



University of Peace
Université pour la Paix



**FINAL REPORT ON THE SECOND SHORT COURSE ON GENDER AND
CONFLICT:**

Human Rights & Transitional Justice

MBODIENE- SENEGAL, 9-13 April 2007



United Nations
Educational, Scientific and
Cultural Organization





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Background

Conflict is still a reality in many African countries. The effects of conflict on people's daily lives are felt at all levels of society. Conflict destroys the social fabric of a country as well as people's sense of social and economic equilibrium. The more averse effects of conflict are human rights violations, the majority of which are felt by women. Suffering disproportionately from men, women are too often the victims of the cruellest and most inhuman acts, with rape used a weapon of war to defeat societies from within. It is to address these most grave of human rights abuses that the need for justice and reconciliation and the fight against impunity become imperative to achieving sustainable peace. Equally important is the need to include women in all processes of reconstructing post-conflict societies.

The experience of the Transitional Justice in general, and the Truth and Reconciliation Commissions in particular, as a means of reconciling victims with their perpetrators through justice and truth shows that women are often neglected in Transitional Justice processes. The involvement of women in the *Gacaca* hybrid Tribunals in Rwanda often leaves women subject to humiliation and denied of their dignity and human rights. It is in this light that Civil Societies become an important tool to address the needs of women as well as push for the achievement of sustainable peace, security and development.



The Second Short Course on Gender and Conflict: Human Rights and Transitional Justice, was co-organised by Femmes Africa Solidarité (FAS) and the University for Peace (UPEACE), in partnership with BREDA, UNESCO

office in Dakar, through their joint initiative of the Pan African Centre for Gender, Peace and Development. The course was held from 9-13 of April 2007 at Laguna Beach Hotel in Mbodiène, Senegal. This report provides a summary of the activities carried out during the course, from the different lectures, plenary sessions and workshops, personal journal and recommendations developed by participants.

This short course is the second in a series of training sessions organised to build the foundation for a Master Programme in Gender and Peacebuilding the Pan African Centre will be organising in collaboration with the Africa Programme of UPEACE. It is worthy highlighting FAS 10 Years of practice that provided studies supported by UNDP- Gender Regional Programme.

II. Introduction

Within the framework of their joint initiative, Femmes Africa Solidarité (FAS) and the University for Peace (UPEACE) organised a first short course on Gender and Peace building from 17 to 22 July 2006 in Mbodiène, Dakar, with the intention to broaden participants' skills

on Gender and Peacebuilding. This second short course on Gender and Conflict: Human Rights and Transitional Justice, aimed to give essential conceptual framework and extend participants' knowledge on Gender, Conflict and Human Rights.

III. Participants

The participants were drawn from local, sub-regional, regional and international non-governmental organisations (NGOs) and universities. Participants were nominated by their organisation, institution or agency and selected based on pre-established criteria including consideration of experience, background, country, language and gender to ensure a diverse and knowledgeable group of participants. Members of the group came from eighteen countries around Africa, including several countries currently experiencing conflict such as Sudan, DRC, Somalia, Burundi, as well as several post-conflict countries, including Liberia, Sierra Leone, Rwanda, Mali and conflict prevention zones. Participants came from a wide range of professions and including programme coordinator, researcher, professor, consultant and lawyer. Detailed bios of the participants can be found in the Appendixes.

IV. External Resource Persons

In addition to FAS and UPEACE staff members, a number of distinguished practitioners and scholars in the gender, human rights and transitional justice community participated in the seminar over the course of the week.

The opening ceremony was presided over by Mr Gabriel Sidi Diouf, Prefect of Mbour District. Introductions were also made by Mr Mansour Kama, President of the National Confederation of the Employees in Senegal (CNES), Ms. Bineta Diop, Executive Director of FAS and Mrs. Dina Rodriguez, Director of UPEACE, Department of Gender and Peace Education.



In addition, external resource persons led the lectures and workshops each day, which allowed participants to learn from and work with a wide array of practitioners, academics and researchers in the field of human rights and transitional justice.

The closing ceremony was presided over by Mr Mamadou Moustapha Seck, Director of the Reinforcement of Capacities, who was accompanied by Mrs Evelyn Kandakai, Former Minister of Education in Liberia and participant of the course, Mrs Bineta Diop and Mrs Dina Rodriguez.

V. Background on the Pan African Centre for Gender, Peace and Development, Femmes Africa Solidarité, the University for Peace African Programme and the Department for Gender and Peace Studies, and BREDA.

A) Pan African Centre for Gender, Peace and Development

The Pan African Centre for Gender, Peace and Development is being established by FAS with the ambition of being a reference Centre that provides advanced training and research in peacebuilding and development issues with a focus on gender. The trainings will target experienced individuals, such as programme officers of civil society organisations, researchers, or political decision-makers, to consolidate their expertise in these particular domains. The Centre's programmes will be particularly innovative because it is the first time an institution of its kind is dedicated exclusively to training and research on the interaction between gender, peace and development, thus emphasizing the connection between these three priorities and the importance of the cross-cutting dimension of gender.

Based on the experiences of FAS, the Centre will be able to promote greater gender equality in the areas of peacebuilding, governance and development. The training offered by the Centre will be particularly focused on conflict prevention, management and resolution as well as the development of early warning systems, mediation skills, post-conflict management and the implementation of post-conflict reconstruction programmes. In each of these programmes, the role of women in the process of implementation will be thoroughly examined.

In order to fulfil the objectives, the primary vocation of the Centre will be to introduce international mechanisms and instruments guaranteeing the rights of women. The training programmes will permit a better understanding and application by African women of UN Security Council Resolution 1325. This document calls, *inter alia*, for the broad participation of women in peacebuilding and post-conflict reconstruction, the increased involvement of women in the implementation of mechanisms of peace agreements and the adoption of measures to ensure the protection of the rights and needs of women in times of conflict.

The training courses will be centred around three central themes: "Gender and Conflict Resolution"; "Leadership and Governance"; and "Economic Empowerment of Women in Development". The first thematic area, "Gender and Conflict Resolution", will be developed with the support of the University for Peace (UPEACE) in Costa Rica, with whom FAS signed a Memorandum of Understanding in Geneva, Switzerland, 2 November 2005.

B) Femmes Africa Solidarité

Femmes Africa Solidarité (FAS) was formed in 1996 in response to the eruption of violent conflicts in Africa, which were tearing apart the social fabric of society. FAS seeks to develop, consolidate, and promote the role of women leaders in the prevention, management, and resolution of conflict, as well as in peacebuilding and post-conflict reconstruction processes around Africa.

FAS believes that peace processes are a vital aspect for the total elimination of violent conflict on the African continent. The tools and strategies used to resolve conflict and address

its root causes cannot be successful without the rehabilitation of all its victims, particularly women, who conflict disproportionately affected.

The International Secretariat of FAS, based in Geneva, Switzerland, coordinates programmes in Africa and serves as a point of contact for international organisations, NGOs and donors. FAS established its International Secretariat in Geneva to facilitate the mobilization of resources and to maximize the visibility of African women's initiatives. FAS also has a permanent representative in New York, located near the United Nations, to facilitate its presence at the international level. In 2005, FAS opened its Regional Office in Dakar, Senegal to guarantee an effective collaboration with women's organisations in Africa. The office allows FAS to better support the activities of women working for peace by consolidating local organisations and expanding the campaign to raise awareness of women working for democracy and engendered decision-making mechanisms.

C) University for Peace

Established as a Treaty Organisation with its own charter in an International Agreement adopted by the UN General Assembly in Resolution 35/55 of 5 December 1980, the mandate of UPEACE is to promote peace and security worldwide through education, training and research on peace-related issues, including human rights, gender equity, economic development and peace, environmental security, peace education, international law and settlement of disputes, disarmament and non-proliferation, and the media and conflict.

The wider mission of the University should be seen in the context of the worldwide peace and security objectives of the United Nations. The central importance of education, training and research in all their aspects to build the foundations; to contribute to the great universal task of educating for peace by engaging in teaching, research, post-graduate training and dissemination of knowledge fundamental to the full development of the human person and societies through the interdisciplinary study of all matters related to peace and progress and to reduce the prejudice and hatred on which violence, conflict and terrorism are based is increasingly recognised. The Charter of the University calls for UPEACE "*to contribute to the great universal task of educating for peace by engaging in teaching, research, post-graduate training and dissemination of knowledge fundamental to the full development of the human person and societies through the interdisciplinary study of all matters related to peace*".

D) UPEACE Africa Programme

The overall goal of the UPEACE Africa Programme is to strengthen African capacity for education, training and research on issues of peace and security, including the prevention, management and resolution of conflict. It is hoped that the University will act as a catalyst for mobilisation in the fields of education and research for peace in Africa. The linking of African scholars into a knowledge network is imperative and as such, a programme that facilitates linkages between institutions of higher learning is of a high priority. Added value brought to this initiative by UPEACE lies in the unique advantage it holds in offering a genuinely international, multicultural and multidisciplinary orientation of its academic programmes, which builds on perspectives from other regions of the world.

After organising and facilitating several consultative missions to Africa between 2001 and 2003, the plan of action of UPEACE Africa Programme seeks to address two specific problems that were identified by participants of the consultative meetings: first, that student demand for courses in peace studies and conflict resolution is high, but deficits in the availability of materials and trained professionals have limited the ability of academicians and practitioners to respond to this demand. Second, that there are many instances of effective, noble work in peace and conflict being accomplished throughout the continent, yet the work is done in isolation and without resources. In addition to identifying possible solutions for above obstacles, the UPEACE Africa Programme received specific requests for staff training, which in turn has led to the Programme's emphasis on Staff and Faculty Development Seminars.

E) UPEACE Department for Gender and Peace Studies

The Department for Gender and Peace Studies was established in January 2001 and is one of the central academic departments at the University for Peace. Through formal education, research training of networks and the publication of materials, the Department for Gender and Peace Studies aims to mainstream the gender perspectives as a strategic means of reducing inequalities and inequities between men and women, and the establishment of peaceful societies. The Department believes that this strategy can make substantial contributions to the development and strengthening of democratic institutions as well as full respect for human rights.

The Department for Gender and Peace Studies is responsible for a variety of programmes, including the Masters' Degree and Peace Building and the Department's Knowledge Dissemination Project. After Master's degree classes were initiated in September of 2003, the material and courses were taught at the UPEACE campus in Costa Rica and course content used for developing dissemination training materials. These training packages provide users with sample lectures, readings, and syllabi, as well as a catalogue of international human rights instruments, study guides, professor's guides and a ream- relevant glossary.

D) United Nations, Educational, Scientific and Cultural Organization (UNESCO)

UNESCO - the United Nations Educational, Scientific and Cultural Organization (UNESCO) was founded on 16 November 1945. This organisation works to create the conditions for dialogue among civilizations, cultures and peoples, based upon respect for commonly shared values.

As defined by the Constitution, the purpose of the Organization is: "*to contribute to peace and security by promoting collaboration among nations through education, science and culture in order to further universal respect for justice, for the rule of law and for the human rights and fundamental freedoms which are affirmed for the peoples of the world, without distinction of race, sex, language or religion, by the Charter of the United Nations*".

UNESCO deploys its action in the fields of Education, Natural Sciences, Social and Human Sciences, Culture, Communication and Information. Through its strategies and activities,

UNESCO is actively contributing to the achievement of the Development Goals of the United Nations Millennium Declaration by 2015. It is also leading global efforts to achieve Education for all goals by mobilizing political and coordinating efforts of all stakeholders in education including development partners, governments, NGO and civil society. It strives to make human rights and the struggle against discriminations and intolerance essential components of research and policy-making.

In the framework of the promotion of human rights education, UNESCO's action is presented under the following three areas:

- Development and monitoring of international normative instruments: Conventions, Recommendations and Declarations;
- Support to the development of regional and national capacities, among others: the revision of curriculum and textbooks, the training of trainers educators and administrative personnel in the education system and the production of educational materials, teacher guidelines and training materials;
- Advocacy and networking in order to reinforce its efficiency for the implementation of human rights education strategy.

UNESCO Regional Office in Dakar (BREDA)

The UNESCO Regional Office in Dakar, better known under its French acronym BREDA, was established in 1970 to address educational planning issues in the Sub-Saharan region. Over years, BREDA has extended its fields of action so much that it now covers not only other education sub-sectors but also deals with other areas of competence of the Organization: Science, Social Sciences, Culture and Communication.

BREDA covers the following countries: Senegal, Sierra Leone, Liberia, Bissau Guinea, Gambia and Cap Verde.

The mission of BREDA is:

- Promoting, through its activities, the ideals of UNESCO for building Peace, Democracy and Human Rights through the promotion of sharing and utilisation of knowledge, particularly by ensuring that Education, Science, Culture and Communication are placed on top of the development agenda of African Member States;
- Systematically developing a regional overview of the major trends of UNESCO's areas of competence (Education, Science, Culture and Communication);
- Feeding the results of such systematic studies and regional overviews into UNESCO's Medium Term, and biennial programmes;
- Reflecting its in-depth knowledge of the needs of African Member States in the development and execution of its own regular and extra-budgetary activities and in its response to specific emergencies;
- Working, as much as possible, in close cooperation with governments, regional and international IGO's, NGO's, other UNESCO Offices in Africa, UNESCO National Commissions, the entire UN family, bilateral development agencies, the intellectual community and the civil society.

For the follow up of the activity of setting up a network of trainers for peace culture, BREDA supported FAS in the organization of the second short course on “Gender and Conflict: Human Rights and Transitional Justice”.

E) Regional Gender Programme for Africa/ RBA UNDP

To strengthen its impact on the situation of women and gender equality, UNDP adopted gender mainstreaming as a mechanism to achieve her goals.

The Gender Programme focuses on three new areas:

- Gender and economic empowerment
- Engendering good governance and peace building
- Gender, HIV and AIDS and poverty

The Gender Programme gives support to regional institutions, African governments and organs of civil society on the elaboration and implementation of strategies aiming at empowering women. In this framework, the Gender Programme supported FAS to conduct a study on “Women Movement for Peace and Security in Africa: 10 years Practice”. This study allowed FAS to have real case studies on peace process to be used in trainings and future Master on Gender and Peacebuilding, which will be organised in partnership with UPEACE.

VI. Objectives of the Short Course

This short course will bring together practitioners, researchers, and people working with Regional and International Institutions and NGOs for five days workshop to facilitate participants to improve their skills and knowledge on gender, human rights and transitional justice.

The approach of the course will be interactive and participatory in order to allow participants to share experiences and knowledge by actively contributing into the debate. The course will also represent an opportunity to create a network for addressing gender issues on the regional, sub-regional and international peace agenda.

Specifically, the aims of this workshop are:

- **To present and discuss specific aspects of gender and conflict management and transformation;**
- **To clarify terms, definitions and key concepts of human rights and transitional justice;**
- **To examine gender dimension in transitional justice and violations of human rights during conflicts and its transformation;**
- **To empower women as actors of change;**

- **To examine the use of video and materials facilitators trainers;**
- **To share experiences and lessons learned.**

VII. Methodology and Format

A) Methodology

The short course aimed to blend theory and practice to enhance participants' understanding of the core concepts of gender and conflict management while capitalizing on the wealth of practical experiences the participants brought to the table.

On the first day of the seminar, the participants developed ground rules for interaction to ensure that all participants felt comfortable sharing their experiences and to ensure an environment that nurtured discussion and positive interaction.

B) Format

Four principle activities were undertaken as part of the seminar: 1) lectures; 2) plenary discussions; 3) personal journal; 4) workshops, including case studies, role-plays and simulations; and 5) a field visit.

1. Lectures

Each day of the short course began with a lecture, during which participants received a comprehensive overview of the concepts and themes under discussion during the course. As participants came from a diverse array of backgrounds, these morning lecture sessions were important to ensure that all the participants had a sufficient grasp of the conceptual framework to allow for a more fruitful discussion of the issues of gender, conflict and human rights in Africa.



2. Workshops

After building the foundation for the participants to engage in a dialogue about the key concepts, the afternoon sessions were devoted to workshops that included case studies, role-plays and simulations. These workshops allowed participants to apply the concepts discussed in the lecture and to draw on their own experiences to highlight areas for further discussion.

3. Plenary Discussion

At the end of each day, participants reconvened to engage in a group discussion about the concepts and case studies they examined over the course of the day in both the lectures and workshops. Participants were encouraged to draw on their own experiences to raise questions

or issues on the topics under discussion. These plenary discussions gave participants the chance to share stories and lessons learned in the context of the day's activities.

4. Personal Journal

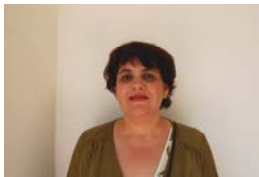
As part of the evaluation process, at the end of each day participants were asked to fill the "Personal Journal Paper" with impressions and comments on the session of the day. Participants had the opportunity to make further contributions by stating what they did or did not learn from the course. A brief next day follow up discussion was held to clarify doubts and answer questions, before moving on to the next session.

4. Field Visit

In addition to lectures, plenary discussions, case studies and role-plays, participants took part in a field visit to the International Commission of the Red Cross (ICRC) office in Dakar. The visit gave participants the opportunity to accurately explore the humanitarian missions of the ICRC around the world with an attention also given to its mission in Casamance, Senegal. The participants were able to gain a wide comprehension of the ICRC humanitarian activities.

Monday, 9 April 2007 Topic 1: Human Rights and Women's Rights in Africa

Facilitator: Elizabeth Delpont



The first day of the workshop examined the International and Regional Human Rights Instruments and Mechanism on Women's Rights. Starting with the UN Human Rights System, the facilitator went briefly through the Universal Declaration on Human Rights (UDHR) and the debate raised over the two Covenants on Civil and Political Rights and Economic, Social and Cultural Rights. A deep analysis was then taken to examine the International Convention for the Elimination of All Forms of Discrimination Against Women (CEDAW) (1979), its Commission, the Reporting system and the Reservations mechanism, and finally the Beijing Platform for Action (1975). A study of the Regional African System was also conducted, focusing on the African Charter on Human and Peoples' Rights (1986), its Protocol on the Rights of Women (2003), The Solemn Declaration on Gender Equality in Africa (2004). The last topic examined by the facilitator was the monitoring system and the shadow reports produced by the Civil Society.

The main points of the presentation were the achievements and shortcomings of the most important Human Rights Instrument for Women's Rights protection; the difficulty faced by women to see their rights addressed and redressed and the resistance of the States to respect the obligations undertaken at the international forums.

The presentation began with a question to the participants on what they would do if they were a President of their country.

Variety of answers was given:

- To enforce human rights laws
- To guarantee free access to primary education for young girl
- To empower women economically
- To give women the opportunity to participate in the decision-making process
- To establish the peace
- To ask men to respect women's rights and the family
- To respect the human rights of journalist women
- To reintegrate women soldiers or victim of rapes in the society
- To guarantee the right to health
- To eradicate the impunity
- To guarantee the independency of the International Instruments

After this brief round of questions, the facilitator started the presentation by giving some elucidating elements of the main debate raised at the time when the UDHR was drafted, and the exclusion of “she” in the main body of the text. Facilitator took the opportunity to ask participants their views of the importance of having “he” and “she” specified in the international human rights instruments.

Some participants gave the following views:

- To include women in the process, language is important
- To specifically address women's concerns
- To keep the “she” or “he” identity.
- Necessity to fully understand the true spirit of the Law, it is important to change the mentality because “he” includes the whole humanity

The facilitator continued the session explaining the importance of she/he dilemma, which was raised at the time of the drafting of the first Human Rights Instruments from which women were notably excluded: not represented or present at round tables of the decision-making process. To make participant more familiar with the main Human Rights Instruments, she gave a summary introduction of the followings: the UN Charter, the UDHR, the two Covenants of Civil and Political Rights (ICCPR) and the Covenant of Economic Social and Cultural Rights (ICESCR); the Convention on the nationality of married women.

After the participants were given the conceptual framework of the main UN Human Rights Body of Law, the facilitator took time to introduce and explain the main Women Human Rights UN Instrument: the CEDAW, which was drafted in the 1979.

A- Convention on Elimination of Discrimination against Women (CEDAW)

CEDAW unveils the causes of women's inequality and discrimination, which appear in multiple and indivisible spheres. It acknowledges that violations against women do not only occur in the political and legal realm, but are also entrenched in religion, culture and tradition. Therefore, it requires State Parties to tackle discrimination in the private lives and in the relationships amongst citizens and not simply in public sector activities. CEDAW establishes legal rights for women in areas never subject to public scrutiny before, let alone international standards.

The article 1 of the Convention, gives the definition of discrimination based on sex (biological base). It also mentions the distinction between direct and indirect discrimination, referring to situations/behaviours that directly discriminates against women or by contrast, when the discrimination manifest itself in a subtle and latent way.

Many provisions of CEDAW require progressive rather than immediate implementation. However, ratification of CEDAW demonstrates an unqualified positive commitment to the comprehensive prohibition and elimination of discrimination against women.

At this point, some introductory concepts of the CEDAW Members State reporting obligation were analysed by the facilitator, who explained that by signing the CEDAW, State Parties bind themselves to implement the Convention at the national level as well as to submit reports on the legislative, judicial, administrative and other measures adopted to give effect to the Convention. Such reports are considered by the CEDAW Committee, which makes suggestions and general recommendations based on the information received. A report must be submitted within a year after the entry into force of the Convention for the State concerned. Thereafter, a report must be submitted at least every four years and further whenever the Committee so requires. This is a dynamic process and no domestically binding. Liberia, to give an example, has never submitted a report so far and received an ultimatum from the Committee to submit the report by the next year.

Another subject approached by the facilitator was the Reservations' system. A reservation is a formal declaration made by a State that it does not accept as binding on it a certain part or parts of a treaty. Article 28 permits the ratification of CEDAW subject to reservation, which is often regarded as a major obstacle to the full realisation of the goals established by CEDAW. More States have entered formal reservations to CEDAW than to any other major human rights treaty. However, article 28 precludes any reservation incompatible with the object and purpose of CEDAW. Yet, a significant number of reservations, particularly those with regard to family law, legal capacity and citizenship, appear inconsistent with the object and purpose of CEDAW.

Often these reservations strike at the heart of the Convention. In particular, most reservations are made based on cultural or religious grounds, and usually exclude obligations in one of the most crucial spheres for women: the family.

After exploring CEDAW, its provisions and its reservations system, the facilitator asked participants what they thought was missing in CEDAW.

Participants gave the following answers:

- Provisions on the institutionalised prostitution
- Provisions on violence against women
- Provisions regarding the difference of treatment between boys and girls in the family
- Provisions on conflict
- FGM
- HIV/AIDS
- CEDAW reflects only Western values

To complete the discourse on CEDAW, the facilitator discussed on CEDAW Optional Protocol.

B- The Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women.

The Optional Protocol contains two procedures, namely a communications and inquiry procedure. In order for these procedures to be applicable, States must be party to both CEDAW and the Optional Protocol.

This procedure gives the Committee the right to initiate an inquiry based on reliable information received by it. The information must point to grave or systematic violations committed by a State Party of rights contained in CEDAW. The Committee may require the State Party to provide information and may visit the territory concerned. The Committee may adopt views on such a situation and make recommendations in that regard. Article 10 contains an “opt-out” clause to the inquiry procedure. This means that, upon signature, ratification or accession, a State Party is allowed to declare that it does not recognise the right of the Committee to conduct an inquiry on that State.

At the end of the analysis of CEDAW some challenges were raised:

- Civil Societies have a crucial role to monitor their country and bringing concerns to the Government through the shadow report mechanism.
- The not binding obligation of the Convention makes States not to take full responsibility;
- Too often State Parties are reluctant to submit their state report.
- The participation of women movement is important to advocating for the domestication of CEDAW within the State Parties.

The facilitator passed on to another subject: the Beijing Platform for Action.

C- Beijing Platform for Action (1995)

The Beijing Declaration and Platform for Action, adopted at the Fourth World Conference on Women (1995), reflects the international commitment to the goals of equality, development and peace for all women everywhere. The platform identifies twelve critical areas of concern, considered to represent the main obstacle to women’s advancement. It defines strategic objectives and spells out actions to be taken by Governments, the International Community, non-governmental organisations and the private sector for the removal of the existing obstacles. The Beijing Platform for Action is a very powerful document and by setting out specific areas of interventions, it becomes an effective tool for action. However, the major shortcoming of this document is that it is not legally binding.

After 10 years from the Beijing Platform for Action a (B+10) a ten years review was evaluating the achievements of the Beijing Platform for Action, and in this occasion concerns were raised about the process of human rights and the status of women.

With the Beijing Platform for Action, the facilitator concluded her exposition on the UN Human Rights Mechanism opening a new debate on the African Regional System for Human Rights.

D- The African Charter on Human and People’s Rights (The African Charter)

The African Charter is a regional human rights instrument specifically designed to reflect the history, values, traditions and development of Africa. The Charter seeks to combine African values with international norms by promoting internationally recognised individual rights as

well as proclaiming collective rights and individual duties. The African Charter recognises the importance of women's rights through three main provisions:

Article 2: the non-discrimination clause provides the rights and freedom enshrined in the Charter shall be enjoyed by all;

Article 3: It rules the equality before the law.

Article 18(3): It rules the protection of the family, and the elimination of every discrimination against women.

The facilitator raised some challenges emerging from the Charter:

- The Charter does not say a lot about women
- The Charter places great emphasis on traditional African values and traditions without explicitly addressing concerns that many customary practices, such as female genital mutilation, forced marriage and wife inheritance, can be harmful or threatening the life of women.
- The Charter inadequately defends women's human rights by ignoring critical issues such as custom and marriage.

After addressing the above challenges, the facilitator moved on to the study of the Protocol to the African Charter for Women's Rights.

E- The Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa (2003).

The significance of this document resides on the fact that it exposes the specific inequalities that plague the lives of African women and explicitly acknowledges women's rights as human rights. It provides an African context to the provisions of CEDAW embodying innovative provisions regarding some aspects of gender discrimination not explicitly covered by CEDAW.

Topics covered by the Protocol include:

- The rights to life, integrity and security of the person
- Elimination of harmful practices
- Marriage
- Access to justice and equal protection before the law
- Rights to participation in the political and decision-making processes
- Right to peace
- Protection of women in armed conflicts
- Education and training
- Economic and social welfare rights
- Health and reproductive rights
- Right to adequate housing
- Right to positive cultural context
- Widow's rights
- Right to inheritance
- Special protection of elderly women
- Special protection of women with disability

The discussion was open for participants to give their contributions over the subject of FGM. In this particular occasion, each participant shared experiences from their own country making the debate interesting, and giving some elements for critical consideration.

The discourse was then brought to the analysis of the Solemn Declaration for Gender Equality in Africa (SDGEA)

F- The Solemn Declaration

In this Declaration, Heads of State and Government reaffirmed their commitment to gender equality as enshrined in the documents previously examined. Concern is noted regarding the status of women and the impact on women of issues such as the high incidence of HIV/AIDS among girls and women in poverty, harmful traditional practices, violence against women, women's exclusion from politics and decision-making, illiteracy and limited access of girls to education. Furthermore, African Heads of State and Government committed themselves to report annually on progress made in terms of gender mainstreaming and to support and champion all issues raised in the Declaration, both at national and regional levels, and regularly provide each other with updates on progress.

The challenge raised by the facilitator on the Solemn Declaration is that this document has not a binding force despite being a powerful tool. Additionally, it appears not to be well known. In fact, many participants did not know about and the facilitator exhorted them to familiarise with it and use it.

Another subject brought to the attention of the participants was the monitoring system.

G- The Monitoring System.

The monitoring process consists in collecting information systematically and pragmatically from different sources. While monitoring, human rights violations (from different actors) and the progress of the implementation (how your state moves towards implementation) are the two areas under the scrutiny of the whole process. Moreover, Civil Societies in their tasks as monitors should analyse the following table of elements:

- Historical context
- Economic, social and demographic indicators
- Political context
- Legislation
- Constitution's provisions.

Before closing her session, the facilitator posed participants the following questions on the discussed monitoring process with the intention to make them think on its importance and relevance for the protection of human rights:

- Why do you monitor Human Rights in your daily life?
- What do you hope to achieve?
- What you are looking at?

Mrs Bineta Diop took this opportunity to explaining in further details the monitoring process and the importance of the use of the shadow report to pressure governments to conforming themselves to the international and national legal obligations. Shadow report, she says, is the

product of the monitoring activities of the civil society and should highlight the weakness of a State. It should be credible and supported by statistics. She also emphasised the importance for Civil Society to work together and sharing their experiences. It is the crucial role of Civil Society to monitor if governments produced certain reports or violated human rights. It is the Civil Society's role, their *raison d'être*.

Tuesday, 10 April 2007 Topic 2: Gender, Conflict Management and Transformation

Facilitator: Matthew Norton

The main points analysed by the facilitator were the definition of conflicts, with the aim of having a common conceptual background to better understand its dynamics and challenges. Then he illustrated the different theories that conceptualise conflict, its sources, different actors and the way to deal with it. The afternoon session, was more focused on practical exercises that gave participants the opportunity to elaborate what learned in the morning and to face new challenges brought forth by the Case Study, where participants experienced the difficult task to engender the peace process in an international round table setting.



The facilitator opened the session with the definition of conflict seen as not only a war and violence phenomenon but also a social experience, analysis. To give a definition is seen as an important element to develop a common language for sharing experience. Furthermore, when looking at conflicts the following elements should be observed as indicators for a conflict analysis:

- Sources
- Different actors
- Conflict dynamics
- Violence
- Strategies
- Ways dealing with conflict

Facilitator then asked participants to break into five groups to work together over the definition of conflict.

After participants went back to the seminar room, they shared their visions on the definition of conflict, which includes some aspect of similarity and of differences. The main elements drawn out from the discussion are so summarized:

- Conflict happens when two or three parties are in conflict for mentality, historically differences. Not an open process, but latent. It can arise from different perspective (tribes, ethnical groups) or for personal reasons.
- Conflict is an opposition of interest between different groups or individuals. It can also be seen as interpersonal conflict or a confrontation of ideas and values.

- Conflict as a situation of opposition, disagreement, lack of understanding over an issue It takes place between groups or individuals; it can be latent or open; it can be solved quickly or violently. Sometimes it is inevitable.
- Conflict is a misunderstanding between community, states, and individuals.
- Conflict sees as a state of disagreement, incompatibility of prospects, vision between different parts; neutral, source of growth or degeneration, depends on the kind of result it ends on.

The facilitator highlighted how to analyze conflict by stressing the accent on the following elements:

- Situations: conflict has to be understood as a temporarily, despairs in time
- Opposition involves: goals over interests, prospective, views
- Actors involve two or more states
- Dimension of violence or not violence
- Sources of conflict: latent or open.

He gave then the definition of conflict seen as “A situation characterized by a perceived incompatibility of interests on the part of the parties”. This definition is seen as a starting point to understand conflict as a dynamics, as a situation that moves, that grows. Further, it can be identified two sources of conflicts: *sources* as real causes of a conflict, root causes, also motivation for conflict, and *behaviour* (preparing arms etc...)

Following, different theories of conflict and its dynamics were examined exploring other ways to looking at it.

1) John Burton’s Theory: Basic Human Needs

According to this theory, there are certain needs that if we do not have, a conflict can likely explodes consequently. Some of them are water, land, security, food, shelter, health, etc.

2) Relative deprivation Theory

This theory focused on what kind of resources are available to people. It traduces a concept of perception: what causes conflict is that the outcomes or hopes expected to be by certain people are lower that they expected. This dichotomy can become a source of conflict. The theory is based on the difference between expectations and reality.

3) Greed Grievance Theory (from the World Bank)

Greed can be a synonymous of Economics possibility. Evaluating the economic aspect behind a conflict (example of Sierra Leone and blood diamonds). Also related to the “lootable commodities”, stealable commodities like diamonds, which are small to hide and to steal and transport.

The concept of grievance is important to focus on the economics aspect. Very often leaders see economics opportunity to rally people up, and take the advantage of it.

On this particular theory, comments were raised from participants, who pointed out that sometimes rebel movements have stronger motivation than only economics reasons. Other ambitions should be considered, they stress, such as retain power and getting more powerful. Greed grievance it is just a source for the prolongation of the conflict.

4) Jones Doeherkry Theory

Triangle geometrical figure to define the sources of conflict: symbolic, political and economic. Symbols can generate conflict. The case of Jerusalem in the Middle East and the incredible symbolic importance of this city is an important fact through which understand the source of a conflict.

5) Moore's types of conflicts:



1. Relationship conflict
2. Values conflicts
3. Structural conflicts
4. Interest Conflict
5. Data/Information conflict

6) Lund Theory

We can identify as sources of conflicts:

1. Structural Actors or Roots causes
2. Middle range/Enabling sources
3. Triggers sources or immediate causes of a conflict

In a conflict, we can identify three parties:

1. Primary: they have direct and immediate involvement in the conflict
2. Secondary: they are the supporters of a conflict, indirectly involved but directed affected. Sometimes the secondary party can move to the primary party.
3. Tertiary: not involved, whose interests are indirectly involved.

This distinction is important to identify the coalition parties who take interest in the conflict.

At this point, the facilitator drew on the flip chart a pyramidal configuration of the conflict/peacebuilding structure, which is described as follows:

Track 1.: High level of state's effort

Track 2.: Civil Society

Track 3.: Grassroots level.

Afternoon Workshop

The afternoon session was focused on group exercises to enable participants to capitalise what learnt in the morning. It also served as a space for more critical overviews on conflict and its resolution encompassing gender issue in the debate.

Participants, thus, were asked to work in groups on three different exercises. The first is described as follows:

- **First Exercise**

Participants were divided into small groups to discuss the following question:

1. Concise definition on Gender;
2. Three examples of how conflict can be engendered;
3. Three best reasons for the importance of including gender analysis in conflict resolution, management, reconstruction, transformation and peacebuilding.

At the end of the exercise the following answers were given:

Gender is:

- Is an entire social process/construct, different from sex difference, which is related to the biological aspect? It is connected to the masculinity and femininity.
- A social constructive role of men and women which changes with generations
- A social culture construct of being man or woman
- A concept that includes relation between men and women
- A concept that varies from a community to another.

How conflict can be engendered:

- Need of mainstreaming for sexual equality. Women are the majority (half of the world population) so need to be included in the decision-making process
- Include women in the peacebuilding process. There is a need of women's analyses
- To recruit women in security force and participation in peacebuilding;
- To enable women to participating in the whole process of evaluation, agreement and signing of the peace.

Three best reasons for the importance of including gender analysis in conflict resolution, management, reconstruction, transformation and peacebuilding:

- Women are more affected by war than men are, suffering from sexual violation of all kind and many health problems.
- Gender disaggregated data. Particular need of addressing concerns on women;
- Conflict affects women and men differently, so different need must to be looked upon in the integration process. Rape used as war weapon to destroy the womb of a society;
- Most displaced people are women, sexual violence, barbarian acts. Method of reintegration from men and women should be different according to their needs;

This exercise reinforced the participants' knowledge on the meaning of Gender, but also gave them a solid vision on the importance of engendering the peace processes.

A second exercise was then proposed, in which participants were asked to give their views on two types of conflict situation.

Second exercise

Participants were asked to remain into groups and give their visions on how they would respond to the following scenarios:

Situation 1: “You enter a small shop. The shop seems empty, until you hear someone shouting and large man appears, holding an adolescent girl by both arms, shaking her and shouting angrily about her having stolen something. She is crying. He continues to shout and shake her. What do you do?”

Situation 2: “You are at the bus stop, standing next to a mother and her toddler. The child starts to cry and the mother leans down and forcefully spansks the child. The child continues to cry, and the mother reaches down and forcefully slaps the child’s face. What do you do? “

Answers given by participants for the scenario 1:



- To intervene to ceasefire, then negotiate and settling.
- To calm down the two parties; ask what happened, listen and try to settle the dispute;
- It could be an opportunity to ask what really happened and see if it was the men that stolen something and trying to make her guilty;
- To ask the man to let the girl go, and ask the proof of stealing.

Answers given by participants for the scenario 2:

- Try to understand the problem. Ask the mother the reason why she acted like this.
- Talk to the mother and let her understand the problem of the child;
- Talk to her and make her understanding not to use violence towards her child.
- Take the child away and then start the mediation process.
- Ask the mother to step down. Then starting understand what the child has done, maybe been naughty and deserves it. In Africa is normal punish a child for a wrongdoing

This exercise made participants to thinking of a conflict situation, in a small scale indeed, and how they would respond to it. Different visions and reactions were brought into the room, showing that the way to resolve a conflict and find mediation for it is not an easy process.

After the involvement of the participants in the two exercises described above, the facilitator moved to depicting four ways of intervening in conflict, which can be described as:

- Contending: Attend to fight with each other; different parts know what they want and contend to have their part
- Yielding: One part gives away to the other part;
- Problem solving: Effort to understand the different sides of conflicts and try to solve problems
- Avoiding no dealing with the conflict directly, but try to avoid it. It may be an idea for conflict strategy

Another distinction can be made between Conflict management, seen as a process focused on behaviours, bringing an end to particular conflict behaviour; short terms changes (deployment

of peacekeepers) and Conflict transformation which is focused on sources of conflict: long-term changes.

Facilitator gave a simulation Exercise to participants: Gender and peace process

Marijhan State Case Study

The problems raised in this case study were:

- Sporadically escalating and de-escalating civil war for a decade
- Society has been deeply impacted by violence, old social structures have collapsed.
- The economy has been damaged, with “war economies” emerging throughout the country
- The population of the capital has nearly doubled with the flood of IDP’s who have arrived over the years
- Unemployment is well over 50%
- Housing is poorly built, access to water and food is tenuous, and violent gang-rule is the way of the camp
- The UN has been asked by both sides to try to broker a peace deal
- A coalition of women’s rights NGOs and other NGOs demanded the Secretary General’s Special Representative (SRSG) to introduce a gender component within the peace process
- The SRSG under pressure has agreed to send a delegation to meet with representatives of the coalition.
- The two broad items of the agenda for this meeting are:
 - 1) Participation of women in the peace negotiations;
 - 2) Preparations for the post-settlement peacebuilding, both at the U.N. and private level.

In this case study, each group was assigned the task to negotiate a peace agreement where the SRSG and the Women’s coalition representatives are seated on the same peace negotiation table. Both sides had to give their explanations and reasons on how and if they consider gender issue a priority to be considered in the peace building process or by contrast, not a main concern in the conflict to be addressed.

This simulation allowed participants to see the difficulty of bringing gender issues on the peace negotiation table. Another challenge faced was engaging the international community in taking gender issues more seriously and also to consider including the participation of women in the post-conflict peacebuilding phase.

Wednesday, 11 April 2007 Topic 3: Transitional Justice

A- Presentation 1:

Facilitator: Kelly Muddell



The key ideas of this presentation are to define transitional justice, its mechanism and the ways women enter the transitional justice process. The facilitator started by giving some conceptual framework definitions on transitional justice, its mechanism and the challenges arising from it. Opportunities were given to participants to share the experiences they faced in their own countries. Focus was given on how women

experience transitional justice, what is their role in it and the challenges faced by them in seeing recognised their multiple roles as victims or even active participants in a conflict. Aspects for further thoughts were given on what progress can be made to ameliorate the position of women in and after conflict. The last point analysed was the Truth and Reconciliation Commission, its mandate and the impact on the society. Discussion was open for debate.

The facilitator opened the session by raising the following questions and challenging on the Transitional Justice debate:

How do gendered social norms and ideology manifest in the transitional justice field? As the impact of conflict differently affects women and men, the following points were made:

- Problem in decision-making: women have been neglected in the decision-making process, always been left out of this process.
- Problems in agenda for redress: women go through many abuses. Transitional Justice covers only the major violations that affect women; there is a gap.
- Problems in responses to the long-term consequences: how those abuses affect women on the long-term. Question arises whether TJ is able to achieve a long-term stability.

The introductory presentation made participants ask questions and make some comments on Transitional Justice.

Questions and comments sorted:

- TJ and the problem of forgiveness between Rebels and Governments
- Problem of the Government to respect Truth and Reconciliation Commission's recommendation.
- The definition of "Transitional" Justice. Why is "transitional"?
- The problem of a real effect of the TRC has never worked in difficult countries.

The facilitator took into consideration those questions and comments to which she answered throughout her session. A slide-presentation on Gender and Transitional Justice was exposed with which participants had explained key concepts in a schematic and succinct fashion.

Forms of Transitional Justice mechanism

With this presentation, the facilitator gave some key elements for understanding of the whole structure of the Transitional Justice (TJ). There are different forms of Prosecutions that can be defined as:

- International Tribunal for the Former Yugoslavia/Rwanda
- Hybrid courts: national + international staff and structure
- National prosecutions: difficult to achieve, because infrastructures are destroyed during wars
- Civil suits,
- Regional Court

We can also find different truth seeking mechanisms that can be distinguished as:

- Truth Commission: The most famous Truth Commission were born in South Africa: attracted a large amount of resources and gave amnesty to perpetrators in exchange of the truth
- National alternative: Gacaca in Rwanda
- Unofficial tribunals: victims groups push to have tribunals.

As for the forms of reparations for victims of violations, the facilitator stressed the accent on three different ways to alleviate the suffering of the victims of a conflict:

- Monetary payments
- Access to services: Social Services, health care, education, psychological support etc...
- Memorials: building a monument, rename a street to keep alive the memory of what happened.

However, the forms of reparation can be very expensive and it is not evident to see the long-term effects.

Another way of making justice is punish perpetrators through the implementation and reaffirmation of the Human Rights Law, bringing them to the court and sentence them with a just punishment. In this context, a trial procedure should provide witness, advocates and having an empowering approach.

However, there can be key areas that present challenges and opportunities such as:

- Defining beneficiaries: Primary and secondary victims.
- Defining reach of reparations- Addressing continuities between extraordinary violence and Ordinary violence

The facilitator then examined the ways that women enter TJ processes. Women always are stigmatised as victims, but they cover other roles in the conflict such as:

- Victims and survivors,
- Witnesses
- Combatants
- Perpetrators
- Activist
- Transitional Justice actors

However, women may experience cruel harm in conflict, which can distinguish as:

- Direct physical harm (death, sexual violence, reproductive violence.
- Violation of women's fundamental rights (displacement, long term economic hardship, health impairment)
- Long-term impact (limited legal rights, limited access to land, limited political participation)

The discourse can direct towards the analysis on the enduring challenges and successful strategies, which can be described as follows:

- Going beyond establishes dogmas regarding "Gender, Justice and Transition" (critical thinking and innovative practices)
- TJ priorities/approaches that are accountable to the affected communities (local ownership and transitional solidarities)
- Attention to historical legacies and political contexts (no universal solutions)

The long-term impact of war on women are often silenced and TCR not taken into account.



This presentation raised some challenges among participants, which can be summarised as follows:

- Violence against women stops when the conflict also stops, but the effects of it go over after the war
- In some countries judges humiliate women, who

decide to give testimony

- Question of the security of the witness, and the kind of protection they have assured.
- The struggle of the tribunals to protect witnesses from external reprisals.
- The need of social counselling for victims and how to assist them in the transition process
- The problem of lack of resources that affects TRC, that has to rely upon CS for those services.

This presentation gave participants some key concepts for better understanding the process of the Transitional Justice, its mechanisms and its challenges. With the study of the Truth Commissions, however, the facilitator gave more opportunities to think about how to deal with the past when a society breaks into a conflict. The following presentation was then given.

The Truth Commissions

TRC in its mandate of seeking the truth should not reproducing discriminatory and stereotypical hierarchies of human rights and its attempt to reconcile the society.

It has never dealt with violence against women issues and if the court gets too busy, it put aside the question of women. Another challenge is the political will to enact the TRC recommendations. Important challenge to face is the reparation of women that suffered from violence during conflict. Another aspect down out was the aspect of pardon, as an element for reconciliation among survivors. Similarly, the need for justice and make people responsible for their acts is felt as if justice is done, a feeling that people pay for they wrongdoings. The reparation seen as helping people to overcome their trauma. This is the challenge faced by the Truth and Reconciliations commissions: the sense of justice and reconciliation of the society under the same scope. Pardon and Reparation is important for the TJ process. Pardon and reparation help to reconstruct the society.

The Truth Commissions create a narrative of conflict, looking at all factors of the conflicts (not only high level perpetrators, but also all participants in a conflict) and give recommendation for society to move on. Identify harms and restore. The aim of the Truth Commissions is to rebuild trust in society and create a society where violation will never take place again. However, its mandate it is very broad.

Civil Society should act as a watch-dog, as indicator to see if the TRC doing their job. CS can fill the gap between institutions and victims. Courts have been criticised not taking into account CS. TRC are courts of reparation for victims. TRC should be asked by the locals and crafted in the specific region to address the need of a particular population. And also what kid

of reparation people (victims) expect of want: jail, economic redressing, and social rehabilitation?

Some question might rise:

What kind of reparation women need to feel the justice at their abuse.
What priority to give in society? To which need we should give priority to?
It's not only a challenge of reproductive rights, there is psychological trauma.

Challenges raised at the end of the session were the following:

- Impossibility of bringing back the psychological wounds of people tortured, raped...
- Importance of talking about prevention rather than TJ
- The inability of TJ to redress the victims of violation, neither resolve the sources of a conflict
- Impossibility to resolve conflict and its sources in a court.
- Importance of looking at the sources who laying beyond a conflict
- Restorative justice is the type of justice that works. If we talk about punish someone, is not justice. We will never benefit from it.
- The peace agreement is not an end, but the beginning of preventing conflict. Dealing with the structures of the causes/sources of conflicts.
- The question of peace and resolution of conflicts is very complicated and we need to have a peace education in the primary school. It should be part of our education. In some countries even if there is a peace agreement, it can still persevere a situation of tension between different parts of the conflict
- The concern of the independency of the judiciary system. Sometime we find that Government have interest in conflict and the judiciary may work in their favour. So we need a judiciary reform.
- Transitional Justice Agenda should be broader, thinking of other process from sources to the escalation of conflicts.

The facilitator concluded the session giving some more concluding observations of the controversial concept of the reconciliation. Similarly, the International Judicial system often does not know what kind of reparation a particular country is in need. To the other side, traditional cultural reparation is controversial too, because there is not a judicial system, which could leave space to impunity. Debate leaves large room to the question on how resolve or set up a sustainable peace.

B- Presentation 2:

Facilitator: George Wachira: Case Study on Transitional Justice



In this afternoon session, the facilitator analysed the Transitional Justice system. He started by explaining the sources of conflicts and the importance of understanding them as a way to prevent conflict to break out in the future. The long process that leads to a peace-agreement and the meaning of it, it can be seen as only a starting point of a factual peace. More details on the transitional

justice structures and its mechanisms were analysed and also its role in the transitory period from the conflict to enduring peace. Some dilemmas and challenges drawn out from Transitional Justice Choices were also analysed.

The session opened with the study of conflicts, its sources and the problematic process of reaching a peace agreement. Conflict is seen as a progressive line that happens in particular time. From being latent it can reach an escalation of violence. It reaches a point that there is not a forwards or backwards, a stall point when people think of talking about peace and doing something. Reaching the “agreement point” can take ages (Nigeria 15 years, Burundi 10 years), but creates the impression that when reached this point, it’s a matter of a couple of years that everything will be fine again. In this “stall”, Transitional justice has to be seen not as temporary, but transitory going from a moment to another: transitory through the process.

The peace agreements are far away from settling peace or addressing the causes of a conflict. What the agreement provides is how to move forwards to have peace. Post conflict period is an opportunity to focus on roots causes. There is a link with the transitional justice: suggests passage, transit but in reality this process need to be visualised as a big period with different activities and goals. Bringing the bridge between the past and the present but also anticipate and construct “Peace”.

Considerations are also given to the transitional Justice approaches or “tools” in practice, which are seen as:

- Criminal sanctions in the form of national or international trials (e.g. ICTR, ICTFY, Special Court for SL, and now the ICC)
- Non-criminal sanctions in the form of vetting procedures to remove offenders from office (“lustration” or “epuration”)
- Establishment of schemes for retributions and reparations
- Acknowledging the past through, e.g., establishment of truth commissions

Another aspect highlighted by the facilitator is the concept of Criminal Sanctions-National and international trials. In this discourse, a rational aspect will be to consider issues such as how to hold accountable those responsible for violations, the achievement of justice for victims and finally discourage recurrence. At those aspects can be matched some challenges, thought, which can be grouped as follows:

- The need to observe the law means new regimes cannot prosecute perceived perpetrators indiscriminately
- Gathering sufficient evidence
- The process of criminal trials can be very slow
- How far up or low down the chain of command?
- The number of people that can reasonably be tried, e.g. in Rwanda
- International law and domestic expectations may not coincide, e.g. with regard to death penalties

Beside the criminal Sanction, we can also find the Non-criminal sanctions (e.g. amnesty ; purging the public sector-« lustration » or « épuration”), in which rationale aspects can be found in the following elements:

- extending amnesty encourages members of the former regime to allow a new order to thrive or make concessions
- there may not always be sufficient evidence to support criminal trials
- new regimes nevertheless have the need to restore public confidence and signal change

- members of the old regime may sabotage changes if left to serve the new regime

Matching with those rational aspects, challenges arise: blanket amnesties in the absence of other processes (e.g. trials or truth commissions) may hinder both justice and reconciliation; purges can be abused for political reasons and also purge can be extended to restrict political activity of opponents.

As for the Restitution and Reparation Schemes, some aspects should be taken into account. This includes aiding victims to manage the material aspects of their loss; symbolize an official acknowledgement by the state and financial cost may deter the state from future abuses. From those aspects, though, some challenges might arise, which could put in question the achievement of the restitution/reparation scheme. Those challenges can be described as follows:

- The new regime may not have resources to undertake compensation programmes, or may not view these as priority
 - compensation is usually selective (e.g. on the basis of the rape of violation or its gravity)
- As in the case of Chile, compensation may not be tied to an acknowledgement of perpetration by the state, thus denying catharsis to survivors.

A final point is made on the truth seeking commissions (Truth Commission, Historical Commissions) and their role in acknowledging the past. In observing their objective, some rational elements can be found and described as follows:

- Truth-telling can signal a formal break with the past and a transition to a new open society
- There is a need to establish a true record of history
- There may outline institutional and individual responsibility
- Truth-telling offers an alternative to divisive criminal trials
- Truth-telling may be an avenue to both justice and reconciliation

The facilitator takes the opportunity to give some more details of those commissions explaining that they are temporary bodies, usually in operation for one or two years. The Commissions are officially sanctioned by the state and in some cases by the armed opposition through a peace accord. They are non-judicial and usually created at the point of transition from war to peace or from authoritarian rule to democracy. Their focused in centered on past violations and they investigate patterns of abuse over time, rather than specific events. The Commissions usually make recommendations to the state.

The presentation on Transitional Justice gave participants key elements to think about the whole procedure framework that is put in place in a particular contest to reduce the effects of the conflict with the aim to rebuild and reconcile a society. To offer participants more elements to deepen what they learnt during the session, they were given the opportunity to experience, trough a simulating exercise, the difficult task of participating in a peacebuilding round table where different parts of a conflict are taking part.

Case Study: AFZ and Lifroza: A transitional Justice Role Play

The key problems raised by this case were:

- 15 years war between the government's Armed Forces of Zakenda (AFZ) and the Liberation Front (Lifroza)

- With the time, the war degenerated into a generalised conflict between the two largest ethnic groups (the Banake and the Baritu)
- It is said that AFZ have promoted the formation of Banake militias who have been attacking “enemy tribes”
- Over 190.000 people died in the last 2 years
- Discipline within the AFZ and the militias has deteriorated and there have been rumours that soldiers and militias have routinely abducted women and defiled them.
- Corruption is high with millions of dollars of public funds banked in foreign countries
- Brutal killings, gruesome torture, amputations and abductions have been a central war tactic
- Linfroza maintain a large number of child soldiers, both boys and girls
- Hundreds of thousands of people in East Zakenda have been displaced and live in deplorable conditions in camps
- All social services, including hospitals have been collapsed
- Peace talks starting to emerge as a way out, but a stalemate has developed over what to do about the past once the peace agreement is signed.

Looking at the scenario participants were asked to break out into groups and working on different positions given by the facilitator. The task for participants was to simulate a debate, where exponents from different parties were present: Government representative, General Tap Tap, War Criminals Court (WCC), Child Rights Activist, Religious leader from East Zakenda, Easter People’s Party Leader and Amina, who works for a local NGO.

Participants were asked, in respect of their positions in the role-play, to make propositions for progress. What I should do for my country?

The role-play proved to be very fruitful and interesting for all participants, who took part in the peace agreement process simulation with enthusiasm and commitment.

In the afternoon session, the facilitator gave some insights into the dilemmas face by Transitional Justice System and made some concluding observations.

Some dilemmas of Transitional Justice

Transitions offer the opportunity or oblige governments to redress past human rights violations. The opportunity may be used or squandered depending on how the government wrestles with a number of dilemmas.

Dilemma 1. The most commonly discussed dilemma of Transitional Justice tends to counterpose “Justice” against “Reconciliation” and vice versa. We want justice and fighting against impunity, and prevent future breaking the law, or we want unity and stability (where the role of reconciliation comes). We want justice that can bring also stability. In the Reconciliation process, it’s difficult to show certain concern of justice. You talk about “forgiveness” and not of “justice” for people who suffered from violations. In the Rwanda case, the ward justice was welcomed but when the ward justice came through no one accepted and was seen as a way to give impunity to the perpetrators. Justice, Peace, Truth,; for factors to be accommodated in the transitional process.

Dilemma 2. Dilemma of Scale and Proportionality.

In situations of widespread violation involving large numbers of people, the question arises of how many people can reasonably and practically be held responsible for violations. This dilemma is sharper where the violators are not just the state or other organized actors, but include large numbers of ordinary members of the public..

Dilemma 3. How far back in the history should we go?

Different timeframes bring out different violations and perpetrators. Therefore, some transitional justice processes face the question of what time frame to encompass.

Dilemma 4. How to ascribe responsibility?

In the situations of widespread violations, many lower ranking actors claim that they were following orders from their seniors. Is there a point at which junior actors should be held accountable, even when they claim to have been following orders? Should seniors be held accountable for the actions of their juniors? In Sierra Leone, the Special Court decided to try only those who “bear the greatest responsibility” in the violations, while the Gacaca courts in Rwanda have developed different categories of responsibility.

Dilemma 5. Dealing with public perceptions and competing expectations.

The challenge of conflicting public perceptions is perhaps best illustrated by the story of Sierra Leone; Foday Sanhok and Hinga Norman. There was widespread view that Norman was acting in defence of the people. If justice is also about perceptions, will it be seen to have been done in the case of Norman? Will the meaning of justice have been eroded in the eyes of the people?

As the debate has continued, there seems to be different expectations:

- “Name and Shame” perpetrators, even though the suggested vehicle to achieve this is a TRC which suggests the idea of “reconciliation”
- Pay back-criminal prosecutions and punishment
- Compensation for loss such as life, property, etc.

Dilemma 6. Financing Transitional Justice

Transitional Justice has a cost: Investigations, trials, setting up commissions, etc. In particular, new regimes may be reluctant to deal with the past if they feel this could lead to compensation claims that the new government will have to finance.

Some concluding Observations and Questions were raised by the facilitators:

- 1) Choice of Transitional Justice “tools”-including silence-is ultimately political as long as it is only the preserve of the state. According to this view it is not the nature or seriousness of the violations that drive the choice, but rather the stability and survival needs of the new regime.
- 2) Lack of political will or confidence may hinder transitional justice efforts. Governments are unlikely to make politically painful decisions. The debate on transitional justice in Kenya seems to have stalled due to the political survival needs of the current government and the opposition, both whom need elements of the former regime in order to survive.
- 3) Financial resources may be a real hindrance, or may be used as an excuse for not taking action. In countries with many pressing priorities, the question often arises as to whether looking into the past it is a good investment.
- 4) International involvement at the point of transition or outright victory by one side enhances the chances of drastic Transitional Justice choices. The involvement of ECOWAS

and Britain in SL certainly helped reverse the earlier blanket amnesty and led to the arrest of lead perpetrators such as Foday Sankoh, Hinga Norman, and Charles Taylor etc...

5) Ideally, various tools of TJ should be deployed simultaneously or consecutively. No single mechanism is likely to deliver on the various needs that people have. Governments, CSOs, religious communities and custodians of traditions should somehow be brought in to engage with the dilemmas of Transitional Justice. For example, what are the various ways in which the various religions deal with the “Justice-Reconciliation” dilemma?

6) What lessons emerge from previously war-ravaged countries like Mozambique, where no grand Transitional Justice processes (neither Truth and Reconciliation Commission nor trials) have been undertaken? What roles have religion, law and traditions played in places like Mozambique

Thursday, 12 April 2007: International Commission of the Red Cross

Field Visit

Field visit at the International Commission of the Red Cross Office in Dakar. The main object of this day field visit was to see how the ICRC manages the balance between the International Humanitarian Law principles and the mechanisms set out for the management of the conflicts.

The specific objectives of the visit were:

- Having a comprehensive view over the activities of the ICRC
- Having a deepen understanding of the effects of conflicts on women

Participants were welcomed by Mrs Friedun Medert Leborgne –Regional Delegate for the ICRC in Dakar.



Mrs Leborgne presented the ICRC office in Dakar. She gave a general presentation of the ICRC mission, visions, when it was established and its main areas of interventions.

After this short presentation a film entitled “Panorama” was showed.

After the vision, participants were invited to raise some questions.

- Strategies that the ICRC adopts for prevention
- How the ICRC balances the impartiality and neutrality principles, when working with both Government Representatives and the opposition parts?
- How the ICRC contribute to rebuild the lives of people victim of a conflict
- Can ICRC testify in a process as a witness?

Mrs Leborgne in answering those questions explained that the ICRC is a humanitarian body, with a limited and specific mandate, which consists in giving assistance to the victims of a

conflict. Nevertheless, there are some prevention actions such as making the parts of a conflict respect humanitarian law. ICRC also developed a programme called “explore Humanitarian Law” targeting schools, which also can be seen as a prevention scheme that gives the basis for respecting Humanitarian Law, which could be translated in preventing further violation of the rights of the civilians. Furthermore, the facilitator also pointed that is the responsibility of the State Parties of the 4th Geneva Convention to respect the engagement taken at the time of signing the Convention. The ICRC is not a political body, rather has a humanitarian mandate, it is with the responsibility of the States to protect the civilians and respect the Geneva Convention.

As for the impartiality and neutrality aspect, these are seen as the ICRC working tools therefore there are not controversial aspects or contradictions. They represent the cardinal principals of the work of the ICRC for all its activities, and they are important as the ICRC works on behalf of the victims, from all the parties involved in the conflict. It is in this light, that the ICRC never takes part on any side.

Answering the question if ICRC can take part in a court trial as a witness, the facilitator explained that ICRC could contribute in a trial by telling what it saw, but cannot act as a witness, as this would jeopardise the safety of the ICRC staff.

A second movie was showed on Women and War (case study of Liberia, Colombia, Darfur).

A last question was raised after the movie:

- Before going to a conflict area, does the ICRC ask for permission to operate?

In case of war, as Mr Leborgne explained, the ICRC has the right to intervene, whereas in case of a conflict the ICRC can only offer a service, which can be accepted or rejected. The rejection, however, is part of a sovereignty of a country, which can refuse the presence of the ICRC. Nevertheless, in case of rejection, the ICRC tries to lobbying through all media tools to raise public awareness on a particular conflict and dangers that this implies. Only in the extreme cases, the ICRC tries to negotiate with the State involved in the conflict.



The visit was an opportunity for the ICRC to offer to the PanAfrican Centre books on International humanitarian Law and women and conflict issues.

Facilitator: Dina Rodriguez

The facilitator presented UPEACE (University for Peace) and its Department for Gender and Peace Education. After presenting the strategies adopted by UPEACE to disseminate its courses and reaching more people, she presented the teaching toolkit package, pedagogical tested, to be used by university and NGOs professors who will choose a section from the package of multimedia materials and combine it with local knowledge such as case studies. With this presentation, the facilitator made participants aware of a new working tool that they can use to facilitate the progress of women and peacebuilding in Africa. She gave a full description of the toolkit content and the practicality of it.



The facilitator started her presentation by highlighting the strategies adopted by the UPEACE in the fulfilment of its mission:

- Distance on line Programme: in the process of develop an online MA in Peace and Conflict Studies;
- Book series: UPEACE will produce books out of the lectures given by eminent visiting professors.
- Teaching toolkits: UPEACE goes beyond headquarters by creating the teaching toolkits Project, in the form of packages of multimedia materials. Professors can use, test, adapt and complement them with local case studies.

Following, the presentation of the teaching toolkit was given to the participants.

Teaching Toolkits Produced:

- Peace and Non-Violent Transformation of Conflict
- A gender Analysis of the Environment and Suitable Development;
- Gender approach in the peace process
- Gender, Peace Process and Transformation in Africa

Objectives of the Teaching Toolkit:

- To make a better use of UPEACE teaching resources
- To share with professors around the world, the UPEACE teaching experience
- To reach more students across the world
- To contribute with those Universities and institutions interested in the topics

Components of the toolkit

A. 4 DVDs showing lectures session held at the first short-course on gender and peacebuilding;

B. CD-Roms

C. Written Materials

Professor's Guide: Includes the description of each component of the package; Reference; The chapter and Sections summaries and suggestions for use of multimedia materials.

Study Guide: Written review of material presented on the DVDs, including key terms and definitions



The facilitator then asked participants to divide into groups and use DVDs and read the written material of the correspondent DVD and give feedbacks on: quality, usefulness, how to use the material.

After the practical exercise, the participants went back to the seminar room and shared their experiences in using the toolkit package. Some suggestions and recommendations were raised by the participants:

Utility:

- Very useful to awaken and sensitize people
- Use of simple and effective language for complex subjects
- Use of imagines that catch the viewer attention
- Effective use of local music
- Very explanatory
- Very stimulating
- Importance of summarize essential points

Quality:

- Problem with the sound
- DVD and handbook are complementary
- Difficulty in seeing chapter 5/not too effective
- Universal use of DVDs, so easy to deliver a course
- Recording volume low and varies a lot: difficulties on understanding; noticed some grammar errors (pag. 63 sez 7);
- Use of language, which should be far more reaching and not only in English

How to use it:

- For sensibilisation and capacity building, advocacy; use as a framework to develop other package on other subject
- Use it as a reference package, check list for gender analysis
- For grassroots intervention; give lecture at universal NGOs, courses good for that purpose, workshops, develop courses on Gender and resources on Peace, Interventions etc...

Challenges raised:

- Technologically efficient, but maybe too complex for NGOs trainers in area where there are a lot of facilities
- Importance of disposing alternatives devices to deliver the training in challenging environments, e.g. short cut power and other inconveniences.
- Language problem

At the end of this session participants were give the opportunity to share their personal experiences from their own countries.

VII. Closing ceremony

The closing ceremony was presided over by Mr. Mamadou Moustapha Seck, Director of the Reinforcement of Capacities, NEPAD Minister; Mrs Evelyn Kandakai, Former Minister of Education in Liberia; Mrs Dina Rodrigues, Director of the Department of Gender Studies at the University for Peace, Costa Rica; Mrs Bineta Diop, Executive Director of Femmes Africa Solidarite; Ms. Aminata Dieye, the Coordinator of the Pan African Centre's Programme, who read the Recommendations drawn out by participants at the end of their course.



During the ceremony certificates were given to all participants by FAS and UPEACE officials and representatives.

VIII. Recommendations

- Transitional Justice must be demand-driven and locally owned
- Transitional Justice's Agenda should be more broaden and be rethinking according to the contexts
- For peace to be sustainable there is a need for truth seeking and justice mechanisms
- Truth Commissions should have special mandates. They should have committed staff
- The reparations of the vulnerability of victims must be emphasised and analysed and unlimited resources should be allocated according to the vulnerability and specific needs of the victims
- Funds obtained from the debt cancellation can be utilised to address the sources of conflict in order to prevent conflict
- Africans should look inwards and employ the indigenous African means for solving their problems in a way of complementing the international initiative and mechanisms rather than being cynical and suspicious of the motives behind such international initiatives
- African should move away from being limited and straight-jacketed by the form of the Transitional Justice mechanism, but be concerned with the goals of Transitional Justice for truth seeking and reconciliation thus designed to fit the reality of their context

- Truth and Reconciliation Commission should be designed in collaboration with CSO especially at the grassroots level to ensure it addresses the realities of the grassroots level and gender sensitive. This will ensure sustainable peace and development
- International community should move away from being reactive rather to being proactive in handling conflict in Africa. Africans are less interested in the negative news headlines of wars, displacement, but rather in the structures that prevents conflict from escalating
- More focus on capacity building especially early warnings and conflict prevention should be promoted
- NGOs especially Human Rights Defenders should be working in networks in order to avoid to be more exposure to risks
- The multimedia teaching toolkit should be made available to the participants because it found to be a very useful tool for the understanding and capacity building on conflict and gender issues
- The DVD should be adapted to the broad spectrum of electronic devices for universal uses
- Quickly translation of the text and DVD in French
- Ensuring that languages used for the teaching material are understandable by all participants
- Improving on the images in the DVD
- Need to reinforce the capacity of women in NTICs
- Training of practitioners in the use of the material but also to leave the professors to use their creativity
- Establishing a forum of discussion for participants in order to permit professors to respond to participants' preoccupation
- Opening a window on PanAfrican Centre's Website

IV. Conclusion

At the end of the five days of the short course, participants produced recommendations with the aim of improving their work once back to their own organisations, and strengthen civil society organisations in Gender, Human Rights and Transitional Justice issues.

Participants brought their knowledge and enthusiasm to the course, which made the process of exchanging information and experiences from their own countries an important part of the learning process. They all gave good feedbacks, which represented for the organisers a catalyst element for further ameliorate the quality of the next short-course.

In this light, the organisers have already thought of how to far-reaching the expectations and interests of the participants by creating an online discussion-forum for the participants from both the first and the second short-course. This will represent a space for strengthening the contacts made during the course; a room to furthering sharing information and knowledge and a strategic occasion to reinforce the networking among organisations that, in their own area of influence, strive for the protection of women's rights and gender equality.

IX. List of Appendixes

Appendix 1: Participants' Expectations

Appendix 2: List of participants and resource persons

Appendix 3: Seminar Programme

Appendix 4: Evaluation

Appendix 5: List of books Distributed

APPENDIX 1 : PARTICIPANTS' EXPECTATIONS

- 1- To leave from here with concepts that can deepen my understanding of the consequences of the peace process in Africa; how the media can contribute to build the peace in the African countries;
- 2- To acquire keys concepts on human rights and transitional justice and concretely applying them to the ground; to use the gender equality concept in all programmes for the resolution and consolidation of peace; to found a new type of relations between populations for a sustainable development.
- 3- To better manage the process of transitional justice and its impact in situations of post-conflict; to leave this course with a consensual definition of the concept of “gender”.
- 4- Our capacities in the apprehension or the comprehension of the dimension of gender in the prevention of the conflicts will be reinforced; the participants will be reinforced in their capacities of intervention in the transformation of the conflicts.
- 5- To have a comprehensive view of the post conflict positions and solutions which are brought to support the populations in general; to establish after this workshop exchanges to improve or find solutions aiming to improve the way we work;
- 6- During this workshop, I would like to acquire acknowledge of all aspects of the transitional justice and the dimension of gender in the process of transitional justice.
- 7- To be better informed on Gender and its development in general and its involvement in the resolution of conflict, the research and the maintenance of peace; to have a better understanding of the African and international instruments relating to the obligation of the States to respect their commitments to gender equality.
- 8- During this seminar I would like to learn from the experiences of the other countries and having enough time to exchange so as to be able to intervene on the subject of the right and justice in the area of conflict resolution
- 9- To look further into the basic concepts of gender; to understand what it is the transitional justice and its various mechanisms in the African countries.
- 10- Having a better understanding of the all discussed concepts and in particular that of the transitional justice; the specific fields of research that explores how better prevent conflicts; and a reinforcement of my capacities in a more global way.
- 11- To reinforce the understanding of conflicts and to establish links between the relations of gender and conflicts; to join together the capacity for alleviating conflicts and gender relations
- 12- Having a better understanding of the notion of gender, because most of the time it is misunderstood; having a comprehension of what kind of justice is employed after the conflict between components of the same society to reach a real and durable reconciliation.
- 13- To broaden my knowledge on gender and peace building; to be able to define and discuss on “transitional justice” and the surrounding issues; to become aware of the current concerns about gender and peace in other African country vis a vis the world.
- 14- Advanced understanding of the process of transitional justice within specific case studies in the international spotlight- Sierra Leone, Timor-Least, etc; to gain knowledge on the mainstreaming of the gender in the process of transitional justice in selected cases; to learn new ways of implementing the core pillars of transitional justice within the context of human rights and gender equality; to learn new facilitation techniques in the process
- 15- To explore how human rights can be understood from an African cultural dimension, thereby avoiding the perception that they are product of the neo-liberal project; to

explore how transitional justice can borrow from the rich African heritage of justice, while avoiding the negativities in terms of exclusion that are inherent in transitional justice

- 16- I look forward to have a better understanding of the gender dimension in transitional justice and violation of human rights during conflict and its transformation; to learn from FAS experiences in the Mano River and Great Lakes Regions as well as learning from other case studies if transitional justice is the healing balm in the fragmented society/country.
- 17- To have a greater understanding of gender relation/roles in the management and transformation of conflict in West Africa; to learn and share experiences with other participants from the sub region
- 18- I expect to have some tools to deal with transitional justice issues; I also expect to have some elements on gender and conflicts' transformation
- 19- The link between and among the concept (gender; human rights and transitional justice) should be established; the fact that women and girls are indeed the most vulnerable during peace and that women's rights should be respected because women's rights are human rights
- 20- To gain experience and knowledge o human rights and transitional justice, gender and conflict; to share experience with other participants from different background
- 21- To have my capacity built in what transitional justice requires; when does transitional justice happen to be relevant; what are the intricacies of transitional justice; to know the different mechanisms of resolving conflicts
- 22- To learn more about transitional justice and its place in Africa; the difference, if there is at all, between human rights and transitional justice and its implication to gender and conflict
- 23- To learn about the interference between human rights and transitional justice; how to deal with gender conflict in respect of human rights
- 24- To get skills in Peace and negotiation which will enable me and the members of the Uganda women's peace Coalition to lobby and advocate for peace in Uganda; I would like to have skills in transitional justice
- 25- To have exchanges with all the participants and organizations on the concept of gender in the promotion and the protection of human right; to have all the documentation of the course; to enrich my address book with who has my same vision.

APPENDIX 2: LIST OF PARTICIPANTS AND RESOURCE PERSONS

N°	Langue/ Langage	NOM/ NAME	PRENOM(S)/ SURNAME	INSTITUTION	TITRE/ POSITION	ADRESSE	
						Geographic address	E.mail / Tel. / Fax
1	E	ASSALE	Tingbo Germain Philippe	UNDP	Reintegration Officer	UNDP Liberia	assalep@yahoo.fr
2	E	BUNGA	Idembe Caroline	UWONET	Advocacy officer	P.O BOX 27991 KAMPALA	cidembe@uwonet.org / carolidibya@yahoo.com
3	F	KINYABUKU	Marie	CAFOB	Comité Exécutif	Bujumbura	kinyabukumarie@yahoo.fr
4	F	MIGANDA	Perpétue	FAS	Membre	Kigalie- Rwanda	pmiganda@yahoo.fr
5	F	LE CAER SAGNA	Ndeye Marie	KABONKETOOR	Chargée de programmes	Ziguinchor/ Senegal	femmesdekabonketoor@ya hoo.fr
6	F	TOURE	Fatimata	GREFFA	Directrice Executive	GAO / MALI	greffa_ong@yahoo.fr tél:00 223 007 82 25
7	F	KANDOLO	Leonie	CAFCCO	Point Focal Katanga	Lubumbashi RD Congo	kandoleonie@yahoo.fr tél: 243 818 15 57 25 or tél:243 994 56 47 75

8	E	AMAANWI WANKI	James Emmanuel	Dept soc/Ant Hod Research Board University of Buea	Researcher	c/o Ah Saints Parish South West Province	jamesemma2003@yahoo.com
9	E	UMURERWA	Rose Marie Aurore	University of Kwazulu Natal	PHD Student	South Africa	umurerwarosemary@yahoo.fr
10	F	FOFANA-BROU	Nathalie	Association des femmes juristes de Côte d'Ivoire	1ere vice présidente	Côte d'Ivoire /Abidjan	nathaliebrou@yahoo.fr afjci@aviso.ci
11	E	Vimbai	Mbirimi	ZmRights	Education office (human rights)		vmbirimi@zimrights.co.zw / tel: 00 263 11 87 01 41 / <u>00 263 04 70 58 98</u>
12	E	CHIKA	Onah	Nigerian Red Cross Society	Zonal Disaster management officer	23, Station Rd, port- Harcourt Rivers state	onachi02@yahoo.com / <u>00 234 802 91 09 750 /</u> <u>00 234 803 71 19 532</u>
13	F	PATINVOH	Théophile D.N.	UNODC Dakar	Assistant	Villa 49 cité Ascena liberté 6 Dakar	tpatinvoh@yahoo.fr tél: 221 636 19 11 / <u>221 867 42 44</u>
14	F	RUSILIBYA	Jacqueline	Profemmes Twese Hamwe	Présidente	Kigali - Rwanda	jrusilibye05@yahoo.fr tél: <u>00 250 0856 24 88 / 00 250</u> <u>57 84 32</u>

15	F	SAMASSEKOU TRAORE	Kankou	FEMNET/MALI	Membre du comité exécutif		srahmatoulaye@yahoo.fr tél: (223/663) 6795919 / <u>223 9495020</u>
16	E	KANDAKAI	Evelyn	MARWOPNET	Member	Morovia, Liberia	dkandaka2002@yahoo.com
17	F	MUPEPE KWANKA	Aurélie	UCOFEM	Conseillère	Kinshasa R D Congo	ucofem@yahoo.fr amupepe@yahoo.fr tél: 00 243 81 508 79 37
18	F	DIATTA SENGHOR	Cécile	RADDHO	Secrétaire Administrative	Ziguinchor	cesdiattam@yahoo.fr cecile.diatta@gmail.com tél: 00 221 559 01 83 Fax: 221 991 43 97
19	F	CEESSAY BOJANG	Nyima	Simma Women's resource centre	Programme Assistant	Serekunda Banjul the Gambia	nceesayb@yahoo.com <u>220 9942942</u>
20	E	KIMATHI	Leah	AFRICA PEACE POINT	Program coordinator	Shalom hse ngong road Nairobi	leah@africapeacepoint.org tél: 254 722 65 1033 / <u>254 20 38 756</u>
21	F	NIKOYAGIZE	Audace	SFCG / Burundi	Directeur de projet	Bujumbura / Burundi	nikoyagize@yahoo.fr NAudace@sfcg.org.bi tél: (257) 79593154 /

22	E	TUCKER	Janet Mangaya	MARWOPNET	Executive Secretary	Sierra Leone	janmangaya@hotmail.com marwopnet_secretariat@yahoo.fr
23	F	ANIGLO	Mawulolo Kossivi	AIDFH	Juriste	Lomé-Togo	kaniglo@tg.refer.org regisaniglo@yahoo.fr tél: + 228 954 92 93
24	E	ILEMOBOLA BUKOLA	Akosile	WANEP- NIGERIA	Program Officer, Women in Peace Building	55, coker Road, Off town planning Way, Ilupeju, Lagos-Nigeria	ilemobolay2k@yahoo.com bakosile@wanepnigeria.org + 234 8023021631 / Fax/Pnone : 00 234 1 555 68 05/ 819 82 82
25	E	ALGHALI	Zinurine Abiodu	PRIDE	Project coordinator	43 Big Waterloo Street, freetown	zinurineq@yahoo.com zalghali@yahoo.com + 232 33 350 765
26	F	DJIWAN	Hippolyte	ALCRER	Département Communication	305,rue d'Abomey Cotonou	hippolytedji@yahoo.fr tél: 00 229 97 98 14 69 / 00 229 93 06 00 29
27	E	SIDIGA ABDELRAHIM MOHAMED	Washi	BABIKER BADRI SCIENTIFIC ASSOC. For WOMEN STUDIES (BBSAWS)	PRESIDENTE	Khartoun East Africa Soudan	sidiga@gmail.com + 249 91 21 32 000 (cell) + 249 18 75 69 111 (Fax)

28	E	EMEN	Abotaleb Hessen Ahmed	Community Development Association/Lawyer coordinatoor on the field	Lawyer	Darfour Soudan	abutalibemamemam@yahoo.com +249 91 53 23 588
29	E	MUDDALL	Marianne Kelli	International Center for Transitional Justice		USA	kmuddell@ictj.org
30	E	WACHIRA	George	Nairobi Peace Initiative		Kenya	info@npi-africa.org gwachira@npi-africa.org
31	E	DELPORT	Elisabeth	University of Pretoriat		South Africa	illisd@mweb.co.za
32	E	NORTON	Matthew Armstrong	Yale University		USA	matthew.norton@yale.edu
33	E	RODRIGUEZ	Dina	UPEACE		Costa Rica	drodriguez@upeace.org

34	E/F	DIEYE	Aminata	FAS	Programme Coordinator Pan African Centre	Immeuble Rose, Stéle Mermoz appt.31C	fas-ong@sentoo.sn infodk@fasngo.org panafricancenter@fasngo.org tél: 00 221 860 20 48 Fax: 00 221 860 20 47
35		DIOP	Bineta	FAS	Executive Director	Immeuble Rose, Stéle Mermoz appt.31C	fas-ong@sentoo.sn tél: 00 221 860 20 48 Fax: 00 221 860 20 47
36		LO	Rosalie	FAS	Programme Officer	Immeuble Rose, Stéle Mermoz appt.31C	fas-ong@sentoo.sn
37		DIOP	Moussa	FAS	Communication Officer	Immeuble Rose, Stéle Mermoz appt.31C	fas-ong@sentoo.sn
38		AKPATOU	Aimé	FAS	Financial and Administrative Officer		
39		DURANT	Presentation	FAS	Intern		

APPENDIX 3: SEMINAR PROGRAMME

**SECOND INTERNACIONAL COURSE ON GENDER AND CONFLICT:
Human Rights & Transitional Justice**

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
<p>Opening Ceremony</p> <p>Mr Gabriel Sidi Diouf, Prefect of Mbour District</p> <p>Mr Mansour Kama, President of the National Confederation of the Employees in Senegal (CNES)</p> <p>Ms Bineta Diop Executive Director FAS</p> <p>Human Rights Lecture</p> <p>Eliza Del Port Univ. of Pretoria</p>	<p>Conflict Management and Transformation</p> <p>Matthew Norton</p> <p>Former Director of Peace Studies Programme at UPEACE</p>	<p>- Review</p> <p>Transitional Justice</p> <p>Kelly Muddell</p> <p>International Center for Transitional Justice</p>	<p>Field Visit</p> <p>CICR</p>	<p>Review</p> <p>Use of Video and other materials Facilitators</p> <p>Dina Rodriguez UPEACE</p>
<p>-Personal journal</p> <p>- Workshop on monitoring violation of human rights</p> <p>Eliza Delport</p>	<p>- Workshop</p> <p>Mathew Norton, - Personal Journal</p>	<p>- Case Study on Transitional Justice</p> <p>George Wachira NPI</p> <p>-Personal Journal</p>	<p>- Field Visit</p> <p>-Personal Journal</p>	<p>-Sharing experiences from the group & Recommendations</p> <p>FAS UPEACE</p> <p>Closure</p> <p>Mr Mamadou Moustapha Seck, Director of the Reinforcement of Capacities, Ministry of NEPAD</p>

APPENDIX 4: EVALUATION

End of Course Evaluation

General Information

Nationalities present:

Ivory Coast	1
Liberia	2
Sierra Leone	2
Senegal	3
South Africa	1
Sudan	2
Togo	1
Uganda	1
Gambia	1
Mali	2
DRC	2
Cameroun	1
Burundi	2
Benin	1
Rwanda	2
Zimbabwe	1
Togo	1
Nigeria	2

Sex Ratios of participants

	Number	Percentage
Male	09	32, 14%
Female	19	67, 85%
Total	28	99, 99%

Achievement of Course Objectives (Explanations)

- ◆ Better insight into the subject of Gender, Conflict, Human Rights and Transitional Justice
- ◆ Better understanding of the concept of Transitional Justice
- The most of my objectives have been reached
- Objective achieved at the 80%
- Reinforce the existing knowledge and develop new one
- The course gave the right logical and conceptual framework useful to clarify doubts and concretely apply those concepts in the field.
- With this course a lot of objectives have been met
- Helped me in my further study in Norway on Peace Research
- Objectives were met and reached

- Considerably achieved them
- The knowledge acquired was not so deep, but at the same time it gave me the basic understanding that I can deepen myself.
- I learnt a lot from different experiences
- Deepen understanding of the link between gender and transitional justice
- Learning of the International Judicial system
- The content is very good
- Met my expectations
- Acquired good information on Human Rights, Monitoring and Shadow Report but I hope I can get materials on those topics
- Learnt on transitional Justice, Human Rights, which were grey areas for me initially
- Learnt a lot about the reality of Sierra Leone, Rwanda, Sudan, Uganda
- My curiosity has been aroused and I want put into action what I have learnt in this course
- I definitely met my stated objective and went even beyond that
- Impressed about the way and manner FAS and UPEACE organised this course
- Lectures and workshops did really meet my expectations for its exposes on transitional justice and peace negotiation
- Knowledge and understanding of the course's topics have improved a lot and can use them as my working and references
- Absolutely achieved expected objectives
- The lectures and workshops met my expectations and enhanced my understanding on conflict, gender, peace and human rights
- 90% of the objectives were achieved
- The course was very stimulating
- My knowledge and understanding improved a lot
- Achieved my objectives, even though the time allocated to the transitional justice was too short
- Had more details over concepts that I knew already
- The objectives have been largely attended
- Yes, the objectives were met to a great extent especially the transitional justice part which has given me a clear vision on what we need to do at home to address this issues very transparently
- I have attended other training, but this one is more focused and will impact my work differently
- It built the capacity of the participants in relation to issues of conflict resolution, human rights and transitional justice
- I'm impressed to a very large extent because all the issues. Those issues are not strange to me, and I realised that many things were treated even further that I was expecting
- I met my expectation to a very large extent because all the issues were discussed, taught and addressed , although the link between the concepts was not really emphasised
- My knowledge was improved greatly and tremendously because we learnt from others experiences everyday and the facilitators have improved my knowledge greatly
- Attended objective, especially on Transitional Justice
- The objectives have been met because the course has been clear so the subjects have been well assimilated

Most Impressive Aspects of the Course

- ◆ The content of the material and the methodology of the presentation was excellent
- ◆ Transitional Justice and the role-play
 - The exchanges among participants, facilitators and FAS
 - The field visit to the ICRC
 - The teaching toolkit of UPEACE
 - The Lefroza Case role-play and the peace negotiation process
 - Good Interactive approach
 - Excellent methodology
 - Great event
 - Good session on Human Rights and Gender in Africa
 - All aspects of this course were well developed
 - The whole course was very instructive
 - Translation ability to meet the needs of the participants
 - Interactiveness of both the facilitators and the participants
 - The session regarding the different mechanism of the Transitional Justice
 - Transitional justice system and mechanism that take into account the question of “gender”.
 - Great listen to other country experiences, especially those francophone one.
 - Competence of the facilitators and the two interpreters.
 - Interaction among participants, who had the change to share their experiences
 - Sharing of experiences
 - Working in group
 - Opportunity to establish contact with the facilitators and the organizers
 - Diversity of the participants
 - The resources of facilitators
 - The reach experience especially in advocacy, lobbying for the Gender Agenda in the continent and around the globe
 - Sharing experiences with countries have experienced or still experiencing conflicts
 - The course exposes participants different ways of conflict management and transformation
 - Ability to link Gender, Conflict and human rights violation
 - The course strengthen and improved the capacity of participants
 - Learnt different ways of solving problems in conflict
 - Workshops and debates
 - Participants had a chance to apply their experiences
 - Interaction and experience-sharing with participants informally have helped to create critical referrals for further collaborations
 - Facilitators’ knowledge and experience in the subject
 - Discussions and experiences-sharing
 - Group work
 - Coordination from the Secretariat
 - This course is very necessary and relevant for contemporary Africa with brutal conflicts, which target women and children
 - Drawing down various corners of the continent and experiences from participants
 - The exchanges among participants after the sessions of the facilitators
 - The content, the seriousness of the organisers and participants
 - Appropriate level for the target groups
 - The diversity of the participants

- Field visit was a plus in this course
- Facilitators were superb and the participants well-experienced, and professionals with a lot of thing to share with all of us
- The bilingual nature of the course
- Challenges that FAS and UPEACE faced and succeeded
- As always, the informal meeting with other participants was a serious and vital component of the course
- Diversity of strategies used to present the course
- Field trip to the ICRC
- University of PEACE materials
- Exclusive site selected by the organisers

Displeasing Aspects of the Course

- ◆ There was too much to cover in a short time
- ◆ Need of covering the subject of International Humanitarian Law (IHL)
- The field visit to the Red Cross it was too short and not much space was given to talk extensively on the IHL.
- Short time allocated to the workshop and role-play
- Poor attention to the management and prevention of conflicts
- Time allocated to sharing experiences was too short
- Kelly's presentation was too technical and theoretic
- Concept relevant to the reparation and the transitional justice have not been discussed enough so as the reform of the security sector.
- Not sufficiently discussed the impact of conflict on women during the field visit at the ICRC
- Short time to discuss all the subjects and certain others have been completely omitted.
- Field visit wasn't as expected, because was too theoretic whereas I thought to be more concrete and practical
- The week has flown quickly
- N/A aside the management of the time
- Long trip to Dakar for the ICRC visit, which resulted to be very enrichment.
- The time to be allocated to each subject was not sufficient.
- Failed to analyse and explain the ways of doing a shadow report
- Failed to analyse other way to make justice
- Time allocated to the debates was not sufficient
- Insufficient accent put on conflict prevention subject
- Lack documents in French above all the presentation of the facilitators
- Duration is too short and some sessions are too full
- Time allocated for monitoring and evaluation process was very limited
- Time allocated and management
- Absence of handouts for some topics, especially the monitoring of human rights violation
- Too much material packed into a short time
- The limited engagement of participants in joined networking activities that were officially organised in the evening
- Frankly speaking, I would not consider anything a weakness because if anything went wrong it was not properly done

Expectations after the Course

- ◆ To pass on this information to Uganda women's peace coalition. This will help in the position paper what will be presented to the parties in the negotiation.
- Put in place a discussion forum to follow up the exchanges between the facilitators, participants and FAS staff.
- Produce a rapport of attendance
- Keep contact with FAS
- To create a mailing list of the participants
- To obtain a complete documentation of the different innovating experiences
- To present a similar short course to my organisation
- To be in contact with UPEACE
- Establishment of the online system for an extensive collaboration between PEACE, FAS and all the participants.
- Promotion of areas of competence through information sharing among participants
- Receive all the information related to this programme
- To work in partnership with other organisation as well as working with Senegalese women at the grassroots level.
- Contact interaction with calls and email
- Quick communication of the general rapport
- Periodic rapport from the participant organisations
- Supply the teaching toolkit in French
- Try to make a shadow report
- To participate to discussion forums
- Try to organise a similar course
- I will take courses on International Human Rights Instrument and complaints mechanisms in relation to women
- Helping in the complaint mechanism in relation to women
- Keep in touch to follow up the programme
- Keep informed on the partnership between FAS and UPEACE
- Apply all information learnt in the course to our work and bring it back to my organisations I work with
- To create a network among participants for future debates and question
- Send us the presentation of the facilitators
- FAS to circulate relevant materials on Human Rights, Monitoring, Indicators, how to write a shadow report
- Sharing the Nigerian situation reporting to the other participants
- Sharing information on how each participants can build their capacity
- Participants should share the knowledge and experiences gained in their particular country
- Sharing information with FAS on individual country's activities in their way of intervening at grassroots levels
- Sensibilization, lobbying, workshops, DVD's showing
- Offer documents and training tools
- Helping in the complaint mechanism relevant to women
- The involvement of my union will be to reinforce the capacity of women from the region of RDC on gender and conflict. In addition, another strategy will be to talk about those

questions in the press in order to promote a debate among the public. Finally, to engaging with women in the Great Lakes region with the same aim.

- To form an online link between participants and facilitators for subsequent discussions, experience-sharing and networking
- Open forum and also to consider capable participant for the master programme
- I will be actively involved in the e-forum and email exchanges
- That FAS will do more lobbying in order to make former participants of the short-courses participate in the implementation of the truth and reconciliation commission in the countries.
- Will try to contribute to the work of the Transitional Justice in my country
- Exchange of information of the follow up of the course through the intermediation of FAS
- Integrate in our programme what I learnt in the course by adapting it to the context of each organisation
- Alumni Network, Regular follow up, forms to be sent to Alumni on progress of the activities and benefits from the training
- Via active email communication information to other participants and exchange information on various opportunities to networking via attending relevant activities. I don't mind contributing to the development of such follow-up of the activities forms.
- I would like a network between and among participants and the organisers, FAS, the PanAfrican Centre and UPEACE in order to know each others activities to create the possibilities of complementing each others efforts
- I intend to commit myself to whatever network and cooperation we should create in order to coordinate an efforts to serve the humanity.
- I would like to thank UPEACE for realising that they should combine and extend their efforts to achieve peace in Africa and learn peace in Africa from the perspective of Africans.
- Wish more efforts will be made to get more African facilitators as most of the context is in Africa
- By continuing to be a Peace Activist and Gender Worker
- Use of the tool kit and other tools for peace advocacy

Suggestions for improvement

- ◆ The workshop venue is too far
- Testimony of the members of the Truth and Reconciliation Commissions. The testimony given in the first course were very much appreciated
- Create a discussion Forum or a plat-form for exchange of visions and ideas. It is important to keep contacts with the participants over such a subject as Gender, Conflict, Security, Transitional Justice and more.
- The definition and meaning of the words and concept should be developed
- Documents in the French version should be more available
- To much information in a short time
- The course should be extended to allow each theme to be deeply analysed
- More attention on conflict analysis
- More exercises and simulations
- The course should have been delivered in French
- African facilitators should be encouraged
- Improvement the area of conflict prevention and management

- Peace should be looked at the youth level too, maybe from the angle of girls
- A website should be launched for sharing experiences especially on the use of the peace teaching kit
- We should look into handover and CDs containing topics of the course with pictures of participants.
- It would have been a good idea to include at the beginner of the course a brief introduction on gender.
- The accent could have been put more on the alternatives way of justice such as “gacaca”
- Good idea allocating 2 days for each session
- International Human Rights Instruments should have been explored in more details
- Presentation of the facilitators
- Intervention on the experiences of FAS
- Consensual definition of gender, as proved to be subject of different interpretations
- Strategies that NGO can adopt to advocate to use the transitional justice as an effort to construct peace
- Major diffusion and distribution of documents
- Contextualise the course primarily on African experiences
- Participants should be allowed to arrive to the site 48 hours before the course starts, to have time to physically rest and adjust to the time difference
- The simulation exercises were not too many. This should be improved to make the session more realistic and practical
- Though FAS website is very informative, it would be appreciated if the follow up materials could be placed on the website to further develop our skills
- FAS should circulate more information on “Gender is my Agenda” Campaign
- Information on the Master Program should be circulated
- UPEACE toolkit should be give to as many as indicate interest
- Made available the clear reporting method
- Create an Alumni Album for all participants from the first and second short course to continue learning and sharing experiences.
- Try to incorporate the French version in the multimedia toolkit for the
- The role of Justice (tribunals)
- Balance between French and English facilitators
- More teachers francophone
- The field visit at the ICRC was too far from the course site
- International Human Rights instruments need to be dealt with more in depth
- More attention of the complaint mechanisms in relation to women
- Improvement of the time allocating for facilitators and discussions
- Handouts should be made available for each topics in both languages
- The course is really important and needs to involve more actors in order to have a broader base for effective networking
- As facilitator is our own right, the programme should also include a component of facilitation
- Please try to include more facilitators with relevant African experience
- Improvement of the facility: rooms are below standard and too far from town. I suggest it should be near Dakar.
- One short-course per year is not much.
- To create a link among all the participant organisations

- Expected more resource material to be distributed, as not much available expect what is on internet but for some participants internet is not always accessible.
- Resources material can be distributed on CDs, so we don't have to worry about carrying paper
- Organising evening social events to have more interaction among participants, to learn from each others. It should not be eating and drinking events
- Formulation of an Alumni Association of this course and establishing a network between them. Finally, have an area on the website to publish best-practices
- Maybe you should organise the next course in 2 weeks mainly because the concepts chosen are 4 big and wide concepts which
- Please send a bilingual person to collect at the airport and ensure that the issue of visa is well-settled before the come-in non-ECOWAS citizens
- Can't think of many
- Use of African female facilitators
- More meeting of this type
- My sincere thanks and appreciation to every person who in any way has contributed to this second short course.
- A better balance between the debates, the workshop and the course
- Translation was excellent
- To popularise our organisations' work
- To personally attend a master

Appendix 5: **Framework of activities and results (see attached p. 55)**

Objectives	Key activities during the course	Results	Mean of verification	Outcomes
<ul style="list-style-type: none"> - To clarify concepts, terms and definitions of Gender, Conflict, Human Rights and Transitional Justice 	<ul style="list-style-type: none"> - lectures on concepts and terms of Gender, Conflict, Human Rights and Transitional Justice - Daily working groups - Field visit - 	<ul style="list-style-type: none"> - Participants have a clear understanding and analysis of different aspects of Gender, Conflict and Peace 	<ul style="list-style-type: none"> - course presentation - support materiel distributed - good feedback received from participants of the utility of the course through daily personal journal and evaluation forms - Follow up mechanism through discussion forum, - Feedback forms - Network of participants 	<ul style="list-style-type: none"> - Transferring the acquired knowledge into daily work
<ul style="list-style-type: none"> - To strengthen the capacity of participants in the areas of human rights during and after conflicts with a mention on transitional justice 	<ul style="list-style-type: none"> - Lectures - Case Study - - Daily working groups - Experience-sharing 	<p>In depth examination and discussion on human rights and transitional justice issues</p>	<ul style="list-style-type: none"> - course presentation -distribution of handouts- - reports of working Groups - mechanisms of monitoring and evaluation - countries reports on human rights issues 	<ul style="list-style-type: none"> - Managing human rights concepts, legislations and mechanisms designed for their implementation
<p>To empower women as key actors in post conflict reconstruction</p>	<ul style="list-style-type: none"> - Lectures - Case Study - Open discussion 	<p>Be empowered as key actors in post conflict reconstruction</p>	<ul style="list-style-type: none"> - course presentation - distribution of handouts - Programmes on Gender and policies issues in the countries - Implementation of the UN Resolution 1325 	<ul style="list-style-type: none"> - Mainstreaming Gender in post conflict policies and programmes
<ul style="list-style-type: none"> - To present multimedia teaching kit elaborated by FAS and UPEACE 	<ul style="list-style-type: none"> - Use of multimedia toolkits - Workshop - Discussion 	<p>Demonstrated efficiency of the utility of using the multimedia toolkit on Gender and Peace building topics</p>	<ul style="list-style-type: none"> - DVDs and Booklets distributed - Feedback commitment - Feedback Surveys - Trainings organize by participants 	<ul style="list-style-type: none"> - Confident use of the toolkit in delivering trainings.

APPENDIX 6: LIST OF BOOKS AND MATERIELS DISTRIBUTED

AU: Protocol to the African Charter on Human and Peoples' Rights on the rights of Women in Africa

AU(2004): The Solemn Declaration on Gender Equality in Africa

FAS (2006) : Rapport d'Activités 2000- 2005. L'intégration de la perspective genre dans le processus de paix en Afrique.
Dix ans de pratique.

FAS (2000): Engendering the peace process in West Africa.92 pages- Geneva

FAS (2000) : Linking HIV/AIDS to Women's peace advocacy. 61 pages. Geneva

FAS (2002): Intégrer la perspective genre dans le processus de paix au Burundi. 107 pages- Dakar- Senegal

FAS (2006) : 10 years of practice. Dakar-

UPEACE- FAS (2007): Toolkits

UNDP: (2006): UNDP and Transitional Justice. An Overview.
Bureau for Crisis Prevention and Recovery

Security Council (2000) : Resolution 1325