



VICTIMS: FRONT AND CENTRE

Conference Report

The Hague, 17 October 2019

ABOUT THE CONFERENCE

Victims, activists and policy-makers from different countries gathered in The Hague on 17 October 2019 to participate in the international conference ***Victims: Front and Centre***, co-organised by Impunity Watch and REDRESS. Discussions focused on how to engage victims and ensure their meaningful and effective participation in transitional justice processes; particularly in the context of Guatemala and Uganda. Comparative experiences from, among others, Syria and Bosnia were also explored.

Participants engaged in four panel discussions throughout the day. The discussions therein highlighted one overarching demand: **to involve victims in the design, implementation, and follow-up to transitional justice processes so as to ensure that these reflect and address their specific needs**. Victims are the best placed to relay these needs first-hand; there is no *'one-size-fits-all'*, participants reiterated throughout the different sessions.

The conference was opened by Ugandan and Guatemalan participants, including by way of an indigenous Mayan ceremony followed by the personal testimonies of two survivors of human rights abuses from both countries. In her opening remarks, the Dutch Human Rights Ambassador, Bahia Tahzib-Lie, underlined her country's commitment to accountability. She reiterated that the active participation of victims in transitional justice processes is key; recognising that this raises some challenges such as the risk of causing further trauma.

PANEL 1: THE STRUGGLE FOR JUSTICE



Feliciano Macario, from the National Association of Guatemala Widows (CONAVIGUA), spoke about her experience seeking justice.

The first session focused on the meaning of justice for victims in various transitional justice contexts. The moderator introduced the discussion by pressing the international community and civil society to talk *to* victims, rather than *about* them.

The panel concluded that **formal justice processes alone are not enough and should be combined with broader cross-society efforts**, since only a limited number of victims end up being directly involved in (criminal) trials. **Capacity-building activities and legal aid should be provided to victims** to facilitate their access to justice.

Long-term victim participation processes must be designed to identify the multifaceted and changing needs of victims, instead of simply assuming what they want. Two-

way dialogue with victims is fundamental, as it gives communities greater ownership over the process, and helps to reduce the cynicism and increase legitimacy.

Participants called for **ensuring strong witness protection laws as well as measures that allow the collection of data in relation to the violations suffered** by the victims. Participants touched on post-conflict situations and emphasised the importance of concerted society-wide **efforts to combat victim stigmatisation as well as allowing the youth and non-traditional stakeholders to participate** in the post-conflict narrative.

PANEL 2: ENSURING MEANINGFUL AND EFFECTIVE REPARATIONS FOR VICTIMS



Elizabeth Adongo and Sylvia Acan, sexual violence survivors from Uganda, get ready to join one of the panels.

The second session focused on ensuring meaningful and effective reparations for victims, including survivors of sexual and/or gender-based violence. Speakers stressed that victims have a right to reparations and **should thus be included in the design, implementation and follow-up to reparation processes.**

Participants emphasised that reparations go hand in hand with accountability and judicial processes, citing the **lack of political will, corruption, and impunity as the main impediments to the effective implementation of transitional justice processes.** In this regard, to ensure compliance, **transitional justice processes must be subject to monitoring, oversight and evaluation.**

Further, **reparations must address the root causes of violence** in order to be transformative and generate sustainable change. Participants called on **the international community to support grassroots victim movements and civil society organisations and create an enabling environment for them to pursue their struggle for justice.**

PANEL 3: WE STAND TOGETHER. THE IMPORTANCE OF VICTIM ORGANISING



The third session focused on the importance of victim organising, establishing victim networks, and building alliances. Participants stressed that while legislation is important, it is not sufficient in and of itself, as its mere existence cannot compel states to honour their commitments. **Foreign aid for transitional justice processes should be made conditional on the recipient state honouring its relevant commitments.**

Participants tackled the **need to rethink funding practices and develop more “civil society friendly” funding models** that preserve the activist and movement building function of civil society which is essential to ensuring meaningful victim participation; as opposed to project-based funding which sometimes puts similar organisations in a competition over decreasing resources.

Moreover, victims present at the conference, called for **more exchange opportunities amongst each other not only as a learning exercise but also focusing on the obstacles that need to be overcome throughout the often long journey to achieve justice.**

PANEL 4: CONCLUSIONS AND RESPONSES FROM POLICYMAKERS



Alicia Juárez, a survivor of the Guatemalan conflict, provided her testimony during the conference.

During the final session, policymakers engaged directly with victims on how policies can ensure the protection and creation of civil space for civil society and victim movements to operate. Discussions revolved around the international community's role in the implementation of transitional justice processes that do not side-line victims.

This requires a two-way dialogue between victims and policymakers. Victims present at the conference **called on the international community to redouble its efforts to politically address the shrinking space for civil society and to exert "government-to-government" pressure to fight impunity.** They further stressed that for victim participation to be meaningful, **more effort should be made to connect different policy interventions (e.g. economic, security, development, rule of law) to create real change for the victims,** in accordance with their self-identified and changing needs.

The conference was preceded by a series of exchange meetings and related events held in The Hague from 15-16 October 2019. These events form part of the joint project: "Strengthening victim participation in the fight against impunity for international crimes," implemented by Impunity Watch and REDRESS with the support of the Dutch Ministry of Foreign Affairs.

Impunity Watch and REDRESS interviewed some of the participants to gain further insight on their experience, views and recommendations on how to ensure effective victim participation in transitional justice processes. Check out their views here:

<https://youtu.be/zW7-8gg8QaQ>

<https://youtu.be/jYFZea8i1-E>

<https://youtu.be/7Dva4CXoRsQ>

<https://youtu.be/beQuaJNMOWs>

AGENDA

VICTIMS: FRONT AND CENTRE

International Conference on engaging victims and ensuring meaningful and effective participation in transitional justice processes

Thursday, 17 October 2019

The Hague, The Netherlands

Victim participation is increasingly reflected in (transitional) justice policy at national, regional, and international levels, including those formulated by the AU and the EU, and at the UN as most recently reflected in SDG 16+ through its focus on ‘people centred justice’. In practice, despite the fact that victims remain best placed to articulate their specific needs, we see that they are often sidelined and their voices are not taken into account. How we truly implement meaningful and effective victim participation policies thus remains a key challenge in transitional and post- conflict societies.

to provide a common platform for discussion and analysis on some of the key developments in relation to victim participation in (transitional) justice processes, as well as the stumbling blocks that limit its effectiveness. The conference will take a ‘bottom-up’ approach, drawing on experiences from a number of different countries and situations. The objective is to provide strategic and context specific input into ongoing discussions around how to implement policy on victim participation that is meaningful and contributes to making a change.

This conference seeks to directly engage policymakers with victims in discussions on the way forward. Its aim is

Programme

Conference moderator: **Lorraine Smith van Lin**, *Post-Conflict Justice Adviser, REDRESS*

08:30 - 09:00 Welcome and Registration

09:00 – 10:00 Opening Ceremony

Welcome and opening remarks

Bahia Tahzib-Lie, *Human Rights Ambassador, Netherlands Ministry of Foreign Affairs*

Testimonies of two survivors

Alicia Juárez (Guatemala) *Asociación Civil Memoria Dignificación y Esperanza (AMDE)*

Patrick Ocen (Uganda) *Uganda Victims and Survivors Network (UVSN)*

10:30 – 11:45

Panel 1: The struggle for justice

Panellists

Emma Molina Theissen, *Guatemalan survivor, human rights advocate*

Jane Amooti, *Legal Representative of Victims before the International Crimes Division of the High Court of Uganda*

Michelle Jarvis, *Deputy Head of the International, Impartial and Independent Mechanism (IIIM)*

Samid Sarenkagic, *Project Manager, Project Manager, Conflict-Related Sexual Violence programming at UN-FPA Bosnia and Herzegovina*

Moderator: **Marlies Stappers**, *Executive Director, Impunity Watch*

12:00 – 13:15

Panel 2: Ensuring meaningful and effective reparations for victims

Panellists

Sylvia Acan, *Director, Golden Women Vision*

Miguel Itzep, *Coordinator, Asociación Movimiento Nacional de Víctimas Q'anil Tinamit*

Luke Moffett, *Senior Lecturer, Queen's University Belfast*

Esther Dingemans, *Executive Director, Dr. Denis Mukwege Foundation*

Moderator: **Alejandra Vicente**, *Head of Law, REDRESS*

14:15 – 15:30

Panel 3: We stand together. The importance of victim organising

Panellists

Chris Ongom, *Uganda Victims' Foundation (UVF)*

Elizabeth Adongo Ayenyo, *Ugandan survivor*

Feliciana Macario, *Comité de viudas de Guatemala (CONAVIGUA)*

Ahmad Helmi, *Programme Manager (Ta'afi), Kesh Malek Organization*

Mô Bleeker, *Special Envoy, Swiss Federal Department of Foreign Affairs*

Moderator: **Habib Nassar**, *Director of Policy and Research, Impunity Watch*

15:30 – 16:00

Short video screening

16:00 – 17:15

Panel 4: Conclusions and responses from policymakers

Marc Fiedrich, *Head of Unit, Instrument contributing to Stability and Peace (IcSP), European Commission*

Wilma van Esch, *Head of Rule of Law and Peacebuilding, Netherlands Ministry of Foreign Affairs*

Yasmin Sooka, *Chair of the Commission on Human Rights in South Sudan*

Moderator: **Marieke Wierda**, *Rule of Law Coordinator, Netherlands Ministry of Foreign Affairs*

17:15 - 17:30

Closing remarks

17:30 – 19:00

Reception

Photo credits: Alexandra Wallace/REDRESS/Impunity Watch. Photo cover: Marlies Stappers, Executive Director of Impunity Watch, during a side event with survivors of the Ugandan conflict Patrick Ocen and Sylvia Acan.

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