



LOCAL CAPACITIES FOR PEACE PROJECT

Case Study

NORMS OF HUMANITARIAN CONDUCT: A DISSEMINATION PROGRAMME IMPLEMENTED IN BURUNDI BY THE INTERNATIONAL COMMITTEE OF THE RED CROSS (ICRC)

This case study is one of a series of case studies developed as part of the Local Capacities for Peace Project, directed by the Collaborative for Development Action (CDA), in Cambridge, Massachusetts, USA.

The Project seeks to identify the ways in which international humanitarian and/or development assistance given in conflict settings may be provided so that, rather than exacerbating and worsening the conflict, it helps local people to disengage and to establish alternative systems for dealing with the problems which underlie the conflict.

For more information on the Local Capacities for Peace Project, see www.cdainc.com

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I. SUMMARY

Confronted with the widespread and appalling orgy of violence taking place in Burundi in the wake of the attempted coup d'état in October 1993, representatives of the international relief agencies were faced with questions like: Could anything be done to induce some measure of restraint into the minds of the "fighters" or to support and strengthen the determination of those who did not want to be part of the vicious circle of killings and revenge-killings?

For the International Committee of the Red Cross (the ICRC) these questions were particularly challenging since one of its permanent tasks in conflict situations as well as in peace time is the promotion and dissemination of International Humanitarian Law (IHL) and fundamental humanitarian principles. The goal of such dissemination activities is to create respect for IHL and fundamental humanitarian principles in situations of armed conflict or internal violence.

The ICRC had been disseminating IHL to the Burundi Armed Forces since 1988. However, the violence in the autumn of 1993 was to a large extent perpetrated by civilians who did not belong to a defined or recognised armed group with a specified line of command, a context in which IHL does not formally apply. In this environment, it was strongly felt that dissemination towards the military was inadequate. An adaptation of the humanitarian message contained in IHL seemed necessary to set in motion a programme aiming at a long term change of behaviour of the entire population, a realisation which the ICRC delegates working in Burundi initially felt overawed by.

After much soul-searching, the ICRC decided to attempt to develop a dissemination programme aimed at civilians all over Burundi. The first step would be to create a Code of Conduct carrying a message of restraint and humanitarian consideration. Such a Code would require a simple, credible message firmly anchored in Burundian reality and traditions. It was hoped that such a message would encourage moderates in their views and prompt others to join their ranks.

To establish the Code, the ICRC encouraged the formation of a working group involving representatives of as many levels and interest groups of Burundi society as possible, purposely not including the army and the government, but refraining from doing so with their full support and consent.

The first tangible result was a declaration called Declaration on Norms of Humanitarian Conduct: Appeal for a Minimum of Humanity in Situations of Internal Violence, the message of which has since been disseminated nation-wide through illustrated pamphlets in Kirundi and French, radio spots, a song, press and television coverage, and a theatre play first performed live on stage in Bujumbura and then recorded on film/video in order to enable it to reach the provinces.

II. THE CONTEXT OF THE CONFLICT IN BURUNDI

A. RETROSPECTIVE

In the fifteenth century, the cattle-owning Tutsis invaded the Hutu-dominated Burundi, subsequently establishing a feudal relationship by making their cattle available to the Hutus in exchange for work and taxes. The Tutsis have ever since been associated with power in the area.

During the colonial reigns of, first, Germany (1885-1916) and, then, Belgium (1916-1962), the colonial powers leaned heavily on the Tutsis for the daily administration, thereby strengthening the Tutsi power base.

After independence in 1962, Burundi remained a monarchy until 1966, when a military coup turned the country into a republic. Three military regimes, all Tutsi, followed. During this period, numerous but isolated outbreaks of violence took place in Burundi. In spite of these recurring massacres, Burundi remained relatively stable politically until 1993 after which a series of crises has created a power vacuum and gradually eroded the whole state machinery.

The deterioration leading up to the current crisis is generally considered to have taken place after the initiation of the democratisation process (referred to by many Burundians as the “imposition” of democracy) initiated by President Buyoya in the nineteen eighties.

Buyoya seized power from his predecessor Bagaza, in a bloodless coup in September 1987. His democratic reforms culminated in the first free presidential elections on 1 June 1993 when Melchior Ndadaye, leader of the predominantly Hutu party FRODEBU, became Burundi's first democratically elected president. In the first free parliamentary elections which followed, FRODEBU won a landslide victory.

Only three and a half months later, the democratisation process was violently halted by an attempted coup d'état by a minority of military extremists which culminated in the assassination of President Ndadaye and a number of high ranking government officials. Following the assassinations, in an excessively violent wave of interethnic killings, mutilations, and destruction, between 50,000 and 100,000 people were killed, almost 300,000 were internally displaced, and more than 600,000 fled to Tanzania, Rwanda or Zaire.

Cyprien Ntaryamira, who succeeded Ndadaye as president, was subsequently killed together with the Rwandan president Habyarimana when their plane was shot down over Kigali in April 1994. The death of President Ntaryamira did not, as might have been expected, result in the recurrence of ethnic violence in Burundi. This was possibly, in part, due to an effort by the government to calm down the feelings of the people by touring the country with a call for restraint.

B. PRESENT SITUATION

Poor, densely populated, isolated, and landlocked, Burundi, the size of Belgium, is yet extremely fertile with almost every patch of land cultivated. 95 per cent of the about six million inhabitants live in the rural areas and are involved in agricultural production. Hutus make up about 85 percent of the population and Tutsis about 14 percent.

Traditional Burundi society is conservative and hierarchical but, paradoxically, socially coherent in the sense that Hutus and Tutsis speak the same language, Kirundi, have the same lifestyle and religion (most are Catholics), intermarry and maintain strong social relationships. No outsider is able to tell a Tutsi from a Hutu from his looks only. Nevertheless, there is strong political tension between Hutus and Tutsis, the most discernible difference between the two groups being that the Tutsis have easier access to education, economic resources and employment.

After the FRODEBU victory in the 1993 elections, the political tension between Hutus and Tutsis has gradually deepened. The Tutsis, who previously held both the political power and the power over the institutions, are now without formal power. However, they continue to

control most of the state apparatus, e.g. the police, and the judicial system, and they still form the core of the officers' corps and control the army absolutely. The Hutus, on the other hand, have the formal power and are the majority, but they lack control over the important institutions referred to above.

This situation has provided excellent soil for influential and power-hungry politicians on both sides, who, leaning on extremist groups, have set to work on gaining supporters by setting Hutus and Tutsis against each other through incitement. Inciting fear of the other group by preaching the need for protection of one's own (and painting horrific pictures of what might happen to those who do not protect themselves) appears to be the ruling element inordinately played upon by both sides. During 1994 and 1995, extremist politicians on both sides have become increasingly hard-line, and new armed groups have emerged, escalating the forms and the extent of violence.

In the spring of 1995, bands of Tutsi youngsters, previously armed by influential extremist politicians, took the law into their own hands and ruled the streets of Bujumbura for no other apparent motive than power demonstrations. At the same time, the number of armed Hutu groups and attacks in the countryside increased.

In March 1995, the tension in the country again erupted into uncontrollable massacres, first in Bujumbura and later in the northern provinces. Two of Bujumbura's last mixed quarters were "cleaned" of "the other" ethnic group. Hundreds were killed, and tens of thousands fled the capital for Zaire, and the northern provinces for the Tanzanian border.

In April, the government undertook a one month reconciliation campaign as response to the violent killings in March. In a tour of the country, led by President Sylvestre Ntibantunganya, the ministers answered provocative questions from people all over Burundi in sessions which were closely followed by press, radio and television.

However, the quiet did not last long, and violent clashes again flared up in June and July. In June, two more quarters of Bujumbura and its university campus became scenes of violent clashes, and in the countryside, many fell victims to ambushes on the roads. The unrest has continued into July.

The political situation in Burundi remains tense and confused. The politicians seem unable to bring about any substantial change, the economy remains paralysed and the administrative and judicial systems remain seriously weakened. People live in a state of fear and insecurity encouraged and maintained by extremists on both sides taking advantage of the power vacuum and the general lack of confidence in the present government's ability to rectify the situation. The fact that the perpetrators of old and recent massacres and assassinations go unpunished contributes to the general distrust of the present government.

As long as the power-struggle continues, the most likely future scenario is a continuation of the present situation, i. e. constant insecurity, sporadic army interventions, and local uprisings and clashes sometimes leading to massacres and political assassinations.

III. THE INTERNATIONAL COMMITTEE OF THE RED CROSS - ICRC

A. BACKGROUND

The International Committee of the Red Cross, the ICRC, is an independent, humanitarian organisation, based in Geneva and founded in 1863. It is the founding body of the Red Cross

Movement, which also comprises the International Federation of Red Cross and Red Crescent Societies and more than 180 Red Cross and Red Crescent National Societies throughout the world.

1. Mandate

The traditional mandate of the ICRC, granted to it by the signing of the Geneva Conventions of almost all the states in the world, is to provide protection and relief to victims of international and non-international armed conflict or internal disturbances and tension, continually promoting and disseminating International Humanitarian Law and fundamental humanitarian principles.

The traditional target groups for dissemination are governments, officers and instructors of the armed forces, the academic and scholastic communities, National Red Cross and Red Crescent Societies, and national media, the common denominator being the capacity of these groups to spread the message.

2. In Search of New Ways of Dealing with Today's Conflicts through Dissemination

The Geneva Conventions of 1949 apply to wars between states and are not formally applicable in the situations of internal disturbances and tension characterising most of the conflicts in the world today. Moreover, in these situations, Human Rights Conventions are often derogated from through a declaration of a state of emergency, leaving combatants and civilians without any legal protection except the hard core of Human Rights, the essence of which has been integrated in Article 3, common to the four Geneva Conventions.

The ICRC, and other experts on International Humanitarian Law, have long been considering how to formulate rules that would be acceptable to all parties and could be applied in ALL types of conflict situations, including the ones where the line between combatants and civilians has become next to invisible. (See also III.A.3. below.)

Apart from highlighting the need for development of such rules, the ever more complex and multifaceted conflicts which have developed after the end of the cold war has prompted the ICRC to develop a wider concept and alternative methods of dissemination.

Traditional dissemination is based on a judicial framework of humanitarian norms which mainly appeal to reason. Since this intellectual approach hardly appeals to the majority of civilians, the humanitarian values inherent in IHL remain largely inaccessible to the general public. In order to improve the impact of the humanitarian message and reach a larger audience, the ICRC has in recent years developed a more systematic intercultural approach in its dissemination, taking into account the culture and traditions of the country in question when formulating its message.

The basic idea of this approach is to combine the essence of IHL with the humanitarian values contained in the local culture and traditions of the people involved in the conflict, values that can then be used to highlight and explain the fundamental humanitarian values contained of IHL.

The first notable intercultural dissemination project took place in 1993 and consisted of the production of calendars and posters for use in the Middle East. Well-known quotes or short texts by indigenous authors referring to honourable conduct or humanitarian values inherent in local traditions were combined with illustrations by indigenous artists and a reference to the

relevant and corresponding articles of IHL. The same approach has later been used in Georgia, Armenia and Azerbaidjan.

In Somalia, in 1994, co-operation with local artists resulted in the production of a theatre play in 15 episodes which was then broadcast over the BBC Somali Service channel. The play relates the story of an oasis in peace surrounded by war on all sides, and stresses the protection of certain categories of victims (civilians, wounded, prisoners, women and children), of resources necessary for survival and of religious property.

3. The Turku Declaration

On 2 December 1990, an expert meeting convened by the Åbo Akademi University Institute for Human Rights in Turku/Åbo, Finland, issued a declaration called Declaration of Minimum Humanitarian Standards, (published Turku/Åbo 1991), a document relating primarily to the protection of human rights in the so called “grey zone”, the situation in question when neither a traditional armed conflict nor peacetime relations exist. The preamble of the Declaration notes that International Law relating to human rights and humanitarian norms applicable in armed conflicts does “not adequately protect human beings in situations of internal violence, disturbances, tensions and public emergency”.

Quote from the introduction to the Turku Declaration: “...human rights are often at considerable risk in situations of internal violence and public emergency. ... If the situation falls short of an armed conflict, humanitarian law does not apply. And if the situation at the same time involves internal violence, states may be able to proclaim a public emergency and consequently derogate from many, if not all, of the provisions of human rights conventions to which they have adhered. Furthermore, in this ‘grey zone’ between humanitarian law and human rights law, national systems of democratic and legal controls may often break down or be considerably flawed.”

B. ICRC IN BURUNDI

Until 1990, the ICRC maintained a sporadic presence in the Great Lakes region (Rwanda, Burundi, Zaire and the north-western corner of Tanzania), visiting security detainees, promoting International Humanitarian Law and supporting the various National Red Cross Societies. When war broke out in Rwanda in 1990, an ICRC delegation was established in Kigali, and a small office depending on the Rwandan delegation, was set up in Bujumbura.

In October 1993, only one ICRC Delegate, mainly involved in tracing activities, was present in Burundi. After the events of October 1993, the ICRC delegation in Burundi increased its staff of expatriates to six in November and to 16 in December.

Initially, the relief activities consisted of emergency medical care and evacuation of the wounded. The ICRC tried to have its delegates present in as many locations as possible throughout Burundi in order to reduce tension between the parties and increase the protection of those who did not take part in the violence. At the time, the ICRC delegates were still too disturbed by the extent and forms of the violence they witnessed to be able to seriously consider dissemination activities.

The emergency phase over, the ICRC undertook distribution of non-food items to internally displaced around the country, organised tracing activities, arranged for the exchange of Red Cross messages and visited detainees.

During this period, the dissemination programme developed gradually as will be described below.

IV. DEVELOPMENT AND IMPLEMENTATION OF THE PROGRAMME_

A. ORIGIN OF THE PROGRAMME

Disillusion was what most of the Red Cross delegates (not to mention other organisations, or indeed, the Burundians themselves) felt in the wake of the attempted coup d'état and the subsequent killings of between 50.000 and 100.000 Burundians. Initially, the task of disseminating fundamental humanitarian principles in this context seemed absurd. "Who would be able to promote International Humanitarian Law and the Red Cross principles in a context where the Church is completely disoriented after decades of Christian sermons?" one delegate asked.

And to whom should the message be addressed? To the murderers? The population in the camps? The population as a whole? The administration? The Burundi armed forces? Who would listen?

An attempt at a dissemination session in a college up country in mid-November was felt to be a complete disaster and provided neither consolation nor encouragement to those charged with the task. It was known that some students at the college had previously been involved in molesting and beating civilians in a mixed spirit of revenge and suffering. Many of them had themselves lost family members in the prevailing violence.

The reception of the ICRC delegate was ironic, and her speech on the theme of basic human rights and mutual respect was outright rejected.

"The young people not only refused to listen to our message but challenged us most vehemently: 'You don't understand,' they said. 'You cannot understand because you have never experienced such a disaster in your own life'," recalls Edith Baeriswyl, the ICRC Delegate who later came to play a crucial role in the development of the ICRC dissemination programme to be, and who had accompanied the then interim Dissemination Delegate to the college for the dissemination session.

Traditional dissemination methods were clearly not enough in this environment. Edith Baeriswyl continued to rack her brain for ideas that might battle the disillusion and lead further than the traditional dissemination methods. She wanted to reach out to civilians all over country and not only to government and army circles.

While travelling around Burundi on a survey mission in November, she took every opportunity to ask people what they needed and was encouraged in her intentions by their answers. "Not one of them mentioned food," she explains. "People were asking for leadership, for a governor or a president. They clearly felt as lost as the delegates. This set me thinking."

In December 1993 an ICRC Delegate was called out from the headquarters in Geneva to help trying to find a solution to the dilemma and to provide a bit of perspective. A meeting was convened to which was invited 20 Burundi intellectuals, among others sociologists and psychiatrists. The meeting attempted to answer questions such as "How could we limit the violence taking place in Burundi today?", "How can we prevent future tragedies?", "What is/was our humanitarian traditions?", "Why have they been lost?", and "What can we do to revive them?"

The Geneva Delegate brought with him the suggestion to formulate a “Code of Conduct”, modelled on the Turku Declaration (see III.A.3. above) and adapted to the conditions in Burundi. But, no, the group immediately rejected his proposal. All participants, save two, were totally against the suggestion. “Why another text?” was the general attitude. “We already have plenty. And look where it has brought us. We do not need texts, we need men!”

The argument was that since other texts aimed at reconciliation and co-operation had failed to be effective either in exerting a calming influence on people or in improving the situation in any other way, yet another text, particularly if initiated by expatriates, would not make any difference at all.

But Edith Baeriswyl would not give up. She still thought there was something in this idea and decided to go ahead and explore how to use the lessons of the December meeting for future gain. She went back to the sources, read and studied Burundian traditions and folklore, and met and discussed with Burundians from all social and political groups. She was searching for an argument which would justify the production and the dissemination of a text, some kind of Code of Conduct, which would attract the attention of the Burundians to ways and means to resist becoming involved in the violence.

“I did not think that we should content ourselves with merely a text. I thought it necessary to go further, but a text targeted towards all civilians would have to be the beginning. I wanted to find something which would appeal to people’s understanding. I discussed with everybody I met, tested ideas and talked for hours with representatives of different interest groups, different ethnic groups, different political parties and different lines of thinking.”

The research and the discussions convinced Edith Baeriswyl of the feasibility of such a programme, and her enthusiasm to pursue the idea grew with the positive response from the people with whom she discussed the idea. All this while, she had the support of the two Burundians who had shown interest in the idea at the December meeting, one freelance media consultant and one human rights activist.

Through discussions, the following suggestion for a framework of such a programme materialised:

- The first goal should be a text, some kind of Code of Conduct, which should later be built upon in different ways.
- The text should emanate from a mixed group of civilians driven by a humanitarian and not a political ideal. They should not be involved in politics and not be known for involvement in political questions. 20-25 persons would be enough.
- It must be clearly understood and accepted of all involved that the purpose of the text should be purely humanitarian.
- It must be equally clear that the purpose of the programme was not actually to stop the conflict or forbid people to participate in it. There must be no appearance of interference at the socio-political level, but solely at the level of humanitarian consideration and conduct.
- There must be no references concepts politically tainted or to any particular type or style of government.
- The text must be derived from the humanitarian traditions of Burundi.
- The text should be addressed to all Burundians regardless of their place in the socio-political hierarchy and worded so that it could be understood by all.

- The text should be pragmatic, not universal, i.e. it should appeal to behaviour observed in Burundi and not to theories or hypotheses.

- The specific type of violations of humanitarian norms committed in Burundi should be mentioned and related to directly.

When the criteria was set and the support of government officials and the army was secured, 25 individuals were sought out and asked if they would participate in such a working group. Equally specific criteria were set for the participants. He/she:

- must not be a member of the government, the army, or occupy higher posts in the hierarchy of the context in which they were working;

- should already have shown a publicly known inclination towards or interest in humanitarian issues;

- must not be a media personality or well known in any other way;

- must not be part of any defined group suspected by the one side or the other to have some responsibility for the ongoing violence.

The working group also had to be balanced ethnically and in terms of affiliation to the two principle political parties.

Bilateral discussions and search for group members went on all through January and February; meanwhile a plan of action was taking shape. At the end of March 1994, 25 persons who met the criteria and had shown interest in participating in the work were called to a first meeting.

The participants agreed to aim at creating a text, a Declaration containing a set of basic rules of humanitarian behaviour, to be adopted by the entire Burundi society as a reference text in times of violence. The rules were to provide better protection for people caught up in violence and decrease the extent and intensity of the violence. This was to be accomplished by disseminating and teaching these rules to the society at large. The first working session also established a set of working rules that spelled out the importance of a neutral, impartial and independent attitude of the group members vis-à-vis the work.

Between 20 March and the week of the Video-Forum (25-29 July, see IV.D below) when the programme was finally launched, the working group held 34 meetings. There were 14 plenary meetings and 20 meetings of sub-commissions of 4-6 members. Moreover, certain programmes were carried out bilaterally between one or two members of the group and the ICRC, or between the ICRC and specialists not included in the group but interested in the subject, or others who were drawn in because of their professions (e.g. to work on the radio spots, the song and the play). The ICRC participated in every meeting.

As the work progressed, the ICRC assured regular information about the development of the programme to governmental, army, religious and political circles, thereby hoping (and succeeding) to maintain interest for the “Declaration” among the largest possible number of the country’s responsible and likewise hoping (and succeeding) to minimise the risk of rejection on their part.

Apart from the meetings of the working group and information to various authorities, Edith Baeriswyl discussed the programme with each person she came across, never mind background, ethnic group, political affiliation or sympathies. Little by little, it spread that the ICRC was working together with Burundians on a programme based on Burundian thinking/traditions.

B. THE MESSAGE OF THE DECLARATION

What then are the Burundi traditions referred to here and how have they been used in this context? To understand this, let us take a look at the message of the Declaration in relation to IHL and the traditions of the old warrior societies of the area.

African tradition, in fact, guaranteed protection for victims of conflict long before the existence of IHL. In Burundi, war was considered a noble activity, and it was carried out in accordance with well established rules and principles. The task of warrior was reserved for the aristocracy, and a young “soldier” was expected to possess qualities such as courage, honour, discretion, prudence, and solidarity. The numerous negative references to dishonourable or cowardly behaviour in the Declaration reflect the value accorded to honour and courage in this culture.

The rules in the Declaration are formulated so as to highlight the humanitarian principles which have most often been violated in the Burundi context. These principles, contained both in IHL and Burundi tradition, are: respect for human life and dignity; special protection for certain categories of victims; respect for private and public property; and rejection of more violent means than the situation demands.

The text is illustrated by 16 Burundian proverbs, selected to create a feeling of recognition and facilitate understanding of the rules. Preceded by an Introduction, and followed by a Conclusion, the rules are organised as follows:

Minimum Rules of Humanitarian Behaviour

- I. Let us Respect and Protect Individuals and their Dignity
- II. Let us Give Special Protection to Certain Categories of Victims,
- III. Let us Respect Private and Public Property
- IV. Let us Use Force Only with Moderation

The first section, Let us Respect and Protect Individuals and their Dignity, is illustrated by Death takes others, but will not forget you and Take revenge on your fellows and you destroy the whole family, two proverbs spelling out the consequences of dishonourable behaviour. This section contains rules such as:

“Let us treat every person with humanity and respect his or her dignity in all circumstances”;

“Let us not be vengeful; let justice take its course. A spiral of violence would gradually destroy the whole family, clan and community”;

“Torture and cruel, humiliating, or inhumane treatment can in no circumstances be honourable: let us never use them against our fellow, even if he is our enemy”; and

“Let us never have recourse to brutal acts such as rape, mutilation before or after death, or killing by throwing people into latrines or burning them alive. Such manifestations of blind hatred leave indelible mental scars.”

Section I reflects the spirit of Article 3 common to the four Geneva Conventions (see Appendix 3), as well as makes direct references to atrocities committed in Burundi.

The second section, Let us Give Special Protection to Certain Categories of Victims, likewise drawing on the spirit of Article 3, declares that civilians, foreign nationals, refugees,

women, children, the elderly, the disabled, the sick, prisoners, and medical personnel must be protected at all times. The text refers to these groups as defenceless, a direct reference to Burundi tradition in which it is considered cowardly to attack defenceless persons. Women, children, and the elderly must on no account be killed in the fighting. Killing women was paramount to an attack on life itself.

The third section, Let us Protect Private and Public Property, relates to the humanitarian principles of a) refraining from destroying people's means of livelihood and b) safeguarding places of religious or cultural value. Protection of our religious and cultural heritage is spelled out in the Hague Regulations, and in Burundi tradition, there is a considerable number of sacred places, always the object of great respect and likewise safeguarded in times of war. Three of the rules in this section read:

“Let us not engage in vandalism and looting; let us not destroy the facilities indispensable to any community, in particular hospitals, health centres, schools, water sources, roads, bridges, etc.”;

“Let us respect holy places, places of worship, cemeteries and monuments, which are all essential to our collective consciousness”; and

“Even in the midst of violence, let us respect the houses and goods of others. People's privacy must be preserved: let us refrain from ransacking their homes and from throwing their mats, bowls, clothes and other personal belongings out into the street.”

The fourth section, Let us Use Force Only with Moderation, draws on Article 3 and the ban on arms which cause unnecessary suffering contained in the Hague Regulations. It also draws on the similar objective found in the Burundi restrictions on use of poisoned spear heads in conflicts with tribes of the same branch, and on the use of ambush as a means of warfare in certain contexts.

This section is illustrated by the proverb Do not call for lightning to strike down your enemies, for it may also strike down your friends, a warning which used to be issued by Burundi elders to stave off revenge actions. The first rule, “Before resorting to violence, or to any act that may lead to violence, let us first consult our conscience, our families and wise men”. This appeal to reason is accompanied by the proverb A naive and sterile cow licks the blade of the axe, an insult to those who do not pay attention to the previous advice.

In Burundi, it used to be out of the question to attack a village occupied by women, children and the elderly. Attacks on undefended localities are likewise banned in the Hague Regulations. The rule “Let us never kill a defenceless person or group of people, or anyone who has surrendered” and the proverb Do not strike a man when he is down connect these concepts.

Finally, a key paragraph in the Conclusion should be brought up. It reads: “Let us remember that each person is individually responsible for his acts, even those committed as part of a group or encouraged by someone else”. Together with the two proverbs Let the blade of the knife cut the one who sharpened it and Those who urge you to destroy will never help you to rebuild, this constitutes a direct support, albeit a rather theoretical one, for those who wish to resist incitement.

The importance of the proverbs, which may be difficult for those of us who are not part of Burundi society to understand, was described and explained by a member of the working group thus:

“It was an excellent idea to use our traditional proverbs. They summarise in one or two lines what would otherwise have to be said on two pages of text! We could not have used them independently; then they might have been ambiguous! The point is that we have combined short rules in simple language with proverbs which sum up the issue. When we Burundians have a conversation, we often start or finish with a proverb, so this is a structure which every Burundian citizen can relate to.”

C. DEVELOPMENT OF THE TEXT OF THE DECLARATION

While there was early consensus on the main trend of the Declaration - i.e. that it should consist of simple rules directly related to the violence perpetrated in Burundi, as many as possible illustrated by traditional Burundian proverbs and formulated in a way that everybody could understand - the actual wording of the text generated intense discussions, the purpose of which was to bring to a minimum the possibility of the text being misinterpreted.

“We took a very small step at a time and could therefore counter problems as they turned up,” Edith Baeriswyl recalls. “The text was continuously debated, explained, re-examined and adapted; then either refused or accepted. We did not proceed on any one issue until it had been discussed from all angles and we had obtained consensus on all points. There were heated discussions on each and every point of contention, but not at any moment was there a slip into the ethnic or political arena.”

The humanitarian attitude adopted as one of the guiding principles for the work would occasionally lead to some scornful self-criticism within the working group, particularly in times of outbreaks of violence. Some members of the working group would then ask themselves and the group if what they were trying to achieve would in fact make any difference to the climate of violence in the society. There was, however, a positive result to these sporadic outbursts of doubt. The realistic perspective on the task they were trying to accomplish - one attempt among others to make a small difference - was brought back.

Whether the hard truth should be revealed or whether the reality of the violent attacks should be disguised, was initially a point of contention: Some argued that too direct a language might rekindle tension whereas rapping up the expressions so as not to offend anybody would have a stronger conciliatory effect. The argument in favour of straight language were: “What has happened is monstrous and incomprehensible. To say it straight might help us understand.” During the creation of the Declaration, the opinions changed many times, mirroring changes in the surrounding violent environment and an inclination of the Burundians towards disguising evil. Finally, realism won the day, the majority thinking that the object of the Declaration should be to create a pang of conscience with the target audience.

Legal and impersonal wording was rejected at once. It was decided to keep the text realistic, making the rules apply to creators as well as readers by using the forms “Let us...” or “We...” rather than “It is forbidden to...” or “You must...”.

Before the presentation of the programme, the Declaration was printed in both Kirundi and French, first in a pocket-size version, and later in an illustrated A4-size version with the slightly adapted title *Let us Behave with Dignity Even in Times of Conflict*. Moreover, radio spots, reciting the text of the declaration were produced and airing time secured. A song which carried the message of the declaration was likewise recorded. This song is still aired now and then on Burundi radio.

Last but not least, a 12-minute video, displaying dramatic pictures of the nation-wide results of the outbreak of violence in October/November 1993 combined with the voice of a narrator reciting the rules of the Declaration was completed for use at the launching stage of the programme. The next step was to organise an event that would have a major impact at the national level and generate widespread interest and national consensus for the programme.

D. LAUNCHING THE PROGRAMME - THE VIDEO FORUM

After long discussions, it was decided to invite as many representatives as possible from all principle social groups in Burundi to a week of presentations during which each group would have a two-hour session at its disposal. This event was to be called Video Forum. The working group, albeit reluctantly, settled for trying to attract the intended audience by substance rather than by pomp and circumstance. The Video Forum was to go ahead with no official opening ceremony, in a not too prestigious hall, and without the on-the-spot support by local or international personalities.

Initially, many members of the working group doubted that this rather simple framework would interest the intended audience, but the hesitant were proved wrong. More than 700 out of 1,000 invitees attended the presentation sessions during the week of the Video-Forum. 13 two-hour sessions were convened, each for a different social group.

Each session were introduced by the following words:

“These norms for humanitarian behaviour, worked out by Burundians and adapted to Burundi society, is a contribution to the reduction of the horrors created by the violence. They are not to obtain a general value until they are widely disseminated and taught. The programme now belongs to all Burundians who accept it. It is for you to maintain it and to give it life.”

Then followed presentations of 1) the ICRC, 2) International Humanitarian Law, 3) the position of the programme among the other activities of ICRC, and 4) the origin, the objectives, and the contents of the Declaration.

As an introduction to the discussions, the unsentimental 12-minute video showing the results of the 1993 violence was screened. The deliberate mix of the pictures of destruction and sorrow with words of positive commitment directly involved the participants in lively and heated discussions. Subjects such as the mitigation of violence and the value of humanitarian action were automatically introduced. The debate was then guided towards constructive criticism of the programme and a collection of propositions on how to disseminate and teach the norms of behaviour to all Burundians.

On the whole, the reactions were very positive. The text was perceived as “concise”, “practical”, “pedagogical”, “short, worthy of imitation”, “comprehensible”, “well adapted” and “expressive”. One single participant judged the text to be too intellectual and, in his words, “inaccessible to peasants”.

The programme as such received remarks such as: “a very useful programme which answers very concrete needs but which constitutes a long-term work at the base” or “to add to the number of advice is not enough; we must arrive at the stage where everybody follows the advice”, two quotes that the ICRC and the members of the working group wholeheartedly agreed with as they amply illustrated the main future difficulties already anticipated by the working group.

The remarks provided an opportunity for the members of the working group to address and explain the ambiguities, always issues that had been points of contention in the working group. In the exchange of opinions between the working group and the audience(s), therefore, the members of the working group were always at an advantage since they had already thoroughly discussed the issues, a fact which had provided them with the tools to convince the audience(s) to accept the wording and to support the programme.

During the week of the Video Forum, the radio spot summarising the Declaration in Kirundi and French and the song which had been specifically written to reflect the spirit of the Declaration were regularly aired on national radio. Moreover, national TV and radio summarised the events of Video Forum each day during the week.

E. FOLLOW UP PROJECTS/THE PLAY

Video Forum over, the task of the working group according to the initial intentions, was completed. While some group members would have liked to continue the work under the ICRC umbrella, ICRC at this stage preferred that the original intentions be followed, i.e. that the members of the working group should work upon their respective NGOs to take responsibility for the future implementation of the project.

In spite of the general support for the Declaration and the positive response in terms of declared intentions to participate in the implementation stage, very few Burundian associations came forward to actually do something, and of those which came forward, only one group, the Burundi Scout Movement, managed to secure a promise for funding to cover the costs necessary for taking on the implementation. (For more details, see G. Future of Programme, below.)

While waiting for Burundian NGOs to take on the role as implementers, contacts were made with the Ministries for Primary Schools and Secondary Schools and with the University Administration for the purpose of integrating the contents of the Declaration into the Burundian educational curriculum. Preparing these materials required much time and effort in the period after the Video Forum. (For more details, see G. Future of Programme, below.)

Another important project within the programme (aimed at creating means for facilitating the implementation) had already been set in motion: A theatre play built on the declaration had been written and was in the process of being rehearsed.

Theatre had no place in traditional Burundian society but was introduced along with schools and education. Since the nineteen seventies it has become very popular, possibly because of Burundi's strong oral tradition.

A theatre group in Bujumbura, Geza Aho, with members from both ethnic groups, was approached by the working group and asked to produce a play which reflected the ideas in the Declaration. They accepted, and the script writer set to work. The play was then developed into a 65-minute long film/video-version recorded in natural surroundings in the countryside and later adapted for radio.

A summary of the play is found in the appendix. Suffice it so say here that the story revolves around a married couple in a village on the Burundian countryside. The husband, Barahinduka, and the wife, Murimbane, are from different ethnic groups, and when the villagers are incited from "outside" to take up weapons against each other, this has certain consequences for the family and their friends.

The play brings up all the important issues of the Declaration and has the advantage over the printed version that it can be directly and easily assimilated. The realistic story touches peoples hearts as well as their minds, and every single person in the audience is able to identify with the message.

The opening night in October 1994 drew a full house, with an audience of 300. Altogether six shows were staged during the following weeks. Then the live performances drew to a halt.

“We had planned more shows but the reality stopped us,” recalls the Director of the play.” We started to receive veiled threats soon after the opening night. Extremists from both sides said that it was ‘stupid’ of us to perform a play like this in the current circumstances. The fact that we are both Hutu and Tutsi actors in the group made it difficult for us to perform in the same area. However, not a single actor regretted participating in the play. The fact that the actors accepted to play the role of someone from the other ethnic group, knowing full well that it would subject them to threats from within their respective ethnic groups, shows that they were committed to the issue and ready to accept the anticipated criticism and the possible dangers.”

“The play turned out more successful than any of us had dared imagine. People recognised their everyday life and were reminded of what had happened in their own families. Men and women alike reacted very strongly. Even the extremists on the fringes showed a lot of feeling. The audience was sometimes in tears.”

“I am convinced that the story has a great impact,” continues the Director. “Something is left in the heart of the each spectator. Remorse, perhaps, or determination. It will be much more difficult to participate in the crimes for someone who has watched this story. Next time he will think twice before he kills.”

An interesting feature of the play is that it is the women who carry the message of restraint. 98 percent of the women in Burundi work in agriculture, their principle role being the education of children and the production of food crops. They have very little influence, practically no freedom to work outside their households and no property rights. Very few women have participated in the violence, other than as victims.

In the play, women from both ethnic groups play a major role in changing, or trying to change, the minds of the men and the adolescents. It is the women who carry the most important message and take the most important stands from beginning to end. They want peace, and they do not waver. They express a lot of criticism towards men by constantly asking them why they are doing what they are doing.

“The importance given to women in the play is deliberate and part of the message,” explains the Director. “If women had more opportunity to speak their minds in our culture, we would have a different society and would probably live in peace. Unfortunately women are mainly expected to shut up in public.”

“But the role of women in Burundi is more complicated than that. They are responsible for bringing up and educating the children and are respected for that. They also advise their husbands, but at home, never in public. Men do not listen to women when other men are present. In the play, however, women are allowed to talk and to try to persuade and convince.”

F. CURRENT IMPLEMENTATION

In November 1994 Edith Baeriswyl was replaced as Dissemination Delegate by Jean-Pascal Moret, who was charged with following up on and developing the programme. Between the middle of December 1994 and the end of April 1995, he toured the Burundian countryside screening the 12-minute video and the 65-minute film/video version of the play in schools, churches, and assembly halls around the country. His vivid recollections and stories from the over 30 screenings for more than 20,000 people in small villages all over Burundi show a wholehearted commitment to the programme.

“I believe the combination of the 12-minute video and the play leaves a hundred percent imprint on people's minds,” says Jean-Pascal Moret. “People are tired of violence. They want to live in peace! After having observed the reactions to the video and the play, I am convinced that what we are doing supports moderate thinking, and makes it more difficult for the extremists to incite the grassroots to killing one another.”

“We show the film/video in remote places where there is no electricity, i.e. no television. It is often the event of the year. The villagers talk about it for months afterwards. They are hypnotised by the story. It makes a deep imprint on their mind. They learn the story and repeat it to others. Should someone try to encourage them to take up weapons and fight, I hope they will refuse. People identify with the characters and the story. It is reality to them, not a story.”

“About a quarter of all the screenings have been mixed. I couldn't tell the reactions of one ethnic group from the other. There are always comments like 'moving', 'instructive', 'enlightening', and 'informative', regardless of which group the audience belongs to, and I am always asked to return for another session either in the same or in a nearby village.”

Jean-Pascal Moret goes alone on most of the field trips, accompanied, however, by a generator, a jerry can of diesel, an amplifier, a film/video projector, a screen, video tapes, boxes of pamphlets, and blankets to cover the windows during the screening. That he travels alone is a conscious decision. Even though this is a disappointment to the original intentions of the programme, which emphasised the involvement of Burundians at the implementing stage, the ICRC assessment is that the situation is still too dangerous and too volatile and that locals touring the countryside might well be in danger.

The general procedure is to contact the governor of the province where he is going, explain what the programme is, its aims, what the ICRC is doing, and ask him to choose 4-6 suitable places in the province and to make sure that the local administrator informs the villagers of the time and the place for the actual screening. At the session, after finding an interpreter, he introduces the ICRC, explains why he is there and what the ICRC is doing in Burundi, outlines the Geneva conventions and the difference between wars and internal conflict, and describes the programme. Then, the 12-minute video is screened followed by the 65-minute play. He tries to stay on if there are questions or comments, but regrets that the overall security situation and internal ICRC security rules often prevent him from remaining to discuss for as long as he would wish. ICRC security rules requires that ICRC staff must reach an ICRC base (delegation, office, or lodging) before night time.

G. FUTURE OF PROGRAMME

While continuing and increasing encouragement for local NGOs and other Burundian organisations to take over the implementation, ICRC is at present committed to continuing the support and the funding of the programme at least until the end of 1995. Considering the efforts

which ICRC has put into the development of the norms programme, it is probably safe to assume that the support will continue at least through 1996. The lack of certainty on this point is simply due to that the ICRC budget is established on a yearly basis (January-December) and that the budget for 1996 is not yet finalised.

Meanwhile the ICRC is doubling the expatriate staff for the norms programme. A replacement for Jean-Pascal Moret, whose contract was up at the end of April, is in place, and a second Dissemination Delegate is expected shortly. Another development which bodes well for the norms programme is that Edith Baeriswyl, after some months as Dissemination Delegate in Rwanda, is back in Burundi as interim Head of Delegation for the ICRC from May to October 1995.

If the situation in Burundi calms down, the take-over of the implementation by local groups might well be successful while the hope for this is probably less realistic if the instability continues. So far, three local organisations have shown a concrete interest in participating in the implementation stage.

Only one of them, the Burundi Scout Movement, has come close to turn the interest into action. The Scouts were given a promise from an international organisation for sufficient funds to purchase four vehicles, four monitors, four amplifiers and four generators. The plan was for this "Humanitarian Caravan" to be touring virtually every village in three central provinces of Burundi during the three-month period May-July 1995, screening the short video and the film/video-version of the play as well as distributing pamphlets. Then, the international organisation left Burundi, and the funds never came through. The search for funds continues. Meanwhile, the Scouts are working on an adaptation of the Declaration for young children.

The second organisation, L'Union Inter africaine des Droits de l'Homme, aided the implementation for a while by distributing pamphlets on a large scale, but drew back after receiving threats from extremists.

The third organisations, Maison de l'UNESCO pour la Paix, has expressed a strong interest in participating in the implementation stage but does not yet have the necessary funding.

Three projects are underway to help teachers and professors to integrate reflections on the spirit of humanity in situations of conflict in their courses. These three projects will be elaborated in close collaboration with the ministries concerned and with representatives of each relevant teaching level.

For the upper levels of the primary school (age 8-12 years), a brochure containing a tale, testimonies and an interview with an ICRC Delegate, containing proposals for pedagogical activities corresponding the objectives of the level, has been produced and will be introduced in schools all over Burundi at the beginning of the coming scholastic year (September 1995).

Contacts with the Ministry of Secondary Schools have resulted in that the film introducing the norms will be used in the teaching of civic education at this level (age 13-18 years). A discussion guide has been produced for the use of the teachers.

For the university, a document containing a presentation of IHL and the customary law of the region of the Great Lakes has been produced for use in the compulsory civic courses.

V. REFLECTIONS/COMMENTS

1) It is in the nature of this type of programme that it is very difficult to evaluate. The results, if any, will only be visible in the long term. Who can be sure that a behaviour encouraged one day will be adhered to in the middle of a future inhumane turmoil? One can only hope, and go on repeating the message through as many means as possible.

A Burundi woman involved with the programme expressed the dilemma thus:

“In the course of the work, I have sometimes been asked: ‘Look at the problems we have here in Burundi! Don't you think this work is an illusion?’ I have answered: ‘Explaining to your children what is good and bad is a long-term job. Is it not? The message has to be repeated again and again. You give birth and you educate. You keep on. That is the only way to change anything at all. We are building for the FUTURE. For the time being it might be difficult to achieve anything, but you have to start somewhere. We have started’.”

A small hint of the impact to date can nevertheless be derived from the fact that ICRC field delegates having passed through communes where the film/video has been screened testify of an unusually friendly reception. They also report having seen people on the roadsides reading the pamphlet.

2) In view of the fact that a number of Burundians involved with the implementation of the programme has drawn back when faced with threats from political extremists, it is relevant to question whether the message of resistance to pressure contained in the programme is at all effective. There is of course no simple answer to this question.

However, in the prevailing circumstances, it is more surprising for a spectator to note that there are still locals who are ready to stick their necks out and take on the precarious task of trying to strengthen moderate thinking, which by its very substance threatens the political objectives of the extremists, than that people draw back when they are threatened explicitly.

Two members of the working group have been killed in the course of the violence in Burundi, the first in the spring of 1994 and the second in June 1995. Even though the killings were unrelated to their participation in the working group, they took place within the general framework of the violent climate prevailing in Burundi and testify of the very real risks anybody representing moderate thinking runs.

The fact that threats may quite easily silence people for longer or shorter periods, does not automatically mean, however, that it is equally easy to incite people to kill. In view of the resistance to incitement which actually exists, it is probably safe to assume that it takes a lot more to automatically create killers. There are many stories of villages where the inhabitants have stood up to the pressure from outside to initiate a massacre.

3) Clearly, anchoring the text in local traditions and in the context of the local conflict accounts for the positive reception of the programme and has contributed to its general acceptance by all groups. A comment frequently repeated by different interviewees is that the ICRC is one of the few organisation, maybe the only one, which has found a way to make the Burundians listen. The impact of the programme is thought to be strong and by many judged to be lasting in the long term.

4) However, it is obvious that the positive reception has not been enough to automatically induce local organisations or Ministries to rush to take over the implementation. Apart from what has already been mentioned, there are various other factors that might account for this, for example: a) local organisations lacking funds, b) ministries likewise limited by lack of funds and ministry employees so caught up in the continuous government crises that any further

commitments might seem impossible, c) the fear and insecurity involved for locals travelling in the country, and d) many Burundians argue that in the present crisis situation a foreigner is a more credible messenger than a local who is always perceived through the ethnic filter and therefore makes the audience more apt to suspect ulterior motives behind the message.

In spite of the frequent references to lack of funds, most interviewees thought that once the situation in Burundi becomes more stable, Ministries and local organisations will be more likely to take over the implementation.

Considering that the instability continues, that the security situation is continuously deteriorating, and that outspoken Burundians holding moderate views are subject to pressure in different ways, it is probably too early for locals to join the implementation stage for the reason that they clearly risk their own and their families' lives. However, when the right time comes, the programme is in place and already known in many parts of the country.

5) Some criticism has been expressed by some members of the working group for not involving them more in the implementation of the programme in the provinces. This is in part contradictory, since they are all very busy in their present jobs/tasks and have very little opportunity to spend 4-8 consecutive days in the countryside. Even the critics reluctantly admit that perhaps one weekend a month is all they would be able to contribute. In other words, the course which the ICRC has so far been pursuing, might well have been the only way for the film/video to reach the provinces at all.

There is also a clear contradiction in the way many claim that they would “not be afraid” to travel around the country and their often very noticeable reluctance to commit themselves to actually doing so. The reason for this may simply be unwillingness to appear cowardly, not a very honourable characteristic in Burundi as we have seen earlier.

As for the ICRC, they have declared that they are NOT ready to put Burundians in the front line during the present circumstances, but they remain open to other possibilities and are considering/discussing other ways of using the people involved in the working group.

6) The recorded version of the play was shown twice on television in early 1995. However, television only exists in Bujumbura and the province “capitals”, and even there, there are not many. When the play was broadcast on television, many put their televisions in the garden or in a window for the neighbours to be able to watch. The radio version, on the other hand, was broadcast on prime radio time and is likely to have reached a much larger audience.

7) The programme has met with both strong support and with some institutional opposition from within the ICRC itself.

On the one hand, the programme created an enthusiasm (sometimes a bit naive) within the ICRC which led some to fear that the original texts and rules of IHL would be abandoned in favour of a much too simplified message. They feared that the Burundi programme might become the starting point of an era of “second rate IHL”, among other things because the dissemination tools chosen (theatre, song, etc.) had not traditionally been used by the ICRC.

Another aspect of the opposition had to do with the fact that the dangers linked with the security situation in Burundi led some ICRC Delegates to ask for a massive and direct dissemination campaign on the respect of the emblem and the working principles of the ICRC to precede the dissemination of the norms; this in order to ensure access to the victims and recognition of ICRC activities by the parties involved, a relevant wish in the circumstances.

The advocates of the norms programme, however, argue that any dissemination session on the norms (whether film/video, live theatre play or other) has always been accompanied by a presentation of the ICRC, its mandate, principles, activities and followed by distribution of various documents, including material on the significance of the emblem. Moreover, the role of the ICRC as a neutral and impartial intermediary is strongly underlined in the play, which contains scenes where ICRC delegates soon after a violent clash in the village give first aid to the wounded on both sides.

8) Should this type of programme be considered in a different context, it should be kept in mind that some conditions, specific to Burundi, remarkably facilitated the development of the programme there, and that these conditions do not necessarily exist elsewhere. The facilitating conditions in the Burundi context were: easy access to the highest governmental echelons; an open mind from the authorities to the ideas inherent in Human Rights and International Humanitarian Law; and free rein of action and full confidence accorded to the delegates assigned to the programme.

9) As in the case of so many other projects, the individual behind the development and implementation of this programme has played a crucial role for its implementation. It is questionable whether many persons other than Edith Baeriswyl could have pulled through the heavy load which the development of the norms programme involved. Not only was she old and experienced enough in the eyes of her Head of Delegation in the field to have his full confidence, but she also had six years of working experience with the ICRC, mainly in Asia, was blessed with good contacts with the ICRC headquarters in Geneva, and had professional pedagogical training. With this background, she went a long way towards being the ideal candidate for the task, but perhaps it was the unwavering determination which she exhibited for the work and the unbridled energy she displayed in carrying it through which meant most for the development of the programme.

It is clear that a lot is demanded from any person who are to embark on a similar course: ability to create respect around your person, pedagogical capacity, ability to maintain group dynamics, a strong will and ability to enter into the local context with constant curiosity and a spirited attitude to research, and, as Edith Baeriswyl herself pointed out, “One must be able hold on to the conviction that humanitarian norms might be instilled in all human beings regardless of the circumstances, and never forget that all education aiming at a change of behaviour is a work at the base and only has a limited impact in the short and middle term.”

ENDNOTES

This case study is based on interviews in Burundi during a field trip, 9-19 April 1995; on interviews with staff of the ICRC Co-operation-Dissemination Division (DDM/CODI) and the Africa Operations Sector in Geneva; and on project documentation made available to me by the ICRC. It is limited in scope and content by the relatively short time spent in Burundi and by the relatively small number of people interviewed.

In Burundi, I met and discussed with field staff of the ICRC, a third of the members of the working group referred to in the case study, and with Burundians otherwise involved in or concerned by the ICRC dissemination programme, such as members of the theatre group Geza Aho, students, journalists, and representatives of human rights and youth organisations. I have also profited from interviews with the UN Special Envoy to Burundi, Mr Ould Abdullah, and from interviews with representatives of UNHCR and UNICEF. The night curfew imposed in December 1994 was still in force, limiting the time for interviews to daylight hours only. Although interviewed independently, there was strong consensus among the interviewees on the issues of a) the utility and b) the difficulties of the programme.

Within the ICRC, the term dissemination specifically refers to activities aimed at spreading knowledge of the contents of International Humanitarian Law and fundamental humanitarian principles. For more details, see footnote 11.

– Déclaration pour des normes de comportement humanitaire: Un minimum d'humanité en situation de violence interne

– This section is based on the report Can National Dialogue Break the Power of Terror in Burundi Cervenka, Zdenek/Legum, Colin, Nordiska Afrikainstitutet in Uppsala, 1994; Utrikespolitiska institutets småskrifter, Rwanda, Burundi, Stockholm, 1991; and The Humanitarian Crisis in the Great Lakes Region, Philippin, D., ICRC, 1 February, 1995.

– The years most often referred to are 1965, 1969, 1972, 1988, 1991 and 1993. Estimated casualties: In 1965, 500 Tutsis and 5,000 Hutus; in 1969, several hundred Hutus; in 1972, 10,000-15,000 Tutsis and 100,000-150,000 Hutus; in 1988, 2,000-3,000 Tutsis and 5,000-20,000 Hutus; in 1991, 5,000 Tutsis; and in 1993, 50,000-100,000, possibly an equal number of Tutsi and Hutu.

The exact number of people killed in these massacres will probably never be known. None of the three military regimes ever attempted to find out and their official policy was to forbid any public reference to the issue. The accounts of history in Burundi school text books do not mention ethnic violence.

– Some examples: The Charter of Unity, February 1991, calls for reconciliation between Hutus and Tutsis; a new constitution, restoring a multi-party system, was adopted in March 1992; and a new cabinet, in which Hutus held half of the seats, was nominated in April the same year.

– FRODEBU received 78 percent of the votes

– Due to these developments, my arrival in Burundi was delayed for two weeks. The security situation did not admit the ICRC to house a visitor, a fitting introduction to the realities of Burundi everyday life.

– Conflicts covered by the Geneva Conventions of 1949 and the Additional Protocols of 1977.

Conflicts not covered by the Geneva Conventions or the Additional Protocols but where the ICRC has a power to offer its services on the strength of its right to initiative.

In situations of armed conflicts and in internal disturbances and tension, the ICRC occupy a unique position among international aid agencies, partly due to its responsibility for overseeing the development of International Humanitarian Law (IHL), and partly due to the rights and obligations invested in it by the Geneva Conventions of 1949.

The main instruments of IHL are the four Geneva Conventions of 1949, their two Additional Protocols of 1977, and the Hague Regulations of 1868. Article 3, common to all four Geneva Conventions expresses the essence of IHL and states the minimal rules to be respected at all times and in all places, independent of the legal status of the conflict.

By defining the adequate behaviour of the combatants in relation to certain categories of people or in relation to certain situations, IHL aims at preserving a minimum of humanity in any type of conflict situation.

Combatants should adhere to the rules of IHL, but this is only possible if the rules are known. The main responsibility for making the rules known rests with the governments and the military commanders of the States signatory to the Geneva Conventions.

Within the ICRC, the word dissemination specifically refers to activities aimed at making known the contents of IHL, in particular the fundamental humanitarian principles contained therein. The objective of the dissemination work of the ICRC is the prevention and limitation of violations of IHL, thereby protecting civilians, the sick, the wounded, and prisoners.

Apart from the contents of IHL, ICRC dissemination activities are also based on the fundamental humanitarian values contained in Human Rights Law, on the seven fundamental principles of the Red Cross Movement - humanity, impartiality, neutrality, independence, voluntary service, unity and universality - and on the history and activities of the Movement.

This section is adapted from Baeriswyl, R., *La diffusion du droit international humanitaire (DIH): Une contribution du CICR à la prévention et à la limitation des souffrances engendrées par les conflits armés et les situations de violence interne*, ICRC 22 March 1995.

By Asbjørn Eide and Allan Rosas.

This section is based on interviews with Edith Baeriswyl and Jean-Pascal Moret as well as on their written reports; on interviews with a third of the members of the working group; and on interviews with people concerned with the programme in Geneva and in Burundi.

Based on Diallo, Yolande, *Traditions africaines et droit humanitaire II*, (ICRC, Geneva, 1978), and on interviews carried out in Burundi.

Comportons-nous avec dignité même en temps de conflit

The sessions were attended, in turn, by: 1) 100 representatives of the the local authorities in Bujumbura; 2) 20 diplomats; 3) 25 representatives of local and international NGOs; 4) 50 representatives of the clergy; 5) 50 representatives of the political parties; 6) 110 teachers from primary and secondary schools; 7) 50 representatives of youth movements including the Scout Movement; 8) 30 representatives of the academic community; 9) 45 members of the National Assembly; 10) 25 representatives of business circles; 11) 60 representatives of the armed forces; 12) 50 functionaries from the provinces; and 13) 40 “personalities” including government ministers.

While in Burundi, I had the opportunity to attend a session myself. This took place in Fota, a village about two hours drive from Bujumbura. The event was rather hastily arranged,

mainly for my benefit, and the time factor prevented us from following the general procedure of preparations. Hence, when we arrived in Fota at mid-day, the local governor was aware of our coming, but not much more. The hall where the screening was to take place was occupied, and the villagers had not been informed. This had to be hastily arranged by driving round the village and announcing the event over a loudspeaker.

The unfortunate result of this rather long delay was that the time for introduction and discussion was cut short (it was necessary for us to be back in Bujumbura before dark since the roads are very dangerous at night), and any questions that the between 200 and 300 people who were staying around at the end of the session might have had were left unanswered as we were forced to drive away.

There was, however, time to distribute the pamphlets. More than half of the adult men and more than two thirds of the women in Burundi cannot read Kirundi. Yet, our 300 pamphlets were distributed in no time. "There are pictures, and there is always someone who can read," explained one woman. Asked what she thought about the play, she answered: "I liked what the women were saying, and I liked very much that they were protecting and hiding each other."

_ After completing the work with the Declaration, some former members of the working group have been appointed to responsible positions within the administration: one has become Minister, another has been appointed Ambassador, and yet another has been chosen as Chairman of the Technical Commission preparing for the National Debate. Others have been appointed to responsible advisory positions.

_ Edith Baeriswyl was born in 1950.

_ She has a university degree in Science of Education and has worked as a teacher and a director of a school. She has spent time on working on interactive teaching methods and has been the Head of a Unit for Research and Evaluation of Methods in the State Education Department in Switzerland.