Civil society in transitional justice (TJ) settings has been instrumental in addressing gaps and challenges that formal TJ institutions find challenging. These include marshalling victim and public participation, disseminating information more broadly and ensuring that the underlying causes of violations are taken into account. Civil society acts as service providers and watchdogs to ensure TJ measures are focussed on proposed objectives. The success of TJ processes may be determined by the extent to which civil society is strong and well organised.

This practice brief outlines civil society’s role and lessons learnt in The Gambian TJ process, which may be useful to practitioners operating in similar contexts. Based on interviews with key civil society actors conducted in late 2022, it looks at the experiences of civil society organisations (CSOs) that existed before the TJ process and those formed during it, as well as their engagements with regional and international partner organisations.
The first phase of Gambian CSO involvement in the TJ process consisted of capacity-building initiatives, with local CSO partners covering gaps identified in an initial needs assessment. Multi-stakeholder consultative meetings and workshops followed, such as trainings on strategic advocacy. As their capacity grew, CSOs initiated activities ranging from memorialisation initiatives to radio programmes designed to make the TJ process more accessible to The Gambian public, as well as women’s listening circles, community dialogues and mental health and psychosocial support for victims.

With the closing of the Truth, Reparation and Reconciliation Commission (TRRC), CSOs began promoting and monitoring the implementation of its recommendations. These activities have provided an opportunity for CSOs to build synergies and coalitions to maximise impact and potential for success.

GAMBIA’S TRANSITION

Yahya Jammeh’s administration presided over 22 years of oppressive rule characterised by gross human rights violations, including murder, enforced disappearances, torture, extrajudicial killings, sexual and gender-based violence, and suppression of civil liberties and fundamental freedoms.

After Jammeh conceded defeat in the presidential elections of 2016, the new government initiated a TJ process that included measures such as the Constitutional Review Commission, the Commission of Inquiry into the Financial Activities of Public Bodies, Enterprises and Offices, security sector reform and, particularly, the TRRC. With a mandate to “investigate and establish an impartial historical record of the nature, causes and extent of violations and abuses of human rights committed during the period July 1994 to January 2017 and to consider the granting of reparations to victims and for connected matters,” the TRRC ran from September 2018 to May 2021.

TJ was a novel concept for The Gambia and unfolded within a weakened socio-political and civil society space. As such, there was a critical need for capacity building and technical and other assistance to strengthen institutions that would facilitate an effective TJ process.
THE RISE OF GAMBIAN CIVIL SOCIETY

One of the destructive legacies of the Jammeh regime was suppression of the freedom of expression and association. While the TRRC hearings focussed mainly on treatment of the media, civil society was similarly constrained. Consequently, the voices of civil society were suppressed to virtual silence. Like in many sectors, key actors and institutions within the civil society space were persecuted to the extent that many went into exile. Those who stayed could say little and accomplish even less on issues involving the state.

When the change of government occurred, most established CSOs lacked technical and resource capacity to meaningfully engage with the TJ process. Realising this lacuna, local actors formed new CSOs to address pressing issues. These included Women in Liberation and Leadership (WILL), the CSO Gender Platform (a coalition of women-led organisations), the Solo Sandeng Foundation and The Gambia Centre for Victims of Human Rights (Victims’ Centre). These CSOs took some time to familiarise themselves with TJ and fine-tune their strategies and activities.

More CSOs began to emerge in the early phases of the TRRC, formed mostly by vested stakeholders, particularly victims and those engaging with the TRRC. Focussing on identifying unmet needs or gaps in the TJ process, they included the Women’s Association for Victims’ Empowerment (WAVE), the African Network Against Extrajudicial Killings and Enforced Disappearances, (ANEKED) Gambia Chapter, and Fantanka.

“We responded to calls from different women victims and came together as a group of women to discuss how to build support for women victims in particular (though things have changed over time), and came up with WAVE, ... primarily to support women’s inclusion, participation, give them agency in the TJ process.” – Priscilla Yagu Ciesay, WAVE

“ANEKED is the result of the founder being a victim of enforced disappearances. Nana-Jo Ndow is the founder and executive director of the organisation. She came after Jammeh left, in 2017, she came and started looking at what was happening and she wasn’t satisfied with what was on the ground, particularly what the government was doing with the TRRC, and felt that there was a need to be involved in the process and also to really try to fight impunity for enforced disappearances and basically be part of the process of eradicating enforced disappearances in The Gambia.” – Sirra Ndow, ANEKED

Memorialisation portrait of a Victim, exhibited by ANEKED at their Memory House

“I THOUGHT HE WAS STILL ALIVE SOMEWHERE. I WENT TO ALL THE PRISONS IN THE COUNTRY.”
These CSOs had to surmount the technical and resource challenges that hampered optimal involvement in the TJ process. However, with capacity building and funding support provided by regional partners like the Centre for the Study of Violence and Reconciliation (CSVR) and international partners like the International Coalition of Sites of Conscience (ICSC), Gambian CSOs leveraged their various expertise and experiences to establish a significant presence in the process.

THE ROLE OF REGIONAL AND INTERNATIONAL CSOs

CSV R and ICSC conducted two preliminary needs assessments as consortium partners under the Global Initiative for Justice, Truth and Reconciliation (GIJTR). The first assessed mental health and psychosocial support (MHPSS) capabilities in The Gambia as the country entered its TJ process. The second was wider in scope, aiming to identify possible intervention areas in the process. This led to a multi-phase project to support CSOs to address capacity gaps.

In their support work, CSV R and ICSC adopted a strategy of providing a series of trainings for Gambian CSOs identified for doing work relevant to TJ, followed by small grants the CSOs could use to implement activities they themselves designed. This strategy, firstly, allowed the CSOs to build much-needed knowledge of TJ, which, together with their various expertise, helped them design responsive TJ activities.

Secondly, it brought together diverse CSO actors and gradually provided the space for collaboration and synergies between them. This culminated in the creation of a CSO coalition that was instrumental in supporting victims when the TRRC unrolled a controversial interim reparations programme. This coalition has continued its work since the TRRC closed its doors, advocating for proper implementation of the TRRC’s recommendations on reparations and all other matters.

Thirdly, the strategy’s focus on small grants allowed the nascent CSOs to conduct their work without the overwhelming financial risk usually attendant to handling large grants without the type of finance departments and procedures required to manage them. The GIJTR partners went on to fund larger projects after the CSOs attained the necessary capacity and organisational structures and procedures.

“With Sites, we were able to benefit from the technical and financial support they provided, in the area of trainings, funding and other capacity building activities.”
– Muhammed Sandeng, Solo Sandeng Foundation
GAMBIAN CSO STRATEGIES

With the start of the TRRC, Gambian CSO strategies were determined by their focus areas rather than specific TJ needs. For instance, the Victims’ Centre generally focussed on victims’ registration, while women-oriented or women-led CSOs such as WILL focussed more on women’s participation. There was little specificity in the strategies by which this would be attained. CSOs’ TJ approaches were shaped as they became more familiar with TJ and began to identify gaps and needs in the process. As one of the interviewees stated, their work was mostly passion-driven.

Newer CSOs were more specific in their initial approach, presumably because they had opportunities for prior engagement with the TRRC and in some cases benefitted from capacity-building trainings. For example, Fantanka focussed its strategies on MHPSS provision, while ANEKED was founded specifically to address the issue of extrajudicial killings and enforced disappearances through TJ. WAVE sought to address the lack of victim involvement and agency in the TRRC.

As the process unfolded and more technical expertise was gained, the CSOs’ agendas and strategies evolved and became more specific to certain mechanisms and addressing unmet needs. For example, the Solo Sandeng Foundation focussed on security sector reform.

One remarkable feature of CSO work in Gambian TJ is the centrality of gender considerations (particularly for women’s needs and women’s inclusion), which has significantly reduced the inclusivity gaps in the work of formal TJ institutions. This is likely because most of the leading CSOs involved in Gambian TJ are women-led.

KEY CSO ACTIVITIES AT DIFFERENT STAGES OF THE TJ PROCESS

A myriad of CSO activities characterised The Gambian TJ process, with the following strongly featuring.

**Victim Database Development**

One of the earliest activities of the Victims’ Centre was the creation of a database to map and catalogue the stories of victims of human rights violations. This was particularly useful to both the TRRC and other CSOs who sought to engage with victims, as it reduced the burden on these institutions to locate victims on their own. Developing the database also facilitated collaboration between other stakeholders and the Victims’ Centre.
WILL later developed a database of victims of sexual and gender-based violence, when the TRRC’s failure to address these types of violations became increasingly apparent. This database is an ongoing initiative.

**Medical and Livelihood Support**

One of the most successful initiatives of the Victims’ Centre was its livelihood support programme. To complement the TRRC’s interim reparations programme, the Centre conducted an assessment of victims who needed urgent interim assistance and provided them with medical support that included psychosocial support, school support to cover educational costs for some children of victims, and support for victims to set up small business ventures. These interventions were critical to ensuring the participation of victims who were socioeconomically constrained and would otherwise have found it difficult to access the TRRC.

Although the TRRC provided some interim support to victims in accordance with its mandate, all such support ceased when its term ended. CSOs took on the burden of meeting the ongoing needs of victims. In particular, CSOs recognised the need for continuous provision of psychosocial support to victims, while programmes such as the Victims’ Centre’s livelihood support continue to assist those victims facing dire socioeconomic and health challenges.

**TJ Outreach Activities**

Several CSOs undertook outreach activities in communities across The Gambia to discuss concepts such as truth, reconciliation, reparations and guarantees of non-recurrence and how they relate to the TRRC’s mandate and TJ in the country. These activities complemented the outreach activities of the TRRC and expanded its limited reach.

**Women’s Listening Circles for Victims of Gender-based Violence**

Working within a sociocultural context that is largely patriarchal and knowing the stigmatisation attached to sexual and gender-based violence in The Gambia, women-led and women-focussed CSOs recognised the need to create safe spaces for women to participate and express themselves without risking suppression of their opinions or being subjected to re-traumatisation and stigma. Women’s listening circles, which CSOs formed in various communities across the country, became one of the most successful modes of encouraging women’s participation in the TJ process.

**Mental Health and Psychosocial Support for Victims**

One of the earliest areas of intervention identified by Gambian CSOs was MHPSS, particularly in relation to women and SGBV. Noting the inadequacy of MHPSS provision at the TRRC and its implications for women’s participation in the truth-seeking/telling process, a number of women-led CSOs such as Fantanka and WILL, as well as the Victims’ Centre, initiated MHPSS programmes with technical support from CSVR. As the TRRC process unfolded, these services took on a variety of formats. Organisations such as WAVE identified the need to use arts-based approaches to promote healing and provide psychosocial support through community support.
TRRC Digests and Summarised Translations of Hearings
Realising that the full-day testimonies of witnesses at the TRRC would be difficult to follow for the general public, ANEKED began releasing summarised digests of the TRRC hearings. They distilled the testimonies and provided infographics with the salient details from each testimony. ANEKED also produced summarised audio-recorded translations of the testimonies in local languages, which were aired on community radio in each region of the country.

Listening and Talking Circles
CSOs formed listening and talking circles to promote greater agency for victims and survivors. WAVE, for example, adopted a ‘not for them without them’ approach, which used the circles to gain a better understanding of victims’ needs from victims’ own perspectives. The approach proved particularly instrumental in enabling dialogue between victims and their communities. In situations where the violations had created divisions in the community, the circles promoted truth-telling and dialogue and helped reduce tensions and sow seeds for reconciliation.

Art-based Methodologies to Promote Healing
CSOs used art-based methodologies as part of their MHPSS activities and to promote greater participation for victims. These approaches have particularly been used when engaging with victims’ groups and communities who may have been marginalised or are unfamiliar with more formal structures and approaches. For example, Fantanka, WILL and other CSOs have used Body Mapping and River of Life exercises as alternative truth-telling approaches to help communities engage with the TJ process.

Memorialisation of Victims’ Experiences
ANEKED pioneered memorialisation in The Gambia through a permanent exhibition that not only provides an alternative means through which victims can tell their stories, but also serves as a documentation process that memorialises their experiences.

Shadow Reporting and Audio-visual Documentation
CSOs have developed reports and audio-visual materials that make information more readily available to the public and, in some cases, complement and contrast with the work of the TRRC. For instance, Fantanka and WILL, respectively, produced a Youth Shadow Report on the Experiences of Young People during the Jammeh dictatorship and a Shadow Report on the Experiences of Women on SGBV to complement the TRRC’s findings on the same topics.

Similarly, audio-visual materials such as documentaries and other video productions were widely used in the later phases of the TRRC process to capture and advocate issues in a more consumable medium. One example is WAVE’s documentary We Were Accused: Stories to Build Broken Dignity.

Strategic Prosecution
CSOs such as ANEKED initiated strategic litigation cases before regional courts. These cases ensure victim participation and provide victims with an alternative avenue for holding perpetrators and government accountable.
RECOMMENDATIONS

While each TJ context and process is different, the following lessons learnt by CSOs in The Gambia may be useful for practitioners in other countries, as well as for future work within The Gambia itself.

1. **Promoting Engagement and Cooperation among Diverse Stakeholders**

Effective CSO participation in TJ processes requires enhancing civil society knowledge and understanding about TJ and its intricacies. In many cases CSOs may not have had occasion to engage with the subject of TJ and thus find themselves navigating new territory. In addition, engagement and cooperation between various stakeholders can help make CSO interventions more coherent and streamlined. As such, undertaking initial stakeholder mapping to note areas of focus and competency can significantly increase impact by exploiting diverse expertise, creating cooperative synergies and reducing duplication of efforts. CSOs working on their own can contribute considerably to the process, but interventions often require more technical expertise than one organisation can provide.

“At the start everyone was trying to find their feet and just make themselves relevant. There was no turf war per se, but each was hugging their processes. I believe it was about survival, it was new platform ... a period of discovery. Some were collaborating based on friendships and mutual understandings but later the collaborations became more institutionalised.” – Priscilla Yagu Ciesay, WAVE

• **A proactive coordinating body is necessary to map out and help pool together various CSOs in order to render their participation in the TJ process more effective and their impact more holistic.** Furthermore, a coordinated approach can leverage CSOs’ knowledge and familiarity with particular victim communities and their needs, to better advocate and address those needs. Having an umbrella organisation or coalition with adequate capacity can address this, as can setting up a TJ working group composed of CSO representatives.

• **The capacity of CSOs in TJ processes may be determined by how the past government treated civil society.** In contexts like The Gambia where the former government all but decimated civil society, the approach taken by the GIJTR partners to provide trainings combined with measured funding support can rejuvenate the civil society space and prepare CSOs for when formal TJ institutions close.

“The only disadvantage [of working in silos] is that it reduced the impact that we could make. Yes. I think we are all doing a good job in our respective domains, and in our interactions with communities and other actors. I think we are all doing good jobs. What it is, is we can be able to do more ... we can deliver more when we come together. And we can also be able to share many technical resources.” – Fabakary Jammeh, Centre for Legal Support
2. Building CSO Capacity

Part of the role of CSOs is to be intermediaries between the populace and government institutions. Thus, in TJ situations CSOs can represent victims’ positions and promote their rights and needs with a greater chance of influencing government’s TJ measures. Technical support from regional and international partners, with their TJ expertise, is crucial to complement the work of CSOs. It can equip them to undertake programmes and activities that are informed and contextual, and in so doing better persuade government to uphold its responsibilities according to international standards.

- **TJ usually takes place in contexts where it is a novel concept.** Whether or not CSOs in these contexts are new or established ones, there is a need to enhance their TJ knowledge and capacity. This is even more the case when TJ actors seek to promote transformative change by shifting from a top-down approach based on an external framework, to a bottom-up approach that is informed by the needs and practices of communities. If they are closer to the pulse of the population, CSOs can contribute to such transformative aspirations.

- **By providing capacity building and small grants for projects, GIJTR offered CSOs the autonomy to develop and implement projects based on their own assessments of the needs of victims and affected communities.** Such an approach places CSOs in control of their interventions and offers flexibility for addressing issues based on priorities on the ground.

- **Capacity building activities are an opportunity for CSOs to familiarise themselves with each other’s areas of operation, and through that develop collaborative networks for cooperation.** In The Gambian context this has facilitated the setting up of a CSO working group for better coordination and cooperation in the implementation of the TRRC’s recommendations, particularly in the monitoring of implementation.

“We’ll have trainings on a particular topic and then invite CSOs to propose small projects, not only to put the skills or knowledge into practice – sometimes CSOs are new or civil society is getting back on their feet, so it can be an exercise in proposal or report writing in a context where the stakes aren’t so high as they could be with other donors. Also, in this case it was a way for CSOs to do the work as they were much more familiar with the communities and their needs than we are. So, there was that recognition that they have the trust to do the work much better than we could. Also, many CSOs were not TJ-oriented but came with various expertise, so it was also about helping them figure out where they fit in to support the TJ process.” – Sara Bradshaw, ICSC

3. Enhancing Victim Participation

- **Victim participation in TJ is significant for the therapeutic and empowering effect it can have on victims.** It also promotes social transformation by making the needs, interests and priorities of victims and affected communities the central focus of the TJ process. Victim participation has become a defining feature of TJ processes, without which formal mechanisms have a limited effect.
• Enhancing victims’ participation in the TJ process begins with making information available to them in a format and manner that is easily consumable. Civil society’s foremost task is to break down the technical TJ terminology into simplified but consistent language that can be understood by victims. One challenge with such awareness raising emerges when CSOs provide differing explanations of TJ concepts, which may result in misconceptions and unreasonable expectations.

• Enhancing victim participation requires creating alternatives to formal TJ mechanisms. In addition to their inclusion in trainings, meetings and other support structures, alternative media should be created to cater for those who for one reason or another cannot engage with the formal mechanisms. For example, Gambian CSOs such as Fantanka employed Body Mapping and River of Life as alternative truth-telling activities and for memorialisation of victims’ experiences.

• Efforts to ensure victim participation must consider issues of gender and the intersectionality of violations against women, which are not only politically tinged but also have patriarchal and sociocultural dimensions that retard attempts to address such violations by conventional means. The low turnout of women at the TRRC is testament to this fact. CSOs in The Gambia succeeded far more than the TRRC in documenting women’s experiences because of their ability and flexibility to design relevant ways to engage women and facilitate their participation.

  “The group support we organised was one good thing that brought them – victims of violations – together. You know, they saw it as a common place that they can, you know, be together, talk about their issues and basically pour things from their mind. They had a common problem that they could talk about and address collectively.” – Mariama Jobarteh, Fantanka

4. Promoting Agency among Marginalised Groups

One of the transformative goals of TJ processes is to address inequalities and lift those in disadvantaged or marginalised situations to be on a par with the rest of society. This cannot be attained without mechanisms to ensure that marginalised groups and communities are given a voice in TJ processes and empowered to chart the forward direction of society.

• In many cases, CSOs will have to adopt non-formal approaches in order to promote greater agency among victims and marginalised groups in TJ. The technicalities of formal mechanisms can potentially dissuade such groups from shunning the TJ process. In The Gambia, Beach Youth – young people working in the informal sector, especially petty trading in tourist areas – expressed more enthusiasm and interest in alternative truth-telling processes such as Body Mapping than in submitting a statement to the TRRC, given the prospect of appearing in live public hearings.

• To promote greater agency among victims and marginalised communities, CSOs have to adopt an approach of co-creation, engaging these groups from the planning to the implementation of any intervention that affects them. This approach offers a
greater sense of ownership and better understanding of the dynamics of the TJ process, which in the long run translates into greater autonomy to advocate for their own needs.

“As much as we were focused on making the TJ process more inclusive, we wanted to approach that objective in a way that recognised victims’ and survivors’ agency in how they wanted to engage with the truth commission. We wanted to give them information to choose and also lay the groundwork for other truth-telling activities to keep going after the truth commission ends, in recognition of the fact that for many reasons not everybody was going to come forward and testify at the truth commission.

One way we did this was supporting WILL to do their victim circles.” – Sara Bradshaw, ICSC

5. Ensuring Victims’ Needs Are Met

In the face of shifting political interests within the state and its formal institutions, the interests of victims are precarious if reliant on formal TJ mechanisms. Consequently, a significant role for CSOs in TJ processes is to ensure that the needs of victims remain central and are duly addressed.

“Psychosocial support, the medical support, school and livelihood support – these were the activities which made victims engage most with the Victims’ Centre because these were urgent needs of victims which they had been struggling with. So, we had a committee which looked into these issues of victims and provided them with support.” – Ayesha Jammeh, Victims’ Centre

- **Some effects of human rights violations are long-lasting.** The Gambian example shows that many victims have urgent medical, psychological and socioeconomic needs that require attention before they can engage with the TJ process. For instance, some CSOs in The Gambia realised that transportation costs impeded victims’ ability to attend activities intended to enhance their participation in TJ and ended up providing transport refunds.

- **Meeting victims’ needs tends to be most effective if victims are supported to evolve from beneficiary status to active agents advocating for their own needs and expectations.** Civil society’s role is thus to provide the right support mechanisms to enhance both victims’ knowledge and their capacity to advocate. In the case of marginalised groups, however, greater advocacy and lobbying are necessary to ensure their needs are given adequate consideration.

- **Shadow reporting, policy briefs and development of other data and informational materials by CSOs can help highlight the interests of victims and marginalised groups who may otherwise be overlooked or discounted in the process.**

- **Donor flexibility can be instrumental in dealing with addressing unanticipated needs.** For example, when the TRRC unrolled its interim reparations programme in a somewhat confusing manner for victims, GIJTR swiftly provided funds and technical support to a coalition of CSOs to address some of the challenges that arose.
“We have undertaken strategic meetings with the judiciary, with the Ministry of Justice, the police, the National Human Rights Commission on prosecuting international crimes in The Gambia … to understand what are some of the challenges and what are some of the avenues. What are some of the reforms that are necessary in order to successfully execute the recommendations of the TRRC in The Gambia? So as a result of this we came up with a paper on prosecuting human rights violations in The Gambia.” – Fabakary Jammeh, Centre for Legal Support

6. **Ensuring Ongoing Support for Victims, Particularly MHPSS**

- **As countries go through the various stages of a TJ process, issues may be ticked off as done while the need for them persists.** The TRRC, for example, provided urgent interim reparations to victims with pressing needs, but the government failed to put in place a mechanism for additional reparations once the commission closed. CSO interventions can mitigate such challenges.

- **MHPSS is a crucial component of the support provided to victims of human rights violations in TJ processes.** In order to ensure continuity in MHPSS support to victims, CSOs with the capacity to provide such services can engage and solicit support from government or international/regional partners to facilitate services to victims. In addition, CSOs as monitoring stakeholders can advocate for the state to create mechanisms to provide MHPSS in the short and long term. This requires an adequate understanding of the context and the specific needs of victims and then tailoring services to match.

- **Where various CSOs provide MHPSS to the same groups of victims, they should institute a coordination mechanism.** This makes for more efficient services and reduces duplication of efforts or services that are counterproductive or even harmful to recipients.

- **CSOs are responsible for monitoring the implementation of TJ processes.** They can work with victims to highlight any gaps so as to address the needs of victims.

“We know that during a truth commission process, post a truth commission process, the need for psychosocial support is always very high. But the difficulty is the accessibility of it. And that comes from lessons learnt in previous commission processes … the previous work of CSVR, and we kind of see what a part it plays in rebuilding a country and promoting sustainable peace. And so that was our kind of core reasoning for focussing on [MHPSS]. So, the strategy we used was then to rather support civil society to be able to provide that support and service rather than CSVR coming in and doing interventions and counselling, because then, if I, for example, I leave, then that skill leaves with me, so rather, how do we work on transfer of skills?” – Jacqui Chowles, previously CSVR
CONCLUSION

CSOs have been the driving force behind many of the successes of TJ processes, playing a significant complementary role to formal mechanisms such as truth commissions, courts and reparations programmes. In particular, the diversity and multiplicity of expertise within CSOs can ensure that victims’ needs remain central and are addressed by TJ processes, with varying degrees of success in different contexts.

As TJ has become a conventional approach in post-authoritarian and post-conflict situations, it is imperative to share lessons from CSO experiences in transitional countries. The overview, lessons learnt and recommendations in this practice brief are therefore intended to provide insights gleaned from the work of civil society in The Gambia, including their engagements with victims, international and regional partners, and formal TJ mechanisms and state partners. The brief may provide some new ideas and suggest practices to CSOs engaging with TJ in their own contexts.
This practice brief was authored by Imran Darboe and edited by Jasmina Brankovic, based on interviews with TJ experts and key civil society stakeholders working on The Gambian transition. CSVR is grateful to the following individuals for sharing their invaluable insights and reflections:

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