

## Peacebuilding Commission

### Ambassadorial-level meeting on Transitional Justice in Colombia, The Gambia and Timor-Leste

28 April 2023

#### Chair's Summary

On 28 April 2023, the Peacebuilding Commission convened a meeting on transitional justice in Colombia, The Gambia and Timor-Leste. This innovative multi-country engagement facilitated exchanges of experiences regarding transitional justice, with a specific focus on guarantees of non-recurrence. The briefers of the meeting included the Attorney General and Minister of Justice of The Gambia, the President of the Special Jurisdiction for Peace in Colombia and the Chief Executive Officer of the Nacional Centro Chega! in Timor-Leste, the Deputy Executive Director of the International Center for Transitional Justice, the Assistant Secretary-General for Human Rights and the Assistant Secretary-General for Peacebuilding Support. The Commission members commended efforts of Colombia, The Gambia, and Timor-Leste in advancing their transitional justice processes and welcomed this unique opportunity to learn from a variety of transitional justice experiences. They acknowledged the importance of establishing truth, ensuring accountability, and fighting against impunity from a victim-centered approach and involving all sectors of society. They encouraged the three countries to continue advancing their transitional justice processes and called on the Commission to continue to advocate for inclusive and participatory approaches to transitional justice.

1. On 28 April 2023, the Chair of the Peacebuilding Commission (PBC), H.E. Mr. Ivan Šimonović convened an Ambassadorial-level meeting on Transitional Justice in Colombia, The Gambia and Timor-Leste, which facilitated exchanges of experiences, good practices and lessons learned regarding transitional justice, with a specific focus on guarantees of non-recurrence, among the three countries in different regions, in the spirit of South-South and triangular cooperation.
2. In his opening remarks, the Chair emphasized the need to undertake steps towards reconciliation and prevention to achieve lasting peace. He stressed that victims need to be recognized and perpetrators brought to justice. Emphasizing the importance of addressing the myriad of root causes of abuses, crimes and violations, he noted that transparency, accountability, building trust, access to justice, and respect of human rights were key to successful transitional justice processes. He noted that Colombia, The Gambia, and Timor-Leste faced different circumstances that shaped their unique responses, and yet, that commonalities in their experiences could help provide lessons in establishing truth, providing justice, and ensuring non-reoccurrence.
3. **Ms. Ilze Brands Kehris, the Assistant Secretary-General for Human Rights**, highlighted the important role transitional justice plays in creating more prosperous and secure societies. She noted that transitional justice has four main objectives: empower individuals as rights-holders; increase levels of civic and institutional trust; re-establish the rule of law; and bring reconciliation in order to build a cohesive and inclusive society. Emphasizing the importance

of past-sensitive and forward-oriented efforts, she noted that guarantees of non-recurrence can help identify and address grievances and root causes of conflict. She underscored that a society can only succeed on its path towards sustainable peace and development when all its constituencies can participate on an equal footing.

4. **H.E. Mr. Dawda A. Jallow, the Attorney General and Minister of Justice of The Gambia**, informed of The Gambia's comprehensive transitional justice process, which include three components: the Truth, Reconciliation and Reparations Commission (TRRC), the constitutional review process, and the security sector reform, to address the root causes of the past abuses and to promote national reconciliation. In this regard, he underscored the importance of implementing various reforms as well as the comprehensive implementation plan based on the TRRC recommendations. He identified inclusiveness and participation, comprehensive approach, international cooperation, and strong political will as integral to the transitional justice process in The Gambia. Lastly, he highlighted technical assistance, capacity-building and financial resources being crucial in enabling the country to undertake ambitious reforms and to advance the transitional justice process.
5. **Mr. Roberto Carlos Vidal, President of the Special Jurisdiction for Peace, Colombia**, emphasized the important roles played by the Special Jurisdiction for Peace (JEP), established under the 2016 Final Agreement, as an independent judicial component of the transitional justice system. He highlighted the innovative aspects of the work of the JEP, including conducting investigations based on broad patterns and trends of crimes instead of focusing on individual cases; connecting restorative justice in investigations by ensuring participation of the victims in investigation; and applying sanctions that involve community service work in support of projects that provide reparations for victims. He identified completing all the processes with substantial community involvement in a strict timeline and ensuring the implementation of long-term restorative justice projects as two major challenges.
6. **Mr. Hugo Fernandes, Chief Executive Officer of Centro Nacional Chega!, Timor-Leste**, highlighted political will and leadership, participation of civil society organizations, and dedicated institutions, including the Commission for Reception, Truth, and Reconciliation (CVAR) and the Indonesia-Timor-Leste Commission on Truth and Friends (CTF) as crucial factors that contributed to Timor-Leste's transitional justice process. He outlined challenges that emerged during the process, including a lack of judges, prosecutors, lawyers, and security sector personnel; unfamiliarity of the concept of transitional justice; high expectation of the public; and competing priorities. He noted that Centro Nacional Chega! was established by the government, based on the review of the implementation of the CVAR recommendation in 2016. Emphasizing the importance of truth in achieving lasting peace, he noted that Centro Nacional Chega! works to preserve past memories and history, promote reconciliation and human rights, including through research, achieve, education and trainings.
7. **Ms. Anna Myriam Roccatello, Deputy Executive Director of the International Center for Transitional Justice**, highlighted the important roles played by civil society in transitional justice processes and emphasized the need to understand civil society as all sectors of society across religious, ethnic, and political lines. She noted that civil society organizations have responsibilities to build peaceful, inclusive, transparent, equitable, and

accountable societies. She emphasized the importance to fully include civil society organizations in programmes in support of transitional justice. She stressed the need to explore effective ways to implement and develop policies addressing priorities of conflict-affected countries, including efforts to acknowledge the suffering of victims and ensure to provide marginalized groups with access to justice and resources. She called for providing capacity-building support to civil society organizations involved in transitional justice.

8. **Ms. Elizabeth Spehar, Assistant Secretary-General for Peacebuilding Support**, highlighted the central role that transitional justice processes play in rebuilding trust and social cohesion in societies, preventing the recurrence of conflict, and building and sustaining peace. She underscored the importance of inclusion in transitional justice and dialogue with all members of society on ways to prevent the recurrence of conflict. She noted that the Peacebuilding Fund (PBF) has supported 15 countries with some \$80 million in their transitional justice efforts, in partnership with national actors and civil society organizations. She introduced key lessons from the 2022 thematic review of the PBF's support to transitional justice: transitional justice programmes must be developed and guided as a long-term endeavor through national ownership and embed participatory, gender-responsive, youth-inclusive, victim-centered, trauma-informed approaches.
9. Member States welcomed the innovative format of this meeting and raised the following points:
  - They commended the progresses made by the three countries and their commitment to advancing the transitional justice processes. They called on the three countries to continue their efforts in this regard.
  - They commended the PBC's role in facilitating exchanges of experiences, good practices, and lessons learned, as well as opportunities and challenges, among conflict-affected countries, in the spirit of South-South and triangular cooperation.
  - They emphasized the need for context-specific and nationally-owned approaches to transitional justice. They acknowledged the importance of establishing truth, ensuring accountability, and fighting against impunity. They highlighted the importance of centering transitional justice processes around victims and focusing on addressing their needs.
  - They emphasized the importance of conducting institutional, socioeconomic and other relevant reforms as part of transitional justice, addressing factors that contribute to grievances. They further underscored the importance of the efforts to advance disarmament, demobilization and reintegration and security sector reform and strengthen the rule of law.
  - They highlighted the critical importance to take into account the needs of all segments of society. They noted the important roles played by civil society organizations in advancing transitional justice. They underscored the importance of full, equal and meaningful participation of women. They called for greater involvement of youth.
  - They stressed the need for adequate funding and capacity building in support of transitional justice and emphasized the importance of political, financial and technical support from the international community.
10. In response to the interventions from the floor, Mr. Jallow, Mr. Vidal and Mr. Fernandes underscored the importance to provide adequate support to victims and protect the rights of victims, women and other vulnerable groups. They highlighted the importance of political will

to implement transitional justice and the role of accountability in preventing reoccurrence. They appreciated the international community's political, financial and technical support.

***Chair's recommendations***

- Continue to utilize the Commission as a platform to facilitate exchanges of experience and good practices of peacebuilding efforts among conflict-affected countries, including through a multi-country format.
- Encourage the three countries to continue advancing their transitional justice processes, with a focus on healing and reconciliation, addressing grievances, and fighting against impunity, along with institutional, socioeconomic, and other relevant reforms.
- Continue advocating for inclusive and participatory approaches to transitional justice, with a particular focus on civil society organizations, women, and youth.
- Encourage the international community to provide political accompaniment and financial and technical support to countries going through transitional justice, while recognizing the importance of context-specific approaches based on national ownership.