



## **Case Study: Collaboration mechanisms and the role of land actors in Nyanza-lac, Burundi.**

### **Project Background: “Terre d’Entente”**

Since July 2012, with support from the Ministry of Foreign Affairs of the Netherlands, SFCG and its partners are implementing a project in three countries in the Great Lakes region of Africa - Burundi, the Democratic Republic of Congo (DRC) and Rwanda. The overall objective of the project is to *support the legitimate governments of the Great Lakes, so they have the capacity to meet the essential functions of the State*. Specifically, the project seeks to achieve three results:

- Strengthening the creation of mechanisms for citizen participation in decision-making on sensitive issues;
- Strengthening constructive engagement between civil society and local authorities around sensitive issues and;
- Building the capacity of peace actors at the national level through their participation in the project (transversal result).

To achieve those results, SFCG’s approach consists of a combination of regional activities to promote exchanges of experience between land actors on land policies and best practices in land management. This includes capacity-building activities through training in peaceful conflict resolution as well as media activities.

### **Objectives of the case study**

As part of this project, SFCG conducted a case study investigating the role and contribution of trained mediators of the Conseil National des Bashingantahe (CNB) and of the Commission Nationale Terres et Autres Biens (CNTB) in the resolution and prevention of land conflicts in Burundi. The CNB is a non-governmental traditional body comprising senior men and women in villages renowned for their sense of truth, justice and responsibility, and historically empowered to settle land disputes. The CNTB is a national commission created in 2006 to settle land disputes generated by several crises since the country’s independence.

The study was conducted in the Makamba province, commune of Nyanza-Lac, in July 2016. It had the following objectives:

- 1) Investigate the evolution of the collaboration between the CNTB and the CNB in Burundi – before and after the project.
- 2) Measure the impact of SFCG’s training in mediation techniques on the capacity of *Bashingantahe* and CNTB mediators to get involved in the mediation of sensitive land issues in their communities.

- 3) Assess the ability of *Bashingantahe* mediators to embrace certain best practices and lessons' learned from Rwandan *Abunzi* mediators and/or traditional Congolese, as part of the regional exchanges organized during the project.
- 4) Suggest recommendations to reinforce the efficiency of *Bashingantahe* mediators work and their collaboration with mediators from the CNTB.

## Methodology

The methodology used was qualitative and based on focus group discussions (FGD) held with CNTB and CNB mediators as well as community members, both residents and returnees, in Nyanza-Lac commune. Key informant interviews (KII) were also conducted with CNTB and CNB officials, and members of the local administration. In total, we conducted 4 FGD with 14 women and 17 men as well as 9 KII.

## Key findings of the case study

### 1) On the evolution of the collaboration between the CNTB and the CNB au Burundi:

SFCG's training and regional experience-sharing sessions have increased interactions between CNB and CNTB mediators who are now more tolerant and aware of each other's work. Whilst they have a different mandate and tend to work independently, they now work in a climate of respect and sometimes refer to one another to solve land conflicts, particularly when *Bashingantahe* have been elected *chiefs of colline* (Burundian administration).

### 2) On the impact of SFCG's training on the capacity of *Bashingantahe* and CNTB mediators to get involved in mediation on sensitive land issues in their communities:

A series of six trainings in mediation technique and peaceful conflict resolution organized by SFCG gathered a total of 180 Burundian mediators, including *Bashingantahe*, CNTB mediators and officials, as well as civil society representatives involved in the mediation of land conflicts. These trainings were held in Rumonge, Bururi, Makamba, Bubanza and Cibitoke, areas where land conflicts generated by the crises of 1972 and 1993 are prevalent. The process of involving diverse land actors in the trainings allowed for greater understanding and acceptance of different stakeholders' roles and responsibilities in the mediation of land conflicts at the community level. In addition, female and male participants to this study both confirmed that today, female mediators are frequently engaged in land mediation in their respective communities. Whilst they remain under-represented, they are now as trusted as male mediators.

### 3) On the ability of *Bashingantahe* mediators to embrace best practices and lessons' learned from their Rwandan and Congolese peers:

Following SFCG's regional exchanges on land mediation in the Great Lakes, CNTB officials were able to submit recommendations to their government about the land registry model established by their Rwandan counterpart. This system involves the listing of plots beyond natural limits (streams, trees, etc.) in order to formalize decisions taken during land mediation sessions and ensure that they are

sustainable. A CNTB official submitted the recommendation to the Government of Burundi; which is awaiting a response.

## Recommendations

Based on the aforementioned findings, the case study issued the following recommendations to SFCG:

### **1. Engage the population in formal and informal land mediation processes:**

- Organize restitution and information awareness sessions through the radio about the mediation training delivered by SFCG with mediators at the *collines* level where less NGO support is received, to build the capacity and trigger increased collaboration between CNTB, CNB and the administration in more communities where land conflicts are most common. From this perspective, local communities would be aware of the content of the training delivered to SFCG's participants, their responsibilities and their scope as well as both formal and informal mediation processes.
- Follow-up on the mediations conducted by trained mediators within their communities to provide feedback and guarantee a level of quality of the application of peaceful conflict resolution principles in the land sectors as well as providing a mentorship for mediators when required.
- Create a network for land actors to reinforce synergies in land mediation. This network would provide land actors a platform for collaborative monitoring of land conflicts in order to anticipate tensions and conflicts generated by non-consensual decisions

### **2. Reinforce the effectiveness of SFCG's regional exchanges on land mediation in the Great Lakes:**

In order for regional exchanges to be beneficial for participants from each country and to ensure the sustainability of their impact on the work of community-level mediators, it would be beneficial to organize workshops as one session of the regional exchanges to encourage participants to formulate practical policy recommendations and action points to formalize the implementation of best practices from neighboring countries in their home countries.

These recommendations will provide guidance to SFCG throughout the remaining project implementation period (June 2016), and feed into future programming on women's engagement in the mediation of land issues in Burundi.