

FORUM REPORT

JUSTICE FOR AFRICANS AND PEOPLE OF AFRICAN DESCENT THROUGH REPARATIONS

Report of the Ninth African
Transitional Justice Forum

30 September–2 October 2025

Kinshasa,
Democratic Republic of Congo



THE STATE OF TRANSITIONAL JUSTICE IN AFRICA

Justice for Africans and People of African
Descent through Reparations

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1

INTRODUCTION

The ninth edition of the African Transitional Justice Forum was convened from 30 September to 2 October 2025 in Kinshasa, Democratic Republic of Congo (DRC), under the theme “Justice for Africans and People of African Descent through Reparations.” Organised by the African Union Department of Political Affairs, Peace and Security (AU-DPAPS) and the Centre for the Study of Violence and Reconciliation (CSVr) with support from the European Union and other partners,¹ the Forum brought together stakeholders ranging from international actors to continental and regional actors, member state representatives, non-governmental organisations (NGOs), civil society organisations (CSOs), and transitional justice practitioners and academics.

The Forum was convened as part of the Initiative for Transitional Justice in Africa project, being implemented by a consortium comprised of CSVr, the International Centre for Transitional Justice (ICTJ), and the Africa Transitional Justice Legacy Fund (ATJLF). The project seeks to facilitate the domestication of the African Union Transitional Justice Policy (AUTJP) by supporting the implementation of the AUTJP roadmap through technical assistance, knowledge production, and management of, and support for, civil society across Africa.

The theme of the 2025 Forum was aligned with the African Union’s 2025 Theme of the Year, which calls for renewed continental reflection on justice, historical redress and the legacies of colonialism and slavery affecting Africans and people of African descent globally. Within this context, the focus on reparations provided a timely platform for African policymakers, practitioners and civil society actors to engage in dialogue on how reparative justice can address both historical injustices and contemporary harms. By situating reparations within the broader transitional justice agenda, the Forum sought to deepen understanding of reparations beyond redress for past violations but also as a pathway toward dignity, social cohesion, and sustainable development across the continent.

During the Forum, several key documents were officially launched:

1. The first volume of the State of Transitional Justice in Africa report.
2. The annual report of the African Women for Transitional Justice Platform (AW4TJ).
3. The annual report of the African Youth for Transitional Justice Platform (AY4TJ).
4. The annual report of the Transitional Justice Reference Group.

Across three days of dialogue, the Forum provided a platform for reflection on the evolving role of reparations within African transitional justice processes. Participants examined experiences from a range of national contexts including the Democratic Republic of Congo, Kenya, Morocco, Togo, South Africa, the Central African Republic and The Gambia. Discussions highlighted both the progress made and the persistent challenges that continue to shape reparations efforts across the continent, including political resistance, resource constraints, institutional capacity gaps and the difficulty of implementing reparations in contexts where conflict or instability persists. At the same time, the Forum expanded the discourse on reparations beyond contemporary post-conflict processes to include questions of historical justice, particularly the legacies of colonialism, enslavement and systemic exploitation affecting Africans and people of African descent globally. Participants reflected on how reparations debates at the global level intersect with Africa's transitional justice agenda, raising questions about responsibility, restitution, historical acknowledgement and the role of African states and institutions in advancing a coordinated continental approach to reparative justice.

The discussions and reflections captured during the Forum are presented in this report, which summarises the key themes, exchanges and recommendations emerging from the deliberations. It reflects the diversity of perspectives shared by participants and highlights the evolving debates on reparations within Africa's transitional justice landscape, including both contemporary post-conflict processes and the broader questions of historical justice affecting Africans and people of African descent.





2

OPENING CEREMONY

The Forum opened with a ceremony that firmly located reparations at the heart of Africa's search for justice, dignity and sustainable peace. The opening session framed reparations as a moral, political and developmental imperative for the African continent.

Dr. Simangele Mayisela, speaking on behalf of CSVR, set the tone by recalling that the Forum's theme is aligned with the AU focus on justice and sustainable peace. She stated that reparations are both a moral and a justice obligation, as well as a strategic investment in reconciliation, stability and development. She reaffirmed the collective resolve to address historical injustices and ongoing harms in ways that strengthen social cohesion, rebuild trust between states and citizens, and position Africa as a champion of justice and human rights in global fora.

She further warned that without reparations to address the wounds of violence, peace will remain fragile. Dr. Mayisela called for reparations that are inclusive and transformative, explicitly naming groups who are too often left at the margins:

- Youth, for whom reparations should restore opportunities for education, build skills, and create employment, as well as encourage civic participation so that young people become agents of peace rather than trapped in cycles of violence.
- Women, whose dignity must be upheld through measures that confront the long-term social and economic effects of gender-based violence (GBV) and promote women's leadership in rebuilding families, communities and societies.
- Children, for whom reparations should be reflected in education curricula and memorials, embedding historical memory in ways that prevent future violence.
- Internally displaced persons and refugees, who require reparations that support reintegration, restore dignity, and prevent permanent marginalisation.
- Older persons, whose role as custodians of memory and community healing should be recognised through social protection and health support.
- Persons with disabilities, who must be fully included through accessible, socially integrative reparation measures and participation in justice and peace processes.

She concluded with an invitation that across the continent, transitional justice actors must notice these marginalised members of our communities and invite them to the table of reparations, so that sustainable peace is built with, not merely for, those who suffered.

On behalf of the European Centre for Electoral Support (ECES), Executive Director Mr. Fabio Bargiacchi situated reparations within the architecture of democratic governance and conflict prevention. He recalled ECES's fifteen-year partnership with African institutions, including work with more than fifty African countries to prevent and mitigate electoral conflicts and to strengthen cooperation between the European Union and African states.

Mr. Bargiacchi explained that ECES's mandate has evolved beyond technical electoral assistance to embrace democracy, peace and transitional justice more holistically. Reparations, he argued, are part of a wider project to link democratic legitimacy with truth, justice and reconciliation. He expressed deep appreciation to the AU, the DRC government, and regional partners for making the Forum possible, and reaffirmed ECES's commitment to supporting AU-led efforts that connect elections, governance reforms, and reparative justice.

Representing Open Society Foundations (OSF) Africa, Ms. Aimee Ongesso, on behalf of Regional Director Michelle Ndiaye, introduced the notion of reparative economies. OSF's work, she explained, is laser-focused on the need for systemic change to address underlying causes of conflict and injustice. Reparative economies integrate reparative justice, community-led prosperity, and the democratisation of the economy as a pathway to inclusive and sustainable peace.

This approach rests on decolonial principles that emphasise agency, autonomy and community sovereignty. Reparations must not only acknowledge past violations and guarantee non-repetition, she suggested, but also provide immediate and tangible resources that empower communities to thrive and decrease the likelihood of their re-victimisation. OSF's interventions combine socio-economic measures with mental health and psychosocial support (MHPSS), particularly for human rights defenders and victims of political violence, so that those who defend rights are themselves supported to heal and continue their work.

Mr. Fabrice Bazile, Acting Head of Delegation for the European Union Delegation to the DRC, said transitional justice is an essential priority in the EU's partnership with Africa. He congratulated the DRC for hosting the Forum and recalled that transitional justice speaks directly to human rights, victims' dignity, and the rule of law, all central to the EU–AU relationship and to the Global Gateway strategy.



Mr. Bazile highlighted the EU's support to AU efforts on transitional justice, including financial and technical assistance for implementing the AUTJP and for supporting national processes in contexts such as the DRC, the Central African Republic (CAR), Sudan, Ethiopia and Libya.

He noted that the horrors of conflict do not know any boundaries between sexes, yet violence against women and girls is often characterised by extreme brutality. Recalling conflict-related sexual violence in eastern DRC, he saluted the work of the AU-led WTJP and underlined the need for victims and survivors to remain at the centre of accountability and reparations processes.

Ambassador Calixte Aristide Mbari, speaking for the AU Commission on behalf of Chairperson H.E. Ambassador Mahmoud Ali Youssouf, recalled that the adoption of the AUTJP in 2019 was intended to respond to violent conflicts, instability and gross human rights violations across the continent. He explained that the policy treats reparations as an autonomous, indicative pillar of transitional justice, rather than a by-product of truth or accountability processes.

Ambassador Mbari further noted that reparations under the AUTJP encompass public acknowledgement and apologies, medical and psychosocial assistance, access to land and confiscated property, community reparations, infrastructure development, and affirmative measures for historically marginalised groups.

The AU's practical support to member states and regional bodies, he said, includes:

- Technical and material support to The Gambia, leading to a national transitional justice policy and a Truth, Reconciliation and Reparations Commission.
- Assistance to Ethiopia in peace processes and in developing a national transitional justice policy.
- Collaboration with South Sudan and the United Nations on the establishment of the Commission for Truth, Reconciliation and Healing and on victim support centres.
- Ongoing work with Lesotho, the CAR, the Intergovernmental Authority on Development (IGAD), and other regional mechanisms to embed transitional justice in post-conflict reconstruction frameworks.

Returning to the DRC context, Ambassador Mbari welcomed the country's adoption of a national transitional justice policy and the creation of institutions such as the National Fund for the Compensation of Victims of Sexual Violence Related to Conflicts and Crimes Against Peace and Security of Humanity (FONAREV). He praised these as concrete expressions of political will and reiterated the AU's readiness to support such initiatives technically and politically so that reparations become a reality for victims.

The host government's perspective was delivered by H.E. Samuel Mbemba Kabuya, Minister of Human Rights of the DRC, who spoke both as a government official and as the son of a people who saw their villages burned, their mothers raped and mutilated, and their children massacred. He recalled the severe and ongoing impact of what he argued are crimes against humanity, war crimes, and genocide in eastern DRC, denouncing foreign involvement.

For Minister Kabuya, transitional justice is the effort to translate tears into law, silence into recognition, and ruin into reparation, and to ensure non-repetition. He described a historic turn under President Félix Antoine Tshisekedi Tshilombo, not only in denouncing violence but also in building institutions and public policies to confront it sustainably.

He outlined the DRC's recent advances, including:

- A National Transitional Justice Policy, developed through consultations in seventeen provinces, with active participation of victims and communities.
- A forthcoming bill integrating transitional justice mechanisms into the organisation of judicial power, and a framework law on the fundamental principles of transitional justice, covering recognition of victims, truth, accountability, reparations and guarantees of non-recurrence.
- The 2022 Law on the protection and reparation of victims of conflict-related violence and crimes against peace and humanity, accompanied by implementing decrees.
- The establishment of FONAREV, a nationally funded reparations fund, and CIA-VAR (an inter-institutional commission for victim assistance and support to reforms), both designed to operationalise reparations as tools of justice, peace and social transformation.

Minister Kabuya noted that a National Forum on the Right to Reparation, held in July 2025, had launched a pilot reparations programme and adopted a strategy combining individual, collective and community measures, from administrative compensation to holistic care for victims in situations of extreme vulnerability. Crucially, he emphasised that these initiatives are funded one hundred percent by the Congolese state, sending a strong signal that reparations are possible, urgent and political.

For Minister Kabuya, the convergence between the AU's theme of the year and the DRC's national trajectory makes the country a model of the calls for justice for Africans and people of African descent through reparations. He saw the Forum as a chance to lay the foundations of an African architecture of reparation that is coherent, inclusive and durable.

The opening segment closed with a musical performance by Congolese pastor and artist Moïse Mbiye, with songs that honoured survivors' resilience and called for unity and non-fragmentation of the country.





3

SESSION ONE: Reparations in Africa – Progress, Challenges and Opportunities

Reparations are a central pillar in Africa’s post-conflict and post-authoritarian peacebuilding efforts. The literature on the subject shows that while diverse mechanisms have enhanced victim-centred transitional justice approaches and affirmed reparations as a legal and moral obligation, implementation remains uneven and constrained by a variety of factors.² Experiences from Sierra Leone and Tunisia illustrate both the transformative potential of reparations to address structural and the gap between ambitious mandates and what survivors actually receive.³ It is against this backdrop that the first session of the Forum sought to take stock of regional progress, highlighting where African actors have advanced reparative justice and where key opportunities remain to deepen its scope and effectiveness.

Moderated by H.E. Ambassador Salah Hammad, Head of the African Governance Architecture Secretariat at the AU Commission, this first session set the tone for the Forum. With characteristic wit, Ambassador Salah opened the discussion by reflecting on his own identity reform, joking that his change of name from Salah Muhammad to Salah Hammad was to avoid being confused with footballer Mohamed Salah, though he wondered whether a little transitional justice could help him claim some reparations. The Forum went on to more sober reflection on reparations as a central pillar of Africa’s transitional justice landscape.

Ambassador Salah welcomed the host country representative, Mr. Patrick Fata Makunga, General Director of FONAREV, who highlighted the unique operational challenges facing the DRC as it attempts to implement reparations amid persistent conflict. Mr. Makunga noted that the DRC’s reparations fund is the first of its kind on the continent, representing an institutional innovation that is being tested directly in the field.

Mr. Makunga said that the central obstacle is that, “You identify people today, but who for security reasons, tomorrow, may have to move.” This dynamic undermines core functions of the Fund, from victim identification to delivery of holistic support such as medical care, livelihoods support, and community-level rehabilitation. Insecurity also restricts the movement of field teams who must access remote, often volatile areas, he noted.

The biggest challenge, if not the main one, is that we are intervening in a context of persistent conflict. We are not without knowing that the ideal, as far as reparation is concerned, is certain to come in a post-conflict context for reparation.

– Mr. Patrick Fata Makunga

He spoke about how the scale of victimisation magnifies these difficulties. Beyond survivors of sexual violence, torture and other grave violations, the Fund must account for an estimated ten million deaths, requiring identification of burial sites dispersed across the country, particularly in the eastern provinces.

Mr. Makunga emphasised how limited financial resources pose a second major constraint. He said that although the DRC model benefits from a share of mining revenues, the amounts collected remain insufficient when compared to the magnitude of needs. With more than 500,000 victims pre-identified, even modest financial compensation (USD 2,000–2,500 per person) would require over a billion dollars, far exceeding the Fund's annual intake of approximately USD 150 million. He emphasised that holistic reparations, mobile clinics, psychosocial care, economic reintegration, and community infrastructure rehabilitation all demand sustained, predictable resources.

Finally, Mr. Makunga drew attention to the blurred lines between reparations and humanitarian assistance in contexts where victims are often displaced and living in acute poverty. Immediate needs such as food and shelter fall outside the Fund's mandate, yet the absence of strong institutional coordination frequently leads to misunderstanding and frustration at community level.

The discussion then moved eastward to Kenya, with Ms. Nancy Chepkwony, Principal State Counsel of the State Department for Justice, Human Rights and Constitutional Affairs, Kenya, providing a detailed account of her country's transitional justice journey. She traced Kenya's trajectory from the colonial-era atrocities of the 1950s through the post-independence abuses under successive regimes, culminating in the post-election violence of 2007–2008. The establishment of the Truth, Justice and Reconciliation Commission (TJRC) marked a watershed moment, covering violations between 1963 and 2007 and proposing a comprehensive reparative framework. However, Ms. Chepkwony noted that implementation remains the Achilles' heel of Kenya's transitional justice process, impeded by political resistance, entrenched impunity, and unresolved land injustices rooted in colonial dispossession.

We have the lack of political goodwill, and this is where there was resistance for the full implementation of transitional justice. The TRC recommendations were ignored ... and the other challenge that we have as a country is impunity and weak accountability, where abusers and corrupt actors are rarely punished.

– Ms. Nancy Chepkwony

She further noted the limited realisation of victim reparations, citing fragmented programmes and insufficient funding as obstacles. Nevertheless, Kenya has recorded notable milestones such as police and judiciary reforms, the 2010 Constitution's Bill of Rights, the establishment of the Victim Protection Act in 2014, and the creation of a 10 billion Kenyan Shilling Restorative Justice Fund. More recently, Kenya has seen progress through court-ordered reparations, including landmark cases on conflict-related sexual violence and the Mau Mau colonial abuses, with the African Court on Human and Peoples' Rights ordering monetary and moral damages.

Next, the discussions turned north to Morocco, with Mr. Hicham Achelh, Human Rights Officer of the National Human Rights Council (CNDH), sharing that country's experiences with reparations. He recalled that Morocco's Equity and Reconciliation Commission (IER), established by King Mohammed VI in 2004, represented a landmark in truth-seeking and redress for violations spanning 1956 to 1999. Preceded by an arbitration commission with a narrow mandate, the IER adopted a comprehensive approach, combining truth-seeking, reparations and institutional reform. The process was participatory and grounded in collaboration between the state and civil society, with nearly half of IER members being former victims themselves.

More than 20,000 victims, including 8,000 women, received financial compensation amounting to over USD 146 million.

– Mr. Hicham Achelh

Mr. Achelh detailed the IER's achievements, noting that over 20,000 victims were compensated, totalling more than USD 146 million, and significant advances in medical rehabilitation, social reintegration, and employment restitution for dismissed civil servants. Crucially, Morocco also developed community reparations programmes, focusing on regions that had hosted detention centres or experienced systematic marginalisation. These initiatives included infrastructure rehabilitation, income-generating projects, and memory preservation efforts, such as converting former detention sites into memorial spaces and museums which has helped communities reclaim dignity and heal collectively.

From West Africa, Mr. Anoumo Dodji Bokodjin, Resource Person for the High Commission for Reconciliation and National Unity (HCRRUN) in Togo, presented his country's experience. He described the transitional justice process from its origins in the 2005 post-election crisis that caused up to five hundred deaths and exposed deep fractures in the social fabric. In response, he said, political actors and civil society signed the 2006 Political Agreement, which committed the country to addressing historical violations through a truth-seeking mechanism.

The Truth, Justice and Reconciliation Commission (CIVJR) was established in 2009 with a mandate to examine human rights violations from 1958 to 2005. After thirty-four months of work, it submitted a report with sixty-eight recommendations and a reparations programme, which the government formally accepted in a 2014 White Paper.

The government created the High Commission for Reconciliation and National Unity (HCRUN) as the successor body to the truth commission and in 2017 established the Compensation Fund for Victims, financed entirely by the national budget. The fund received an initial CFA 2 billion (approx. USD 4 million) and has been allocated CFA 5 billion annually from 2018 to 2024, with no donor funding involved.

He said that with these resources, HCRUN launched individual reparations prioritising vulnerable victims. Beneficiaries received financial support ranging from CFA 420,000 to CFA 2,100,000 alongside psychosocial assistance. By December 2024, 30,493 victims had been compensated. Mr. Bokodjin stated that community reparations have also advanced, guided by dialogue with affected communities and resulting in the construction of schools, health centres, youth centres, and water facilities in localities that suffered mass violations.

Mr. Bokodjin noted that memorial reparations have begun, though cautiously, given political sensitivities and lingering reluctance among actors implicated in past violence.

The victims have expectations, and often these expectations are not met with the repairs that are proposed. And there, we have to do a job so that the victims understand that these are symbolic repairs that do not replace their situation but would help them.

– Mr. Anoumo Dodji Bokodjin

However, several challenges remain. One is the risk of political appropriation, especially where community infrastructure built as reparations is mistaken for government development projects. Another is the gap between victims' expectations and what symbolic or limited financial reparations can realistically provide. Public knowledge of reparations mechanisms also remains uneven, he notes, affecting community support and uptake.

Despite these constraints, Mr. Bokodjin emphasised that the process has created important opportunities, including stronger collaboration with civil society around civic and human rights education, and the stabilising effect of a dedicated national budget line that allows HCRUN to continue its work with some predictability.



Plenary Discussion

During the interactive plenary, participants reflected on the persistence of political resistance to reparations, particularly where elites are implicated in past violations. A delegate from South Sudan inquired how governments could balance peace and accountability when leaderships fear exposure. Ms. Chepkwony responded that civil society mobilisation and judicial enforcement remain the most reliable levers to compel state compliance, urging greater litigation by victims and continued advocacy for transparency.

A Kenyan representative from ICTJ raised the issue of quantifying compensation, asking how Morocco and Togo determined payment levels. Mr. Achelh explained that Morocco's truth commission developed specific criteria based on the gravity of violations, duration of detention, and socio-economic impact, with oversight from the National Human Rights Council. He also noted that Morocco's 2011 Constitution codified key IER recommendations, institutionalising safeguards to prevent recurrence, including the establishment of the National Preventive Mechanism against Torture.

In closing, Ambassador Hammad commended all speakers and participants, observing that while reparations have advanced across Africa, implementation challenges persist due to political inertia, weak institutions, and funding gaps. Yet, the cases of Kenya, Morocco and Togo show tangible progress in linking reparations to social cohesion and institutional trust. Our shared task, he concluded, is to move from promises to practice making reparations not an act of charity, but of justice.



4

SESSION TWO: Reparations in Policy and Practice

My point is to tell the states that reparation is a process of accompaniment. It is not just services that we do in two minutes and that's it. So let's try to create sustainable situations through reparation.

– Ms. Corine Wouabeng

Building on the preceding continental overview, this session turned to how reparations are translated into policies and programmes. Evidence from the previous session shows that even when truth commissions articulate ambitious reparations frameworks, survivors often encounter fragmented schemes, under-funding, and administrative procedures that do not fully reflect their social realities.⁴ Session Two therefore centred on bridging the gap between legal commitments and lived experience, and what it takes for reparations policies across Africa to become genuinely responsive and survivor-centred.

Moderated by Ms. Margaret Ajok, Transitional Justice Expert in the Ministry of Justice of the Republic of Uganda, this session explored how African countries are shaping reparations policies and implementing them in practice. Drawing on experiences from the CAR, South Africa, Kenya and The Gambia, panellists examined the evolving understanding of reparations as a transformative and victim-centred process that goes beyond compensation to address recognition, inclusion and dignity.

Ms. Corine Wouabeng, Global Survivors Fund (GSF) Project Coordinator for the CAR, spoke from the perspective of the GSF, on the need to refocus discussions on the lived experiences of survivors and on the transformative potential of reparations, rather than only on laws or institutional frameworks. She noted that while previous speakers had outlined national models and legal approaches, less attention had been paid to how survivors actually experience reparations and what meaningful change looks like in their daily lives.

She recalled that international principles require states not only to adopt reparations laws but also to ensure that these measures are survivor-centred and capable of having a transformative impact. Ms. Wouabeng welcomed the question from the audience about survivor participation, stressing that national programmes often fail because survivors are insufficiently involved in their design.

To illustrate what transformative reparations look like, Ms. Wouabeng shared the story of Adeline, a survivor in the CAR and one of the 277 women with whom GSF works. Adeline had been enslaved by rebels, subjected to sexual violence, and stigmatised within her community. Upon entering the programme, she struggled with alcoholism, and the team feared that standard financial compensation would not support long-term recovery. With sustained support, however, Adeline rebuilt her life, now running a shop and sending her granddaughter to school. Her testimony, shared during a GSF activity, captured the essence of transformative change.

Ms. Wouabeng explained that the context in the CAR remains extremely fragile, with the transitional justice process hampered by political instability, a stalled truth commission, and limited functioning of the Special Criminal Court, which has issued only one decision with five reparations for sexual violence. Survivors also face structural obstacles including lack of health services, insecurity and the effects of a new peace agreement that risks entrenching impunity.

She described how GSF, working jointly with the government through a pilot committee of six survivors and six government representatives, is implementing a reparations project for two hundred and seventy-seven survivors, including children who were raped and those who witnessed violence. Practical challenges, such as the absence of banks, electricity shortages, and widespread illiteracy underline the need for accompaniment, not just formal entitlements, she said. Some survivors receive mobile phones through partners yet cannot charge them or use them without training.

Ms. Wouabeng further highlighted that medical and psychosocial needs remain acute in the CAR, including lack of urological and psychiatric services, even for male survivors of sexual violence.

She concluded by stressing that reparations must be understood as a process of sustained support, not a one-off intervention. Reparations, she said, must create durable improvements in survivors' lives and avoid treating reparations as quick services divorced from long-term transformation.

From South Africa, Ms. Shirley Gunn, Executive Director of the South African Coalition for Transitional Justice (SACTJ), provided a candid reflection on South Africa's post-Truth and Reconciliation Commission (TRC) experience. She began by introducing the Coalition as a network of twelve organisations working across the legal, psychosocial and memorialisation fields, including members such as CSVR and the Institute for Justice and Reconciliation (IJR). Together, these organisations have continued to advocate for the realisation of TRC recommendations nearly three decades after the end of apartheid.

Ms. Gunn reminded participants that the TRC was Africa's first formal transitional justice mechanism and has inspired global learning, but she also urged that lessons be drawn from its shortcomings. She explained that although the TRC submitted its final volumes to President Thabo Mbeki in 2003, implementation of its recommendations was incomplete. The "closed list" of 22,500 officially recognised victims excluded many others who never had the opportunity to testify, a limitation that continues to hinder justice.

She noted that while the TRC had proposed that reparations be coordinated under the President's Office to ensure intersectoral coordination (covering health, housing and psychosocial services) the programme was instead placed under a small unit within the Ministry of Justice, which lacked the mandate to implement broad-based policy. As a result, reparations became fragmented and underfunded.

Ms. Gunn also revealed that between 2003 and 2017, political interference within the National Prosecuting Authority halted the investigation of over 300 TRC-related cases. She stressed that political will alone is insufficient without structural integrity and institutional independence. Despite these challenges, she

reported that the Coalition continues to work with victims, civil society, and the government to reform the process, particularly by activating the 1.93 billion Rand President's Fund to deliver reparations that are comprehensive and victim driven.

The South African experience, she concluded, demonstrates that achieving justice requires ongoing advocacy, institutional reform, and a willingness to confront uncomfortable truths about implementation.

From Kenya, Dr. Martin Mavenjina, Senior Program Advisor for Transitional Justice for Kenya Human Rights Commission, reflected on Kenya's two-track approach to reparations, through government-established commissions and court-driven processes supported by civil society. He recounted the establishment of several inquiries, including the Akiwumi Commission,⁵ the Task Force on Truth, Justice and Reconciliation, and the Commission of Inquiry into Post-Election Violence. Despite these mechanisms producing extensive documentation, implementation of reparations remains slow and inconsistent.

Dr. Mavenjina highlighted Kenya's notable court victories, including the *Kakuzi PLC* case in the United Kingdom, where victims of corporate abuses reached an out-of-court settlement, and the 2007/08 post-election gender-based violence case, which resulted in a landmark 2020 judgment and payments beginning in 2025. He also referenced the *Mau Mau* veterans' case, where survivors of colonial-era torture secured a historic apology and compensation from the British government, as well as a commemorative monument at Nairobi's Uhuru Park.

However, he observed that while these judgments mark progress, the time lag between litigation, judgment and payment raises questions about the meaning of justice for victims. He added that many victims have given up due to the government's failure to budget for reparations.



We filed a case in 2014, received judgment in 2020, and are only now processing payments.

– Dr. Martin Mavenjina

Dr. Mavenjina also reflected on the importance of preparing beneficiaries to manage compensation responsibly. He cited cases in which elderly victims, receiving funds for the first time, misused payments due to lack of financial literacy. He proposed that reparations programmes include financial education and empowerment initiatives, ensuring that payments contribute to long-term recovery rather than short-term relief.

In conclusion, he argued that reparations must be timely, inclusive, and holistic, combining compensation with social, psychological, and educational support to restore dignity to survivors.

From The Gambia, Dr. Ida Persson presented one of the continent's most recent examples of institutionalised reparations initiatives. She explained that The Gambia's Truth, Reconciliation and Reparations Commission (TRRC) was established in 2017 with reparations explicitly integrated into its mandate, making it a TRRC rather than merely a TRC. This decision, she said, stemmed from lessons drawn from earlier processes such as South Africa's, which had delayed reparations until after truth-seeking was completed.

Dr. Persson outlined how the TRRC established a Subcommittee on Reparations, developed its own regulations, and created a comprehensive victim database. During its three-year mandate, the Commission administered interim reparations funded by a USD 1 million government contribution. Of a total of 1,009 victims (those whose reparation totalled 50,000 Dalasis received full payment, and those with higher amounts received partial payments equivalent to nineteen percent of their assessed entitlement), with additional support provided through psychosocial services and emergency medical care, including referrals abroad.

While acknowledging the success of the interim phase, Dr. Persson pointed to two key challenges: limited resources and the interruption of reparations between the end of the TRRC and the passage of the Victims Reparations Act in 2023. The Act established a permanent Reparations Commission and Fund, financed by government allocations, donor contributions, and proceeds from the sale of assets belonging to former President Yahya Jammeh. Importantly, she noted, the Gambian model maintains an open victims' registry as both a memorial and a mechanism of acknowledgment, ensuring inclusivity and ongoing recognition.

She concluded that The Gambia's experience demonstrates the centrality of reparations in rebuilding trust and healing societies. By combining national ownership with lessons from other contexts, the country has created a framework that recognises victims not as passive recipients but as partners in the pursuit of justice.

The moderator thanked the panellists, noting that the presentations highlighted both persistent gaps and promising innovations, particularly the importance of interim measures, victim participation, and transformative approaches that link reparations to broader development goals.



Plenary Discussion

During the plenary, participants called for greater inclusion of persons with disabilities in reparation programmes, noting that they remain underrepresented despite facing heightened vulnerability during conflict.

It was observed that lack of political will is often compounded by active political interference, undermining accountability and delaying reparations delivery. Discussions also included the need to hold private and corporate actors accountable, as their role in historical and structural abuses remains insufficiently addressed.

Several participants endorsed the principle reflected in the AUTJP that reparations can be initiated independently of truth and accountability processes, particularly to meet urgent needs and signal early acknowledgment.

Questions on prioritisation in resource-limited settings stressed inclusive consultation with victims and communities to determine transparent and equitable allocation criteria. The session concluded that reparations must be context-specific, transformative, and anchored in dignity, healing, and social justice, with education, psychosocial support, and empowerment as key components of recovery.



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SESSION THREE: Addressing Colonial Legacies and Historical Injustices through Reparations

The third session of the Forum focused on reparations for colonialism and other long-term historical injustices, a topic where legal doctrines and political will often pull in different directions. Analyses of Germany's response to claims arising from genocide in former German Southwest Africa, for example, show how temporal rules and narrow readings of international law have are often used to deflect colonial reparation demands from Africa.⁶ According to Simon Robins and colleagues, the long-term effects of colonial and post-colonial marginalisation tend to concentrate in specific regions or communities. These “victim zones” experience shared harm and therefore require and demand collective forms of reparation.⁷ The session brought these concerns together, interrogating how African actors can and should confront colonial legacies through reparations that are politically imaginative and responsive to communities' historical experiences.

Moderated by Ms. Annah Moyo-Kupeta, Executive Director of CSV, this session interrogated reparations as a vehicle for structural transformation, with particular attention to colonial-era harms whose effects continue to configure today's global and domestic orders. Speakers drew on experiences from Nigeria (conceptual framing and international order), multi-country practice (learning exchanges and policy design), and Namibia (community-led struggles for genocide reparations versus development-aid substitutions). The discussion stressed long-horizon agendas, genuine participation of affected communities, and alignment of reparations with education, governance reform, and economic justice.

Professor Hakeem Yusuf, Professor of Global Law at the University of Derby, traced the historical arc of Africa's reparations advocacy, recalling continental efforts since the late 1980s and early 1990s and urging the AU to integrate and extend those initiatives. He argued that slavery and colonialism structurally shaped the modern international system (political, economic, legal and epistemic) and therefore meaningful redress must include rearranging global governance (e.g., equitable representation in multilateral institutions), revisiting the debt and development-finance architectures, and reforming domestic education and legal systems that still reproduce colonial logics.

He proposed a decade-long reparations agenda rather than a single-year theme, and underscored education's dual role as a reparative measure that restores dignity and narrative agency (including for the diaspora), and as the platform from which Africa articulates its claims to the world. He linked persistent intra-state divisions and violence to divide-and-rule legacies of colonialism, arguing that reparations must be both international (systemic reform) and internal (social cohesion, inclusive nation-building).

Let Africa breathe. Reparations must include rearranging the international system so our education, law and governance serve Africa, not the other way round.

– Prof. Hakeem Yusuf

Ms. Priscilla Ciesay, co-founder and Senior Technical Advisor for the Women’s Association for Women and Victims’ Empowerment (WAVE-Gambia), emphasised truth-telling led by those who bore the harms, cautioning against narratives “weaponised” by others. She highlighted study tours and peer exchange (e.g., between the CAR and The Gambia) as practical tools for designing laws and policies that fit context, and called for diversified, well-managed financing to sustain implementation.

Reparations, she argued, must be intergenerational and people-centred, pairing formal mechanisms with traditional justice and community dialogue in settings where court processes are not feasible. This should be backed by public awareness, memorialisation, healing and firm safeguards against repetition. She urged inter- and intra-African dialogues to craft unifying positions (and include the Caribbean) so that colonial legacies that fractured people of African descent across borders are countered by coordinated agendas. Political will, she noted, is a collective construction, governments, victims and civil society all have roles in moving reparations from principle to practice.

Mr. Johannes Ortmann, Project Coordinator, International Partnerships, Genocide, Reparations, and Restitution, for the Nama Traditional Leaders Association in Namibia, presented the Herero and Nama genocide (1904–1908) case and communities’ ongoing quest for reparations rather than development aid. He recalled extermination orders under German colonial rule and their demographic, political and socio-economic afterlives, including minority status and reduced political voice for the affected groups.

He explained that while Namibia’s Parliament adopted a 2006 motion calling for acknowledgement, apology and reparations, the state later pursued bilateral, closed-door negotiations with Germany. The announced outcome (1.1 billion Euros over thirty years) was framed as development assistance, not reparations, and, according to communities, lacked meaningful consultation and participation of the Nama and Herero. He contrasted this with contemporary extractive projects on ancestral lands including a ~USD10 billion green-hydrogen project proceeding without free, prior and informed consent, describing this as a continuation of colonial extraction.

Communities have responded through litigation in Namibian courts (including efforts to join Germany notwithstanding claims of state immunity). International advocacy and community-driven documentation (for example, digital reconstructions of Shark Island, a notorious concentration/death camp) developed with elders to preserve memory and evidence have also been undertaken. Mr. Ortmann warned that planned port expansions threaten to desecrate heritage sites, and that communities are mislabelled “anti-development” when they insist on reparations and rights-respecting investment.

Development aid is not reparations. If affected communities are not at the table, there is no agreement.

– Mr. Johannes Ortman

The moderator synthesised the threads of discussion, reiterating that reparations must be transformative, not transactional; early education, memorialisation and MHPSS are integral to redress; and continental solidarity and standard setting are needed where national approaches remain fragmented or subject to political and economic capture.



Plenary Discussion

The plenary began with participants asking how to integrate MHPSS into reparations frameworks so healing and empowerment accompany education and economic measures

Youth contributors called for decolonising curricula and stressed economic-architecture reform, for example high borrowing costs, debt service burdens, and limited capital access that constrains livelihoods and innovation. They argued that reparations must tackle these structural barriers.

Calls were made for an AU-led reparations framework to harmonise national efforts, strengthen bargaining power, and ensure meaningful consultation standards for affected communities.

Discussants lamented the “resource curse,” urging transparency, free, prior and informed consent for projects on ancestral lands, and rejecting the framing of victim communities as anti-development.

As the session concluded, speakers emphasised the importance of sustained political will, community participation, solidarity as prerequisites for reparations that are timely, transformative, and non-recurring.



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SESSION FOUR: Addressing the Gender Dimensions of Harm through Reparations – Challenges, Opportunities and Lessons Learnt

Session Four situated the panel's discussions within the broad body of feminist works which challenge transitional justice to confront both gender-specific harms and the structural inequalities that make women major victims of sexual violence and big losers in transitional justice processes. Building on discourses of women's experiences in African truth commissions and post-conflict societies, the session approached reparations as a response to spectacular conflict-related sexual violence, as well as opportunities to address the layered losses of dignity, livelihood, care work, and social status that women bear during and after conflict.⁸ The discussion framed gender justice as requiring both recognition of gender-specific harms and the redesign of reparative policies so that women are treated as agents and co-authors of transitional justice

Moderated by Ms. Shuvai Busuman Nyoni, Executive Director of the African Leadership Centre (ALC), this session explored the gender dimensions of harm in transitional justice processes, with particular emphasis on reparations. The discussion examined how gendered harms are experienced, remembered and redressed, while reflecting on the challenges, opportunities and innovations that continue to shape gender responsive approaches to reparations in Africa.

I want you to think about gendered harms not just as isolated acts of violence, but as disruptions in the social fabric that reparations must help repair.


– Ms. Shuvai Busuman Nyoni

Ms. Nyoni opened the session by situating it within the broader forum agenda, noting that the next three sessions on gender, youth, and mental health were designed to unpack cross-cutting dimensions of harm. The moderator pointed out that although the panel consisted entirely of women, the discussion would approach gender inclusively, recognising that gendered harm affects men, women, and non-binary persons differently but interdependently.

Starting off the panel, Ms. Antoinette Mbrou, Coordinator of the Sub-Regional Office for West Africa, Women in Law and Development in Africa (WILDAF-AO), reflected on her work within the transitional justice and reparations sphere, underscoring the layers of loss experienced by victims of conflict and repression. She explained, “When we talk about reparations, we must understand that the harm is layered. There is the loss of livelihood, the loss of property, but also the loss of dignity, and these cannot be separated. You cannot repair the body and leave the spirit behind.”

Drawing from her field experience with WILDAF, she highlighted how stigma continues to silence survivors of sexual- and gender-based violence (SGBV), limiting their participation in reparative processes. She urged transitional justice practitioners to design reparations that go beyond compensation to include psychosocial healing and social reintegration.

Ms. Mbrou also underscored the importance of information collection in reparation design, noting that women’s testimonies and community-based experiences often informally capture harm long before official truth commissions do. She called for institutional mechanisms that give civil society a formal role in shaping and monitoring reparations, arguing that such partnerships foster legitimacy, ownership, and sustainability.



Civil society must not only be implementers; we must be part of designing reparations. Because we are often the ones who collect the first stories, we know what the victims carry even before the reports are written.

– Ms. Antoinette Mbrou

Ms. Nurat Wamaya, a gender advocate and youth leader for the Women’s Empowerment Link (WEL), brought a compelling perspective from Kenya’s rural communities, where intercommunal violence (often driven by cattle raiding and resource conflicts) has produced complex cycles of harm. She recounted how her organisation began engaging with opinion leaders in the Tugen community of Nakuru, only to find that women were excluded from peace dialogues because leadership spaces were dominated by men.

Through sustained engagement, her team discovered how women, particularly mothers, had been drawn into the cycle of violence in symbolic ways. Before young warriors embarked on raids, they would leave behind special beads with their mothers, to be buried if they died in combat, revealing how deeply embedded gendered roles were in perpetuating violence. By working directly with women, her organisation reframed them as potential peace actors rather than passive observers.

Ms. Wamaya detailed how these women gradually became whistleblowers, helping prevent raids by passing on early warnings to authorities. The process not only empowered women but also began to shift entrenched gender norms.

In the second round of discussions, Ms. Wamaya reflected on the root causes of gendered harm, identifying climate change, resource scarcity, and unequal care burdens as key triggers. She advocated for integrating gender perspectives into climate adaptation and economic policy, noting that many African economies are agriculture-based and thus disproportionately impact women. She also emphasised the importance of recognising unpaid care work as a form of structural harm, as women often sacrifice their ambitions to care for family members affected by violence.



In concluding, Ms. Wamaya cited innovative programmes, such as self-defence and mental health training for women, as empowering measures that build confidence and safety. For her, reparations must address both external harms and internal healing, enabling women to reclaim agency and security within their communities.

If we are to talk about reparations, we must also talk about care work. Women are always the ones who care for the wounded, who bury the dead, who hold the community together after the violence ends. But care work remains invisible.

– Ms. Nurat Wamaya

Ms. Bernadette French, Programme Manager of the Human Rights, Justice, and Security Programme at the Campaign for Good Governance, Sierra Leone, grounded her intervention in Sierra Leone’s post-war experience, recalling her early work in 2003 with the TRC. Reviewing survivor statements, she encountered disturbing testimonies of pregnant women disembowelled to “prove” the sex of their unborn children, men burned alive in locked houses, infants thrown into wells, and girls and women forced into sexual slavery.

She reflected that Sierra Leone’s war revealed not new forms of GBV, but rather an amplification of pre-existing patriarchal abuses. The conflict merely made public the historical subjugation of women, she observed, arguing that reparations cannot succeed without addressing structural patriarchy.

Ms. French explained that Sierra Leone’s early transitional justice programmes, though groundbreaking, often treated gendered harms as secondary to political reconciliation. This, she said, limited the transformative potential of reparations. She called for intersectional approaches that recognise the overlapping vulnerabilities of women, youth, and persons with disabilities.

Reflecting on progress, Ms. French cited the adoption of the Gender Equality and Women’s Empowerment Act of 2022 as a long-delayed fulfilment of TRC recommendations, providing a legal framework for women’s thirty percent representation in politics and economic life. However, she cautioned that sustainability requires embedding gender justice into governance systems not just passing laws.

In her final reflections, she identified peace itself as a form of opportunity. After twenty years of stability, Sierra Leone must invest in collective healing and structural reforms to prevent the recurrence of violence.

Reparations are not just material, Ms. French reminded the audience, they are social, psychological and generational. She linked sustainability to good governance, arguing that inclusive institutions are the ultimate guarantee of non-repetition.

Intersectionality must become the focus. The harm is not one thing, it is historical, structural, generational. There were women who were raped, girls who were forced into marriage, boys who were abducted and turned into perpetrators. Reparations must see all of that.

– Ms. Bernadette French



Plenary Discussion

Audience interventions enriched the dialogue with cross-continental perspectives. Ms. Ruth Ogbewekon from the Pan African Lawyers Union highlighted the need to connect gendered harms in transitional justice to colonial and racial injustices (including forced sterilisations and sexual violence under apartheid and slavery), urging that African advocacy extend to global reparations movements. A participant from Namibia echoed this, noting that negotiations with Germany on colonial reparations had neglected the gendered dimensions of harm.

Participants also questioned the sustainability of reparations, calling for measures that go beyond short-term compensation to include education, health care and livelihoods. Others raised the need to address gendered harms against children, emphasising that violence against women and children is often inseparable.

In closing, Ms. Nyoni shared the following key takeaways: gendered harm transcends categories of victimhood, encompassing men, women and entire social systems; reparations must be multidimensional and forward-looking; and healing is both individual and collective.





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SESSION FIVE: Perspectives of African Youth on Reparations

Session Five foregrounded young people as a political generation whose exclusion weakens transitional justice in theory and practice. Recent research on youth inclusion in transitional justice policymaking across Burundi, the DRC, South Sudan and Mali shows how young people are still largely treated as objects of control, consulted late and superficially, and rarely recognised as stakeholders whose lived experience should shape mandates, priorities and outcomes.⁹ However, studies of youth activism and artistic interventions show that young people have carved out their own heterotopic spaces of memory and accountability when formal processes marginalise them.¹⁰ The session thus opened space for African youth to articulate their perspectives on reparations, how they understand it, how they are affected by legacies of harm, and how they envision youth-centred approaches to transitional justice.

The moderator, Mr. Chernó Gaye, Programmes Manager at Activista, The Gambia, iterated that young people have been central to every phase of Africa's political and conflict history, both as victims and perpetrators, and often as both simultaneously. From the 1994 coup in The Gambia led by a twenty-nine-year-old, to contemporary armed conflicts across the continent, he observed that, "The people carrying the guns are young people, but so too are those at the receiving end." Reparations, he emphasised, must therefore go beyond addressing past harm to ensure future generations do not inherit the same cycles of violence and injustice.

When young people talk about what matters most, they say unemployment, corruption and mismanagement of the economy. So, if reparations are to mean anything to them, they must address those issues directly.

– Mr. Chernó Gaye

He noted that despite numerous country-level transitional justice initiatives, recurring challenges such as inadequate funding, weak technical capacity, and fragmented implementation continue to undermine the impact of reparations.

Mr. Nyasha Mpani, Project Leader for the Data for Governance Alliance Project, based at IJR, opened by stressing that youth-centred reparations must address the lived realities of young people today, rather than remain symbolic gestures. Citing data from his organisation's research, he noted that unemployment, corruption and economic mismanagement are the top concerns expressed by African youth. Reparations, therefore, should not be limited to compensation for past harms but linked to policies that improve access to employment, education, and justice.

Drawing lessons from South Africa's experience, he observed that the TRC failed to address structural socio-economic inequalities that continue to disadvantage Black South Africans decades later. Because the TRC was so focused on reconciliation, he argued, it neglected the deep economic disparities that were themselves part of apartheid's violence.



Mr. Mpani urged governments to harness data and technology to make reparations credible, inclusive, and forward-looking. He explained that poor record-keeping and limited digital documentation during the South African TRC process led to undercounting and marginalisation of victims. If technology had been harnessed, it could have helped close some of these gaps, he said, calling for youth-driven digital memorial projects and data preservation systems to safeguard truth and memory in the digital age.

Speaking from the DRC, Ms. Nabintu Rita reflected on findings from a Lake Chad Basin transitional justice study, which revealed that most resources were directed toward reintegrating ex-combatants rather than supporting victims. While she acknowledged the necessity of peace and reconciliation efforts, she cautioned that such prioritisation often deepens victims' sense of neglect and exclusion.

She emphasised that many ex-combatants were themselves victim-perpetrators, youth who had been coerced, manipulated, or economically incentivised into joining armed groups. Reparations, therefore, must be nuanced enough to respond both to those who suffered directly and to those drawn into violence under duress.

Ms. Rita advocated for an approach that recognises restorative balance addressing the needs of victims without alienating reintegrated ex-combatants. She argued that without such balance, cycles of resentment and mistrust could undermine peacebuilding. Victims deserved reparations and dignity, she said, but it must also be ensured that those willing to disarm and reintegrate are supported to prevent a recurrence of violence.

Joining virtually from Nigeria, Mr. Enya Echeng, Founder and Deputy Executive Director of the Youth Organization for Research and Justice Advocacy (YORJA), drew on his organisation's experience in producing the AUTJP, arguing that young people must be recognised as right-holders and co-designers of reparations, not passive beneficiaries.

For Mr. Echeng, youth-centred reparations mean ensuring meaningful participation of young people at every stage, needs assessments, budget prioritisation, programme design, implementation and monitoring. He outlined interventions such as scholarships, vocational training, psychosocial support, and community-based memorial projects tailored to youth realities.

He further called for embedding mandatory youth inclusion into national legal and policy frameworks, supported by sustainable funding. Beyond participation, he urged the dismantling of structural barriers that exclude youth from governance and transitional justice institutions.

In his concluding remarks, Mr. Echeng called for collective agency among African youth to build capacity, seize opportunities, and lead.

Ms. Nina Carole Mekenjio, AU Transitional Justice Ambassador, shared the experiences of young survivors of conflict-related sexual violence, grounding her remarks in the testimony of a fifteen-year-old girl from North Kivu whom her organisation supported through an IOM-supported project. She recounted how the girl, celebrating a school exam success, was ambushed by armed men, shot while trying to flee, raped, abducted, and held in sexual captivity before eventually escaping through the bush and returning home pregnant. The story, she noted, reflects the current realities of North Kivu, where active conflict continues to expose young people, especially girls, to extreme violence.

Drawing from the case, Ms. Mekenjio questioned whether it is meaningful to speak of transitional justice in contexts where conflict is still ongoing. While acknowledging that some regions of the DRC enjoy relative peace, she stressed that others remain engulfed in war, challenging the premise that transitional justice should begin only after violence ends. Reparations, she argued, cannot wait.

From the perspective of youth, Ms. Mekenjio emphasised the need for psychosocial support, education, and practical pathways to reintegration. She said survivors face both external injuries and deep internal trauma, alongside new responsibilities such as raising children born of rape. These realities must shape how reparations are conceived.

Ms. Mekenjio called for youth participation in decision-making, arguing that youth must be involved in designing reparations measures and determining how funds are allocated. She stressed that youth and civil society organisations understand the specific injuries and expectations of their communities and should therefore play a central role in the process.

I would like to propose that ... the youth who have suffered these kinds of atrocities, not only that they are at the centre of the reparation, but that all the decisions around the reparation, that they participate in it.

– Ms. Carole Mekenjio

Continuing her remarks in the extended exchange, Ms. Mekenjio said that weak political commitment and the failure to follow established reparations processes have led to poor outcomes. Policies exist on paper, she said, but they are not fully respected or implemented. To strengthen accountability and credibility, she proposed that reparations bodies should be co-managed by young survivors, civil society organisations, and other community actors.

Ms. Mekenjio further argued for the introduction of independent audits, noting that without proper financial scrutiny it becomes impossible to assess whether released funds are addressing the intended harms. Transparency, she emphasised, is vital if reparations are to be trusted by survivors and communities.

She warned that without serious attention to these issues, the DRC risks falling back into the usual cycle of not because mechanisms do not exist, but because the state and institutions fail to take the process seriously. Young people, who are both disproportionately harmed and often drawn into armed groups due to lack of opportunity, must therefore be placed at the centre of any reparations effort.

Ms. Mekenjio concluded by urging regional and international partners to support civil society advocacy efforts so that youth perspectives and priorities are fully recognised in national reparations frameworks.

She highlighted the need for professional training centres and livelihood support to ensure meaningful, sustainable futures for young survivors.



Plenary Discussion

The discussion featured thought-provoking interventions, with one speaker raising the issue of narrative ownership in the age of artificial intelligence (AI) and digital media. She warned that history could be erased or distorted if young people do not take charge of digital storytelling. In response, Mr. Mpani stressed the importance of youth-led memorialisation projects and dual archiving, digital and physical, to safeguard Africa's collective memory.

Another participant questioned how technology and reparations intersect in an age of misinformation. Mr. Echeng noted that corroboration systems combining digital data with verifiable community testimony could help prevent the manipulation of historical narratives.

Ms. Rita called for international donors and governments to include youth participation as an eligibility criterion for all transitional justice projects, while Mr. Echeng reiterated the need for inclusive legal frameworks and capacity-building for youth participation.

In closing the discussion, Mr. Gaye remarked that reparations for youth must be results-focused, not tokenistic. He said that reparations must be about transforming the conditions that reproduce harm poverty, exclusion and structural injustice. Only then can they help end the cycle once and for all.



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SESSION SIX: Reparations as a Platform for Healing

Reparations have increasingly been construed in the transitional justice literature as transcending compensation payments, but as long-term processes that support individual and collective healing. Transitional justice scholars have posited that reparations are most effective when they combine acknowledgement, psychosocial support and material measures over time, rather than treating money as a substitute for care.¹¹ Feminist and knowledge-focused work further stresses that healing requires integrating mental health, socio-economic empowerment and memorialisation, and ensuring that marginalised groups co-design reparations so their experiences are recognised and their agency strengthened.¹² It is this conception of reparations as a multi-layered platform for restoring dignity, relationships and trust that framed the discussions in Session Six.

We can counsel until we go pink but if there are no policies aimed at rebuilding people, not just infrastructure, then we are wasting time. The counselling will go on forever, and people will remain crippled by the system. ... I'm not saying psychosocial support is the be-all and end-all, but there has to be a complementarity between mental health, social structures, and policies for real healing to take root.

– Ms. Gugu Shabalala

Moderated by Ms. Gugu Shabalala, MHPSS Programme Manager at CSVR, this panel examined the theme “Reparations as a Platform for Healing.” Building on earlier conversations around gender, youth and psychosocial wellbeing, the discussion explored in more detail how reparations can serve as both acknowledgement and therapy, linking the policy frameworks of the AU with the lived experiences of victims and survivors across the continent.

Ms. Shabalala opened the session by acknowledging that reparations are not only an end in themselves but part of a broader journey of healing. Sharing an anecdote from South Africa, she described a seventy-six-year-old survivor who, after receiving reparations nearly three decades ago, spent the money quickly, only later realising the need for psychosocial support and financial guidance. “We can’t say she misused it,” Ms. Shabalala reflected. “She used it in the best of her ability at the time. Healing is a journey. ... What we need when we are twenty-eight and raising children is not what we need at forty. Reparations must reflect that human evolution.”

Ms. Shabalala urged participants to think of reparations as dynamic and multidimensional, requiring intentionality and complementarity between mental health support, economic empowerment, and policy reform. While money helps, it is not enough, she said, noting that, "If we rebuild economies but not people, we are simply perpetuating silent wounds."

The first speaker, Professor Serges Dzesseu, Senior Policy Officer at the AU Post-Conflict Reconstruction and Development (PCRD) Centre, presented the mandate, mission and emerging activities of the PCRD, clarifying that while the Centre was originally launched in 2000, it only became fully operational in September 2023.

Prof. Serges explained that the Centre's mandate is to prevent relapse into conflict, support recovery from conflict, and promote long-term peace and development in AU member states. Its work is aligned with the revised AU PCRD Policy adopted in February 2024, which emphasises a holistic, coordinated and pragmatic approach to peacebuilding.

He said the Centre is underpinned by guiding principles including African leadership, national and local ownership, coherence, equity and non-discrimination. These principles inform its interventions across the nine pillars of the PCRD Policy, such as security, humanitarian assistance, governance, human rights, socio-economic development, and the environment. Each pillar includes reference standards that guide deployment in targeted states and frame cooperation with civil society, universities, development partners, and AU member states.

Prof. Serges said that the Centre, based in Cairo, has already begun implementing bold activities. A core feature of its approach is to conduct a prior needs assessment and it does not design activities without first conducting field investigations to identify the priorities of affected states. He cited the Centre's direct impact project in Liberia, where the renovation of a public school was preceded by an in-country assessment mission. Capacity-building of local actors accompanied the intervention to ensure long-term sustainability.

The Centre is currently hosting a training programme in Cairo for youth from the five regions of Africa on the revised PCRD Policy and on the use of information and communication technologies for peace consolidation he said. The professor concluded by reaffirming that the PCRD Centre's work is comprehensive and collaborative aimed at contributing to healing and long-term reconstruction in post-conflict contexts.

Next, Ms. Tsion Hailemariam, Project Officer in charge of the AU Human Rights Memorial (AUHRM) Project in Ethiopia, shared the continental perspective on memorialisation as a reparative tool. Her presentation detailed the AU's ongoing efforts to institutionalise memorialisation as part of the broader transitional justice architecture.

The AUHRM, she explained, is a flagship initiative mandated by Heads of State in 2012 to honour Africa's past and learn from it. It aims to achieve three objectives, namely, to acknowledge historical injustices and atrocities, including colonialism and the transatlantic slave trade; to honour victims and survivors; and to create a permanent memorial site at the AU Headquarters in Addis Ababa that serves as a platform for education and collective reflection.

Ms. Hailemariam outlined three key functions through which memorialisation advances reparative justice. The first, she said, was that memorials validate victims' experiences, counter denialism, and restore dignity through acknowledgment. Second, they serve as repositories of memory and evidence, ensuring the right to know and fostering public understanding of the causes and consequences of past atrocities. Finally, memorials encourage societies to engage in collective introspection, nurturing empathy and solidarity across generations.

She informed the Forum that the AUHRM Garden, constructed at the site of the 1988 Al-Beshir tragedy in Addis Ababa, is now complete, while efforts are underway to develop a virtual memorial platform featuring interactive exhibits and archival content contributed by member states.

Ms. Hailemariam also discussed two major challenges, namely limited funding (with the total construction cost estimated at USD 6.5 million) and the need for more contributions of historical content from AU Member States. She concluded by emphasising that memorialisation is not only about erecting monuments, but also about creating living spaces of memory where learning and healing can coexist.”

The Africa Union Human Rights Memorial Garden at the headquarters in Addis Ababa is now a physical space of memory, and soon there will be a virtual memorial using immersive technology, because we must pass this memory on to the next generation. We are building not only monuments, but a living memory.

– Ms. Tsion Hailemariam

The final panellist, Mr. Bartholomew Malonga, President of a Congolese organisation advocating for the rights of persons with disabilities, spoke as both a survivor and an advocate offering a first-person account from a survivor of the conflict in Shabunda, South Kivu. He described the long-term human impact of explosive remnants of war, recounting how, as a child in 2002, he was injured when a playmate unknowingly picked up an explosive device that detonated, killing the friend instantly and leaving him gravely wounded.

While the treatment he received allowed him to recover, he highlighted how conflict-related disability remains an under-addressed dimension of transitional justice. He stresses that although some victims have managed to reintegrate – for example, he himself is now a university graduate, lecturer, father and local NGO leader – countless others remain marginalised, excluded from education and employment, and unable to access sustained rehabilitation services.

We cannot talk about a victim without the involvement and participation of this victim. Those who still have the chance to exist as we are here, it's really important to take into account all the concerns we have.

– Mr. Bartholomew Malonga

He critiqued the tendency of states and institutions to rely on charitable gestures or token compensation, which provide temporary relief but do not address structural needs. Instead, calling for a rights-based reparations framework grounded in long-term rehabilitation and dignity restoration. This includes access to prostheses and orthoses, physiotherapy, psychosocial support, and assistance to ensure victims can fully participate in family and community life. He said reparation must go beyond financial indemnification and instead be integrated into holistic support systems.

At national level, he identifies FONAREV (National Fund for Reparations in the DRC) as an important mechanism, but one that must be strengthened and complemented by regional and sub-regional policies requiring states to take responsibility for conflict-affected persons with disabilities. He also urged the AU to set stronger standards to pressure member states to institutionalise rehabilitation programs and victims' socio-economic empowerment.

One central theme of his testimony is participation, warning against designing transitional justice processes without victims' contribution, stressing that they must be recognised as experts of their own experience.

On accountability, he raises the need for localised judicial mechanisms capable of trying perpetrators in the communities where violations occurred. Such proximity, he argues, provides victims with visibility, recognition and reassurance that justice is not abstract but responsive to lived realities.

In conclusion, he called for inclusive education models, referencing his organisation's initiative which promotes inclusive schooling where children with disabilities learn alongside their peers rather than in segregated or informal settings. This approach, he argues, helps rebuild confidence, challenge stigma, and expand opportunities for conflict-affected children to develop their abilities and participate equally in society.



Plenary Discussion

Audience interventions reflected the diverse layers of healing across the continent.

A participant from Namibia urged the AU to ensure that victims' associations are directly involved in memorialisation processes rather than leaving them to be managed exclusively by state institutions. In response, Ms. Hailemariam affirmed that the AUHRM Task Force engages with survivor groups to collect testimonies and validate content before submitting it for approval by member states, citing recent collaboration with Ethiopia's Red Terror Martyrs' Association as an example.

Another participant from South Sudan asked how the AU PCRDC Centre incorporates psychosocial interventions into its programmes and what role regional economic communities (RECs) can play. Prof. Dzesseu responded that the Centre promotes context-sensitive psychosocial programming through community rehabilitation and leadership training, supported by RECs as regional anchors for sustainability.

In her concluding remarks, Ms. Shabalala reiterated that reparations are not merely about restoring what was lost but about reconstructing what was broken: the human spirit, relationships, and trust.



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SESSION SEVEN: Research and Documentation on Reparations

Who produces knowledge about conflict and justice, and how that knowledge transforms into policy, strongly shapes which harms are recognised, whose claims are prioritised, and what forms of redress are deemed possible.¹³ Work on colonial reparations likewise shows how legal archives, parliamentary records, and expert reports can both enable and constrain demands for accountability, depending on how they are interpreted and mobilised.¹⁴ Consequently, Session Seven reflected on how African researchers, victims' groups, and institutions can develop documentation practices that are rigorous, victim-centred, and resistant to political manipulation.

Moderated by Professor Emmanuel Luzolo Bambi Lessa, Chairperson of Scientific Committee on Transitional Justice in the DRC, this session explored the central role of research and documentation in advancing reparative justice within transitional justice processes, with a particular focus on slavery, colonialism, and post-authoritarian contexts. The discussion illuminated how evidence gathering, archival integrity, and knowledge exchange can drive reparations agendas and ensure accountability.

Dr. Justice Mavedzenge, Senior Legal Advisor and Programmes Director at Africa Judges and Jurists Forum, opened the session with a provocative reflection on the limitations and possibilities of international law in addressing historical injustices such as slavery and colonialism. Framing his remarks around three guiding questions, he challenged African policymakers, scholars, and civil society actors to critically examine whether existing global legal frameworks are fit for purpose in the pursuit of reparative justice for Africa.

He began by noting that international law, as currently designed, is inadequate for the pursuit of reparative justice. Yet, he emphasised, opportunities exist particularly within the advisory jurisdiction of the International Court of Justice (ICJ). Drawing parallels to Namibia's independence struggle, Dr. Mavedzenge pointed to how ICJ advisory opinions can galvanise political movements and reshape legal norms. He proposed leveraging the Court's recent advisory opinion on climate justice which established a state duty to repair environmental harm, as a precedent for reparations related to human suffering and exploitation under colonialism.

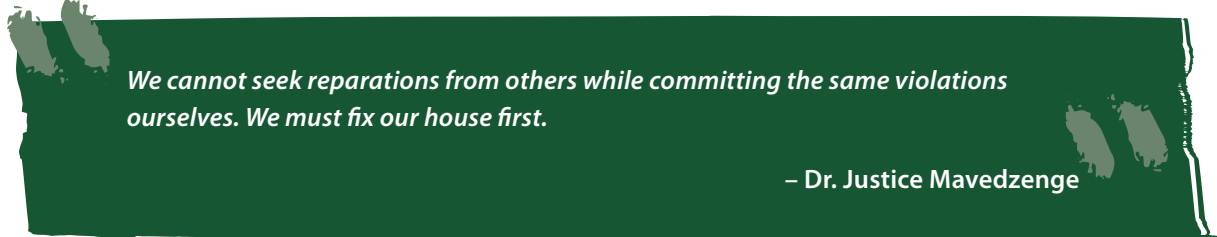
Dr. Mavedzenge urged researchers to explore domestic litigation possibilities against private corporations and financial institutions that profited from colonial exploitation, while acknowledging the doctrinal barriers of state immunity. He cited ongoing litigation in South Africa linking banks and insurers to apartheid-era crimes, underscoring that corporate accountability could be a new frontier for reparative claims.

He also cautioned against out-of-court settlements in colonial reparation cases, such as the Mau Mau settlement in Kenya, which he argued may have foreclosed opportunities to test legal principles that could strengthen future claims.

Turning to African leadership, he posed difficult questions about the AU's institutional capacity and moral legitimacy. He asked whether African leaders are sufficiently sensitised on the issue, whether they speak with one voice, and whether they should be demanding reparations while the same leaders in governments commit violations akin to those we condemn.

He cited trade dependency as symptomatic of Africa's structural vulnerability, observing that eighty-five percent of Africa's trade remains with external partners, largely former colonisers, while intra-African trade accounts for only fifteen percent. For him, this imbalance weakens Africa's geopolitical leverage in reparations diplomacy.

Dr. Mavedzenge concluded by linking the struggle for reparative justice to other global justice movements, including climate justice, Palestinian liberation, and resolution of the issues in relation to Western Sahara. He urged a unified Afro-Caribbean-Latin American bloc at the UN to seek an ICJ advisory opinion on whether colonial practices constituted violations of international law, a question he stressed has never been factually answered.



We cannot seek reparations from others while committing the same violations ourselves. We must fix our house first.

– Dr. Justice Mavedzenge

Drawing from his experience as Executive Secretary of The Gambia's TRRC, Dr. Baba Jallow offered a case study on how research and documentation can serve as both a reparative process and a civic transformation tool.

He emphasised that transitional justice itself is inherently a reparatory project aimed at repairing historical damage through truth-seeking and institutional reform. For this reason, documentation must not only preserve evidence but also catalyse national reflection and civic renewal.

Dr. Jallow recounted how, learning from earlier truth commission experiences, the TRRC deliberately designed its documentation strategy to ensure transparency, inclusion and accessibility. Recognising that not all Gambians spoke English, the TRRC deployed multilingual statement-taking teams across the country, allowing victims to testify in their native languages.

To ensure real-time public participation, hearings were broadcast live on national television, radio, and YouTube, enabling citizens to follow proceedings and form their own judgments. This openness, Dr. Jallow explained, prevented the government from "sitting on the information" and allowed Gambians to internalise the truths emerging from the process as they unfolded.

He further highlighted the Commission's transcription and archiving systems, which produced verified transcripts, edited volumes, and a digital repository accessible to the public. This, he said, was intended to make truth-telling a continuous civic conversation rather than a bureaucratic event.

Dr. Jallow concluded that documentation is not merely a technical exercise but a political and psychological act of empowerment. By democratising access to information, the TRRC reshaped Gambia's civic culture awakening a population that now actively demands accountability.

The transformation of our civic culture is the most enduring reparation we achieved. ... Documentation built trust, transparency and a new sense of agency among Gambians.

– Dr. Baba Jallow

In his intervention, Dr. Ayodele Sogunro, Research Fellow at the University of York, expanded the discussion by challenging prevailing conceptions of documentation as a technical or procedural step in transitional justice. He argued that research and documentation should instead be viewed as substantive rights and forms of reparation in themselves.

Drawing from the UN Basic Principles on the Right to Remedy and Reparation, Dr. Sogunro emphasised that victims have a right to information about violations committed against them, and therefore documentation processes must be treated as integral to justice, not merely precursors to it.

He observed that an informational asymmetry often exists between perpetrators and victims. While perpetrators, whether states, corporations, or military actors, control archives and records, victims are left piecing together fragmented memories. Bridging this knowledge gap, he argued, is both a moral and legal obligation.

Dr. Sogunro proposed several forward-looking measures to institutionalise documentation as part of reparative justice:

1. Establishing a Continental Reparations Research Network to link scholars, civil society actors, and victim associations for shared methodologies and cross-learning.
2. Creating open-access digital archives, to preserve testimonies, case files, and research outputs for intergenerational use.
3. Embedding reparations research in university curricula to ensure sustainability and intellectual ownership within African academic institutions.
4. Developing continental documentation standards to harmonise ethical and methodological practices across truth commissions and reparation programs.
5. Ensuring political and financial independence of research initiatives to prevent donor or state interference that may distort findings.

He concluded that redefining documentation as a right would deepen the right to truth, sustain accountability beyond political cycles, and democratise knowledge production within transitional justice processes.



Plenary Discussion

In the ensuing discussion, Ms. Rachel Lumbwe raised a compelling ethical reflection on expertise and humility, urging practitioners to recognise victims as co-experts. She reminded participants that for many survivors, the act of retelling trauma for documentation purposes is itself reparative but also retraumatising. She iterated that everyone in the Forum is an expert, especially those who have lived the experience.

Other participants emphasised the importance of victim-led networks to complement scholarly and institutional frameworks for documentation, ensuring that lived experiences remain central to knowledge production.

Responding, Dr. Mavedzenge elaborated on the legal reasoning surrounding colonial legality, arguing that principles of natural law and human dignity predate colonial statutes and therefore render slavery and colonialism unlawful. He cited the ICJ's 1975 Western Sahara Advisory Opinion¹⁵ and the 2021 judgment of the European Court of Justice on fisheries agreements between Morocco and the EU¹⁶ as affirmations of international law's evolving recognition of historical injustices.

Dr. Sogunro reiterated that research networks must be inclusive of victims' associations and community-based archives, while Dr. Jallow underscored the need for transparency in upcoming truth commissions, warning that secrecy and information capture by governments defeat the very purpose of reparative justice.

Prof. Lessa concluded the session by summarising three key lessons, namely that documentation is itself a form of justice, not merely a tool for it; African leadership and unity are prerequisites for global reparations advocacy; and knowledge democratisation through transparency, education and collaboration remains the surest path to sustained accountability.





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SESSION EIGHT: African Justice Mechanisms and Their Contributions to Reparations and Healing

Traditional and community-based mechanisms and procedures are crucial in post-conflict reconstruction in Africa, for reconciliation and for victims' sense that justice has been done, supporting reparations and healing alongside formal mechanisms. However, they remain under-recognised in formal transitional justice frameworks.¹⁷ At the same time, traditional justice scholarship warns that such mechanisms are highly diverse, politically embedded, and cannot simply be romanticised as ready-made alternatives formal institutions and mechanisms.¹⁸

The AUTJP has responded to these tensions by promoting African-owned approaches that acknowledge multiple pathways to accountability and social repair, including the principled use of local and informal mechanisms alongside state and regional architectures.¹⁹

Moderated by Mr. Tafadzwa Christmas, Programme Coordinator for the ITJA, this session examined the role of African traditional and community-based justice mechanisms in promoting reparations and healing within transitional justice processes. The discussion brought together experiences from across the continent to explore how local mechanisms rooted in African philosophy and communal values can complement formal transitional justice systems.

Mr. Christmas cautioned that the panel would not romanticise African mechanisms but rather, it aimed to critically assess their value, challenges and potential for adaptation. He posed guiding questions for the discussion:

- What defines African traditional justice mechanisms?
- How do they function and what outcomes do they achieve?

Opening the panel, Mr. Patrick Hajayandi, Senior Project Leader for the Great Lakes Region of Africa at IJR, emphasised that traditional justice mechanisms are deeply rooted in the continent's diverse cultures and moral codes. Drawing from his research in Burundi on the *bashingantahe* (a council of wise men and women mediating community disputes) he shared that nearly eighty-five percent of people in rural areas still rely on these systems as their first and sometimes only source of justice.

He outlined four defining characteristics for this. Firstly, their community-centred nature, restorative focus, accessibility, and flexibility. In these forums, he explained, justice is not something delivered to the people, it is co-produced by them. He described how communities gather under trees or in open spaces to deliberate publicly, often concluding with symbolic acts such as sharing food or local brew to mark reconciliation.

While acknowledging their imperfections, particularly gender imbalances and patriarchal norms, Mr. Hajayandi stressed that these flaws should not be grounds for dismissal but for reform. He commended Burundi's recent legal recognition of *bashingantaha* proceedings as part of the national justice system, adding that these spaces give people not only justice, but voice and dignity – the ability to speak, to be heard, and to heal.

Next, Ms. Aimee Ongesso, Programme Manager at OSF, shared Kenya's journey in developing its Alternative Justice Systems (AJS) following the devastating 2007–2008 post-election violence. With a mix of legal insight and personal conviction, she recounted how formal mechanisms failed victims, with three failed attempts to set up tribunals, collapsed International Criminal Court cases, and more than five thousand files of non-prosecutable crimes. She recalled a victim asking, if she took her perpetrator to court, how would that help her raise the child she bore out of that violation?

This question, she explained, became the moral compass for Kenya's community-driven justice experiment. The AJS framework, anchored in the Constitution and the Victim Protection Act, was designed to balance community legitimacy with constitutional safeguards. Committees of elders, women and youth were selected by the communities themselves to mediate cases, focusing on democratic participation, truth-telling, and indigenous jurisprudence.

Ms. Ongesso explained that agreements reached through AJS are recorded and can be enforced as orders of the court, ensuring that traditional reconciliation carries legal weight. Enforcement, however, often occurred naturally. "If you promise to return three cows before your neighbours, you will return them," she noted. "The community is your court."

For Ms. Ongesso, the Kenyan model shows that justice can be both restorative and credible – a justice that allows people not only to coexist but to continue living together.

Mr. John Caulker, founder and Executive Director of Fambul Tok, took the floor and began by contrasting Sierra Leone's post-war truth and accountability mechanisms, the TRC, which cost around USD 4 million, and the Special Court for Sierra Leone, which spent more than USD 300 million prosecuting fewer than fifteen people, yet made no provision for victims.

Disillusioned by the gap between justice and community healing, Sierra Leoneans created Fambul Tok (Family Talk), a homegrown reconciliation process built on the country's communal ethos.

We went back to the bonfire because it is the only place where people can speak freely, even to the chief, and not be punished.

– Mr. John Caulker

He explained how village bonfires became sacred spaces of truth-telling, apology, forgiveness and cleansing rituals, where perpetrators confessed and victims spoke without fear. He described the process as deliberately local and inclusive, noting that, “We do not enter as experts. we enter as facilitators.” Out of these gatherings emerged women’s peace circles, known as Peace Mothers, which continue to support survivors of sexual violence.

Addressing concerns about accountability, Mr. Caulker reflected that, “Justice in Africa is not always about punishment. It is about acknowledgment, naming, shaming and ensuring it never happens again.”

He concluded with a gentle reminder that reconciliation is not an event but a process, and that after the bonfire, the efforts of reconciliations continued with football matches, community farming initiatives, and storytelling nights (spaces where former enemies can laugh together again). That is justice in practice, he said.

The final presentation came from Ms. Nessma Senhadri, North Africa Regional Desk Coordinator at the AU Commission. She reflected on the role of ancestral healing rituals, particularly those rooted in Maghrebian Sufi–Maraboutic traditions, as complementary forms of social and psychological rehabilitation within communities affected by conflict. She introduces the *Araboutik* musical and ritual heritage of North Africa, describing how music, chanting, and movement guide participants into therapeutic trance states during nocturnal ceremonies that blend celebration with collective healing. These rituals often extend for hours or up to three days, adjusting to the level of individual suffering.

All pain is relational, just like therapeutic trance in this type of ceremony, and it is one of the main reasons why trance helps to channel suffering.

– Ms. Nessma Senhadri

She elaborated on the multi-layered structure of the rituals, rhythmic patterns in three-beat and two-beat tempos designed to induce altered states of consciousness, repeated invocations calling upon ancestors and saints, and a strong visual dimension expressed through symbolic colours, clothing, and choreographed sequences. She said these ceremonies are tightly coded, passed down through centuries, and remain remarkably intact across the Maghreb, addressing both present and transgenerational suffering, seeking the deliverance of the soul and recalibration of internal emotional states.

Ms. Senhadri stressed that in contexts where conventional psychosocial or medical support is limited or exhausted, these practices become critical coping mechanisms for individuals grappling with trauma. Trance, she notes, is socially managed and supervised by trained ritual agents to ensure containment and safety.

Drawing connections across regions, she highlighted similar trance-based healing traditions in Mali, Senegal, Nigeria, and even Brazil, demonstrating the transcontinental resonance of embodied, spiritually modulated therapeutic systems.

Ms. Senhadri concluded with the observation that in many countries emerging from crisis or armed conflict, there is a renewed turn toward these ancestral healing traditions. Communities view them as accessible, culturally legitimate ways of alleviating psychological suffering, re-grounding social ties, and fostering resilience where formal systems of support may be absent or insufficient.



Plenary Discussion

The ensuing discussion was vibrant. Participants raised concerns about the underfunding of traditional mechanisms compared to formal institutions and questioned how to ensure human-rights and gender sensitivity within customary frameworks. One speaker from The Gambia observed that traditional mechanisms are often resorted to after conventional approaches fail, instead of being a starting point.

Others noted that while patriarchal tendencies persist, women have historically been central to healing and mediation. The debate deepened with a question on accountability, whether confessions during local reconciliation rituals could coexist with legal responsibility.

In response, Ms. Ongesso distinguished between criminal accountability and communal accountability, arguing that the latter often has greater transformative power. Mr. Caulker added, “When a man confesses before his family and neighbours, his shame is punishment enough, his community will hold him to his word.”

In his closing remarks, Mr. Christmas thanked the panellists for taking participants on a continental journey, from the Great Lakes to the Rift Valley, from Sierra Leone’s bonfires to Libya’s healing chants. He noted that while the panel did not advocate replacing formal justice systems, it illuminated how African philosophies of justice relational, spiritual, and restorative, offer profound lessons for transitional justice globally. “In Africa,” he reflected, “justice is not just about law. It is about personhood, dignity, community, and continuity.” He concluded by challenging states, CSOs and researchers to institutionalise these mechanisms within national transitional justice frameworks, and to learn from them as expressions of Africa’s moral imagination.





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SESSION NINE: The Roles of the African Union, Regional Economic Communities, Civil Society and Academia in Advancing Reparations in Africa

The African Court on Human and Peoples' Rights has consistently recalled that the law applicable when addressing violence and justice is fundamentally international human rights law. Human rights are not divisible; international law does not distinguish between an African, European, or American human being. Because the sources of violence are often similar across the continent, such violence cannot be treated solely within national frameworks but must also be approached from a broader Pan-African perspective.

– Justice Blaise Tchikaya

Session Nine brought the forum full circle, examining the respective roles of the AU, RECs, member states, civil society, and academia in advancing reparations. These actors shape the agendas and narratives through which reparations are imagined and pursued²⁰ and the limits of the existing international legal frameworks as revealed by the struggles over colonial reparations and other historical injustices,²¹ revealing the need for coordinated regional leadership. The closing session therefore contemplated on how continental and national actors, working together with communities and scholars, can move from rhetorical commitments to concrete, sustained reparative action.

Moderated by Dr. John Ikubaje from the AU, the final plenary session of the Forum brought together institutional actors and thought leaders to reflect on how continental, regional, and non-state actors can collaborate to advance reparations across Africa. The discussion revisited and examined how implementation can move beyond rhetoric toward practical, coordinated action.

Dr. Ikubaje opened the session by welcoming participants and introducing the distinguished panellists, noting that the originally scheduled fourth panellist could not attend but emphasised that the three speakers present brought rich institutional diversity and insight. He reminded participants that the responsibility to promote reparations is shared among all actors (member states, regional bodies, civil society, and academia), remarking that human rights and transitional justice are our collective responsibility.

Justice Blaise Tchikaya of the African Court on Human and Peoples' Rights offered a jurisprudential reflection on the AU's role in transitional justice, drawing from twenty years of the Court's experience. He began by stating that the themes under discussion carry significant weight for Africa's contemporary historical trajectory. Speaking in his personal capacity, he noted that transitional justice, mandated by AU Heads of State, is an enormous task in which the Court plays a critical interpretive role.

He cautioned against the conceptual conflation of historical/colonial violence (slavery, the trans-Atlantic and trans-Saharan trades) with the current cycles of violence unfolding within African states. These two forms of harm, he argued, are governed by distinct legal frameworks and must not be collapsed into a single category. Failure to distinguish them risks undermining the coherent application of Article 3 of the Court's founding protocol, which governs the applicable law in cases concerning violations of human rights and freedoms on the continent.

Justice Tchikaya asserted that the law governing transitional justice is, by its nature, international human rights law, which does not differentiate between Africans, Europeans or Americans. In this sense, transitional justice is not a separate or lesser form of justice, but part of the broader body of pan-African and international justice. This framing, he noted, underpins the Court's jurisprudence.

He referenced the Court's landmark decision in the 2024 *Ogiek (Kenya)* case,²² initiated by the African Commission, where the Court reaffirmed that violence affecting Africans regardless of where it occurs, must be addressed at the pan-African rather than purely national level. The Court held that the underlying drivers of violence in Congo, Sierra Leone, Kenya, or elsewhere share common dynamics, and therefore require continental legal responses.

He further highlighted the 2022 *Bernard Mornah (Ghana/Morocco)*²³ decision, in which the Court articulated expectations placed on AU organs to safeguard rights and freedoms, reinforcing the AU's normative authority in supporting peace, pacification, and continental stability.

Turning to the four pillars of transitional justice, Justice Tchikaya argued that they ultimately converge on a broader objective of institutional reform across the continent. The African Court has produced a substantial body of jurisprudence guiding how African states should adapt and reorganise public institutions to uphold human rights, rule of law, and democratic freedoms, he said, citing cases where the Court held that governments could not create exceptional judicial bodies separate from regular national courts to handle certain cases, as such practices undermine rights protections.

Justice Tchikaya concluded by noting that over its twenty-year existence, the African Court has made a profound and evolving contribution to shaping continental norms, clarifying the applicable law for transitional justice, guiding institutional reforms, and reinforcing the AU's responsibility for ensuring justice, rights protection, and peace across the continent.

Mr. Vincent Kokou Houmgbou, speaking on behalf of the Diaspora Policy Officer at the African Union Citizens and Diaspora Directorate (CIDO), began by tracing the reparations agenda to longstanding AU efforts to address harms rooted in slavery and colonial domination, noting that these historical injustices continue to shape political, economic, and social realities across the continent.

Mr. Houmgbou said reparation is not an abstract or symbolic aspiration, but a political process driven by the collective decisions of heads of state and government.

He lauded the AU's decision to designate 2025 as the Year of Justice for Africans and People of African Descent Through Reparations as significant, explaining that this initiative was framed as early as 2023 and reflects an intensifying continental commitment. He then outlined the concrete follow-up through Decision 884 (2024),²⁴ which mandated the Commission to take three major steps:

1. Establish a Committee of Experts on Reparations to guide policy and conceptual development on reparative justice.
2. Create a Legal Experts' Group capable of unpacking the normative, legal and procedural complexities of historical and contemporary claims.
3. Explore the feasibility of a Continental Reparations Support Fund, including its structure, purpose, and modalities.

Mr. Houmgbo said these mechanisms aim to equip member states and RECs to integrate reparations into national and regional programs. He described the diaspora as the sixth region of the African political architecture, whose mobilisation is critical to the reparations movement.

He also asserted that reparations is not an exclusive responsibility of the AU Commission and true progress requires synergy where member states dictate the political mandate and the Commission implements it.

Mr. Houmgbo ends by returning the focus to those who endure the consequences of injustice. He argued that authentic reparations frameworks must be grounded in the realities of communities and traditional societies, who are suffering the atrocities and therefore are best positioned to articulate what justice should look like. Like other participants before him, he reiterated that these communities must not simply be consulted but must help shape the reparations agenda from the ground up, as they hold the clearest view of the harms and the forms of repair required.

The discussion then shifted to the role of civil society, with Ms. Ruth Ogbewekon, Project Lead, Reparative Justice at Pan-African Lawyers Union (PALU), offering a compelling and rights-based perspective. She began by emphasising that reparations are not charity but a legal right, grounded in international law and applicable to victims of atrocities including colonialism, slavery, and apartheid. However, she lamented that this right disappears when applied to Africa. Ms. Ogbewekon identified three major battles (legal, political, and ethical) that must be fought simultaneously to advance reparations on the continent.

Africa as a continent, we're incredibly late to the conversation. 2025 really is the first time the continent has come together in a coordinated effort at all levels for an extended period of time to talk about reparations for historical injustices. Right? We've had summits, we've had forums in the past, we have some declarations to refer to, but this happened at some spark in history and we left it at that. We're building, but for the first time, and I think a lot of it has to do with the fact that the African Union prioritized this issue as the theme of the year.

– Ms. Ruth Ogbewekon

She noted that international law and precedent clearly recognise the right to repair, yet African victims have been systematically denied recognition and remedy. On the political front, she highlighted the structural inequalities of global governance that perpetuate impunity. She welcomed the AU's extension of the 2025 reparations theme into a decade of reparative justice (2026–2036), calling it a long-overdue but vital development.

Ms. Ogbewekon outlined four key roles for civil society in this decade of reparations:

1. Citizen-to-citizen engagement which involves raising awareness, educating communities, and simplifying legal and technical language around reparations so that even “our grandmothers can understand what is being discussed.”
2. Citizen-to-institution engagement bridging communities and decision-makers at national, regional, and continental levels, including participation in the upcoming AU Reparations Forum chaired by President Nana Akufo-Addo of Ghana.
3. Transcontinental partnerships fostering stronger linkages between African and diaspora CSOs to reflect the Pan-African character of reparations.
4. Advocacy and accountability by sustaining momentum through consistent monitoring and watchdog action so that reparations do not fade as a one-year agenda.

In a powerful conclusion, Ms. Ogbewekon reminded participants that Africa must stop agonising and start organising, and that reparations will only be meaningful if sustained through citizen-led movements, knowledge production, and continuous pressure on institutions.



Plenary Discussion

In the discussion that followed a delegate from Namibia described ongoing litigation in the Namibian High Court demanding reparations for the genocide against the Herero and Nama peoples, arguing that Germany should not hide behind state immunity. He asked how such a case could be elevated to the African Court and how affected communities could access the AU Peace Fund directly.

A representative of the African Committee of Experts on the Rights and Welfare of the Child (ACERWC) highlighted that reparations must be child-sensitive and that her committee is developing guidelines to ensure member states provide rehabilitation and protection in alignment with international and regional standards. Another participant stressed the importance of victim and community inclusion in African memorialisation and reparation programmes.

In her response, Ms. Ogbewekon reaffirmed that while African communities can bring cases to the African Court after exhausting national remedies, non-African states such as Germany are not parties to the Court’s jurisdiction, creating a legal gap. However, she called for innovative use of African international law and regional solidarity litigation to test new approaches. Dr. Ikubaje added that the AU Legal Counsel’s Office and the African Court can provide technical support to Namibia and similar cases, citing earlier AU assistance to Kenya in international litigation.

He further noted that the African Peace Fund has already been used to finance reparative initiatives such as school rehabilitation in Liberia and livelihood support for women victims of Boko Haram in Nigeria. These examples, he said, show that reparations can take transformative, community-based forms beyond financial payments.

The session concluded with the message that reparations for both historical and contemporary injustices are a collective African responsibility. The AU, regional bodies, civil society, and academia must coordinate efforts to ensure that reparations are holistic, encompassing education, healing, livelihoods, and dignity. Dr. Ikubaje closed by urging participants to ensure that by the next Forum, Africa has moved from discussion to implementation and results.



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CLOSING CEREMONY

In closing the three-day Forum, Ms. Moyo-Kupeta of CSVR reflected on three days of “rich and candid dialogue” on justice for Africans and people of African descent through reparations. She reminded the participants that reparations are not charity, but justice owed, and that Africa cannot build lasting peace while ignoring the debts of history and structural harms rooted in colonialism, slavery and historical injustices.

Reparations were framed as central to peace, dignity and trust between states and their citizens, and as a process that transcends financial measures. Ms. Moyo-Kupeta stressed that women and youth cannot be actors at the margins but leaders whose perspectives must shape reparations policies and practice, and she welcomed the AU’s decision to extend the theme of the year on reparations to a ten-year agenda requiring concrete, coordinated action.

Speaking on behalf of the ITJA, Mr. Christmas, representing ICTJ, situated the forum within the AU–EU partnership to popularise and domesticate the AUTJP. He highlighted ITJA’s support to transitional justice processes in countries such as Ethiopia, The Gambia and Lesotho, and sub-grants to civil society in contexts including the CAR, the DRC, Nigeria, Sudan and Zimbabwe.

Drawing on the writings of late African human rights scholar Professor Christof Heyns, he argued for a “struggles approach” to transitional justice, reminding participants that its norms and mechanisms are born from people’s struggles – landless communities demanding fair access to resources, families seeking the truth about the disappeared, and survivors insisting on reparations in contexts of entrenched impunity. He concluded that as long as these struggles continue, practitioners have a responsibility to confront inequality, historical injustice and contemporary violations, and that the work must go on beyond the forum.

On behalf of Impunity Watch, Mr. David Taylor thanked CSVR, the AU, the government of the DRC (particularly the Ministry of Human Rights and FONAREV), and all participants for turning Kinshasa into a space of dialogue on reparations. He insisted that there can be no doubt about the necessity of repairing the past and uprooting systems of abuse rooted in impunity, colonialism, and the transatlantic slave trade. Transitional justice must not only address legacies of violence but also help shape a different future, one grounded in the meaningful participation of young people, he said.

He concluded by noting that reparations that do not acknowledge historical injustice, unemployment, exclusion from education and decision-making cannot deliver true healing, trust in institutions or sustainable peace.

Dr. Ikubaje delivered closing remarks on behalf of the AU, beginning with a tribute to the government and people of the DRC for their hospitality and to FOAREV for its tireless logistical work. He reminded participants that reparations are a moral, legal and political duty owed to victims of atrocities and historical injustices. One of the clearest lessons from the forum, he noted, is that political will is indispensable, and that undue government interference can undermine the independence of transitional justice institutions.

Africa does not lack policies and laws, he said, but without effective implementation victims' wounds remain open. Citing the DRC's nationally funded reparations fund (with additional contributions from mining companies), he argued that reparations must be anchored in enforceable law, adequate resources, and inclusive institutions. He emphasised the need to centre women, children, youth, displaced communities, and persons with disabilities, and to move beyond cash payments towards trauma healing, health care, education, economic empowerment, and safe return or resettlement.

Speaking on behalf of the host government, H.E. Samuel Mbemba Kabuya, Minister of Human Rights of the DRC, described the holding of the Ninth African Transitional Justice Forum in Kinshasa as a historic moment for the country and the continent, under a theme that rightly places victims at the centre of truth, justice, and reparations. He recalled the DRC's still-open wounds from conflict and reaffirmed the National Human Rights Commission's commitment to documenting violations, supporting victims, and advocating for their reparations, in line with President Félix Antoine Tshisekedi Tshilombo's prioritisation of human rights.

Reparations, he said, do not erase the past, but give it meaning, and far from weakening the state, they strengthen its dignity, legitimacy and humanity. Looking beyond the DRC, he urged Africans to move from being victims of history to resilient actors by overcoming fragmented efforts, creating African financial instruments and a Solidarity Fund for reparations, promoting South–South cooperation, and training a new generation of African transitional justice experts. He proposed concrete measures, including official recognition and memorialisation of victims, an African legal framework on transitional justice, an African Month of Reparations each October, stronger protection for victims, witnesses, journalists, and human rights defenders.

Returning to the situation in eastern DRC, he reminded participants that millions have been killed and more than twenty percent of the population directly affected and called on them not to forget the country's ongoing tragedy or its demand for recognition of the atrocities committed. Victims, he concluded, are no longer waiting for promises but for concrete reparations, recognition, and a place in history, and this forum must be remembered as a moment when African leaders, survivors, jurists, and ministers chose to say “no” to impunity and indifference.



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EMERGENT PRIORITIES AND RECOMMENDATIONS

A number of priorities emerged from the Forum for the various actors responsible for driving African transitional justice forward.

1. For member states, the central task is to move away from symbolic commitments and towards credible implementation. States should insulate reparations from politically vulnerable ministries and institutions by assigning them to independent, well-resourced bodies that can coordinate across sectors such as health, education, housing and social protection to facilitate holistic reparations. Dedicated reparations funds, drawing on state allocations, recovered assets, extractive-sector contributions, and diaspora financing can stabilise funding, while periodic impact evaluations can demonstrate how reparations strengthen trust, prevent recurrence, and improve legitimacy. Implementation monitoring scorecards should make progress visible and limit political obstruction, while national budgets must embed reparations within the medium-term expenditure arrangements rather than relying on ad hoc or donor-driven arrangements.
2. For the AU and RECs, the shift to a Decade of Reparations demands a more assertive continental architecture. This includes developing minimum standards for reparations design premised on transparency, inclusion, disability and gender responsiveness. Mechanisms should also be in place that monitor and pressure states to comply with their commitments. The AU should strengthen technical and legal support to governments pursuing complex claims, including colonial-era reparations, so that African states do not confront these negotiations in isolation.
3. Judiciaries, both national and regional, must translate reparations from legal principle into enforceable realities. Strengthening follow-up mechanisms for compliance with decisions of the African Court, the Economic Community of West African States (ECOWAS) Court, and domestic courts is essential for cultivating jurisprudence that addresses structural harms such as land dispossession, inequality and corporate complicity.
4. Civil society and victims' associations have a key role in building citizen power in addition to advocacy. For example, CSO/community-led monitoring of state performance can expose delays and political interference, while victim awareness/empowerment programmes can prepare victims to participate directly in policy design and oversight. Stronger alliances across the continent and the African diaspora (people of African descent) will be crucial in advancing reparations for colonial injustice and strengthening memorialisation efforts.

5. Transitional justice commissions and reparations initiatives must ground their work in contextual reality rather than technocratic models. Consequently, processes should be built around continuous consultation with victims (especially women, youth, persons with disabilities, and rural populations) and should be holistic and include financial literacy for victims.
6. MHPSS should be integrated into the core of reparations, designing long-term support pathways that reflect how trauma unfolds over years. Moreover, combining clinical services with culturally grounded healing practices, including rituals, community dialogue, and memorialisation, will ensure that reparations respond to how African communities heal.
7. Community and traditional justice structures should also be reformed to align with human rights standards without erasing their cultural legitimacy. Safeguards for gender equality, child protection, and disability inclusion are critical, as is state support that allows these mechanisms to complement formal institutions. Their practices and outcomes should be documented to enrich national archives and transitional justice impact.
8. Academia and research institutions can strengthen the foundations of reparative justice by building open, African-led digital archives, embedding reparations scholarship into academic curricula, and partnering with victims' groups to produce locally grounded knowledge. This democratises narrative authority and challenges the longstanding dominance of external or elite perspectives.
9. Ultimately, all actors – governments, regional bodies, civil society, donors and academia – should judge the success of transitional justice by whether citizens emerge with greater trust in their institutions, rather than the number of activities completed.



ENDNOTES

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