



Impunity Watch **Strategic Plan** 2017-2021



Cover photo

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Women march to mark the one year anniversary of the verdict in the Sepur Zarco case. On 26 February 2016, in a landmark ruling, the High Risk Tribunal A, presided over by Judge Yassmín Barrios, convicted two military officers for crimes against humanity against 15 indigenous women who were the victims of sexual violence and sexual and domestic violence during Guatemala's internal armed conflict in the 1980s. This verdict was upheld by the High Risk Appellate Court in Guatemala on 19 July 2017. Photo: Hector VALDÉZ.



Impunity, n.

a.

Exemption from punishment or penalty. . .

1598. R Barckley Disc. Felicitie of Man v. 550

“Wicked acts and misdemeanours are allured by impunity, as it were by rewards.”

b.

In weaker sense: Exemption from injury or less as a consequence of any action; security. . .

T. Pringle. Afr. Sketches viii. 285 “The venom of the most deadly snakes may be swallowed with impunity”...¹

¹Extract, the Oxford English Dictionary | The definitive record of the English language. Oxford University Press, available at: <http://www.oed.com/> (accessed 29 June 2017).

Executive Summary

To build independent and effective human rights systems, we must seek to overcome impunity wherever it exists.

Impunity Watch (IW) analyses, advocates, and partners to help local communities seek accountability for gross human rights abuses and for systemic injustice. In doing so, we focus on victims, survivors, and the least powerful. We seek to strengthen their involvement in justice processes, and to put our skills, resources, and networks at the service of all who fight impunity.

Based on in-depth analysis, we pursue three core intervention strategies: systematic research, knowledge-sharing, and creating space for bottom-up action.

The Challenge

IW is celebrating its tenth birthday in 2018. Our previous Strategic Plan (2013-2016) enabled us to become more flexible and responsive, and allowed us to narrow gaps between research and action.

We have developed our third strategic plan for the period 2017-2021. As we write this summary, we are living in uncertain times. Space for civil society is narrowing almost everywhere we work. In advanced democracies, political cultures are becoming more nationalistic and inward-looking (see What's at Stake – External Environment).

Our recent research indicates that the field of Transitional Justice (TJ), although increasingly accepted, is becoming too generic and technocratic, and sometimes has little room for local influence and ownership (see What's at Stake – The State of the Field). These findings, partner feedback (see What's at Stake – In Our Partners' Eyes), and operational considerations have each deeply influenced this plan.

Programme Priorities

IW believes, based on the above analysis, that TJ practices will have greater impact if they become more innovative and that, in particular, it is imperative to embrace politically-informed TJ methodologies — ones that are deeply rooted in contextual specifics, and enable the most marginalised to participate in justice processes.



We have therefore adopted three programme priorities for the coming period:

1. Increased and more meaningful victim participation in TJ processes: Our objective will be to ensure that victims of serious violations of human rights and historic injustices meaningfully influence or participate in the design and implementation of justice measures and policies, and also participate in relevant informal initiatives.
2. TJ policies and processes are politically-informed: Our overall objective is to ensure that TJ policies are locally driven, context specific, and developed through participatory and bottom-up processes. We will be encouraging civil society to develop such strategies by relying on their creativity and capacity to innovate.
3. TJ strategies and policies are gender transformative and seek to address pre-existing gender-based power relations and hierarchies. We will work on engaging researchers and practitioners to examine the connection between hegemonic masculinities and past and ongoing abuse, violence, and exclusion, demonstrating that alternative expressions of masculinity or gender can help foster just and peaceful societies in post conflict periods.

Details of these programme areas and relevant activities can be found in the What We'll Do section.

Operational Priorities

IW is poised to enhance its capacity, and expand its knowledge base. Based on our own experience, partner feedback, and our programme priorities, we have adopted four key operational priorities for the plan period:

1. Enhancing the impact of our communications and outreach; as well as amplifying voices of vulnerable communities; more effectively disseminating our research findings; and increasing our persuasive power with policy makers.
2. Improving our learning by introducing lively, timely, and thoughtful design, monitoring and evaluation practices;
3. Taking first steps to build a more flexible and diverse funding base that is well-aligned with our programme goals; and
4. Scaling other operational areas appropriately, including by recruiting board members with new skills and networks to our governance and advisory mechanisms.

Details of these operational objectives can be found in the How We'll Do It section.

Final Thought

In terms of size, experience, and programme complexity, IW is at an inflection point. We are maturing, and would like to focus our efforts to ensure we serve our mission as effectively and thoughtfully as possible. We hope this plan, though simple, will help us leverage our strengths and our passions to ensure that IW is a strong, effective and inspiring partner in years to come.





Photo: Jean-Paul NIZIGIYIMANA, IW Researcher.



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Who are we?

Impunity Watch (IW) is a non-profit human rights organisation. It was founded in 2008 in response to calls from Guatemalan human rights groups, in support of their struggle for redress after the civil war of 1960-1996. Today IW works in a broad range of countries, and has offices in Burundi, Guatemala, and The Netherlands.

We are passionately dedicated to ending impunity for severe violations of human rights. We analyse, advocate, and partner to help local communities seek accountability for crimes, and for systemic injustice. By doing so, we help transform social and political possibilities in affected communities. We seek to work from the bottom up, and to support victims and survivors in the exercise of their rights.

Although we work on on Transitional Justice (TJ) issues, we also work for justice in situations where there is no moment of transition, or where nominal transition is long past. We closely partner with local organisations, using a participative and context-sensitive approach in which we support, partner, and work with particularly vulnerable or marginalised groups. Impunity has many aspects, and so our work is at once legal, social, and political. We advocate for politically-informed justice strategies, and are particularly known for our long-term expertise in Guatemala and Burundi.

About this Plan

IW is approaching its tenth birthday as an independent organisation, and our previous strategic plan ended in 2016. In terms of size, experience, and programme complexity, we are at an inflection point: we are maturing, and focusing our efforts to ensure we serve our mission as effectively and thoughtfully as possible.

To this end, we have commissioned research on the state of the field; sought stakeholder and partner feedback; and engaged our global staff in a strategic planning process. We have looked closely at our own work, and also at broader dynamics in the TJ field.

We hope this plan, though simple, will inspire our engagement, programmes, and achievements to ensure IW is a strong, strategic, effective, and inspiring partner throughout the decade to come.

Our vision

We envisage a world in which states and societies respond effectively to serious crimes and gross violations of human rights with redress and recognition - where cultures of human rights and rule of law prevail, and where people no longer accept impunity as "the norm."

Our mission

IW researches the root causes of impunity, as well as obstacles to its reduction. We seek to directly engage affected individuals and communities in these processes. We promote their voices in the design and implementation of policies to encourage truth, justice, reparations, and the non-recurrence of violence and abuse. We encourage local actors' active involvement in transformations after violence, and we also support informal initiatives that complement formal TJ mechanisms.



Photo: Raymond-Blaise HABONIMANA, IW Researcher.

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The Problem: **Impunity**

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Impunity is most literally defined as the absence of punishment. It stems from the Latin word, *poena*, (as “do pain”, “penal”, and “punish”), meaning punishment, and through it, the Greek word *poinē*, meaning “payment” or “penalty.”²

Used in its broadest sense, impunity can be described as the absence of suffering, harm, or loss for criminal acts or misconduct. When people who hold power abuse human rights, commit crimes, or commit other misdeeds without fear of consequences, a climate of impunity exists.

Impunity is not a technical problem, nor merely a judicial one. It is highly political, contextual and can be embedded in cultural practices. Accountability is its opposite.

Impunity is the result of deeply unequal power relations, historical abuses, and elite capture of state institutions.³ We ask those reading this plan to think of life in a society where there is no social or legal accountability for wrongdoing, no chance of judicial or civil legal action succeeding and no forum of last resort.

Impunity has profound consequences. Deep-seated impunity deforms political and social systems, fuels inequalities, and affects the weakest citizens the most. Impunity occurs in all kinds of societies and institutions, including, and in particular, those suffering from authoritarian government or armed conflict. It undermines citizens’ trust in social and political institutions, and in each other. It also cripples potential for meaningful societal change. In order to build independent and effective human rights systems, we must seek to overcome impunity wherever it exists.



² Merriam-Webster Dictionary, available at: <https://www.merriam-webster.com/dictionary/impunity> (last accessed 2 July 2017).

³ Vasuki Nesiah, Transitional Justice Practice: Looking Back, Moving Forward, Scoping Study, May 2016, available at: https://www.impunitywatch.org/docs/scoping_study_FINAL1.pdf (accessed 5 July 2017), pp. 32-39. Hereinafter: Impunity Watch Scoping Study, Transitional Justice Practice: Looking Back, Moving Forward, May 2016.

Our Theory of Change

IW seeks to end situations of entrenched impunity, and therefore uproot abusive hierarchies of power. By doing so we aim to accompany local actors in their efforts to achieve social and political change, and help societies realise social justice.

We focus our work on societies with legacies of mass violence, such as Guatemala and Burundi, and help local communities expose and dismantle complex machineries of impunity there while promoting cross-country exchange and comparative learning, in addition to seeking to influence international policy.

Why? Episodes of mass violence never appear out of thin air; rather, they are the consequence of pre-existing structural injustices and inequality, human rights violations, and entrenched impunity. All of these disproportionately impact vulnerable or marginalised groups.

Such problems (and their devastating effects) are mostly manifested during armed conflict and its immediate aftermath. Yet the needs, voices, and priorities of survivors and other vulnerable groups are rarely taken into account in peace processes and when designing post-conflict institutions. Pre-existing structural problems are often thus perpetuated — and networks of impunity strengthened still further.

IW seeks to influence transitions by addressing these underlying structural problems. It also advocates for the needs and priorities of those most affected by human rights violations to be taken into account, in order to promote the most transformative change.

We frequently work using the tools, vocabulary, and opportunities of TJ, part of the human rights lexicon that focuses on how societies tackle legacies of violence and repression. Transitions are where the causes and consequences of impunity appear most clearly, and continuities between the present and the past are perhaps easiest to see. Where and when they are relevant, we also work with human rights tools that are not always automatically included as part of the TJ field. These include monitoring and support for judicial independence, the study of corruption, and work on other issues that contribute to reducing impunity.

We analyse, advocate, and partner to help local communities pursue accountability for crimes. We aim to move beyond individual violations to identify, examine and help them uproot systemic and structural injustices. In doing so, we focus on victims, survivors, and the least powerful. We not only seek to strengthen



Photo: Hector VALDÉZ.

genuine local involvement in these systemic processes, but also to use our knowledge and networks to enable justice initiatives that are adapted to the complexities of each context and genuinely respond to local needs and concerns.

We strongly believe that the involvement of the most affected and least powerful in TJ efforts is the key to the legitimacy and success of those efforts. To ensure that involvement is truly effective and meaningful, we create new spaces or preserve existing ones where affected communities and individuals can fully exercise their rights — as survivors, and as citizens.

IW is a strategic ally of local organisations and movements, putting its resources at the service of local human rights activists and others who expose and fight impunity. IW's organisational values of solidarity, justice, inclusiveness and equality underpin the entirety of our work.



Intervention Strategies

We use our resources, knowledge, and networks to assist the most marginalised or the least powerful to influence TJ process in their own societies.

Based on our field experiences, ongoing feedback from partners, and research endeavours⁴, IW has identified three main challenges that inhibit better transitions:

1. Knowledge and understanding of root causes of impunity, particularly as they affect victims and other vulnerable groups, is insufficient among those shaping justice processes;
2. The barriers that civil society actors face when trying to influence TJ policy design and implementation. We focus particularly on the lack of space and barriers faced by victims and others directly affected by political crimes; and
3. Problems of political will, as well as those caused by the increasingly technical nature of the TJ field.⁵ These problems include reluctance, both nationally and internationally, to adopt transformative, politically-informed approaches that are informed by the needs and priorities of affected communities.

We address these challenges through three mutually-reinforcing intervention strategies both in-country and in international venues:

1. Identifying root causes of impunity, and obstacles to its reduction. Our bottom-up research is systematic, comparative, and leverages our experience-based understanding of the many dimensions of impunity. One example of this is our extensive research on victim participation in TJ processes, which has shown how efforts to fight impunity remain unsuccessful in upholding victims' rights if those most affected by the abuses are denied the ability to fully participate.⁶
2. Sharing knowledge — our own and that of others — to help local actors enhance and expand their own expertise (and thus their own strategies) so that they can overcome legacies of violence and impunity. Our training, capacity building, and communication efforts are opportunities for knowledge sharing for both local and international partners. One example is Guatemala, where IW and its partners have supported victim associations and local human rights groups in their development and implementation of a multi-disciplinary approach to strategic litigation. Composed of legal, political, communications and psychosocial support strategies, these have allowed our partners to successfully challenge impunity before national and regional courts.

⁴ Ibid. See also "Restricted Access", Promises and Pitfalls of Victim Participation in Transitional Justice Mechanism: A Comparative Study, August 2017, forthcoming.

⁵ Impunity Watch Scoping Study, Transitional Justice Practice: Looking Back, Moving Forward, May 2016, pp. 32-34.

⁶ Please see Impunity Watch research on victim participation, in particular, "Restricted Access," Promises and Pitfalls of Victim Participation in Transitional Justice Mechanism: A Comparative Study, August 2017, forthcoming. Available at: <https://www.impunitywatch.org/html/index.php?alinealD=474>.

3. Creating space for bottom-up action. This includes supporting local and grassroots justice initiatives, facilitating stakeholders' access to policy-making, and providing policy advice for victims, survivors, and marginalised groups. We also advocate with key actors to ensure our recommendations are heard. For instance, our ongoing work with Syrian NGOs, combined with intensive advocacy with UN and other policymakers, has helped persuade officials at the International, Impartial, and Independent Mechanism on International Crimes in the Syrian Arab Republic (IIIM) to explore the best ways to work with civil society and victim groups.

Results of our Earlier Strategic Plan

We have pursued and completed our previous 2013-2016 Strategic Plan.⁷ It enabled us to become more flexible, more responsive, and helped us narrow gaps between research and action.

Using partner and stakeholder feedback, as well as our own internal review of achievements and challenges, we are satisfied that IW made significant progress under the previous strategic plan, and that the plan's goals and outcomes were well-aligned.

A brief summary of outcomes from our previous strategic plan is included in Appendix B. In particular, we:

- Improved our ability to produce targeted, policy-oriented recommendations for those involved in shaping TJ policies and strategies, especially in our Memorialisation and Victim Participation programmes, as well as in Burundi and Guatemala;
- Significantly increased our advocacy efforts and impact, including at national, regional, and international levels. This has allowed us to partner with key policymakers on issues such as victim participation, and increased our convening power and programme impact as evidenced in both short-term and long-term collaborations with national and international policymakers;
- Completed a major multi-year research study on victim participation in TJ processes — an innovative project that will significantly impact our future work ;
- Expanded our programme footprint and knowledge through interventions in, for example, Honduras, Tunisia, DRC, Rwanda, and Bosnia Herzegovina;

⁷ Impunity Watch, Strategic Plan 2013-2016, available upon request.

- Upgraded our knowledge-sharing efforts to include a more methodical focus on including the voices of affected communities, as well as increased use of audio-visual techniques;
- Launched an important new strategic partnership, enabling us to expand our work to new contexts with little access to comparative justice expertise (e.g. Kosovo, Iraq and South Sudan); and
- Reorganised the IW structure to ensure it adequately supported our mission, focus, and size in a flexible manner.

Overall, during the previous strategic plan period, IW improved its standing, impact, and legitimacy – particularly because of its increased policy and advocacy foci.

We also learned three significant lessons during the previous plan period. The first was that we should have a clearer focus on the desired policy impact of our research, as well as on our intended advocacy targets. The second is that we needed to sharpen our communication strategies and intended impact, in particular to ensure the effective use and dissemination of our publications and audio-visual materials. The third was that any further increase in our policy or advocacy focus is only possible if we can organise and allocate more dedicated resources (financial and human), accompanied by a clear and limited set of advocacy priorities.



What's at Stake?



An elderly woman observes a photograph in an exhibition in Santa Maria Nebaj, Guatemala 8 February 2018. The exhibition was organized in light of the Genocide Trial against former dictator José Efraín Ríos Montt. Photo: Hector VALDÉZ.

The External Environment

We have developed this plan in uncertain political times. While, inevitably, specific situations of human rights abuse and impunity wax and wane, global politics have been impacted by the spectre of increasing nationalism in European Union countries, the BRICS (Brazil, Russia, India, China and South Africa), the US and beyond. Uncertainty created by the rise of far-right politics, authoritarianism, and the increasing use of force by states with often complete disregard for international law is seen by many commentators as an unprecedented threat to the post-Second World War architecture and the human rights principles that served as its foundation. In almost all countries where IW is active, space for civil society is narrowing. Human rights activists, including victims' organisations, face ongoing pressures that range from smear campaigns to violence and imprisonment. In a number of established democracies, the discourse has shifted away from human rights concerns. A focus on strengthening borders, as well as on security and counter-terrorism in particular, now dominates policy agendas.

This climate of political uncertainty is relevant in three ways. Firstly, the public interest in rights-based argumentation appears to have diminished in several countries whose governments have traditionally been strong supporters of human rights law and mechanisms. Secondly, (and at least in the short term) this will mean less public leadership on human rights issues, as well as narrower opportunities for policy and media advocacy. Thirdly, it may also mean diminished public support and funding for systems of human rights protection, particularly if increased nationalism results in reduced foreign aid budgets by significant donors.⁸ Finally, the shrinking space for civic engagement and activism constitutes a serious challenge to our partners, and also affects IW's ability to pursue our mission and deliver on our programmes.

Political uncertainty is exacerbated by economic uncertainty. As most Northern Hemisphere countries are recovering from the nadir of the economic crisis of 2007-2008, we acknowledge that economic growth is generally forecast to improve in coming years, albeit with significant risks. Much of the world economy appears to be challenged by persistent structural challenges of low productivity growth and abysmal income inequality. Rights-based approaches to development and the economy may simply seem too legalistic or political to be relevant.

Human rights activists, however, always tend to see the glass as half empty, rather than half full. Amidst the negative, it is also possible to see good opportunities for activism in the years ahead. Political mobilisation may increase as inequalities sharpen; economic pressures may shatter structures of impunity as well as, or better than, legal activism, and technological change will greatly ease barriers to organising, storytelling, and speedy information-sharing. Likewise, the growing field of behavioural economics may offer rich insights to activists and others who wish to influence individual and community behaviours.⁹ The impact of climate change on everyday life, already increasingly obvious, may also spur leaders and communities to focus more strongly on social and economic rights, as communities seek to protect livelihoods, resources, and cultures.

Questions of impunity and accountability are likely to remain at the fore of social and political conflicts in the coming period. Countries in which we work have recently embraced notable rights victories (such as Guatemala), as well as narrowing opportunities for activism (Burundi). Drawn-out conflict has continued in Iraq, Syria, and Myanmar. Columbia celebrated an official peace agreement that it is challenged to actualise; Sri Lanka's post-conflict transition appears increasingly fragile; Tunisia's TJ process has been undermined by the government's lack of political will; and the collapse of the Kenya ICC cases leaves the culture of impunity intact there. While no one can see the future, it is clear that IW's work in identifying and uprooting entrenched systems of impunity — whether de facto or de jure — will continue to be relevant, topical, and timely.

⁸ This appears a strong possibility in the US. See for example Bryant Harris, Robbie Gramer, and Emily Tamkin *The End of Foreign Aid as We Know It* in *Foreign Policy*, 24 April 2017, available at: <http://foreignpolicy.com/2017/04/24/u-s-agency-for-international-development-foreign-aid-state-department-trump-slash-foreign-funding/> (accessed 4 July 2017).

⁹ Shahram Heshmat, *What is Behavioral Economics? Helping People Lead Healthier and Happier Lives*, *Psychology Today*, 3 May 2017, available at: <https://www.psychologytoday.com/intl/blog/science-choice/201705/what-is-behavioral-economics> (accessed 5 July 2017).



A woman and child observe photographs forming part of an exhibition in Santa Maria Nebaj, Guatemala, 8 February 2018. The exhibition was organized in light of the Genocide Trial against former dictator José Efraín Ríos Montt. Photo: Hector VALDÉZ.

The State of the Field

While future politics is still unknown, recent developments in the study and practice of TJ are easier to summarise.

In 2016, IW published a scoping study on the current state of the TJ field. Written by former practitioner Dr Vasuki Nesiah, the study argued that, although TJ concepts have become popular and widely accepted, the praxis of TJ has been increasingly generic and technocratic.

Long-term legitimacy and effectiveness have too often been compromised because TJ processes left the structures of impunity intact. In part, this has occurred because the field has operated as if it were a sphere of technical engagement rather than a political intervention grappling with contextual imperatives. For instance, challenging impunity has often been equated with individualised criminal prosecutions, rather than efforts to contest the abuse of power enabled by structural injustice.¹⁰

Reviewing the development of TJ praxis from 1945 to date, the study noted the increased internationalisation and institutionalism of TJ efforts from 2001, including a gravitational shift from national contexts to the international sphere. Local long-term legitimacy and effectiveness may have suffered as a result. So-called

¹⁰ Impunity Watch Scoping Study, Transitional Justice Practice: Looking Back, Moving Forward, May 2016, Introduction.

“international experts” and technocrats often shape justice processes, leaving little room for influence by local actors, especially those most vulnerable.

In response, the study emphasises the need for TJ practice to become more dynamic, innovative, and strategic, based on continuous strategic political analysis and closely linked to local social movements.¹¹ Systems of impunity have such a broad architecture that prosecutorial strategies focused on individual criminal responsibility struggle to dismantle them. Similarly, the individualisation of specific human rights violations may distract from engrained injustice or broader suffering (and responsibility) at the community, national, and regional level.¹²

IW interprets the study as a call for experimentation, innovation, and the embrace of heterogeneity and complexity. It hears the call for openness to unexpected consequences, and for the best possible political and contextual analyses that help understand root causes of abuse and hierarchies of power that sustain impunity. It understands that new opportunities and spaces need to be developed to enable the participation of affected communities, grassroots groups, and those who have historically been marginalised.

Our Unique Contribution

TJ is a highly-specialised area of human rights practice. As suggested above, IW draws on but differs from more traditional or dominant TJ praxis in two major ways.

First, IW views impunity as a set of systemic policies, practices and behaviours that are grounded in deep, structural inequities related to gender, racism, and economic inequalities, among others. We analyse these problems deeply, and acknowledge the specificities of each context. Rather than focusing narrowly on a handful of technical TJ mechanisms, we seek to identify the initiatives that will have the greatest impact in reducing impunity over the long term. This often means we will bring unacknowledged issues to the justice agenda (e.g. gender hierarchies and racial discrimination), look into the intersection of questions away from siloed approaches, and seek to advance thinking on issues, such as corruption, that are frequently unmentioned, but are critical to future progress and social change.

Second, IW places a very high priority on solidarity with civil society, and in particular with victims of human rights abuse. While the majority of TJ groups focus on influencing elite actors, such as policymakers, or civil society actors with high status, IW seeks to support and strengthen the voices of those who are disenfranchised, who through poverty, discrimination, fear, or lack of social capital normally cannot effectively access formal justice mechanisms.

¹¹ *Ibid.*

¹² *Ibid.*, p. 38.

In its ten years of operation, IW has now carved out a reputation for:

- Quality country research, particularly in Guatemala and Burundi, where we have monitored and campaigned on impunity for more than a decade;
 - A strong, unique focus on work alongside victims and other highly marginalised members of civil society;
 - A demonstrated focus on key, but under-explored, issues, such as our broad research on victim participation;
 - Using bottom-up and/or politically-informed approaches, rather than purely technical and legal ones;
 - A focus on amplifying the voices and promoting the agendas of local actors, whether in networking, skill-building, policy advocacy, or campaigning; and
 - A willingness to tackle uncomfortable issues and take unorthodox positions (for example, questioning the effectiveness of conventional justice institutions or challenging the quality of victim participation), based on the need to overcome deep-seated impunity and structural injustice for the long term.

In our Partners' Eyes

As part of its strategic plan process, IW sought feedback from more than twenty stakeholders and field partners.¹³ All noted our strong investment in local justice struggles. Their feedback was solidly positive, and all recognised IW's strong technical and practical programme expertise.

Partners also noted our responsive and action-oriented culture; our expertise on highly sensitive topics, including gender; our ability to craft programmes relevant to local challenges; our strong mission focus; our ability to innovate and create practical steps forward; and the strength of our partner relationships.

At the local level, partners particularly noted the added value of our monitoring, technical support, and mentorship. As expressed by Judge Haroldo Vásquez, President of the Guatemalan Association of Judges for Integrity:

"I think that the work of Impunity Watch is very positive; it allows judges to feel that we are accompanied and supported. I think its provision of technical support is very important, and it has benefited the association of judges".¹⁴

Partners also noted the added value of our research methodologies and data collection in strengthening local efforts and effectiveness, as well as our network and capacity building talents. According to Didier Kigonya, Coordinator at Congolese Bukavu-based group Réseau des associations congolaises des jeunes (RACOJ):

"Thanks to the advocacy, capacity building, [and] research we received from IW, RACOJ has forged ties with other actors at national, regional and international levels, allowing us to share our experiences with the broadest audience".¹⁵

Many stakeholders also appreciated our creativity and passion:

"Impunity Watch is an organisation that is respected and recognised for its work on memory and justice in cases of past serious crimes . . . [t]here is a lot creativity in the organisation, and its work with women victims is particularly valuable".¹⁶

Select feedback also noted a need to improve our communication and outreach; our policy advocacy and networks; and to develop further the work we have undertaken on guarantees of non-repetition. Several national partners asked us to strengthen our programmes in their respective countries, particularly in contexts where authorities impede judicial independence and/or human rights work.

Regional and international partners also provided a broader perspective: IW is, said one partner, "distinguished by its focus on in-depth knowledge of local political context, deep partnerships, and a refusal to simply follow the dollar train"; its bottom-up, contextual focus gives it "great legitimacy and credibility," said another.¹⁷

We have incorporated the entirety of this feedback into our internal discussions, and also in our development of the current strategic plan. Overall, the stakeholder feedback we gathered when preparing this plan indicated similar strengths and weaknesses as our own internal feedback. The similarity between internal and external perceptions has prompted us to consider how to build upon on our strengths and redress some of our weaknesses in the upcoming years.



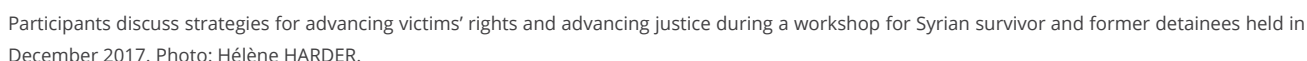
¹³ These included more than twenty partners, peers, and research institutions at the local, national, regional, and international levels. Participants included, but were not limited to, Burundi Leadership Training Program (Burundi); Ministry for Peace and Reconciliation Under the Cross (MIPAREC) (Burundi); RACOJ (DRC); Congolese Initiative for Justice and Peace/Congolese Coalition for Transitional Justice (DRC); Guatemalan Association of Judges for Integrity, the Guatemalan National Movement for Victims; UN Women Guatemala; Institute of the Judiciary Guatemala; and the International Platform Against Impunity, and others.

¹⁴ All citations from Guatemalan partners are taken from *Comments on the Work of Impunity Watch in Guatemala*, internal IW document, July 2017.

¹⁵ *Questionnaire sur le travail d'Impunity Watch*, internal IW document, July 2017.

¹⁶ Anabella Sibrian, Central American Representative, International Platform Against Impunity; *Comments on the Work of Impunity Watch in Guatemala*.

¹⁷ Impunity Watch Partner Survey Questionnaire: Results Peer Questions, internal document.



Our programme priorities for 2017-2021 have been distilled from our theory of change; a strategic planning process; our practical experience during the previous four years of work; and our recent research findings. These latter include our recent scoping study of the state of TJ field, and our 2014-2016 research project on victim participation in formal TJ processes.¹⁸ As a result of our discussions and planning, we will focus our programme resources on answering three key questions, detailed further in the paragraphs below.

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Objective 1:

Increased and more Meaningful Victim Participation in Transitional Justice Processes

Current approaches to TJ tend to invoke a mantra of victim participation which include, for example, individual testimonies in trials or truth commissions and/or solidarity with affected communities as the former processes unfold. Despite these initiatives, they all too often fail to deeply engage with the diversities in victim communities or to understand how victim participation across these diversities can strengthen anticipated outcomes.

Our 2014-2016 victim participation study, which was over three years in the making, showed clearly that effective victim participation in justice processes is closely related to robust informal organising processes, such as those led by social movements and grassroots civil society. It also showed that the specific contours of meaningful participation and its actual impact have yet to be clarified. Finally, it also revealed an important unexplored question: how can victim participation help strengthen (or generate more transformative) guarantees of future abuse not recurring?

We will address these questions through all our planned intervention strategies. Our overall objective will be to ensure that victims of serious violations of human rights and historic injustices meaningfully influence or participate in the design and implementation of justice measures and policies, and also participate in relevant informal initiatives.

Our specific objectives will include:

1. Support and equip victims in their ability to organise and advocate for their rights and demands and to accompany and monitor unfolding TJ processes;
2. Increase partners' understanding of the correlation between informal and official processes and enhance their knowledge of, and active participation in, relevant informal justice processes;
3. Ensure victims participate actively in political processes including peace processes and reform efforts aimed at preventing abuses and guaranteeing their non-recurrence; and
4. Encourage policymakers to develop and/or preserve the necessary space for the formal and informal participation of victims in TJ processes.

Activities will include direct and specific engagement with victims' groups; customised trainings; intensive mentoring as requested; and other forms of dedicated victim support. Our advocacy and persuasion activities will include ensuring victim participation at, and the influencing of discussions in, relevant policy fora. These will include the UN Human Rights Council, the review of the UN peace-building architecture, and implementation of EU and AU policy frameworks.

Objective 2:

Transitional Justice Policies and Processes are Politically Informed

Our 2016 scoping study, which has been well received by stakeholders, highlights the need for more politically-informed, bolder, and experimental approaches to justice seeking. We have already begun to think through these recommendations in our work with the Dutch Ministry of Foreign Affairs, and in the next five years will focus on what these approaches can entail.

Our overall objective is to ensure that TJ policies are politically informed, locally driven and context specific.

Our specific objectives are:

1. Ensure that TJ policies are developed locally through participatory and bottom-up processes;
2. Ensure that TJ strategies capture complexities of each context and integrate conflict and peacebuilding dynamics through creative and innovative solutions;
3. Encourage TJ approaches that address root causes of abuses and power structures sustaining impunity; and
4. Encourage civil society to develop politically-informed and context-specific TJ strategies relying on their creativity and capacity to innovate.

Activities will include collaborative documentation of politically-informed TJ processes in action in the countries where we work; facilitating spaces for international policymakers and donors to reflect jointly on the needs and dynamics of politically sensitive approaches in TJ processes; analysing interconnections between TJ, peace processes and constitution building, TJ needs assessments; developing a platform for Global South practitioners to debate creative approaches to these measures; stimulating improved exchange and coordination of support for such processes; identifying and sharing examples and components of politically-informed approaches in practice, and defining these approaches in our training materials and methodology.

Objective 3:

Transitional Justice Strategies and Policies are Gender Transformative

Building upon its previous gender work, IW will seek to move beyond an exclusive focus on sexual and/or gender-based violence, and pursue a gender transformative approach to TJ. Such an approach will deal with the impact of gender inequalities and sexual and gender based violence (SGBV) on women's lives, and will more importantly shed light on the underlying causes of these inequalities, such as the existence of hegemonic masculinities, social stereotypes and gender discrimination. A gender transformative approach does not focus on the symptoms leading to a brief relief, but rather aims at conceiving more sustainable results via the transformation of the inequitable power structures that cultivate, reward and maintain severe gender inequality and that favour impunity, intimidation and corruption.¹⁹

Our overall objective is to ensure that policy and programming on current and historic conflict-related violence, including gender-based violence, are gender transformative and seek to address pre-existing gender-based power relations and hierarchies. We will also work on engaging researchers and practitioners to examine the connection between hegemonic masculinities and past and ongoing abuse, violence, and exclusion, demonstrating that alternative expressions of masculinity or gender can help foster just and peaceful societies in post-conflict periods.

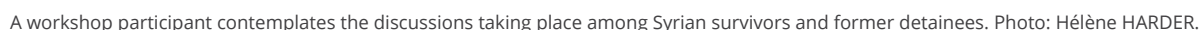
Specific objectives:

1. Ensure that TJ stakeholders understand that gender-differentiated needs and priorities go beyond sexual violence against women, and include differential experiences of the socio-economic and ethnic impact of conflict, displacement, and peacebuilding.
2. Improve girls' and women's access and meaningful participation to all the stages of processes addressing current and past violence.
3. Strengthen guarantees of non-repetition of violence against women by tackling violent and hegemonic masculinities, while promoting alternative and/or transformative expressions of masculinities within the TJ field.

Activities will include evidence-based and influential comparative research; exploring the relation of masculinities to transitional justice at the individual, community and institutional levels; community and institutional dialogues on gender norms, gender-based violence, women's and men's participation and dominant masculinities; and monitoring activities to strengthen the implementation of UN Security Council Resolutions such as 1325 and other gender justice norms. We will also provide technical support to key judicial cases on conflict-related violence against women. In addition, we will seek to advance gender-transformative approaches to transitional justice through targeted advocacy at the UN Human Rights Council, UN Security Council and the African Union.



¹⁹ One useful definition has been summarised by an NGO consortium led by Care USA: "Gender-transformative approaches aim to move beyond individual self-improvement among women and men and toward the power dynamics and structures that serve to reinforce gendered inequalities." See Emily Hillenbrand, Nidal Karim, Pranati Mohanraj, and Diana Wu, Measuring Gender-Transformative Change, October 2015, available at: http://www.care.org/sites/default/files/documents/working_paper_aas_gt_change_measurement_fa_lowres.pdf (accessed 11 July 2017). See also <http://wps.unwomen.org/justice/> (accessed 11 July 2017).



We do not anticipate opening new offices, and do not value growth as an end in itself; we are aware that growth often stresses and challenges organisations of our size. We do, however, value the increased impact, stronger community, and greater learning our controlled growth has offered. Growth may also offer us an opportunity to deepen the persuasive force of our communications, outreach, and advocacy. The question of the resources and scale needed for effective impact is an important one, and one that we will be grappling with in the coming plan period. As with any small organisation that is growing, we will be seeking to ensure our operational and financial processes are well aligned.

What does this mean in practice?

Like our programme goals, our operational objectives are mutually reinforcing. Based on our own experience, partner feedback, and the desire to respond to the findings of our scoping study, we've defined the following as our four key operational objectives from 2017-2021:

1. The impact of our communications and outreach is enhanced by (but not limited to) amplifying voices of vulnerable communities; more effectively disseminating our research findings; and increasing our persuasive power with policymakers;
2. Our learning is improved by introducing lively, thoughtful, and timely design, monitoring and evaluation practices;
3. To take first steps to build a more flexible, diverse funding base that is well aligned with our programme goals;
4. To appropriately scale other operational areas, including by recruiting board members with new skills and networks to our governance and advisory mechanisms.

Objective 1:

Enhanced Communications and Impact

The impact of our communications and outreach is enhanced, including by amplifying voices of vulnerable communities; more effectively disseminating our research findings; and increasing our persuasive power with policy makers.

Partner (including donor) feedback, as well as our theory of change, have shown us that knowledge and research are not enough: we must communicate effectively with a wide range of stakeholders and peers, and, crucially, ensure our work amplifies the voices of victims and other vulnerable communities.

Our current multilingual communication techniques include research, commentary, and lobbying using online tools, as well print publications and media relations. Our strategies are influenced by the security and political contexts in which we work, and reflect our origins in the traditional domain of human rights research and advocacy.

We plan to update and improve our communication strategies, better understand our audiences, and commit to more specific and data-oriented measures of communication outcomes. We will also seek to craft responses to the increasing online intimidation and harassment of our partners. We will improve our communications work, being sharply aware that our primary goal is not to brand ourselves, but to amplify the voices and priorities of others.

Our limited resources and small size may mean we have to approach these challenges creatively and incrementally over time.

Our activities under this objective will include: developing new communications strategies including also a component on response to harassment and intimidation of local and national activists, clarifying our visual identity, our voices, and our styles; and developing at least two strategic partnerships that will allow us to enhance our outreach and campaign skills on behalf of ourselves and our partners.

Objective 2:

Improved Design and Learning

Our learning is improved by introducing lively, thoughtful, and timely design, monitoring and evaluation practices.

IW is a knowledge-based organisation. While we reject the narrow straightjacket of one-size-fits all evaluative techniques (and the generic programming they inspire)²⁰, we recognise that thoughtful and politically-informed programme evaluation could indeed enhance our learning, and through it, our impact.²¹ We will use this strategic period to take first steps in selecting, designing, and implementing evaluation strategies, based on the considerations discussed in the Monitoring and Evaluation section of our Practical Guide for Transitional Justice Support.²² We will also seek to ensure all grants have suitable provision for evaluation. We say “first steps” because we recognise completing a full evaluation cycle can take the entire length of a programme.

In making this commitment, we are aware that we are not seeking, and will not adopt, a one-size-fits-all approach. We will seek to capture processes, generate space for bottom-up accountability, learn from the people we work with, and examine unexpected outcomes.²³ We will search for methodologies from fields that are aligned with, and similarly complex to, our own work, such as peacebuilding. We will also be seeking to create a positive culture of learning and innovation, which implies honesty and transparency in sharing programme successes and challenges, as well as willingness from donors to support experimentation and transparency.

Activities we undertake under this objective will include: developing, with external expertise, an organisational design and evaluation strategy; training staff in relevant techniques; and trialling at least one programme-related evaluation initiative.

²⁰ Impunity Watch Scoping Study, Transitional Justice Practice: Looking Back, Moving Forward, May 2016, pp. 19-23 and 45-48.

²¹ We are using the OECD DAC definition of evaluation: “[t]he systematic and objective assessment of an on-going or completed project, programme or policy, its design, implementation and results.” *OECD DAC Glossary of Key Terms and Concepts*, available at: <http://www.oecd.org/dac/dac-glossary.htm#Evaluation> (accessed 11 July 2017).

²² Impunity Watch, *A Practical Guide for Transitional Justice Support*, Draft 2017, pp. 45-47.

²³ *Ibid.*, p. 45.

Objective 3:

Developing the Right Funding mix

To take first steps to build a more flexible, diverse funding base that is well aligned with our programme goals.

IW is at an inflection point. We are a small organisation, and an increasing majority of our funds is restricted. Yet we are seeking to expand our geographic footprint through partnerships, and to foster creative, politically-informed programming. At ten years of age, we also need to begin to become more resilient to cope with our growth, to manage sudden funding changes, and to build our cash position and operating reserves.

Recognising that developing new sources of support can take at least two to five years, in the next years we must begin to diversify our donors and to enhance flexible means of support

Activities we will undertake in this period will include: developing, with our donors, a strategy to expand our funding base and diversify funding types; expanding funding prospect research; adding skilled development staff and consultants; reviewing grant budgeting and management techniques; and continuing to assist our partners with building the relationships, skills, and knowledge for successful fundraising.



A workshop participant contemplates the discussions taking place among Syrian survivors and former detainees. Photo: H  l  ne HARDER.

Objective 4:

Deepening our Skills and Relationships

To appropriately scale other operational areas, including by recruiting board members with new skills and networks to our governance and advisory mechanisms.

IW has pursued the strategy of a “lean start-up” to date. We have sought not to over-invest in significant fixed costs, and will continue this approach. We are aware, however, that several of our objectives will require us to invest in new skills, human resources, or methodologies. We will also need to continuously optimise our financial and human resource management as we work in new country contexts, and legal requirements and financial management become more complicated.

Much of what we need to achieve we can gain through accessing select consulting and other outsourced resources, and where it makes sense to do so, we shall. What is clear, however, is that we should seek to enhance the distinguished programme experts on our board and recruit additional governance, financial, development, and communication skills amongst our board members and advisors.

As a global organisation, however, we are also aware that we need to take strong steps to build collegial and dynamic relations between our staff members, capable of crossing significant barriers of language, culture, and geography. We will also need to ensure that we are using technologies appropriately to achieve our goals.

Activities we will undertake as part of this objective will include the recruitment and careful on-boarding of additional advisers and, possibly, board members; trialling a staff visit/exchange programme between offices and programme sites; and implementing additional measures to strengthen relationships and knowledge sharing between teams.



Appendix A: Theory of Change

SPHERE OF INTEREST

Causes and consequences of entrenched impunity are tackled, and abusive hierarchies of power are uprooted.

PARTNERS AND ALLIES

Our Goal:

Enhance transformative, politically-informed and inclusive processes to deal with legacies of mass violence.

Partnerships with social movements, grassroots organisations and affected groups

Collaborations with like-minded policymakers and international actors

SPHERE OF INFLUENCE

1. TJ policies are locally-driven, context-specific and politically-informed.
2. People with limited access to power participate to establish and influence TJ processes.
3. Policymakers develop and preserve the appropriate space for the participation of those who are disenfranchised in TJ processes

Research

Innovative, rigorous and participatory research is conducted to produce:

- Country-specific analyses
- Regional analyses
- Comparative studies
- Systematic monitoring reports
- Analyses of root causes of impunity, abuse and violence
- Policy briefs and practical guides

Knowledge-Sharing

The expertise of victims, marginalised groups, CSOs, and decision-makers on transitional justice is enhanced, through:

- Customised and contextualised training material on TJ.
- Workshops and exchange platforms with CSOs and decision-makers.
- Creation of audio-visual material.
- A dedicated communication and dissemination strategy.

Advocacy and Lobby

Targeted advocacy and lobby for the uptake of policy advice is undertaken, increasing the ability of victims and marginalised groups to influence decision-making, through:

- Scaling-up our partnerships with local CSOs and INGOs.
- Organising periodic policy fora to discuss research findings.
- Lobby for the uptake of policy recommendations
- Establishing strategic working relations with selected UN, AU and EU mandates.

UNDERPINNINGS

IMPUNITY WATCH'S CORE VALUES:
Justice, equality, emancipation, solidarity

PARTICIPATORY METHODOLOGIES:
Our intervention strategies will prioritise participatory methodologies, emphasising participation and action by victims and marginalised groups



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