

BURUNDI- Improved Services for Burundian Communes

1 Summary

The 129 communes in Burundi have requested their association, ABELO, for assistance in implementing decentralised tasks, and for guidance for their newly elected representatives to contribute to improved performance of their organisations. However ABELO, still a very young association, lacks the capacity to respond successfully to this request. The LGCP Burundi Programme will support ABELO in providing targeted services for decentralised land registration, councillors' performance and family planning.¹ It envisages supporting ABELO as an institution by strengthening the capabilities of individual staff and Board members.

2 Context Analysis

2.1 Introduction

Political rivalry, regular outbreaks of violence, high numbers of refugees and internally-displaced persons have characterised Burundi from its independence in 1962 till now, with varying degrees of intensity. The resulting continued insecurity, combined with poor public services, has impacted the legitimacy of the government structures. In that context, the implementation of decentralisation advances only slowly, partly because the government is reluctant to devolve power, partly because conditions at the local level are poor. Yet undeniably, local governments in Burundi play a role in improving the living conditions of their citizens, both in terms of improving the security situation and of promoting development.

In 2008, the local governments in Burundi, called 'communes', established their national association, the Association Burundaise des Elus Locaux (ABELO).² All 129 communes are members on a voluntary basis and the association is politically independent. VNG International has assisted the association in capacity development from the start.

ABELO's mission is to help create a favourable legal and policy framework, allowing the local governments to fulfil their responsibilities, and to support the local governments through services and exchanging experiences. Like any other local government association, ABELO performs three roles. It represents and lobbies for local governments at central government level; it provides services to its member local governments, e.g. capacity development; and it offers a platform for exchange and networking.

¹ Conclusions from the assessment of ABELO conducted in March 2012 by VNG International with the input of ABELO Board members and staff. Assessment report available at VNG International.

² ABELO stands for Association Burundaise des Elus Locaux, or Burundi association of local elected representatives. This name suggests it is an association of individuals, which is not the case. The ABELO constitution defines that the members are the 'communes'.

A strong asset of ABELO is its political independence. Although the members of the Board do not represent their political party, it is still relevant that individual members of the Board are affiliated to different parties.³ ABELO works along a multi-annual strategic plan, “Plan Stratégique d’ABELO 2010 – 2013: La route vers le succès”.

2.2 Analysis of local government challenges

Apart from the element of instability referred to above, the provision of basic services to citizens needs to be improved. The 2010 UNDP report on the prospects of achieving the Millennium Development Goals in Burundi leaves little hope.⁴ This is partly due to the lack of decentralisation, but also to the fact that the communes need assistance in implementing the tasks assigned to them. This assistance is currently insufficient.

Decentralisation in Burundi is still in its infancy. With local elections having been held only twice (2005 and 2010) and with 60% new councillors at the 2010 elections⁵, the majority of elected representatives have to become acquainted with their new roles and with the functioning of local democracy.⁶ This leads to a variety of challenges, ranging from conflicts in council meetings, conflicts between the councillors and the President of the Council (i.e. the ‘Administrateur’), via bad relations between the elected representatives and the staff, to malpractices or corruption.⁷ One of the roles for ABELO is to assist the local elected in getting to grips with their role. With the use of the ABELO Councillors’ Manual⁸, ABELO can train the councillors on their roles, duties and rights. To take on this role ABELO needs financial and technical support to produce the relevant training modules to complement the manual.⁹

The population of Burundi is growing steadily, while Burundi is already the most densely-populated country in Africa. Land is extremely scarce. Land tenure is held in high regard and is inherited from one generation to the next with the plots of land becoming smaller with every generation. Land conflicts are widespread and one of the main causes of insecurity. More than 80% of the disputes in court are related to land conflicts.¹⁰ Legislation is ambiguous and incomplete and is too difficult to master for local elected leaders. In the new land law adopted by Parliament in 2011, land registration is being decentralised. Decentralised land registration is envisaged to improve problems caused by land scarcity and unclear land registration and will thus contribute to stability, thus to higher agricultural productivity and also to improved food security.¹¹ The communes call upon ABELO for

³ The Board has so far stressed its independence from any party, although the majority of the Board members are affiliated to the current government party, and have profiled themselves as protagonists of strong local government.

⁴ UNDP, *The Path to Achieving the Millennium Development Goals: a Synthesis of Evidence from around the World* (2010).

⁵ This figure is not extremely high compared to other countries where the phenomenon of free elections is new. In local elections in Central and Eastern Europe in the early 1990s changes of up to 80% were not uncommon.

⁶ ABELO, *Etude de Base: L’État de la Décentralisation et la Situation des Communes au Burundi* (2009).

⁷ The International Crisis Group report on Corruption in Burundi denotes a high prevalence of corruption, throughout the country. When mentioning government the report mentions central government. As real devolution of power and resources is still to happen, occasions for corruption to happen now are very rare at the local level. International Crisis Group, *Report on Corruption in Burundi* (2012).

⁸ ABELO, *Guide Pratique de l’Elu Local* (2009).

⁹ The implementation of the training is restricted by the availability of funds for implementation.

¹⁰ Union Européenne, *Analyse des données recueillis dans le cadre des diagnostics socio-fonciers menés dans les provinces de Karusi, Ngozi, Gitega et Ruyigi. Rapport de Gutwara Neza (Programme d’Appui à la Bonne Gouvernance)* (2010).

¹¹ It is envisaged to work as a two-layered system: the commune is responsible for issuing a certificate, which allows the certificate-holder to apply for a land title. Various methodologies on this matter are being pilot-tested in donor-funded projects with the involvement of, among others, the Swiss Development Cooperation and the Embassy of the Kingdom of the Netherlands, the Dutch ZOA and KIT, and national NGOs such as l’Association pour la Paix et les Droits de l’Homme. In this pilot-phase all limit their activities to certain regions of the country.

assistance in dealing with their formal responsibilities in this field and with the underlying tensions. The central government and the donor community also call upon ABELO to play a role in the further introduction and rollout of the decentralised land registration system.¹² To successfully answer the call from the members for assistance, and the call from central government and the donor community for ABELO involvement, ABELO needs to develop its capacity, of both staff and Board.

The limited access to information on family planning reflects part of the situation of the sexual and reproductive rights of women in Burundi.¹³ The prevalence of sexual violence and the limited access to family planning information are concerns for the Burundian communes, thus for ABELO, and more specifically the ABELO Board Committee on Gender & Social Affairs, and the ABELO Women's Network. Both topics are envisaged as areas where ABELO needs to play a role alongside other relevant actors. However ABELO needs support in how to fulfil this role successfully.

2.3 Analysis of the political environment

With the Constitution and the Local Government Act (Loi Communale) of 2005 (revised and amended in 2010), the basic legislation for decentralisation exists.¹⁴ The division into four government tiers is clear: 17 provinces, 129 communes, 575 zones and 2908 'collines' (hills). Of the last three, only the communes are recognised by law and formally have organisational and financial autonomy.¹⁵ There are elected councils with a five-year mandate and local governments have a minimum of staff.

The Government of Burundi aims to promote growth and reduce poverty and, as it is dependent on donor funding, has its 2nd Poverty Reduction Strategy Paper¹⁶ in place. In spite of the fact that decentralisation in Burundi is seen as a way out of the economic and socio-political crisis in which the country finds itself¹⁷, the political and socio-economic environment is not favourable to the proper functioning and development of local governments.¹⁸ Despite the Arusha Peace Agreement signed in August 2000, political stability is far from secured. The many years of conflict have torn the economic and social tissue of the country. Fortunately the lines of conflict are no longer along the ethnic Hutu-Tutsi divide. Political parties are no longer catering exclusively for either one or the other group. But the enormous numbers of Internally Displaced Persons and refugees, and the underlying lack of security and stability, have led to a drop in economic production. This has had a tremendous impact on agriculture in which 90% of the Burundian population are working. Its growth rate is estimated at 2.6%¹⁹ while the population growth rate is 3% in an already densely-populated country, all in all leading to conflicts over land and an increasingly deteriorating food security situation.²⁰

¹² The form of ABELO's capacity development service to the membership – be it awareness-raising, dissemination or training – will become clear in coordination with the other stakeholders and when implementation of the new land law is more advanced.

¹³ It also is one of the causes of land scarcity, as land is inherited from one generation to the next.

¹⁴ Ministère de la Décentralisation et du Développement Communal de la République du Burundi, *Document de Politique Nationale de Décentralisation du Burundi* (2009).

¹⁵ République du Burundi, *Loi N°1/02 du 25 Janvier 2010 portant révision de la loi N°1/016 du 20 Avril 2005 portant organisation de l'administration communale.*(2010)

¹⁶ République du Burundi, *Cadre Stratégique de Croissance et de Lutte Contre la Pauvreté (CSLP II)* (2012).

¹⁷ Ministère de la Décentralisation et du Développement Communal de la République du Burundi, *Document de Politique Nationale de Décentralisation du Burundi* (2009).

¹⁸ ABELO, *Etude de Base: L'État de la Décentralisation et la Situation des Communes au Burundi* (2009).

¹⁹ Netherlands Embassy Office in Burundi, *Multi-Annual Strategic Plan 2012-2015* (2012).

²⁰ The percentage of undernourished people has grown steadily from 44 in 1991 to 62 in 2006. United Nations Statistics Division, *Millennium Development Goals Indicators*. On this issue last updated 7 July 2011.

There is a policy to reintegrate demobilised soldiers and ex-combatants, and to end the large camps with internally displaced persons, but this is a difficult process, with people sometimes making the rational calculation that their 'temporary' situation gives them more advantages than returning to normal. Violence against women is prevalent, more prevalent than can be proved by the figures²¹, as in most cases women do not report incidents to the authorities because they are scared of the risk of being blamed and ostracised by their own community.

2.4 The defined target group

ABELO is the direct target and beneficiary of this Programme. More specifically, the direct beneficiaries of the Programme are the executive staff and the political leadership (the Board members) of ABELO. The members of ABELO, the communes in Burundi, are also indirect beneficiaries. As receivers of ABELO services they benefit from a strengthened and improved ABELO.

2.5 Analysis of other relevant actors

2.5.1 Policies and actions of the national government

The two Burundian Ministries in charge of decentralisation and most relevant for ABELO are the Ministry of the Interior and the Ministry of Communal Development. The Ministry of the Interior is in charge of designing, implementing and monitoring national policy on territorial administration and has little (donor) funding.

The Ministry of Communal Development mobilises the necessary resources to carry out these policies, to promote local participatory development, to coordinate all decentralisation activities, to support local actors in the decentralisation process, etc.²²

The envisaged decentralisation of land registration, on the basis of a new land code²³, gives a role to the commune in the registration of land and issuing certificates. Implementation of this land code is primarily donor-financed and coordinated by a coordination unit. It consults relevant stakeholders through a so-called 'Groupe Thématique Foncier' in which ABELO sits to represent local government. The others are donors which are supporting pilots in specific regions of the country, and donor-financed NGOs representing civil society. With its implicit country-wide mission, ABELO will make use of the existing experiences for other parts of the country.

The Government of Burundi recognises the explosive demographic growth and has therefore stated family planning to be a priority issue for Burundi in its policy on reproductive health.²⁴ The National Programme for Reproductive Health forms the framework for delivering public family planning. There are currently no coherent national policies nor national institutes in Burundi that encourage and support capacity development initiatives of local governments (staff and political leadership).

²¹ Based on conversations of VNG International with representatives of the ABELO Women's Network.

²² Ministère de la Décentralisation et du Développement Communal de la République du Burundi, *Document de Politique Nationale de Décentralisation du Burundi* (2009), 35-36.

²³ République du Burundi, *Loi N°1/13 du 9 Aout 2011 portant Révision du Code Foncier du Burundi, replacing the 1986 land code.*(2011).

²⁴ Ministère de la Santé Publique de la République du Burundi, *Plan Stratégique de Santé de la Reproduction 2010-2014* (2010).

2.5.2 Policies and actions of the Embassy of the Kingdom of the Netherlands

Strengthening the capacities of ABELO to improve its capacity development service to the communes in decentralised land registration, family planning, duties and rights of councillors is in line with the priority areas defined in the Multi-Annual Strategic Plan (MASP) 2011-2015 of the Embassy of the Kingdom of the Netherlands (EKN) in Burundi. These priority areas are Food Security, Sexual Reproductive Health and Rights, and Security and Justice. The EKN finances part of the implementation of the decentralised land registration system through a silent partnership with the Swiss Development Cooperation (SDC). The project has three objectives: to pursue and extend the pilot experience launched in 2007 in the local governments of Marangara and Ruhororo of the Ngozi province; to reinforce the expertise of the government actors on land management; and to reinforce the capacities of civil society, the media and the elected in their ongoing dialogue about the land issue.²⁵

Regarding family planning, the EKN is supporting the government of Burundi in its National Programme for Reproductive Health (PNSR) as well as the private sector through the NGO Population Services International.²⁶ Again, to complement this, the LGCP Burundi Programme targets the local government layer and its role in relation to family planning as communes in Burundi bear responsibility for health centres.

2.5.3 Relevance

The communes in Burundi need capacity development at both political and staff level, if they are to contribute to the legitimacy of public administration in the country. The challenges faced by the communes in the capacity and knowledge of councillors, decentralised land registration and family planning call for ABELO's service provision role in the form of capacity development for its members. However ABELO currently has too few resources, both human and financial, to meet the needs of its membership. It also lacks the technical capacities to provide the envisaged capacity development services. A number of events have led to a decrease in the resource base of ABELO in 2011, such as reduced donor support²⁷ and membership fees.²⁸ Because of this decrease, ABELO also had to lay off staff and was left with a team of only two, which led to a loss of experience. This decrease in resources meant ABELO was only capable of performing its representative role and of undertaking some lobbying activities. With financial and technical support from the LGCP Burundi Programme, it is aimed at improving ABELO's capacity development services for the communes and as a consequence increasing its financial resources base from the membership fees.

²⁵ Cooperation Suisse dans les Grands Lacs, *Programme Sécurisation foncière Burundi*. <http://www.cooperation-suisse.admin.ch/grandlacs/fr/Home>, consulted 16 March 2012.

²⁶ Netherlands Embassy Office Bujumbura - Burundi, *Multi-Annual Strategic Plan 2012-2015* (2012) 20.

²⁷ ABELO was severely hit by the sudden ending of VNG International's LOGO South Programme. Because ABELO was still in its infancy, a large share of the operating costs of the association had been paid by the Programme till then.

²⁸ ABELO was unable to organise its Annual General Meeting in 2011 and therefore only 25% of the members paid their annual fees.

3 Tailor-made LGCP Burundi Programme

3.1 Burundi specific Programme objective

Increased capacity of the Association Burundaise des Elus Locaux (ABELO) with respect to decentralised land registration, councillor functioning and family planning.

3.2 Programme results

The results to be achieved in the LGCP Burundi Programme are presented below. How these results relate to the five capabilities underlying the LGCP framework is also explained.

Result 1: *Increased capability of ABELO to develop, prioritise and agree a strategic plan 2014-2016 with its members in a participatory way*

More specifically, within this result area, we envisage that:

1.1 ABELO staff is capable of involving and consulting its Board members

1.2 ABELO has developed and endorsed a Strategic Plan

By assisting ABELO in developing a new and realistic strategic plan for the coming period, it will work mainly towards a strengthened internal organisation of ABELO. ABELO's capability *to act and to commit* will thus be strengthened.

Result 2: *Increased capability of ABELO to provide services in decentralised land registration and family planning*

More specifically, within this result area, we envisage that:

2.1 ABELO staff is capacitated to train member communes in decentralised land registration, councillors' roles, duties and rights, and family planning

2.2 ABELO has developed sensitisation and training materials on decentralised land registration and family planning

2.3 ABELO has distributed the Councillors' manual in French/Kirundi and materials on decentralised land registration and family planning amongst all commune councils

2.4 ABELO has trained communes in decentralised land registration, family planning and councillors' roles, duties and rights

By strengthening ABELO to improve its service delivery function, the capability will be developed *to deliver on development objectives*.

Result 3: *Increased capability of ABELO to check regularly with member communes, update its support to their revealed needs, and facilitate the exchange of experiences*

More specifically, within this results area, we envisage that:

3.1 The ABELO Monitoring and Evaluation system is functional / operational

3.2 ABELO leadership has interpreted member satisfaction data and has adapted ABELO services to member needs

3.3 ABELO has tool(s) for the exchange of experiences and mutual learning amongst member communes

By assisting ABELO in checking its services on a regular basis and in updating them in line with the membership needs, the capability *to adapt and self-renew* is developed.

3.3 Programme activities

The Local Government Capacity Programme is built on VNG International's colleague-to-colleague approach, in which expert practitioners exchange knowledge and experiences. The essence is that experts have experience in the same job or in a position comparable to the beneficiaries. The practitioners exchange vision and views and work together. Challenges and analyses are shared and are conducive for building on existing local capabilities. Colleagues might come from the Netherlands (VNG), but also from neighbouring countries or the beneficiary country. This approach is also reflected in the activities designed to reach the anticipated results; colleague-to-colleague learning takes place mainly in coaching-mentoring trajectories, on-the-job training, workshops and study tours. VNG International will prepare activity work plans annually which will be submitted to the Netherlands Ministry of Foreign Affairs for approval. These activity work plans present a concrete description of the anticipated activities.

During the inception phase (March 2012), a baseline study of ABELO was conducted, using the local government association assessment tool of VNG International, to assess the capacity gaps of ABELO. The input of the ABELO Board and staff members was used to draft the Burundi country programme and will be used to monitor and evaluate ABELO's increase of capacity during programme implementation. Please refer to the activities under result no. 1 in the Logical Framework.

The activities to achieve the results envisaged for Burundi are:

Result 1: *Increased capability of ABELO to develop, prioritise and agree on a strategic plan 2014-2016 with its members in a participatory way*

Activities within this result area are characterised predominantly by expert practitioners' input through on-the-job coaching/training of the ABELO leadership (executive and political) on Board member consultation and on how to develop and endorse a new and realistic three-year Strategic Plan in a participatory way for the period 2014 – 2016. Please refer to the activities under result no. 1 in the Logical Framework.

Result 2: *Increased capability of ABELO to provide services in decentralised land registration and family planning*

Several activities have been defined to reach this result. They will include, amongst others, train the trainers courses and coaching of ABELO in sensitisation and providing training on decentralised land registration, councillors' roles, duties & rights and family planning. ABELO will also be coached on how to develop

and distribute training materials around decentralised land registration and family planning (in concordance with and complementing the materials developed by other actors). Before distributing the materials to the member communes, the training modules will also be validated. Furthermore, the existing ABELO Councillors' Manual will be translated from French to Kirundi and distributed. Finally, ABELO will be coached and guided in organising sensitisation and training sessions/activities for commune staff members around decentralised land registration, councillors' roles, duties & rights, and family planning. This way ABELO provides services and increases its visibility towards its members. However, a selection of communes will take place given the scope of the Programme: individual member communes are eligible for training if they have paid their membership fees. Please refer to the activities under result no. 2 in the Logical Framework.

Result 3: *Increased capability of ABELO to check regularly with member communes, update its support to their revealed needs, and facilitate the exchange of experiences*

Activities within this result area are characterised predominantly by expert practitioners' input through on-the-job coaching and training of ABELO staff, with the ultimate aim of having services in place that are regularly checked and updated in line with the membership needs. The ABELO leadership will be coached and guided in setting up and implementing a monitoring and evaluation (M&E) system around the ABELO services on decentralised land registration, councillors' roles, duties & rights, and family planning. This means that they will be trained on monitoring the needs and satisfaction of the service beneficiaries and the adequacy of materials, but also on interpreting data from the M&E system and in adapting the services in accordance with the input gathered from the membership. With advice from VNG experts, ABELO will also be assisted in choosing and developing an appropriate information exchange and learning tool for the benefit of its members. This tool is still to be decided and could for instance be a periodical newsletter, website, radio Programme or other communication materials. Please refer to the activities under result no. 3 in the Logical Framework.