



STRENGTHENING TRANSITIONAL JUSTICE THROUGH ENGAGEMENT WITH RELIGIOUS AND FAITH-BASED ACTORS

Guidelines

These brief guidelines represent criteria derived from the assessment tool *Strengthening Transitional Justice Through Engagement with Religious and Faith-Based Actors*. These guidelines both summarize the toolkit and represent the feedback of practitioners from a workshop that analyzed a set of pilot studies using the toolkit.



RFBA AS TRANSITIONAL JUSTICE ACTORS

- Religious and faith-based actors (RFBA) are individuals, churches, religious organizations and political parties that present one or more of the following characteristics: a religious organizational structure, a religious doctrine, religious motivation, a religious overarching goal or a predominately religious discourse.
- RFBA can play a significant role in transitional justice. They are typically committed to justice and peace, often enjoy deeper roots and loyalties in communities than do other actors and have strong organizational networks at the grassroots level that can provide a route from communities to religious leaders at the national level. As such, RFBA are able to engage populations and mobilize support in communities and are particularly sensitive to the needs and constraints in a local context.

USING THE TOOLKIT

Using the toolkit requires asking certain questions of your context:

- At what stage is the political transition, and what space exists for justice action by RFBA?
- What RFBA are present, what is their perceived legitimacy and what normative approach do they take to transitional justice?

- What is the status of the transitional justice process, what are the needs in the context and what are RFBA's doing of relevance?
- How can an RFBA make a contribution to transitional justice?

The toolkit then presents examples of action by RFBA's in both formal and informal transitional justice processes from which a user can learn for their own context.

- All such lessons should be understood in terms of their relevance for any particular context: It is not appropriate to "cut and paste" approaches from elsewhere, but rather elements that resonate in your context should be learned from.
- Where there are insufficient resources to do the work required, it is necessary to find the funding to support transitional justice work. This can involve seeking external support and/or organizing in the community with RFBA's to access resources within the community.

Any action must begin with an engagement with communities, before engaging with RFBA's who are relevant to them.

ENGAGING WITH COMMUNITIES

WHEN WORKING WITH RFBA'S AND ENGAGING WITH COMMUNITIES:

- The most suitable RFBA's to work with on transitional justice will be active members of the community and will have fought in the past for respect for human rights. They should speak the language of the community and be able to contextualize transitional justice terminology in terms to which community members can relate.
- RFBA's should have legitimacy in communities and be close to them: Don't assume this, but understand local communities' level of trust in RFBA's and seek to ensure trust isn't lost throughout the transitional justice process.
- Practitioners should have modesty and humility when engaging with communities and not impose outside views but listen to the community and understand them: Consultations should be done publicly and as visibly as possible to ensure transparency and ownership.
- The exercise should not be about sitting people down and telling them what to do: The assessment tool can be used to accompany an overview and explanation of transitional justice to both RFBA's and the community. People on the ground know best, so everything must be tailored and contextualized. There is no one-size-fits-all.
- Not everyone will have the same view of religion: Communities will have their own identities and linked interpretation of religion potentially alongside other traditional beliefs. One must consider the multiple identities of communities and not make assumptions.
- When choosing whom to focus on, do not exclude those who were too young to experience violations: Educating new generations about the past is important.

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WHEN ENGAGING RFBA's

- It is important to understand the particular goals of engaging RFBA's in transitional justice, and these will ideally be shared with other actors. This likely demands having a diagnosis of the problem and an understanding of existing RFBA's and their vision and the extent to which this addresses that problem. It is important to know RFBA's before involving them and allow time and space for dialogue and reflection throughout.
- It is necessary to understand the position of RFBA's on transitional justice when becoming involved, in both institutional terms and concerning particular individuals. Different roles can be played by institutional RFBA's and individuals – and the difference between the two is important. One approach is to make a baseline survey, to help to get to know actors' perspectives before substantively engaging them. This can both identify those most sympathetic to transitional justice work and make clear what training needs exist.
- Any role that RFBA's take in transitional justice work should be proportional to their role in society: RFBA's can have only the impact and influence that their standing in the community permits.
- In many contexts RFBA's will require training to understand transitional justice well and to be able to work to influence a transitional justice process. As such, ensuring provision of resources for training to RFBA's is important.
- Security needs should be a priority, ensuring that all actors – including RFBA's and community members – are appropriately protected.

CONTEXTUALIZATION

The tool does not seek to define what transitional justice means in any one context – this must be done by the user. This includes **comprehending how communities understand** the violations of interest to them in such a process, including:

- **Temporal boundaries:** Should transitional justice include violations of the colonial era (where relevant), only those after independence or even a narrower period within that?
- **Geographical boundaries:** Transitional justice will typically address the entire territory of the state but could in principle focus on a particular region. There may be a need to engage with the diaspora, particularly in contexts where refugee movements have defined past violations.

The toolkit cannot address all issues of relevance in your context. **Gaps you may want to fill include:**

- **Gender-based violence:** The toolkit does not focus on this even though it will be a factor in many contexts and is often linked to the abuse of political power.
- **Sexual minorities and the LGBTQ+ community are not referenced in the toolkit.** If this issue is relevant in your context, it should be incorporated.



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