# MAIN FINDINGS & RECOMMENDATIONS

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

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Local Peace Committees (LPCs) have become an important strategy of development organizations to promote transitional justice in conflict-affected contexts. In practice, working with LPCs implies several strategic choices, notably on (1) the kind of peace, justice and societal change envisioned; (2) how local peacebuilding links to developments and interventions at others levels; and (3) the type of institutions to be promoted at the local level, and the future role of LPCs. However, so far, choices made tend to reflect the (implicit) assumptions and preferences of (international) intervening organizations. It remains difficult to assure the involvement and leadership of local stakeholders like local authorities and peace committees in those choices.

Through literature research and interviews with representatives from local and international development organizations in Burundi and Uvira Territory (eastern DR Congo) the project 'Enhancing Local Peace Committees' explored the assumptions and preferences guiding interventions to support LPCs. On the basis of this research and in close collaboration with practitioner organizations from the region, two toolkits were developed to visualise the programmatic choices involved in designing interventions around LPCs, both for practitioners and local stakeholders.

This policy brief summarizes the main findings from the project, and points out implications for peacebuilding practitioners. Findings highlight the need to be explicit about the assumptions underlying strategies to enhance LPCs, to regularly review strategy in light of changes in context, and to systematically take account of peacebuilding processes and interveners at other levels. The toolkits developed proved helpful to facilitate this.

### Peacebuilding through strengthening Local Peace Committees

Establishing or supporting so-called Local Peace Committees (LPCs) or similar structures has become an important strategy in the toolkit of local and international development organizations that aim to enhance local justice and peace after protracted violent conflict. These committees at village, town or regional level are often considered transitional mechanisms, complementing or stepping in place of local government institutions, to arrive at local solutions for local problems in a participatory way. They may play a role in early warning and local preventive action, in facilitating local dialogue and enhancing community relationships, as well as in local 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 local or international civil society organizations. Often, they build on existing local institutions, such as customary authorities, religious organizations, or local (women) associations and they may use traditional, non-judicial means of conflict resolution and justice.


Committee de Paix de Kaburantwa, Burundi

The popularity of LPCs may be understood as part of a 'local turn' in peacebuilding over the past two decades. Development practitioners became increasingly aware that to be effective, national level peace agreements require the development of support at the local level. Moreover, the civil and local character of contemporary violence requires peace-processes at the local level, parallel to national initiatives. In addition, disappointing results with donor-driven state- and peacebuilding programmes have convinced many donors of the need to actively engage local communities in peacebuilding, and to build on local contextual understanding and resources.


Workshop in Cibitoke, Burundi, March 2016

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 local and traditional institutions are incapable or have lost the legitimacy to provide justice and maintain good community relations. Interveners expect that local peace committees may propagate local solutions to pressing justice concerns and insecurity, and promote peaceful co-existence between former enemies at the local level. 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 no local laws exist, or where customary institutions and regulations 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 local justice and security provision.

This raises all kinds of questions about the design of such committees. 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?

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 need be raised about the relationships between these newly established structures and existing local institutions. How to go about customary regulation, 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 local 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? 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.



Activities of the Committee Mixte de Runingu, DRC

While many development organizations struggle with such questions, experiences are seldom systematically collected and analysed. Moreover, standardized answers to the above questions are lacking, as the contexts in which LPCs are established are highly different. Above all, problematic is that interventions by development organizations often already imply particular strategic choices for what kind of justice and what kind of institutions are 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 local 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 either, even if their analyses may be more sophisticated.

**Methodology of the research project 'Enhancing Local Peace Committees'**

The applied research project 'Enhancing Local Peace Committees' thus explored the (implicit) assumptions and preferences guiding interventions around LPCs, how they take the evolving context into account, and how stakeholders can be better engaged in the strategic choices involved in supporting LPCs. To achieve this, the project consisted of the following activities:

- Literature research on academic and practitioners' experiences with establishing and supporting LPCs worldwide, as well as interviews with representatives of globally operating development organizations.

- In the period March–May 2016, interviews were conducted with representatives from local and international development organizations, as well as local stakeholders in Burundi and Uvira territory (eastern DRC), exploring interveners' analyses of situations of conflict and local justice; the key assumptions guiding their interventions; and the strategic choices they have to make, and their experiences with these intervention strategies. Both areas are 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. In addition, interviews were held with representatives of several local peace committees or similar bodies and a number of national experts in peace and conflict. Findings were discussed and validated by Congolese, Burundian and international development organizations validated at two workshops.



Workshop in Cibitoke, Burundi, July 2016

- 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.

## Strategic questions in supporting LPCs and how they are dealt with in Burundi and DRC

The next sections 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 supporting or establishing 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: (1) how to understand the nature of conflict, and the peace, justice and societal change envisioned; (2) the methodology and approach for setting up LPCs, notably on how local peacebuilding links to development and interventions at other levels; and (3) 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.

The following section provide for each question a summary of findings from the academic literature. This is 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 have arrived at these responses.

### 1      How to deal with the past ?

Literature on peacebuilding and transitional justice often highlights how peace and justice are often difficult to achieve at the same time. Reconciliation and amnesty for violent acts committed may help bring a swift end to violence and bring stability, but may fuel a sense of impunity and compromise respect for human rights, and accountability and legitimacy of authorities in the longer run. Prosecution of perpetrators might promote a sense of justice done, but might compromise stability and the willingness of antagonists to join the peace process.



**Illustration from the picture box**
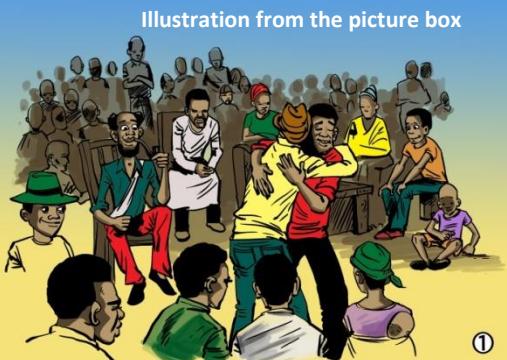
Even if LPCs are in no position to actually dispense justice, experiences from Burundi and DRC show that this question is of their concern, especially regarding the ways in which LPCs might locally promote and link to state initiatives for transitional justice. Few interviewees prioritize justice, considering their incapacity to hold people responsible for violence accountable for their deeds, or because they see shortcomings in punitive justice. They emphasize how 'justice' may be arrived at in various ways, including through truth-finding, acknowledgement of wrongdoings and apology, or (symbolic) compensation. In Burundi, the prioritization for peace is notably motivated by observed shortcoming in the state justice system than by dislike of punitive justice. Various interviewees consider that LPCs should play an important role after formal justice has been dispensed: in reconciling the parties and reintegration of the punished. This suggest the added value of LPCs even after the justice sector has been re-invigorated. An important question to consider is also what local people consider as 'just' and to what extent are such considerations promoted by LPCs and state justice systems.

## 2      Ending violence or addressing structural issues?

Peacebuilding literature often considers that peacebuilding requires more than just the ending of interpersonal or direct violence. To arrive at sustainable or 'positive peace' and social justice requires the absence of structural violence: the violence built into social structures, including relationships of exploitation and inequality, and addressing attitudes, perceptions, and feelings of superiority. This would require efforts to address so-called 'root-causes' of violent conflict and societal transformation, notably through promoting equitable development and services provision, promoting equal public participation in policy making, preventing discrimination, strengthening civil society etc.

Interviewees from Burundi and DRC point out that the extent to which one can work on positive peace strongly depends on context, notably the extent to which local communities experience violence on a regular basis and the necessity to end violence before anything else can be done. Talking about underlying causes, and negative attitudes and behaviour is difficult when conflict is still hot. Intervening organizations experience that it is often very difficult for local actors to conduct conflict analysis, let alone identify points of leverage. Many highlight nonetheless the need to point out underlying causes –like the dysfunctionality of the state- even if still working on ending violence.

## 3      Local level peace or a peaceful society?

A recurring critique on peacebuilding strategies is that it remains unclear how specific, local interventions contribute to a peaceful society at large: i.e. sustainably transform unjust social relations and overcome divides within society at large. A related concern is the extent to which peacebuilding programmes are 'transformative' and are able to change contested political relationships. To overcome this challenge literature has highlighted the need for being explicit about the 'theories of change' guiding a peacebuilding intervention. Others emphasise the need to properly balance interventions that address either many people or key people; and work either at individual/personal level or socio-political level.

Interviewees in Burundi and DRC point out that LPCs tend to focus at the local level and particular local disputes, as they are limited by their capacities, political and financial space. Nonetheless, many interveners and LPCs themselves have higher ambitions, pointing out the need to address structural issues of governance and political manipulation underlying specific local disputes. For instance in their interventions on managing livestock movements, they try to promote good governance among local authorities. Organizations in Burundi emphasize that their particular role is also to prevent that national level issues come to influence community peace, e.g. through warning communities about the divisions nurtured by candidates of political parties. Several interviewees pointed out that intervening organizations are 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 reform.

## 4 Working on peace directly or through development?

Even if peacebuilding is the main ambition of a development organization or Local Peace Committee, approach may differ. Various organizations in Burundi and DRC consider themselves as specialized peace organizations, and aim to work directly on conflict, for instance through medication, trauma healing, and training local committees in conflict transformation. Many organizations in DRC consider that a lack of economic development is a major destabilizing factor, and thus expand their activities to include development. Especially where local populations are strongly divided politically and ethnically, working explicitly on peacebuilding may be too sensitive, resulting in local suspicion and resistance. In Burundi, peace has turned into a less prominent theme in the work of many intervening organizations, yet they underscore their efforts at mainstreaming conflict sensitivity. The LPCs they support have a broad mandate combining development activities with peacebuilding. An important challenge remains how to move on over the course of intervention, to properly assess changing local needs, and develop ones' own expertise likewise, or to phase out.


Illustration from the picture box
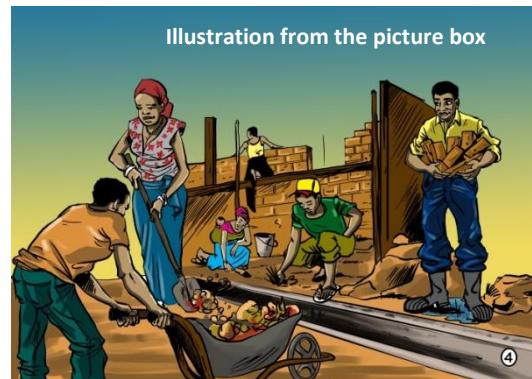
## 5 Which degree of vertical integration ?

Peacebuilding literature suggests that peacebuilding should not just focus on high level actors, but must be undertaken simultaneously at every level of society. Local participation increases the sustainability and comprehensiveness of national-level peace agreements, while local compromises may only become sustainable if acknowledged and supported by higher level actors. 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, while key figures and institutions at different levels should be connected. 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.

Clearly, most LPCs in Burundi and eastern DRC are exclusively operational at village level, with the exception of LPCs that have been established in urban areas in DRC. Interveners often consider that vertical networking requires capacities that are not present locally. Several interveners see limited added value, especially those that consider that LPCs area of intervention is local conflicts mainly. Nonetheless, various organizations point out the need to develop structures that enable better communication between communities and regional or national state, but question how this should be achieved.

## 6 Whom to include?

Literature on negotiation emphasises that the question whom to include is critical. Considering the ambitions of many LPCs and their supporters to locally mediate disputes and reconcile groups, the question needs be posed in which measures Local Peace Committees should include both people known for their capacities for bringing people together and people known to be responsible for conflict. Often, LPCs are composed of volunteers. Such peace-minded people, even if coming from different sides of the conflict, may be highly committed, yet may have difficulties to connect and engage with all the important players, 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 internal struggle, and risk to have limited legitimacy in the longer term.

Perspectives of interviewees in DRC and Burundi strongly depend on how interveners 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 they thus chose not include dividers. Most interveners, however, consider that it is often very difficult to actually identify dividers and connectors at the local level. They instead focus on the procedures to establish the committees, to assure that each elected member is recognized by the community. Regarding politicized land or inter-ethnic conflicts, however, interveners point out that those who are responsible for the continuation of violence and who manipulate local stakeholders are powerful actors, like customary chiefs, and politicians. These can seldom be approached through LPCs; neither are they members of LPCs.
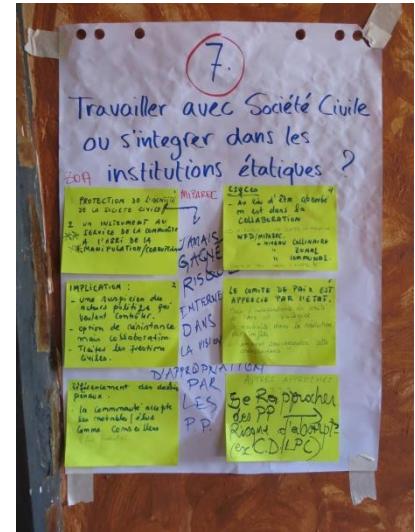
## 7    To what extent may best-practices from elsewhere provide inspiration?

Currently, there is a lot of academic debate about the extent to which many international peacebuilding and state-building programmes actually impose a neo-liberal model of organizing societies in post-conflict countries. It is argued that such top-down social engineering may mismatch local conflict particularities and 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, which underscores that the direction of development needs to be left to local actors.

Such concerns are also relevant when considering strengthening LPCs, which has now developed into a popular intervention strategy, at the risk that development organizations prescribe their models of LPCs. It may be more efficient and effective to work on the basis of existing structures and practices, that might be 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. At the same time, it is relevant to explore to what extent LPCs can be inspired by best practices from elsewhere.

Few interviewees from DRC and Burundi worried about this question. Some interviewees considered that the LPCs established actually draw on local culture or collective memory in how to deal with conflicts, and thus fit their local settings. In contrast, many representatives of organizations in DRC interviewed consider that the LPCs derive their power from the training they received, and the exchange visits to neighbouring countries, and the Theories of Change on which the NGO projects supporting them are based. Likewise, in Burundi there is not a single organization which thinks it has not resorted to any type of experience from outside. 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.

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. Overall, interviewees expressed little worries about introducing experiences from elsewhere.

## 8    How to deal with customary/traditional 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 build peace. Many peacebuilders consider local conflict resolving mechanisms or traditional justice systems very valuable, especially if due to conflict formal justice systems are dysfunctional, or have lost legitimacy. Customary institutions are frequently seen as rooted in the local culture and history, as more trusted and effective than state institutions, being based on consensus and principles of restorative justice, and promoting locally accepted solutions. Yet, various authors warn not to 'romanticize' and oversimplify customary institutions, pointing out they may be elitist, and unfair or discriminate against women and youth, marginalize non-indigenous community members, and contribute to deepening of social divisions and class formation. Customary institutions and their leaders might have lost authority and legitimacy, having been target by violence or having been complicit in violence themselves. Moreover, preference of indigenous communities for customary practices may rather be the result of poor access to functioning formal justice, rather than of preferences for customary norms and values. Such debates have led to academic discussion on the extent to which 'state' and 'custom' might coexist, or whether customary institutions need eventually to adapt or be integrated into the state. For LPCs, an important question is thus to what extent to build on customary structures and norms.



Illustration from the picture box

Interveners in DRC and Burundi often see stark contrasts between custom and formal law. Considering that the rural population is illiterate and ignorant of national legislation, they see a value in promoting local positive values. Those that have specialized in particular types of conflict, like between cultivators and pastoralists, consider it necessary to refer to state legislation. Especially in urban settings in DRC, the legitimacy of customary authority is on the decrease, while in Burundi customary institutions are seen as predisposed against women. Many interveners take a pragmatic approach, observing how many principles of state legislation gradually get integrated into local habits and norms. For instance, interviewees gave examples of how LPCs look at state legislation when it comes to defining compensation for past wrongdoings, while sealing agreements and arriving at reconciliation through customary ritual. At the same time, examples involving violence against women demonstrated a certain pragmatism and resort to local conventions to keep the peace, which might well have been at the detriment of women rights.

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

In conflict-affected settings, the state is a controversial partner for stakeholders interested in promoting peace and development. In such settings, state institutions frequently fail to provide security, accountability and basic services, or have lost legitimacy due to their involvement in conflict.

Yet, academic literature highlights the need to re-establish the social contract between citizens and state. After all, states and their local representatives are critical actors in post-conflict transitions, providing security, development, and enabling political representation and accountability.

Peacebuilding literature does not provide conclusive answers in what ways and to what extent LPCs should relate to the state and its local institutions. Independence of LPCs will contribute to their local legitimacy and neutrality. However, circumventing the state may be at the disadvantage of re-establishing the state, or even liberate the state of its responsibilities to provide access to justice to all its citizens. Recognition of LPCs by the state might contribute to their authority and power. Otherwise, affiliating of LPCs with state institutions might result in loss of local legitimacy and neutrality, or even politicize LPCs.

Local and international development organizations in Burundi and DRC have radically different perspectives on this question. In practice, linking state institutions and LPCs may mean different things: recognition of the LPCs as dispute resolving body or of the results they achieve in mediation; mutual referral; membership of government officials to the LPCs. Some consider LPCs to fill a vacuum, and as independent bodies can strengthen the state if they establish proper collaboration. Various organizations in Burundi fear inclusion of government representatives for manipulating or infiltrating local peace structures. Yet, several peacebuilding organizations consider that LPCs should gradually integrate into state institutions, as this will help in creating space for dialogue between citizens and state, and in making these committees more effective. This would also prevent confusion and duplication of roles. 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.

## 10    A permanent or a transitional structure?

A study looking at LPCs in a large number of countries found that LPCs tend to be transitional mechanisms aimed at filling a void or weakness in governance (Odendaal & Oliver 2008). When security services, the justice system and the bureaucracy lacks legitimacy or capacity, LPCs may temporally take on dispute resolution or serve as fora for public debate, but may be dissolved when government is re-established. In some instances, LPCs are instead institutionalized as new, complementary institutions.

For some intervening organizations in DRC and Burundi, LPCs are indeed temporary, transitional structures, born out of a crisis of local public institutions. Many however consider conflicts as a permanent characteristic of society and highlight the need for their perpetuation. They emphasise the structural overstretching of state judicial institutions, and the vital platform for expression and citizen participation these committees have to come to represent. When


Illustration from the picture box

considered as permanent structures, there are many constraints to their sustainability: how to maintain commitment, safeguard accountability towards the community, and prevent a multiplication of institutions and confusion about roles of different institutions?
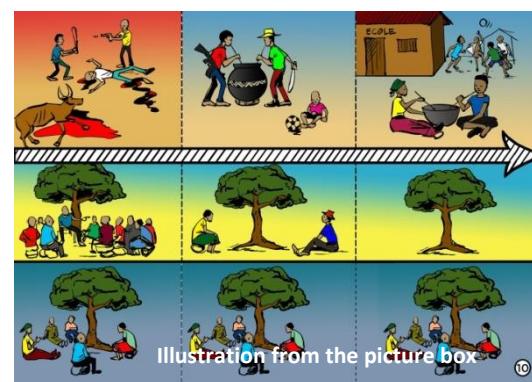
## Conclusion and recommendations to practitioners

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.

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.