



Institute for Justice and Reconciliation (IJR)

And

Pan-African Lawyers Union (PALU)

IJR-PALU Policy Roundtable on

Survivor-Centred Justice:

Towards the Operationalization of the African Union Transitional Justice Policy

Mount Meru Hotel, Kanisa Road, Arusha, Tanzania,

Thursday 29th and Friday 30th August, 2019.

Concept Note

1. Introduction:

The Institute for Justice and Reconciliation (IJR) and the Pan-African Lawyers Union (PALU) will jointly convene a two-day Policy Roundtable on “**Survivor-Centred Justice: Towards the Operationalization of the African Union Transitional Justice Policy**”, which will engage continental actors and institutions on the integration notions of **survivor-centred justice** into regional post-conflict peace and justice interventions. The meeting will be convened at Mount Meru Hotel on Thursday 29th and Friday 30th August 2019.

The Policy Roundtable discussion will create a policy-research platform and convene 25 civil society, inter-governmental, governmental and diplomatic actors as well as analysts and academics, to interrogate the notion of survivor-centred justice and assess the practical modalities for its operationalization on the African continent, with reference to the framework provided by the recently adopted **African Union Transitional Justice Policy**.

2. Background and Context:

The trajectory of international justice interventions over the last decade has encouraged a necessary shift towards engaging with **alternative forms of justice**. In November 2018, the African Union Assembly of Heads of State and Government formally adopted its **AU Transitional Justice Policy**, which includes a broad range of interventions designed to address the atrocities and violations of the past. In addition,

the **Malabo Protocol** which when ratified will empower the **African Court of Justice and Human Rights (ACJHR)** with jurisdiction over international crimes, provides an alternative site for addressing the atrocities of the past. The IJR-PALU Policy Roundtable will interrogate whether survivor-centred justice process, based on the inclusion of alternative forms of justice, can contribute towards confronting impunity and ensuring accountability, while also contributing towards **the restoration of human dignity**, by addressing the social, economic and cultural violations in oppressive regimes. The Roundtable will deliberate on whether such an approach can promote redress in a manner that contributes towards building more unified political communities in Africa.

The Policy Roundtable therefore seeks to critically engage with the over-reliance of **international justice** on criminal prosecutions, and a similar over-emphasis at a national level on truth commissions as the key pillars of transitional justice. In particular, the Roundtable will examine how an approach predicated on survivor-centred justice can contribute towards addressing the **systemic and structural causes of political violence**. The Roundtable will analyse whether **a broader range of approaches to justice** can be deployed to intervene to break the recurring cycles of violence and contribute **towards entrenching positive peace and reconciliation through a policy of survivor-centred justice**.

In interrogating the victim-perpetrator dichotomy, the Roundtable will investigate how victims, perpetrators, and beneficiaries can actively be incorporated into an accountability, redress and reconciliation framework which will promote political, social and economic justice in order to create the conditions for more cohesive political communities. In attempting to move beyond the dominant emphasis on criminal judicial interventions as the method of choice to address past violations, this Roundtable seeks **to more effectively articulate and identify key entry points for engaging with a survivor-centred justice approach**.

3. Objectives of the Roundtable:

The IJR-PALU Roundtable will have the following objectives to:

- i) create a platform for policy engagement on the theme of survivor-centred justice, with reference to the recently adopted African Union Transitional Justice Policy;
- ii) undertake policy research development through the interrogation of the conceptual foundations and the practical modalities for implementing survivor-centred justice;
- iii) promote networking among key actors drawn from civil society actors, inter-governmental organisations including regional courts and regional economic communities as well as the diplomatic corps;

4. Participation:

The IJR-PALU Policy Roundtable will be a closed meeting which will bring together 25 civil society, inter-governmental (judges, lawyers, AU and EAC officials), governmental and diplomatic actors as well as analysts and academics.

5. Expected Outcomes:

It is expected that the IJR-PALU Policy Roundtable will contribute towards developing a Pan-African understanding of survivor-centred justice processes as well as advancing the discussion on the modalities of its operationalization, with reference to the African Union Transitional Justice Policy. The outcomes of the Roundtable will be documented in a joint **IJR-PALU Policy Brief** will be utilised for

further engagement with African Union institutions and stakeholders in order to contribute towards **integrating notions of survivor-centred justice** into the work of the AU and its regional economic communities, such as the East African Community (EAC). The Roundtable will also enable participants to engage and exchange views on the trajectory and developments relating to international justice, and the prospects for advancing continental approaches to survivor-centred justice.

6. About the Institute for Justice and Reconciliation: The Institute for Justice and Reconciliation is an African organisation works collaboratively with governments, inter-governmental and civil society actors to contribute towards building fair, democratic and inclusive societies across the continent. A key theme that the Institute is pursuing relates to enabling African and global communities to adopt and apply human-centred approaches to socio-economic justice as a pathway towards reconciliation. IJR is a South African organisation with a Pan-African scope and continues to learn from the South African experience of transition, and also draws insights from other parts of Africa and the world. IJR's work is increasingly relevant to other global post-conflict societies and the 2017-2020 strategy builds on the organisation's experience and strengths to engage in a multi-faceted way on the specific issue of International and Survivor-Centred Justice. IJR is based in Cape Town, South Africa.

7. About the Pan-African Lawyers Association:

The Pan African Lawyers Union (PALU) is a continental membership forum for African lawyers and lawyers' associations. PALU was founded in 2002, by African Bar leaders and eminent lawyers, to reflect the aspirations and concerns of the African people and to promote and defend their shared interests. It brings together the continent's five regional lawyers' associations, over fifty-four national lawyers' associations and over 500 lawyers. Our vision is to see a united, just and prosperous Africa, built on the rule of law and good governance. Our mission is to advance the law and the legal profession, rule of law, good governance, human and peoples' rights and socio-economic development of the African continent.

8. Meeting Venue:

The Policy Roundtable will be held over two-days at Mount Meru Hotel, Kanisa Road, Arusha, Tanzania, Thursday 29th and Friday 30th August 2019.

9. Contact:

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Institute for Justice and Reconciliation and Pan-African Lawyers Union

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