conflict, and repeated appeal. They also observe how **urban or semi-urban elites do no longer recognize the authority of the chiefs, and rather refer to the law**. Likewise, organizations supporting Peace Committees in Burundi endeavour to reinforce their knowledge of human rights and different laws.[lxxi]

> It is difficult to work on the basis of custom. Even if it refers to good practices, custom remains inferior to state legislation. We encourage the community to work on the basis of state legislation. In the mediation of disputes, we strive to refer to the law to avoid surprises later on. (ADEP, DRC)[65]

> The collective deals mainly with household conflicts, especially violence which has not resulted in injuries. When violence exceeds certain limits, the CADEKA collective transfers the case to the justice system and tries to exert pressure to assure that the perpetrator is punished. For example, women accompany women that have been beaten or violated to the Judicial Police officer to assure that their cases are followed up and treated without delay. (CADEKA, Burundi) [66]

Various human rights organizations and women's organizations in Burundi also criticize the shortcomings of the customary institution of the Bashingantahe, as being predisposed against women, and propose that specific laws on women and child rights need be added to the existing provisions of the Code of Persons and Family.

In practice, many interveners and LPCs take a pragmatic approach towards state and customary legislation. They observe how many of the principles of state legislation are gradually integrated into local habits and custom. For instance, LPCs have been trained in mediation techniques, and on how to refer to state law in reconciliation. **More and more, they comply with state legislation to achieve an agreement, while sealing this agreement through customary ritual**. At the same time, they observe many limitations in the reach of an application of statutory legislation

> Whenever we are involved in a mediation, we help the parties to find outcomes that conform to the law. This is to avoid twists. Indeed, there are conflicts that we work on extensively before referring them to the justice system. [...] And sometimes, justice, after having ransomed them for some time, refers the parties back to conciliation in the village. (FDI, DRC)[67]

> If we talk about strengthening custom, this means strengthening values. I am a lawyer. We say: every child has the right to know his parents. To maintain this principle, one has to look into custom, how one considered this principle and how it should be promoted. So, it is necessary not to overlook custom, but starting from custom work towards legislation. Local values could serve as the basis for legislation at the national level. (CCI, DRC)[68]

> The question is whether legislation and human rights will ever arrive at the local level. To protect children and their land rights it is necessary to make have these arrive at the local level. The *noyaux de paix* now solve conflicts according to custom: one asks what custom and law actually say. We first try to harmonize the two, and to arrive at an amicable settlement. If the parties do not agree, we proceed to customary institutions. If necessary, we solve disputes through national legislation. That's why we have trained the *noyaux de paix* on this. The Peace Committees cannot do without custom nor national legislation and human rights, even though the latter supersede custom, and regarding issues about which legal texts are silent, the resolution of conflict is done according to custom (BDR/Uvira, DRC)[69]

The *Comité de Mitigation et de Règlement des Litiges*, established to resolve disputes between farmers and herders in the Ruzizi Plain mentioned that initially they believed that they really referred to custom in their reconciliation efforts. But the extent of the damage (the destruction of crops by cows) forced them to explore what state legislation says regarding the calculation of damages. In fact, agronomists and veterinarians of the *groupement* assist in these estimates. Interestingly, they thus comply with state law to estimate the damages, and resort to custom to reconcile people,[lxxii] or even involve administrative and judicial authorities to authorize the results of the mediation.[lxxiii] This integration

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lxxi e.g. IPB
lxxii Comité Mixte, Bwegera, DRC.
lxxiii Parish community worker, CDJP, DRC.

of custom and law can even be found in the judiciary system, where the judge may conform to custom to contribute to social cohesion.lxxiv

On the other hand, in Burundi, examples involving violence against women demonstrated a certain pragmatism, and a tendency to resort to local conventions in order to keep the peace, which might well be at the detriment of women rights.

> Here in Burundi, both are applied. Especially the Bashingantahe solve conflicts in a customary manner. The Peace Committee refers to national legislation in cases of rape. In some cases of violence, it is sometimes considered better to discuss these in the Peace Committee. Sometimes the woman herself prefers not to go to court. If the Committee has the confidence that violence was incidental, they deal with it in an amicable way, and ask for [excuses]. Considering polygamy, we gave training on legislation, to promote the registration of the marriage or the children women or children at the Civil Registry. Traditionally, one was badly perceived if one did not take into account all women and all children in the sharing of the inheritance. Unfortunately, today this custom is not always respected. (ZOA, Burundi)[70]

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lxxiv Cordaid.

9 How to go about the state and the formal judicial system?

How should LPCs relate the state and the formal judicial system? Should they position themselves as civil society, and as alternative providers of justice and governance, and bypass the state? Or should they instead search for complementariness and collaboration, e.g. in the form of a mutual referring of cases? Should they have the ambition to strengthen the state and its justice system, or eventually integrate the LPC into the state?

The state as a partner?

In many conflict-affected settings, the state is a controversial partner for stakeholders interested in promoting peace and development, especially if state institutions have failed in providing security, accountability and basic services, or have lost legitimacy due to their involvement in conflict. Instead, many humanitarian and development organizations thus engage with civil society and local institutions. These are considered as more effective than governments in providing development needs (Crowther 2001). Moreover, relief and developmental intervention fear that engaging with the state might compromise their political independence (van Leeuwen & Verkoren 2012).

Yet, academic literature and contemporary development discourse acknowledges the need to re-establish the social contract between citizens and state when violence is over. States and their local representatives are considered critical actors in post-conflict transitions, providing security, development, and enabling political representation and accountability (Suhrke et al., 2007). Circumventing the state may be at the disadvantage of its re-establishment. Moreover, while practitioners and academics may portray states in post-conflict settings as alien, 'western', and lacking local legitimacy, local citizens might have other perceptions and expectations of both state and local institutions. For instance, state justice and institutions are not considered illegitimate per se, but have come to be seen as such because of state failure to properly administer justice, and appreciation of state justice may increase with the system becoming more effective (McAuliffe 2013). Likewise, assumed preference of indigenous communities for customary justice may reflect poor access to functioning formal justice, rather than popularity of indigenous systems (Nyamba-Musembi 2003). Finally, establishing local justice and security arrangements in separation of and as alternatives to the state may liberate the state of its responsibilities to provide access to justice and development to all its citizens.

Implications for Local Peace Committees and efforts to support them

Peacebuilding literature does not provide conclusive answers on how LPCs should relate to the state and its local institutions. If committed to peace, states may enable LPCs to play a critical link between local and national peacebuilding. Odendaal & Olivier (2008) point out how recognition of LPCs by the state contributes to their authority and power. Countries that embed LPCs in a national mandate gives 'clout' to LPCs. This helps getting access to national resources, assures that effective linkages are established between local and national peacebuilding efforts, and enhances coordination between local and formal judicial systems. They also argue that integration into state systems provides LPCs with 'teeth', or leverage, due to the backing from the state. The *gacaca* -system in Rwanda, for instance, had (limited) authority to punish offenders, while the South African National Peace Accord enabled, in principle, people with legal authority to reinforce settlements reached by the LPCs. In Kenya, instead, arbitration by local councils of elders was not recognized in the formal legal system, and LPCs were ineffective if wrongdoers did not respect traditional authority (Odendaal & Olivier 2008). Community-based Local Peace Committees may fail to have wider impact if they operate outside the national framework, especially when linking up with political authorities is necessary for the effectiveness of their interventions (McBride & Patel 2007). Informal LPCs are often highly dependent on the broader, political or conflict environment they may no longer be able to operate when the environment becomes very polarized or violent (van Tongeren, 2013)

Otherwise, affiliating of LPCs with state institutions, or membership of government officials might result in loss of local legitimacy and neutrality, or even politicize LPCs. A national mandate may limit local ownership or politicize LPCs (Odendaal & Olivier 2008). Community-based initiatives may reach their impact precisely for their isolation from the wider context. "The moment LPCs are invested with power, they will become an arena for contesting power and thereby lose the critical element of their success – being a non-threatening space where communities

search for inclusive, mutually beneficial options to their problems" (Odendaal & Olivier 2008). A prominent role by the government can endanger community ownership of LPCs as a result of elite capture or local institutions can lose legitimacy if the state is considered illegitimate. Peace committees established in Nepal as part of a national structure at a time when the government was seen as exclusively Maoist, came to be seen as one-sided (Odendaal & Olivier 2008). Active citizen participation in LPCs may depend upon the non-governmental character of the structure. In periods of transition, the use of enforcement may reduce legitimacy of the LPCs, and a consensus based approach may be more productive. "The fact that LPCs mostly operated in a context of high distrust and weak governance [makes] the imposition of authority highly problematic and counterproductive. Where LPCs had success it was because of their ability to facilitate consensus and not because of their powers of arbitration" (Odendaal 2008).

Experiences from LPCs and their support in Burundi and Eastern DR Congo

Local and international development organizations in South Kivu and Burundi have radically different perspectives regarding this question. On the one hand, several peacebuilding organizations consider that the LPC are structures that are part of civil society and need to remain independent of (local) government.

> The CCI considers itself in the first place as a structure of civil society. Its way of working is the promotion of contractual arrangements between the actors in order to guarantee peace in the community. We resort to the State only in case of advocacy (CCI, DRC)[71]

> Our context analysis of the work of community structures recommends that structures at the local level need be neutral and independent, to respond to the needs of all sections of the population, as government structures may be one-sided (Centre Ubuntu, Burundi)[72]

Many interveners underscore that **LPCs should fill a vacuum in services provision left by the administration** and the distant and corrupted judicial system. As such they fulfil a role next to the local authorities, for which they are appreciated, and sometimes they need each other. As an independent body, they can even strengthen the state if they establish proper collaboration.

> The *Comités Ubuntu* are independent community structures. In their daily work they forge collaborative relationships with government structures at the local level. In fact, *Comités Ubuntu* are recognized and enjoy popularity at the local level, which reinforces their recognition by administrative structures at this level. The *Comité Ubuntu* is not only appreciated by the population but also by the local administration, that sees its usefulness in ensuring peace in the community. The administration at the local level often makes use of these committees for the mobilization of populations, as they are better listened to. However, conflicts between certain groups and locally elected officials or the Bashingantahe have been encountered in some of the new [localities] where committees were established. (Centre Ubuntu, Burundi)[73]

> The structures trained by CENAP include all actors influential in peace and the management of community life. In their daily activities, they create synergies with other existing organizations of civil society. The initiative strengthens the actions of the State rather than replacing them. (CENAP, Burundi)[74]

Various organizations in Burundi point to risks involved in working with state actors. For instance, they fear that the inclusion of members of the government could dilute the neutrality of the committees or that the government might dominate the peace committees and infiltrate or manipulate the structures.[lxxv] Some describe how government representatives try to use such local structures for political mobilization.[lxxvi] Others notice how since the third-mandate demonstrations government has become suspicious towards civil society organisations, and tries to control the actions of the peace committees.

> Local officials have become advisors to the *Noyaux de Paix*. All parts of the population are represented in the *Noyaux*, but because of the participation of officials manipulation remains a risk. There is always political pressure. (ZOA, DRC)[75]

On the other hand, several peacebuilding organizations consider that LPCs should collaborate with or even gradually integrate into state institutions. This would make these committees more effective and help to create space for dialogue between citizens and the state. In DRC, intervening organizations reason that LPCs at the village level need to include the customary chief, who in the Congolese administrative set-up is part of the public

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[lxxv] Interviews with Centre Ubuntu (Burundi), EMUSO, OPDE, Impunity Watch, la Benevolencia, and Dushirehamwe, Libwe Mufumbe, Uvira, DRC.
[lxxvi] Centre Ubuntu, OXFAM, CENAP, CADEKA and THARS

administration. From such a perspective, the LPCs would eventually be assimilated into the 'council of wise men', which should preside over or closely scrutinize the chief of the village, *groupement*, or Chieftaincy. Hence, the LPC would become an entry point for popular participation in local governance, through administering popular justice.[lxxvii] Therefore, the LPC should then naturally move closer towards local public administration, as a space for dialogue between civil society and public authority,[lxxviii] and might as such reduce the distance to the state and the mistrust between citizens and the state.

> The CDM are in the first place a strategy to implement actions for conflict transformation. It should not remain static. It must evolve over time and depending on context. A typical example: in Bunyakiri, we just had a new experience, where we decided, in addition to all social classes and ethnic groups, to include delegates of all other existing social structures into the CDM, for example the committees for health, parents, or protection of children. In the end, the CDM may develop into a Local Development Committee. In this sense, it will be able to integrate public services or become a joint framework for dialogue between civil society and public authorities in the decentralised administration. For example, it would become responsible for analysing or elaboration of development plans. (APC, DRC)[76]

Moreover, in the experience of several interviewees, despite their experiences with state violence, **many citizens in eastern DRC still consider the 'state' as the most appropriate stakeholder to provide governance and development. Collaboration is thus necessary as it may help re-establish the state**. In this connection, various interviewees pointed out that the autonomously operating LPCs may result in that government structures no longer consider themselves responsible for justice and development.

> Nevertheless, it is worth pointing out that there is sometimes overlap in the work of mediation, especially between committees and locally elected representatives, the municipality, and the first instance courts, the police, and civil society organizations. The committees facilitate the work of the state but want to create relationships of collaboration with all these structures, so that the State doesn't disengage from its responsibilities and leaves them to the peace committees. (MIPAREC)[77]

Intervening organizations in Burundi consider that **linking to or inclusion of representatives of the local administration contributes to their effectiveness**.[lxxix] Community structures that include members of the local administration may facilitate their recognition and assure their legitimacy in the eyes of local government. If government representatives are included this should happen on personal title. Some organizations even argue that LPCs should ideally be established as part of the local administration

> The reconciliation groups trained by Thars are requested to be and remain independent community structures, yet incorporate other actors of civil society, as well as government authorities, to assure it remains inclusive in the management of community problems. As such, they are already endorsed by the local authorities, which have given them a comfortable workspace. (THARS, Burundi)[78]

> Development of individual leadership of the Committee members, practising the value of Ubuntu, and ethics are the values that the *Centre Ubuntu* instils in the membres of the Ubuntu Committees. Strengthening their understanding of roles and responsibilities of each other, locally elected representatives are trained at the same time as the Ubuntu committees. Members of the *conseil collinaire* may be members of these committees, based on their personal integrity. The *chef de colline* is always consulted about the activities of the Ubuntu committees. (Centre Ubuntu, Burundi)[79]

Collaboration would also prevent confusion and duplication of roles. Interviews in Burundi with peace committees showed a multiplication of conflict management activities in some communities, with several intervening organizations using parallel but different approaches without consulting with each other, at the risk of confusion and duplication.

[lxxvii] Me Célestin, former coordinator of IEDA
[lxxviii] Cordaid
[lxxix] Cordaid, CENAP

10   A permanent or a transitional structure?

Local Peace Committees could be permanent; or transitional -and thus temporal- structures, which gradually integrate into state structures or eventually dissolve when they cease to play a role.

Different trajectories of LPCs

Odendaal & Olivier (2008) found that LPCs tend to be transitional mechanisms aimed at filling a void or weakness in governance. This is particularly the case when security services, the justice system and the bureaucracy lack legitimacy or capacity; for instance, after peace agreements and political reforms. LPCs may then temporarily take on responsibilities like dispute resolution, or provide spaces for public expression and debate. During South Africa's transitional period from1992-94, when the apartheid government was still in power, LPCs offered a channel for citizens to express their anger and frustration, and served as a legitimate forum for contesting power (Nathan 1993, in Odendaal & Olivier 2008). LPCs in Kenya, building on traditional institutions, deal with cattle rustling and interethnic conflict in the Rift Valley, as community members consider that they are better able to manage their own conflicts than government institutions (Adan and Pkalya 2006, in Odendaal & Olivier 2008). However, when government has successfully addressed its weaknesses, LPCs may become less important in contributing to and maintaining comprehensive peace, and may be resolved.

However, in some instances, LPCs are instead institutionalized as complementary institutions. For example, in Ghana, District Peace Advisory Councils were promoted by the government, not as a response to governance weakness, but because government acknowledged the appropriateness and importance of community dialogue and mediation (Odendaal 2008). They were eventually institutionalized as alternative conflict resolution mechanisms.

Implications for Local Peace Committees and efforts to support them

When promoted as permanent structures, LPCs might need to adapt to stay relevant to context. For instance, they might chose to shift more towards local development, or towards advocacy on a more permanent basis, and become a watchdog on government justice provision. This has implications for their internal organisation, and requires changes in procedures for membership, or accountability towards the community. A concern may also be to assure state recognition, and acknowledgement of their roles in and the ways in which they cater for community peace, security, and resolving disputes, to prevent confusion about who is in charge of these services. Permanence also raises questions about financial sustainability, and the extent to which LPCs are locally owned rather than maintained from outside.

If LPCs are seen as temporary structures, this assumes that state institutions (re)take responsibilities for the provision of security and judicial services accessible to all. From the inception of an LPC, it might be considered already when and on what criteria a later transfer of responsibilities should take place.

Experiences from LPCs and their support in Burundi and Eastern DR Congo

For some intervening organizations in DRC and Burundi, the LPC are temporary, transitional structures, that are born out of a crisis and a need to provide an alternative for dis-functioning public institutions. If the local administration, including the police and the court system, function normally again and manage to regain the confidence of the population, it will retake responsibility for mediation and conciliation of disputes.[lxxx]

> The Peace Clubs trained by IPB are set up to solve the problem of lack of structures to promote peace in the governance system of the country. These Peace Clubs will evolve with context. If the problem is resolved definitively or taken care of by the Government, Peace Clubs will no longer have a reason to exist (IPB, Burundi)[80]

The Congolese judiciary encourages pre- and post-trial reconciliation between parties to a conflict for all civil cases (including for instance regarding debts and interests). Such reconciliation may be facilitated by an external mediator, lawyer, police officer, or judicial inspector. If the parties agree, they shall inform the judge who then endorses the

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[lxxx] *Chef de Cité* of Sange ; Agricultural inspector, Uvira (DRC) ; IPB (Burundi)

outcome by making Act of conciliation binding. It is this legal provision that is actually used by some intervening organizations to formalize agreements reached by LPC's.[lxxxi] Yet, those who believe in the transitional character of the LPC consider that this provision would eventually make LPCs superfluous.

Many peacebuilding organizations, however, consider that conflicts are a permanent characteristic of society and highlight the need for more permanent LPCs. Burundian organizations argue that the government lacks the financial means to provide conflict-resolving services in all local communities, as well as accountability and transparency, while local government structures are often seen as linked to certain political parties, and prioritise these parties' members in service provision. Considering the lack of public confidence in the state, additional structures that focus on restoring relationships are important.

> It is recognized that, even when the State is strong and competent, problems in the community may not always be resolved by the government structures; there will always be a need for community structures. The functioning of the government system demonstrates a 'communication gap' between those that governed and the administrators, hence, there is a need for a connecting structure, which is the community structure which remains close to the community. (CENAP, Burundi)[81]

Likewise, interveners in DRC emphasise the structural overstretching of state judicial institutions. They consider that the LPCs provide in a permanent solution, as they may avoid that poor citizens have to go through long and expensive trials, and may reduce the task-load of the judicial institutions, as LPC can easily take over a number of relatively straightforward conflicts.[lxxxii] Considering that judges recognize the virtues of mediation, and may ratify the acts of conciliation established by such local tribunals, their mediation function should be recognized and legalized officially. **Interveners in DRC also point out that LPCs have become important platforms for citizen participation in local governance**.

> The *CCI/Comité de négociateurs* will not disappear but will transform into a kind of connection between the State and civil society for dealing with complex cases. For example, the communities of Fizi and Uvira are militarized since the 1960s. This will not come to an end overnight. Pacification will require a long process of building trust in the community, and between civil society and the State. (RIO, RDC)[82]

> The Local Peace Committees should be community structures, which should evolve to be at the service of the [community]. This perspective, which we did not have initially, emerged gradually from the work of the CDM and the requests that were addressed to it by the community and even the local authority. In fact, when LPC members meet, they not only deal with conflicts, but with all the problems of the community. (APC, RDC)[83]

When considered as permanent structures, there are many constraints to their sustainability. How to maintain commitment and motivation to continue the work after the withdrawal of the donors (ACORD, Impunity Watch, OPDE)? How to prevent that LPCs get as corrupt as government structures (Thars)? How to prevent multiplication of community structures on the ground with often different approaches, which may result in confusion and competition (FOCHI, workshop)?

This leads intervening organizations to implement exit strategies, including capacity building of LPCs, to enable to conduct analyses of risks and opportunities, and on how to better organize themselves, and maintain popular legitimacy through the provision of quality services. Another strategy is to create alliances with other organizations, and improve collaboration with (government) structures. This is often seen to require additional strengthening on how to prevent destabilisation or manipulations by political parties and the government administration.

> We need structures that are taken over by the local population. There is a need to operationalize these structures to make them effective in a sustainable way and complement government action. To assure their sustainability there is also a need to strengthen their technical and financial autonomy, as well as [a need for] an environment that acknowledges their work (CENAP, Burundi)[84]

Experience shows however, that often little remains of LPCs after support programmes come to an end. Most LPCs lack maturity and (financial) motivation, lack resources previously provided by the supporting organization, or get politicized.

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Conclusion and recommendations

Rather than to identify the most effective ways of setting up Local Peace Committees, the ambition of 'Enhancing Local Peace Committees' was to study the strategic choices interveners and local stakeholders make in the establishment of Local Peace Committees. We started from the idea that intervention strategies hinge on stakeholders' analyses of conflict situations and local justice, and may change over time, e.g. in response to developing violence or political change. Moreover, we considered that intervention strategies may be guided by a range of other considerations, notably stakeholders experience, assumptions, and common intervention models; but also (subjective) prioritization and beliefs about what should happen to achieve peace.

These ideas were largely confirmed, though it was striking that, once in place, intervention strategies seldom changed any more. Another important finding was that strategizing for peace often requires compromising between what should ideally happen, and what seems locally possible, and that decisions on this may be subjective. Ongoing violence was often a major motivation in deciding what to do. However, in both countries interviewees referred to substantial changes in the intensity of violent conflict, which did not necessarily reflect in changes in intervention strategies.

Overall, findings result in the following recommendations to development practitioners:

- Make assumptions, models and beliefs explicit in defining strategies to establish or support LPCs, so that these assumptions can be discussed, checked, and monitored. The 10 strategic questions identified over the course of the project, and the toolkits developed are practical tools to guide this process.
- Regularly review the context, conflict developments, and consequences for the LPC interventions during implementation.
- Take into account more systematically peacebuilding processes and actors (development organizations, LPCs, but also other actors) at both local and other levels, so as to assure complementariness and integration between different levels. Here, intervening organizations might have to ask themselves the question whether supporting local peacebuilding is ambitious enough. Again, the toolkits and 10 questions + guides are helpful for making these analyses.

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Endnotes

1 « On ne peut pas faire la paix sans justice. Il faut d'abord une justice. C'est pourquoi les comités arbitraux rendent justice d'abord pour bâtir la paix. On met en symbiose l'arbre à palabre et la paix. L'inverse, serait une approche politique qui consiste à amnistier les criminels pour faciliter la paix. C'est pour éviter la remise à cause que le juge entérine. Nous payons 100$ par jugement arbitral entériné au tribunal. […] Aujourd'hui, la partie qui a intérêt dans l'application de la sentence paie » (UPDI).

2 « Les gens cherchent la paix, parce que le conflit a duré si beaucoup de temps, depuis la rébellion Muleliste. On veut la réconciliation. La Justice punitive engendre la résistance et une nouvelle violence. Les gens préfèrent la paix, plus tôt que la justice punitive » (FOCHI, workshop).

3 « Le choix pour la justice détériore le conflit. Si quelqu'un est mis en prison, qui va prendre en charge les enfants ? Une bonne étude du conflit aide à la solution. La justice contribue à sa continuation. La justice restauratrice est une sorte de paix » (CARE Burundi, workshop).

4 « Les arrangements à l'amiable, pour peu qu'ils balisent la réhabilitation de bonnes relations sociales, sont privilégiés par rapport à la justice. Le recours à la justice coûte que coûte n'est pas bien indiqué dans notre stratégie : elle coûte cher, en argent et en temps. Si quelqu'un est coupable, on le sensibilise pour reconnaître son forfait et faire amende honorable » (IJED).

5 « Dans un conflit foncier à Kiliba, où un homme avait pris la terre d'un autre et son fils s'était enrôlé dans les milices dans l'objectif de se venger, on a invité la Baraza, qui l'a conscientisé, grâce à la médiation, d'arrêter la violence et de retourner la terre. Maintenant ils habitent pacifiquement ensemble. Ils se sont remis dans leurs droits. A Rugenge, un homme avait déjà été mis en prison pour cause d'adultère. La Baraza, grâce à la médiation, avait convaincu le mari à retirer le dossier à la police en libérant son adversaire et de discuter son cas localement. Si on met quelqu'un en prison, sa famille peut continuer à accuser l'autre partie, en disant que c'est grâce à l'opposant que les enfants n'auraient pas d'argent pour aller à l'école. D'où, le cycle de conflit continue » (FOCHI, workshop).

6 « Auparavant, lorsque les vaches détruisaient les champs des paysans il y avait des mesures et des sanctions strictes à infliger aux propriétaires. Mais on s'est rendu compte que ces mesures attisaient davantage le conflit et les inimitiés. Quand le Comité Mixte facilite la médiation de tels conflits, le propriétaire de la vache est appelé dans tous les cas à payer des indemnités pour les dommages subis. Mais ces payement sont souvent symboliques pourvu de sauver la paix et la concorde » (ADEPAE).

7 « Justice comme institution plutôt complique la situation. Peut-être les gens voudraient la justice, mais dans l'absence ou faiblesse du système juridique, les gens préfèrent la paix » (workshop March 2016).

8 « Dès qu'un conflit est déclenché, on cherche d'abord à éteindre le feu. C'est le premier pas dont on ne peut se passer. Mais pour construire une paix durable, on travaille sur les causes profondes. Parce que les conflits sont complexes. En effet, le choix du CCI s'inscrit dans l'approche de recherche – action participative, dont les premières phases ont consisté à documenter les conflits et à organiser les dialogues interethniques. Ce sont les actions définies à ces deux premières étapes que le CCI met en œuvre depuis 2011 » (CCI).

9 « Nous oscillons également entre les deux. C'est dans un objectif de construction d'une paix positive que notre approche est centrée sur la recherche – action. Les actions de paix se fondent sur une évidence dégagée de la théorie de changement construite à l'issue de la phase de recherche. C'est notamment la régulation de la transhumance qui s'est dégagée comme l'instrument de la pacification des relations entre les communautés d'éleveurs et d'agriculteurs. Cependant, en abordant la question du désarmement, nous nous sommes heurtés à la résistance, le dossier étant politiquement très lourd parce que lié à l'histoire militaire du pays et au dysfonctionnement des institutions issues de l'Accord de paix entre les belligérants. Nous avons dû nous contenter de la sensibilisation des groupes armés tout en sachant que le problème de fond et les revendications populaires restent intacts » (RIO).

10 « Le CADEKA vise dans un premier temps l'arrêt ou la réduction des violences à travers la résolution non violente des conflits. Il est capable de traiter les causes profondes des conflits au niveau communautaire mais n'ont pas les capacités ou la compétence de traiter les causes structurelles qui sont souvent à la base des divisions et de l'injustice. Ces causes sont très sensibles car elles concernent spécialement les décideurs politiques. Analyse des conflits limitée au niveau des causes superficielles, évaluation des risques et des capacités du Collectif » (CADEKA, Burundi).

11 « Nous nous positionnons dans la paix négative, parce qu'on ne peut pas anticiper les conflits qui vont surgir dans la communauté. Nous sommes pris aussi au dépourvu par l'ampleur des conflits et nos limites à impulser une solution à la hauteur. Par exemple pour le conflit de pouvoir coutumier qui oppose les communautés ethniques, les Barundi et les Bafulero, à notre niveau, nous avons analysé les causes profondes et les solutions idoines. Il s'agissait d'organiser les élections locales qui puissent permettre à toutes les communautés de participer au pouvoir, à travers les représentants dans le Conseil de chefferie qui doit travailler avec le Chef. Mais on n'a pas été écouté, et le gouvernement semblait non seulement partial et faisait pourrir la situation en négligeant la tenue des élections locales. Comme ce n'est pas notre mandat de mettre en œuvre cette solution politique, notre action se limite à construire la paix, dans la communauté, dans la vie quotidienne sans toucher à ce problème de fond » (IJED) ; « IJED avait des grands idéaux, mais dans la réalisation nous avons trouvé beaucoup de contraints, c'est pour cela que maintenant ils se focalisent sur la paix négative » (IJED, workshop).

12 « La dynamique de paix est prise au piège au Congo. A cause de l'approche projet qu'appliquent les ONG. Ce sont des projets conçus avec des indicateurs de développement. On compte le nombre de conflits… et à la fin on dit qu'on a contribué à la paix. C'est faux. Le contexte demande de faire la part des choses : est-ce possible qu'une ONG construise la paix sans que l'Etat soit au centre du processus. Or, beaucoup de questions au Congo sont liées au dysfonctionnement de l'Etat et autres problèmes structurels : pauvreté, impunité, etc. Ex. Des responsables politiques qui sont à la fois des acteurs de conflits. Les ONG récupèrent ces questions comme étant celles de la paix à construire. C'est le cas des conflits ethniques sont en réalité des questions politiques. Des intérêts des acteurs politiques sont attribués, par procuration aux communautés ethniques. Il est important de dissocier le dysfonctionnement de l'Etat avec les conflits. Dans le contexte particulier qui est le nôtre, l'acteur politique n'a pas intérêt à structurer un Etat de droit, qui va lui demander de rendre compte » (UPDI, DRC).

13 « Nous appliquons simultanément les deux approches. Parce qu'on a des structures à différents niveaux. Les comités mixtes de règlement de litiges (CM) traitent la paix négative : ils font la médiation au quotidien. Pour les CCI, c'est la paix positive parce qu'ils prennent le temps de faire l'analyse de contexte et de proposer des solutions plus ambitieuses. ADEPAE accompagne les CCI ; et les CCI accompagnent les CM de concert avec l'animateur de base. Ces structures sont les résultats de la recherche-action participative » (ADEPAE).

14 « CENAP associe à la fois la stratégie de promotion de la paix négative et la promotion de la paix positive. En effet la raison d'être des acteurs locaux dans la gestion des conflits est de faciliter la cohabitation pacifique entre les communautés par la médiation des conflits au quotidien. En outre les GDP facilitent l'identification des causes des conflits au niveau communautaire et propose des stratégies pour les mettre en œuvre. Un des aspects ressortis sur les causes profondes des conflits est le chômage des jeunes et le non accès aux ressources par les populations. CENAP facilite les activités de plaidoyer depuis le niveau provincial, national et international pour susciter les engagements des décideurs à résoudre les causes politiques et socio-économiques des conflits. A cote de la résolution des conflits, CENAP met en œuvre des projets générateurs de revenus en faveur des jeunes et d'autres groupes défavorisés » (CENAP).

15 « IPB voudrait toucher les causes profondes du conflit burundais qui est un mauvais système de gouvernance qui a créé des frustrations et les violences. L'IPB vise un objectif de bâtir une jeunesse instruite modèle dans les campus et la communauté d'origine et à plus long terme une génération des leaders promoteurs de la paix qui vont impulser la lutte contre les injustices et les discriminations » (IPB).

16 « Les comités de paix ont leur premier rôle de gestion et transformation des conflits à travers la médiation, les dialogues de réconciliation communautaire. En effet les comités de paix ont été renforcé pour aider la communauté dans le règlement des problèmes à l'amiable en vue d'éviter que les conflits ne dégénèrent en violences. En effet les comités de paix n'ont pas les capacités de toucher la paix positive à travers les activités visant la réduction des causes profondes comme la promotion de la justice sociale ou la réduction des inégalités sociales. Leurs moyens de travail se limitent à favoriser une cohabitation pacifique des citoyens sans parler d'autres questions qui touchent les systèmes de gestion politiques, sociale et économique du pays, ces questions étant plutôt traitées par d'autres organisations de la société civile » (MIPAREC).

17 « Nous soutenons la paix à la base, conformément à notre théorie de changement. Cependant les premiers résultats ont montré une interconnexion des conflits au point que nous avons dû aborder plusieurs conflits, notamment ceux qui sont liés à la gouvernance locale. A plus de la problématique de la transhumance, notre projet a intégré la démobilisation des groupes armés, la transparence et la traçabilité des taxes dans les entités territoriales décentralisées » (RIO).

18 « Au départ, l'ambition du CCI était très grande et visait donc une paix généralisée. Dans l'esprit de la table – ronde intercommunautaire à l'issue de laquelle les CCI sont nés, entendait impulser un processus de paix qui touche à toutes les dimensions de la vie communautaire : les conflits interethniques, l'activité des groupes armés, la gouvernance… Mais au moment de la mise en œuvre du plan d'action, on a dû se ressaisir pour se concentrer sur la paix à la base, en allant par pallier. Le premier palier qu'on a décidé d'entamer, c'est le conflit interethnique engendré par la transhumance. Il concerne les communautés d'éleveurs et d'agriculteurs qui cohabitent au quotidien » (CCI).

19 « Le Centre Ubuntu est intéressée par la paix à la base, la raison de ce choix est que les comités Ubuntu ne pourraient produire un impact au-delà de la communauté où ils ont gagné l'influence et la légitimité. En outre la paix locale est l'aspiration profonde de la population qui trouve intérêt à sauvegarder leur sécurité et les relations entre voisins en renforçant les systèmes d'entraide communautaire. La paix généralisée impliquerait l'implication d'autres acteurs extérieurs à la communauté ce qui risque d'être difficile ou même risquant aux membres des communautés » (Centre Ubuntu).

20 « Le collectif a pu rassembler les jeunes issus de différents groupes armés en facilitant le dialogue et la cohabitation. Actuellement la zone Kamenge est restée calme durant toute la crise politique de 2015 à nos jours. Le collectif a empêché les violences entre les manifestants opposés au 3ème mandat du Président et les jeunes de Kamenge qui n'ont pas pris part aux manifestations. Le collectif pense qu'il est capable d'influencer les autres zones limitrophes à savoir Ngagara et Cibitoke et organiser ainsi une coalition des structures communautaires de promotion de la paix au-delà d'une seule zone » (CADEKA).

21 « Au niveau local, les GDP traitent aussi bien les conflits familiaux et communautaires. Dans la commune tous les acteurs sont impliqués dans les GDP à savoir l'administration communale, les services gouvernementaux comme la police, la justice et d'autres, ce qui confère au GDP la capacité de résoudre des questions plus générales au niveau communal. En outre ces GDP sont représentés au niveau provincial et national pour traiter les questions qui dépassent la compétence locale en les soumettant aux preneurs de décision dans des échelons plus élevés (provincial, national). Notre stratégie de travail ainsi que les études réalisées ont montré que l'association de ces structures constitue un atout incontournable dans la promotion de la paix » (CENAP).

22 « La paix généralisée est celle visée par IPB à long terme sachant que dans le court terme la paix locale est promue; il veut transformer la société en général à travers la formation des leaders responsables qui vont intégrer les valeurs de paix, de démocratie et de bonne gouvernance dans la société burundaise. Les membres des clubs de paix sont formés pour promouvoir la paix dans les campus d'abord et servir de modèles dans leur communauté respective. Après l'université, les cadres seront des modèles dans les services qu'ils occupent et ainsi par effet d'échelle, renforcer la paix généralisée." (IPB).

23 « Nous travaillons sur le conflit. Puisque nous avons décidé de nous professionnaliser et de nous spécialiser dans la transformation des conflits pour transférer progressivement les compétences et l'expertise aux comités locaux, à l'occurrence les Cadres de Concertation Intercommunautaire (CCI). Cela nous a amené à ne soutenir que les actions paix proprement dites, c'est-à-dire les actions qui visent le rapprochement des communautés, le changement des attitudes et des changements des institutions ou du contexte générateur des conflits » (RIO).

24 « On travaille, dans la ligne droite des travaux de J-P Lederach sur la dimension structurelle et culturelle du conflit. Par exemple, pour transformer les conflits fonciers, nous traitons les modes d'acquisition des terres. Dans ce cas précis, le conflit s'explique dans un contexte de dualisme institutionnel coutume – loi. Tout en travaillant sur des stratégies de changement, de transformation sociale des acteurs, nous essayons de travailler avec les autorités étatiques pour le changement de certaines lois qui constituent la source de violence. Dans une certaine mesure, on a exécuté des projets de stabilisation » (APC).

25 « Thars voudrait tout d'abord guérir les mémoires pour arriver à découvrir la vérité et la réconciliation qui sont pour Thars, des bases pour arriver à la paix » (Thars).

26 « IPB travaille principalement dans la paix en mettant en avant la sensibilité au conflit. La raison de ce choix est qu'IPB veut investir dans la jeunesse qui connaît déjà le conflit dans la préparation du terrain pour éviter les conflits dans le futur. IPB aide les jeunes à connaître le conflit et faire en sorte que ce conflit disparaisse à travers plusieurs actions combinées : la guérison des mémoires, la vérité, la promotion des valeurs de paix à travers un leadership responsable » (IPB).

27 « Entre 2008 et 2011, nous étions en duel avec notre bailleur […] qui voulait seulement travailler avec des ONG spécialisées dans la transformation des conflits, focalisées sur le conflit. Mais nous n'étions pas d'accord parce que nous sommes persuadés qu'il n'y a pas de paix sans pain. Depuis lors, nous avons cherché des bailleurs plus ouverts et désormais nous sommes sur tous les plans. Avec les structures comme le CM/CCI, on travaille sur le conflit. Avec les coopératives agricoles, on travaille dans le conflit. Ex. Le fait de mettre les gens ensemble ne conduit pas directement à la paix. Pour nous, paix et développement vont ensemble » (ADEPAE).

28 « Au début du projet il y avait le problème de chefferie contesté (2 chefs), ce qui était un problème au niveau du groupement que ZOA ne pouvait pas toucher ou influencer. Donc le contexte a largement influencé cette réponse. En plus ZOA était nouveau dans la zone. » ; « En d'autres termes, lorsque les membres d'un LPC se rencontrent, ils ne parlent pas seulement de conflits, mais de toutes les questions qui intéressent la vie en communauté : santé, scolarité, agriculture, politique, sécurité. Par ailleurs, les conflits sont une question sensible qui se trouve au cœur de la vie politique locale, qui froisse les susceptibilités et réveille les mémoires blessées. Est suspecte toute personne externe à la communauté qui en parle, fût-il le staff d'une ONG. La stratégie de ZOA est donc judicieuse. L'idée est aussi que le renforcement de la résilience au niveau de base peut la rendre moins susceptible à la manipulation par les tireurs de ficelle à haut niveau » (ZOA).

29 « Nous sommes d'abord un syndicat paysan engagé dans la professionnalisation agricole. La construction de la paix s'est imposée comme un impératif puisque l'atteinte de notre objectif initial se trouvait hypothéqué par les conflits fonciers et intercommunautaires. Donc la promotion de la paix est une dimension d'un projet plus global » (UPDI).

30 « La paix est seulement un partie de l'approche : projet de développement, mais, la paix est un thème transversal » (ZOA, Burundi).

31 « Le Centre Ubuntu travaille à la fois sur le conflit et dans le conflit ; l'objectif est de résoudre et transformer les conflits en se basant sur les causes présumées des conflits. Le Centre Ubuntu considère les intérêts des communautés à savoir la cohabitation et le maintien des relations dans une communauté transformée. En outre les comites Ubuntu assurent que les activités de développement profitent à tous pour qu'elles ne soient causes des conflits et faire un suivi pour prévenir les conflits au sein des communautés et le adoption de la culture de paix, une sorte de sensibilité au conflit » (Centre Ubuntu).

32 « C'est l'approche verticale que nous appliquons. Parce que nous sommes conscients que la communauté à la base est entraînée dans des conflits d'intérêts qui opposent les élites. Nous sommes en interaction avec ces élites qui vivent à Bukavu ou à Kinshasa et nous les appelons au téléphone. Un jour, en 2014, nous avons invité les députés Rutoba / MSR, Bitakwira /ex-UNC, Mushonyo, (le président de l'assemblée s'était excusé) à une « Tribune d'expression populaire »une activité au cours de laquelle nous mettons face à face toutes les parties, du simple citoyen à l'acteur politique, pour échanger les points de vue sur les questions de l'heure, à l'occurrence le conflit interethnique. C'était un grand succès parce que les gens se sont défoulés, dans une sorte de catarsis. Les Barundi et les Bafulero se sont exprimés librement. Conclusion : pour résoudre ce conflit, il faut laisser le gouvernement agir. C'est là qu'on a aussi constaté une sensibilité des conflits liés aux actions humanitaires. Faute de moyens, on n'a pas continué l'exercice » (IJED).

33 « Maintenant il y a aussi des activités qui visent la paix et des contacts informels avec les élus provinciaux par rapport à la situation sécuritaire dans la plaine. Et il est prévu d'organiser une rencontre avec les élus et les organisations de la société civile. Néanmoins, le travail avec des leaders/élus a des risques à mitiger ou à bien suivre. Par exemple pendant les élections 2016 ZOA risque d'être vu comme partisan d'un parti politique » (ZOA).

34 « Le collectif CADEKA est une structure communautaire qui agit au niveau de la zone. C'est un collectif des associations situées dans tous les quartiers de la zone Kamenge. La structure est représenté à la base par les membres situés dans les quartiers tandis que le collectif comme association agit au niveau de la zone. C'est une sorte d'intégration verticale qui se limite du niveau quartier au niveau zone sans une autre représentation au niveau de la commune ou de la mairie car c'est un collectif local. Localement le CADEKA collabore avec les autres structures telles que les Bashingantahe et les élus locaux dont certains se retrouvent dans le collectif » (CADEKA).

35 « Des questions qui dépassent les compétences des GDP communaux sont traitées par d'autres niveaux plus compétents, l'exemple des cas d'emprisonnement des jeunes membres des partis politiques d'opposition durant la crise de 2015. Cette question a été traitée et les prévenus relâchés après un lobbying au niveau de la province par les GDP de Cibitoke » (CENAP).

36 « On préfère traiter avec les Connecteurs. On n'est pas dans une démarche de confrontation » (UPDI).

37 « OPDE a considéré les jeunes dans leur ensemble comme membres potentiels des clubs de paix. Les comités de paix sont composés des connecteurs et des diviseurs de tous les groupes en conflits. Avoir les connecteurs et les diviseurs ensemble peut être bénéfique car si les diviseurs parviennent à changer en connecteurs, la réussite sera plus grande mais à l'opposé si les diviseurs prennent le dessus sur les connecteurs, alors la paix sera compromise » (OPDE).

38 « Dans la pratique celui qui est guéri du traumatisme est plutôt parmi les promoteurs de la paix et il est utile. La théorie de réconciliation se veut d'être inclusive si veut promouvoir une paix durable » (THARS).

39 « Le CCI quant à lui est un conglomérat d'acteurs qui peuvent être à la fois diviseurs ou connecteurs. Il est constitué des délégués qui ont le mandat de négocier et de défendre l'intérêt de leurs communautés ethniques. Dans la médiation du conflit Barundi – Bafuliiru, certains membres des CCI ont été cités comme étant parmi les tireurs de ficelle des conflits » (CCI).

40 « Faire une analyse des connecteurs et diviseurs est difficile car dans différentes situations les acteurs peuvent jouer différents rôles. L'idéal est de mettre les deux parties (connecteurs et diviseurs) ensemble » (discussion in workshop).

41 « Le travail de gestion transformation des conflits doit inclure toutes les composantes de la population /communauté, il est déconseillé d'exclure une partie soit qu'elle divise au risque de compromettre le résultat. Le travail des comités de paix est de réconcilier les membres de communautés en conflits sachant que dans l'un ou l'autre groupe il peut y avoir des diviseurs et des connecteurs et chaque groupe doit être représenté par les membres ayant reçu la confiance des groupes qu'ils représentent. [En plus,]qui et combien sont les diviseurs et les connecteurs n'est pas statique mais dynamique, ça change par contexte, situation, domaine, etc. Les comités ne sont pas ciblés comme connecteurs/diviseurs, mais le comité doit focaliser son travail sur les diviseurs et les connecteurs » (MIPAREC, workshop).

42 « Notre approche ne nous sert pas d'identifier les connecteurs ou les diviseurs mais les connaissances locales des membres des GDP font que les connecteurs et les diviseurs membres des communautés sont tous intégrés sans les qualifier. Le critère le plus important c'est l'acceptation de contribuer à la paix et l'adhésion au code de conduite des GDP » (CENAP).

43 « La procédure courante pour les comités de paix est de chercher les représentants des différents groupes communautaires (femmes, leaders, jeunes etc.) sans analyser la qualité de ces représentants concernant leur moralité ou leur acceptation par la communauté, etc. Les comités doivent être contrôlés par des connecteurs avec une minorité des diviseurs. Quand il y a une majorité des diviseurs dans le comité il y aura des problèmes. Pour ça, l'acceptation du comité par la communauté est un critère très important pour la composition du comité » (ZOA DRC).

44 « L'approche de MIPAREC est de faire une formation communautaire avec l'idée que tout le monde soit atteint par les enseignements de la paix, puis les connecteurs et diviseurs sont invités pour la formation du comité de paix. Les diviseurs sont ciblés avec l'objectif de transformer ces diviseurs en connecteurs. Pour être effectif il faut impliquer les diviseurs, en même temps la composition du comité de paix doit être acceptée par la communauté. Qui et combien sont les diviseurs et les connecteurs n'est pas statique mais dynamique, ça change par contexte, situation, domaine, etc. Donc, les comités ne sont pas ciblés comme connecteurs/diviseurs, mais le comité doit focaliser son travail sur les diviseurs et les connecteurs » (MIPAREC).

45 « Le CCI s'intéresse d'abord aux gens de bonne volonté. C'est à partir de ceux-ci que nous identifions les diviseurs, qui sont approchés et invités, en aparté. C'est inévitable » (CCI).

46 « Les acteurs de l'ombre ne sont pas prêts à vous recevoir et à vous dire la vérité. On se rabat plus sur les communautés. On se concentre sur les connecteurs parce que ce sont eux qui nous donnent les pistes de solution viables » (ADEPAE).

47 « Notre action est centrée sur les diviseurs, ceux qui détiennent les armes. Mais pour accéder aux groupes armés, on passe par les connecteurs de la communauté : les leaders sociaux. C'est pourquoi, dans la structuration du comité de négociateurs, ce sont des anciens soldats et/ou miliciens qui ont été choisis par leurs communautés pour présider cette structure. Ils sont censés avoir une culture qui leur permet à la fois de prendre langue avec les chefs de groupes armés et les autorités militaires » (RIO).

48 « Nous approchons les deux. Parce que c'est le conflit d'intérêts entre les élites qui déterminent les conflits entre les communautés de base. D'où l'organisation du face à face entre les élites et la masse » (IJED).

49 « Etant la RAP, on mise sur tous les acteurs, connecteurs et diviseurs. Parce qu'on ne peut pas réduire la violence avec les seuls connecteurs. Voilà pourquoi nous approchons, autant que faire se peut, les opérateurs politiques et les groupes armés qui sont connus comme étant les tireurs de ficelle de conflits interethniques ou les spoilers. »(APC).

50 « Dans notre action, nous inscrivons dans l'approche verticale, parce que non seulement nous faisons la médiation des conflits à laquelle nous intégrons le plaidoyer pour atteindre les acteurs délocalisés ou l'autorité publique. Cependant, nous mettons plus d'accent à la dimension horizontale, parce que si les relations intracommunautaires sont solidifiées à la base, cela ira de soi pour aller vers le haut, tout en armant la communauté contre les manipulateurs et tireurs de ficelle » (CCI Uvira).

51 « MIPAREC a développé plus une collaboration horizontale où les comités travaillent avec les structures locales du Gouvernement et les autres leaders communautaires comme les chefs religieux et les membres des organisations de la société civile de défense des droits de l'homme. L'intégration verticale se limite au niveau de la commune dans certaines communes car l'expérience n'est pas encore étendue dans toute la zone d'intervention de MIPAREC. La raison de se limiter à cet échelon est que les communes représentent plus les intérêts des communautés que les autres échelons supérieurs où l'attention est plus portée sur les questions politiques. En outre l'efficacité des réseaux ou fédérations des structures communautaires au niveau provincial ou national doit être encore étudiée. MIPAREC a aussi un bureau de liaison à Bujumbura pour l'intégration verticale. Ce bureau fait le plaidoyer pour ceux qu'ils invitent des différentes parties prenantes au niveau national » (MIPAREC).

52 « Les Cadres de Dialogue et de Médiation (CDM) ont été créés suite à une Recherche - Action - participative. Les CDM (ou une structure pareille) n'existaient pas encore mais ne sont pas venus de l'extérieur non plus. Les visites d'échange auprès d'autres initiatives sont venues après la création des CDM » (APC, workshop).

53 « Les gens de Kibimba ont eux-mêmes formé un comité . Les deux groupes rivaux ont constaté que tous les deux ont les besoins et un comité de paix a brisé la barrière entre les deux groupes. Dans ce comité de paix ils ont dialogué et collaboré pour le développement, et ils ont fait des négociations des intérêts » (MIPAREC, workshop).

54 « En fait, le CCI et les CM que nous soutenons sont la réhabilitation, dans la société actuelle, de la palabre traditionnelle (CCI). Mais dans la façon de conduire la médiation, nous empruntons aux formations que nous avons suivies » (CCI).

55 « Les pratiques locales ont prouvé leur efficacité à la base est doit être promue. En outre la gestion des conflits exige d'autres compétences que la pratique locale n'a pas développée, il devient utile de rechercher les autres bonnes pratiques pour renforcer le travail de gestion des conflits » (CADEKA).

56 « Nous construisons une symbiose entre l'expérience autonome et les emprunts externes. Nous suivons des formations ailleurs que nous capitalisons dans l'accompagnement des structures » (ADEPAE).

57 « On combine les deux expériences, autonomes et empruntées. Dans les conflits comme dans construction de la paix, nous subissons la contagion des pays voisins. Par exemple, au Burundi, la notion des terres vacantes n'existe plus. A cause de la pression régionale, le Congo ne tardera pas à lui emboîter les pas. Nous encourageons les congolais à anticiper la rareté des terres en recourant aux systèmes d'enregistrement officiel qui protège un tant soit peu les propriétaires, à adresser les conflits fonciers et de trouver des arrangements sans devoir aller au tribunal » (ADEP).

58 « Le CCI se réfère d'abord à la coutume parce que c'est le cadre de référence de la communauté (CCI). Nous soutenons l'application de la coutume parce que les faits précèdent le droit. La loi congolaise, à un certain niveau, est un placage qui ne se réfère pas aux mœurs. Nous mettons les communautés qui sont ensemble dans une vision « communale », on doit avoir des valeurs co-construites. C'est pourquoi nous sommes enclin à soutenir les arrangements entre les parties en conflit pour rétablir la concorde dans la société » (RIO).

59 « La question est si la législation et les droits humains peuvent arriver au niveau local. Pour la protection des enfants et leurs droits à la terre c'est nécessaire de les faire arriver au niveau local. Les noyaux de paix maintenant résolvent les conflits par la coutume : on demande ce que disent la coutume et la loi.. On essaie de les harmoniser, et d'arriver à une solution à l'amiable. Si les parties ne sont pas d'accord, on procède aux institutions coutumières. Si nécessaire on les résous à partir de la législation nationale. C'est pour ça qu'on a capacité les Noyaux de paix dans ce sens. Les comités de paix ne peuvent pas se passer de la coutume ni de la législation nationale et de droits humains bien que ces derniers soient au-dessus de la coutume, à de cas ou les textes légaux sont muets à certaines matières, la résolution d'un conflit est réglé selon la coutume » (BDR/Uvira).

60 « Les comités de paix sont choisis et fonctionnent sur le modèle des Bashingantahe et celui du conseil familial, des modèles basés sur l'intégrité, la connaissance des problèmes de la communauté et leur sens de maintenir la cohésion sociale. De ce fait les

pratiques et les valeurs traditionnelles prédominent autant dans la sélection et dans leur façon de gérer les conflits car ce sont les premiers instruments à leur portée » (MIPAREC).

61 « Thars fait le mixage des pratiques coutumières et les lois et droits humains. Les groupes de réconciliation font usage des pratiques coutumières surtout dans les thérapies de groupes et la réconciliation. Les lois et droits humains sont consultés dans le traitement de certains cas de violences et violations des droits pour circonscrire la limite de compétence des comités locaux » (THARS).

62 « Le collectif CADEKA travaille en utilisant la pratique coutumière sur laquelle était fondé tout le système de conciliation et réconciliation entre les membres d'une même communauté. En même temps le comité de paix intègre dans le système de gestion des conflits les lois promulguées par le Gouvernement » (CADEKA).

63 « Il nous arrive aussi de référer directement les parties à la justice les conflits sont émaillés des faits infractionnels (comme les violences…) pour nous conformer à la loi qui laisse les prérogatives au procureur de la république pour instruire de tels faits » (IJED).

64 « Le Centre Ubuntu renforce les capacités des comités locaux sur les codes de procédures pénales et civiles et assure un suivi des comités pour les renforcer sur la connaissance des cas. Actualisation des formations sur base des changements dans la législation nationale » (Centre Ubuntu).

65 « Il est difficile de se focaliser sur la coutume. Même si elle réfère à de bonnes pratiques, la coutume reste inférieure à la loi. Nous encourageons la communauté à inscrire son action dans la loi. Dans la médiation des conflits, nous nous efforçons de nous référer à la loi pour éviter les rebondissements » (ADEP).

66 « Le collectif traite beaucoup plus des conflits ménagers spécialement les violences n'ayant pas occasionné des blessures. Quand les violences dépassent certaines limites, le Collectif CADEKA transfère le cas à la justice et viennent faire pression pour que l'auteur des violences soit puni. Par exemple les femmes accompagnent les femmes battues ou violées chez l'Officier de Police judiciaire pour que son cas soit suivi et traité dans les délais » (CADEKA).

67 « Chaque fois que nous intervenons dans une médiation, nous aidons les parties à trouver les arrangements qui soient conformes à la loi. C'est pour éviter aussi les rebondissements. En effet, il y a des conflits qui nous épuisent avant d'être référés à la justice. […] Et parfois, la justice, après les avoir rançonnées suffisamment renvoie les parties à la conciliation au village » (IJED).

68 « Si on parle de renforcer la coutume, ça veut dire renforcer les valeurs. Je suis juriste. Nous disons, chaque enfant a le droit de savoir ses parents. Pour promouvoir ce principe il faut regarder dans la coutume comment on considère cette notion et quelles sont les implications. Donc, c'est nécessaire de ne pas négliger la coutume, mais à partir de la coutume transformer vers la législation. Valeurs locales pourraient être à la base pour une législation au niveau national » (CCI).

69 « La question est si la législation et les droits humains peuvent arriver au niveau local. Pour la protection des enfants et leurs droits à la terre c'est nécessaire de les faire arriver au niveau local. Les noyaux de paix maintenant résolvent les conflits par la coutume : on demande ce que disent la coutume et la loi.. On essaie de les harmoniser, et d'arriver à une solution à l'amiable. Si les parties ne sont pas d'accord, on procède aux institutions coutumières. Si nécessaire on les résous à partir de la législation nationale. C'est pour ça qu'on a capacité les Noyaux de paix dans ce sens. Les comités de paix ne peuvent pas se passer de la coutume ni de la législation nationale et de droits humains bien que ces derniers soient au-dessus de la coutume, à de cas ou les textes légaux sont muets à certaines matières, la résolution d'un conflit est réglé selon la coutume » (BDR/Uvira).

70 « Ici au Burundi, les deux sont appliqués. Ce sont surtout les Bashingantahe qui résolvent les conflits d'une façon coutumière. Le Comité de Paix réfère à la législation nationale des cas de viol. Dans des cas de violence, parfois on considère mieux de discuter dans le Comité de Paix. Parfois la femme elle-même préfère de ne pas aller aux instances juridiques. Si le Comité a la confiance que c'est une violence incidentaire, on l'adresse à l'amiable, et demande pardon. Considérant le concubinage, on a fait de formation sur la législation pour promouvoir l'enregistrement de la [marriage] ou des enfants à l'Etat Civil. Dans la coutume, on était mal perçu si on ne considérait pas toutes les femmes et tous les enfants dans le partage de l'héritage. Malheureusement, aujourd'hui cette coutume n'est pas toujours respectée » (ZOA Burundi).

71 « Le CCI se défend d'abord comme une structure de la société civile. Son mode opératoire, c'est la promotion des arrangements contractuels entre les acteurs afin de sauver la paix communautaire. Nous ne recourrons à l'Etat que dans le plaidoyer » (CCI).

72 « L'analyse du contexte de travail des structures communautaires recommande que les structures à la base soient neutres et indépendantes pour répondre aux besoins de toutes les composantes de la population quand les structures gouvernementales peuvent être partisanes » (Centre Ubuntu).

73 « Les comités Ubuntu sont des structures communautaires indépendantes. Dans leur travail au quotidien ils nouent les relations de collaboration avec les structures gouvernementales à la base. En effet les comités Ubuntu sont reconnus et jouissent d'une popularité à la base, ce qui renforce la reconnaissance des structures administratives à la base. Le comité Ubuntu n'est pas apprécié seulement pas la population mais aussi par l'administration locale qui trouve son utilité dans la stabilisation de la paix communautaire. L'Administration à la base fait souvent recours à ces comités pour la mobilisation des populations car ils sont plus écoutés. Néanmoins des cas de conflits entre certains groupes et les élus locaux ou les Bashingantahe ont été constatés dans les nouvelles collines où les comités sont mis en place » (Centre Ubuntu).

74 « Les structures encadrées par CENAP sont des structures inclusives de tous les acteurs influents de la paix et la gestion de la vie de la commune. Elles créent des synergies avec d'autres organisations existantes de la société civile dans leur travail quotidien. L'initiative renforce l'action de l'Etat au lieu de le remplacer » (CENAP).

75 « Dans les comités de paix pour ZOA DRC les notables sont devenus conseilleurs des noyaux de paix. Tous les organes de la population sont représentés dans les noyaux, mais à cause de la participation des notables la manipulation reste un risque. Il y a toujours une pression politique » (ZOA DRC).

76 « Les CDM sont tout d'abord une stratégie de mise en œuvre des actions de transformation de conflits. Ils ne doivent pas rester statiques. Ils doivent évoluer avec le temps et le contexte. Cas type : à Bunyakiri, on vient de développer une nouvelle expérience où on a pensé associer au CDM en plus de toutes les couches sociales et ethniques, des délégués de toutes les autres structures sociales existantes, par exemple les comités de santé, de parents, de protection de l'enfance. Au finish, le CDM peut devenir du coup un Comité Local de Développement. Dans ce sens, il pourra intégrer les services publics ou devenir un cadre mixte de concertation entre société civile et pouvoirs publics dans des Entités Territoriales Décentralisées. Il serait par exemple chargé

d'analyse ou d'élaboration des plans de développement » (APC).

77 « Il est néanmoins utile de signaler que des cas de chevauchement existent surtout entre les comités et les élus locaux dans le travail de médiation. de la commune comme les tribunaux de résidence, la police et les Organisations de la Société Civile. Les comités facilitent le travail de l'Etat mais veillent à créer des relations de collaboration avec ces structures pour que l'Etat ne se désengage de ses responsabilités et les cède aux comités de paix » (MIPAREC).

78 « Les groupes de réconciliation encadrés par Thars sont appelés à être et rester des structures communautaires indépendantes mais qui intègrent les autres acteurs de la société civile ainsi que les autorités gouvernementales en vue d'être inclusives dans la gestion des problèmes communautaires. A ce titre ils sont déjà endossés par les autorités ce qui lui confère un espace de travail aisé » (THARS).

79 « Renforcement du leadership individuel des membres de comités, la pratique de la valeur d'Ubuntu et l'éthique sont les valeurs que le Centre Ubuntu construit dans les membres des comités Ubuntu. Renforcement de la compréhension des rôles et responsabilités des uns et des autres, les élus locaux sont formés en même temps que les comités Ubuntu. L'intégration des membres du conseil collinaire sur base de leur intégrité personnelle. Le chef de colline est toujours consulté sur les activités des comités Ubuntu » (Centre Ubuntu).

80 « Les clubs de paix encadrés par IPB sont mis en place pour résoudre un problème de manque de cadres promoteurs de paix dans le système de gestion du pays. Ces clubs de paix évolueront avec le contexte. Si le problème est résolu définitivement ou pris en charge par le Gouvernement, les clubs de paix n'auront pas raison d'être » (IPB).

81 « Il est reconnu que même quand l'Etat est fort et compètent, des problèmes au niveau communautaires ne trouvent pas toujours solution dans les structures gouvernementales, il y aura toujours besoin de structures communautaires. Le fonctionnement du système gouvernemental laisse voir un vide de communication entre les administres et les administratifs, d'où un besoin d'une structure de liaison qu'est la structure communautaire qui reste proche de la communauté » (CENAP).

82 « Les CCI/Comité de négociateurs ne disparaîtront pas mais vont se métamorphoser comme une sorte de courroie entre l'Etat et la société civile pour le traitement de dossiers complexes. Par ex. la communauté de Fizi et Uvira est militarisée depuis les années 1960. Cela ne peut pas finir du jour au lendemain. La pacification demandera un processus long de construction de la confiance dans la communauté et entre la société civile et l'Etat » (RIO).

83 « Pour la même raison évoquée ci-haut, les LPC seraient des structures communautaires qui devraient évoluer pour être au service de l'entité. Cette perspective que nous n'avions pas au départ se dégage progressivement du travail des CDM et des demandes que lui adressent la communauté et même l'autorité locale. En fait, quand les membres d'un LPC se rencontrent, ils ne traitent pas seulement des conflits, mais de tous les problèmes de la communauté » (APC).

84 « Nous avons besoin de structures appropriées par la population locale. Besoin d'opérationnaliser ces structures pour les rendre efficaces de façon pérenne et compléter l'action gouvernementale. Il y a aussi un besoin de renforcer leurs capacités au niveau de l'autonomie technique, financière et dans un environnement qui reconnait leur travail en vue d'assurer leur pérennisation » (CENAP).