

Workbook 2

# Strategising for Justice and Peace



TRANSITIONAL JUSTICE  
ASIA NETWORK



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**Workbook 2**

# **Strategizing for Justice and Peace**

**Asia Justice and Rights**

## **Transitional Justice and Peacebuilding Workbook Series**

### **Edition**

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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 on opportunities and challenges. Real world examples offer lessons on how peacebuilding and transitional justice approaches can complement each other.

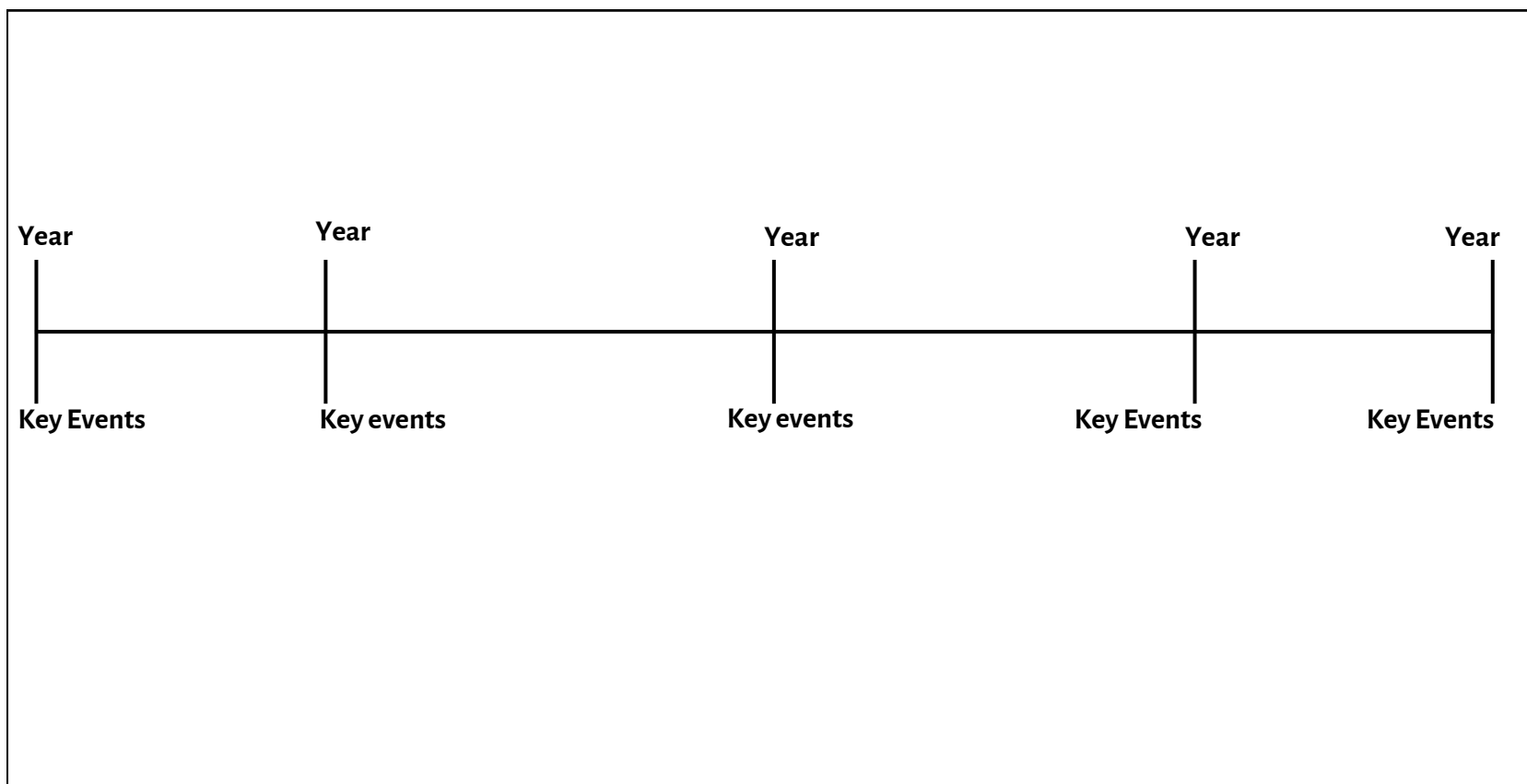
Workbook Two aims to stimulate strategic thinking for effective local transitional justice action in periods of peacebuilding. The first few worksheets reference Chapter 2 of the AJAR Transitional Justice Handbook, a timeline of the evolution of transitional justice. To begin strategizing local action in a peacebuilding context, Workbook Two also considers the roles that civil society can play and the pillars of transitional justice, both of which are examined in more detail in the following chapters.

### Learning outcomes of this workbook

- Increased strategic analysis of your local situation using timelines of conflict and peace
- Increased understanding of the roles for NGOs in transitional justice
- Increased analysis of needs and opportunities during peacebuilding across the pillars of transitional justice
- Knowledge of concrete examples of NGO initiatives from a range of contexts
- Increased awareness of the importance of inclusive processes for both transitional justice and peacebuilding

## Worksheet 1: Draw A Timeline of Your Context

- When did the conflict start?
- What are some milestones of escalation? What milestones contributed to peace?



What transitional justice activities emerged from the state or civil society?

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What are your reflections on the timeline?

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## Worksheet 2: Looking Ahead

This timeline can be usefully extended into the future, with a particular focus on peacebuilding milestones:

**Are there important peacebuilding milestones ahead, such as elections, writing or reform of laws or the constitution, or institutional reform?**



**Do you see important gaps in advocacy or programs to prepare for these events?**



**Identify opportunities for alliances between peacebuilding and transitional justice efforts. Are there obstacles to effective partnership that must be overcome?**



### Worksheet 3: Roles for Civil Society in Transitional Justice During Peacebuilding


While governments may initiate transitional justice initiatives, they often fail to act or even show hostility to the concept. In such cases, NGOs, civil society and local communities often begin processes on their own.

There are six broad ways for civil society to take action on transitional justice:

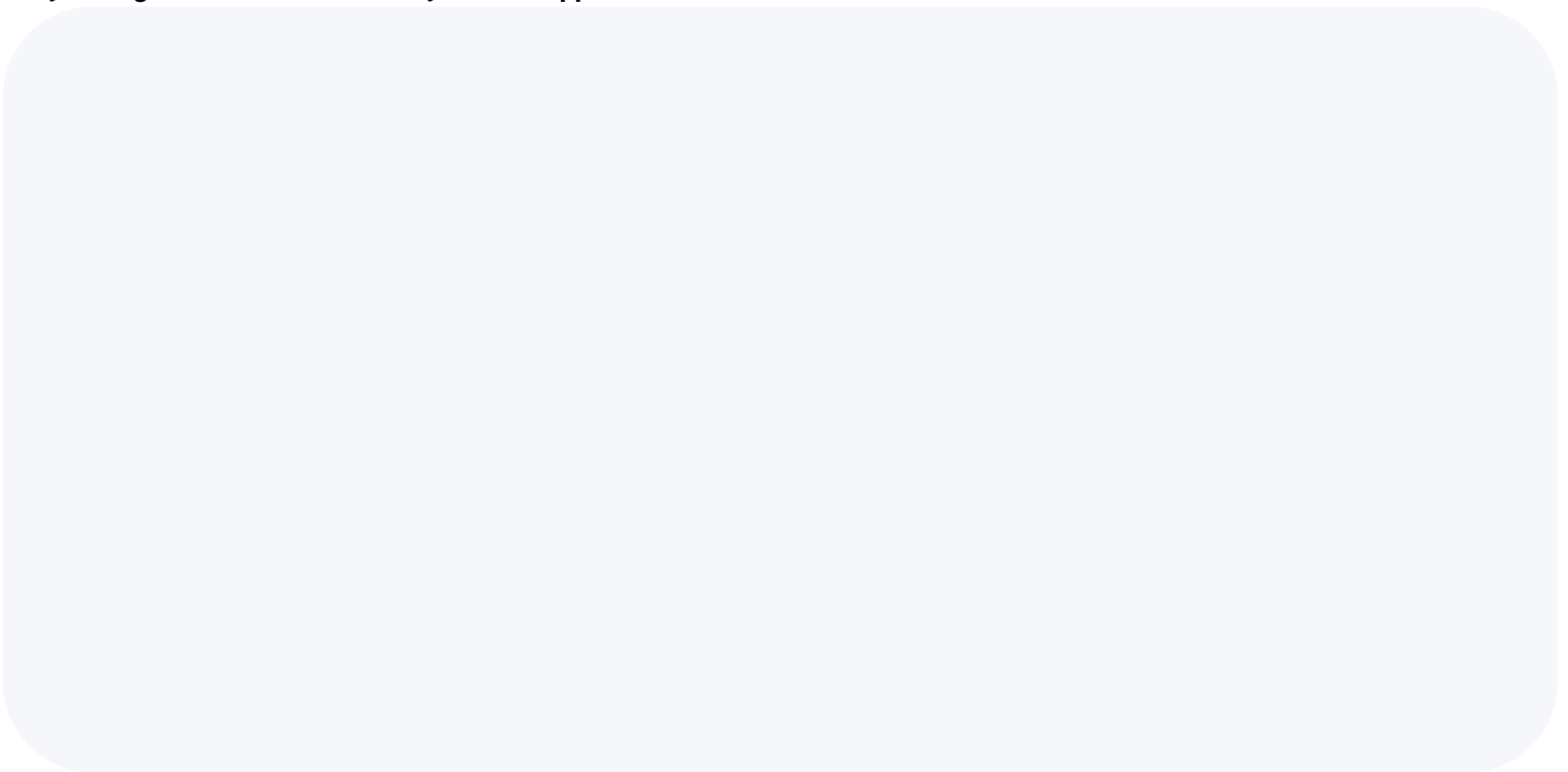
- **Advocate** for the need for official action.
- **Monitor** national and international processes.
- **Provide** technical expertise and network relationships to official mechanisms. They may offer expertise on gender or human rights documentation to a truth commission; provide mental health support to participants in truth commissions and judicial processes; or help design and implement reparations programs.
- **Help communities participate** in official mechanisms. Indigenous liaison, cultural safety personnel, LGBTQI+ organisations, and women’s rights organisations and sexual violence support organisations can facilitate victim-survivor participation in their area of expertise.
- **Initiate** stand-alone efforts, either in the absence of official action or to fill gaps. Civil society can initiate early collection of testimonies in support of advocacy for official action, or carry out community-based memorialisation. These initiatives are often small, intensive activities at the local level.
- **Continue** transitional justice work long after official efforts wrap up. NGOs and local communities often lead the effort to meet needs that persist decades after prosecutions or truth commissions end.



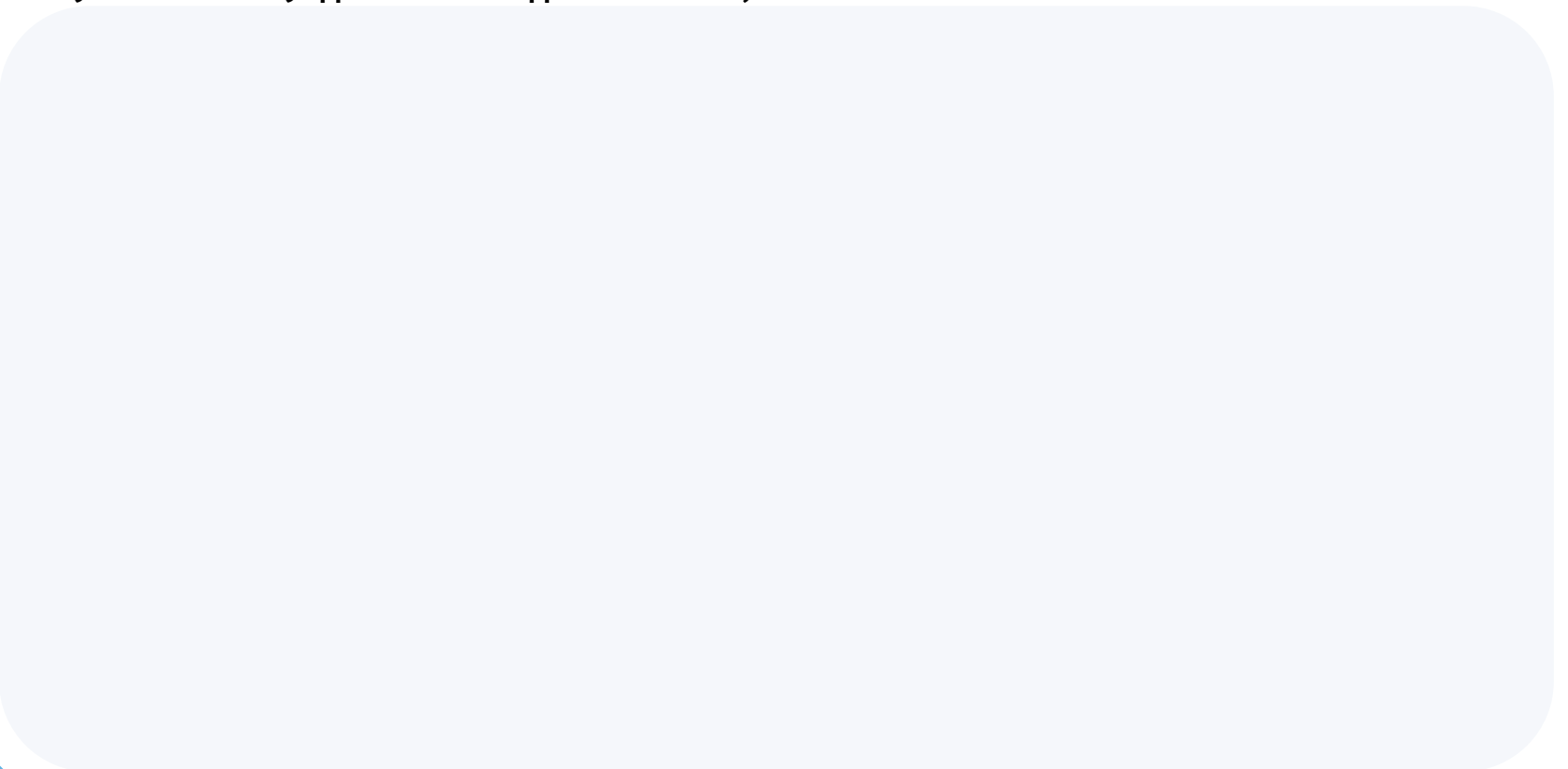
**Can you provide examples of actions in any of these six areas by NGOs in your context?**



**Has your organization focused on any of these opportunities?**



**Have you discovered any opportunities to support transitional justice not listed above?**

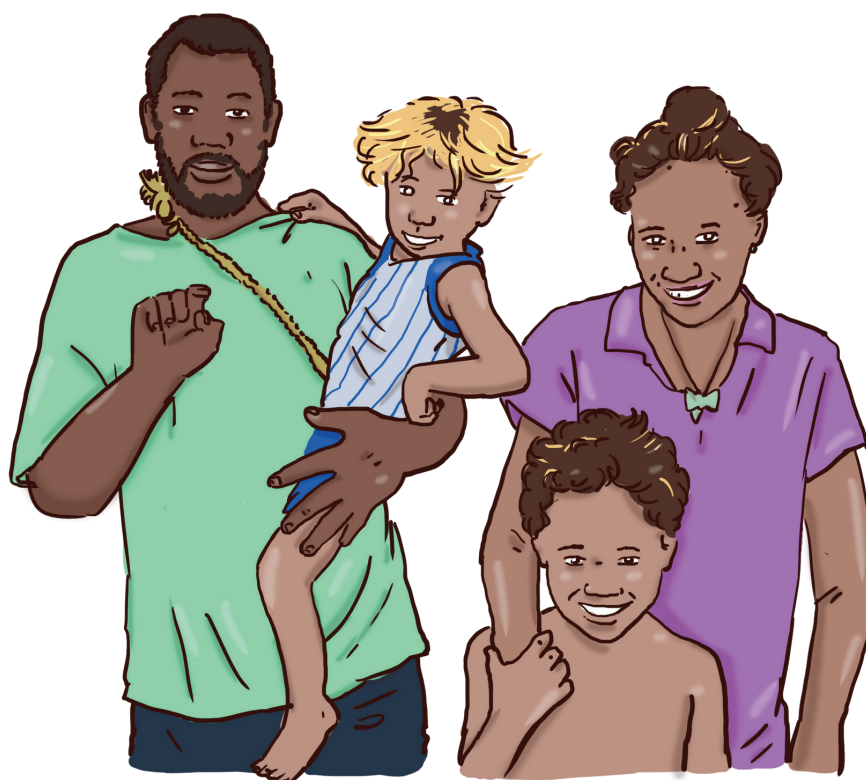


## The Four Pillars: Multi-faceted Transitional Justice Creates Opportunities for Civil Society

Transitional justice mechanisms fit broadly within four pillars, plus the cross-cutting area of memorialisation:

- **Prosecutions:** These are official state and/or international processes. Where official prosecutions are absent, in some cases civil society at national and international levels have conducted “people’s courts” to demonstrate legal accountability without the force of law.
- **Truth seeking:** Truth commissions have been widespread in peacebuilding contexts since the 1990s. The fact that they are often “truth and reconciliation” commissions points to their role in peacebuilding. Unlike more narrowly focused prosecutions, truth commissions seek to unearth the root causes of conflict and violence, put victim-survivors at the centre of the process with an emphasis on restoring their dignity, and deliver broad recommendations, many of them important for peacebuilding. There can be many other truth-seeking activities besides commissions, including civil society-led processes at all levels.
- **Reparations:** A core right of victim-survivors, reparations are almost always raised by truth commissions. However, because governments are reluctant to fulfil their obligations, NGOs often lead informal programs to support victims, restore their dignity, and repair aspects of their lives.
- **Institutional reform:** Reform is essential to prevent recurrence of conflict and mass human rights violations.

Each of the next Workbooks will examine a pillar in more detail. As a first step, this worksheet will consider them together and assess which ones are in need of more attention or advocacy.



## Worksheet 4: Looking at The Pillars

Each of the next Workbooks will examine a pillar in more detail. As a first step, this worksheet will consider them together and assess which ones are in need of more attention or advocacy

**In your context, has civil society focused on or avoided certain pillars? Why?**

**What major gaps do you see?**

**Are there significant differences in progress among the pillars?**

List ideas for creative local initiatives when obstacles impede official processes.

In the chart below, assess the opportunities for and threats to progress under each pillar.

Truth and Memorialisation	Prosecutions and Accountability
Opportunities:	Opportunities:
Threats:	Threats:

In the chart below, assess the opportunities for and threats to progress under each pillar.

<b>Reparations and Healing</b>	<b>Institutional Reform to Guarantee non-repetition</b>
<p>Opportunities:</p>	<p>Opportunities:</p>
<p>Threats:</p>	<p>Threats:</p>

## Innovative and Effective Transitional Justice Work by NGOs in Peacebuilding Contexts

### Philippines

- After the 1986 fall of the authoritarian President Marcos, the 1987 constitution ushered in democratic space and a proliferation of civil society organisations (CSOs). Organised groups of victims and their families led advocacy for the creation of the Human Rights Victims Claims Board. Many CSOs pushed for peace talks for the communist insurgency and the conflict in Mindanao, pressuring the parties to continue despite setbacks.

### Cambodia

- The Documentation Centre of Cambodia (DC-Cam), a national NGO, was established in 1995 with the support of US-based Yale University. DC-Cam helped build a significant body of evidence that supported later prosecutions of Khmer Rouge officials by the ECCC, a hybrid tribunal. Civil society also carried out wider social research and advocacy for human rights education and protection.
- The Transcultural Psychosocial Organization, a national mental health NGO, worked closely with the Victim Support team of the hybrid tribunal to support victim-survivors to participate closely in prosecution processes. (2006-2019)
- Bhopana Audio Visual Resource Centre developed an app in 2016 to help Cambodian youth understand the history of human rights violations under the Khmer Rouge.
- Collective reparations programs emerged for communities made up largely of victim-survivors of the Khmer Rouge, as identified in prosecutions under the hybrid tribunal. Following convictions, international donors funded programs of national NGOs, such as community-based education, and cultural activities recognising and memorialising victim-survivors and their experiences. (2018-19)

### Timor-Leste

- The urgent reparations scheme of the CAVR, a truth commission, supported 712 of the most vulnerable victim-survivors, using a World Bank peacebuilding fund for vulnerable persons. (2005)

### Indonesia

- A consortium of NGOs implemented The Year of Truth campaign in 2013, organizing activities to document and publicly tell the truth of past violations in the face of official denial, cover-up, and inaction.

### Indonesia/The Netherlands

- The International People's Tribunal in The Hague brought an unofficial indictment against Indonesia in 2015 for mass crimes committed in 1965-66. It was led by international judges and by international and Indonesian human rights NGOs.

### Myanmar

- Since 2021 national and regional NGOs have supported human rights defenders and transitional justice workers during the military junta crackdown and mass repression. Efforts include humanitarian support at the community level and basic documentation with victim-survivors.



## Worksheet 5: Add your local case study of transitional justice work by your organization or community

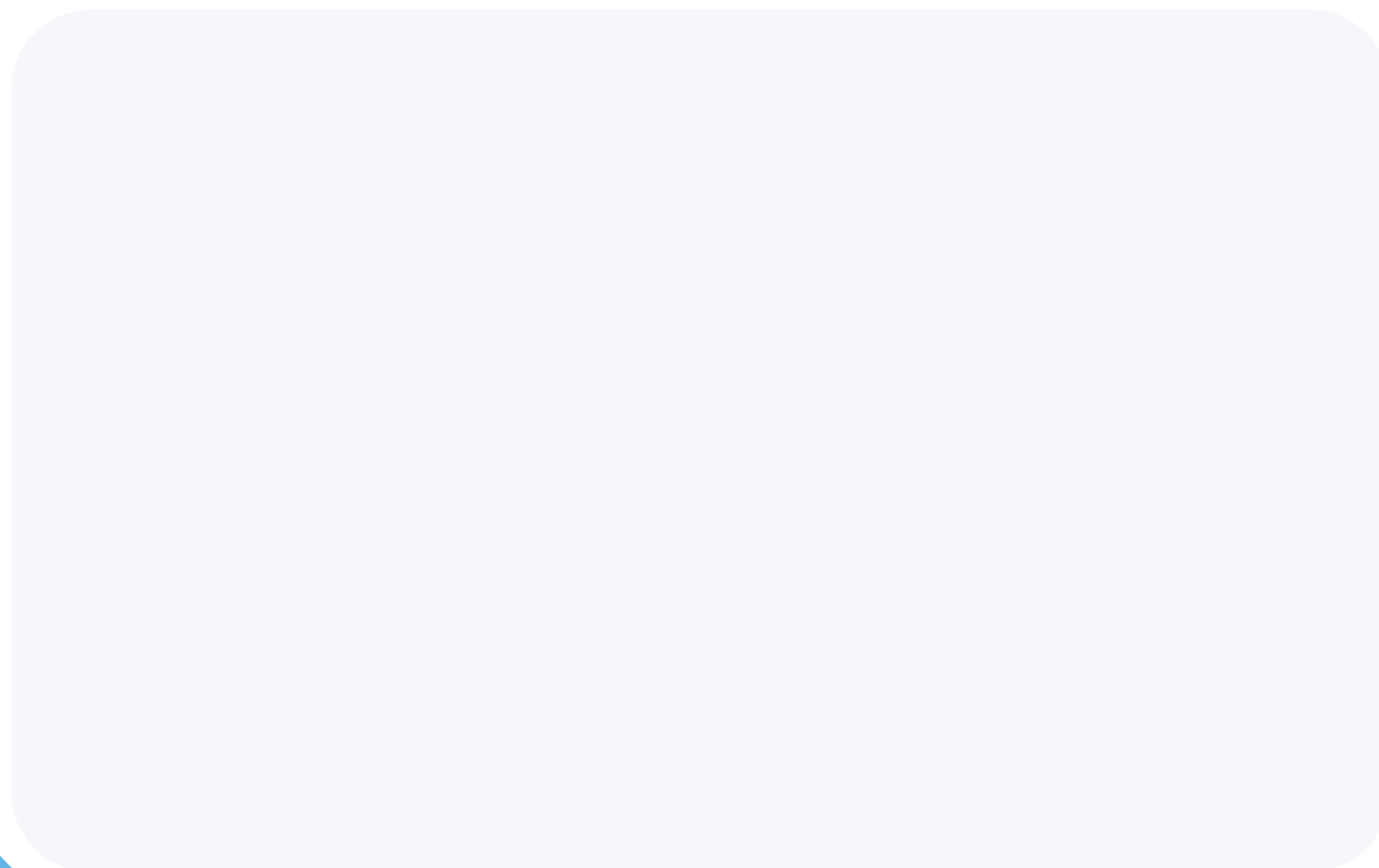


## Worksheet 6: Inclusiveness

Since the 2000s, the gender dimensions of each of the pillars have expanded. Civil society, and women's rights organisations in particular, have been central to this progress and continue to lead the way. Other initiatives have targeted different aspects of inclusiveness, such as focusing on Indigenous peoples or on a wider understanding of gender-based violence that includes LGBTQI+ victim-survivors.

**Worksheet 5** in the previous workbook was meant to assess **conditions of marginalization and exclusion** in your context. **This worksheet prompts a discussion** about **the actions needed to ensure that peacebuilding and transitional justice** efforts **address** any **obstacles and encourage** inclusiveness.

**Who is being left out of transitional justice and peacebuilding initiatives?**



**Are some kinds of victim-survivors marginalised from programs and support?**

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**What obstacles do they face and what concrete measures can you and other NGOs take?**

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**How else can your organisation expand inclusiveness of the transitional justice process?**

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## Workbook Two Resources

### Primary sources

#### Selected UN Conventions, Treaties, Declarations and Charters

Charter of the International Military Tribunal (Nuremberg Trials 1945-46)

[https://www.un.org/en/genocideprevention/documents/atrocities-crimes/Doc.2\\_Charter%20of%20IMT%201945.pdf](https://www.un.org/en/genocideprevention/documents/atrocities-crimes/Doc.2_Charter%20of%20IMT%201945.pdf)

Charter of the International Military Tribunal for the Far East

[https://www.un.org/en/genocideprevention/documents/atrocities-crimes/Doc.3\\_1946%20Tokyo%20Charter.pdf](https://www.un.org/en/genocideprevention/documents/atrocities-crimes/Doc.3_1946%20Tokyo%20Charter.pdf)

Universal Declaration of Human Rights (1948)

<https://www.un.org/en/about-us/universal-declaration-of-human-rights>

Convention on the Prevention and Punishment of the Crime of Genocide (Genocide Convention, 1948)

[https://www.un.org/en/genocideprevention/documents/atrocities-crimes/Doc.1\\_Convention%20on%20the%20Prevention%20and%20Punishment%20of%20the%20Crime%20of%20Genocide.pdf](https://www.un.org/en/genocideprevention/documents/atrocities-crimes/Doc.1_Convention%20on%20the%20Prevention%20and%20Punishment%20of%20the%20Crime%20of%20Genocide.pdf)

Geneva Conventions I-IV (1949): Summary by the ICRC

[https://www.redcross.org/content/dam/redcross/atg/PDF\\_s/International\\_Services/International\\_Humanitarian\\_Law/IHL\\_SummaryGenevaConv.pdf](https://www.redcross.org/content/dam/redcross/atg/PDF_s/International_Services/International_Humanitarian_Law/IHL_SummaryGenevaConv.pdf)

International Covenant on Civil and Political Rights (ICCPR, 1966)

<https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>

International Covenant on Economic, Social and Cultural Rights (ICESCR, 1966)

<https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-economic-social-and-cultural-rights>

Additional Protocols to the Geneva Conventions of 1949 (1977), see ICRC Summary above.

Convention on the Elimination of all forms of Discrimination Against Women (CEDAW, 1979)

<https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-elimination-all-forms-discrimination-against-women>

Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power (1985)

<https://www.ohchr.org/en/instruments-mechanisms/instruments/declaration-basic-principles-justice-victims-crime-and-abuse>

UN Convention on the Rights of the Child (1990)

[https://www.ohchr.org/en/ohchr\\_homepage?gclid=CjwKCAjw7oeqBhBwEiwALyHLMoNCujggDUyJXwSu-f-R7dgg6w151tpck3csqcVIXmZA5RxYbwjmOBoCNJ8QAvD\\_BwE](https://www.ohchr.org/en/ohchr_homepage?gclid=CjwKCAjw7oeqBhBwEiwALyHLMoNCujggDUyJXwSu-f-R7dgg6w151tpck3csqcVIXmZA5RxYbwjmOBoCNJ8QAvD_BwE)

Rome Statute and the International Criminal Court (ICC, 1988)

<https://www.icc-cpi.int/sites/default/files/RS-Eng.pdf>

UN Security Council Resolution 1325 on Women, Peace and Security (2000)

<https://www.un.org/shestandsforpeace/content/united-nations-security-council-resolution-1325-2000-sres1325-2000>

Updated Set of Principles for the Protection and Promotion of Human Rights through Action to Combat Impunity, United Nations (E/CN.4/2005/102/Add.1), 2005

<https://www.ohchr.org/en/special-procedures/sr-truth-justice-reparation-and-non-recurrence/international-standards>

Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of IHL and Serious Violations of IHL, United Nations (A/Res/60/147), 2005

<https://www.ohchr.org/en/instruments-mechanisms/instruments/basic-principles-and-guidelines-right-remedy-and-reparation>

UN Security Council Resolution 1820 (2008) recognising sexual violence as a weapon and tactic of war and a threat to international peace and security.

<https://www.un.org/shestandsforpeace/content/united-nations-security-council-resolution-1820-2008-sres18202008>

UN Security Council Resolution 1888 on Sexual Violence in War (2009), establishes a system of added protection and support to prevent sexual violence in war

<https://www.un.org/shestandsforpeace/content/united-nations-security-council-resolution-1888-2009-sres18882009>

### Background reading

AJAR Transitional Justice Handbook, Chapter 2

<https://asia-ajar.org/resources/books-research/transitional-justice-handbook/>

### On case studies:

Cambodia:

Documentation Center of Cambodia (including details of peace and justice programs)

<https://www.dccam.org/>

Cambodian Living Arts, app on Khmer Rouge History targeting youth

<https://www.lowyinstitute.org/the-interpreter/taking-transitional-justice-cambodia-s-youth>

Transcultural Psychosocial Organisation Cambodia

<https://tpocambodia.org/>

Indonesia

Year of Truth, 2013. See 31 min video summary of report, *Indonesia Reclaimed*

<https://www.youtube.com/watch?v=8OeNv9kBUkA>

Indonesia International People's Tribunal. "Indonesia on trial: rights activists face backlash". Melbourne University, 18 December 2015. By Katherine McGregor and Jemma Purdey. <https://indonesiaatmelbourne.unimelb.edu.au/international-peoples-tribunal-activists-face-backlash/>

Myanmar

AJAR Transitional Justice Factsheet, Myanmar

<https://asia-ajar.org/wp-content/uploads/2022/06/Myanmar-English-Transitional-Justice-Factsheet.pdf>

Philippines

Transitional Justice Fact Sheet: Philippines, AJAR.

<https://asia-ajar.org/wp-content/uploads/2022/06/Philippines-English-Transitional-Justice-Factsheet.pdf>

Timor-Leste

Associaun Chaga!ba Ita (ACbit), victim-survivor focused website on transitional justice initiatives post-truth commission

<https://chegabaita.org/>