



TRANSITIONAL JUSTICE
ASIA NETWORK



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Workbook 3

Truth-Telling to Sustain Peace

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Workbook 3

Truth-Telling to Sustain Peace

Asia Justice and Rights

Transitional Justice and Peacebuilding Workbook Series

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Transitional Justice and Peacebuilding Workbook Series

1. **Transitional Justice and Peacebuilding**
2. **Strategizing for Justice and Peace**
3. **Truth-Telling to Sustain Peace**
4. **Prosecutions and Peacebuilding**
5. **Reparations to Strengthen Peace**
6. **Institutional Reform for Guarding Peace**
7. **Gender Justice and Peace**
8. **Emerging Approaches for Climate Justice and Indigenous rights for peace**

Each volume is written as an interactive companion workbook to the chapters
in **Transitional Justice Handbook**

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Introduction

Transitional justice and peacebuilding emerged as coherent disciplines along a similar timeline. Practitioners in each field gained experience working after periods of violent conflict, repression, and mass violations of human rights. Especially since the 1990s, ad hoc mechanisms and activities developed into more integrated and strategic approaches.

However, while transitional justice and peacebuilding often take place in the same context, they do not always work hand-in-hand. Tensions between the approaches, or a lack of joint planning, often prevent the two fields from working in complementary ways. Materials often target practitioners in one field or the other

A second gap in the literature concerns local action. Studies of peacebuilding often focus on the big picture. They examine strategies and actions by international entities, such as Security Council, peacekeeping missions, and UN agencies, and national actions and bodies such as peace agreements, constituent assemblies, parliaments, and special commissions. While these subjects are all important parts of peacebuilding, often the most profound and transformative actions are by individuals and families at the local level.

The same can be said for transitional justice, such as a victim-survivor learning to come to terms with her pain and loss, developing her agency, and living a full life within family and community. Change is experienced and consolidated at the local level, where everyday life is lived, even while national strategies provide critical frameworks.

These workbooks address both these challenges. First, they are designed for NGOs and civil society organisations that focus on transitional justice, while operating within peacebuilding contexts. Second, the workbooks encourage analysis and offer practical ideas and strategies for local action. Examples demonstrate that in the complex political, security and institutional settings created by conflict, meaningful local civil society action is not just possible, but essential.

Purpose of This Workbook

The workbooks are designed as tools for individuals and small groups to reflect and analyse opportunities and challenges they face.

Workbook Three will help civil society analyse truth seeking initiatives and think strategically about opportunities and priorities, looking beyond large official mechanisms. The workbook demonstrates the key role of NGOs in local truth seeking even in the most challenging conditions. Please consult Chapter 3 of the Transitional Justice Handbook for more detail.

Learning outcomes of this workbook

- An understanding of the right to truth, and mechanisms for truth telling, as a foundation for lasting peace
- Reflection on your local context: views about and the risks of truth seeking
- An understanding of the possibilities and limitations of official truth commissions
- A practical analysis of priorities for local NGO initiatives in your context

Truth Telling and Peacebuilding

The right to truth

The right to truth is an emerging principle of international law that obliges states to reveal information to victims' families and to society. The right to truth includes a state obligation to provide available information about:

- The identity of perpetrators
- The circumstances and facts of the violations
- Progress and results of investigations
- The fate and whereabouts of victims
- The causes of the violation

States must also preserve information as part of the public record.

The UN General Assembly and the Human Rights Council (and its predecessor the Human Rights Commission) have passed resolutions affirming the right to truth. The right to truth also has a foundation in human rights treaties and laws. Although its boundaries are still being determined, it is clear that the right is non-derogable, meaning it cannot be waived or infringed even during emergency or war. The right is not subject to limits imposed by amnesties or other legal mechanisms. Some national constitutions and laws also recognise the right to information.

Truth telling in peacebuilding contexts

Truth, history, and national or local narratives are often intensely politicized in post-conflict periods. Just as there can be “victor’s justice” there can be “victor’s truth”. Histories of conflicts may exclude categories of people and their experiences (e.g. women and girls) and demonize combatants, ethnicities, regions, or other groups. They may enforce silence about historical violence or privilege groups in the new social order.

Transitional justice focuses on revealing the bottom-up, people-focused truth rather than a political narrative. Effective truth telling is rights-based and inclusive of all sectors of society. This kind of truth telling can underpin an inclusive society based on respect for the human rights that are essential for peace.

Truth telling can play an important role even during ongoing conflict or repression, as well as at later stages of peacebuilding. It can challenge the power-based narrative that an abusive regime is legitimate; advocate for and create the foundation for criminal investigations; and support the dignity of victim-survivors and their communities.

The right to truth as a foundation for peace

Truth-seeking initiatives often go through different phases during conflict, conflict resolution and peacemaking, and the transition to peacebuilding. There are different goals, opportunities, and risks at each stage, and NGOs can play a role at all stages, at the national or local level. For example:

- When conflict and violent repression is ongoing, both national and international human rights documentation can contribute to future prosecutions and truth seeking efforts. Examples include: UN mechanisms for Myanmar, Syria, and Ukraine; in Papua/Indonesia, NGO human rights documentation, including gender-based violations; and in Bangladesh, NGO work with the Rohingya refugee community to document their experiences.
- Negotiations create important opportunities to advocate for human rights and transitional justice provisions in peace agreements and future plans. In the Philippines, negotiations led to transitional justice provisions in the 2014 Bangsamoro peace agreement that ended a long war in Mindanao.
- The early period of stabilisation and transition is often the time for key decisions about acknowledging the truth about past violations, a bedrock of other transitional justice initiatives. Activists must be prepared for this window of opportunity, with a clear vision and strategy.
- Once longer-term peacebuilding is underway, transitional justice mechanisms such as truth commissions may develop recommendations for action and reform. NGOs can influence these recommendations, as well as monitor and advocate for their implementation. In Timor-Leste, NGOs have sustained advocacy for years after the close of the truth commission.
- If governments are reluctant to initiate official truth seeking, civil society can create unofficial initiatives, while also advocating for official mechanisms. In Indonesia, when reform stalled after the fall of the Soeharto regime in 1998, human rights NGOs initiated innovative truth-telling campaigns such as the 2013 Year of Truth (see below).
- If groups or communities feel left out by official processes, NGOs can help them initiate their own truth-telling, as well as advocating for inclusion in official efforts. For example, Indonesian NGOs have supported victim-survivors of massacres and other mass violations of 1965-66, including through truth telling.

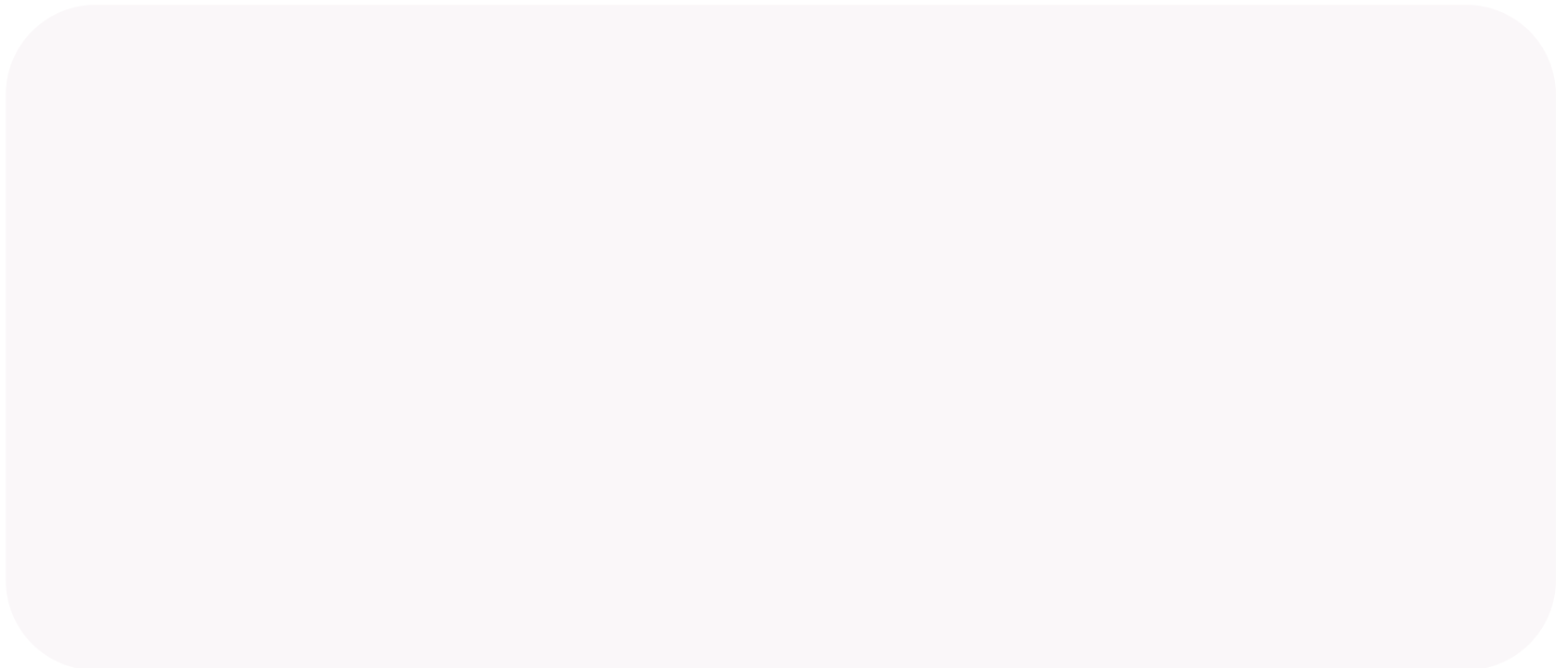


Worksheet 1: Views of Truth Telling in The Current Peacebuilding Process

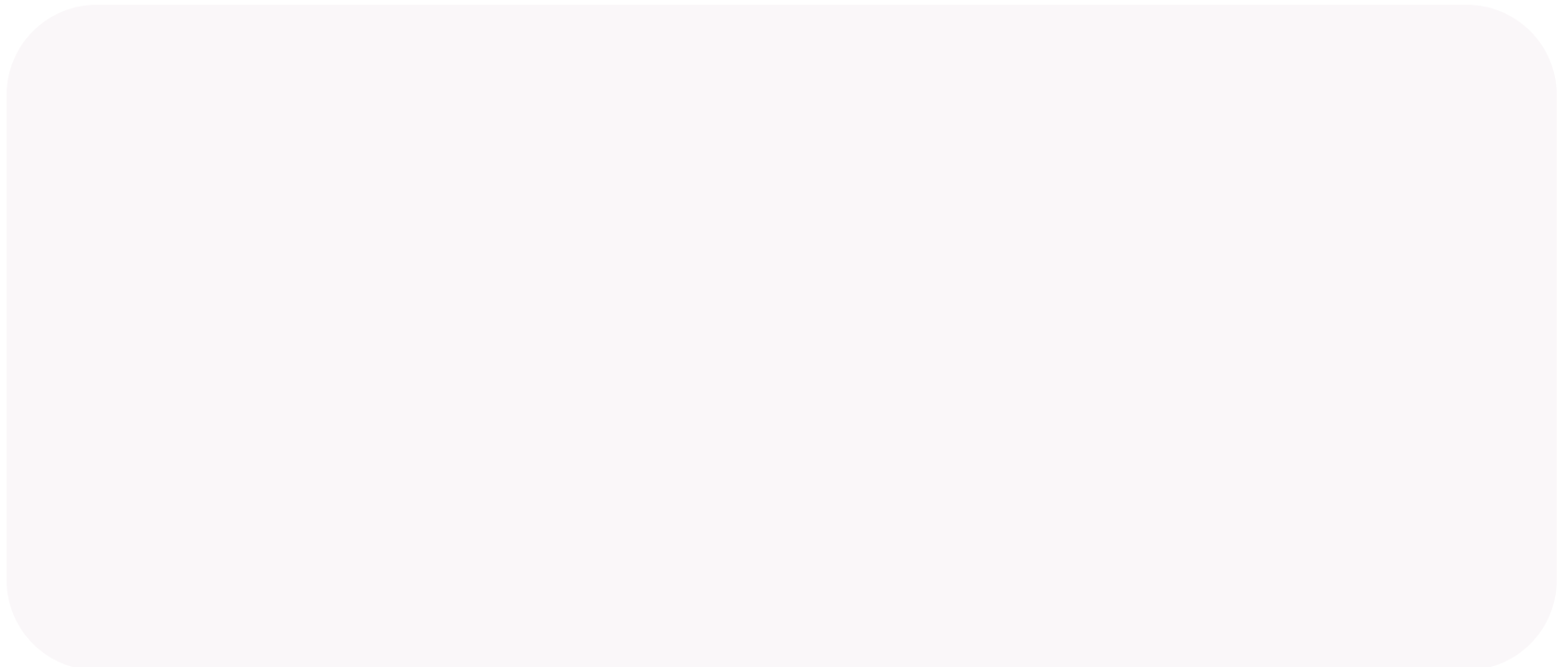
Is there a community desire to tell the truth about past violence and human rights violations?



How much political will is there on the part of leaders and parties?



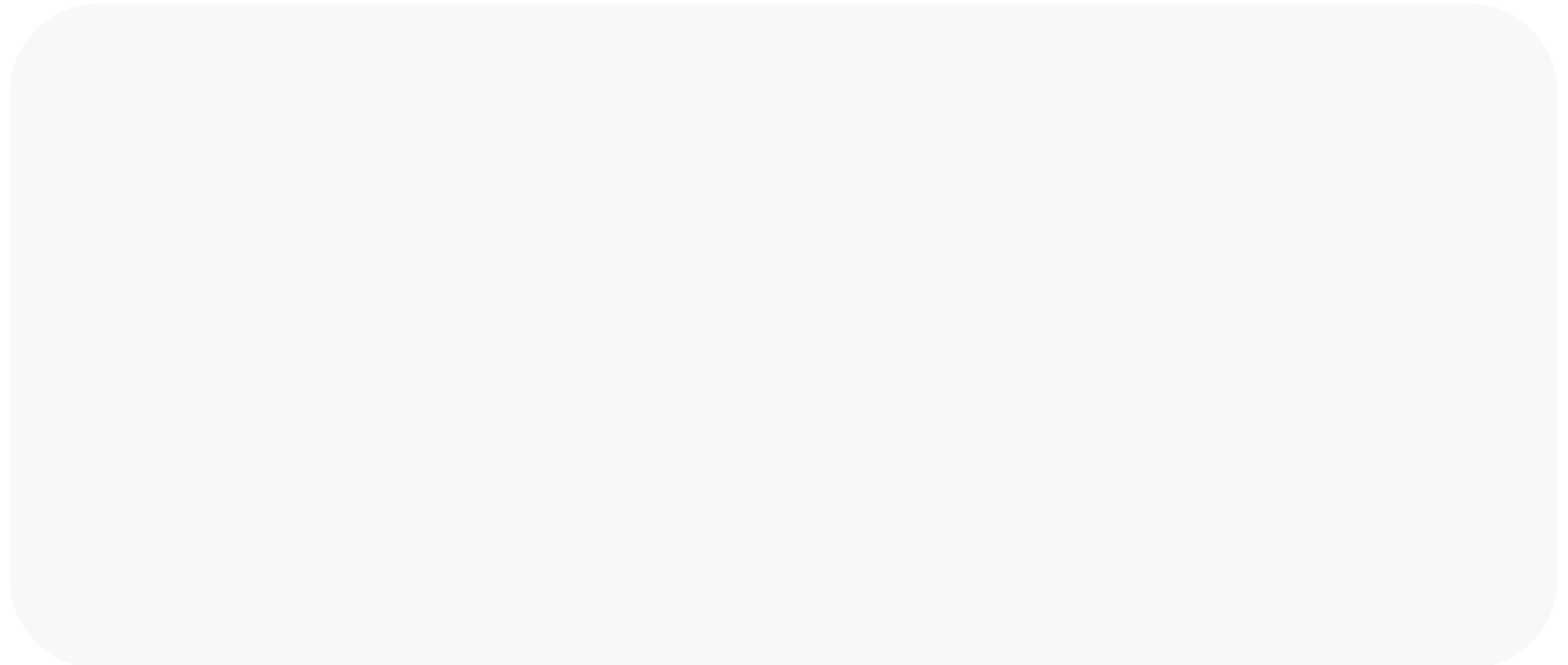
Are powerful individuals or institutions, such as the military, hostile to the idea of truth seeking?



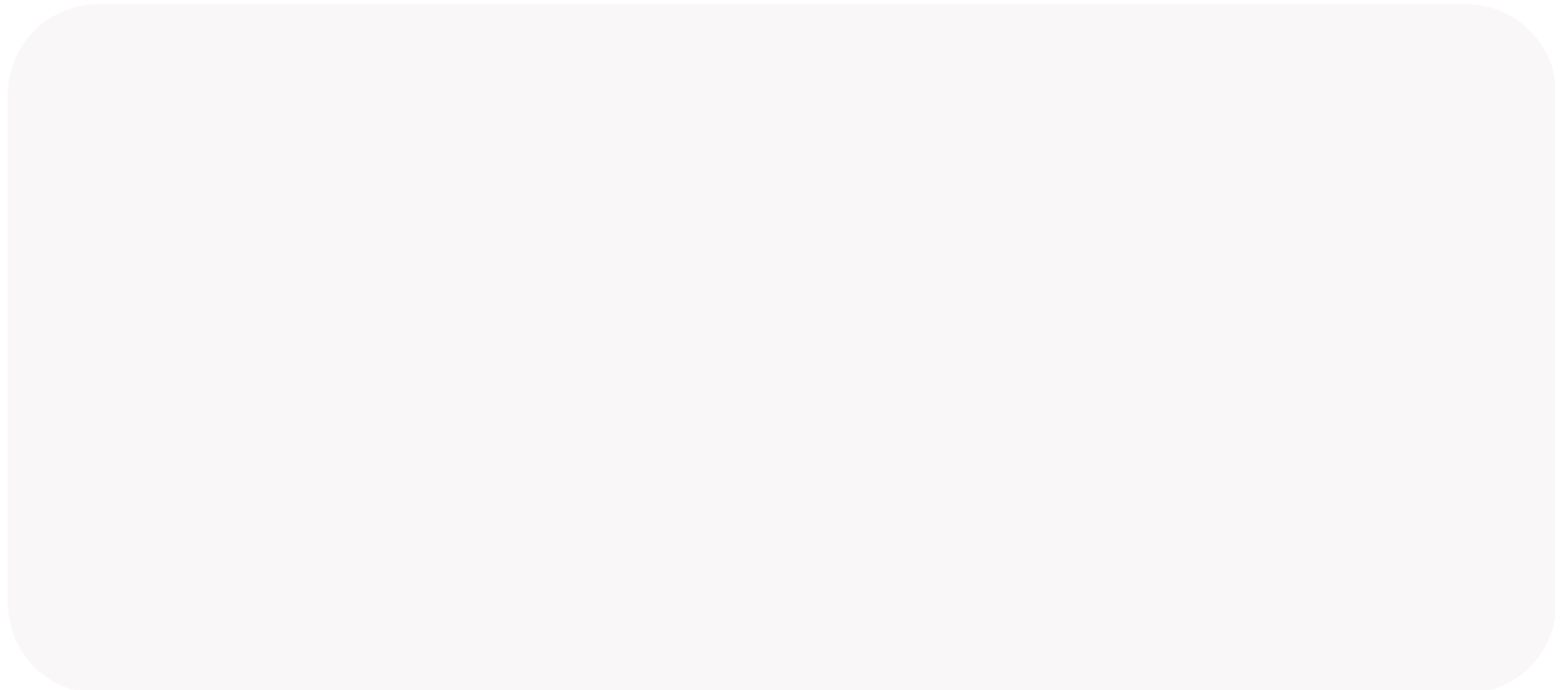
Worksheet 2: Risks of Truth-Seeking

It is essential to assess the physical, psychological, social, and cultural safety of asking people to share their stories, and to create the safest possible conditions for truth telling

Do people or groups face violence or political retribution if they speak up about the past?



Do victims risk further stigmatisation and exclusion if they speak up, particularly Indigenous peoples, ethnic and religious minorities, and victims of sexual violations? How can NGOs improve this situation?



Is there a culture of fear and silence about root causes of the conflict? Do political and community leaders argue that it is best to forget the past?

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Might some parties manipulate a truth commission to create false narratives, avoid accountability, or maintain power? Are there proposals to include sweeping amnesties in the mandate?

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What are the main risks to the integrity of a truth commission? How can civil society address those risks and ensure adherence to international standards?

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Truth Commissions and Peacebuilding

Truth commissions have become increasingly common during peacebuilding. These independent official bodies investigate and report on past abuses and make recommendations to remedy them and prevent their recurrence. (See Chapter 3 of the Transitional Justice Handbook for detailed explanations and examples of truth-seeking mechanisms.)

Truth commissions generally have broader mandates than a commission of inquiry or a judicial inquiry, as they also examine the root causes of conflict and human rights violations. Truth commissions can thus identify actions to address the drivers of conflict and human rights violations to prevent future conflict and protect the rights of the most vulnerable people.

Most truth commissions have a multi-disciplinary approach, drawing on documentation, research, law, statistical analysis, gender, anthropology, psycho-social work, history, and other disciplines such as creative arts.

Truth commissions generally put victim-survivors at the heart of their processes. They often recommend criminal investigations and prosecutions, alongside recommendations on reparations, reconciliation, institutional reform, and memorialisation. However, truth commissions do not issue judgments in cases.

With a strong mandate and resources, truth commissions can underpin wider transitional justice processes and broad peacebuilding aims, such as developing an inclusive, tolerant society based on respect for human rights and the rule of law. However, it is important to assess and manage the risk that a truth commission may be used to further political aims.

NGOs often advocate for truth commissions and prepare for their work. They may conduct early documentation of human rights violations, provide commissioners and key staff, provide specialist support (e.g. on gender, Indigenous peoples, or human rights documentation), help marginalised groups participate, advocate for recommendations, and monitor implementation



Worksheet 3: Advocating for A Truth Commission (or Against One)

What truth-seeking processes have been conducted? What were their strengths and weaknesses? What role has civil society played?

If no truth commission has been formed, would one be useful? What should its main goals be? What would be the main risks to creating a commission, and how could they be managed?

If a truth commission has produced recommendations, who is managing implementation? Who monitors implementation? What three actions could strengthen implementation over the next 12 months?

Is there a time when it is better NOT to have a truth commission? What do you think?

Truth Seeking Led by Civil Society

NGOs and communities may initiate informal truth seeking for a number of reasons:

- To collect and preserve testimonies and other evidence before official mechanisms start.
- To meet the need when governments refuse to establish mechanisms.
- To fill gaps left by official mechanisms that may have failed to: include some groups of victims; provide opportunities at the community level; ensure security; or meet cultural requirements of Indigenous communities or minorities.
- To meet long-term needs beyond the lifespan of a truth commission, such as serving victim-survivors of sexual violence or intergenerational trauma, or including refugees, internally displaced peoples, or others unable to participate .

Examples of NGO creative initiatives

- Indonesia: The Truth and Justice Coalition, KKPJ, initiated a series of local hearings and public campaigns across the country marking The Year of Truth (2012-13). In November 2013 the coalition held a national hearing in Jakarta where victim-survivors testified about their experiences of violence.
- Timor-Leste: The truth commission, or CAVR, focused significantly on sexual violence and impacts on women and girls during its 2002-5 operations. However, government follow-up to its recommendations languished for more than a decade. NGOs continued to work with women survivors on individual and collective empowerment, practical support, ongoing truth telling, and advocacy. In 2023, 18 years after the truth commission wrapped up, women victim-survivors established their own national network called Piri Lampu (Fireflies) to support each other, tell their truth, and advocate for their rights. The firefly symbolizes the resilient spirit of survivors.
- Australia: The Aboriginal and Torres Strait Islander Healing Foundation emerged in 2009 as a result of recommendations of the report of the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families. The foundation supports truth telling as part of the healing process, through the project Looking, listening, yarning in Cherbourg, in northern Australia. The project brings together survivors, elders, and the community to engage with filmed, photographic and audio testimonies of former Cherbourg Dormitory children and others from the Stolen Generations. Weekly gatherings use the stories for discussions, reflection, and healing.

Worksheet 4: Local Initiatives by Civil Society

NGOs and other civil society groups can play an important role in truth telling where there is no truth commission or other official mechanism. However, they can also fill important gaps where an official mechanism is not engaging enough with local communities and especially with marginalized groups. Depending on the need, they may prioritize one or more of the following activities:



- ✓ Collecting testimonies
- ✓ Helping victim-survivors organise for advocacy
- ✓ Building skills, knowledge, and awareness for civil society, officials, and communities
- ✓ Collecting testimonies
- ✓ Collecting testimonies


A. Needs and opportunities for local truth-telling initiatives by NGOs

If *no* official mechanisms are in place or planned

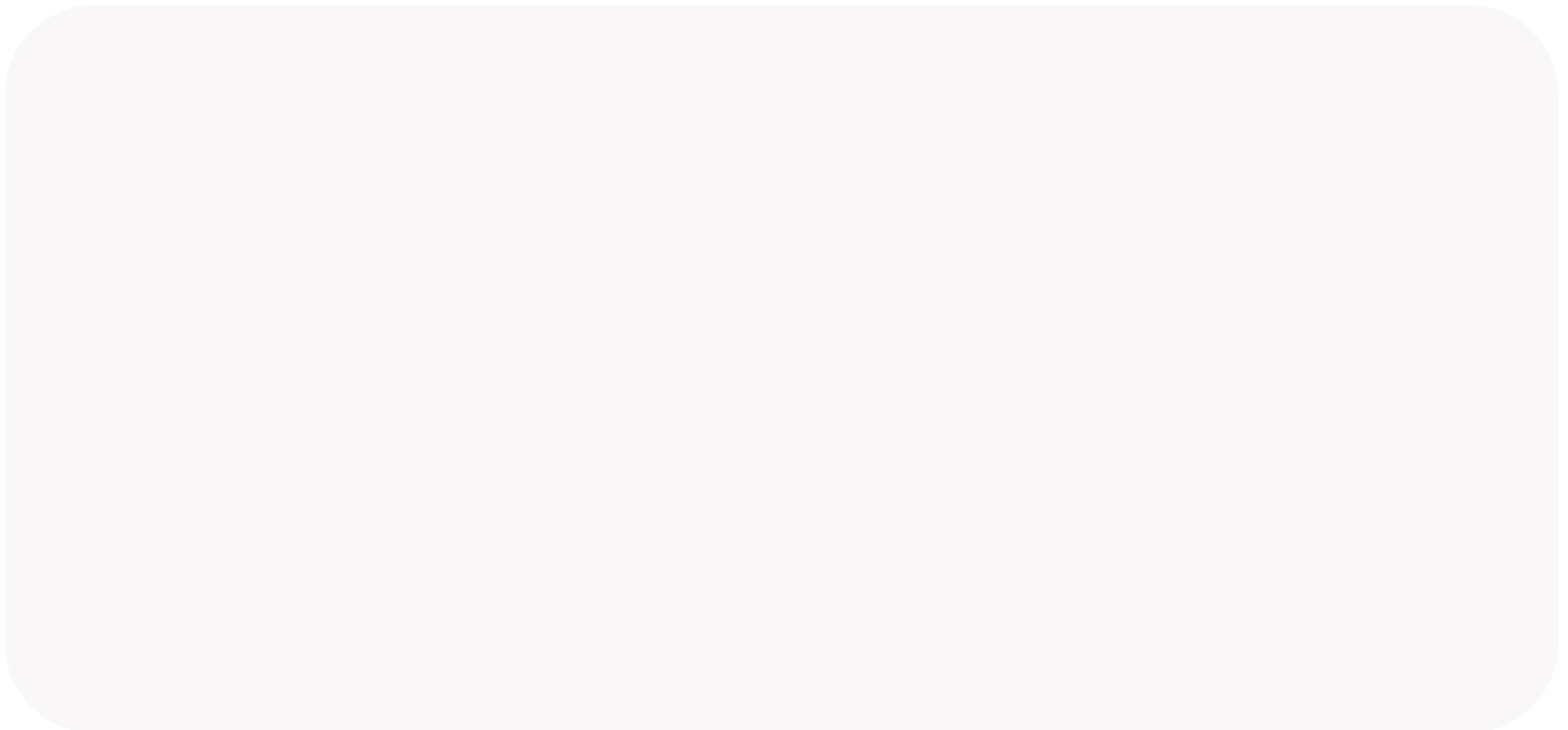
What steps can NGOs take to create local truth-telling programs?

What might the scope of such a program be?


How would a local effort interact with peacebuilding efforts in the area?



Are there opportunities for national NGO coalition activities? Brainstorm potential partners to build the strongest and most inclusive coalition.



If there are official mechanisms, how well do they engage local communities and groups? How can NGOs best support local truth telling?



B. Including The Most Marginalized

Has the peacebuilding process left out or marginalised groups or categories of people? Have groups been left out of truth-seeking processes? Are they the same groups or categories? Why have been left out or marginalised?

Brainstorm three actions NGOs can take to address marginalisation and make truth-seeking processes more inclusive.

Who in the community is leading efforts toward a new national narrative that supports inclusiveness, human rights, and a culture of peace? Are youth groups, university students, schools, women's groups, artists and musicians, or Indigenous peoples active? Do they have support and resources? Brainstorm practical partnerships, alliances, and activities NGOs could draw on to expand this work and to engage the wider community

Draw up a list of basic goals and outputs for the next 12 months and the 3-year mark.

	Goals:	Outputs:
Year 1		
Year 2		
Year 3		



Workbook Three Resources

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