

GUIDANCE NOTE OF THE SECRETARY-GENERAL

United Nations Approach to Transitional Justice

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SUMMARY

This note provides the guiding principles and framework for United Nations approach to transitional justice processes and mechanisms. It outlines key components of transitional justice, and ways to further strengthen these activities. The note is informed by the Guidance Note of the Secretary-General on United Nations Approach to Rule of Law Assistance.

For the United Nations, transitional justice is the full range of processes and mechanisms associated with a society's attempt to come to terms with a legacy of large-scale past abuses, in order to ensure accountability, serve justice and achieve reconciliation. Transitional justice processes and mechanisms are a critical component of the United Nations framework for strengthening the rule of law.

A. Guiding Principles

1. Support and actively encourage compliance with international norms and standards when designing and implementing transitional justice processes and mechanisms
2. Take account of the political context when designing and implementing transitional justice processes and mechanisms
3. Base assistance for transitional justice on the unique country context and strengthen national capacity to carry out community-wide transitional justice processes
4. Strive to ensure women's rights
5. Support a child-sensitive approach
6. Ensure the centrality of victims in the design and implementation of transitional justice processes and mechanisms
7. Coordinate transitional justice programmes with the broader rule of law initiatives
8. Encourage a comprehensive approach integrating an appropriate combination of transitional justice processes and mechanisms
9. Strive to ensure transitional justice processes and mechanisms take account of the root causes of conflict and repressive rule, and address violations of all rights
10. Engage in effective coordination and partnerships

B. Components of Transitional Justice

Transitional justice consists of both judicial and non-judicial processes and mechanisms, including prosecution initiatives, facilitating initiatives in respect of the right to truth, delivering reparations, institutional reform and national consultations. Whatever combination is chosen must be in conformity with international legal standards and obligations.

C. Ways to Further Strengthen UN Transitional Justice Activities

The note outlines that the following approaches should be incorporated into transitional justice activities of the United Nations:

1. Adopt an approach that strives to take account of the root causes of conflict or repressive rule, and addresses the related violations of all rights
2. Take human rights and transitional justice considerations into account during peace processes
3. Coordinate disarmament, demobilization, and reintegration initiatives with transitional justice activities in a positively reinforcing manner

INTRODUCTION

Assisting societies devastated by conflict or emerging from repressive rule to re-establish the rule of law and come to terms with large-scale human rights violations, especially within a context marked by broken institutions, exhausted resources, diminished security, and a distressed and divided population, presents a daunting challenge. Over the years, the United Nations has acquired significant experience in developing the rule of law and pursuing transitional justice in States emerging from conflict or repressive rule. Experience has demonstrated that promoting reconciliation and consolidating peace in the long-term necessitates the establishment or re-establishment of an effective governing administrative and justice system founded on respect for the rule of law and the protection of human rights.

For the United Nations system, transitional justice is the full range of processes and mechanisms associated with a society's attempt to come to terms with a legacy of large-scale past abuses, in order to ensure accountability, serve justice and achieve reconciliation.¹ Transitional justice processes and mechanisms are a critical component of the United Nations framework for strengthening the rule of law.

Transitional justice consists of both judicial and non-judicial processes and mechanisms, including prosecution initiatives, truth-seeking, reparations programmes, institutional reform or an appropriate combination thereof. Whatever combination is chosen must be in conformity with international legal standards and obligations. Transitional justice should further seek to take account of the root causes of conflicts and the related violations of all rights, including civil, political, economic, social and cultural rights. By striving to address the spectrum of violations in an integrated and interdependent manner, transitional justice can contribute to achieving the broader objectives of prevention of further conflict, peacebuilding and reconciliation.

United Nations rule of law and transitional justice activities include developing standards and best practices, assisting in the design and implementation of transitional justice mechanisms, providing technical, material and financial support, and promoting the inclusion of human rights and transitional justice considerations in peace agreements.

A. GUIDING PRINCIPLES

1. Support and actively encourage compliance with international norms and standards by transitional justice processes and mechanisms

The UN should consistently promote the compliance of transitional justice processes and mechanisms with international norms and standards. The normative foundation for the work of the UN in advancing transitional justice is the Charter of the United Nations, along with four of the pillars of the modern international legal system: international human rights law, international humanitarian law, international criminal law, and international refugee law. Specifically, various UN instruments enshrine rights and duties relative to the right to justice,² the right to truth,³ the

¹ See S/2004/616.

² See e.g., International Covenant on Civil and Political Rights, article 2, Convention against Torture and Other Cruel, Inhuman, Degrading Treatment or Punishment, articles 4, 5, 7 and 12, International Convention for the Protection of All Persons from Enforced Disappearance, articles 3, 6, 7 and 11. See also E/CN.4/2005/102/Add.1, Principle 19.

³ See e.g., International Covenant on Civil and Political Rights, article 2, International Convention for the Protection of All Persons from Enforced Disappearance, article 24. See also E/CN.4/2005/102/Add.1, Principles 2-5.

right to reparations,⁴ and the guarantees of non-recurrence of violations (duty of prevention).⁵ In addition, treaty bodies and court jurisprudence, as well as a number of declarations, principles, and guidelines⁶ have been instrumental in ensuring the implementation of treaty obligations.

To comply with these international legal obligations, transitional justice processes should seek to ensure that States undertake investigations and prosecutions of gross violations of human rights and serious violations of international humanitarian law, including sexual violence. Moreover, they should ensure the right of victims to reparations, the right of victims and societies to know the truth about violations, and guarantees of non-recurrence of violations, in accordance with international law.

These international standards further set the normative boundaries of UN engagement, for example: the UN will neither establish nor provide assistance to any tribunal that allows for capital punishment, nor endorse provisions in peace agreements⁷ that include amnesties for genocide, war crimes, crimes against humanity, and gross violations of human rights.⁸

2. Take account of the political context when designing and implementing transitional justice processes and mechanisms

Transitional justice processes and mechanisms do not operate in a political vacuum, but are often designed and implemented in fragile post-conflict and transitional environments. The UN must be fully aware of the political context and the potential implications of transitional justice mechanisms. In line with the Charter, the UN supports accountability, justice and reconciliation at all times. Peace and justice should be promoted as mutually reinforcing imperatives and the perception that they are at odds should be countered. The question for the UN is never whether to pursue accountability and justice, but rather when and how. The nature and timing of such measures should be framed first of all in the context of international legal obligations and taking due account of the national context and the views of the national stakeholders, particularly victims. In situations in which national conditions do not allow for or limit the effectiveness of transitional justice measures, the UN supports activities that encourage and lay the foundation for effective mechanisms and processes. These could include dialogue to assist national stakeholders to promote interest in and understanding of transitional justice measures. The UN cannot endorse provisions in peace agreements that preclude accountability for genocide, war crimes, crimes against humanity, and gross violations of human rights, and should seek to promote peace agreements that safeguard room for accountability and transitional justice measures in the post-conflict and transitional periods.

⁴ See e.g., Universal Declaration of Human Rights, article 8, International Covenant on Civil and Political Rights, article 2, International Convention on the Elimination of All Forms of Racial Discrimination, article 6, Convention against Torture and Other Cruel, Inhuman, Degrading Treatment or Punishment, article 6, International Convention for the Protection of All Persons from Enforced Disappearance, article 24, the Convention on the Rights of the Child, article 39. See also A/RES/60/147.

⁵ See e.g., International Covenant on Civil and Political Rights, article 2, Convention against Torture and Other Cruel, Inhuman, Degrading Treatment or Punishment, article 2, International Convention for the Protection of All Persons from Enforced Disappearance, article 23. See also *LaGrand Case (Germany v. United States)*, Judgment of 27 June 2001, I.C.J. Reports 2001. See E/CN.4/2005/102/Add.1, Principle 35.

⁶ *Inter alia*, founded on the 1948 Universal Declaration of Human Rights.

⁷ See Guidelines for UN Representatives on Certain Aspects of Negotiations for Conflict Resolution (1 Dec. 2006).

⁸ Gross violations of human rights include torture and similar cruel, inhuman or degrading treatment; extra-judicial, summary or arbitrary executions; slavery; enforced disappearances; and rape and other forms of sexual violence of comparable gravity.

3. Base assistance for transitional justice on the unique country context and strengthen national capacity to carry out community-wide transitional justice processes

Each transitional justice programme is a unique set of processes and mechanisms, implemented within a specific context. The UN eschews one-size-fits-all formulas and the importation of foreign models, and bases its work upon a thorough analysis of national needs and capacities, drawing upon national expertise to the greatest extent possible. The careful consideration of the transitional justice needs of a country may include assessing factors such as the root causes of the underlying conflict, the identification of vulnerable groups, such as minorities, women, and children, and the condition of the country's justice and security sectors. To enhance the sustainability and relevance of transitional justice processes, these should be carried out, where feasible, by local and national actors. In this regard, international assistance has to concentrate on development of national capacity to initiate and lead the process. This involves identification, support for, and empowerment of domestic reform constituencies to develop and implement their own transitional justice and rule of law agenda. National human rights institutions may play an important role in advancing public participation in these processes, and, where appropriate, they may also directly participate in the implementation of transitional justice mechanisms, or in implementing recommendations of such mechanisms.

4. Strive to ensure women's rights through transitional justice processes and mechanisms

Transitional justice approaches should pay special attention to abuses committed against groups most affected by conflict, particularly women. Gender inequality is one of the most pervasive forms of societal inequality and is often exacerbated by conflict and situations of gross human rights violations. Entrenched forms of gender-based violence also make women and girls particularly vulnerable to conflict-related human rights abuses, including systematic sexual violence which often continues unabated even after conflict ends. The social stigma and trauma associated with reporting such crimes and women's exclusion from public-decision making processes make it particularly challenging for women to engage with transitional justice mechanisms. Transitional justice mechanisms must thus provide for special measures to ensure that women receive adequate redress for conflict-related violations, that women can fully participate in these processes and that their rights and perspectives are adequately addressed. Transitional justice mechanisms that incorporate a gender and women's human rights perspective, such as prosecution initiatives that punish those responsible for committing sexual violence and other women's rights abuses during conflict, or consultations with women to determine their priorities for transitional justice initiatives, can help ensure accountability for conflict-related women's rights abuses and that oppression or maltreatment of women is not perpetuated into the future.

5. Support a child-sensitive approach to transitional justice processes and mechanisms

Children are among those most affected by armed conflict and destabilizing political environments. Transitional justice processes and mechanisms should investigate and prosecute international crimes against children, offer effective remedies to children, and strengthen government institutions to protect and promote the rights of children. Children associated with armed forces or armed groups who may have been involved in the commission of crimes under international law should be considered primarily as victims, not only as perpetrators. In principle, children should not be held criminally responsible under an international jurisdiction. When children are subject to judicial proceedings, they must be treated in accordance with the International Covenant on Civil and Political Rights, the Convention on the Rights of the Child, the United Nations Standard Minimum Rules for the Administration of Juvenile Justice, and the Guidelines on Justice Matters involving Child Victims and Witnesses of Crime. The UN

approach to transitional justice should recognize that children have the right to express their views in matters and proceedings affecting them, in accordance with their evolving capacities, and that child-friendly policies and procedures must be put in place to protect the rights of child victims and witnesses of crime involved. The best interest of the child should guide the process. When children are supported and guided, their participation can help to build their capacity for active citizenship in post-conflict recovery, also laying the foundation for a more just and peaceful society. Transitional justice processes and mechanisms should strengthen the protective environment for children in their families and communities.

6. Ensure the centrality of victims in the design and implementation of transitional justice processes and mechanisms

Successful transitional justice programmes recognize the centrality of victims and their special status in the design and implementation of such processes. The UN must respect and advocate for the interests and inclusion of victims where transitional processes are under consideration. National consultations, conducted with the explicit inclusion of victims and other traditionally excluded groups, are particularly effective in allowing them to share their priorities for achieving sustainable peace and accountability through appropriate transitional justice mechanisms. Placing victims at the centre of this work also requires ensuring that victim's rights and views are fully respected in the implementation of transitional justice processes, including, as appropriate, through the use of victim-sensitive procedures that guarantee victims' safety and dignity, and the development of specific capacities to assist, support and protect victims and witnesses.

7. Coordinate transitional justice programmes with the broader rule of law initiatives so they can positively reinforce each other

Transitional justice measures usually take place in situations where national and international efforts are targeted at enhancing the rule of law generally. The UN works to strengthen national systems for the administration of justice and security, including formal and informal dispute settlement processes, building capacity and providing technical advice and assistance. Due regard should be given to indigenous and informal traditions for administering justice or settling disputes, to help them to continue their vital role and to do so in conformity with international legal standards. Transitional justice measures, such as prosecution initiatives and institutional reform, are interdependent with these broader efforts. The UN must ensure that transitional justice programmes, by definition exceptional and of limited duration, are coordinated and positively reinforce the broader justice and security reform initiatives so as to strengthen the entire rule of law architecture of the country and, if applicable, the overarching peacebuilding framework.

8. Encourage a comprehensive approach integrating an appropriate combination of transitional justice processes and mechanisms

Effective transitional justice programmes utilize coherent and comprehensive approaches that integrate the full range of judicial and non-judicial processes and measures, including truth-seeking, prosecution initiatives, reparations programmes, institutional reform including vetting processes, or an appropriately conceived combination thereof. Through careful planning and extensive consultations with national stakeholders, the UN should support national constituencies in considering issues such as jurisdiction, evidence collection, victims and witness protection to ensure that various transitional justice mechanisms can positively complement each other in post-conflict and transitional environments.

9. Strive to ensure transitional justice processes and mechanisms take account of the root causes of conflict and repressive rule, and address violations of all rights, including economic, social and cultural rights

Violations of economic, social, and cultural rights not only exacerbate or spark social or political tensions resulting in conflict or repression, but conflict or repression often precipitate further violations of these rights. Successful strategic approaches to transitional justice necessitate taking account of the root causes of conflict or repressive rule, and must seek to address the related violations of all rights, including economic, social, and cultural rights (e.g., loss or deprivation of property rights). Peace can only prevail if issues such as systematic discrimination, unequal distribution of wealth and social services, and endemic corruption can be addressed in a legitimate and fair manner by trusted public institutions.

10. Engage in effective coordination and partnerships in designing and implementing transitional justice processes and mechanisms

The work of the UN in rule of law and transitional justice encompasses a multitude of activities carried out by many entities across the UN system and the wider international community. Successful transitional justice initiatives require the continued support and active engagement of all relevant actors working together in a coordinated fashion. The Rule of Law Tools for Post-Conflict States,⁹ which are grounded in international human rights standards and based on experiences and best practices accumulated from UN field operations, have been developed to ensure the long-term institutional capacity of UN field presences, transitional administrations and civil society to respond to transitional justice demands. Coordination between UN and non-UN actors, such as donors, aid agencies, non-governmental organizations, and private foundations is equally critical, and should be enhanced through information sharing and cooperation in the field.

B. COMPONENTS OF TRANSITIONAL JUSTICE

Transitional justice programmes include the following elements:

1. Prosecution initiatives

Prosecution initiatives aim to ensure that those responsible for committing crimes, including serious violations of international humanitarian law and gross violations of international human rights law, are tried in accordance with international standards of fair trial and, where appropriate, punished. The credibility and legitimacy of prosecution initiatives require that they are conducted in a non-discriminatory and objective manner, regardless who the alleged perpetrators may be. States have the primary responsibility to exercise jurisdiction over these crimes.¹⁰ Therefore, in relation to the alleged crimes committed in the context of the conflict or repressive rule, transitional justice programmes will seek to reinforce or develop national investigative and prosecutorial capacities, an independent and effective judiciary, adequate legal defense, witness and victims' protection and support, and humane correctional facilities. National legislation that is in conformity with international human rights law and international criminal law is essential. Assistance of the international community might also be required for exhumations, forensic analysis, investigations of mass crimes, and preservation of evidence. The justice proceedings need to be undertaken impartially, objectively and in timely manner, according to international standards. Systematic monitoring of the justice system can be a useful tool for assessing and improving its effectiveness and compliance with international standards.

⁹ <http://www.ohchr.org/EN/PublicationsResources/Pages/SpecialIssues.aspx>

¹⁰ See id., Principle 20.

At the same time, States emerging from years of conflict or repressive rule may be unable or unwilling to conduct effective investigations and prosecutions. In such situations, international and hybrid criminal tribunals may exercise concurrent jurisdiction. The establishment of these various criminal tribunals represents a historic achievement in seeking accountability for international crimes. When establishing an international or hybrid criminal tribunal, it is essential that priority consideration is given to their legacy¹¹ in the country concerned as well as to the exit strategy. The establishment of the International Criminal Court (ICC), the only permanent international criminal tribunal, represents the most significant recent development in combating impunity. The ICC operates on the basis of the principle of complementarity articulated in article 17 of the Rome Statute. As such, it should also contribute to the development of national capacities to bring alleged perpetrators of international crimes to justice.

2. Facilitating initiatives in respect of the right to truth

Truth-seeking processes assist post-conflict and transitional societies investigate past human rights violations and are undertaken by truth commissions, commissions of inquiry, or other fact-finding missions.¹² The right of individuals to know the truth is supported by several treaty bodies, regional courts, and international tribunals.¹³ Truth commissions are non-judicial or quasi-judicial investigative bodies, which map patterns of past violence, and unearth the causes and consequences of these destructive events. Each truth commission is a unique institution, but their core activities usually include collecting statements from victims and witnesses, conducting thematic research, including gender and children analysis of violations including their causes and consequences, organizing public hearings and other awareness programs, and publishing a final report outlining findings and recommendations. Commissions of inquiry and other fact-finding mechanisms similarly seek to unravel the truth behind allegations of past human rights abuses, but generally operate under more narrowly defined mandates. Mapping and documenting serious violations of human rights abuses is an important step in realizing the right to the truth.

The effective implementation of the right to the truth requires a strong national archival system. In many societies emerging from conflict or repressive rule, however, such systems are weak or non-existent, and vulnerable to efforts to destroy evidence of human rights violations. Moreover, transitional justice programmes generate documents of their own, which should be subsequently archived, as they represent a rich source of information regarding the history of conflict or repressive rule. Effective victim and witness protection is also vital to ensuring victims' and societies' right to the truth.

3. Delivering reparations

Reparations programmes seek to redress systemic violations of human rights by providing a range of material and symbolic benefits to victims. Reparations can include monetary compensation, medical and psychological services, health care, educational support, return of property or compensation for loss thereof, but also official public apologies, building museums and memorials, and establishing days of commemoration. The General Assembly has reaffirmed the right of victims to reparations in the Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law.¹⁴ Redress may take a variety of forms,

¹¹ Legacy is defined as a court's lasting impact on bolstering the rule of law in a particular society, including by conducting effective trials to contribute to ending impunity, while also strengthening domestic judicial capacity.

¹² See E/CN.4/2005/102/Add.1, Principles 6-13.

¹³ See E/CN.4/2004/88 and E/CN.4/2006/91.

¹⁴ See A/RES/60/147.

including restitution,¹⁵ compensation, rehabilitation,¹⁶ satisfaction,¹⁷ and guarantees of non-repetition.¹⁸ Experience has shown that the most successful reparations programmes are designed in consultation with affected communities, particularly victims and women groups. Reparations programmes can also be effective and expeditious complements to truth-seeking processes and prosecution initiatives, by providing concrete remedies to victims, promoting reconciliation, and restoring public trust in the State. Similarly, it is important that States while developing and implementing transitional justice programmes also develop and support official programmes and popular initiatives to memorialize victims, educate society and preserve historical memory.

4. Institutional reform

Public institutions that helped perpetuate conflict or repressive rule must be transformed into institutions that sustain peace, protect human rights, and foster a culture of respect for the rule of law. By reforming or building fair and efficient public institutions, institutional reform enables post-conflict and transitional governments to prevent the recurrence of future human rights violations. Vetting members of the public service, particularly in the security and justice sectors, is critical to facilitating this transformation, by removing from office or refraining from recruiting those public employees personally responsible for gross violations of human rights. This may also include the disbandment of military, police or other security units that may have been systematically responsible for human rights violations. The removal of these persons should comply with due process of law and the principle of non-discrimination.¹⁹ Institutional reform should further incorporate comprehensive training programmes for public officials and employees on applicable human rights and international humanitarian law standards.

5. National consultations

National consultations are a critical element of the human rights-based approach to transitional justice, founded on the principle that successful transitional justice programmes necessitate meaningful public participation, including the different voices of men and women. Public participation reveals the needs of communities affected by conflict or repressive rule, allowing States to craft an appropriate context-specific transitional justice programme. Moreover, the consultative process helps victims and other members of civil society to develop local ownership of the resulting programme. Although national consultations can shape the design of an overarching transitional justice strategy, they can also take place within the context of a specific mechanism, such as during the planning stages of a truth commission or reparations programme. The UN should facilitate the process of national consultations by organizing forums for discussions, providing legal and technical advice, promoting the participation of traditionally excluded groups, such as victims, minorities, women, and children, supporting capacity building, and mobilizing financial and material resources.

Associated with the practice of national consultations is the issue of outreach. The impact and sustainability of transitional justice processes will depend significantly on ensuring that they are understood and communicated coherently during and after their implementation. Effective

¹⁵ E.g., restoration of liberty, enjoyment of human rights, identity, family life and citizenship, return to one's place of residence, restoration of employment and return of property.

¹⁶ E.g., medical and psychological care as well as legal and social services.

¹⁷ E.g., official declaration or a judicial decision restoring the dignity, the reputation and the rights of the victim; public apology, including acknowledgement of the facts and acceptance of responsibility; and commemorations and tributes to the victims.

¹⁸ E.g., ensuring effective civilian control of military and security forces; ensuring that all civilian and military proceedings abide by international standards of due process, fairness and impartiality; strengthening the independence of the judiciary.

¹⁹ See E/CN.4/2005/102/Add.1, Principle 36.

outreach must address both specific groups affected by the particular mechanisms involved as well as the broader community. It requires careful planning during the design phase and adequate resources.

C. WAYS TO FURTHER STRENGTHEN UN TRANSITIONAL JUSTICE ACTIVITIES

Taking into account the emerging developments in international law, the principles outlined in this Note, and needs of UN, including its field presences, the following approaches should be incorporated into transitional justice activities of the UN:

1. Adopt an approach to transitional justice that strives to take account of the root causes of conflict or repressive rule, and address the related violations of all rights, including economic, social, and cultural rights in a comprehensive and integrated manner

- Mandating truth commissions, where appropriate, to examine violations of economic, social, and cultural rights and make recommendations on how best to redress these abuses;
- Investigating and prosecuting crimes under national or international law where the conduct involves violations of economic, social and cultural rights as well as civil and political rights;
- Redressing violations of victims' rights in the areas of health, housing, education, and economic viability through reparations measures, and ensuring that redress for both women and men's rights violations is taken into account in the design of such programmes;
- Guaranteeing victims non-discriminatory access to government services;
- Adopting, revising, and strengthening key legislation to ensure national recognition and protection for economic, social, and cultural rights and non-discrimination;
- Enshrining protections for economic, social, and cultural rights, as well as non-discrimination clauses, in peace agreements and constitutions.

2. Take human rights and transitional justice considerations into account during peace processes

- Encouraging the parties to include commitments to protect and promote human rights, combat impunity, and pursue transitional justice in peace agreements;
- Insisting that peace agreements not grant amnesties for war crimes, crimes against humanity, genocide, and gross violations of human rights;
- Encouraging the development of transitional justice processes, recognizing that they can reinforce each other and that they are not mutually exclusive (e.g., truth seeking, prosecutions and reparations);
- Encouraging the parties to acknowledge harms inflicted on women and children in peace agreements;
- Equipping UN mediators with relevant human rights and transitional justice expertise within the UN system;
- Ensuring participation of UN human rights experts during peace negotiations;
- Supporting widespread consultation on transitional justice issues, including the involvement of victims and other marginalized communities;

- Encouraging women and children to actively participate in the peace process, by sharing their gender-specific experiences of the conflict, and their priorities for achieving sustainable peace and accountability through appropriate transitional justice mechanisms;
- Supporting the strengthening of national capacities for designing and implementing transitional justice processes and mechanisms;
- Supporting efforts to assess the status of national archiving system, and supporting the strengthening of these capacities as needed.

3. Coordinate disarmament, demobilization, and reintegration (DDR) initiatives with transitional justice processes and mechanisms, where appropriate, in a positively reinforcing manner

- Insisting on the exclusion from reintegration into national police or military structures of ex-combatants who have committed or against whom the indictments, judicial investigations or credible allegations of perpetrating serious crimes are pending;
- Designing DDR initiatives in conjunction with reparations programmes to combat perceptions of inequity in the treatment of ex-combatants and victims. Reparations programmes which provide redress to conflict-affected populations can help quell resentment that victims and communities may harbour towards ex-combatants who receive DDR;
- Incorporating a gender approach to DDR initiatives which addresses the violations suffered by former female combatants and women and girls associated with armed forces and groups. Community reintegration benefits should not single out former female combatants and associates but be targeted at vulnerable populations at large to avoid stigmatization;
- Facilitating the reintegration of ex-combatants into conflict-affected communities by encouraging them to participate in truth-seeking processes and affording them the opportunity to reveal their experiences of the conflict;
- Utilizing prosecution initiatives to distinguish perpetrators of human rights violations from other ex-combatants, thus diminishing public perception that DDR are reintegrating all ex-combatants without regard for crimes they may have committed.