

ENGAGING FORCIBLY DISPLACED COMMUNITIES IN TRANSITIONAL JUSTICE PROCESSES

**A Guidebook for
Practitioners**



GIJTR

Global Initiative for Justice
Truth & Reconciliation



International Coalition of
SITES of CONSCIENCE

The **International Coalition of Sites of Conscience** (ICSC or the Coalition) is a global network of museums, historic sites and grassroots initiatives dedicated to building a more just and peaceful future through engaging communities in remembering struggles for human rights and addressing their modern repercussions. Founded in 1999, the Coalition now includes more than 300 Sites of Conscience members in 65 countries. The Coalition supports these members through seven regional networks that encourage collaboration and international exchange of knowledge and best practices. The Global Initiative for Justice, Truth and Reconciliation is a flagship program of the Coalition.

www.sitesofconscience.org



CSVr
Centre for the Study of
Violence and Reconciliation

Centre for the Study of Violence and Reconciliation (CSVr)

CSVr is a multi-disciplinary organization whose vision is to understand and prevent violence, heal its effects and build sustainable peace at community, national and regional (continental) levels. CSVr works together with and partners with local capacities in national contexts, to implement transitional justice processes that are grounded in local experiences, solutions and approaches to justice. Where such local capacity does not exist at a national level, CSVr's approach facilitates building this local capacity and partnering with local transitional justice stakeholders, to ensure sustainability of the work beyond project and support cycles. CSVr also provides technical support to national transitional justice processes and facilitates participation and inclusion of various transitional justice stakeholders including affected communities and victim groups. Over the past 30 years, CSVr has engaged with partners (national, regional and international) to promote effective transitional justice processes in a range of countries, through regional mechanisms as well as in global forums.

www.csvr.org.za



Fantanka

Fantanka is a women-led and youth focus civil society organization that uses transformative approaches to advocate for sexual and reproductive health (SRH) rights, gender rights, and the rights of marginalized groups in The Gambia. Fantanka has worked extensively in both rural and urban Gambia, addressing sexual and gender-based violence (SGBV) and other human rights violations as well as challenging social, religious, cultural and political barriers that promote inequalities and unequal power relations. The organization supports victims to cope with daily stressors and live dignified lives through the provision of Mental Health Psychosocial Support (MHPSS) for victims. Fantanka's work on transitional justice focuses on victims of SGBV and youths whose rights were violated or were affected by violations but not included in the transitional justice process. Fantanka also works closely with economic migrants and returnees. Fantanka envisages a Gambia where women and young people are empowered and their meaningful inclusion in all aspects of development promoted, particularly in relation to their Sexual and Reproductive Health and Rights and where Sexual and Gender-Based Violence is unacceptable.

www.fantanka.org



THE DAY AFTER
Supporting Democratic Transition In Syria

The Day After

The Day After (TDA) is a Syrian non-profit organization that is working to countering authoritarianism, and support democratic transition in Syria. It adopts the values of human rights in accordance with international conventions and covenants. TDA was formed in 2012 by a group of Syrians representing a large spectrum of the Syrian opposition. TDA aims to put victims of human rights violations in the driver's seat in advocating for accountability, human rights, and transitional justice. This forms part of the organization's vision that Syrians' rights, peace, stability, and prosperity can only be achieved through a process of democratic transition and a comprehensive national program for transitional justice that lays the foundation for justice and reconciliation. The organization has various programing areas, including accountability, peace and reconciliation, housing and property rights and constitutional reform. TDA works to strengthen Syrian communities and build the foundation for a civil society that defends human rights, monitors and documents abuses, and holds authorities accountable for their actions.

www.tda-sy.org



SOS Sahel Sudan

SOS Sahel Sudan is national NGO established in 2010 with long experience and engagement with farming and pastoralist communities in Sudan inherited from SOS Sahel UK. In January 2010 SOS Sahel Sudan became an independent, non-profit NGO registered with the Humanitarian Aid Commission (HAC). Its staff members, who are all Sudanese nationals, have a deep understanding of the context of Sudan and particularly of interventions in the fields of natural resource management, resource-based conflict reduction, livelihoods and Integrated Water Resources Management. SOS Sahel Sudan supports women and men in Sudan to realise their rights, potentials, dignity and secure and sustain livelihoods.

www.sahelsudan.org



CODHES

The Consultancy for Human Rights and Displacement, CODHES, is a non-profit civil society organization, which is based on the promotion of human dignity. It focuses its actions on the defense of human rights and international humanitarian law, the mitigation of socio-ecological impacts and the construction of stable and lasting peace. CODHES works in five programmatic areas, namely: human rights, socio-ecological crisis, peace building, structural discrimination and regional cooperation and bases its work on 6 guiding principles: cosmogonic ethnic, gender, democratic, territorial, social justice and agency, and action without harm.

www.codhes.org

ABOUT THIS GUIDEBOOK

Published in May 2023, this guidebook, addresses the global phenomenon of forced migration and seeks to outline how the voices of asylum seekers, refugees and internally displaced people can be effectively integrated into transitional justice processes. Understanding forced migration as both a consequence of conflict and authoritarian rule and a violation in itself, this guidebook provides pathways to work directly with forced migrant communities within a transitional justice framework.

Through the *Forced Migration and Transitional Justice* project, GIJTR partners worked with four organizations that are committed to supporting communities and individuals that have been displaced and experienced forced migration. Each chapter draws on the extensive work by the four organizations: Fantanka (the Gambia), The Day After (Syria), the Consultancy for Human Rights and Displacement (Colombia) and SOS Sahel Sudan (Sudan).

Through community consultations, grassroots truth-telling and memorialization initiatives, research and their experiential knowledge, each organization contributed important insights and innovative ideas that culminated in this guidebook.

Finally, this guidebook is for practitioners from a range of fields that engage or would like support displaced individuals and communities in transitional justice processes. Given that displaced populations are primarily engaged by humanitarian and peacebuilding actors, this guidebook provides a starting point for practitioners to begin exploring how transitional justice can be integrated into existing processes and structures. While there is an acknowledgement and a recognition within the transitional justice field to address violations of forced migration and displacement of citizens, this recognition has not translated into meaningful participation of forced migrants in the national transitional justice processes in their countries of origin. Failure to address the injustices that generated or were created by forced displacement casts a shadow on the integrity of transitional justice processes and the ultimate goal of achieving peace. This guidebook intends to begin the bridging of this gap in the field while also engaging a wide group of practitioners who are committed to advocating for the holistic needs of forced migrant communities.

ACKNOWLEDGEMENTS

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Learn more at www.gijtr.org

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ABOUT THE GLOBAL INITIATIVE FOR JUSTICE, TRUTH AND RECONCILIATION CONSORTIUM

Around the world, there is an increasing call for justice, truth and reconciliation in countries where legacies of grave human rights violations cast a shadow on transitions. To meet this need, the International Coalition of Sites of Conscience (ICSC) launched the Global Initiative for Justice, Truth and Reconciliation (GIJTR) in August 2014. The goal of GIJTR is to address new challenges in countries in conflict or transition that are struggling with their legacies of past or ongoing grave human rights violations.

The GIJTR Consortium (“the Consortium”) comprises the following nine partner organizations:



A plaque at a killing site in Bangladesh sponsored by the Liberation War Museum.

- **International Coalition of Sites of Conscience, in the United States (lead partner);**
- **American Bar Association Rule of Law Initiative (ABA ROLI), in the United States;**
- **Asia Justice and Rights (AJAR), in Indonesia;**
- **Centre for the Study of Violence and Reconciliation (CSVr), in South Africa;**
- **Documentation Center of Cambodia (DC-Cam), in Cambodia;**
- **Due Process of Law Foundation (DPLF), in the United States;**
- **Forensic Anthropology Foundation of Guatemala (Fundación de Antropología Forense de Guatemala – FAFG), in Guatemala;**
- **Humanitarian Law Center (HLC), in Serbia; and**
- **Public International Law & Policy Group (PILPG), in the United States**

In addition to leveraging the different areas of expertise of the Consortium partners, the ICSC draws on the knowledge and longstanding community connections of its 275-plus members in 65 countries to strengthen and broaden the Consortium's work.

The Consortium partners, along with the ICSC's network members, develop and implement a range of rapid response and high-impact programs, using both restorative and retributive approaches to criminal justice and accountability for grave human rights violations. The Consortium takes an interdisciplinary approach to justice, truth and accountability. On the whole, the Consortium partners possess expertise in the following areas:

- Truth telling, memorialization and other forms of historical memory and reconciliation;
- Documenting human rights violations for transitional justice purposes;
- Forensic analysis and other efforts related to missing or disappeared persons;
- Advocating for victims, including for their right to access justice, psychosocial support and trauma mitigation activities;
- Providing technical assistance to and building the capacity of civil society activists and organizations to promote and engage with transitional justice processes;
- Reparative justice initiatives; and
- Ensuring and integrating gender justice into these and all other transitional justice processes.

Given the diversity of experiences, knowledge and skills within the Consortium and the ICSC's network members, the Consortium's programming offers post-conflict countries and countries emerging from repressive regimes a unique opportunity to address transitional justice needs in a timely manner while simultaneously promoting local participation and building the capacity of community partners.

DO NO HARM requires that intervening actors consider the unintended consequences of their environment and relationships in a context, and act in advance to address or prevent these consequences.

ACCOUNTABILITY to forced migrant communities means designing and implementing programs (humanitarian, development, peacebuilding, human rights etc.) that prioritizes the feedback and responses of all community members and seeks to assist communities/populations in a responsible and sustained manner.

GUIDING PRINCIPLES FOR INTEGRATING FORCED DISPLACEMENT AND TRANSITIONAL JUSTICE



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ACCOUNTABILITY to forced migrant communities means designing and implementing programs (humanitarian, development, peacebuilding, human rights etc.) that prioritizes the feedback and responses of all community members and seeks to assist communities/populations in a responsible and sustained manner.



INCLUSIVITY considers that every person, of all diverse identities and experiences, is instrumental in the transformation of their own societies. Inclusion of marginalized and underrepresented communities is critical to the design and implementation of effective transitional justice mechanisms.



SURVIVOR/VICTIM-CENTERED processes value the diversity of voices from forced migrant communities and prioritize migrants as stakeholders in the design and implementation of policies and programming which targets them, including on transitional justice issues.



TRAUMA-INFORMED APPROACHES appreciate that the social and psychological well-being of a society contributes to a sustainable post-transitional society. It is therefore critical that any transitional justice process considers the psychosocial support needed by forced migrant communities.

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INTRODUCTION

While existing transitional justice mechanisms have to an extent recognized the need to address human rights violations associated with forced migration, this has not yet resulted in the meaningful participation of forced migrants – refugees, internally displaced persons (IDPs), and asylum seekers – in national transitional justice processes in their countries of origin. As a result, the vast majority of forced migrants remain excluded from these processes, even when their victimization and victimhood have been acknowledged.

This guidebook is one element of a broader Global Initiative for Justice, Truth and Reconciliation (GIJTR) project on forced migration and transitional justice that aims to facilitate the integration of forced migration as a focus area in relevant transitional justice policies and processes and ensure the participation and inclusion of forced migrants in national transitional justice processes.

The guidebook seeks to provide practical, user-friendly guidance for practitioners and policymakers on how to best engage forced migrant groups when planning and implementing interventions on forced migration and transitional justice. It was cowritten by four national partner organizations with extensive experience working with forced migrant groups: [The Day After](#) (Syria), [Fantanka](#) (the Gambia), [SOS Sahel Sudan](#) (Sudan), and [CODHES](#) (Colombia) and is grounded in the extensive applied experiences of these organizations. Crucially, the guidebook recognizes the importance of integrating a trauma-informed, survivor-centered approach into any planned intervention on forced migration and transitional justice.

We begin with a brief overview of forced migration and transitional justice and the GIJTR project before outlining cross-cutting guiding principles that run through each of its four thematic chapters. Chapter 1 covers assessment; Chapter 2, participation; Chapter 3, documentation; and Chapter 4, advocacy. The chapters are interlinked and, read together, provide comprehensive guidance on key elements to consider when designing and implementing an intervention on forced migration and transitional justice. Each chapter concludes with a section on further reading, including highlighting relevant preexisting tools that readers can use.

Forced Migration and Transitional Justice

Forced migration, or displacement, is defined by the International Organization for Migration as the movement of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or to avoid the effects of armed conflict, situations of generalized violence, violations of human rights, or natural or human-made disasters.¹



Transitional justice is defined by the United Nations (UN) as the full range of processes and mechanisms associated with a society's attempt to come to terms with a legacy of large-scale past human rights violations and abuses to ensure accountability, serve justice, and achieve reconciliation.²

In its 2019 Transitional Justice Policy, the African Union (AU) emphasized the holistic and transformational nature of transitional justice and defined it as the various (formal and traditional or nonformal) policy measures and institutional mechanisms that societies, through an inclusive consultative process, adopt to overcome past violations, divisions, and inequalities and to create conditions for both security and democratic and socioeconomic transformation.³

For the purposes of this guidebook, transitional justice encompasses both the UN and AU definitions, but it also recognizes that it is an evolving field. GIJTR's work also goes further to place mental health and psychosocial support services (MHPSS) at the forefront and understands the importance of integrating MHPSS into whichever mechanisms and processes are implemented in any given context. Ultimately, it should be up to the survivors themselves to define what a just transition looks like and what particular measures should be used in their context(s).



Forced migration and transitional justice are closely linked, but the relationship between the two has attracted limited attention among academics and practitioners. Transitional justice, as a field designed to address legacies of conflict and authoritarian violence and prevent its recurrence, offers an array of mechanisms and approaches that are critical for responding to the longer-term needs of forcibly displaced groups. Contexts where transitional justice is pursued following armed conflict and/or authoritarian rule have often seen the displacement of large numbers of people either as a direct result of policies or as a secondary result of conflict and violence. Those forcibly displaced from their homes have frequently been subject to a wide range of human rights violations, both in their places of origin and following displacement. Addressing the immediate and longer-term needs of these communities and developing a nuanced understanding of the relationship between host and forced migrant communities play an essential role in securing lasting peace and stability post conflict. It is crucial that the voices of forced migrant communities be at the heart of any proposed transitional justice process and that upholding their rights be a priority in all relevant postconflict settings.⁴

In 2012, a joint publication by the International Center for Transitional Justice (ICTJ) and the Brookings-LSE Project on Internal Migration examined the relationship between displacement and transitional justice.⁵ The study made two overarching and interrelated recommendations: first, that responses to displacement in postconflict and transitional contexts should more concertedly incorporate transitional justice mechanisms, and second, that transitional justice measures should address the problem of displacement and include in their processes those forced from their homes.⁶

Limited research on forced migration and transitional justice has been undertaken since the ICTJ-Brookings-LSE project. In 2022, a research brief by the Centre for the Study of Violence and Reconciliation (CSVR) on forced migration as a transitional justice issue found that transitional justice mechanisms continue to address forced migration in limited ways.⁷ This shortfall was attributed to the ongoing perception among policymakers and practitioners of forced migration as a purely humanitarian issue with minimal links to broader peacebuilding processes. The research brief asserts that the humanitarian approach does not provide effective remedies for the violations forced migrants have suffered and seldom engages with the physical, mental health, and socioeconomic impacts of those violations, which can have lasting and intergenerational



consequences. In instances where national transitional justice processes have attempted to address the issue of forced migration, such as the Gambia's Truth, Reconciliation, and Reparations Commission, they struggle to ensure the participation and reflect the needs and demands of victims of forced migration.⁸

While some limited progress has been made in the recognition of forced migration as a transitional justice issue and the inclusion of a diversity of forced migrants' voices in transitional justice processes, the vast majority of displaced people remain disconnected from the decision-making processes that affect them. Most forced migrants remain on the margins of peace processes, political transitions, and other mechanisms that would allow them to return home with dignity and in security and/or successfully integrate into new locations.

Project Overview

Through GIJTR, the Centre for the Study of Violence and Reconciliation (CSV) and the International Coalition of Sites of Conscience (ICSC) launched the Forced Migration and Transitional Justice project in January 2021. The project was developed with the goal of integrating forced migration as a focus area in relevant transitional justice policies and processes and ensuring the participation and inclusion of forced migrants in national transitional justice processes.

The project began with the development of case studies by local partners in Syria, the Gambia, and Sudan. These case studies provided an important lens through which to analyze the similarities and differences in the drivers and impacts of forced migration in the three contexts. By looking beyond humanitarian approaches to addressing victimhood and human rights violations, the case studies examined forced migration as a transitional justice issue and the extent to which it has been integrated into transitional justice processes, developing recommendations for improving responses to forced migration.⁹



In 2022, the project expanded by inviting local partners and displaced communities to implement community consultations on transitional justice needs while using transitional justice mechanisms at the local level. [The Day After](#) (Syria), [Fantanka](#) (the Gambia), [SOS Sahel Sudan](#) (Sudan), and [CODHES](#) (Colombia) drew on community methods of memorialization and truth telling to map the ongoing needs of displaced communities that can be understood within the framework of transitional justice. A specific focus was placed on the internal support structures created by communities and how these structures can be harnessed to create safe and inclusive pathways for displaced communities to be represented and recognized in truth telling, reparations, security-sector reform, and other related processes.

Guidebook Rationale and Process

Central to the project is a recognition that it is the communities who have faced violations related to forced migration themselves who are best placed to inform the policies and interventions that seek to respond to their needs.

Following community consultations, each local partner was invited to an in-person writing workshop to lead the development of a set of practical tools for practitioners and policymakers working with refugees, IDPs, and asylum seekers. These tools are grounded in the extensive applied experiences of the partner organizations and provide practical, user-friendly guidance on how to best engage affected communities when planning interventions on forced migration and transitional justice.

During the three-day writing workshop, representatives from participating organizations presented their different areas of work with forced migrant communities and began to map how communities could be engaged within the broader transitional justice framework. CSVR and ICSC, with the assistance of a project consultant, synthesized the reflections of local partners from the first day and facilitated discussions on how the experience and knowledge of each organization could be distilled into the form of guidelines and practical tools for wider use by other interested actors. Over the second and third days of the workshop, the group began cowriting and coediting the structure and outline of the substantive chapters, with each organization drawing from its own experiential knowledge and writing about how it implements practical responses for the short- to long-term needs of forced migrant communities. On the final day of the workshop, follow-up writing tasks were disseminated for each participating organization and the group agreed on a set of deadlines to submit contributions. Over the course of 4 months, local partners continued to work remotely on the guidebook with assistance from ICSC, CSVR and the project consultant. In this time, each partner wrote, edited and provided feedback which culminated in the guidebook. While codeveloping and cowriting requires more time, it is a critical response to ensuring learning across regions and also provides a platform for the very people engaging in the work to write as the experts themselves. The resulting guidance is a key output of the project and was developed directly from the work of the local partners with individuals and communities that have and continue to undergo the impacts of forced migration. In this sense, the project was able to provide a critical conduit to prioritize the knowledge of local partners and communities.

The resulting guidelines and guidebook highlights the inherent creativity and knowledge that local organizations hold in responding to the needs of their communities. As such, it was developed specifically for practitioners from various fields – transitional justice, humanitarian, peacebuilding, and development actors – currently working with or looking to engage with forced migrant communities. This guidebook aims to highlight the positive impact that locally based organizations can make by integrating issues around forced migration into the transitional justice framework. It may also be a useful point of reference for national and/or international organizations that wish to better integrate transitional justice and forced migration into their programming.

Guiding Principles

During the writing and development of this guidance, four overarching principles were identified by the participating organizations. These cross-cutting and interrelated themes run through each of the four substantive chapters and provide general advice on key approaches to program design and implementation of interventions that seek to integrate forced migration issues within transitional justice processes.

The four guiding principles (Do No Harm, accountability, inclusivity, and survivor/victim-centric) were selected because they are all integral to ensuring that a genuinely trauma-informed, survivor-centered approach is adopted by program/policy design . Central to this approach is a recognition that in contexts dealing with legacies of gross and systematic rights violations, addressing the psychosocial consequences of violent conflict is central to individuals, communities, and societies coming to terms with past abuses and preventing their recurrence. In terms of its application to program/policy design and implementation, this means that it is necessary to invest in the well-being of forced migrants during these processes and also in better understanding and responding to trauma responses.

| DO NO HARM

The Do No Harm approach refers to the practical application of conflict sensitivity. Conflict sensitivity recognizes that assistance – humanitarian, development, peacebuilding, human rights – can have positive and negative

impacts, both intended and unintended. Crucially, the Do No Harm approach requires that the relevant actors consider the unintended consequences of their interventions on the relationships between groups of people in the context and act to address these consequences.¹⁰

WAYS TO INTEGRATE FORCED MIGRANT ISSUES INTO TRANSITIONAL JUSTICE PROCESSES

ASSESSMENT



Helps to understand the context where we seek to work and the potential impact.

PARTICIPATION



Ensures that displaced groups participate in processes affecting them. Thus, they can acquire the skills, knowledge, and resources to act independently.

DOCUMENTATION

Is the process in which the facts surrounding an individual or community's displacement are recorded.



ADVOCACY

Seeks to raise public awareness, improve policies and legal frameworks, influence civil society agendas, promote a holistic and victim-centered transitional justice process that integrates forced migration in a context-responsive manner.



In the context of forced migration and transitional justice, the application of the Do No Harm approach would first require that any engagement with displaced communities be grounded in a thorough and nuanced contextual analysis. The contextual analysis should take into consideration the potential risk of retraumatization of forced migrants following engagement with any planned intervention on transitional justice and requires that a detailed mapping of MHPSS support structures (formal and informal) is undertaken in the planning phase.

It is also important to be aware of any biases around transitional justice and associated language and to use neutral and non-politically loaded terminology where necessary. As mentioned above, those seeking to engage displaced communities should always be mindful of the intended and unintended impacts of their planned intervention and ensure that strategies are put into place to avoid and/or mitigate any potential negative consequences.

| ACCOUNTABILITY

Accountability is the process through which actors designing and implementing programs seeking to assist communities/populations endeavor to do this responsibly. In practice, this means that we take account of, give account to, and are held to account by the people we are seeking to assist by:

- Systematically sharing timely, relevant and actionable information with affected communities;
- Supporting the meaningful participation and leadership of affected people in decision-making, regardless of sex, age, disability status, and other diversities; and
- Ensuring community feedback systems are in place to enable affected people to assess and comment on the performance of the intervention, including on sensitive matters such as sexual exploitation and abuse, fraud, corruption, and racism and discrimination.¹¹

In the context of transitional justice and forced migration, this involves being open with displaced individuals and communities about the planned

intervention, including the length of involvement and any resource and capacity constraints. It is necessary to manage the affected community's expectations from the outset by giving clear and accurate information about the intervention, including what it can and cannot do, as well as how information will be stored and used and who will have access to it. Expectations should be openly discussed with both displaced and host communities, and actors should determine whether the intervention will be able to meet them.

Building a feedback loop/complaints mechanism into an intervention will give stakeholders the opportunity to voice any concerns that they may have about the process, which will help to secure long-term buy-in and build trust.



| INCLUSIVITY

Inclusivity in humanitarian, development, peacebuilding, human rights, and other programming refers to an approach that considers that every person, of all diverse identities and experiences, is instrumental in the transformation of their own societies. Inclusion of marginalized and underrepresented communities throughout the design and implementation of programming inevitably leads to better outcomes.¹²

In practice, this includes:

- Cocreating programs that help to transform inequitable power dynamics in communities and increase the meaningful participation of marginalized individuals;
- Partnering with marginalized and underrepresented groups during the design, implementation, and evaluation of programming;
- Engaging in ongoing processes with local communities to address the needs of these groups to attain fair treatment; and
- Making an intentional effort to ensure that we do not replicate the barriers that occur in wider society, to guarantee access to programming by marginalized and underrepresented communities and people in vulnerable situations.¹³

In the context of transitional justice and forced migration, this would involve linking with and mobilizing a wide range of diverse actors within forced migrant communities, including youth; women and girls; people with diverse sexual orientation, gender identity, gender expression and sex characteristics (SOGIESC);

older individuals; and the differently abled.

Facilitating the creation of safe spaces, either physical or virtual, where people from marginalized groups feel able to express themselves without fear of reprisal, is key.



FORCED MIGRATION

Defined by The International Organization for Migration (IOM)

As the movement of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters.



TRANSITIONAL JUSTICE

Defined by The United Nations (UN)

As the full range of processes and mechanisms associated with a society's attempt to come to terms with a legacy of large-scale past human rights violations and abuses to ensure accountability, serve justice, and achieve reconciliation.



Forced Migration and Transitional Justice are closely linked but the relationship between the two has attracted little attention amongst academics and practitioners.



Contexts, where **Transitional Justice** is pursued following armed conflict and/or authoritarian rule, have often seen the displacement of large numbers of people either as a direct result of policies or a secondary result of conflict and violence.

| SURVIVOR AND VICTIM-CENTRIC

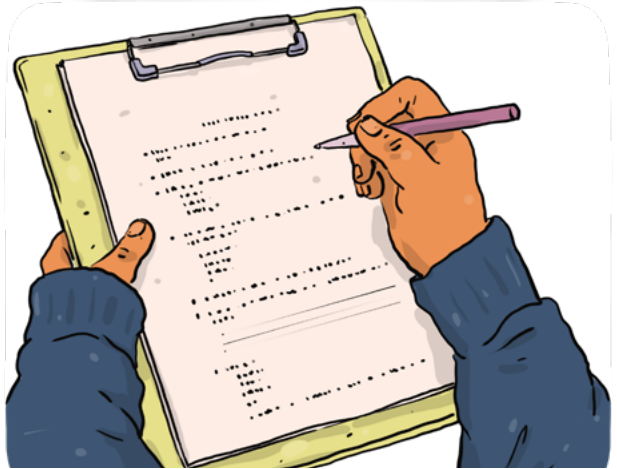
A survivor/victim-centric approach to transitional justice dictates that displaced communities themselves must be at the heart of all policies and programming that affect them. In practice, this means that a diversity of voices from forced migrant communities should be included in – and lead – the design and implementation of policies and programming that target them, including on transitional justice issues. Securing the meaningful participation of forced migrant communities – and helping ensure that they themselves have the skills and resources to independently advocate for their needs – is crucial to the success of any transitional justice process.

ASSESSMENT

Understanding the context where we seek to work and the impact we may have is an essential first step when planning a program, project, or activity that aims to engage forced migrant communities on transitional justice issues. Forced migration occurs for a variety of complex and often interconnected reasons and involves many different actors. Forced migrant communities are not always homogeneous and will often have diverse needs. Grounding your intervention, regardless of its scale, in sound analysis of a forced migrant community's past, present, and future and carefully considering the intended and unintended consequences that this intervention may have are key to ensuring its success and to mitigating any negative impacts.

A variety of assessment tools have been developed over the years to assist a wide range of actors in their work from the community level upward. These include but are not limited to **situational analysis**, **conflict analysis**, and **needs assessment**. Situational analysis is a process that helps identify opportunities and challenges, both internal and external, to an organization and can also be used to define the scope of a problem. Conflict analysis is a structured inquiry into the causes and potential direction of a conflict that seeks to identify opportunities for managing, transforming, or resolving this conflict. A needs assessment guides how organizations identify, measure, and prioritize the needs of a particular group or community (e.g., humanitarian assistance, development) with a view to effectively targeting their responses.

Which tool, or combination of tools, you use will depend on the type of intervention you are planning and will also be informed by other factors including availability of resources, accessibility, and audience. For example, if you are planning to support a community to undertake a project that memorializes their migration story, it would be helpful to first carry out a targeted needs assessment and a conflict analysis. You will find links to preexisting tools that you might want to use or adapt for your own program, project, or activity at the end of this chapter.



When selecting and adapting an appropriate assessment tool, it is helpful to start thinking about the **context** in which you want to engage with forced migrant communities, the **actors and stakeholders** who are involved, the **drivers** of forced migration in that specific context, the **dynamics and trends** that are shaping the context, the multifaceted **impacts** of forced migration on affected communities, the **needs** of these communities, and the existing and potential **entry points** for engagement on forced migration through the lens of transitional justice.

Context

Begin by mapping out the group’s geographical and temporal migration history. You should first establish:

- Where the group originated and where are they located now (village/town/city, permanent settlement/camp),
- Whether the migration was internal or international,

- Whether there were any other locations where the community resided between their original and current places of residence, and
- Whether there were any changes to the displaced group's place of origin (e.g., land grabbing by other people or by the government) that could prevent them from returning.

It might also be useful to physically map out these locations and/or to create a migration timeline with the information collected from these initial mapping questions. In this analysis, try to identify the most significant migration waves, including dates, numbers of forcibly displaced persons, location(s), and reasons behind the choice of destination.

Next, think about the demographic characteristics of the affected group.

- What was the socioeconomic, cultural, and political status of members of the group before and after forced displacement?
- Were they originally from a rural or urban location?
- What about age, gender, religion, ethnicity, economic status, and level of education?
- Is there any baseline data on the group you wish to engage? If so, is this verified information from a reliable source?

Forced migrant groups do not exist in isolation from other actors. Engaging with the affected group also requires us to consider the host community and the ways in which they have affected each other's lives and daily realities.

- Has this relationship had an influence on the MHPSS services or resources/support made available to the displaced group? If so, how?
- Has the relationship had an influence on the MHPSS services or resources/support made available to the host community? If so, how?

- How is the relationship between forced migrants and host communities (e.g., generally good, with sporadic incidents of low-level conflict or generally bad with frequent incidents of conflict)?

Depending on the historical and current conditions facing a host and migrant community, you may find that people think there has been an impact (positive or negative) on social services, resources, security, and other socioeconomic, cultural, and political factors. Developing a deeper understanding of these issues will provide valuable insights into the level of integration between both communities.



To better analyze the context in which forced migrant groups operate, it is also important to confirm which governmental (national, subnational, and/or local) and judicial bodies have jurisdiction over the location where the group is now resident. Try to identify the actors who oversee these bodies and the length of time that they have been in these positions.

- What are the existing legal or policy frameworks that relate to forced migration and transitional justice?
- Do these laws or policies discriminate against or protect the rights of forced migrant groups?
- Are there any significant gaps in the legal and/or policy frameworks that relate to forced migrant groups?
- How does the group identify themselves (refugee/IDP/asylum seeker/under temporary protection/naturalized/stateless, etc.), and what is their actual legal status? Is there a difference between the two?

Now map out and analyze any historical (formal or informal) transitional justice process that have been undertaken in this context.

- Have any formal or informal transitional justice processes taken place in the country/region/local area?
- What was the outcome? Have any of these processes engaged the forced migrant group? If so, how?
- Have any informal or traditional processes relevant to transitional justice been undertaken by the group themselves?
- Who was coordinating or managing this process? What was the outcome?
- What are the main challenges or constraints (by government authorities or communities) that could hinder implementation of transitional justice? Why?

Be sure to also consider broader peacebuilding initiatives, whose interventions may fall within the rubric of transitional justice without being defined as such by those involved. Moreover, some peacebuilding interventions may facilitate future work on transitional justice – e.g., community mobilization – and so should be considered to enable an expansion of entry points.

Actors and Stakeholders

Just as it is important to understand forced migration processes and relevant policy and legislation, you will also need to map out the key actors, both internal and external, who have an impact on the affected community and consider the precise nature of this impact.

Key external actors could be, for example, security forces, nonstate armed groups, government, and judicial authorities, nongovernmental organizations (NGOs) or international NGOs, grassroots or community-based organizations, community/religious/tribal leaders, business/economic actors, and international or regional bodies.

- Is the impact on the affected group positive or negative, material, or intangible?
- It might be helpful to rank these actors according to level of influence (high, medium, low) to identify bias and the exclusion of marginalized voices.
- It would be helpful to identify motivations/interest and sources of power/leverage for each actor.
- You could use a technique such as [pairwise ranking](#) to facilitate actor mapping.

Next, map out the key internal actors who have an impact on the affected groups and think about precisely how this influence manifests itself.

- Can you identify community leaders and/or groups?
- If so, what are the interests and needs of these actors?
- Can you group these actors into the following categories: *decision-makers*, *influencers* (positive or negative), *supporters*, and *spoilers*? Give the rationale behind your categorization.
- Can you identify the existing or historical local/internal mechanisms (traditional/ modern) related to the transitional justice process?

You should also be aware of the various roles that a range of actors, both external and internal, have played at different stages of the affected group's migration journey and the impact that this has had – and continues to have – on their lives.

- Which actors triggered the original forced displacement of the affected?
- Who is supportive of those displaced, both from point of origin and the host community?
- How and why is this support manifested (economically, politically, socially, etc.), and what is the interest of these actors in either supporting or undermining the group?
- How are conflicts managed between host and displaced communities, and does this relate to the broader security situation in the area?

Finally, consider the relationship between each of these identified actors and transitional justice. This



Fantanka on Conducting Community-informed Assessments

At Fantanka, we are a civil society organization based and working in the Gambia. Our work is focused on advocating against sexual and gender-based violence particularly against women, advocating for the rights of women, young people, and other marginalized groups, as well as providing mental health and psychosocial support for victims of rights violations.

One of our recent projects, with support from GIJTR, engaged some forced migrant communities with the aim of promoting inclusion and participation of forced migrants in the Gambian transitional justice process. We began the project with assessments of the communities conducted through community consultations and key informant interviews. One of the communities engaged was subjected to religious persecution resulting in their

expulsion from the Gambia by government forces, and the other groups included youth who migrated because of a constrained political and economic environment under the Jammeh dictatorship.

With the information shared during the assessments, we worked with community members to decide on a suitable method of documenting their experiences and highlighting their needs. The assessment's findings showed that community members had low rates of English literacy, were inexperienced in engaging formal processes, and did not have many opportunities to be involved in the formal truth recovery process that took place in the Gambia between 2019 and 2021 via the Truth, Reconciliation, and Reparations Commission.

In addition, one of the communities we worked with, who experienced religious persecution, made it known that they did not want to continue participating in the process in the interest of securing gains attained through negotiations with state authorities, as well as the risks of traumatization involved. These wishes of the community were respected, and they were not included in the next phase of the project.

Our assessments led to the development of a documentation methodology that was participatory for the remaining community members. This was done by conducting a River of Life drawing exercise to document the experiences of the communities. The River of Life exercise allowed each participant to tell their own story through a reflective process that also enabled them to express it in their own way. As an organization, we were conscious that the reflections about their past could trigger emotions and potentially retraumatize some, so we made sure we provided mental health and psychosocial support personnel to assist the participants during both the assessment and the subsequent process of documenting.

We worked with the communities during the assessment to identify which bodies and institutions could help to add their voices in the transitional justice process. It was interesting to learn that the communities themselves had formed support groups or had representatives who could, with support, reach out to key transitional justice stakeholders and advocate for the rights and needs of their communities. ❖

will help to identify potential entry points for future interventions on forced migration and transitional justice.

- What is the relationship between each actor (external and internal) and transitional justice?
- In what way (if any) do these actors have an influence on formal and informal transitional justice processes in this context?
- Consider how influential actors can be engaged to create an environment that enables effective, community-driven transitional justice processes.

Chapter 3, Participation, provides guidance on how to build and maintain relationships with key actors, which is an essential part of designing and implementing an effective participatory and conflict-sensitive intervention on forced migration and transitional justice.

Drivers

Forced migration is usually caused by several interrelated elements that can be divided into three categories: *proximate* and *structural* causes and *triggers*. Structural causes are pervasive factors that have become built into the policies, structures, and fabric of society and may create the preconditions for violent conflict. Proximate causes are the factors that contribute to a climate conducive to violent conflict or to its further escalation and are sometimes symptomatic of a deeper problem. Triggers indicate single key acts, events, or their anticipation that will set off or escalate violent conflict.¹⁴

Identify the causes of forced migration for the community in question and divide these into *proximate causes*, *structural causes*, and *triggers*. Potential causes could include:

- Access/use of land and water resources
- Access/use of other natural resources
- Sociocultural, political, and economic exclusion/marginalization
- Poor governance and impunity
- Authoritarian/oppressive governance
- Unbalanced development
- Absence or inadequate social service
- Arms proliferation
- Criminal networks
- Security forces or nonstate armed groups
- Overspill from neighboring country
- Racism/discrimination
- Freedom of expression

For example, climate change (e.g., manifested as drought) can cause conflict over access to resources (land, water, etc.), and this is exacerbated in contexts where the rule of law is weak and public services are limited. An absence of legal

protections for marginalized groups (e.g., property/land ownership) increases the vulnerability of these communities to human rights abuses. In these situations, the most vulnerable are forced to leave their homes in search of greater security and socioeconomic opportunities.



**EXTRAJUDICIAL
KILLINGS AND ENFORCED
DISAPPEARANCES**



**UNEQUAL
DISTRIBUTION
OF RESOURCES**



**SYSTEMATIC
MARGINALIZATION OF
CERTAIN GROUPS**



ARMED CONFLICT



**CAUSES OF
FORCED DISPLACEMENT**

It is also important to think about why the group chose to move to their current location and how they got there (distance and mode of transportation).

- Was the location chosen intentionally because of a more secure environment or enhanced legal protections? Or perhaps because of better socioeconomic opportunities or family linkages?
- Were forced migrants from this particular group officially welcomed by the national authorities?
- Alternatively, is the current location of this group unplanned or simply due to proximity or other factors?

Identifying whether the choice of current destination was intentional or unintentional may help you understand the impact of the displaced group's move on the host community.

Dynamics and Trends

Consider any recent changes in the behavior and/or relationships among the main actors and the reasons behind these changes, if any.

- Have there been any recent political, socioeconomic, legal, and/or security developments in relation to the context, and if so, what has been the impact of these developments?
- Have there been any recent developments in national and/or subnational transitional justice processes (formal and informal), and is the group/community directly engaged in any of these processes? If so, what has been the impact of these developments?

Awareness of recent behavioral and contextual changes and the reasons behind these changes will help you better target your intervention and avoid/mitigate spoilers.

Impacts

Forced migration affects communities in several ways. The impacts can affect individual members of groups differently according to their SOGIESC status, their socioeconomic status, their legal status, and a variety of other factors.

- How do the displaced individuals/groups feel affected?
- What coping mechanisms have been adopted by displaced individuals/ groups, and how are these supported or undermined by different actors?
- How can these coping mechanisms be strengthened to ensure that the voices of those affected are heard?
- Does the individual/group need additional support? If so, how?

Think about the specific ways that groups and individuals within these groups have been affected by displacement and whether this amounts to a violation of their economic, social, and cultural rights (e.g., right to housing, right to health, right to work, right to education, freedom from hunger) and civil and political rights (freedom from discrimination, the right to privacy, right to peaceful assembly, freedom of expression and religion, the right to vote). Consider the psychosocial and economic impacts of these violations on communities and families/individuals.

Needs

Just as individuals belonging to displaced communities are affected in different, often interrelated ways by forced migration, they also have divergent needs. It is important to try to identify these needs – generally speaking but also in terms of transitional justice. General needs are often taken care of by humanitarian and development actors and include shelter, food, water, health care, livelihood education, etc.

Transitional justice needs can include justice, accountability, institutional reform, reparations, and protection. How does the displaced group identify their needs, and can these be prioritized according to urgency – immediate, mid-term, and long term?

Entry Points

Consider whether entry points and windows of opportunity currently exist for addressing forced migration through the lens of transitional justice. It is useful to think beyond explicitly transitional justice opportunities and look at other peacebuilding related opportunities that could provide a conduit to transitional justice – e.g., through mobilizing community child protection cells, engaging with nonviolent resistance movements, and adding on to economic equality and participation programming.

- Are there any existing processes/groups/bodies in place that would facilitate access to transitional justice processes?
- Who are the key actors/organizations who work with forced migrants on transitional justice or broader peacebuilding issues?
- Is there an existing legal or policy framework that would support formal or informal transitional justice processes?
- Do challenges to accessing these entry points exist, and if so, how can you address them?

Establishing and maintaining professional relationships with a wide range of stakeholders (humanitarian, peacebuilding, development, etc.) will facilitate identification of potential entry points, including those that are less obviously related to transitional justice.

Methodology

Assessment tools employ a wide range of qualitative and quantitative methodologies, including but not limited to desktop research, key informant interviews, focus groups, surveys (online/in person), field observations, workshops (with diverse participants), participatory



research (participants decide) and media analysis (traditional and social media). You can find links to useful resources on different assessment methodologies at the end of this chapter.

FORCED DISPLACEMENT IN NUMBERS



83%

of forced displaced people are hosted in low and middle-income countries.



69%

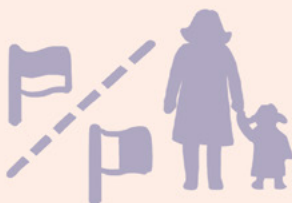
of all refugees displaced abroad came from 5 countries: Syria, Venezuela, Afghanistan, South Sudan and Myanmar.

A hundred million people were forced to leave their homes in 2022 and looked to Europe as a preferred destination.



48%

of people displaced across borders are estimated to be women and girls.



0-17 years old:

21% male
20% female



18-59 years old:

28% male
26% female



60+ years old:

3% male
2% female



Information sourced from <https://www.unhcr.org/62a9d1494/global-trends-report-2021>

SOS Sahel Sudan on Representation During Assessments



We work for SOS Sahel Sudan which is a Sudanese NGO with a vision of “peace and prosperity for all in Sudan.” In our recent project, we worked toward improving response to IDPs rights and access to basic social services under fragile and uncertain conditions in the Darfur region of Sudan. These communities have been in IDP camps over the last two decades, where various actors implemented several interventions for them. Thus, an assessment is a necessity to identify gaps for any new interventions and to understand what has previously been done.

The assessment began with a general meeting with community leaders, focus group discussions with key informants such as women groups and youth groups and the local government authority. In order to do this, we conducted several visits to IDP camps with other NGOs’ staff members who are already implementing activities. This helped us to build trust, identify IDP representatives and begin targeted communications. We informed them that we intended to implement some activities but we first needed to

identify gaps and concerns that could be targeted in the activities. They explained that basic social services and broader needs related to peace remained important, and we agreed to focus our assessment on basic needs and strategic needs. The key finding of our assessment is a capacity gap among affected IDPs communities to demand their rights and basic services and to sustain what has been previously provided by other interventions.

Most recently, SOSSS implemented a project to address the rights of IDPs through a joint response funded by the Dutch Government. We selected community representatives from diverse groups of the IDP community and trained them on organizational and managerial capacities to enable IDPs organize themselves to demand and lobby for their rights.

With assessment there are some challenges, including weak coordination between existing humanitarian actors. In addition, because of trauma and other difficult situations experienced by IDPs, we needed to factor in a longer start period to establish trust. We have been able to undertake a long-term engagement with and we strongly feel that building trust is the key for effective interventions. Tangible “wins” include community members organizing themselves into groups and

independently advocating for their rights. This can only happen if sound assessment takes place to ensure

that projects are relevant and well-timed for the emerging and existing needs of a community. ❖

Further Reading and Resources

| CONFLICT ANALYSIS

SDC, [Conflict analysis tools](#)

UNICEF, [Guide to conflict analysis](#)

Schirch, L. 2013. Conflict Assessment and Peacebuilding Planning: A Strategic, Participatory, Systems-Based Handbook on Human Security. Center for Justice & Peacebuilding Eastern Mennonite University.

GIJTR, [Understanding and Addressing Violations of Economic, Social and Cultural Rights in Transitional Justice: An Assessment Tool](#)

| NEEDS ASSESSMENT

Humanitarian Response, [Needs Assessment: Guidance and Templates](#)

A collection of key guidance and templates supporting the production of outputs related to needs assessment

The World Bank, [A Guide to Assessing Needs](#). Essential tools for collecting information, making decisions, and achieving development results

UNHCR, [Needs Assessment Handbook](#). *The Needs Assessment Handbook* consolidates existing policies, practices, and guidance, and represents the first guidance UNHCR has produced on needs assessments that applies to all sectors, situations, methods, and populations of concern.

UN OCHA, [Needs Assessment and Analysis](#). A series of tools and guidance to support and strengthen coordinated assessments in humanitarian contexts

UN OHCHR, [Manual on Human Rights Monitoring: Chapter 8 - Analysis](#)

| SITUATIONAL ANALYSIS

UN OCHA, [Situational Analysis Template](#)

PARTICIPATION

Survivors of conflict-related human rights violations, including forced migrants, should be at the center of all transitional justice processes. Their views, dignity, priorities, and concerns must be at the forefront of any such process, from design to implementation. Enabling the meaningful participation of forced migrants can result in a necessary shift in their own – and broader societal – perceptions of their status and roles, from mere beneficiary to powerful agents of change.¹⁵ As practitioners working in peace building, human rights and transitional justice, one of our key objectives is to ensure that displaced groups participate meaningfully in processes that affect them, with the ultimate aim of rendering ourselves irrelevant as these communities acquire the skills, knowledge, and resources to act independently.

While meaningful participation is often prioritized by organizations working with survivors of human rights abuses, including forced migrants, it is less straightforward in practice. Keeping in mind the four guiding principles when working with forced migrant communities – while considering how to effectively **open doors, make linkages and mobilize, create safe spaces, raise awareness, build capacity, facilitate, manage expectations, coordinate, and monitor and evaluate** – will help to ensure that any engagement you have with these groups/communities is genuinely participatory and survivor-centric.

Opening Doors

Initiating and maintaining relationships with key individuals is time-consuming but critical to ensuring the effective participation of forced migrant groups in transitional justice processes.

First, review the stakeholder mapping undertaken as part of the Assessment chapter, and identify a wide range of key actors who may have a role to play in enabling the meaningful participation of forced migrants in these processes. Be sure to not only list elites/powerholders (community leaders, representatives, and both formal and informal authorities) but also members of marginalized groups (include youth, women, people with diverse SOGIESC, older populations, differently abled, etc.). Before making initial contact, determine the best manner of approaching key individuals (these actors are often labeled gatekeepers, as they can control access to information), taking into account cultural sensitivities and other factors (mistrust, lack of awareness or knowledge, motivations, biases, etc.). Initiate and maintain contact with a wide range of relevant actors in the door-opening process.



Think carefully about when it is appropriate to initiate and maintain contact with key individuals and tailor your engagement to the actor with whom you seek to establish/maintain a relationship (language, gender, cultural sensitivities, etc.). Be aware of biases around transitional justice and associated language and use neutral and non-politically loaded terminology where necessary.

Investing in building trust in the long term will help to ensure buy-in. Effectively maintaining these relationships is a vital first step in managing the expectations of affected communities and other key actors.

Making Linkages and Mobilizing

From the outset, encourage cocreation of plans, strategies, and activities involving a diverse range of actors within forced migrant groups (include youth, women, people with diverse SOGIESC, older populations, differently abled, etc.) and incorporate feedback/active listening as part of the design/implementation process. Facilitate the inclusion of different relevant actors from host communities in these processes. This can include individuals working informally/voluntarily at the community level and also formal actors (human rights defenders, peacebuilding specialists,

CODHES on Facilitating Meaningful Participation



Consulting for Human Rights and Displacement (CODHES) is an organization of Colombian civil society actors that has worked for more than 30 years to guarantee the rights of the displaced population in Colombia. Our work is recognized for being able to influence the state response to forced displacement, as well as for promoting the participation of the displaced population in processes of restoring rights and building peace, with differentiated approaches to gender, ethnicity, and generation. Today, we work in eight regions in Colombia, where communities have been or are affected by armed conflict. CODHES is consultative before the United Nations and the Organization of American States.

A significant focus of our work is to promote the participation of victims and organizations to strengthen their incident processes, especially those linked to construction and/or public policy. With this

approach, we began the [Comadre Mural project](#), inviting the Association of Displaced African-Colombians (AFRODES) and its collective of displaced women, La Comadre, to participate. This invitation was possible because of the long-term relationship that CODHES has maintained with the collective. For several years, we have accompanied their autonomous processes of resistance, healing, memory, and fighting for access to justice, truth, repair, and nonrepetition.

The participation of the displaced African-descendant community, particularly women and young people, ensured a joint consultation and decision-making process, as well as the development of the project; the selection of team members the site of intervention; the methodologies of participation, people participating, resource management; and the development process itself. This collective participation resulted in a mural, now seen as an expression of living memory and healing of the displaced community.

More than 80 people from the displaced Afro-Colombian community who live in Soacha Community 4, a municipality near Bogotá – historically the recipient of displaced populations – participated

in the project. Supported by a group of artists and the expert CODHES team in guarantees of nonrecurrence, along with the leaders and young leaders of La Comadre and AFRODES, we promoted the project and supported the community in creating the mural.

Although their participation has been undermined in territorial and political scenarios, displaced victims' movements and organizations have strengthened their resistance strategies through mechanisms that promote a culture of peace. La Comadre illustrates this scenario very well. Within the framework of guarantees of nonrecurrence, the creation of the mural symbolizes a culture of peace that contributes to building an intergenerational memory. The mural also encourages the creation of self-narratives of displacement that resume resistance strategies and resilience and healing practices of displaced Black women. This consolidates collective narratives that have been silenced in institutional accounts and, in so doing, follows a participatory methodology with vulnerable social actors (women, young people, Black boys and girls) focused on culture (ancestral and present) and art – all as a resistance and violence prevention strategy.

For the participating community, developing a mural is an exercise of living memory that facilitates an intergenerational conversation about the processes of displacement

and the impact of conflict, but also about the resistance and collective possibilities of displaced Black communities. ❖

humanitarian actors), including those who might not necessarily see themselves as working in transitional justice. If possible, support the establishment of a network between affected communities and relevant actors. Identify existing structures and processes in forced migrant groups that could be strengthened rather than seeking to impose new structures or processes.

Creating Safe Spaces

Work with communities to identify and create suitable and safe spaces, whether physical or virtual, so they can come together and develop their own agenda regarding forced migration and transitional justice without external imposition. Because of the various conditions encountered during your assessment, you might need to provide financial or technical support to the group you are working with. Even though these needs might not respond directly to your project outputs or objectives, deliver them as requested to maintain the community's trust. Work with communities to determine the most appropriate timing for engagement. In addition, it is important to establish whether mixed spaces or specific spaces are necessary for certain groups (e.g., women, youth, differently abled).

Awareness Raising

Develop an awareness-raising strategy on forced migration and transitional justice in partnership with the affected community. This could involve providing targeted information on holistic transitional justice and human rights, as well as addressing other knowledge gaps identified during the assessment phase (see Chapter 2, Assessment). Develop resource/training materials and processes in collaboration with affected communities, ensuring that they are tailored to specific audiences/stakeholders, such as security sector actors, religious bodies, and local authorities.

Capacity Building

Tailor capacity-building sessions to respond to needs identified during the assessment phase, and identify trainers with the most relevant expertise (in-house or outsourcing). Key training areas relating to forced migration and transitional justice may include, for example, mental health and psychosocial support skills, communication and advocacy, and arts-based truth-telling approaches to memorialization. Ensure inclusivity and representation of participants, holding separate training sessions for different groups where necessary. Select a suitable place, time, and mode of training, taking into account cultural and religious sensitivities and other factors (e.g., work/childcare responsibilities). Finally, identify which community members would benefit from “training of trainers” guidance and on which topic or issue.

Facilitation

Always keep in mind the value of building on existing processes and practices used by affected communities rather than imposing external methodologies. Ensure that there are a wide range of facilitation techniques available to choose from to promote participation and inclusion of diverse individuals and groups. Examples include intergenerational dialogues, River of Life, body mapping, and listening circles. You will find links to a range of facilitation techniques and tools that you might want to use or adapt for your own program, project, or activity at the end of this chapter. Make sure that a trauma-sensitive approach is taken and that a qualified mental health professional is on hand to provide participants with support, if needed.

Managing Expectations

Managing the expectations of affected individuals and communities you seek to engage is key to ensuring that your intervention has a positive impact. This should be done when “opening doors” but also at regular points throughout your engagement. From the outset, give clear and accurate information about the intervention, including what it can and cannot do, as well as how information will be stored and used and who will have access to it (see Chapter 4, Documentation, for more information). Openly discuss expectations with both displaced and host communities and clarify whether the intervention will

be able to meet them. Explain the role of other actors in the sphere of transitional justice and the possible external challenges that may affect the expected outcomes of the intervention.

Building in a feedback loop or complaints mechanism into your activity, project, or program is also linked to the monitoring and evaluation of your intervention and will give stakeholders the opportunity to voice any concerns they may have about the process, which will help to secure long-term buy-in and trust.

Coordination

As outlined in Chapter 2, Assessment, it is vital to map all the actors who engage in transitional justice-related issues in the area in which you seek to operate, including those who may not necessarily view themselves as transitional justice professionals (human rights, peacebuilding, humanitarian, development, etc.). Coordinate with these actors at local, national, regional, and/or international levels to avoid duplication of activities, promote complementarity, fill practice gaps, and exchange knowledge. Support the establishment of a transitional justice network and agree on the modalities of coordination – for example, through regular meetings, open communication, and information

sharing. It is useful to conduct joint strategic planning with partner organizations on integrating forced migration into current and future transitional justice processes.

SOS Sahel Sudan on building trust through participation



Our work at SOS Sahel Sudan focuses on peace building and economic empowerment for war-affected communities in the Darfur region of Sudan. These communities have been exposed to violations of human rights and atrocities over the past two decades, with transitional justice representing a priority issue for them to maintain reconciliation, social cohesion, and peaceful coexistence. One of the key aims of our project is to develop participatory, nonviolent ways of promoting coexistence within targeted communities by establishing stronger relationships and setting up mechanisms for dialogue and conflict resolution among them.

To build trust and relationship, we first identified the key people in the community to engage and then reached out to other diverse groups. Then we mobilized the targeted community and got them on board. This engagement helped us understand the internal context of the IDPs and how, where, and when to meet to raise issues or to implement a specific activity. The key community representatives who opened the door for us did not include all diverse community groups, so we conducted community awareness about the need for inclusive community representatives, which should include women, men, youth, and marginalized groups, disabled groups, etc.

After several meetings and facilitations, the targeted IDP community understood the importance of participation and collective actions, and they managed to establish inclusive peace-building committees. Yet they kept

some specific women and youth committees, as they feel they need to discuss some issues separately before coming to the inclusive committee.

An important component of our project is building the capacity of the affected IDP communities to document their own stories of violations. To do this, we trained IDP committees on organizational and managerial issues and on how to prioritize their advocacy issues and negotiation skills, as they need to influence both humanitarian actors and government policy makers. We provided the services of an MHPSS professional and trained the peace-building committees on participatory advocacy campaigns, legislative reform around IDPs rights, and access to land. Building trust is the key for effective participation, and tangible wins include community members organizing themselves into groups and independently advocating for their rights. ❖

Monitoring and Evaluation

Effective monitoring and evaluation should be undertaken on a rolling basis throughout the life of the intervention and must be participatory in nature. This should include both displaced and host communities and facilitate the inclusion of marginalized individuals and groups within the displaced population. Regular reflection and learning sessions can provide an opportunity for displaced and host communities to discuss the intervention. They also encourage open, safe discussion

on lessons learned and failures with a view to adapting the intervention accordingly. Additional systems can be put into place to ensure accountability, such as satisfaction forms, complaint boxes, contact persons, telephone numbers, and community town halls.

At the end of the chapter, you will find links to a range of monitoring and evaluation tools that you may want to use or adapt for your own program, project, or activity.

Further Reading and Resources

| FACILITATION METHODS

International Coalition of Sites of Conscience, [*Violence Prevention and Dialogue Toolkit*](#).

GIJTR, [*Community Truth-Telling in Outlying Regions of Colombia*](#).

GIJTR, [*Body Mapping for Advocacy*](#).

Search for Common Ground, [*Community Dialogue Design Manual*](#).

| MONITORING AND EVALUATION

GIJTR, [*Strengthening Participation in Local-Level and National Transitional Justice Processes*](#)

CIVICUS, [*Monitoring and Evaluation*](#)

Humanitarian Response, [*Response Monitoring: Guidance and Templates*](#).

Working under the guidance of the Inter Agency Steering Committee (IASC) humanitarian program cycle steering group, the Inter-Agency Monitoring Technical Group has developed guidance on a joint approach to response monitoring for the humanitarian community.

NGO Connect, [*Monitoring and Evaluation Plan Template*](#)

UNHCR, [*Framework for Assessing, Monitoring and Evaluating the Environment in Refugee-related Operations*](#)

USAID, [*Activity Monitoring, Evaluation, and Learning Plan Template*](#)

Tools4Dev, [*Monitoring and evaluation \(M&E\) plan template*](#)

NOTES

DOCUMENTATION

The term documentation can be widely interpreted, and its meaning is dependent on the context in which it is being undertaken. Documentation can refer simply to the collection of published and/or unpublished resources or to the recording of facts about ongoing or recent events as part of an inquiry or investigation.¹⁶ Broadly speaking, documentation is the process of collecting, storing, and analyzing information from a variety of sources (e.g., documents, books, images, audio and video recordings, electronic texts). A wide range of documentation methodologies can be employed – for example, arts based, audio-visual, and evidentiary data collection, each with differing degrees of participation from affected individuals/groups.

In the context of forced migration and transitional justice, documentation is the process in which the facts surrounding an individual's or group's displacement are recorded. Displaced communities are often subject to a wide range of human rights violations at each stage of their journey of displacement. For example, structural discrimination against a marginalized group in their place of origin can result in socioeconomic exclusion and increased vulnerability to abuse by a range of actors (both state and nonstate). Vulnerability to human rights abuse is exacerbated by conflict and can force communities to leave their homes and seek better security and socioeconomic opportunities elsewhere.

These journeys are often dangerous and unpredictable, putting individuals and groups at even greater risk of abuse. Displaced communities often lack the knowledge, influence, and resources to seek redress for violations, either in their place of origin or at their destination.

Documenting displaced communities' histories of forced migration is important for several reasons. The documentation of these histories is not only a necessary step toward the broader aims of transitional justice but also a goal in and of itself. Documentation is a powerful form of nonviolent resistance to ongoing conflict, as it enables the pursuit of justice without having to wait for a conducive political environment. It resists the hijacking of narratives and the destruction of evidence, history, and memory.¹⁷ Once securely stored, documented material is a repository of evidence crucial for eventual prosecutions, truth commissions, and other measures. Critically, the very process of documentation itself can, if undertaken sensitively and with integrated mental health and psychosocial support, assist in collective and individual healing, as it ensures that the victimization of individuals and communities is acknowledged, recorded, and remembered.¹⁸

Documentation can have several objectives, including advocating for legal and/or policy changes around human rights standards; building a collective memory that supports community building and reconciliation; investigating and collecting evidence of human rights violations for truth-telling, justice, and accountability processes; and providing direct services to victims and their families.¹⁹

How you go about documenting the experiences of forced migrant communities will depend on why and what you seek to document. For example, the documentation of human rights violations for use as evidence in criminal justice proceedings requires very specific criteria before it can be deemed admissible in court. On the other hand, documenting the stories of displaced communities as part of a community-based, informal truth-seeking initiative can be a freer and less structured process. It is important to consider what kind of documentation is appropriate (think about the principle of Do No Harm) for the individual/group with whom you seek to engage. For example, the recording of oral histories may be something that affected communities feel comfortable with, while asking very specific questions about certain incidents may result in retraumatization.



Understanding the context in which you seek to engage and designing an appropriate and relevant documentation methodology following careful assessment of a community's needs and priorities are key. Furthermore, ensuring that the documentation process is genuinely participatory or, in some circumstances, community led is crucial to ensuring that your intervention has a positive impact. Detailed guidance on **assessment** and **participation**, including the application of the principle of Do No Harm can be found in Chapters 2 and 3. Incorporate the identification of risk factors (restrictions, security) in your initial assessment, and draw up operational guidelines for community engagement on documentation that outline principles of inclusivity, impartiality, integrity, confidentiality and data sharing, security, etc. Always be aware of gender, cultural, religious, and other relevant sensitivities and apply well-established ethical standards around collection and use of personal information when drafting these guidelines.

You will find links to guidance on a range of documentation tools and techniques at the end of this chapter.

Objectives

Think creatively and collaboratively about how to integrate documentation strategically into your vision for transitional justice, keeping in mind that it can occur at the national or local level, be a formal or informal measure, and have a short- or long-term focus.

Think critically about why documenting the stories of forced migrant communities is necessary and how this information can be used.

Different uses and objectives of documentation could include:

- Community-based truth-telling initiatives that feed into truth commissions and other measures,
- Local-level memory and memorialization activities that facilitate reconciliation and increased community cohesion,
- Collection of evidence of human rights violations for criminal justice and other accountability processes,
- Advocating for legal and policy changes and institutional reforms on migrant rights, and
- Informing the provision of direct services to forced migrant communities.

Importantly, note that the above is not an exhaustive list and that the documentation of forced migration and transitional justice issues can serve more than one purpose, provided that your methodology is appropriate.

Information

Any documentation initiative should be grounded in the priorities of the group with whom you wish to engage. First, identify the transitional justice needs and priorities of the displaced group (see Chapter 2, Assessment, and Chapter 3, Participation), before discussing precisely what kind of information should be collected and stored to best further these needs and priorities.

Information could include:

- Collective histories of displaced groups;
- Personal experiences and stories of displaced individuals;
- Human rights violations, including economic, social, and cultural rights and civil and political rights, related to forced migration; and



Methodology

It is important to think carefully about which methodological approach, or combination of approaches, is most appropriate for the kind of information you wish to collect. Introduce a range of established documentation methodologies to the displaced community you seek to engage and make a collaborative decision following an open discussion. Decide how participatory the design and implementation process will be with the affected community during this interaction. You might need to hold a number of these introductory sessions with different demographic groups (e.g., youth, women, people with diverse SOGIESC, the older population, differently abled) within the displaced community to ensure inclusivity and diversity.

There are a range of well-established documentation methodologies that should be considered when selecting potential approaches for engagement with a displaced community. These include:

- **Art-based approaches**, such as body mapping, River of Life, and murals. This is a helpful approach when planning a community-level truth-telling initiative, as it provides an alternate language for forcibly displaced individuals and communities to capture the trauma of their experiences and creatively engage with the past while envisioning a new future.
- **Audio-visual approaches**, such as photography, video, and voice recordings. This is a helpful approach when planning a multimedia advocacy campaign, as it provides a direct and compelling medium through which individuals and groups can communicate their stories and messages.
- **Data collection approaches** are helpful when organizing a needs assessment, planning to submit evidence to a criminal investigation into human rights violations, and/or looking at the impact of laws on displaced communities, as it results in the collection of accurate, specific, and often time-bound information.

All these approaches require technical expertise and so-called soft interpersonal

skills. You may wish to seek the assistance of a specialist to help you design and implement an introductory session on documentation methodologies with displaced community members and/or when designing and implementing your own documentation process.

| FORMING AND PREPARING YOUR DOCUMENTATION TEAM

If you can, select individuals with relevant expertise in the documentation methodology you wish to employ and knowledge of forced migration and transitional justice issues. If possible, ensure that your team is representative of the community with whom you would like to engage, including marginalized groups. Make sure that the team is aware of any cultural sensitivities around identity (gender, sexual, ethnic, religious, age, etc.) and that they modify their interactions accordingly. Try to identify and address potential biases within the team toward participants and the way they capture or interpret testimonies (e.g., through background checks).

It may be necessary for the team to receive comprehensive training, for example, on:

- Established documentation practices and guidelines;
- Mental health and psychosocial support;
- Legal frameworks;
- Bias and cultural sensitivity; and
- Communication skills, such as establishing rapport, empathy, and nonverbal communication.

You can then develop and share operational guidelines on documentation that outline principles of inclusivity, confidentiality, data sharing, security, and other relevant topics. Apply well-established ethical standards around collection and use of personal information when drafting these guidelines.

| ENGAGING PARTICIPANTS

Refer to Chapter 3, Participation, which provides guidance on key topics to consider, including opening doors, creating safe spaces, managing expectations, coordination, and monitoring and evaluation. From the outset, it is essential to communicate the value of participants' involvement and to provide clear and transparent information on the documentation process, its objectives, and likely outcomes – for example, through a website, contact details, and consent and confidentiality guarantees.

The mode of participant selection and engagement will vary according to the methodology you choose. These could include snowballing, random selection, a public call for participation, and purposive selection. Links to a range of participant selection methods are listed at the end of this chapter.

The goal and methodology of the documentation activity will have a bearing on its setting. Think about the setting where the documentation activity will take place and ensure that the timing is contextually and culturally appropriate, taking into account gender, age, religion, and other dynamics. Ensure that the setting is safe and comfortable, in a private space, and offer support if required – for example, from a relative or a friend or a mental health and psychosocial support referral. Employ accredited translators if the participants speak a different language or dialect from your own.

| TIMELINE

Consider the time frame of the documentation process as well as the anticipated number of meetings the process will require. In addition, clearly communicate this to participants and broader affected communities. For example, memorialization processes can be longer-term in nature, while the documentation of human rights violations during a defined period would usually have a shorter timeline.

| STORAGE AND RETRIEVAL SYSTEM

Organizations and individuals use a wide range of tech tools for their documentation work, from Google Docs and Microsoft Excel to bespoke

database systems created in-house.²⁰ Links to a range of existing, open access documentation tools are listed at the end of this chapter.

Most documentation efforts involve a five-stage process: collection, verification, management, analysis and visualization, and sharing. Typically, certain tools will support primarily collection and verification of information, whereas others will support management, analysis, and visualization. As many tools have common functionalities from these two categories, they should be seen as broad areas of focus rather than completely distinct from each other.²¹

It is important that you select an appropriate tool to store, use, analyze, and share the information you collect. You will need to consider quality control of information, safety and confidentiality, and whether the system should have open or restricted access. If in any doubt, seek technical assistance from a qualified tech professional on how to design, maintain, and update an appropriate storage and retrieval system that will best cater to the needs of the displaced community and your organization.



The Day After on Documenting the Syrian Revolution

The Day After (TDA) is one of the leading organizations calling for transitional justice within the Syrian conflict and has set the basis for strengthening the Syrian community and influencing decision-makers in a way that serves transitional justice aims. TDA focuses on six pillars: the rule of law, transitional justice, security sector reform, electoral reform and forming a Constitutional Assembly, constitutional design, and economic restructuring and social policy.

We have implemented several projects that support the documentation of different human rights violations throughout the Syrian revolution:

National Documentation Project: We established an electronic database for two million real estate documents to protect the housing, land, and property (HLP) rights of forcibly displaced Syrians.²²

Forced Displacement Project:

Entitled “In the Absence of the Choice to Remain or Return,” this project was implemented within the transitional justice framework, with a focus on truth telling, accountability, and reconciliation. We believe that the results of this project will be used by future transitional justice mechanisms to:

- Build a database consisting of 10,000 forcibly displaced cases;
- Document different human rights violations, including cases experienced before, during, and after the initial forced displacement; and
- Maintain a record of displaced individuals’ and communities’ property documents.²³

Displacement After Displacement – Oral Memory of Palestinian-Syrians:

The oral testimonies of Palestinian-Syrians who suffered forced displacement were documented, and overlapping vulnerabilities were combined. The resulting book opens up a historical dimension by linking the narrators’ testimonies on their forced displacement experiences in the Syrian conflict with their ancestors’ stories of forced displacement during the 1948 Palestinian exodus.

Enhancing Civil Cohesion and

Accountability Project: We supported survivors of detention and other human rights violations and the families of the missing, ensuring joint communication and advocacy between them and international accountability mechanisms such as the International Impartial and Independent Mechanism, the Commission of Inquiry, and the International Commission on Missing Persons.

We at TDA strongly believe that documentation is an essential component of ensuring transitional justice for Syria, as it provides a record of the abuses and violations committed in the past to be used to build cases and seek justice for victims/survivors. Additionally, documentation provides evidence to support claims and establish reliable facts about the past, ensure accountability, and prevent similar violations. Finally, we perceive documentation as important for ensuring that victims receive justice and are not forgotten. ❖

| USE OF INFORMATION

Develop agreements with all stakeholders involved on how information is going to be accessed and used. If possible, report back on the process, data, and analysis to participants to ensure accuracy and maintain credibility and trust with displaced and host communities.

Further Reading and Resources

GIJTR, *Living Archives: An Introductory Toolkit for Civil Society Organizations in the Creation of Human Rights Oral Archives and Organizing Their Documentation*

Amnesty International, Benetech, and The Engine Room, *DATNAV: How to Navigate Digital Data for Human Rights Research*

HURIDOCS, Events Standard Formats

The Events Standard Formats are a method of monitoring and recording abuses of civil, political, economic, social, and cultural rights to identify patterns.

HURIDOCS, PILPG, and The Engine Room, Tech tools for human rights documentation

ICC, *Documenting International Crimes and Human Rights Violations for Accountability Purposes: Guidelines for Civil Society Organizations*

UN OHCHR, *Manual on Human Rights Monitoring*

Part VI: Monitoring and documenting human rights violations. Chapter 11: Interviewing

Part VI: Monitoring and documenting human rights violations. Chapter 12: Trauma and Self-care

Part VII: Monitoring the human rights of particular rights holders. Chapter 26: Monitoring and Protecting Human Rights in the Context of Migration

Fantanka on Arts-based Documentation



At Fantanka, a major part of our project on inclusion of forced migrants in the transitional justice process was to document the experiences and stories of the survivors in the Gambia in a suitable medium for the communities with whom we were working.

Drawing from past experiences working with communities with low literacy levels, we proposed a River of Life documentation process. This activity was suitable because of its informality. We recognized based on the assessments we did with the communities that some of the survivors have not had previous support to prepare them for telling their experiences. Thus, to avoid retraumatization, doing a River of Life was ideal, as it provided participants an opportunity to tell their stories without needing to verbalize them publicly, while maintaining their anonymity if they wished. Documenting this way also had the advantage of inclusion, as participants of all ages and backgrounds could express their ideas in their own way through art. We learned from the process that

putting their stories on paper as art first made it easier for some of the participants to begin talking about their experiences because they could reference and explain their drawings or representations.

Many of the people who participated in the project are returned migrants who have never had the opportunity to tell their stories or voice the impact and needs that resulted from their migration. They also were not included in the formal transitional justice process and had very little knowledge about it. We are collating the Rivers of Life to be exhibited at Memory House, a memorialization site set up by another Gambian organization, ANEKED. While the formal transitional justice mechanisms have concluded their mandates, follow-up measures are planned to hear victims who did not have a chance to document their stories during the initial processes. We anticipate that this will give the communities we worked with in this project a chance to engage in further advocacy.

While the River of Life is not a typical documentation process, it allows victims – especially those who find it difficult initially to talk about their experiences – to express themselves. Based on the experiences of our project, this can give them the

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ADVOCACY

Put simply, advocacy is any action that seeks to plead, support, defend, demand, or speak on behalf of a particular cause. It is an action to promote change, exercised by an individual or a group of people who are bound together in pursuit of a common goal. The goal of advocacy is to create democratic spaces (real or digital) where marginalized people are allowed to speak and be heard and respected by the rest of civil society and key stakeholders.



Advocacy can encompass a broad range of activities, including but not limited to lobbying governments for legislative or policy change, monitoring change and progress on a particular issue, and campaigning and awareness raising on a specific cause. Public engagement through a range of advocacy tools and methods gives displaced communities an effective means to make their voices heard on issues that they themselves have identified as priorities. In the context of forced migration and transitional justice, this could mean seeking to raise public awareness, improve policies and legal frameworks, and influence civil society agendas, to promote a holistic and victim-centered transitional justice process that integrates forced migration in a context-responsive manner.

An advocacy strategy that focuses on forced migrant communities must be grounded in sound contextual analysis and place the needs and priorities of the affected individuals and community at its heart. It must be community oriented and should be community led. To be community oriented, the advocacy strategy should fulfill the community's general needs regarding transitional justice and forced migration and also consider the diverse needs of different individuals within the group (e.g., youth, women, people with diverse SOGIESC, the older population, differently abled). To be community led, the advocacy strategy must be sustainable and provide an avenue for the community members themselves to take full ownership of the process. Communication is key and must always take into account cultural, religious, and linguistic sensitivities.

Design

Regardless of the substance of an advocacy strategy, sufficient attention should be given to process and ensuring that forced migrant communities have the skills and resources to effectively advocate for their own needs. Capacity building on a range of related topics, such as legal literacy, fundraising, and monitoring and evaluation, should be built into the design of any participatory advocacy activity.

| IDENTIFY SPECIFIC PROBLEMS AND GAPS

A crucial first step is to identify the specific problem(s) and gap(s) relating to forced migration and transitional justice that affected communities want to address. Use information collected during the assessment and/or documentation phase of engagement to help pinpoint key issues to focus on.

Once a problem or issue has been identified, you can then collaboratively determine realistic objectives that will contribute to addressing it. Such objectives might include:

- Establishing a victims' group that will be able to monitor the implementation of a truth commission's recommendations regarding forced migration,
- Starting a community-based truth-telling and memorialization process involving both displaced and host communities to increase community cohesion,
- Initiating an arts-based awareness campaign on forced migration and transitional justice that uses street theater to increase public understanding of forced migration-related issues, or
- Working with sympathetic lawyers who can advocate for the recognition of forced migrants as a distinct legal category.

The Day After on Research Advocacy



As part of the Bridges of Truth group, which consists of eight Syrian organizations, we at The Day After have been working for four years to push for full and meaningful justice for countless victims of conflict and oppression at the hands of the Syrian regime. This group aims to support the victims/survivors, amplify their voices, and tell their stories.

In addition, we host the Transitional Justice Coordination Group,²⁴ a group of organizations established in 2014 that work in the field of transitional justice. We have published several papers on the importance of creating a Syrian path in transitional justice, particularly the report titled *Mapping of Violations in Syria Over Six Years*.²⁵

Throughout our advocacy efforts in the area of forced displacement and transitional justice, we produced several reports, including the following:

- **Research papers on HLP**

- ***Reality of HLP Rights in Syria***²⁶: Before and during the conflict phase, we foresee this research will help understand the conditions and laws that the Syrian regime enforced to control the properties of the displaced.
- ***The Role of Transitional Justice (Reparations and Compensation Mechanisms) in Addressing Property and Housing Problems in Syria***²⁷: The development of the transitional justice concept in the international jurisprudence and practice, characteristics of transitional justice, its mechanisms, and the problems of property rights and housing as a Syrian dilemma, in addition to the challenges of transitional justice in Syria.
- ***Property Rights in Syria From a Gender Perspective***²⁸: The research addresses the issue of women’s property rights in international law and Syrian legislation and sheds light on other causes affecting property and housing rights, in addition to governmental and civil interventions to guarantee

women’s rights to property and housing nationally, regionally, and globally.

- ***Variables of Demographic Identity and How They Affect the Social Fabric, Property Rights, and the Return of Refugees***²⁹: The report details the dangers of changing the urban and demographic identity, and the legal and practical difficulties facing property owners in recovering their property, as well as the repercussions of demographic changes and real estate policies and the rights of Syrian refugees – foremost, their right to return.
- ***Electoral Reform and Democratic Transition in Syria***³⁰: The report demonstrates an analytical and critical review of the legal and institutional frameworks related to the elections in Syria. It presents a vision and suggestions for the future electoral process. It mainly targets different actors in the Syrian context.

- **Media materials on transitional justice**

- [A video in cooperation with the Bridges of Truth about TDA's work in documenting the stories of victims of violations](#)
- [An interview by Enab Baladi newspaper with the Bridges of Truth project manager, Abbas Musa, in which he talked about the project and the role of TDA in supporting transitional justice efforts in Syria](#)
- *A Guide Through the Untold Darkness*,³¹ which reveals the reality of detainees and forcibly missing persons in Syria and their families. It narrates the journey of pain experienced by the victims and their families, citing the stories of some of them, to raise awareness about the plight of the Syrian victims and urge action to defend their rights and promote comprehensive justice regarding the crimes committed against them. An [audiobook version](#) and a [promotional video](#) of the guide were produced.
- Advocacy Campaign, through a series of videos documenting the testimonies of the families of the missing persons: [video 1](#), [video 2](#), [video 3](#).

- The short animation movie [Tomorrow We Continue](#) tells the story of a Syrian refugee striving to know the fate of her husband, who was arrested by the Syrian authorities. The film won seven international awards.
- [An art exhibition of expressive drawings about forced displacement in northern Syria](#) entitled *Forced Displacement* depicts the suffering of the displaced after they were forced to leave their home. The purpose of the exhibition was to shed light on the suffering of the displaced.

We at TDA believe that the role of advocacy in transitional justice processes is essential to ensure that the forcibly displaced are provided with the necessary support and protection; it is an important tool for supporting their rights and ensuring that their voices are heard and that they are not left behind as transitional justice processes are undertaken.

Advocacy can be used to increase local and international awareness of displaced people's situation and push for policies that protect and promote their rights. It can also be used to support the implementation of reparations and other measures that address the harm they experienced. ❖

To help avoid survivor fatigue and mitigate difficulties, work with participating community members to ensure that the planned advocacy strategy is SMART (specific, measurable, achievable, realistic, and time bound).

MAP HISTORICAL AND CURRENT ADVOCACY ACTIVITIES

It is important to be aware of past and present advocacy processes in the area – national, regional, local – that target(ed) some aspect of forced migration and transitional justice. Effective coordination with relevant stakeholders will help to identify possibilities for collaboration and to avoid duplication and minimize survivor fatigue and retraumatization. Try to reach out to other bodies that have engaged on forced migration and transitional justice to potentially build on and strengthen work already undertaken. Effective communication with local and national authorities to secure buy-in for the planned advocacy work, including obtaining necessary permits, reduces the risk of spoilers and opposition.

DETERMINE KEY AUDIENCES

First, map out the different audiences that you want to engage so you can target your approach appropriately. These can range from the fairly obvious, such as policy makers or lawmakers working on transitional justice and forced migration issues, to the less obvious, such as social media influencers who have engaged on issues around social justice. Ensure that you consider contextual factors that influence audiences, including demographics, geographical location, and language.

Second, try to find out what each of these audiences knows and how they access information. You should, for example:

- Determine their level of familiarity with forced migration and transitional justice issues;
- Identify which media and type of content they commonly use, both print (e.g., research reports, policy briefs, newspapers) and audio-visual (e.g., television, radio, social media, infographics, arts); and
- Identify their preferred mode of personal engagement, such as

workshops, conferences, community meetings, informal public spaces, or the home.

ADAPT THE STRATEGY TO EACH AUDIENCE

Craft targeted message points for each identified audience, being careful to adapt the tone and language so they are appropriate and accessible. Make sure that your messaging:

- Clearly states your objective on forced migration and transitional justice, emphasizing its importance;
- Unambiguously identifies the problem(s) and the solution(s);
- Avoids repeating existing advocacy messages and tells people something new that they have not thought about before; and
- Grabs attention, while being backed by evidence.

CODHES on the importance of collective advocacy



During all these years at CODHES, we have worked to ensure the protection and guarantee of the rights of the displaced populations. Colombia is a country with more than nine million victims of the armed conflict. Of these, more than 80% have been victims of forced displacement. Together with the collective of African-Colombian Women Victims of Displacement, known as La Comadre, we have worked toward enhancing their access to justice, reparations, and the construction of memory and healing scenarios within the framework of the nonrepetition of violence. We have sought recognition from the Colombian State for the collective reparation of La Comadre women, victims of individual and collective damages from displacement for causes associated with armed conflict.

As an organizational process, La Comadre has strengthened its mechanisms of advocacy. CODHES, as a partner of La Comadre during advocacy processes, has focused its support for reparations of displaced people in four scenarios with a strategy for each, as follows:

Transitional justice (official mechanisms established by the 2016 Peace Agreement: Special Jurisdiction of Peace, the Colombian Truth Commission, the Search Unit for people given as missing). We have accompanied La Comadre to deliver [different reports](#) on the impact of the conflict on Black women throughout the Comprehensive Peace System as well as on the recommendations of the Truth Commission in its Final Report.

The Colombian Government, particularly in front of the Victims Unit, recognizes the subjects as victims and must guarantee their collective reparation.

[Justice, public power through the Constitutional Court](#). We have continuously developed reports that have been submitted to the court to demand orders to state entities for the care of Black women and the forced displacement population.

[Civil society and human rights organizations](#). We have developed synergies for the strengthening

of joint incidence processes that contribute to access to truth, reparation, justice, and nonrepetition for displaced Black women.

The Mural project aligns with advocacy processes that we have worked together on strategies for nonrepetition, memory, and healing. In this sense, after carrying out the Mural, a new strategy has been prepared:

Promotion of the painting of a community mural as a restorative and memory exercise within the guarantees of non-repetition framework. To that end, we prepared a live account of the mural process, accompanied by a video, which has been shared with government entities, international bodies, and civil society.

Systematization of experience to replicate this experience in other scenarios with victims. This can be seen as an instrument closely related to the recommendations established in the final report of the Truth Commission for the construction of a culture of peace.

Participants who were part of the development of the project's strategy have also been linked in the evaluation of this approach. As a result, we were able to generate these last two new ideas to continue advocating for the rights of displaced people. ❖

Partner with potential allies by reaching out to organizations and other stakeholders working with each audience. Identify policy makers and other influential actors who can champion your message. Identify media platforms and the modes of interaction that give access to those who can champion your cause. Determine the type of media that will deliver these messages (e.g., social media, radio, TV, newspapers, posters, etc.). Think about the modes of personal interaction that will deliver these messages (e.g., vox pop, safe spaces, listening circles, online meetings, focus group discussions, and conferences).

| DEVELOP A BUDGET AND WORK PLAN

Identify what capacity and resources (e.g., logistics and technical support) are necessary to complete each activity and develop a corresponding budget. For example, what would be the direct and associated costs for a five-minute local radio broadcast on forced migration and transitional justice?

Establish a work plan that sets out a realistic timeline with the sequence of activities. Identify the critical paths to ensure full implementation of the work plan and monitor activities on a rolling basis to ensure that they meet your identified objectives.

| EVALUATE

It is crucial that you remain accountable to the community throughout the design and implementation of the advocacy process (refer to Chapter 3, Participation, for detailed guidance). Collaboratively developing the work plan and timeline with the affected community and ensuring that hard and soft copies are made available will help to ensure buy-in. Make sure that you provide safe spaces to collect feedback on the advocacy activity on a rolling basis and amend the activity if necessary. You should also establish clear communication channels between the community and a potential neutral party in case of any complaints or misconduct.

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CONCLUSION

Recognizing that much still needs to be done in terms of bridging the gap between those who traditionally engage with forced migrant communities and those who work on transitional justice issues, this guidebook is intended to make a meaningful contribution toward better integrating these two connected but conceptually unaligned spheres.

By providing clear, easily understandable, and practical guidance on four key thematic areas, and by drawing on existing open access resources, the publication aims to give practitioners and policy makers the necessary tools to make connections, sustain conversations, and cocreate innovative, survivor-centered approaches that help to strengthen the linkages between forced migration and transitional justice. Increased coordination within and between all sectors that engage with displaced communities and a better and more holistic understanding of these communities' diverse sets of needs, including on transitional justice issues, can only result in more satisfactory short- and long-term outcomes for forced migrant communities.



The guiding principles and guidebook came about through an innovative process of cocreation, in which local partner organizations drew on their extensive experiences working with forced migrant communities in Colombia, the Gambia, Sudan, and Syria with a view to putting together a publication that would assist organizations like theirs to engage more effectively with displaced communities on transitional justice issues. The guidance is written by practitioners for practitioners and highlights that the experiences of local organizations are a precious yet undervalued resource to be drawn on when seeking to engage affected communities on a variety of issues.

Ultimately, forced migrant communities themselves should be at the forefront of any discussion on legal reform, policy development, and program design that may have an impact on them. While there are still significant obstacles to securing the meaningful participation of displaced individuals and communities in transitional justice processes, it is hoped that this publication will play a modest but meaningful part in helping to realize this goal.

NOTES

ENDNOTES

- 1 [IOM, Key migration terms](#), accessed March 10, 2023.
- 2 [UN OHCHR, About transitional justice and human rights](#), accessed March 10, 2023.
- 3 [African Union, Transitional justice policy \(January 2019\)](#), para. 19, accessed March 11, 2023.
- 4 [CSVR, Forced Migration: A transitional justice issue \(April 2022\)](#), accessed March 10, 2023.
- 5 [ICTJ and Brookings-LSE Project on Internal Displacement, Transitional justice and displacement: challenges and recommendations \(June 2012\)](#), accessed March 10, 2023.
- 6 [ICTJ and Brookings-LSE Project on Internal Displacement, Transitional justice and displacement: challenges and recommendations \(June 2012\)](#), p. 6, accessed March 10, 2023.
- 7 [CSVR, Forced migration: a transitional justice issue \(April 2022\)](#), p.1, accessed March 10, 2023.
- 8 [CSVR, Forced migration: a transitional justice issue \(April 2022\)](#), p. 1, accessed March 10, 2023.
- 9 [GITJR, Forced migration and transitional justice](#), accessed March 11, 2023.
- 10 [CDA, Do No Harm: a brief introduction](#), accessed March 21, 2023.
- 11 [UN OCHA, accountability to affected people](#), accessed March 21, 2023.
- 12 [USAID, Inclusion and equity](#), accessed March 23, 2023.
- 13 [USAID, Inclusion and equity](#), accessed March 23, 2023.
- 14 [Institute for Security Studies, On conflict: definitions and selected theories \(2009\)](#), accessed February 22, 2023.
- 15 [UN OHCHR, About transitional justice and human rights](#), accessed February 23, 2023.
- 16 [HURIDOCS, What is documentation \(2003\)](#), accessed February 24, 2023.
- 17 [Brookings Institute, Writing atrocities: Syrian civil society and transitional justice](#), accessed February 24, 2023.
- 18 [Brookings Institute, Writing atrocities: Syrian civil society and transitional justice](#), accessed February 24, 2023.
- 19 [Matelski, Dijkstra, and McGonigle Leyh, Multi-Layered Civil Society Documentation of Human Rights Violations in Myanmar: The Potential for Accountability and Truth-Telling](#), p. 5, accessed February 24, 2023.
- 20 [HURIDOCS and The Engine Room, Tech tools for human rights documentation: A snapshot of the landscape](#), p. 5, accessed February 25, 2023.
- 21 [HURIDOCS and The Engine Room, Tech tools for human rights documentation: A snapshot of the landscape](#), p. 5, accessed February 25, 2023.
- 22 [Safeguarding Official Documents: English version, Arabic version](#).
- 23 [In the Absence of the Choice to Remain or Return: English Version, Arabic Version](#)
- 24 [Statement and Recommendations: The Transitional Justice Coordination Group on Creating a Missing Persons Mechanism](#)
- 25 [Mapping of Violations in Syria Over Six Years: English Version, Arabic Version](#)
- 26 [Reality of Housing, Land, and Property Rights in Syria: English Version, Arabic Version](#)
- 27 [The Role of Transitional Justice \(Reparations and Compensation Mechanisms\) in Addressing Property and Housing Problems in Syria: English version, Arabic Version](#)
- 28 [Property Rights in Syria from a Gender Perspective: English version, Arabic version](#)
- 29 [Variables of Demographic Identity and How they Affect the Social Fabric, Property Rights, and the Return of Refugees: English Version, Arabic Version](#).
- 30 [Electoral Reform and Democratic Transition in Syria: English Version, Arabic Version](#)
- 31 [A Guide Through the Untold Darkness: English Version, Arabic Version](#)



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