



The State of Transitional Justice in Africa

Volume 3

The Role of Civil Society



CSV

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Violence and Reconciliation

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List of Acronyms

AAN - Africa Albinism Network
ACHPR - African Commission on Human and Peoples' Rights
ADF - African Disability Forum
AMDH - Moroccan Association for Human Rights (Association Marocaine des Droits Humains)
AMU - Arab Maghreb Union
ANEKED - African Network Against Extrajudicial Killings and Enforced Disappearances
APCOF - African Policing Civilian Oversight Forum
ARCSS - Agreement on the Resolution of the Conflict in South Sudan
ATJLF - African Transitional Justice Legacy Fund
AU - African Union
AUTJP - African Union Transitional Justice Policy
AVEGA - Association of Genocide Widows (Association des Veuves du Génocide)
AW4TJ - African Women for Transitional Justice Platform
CA - Constitutional Assembly
CAR - Central African Republic
CBO - Community-Based Organisation
CEWS - Continental Early Warning System
CODESA - Convention for a Democratic South Africa
COPAC - Coalition of Civil Society Organisations for Peace and Conflict Prevention in Central Africa
COPAX - Council for Peace and Security in Central Africa
CSO - Civil Society Organisation
CSVR - Centre for the Study of Violence and Reconciliation
CVJRR - Truth, Justice, Reparation and Reconciliation Commission (Central African Republic)
DPAPS - (AU) Department of Political Affairs, Peace and Security
DRC - Democratic Republic of Congo
ECCAS - Economic Community of Central African States
ECOSOCC - Economic, Social and Cultural Council (of the African Union)
ECOWARN - ECOWAS Early Warning and Response Network
ECOWAS - Economic Community of West African States
ECPF - ECOWAS Conflict Prevention Framework
EU - European Union
FAWE - Forum for African Women Educationalists
FIDH - International Federation for Human Rights (Fédération Internationale des Droits de l'Homme)
FVJ - Moroccan Forum for Truth and Justice (Forum Vérité et Justice)
GIJTR - Global Initiative for Justice, Truth and Reconciliation
IBUKA - Umbrella Organisation for Genocide Survivors (Rwanda)
ICC - International Criminal Court
ICJ - International Commission of Jurists

ICTJ - International Center for Transitional Justice
ICTR - International Criminal Tribunal for Rwanda
IDP - Internally Displaced Person
IER - Equity and Reconciliation Commission (Instance Équité et Réconciliation, Morocco)
IGAD - Intergovernmental Authority on Development
IJR - Institute for Justice and Reconciliation
INCHR - Independent National Commission on Human Rights (Liberia)
ISS - Institute for Security Studies
ITJA - Initiative for Transitional Justice in Africa
KNDR - Kenya National Dialogue and Reconciliation
KPTJ - Kenyans for Peace with Truth and Justice
LCDH - Central African Human Rights League (Ligue Centrafricaine des Droits de l'Homme)
MARAC - Central African Early Warning System
MENA - Middle East and North Africa
MPNP - Multi-Party Negotiating Process (South Africa)
NGO - Non-Governmental Organisation
NRF - National Reconciliation Framework (Somalia)
OCDH - Central African Observatory for Human Rights (Observatoire Centrafricain des Droits de l'Homme)
OHCHR - Office of the United Nations High Commissioner for Human Rights
OMDH - Moroccan Organisation for Human Rights (Organisation Marocaine des Droits de l'Homme)
PLO - Palestine Liberation Organization
PRIO - Peace Research Institute of Oslo
REC - Regional Economic Community
SADC - Southern African Development Community
SCC - Special Criminal Court (Central African Republic)
SIPRI - Stockholm Institute of Peace Research
SSWEN - South Sudan Women's Empowerment Network
TJRC - Truth, Justice and Reconciliation Commission (Kenya)
TRC - Truth and Reconciliation Commission
TRRC - Truth, Reconciliation and Reparations Commission (The Gambia)
UNDP - United Nations Development Programme
UNOCA - United Nations Regional Office for Central Africa
USAID - United States Agency for International Development
WANEP - West African Network for Peacebuilding
WARN - Warning and Response Network
WAVE - Women's Association for Victims' Empowerment (The Gambia)
WAYN - West African Youth Network
WILL - Women in Liberation and Leadership (The Gambia)
WIPNET - Women in Peace Network (Liberia)
YORJA - Youth Organisation for Research and Justice Advocacy

Executive Summary

This report examines civil society's role in transitional justice in Africa, providing a comprehensive assessment of how diverse civil society actors contribute to justice, accountability, reconciliation, and societal transformation across the continent. Building on the framework established by the African Union Transitional Justice Policy (AUTJP), the report analyses civil society engagement with the indicative elements of transitional justice: peace processes, transitional justice commissions, African traditional justice mechanisms, reconciliation and social cohesion, reparations, redistributive (socio-economic) justice, memorialisation, diversity management, justice and accountability, political and institutional reforms, and human and peoples' rights. The eleventh indicative element—human and peoples' rights—is not addressed as a standalone section, as its discourse is reflected throughout the document given that human rights considerations permeate all aspects of transitional justice.



This report examines civil society's role in transitional justice in Africa, providing a comprehensive assessment of how diverse civil society actors contribute to justice, accountability, reconciliation, and societal transformation across the continent.

The study draws on extensive research and stakeholder consultations to examine civil society contributions across diverse country contexts. Case studies from Somalia (peace processes), The Gambia (transitional justice commissions), Rwanda (traditional justice mechanisms) and (memorialisation), Liberia (reconciliation and social cohesion), Morocco (reparations), Tunisia (redistributive justice), South Africa (diversity management), Central African Republic (justice and accountability), and Kenya (political and institutional reforms) illustrate both the achievements and challenges of civil society engagement. The report also analyses civil society's engagement with Regional Economic Communities (RECs)—the Economic Community of West African States (ECOWAS), the Intergovernmental Authority on Development (IGAD), the Economic Community of Central African States (ECCAS), the Southern African Development Community (SADC), and the Arab Maghreb Union—as well as with African Union mechanisms including the African Commission on Human and Peoples' Rights and the Economic, Social and Cultural Council.

Key findings indicate that civil society actors make invaluable contributions across all elements of transitional justice. They facilitate grassroots peacebuilding initiatives, advocate for the establishment of truth commissions, provide psychosocial support to victims, document human rights abuses, monitor the implementation of recommendations, preserve collective memory

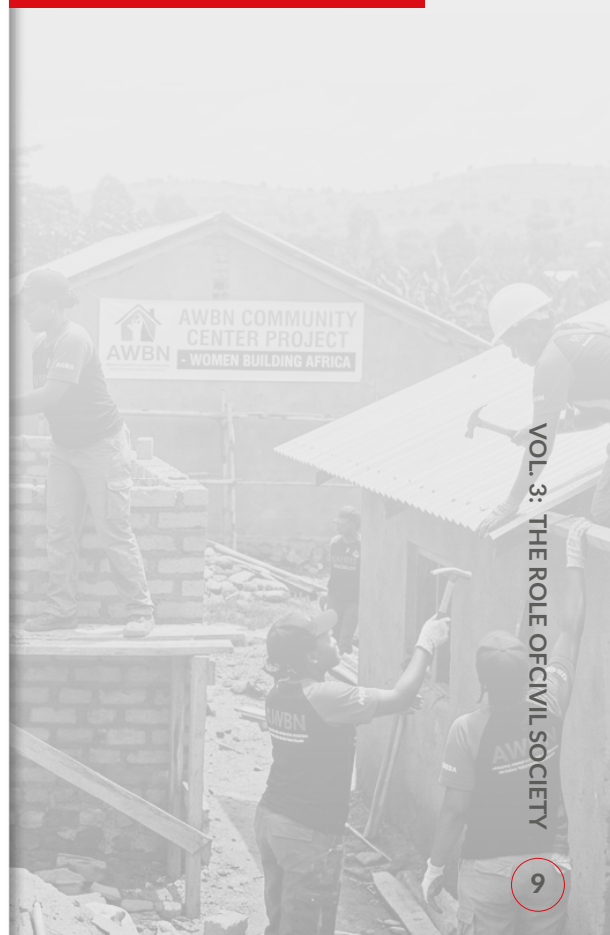
through memorialisation, and advocate for political and institutional reforms. Cross-cutting issues—particularly the meaningful participation of women, youth, persons with disabilities, and internally displaced persons and refugees—emerge as areas where civil society plays a pivotal role in ensuring that transitional justice processes are inclusive and victim-centred.

Despite these contributions, civil society faces significant challenges including shrinking civic space and political repression, financial constraints and donor dependency, limited access to formal transitional justice mechanisms, and fragmented engagement with the African Union and RECs. The closure of major funding sources such as USAID in early 2025 and reductions in development assistance from European donors have particularly affected civil society's operational capacity.

The report concludes with recommendations for governments, the African Union, RECs, civil society organisations, and development partners to strengthen civil society's role in transitional justice. These recommendations emphasise the need for sustained political commitment, adequate resourcing, inclusive participation, and enhanced coordination at national, regional and continental levels. By implementing these recommendations, African states can realise the full potential of civil society to advance justice, accountability and reconciliation across the continent.



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01

Introduction

1.1 The Importance of Civil Society in African Transitional Justice

The African Union Transitional Justice Policy (AUTJP) defines transitional justice as the various formal and traditional policy measures and institutional mechanisms that societies adopt through inclusive consultative processes to overcome past violations, divisions, and inequalities, and to create conditions for security, democratic governance, and socio-economic transformation.¹ At the heart of this definition is recognition that transitional justice cannot succeed without the meaningful participation of those most affected by conflict and human rights violations—and it is civil society that often gives voice to these communities.



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The AUTJP explicitly recognises civil society's essential role throughout transitional justice processes. Paragraph 127 emphasises that civil society members, community-based organisations and the media should campaign for and facilitate public national conversation and debate on pursuing transitional justice processes, with provision made for enabling these actors to create forums for and document and report on transitional justice processes. Paragraph 108 addresses the participation of children and youth groups in transitional justice programmes.

Paragraph 90 establishes that where amnesties are used in transitional processes, they should be formulated with the participation and consent of affected communities, including victim groups, ensuring regard for victims' right to remedy, particularly in the form of getting the truth and reparations. These provisions establish distinct but complementary roles for civil society as facilitators of public dialogue, as advocates ensuring victim participation in reparations, and as guardians ensuring that even contested measures like amnesties respect victims' rights.

The AUTJP itself emerged through sustained civil society advocacy over a decade, from initial consultations in 2009 through its adoption in 2019. Civil society organisations, victim groups, and transitional justice practitioners were instrumental in drafting provisions, advocating

¹ African Union, "Transitional Justice Policy", (2019) para.19, https://au.int/sites/default/files/documents/36541-doc-au_tj_policy_eng_web.pdf (accessed on 3 November 2025).

for victim centred approaches, and ensuring the policy reflected diverse African experiences. This continental framework now empowers civil society actors by providing a base from which they can anchor their advocacy efforts and hold their governments accountable to post-conflict reconstruction commitments.

Despite the AUTJP's recognition of civil society's role and the positive impact civil society has had on transitional justice processes across Africa, their meaningful participation remains contested. Civil society actors face shrinking civic space, restrictive legislation, political repression, and safety threats in many contexts, with governments often treating them as peripheral observers rather than essential partners. Nonetheless, the African Union's (AU) theme of 2025—"Justice for Africans and People of African Descent Through Reparations"—provides further impetus for civil society organisations to advocate for comprehensive reparations that address historical injustices including those occasioned by colonialism and the slave trade.

Civil society in the African transitional justice context encompasses a rich diversity of actors: formal civil society organisations and non-governmental organisations (NGOs), community-based organisations (CBOs) operating at grassroots level, religious institutions and leaders who possess substantial moral authority, traditional institutions and customary authorities who facilitate reconciliation using indigenous systems, academic and research institutions providing empirical evidence and critical analysis, media and journalists who amplify victim voices and hold leaders accountable, victim and survivor networks advocating for justice and reparations, and diaspora communities mobilising resources and international support.

The importance of civil society in African transitional justice lies in its unique capacity to bridge formal mechanisms and affected communities. Civil society actors possess legitimacy and contextual knowledge that enables them to facilitate dialogue at the local level, where formal actors would find it more challenging. They ensure that transitional justice processes are grounded in the perspectives of victims and survivors, and that policies respond



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1.2 Report Purpose, Scope and Methodology

This report assesses civil society's role in transitional justice across Africa, examining how diverse civil society actors contribute the indicative elements identified in the AUTJP. It aims to enhance understanding of civil society's contributions by documenting achievements, challenges, and opportunities for strengthening engagement. The report offers insights and recommendations to policymakers, practitioners, civil society organisations, and other stakeholders involved in transitional justice efforts.

The report is structured as follows. Section 2 provides a continental overview of civil society's role in transitional justice, examining the evolution of civil society engagement, types of civil society actors, and challenges they face. Section 3 systematically examines civil society's contributions to each of the AUTJP's indicative elements of transitional justice through detailed case studies across diverse country contexts. Section 4 reviews civil society's engagement with regional bodies, and section 5 concludes with key findings and recommendations for strengthening civil society's role in transitional justice processes across Africa.

The analysis covers civil society engagement across the continent, with detailed case studies selected to represent different regional contexts and stages of transitional justice:

- Somalia (Peace Processes): Civil society engagement with the National Reconciliation Framework.
- The Gambia (Transitional Justice Commissions): Civil society's role in the Truth, Reconciliation and Reparations Commission
- Rwanda (African Traditional Justice Mechanisms): The *Gacaca* courts.

- Liberia (Reconciliation and Social Cohesion): The Palava Hut System and Peace Huts
- Morocco (Reparations): Civil society and the Equity and Reconciliation Commission.
- Tunisia (Redistributive Justice): Tunisian Civil Society Advocacy for Economic Justice.
- Rwanda (Memorialisation): The Kigali Genocide Memorial and Survivor-Led Memorialisation in Rwanda.
- South Africa (Diversity Management): Constitutional development and Civil Society Advocacy for Unity in Diversity.
- Central African Republic (Justice and Accountability): The Special Criminal Court and civil society advocacy.
- Kenya (Political and Institutional Reforms): Constitutional reform and institutional vetting.

The report also examines civil society engagement with all five RECs—ECOWAS, IGAD, ECCAS, SADC, and the Arab Maghreb Union—and with African Union mechanisms.



The importance of civil society in African transitional justice lies in its unique capacity to bridge formal mechanisms and affected communities.

The study is based primarily on desk research reviewing transitional justice literature, including academic publications, reports from civil society organisations and national human rights institutions, and policy documents. This was supplemented by 16 consultations with key transitional justice stakeholders including civil society representatives, practitioners, and experts. Throughout the development of the report, particular attention was paid to cross-cutting issues affecting women, youth, persons with disabilities, and internally displaced persons and refugees.

This study has several limitations. Given the dynamic nature of transitional justice processes, some situations may have evolved between the time of research and publication. Additionally, the breadth of civil society engagement across African Union member states means that this report cannot capture every initiative or organisation contributing to transitional justice on the continent. The reliance on desk review means that oral documentation and informal practices of civil society engagement, which are often not captured in written reports or academic publications, remain largely outside the scope of this study. The report presents a synthesis of documented experiences and stakeholder perspectives, recognising that civil society engagement varies significantly across national and local contexts.

02

Civil Society's Role In Transitional Justice: A Continental Overview

2.1 Evolution of Civil Society Engagement in African Transitional Justice

In the last three decades, civil society has been central to transitional justice efforts, emerging from peripheral actors to critical drivers of justice and accountability. By the early 1990's in the wake of the third wave of democracy which swept across Africa, civil society had begun asserting themselves as advocates for democratic reforms and demanding accountability for past widespread human rights abuses on the continent. Civil society's role in transitional justice in Africa is traced to the first instance on the continent: the Truth and Reconciliation Commission of South Africa in 1995 to address apartheid era atrocities. Civil society organisations advocated for the TRC's establishment through sustained campaigns for truth and accountability, with representatives serving on the committee that nominated commissioners and providing crucial support during the Commission's tenure through victim assistance, psychosocial services and documentation. Following the TRC's conclusion, civil society continued to monitor implementation of recommendations and advocate for reparations.

Subsequently, in *The Prosecutor v. Jean-Paul Akayesu*,¹ civil society actors successfully petitioned the Prosecutor of the International Criminal Tribunal for Rwanda to amend the indictment to include sexual violence crimes.² In Nigeria, human rights groups documented abuses during military rule and pressed for accountability through the Oputa Panel established in 1999.³ Civil society organisations in Sierra Leone mobilised to advocate for the establishment of a Truth and Reconciliation Commission in 2002 following the country's brutal civil war,⁴ while in Morocco, sustained advocacy by organisations like the Moroccan Forum for Truth and Justice contributed to the establishment of the Equity and Reconciliation Commission

1 Case No. ICTR-96-4-T.

2 Kirsty Brimelow, Mark Ellis, Sarah Williams, Hannah Woolaver & Geoffrey Robertson, "Shaping the Law: Civil Society Influence at International Criminal Courts", Chatham House (25 January 2016), p. 4

3 Singobile Makhathini, "Nigeria Human Rights Violations Investigation Commission (1999-2002)" (1 November 2023), African Transitional Justice Hub, <https://atjhub.csvr.org.za/nigeria-human-rights-violations-investigation-commission-1999-2002/> (accessed on 23 March 2026).

4 Beamie-Moses Seiwoh, "Transitional Justice and National Civil Society: A Case for Sierra Leone" 3(1) *Akdeniz Havzası ve Afrika Medeniyetleri Dergisi*, 2021, p.70-78.

in 2004.¹ These early interventions showed how civil society could shape transitional justice processes, act as advocates for reparations and platform victims for their voices to be heard.

In the subsequent decades, civil society expanded and diversified its participation in transitional justice. The early 2000's witnessed an expansion in organisations on the continent which were advocating for the establishment of truth commissions in post-conflict contexts, building on earlier experiences in South Africa, Rwanda, Sierra Leone and Morocco. Civil society's grassroots mobilisation, documentation work, and engagement with victims/survivors to ensure their experiences informed transitional justice mechanisms intensified during this period with organisations developing more specialised expertise in supporting truth commissions, facilitating community dialogues, and monitoring implementation of transitional justice recommendations. Beyond advocacy, civil society organisations initiated local reconciliation programmes and truth telling initiatives that complemented or in some cases substituted state-led efforts.



The adoption of the AUTJP in 2019 marked a significant milestone in recognising the role of civil society as key partners in transitional justice.

The adoption of the AUTJP in 2019 marked a significant milestone in recognising the role of civil society as key partners in transitional justice. This policy was a birthchild of civil society actors who pressed for its formulation and adoption over a period of ten years. It explicitly acknowledges that effective transitional justice requires the meaningful participation of civil society organisations, victim groups, women's organisations, youth networks, and community-based actors. This continental framework also empowered civil society actors as it provides a base from which they can anchor their advocacy efforts and also hold their governments accountable to post conflict reconstruction commitments.

Contemporary civil society engagement increasingly emphasises transformative approaches to transitional justice that go beyond addressing the legacies of conflict, violations and colonialism to using it as a tool to address the root causes of developmental challenges and governmental deficits.² This can range from authoritarianism, violent extremism, socio-economic inequality and climate change. Moreover, the African Union's theme of 2025—“Justice for Africans and People of African Descent Through Reparations”—could be perceived as providing more impetus for civil society organisations to advocate for comprehensive reparations that address historical injustices including those occasioned by colonialism and slave trade.

1 Lesego Sekhu, “Morocco Equity and Reconciliation Commission (2004-2005)” (1 November 2023), African Transitional Justice Hub <https://atjhub.csvr.org.za/morocco-equity-and-reconciliation-commission-2004-2005/> (accessed on 18 December 2025).

2 African Union, “Transitional Justice Policy”, (2019), para. 3.

Despite these advancements, civil society's evolution in the African transitional justice landscape has not been linear. There abound significant challenges that hinder the full realisation of civil society's role as effective actors in transitional justice. These challenges are explored in subsequent parts of this section and include shrinking civic space, restrictive legislation, financial constraints, and limited access to formal decision-making processes. Nevertheless, civil society actors have shown remarkable adaptability and resilience, developing new strategies to continue to their work in advancing transitional justice on the continent.

2.2 Types of Civil Society Actors in Transitional Justice

There is much debate on what constitutes civil society. To the World Bank, it refers to a wide array of organisations: community groups, NGOs, labour unions, indigenous groups, charitable organisations, faith-based organisations, professional associations, and foundations.¹ Another definition classes civil society as voluntary associations which operate independently of government or profit-driven motives, striving to address social issues and advocate for marginalised groups, as well as well as increase the transparency of policy and provide policy makers with expertise on which to draw.²

In tandem, both definitions encompass and recognise the diversity of actors in the African transitional justice context. Each of these actors are unique in their perspectives and resources they bring to justice, accountability, reparations and reconciliation efforts. Understanding this diversity is necessary for a better appreciation of civil society's multifaced roles in transitional justice. The subsequent subsections outline the main categories of civil society actors active on the continent.

2.2.1 Civil Society Organisations and Non-Governmental Organisations

Formal civil society organisations and NGOs constitute the most visible category of civil society actors in transitional justice. This category of actors ranges from large international organisations working in multiple countries or with continental reach to smaller national organisations working in specific countries. They typically have formal legal registration and their work in transitional justice spans multiple areas including human rights documentation, legal advocacy, capacity building, mental health and psychosocial support services, and policy research and advocacy. Organisations like the Centre for the Study of Violence and Reconciliation (CSVr), the International Center for Transitional Justice and the African Transitional Justice Legacy Fund, constitute this category. Such organisations provide technical expertise to the African Union, RECs and states while also facilitating dialogue between

1 World Economic Forum, "Who and what is 'civil society?'" (23 April 2018), <https://www.weforum.org/stories/2018/04/what-is-civil-society/#:~:text=According%20to%20the%20World%20Bank%2C%20civil%20society,the%20actions%20of%20elected%20policy%2Dmakers%20and%20businesses.> (accessed on 10 November 2025).

2 Yue Zhao, "Critically Assess the Claim that Increased Engagement with Civil Society Organizations (CSOs) Has Enhanced Legitimacy and Representation in Health Policy", 3(4) *Journal of Research in Social Science and Humanities*, 2024, p.22-23.

stakeholders and serving as bridges between victims, state level and international actors.

2.2.2 Community-Based Organisations

CBOs operate at the grassroots level, often in rural or hard-to-reach areas where formal organisations have little presence.¹ They are typically embedded in local communities and have intimate knowledge about the local context, culture, traditions, social dynamics and the needs of the affected community.² They play critical roles in facilitating community dialogues, supporting local reconciliation initiatives while ensuring that broader transitional justice initiatives are sensitive to local customs and traditions. Organisations such as Africa Reconciled in the Democratic Republic of Congo operate peace clubs across the country, engaging youths from diverse backgrounds, demonstrating the role of CBOs in mobilising local communities for peacebuilding and reconciliation while connecting the grassroots to the national transitional justice process.

Youth groups and student movements constitute a particularly important category of community-based actors in African transitional justice, central to mobilising communities, documenting violations and demanding accountability across the continent. In Tunisia, student movements and youth organisations like the Union for Unemployed Graduates were instrumental in sparking the 2011 revolution and subsequently advocating for transitional justice mechanisms that addressed economic marginalisation alongside political repression.³

Meanwhile in Senegal, youth have spearheaded social movements like Y'en a Marre (Fed Up), which challenged



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- 1 National Bureau for Non Governmental Organizations, "Community Based Organisations", [https://ngobureau.go.ug/en/services/community-based-organisations#:~:text=A%20Community%20Based%20Organisations%20\(CBO,NGO%20Monitoring%20Committees%20\(SNMCs\).](https://ngobureau.go.ug/en/services/community-based-organisations#:~:text=A%20Community%20Based%20Organisations%20(CBO,NGO%20Monitoring%20Committees%20(SNMCs).) (accessed on 10 November 2025).
- 2 University of Michigan, "What is a CBO?", <https://sph.umich.edu/ncbon/about/whatis.html#:~:text=What%20is%20a%20Community%E2%80%93Based,intimately%20involved%2C%20in%20leadership%20positions> (accessed on 10 November 2025).
- 3 Ruben Carranza & Mohamed Azer Zouari, "Work, Freedom, Dignity", ICTJ Briefing, (2020), p.3-18, https://www.ictj.org/sites/default/files/ICTJ_Briefing_Tunisia_Youth_Corruption_Web.pdf (accessed on 24 March 2026).



authoritarianism and advocated for democratic reforms.¹

2.2.3 Religious Institutions/Leaders

Religion plays a central role in many African societies thus, the importance of religious institutions including churches, mosques and other faith-based organisations in transitional justice. Religious leaders/institutions possess substantial moral authority and command respect and reverence, and can influence public opinion towards reconciliation, forgiveness and accountability. These institutions also facilitate spaces for healing rituals, provide spiritual support to survivors processing trauma, promote and organise communal dialogues/facilitate mediation, and also mobilise their followers to support broader transitional justice processes.

2.2.4 Traditional Institutions/Leaders

Traditional institutions, leaders and customary authorities are another critical category of actors in transitional justice on the continent. In many African societies, particularly in rural areas, traditional justice mechanisms which predate received colonial legal systems continue to be relevant and hold legitimacy. Traditional authorities facilitate reconciliation in communities, engage in mediation and conflict resolution using indigenous systems that promote restorative as opposed to retributive justice.² This was exemplified by the Gacaca courts in Rwanda and the Mato Oput in Uganda. The AUTJP explicitly recognises African traditional justice mechanisms as one of the indicative elements of transitional justice, affirming their importance in contemporary transitional justice. Civil society actors are increasingly working to integrate traditional justice mechanisms with formal justice mechanisms, creating approaches which combine the legitimacy and accessibility of traditional systems with the human rights standards of formal justice systems.

2.2.5 Academia and Research Institutions

Academic institutions and research centres are important stakeholders as they provide intellectual resources, empirical evidence and also provide critical analysis on transitional justice processes, highlighting avenues for reforms. Universities, research institutions and think tanks provide timely analysis for policy makers on the effectiveness of ongoing processes, develop innovative approaches for addressing the legacies of conflict and atrocity crimes, and also document patterns of abuses. Furthermore, academic institutions are essential for memorialisation initiatives as they assist with preserving memory and educate future generations about historical injustices, as well as also training transitional justice practitioners on emerging approaches and best practices. Prominent actors under this category include the Centre for Human Rights of the University of Pretoria, and the Institute for Security Studies (ISS).

1 Bamba Ndiaye, "Youth Mobilization and Democracy in Senegal", 124(862) *Current History*, 2025, p.181-186.

2 Retributive justice focuses on punishment of offenders proportionate to the harm caused, emphasising accountability through penalties such as imprisonment. Restorative justice, by contrast, seeks to repair harm through dialogue between victims, offenders and affected communities, emphasising healing, reconciliation and the restoration of social relationships rather than punishment. See Howard Zehr & Ali Gohar, *The Little Book of Restorative Justice*, (Pennsylvania: Good Books, 2002).

2.2.6 Media and Journalism

The media plays a critical role in transitional justice as they serve as platforms to amplify victim/survivor voices. Journalists document human rights abuses, investigate atrocity crimes and hold leaders accountable through investigative reporting. Media outlets also help shape communal attitude towards transitional justice processes. They can mobilise communities by raising awareness on ongoing processes, encouraging them to fully participate. Particularly in this age of digitalisation, media outlets ensure that even remote communities are aware of ongoing national processes.



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2.2.7 Victim and Survivor Networks

Victims and survivor networks are one of the most important civil society actors in the African transitional justice landscape. They are the primary stakeholders and may be organised according to specific violations such as sexual violence, child soldiers, torture or enforced disappearances to collectively advocate for justice, accountability and reparations. Such networks advocate for transitional justice initiatives to be grounded on the perspectives of those most affected by the abuses, and that policies respond to the needs of this category of actors.

It is worthy of note that they sometimes exist as informal and unstructured women's groups, and represent a critical yet often overlooked category of actors in transitional justice. Unlike formal women's organisations, these grassroots groups emerge organically from affected communities and operate without formal hierarchies. In Liberia, informal women's groups including market women and community mothers with diverse religious orientations, organised prayer vigils and direct engagement with warring factions that contributed to the peace process,¹ whilst in the Democratic Republic of Congo such groups provide mutual support, document sexual violence and facilitate community-level reconciliation. These groups possess unique legitimacy that enables them to reach victims/survivors who may distrust formal organisations or state institutions.

2.2.8 Diaspora Communities

This category of actors some of whom might have experienced the realities of human rights abuses, mobilise resources to support transitional justice initiatives in their home countries and equally conduct advocacy in host countries to galvanise international support for justice

1 CID Fraen an Gender, "Feminist Peace Movements from around the world: WOLMAFP", (12 June 2024), <https://cid-fg.lu/news/feminist-peace-movements-from-around-the-world-wolmaf/> (accessed on 24 March 2026).



In essence, approximately 900 million sub-Saharan Africans which constitutes 70 per cent of the population live in societies which are politically repressed.

and accountability. Since 2003, the African diaspora has been recognised by the African Union as its “Sixth Region”.¹ This growing recognition of diaspora denotes the rising influence of this category in contemporary transitional justice in Africa.

2.3 Challenges Facing African Civil Society Actors in Transitional Justice

While the contributions of civil society to transitional justice in Africa have been enormous, challenges still abound which constrain its work. These challenges exist at multiple levels like legal, political, financial, operational, and they significantly limit the potential of civil society to act as drivers of justice, accountability and reconciliation on the continent. Understanding these challenges provides a suitable context for assessing the role of civil society in transitional justice.

2.3.1 Shrinking Civic Space and Political Repression

The shrinking of civic space represents perhaps the most serious threat to civil society actors in the African transitional justice space. For instance, Freedom House currently classifies 21 of 54 African states as “Not Free”.² A 2024 assessment by CIVICUS revealed civic space conditions in Africa South of the Sahara remain highly restrictive, with 45 of 50 countries and territories rated as obstructed, repressed, or closed.³

This means that the vast majority of people in Africa South of the Sahara face significant restrictions in exercising civic space freedoms. In essence, approximately 900 million

- 1 ECOSOCC, “The African Diaspora’s Seat at the Table: Understanding ECOSOCC’s Diaspora Legal Framework” (21 March 2025), <https://ecosocc.au.int/en/blog/african-diasporas-seat-table-understanding-ecosoccs-diaspora-legal> (accessed on 10 November 2025).
- 2 Freedom House, “Regional Trends and Threats to Freedom” (2025), <https://freedomhouse.org/report/report-sub-page/2025/regional-trends-and-threats-freedom#africa> (accessed on 10 November 2025).
- 3 CIVICUS, “Monitor: Tracking Civic Space”, https://monitor.civicus.org/globalfindings_2023/africa/ (accessed on 11 November 2025)

sub-Saharan Africans which constitutes 70 per cent of the population live in societies which are politically repressed.¹

Political repression takes multiple forms and can either be direct or indirect. Direct methods include the criminalisation of speech, legal persecution, and outright violence against civil society actors. In more extreme cases, some human rights defenders have been disappeared, detained without charge or even assassinated. Conversely, indirect methods might be more subtle but equally restrictive, and include the creation of administrative barriers which impede the functioning of civil society actors. It is not strange to see governments label civil society actors as foreign agents or as national security threats.

This framing often gives justification for repressive control over the civic space, using legislation and regulatory requirements as legitimate tools. Civil society actors are hindered by laws which impose excessive requirements for registration which can include first obtaining government permission and granting administrative authorities arbitrary power to deny or revoke authorisation based on vague criteria. In addition, these laws, under the blanket of national security or other related reasons typically grant authorities widespread powers to ban or seize the assets of civil society organisations.

2.3.2 Financial Constraints and Donor Dependency

Many civil society organisations, especially those working in the domain of transitional justice are heavily dependent on external funding from international donors. This dependency creates several vulnerabilities. In recent times, there has been a decline in development assistance from developed countries, which has in turn drastically reduced civil society funding. A recent example was the closure of the United States Agency for International Development (USAID) in early 2025. Several transitional justice projects across Africa were brought to a halt because they relied on USAID funding. Meanwhile, in 2024, France cut its development aid by 23 per cent while the Netherlands plans a 1 billion-euro reduction in its support to civil society organisations by 2026.²

Such changes in policy directly affect the operationalisation of transitional justice in a financially struggling Africa. These cuts come at a time when countries like The Gambia, which have been long-time recipients of external funding for its transitional justice processes are even in need of more and continued funding. The country's Minister of Justice estimates that about \$60 million is required to fund the Special Criminal Tribunal for a 5-year period, and not up to 15 per cent has been secured.³ This highlights the heavy dependency on external funding.

1 Mohammed Yusuf, "Report: Africa's civic space remains mostly repressive" (4 December 2024), <https://www.voanews.com/a/report-africa-s-civic-space-remains-mostly-repressive/7887040.html> (accessed on 11 November 2025).

2 Donor Tracker, "French 2025 budget draft includes US\$1.5 billion ODA cut" (10 October 2024), https://donortracker.org/policy_updates?policy=french-2025-budget-draft-includes-us-1-5-billion-oda-cut-2024 (accessed on 11 November 2025); Government of Netherlands, "First development budget cuts announced: overhaul of grants for NGO" (11 November 2024), <https://www.government.nl/latest/news/2024/11/11/first-development-budget-cuts-announced-overhaul-of-grants-for-ngos> (accessed on 11 November 2025).

3 Mariam Sankanu, "Gambia: a special court in search of funds" (18 March 2025), JusticeInfo, <https://www.justiceinfo.net/en/142938-gambia-special-court-search-funds.html#:~:text=%E2%80%9CAgreeing%20on%20the%20contours%20of,court%20will%20start%20its%20operations.> (accessed on 12 November 2025).

Funding patterns also pose challenges to civil society actors working in transitional justice. Short-term project funding makes it difficult for organisations to maintain a consistent engagement with ongoing processes which could span years or decades. Moreover, donor preferences influence transitional justice mechanisms. Sometimes these priorities may not align with local needs. This invariably leaves gaps in certain transitional justice works, making the overall process less effective. It is worthy of note that focusing mainly on short-term results disadvantages more long-term initiatives which could bring overall societal transformation and reconciliation.

2.3.3 Limited Access to Formal Transitional Justice Mechanisms

Despite the AUTJP's recognition of civil society as a critical partner in transitional justice, several challenges still abound which prevent their meaningful participation in subsequent mechanisms. Given that states are often suspicious towards civil society, state-led processes treat them as peripheral actors as opposed to co-partners who must meaningfully participate in designing, implementing and monitoring of transitional justice processes. The monitoring component is even more daunting as civil society often have limited access to information on ongoing processes, making it difficult for them to hold states accountable for their commitments. This lack of structured mechanisms makes it challenging for continuous civil society engagement, and leaves it at the discretion of government officials.



The challenges to meaningful participation are particularly exacerbated for grassroots and CBOs. This class of actors often lack the technical expertise or political network to effectively engage with formal mechanisms.

The challenges to meaningful participation are particularly exacerbated for grassroots and CBOs. This class of actors often lack the technical expertise or political network to effectively engage with formal mechanisms. Language barriers, the technical level of policy discussion, and geographical location, as decision making often happens in the capital city, prevents their effective participation in transitional justice mechanisms. Moreover, it is widely acknowledged that patriarchy is common in many African societies. This creates additional barriers for women and youth groups, including persons living with disabilities to meaningfully participate in transitional justice, regardless of whether they engage through grassroots organisations, formal civil society structures or as individual advocates, despite them being vital stakeholders.

2.3.4 Fragmented Engagement with the African Union and Regional Economic Communities

Engagement between the African Union and civil society actors is a challenging avenue which needs attention. Many civil society actors, especially CBOs and grassroots groups are not aware of AU policies and mechanisms that support their work. Whilst ECOSOCC was

established as the AU's advisory organ to facilitate civil society participation and dialogue, its effectiveness in connecting grassroots civil society actors with AU bodies mandated over peace, security and transitional justice remains limited, highlighting the need for strengthened and more accessible platforms for regular engagement. Equally important are RECs, which are key actors in peace processes in their respective regions.

While some RECs like ECOWAS and IGAD have shown some leadership in transitional justice processes,¹ engagement with civil society has been limited and ad-hoc. Meanwhile, some other RECs do not have any transitional justice units or any dedicated mechanisms nor the requisite technical capacity to be able to effectively engage with civil society actors.



Engagement between the African Union and civil society actors is a challenging avenue which needs attention. Many civil society actors, especially CBOs and grassroots groups are not aware of AU policies and mechanisms that support their work.

1 IGAD has more recently been at the fore of discussions in South Sudan, while ECOWAS has a history of demonstrated leadership which was seen in The Gambian transition.



03

Civil Society's Contributions to the Indicative Elements of Transitional Justice

3.1 Introduction

The AUTJP identifies indicative elements which can be framed as transitional justice. These elements (peace processes, transitional justice commissions, African traditional justice mechanisms, reconciliation and social cohesion, reparations, redistributive (socio-economic) justice, memorialisation, diversity management, justice and accountability, political and institutional reforms, human and peoples' rights) provide a framework for comprehensively addressing the legacies of conflict and atrocity crimes, while promoting reconciliation, development and societal transformation. Civil society actors have made invaluable contributions to these elements, even pioneering innovative approaches in some instances, all to ensure that transitional justice processes are victim centred. In this section, civil society's engagement with these elements are explored with the objective of highlighting specific contributions, case studies, challenges, and opportunities for strengthening this engagement.

3.1 Peace Processes

3.1.1 Peace Negotiations and Advocacy

Civil society actors are very important for peace processes as they typically represent and advocate on behalf of victims/survivors and communities affected by conflict/abuses. This role makes them also serve as bridges between the state, warring parties and the communities. In this regard, they possess legitimacy which allows them to facilitate dialogue at the local level, where formal actors would find it more challenging.

Meanwhile, in formal peace negotiations, civil society actors commonly advocate for the inclusion of transitional justice processes within peace processes. Lederach's pyramid framework for peacebuilding identifies three levels at which peacebuilding occurs: top-level

leadership comprising political and military leaders, middle-range leadership including civil society organisations, religious institutions and academic actors, and grassroots leadership involving local communities and indigenous organisations.¹ Civil society operates primarily at the middle-range and grassroots levels, engaging with formal Track 1 negotiations where possible whilst simultaneously implementing community-level peacebuilding initiatives. Such advocacy has been important as it ensures that peace agreements go beyond a cessation of hostilities, but also provides measures for accountability for abuses and reparations. Civil society actors have advocated for the establishment of truth commissions, special courts, reparations amongst other elements to be included in peace agreements. In Tunisia, civil society took part in promoting and establishing the idea of implementing transitional justice in the country.² This active role resulted in a partnership with the government to establish the basics of a transitional justice process to be implemented.³



Such advocacy has been important as it ensures that peace agreements go beyond a cessation of hostilities, but also provides measures for accountability for abuses and reparations.

Beyond negotiation, civil society has been engaged in raising public awareness on ongoing peace processes among communities and subsequently mobilising their support. Women organisations were also critical in advocating for the adoption of Resolution (S/RES/1325) by the United Nations Security Council on women and peace and security on 31 October 2000. Amongst other points, the resolution reaffirms the important role of women in the prevention and resolution of conflicts, peace negotiations, peace-building, peacekeeping, and in post-conflict reconstruction and stresses the importance of their equal participation and full involvement in all efforts for the maintenance and promotion of peace and security.⁴

3.1.2 Grassroots Peacebuilding Initiatives

Asides the formal peace processes, civil society organisations have pioneered peacebuilding initiatives that address conflict at communal levels. Such initiatives recognise the need to decentre transitional justice from the peace agreements which might be elite-driven, to promoting reconciliation at the grassroots level. Community based organisations and religious institutions have facilitated communal dialogues, bringing together different people from different ethnic groups and diverse backgrounds to address grievances, rebuild trust and promote reconciliation. In 2023, the CSVR supported grassroots organisations in Mali, Burkina Faso and Niger to promote local dialogue as a tool to address radicalism and violent

1 John Paul Lederach, *Building Peace: Sustainable Reconciliation in Divided Societies*, (Washington, DC: United States Institute of Peace Press, 1997)

2 Ali Al-Khulidi, *The Role of Civil Society in Transitional Justice in Tunisia*, (Master's Thesis, University of Carthage), 2017, p.8.

3 *Ibid*

4 Office of the Special Adviser on Gender Issues and Advancement of Women, "Landmark resolution on Women, Peace and Security", available at, <https://www.un.org/womenwatch/osagi/wps/> (accessed on 16 November 2025).

extremism at the communal level. This dialogue engaged farmers and pastoralist communities which often clashed over water and land resources. Similarly, in Nigeria, religious institutions have been instrumental in promoting inter-faith dialogue which enhances religious tolerance and counters extremist narratives.¹

3.1.3 Case Study: Civil Society Engagement in Somalia in Peace Processes

The engagement of civil society in Somalia with the National Reconciliation Framework (NRF) provides an illustrative example of civil society's work in peace processes. The NRF which was initially launched in 2017 and relaunched in 2024 provides a framework for addressing historical injustices, promoting national reconciliation and strengthening relations between the society and government.²

Civil society organisations in Somalia were involved in the consultations which led to the development of the NRF. Considering the fact that the country is deeply rooted in a clan-based system, civil society ensured that this context specificity and these diverse stakeholders were recognised by the framework. This was particularly important as the formal processes needed to be connected to the grassroots. For instance, the NRF acknowledges the indigenous Xeer customary law as reparations regime alongside the formal processes.³ Civil society actors work with local/traditional leaders to facilitate reconciliation at the local level while linking these initiatives and communities with the national transitional justice framework.

Civil society actors have engaged in researching the NRF exploring for innovative and effective strategies to enhance its implementation in Somalia. One of such publications is "Enabling Popular Participation in Transitional Justice in Somalia". Based on fieldwork with 114 participants, it identified ways that peace processes could enable the agency of the victims.⁴ Innovative peacebuilding approaches have also been employed by women groups in Somalia. They take inspiration from traditional Abaay Abaay gatherings where women in local villages gather to address social issues and challenges such as marriage and domestic violence. They use this platform to discuss the recruitment of children and sensitise women to the early warning signs of violent extremism.⁵ Additionally, youth organisations have used artistic expressions, particularly public art to challenge extremist narratives and reveal the cost of violence.⁶

1 Emmanuel Achus Jah & Damila Kevin Mabas, "Inter-Faith Dialogue, Peace Building and Conflict Transformation in Nigeria", 6(2) *Wukari International Studies Journal*, 2022, p.12

2 UNDP, "Explainer: What Is National Reconciliation Framework of Somalia?" (2024), available at, <https://www.undp.org/somalia/blog/explainer-what-national-reconciliation-framework-somalia> (accessed on 17 November 2025).

3 Wafaa Hassan SH Hassan, "The Impact of Transitional Justice on Humanitarian Operations in Post-Conflict Somalia", Vol IX *International Journal of Research and Innovation in Social Science*, 2025, p.5529.

4 Farhia Mohamud, "Enabling Popular Participation in Transitional Justice in Somalia", CSVR & Somali Public Agenda, 2025, p.1-22.

5 Stacey Chamber & Melinda Holmes, "Agents of change: Transforming gender roles and extremism in Somalia", International Civil Society Action Network, 2021, p.5.

6 *Ibid*, p.2.

3.1.4 Challenges and Opportunities

Civil society actors meaningful engagement in peace processes faces several challenges. A foremost challenge is insecurity, given that in negotiating peace agreements they may advocate certain accountability mechanisms which threaten powerful interests. This puts at risk of intimidation, threats or violence. Moreover, peace negotiations are often elite driven processes, with civil society consigned to consultative roles rather than partners in decision-making. This limits their ability to ensure that peace agreements are victim-centred. Further challenges are posed by the lack of proper coordination. Multiple organisations working in peacebuilding may have competing priorities or approaches leading to duplication of efforts or contradictory messages.

The rapid advancement in technology presents opportunities for civil society actors to strengthen their engagement in peace processes. Digital platforms enable civil society actors to reach diverse audiences and also facilitate peace dialogues across geographical divides. Social media campaign can be used to mobilise societal support for peace processes and counter hate or extremist narratives. Moreover the social media space can serve as avenues for to connect civil society actors across multiple countries, where they can share best practices and lessons learned in meaningfully engaging in peace processes.

3.1.5 Cross-Cutting Issues: Women, Youth, Persons with Disabilities and IDPs/Refugees

Women's meaningful participation in peace processes continues to face challenges, despite the United Nations Security Council resolution 1325. The field is dominated by the views of male political actors, which often pose resistance to the inclusion of women in peace negotiations. Women groups like the South Sudan Women's Empowerment Network (SSWEN) have engaged in advocacy to representation in the Revitalised Agreement on the Resolution of the Conflict.¹ They continue to work with the state to build sustainable peace in South Sudan. At the continental level, the African Women for Transitional Justice Platform (AW4TJ) was launched on 19 November 2024, at the African Union Headquarters in Ethiopia.² This historic milestone strives to empower African women to take active roles in transitional justice processes and to constructively situate their pivotal role in peace processes. Women bring unique experiences to these processes based on their lived experiences, particularly regarding conflict-related sexual violence and women's economic empowerment.

Youth engagement with peace processes presents both opportunities and challenges. Africa has the youngest youth population with 70% of sub-Saharan Africa under the age of 30.³

1 Imoya Daniella, "National Women Forum 2022", (17 May 2022), available at, <https://sscchurches.org/national-women-forum-2022/> (accessed on 16 November 2025).

2 African Union, "Press Release: Historic African Women for Transitional Justice Platform Launched", (29 January 2025), available at, <https://peaceau.org/en/article/press-release-historic-african-women-for-transitional-justice-platform-launched#:~:text=The%20AW4TJ%20operates%20through%20a,@Africa%2Dunion.org.> (accessed on 16 November 2025)

3 United Nations, "Young People's Potential, the Key to Africa's Sustainable Development", available at, <https://www.un.org/ohrrls/news/young-people%E2%80%99s-potential-key-africa%E2%80%99s-sustainable-development> (accessed on 16 November 2025).



Civil society organisations on the continent have been at the forefront of promoting the rights of persons with disabilities to meaningfully participate in peace processes.

However, youth are mostly sent to war on behalf of the political elite but subsequently marginalised in peace processes. Civil society actors acknowledge their increased advocacy and mobilisation to demand for inclusion of this class of persons who are often disproportionately affected by conflict either as combatants or victims.

At the continental level, the African Union is taking the lead in promoting youth inclusion in peace processes through several platforms like the African Network of African Youth in Conflict Prevention and Mediation, the African Youth Ambassadors for Peace, African Youth for Transitional Justice. Other regional youth-led organisations advocating for youth inclusion in peace processes include the West African Youth Network (WAYN), Youth Organisation for Research and Justice Advocacy and the Great Lakes Youth Network for Dialogue and Peace.

Persons with disabilities also face particular marginalisation in peace processes despite being significantly affected by conflict to sue their increased vulnerability to violence and barriers to participation in post-conflict reconstruction. Civil society organisations on the continent have been at the forefront of promoting the rights of persons with disabilities to meaningfully participate in peace processes. One of such is the African Disability Forum (ADF), the continental membership organisation of Disabled Persons' Organisations (OPDs) in Africa. It seeks to strengthen and unify the representative voices of Africans with disabilities, their families, and organisations.¹ Nonetheless progress remains slow in mainstreaming the meaningful participation of persons with disabilities. For instance, there are more than 60 million disabled people in West Africa but the regional bloc – ECOWAS lacks the data infrastructure to keep track of contemporary trends in disability which hinder its ability to design inclusive policies, monitor progress in disability inclusion in peace processes.²

1 African Disability Forum, "Strategic Plan 2024–2028", p.9, available at https://africandisabilityforum.org/wp-content/uploads/2025/07/Strategic-Plan_ADF_2024-28.pdf#:~:text=Civil%20society%20organizations%20on%20the%20African%20continent,not%20been%20able%20or%20willing%20to%20address. (accessed on 16 November 2025).

2 Hussain Zandam, "Disability Inclusion in ECOWAS's Peace, Security and Prosperity Agenda", ECOWAS Policy Analysis Series, 2025, p.4.

Internally displaced persons and refugees represents a large proportion of those affected by conflict. Civil society actors are engaged in ensuring that the inputs and lived experiences of this class informs peace processes. For example in the Democratic Republic of Congo, the civil society platform “Réseau pour la Réforme du Secteur de Sécurité et Justice” has facilitated consultations with IDPs in Ituri and Kivu to feed their priorities into provincial reconciliation initiatives.¹ Civil society actors advocate for durable solutions that address the root causes of displacement and protect the right of return, property restitution, and participatory reconciliation for displaced communities. This was exemplified by the Somali diaspora and refugee led organisations which advocated for the inclusion of these mechanisms in the NRF.

3.2 Transitional Justice Commissions

3.2.1 Civil Society Advocacy for the Establishment of Transitional Justice Commissions

Civil society organisations have been at the forefront in advocating for the establishment of truth commissions across the continent. Particularly during transitions from conflict or authoritarian rule, civil society have mobilised to demand accountability and truth telling for abuses committed during these eras. The advocacy efforts of civil society actors have included lobbying government officials, engagement with international actors, mobilising society through campaigns and also direct consultations with victims and affected communities to ensure that transitional justice commissions reflect their priorities.



Particularly during transitions from conflict or authoritarian rule, civil society have mobilised to demand accountability and truth telling for abuses committed during these eras.

In Kenya, civil society like the Kenyans for Peace with Truth and Justice pushed for the creation of the Truth, Justice and Reconciliation Commission (TJRC) to address the post 2007 electoral violence.² Similarly, Gambian civil society actors and survivors mobilised under the banner of the #Jammeh2Justice campaign to call for the establishment of the Truth, Reconciliation and Reparations Commission (TRRC) following the end of Yahya Jammeh’s dictatorship in 2017.³ In South Africa, civil society organisations—through conferences and public hearings—helped forge the idea of a truth commission. A presidentially appointed committee, many of whose members represented civil society, received nominations for the Truth and Reconciliation

1 Réseau pour la Réforme du Secteur de Sécurité et de la Justice, available at <https://www.rrssjrdc.org> (accessed on 16 November 2025).

2 KPTJ, available at, [https://kptj.or.ke/who-is-kptj/#:~:text=KPTJ%20\(Kenyans%20for%20Peace%20With,Bunge%20la%20Mwananchi](https://kptj.or.ke/who-is-kptj/#:~:text=KPTJ%20(Kenyans%20for%20Peace%20With,Bunge%20la%20Mwananchi) (accessed on 17 November 2025).

3 Trial International, “Gambia: Campaign to bring former president Yahya Jammeh to Justice” (23 October 2017), available at <https://trialinternational.org/latest-post/gambia-campaign-to-bring-former-president-yahya-jammeh-to-justice/> (accessed on 17 November 2025).

Commission (TRC) commissioners and recommended twenty-five to President Mandela, who appointed seventeen of them.¹

Civil society advocacy for the establishment of transitional justice commissions equally extends to ensuring that these bodies have independent mandates and sufficient resources. Civil society actors monitor the process of establishing these commissions to identify potential structural weaknesses which might be exploited to undermine transitional justice.

3.2.2 Participation in Truth Commissions and Inquiry Mechanisms

Civil society actors also play active roles in the work of truth commissions and other transitional justice inquiry mechanisms. Civil society actors assist survivors in preparing testimonies, providing psychosocial support to witnesses and even the commissioners of these commissions. This support is important as many survivors need assistance in navigation formal processes. Moreover, narrating their experiences can be a retraumatising experience.



Civil society provides input to truth commissions. They often compile and document human rights abuses which they submit as evidence to the commissions.

Civil society provides input to truth commissions. They often compile and document human rights abuses which they submit as evidence to the commissions. Quite notable is the fact that many civil society representatives served as commissioners or expert advisors to truth commissions, bringing specialised knowledge and credibility to these bodies. This was the case in the South African TRC. It was also exemplified through Yasmin Sooka, a leading human rights lawyer and former South African TRC commissioner who later served as a commissioner at Sierra Leone's Truth and Reconciliation Commission. In addition, some commissions benefit capacity-building training from civil society organisations. For example, in 2024, CVSR provided such technical support to the Truth, Justice, Reparation and Reconciliation Commission of the Central African Republic.

Civil society organisations also monitor transitional justice commissions in order to ensure that they work in compliance with their mandates and adhere to international standards. This included examining whether commissions adequately addressed cross-cutting issues such as gender-based violence, violations against children, and the needs of marginalised groups. Furthermore, this monitoring extends even beyond the mandate of the commissions. For instance, in Gambia, organisations like the Victims Centre pressured the government to accept the recommendations made by the TRRC.²

1 Alex Boraine, "Truth and Reconciliation in South Africa: The Third Way," in Robert Rotberg & Dennis Thompson (eds.), *Truth v. Justice: The Morality of Truth Commissions*, (Princeton, Princeton University Press: 2000), p.10-14.
2 CIVICUS, "The Gambia: 'Civil society works to ensure Jammeh and other perpetrators of human rights violations face justice'" (15 June 2022), available at [https://www.civicus.org/index.php/media-resources/news/interviews/5854-the-gambia-civil-society-works-to-ensure-jammeh-and-other-perpetrators-of-human-rights-violations-face-justice#:~:text=Founded%20in%202017%2C%20the%20Victims,and%20Reparations%20Commission%20\(TRRC\)](https://www.civicus.org/index.php/media-resources/news/interviews/5854-the-gambia-civil-society-works-to-ensure-jammeh-and-other-perpetrators-of-human-rights-violations-face-justice#:~:text=Founded%20in%202017%2C%20the%20Victims,and%20Reparations%20Commission%20(TRRC).). (accessed on 17 November 2025).

3.2.3 Case Study: The Gambia and Civil Society Engagement with the TRRC

The experience of Gambian civil society with the Truth, Reconciliation and Reparations Commission provides a compelling case study. Following the abdication of longstanding President Yahya Jammeh in 2017, after 22 years of authoritarian rule, civil society immediately began to demand for accountability mechanisms. The government established the TRRC, with a mandate to “investigate and establish an impartial historical record of the nature, causes and extent of violations and abuses of human rights committed during the period July 1994 to January 2017 and to consider the granting of reparations to victims and for connected matters”.¹

The TRRC ran from September 2018 to May 2021. Civil society actors were essential to the work of the commission especially in its early stages. They included organisations like the Women’s Association for Victims’ Empowerment (WAVE) and Women in Liberation and Leadership (WILL) amongst others, which sought to support women’s inclusion, participation and give them agency in the TRRC process.² There was also the African Network Against Extrajudicial Killings and Enforced Disappearances, (ANEKED) which expressed its dissatisfaction with the way the TRRC was not overly occupied with addressing the issue of enforced disappearances. These organisations ensured that victims’ voices remained central to the transitional justice process, reinforcing the role of civil society in shaping The Gambia’s post-TRRC landscape.³ This was particularly seen in 2022 when the government published its White Paper in May 2022 where it accepted many of the TRRC’s recommendations but controversially rejected recommendations for prosecution of certain individuals, including some who were still in government. Civil society organisations mounted pressure on the government to completely accept these recommendations.⁴

3.2.4 Challenges and Opportunities

Overall, the Gambian experience illustrates both the strengths of civil society engagement with truth commissions and the ongoing challenges. While this engagement demonstrates a remarkable capacity to support truth commission processes, maintain pressure for accountability, and represent victim interests, it also reveals crippling limitations in the face of lack of political will for implementation of recommendations from commissions.

Funding has also been highlighted by numerous respondents in the Gambian civil society space as a challenge which constrains their ability to provide sustained support to victims participating in truth commission processes. Many of these organisations especially the ones at grassroots level struggle to maintain the long-term programmes necessary to support victims through multi-year commission processes and subsequent implementation phases.

1 Truth, Reconciliation and Reparations Commission Act, 2017.

2 Imran Darbie & Jasmina Brankovic, “Civil Society and Transitional Justice in The Gambia”, GIJTR, 2023, p.3.

3 Aminata Ndow, “Building voice upon voice: Truth, memory, and activism in The Gambia’s Transitional Justice Process,” 14(2) *International Journal for Crime, Justice and Social Democracy*, 2025, p.4.

4 CIVICUS, “The Gambia” (as above).



Social media enables civil society to amplify victim voices, share commission proceedings with broader audiences, and mobilise support for implementation of recommendations.

Another challenge noted from a civil society organisation was related to security concerns and being blacklisted by government. This is particularly relevant where perpetrators are still in positions of power, and civil society organisations advocate for their investigations before truth commissions. Thus, civil society actors who assist victims may face threats and intimidation from those seeking to prevent testimony. Moreover, another respondent noted government interference in commission processes as effectively undermining civil society's work. This is related to the to the advocacy by civil society against government actors who are exploiting their control over the commissions/processes constituted to liquidate the estate of deposed President Yayha Jammeh for personal gain.¹ The proceeds from the sale of these assets were earmarked to go to victims of Jammeh's rule.²

Despite these challenges, significant opportunities exist for enhancing civil society engagement with transitional justice commissions. Regional experience-sharing initiatives enable civil society organisations to learn from peers in other countries, improving their capacity to engage effectively with commissions. CSVR, part of the Global Initiative for Justice and Reconciliation has provided targeted support to civil society organisations working on truth commission processes, offering both financial resources and technical assistance.

In addition, technology presents new opportunities for civil society engagement with truth commissions. With the rapid advancements made in technology, several tools are being made available to assist in this regard. For instance, digital documentation tools enable more systematic collection and documentation of evidence. Online platforms can facilitate virtual participation in commission processes for diaspora communities and displaced populations. Social media enables civil society to amplify victim voices, share commission proceedings with broader audiences, and mobilise support for implementation of recommendations.

1 Mustapha Darboe, "The assets of Gambia's former dictator go for a song", *The Republic*, (30 April 2025), <https://therepublic.gm/the-assets-of-gambias-former-dictator-go-for-a-song/3042> (accessed on 2 December 2025).

2 *Ibid.*

3.2.5 Cross-Cutting Issues: Women, Youth, Persons with Disabilities, IDPs/Refugees

Women's participation in truth commission processes requires specific attention to gender-sensitive approaches. Women-centric civil society organisations have advocated for commissions to create safe spaces for women to testify about sexual violence, while also pushing commissions to extend their mandates to explicitly include sexual and gender-based violence.¹ In Sierra Leone, the Truth and Reconciliation Commission held consultative workshops with selected women's and youth groups to gather opinions on issues of reconciliation in the country.² These workshops further sought input from victims/survivors of sexual violence and other stakeholders on their needs, which included medical assistance, psychosocial support and skills training from both the truth commission and the state.³

Youth engagement with truth commissions presents some unique challenges and opportunities. One of such challenges is as concerns the term 'youth'.⁴ In many cases, truth commissions are instituted to address abuses which occurred many years back when the current generation of youth were still children, with little appreciation of the events and abuses. Or when the youth at the time of the conflict were either abusers or victims and have now become adults. Nonetheless, the outcomes of any current transitional justice processes are bound to shape the realities of this current generation of youth. This has prompted the rise of several youth-led organisations on the continent which seek to advocate that, recommendations from transitional justice commissions address inter-generational transmission of trauma, educational reforms that teach accurate histories, and youth empowerment as part of prevention strategies. In truth, many youth respondents admit that this has been challenging as their engagements with such commissions are largely symbolic, with concrete decision making resting mainly with the elders by virtue of their perceived 'wisdom'. Meanwhile, some commissions like the Truth, Justice, Reparation and Reconciliation Commission of the Central African Republic had a youth appointed to serve as commissioner.

Persons with disabilities face particular barriers in participating in truth commission processes. Physical inaccessibility of hearing venues, lack of sign language interpretation, and absence of materials in accessible formats exclude many persons with disabilities from participation. It is worth noting that more than 50 per cent of Africans live in rural areas,⁵ with limited access to transitional justice commissions based in the more urban towns. This increases accessibility challenges for persons with disabilities. However, the rapid advance in artificial intelligence and digital technology has created opportunities which allow for the rapid translation of material into comprehensible formats for persons living with disabilities.

1 Stephanie Wild, *Transitional Justice and Gender-Based Violence in South Africa*, (Cham, Palgrave Macmillan: 2006), p.34-50.

2 Lesego Sekhu & Sinqobile Makhathini, "Addressing Conflict related Sexual Violence through Truth Commissions in Africa", (Policy Brief), Centre for the Study of Violence and Reconciliation, 2024, p.2-3.

3 *Ibid.*

4 Steven Rebello & Hugo van der Merwe, "Youth inclusion in transitional justice policy in Africa", (Policy Brief), Centre for the Study of Violence and Reconciliation and Impunity Watch, 2022, p.2-3

5 Africa Center for Strategic Studies, "Africa's Unprecedented Urbanization is Shifting the Security Landscape", (12 May 2025), <https://africacenter.org/spotlight/africa-urban-growth-security/> (accessed on 2 December 2025).

In addition, platforms now exist which enable transitional justice commissions to remotely communicate with persons living with disabilities.

Similarly, internally displaced persons and refugees face significant challenges with engaging with transitional justice commissions particularly when they remain displaced during the commission's mandate. They too can benefit from the advancement in technology. However, it must be emphasised that the active and meaningful participation of the displaced is contingent upon effective outreach and awareness-raising activities.¹ Past experiences have demonstrated that displaced persons, once informed of the goals of truth commissions, are eager to participate.²

3.3 African Traditional Justice Mechanisms

3.3.1 Civil Society's role in promoting traditional justice and its integration with formal justice systems.

Traditional justice mechanisms occupy a unique space in African transitional justice. As noted by a Malian traditional leader *"We Africans, have had our own justice systems and conflict resolution mechanisms long before the coming of the white man"*. In truth, many of these systems predate colonial systems and continue to uphold legitimacy across communities. This is more common in the rural areas, more so, considering that over half of the continent still reside there, the importance of traditional justice mechanisms in transitional justice cannot be overemphasised.

Given the prevalence of traditional justice systems, civil society has played critical roles in adapting them to the contemporary transitional justice context. This has comprised of documenting traditional justice practices, advocating for their recognition within formal transitional justice frameworks, and supporting communities in adapting traditional mechanisms to address complex modern conflicts without eroding their core foundations.

Across Mali, Burkina Faso and Niger, CSVr partnered with local organisations like DEME SO and Colibri du Sud amongst others to conduct research on traditional justice mechanisms to address violent extremism, and also advocate for the states to incorporate these traditional mechanisms into their national strategies to combat terrorism.³ This was particularly important because vast swathes of territory were ungoverned, making them susceptible to jihadist control.

1 Megan Bradley, "Truth-Telling and Displacement: Patterns and Prospects" in R. Duthie (ed.) *Displacement and Transitional Justice*, (New York, SSRC: 2012), p.202

2 *Ibid.*

3 Bobuin Valery & Diakaria Traoré, "Transitional Justice Mechanisms to address radicalism and violent extremism in Mali", GIJTR, 2024; Bobuin Valery & Charles Some, "Transitional Justice Mechanisms to address radicalism and violent extremism in Burkina Faso", GIJTR, 2024; Bobuin Valery & Koffi Dovene, "Transitional Justice Mechanisms to address radicalism and violent extremism in Niger", GIJTR, 2024, <https://www.csvr.org.za/transitional-justice-tools-to-address-radicalism-and-violent-extremism-in-the-sahel-region/> (accessed on 4 December 2025).

The states were encouraged to promote traditional authorities and local justice mechanisms in these areas which could serve as auxiliaries to the administration, giving a sense of law and order.



Civil society has pioneered hybrid models that combine traditional and formal approaches. A notable example is the Gacaca courts in Rwanda.

Civil society has pioneered hybrid models that combine traditional and formal approaches. A notable example is the Gacaca courts in Rwanda. Although they were state-initiated, civil society provided training for the judges, offering psychosocial support to participants, and monitoring processes to identify human rights concerns.¹ These traditional justice courts worked alongside the International Criminal Tribunal for Rwanda which had tried just 21 people at a cost of \$2 billion by 2004.² Between 2002-2012 the Gacaca courts processed over 1.2 million cases at a fraction of the cost incurred by the formal courts.³

3.3.2 Case Study: The Gacaca Courts in Rwanda

The 1994 Rwandan genocide claimed approximately 800,000 lives in just 100 days.⁴ In the wake of this genocide, the country faced an unprecedented challenge: how to address this atrocity while rebuilding and reconciling a fractured society. The International Criminal Tribunal for Rwanda (ICTR), established by the United Nations, was designed to address the issue of accountability. However, it quickly dawned on stakeholders that this court was more concerned with high level perpetrators at the expense of communal level perpetrators. Moreover, the costs of running this court ran into billions of dollars, making justice a very expensive venture.

The aforementioned lapses positioned the Gacaca courts which had five stated objectives: (1) identifying what happened during the genocide; (2) increasing trial speed; (3) fighting impunity; (4) promoting reconciliation; and (5) demonstrating the Rwandan people's problem-solving capacity.⁵ As highlighted earlier, civil society organisations played a transformative role in operationalising these courts and ensuring their success. They provided training for lay judges known as *inyangamugayo* and offered psychosocial support to participants and engaged in advocacy to maintain victim participation. Organisations such as Aegis Trust, the International Center for Transitional Justice (ICTJ), and Rwandan groups like Association of Genocide Widows (AVEGA), and *Ibuka* contributed in ensuring that Gacaca courts remained

1 Hollie Nyseth, Louisa Roberts, Christopher Uggen & Jean-Damascene Gasanabo, "We Came to Realize We Are Judges': Moral Careers of Elected Lay Jurists in Rwanda's Gacaca Courts," 14 *International Journal of Transitional Justice*, 2020, p.446.

2 Barbara Oomen, "Donor-Driven Justice and Its Discontents: The Case of Rwanda," 5 *Development and Change*, (2005), p.896.

3 *Ibid.*

4 BBC News, "Rwanda genocide: 100 days of slaughter" (4 April 2019), <https://www.bbc.com/news/world-africa-26875506> (accessed on 4 December 2025).

5 Hollie Nyseth *et al.*, (as above), p.446



By 2012, the Gacaca courts had processed approximately 1.2 million cases, representing an unprecedented achievement in mass atrocity accountability.

accountable, victim-centred, and cognisant of the gendered dimensions of the genocide.

By 2012, the Gacaca courts had processed approximately 1.2 million cases, representing an unprecedented achievement in mass atrocity accountability. This firmly positioned African traditional justice mechanisms as effective mechanism of transitional justice.

3.3.3 Challenges and Opportunities

Civil society's engagement with traditional justice mechanisms presents significant opportunities alongside substantial challenges. On the one hand, traditional mechanisms offer legitimacy in communities where formal state institutions are weak or mistrusted. Moreover, they are more accessible to rural communities and require fewer resources for their sustenance than formal mechanisms. Civil society organisations have also successfully advocated for constitutional and legal recognition of these mechanisms across multiple African countries, legitimising their role in national and continental transitional justice frameworks.

Despite these opportunities, significant challenges persist. Traditional justice systems often embody gendered hierarchies and exclusionary practices that can marginalise women, youth, and minorities from the transitional justice process. There still abounds challenges in the tensions that arise with regards to what communities view as legitimate traditional justice which may conflict with international human rights standards. This creates dilemmas for civil society actors committed to both cultural respect and universal rights protections. In truth, civil society's role in ensuring that traditional mechanisms accommodate human rights standards without eroding their cultural authenticity has become more daunting. This can be seen in countries like Mali, Burkina Faso and Niger, where civil society has limited access to areas controlled by armed groups, restricting their ability to document or advocate for reformed traditional practices which can support the state in governance.

3.3.4 Cross-Cutting Issues: Women, Youth, Persons with Disabilities, IDPs/Refugees

Women's relationship to traditional justice mechanisms in Africa is a case of parallels. In Rwanda's Gacaca courts, women's participation as both survivors and community participants was unprecedented, with some courts designating seats specifically for women survivors.¹ Women civil society organisations grouped under the umbrella of Profemmes Twese Hamwe, together with women parliamentarians were involved in drafting the laws governing the functioning of the courts.² However, other contexts have shown cases of traditional practices which heavily rely on patriarchy and excludes women from decision-making roles, limiting them to testifying about experiences, or subject to cleansing rituals that compound trauma from sexual violence. For instance, in some communities in Ethiopia, women may not, have "a standing to appear before elders in the customary dispute resolution processes on their own, and may require a male relative to represent them".³ The current African transitional justice landscape struggles to reconcile gender equality with cultural traditions. As such, there lingers a dilemma amongst civil society, on whether reformed traditional institutions or outright parallel mechanisms offer better protection and avenues for women participation.



African youth have a similarly complex relationship with traditional justice mechanisms. Many of these mechanisms were designed for disputes within adult communities and were not conceived to address crimes against children or perpetrated by children.

African youth have a similarly complex relationship with traditional justice mechanisms. Many of these mechanisms were designed for disputes within adult communities and were not conceived to address crimes against children or perpetrated by children. In the Democratic Republic of Congo, traditional forums like the Baraza (community courts) are being integrated with gender and child-protection guidelines to ensure that children can testify or seek justice without facing the re-traumatisation common in rigid customary settings.⁴ Additionally, all the youth surveyed for this report, from the perspective of their engagement with traditional justice mechanisms denoted their limited representation due to the age-based hierarchies of these mechanisms. This remains a huge barrier to their input into reconciliation and prevention initiatives at the rural level.

- 1 Francine Mukandori, 'Rwandan Women's Empowerment through Their Participation in the Post Genocide Gacaca Courts: An Exploratory Study' (MA thesis, University of Johannesburg, 2014).
- 2 Reverien Interayamahanga, "Women's Role in Transitional Justice in Rwanda: The case of Gacaca Courts" (30 December 2020), Never Again Rwanda, <https://neveragainrwanda.org/womens-role-in-transitional-justice-in-rwanda-the-case-of-gacaca-courts/> (accessed on 14 December 2025).
- 3 Getachew Assefa & Alula Pankhurst, "Facing the challenges of customary dispute resolution: Conclusions and recommendations" in Getachew Assefa & Alula Pankhurst (eds.), Grass-roots Justice in Ethiopia (Addis Ababa, Centre français des études éthiopiennes :2008), p.264.
- 4 Peace Direct, "Baraza Justice: A Case Study of Community-Led Conflict Resolution in D.R. Congo", 2014, <https://www.peacedirect.org/content/uploads/2023/09/Baraza-Justice-summary-of-report.pdf> (accessed on 15 December 2025).

Civil society's attention to disability inclusion in traditional justice mechanisms is minimal. Physical and communication barriers often prevent persons with disabilities from participating in community gatherings where traditional justice is practiced. The advancements in technology which would have bridged this gap has not been fully embraced/understood by local communities. Persons with psychosocial disabilities may be excluded due to stigma or assumptions about their capacity to testify or contribute to deliberations. Civil society organisations have largely failed to systematically address these barriers. Respondents generally conceded that the integration of disability rights into traditional mechanisms remains an underdeveloped area across African transitional justice contexts.

The implications of displacement mean that displaced populations often cannot access traditional justice mechanisms due to the physical distance from their communal lands. Many African traditional practices/rituals are tied to particular landmarks, trees, rivers etc which displaced communities no longer have access to, and whose attempts to institute traditional justice mechanisms might not have legitimacy. Such mechanisms may not be recognised back home as they were held on foreign soil which had no connection to their ancestral lands. Like the situation with persons with disabilities, the current African transitional justice landscape inadequately addresses how to ensure displaced populations' access to traditional justice mechanisms. Civil society organisations have indicated to have shown more concern for formal accountability initiatives.

3.4 Reconciliation and Social Cohesion

3.4.1. Promoting Community-Led Reconciliation Initiatives

Civil society organisations have been central to fostering reconciliation and rebuilding social cohesion in post-conflict African societies. They have promoted community-led reconciliation initiatives which recognise that sustainable peace requires more than political settlements between elites; it demands healing of relationships at community levels where people must continue living together despite histories of violence. These initiatives are particularly important in contexts where there's mistrust of formal state institutions or if they are weak, and have commonly included; community-level peacebuilding, inter-group dialogue facilitation, and psychosocial support for affected communities.

Across the continent, civil society actors like the West African Network for Peacebuilding (WANEP) have pioneered regional approaches to peacebuilding, emphasising local ownership and indigenous capacities for dialogue and consensus-building. WANEP is advancing bottom-up reconciliation by leveraging a network of over 750 member organisations with deep ties to their respective communities, allowing them to facilitate dialogue, de-escalate tensions, and mediate conflicts.¹

1 WANEP, "About", [https://wanep.org/wanep/about-us/#:~:text=The%20organisation%20holds%20a%20permanent,early%20warning%20mechanism%20\(MARAC\).](https://wanep.org/wanep/about-us/#:~:text=The%20organisation%20holds%20a%20permanent,early%20warning%20mechanism%20(MARAC).) (accessed on 13 December 2025).

Mental health and psychosocial support remain another critical dimension of civil society's reconciliation efforts. They provide trauma counselling, support groups for survivors of violence, and mental health services in contexts where state provision of such services is limited or non-existent. These includes organisations like CSVR (Africa), the Panzi Foundation (Democratic Republic of Congo), ISANGE One-Stop Centres (Rwanda) and Regional Psychosocial Support Initiative (East and Southern Africa). These organisations recognise that unprocessed trauma can prevent reconciliation and that healing requires both individual therapy and collective processes that acknowledge suffering and restore dignity to victims.

3.4.2 Case Study: Liberia's Palava Hut System and Peace Huts

Following two devastating civil wars (1989–1997 and 1999–2003) which claimed over 250,000 lives and displaced more than a million people,¹ Liberia faced the monumental challenge of rebuilding a fractured society. The Truth and Reconciliation Commission, established in 2006, recommended the Palava Hut mechanism as a traditional restorative justice mechanism to address crimes of "lesser gravity".²

The Palava Hut is a traditional community-based forum rooted in Liberian culture for resolving disputes and fostering reconciliation. Under the coordination of the Independent National Commission on Human Rights (INCHR), with support from UNDP, Palava Hut committees were established across Liberia's sixty-four districts to address violations committed during the civil war, including matters of assault and torture, forced displacement and forced labour, arson attacks, looting and destruction of property, and desecration of sacred sites. The process involves victims confronting perpetrators before trained

1 Center for Global Development, "Liberia's Recovery From Devastation", <https://www.cgdev.org/page/liberias-recovery-devastation> (accessed on 15 December 2025).

2 UNDP, "Liberia's Palava Hut mechanism delivering quick wins in long, winding road to justice" (11 August 2022), <https://www.undp.org/liberia/news/liberias-palava-hut-mechanism-delivering-quick-wins-long-winding-road-justice#:~:text=The%20Palava%20Hut%20mechanism%20has,Rodrigues>. (accessed on 16 December 2025).



These organisations recognise that unprocessed trauma can prevent reconciliation and that healing requires both individual therapy and collective processes that acknowledge suffering and restore dignity to victims.



councils of elders, with the accused acknowledging wrongdoing, seeking forgiveness, and participating in symbolic rituals such as sharing blessed water to signify reconciliation. By 2022, the Palava Hut mechanism had resolved 277 war-related cases involving over 500 people—275 victims and 244 perpetrators.¹



By 2022, the Palava Hut mechanism had resolved 277 war-related cases involving over 500 people—275 victims and 244 perpetrators.

Women civil society actors like the Women in Peace Network (WIPNET) adapted the traditional Palava Hut system by establishing Peace Huts—gender-focused adaptations that promote gender equality and resolve disputes through mediation while insisting on using the criminal justice system to prosecute crimes such as sexual and gender-based violence.² These Peace Huts serve as safe spaces for women to address community issues, receive psychosocial support, and participate in economic empowerment programmes.³ As of 2019, there were 40 active Peace Huts in Liberia, registered as CBOs and firmly embedded in the national peacebuilding infrastructure.⁴

3.4.3 Challenges and Opportunities

Civil society engagement in reconciliation and social cohesion faces several challenges. Funding constraints limit the sustainability of community-level programmes, particularly in rural areas where the need is greatest. Formal approaches to reconciliation, such as truth and reconciliation commissions, often fail to reach communities at the grassroots level,⁵ creating gaps that civil society must fill with limited resources.

However, significant opportunities exist. Regional networks like WANEP enable experience-sharing and capacity-building across borders. Technology increasingly offers new avenues for dialogue and reconciliation programming, particularly for reaching displaced populations and youth. Moreover, the proven success of women-led peacebuilding initiatives in Liberia has inspired similar efforts across the region, including the establishment of Peace Huts by WANEP in Ivory Coast, Guinea and Mali.⁶

1 *Ibid.*

2 Erica Lawson, Vaiba Flomo & Cerue Garlo, “Liberian Women’s Peacebuilding Work in Peace Huts” (14 July 2025), Peace News, <https://peacenews.com/liberian-womens-peacebuilding-work-in-peace-huts/> (accessed on 16 December 2025).

3 *Ibid.*

4 Liberia’s Second Phase National Action Plan: On Women, Peace and Security 2019-2023, 2009, p.16, <https://1325naps.peacewomen.org/wp-content/uploads/2021/02/Liberia-NAP-2019-2023.pdf> (accessed on 17 December 2025).

5 Emmanuel Bombande, “Regional civil society peacebuilding in West Africa” in Elizabeth Drew & Alexander Ramsbotham (eds), *Consolidating peace Liberia and Sierra Leone*, Accord Issue 23, 2012, p.23.

6 WANEP, “Peace Huts”, <https://wanep.org/wanep/wp-content/uploads/2021/04/The-WANEP-PEACE-HUT-in-Liberia.pdf> (accessed on 17 December 2025).

3.4.4 Cross-Cutting Issues: Women, Youth, Persons with Disabilities, IDPs/Refugees

Women have demonstrated leadership in reconciliation efforts across the continent. Women in Peace Huts lead community dialogues that include men, youth, and elders, informed by principles of collectivity and reciprocity central to African indigenous knowledge systems.¹ They also actively transmit memories of war to younger generations to reinforce the value of mediation and conflict resolution. This raises the prospective and urgent challenge of preserving this knowledge in order to ensure an intergenerational transfer of reconciliation and social cohesion skills.

Youth engagement in reconciliation presents both challenges and opportunities. Many of them have no direct memory of the conflicts that fractured their societies, yet they inherit the consequences of unresolved grievances. Civil society organisations in Somalia, Sierra Leone and Rwanda have increasingly focused on youth-centred programming, including peace education in schools and youth leadership development.² However, meaningful inclusion of youth in decision-making processes remains limited.

Persons with disabilities continue to face significant barriers to participating in reconciliation processes. Physical inaccessibility of community gatherings and lack of accessible communication formats exclude many from participating in Palava Huts and similar mechanisms. Civil society has yet to systematically address these barriers in reconciliation programming.

For displaced populations, participation in reconciliation processes remains equally challenging. Many refugees and internally displaced persons cannot access community-based reconciliation mechanisms due to physical distance from their home communities. Civil society organisations have begun exploring technology-enabled approaches to facilitate diaspora participation, though these efforts remain nascent. Effective outreach and awareness-raising are essential to ensuring displaced populations can meaningfully engage in reconciliation processes.

3.5 Reparations

3.5.1 Civil Society's Advocacy for Victim Reparations

Civil society organisations have been instrumental in advocating for reparations as a critical component of transitional justice across Africa. Their efforts have encompassed lobbying governments to establish and fund reparations programmes, supporting victims in navigating complex application processes, monitoring the implementation of reparations recommendations, and holding governments accountable when they fail to deliver on their commitments.

1 Erica Lawson *et al*, (as above).

2 Mohamed Adan, "The role of peace education in promoting social justice and sustainable peace in post-conflict societies: a 4Rs framework analysis", 7 *Front. Polit. Sci*, 2025, p.5-7.

Some civil society actors interviewed, stressed the need to always clarify to victims that reparations are their right and not some gesture of government benevolence.

Civil society advocacy for victim reparations has taken diverse forms. They have conducted research to document victims' reparative needs, which has informed the design of reparations frameworks. In Kenya, ICTJ's 2011 report, "To Live as Other Kenyans Do: A Study of the Reparative Demands of Kenyan Victims of Human Rights Violations", was influential and informed civil society efforts to draft the reparations framework that the Truth, Justice and Reconciliation Commission (TJRC) incorporated in its report.¹ They also supported and provided technical expertise to government and nongovernment actors in drafting a legal and policy framework for reparations.

At the continental level, civil society organisations have partnered with the African Union to advance reparations policy. The Africa Transitional Justice Legacy Fund has been supporting civil society organisations working on transitional justice in The Gambia, Liberia, Mali, Nigeria, Sierra Leone, and Côte d'Ivoire to the tune of 2.68 million USD for the period 2024–2026.² Furthermore, the Initiative for Transitional Justice in Africa, a joint project of the African Union and European Union implemented by a consortium comprising the International Center for Transitional Justice, the Africa Transitional Justice Legacy Fund, and the Centre for the Study of Violence and Reconciliation, aims to strengthen the capacity of civil society groups to meaningfully participate in the design, implementation, and monitoring of transitional justice mechanisms, including reparations programmes.³

3.5.2 Case Study: Morocco's Equity and Reconciliation Commission

Following decades of repression during the so-called "Years of Lead" under King Hassan II, characterised by arbitrary detention, torture, and enforced disappearances, civil society organisations mobilised to demand accountability and redress.⁴

In 2001, a symposium was held with members from leftist organisations and representatives of political parties, including the Moroccan Organisation for Human Rights (OMDH), Moroccan Association for Human Rights (AMDH) and the Moroccan Forum for Truth and Justice (Forum Vérité et Justice, FVJ). Particularly the FVJ, which included former political prisoners, campaigned for an independent truth commission to deal with the Years of Lead and recommend reparations.⁵ This sustained advocacy led to King Mohammed VI establishing the Equity and Reconciliation Commission (Instance Équité et Réconciliation, IER) by royal decree in January 2004.⁶

1 ICTJ, "Kenya", <https://www.ictj.org/where-we-work/kenya> (accessed on 18 December 2025).

2 African Union, "The African Union and Africa Transitional Justice Legacy Fund Sign Historic MOU on Reparatory Justice and Racial Healing", (4 July 2024), <https://au.int/en/pressreleases/20240704/african-union-and-africa-transitional-justice-legacy-fund-sign-historic-mou> (accessed on 18 December 2025)

3 ICTJ, "the Initiative for Transitional Justice in Africa", <https://www.ictj.org/initiative-for-transitional-justice-in-africa> (accessed on 18 December 2025).

4 Mohamed Kadiri, "The Evolution of Morocco's Human Rights Movement" (5 September 2017), <https://www.arab-reform.net/publication/the-evolution-of-moroccos-human-rights-movement/> (accessed on 18 December 2025).

5 Lesego Sekhu, (as above).

6 Mohamed Kadiri, (as above).

The IER examined approximately 20,000 cases and made recommendations including reparations (financial, psychological, medical and social). This represented a significant achievement, and by the dawn of 2007, individual compensation to victims was almost completed with 85 million USD distributed to approximately 9,000 individuals.¹ The commission also recommended community reparations in 11 regions that had been particularly affected by state repression.² However, civil society organisations like the AMDH, criticised the process for failing to pursue criminal accountability, and for excluding violations committed after 1999.³

One important aspect of the Morocco experience is the involvement of civil society and its efforts in initiating the process. As Abdul Ilah Ben Abdessalam, vice president of AMDH noted,

*“The commission had great results and transitional justice impacted the country, but we should remember that parties, syndicates, and women’s groups worked together to create a common ground for people to work on transitional justice”.*⁴

3.5.3 Challenges and Opportunities

A prominent challenge encountered by civil society in the domain of reparations is the persistent gap between recommendations and their implementation. In South Africa, most of the recommendations on reparations made by the TRC—including the yearly payment to survivors of R21,000 for six years and the collection of a ‘wealth tax’ to fund reparations from industries that benefited from apartheid—were not implemented by the state.⁵ Instead the government established a reparations fund and paid a lump sum of R30,000 each to about 23,000 persons who registered with the TRC as ‘victims’.⁶ This amount was a fraction of what had been recommended.

Financial resources are generally scarce on the continent, and this in turn has affected the availability of funding available to sustain civil society’s capacity to support victims through protracted reparations processes. Many organisations struggle to maintain the long-term programmes necessary to accompany victims from the initial application stage through to the receipt of benefits, which can span years.

Despite these challenges, opportunities exist for strengthening civil society’s role in reparations advocacy. The vital role of civil society was highlighted as essential for ensuring inclusivity, amplifying victims’ voices, and promoting accountability in reparations processes at the 2025

1 ICTJ, “Truth and Reconciliation in Morocco”, 2009, <https://www.ictj.org/sites/default/files/ICTJ-Morocco-TRC-2009-English.pdf> (accessed on 19 December 2025).

2 *Ibid.*

3 Pierre Hazan, “The nature of sanctions: the case of Morocco’s Equity and Reconciliation Commission”, 90(870) *International review of the Red Cross*, 2008, p.406

4 ICTJ, “Morocco Still a Model for Justice in MENA, but Questions Remain”, (2 September 2016), <https://www.ictj.org/latest-news/morocco-still-model-justice-mena-questions-remain#:~:text=%E2%80%9CThe%20commission%20had%20great%20results,the%20Moroccan%20Association%20of%20Human> (accessed on 19 December 2025).

5 ICTJ, “South Africa”, <https://www.ictj.org/where-we-work/south-africa> (accessed on 20 December 2025).

6 *Ibid.*



Women face a double marginalisation under authoritarian regimes and during and after violent conflicts. Nonetheless, reparations programs are rarely designed to address the needs of women victims.

AU-EU Expert Seminar on Transitional Justice.¹ Regional and international networks provide platforms for sharing best practices and building solidarity across borders. One transitional justice practitioner highlighted the increasing importance of strategic litigation as an important tool for civil society to compel governmental action on reparations.

3.5.4 Cross-Cutting Issues: Women, Youth, Persons with Disabilities, IDPs/Refugees

Women face a double marginalisation under authoritarian regimes and during and after violent conflicts.² Nonetheless, reparations programs are rarely designed to address the needs of women victims.³ Civil society organisations, particularly women’s rights groups, have advocated for gender-sensitive reparations that recognise the specific harms women experience, including sexual and gender-based violence and its long-term consequences. In Morocco, the IER sponsored an independent qualitative study on gender and political violence, which resulted in a report titled “Women and Political Violence during the Years of Lead in Morocco”.⁴

Women’s associations, in collaboration with the IER, wrote summary reports on the experiences of women to formulate draft recommendations for individual and collective reparations.⁵ This represented an important step toward incorporating gender perspectives into reparations design. However, while reparations are critical in the pursuit of gender justice, they are often an under-funded afterthought in transitional justice processes.

1 African Union, “AU-EU Expert Seminar on Transitional Justice Concludes with Renewed Commitment to Advance Reparations” (28 June 2025), <https://www.peaceau.org/en/article/au-eu-expert-seminar-on-transitional-justice-concludes-with-renewed-commitment-to-advance-reparations> (accessed on 20 December 2025).

2 Ruth Rubio-Marín (ed), *What Happened to the Women? Gender and Reparations for Human Rights Violations*, (New York: Social Science Research Council, 2006).

3 *Ibid.*

4 Nadia Guessous, “Women and Political Violence during the Years of Lead”, “CCDH and UNIFEM, 2009, <https://archive.cndh.ma/an/bulletin-d-information/new-publication-women-and-political-violence-during-years-lead> (accessed on 20 December 2025).

5 Lesego Sekhu, (as above).



Further, reparations programmes to date have often failed to recognise and address structural issues which have given rise to gender-based violations of human rights.¹

Youth engagement with reparations processes presents distinct challenges. Many young people whose families were affected by historical violations were born after the events in question and may not qualify as direct victims under narrow definitions. Recently, at the 2025 Transitional Justice Practitioner’s Conference in Berlin, Germany, African civil society organisations stressed the need for reparations frameworks that recognise intergenerational harm and include educational benefits and skills training for the children and grandchildren of victims.



Many young people whose families were affected by historical violations were born after the events in question and may not qualify as direct victims under narrow definitions.

Civil society respondents in the field overwhelmingly acknowledged that persons with disabilities face significant barriers in accessing reparations programmes. Physical inaccessibility of application centres, lack of information in accessible formats, and complex bureaucratic procedures can exclude persons with disabilities from registering as beneficiaries. Civil society has been instrumental in highlighting these barriers, though systematic advocacy for disability-inclusive reparations remains underdeveloped across African transitional justice contexts. These issues were part of the Africa Albinism Network’s (AAN) advocacy at the 85th Ordinary Session of the African Commission on Human and Peoples’ Rights (ACHPR) in 2025. The AAN led a strategic and impactful mission to ensure that persons with albinism were meaningfully represented in Africa’s broader reparative justice agenda.² This concluded with stressing the deliberate inclusion of persons with albinism in reparations, and actionable recommendations for the ACHPR and Member States, ranging from public apologies and memorialisation initiatives to gender-responsive reparations and institutional reforms ensuring non-repetition.

3.6 Redistributive (Socio-Economic) Justice

3.6.1 Civil Society’s Role in Advocating for Socio-Economic Justice

Redistributive justice is closely linked to reparations, as it is based on the premise that sustainable peace and genuine reconciliation cannot be achieved without addressing the structural

1 Helen Scanlon & Kelli Muddell, “Gender and transitional justice in Africa: Progress and prospects”, ACCORD, 2009, <https://www.accord.org.za/ajcr-issues/gender-and-transitional-justice-in-africa/> (accessed on 20 December 2025).

2 Africa Albinism Network, “A Journey for Justice: Advancing Inclusive Reparations for Persons with Albinism at the African Commission in Banjul” (27 November 2025), <https://africaalbinismnetwork.org/blog/a-journey-for-justice-advancing-inclusive-reparations-for-persons-with-albinism-at-the-african-commission-in-banjul/#:~:text=The%20panel's%20outcome%20was%20clear,institutional%20reforms%20ensuring%20non%2Drepetition.> (accessed on 20 December 2025).

socio-economic inequalities that often underpin violent conflict and repression. Across the continent, civil society actors are increasingly advocating for transitional justice frameworks that go beyond civil and political rights violations to encompass economic crimes, systemic corruption, and historical patterns of marginalisation and exclusion.¹

One of the unique contributions of the AUTJP Framework is its broadening of the notion of justice beyond retributive justice to encompass restorative, redistributive and transformative justice.² This reflects sustained advocacy by civil society organisations who have argued that transitional justice processes which ignore socio-economic dimensions fail to address the root causes of conflict. In countries like Kenya, Zimbabwe, and South Africa, civil society has pressed for transitional justice processes to address historical land injustices rather than treating land as separate from transitional justice.

Civil society actors are also important for the initiation of economic empowerment programmes for marginalised communities. In South Africa for instance, Khulumani Support Group adopted “socioeconomic transformation” as its focus in 2010.³ Subsequently, its members in provincial branches across the country established community-based income-generation projects and social enterprises, engaged in protests and advocacy regarding access to clean water and sanitation, and offered local trainings in subjects ranging from literacy to information technology.⁴

Civil society’s role in the issue of socio-economic justice extends to documentation and research on how economic inequality and exclusion contribute to high crime waves, conflicts, with marginalised groups taking up arms when denied economic opportunities and political voice.⁵ In this regard, these findings inform civil society advocacy for redistributive justice to include calls for progressive taxation, equitable resource distribution, affirmative action and economic empowerment programmes targeting historically marginalised groups. Such targeted advocacy culminated in the introduction of the Broad-Based Black Economic Empowerment Act, No. 53 of 2003 in South Africa, aimed at promoting black economic empowerment in the wake of the end of apartheid.

3.6.2 Case Study: Tunisian Civil Society Advocacy for Economic Justice

The Arab-Spring occasioned the 2011 revolution in Tunisia, with extensive implications for economic justice. This revolution was rooted in grievances over economic marginalisation,

1 Bobuin Valery & Annah Moyo, “Transitional Justice Tools and Business in Africa: A Conceptual Approach” in JC Ashukem (ed), *Handbook on Business, Human Rights, and the Environment in Africa*, (Springer, Cham), 2025, p.101-120.

2 George Mukundi, “The African Union Transitional Justice Policy Framework” in Charles Jalloh, Kamari Clarke & Vincent Nmechiele (eds), *The African Court of Justice and Human and Peoples’ Rights in Context: Development and Challenges*, (Cambridge University Press, Cambridge), 2019, p.147-165; Tim Murithi, “The Politics of Transitional Justice in Africa” in Tim Murithi (ed), *African Union and Transitional Justice*, (Fanelle, Auckland Park), 2024, p.54.

3 Jasmina Brankovic, “Socioeconomic Oppression and the Need to Rethink Transitional Justice” (5 July 2020), CSV, <https://www.csvr.org.za/socioeconomic-oppression-and-the-need-to-rethink-transitional-justice/> (accessed on 23 December 2025).

4 *Ibid.*

5 Bobuin Valery, “A Review of Key Developmental Challenges in Africa: Through the Lens of SDG 16”, Situation Report, CSV and WANEP, 2025, p.52-53, <https://www.csvr.org.za/wp-content/uploads/2025/09/SDG-16-2025.pdf> (accessed on 21 December 2025).

corruption, and regional inequality, spreading under the slogan of “Bread, Freedom and Human Dignity” (Aish, Hurriyah, Karamah Insaniyyah).¹ The slogan originated from the motto of the Union for Unemployed Graduates, whose members began protesting in 2006.²

Only weeks after the revolution, civil society organisations, conscious of international experiences and best practices, started to advocate for a homegrown process that would adapt essential elements of transitional justice.³ These actors were crucial in shaping the Tunisian experience, and pushed for the creation of commissions,⁴ which sought to not only address violations of ‘common’ political and civil rights, like most previous experiences of transitional justice, but also around violations of economic and social rights.⁵

Furthermore, civil society advocacy ensured that the legislative recognition of victims went beyond the individual to include “every region which was marginalised or which suffered from systematic exclusion”, meaning marginalised regions were given the status of “victim region” and were able to seek reparations.⁶ This strategic approach responded directly to civil society demands that the process go beyond the person, to address structural marginalisation in the community as a whole. Moreover, in the years following the revolution, civil society played a decisive role in overcoming the odds (mostly interference) faced by the Truth and Dignity Commission and the overall transitional justice process.⁷ This came after shifts in power dynamics and political preferences began to increasingly undermine its authority.⁸

3.6.3 Challenges and Opportunities

While transitional justice has primarily focused on violations of civil and political rights, there is increasing recognition of the importance of addressing socio-economic injustices, which are often the root causes of conflict.⁹ However, translating this recognition into practice has proven difficult, especially when these widespread socio-economic injustices have occurred in societies with no active conflict.¹⁰

A major challenge is resistance from political and economic elites to measures that would fundamentally redistribute resources and power for the benefit of marginalised communities. In South Africa, civil society efforts around transitional justice call for ongoing engagement

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- 1 Tahir Kilavuz, “Determinants of Participation in Protests in the Arab Uprisings: Grievances and Opportunities in Egypt and Tunisia”, Vol. 17 (67) *Uluslararası İlişkiler*, 2020.
 - 2 Stephanie Daher, “Tunisia’s “Al-Ahyaa Al-Sha’Biya”: Socioeconomic Grievances, Mobilisation, and Repression”, Civil Society Knowledge Center, Lebanon Support, 2021, p.3.
 - 3 Amine Ghali, “Transitional Justice in Tunisia Expanded to Include Economic Crimes”, (7 August 2014), World Bank Blog, <https://blogs.worldbank.org/en/arabvoices/transitional-justice-tunisia-expanded-include-economic-crimes> (accessed on 22 December 2025).
 - 4 Like the National Commission to Investigate Human Rights Violations and the National Commission to Investigate Corruption and Embezzlement.
 - 5 Amine Ghal (as above).
 - 6 Yasmine Hajar, “The Tunisian Truth and Dignity Commission: From a Human Rights to a Political Project”, (3 April 2019), Heinrich Böll Stiftung, <https://www.boell.de/en/2019/04/03/tunisian-truth-and-dignity-commission-human-rights-political-project> (accessed on 23 December 2025).
 - 7 Avocats Sans Frontières, “Tunisia: The Truth and Dignity Commission report available”, (4 November 2020), <https://www.cadtm.org/Tunisia-The-Truth-and-Dignity-Commission-report-available> (accessed on 23 December 2025).
 - 8 Nadia Jmal, “Transitional justice in Tunisia: a critical assessment of the External Actors’ Involvement”, 7 *Front. Polit. Sci.*, 2025, p.2.
 - 9 Bobuin Valery & Annah Moyo (as above), p.101-102
 - 10 *Ibid.*

with issues of transition through accountability, reparations, truth recovery, and institutional reform, alongside socioeconomic transformation via participatory democracy, redistributive measures, and inclusive economic development.¹ Initiatives taken by the government to enhance redistributive justice have increasingly come under criticism by powerful global interests which spread disinformation about the purpose of these measures, and frame them as anti-white race laws.²

Despite these challenges, opportunities exist. The AUTJP provides a continental framework explicitly recognising redistributive justice as a core component of transitional justice. Linking transitional justice, gender equality, and socio-economic justice in Africa recognises the interconnectedness of these dimensions and allows for a more comprehensive approach to achieving lasting peace, equality, and development.³

3.6.4 Cross-Cutting Issues: Women, Youth, Persons with Disabilities, IDPs/Refugees

The AUTJP urges states to adopt transitional justice processes that address gender biases in transitional societies that hinder women from claiming and enjoying their socio-economic and political rights.⁴ However, prominent gaps still exist, including viewing gender as a synonym of women and girls, limitations in transforming fundamental gender biases, and socio-economic exclusion of women and girls.⁵ In truth, girls and women living in conflict-affected countries in sub-Saharan Africa have limited access to educational resources and opportunities. Without requisite education and training, they fail to earn a livelihood and contribute to the labour market. This contributes to enhancing the cycle of economic marginalisation. In response to this, civil society actors like the Forum for African Women Educationalists (FAWE) are reaching out to women in these communities to provide them with vocational skills in previously male-oriented fields for increased absorption into the workforce.⁶

Socio-economic justice is of enormous importance to the African youth. In sub-Saharan Africa, youth socio-economic disenfranchisement has been documented to be the primary driver of violent extremism.⁷ A youth-led civil society organisation based in Mali, corroborates this point as still being valid for the Sahel region. Similarly, in South Africa, the massive income inequality which is a consequence of apartheid and ineffective socio-economic justice

1 Jasmina Brankovic, (as above).

2 Aljazeera, "South Africa leader calls Elon Musk over 'distortions' after Trump attack" (4 February 2025), <https://www.aljazeera.com/news/2025/2/4/south-africa-leader-calls-elon-musk-over-distortions-after-trump-attack> (accessed on 23 December 2025).

3 African Union, "7th Edition of the African Transitional Justice Forum on the State of Transitional Justice in Africa" (19 August 2024), <https://www.peaceau.org/en/article/7th-edition-of-the-african-transitional-justice-forum-on-the-state-of-transitional-justice-in-africa-1> (accessed 23 December 2025).

4 The State of Transitional Justice in Africa: "Inclusive and Participatory Governance, Gender Equality and Socio-Economic Justice in Africa", Concept Note of the 7th Edition of the African Transitional Justice Forum, 2024 p.3, <https://www.peaceau.org/uploads/concept-note-7th-tjf.pdf> (accessed on 23 December 2025).

5 Ibid, p.4.

6 AUDA-NEPAD, "Economic Empowerment of Girls in Post-Conflict Situations through TVET", (2019), <https://www.nepad.org/skillsportalfor youth/good-practice/economic-empowerment-of-girls-post-conflict-situations-through#:~:text=Post%2Dconflict%20countries%20must%20begin,replicated%20by%20the%20respective%20government.> (accessed on 23 December 2025).

7 UNDP, "Journey to Extremism in Africa", <https://journey-to-extremism.undp.org/content/v1/downloads/UNDP-JourneyToExtremism-report-2017-english.pdf> (accessed on 23 December 2025).

programme has been the main driver for the high crime waves among youth.¹ Conversely, youth have emerged as powerful advocates for socio-economic justice within transitional justice processes. In Tunisia, youth movements like Manish Msamah (I Will Not Forgive) have led the public outcry against corruption, drawing attention to the economic and social exclusion it causes and galvanised Tunisians of all backgrounds into action.²

Persons with disabilities face compounded barriers to socio-economic inclusion, as conflict often results in disabilities while persons with pre-existing disabilities may be particularly vulnerable to economic marginalisation. In Africa, persons with disabilities are disproportionately likely to live in poverty and, too often, lack access to education, health care, employment opportunities, housing, social protection systems, justice, cultural expression and participation in political life.³ This area is of particular concern amongst civil society actors who also acknowledge that advocacy for disability-inclusive approaches to redistributive justice remains underdeveloped across the continent.

Displaced populations are more susceptible to socio-economic marginalisation, as they often lose access to land, livelihoods, and economic networks. The AUTJP includes displacement and statelessness among the violations that transitional justice processes ought to address. This is because in many African countries, displaced populations have limited access to health care, education, clean water, land, and work, which adversely affects their livelihoods.⁴ However, as with persons with disabilities, the intersection of displacement and socio-economic justice remains inadequately addressed in most African transitional justice processes.



In Africa, persons with disabilities are disproportionately likely to live in poverty and, too often, lack access to education, health care, employment opportunities, housing, social protection systems, justice, cultural expression and participation in political life.

- 1 Bobuin Valery, “A Review of Key Developmental Challenges in Africa” (as above), p.52-53.
- 2 Christopher Boland, “An Unfinished Revolution: Tackling Corruption in Tunisia” (25 July 2019), ICTJ, <https://www.ictj.org/latest-news/unfinished-revolution-tackling-corruption-tunisia> (accessed on 23 December 2025).
- 3 UN, “Toolkit on Disability for Africa”, 2017, <https://desapublications.un.org/publications/toolkit-disability-africa> (accessed on 23 December 2025).
- 4 ICTJ, “A Roadmap for Justice in Africa: Understanding the African Union’s Transitional Justice Policy”, 2020, p.4. https://www.ictj.org/sites/default/files/2023-11/ictj_position_autjp-web_2.pdf (accessed on 23 December 2025).



3.7 Memorialisation

3.7.1 Civil Society-Activism in Memorialisation Initiatives

The AUTJP recognises memorialisation as one of the eleven indicative elements of transitional justice, as it entails keeping the memory of past human rights violations alive to acknowledge historical wrongs and ensure they are never repeated, for example through commemorations, monuments, museums, renaming of buildings and roads, and redesign of historical and educational material.¹ This element recognises the human dignity of victims/survivors, advances national dialogue and inculcates a culture of non-impunity.²

Civil society organisations have been key actors in memorialisation efforts across the continent, often initiating projects that complement government programmes or fill in the gaps in their absence. For instance, the Red Terror Martyrs Memorial Museum was established by survivors and families—not the state—to honour victims of the of the repression known as “the Red Terror” in Ethiopia.³ Similarly, the District Six Museum in South Africa was founded by activists to preserve the history of a community erased by apartheid forced removals.⁴



A key example is the community-led exhumation and reburial initiative in Matabeleland, Zimbabwe, which empowered families to honour Gukurahundi massacre victims in the absence of formal state acknowledgement.

Beyond physical monuments, civil society organisations spearhead documentation and grassroots rituals. A key example is the community-led exhumation and reburial initiative in Matabeleland, Zimbabwe, which empowered families to honour Gukurahundi massacre victims in the absence of formal state acknowledgement.⁵ These organisations also advocate for victim-centred memorialisation approaches. Recently, the ICTJ supported survivors in Ethiopia’s Somali Region to successfully advocate for a resolution designating as April 6 Victims’ Memorial Day, formally recognising those who experienced violence and human rights violations across Ethiopia’s Somali Region.⁶ They are now advocating for the transfor-

1 Khabele Matlosa, “African Union Transitional Justice Policy Implementation Guidance: Lesotho”, Policy Brief, CSVr, 2024, p.7, <https://www.csvr.org.za/wp-content/uploads/2025/04/801001-CSVR-AUTJP-implementation-Lesotho-WEB.pdf> <https://www.csvr.org.za/wp-content/uploads/2025/04/801001-CSVR-AUTJP-implementation-Lesotho-WEB.pdf> (accessed on 24 December 2025).

2 *Ibid.*

3 International Center for the Promotion of Human Rights, “Red Terror Martyrs’ Memorial Museum”, <https://www.cipdh.gob.ar/memorias-situadas/en/lugar-de-memoria/museo-memorial-de-los-martires-del-terror-rojo/> (accessed on 24 December 2025).

4 Ciraj Rassool, “Making the District Six Museum in Cape Town”, in Lorna Abungu & George Abungu (eds), *Africa: A Continent of Achievements*, (Blackwell Publishing: Oxford), 2006, p.9.

5 CSVr, “Memorialisation and Reconciliation in Transitional Southern African Societies”, Southern Africa Reconciliation Project, 2005, p.2, <https://www.files.ethz.ch/isn/103436/memorialisatioreconciliation.pdf> (accessed on 24 December 2025).

6 ICTJ, “Story of Change: Victims Achieve a New Memorial Day in Ethiopia’s Somali Region” (12 October 2025), <https://www.ictj.org/latest-news/story-change-victims-achieve-new-memorial-day-ethiopia%E2%80%99s-somali-region> (accessed on 24 December 2025).

mation of the notorious Jail Ogaden into a memorial, Jail Ogaden Human Rights Violations Memorial Center, prioritising the healing of those directly affected.¹

3.7.2 Case Study: The Kigali Genocide Memorial and Survivor-Led Memorialisation in Rwanda

IBUKA, meaning “remember” in Kinyarwanda, provides a powerful example of African civil society leadership in memorialisation. Founded in December 1995, it has now emerged as the umbrella organisation for genocide survivors (organisations) in Rwanda.² IBUKA unites survivor-led associations, advocates, partners, and individuals committed to preventing genocide and supporting national healing to advocate for survivors’ rights and preserve the memory of the 1994 Genocide against the Tutsi.³

IBUKA’s contribution to memorialisation has been extensive and survivor-centred. Officially, genocide commemoration in Rwanda lasts only a week, but IBUKA observes a period of mourning for 100 days between 7 April and 17 July.⁴ The organisation has coordinated the construction of 416 memorial sites across Rwanda, ensuring that communities throughout the country have spaces to honour victims and reflect on the genocide.⁵ The organisation also carried out commemoration activities at the village-level across the country, in 30 universities, 400 secondary schools, and amongst the Rwandan diaspora.⁶ Furthermore, IBUKA led efforts in the honorary burial of victims whose remains were unfounded and engaged in advocacy calls to perpetrators of the genocide to speak out where they may have dumped these bodies during the genocide.⁷

IBUKA’s influence also extends to documentation and health care support. The organisation has been conducting research into people killed during the genocide, ensuring that victims’ identities are not lost to history.⁸ This is important because it brings closure to families. They also engage in tracing family members of survivors, helping to reconnect families torn apart by the genocide. IBUKA also trains people to provide psychological counselling, and have treated thousands of cases.⁹

3.7.3 Challenges and Opportunities

Despite its importance, memorialisation remains an often-neglected aspect of transitional justice on the continent.¹⁰ In the Democratic Republic of Congo, delegates to the 2013 Concertation Nationale adopted a decision to build monuments in memory of victims of armed conflicts

1 *Ibid.*

2 IBUKA, “About”, <https://www.ibuka.rw/who-we-are/mission-vision-values> (accessed on 26 December 2025).

3 *Ibid.*

4 Rachel Ibreck, “The politics of mourning: Survivor contributions to memorials in post-genocide Rwanda”, 4(3) *Memory Studies*, 2010, p.7-8.

5 Peace Insight, “Ibuka”, (December 2017), <https://www.peaceinsight.org/en/organisations/ibuka/?location=rwanda&theme> (accessed on 26 December 2025).

6 *Ibid.*

7 *Ibid.*

8 *Ibid.*

9 *Ibid.*

10 Shirambere Tunamsifu, “Memorialisation as an often-neglected aspect in the consolidation of transitional justice”, 18(2) *African Journal on Conflict Resolution*, 2018, p.36.



Civil society actors in the Central African region highlighted that memorialisation is contentious in their case because some perpetrators remain in positions of power.

in all areas where atrocities were committed, yet years later, no official monuments had been erected.¹ This gap between recommendations and implementation reflects broader challenges including limited political will, competing priorities for scarce resources, and the sensitivity of memorialising contested events.

Another challenge to civil society engagement in memorialisation stems from the sometimes-different narratives of past atrocities. Civil society actors in the Central African region highlighted that memorialisation is contentious in their case because some perpetrators remain in positions of power, and they constitute different groups which hold conflicting memories of the same events.

Nevertheless, significant opportunities exist for strengthening civil society engagement with memorialisation. The Sierra Leone Peace Museum demonstrates how civil society can collaborate with governmental and international institutions in memory work. The Museum's management committee includes the Special Court for Sierra Leone, representatives from the government, the United Nations, the National Commission for Human Rights, the National Museum, the Civil Association of Victims of War and other civil organisations.² In addition, the Museum conducts outreach programmes in collaboration with civil society organisations in Freetown, engaging communities on issues of peace, justice, and reconciliation.³

3.7.4 Cross-Cutting Issues: Women, Youth, Persons with Disabilities, IDPs/ Refugees

Women's experiences are often underrepresented in memorialisation efforts, despite their disproportionate suffering during conflicts particularly through sexual violence.⁴ In

1 *Ibid.* p.34.

2 International Center for the Promotion of Human Rights, "Sierra Leone Peace Museum", <https://www.cipdh.gob.ar/memorias-situadas/en/lugar-de-memoria/museo-de-la-paz-de-sierra-leona/> (accessed on 27 December 2025).

3 Residual Special Court for Sierra Leone, "Visit the Peace Museum", <https://rscsl.org/peace-museum/visit-the-peace-museum/> (accessed on 27 December 2025).

4 Katherine Stone, "Towards a transformative memory of wartime sexualized violence? The 'violence and gender' exhibition at Dresden's military history museum of the army, *Journal of Gender Studies*", *Journal of Gender Studies*, 2025, p.4.

recent times, although memorial interventions in post-conflict zones increasingly include women, such measures of satisfaction are 'rarely used specifically to help repair the harm caused to victims of conflict-related sexual violence. When they have been used, they have often reinforced existing stereotypes'.¹

Faced with this challenge, civil society organisations have advocated for gender-sensitive approaches to memorialisation that acknowledge women's specific experiences. In Rwanda, the Association des Veuves du Génocide (AVEGA), meaning Association of Widows of the Genocide, was founded in January 1995 by fifty widowed survivors who came together in Kigali to provide mutual support in the aftermath of the genocide.² It has grown into a nationwide support network touching the lives of over 20,000 widows and 71,000 dependents, and one of its core objectives is to perpetuate the memory of the victims of the genocide and to fight for justice.³ Furthermore, its founding have contributed significantly to documenting women's experiences through published testimonies such as *Survivantes* (2004) and the collective testimony *Entendez-nous!* published for the 30th commemoration of the genocide.⁴

Youth engagement with memorialisation presents both challenges and opportunities. In present day Africa, many youths have no direct memory of the atrocities being commemorated, yet they inherit the consequences and trauma of these historical injustices. In 2014, the Rwanda Education Board included Peace and Values education in country's new schools curriculum,⁵ helping young people understand the past while developing values that prevent future violence. Similarly, organisations in DRC like Africa Reconciled use creative approaches including participatory theatre, art exhibitions, and songs to engage youth in memorialisation and transitional justice processes.⁶

Persons with disabilities face significant barriers in accessing memorial sites and participating in commemorative events. Physical inaccessibility of memorial venues, lack of materials in accessible formats, and absence of sign language interpretation exclude many persons with disabilities from engaging with memory work. Civil society attention to disability inclusion in memorialisation remains limited across the continent, representing an area requiring urgent advocacy and action.

Displaced populations face peculiar challenges in memorialisation, as they may be physically separated from the sites where atrocities occurred and where memorials are located. The rapid advancement in technology provides opportunities for the exploitation of digital memorialisation. Displaced communities could then digitally access memorabilia relating to past atrocities no matter their location.

1 UN Secretary-General, "Guidance note of the secretary general: Reparations for conflict-related sexual violence", 2014, p.18, <https://www.ohchr.org/sites/default/files/Documents/Press/GuidanceNoteReparationsJune-2014.pdf> (accessed on 27 December 2025).

2 AVEGA Agahozo, "About Us", <https://avega-agahozo.org/about-us/> (accessed on 27 December 2025).

3 *Ibid.*

4 Germain Mucyo, "Genocide survivors share stories at Bates College" (3 May 2024), Amjambo Africa, <https://www.amjambofrica.com/30-years-on-rwandan-genocide-survivors-share-stories-at-bates-college/> (accessed on 27 December 2025).

5 Kigali Genocide Memorial, "Our Story", <https://kgm.rw/about/our-story/> (accessed on 27 December 2025).

6 ATJLF, "Initiative for Transitional Justice in Africa", <https://atjlf.org/what-we-do/itja/> (accessed on 27 December 2025).

This is properly illustrated by the Genocide Archive of Rwanda which has over 8,000 testimonies, videos, audio clips, photos and documents, the site includes interactive maps which allow users to access information by location.¹

3.8 Diversity Management

3.8.1 Civil Society's Role in Diversity Management Initiatives

Diversity management within the context of transitional justice addresses the group dimension of conflicts and violations where violence was organised and perpetrated on the basis of race, ethnicity, colour, sex, language, religion, political or any other opinion, national and social origin, fortune, birth or other status.² Civil society organisations play a crucial role in advancing diversity management within transitional justice processes. Their contributions include advocating for constitutional and legal frameworks that recognise and protect diversity, developing educational programmes that combat stereotypes and promote tolerance, establishing platforms for intercommunal dialogue, and monitoring compliance with anti-discrimination standards. Civil society actors also serve as important bridges between different communities, facilitating dialogue and understanding where state institutions may lack legitimacy or trust among certain groups.³



Civil society actors also serve as important bridges between different communities, facilitating dialogue and understanding where state institutions may lack legitimacy or trust among certain groups.

The AUTJP outlines several benchmarks for constructive diversity management in which civil society can engage, including recording and acknowledging the identity dimension of violence in criminal and truth and reconciliation processes, instituting educational programmes that target stereotypes and promote respect for ethnocultural diversity, establishing policies and institutions that promote national cohesion and tolerance, regulatory measures for combating hate speech, periodic dialogue between religious, community, and political leaders, and institutional measures ensuring equitable representation of various communities in decision-making structures.⁴

1 Aegis Trust, "Genocide Archive Rwanda", <https://aegistrust.online/what-we-do/activities/genocide-archive-rwanda/> (accessed on 27 December 2025).

2 African Union Transitional Justice Policy (AUTJP), 2019, para.75, https://au.int/sites/default/files/documents/36541-doc-au_tj_policy_eng_web.pdf (accessed on 29 December 2025).

3 Avaz Hasanov & Armine Ishkanian, "Bridging divides: civil society peacebuilding initiatives", 17 *Conciliation Resources*, 2005, p.46.

4 AUTJP, (as above), para.76.

3.8.2 Case Study: South Africa's Constitutional Framework and Civil Society Advocacy for Unity in Diversity

South Africa's transition from apartheid to democracy provides a seminal example for diversity management in the context of transitional justice in Africa. The apartheid system had institutionalised the dominance of the white minority through racial classification, forced removals, and a policy of "separate development" that attempted to concentrate and limit African political rights to the respective, ethnically defined Bantustans.¹ Therefore, it was imperative that the constitutional negotiations that ended apartheid would manage its profound diversity and build a unified country.

South Africa's 1996 Constitution is one of the most progressive in the world and enjoys high acclaim internationally.² It expressly embraced diversity as a foundational value. The Preamble declares that South Africans "believe that South Africa belongs to all who live in it, united in our diversity" and commits to "heal the divisions of the past and establish a society based on democratic values, social justice and fundamental human rights".³ This formulation represented a deliberate departure from apartheid's divisive exploitation of ethnic differences toward a vision of inclusive nation building. The Constitution further enshrines eleven official languages and establishes institutions such as the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities to safeguard diversity.⁴

Civil society organisations were instrumental in shaping this constitutional framework and continue to advocate for its implementation. This process can be traced from the early 1990's when CODESA (Convention for a Democratic South Africa) was held. There were 19 political groups at this event. All parties agreed to support the Declaration of Intent and committed to writing a new Constitution for South Africa.⁵ By 1993, the political groups met again, but this time under the banner of the Multi-Party Negotiating Process (MPNP). They drafted the 34 Constitutional Principles for the interim constitution of 1994. These principles would later guide the Constitutional Assembly (CA) which had to draw up the final Constitution.⁶ After the Constitution was drafted, civil society has been instrumental in advocating for its full implementation. Organisations like the Institute for Justice and Reconciliation (IJR) have been central to these efforts. It conducts the South African Reconciliation Barometer, a nationally representative survey gauging citizens' views on reconciliation, social cohesion, transformation, and governance.⁷ IJR's work in this domain has also been extended to Angola, the DRC, Rwanda, Sierra Leone, the Sudan and Zimbabwe.⁸

1 Kristin Henrard, "Post-Apartheid South Africa's Democratic Transformation Process: Redress of the Past, Reconciliation and 'Unity in Diversity'", 1(3) *The Global Review of Ethnopolitics*, 2002, p.20.

2 South African Government, "The Constitution", <https://www.gov.za/constitution#:~:text=South%20Africa's%20Constitution%20is%20one,the%20provisions%20of%20the%20Constitution>. (accessed on 28 December 2025).

3 Constitution of the Republic of South Africa, 1996, Preamble.

4 No. 19 of 2002: Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities Act, 2002.

5 South African History Online, "The Drafting and Acceptance of the Constitution", <https://sahistory.org.za/article/drafting-and-acceptance-constitution#:~:text=The%20process%20of%20drafting%20the%201996%20South,program%20ever%20carried%20out%20in%20South%20Africa>. (accessed on 28 December 2025).

6 *Ibid.*

7 Institute for Justice and Reconciliation, "Our Story", <https://www.ijr.org.za/our-story/> (accessed on 29 December 2025).

8 *Ibid.*



Moreover, civil society can follow the examples of Rwanda and South Africa which target youth through educational programmes, as younger generations can be socialised into values of tolerance and respect for diversity.

3.8.3 Challenges and Opportunities

Despite constitutional commitments and civil society efforts, diversity management in transitional societies faces persistent challenges. For instance in South Africa, thirty years after apartheid, the country remains fragmented along racial and economic line. A 2022 World Bank report identified South Africa as the most unequal country in the world, with eighty percent of wealth concentrated in ten percent of the population.¹ This is the legacy of Apartheid, one of segregation, discrimination and inequality.² Civil society organisations have noted that while legal segregation has ended, social segregation persists, with South Africans mixing primarily in public spaces such as workplaces, shops and schools but rarely in private settings.³

Nonetheless, opportunities exist for strengthening civil society engagement with diversity management. The AUTJP provides a continental framework that civil society can use to advocate for national policies and institutions promoting diversity. Moreover, civil society can follow the examples of Rwanda and South Africa which target youth through educational programmes, as younger generations can be socialised into values of tolerance and respect for diversity.

3.8.4 Cross-Cutting Issues: Women, Youth, Persons with Disabilities, IDPs/Refugees

Diversity management is of particular concern to women due to pre-existing gender discrimination which may be compounded by racial/ethnic discrimination and other forms of marginalisation. Civil society organisations advocating for women's rights have highlighted how transitional justice processes must recognise that women from minority or marginalised groups may face specific barriers to participation and redress. This stresses the need for the

1 OHCHR, "30 years on, South Africa still dismantling racism and apartheid's legacy", (17 April 2024), <https://www.ohchr.org/en/stories/2024/04/30-years-south-africa-still-dismantling-racism-and-apartheids-legacy> (accessed on 28 December 2025).

2 *Ibid.*

3 Tosin Olonisakin & Erhabor Idemudia, "Determinants of support for social integration in South Africa", 13(1) *Journal of Community and Applied Social Psychology*, 2023, p.58-59.

adoption of the concept of intersectionality in every transition. This is important in understanding how the convergence of multiple identities, such as race, gender identity, and socioeconomic status, can result in unique experiences and disadvantages which may render diversity management ineffective.¹

Youth engagement with diversity management presents a case of challenges and opportunities. A daunting challenge observed, resides among youth who did not directly experience the conflicts or oppression that divided their societies. Some may show a lack of understanding or interest in supporting diversity management programmes, especially if they do not come from communities which were previously marginalised. The AUTJP in its paragraph 76 specifically emphasises that diversity management initiatives should target youth and youth groups through periodic dialogue and celebration of diversity involving community leaders.

Persons with disabilities from minority or marginalised communities face compounded discrimination that diversity management efforts must address. As with women, an intersectional approach must also be employed. Quite concerning is that, there is little evidence that they are consulted in post-conflict diversity management processes.² Moreover, such persons are often portrayed by peace processes as mainly victims of marginalisation, violence, and abuses, instead of potential peacebuilders.³ Nonetheless, while it's important to recognise the role of disability in the life of a person already impacted by intersectionality, it's also key to note that disability is a form of diversity itself.⁴



Displaced populations, including refugees, IDPs, and stateless persons, often experience discrimination based on their displacement status in addition to any ethnic, religious, or national origin differences.

Displaced populations, including refugees, IDPs, and stateless persons, often experience discrimination based on their displacement status in addition to any ethnic, religious, or national origin differences. In South Africa, xenophobic violence against African migrants has been a recurring challenge, demonstrating how diversity management must extend to addressing attitudes toward non-citizens.⁵ This issue is recognised as a legacy of apartheid and the flaws of the subsequent transition.⁶

1 Millie Hall, "Intersectionality: More than just a buzzword for girls and young women in transition", Alliance for Youth Justice, <https://www.ayj.org.uk/news-content/intersectionality-more-than-just-a-buzzword-for-girls-and-young-women-in-transition-1#:~:text=One%20golden%20thread%20that%20ran,injustice%20striking%20at%20multiple%20levels>. (accessed on 29 December 2025).

2 Giuditta Fontana & Giada Costantini, "Mapping Disability in War-to-Peace Transitions", *Disability & Society*, 2024, p.2.

3 *Ibid.*

4 NeuroNav, "The Intersection of Disability and Diversity: The Importance of Inclusion", <https://neuronav.org/self-determination-blog/disability-and-diversity#:~:text=In%20other%20words%2C%20intersectionality%20posits,does%20all%20of%20this%20mean?> (accessed on 29 December 2025).

5 Facing History and Ourselves, "Introduction: Transition to Democracy" (3 August 2018), <https://www.facinghistory.org/resource-library/introduction-transition-democracy> (accessed on 29 December 2025).

6 *Ibid.*

3.9 Justice and Accountability

3.9.1 Civil Society's Role in Justice and Accountability Initiatives

Justice and accountability initiatives are one of the most recognisable areas of civil society work in African transitional justice. Their contributions include documenting human rights violations and preserving evidence for future prosecutions, advocating for the establishment of accountability mechanisms, supporting victims to participate in judicial processes, monitoring compliance with accountability commitments, and engaging in strategic litigation where state institutions fail to act. Moreover, in instances where the government is yet to address certain issues, civil society usually engage in targeted advocacy, pressuring governments to fulfil their obligations to investigate and prosecute perpetrators of gross human rights violations.

Paragraph 81 of the AUTJP outlines several benchmarks for successful criminal justice in which civil society can engage, including advocacy for the adoption of relevant laws reflective of international crimes (including sexual and gender-based violence), legislative reforms removing legal impediments to effective prosecution, provision of independent judicial and investigative institutions, procedures guaranteeing victim participation, and guarantees of due process and fair trial rights.

3.9.2 Case Study: Central African Republic's Special Criminal Court and Civil Society Advocacy for Accountability

The Central African Republic (CAR) provides an illustrative example of the role of civil society actors in justice and accountability. Since independence in 1960, CAR has grappled with instability and recurrent violence. In 2013, Séléka rebels seized power through a coup d'état and the Anti-balaka defence militias subsequently retaliated. All sides committed serious human rights violations, crimes against humanity, and war crimes, leaving thousands of victims searching for justice.¹

Civil society organisations have been instrumental in documenting violations and advocating for accountability mechanisms in CAR. Beginning in October 2002, the Ligue Centrafricaine des Droits de l'Homme (LCDH) began recording witness and victim statements and documenting the failure of the CAR judicial system to take action to bring offenders to justice.² This documentation proved crucial when the ICC later investigated crimes in the country. The Observatoire Centrafricain des Droits de l'Homme (OCDH), has similarly promoted human rights and advocated for justice, developing a Central African system for human rights protection.³

The 2015 Bangui Forum on National Reconciliation marked a turning point for accountability

1 ICTJ, "Central African Republic", <https://www.ictj.org/where-we-work/central-african-republic> (accessed on 29 December 2025).

2 Kelsey Davenport, "The Role of Civil Society in International Law: The Relationship Between Civil Society Organizations and the International Criminal Court in the Central African Republic", *Beyond Intractability*, 2010, <https://www.beyondintractability.org/casestudy/davenport-role> (accessed on 29 December 2024).

3 Peace Insight, "Observatoire Centrafricain des Droits de l'Homme", <https://www.peaceinsight.org/en/organisations/observatoire-centrafricain-des-droits-de-lhomme-ocdh/> (accessed on 29 December 2025).

in CAR. It brought together over 800 representatives of civil society, community organisations, political parties, and armed groups from all over the country.¹ Justice was prioritised as one of the Forum's main recommendations, with participants specifying that "no amnesty" would be tolerated for those responsible for international crimes.² The Forum recognised that the lack of justice since 2003 was one of the main causes of successive crises.³

Following the Bangui Forum's recommendation, the Special Criminal Court (SCC) was established to prosecute serious violations of international humanitarian and human rights law committed in the country since January 1, 2003.⁴ Operational since 2018, it is a hybrid tribunal integrated into the Central African justice system, employing both international and national staff and applying a mix of Central African and international law.⁵

Civil society organisations have actively supported the SCC's establishment and operations. In 2015, the Fédération Internationale des Droits de l'Homme (FIDH), together with its partner organisations LCDH and OCDH, established a pool of Central African and international lawyers whose mission is to provide legal and judicial support to victims of serious violations of their rights and to represent them before the SCC.⁶ In March 2017, FIDH inaugurated a joint FIDH-LCDH-OCDH office in Bangui to provide legal and judicial support to victims.⁷

3.9.3 Challenges and Opportunities

One of the main challenges hampering civil society's work to advance justice and accountability remains political interference. During the negotiations for peace deals, there abounds the dilemma on whether to prioritise peace (and the granting of amnesty) at the expense of justice (and accountability). As such elite political interests often override civil society advocacy for accountability. Such challenge was seen in CAR with the release of a sitting minister, Hassan Bouba, from a police station, by gendarmes in November 2021 after his arrest was ordered by the SCC for war crimes and crimes against humanity.⁸ This raised serious questions about the court's independence and prompted condemnation from international and domestic civil society groups.

The Truth, Justice, Reparation and Reconciliation Commission (CVJRR), established in 2020 to investigate serious violations from 1959 to 2019, has faced its own challenges. While eleven commissioners were appointed with civil society, victims' associations, religious groups, and youth representatives among them, internal divisions and allegations of mismanagement led

1 Human Rights Watch, "Central African Republic: Bar Amnesty for Atrocity Crimes", (24 August 2018), <https://www.hrw.org/news/2018/08/24/central-african-republic-bar-amnesty-atrocity-crimes> (accessed on 30 December 2025)

2 *Ibid.*

3 *Ibid.*

4 ICTJ, "Central Africa", (as above).

5 Patryk Labuda, "The Special Criminal Court in the Central African Republic", 22(2) ASIL Insights, 2018, <https://www.asil.org/insights/volume/22/issue/2/special-criminal-court-central-african-republic> (accessed on 30 December 2025).

6 FIDH, "What is Central African Republic's Special Criminal Court?", <https://www.fidh.org/en/region/Africa/central-african-republic/what-is-the-special-criminal-court> (accessed on 30 December 2025).

7 *Ibid.*

8 Human Rights Watch, "Central African Republic: First Trial at the Special Criminal Court" (April 12 2022), <https://www.hrw.org/news/2022/04/12/central-african-republic-first-trial-special-criminal-court> (accessed on 30 December 2025).

the government to dismiss the commissioners in 2024 and launch a new recruitment process.¹ Moreover, in recent times, civil society activities have come under increasing restriction, hampering their ability to advocate for justice and accountability.²

The SCC presents continuous opportunities for civil society activities which advance justice and accountability. By September 2024, the SCC had examined the potential criminal responsibility of 105 persons.³ As such examinations still continue, civil society actors have been critical in providing documentary evidence to support the court's investigation. Additionally, the President of the SCC has stated that the goal of the court is to achieve national reconciliation,⁴ this also creates avenues for civil society engagement with the court.

3.9.4 Cross-Cutting Issues: Women, Youth, Persons with Disabilities, IDPs/Refugees

Women face particular challenges in accessing justice for violations experienced during conflicts, especially sexual and gender-based violence. In the CAR for instance, the CVJRR's procedures require the commission to consider the specific impact of violations on women, children, and vulnerable categories. Five of the commissioners appointed were women, including the Commission's President, setting a significant precedent for women's inclusion in state institutions.⁵

Additionally, legal clinics run by female jurists from civil society provided service to about 31,000 Central Africans to ensure increased access to justice.⁶ These efforts demonstrate civil society's capacity to bridge gaps in formal accountability mechanisms by providing direct support to women survivors. Youth-led and youth-focused civil society organisations have increasingly engaged with justice and accountability processes, recognising that young people bear the consequences of impunity and have a stake in building cultures of accountability. A good example is the Youth Organisation for Research and Justice Advocacy (YORJA). It was formed by a group of African youth who were part of African Youth for Transitional Justice Training Program, organised by the African Union in Malabo, Equatorial Guinea from the 2nd-4th November 2022.⁷ Its mission is to encourage active youth participation in justice and accountability processes and to provide a platform through which youths can interrogate and be a part of the policy making.⁸

1 Rodrigue le Roi Benga, "Central African Republic: Why the Truth Commission was dismissed" (21 June 2024), <https://www.justiceinfo.net/en/133461-central-african-republic-why-truth-commission-dismissed.html> (accessed on 30 December 2025).

2 Lesege Sekhu, "Central African Republic Truth, Justice, Reparation and Reconciliation Commission (2021-present)", African Transitional Justice Hub, (1 November 2023), <https://atjhub.csvr.org.za/central-african-republic-truth-justice-reparation-and-reconciliation-commission-2021-present/> (accessed on 30 December 2025).

3 Oxford Academic, "An Interview with Patience Guerengbo", 23 *Journal of International Criminal Justice*, 2025, p.138.

4 *Ibid*, p.142.

5 Marion Volkmann-Brandau, "Building a Path to Reconciliation in the Central African Republic" (29 August 2022), UNDP, <https://www.undp.org/africa/blog/building-path-reconciliation-central-african-republic> (accessed on 31 December 2025).

6 UNDP Rule of Law and Human Rights Global Programme, "Central African Republic", 2021, <https://rolhr.undp.org/annualreport/2021/success-stories/central-african-republic.html> (accessed on 31 December 2025).

7 YORJA, "About us", <https://yorja.org/about-us/> (accessed on 2 January 2026).

8 *Ibid*.

Civil society engagement with justice and accountability for persons with disabilities remains underdeveloped across the continent as these persons face institutional failings that impede their ability to access justice on an equal basis with others.¹ They encounter numerous barriers to accessing justice, including negative societal attitudes, denial of legal capacity, physically inaccessible justice institutions, and inadequate legal representation.² These barriers have significant implications for transitional justice, as persons with disabilities who experience violations during conflicts face compounded challenges to reporting crimes, testifying before courts and commissions, and accessing reparations, including communication difficulties, lack of sign language interpreters, information not provided in accessible formats, and rigid evidentiary rules that disadvantage witnesses with intellectual or psychosocial disabilities.³ Civil society organisations should engage in advocacy and partner with disability rights organisations to ensure that documentation efforts capture the experiences of persons with disabilities and that accountability mechanisms provide procedural accommodations.



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Civil society organisations have played crucial roles in documenting violations against displaced populations and advocating for their inclusion in justice processes. In Kenya, for example, civil society groups have been vocal in demanding accountability and redress for victims of political violence. They have also documented gross violations of human rights in places like DRC which have been crucial to preserving vital information for possible future trials.⁴ The International Conference on the Great Lakes Region Protocol on Judicial Cooperation provides a framework that civil society has advocated for states to utilise in facilitating cross-border accountability and enabling displaced persons to access justice regardless of their current location.⁵ Civil society networks across borders have proven valuable in sharing documentation, raising awareness, coordinating advocacy, contributing to implementing and monitoring projects, and supporting displaced survivors to engage with accountability mechanisms in their countries of origin.⁶

- 1 Lawrence Mute, “An Opportune Moment: Realizing the Rights of Persons with Disabilities in Africa”, International Commission of Jurists, 2025, p.51.
- 2 Centre for Human Rights, “Persons with Disabilities and Barriers to Equal Access to Justice in South Africa: Position Paper”, University of Pretoria, 2022, p.3-7, https://www.chr.up.ac.za/images/researchunits/dru/files/Access_to_Justice_South_Africa_001_Position_Paper.pdf. (accessed on 2 January 2026).
- 3 *Ibid.*
- 4 Sarah Kasande, “The Bumpy Road to Peace and Accountability: Transitional Justice in the African Great Lakes Region”, ICTJ, 2017, <https://www.ictj.org/latest-news/bumpy-road-peace-and-accountability-transitional-justice-african-great-lakes-region> (accessed on 2 January 2026).
- 5 International Conference on the Great Lakes Region: Protocol on Judicial Cooperation, (2006), <https://www.icglr-rtf.org/publication/view/protocol-on-judicial-cooperation/> (accessed on 2 January 2026).
- 6 Internal Displacement Monitoring Centre & International Refugee Rights Initiative, “The Great Lakes Pact and the rights of displaced people: A guide for civil society”, 2008, p.36-39, <https://api.internal-displacement.org/sites/default/files/publications/documents/2008-af-great-lake-guide-thematic-en.pdf> (accessed on 2 January 2026).

3.10 Political and Institutional Reforms

3.10.1 Civil Society's Role in Political and Institutional Reform Initiatives

Political and institutional reforms constitute a critical element of transitional justice, addressing the structural conditions that enabled violations to occur and seeking to prevent their recurrence. They are setting up for creating the arrangements necessary for democratic and socioeconomic renewal and transformation.¹ Civil society actors have been critical actors in these reforms processes which can happen at macro-level, which entail revising existing or developing new constitutions that reconstitute the social contract between citizens and the State.² The reforms could also be in the form of vetting and lustration programmes which are ways to purge public officials responsible for human rights abuses and ensure that they will no longer serve in a public capacity.³

Civil society contributions to reform processes include, networking among themselves across various thematic concerns in order to ensure efficient use of resources and enhance impact while also building solidarity and strengthen its collective position at the bargaining table, alongside other stakeholders such as political actors and the private sector.⁴ They also advocate for constitutional and legislative changes that address root causes of conflict, ensuring that the victims and survivors they work with are effectively consulted and their input utilised.⁵ Civil society also engages in monitoring reform implementation, participating in vetting processes to remove abusive officials, providing technical expertise to reform commissions, and holding reformed institutions accountable.⁶

3.10.2 Case Study: Kenya's 2010 Constitutional Reforms and Civil Society Advocacy

The disputed December 2007 presidential elections in Kenya triggered widespread violence that resulted in approximately 1,100 deaths, the displacement of over 600,000 people, widespread sexual and thousands injured in beatings, machete attacks, rapes, police shootings and other acts that may amount to crimes against humanity.⁷ The violence exposed underlying grievances related to ethnic marginalisation, land inequality, and the abuse of state power, particularly by security forces. In the wake of this violence, the state established the Commission of Inquiry into Post-Election Violence (Waki Commission). This commission submitted its final report on 15 October 2008. One of its findings was that

1 African Commission on Human and Peoples' Rights, "Study on Transitional Justice and Human and Peoples' Rights in Africa", 2019, p.17, <https://achpr.au.int/sites/default/files/files/2023-05/achpr-transitional-justiceeng.pdf> (accessed on 2 January 2026).

2 *Ibid.*

3 *Ibid.*

4 Andrew Songa, "Realising Transformative Institutional Reforms via Civil Society", *AfricLaw*, 2025, <https://africlaw.com/2025/02/11/realising-transformative-institutional-reforms-via-civil-society/> (accessed on 3 January 2026).

5 *Ibid.*

6 *Ibid.*

7 Amnesty International, "Crying for justice: Victims' perspectives on justice for the post-election violence in Kenya", 2014, p.14, <https://www.amnesty.org/fr/wp-content/uploads/2021/06/afr320012014en.pdf> (accessed on 4 January 2026).

police were responsible for 405 deaths which represented 35.7 per cent of deaths due to gunshots.¹

This violence highlighted the need for urgent systematic security sector reforms. However, Kenyan civil society organisations had been advocating for constitutional reform for years before the 2007-2008 crisis. The Ufungamano Initiative, formed in 1999, mobilised 54 diverse organisations including religious groups, human rights organisations, and professional associations to advocate for a citizen driven constitutional review process.² Though this initiative was eventually unsuccessful, it laid the groundwork for future constitutional reforms.

The post-election violence created political conditions that finally enabled comprehensive constitutional reform. The African Union initiated and mediated the Kenya National Dialogue and Reconciliation process (KNDR), which birthed several commissions, including the Waki Commission on post-election violence and the Ransley Task Force on police reforms.³ It was further acknowledged at the KNDR that reforms would include parliamentary reform, judicial reform, executive reform, civil service reform, and police reform.⁴ Civil society organisations like the ICTJ mobilised local organisations to engage in these initiatives through its programme, Promoting the Realisation of Truth, Justice, Reforms and Reparations in Kenya.⁵

In August 2010, Kenya finally adopted a new constitution with several reforms which sought to limit the exercise of power in the three branches of government in general, and the security agencies in particular.⁶ By so doing, it promised to prevent future violation of human rights and the commission of economic crimes.⁷ Civil society was crucial in the implementation of these reforms. The International Commission of Jurists (ICJ)-Kenya, through its Judicial Reforms Think-tank and Civil Society Judicial Reforms Roundtable, supported the judicial vetting process by contributing to discourse on organisation and providing capacity building for vetting panels.⁸ The Judges and Magistrates Vetting Board, established under the Vetting of Judges and Magistrates Act 2011, conducted public hearings that allowed citizens to submit complaints against judicial officers.⁹ They vetted 53 judges and 298 magistrates, finding 11 judges and 14 magistrates unsuitable, followed by their removal from office.¹⁰

1 Yoshiaki Furuzawa, "Two Police Reforms in Kenya: Their Implications for Police Reform Policy", 17(1) *Journal of International Development and Cooperation*, 2011, p.60.

2 Jacob Mati, "Social Movements and Socio-Political Change in Africa: The Ufungamano Initiative and Kenyan Constitutional Reform Struggles (1999-2005)", 23 *International Journal of Voluntary and Nonprofit Organizations*, 2012, p.63-84.

3 Yoshiaki Furuzawa, (as above), p.59-60.

4 *Ibid*, p.59.

5 Mikewa Ogada, "Evaluation of ICTJ Kenya Program 2012 -2014", ICTJ, 2012, <https://www.government.nl/binaries/government/documenten/reports/2016/10/18/evaluation-of-ictj-kenya-program-2012-2014/BHOS+4.3+23662+ICTJ+Kenya+2012-2014+201507.pdf> (accessed on 4 January 2026).

6 Migai Akech, "Institutional Reform in the New Constitution of Kenya", ICTJ, 2010, p.7, <https://www.ictj.org/sites/default/files/ICTJ-Kenya-Institutional-Reform-2010-English.pdf> (accessed on 5 January 2026).

7 *Ibid*.

8 ICJ-Kenya, "Access to Justice", <https://icj-kenya.org/news/access-to-justice/> (accessed on 5 January 2026).

9 Stanford Law School, "Judicial Reform in Kenya", 2010, p.9, <https://law.stanford.edu/wp-content/uploads/2023/04/Country-Report-Kenya-%E2%80%93-2010-Reforms.pdf> (accessed on 5 January 2026).

10 *Ibid*.



In discussions with civil society actors, many noted that political interference has posed ongoing challenges to their advocacy for the implementation of reforms.

3.10.3 Challenges and Opportunities

A profound challenge to civil society's work in political and institutional is the lack of responsiveness from state authorities. This was demonstrated in Kenya when civil society actors highlighted deficiencies in the process of identifying officers who needed to undergo vetting. They noted that names of police officers, as they were published in the newspapers, were hardly ever known to the victims of police abuse. Victims only knew the nicknames of officers. When civil society reached out to the National Police Service Commission to address this discrepancy, it did not seem to be responsive.¹ Moreover, of an estimated 80,000 officers, only 5,993 were vetted, with just 445 found unsuitable and dismissed.² This limited scope of police vetting disillusioned civil society actors.

In discussions with civil society actors, many noted that political interference has posed ongoing challenges to their advocacy for the implementation of reforms. For instance, in 2018, President Uhuru Kenyatta refused to appoint several judges recommended by the Judicial Service Commission, citing intelligence concerns, a decision civil society condemned as undermining judicial independence.³ Similarly, in early 2024, President Ruto hinted that he was willing to disregard court orders from such allegedly compromised courts.⁴

In the face of these challenges, civil society actors continue to advocate for full implementation of constitutional reforms. Any encroaches by state actors is an opportunity for civil society to push for accountability and adherence to the rule of law. In this regard, actors like the Police Reforms Working Group Kenya (PRWG-K), a coalition of civil society organisations, has consistently monitored police reform implementation and provided

1 Daniel Blocq, Mary Mwikali & Agatha Ndonga, "From Optimism to Disillusionment: Examining Civil Society Perceptions of Police Vetting in Kenya, ICTJ, 2020, p.19, https://www.ictj.org/sites/default/files/ICTJ_Report_Kenya_Police_Vetting_Web.pdf (accessed on 6 January 2026).

2 *Ibid*, p.14.

3 Demas Kiprono, "Separation of Powers and Judicial Independence must be Protected", (5 January 2024), <https://icj-kenya.org/news/separation-of-powers-and-judicial-independence-must-be-protected/> (accessed on 6 January 2026).

4 *Ibid*.

recommendations for strengthening accountability mechanisms.¹ Additionally, civil society actors could provide capacity building and other support for their peers, including women's organisations, in other country contexts that wish to build their ability to oversee institutional reform.²

3.10.4 Cross-Cutting Issues: Women, Youth, Persons with Disabilities, and IDPs/Refugees

When political and institutional reforms, particularly in the security sector neglect the security of particular segments of the population is neither accountable nor effective. Consequently, when gender equality is not considered in these reforms, security sector institutions will continue with status quo arrangements, typically protecting the interests of the more powerful, male dominated political elites and overlooking the security needs of women, girls.³ To address this issue, civil society actors like the African Policing Civilian Oversight Forum (APCOF) and the Women Peace and Security Network-Africa (WIPSEN-Africa) are supporting initiatives to mainstream gender equality into security provisions. They work to ensure that both the security sector institutions and their personnel have sufficient skill, resources and support to provide security for all women, men, girls and boys in a way that is responsive to specific experiences and needs.⁴

Involving young people in shaping policies in transitioning societies is not just a matter of fairness, it is a strategic imperative. Young people have the most to gain or lose from the policies crafted today.⁵ Their energy, vision, and commitment can breathe new life into transitional governance. However, the current dispensation shows a systemic marginalisation of youth in political and institutional reforms.⁶

These reform processes from the youth perspective remain elite-driven, with minimal youth agency. In many transitioning societies in Africa, there remains a dearth of youth serving across reformed political institutions, as reforms processes often maintain the pre-existing patriarchal status quo that perceives youth as being inexperienced and not capable of high-level policy making. Despite these challenges, civil society have developed innovative approaches to engaging youth in reform advocacy, including through social media campaigns, community dialogues, and artistic expression.

1 ICJ-Kenya, "Civil Society Organizations Dissect and React to Maraga-Led Taskforce Report", (29 November 2023), <https://icj-kenya.org/news/civil-society-organizations-dissect-and-react-to-maraga-led-taskforce-report/> (accessed on 6 January 2026).

2 Karen Barnes & Peter Albrecht, "Civil Society Oversight of the Security Sector and Gender", Gender and Security Sector Reform Toolkit, 2008, p.19, <https://www.osce.org/sites/default/files/f/documents/6/8/30715.pdf#:~:text=DCAF's%20partners%20include%20governments%2C%20parliaments%2C%20civil%20society%2C,sector%20actors%20such%20as%20police%2C%20judiciary%2C%20intelligence> (accessed on 7 January 2026).

3 Geneva Centre for Security Sector Governance, "Gender Equality and Security Sector Reform", 2022, p.2, https://www.dcaf.ch/sites/default/files/publications/documents/DCAF_BG_05_GenderEqualityandSSR_EN_Jul2022.pdf (accessed on 7 January 2026).

4 *Ibid.*

5 Tasneem Mathews, Kashifa Abrahams & Teboho Mokoena, "Youth Oriented Institutional Reforms and Inclusive Political and Development Participation", 11th G20 Parliamentary Speakers' Summit, 2025, p.11, <https://p20.parliament.gov.za/storage/app/media/p20/Research%20Papers/Youth%20Orientated%20Reforms%2019%20August%202025.pdf> (accessed on 7 January 2026).

6 *Ibid.*

In South Africa, student movements successfully sustained pressure for the transformation of educational and public institutions which reflected colonial, apartheid-era objectives that did not fully equip black African youth.¹



In South Africa, student movements successfully sustained pressure for the transformation of educational and public institutions which reflected colonial, apartheid-era objectives that did not fully equip black African youth.

Civil society engagement with institutional reforms affecting persons with disabilities remains underdeveloped across the continent. While several African countries have incorporated disability rights provisions into post-transition frameworks, implementation in reformed institutions has been inconsistent. This is largely anchored on the lack of adequate financial resources across the continent.

While organisations with a focus on disability rights advocate for improved structural accessibility and also representation for disabled people at reformed institutions, such infrastructure and the creation of inclusive environments often require significant financial resources on already constrained economies. Civil society actors are encouraged to advocate for the principle of “do no harm”, such that public financing for political and institutional reforms do not contribute to policies, programmes, and financial decisions that would disadvantage persons with disabilities or exacerbate inequalities.²

Displaced populations face particular challenges in engaging with institutional reform processes, often relating to their physical separation from reform commissions and oversight mechanisms. However, advancement in technology and social media is making it possible for this class of persons to partake in political discourse which advances reforms in transitioning countries. Moreover, the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention) provide civil society with advocacy tools for ensuring that reformed institutions address the needs of displaced populations. It was intimated by some civil society organisations in Cameroon that a peculiar challenge faced by displaced persons in participation in political processes like elections, is the requirement for identity documents. As such, this creates an opportunity for actions, as some are already engaged in supporting civil status registration processes for displaced persons.

- 1 Ntombana Luvuyo, Asemahle Gwala & Francis Sibanda, “Positioning the #FeesMustFall Movement Within the Transformative Agenda: Reflections on Student Protests in South Africa”, 27 *Education as Change*, 2023, p.3.
- 2 Charles Knox-Vydmanov & Alexandre Cote, “Financing acceleration of disability inclusion in low and middle-income countries”, A Background Paper for the Global Disability Inclusion report, 2025, p.5, <https://www.globaldisabilitysummit.org/wp-content/uploads/2025/03/GIP03351-UNICEF-GDS-Financial-Background-Paper-v3.pdf> (accessed on 8 January 2026).

04

Civil Society's Engagement with Regional Bodies

4.1 Regional Economic Communities and Civil Society Organisations

RECs constitute non-state actors in transitional justice and they play a key role in helping address the regional and trans-boundary dimensions of conflicts or violent repression, including through promoting normalisation of relationships between affected neighbouring countries and creating common understanding on transitional processes.¹ However, the depth of civil society engagement varies significantly across the continent's five regional blocs.



In West Africa, ECOWAS has developed the most institutionalised framework for civil society engagement on transitional justice matters. The bloc has developed a more effective and focused interaction strategy with civil society, proving itself much more open than national governments.² The ECOWAS Conflict Prevention Framework (ECPF) adopted in 2008 recognises civil society as playing an increasingly critical role alongside member states in the maintenance and promotion of peace and security.³ This is exemplified in the permanent Memorandum of Understanding between WANEP and ECOWAS, which serves as the civil society implementing partner for the ECOWAS Early Warning and Response Network (ECOWARN). WANEP has national secretariats in all ECOWAS member states and over 750 member organisations. The organisation's Warning and Response Network (WARN) programme supports both the ECOWAS early warning system and the African Union's Continental

1 AUTJP, (as above), para.123.

2 Funmi Olofinisakin, "ECOWAS and Civil Society Movements in West Africa", 40(2), IDS Bulletin, 2009, p.105-112.

3 The Ecowas Conflict Prevention Framework, 2008, para.4, https://au.int/sites/default/files/documents/39184-doc-140._the_ecowas_conflict_prevention_framework.pdf (accessed on 9 January 2026).

Early Warning System (CEWS).¹ In all, civil society actors indicate an active engagement with ECOWAS in transitional justice.

In East Africa, the IGAD has also been a key actor in transitional justice. Its role can be seen more recently in South Sudan, where it led mediation to produce the 2015 Agreement on the Resolution of the Conflict in South Sudan (ARCSS) and the subsequent 2018 Revitalised Agreement (R-ARCSS).² This included civil society representatives as signatories alongside government and opposition parties. These civil society actors participated in negotiations and contributed to shaping provisions on transitional justice, which some participants claim would not have been included without their advocacy.³ However, it has been observed that civil society's inclusion did not necessarily translate into meaningful influence, with warring parties consistently working to marginalise non-military stakeholders.⁴ As such, effective engagement with IGAD on transitional justice issues has waned.

In Central Africa, ECCAS has developed its peace and security architecture through the Council for Peace and Security in Central Africa (COPAX) and the Central African Early Warning System (MARAC).⁵ The MARAC framework establishes decentralised structures comprising governmental organs, international organisations, NGOs, civil society, and academic institutions for data collection on peace and security indicators. In 2017, ECCAS and the United Nations Regional Office for Central Africa (UNOCA) convened a workshop in Libreville to enhance civil society participation in early warning and conflict prevention.⁶ The Coalition of Civil Society Organisations for Peace and Conflict Prevention in Central Africa (COPAC) has also emerged as a regional network, though a 2023 assessment found the network fell short of basic requirements and lacked reporters for effective early warning participation.⁷ Additionally, a senior staffer at ECCAS intimated that the bloc lacks sufficient expertise in transitional justice, and would welcome capacity training and subsequent support in establishing such a dedicated unit for the addressing these issues in the subregion.

Despite the seemingly weak civil society engagement with ECCAS on transitional justice matters, this creates a massive opportunity for civil society actors to act on. In this regard, WANEP and COPAC undertook a joint advocacy mission to ECCAS in Libreville in 2025, presenting a security report and strengthening cross-regional collaboration between West and Central Africa on early warning and response mechanisms.⁸

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2 Ibrahim Magara, "Africa's subregional peace and security governance through platformisation: Lessons from the IGAD-led peace process for South Sudan between 2013 and 2018", *Peacebuilding*, 2025, p.1-13.

3 Ibrahim Magara & Miranda Rivers, "(Re)appraising the role of civil society in the IGAD-led peace process for South Sudan", *African Journal on Conflict Resolution*, 2024, <https://www.accord.org.za/ajcr-issues/reappraising-the-role-of-civil-society-in-the-igad-led-peace-process-for-south-sudan/> (accessed on 9 January 2025).

4 Michael Aeby, "High expectations: Civil society participation in conflict early warning and response systems of the AU, ECOWAS and IGAD", 31(2) *South African Journal of International Affairs*, 2024, p.167-190.

5 CSVr, "Economic Community of Central African States", *African Transitional Justice Hub*, <https://atjhub.csvr.org.za/economic-community-of-central-african-states/> (accessed on 10 January 2026).

6 ReliefWeb, "UN, regional and civil society organizations strengthen their partnership in early warning and conflict prevention in Central African states" (3 August 2017), <https://reliefweb.int/report/world/un-regional-and-civil-society-organizations-strengthen-their-partnership-early-warning> (accessed on 10 January 2026).

7 Michael Aeby (as above).

8 WANEP, "WANEP Strengthens Regional Collaboration on Peace and Security in Central Africa" (18 August 2025), <https://wanep.org/wanep/wanep-strengthens-regional-collaboration-on-peace-and-security-in-central-africa/> (accessed on 10 January 2026).

In Southern Africa, SADC and civil society engagement in transitional justice presents an uncertain relationship. The SADC Tribunal, established in 1992 and inaugurated in 2005, allowed individuals and organisations to bring complaints against member states for violations of SADC Treaty provisions, including human rights principles. Civil society organisations such as the Southern African Litigation Centre, utilised the tribunal for its strategic litigation and advocacy for human rights. However, the SADC Tribunal has been inactive since 2012, when SADC Member States suspended its operations and removed individual access to the Tribunal, including in cases involving human rights violations.¹ Civil society organisations across the region have continued to advocate for the restoration of the Tribunal's original mandate, with the SADC Lawyers Association coordinating challenges in national courts. In 2018, the South African High Court declared the government's role in suspending the Tribunal "unlawful, irrational, arbitrary and therefore unconstitutional",² and in 2019, the Tanzanian High Court ruled that the suspension undermined the legitimacy of SADC as a community.³ All these challenges effectively limit the avenues for effective civil society engagement with SADC.

In North Africa, the Arab Maghreb Union (AMU) remains largely dormant, with no high-level meetings since 2008 due to political disagreements between Morocco and Algeria.⁴ In truth, the Maghreb remains one of the least integrated regions in the world, trailing other African



Consequently, the absence of a functional regional framework means civil society organisations in North Africa lack the institutionalised channels for regional engagement available to their counterparts in other parts of the continent.

1 ICJ, "Judgment on SADC Tribunal offers new hope for access to justice for human rights in Southern Africa" (5 March 2018), <https://www.icj.org/judgment-on-sadc-tribunal-offers-new-hope-for-access-to-justice-for-human-rights-in-southern-africa/> (accessed on 10 January 2026).

2 *Ibid.*

3 ICJ, "Tanzanian High Court condemns unlawful stripping of SADC Tribunal's powers rendering the rule of law a "pipe dream" (15 June 2019), <https://www.icj.org/tanzanian-high-court-condemns-unlawful-stripping-of-sadc-tribunals-powers-rendering-the-rule-of-law-a-pipe-dream/#:~:text=a%20just%20society.,Tanzanian%20High%20Court%20condemns%20unlawful%20stripping%20of%20SADC%20Tribunal's%20powers,upset%20leaders%20of%20SADC%20states.> (accessed on 10 January 2026).

4 Yasmina Allouche, "Regional Power Rivalry and the Failure of the Arab Maghreb Union", TRT World Research Centre, 2019, p.5, <https://researchcentre.trtworld.com/wp-content/uploads/2020/11/Arab-maghrib-union.pdf> (accessed on 10 January 2026).



regional blocs in political and economic cooperation.¹ Consequently, the absence of a functional regional framework means civil society organisations in North Africa lack the institutionalised channels for regional engagement available to their counterparts in other parts of the continent. However, this also presents an opportunity for civil society actors as organisations like the International Centre for Dialogue Initiatives are leading a coalition aimed at reviving the Arab Maghreb Union.² The initiative proposes the formation of an independent committee of prominent Maghreb figures tasked with diagnosing the root causes of regional fragmentation, offering policy solutions, and proposing reconciliation-focused initiatives. It also aims to publish research and policy papers to help better understand what it calls “the Maghreb dilemma”.³



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4.2 The African Union and Civil Society Organisations

Civil society engagement with the African Union on transitional justice matters occurs through multiple channels, including the African Commission on Human and Peoples’ Rights (ACHPR), ECOSOCC, and direct participation in policy development processes. In fact, the development of the AUTJP exemplifies inclusive civil society engagement with the African Union.⁴

The African Commission on Human and Peoples’ Rights based in Banjul, The Gambia, provides a robust framework for civil society participation within the AU system. It has granted observer status to over 500 civil society groups, enabling them to make statements during ordinary sessions, submit complaints against member states, and participate in the NGO Forum that precedes each Commission session.⁵ Civil society organisations have utilised the communications procedure to advance transitional justice, filing complaints concerning violations in countries including Burundi, Cameroon, the Democratic Republic of Congo, Mali, Mozambique, Niger, and South Sudan.⁶ The Commission has also established important mech-

1 Hesperess, “Civil society initiative seeks to revive dormant Maghreb Union amid regional tensions” (2 July 2025), <https://en.hesperess.com/114565-civil-society-initiative-seeks-to-revive-dormant-maghreb-union-amid-regional-tensions.html?print> (accessed on 10 January 2025).

2 *Ibid.*

3 *Ibid.*

4 Ulrike Lühe, “Developing the African Union Transitional Justice Policy: an assemblage perspective”, in Briony Jones & Ulrike Lühe (eds), *Knowledge for Peace: Transitional Justice and the Politics of Knowledge in Theory and Practice*, (Edward Elgar: Cheltenham, 2021), p.167-183.

5 Human Rights Watch, “African Rights Commission’s Work More Important Than Ever” (2 November 2022), <https://www.hrw.org/news/2022/11/02/african-rights-commissions-work-more-important-ever> (accessed on 11 January 2026).

6 *Ibid.*

anisms including Special Rapporteurs and Working Groups that engage civil society expertise on issues including human rights defenders, prisons, conditions of detention, policing, and freedom of expression.¹

The Economic, Social and Cultural Council, is the civil society policy organ of the African Union. It is an advisory organ of the Union designed to serve as a policy development interface that will harness civil society expertise to the work of various Departments of the Commission and through it, to its union at large.² In 2023, the ACHPR signed Memoranda of Understanding with ECOSOCC, the Pan-African Parliament, and the African Committee of Experts on the Rights and Welfare of the Child to enhance collaboration on human rights promotion and protection, including developing criteria for civil society engagement across these organs.³ ECOSOCC has on its own also increasingly engaged transitional justice themes. This was seen in 2025, with its launching of the “My Africa, My Future” Civil Society Compendium, a ground-breaking initiative aimed at showcasing the powerful role civil society organisations across Africa and the diaspora play in advancing justice and reparations.⁴

The AU Commission’s Department of Political Affairs, Peace and Security (DPAPS) has directly engaged civil society in AUTJP implementation through regional consultations and capacity building workshops. DPAPS Transitional Unit has been working with the CSVR to host the annual African Transitional Justice Forum, which brings member states, civil society organisations and regional bodies to discuss on the state of transitional justice in Africa. Additionally DPAPS and CSVR also partnered with ICTJ and the African Transitional Justice



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1 *Ibid.*

2 African Union, “The Secretariat of the Economic, Social and Cultural Council (ECOSOCC)”, <https://au.int/en/ecosocc-division#:~:text=ECOSOCC%20is%20the%20civil%20society,to%20its%20union%20at%20large>. (accessed on 11 January 2026).

3 ACHPR, “African Union Organs Sign MOUs to enhance efforts towards the Promotion and Protection Of Human and Peoples’ Rights” (16 July 2023), <https://achpr.au.int/index.php/en/news/press-releases/2023-07-16/african-union-organs-sign-mous-enhance-efforts-towards-promotion> (accessed on 11 January 2026).

4 ECOSOCC, “ECOSOCC Launches “My Africa, My Future” Civil Society Compendium to amplify CSO justice and reparations initiatives” (1 July 2025), <https://ecosocc.au.int/en/news/press-releases/2025-07-01/ecosocc-launches-my-africa-my-future> (accessed on 11 January 2026).





This, the stakeholder suggests, indicates a lack of coherence between the African Union and the African citizenry.

Legacy Fund (ATJLF) to implement a joint project—the Initiative for Transitional Justice in Africa (ITJA).¹ One of the primary objectives of this project is to strengthen civil society capacity for meaningful participation in the design, implementation, and monitoring of transitional justice mechanisms.² Moreover in 2023, the African Union launched the African Women for Transitional Justice (AW4TJ) platform, bringing together women from national transitional justice mechanisms, FemWise-Africa, the Panel of the Wise, and regional civil society organisations to enhance women’s participation in transitional justice processes.

Despite these frameworks, civil society organisations have identified persistent challenges in engagement. Among the current challenges noted by a stakeholder is the disconnect between ECOSOCC and the African Union Commission, with uncertainty persisting regarding its mandate and the efficacy of its role in influencing policy-making. Another stakeholder highlights a second disconnect between the African Union and civil society in the area of elections, observing that the body is often quick to recognise incumbents who declare victory, even in the face of manifest irregularities and human rights violations. This, the stakeholder suggests, indicates a lack of coherence between the African Union and the African citizenry.

1 African Union, “AU and EU Launch Joint Initiative to Foster Implementation of Africa’s Continental Transitional Justice Policy Through ICTJ-Led Consortium” (25 October 2023), <https://www.peaceau.org/uploads/press-release-au-eu-tj-initiative-final-oct.25.10.2023-clean-copy-1-.pdf> (accessed on 12 January 2026).
2 *Ibid.*

05

Conclusion

5.1 General Conclusion

The state of civil society engagement in transitional justice in Africa, as documented in this report, illustrates both remarkable achievements and persistent challenges. The report highlights the diverse contributions of civil society actors across the indicative elements of the AUTJP, emphasising their evolution from peripheral actors to critical drivers of justice, accountability, and reconciliation on the continent. Key areas such as peace processes, transitional justice commissions, reparations, and the integration of African traditional justice mechanisms with formal processes emerged as domains where civil society has made particularly significant contributions. Additionally, cross-cutting issues, particularly gender inclusivity, the active participation of youth, disability inclusion, and the needs of displaced populations, have proven pivotal for holistic and inclusive implementation of transitional justice initiatives.

Despite strides in civil society engagement, there abound significant challenges including shrinking civic space and political repression, financial constraints exacerbated by the closure of major funding sources, and limited access to formal transitional justice mechanisms. Engagement with RECs and the African Union presents both opportunities and challenges, with frameworks varying significantly across regions. The findings highlight the need for enabling environments, sustained financial support, and enhanced coordination at national, regional, and continental levels.



The findings highlight the need for enabling environments, sustained financial support, and enhanced coordination at national, regional, and continental levels.

The following recommendations draw upon the identified achievements and address the overarching challenges, presenting actionable steps for stakeholders, including governments, the African Union, RECs, civil society organisations, and development partners. Pursuing these recommendations can help strengthen the foundation for civil society to have an impactful effect on transitional justice across the continent.

5.2 Recommendations



5.2.1 Create Enabling Environments for Civil Society Engagement

Governments should review and reform legislation that restricts civil society operations, ensuring that registration requirements are reasonable, funding regulations do not unduly constrain legitimate activities, and civil society actors can operate without fear of arbitrary interference. Laws should protect human rights defenders engaged in transitional justice work.

The African Union and RECs should establish mechanisms to monitor civic space in member states and issue regular reports on conditions for civil society engagement in transitional justice. The African Commission on Human and Peoples' Rights should strengthen its special mechanisms on human rights defenders to address threats against those working in transitional justice.

Civil society organisations should document and publicise restrictions on civic space, building coalitions to advocate for legal and policy reforms. Regional networks should coordinate advocacy at REC and African Union levels.



5.2.2 Ensure Meaningful Civil Society Participation in Transitional Justice Design and Implementation

Governments establishing transitional justice mechanisms should include civil society representatives in design processes from the start, not merely as advisors/consultants but as partners in decision-making. Commissions and other mechanisms should have structured frameworks for ongoing civil society engagement, including formal observer status, regular consultations, and access to information.

Civil society organisations should develop coordinated positions and designate representatives to engage with formal mechanisms, ensuring that diverse perspectives, including those of victims, women, youth, and marginalised groups are reflected in advocacy.

The African Union and RECs should develop guidelines for member states on meaningful civil society inclusion in transitional justice processes, drawing on best practices from across the continent.



5.2.3 Support Victim-Centred Approaches through Civil Society Partnerships

Governments should partner with civil society organisations to establish and fund victim support centres that provide psychological, legal, and other forms of assistance. Such partnerships leverage civil society's proximity to affected communities and expertise in trauma-informed approaches.

Civil society organisations should strengthen networks among victim organisations, including those focused on specific categories of violations such as sexual violence, enforced disappearance, or displacement. These networks should facilitate sharing of experiences and collective advocacy.

The African Union and RECs should facilitate continental and regional platforms for victim organisations to engage with policymakers, building on initiatives such as the African Women for Transitional Justice Platform.



5.2.4 Strengthen Civil Society Capacity for Transitional Justice Work

Development partners should provide long-term, flexible funding that enables civil society organisations to maintain sustained engagement with transitional justice processes that often span years or decades. Funding should support both operational costs and programmatic work, recognising that effective transitional justice engagement requires institutional stability.

The African Union and RECs should establish or strengthen technical assistance mechanisms for civil society organisations, including training on AUTJP implementation, documentation methodologies, advocacy strategies, and engagement with regional and continental mechanisms.

Civil society organisations should invest in internal capacity building, including financial management, monitoring and evaluation, and succession planning. Organisations should also develop diversified funding strategies to reduce dependency on single donors.



5.2.5 Integrate Traditional Justice Mechanisms with Formal Processes

Governments should recognise and incorporate traditional justice mechanisms into national transitional justice frameworks, providing guidelines that ensure alignment with human rights standards while respecting cultural practices.

Civil society organisations should train traditional leaders on human rights principles, gender-sensitive approaches, and trauma-informed practices. Research institutions should document traditional justice practices and develop guidance on optimising their effectiveness within formal frameworks.

The African Union should facilitate forums where traditional leaders, transitional justice practitioners, and academics can share experiences and discuss opportunities and challenges in integrating traditional justice approaches.



5.2.6 Address Cross-Cutting Issues: Women, Youth, Persons with Disabilities, and Displaced Populations

Governments should ensure equitable participation of women, youth, persons with disabilities, and displaced populations in all phases of transitional justice, including representation in decision-making bodies. Gender-sensitive and disability-inclusive approaches should be mainstreamed across all mechanisms.

Civil society organisations should provide targeted capacity building for marginalised groups to enable their effective participation in transitional justice processes. Organisations representing these constituencies should be supported to participate in national and regional advocacy.

The African Union and RECs should develop specific guidelines on inclusion of marginalised groups in transitional justice, building on existing frameworks such as the Maputo Protocol and the Protocol on the Rights of Persons with Disabilities in Africa.



5.2.7 Enhance Regional Coordination and Learning

Civil society organisations should strengthen regional networks for sharing resources, research, and strategies. Platforms should be established to publish case studies and knowledge products on successful initiatives, enabling peer learning across national contexts.

Governments and the African Union should support exchange programmes for transitional justice practitioners, including civil society representatives, to learn from comparable national experiences.

RECs should establish or strengthen mechanisms for civil society engagement in regional peace and security architectures, building on models such as WANEP's partnership with ECOWAS.



5.2.8 Improve Civil Society Engagement with the African Union

The African Union should address the disconnect between ECOSOCC and the African Union Commission by clarifying mandates, strengthening institutional linkages, and ensuring that civil society inputs inform policy-making. Mechanisms should be established to facilitate civil society access to African Union headquarters and engagement with relevant organs.

Civil society organisations should coordinate continental advocacy strategies, building coalitions to engage systematically with African Union mechanisms including the ACHPR, ECOSOCC, and DPAPS.

The African Union should ensure that the AUTJP implementation framework includes clear roles for civil society, with mechanisms for monitoring and accountability.



5.2.9 Coordinate Technical and Financial Support for Transitional Justice

Governments should develop clear funding strategies for transitional justice, including domestic resource mobilisation and coordination with international partners. Budgetary allocations should include support for civil society engagement.

Development partners should align international support with nationally-defined transitional justice priorities, ensuring that funding reaches civil society organisations at national and local levels. Donor coordination mechanisms should prevent duplication and maximise resource efficiency.

The African Union and RECs should facilitate annual donor conferences to align international support with continental and regional transitional justice needs, with civil society participation in priority-setting.



5.2.10 Monitor and Evaluate Civil Society Contributions to Transitional Justice

Governments and transitional justice mechanisms should establish systems for monitoring civil society engagement and its impact on transitional justice outcomes. Regular reporting should document both achievements and areas for improvement.

Civil society organisations should develop their own monitoring and evaluation frameworks, documenting contributions to transitional justice and generating evidence to inform advocacy and programme improvement.

The African Union should include civil society engagement as a component of continental monitoring of AUTJP implementation, with indicators to track the enabling environment for civil society and the quality of participation in transitional justice processes.



