

TRANSNATIONALISATION POTENTIAL OF ELECTORAL VIOLENCE IN BURUNDI

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ABSTRACT

Scholars have documented a correlation between different transnational factors and players, and a changing dynamics of civil war leading to the spillover of conflict from one country to another. The effects of diffusion and escalation are the primary causes of the transnationalisation of war. This paper considers whether electoral violence is also prone to these effects and therefore to the transnationalisation phenomenon. Electoral violence carries certain features that distinguish it from general political violence. It relates specifically to electoral events, with motives and timing being the determining factors. Firstly, the article demonstrates that electoral violence prevailed over political violence in the first phases of the 2015 internal conflict in Burundi. Secondly, it shows that there is a potential transnationalisation of electoral violence in the Great Lakes region. This is due to similar regional characteristics and goals of the incumbents, the similar nature of state institutions, and regional linkages among like-minded political groups.

Keywords: electoral violence, transnationalisation, Burundi, Great Lakes region

INTRODUCTION

In the post-Cold War period internal conflicts became more widespread, especially in Africa. In the mid-1990s, nearly 35% of the countries in sub-Saharan Africa fought civil wars (Blattman & Miguel 2010, pp. 3-4). These conflicts rarely remained purely internal. Scholars have widely documented a correlation between different

transnational factors and players and the changing dynamics of civil war (Keck & Sikhik 1998; Bennet & George 2005; Cederman, Girardin, & Gleditsch 2009; Blattman & Miguel 2010). These include rebel groups with active transnational links; the flow of goods and information in the region; transnational non-state actors with diverse economic or political interests; as well as nation states using conflict-ridden societies to fight their proxy wars, which all contribute to the spillover of conflict (Salehyan 2009, p. 5; Checkel 2013, p. 1). This begs the question of whether electoral violence can also become transnationalised.

Electoral violence is defined as a sub-set of activities within a larger political conflict, part of the trajectory of violent ethnic or communal disturbances clustering around the electoral events. It is seen as the ultimate electoral fraud featuring clandestine efforts to shape electoral results. Timing and motives separate electoral violence from other forms of conflict (Höglund 2009, pp. 412-427). At the same time, a large number of conflicts in fragile states re-escalate during the electoral period. These include the 2003 elections in Nigeria when at least 100 people were killed and widespread violence erupted in the north during the 2011 elections. The 2007 Kenya elections turned violent over disputed results. Violent confrontations also escalated during the 2007 run-off in Sierra Leone and 2010 elections in Ivory Coast and Guinea (Atuobi 2010, pp. 10-15; Goré Institute 2010, p. 18).

While the electoral process can legitimise the country's governance, the competition for political power can exacerbate existing tensions in society and elevate root causes of the conflict. Recent developments in Burundi show that a seemingly internal attribute of the conflict – electoral violence – could affect the regional electoral dynamics.

The decision of Burundian incumbent President Pierre Nkurunziza to launch a bid for a third mandate provoked demonstrations which were forcibly repressed by the government. International organisations, in-country opposition as well as some actors in the president's political camp judged the mandate unconstitutional and contrary to the spirit of Arusha Peace and Reconciliation Agreement (2000) (CECAB 2015; ICG 2015c, p. 18; Nshimirimana 2015). Pre-electoral, electoral and post-electoral developments have been marred by an atmosphere of fear, intimidation and generalised political violence carried out mostly by the Imbonerakure, the youth wing of the ruling party (APRODH 2015). As a result, 127 000 Burundians fled the country during the two months of the immediate electoral period (UNHCR 2015a).

The spillover of conflict in the region is generally influenced by six elements: the character of political institutions; willingness to seek support from similar ethnic or political groups; regional level of interdependence; economic insecurity and ethnic distrust; external powers backing internal rebellion; and inability of the state to control its borders (De Maio 2010, pp. 25-44; Keller 2002, pp. 1-15).

While the current situation in Burundi continues developing into a large-scale internal conflict, the article argues that this particular sub-element – electoral violence – could equally become transnationalised with a possible spillover into the Great Lakes region.

Firstly, the argument relates to political institutions. The ability of the incumbent president to embark on a third mandate creates a dangerous precedent for the region. This assessment relates to the events of January 2015 in Democratic Republic of Congo (DRC) where popular suspicions that Joseph Kabila wanted to stay in power beyond his terms of office showed that electoral tensions could quickly escalate (ICG 2015b). Similarly, a discussion on Kagame's third term took place in Rwanda in November 2015 (*Al Jazeera* 17 November 2015).

Secondly, the Imbonerakure has been trained in DRC. At the same time, Rwanda has been providing a safe haven to the opposition fleeing Burundi due to targeted political violence (ICG 2015c, pp. 16-17). These developments indicate both a willingness to seek support in neighbouring countries by the government and the opposition, as well as the interconnectedness of regional powers.

Thirdly, Nkurunziza's discourse and targeted electoral violence have sought to exacerbate ethnic differences – the root causes of the 1994 Rwandan genocide. Already tense relations between Rwanda and the DRC may deteriorate further through the proxy support of government or opposition in Burundi.

Finally, the uncontrolled flow of refugees caused by electoral violence and intimidation further impacts on regional stability (ICG 2015c, pp. 16-17).

In the case of Burundi, this article demonstrates that electoral violence can become transnationalised. Primarily, it explains the phenomenon of the transnationalisation of conflict and subsequently underlines the characteristics distinguishing electoral violence from a general understanding of conflict. It shows that electoral violence prompted current developments in Burundi and may spill over into the wider region. The article concludes by answering the question of the transnationalisation potential of electoral violence. At the same time, it underlines the importance of drawing a line between electoral violence and broader internal conflict.

TRANSNATIONALISATION OF CONFLICT

Transnationalisation of conflict is defined as a spillover of violence in a region due to the effects of diffusion and escalation. Diffusion involves the flow of information from one state or community to another, carrying with it the potential for conflict. Escalation starts when groups form alliances across the border. Such cross-border interactions influence the risk of civil strife if specific conditions are met when particular groups feel insecure due to the emergence of one or more other groups.

The state is unable or unwilling to mitigate these tensions. The collapse of the national government, the availability of weapons, ethnic distrust combined with general insecurity, constitute aggravating factors. The threatened regime often seeks to maintain its grip on power resulting in political tensions spilling across borders in order to obtain support and secure power regionally. Thus unstable regimes may engage in a proxy war (Keller 2002, pp. 1-15).

As Christine De Maio observes (2010, pp. 27-28), the character of political institutions, willingness to seek support from cross-border groups, and the level of interdependence in the region affect the likelihood that the state could experience a civil war. The conflict becomes transnationalised as a result of insecurity and distrust should external powers back the internal rebellion; also in situations where a weak state lacks the capacity to control the flow of refugees. At the same time, De Maio proposes that governments could use internationalised conflicts to strengthen their hold on power (Keller 1998, p. 278).

Scholars have demonstrated a correlation between internal conflict and the political dynamics within the region contributing to the spillover of wars (Blattman & Miguel 2010; Salehyan 2009; Tarrow 2007; Cooley & Ron 2002; Cederman et al. 2009; Checkel 2013). In Africa especially, domestic conflicts impact strongly on sub-regional security as for example witnessed in Rwanda or DRC. The refugee flow and the cross-border movements of armed combatants led to regionalised violations of human rights (Keller 2002, pp. 1-3). The existing body of research confirms that internal conflict in unstable regions may become transnationalised. This in turn poses the question of whether electoral violence could also spill across the national borders.

Transnationalisation Potential of Electoral Violence

Electoral violence often forms part of the broader conflict, defined as a subset of activities or part of a larger conflict trajectory. Nevertheless, the phenomenon of electoral violence carries certain features that distinguish it from general political violence. Electoral violence relates specifically to electoral events. As Höglund (2009, pp. 412-417) emphasises, motive and timing are the determining factors. Electoral violence could, nevertheless, carry elements of ethnic or community conflict, or exacerbate existing tensions. It includes threats and intimidation aimed at influencing voters or candidates and may result in political assassinations. These features of electoral violence could be interpreted as electoral fraud, with the intention of malevolently influencing electoral results.

Electoral violence can occur in all phases of the electoral cycle, but mostly in an immediate electoral period. The electoral arena becomes an arena of violent contestation particularly if incumbents attempt to extend their grip on power

illegally. Elections may be adjourned due to electoral violence in the pre-electoral phase (Höglund 2009, pp. 412-414; Bardall 2010).

Electoral violence during the electoral period in Burundi exacerbated tensions. Regional implications demonstrated that timing and motives reject ethnic, communal or any other general type of conflict at this stage. Equally, specifics of the current conflict show that electoral violence has spillover potential.

RECENT ELECTORAL DEVELOPMENTS IN BURUNDI

President Nkurunziza's first term in office ended in 2010 resulting in a crackdown on the opposition, forcing them to flee. Nkurunziza's second term was considered a further setback for democracy as the government launched a targeted campaign of repression against the re-structured opposition, and restricted political freedoms through a systemic manipulation of laws. With its attempt to monopolise state institutions through futile efforts to change the constitution, abandon the power-sharing provisions of the Arusha Peace Agreement, create a fictitious opposition and manipulate institutions, the government lost legitimacy in the eyes of its electorate (ICG 2015c). Had the 2015 elections been inclusive, that could have been a fresh start for Burundi; however the electoral process was marred by worrying developments (Thibon 2014, p. 3). The president's decision to bid for a third term provoked popular resistance, including among some cadres within his own political party, government and security forces (CECAB 2015; ICG 2015c, p. 18). Prominent opposition and civil society leaders launched an open resistance to the third mandate (Nshimirimana 2015). The electoral process became an arena of confrontation that resulted in a deteriorating electoral climate significantly worse than during the 2010 electoral problems (ICG 2015c, pp. 1-2).

The 2010 elections saw a strategy to eliminate the opposition. Nkurunziza aimed to divide the political movement, giving rise to the phenomenon of Nyakurisation (Ntamahungiro 2014, pp. 6-8).¹ Amending the Law on Political Parties (2011) enabled the government to exploit political differences and weaken the opposition. As a consequence, some strong opposition candidates had to run in the 2015 election as independents. In addition, numerous legal provisions allow for Nyakurisation and a weakening of the opposition. For example, according to the law on political parties (Article 10 and 62) the Minister of Interior can officially interfere in the internal organisation of political parties or suspend all activities of

1 The Nyakurisation technique: a faction within a political party contests the leadership and then leaves to form a splinter party subsequently recognised by the Minister of Interior. The original leaders, real political opponents, are allowed to contest elections only as independent candidates. As such, opposition leaders have regularly been refused the right to hold meetings or organise political campaigns (FIDH and Ligue ITEKA 2015, p. 14).

the political party should the maintenance of public order and safety so require. The law on the status of opposition (Article 21) stipulates that false statements and defamatory language tending to disturb peace and security can lead to prison sentences of between 30 and 90 days. This legal provision was widely misused during manifestations against the third mandate. Furthermore, the registration of new political parties faced a long and complex procedure taking up to eight or nine months. This provision has often prevented splinter political groups from registering in time for elections. Any coalition active outside of the electoral period can be deemed illegal by the government. (Article 8 defines coalitions as momentary gatherings of two or more parties established for the electoral period, thus declaring as illegal any coalition active outside the electoral period.)

The exploitation of incumbency further led to controversial re-appointments to the Independent National Electoral Commission (INEC). Both chairperson and spokesman were perceived to be loyal to the president and therefore rejected by the opposition. As a consequence, INEC became largely discredited. Lack of opposition representation in provincial election commissions, selective distribution of voter cards and constituency delimitation disadvantaging certain groups further diminished public confidence in the electoral process (ICG 2015c, pp. 3-5; ICG 2012, p. 18).

The first demonstration against electoral manipulation started in March 2014 and led to violent confrontation between opposition supporters and security forces. The MSD (Movement for Solidarity and Development) leader Alexis Sinduhije went into hiding and the MSD was suspended for four months on insurrection charges. This incident started attempts to neutralise opposition leaders through the judiciary (CG 2015c, p. 6). Any peaceful resistance against the government brought insurrection charges, a criminal offence punishable by the Penal Code (UNSC S/2014/550 [2014] section 8). On 12 August 2014, in contradiction to the Electoral Code, INEC declared it would not accept candidacies of party leaders subjected to legal proceedings (ICG 2015c, p. 6; Vandeginste 2014a). At least five prominent opposition leaders, including Agathon Rwaswa, the strongest rival to Nkurunziza, were subjected to doubtful legal proceedings. Even though finally allowed to run, the opposition was unable to compete on a level playing field (ICG 2015c, pp. 6-23; FIDH and Ligue ITEKA 2015, pp. 12-15; UNSC S/2014/550 [2014] section 11; Thibon 2014, p. 8; Ntamahungiro 2014, p. 3).

Ahead of the elections, large-scale peaceful demonstrations against the third mandate and the systemic manipulation of the electoral process started on 26 April 2015 in Bujumbura. Lawyers of the Burundi Bar Association as well as human rights activists confirmed (in personal interviews with the author, July/August 2015) that continuous violent repression, including grave violations of human rights by the security forces and Imbonerakure, marked the pre-electoral period.

This entailed the threat of systematically arresting protesters, including prominent civil society and opposition leaders. Several hundred people were arbitrarily detained before the parliamentary elections on 29 June (EU EOM Burundi 2015). At the same time, the line between party and state violence became blurred, notably with the ruling party allegedly arming the Imbonerakure to intimidate voters (ICG 2015c, pp. 9-10). The prevailing culture of impunity manifested itself again during the electoral period and directly contributed to an increased flow of refugees to neighbouring countries (UNHCHR 2015a).

Following the assassination on 23 May 2015 of Zedi Feruzi, president of the Union for Peace and Development (a small opposition party) reports of intimidation and threat against civil society and opposition leaders increased dramatically, forcing many into exile. At the same time criminal activities carried out by the Imbonerakure throughout the country were on the rise, particularly in the period immediately preceding the 29 June parliamentary elections (EU EOM Burundi 2015).

The widespread violation of human rights during the electoral period continued beyond the 2015 elections. As a result, at the end of December 2015 the African Union considered the deployment of a prevention and protection mission (MAPROBU), strongly opposed by Nkurunziza's regime (Williams 2015). At the same time, the opposition allegedly formed the Republican Forces of Burundi (FOREBU) with the aim of deposing Nkurunziza. Subsequently, Nkurunziza refused to participate in the peace talks scheduled for January 2016 thus pushing Burundi to the verge of civil war (ICG 'Crisis Watch Database' 2016).

Electoral Violence: Motives and Timing

Overall developments evince aspects of an internal conflict between protesters and the government that has led to a high number of refugees. A tense situation beyond the electoral period continues at present and has developed into large-scale internal conflict. Both the electoral violence preceding the current internal civil disturbances and similarly the conflict itself carry the potential for transnationalisation.

Following Höglund's hypothesis, electoral violence differs from other aspects of conflict in terms of motives and timing. In 2015, Burundi was set to conduct three types of elections – legislative and local on 26 May, and presidential on 26 June (Decret N. 100/71 [2015]). While voter registration started at the beginning of February, a period of contestation began only with the registration of candidates. For the legislative and local elections, candidates had to have presented their documents to INEC from 30 March. INEC had until 2 May and

21 April respectively to publish definitive lists.² Registration of candidates for the presidential election was supposed to have taken place from 30 April to 25 May. On 25 April, the ruling CNDD-FDD (National Council for the Defence of Democracy) announced that Nkurunziza would contest the election for the third time (FIDH and Ligue ITEKA 2015, p. 8). The resulting widespread demonstrations against his candidacy started just one day later.

Motives

Electoral violence commonly erupts if incumbents resist ceding power. Article 7 of the Arusha Peace Agreement and Article 96 of the Constitution stipulate that the president is elected directly for a five-year term renewable once, thus limiting the president's years in office to ten (Arusha Agreement [2000] Article 7.3; Burundi Const. [2005] Art. 96). Nkurunziza was first elected in 2005 completing his second term in 2015.

On 26 April 2015, fourteen senators raised the issue of the proposed third mandate with the Constitutional Court requiring the interpretation of Articles 96 and 302 of the Constitution. The proponents of the third term argued that the number of mandates must take into account the mode of election. In 2005, during the immediate post-transition period, President Nkurunziza was elected indirectly by Parliament according to Article 302 of the Constitution (Constitutional Court RCCB 303 [2015]; Vandeginste 2014b). The Constitutional Court approved the third mandate on 5 May on the basis of Article 302. Given that Nkurunziza had not been elected directly in 2005, it was suggested that the first term would not count (Constitutional Court RCCB 303 [2015]). It is worth mentioning that the vice-president of the Constitutional Court fled the country on 4 May denouncing political pressure on judges, including death threats (Ndikumana 2015; Nimpagaritse & Parmentier 2015).

This situation underlines the first motive indicating electoral violence rather than an internal conflict. The president manipulates the laws and legal institutions to secure his third mandate by all possible means. The brutal repression of peaceful demonstrations against his third term in the pre-electoral period pinpoints the case of election-related violence linked to the presidential contest.

Furthermore, as mentioned above, in order to remain in power and increase control over the country the president arbitrarily attempted to amend both legislation and the Constitution. The amendments aimed to restrict the opposition and abandon the power-sharing agreement between three ethnic groups, thereby depriving the Arusha Agreement of its sense (ICG 2012). On 21 March 2014, the government's attempt failed due to the vote of the UPRONA political party, which

2 For more information consult electoral calendar at <http://www.ceniburundi.bi>.

was normally allied to the ruling CNDD-FDD (UNSC S/2014/550 [2014] section 6; Ntamahungiro 2014, p. 4). To pass the amendment, the president would need the qualified majority of four-fifths (85 votes) of the National Assembly. After the 2010 elections, despite the opposition's boycott, CNDD-FDD only managed to secure 81 seats and therefore not enough to change the Constitution unilaterally (ICG 2011). Intimidation and threats against the opposition candidates, including the murder of opposition leaders, as well as the phenomenon of Nyakurisation, were an intentional collective motive to eliminate the opposition and win enough seats to control the National Assembly.

Therefore the motivation for in-country violence was undoubtedly linked to the electoral process with the explicit aim of the president retaining power. The manipulation of the electoral process was observed during the immediate pre-electoral period as well as in the longer term and throughout the wider electoral cycle.

Timing: Pre-Electoral Period

The second aspect signifying electoral violence is that of timing. From the start of electoral preparations, notably the registration of voters in February 2015, credible reports indicated that the Imbonerakure pressured opposition voters to support the ruling CNDD-FDD. During March and April the security situation in provinces worsened due to the mobilisation of Imbonerakure and continuous threats against the wider population. Burundians started to flee the country (APRODH 2015).

In April the atmosphere of fear became omnipresent with rumours circulating that everyone opposed to Nkurunziza's third mandate would be executed. Demonstrations against the third term began in March with smaller gatherings conducted by supporters of the five opposition parties as well as some members of the ruling CNDD-FDD. The police repressed these demonstrations with tear gas (APRODH 2015). By 17 April, more than 5 800 Burundians had fled the country amid fear of violence (*Al Jazeera* 17 April 2015).

The start of the electoral campaign in May 2015 was marked by the limited presence of the opposition. The only visible party was the ruling CNDD-FDD and occasionally their ally UPRONA. The demonstrations that started on 26 April continued and gradually led to large-scale violations of human rights that included torture and the arbitrary arrests of political opponents (APRODH 2015).

Claiming the protection of the Constitution and the spirit of the Arusha Agreement, a section of the army led by General Nyombare orchestrated a military coup on 13 May. This attempt failed and resulted in the imprisonment of presumed coup-plotters and stronger repression of the opposition. By 31 May

an additional 60 000 Burundians had fled the country seeking refuge in Rwanda, DRC, Tanzania and Uganda (UNHCR 2015b).

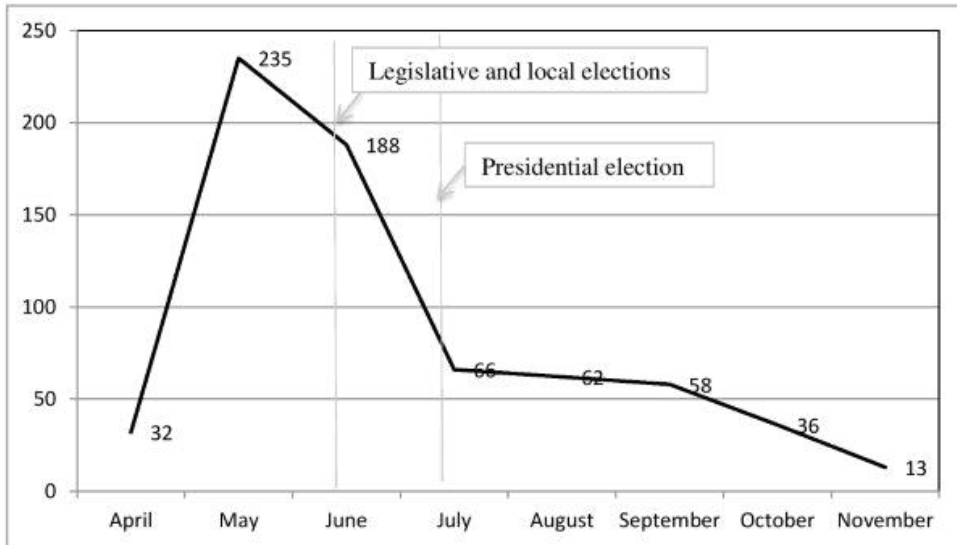
The demonstrations against the third mandate continued until June 26. An increase in electoral violence, along with the related withdrawal of the international electoral observers amid unfulfilled conditions for conducting credible elections, forced the government to postpone legislative and local elections to 29 June (EU EOM Burundi 2015). The withdrawal of observers as well as the demonstrations against alleged illegal candidacy further suggested that violence was linked to the elections in a highly contested political environment. The repression of the opposition intensified during the immediate pre-electoral period. People either fled the country or went into hiding (APRODH 2015).

Moreover, prominent persons within the government who opposed working under pressure started to flee. By the end of May, both the vice-president of INEC, Spes Caritas Ndironkeye and the commissioner of INEC Illuminata Ndabahagamyé resigned from their positions. They were joined by some representatives of the lower level election administration protesting at the government's alleged plan to steal the elections (APRODH 2015). Burundi's vice-president Gervais Rufyikiri together with the president of the National Assembly Pie Ntavyohanyuma fled the country on 25 June. Due to mounting political pressure and threats, many journalists, lawyers and human rights activists also left Burundi.

Before election day the number of Burundians in exile increased to 109 275. UNHCR reports indicated that the number of new Burundi refugees increased rapidly on 27 and 28 June (APRODH 2015; UNHCR 2015b). Various APRODH activists based in the provinces and some Burundi Bar Association lawyers confirmed in phone conversations with the author (July/August 2015) that as of the end of June 2015 more than 700 people were in prison on doubtful insurgency-related accusations.

Burundian citizens and human rights representatives in the provinces indicated that intimidation and arbitrary arrests by the Imbonerakure increased drastically during the immediate pre-electoral period and also on election day itself (phone interviews with the author, July/August 2015). Equally, the Ushahidi database³ registered a significant increase (about 280%) of verified reports of electoral violence during the immediate pre-electoral period. Figure 1 below shows the registered cases of electoral violence before and after the elections.

³ Ushahidi database was established to collect verified cases of electoral violence reported throughout the country during the electoral period.



Data source: Ushahidi, Elections Burundi 2015

Figure 1: Number of cases registered during the immediate pre-electoral period

Timing – Election Day Violence

A similarly tense atmosphere continued throughout the presidential election, which finally took place on 21 July 2015. Due to ongoing arrests, a generalised atmosphere of fear, and the exile of main opposition leaders, the anti-Nkurunziza demonstrations petered out around 29 June. A pattern of electoral violence continued, now orchestrated by those linked to the supporters of the ruling party as well as the opposition – both sides were guilty of intimidating voters. The supporters of the opposition attempted on various occasions to prevent people from voting, while the Imbonerakure checked people's voter cards in some provinces to ensure they cast their ballots. Influential members of the opposition coalition Amizero Y'Abarundi were increasingly detained and harassed. On both sides, a fear of repercussions from voting or from not voting emerged (APRODH 2015; Ushahidi Elections Burundi 2015). An additional 40,000 people fled the country between the legislative and local elections on 29 June and the presidential election on 21 July 2015 (UNHCR 2015b).

Timing: Post-Electoral Violence

The opposition boycotted the presidential election of 21 July 2015. Instead they proposed the creation of a government of national unity and called upon Nkurunziza to step down. On 1 August 2015 the opposition met in Addis Ababa and set up the National Council for the Respect of the Arusha Agreement and the Restoration of the Rule of Law ('Burundi: post-election crisis' 2016). In-country violence continued at a lower level but it was, however, interspersed with a number of high-level assassinations or attempted assassinations. Adolphe Nshimirimana, chief of the state secret service who had been implicated in the killings and torture of Nkurunziza's opponents, was assassinated in August 2015.

Figure 2 indicates the correlation between electoral developments and in-country political violence. The timing suggests that the violence was directly related to the electoral process.

		ELECTORAL DEVELOPMENTS		POLITICAL DEVELOPMENTS			
JAN							
FEB							
MAR	Voter registration and preparation of final voter lists (2/2 - 29/4)		Registration of candidates for elections: LEGISLATIVE (30/3 - 2/5) LOCAL (30/3 - 21/4) PRESIDENTIAL (30/4 - 25/5)	Mobilisation and arming of Imbonerakure	Nkurunziza announces candidacy (25/4)	5,800 REFUGEES (17/5)	
APR							
MAY	Printing and distribution of voter cards (29/4 - 26/5)		Election campaign: LEGISLATIVE LOCAL (10/5 - 26/6) PRESIDENTIAL (10/6 - 18/7):	Widespread anti-Nkurunziza demonstrations violently repressed (26/4 - 26/6)	Vice-President of Constitutional Court flees the country (5/5) Constitutional Court approves Nkurunziza's candidacy (6/5)	Attempt of military coup (13/5)	Ushahidi registers 521 electoral violence cases
JUN							
		ELECTION DAY - LEGISLATIVE AND LOCAL ELECTIONS (29/6)		109,275 REFUGEES			
JUL			ELECTION DAY - PRESIDENTIAL ELECTIONS (21/7)	143,519 REFUGEES			

Data Source: <http://www.ceniburundi.bi>; Ushahidi, Elections Burundi 2015; UNHCR 2015b

Figure 2: Correlation between in-country violence and electoral developments

Electoral Violence or Civil War?

In summary, this article suggests that the manipulation of the electoral process using all possible means became a primary motive for the violence orchestrated in Burundi. The perpetrators primarily used techniques of harassment, assault, and intimidation. The timing of the violence was closely linked to the immediate electoral period. This confirms that the criteria for the classification of electoral violence are fully met. In addition, the International Criminal Court issued a statement on 8 May 2015 classifying the developments in Burundi as electoral violence (ICC 2015).

Given that electoral violence was linked to the timing of electoral events, developments beyond the immediate electoral period can no longer be classified as electoral violence. The elections exacerbated Burundi's political tensions, and the political violence further increased in October 2015 following the deadlock in the government's negotiations with the opposition. Furthermore, violence intensified in December 2015 when unidentified assailants attacked three military camps killing 87 people. Arbitrary executions and a culture of impunity remain omnipresent, indicating the country's internal conflict following the elections (ICG 2015a; Vircoulon 2015; ICG Crisis Watch Database 2016).

An analysis of Burundi's internal conflict and its possible transnationalisation goes beyond the scope of this article. Nevertheless, it could be concluded that the electoral process exacerbated in-country political tensions, and electoral violence further developed into an internal conflict. Given that the electoral violence could form a sub-element of civil war, such developments do not negate the hypothesis that Burundi suffered from electoral violence that could spill over into the wider region. In order to analyse whether the electoral violence could become transnationalised, the timeframe of this article must be reduced to the immediate electoral period.

TRANSNATIONALISATION OF ELECTORAL VIOLENCE IN BURUNDI

As previously discussed, six elements play a role in the transnationalisation of conflict. The five main criteria needed to assess whether these elements are equally applicable to electoral violence are as follows:

- Character of election-related institutions;
- Willingness to seek support from and provide support to similar ethnic or political groups with a history of participation or likelihood of participation in electoral violence;
- Role of external powers backing internal rebellion or armed groups;

- Level of interdependence in the region, especially in terms of political similarities and information sharing that can spread electoral violence in neighbouring states;
- Economic insecurity, ethnic distrust and a weak state capacity to control national borders would contribute to the impact Burundi's electoral violence would have on the region.

To assess whether electoral violence in Burundi can become transnationalised, these criteria must be applied to the entire Great Lakes region. This region includes Burundi, DRC, Kenya, Rwanda, Tanzania and Uganda. Apart from Burundi, DRC and Kenya have a history of electoral violence (EU EOM Rwanda 2008, pp. 4-5, 16 & 26; Amnesty International 2003b; EU EOM DRC 2011, pp. 7, 23 & 40). Uganda's presidential election held on 18 February 2016 was marred by increased levels of violence. Re-elected Yoweri Museveni was running for his seventh term in office (EU EOM Uganda 2011, p. 10). DRC and Rwanda are heading into elections later in 2017 and their current leaders are considering a third term in office (Ntamahungiro 2014, p. 1; Vandeginste 2014b, p. 1). In Rwanda, a popular referendum approved the third term of President Kagame (Sow 2015). In DRC, violent protests met the adoption on 17 January 2015 of a law by the National Assembly that could lead to the extension of Kabila's term in office (ICG 2015b).

In the case of Rwanda, it is unlikely that the decision to bid for a third term in the upcoming election would spark a wave of electoral violence given Kagame's general popularity. Kagame's rhetoric is, however, worth highlighting. While opposing Nkurunziza's third mandate, Kagame did not refer to it as being unconstitutional, but rather stated that the president should never run against the will of the people. He also said repeatedly that the crisis in Burundi was not linked to the third mandate, but to the inability of the president to deliver on his promises. This particular rhetoric suggests Kagame feared that electoral tensions could spread to Rwanda and tried to anticipate such a possibility.

Even though it would seem that protests are not imminent in Rwanda, Kagame's ability to contest elections for a further three terms suggests that future protests should not be discounted. His move has the potential of giving him an additional 15 years in office and disadvantages the opposition. In addition a significant number of Burundian journalists, activists, lawyers and opposition politicians took refuge in Kigali. Their presence and a possible liaison with Rwandan opposition could inform and shape public opinion against the regime in its attempts to seek an additional term in office. In view of the ethnic dimension of Nkurunziza's election rhetoric, the potential of electoral violence in future elections in Rwanda remains significant. The potential of electoral violence could be further exacerbated by Burundian political exiles seeking alliances with the Rwandan opposition.

In DRC the National Assembly adopted a law on 17 January 2015 providing that a national census be carried out before elections could take place. Strong suspicions among Congolese citizens that Kabila wanted to stay in power beyond his term in office triggered violent protests throughout the country. The DRC has a history of fast escalating violence, including during electoral periods (ICG 2015b). Moreover, bidding for a third term has a dangerous precedent in Africa. For example in Burkina Faso such an attempt triggered violent protests in October 2014, leading to a military coup (Freedom House 2015).

Furthermore, credible reports indicate that the Imbonerakure have been trained in DRC (UN SC S/2014/550 [2014] section 15). In line with this, activists in the border areas as well unconfirmed reports indicated a possible infiltration of Rwandan Interahamwe into the Burundi security forces during the electoral period.⁴ If confirmed, this presence would suggest a potential collaboration with the Burundian regime. The interconnectedness and aforementioned alliances of militias and security forces, as well as similar protests in Burundi and DRC, can directly contribute to the transnationalisation of electoral violence during upcoming elections. Similarly, if electoral violence were to erupt in Rwanda during any future elections, it is likely that the Interahamwe and possibly the Imbonerakure would be implicated, as these groups share common characteristics and appear to seek mutual support.

The Arab Spring may serve as a good example of electoral violence spreading in the region. The Arab Spring showed that anti-regime protests move in interconnected waves exploiting the vulnerabilities of regimes and transferring information and tactics to other parts of the region with the aim of ousting dictators (Patel & Bunce 2012, pp. 10-12; Hess 2015, pp. 4-8). Burundi, DRC, Rwanda and Uganda are known for the limited space allowed to the opposition. Electoral institutions are in their infancy and as already mentioned the tradition of electoral violence remains prevalent (EU EOM DRC 2011, pp. 25-43; Amnesty International 2003a). These shared electoral characteristics suggest that electoral violence has the potential to exploit vulnerable electoral institutions in the Great Lakes region.

Given the prominent role that the search for a third mandate has played in electoral violence in Burundi, it is worth emphasising that at least two countries in the Great Lakes region share similar concerns. Similarity of electoral contexts and institutions, along with sharing and spreading information (the diffusion effect) indicate the potential electoral violence has of spreading to neighbouring countries in the region.

4 Democratic Forces for Liberation of Rwanda (FLDR) alias Interahamwe participated in the 1994 Rwandan genocide against the Tutsi population. Interahamwe is currently active in Eastern Congo (Bjarnesen 2015; Commission of Enquiry 2015, 16).

The aim of the threatened regime to hold on to power regardless often enables tensions to spill across the border. Attempts by Nkurunziza's government to seek support in DRC, for example, may later contribute to electoral violence in the region. To increase its legitimacy, Nkurunziza is likely to support the third mandate of President Kabila thus adding to DRC's electoral tensions.

As indicated earlier, internal conflicts are further transnationalised as a result of ethnic distrust, poor economic conditions, weak state structures, the inability of governments to control their borders and subsequent migration flow. Though not obvious, disappointment with the economic situation in Burundi and a lack of government delivery of economic and democratic development might have played a role in the outcry against the president seeking a third mandate. In contrast, Rwanda has a growing economy and stronger state institutions, including Rwanda's proven ability to control its borders and citizenry, as well as the Kagame regime's hard treatment of potential opponents and dissidents. As a result Kagame's subsequent mandate seems more acceptable to the general public. The economic factor can, nevertheless, contribute to the spillover of electoral tensions to DRC.

Despite the fact that Nkurunziza was accused of exacerbating ethnic tensions during the 2015 elections, ethnic distrust does not seem to play a role in Burundi and clashes were not based on ethnic considerations. The protestors were not from the same ethnic group but rather assembled from different ethnic backgrounds united in their opposition to Nkurunziza's candidacy (Manirakiza 2016). Therefore, ethnic rhetoric did not play a significant role in Burundi's recent electoral violence. However ethnicity could still play a role in inciting electoral violence should groups of the same ethnicity feel disadvantaged in the electoral and political competition and as a result unite in protest against actual and/or perceived injustices.

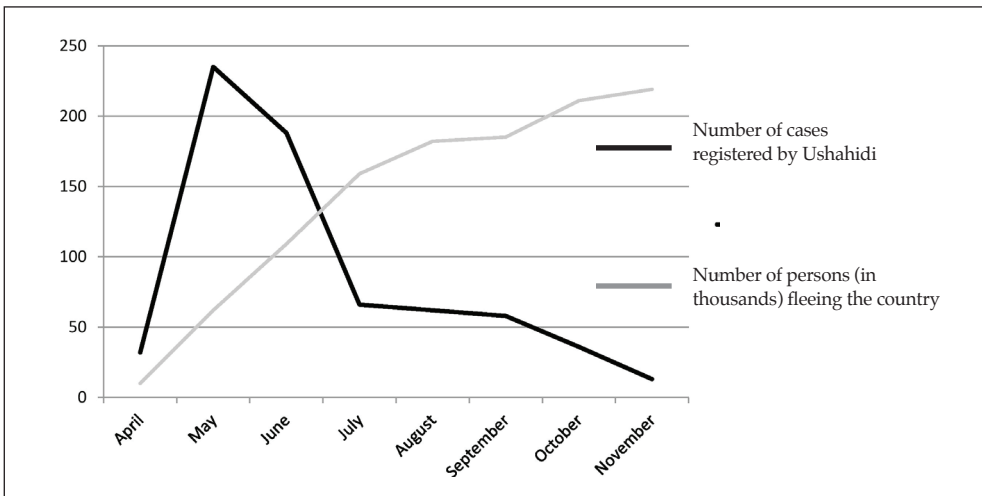
Drawing the Line between Transnationalisation of Electoral Violence and Internal Conflict

Whilst it would be difficult to argue that migration directly contributes to the transnationalisation of electoral violence, the phenomenon is worth noting as it helps distinguish between the transnationalisation of electoral violence and internal conflict.

Figure 3 shows a clear correlation between electoral violence and migration from Burundi to neighbouring countries. It shows cases registered by Ushahidi between April 2015, the start of the anti third mandate demonstrations, and November 2015, pointing to the immediate electoral period. The number of cases of electoral violence increased drastically in the pre-electoral period leading to the parliamentary elections (up to 235 cases in May and 188 cases in June). It

remained relatively high until September during the presidential elections and immediate post-electoral period. At the same time, migration started to increase significantly with more than 150,000 people fleeing as a result of the threat, intimidation and general atmosphere of fear generated by the regime’s loyalists during the immediate electoral period (Tertsakian 2015).

At the same time, however, this figure shows that migration from Burundi continues, supporting the argument that the country has moved from electoral violence to internal conflict immediately after the electoral period. Regional implications of internal conflict or civil war go beyond the scope of this article; nevertheless, this brief discussion aims to show the link between the transnationalisation of electoral violence and civil conflict. Figure 3 below demonstrates the exact numbers of cases registered by Ushahidi with the number of persons fleeing Burundi. Number of persons fleeing Burundi is in thousands.



Data Source: Ushahidi 2016, UNHCR 2015b

Figure 3: Correlation between electoral violence and numbers of refugees

CONCLUSION

Electoral violence falls into the sub-category of political violence and internal conflict. As such, it could spill over to other countries, especially given that 19 to 25 percent of countries in sub-Saharan Africa experience some violence throughout their immediate electoral period (Bekoe 2010, p. 1). Electoral violence differs from general conflict through its motives and timing; diffusion and escalation cause the transnationalisation of conflict. This article analysed whether electoral violence is also prone to these effects and could, therefore, be transnationalised. The case

of Burundi underlines the potential of transnationalisation for electoral violence, impacting on at least two countries in the Great Lakes region.

In order to classify in-country violence as electoral, it is necessary to first determine whether the motives and timing are linked to electoral events. President Nkurunziza and his party used violence and systemic manipulation to suppress the opposition to his candidacy and to secure enough votes in National Assembly to amend the Constitution. An increase in violent actions against the opposition was directly linked to the immediate electoral period. Therefore, the case of Burundi fulfils both criteria of timing and motives to be classified as electoral violence.

At the same time, the countries in the Great Lakes region also have a history of electoral violence, weak election institutions and the willingness of its incumbents to bid for mandates beyond the initial legal framework. Repression of opposition remains widespread. The character of political institutions and electoral landscape in the region therefore indicates that transnationalisation within the Great Lakes region remains possible.

Similarly, information sharing and potential alliances between the pro-government Imbonerakure and Rwanda's Interahamwe on one side, and Burundian opposition activists and in-country opposition in Rwanda on the other, may lead to mutual support during the upcoming elections and contribute to the increase of electoral violence in the region. Nkurunziza's regime, weakened by the conflict, is likely to seek support in neighbouring countries thus adding to the existing electoral tensions, especially in DRC. Diffusion and the effects of escalation in the Great Lakes area indicate a possible spillover of electoral violence from Burundi to the region.

While the flight of ordinary Burundians to neighbouring countries was a direct result of electoral violence, it is unlikely to be an exacerbating factor in the transnationalisation of electoral violence. Nevertheless, it plays a role in distinguishing between the period marked by electoral violence and the subsequent eruption of civilian conflict. Internal conflict has been provoked throughout the electoral period in Burundi, indicating that electoral violence can lead to broader civil disturbances. Further, such conflict can be transnationalised, which goes beyond the scope of the current article.

The transnationalisation potential of electoral violence has so far received very little attention as part of the systematic study of civil wars and conflicts. This article aims to contribute towards extending that research. Acknowledging the transnationalisation potential of electoral violence could play a role in mitigating conflicts emerging during the electoral cycle.

***Disclaimer:** The author participated in the 2015 European Union Election Observation Mission to Burundi. The opinions expressed in this article are exclusively those of the author and are not the position of the mission or the European Union.*

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