IV. The Long-term Challenge: Political reconciliation

Attention must be paid to how real reconciliation can be achieved in both countries. Calls for a return to democracy will be insufficient: neither Rwanda's expansion of political freedoms leading to the Arusha accords nor Burundi's elections were successful. It is clear that pure western-style democratic processes must be adapted to local conditions. Given the weakness of civic society, including the concept of rule of law, the weakness of government institutions, and the strength of the military and militias in both countries, an appropriate system of checks and balances on the exercise of power needs to be established.

> *1) Power-sharing:* Power-sharing arrangements, not necessarily mirroring the vote strength of a party or its ethnic basis of support, will have to be put in place. The most difficult aspect of finding the right formula will be determining what makes a party legitimate if it is not the numbers who voted for it. Some form of party structuring which dilutes ethnic blocs is essential. The South African and other relevant models should be examined.

> *2) Guarantees:* Constitutional and legal guarantees (emphasizing equality of access regardless of ethnicity) will be needed. The legal system will have to be revamped to ensure that ethnic groups are represented; more importantly, a legal culture will have to be developed in which justice is impartially dispensed. In this connection, the Rwanda War Crimes Tribunal must operate -- and must be seen to operate -- expeditiously, transparently and fairly.

> At present, there is no international plan to establish a similar tribunal for Burundi. Thought should be given to expanding the mandate for the Rwandan tribunal so that it can deliver justice in both countries for crimes against humanity.

> *3) Cultural Checks and Balances:* Prior to colonization, an elaborate indigenous system of (Hutu, Tutsis and Twa) clan-based power existed, centred on the monarchy. This system diffused authority and provided certain checks and balances on behaviour, restraints that are absent today. While it would not be possible, or desirable, to entirely reproduce such a system now, elements of it could have value in reconstructing these societies. The aim would be to disaggregate power to allow for shifting coalitions on different issues (as opposed to ethnic polarization on each issue); the means would be some system that connected traditional cultural