



**REFERENCES TO THE WORDS:
PARTICIPATION and CIVIC ENGAGEMENT**

Reports of the Truth and Reconciliation Commission of
African Countries:

Ghana, Kenya, Liberia, Mauritius, Morocco, Nigeria, Rwanda,
Sierra Leone, South Africa, Tunisia

Dr. Melike YILMAZ
Research Coordinator

December 2021

© Copyright, 2021, Centre for Human Rights and Restorative Justice (CHRRJ), McMaster University, Canada. All Rights Reserved.

This is an Open Access article, which permits unrestricted use, distribution, adaptation, and reproduction in any medium, provided that the original work is properly cited.

Note on access:

This document is a research project prepared for the Centre for Human Rights and Restorative Justice. It can be downloaded from the research project's web page:

<https://truthcommissions.humanities.mcmaster.ca/>

How to cite in APA 7th edition:

Yilmaz, M. (2021). References to the Words: Participation and Civic Engagement in Reports of the Truth and Reconciliation Commission of African Countries. *Centre for Human Rights and Restorative Justice (CHRRJ) at McMaster University*.
<https://truthcommissions.humanities.mcmaster.ca/>

Note on software:

The word references analysis was done by NVivo software.

Table of Contents

Researcher Notes:	4 – 6
GHANA	7 - 14
Tree Map	
References to Participation	
KENYA	16 - 27
Tree Map	
References to Participation	
LIBERIA	28 - 38
Tree Map	
References to Participation	
References to Civic Engagement	
MAURITIUS	39 – 52
Tree Map	
References to Participation	
MOROCCO	53 - 54
Tree Map	
References to Participation	
NIGERIA	55 - 60
Tree Map	
References to Participation	
RWANDA	61 - 71
Tree Map	
References to Participation	
SIERRA LEONE	72 - 105
Tree Map	
References to Participation	
SOUTH AFRICA	106 - 137
Tree Map	
References to Participation	
TUNISIA	139 – 148
Tree Map	
References to Participation	

Researcher Notes on the Reports:

Ghana: National Reconciliation Commission Report Details:

- Published in 2004
- Pdf has 1611 pages
- Pdf has no Table of Contents
- Volume I is between pages 1 and 214 in pdf
- Volume II is between pages 215 and 881 in pdf
- Volume IV is between pages 882 and 1284 in pdf
- Volume III is between pages 1285 and 161 in pdf

Kenya: Truth, Justice and Reconciliation Commission Report Details:

- Published in 2013
- The report has 4 volumes, however, the Pdf has 598 pages with just 3 volumes.
- Pdf doesn't have Volume II
- Each chapter has Table of Contents.

Liberia: Final Report of the Truth and Reconciliation Commission Report Details:

- Final Report Published in 2009
- Pdf has 491 pages, consists of two volumes.
- Volume I is pages between 1 and 107.
- Volume II is pages between 108 and 491.
- Volume II is a Consolidated Final Report.

Morocco: Summary of the Final National Commission for Truth Justice and Reconciliation Report Details:

- Summary of the Final Report Published in 2006
- Pdf has 49 pages, consists of three parts.

Mauritius: Truth and Justice Commission Report Details:

- Published in 2011
- Pdf has 2887 pages
- Pdf has 4 volumes.
- Volume I is pages between 1 and 535.
- Volume II is pages between 536 and 1055.
- Volume III is pages between 1056 and 1997.
- Volume IV is pages between 1998 and 2887.

Nigeria: Human Rights Violations Investigation Commission Report Details:

- Published in 2002
- Pdf does not have Table of Content.
Moreover, the title of Volumes in the “Introduction” section and “the Summary, Conclusion and Recommendation” section are not the same as the titles of the actual volumes.
- The pdf starts with Chapter 1, which is followed by Volume 1.
- Chapter 1 Introduction is pages between 1 and 41.
- Chapter 2 is pages between 42 and 59. It is titled “State Policies and Human Rights Violations.”
- Chapter 3 is pages between 60 and 98.
- Volume One is between page 99 and 217.
- Volume Two is pages between 218 and 298.
- Volume Three is pages between 299 and 544. It is about research reports.
- Volume Four is pages between 545 and 1276. It consists of public hearings.
- Volume Five is not in the Pdf.
- Volume Six is pages between 1277 and 1354.
- Volume Seven is titled “Summary, Conclusion and Recommendations” is pages between 1355 and 1492.

Rwanda: National Unity and Reconciliation Commission Report Details:

- Published in 2016
- Pdf has 194 pages, consists of Nine Chapters

Sierra Leone: Truth and Reconciliation Commission Report Details:

- Published in 2004.
- Pdf has 1829 pages, consists of three volumes:
- Volume One is pages between 1 and 247.
- Volume Two is pages between 248 and 750.
- Volume Three A is pages between 751 and 1314.
- Volume Three B is pages between 1315 and 1829.

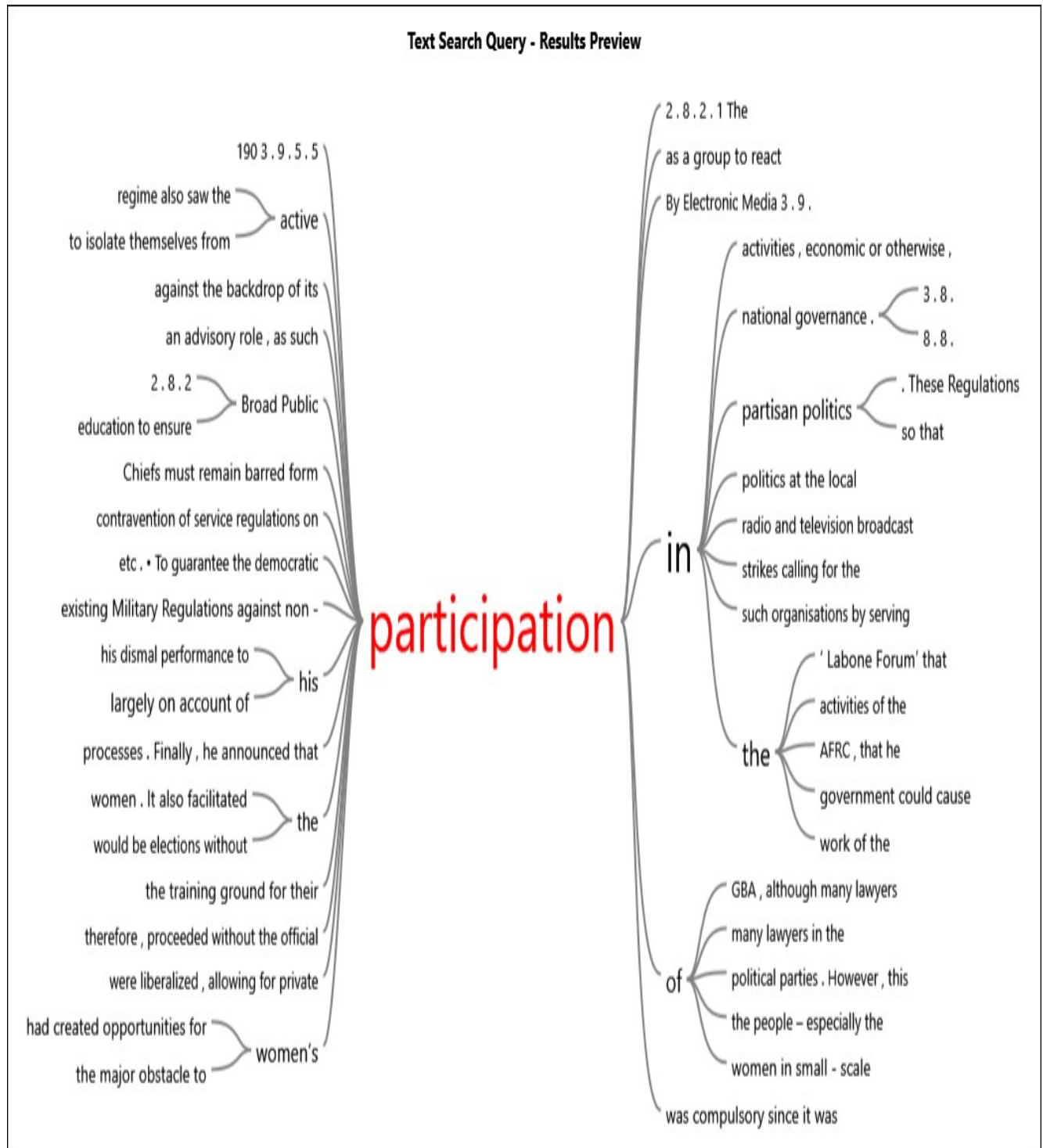
South Africa: Truth and Reconciliation Commission Report Details:

- Pdf consists of Seven Volumes.
- Volume I, II, III, IV and V are published in 1998.
- Volume VI is published in 2003.
- Volume VII is published in 2002.
- Volume I is pages between 1 and 512.
- Volume II is pages between 513 and 1225.
- Volume III is pages between 1226 and 1973.
- Volume IV is pages between 1974 and 2294.
- Volume V is pages between 2295 and 2757.
- Volume VI is pages between 2758 and 3580.
- Volume VII is pages between 3581 and 4554.

Tunisia: The Final Comprehensive Truth & Dignity Commission Report Details:

- Published in 2019
- The original document is in Arabic language with 2000 pages. It is available online.
- The English Version is 644 pages since it is an executive summary.
- Pdf has Table of Contents which shows all chapters and parts with their page numbers. Since all chapters and parts are in order, it is easy to do research on it.

References to Participation in Ghana Report Tree Map



Name: References to Participation in Ghana Report

<Files\\Ghana.NRC_Report-FULL> - § 32 references coded [0.26% Coverage]

Reference 1 - 0.01% Coverage

2.8.2 Broad Public Participation

Reference 2 - 0.01% Coverage

4.5.2.1.3 With the President of the GBA so closely associated with the abuses perpetrated by the AFRC, the GBA was not known to have protested against the human rights violations and abuses suffered under the AFRC. Subsequently, W. AdumoahBossman was ousted from office later that year largely on account of his participation in the work of the AFRC.

Reference 3 - 0.01% Coverage

8.3 7.1 Members of the Armed Forces should be made to appreciate the value of the existing Military Regulations against non-participation in partisan politics. These Regulations should be strictly enforced by the Military High Command. Service personnel should be constantly reminded that those interested in holding political office, must resign from Service.

Reference 4 - 0.01% Coverage

8.8.7 There should be more transparency and accountability within the set-up of the student movement. Student leaders should learn good habits of probity and respect for ethics in public office, because their stint in office as student leaders often becomes the training ground for their participation in national governance.

Reference 5 - 0.01% Coverage

8.10.17 Chiefs must remain barred from participation in partisan politics so that they can maintain the dignity of the institution and sustain the unity of his community.

Reference 6 - 0.01% Coverage

(2) Public Affairs and Community Liaison • Organized public education activities and events; • Conducted public education to ensure broad public participation in the activities of the Commission aimed at national reconciliation;

Reference 7 - 0.01% Coverage

4.5.2.1.3 With the President of GBA so closely associated with the abuses perpetrated by the AFRC, the GBA was not known to have protested against the human rights violations and abuses suffered under the AFRC. Subsequently, W. Adumoah-Bossman was ousted from office later that year largely on account of his participation in the work of the AFRC.

Reference 8 - 0.01% Coverage

6.0.1 From 1975 to 1977, there were several calls on the military to return the country to constitutional rule. In response, the SMC came up with what they called 'Union Government' under which there would be elections without the participation of political parties. However, this was seen by many as a ploy for keeping power in the hands of the military. Before long, General Acheampong's colleagues in the SMC came to accept that the demand for free elections and for a government responsible to the electorate had become irresistible. On 5th July, 1978, they removed Acheampong from office and stripped him of his rank and military entitlements.

Reference 9 - 0.01% Coverage

an assessment of his entitlements.

Kwame Kwateng Nketia, a university student who failed his examinations, attributes his dismal performance to his participation in strikes calling for the removal of Acheampong from power. He claimed that the PNDC promised to find jobs for all such students. Petitioner failed to appear before the Commission to back up his claim with evidence.

Christian Yao Anku, was an

Reference 10 - 0.01% Coverage

1.25.4.2 The "People" on the other hand, were organised into Workers' or People's Defence Committees (PDCs/WDCs) at the work-place and residential communities respectively. These organisations with manifestly political functions, were formed in the Security Services as well. The Armed Forces Defence Committees, Police Defence Committees and Prisons Defence Committees were formed in contravention of service regulations on participation in such organisations by serving personnel. At one point the AFDC insisted that promotions of Senior Officers were to be brought to them for approval. The operations of these organisations were bound to undermine discipline within the Security Services.

Reference 11 - 0.01% Coverage

31.1 The GBA was generally not in evidence, as many of its members were part of the class of citizen targeted by AFRC policies. This regime also saw the active participation of many lawyers in the AFRC and the drafting of draconian legislation. Indeed, W Adumoah-Bossman, then President of the GBA joined the AFRC and became associated with the abuses perpetrated by or under it. He also became a member of a panel of the AFRC Special Tribunal that was established to continue the "revolutionary justice" begun under the regime. It was largely on account of his participation in the AFRC, that he was voted out of office later that year.

Reference 12 - 0.01% Coverage

39.2 The GBA's position was represented as evidence of its scorn of the working classes, and it was denounced for its elitism. The Consultative Assembly, therefore, proceeded without the official participation of GBA, although many lawyers found their way to the Assembly as representatives of organisations that had representation.

Reference 13 - 0.01% Coverage

3.0.5 The history of radio and television as state-owned monopolies provides a critical background to understanding the peculiar role every government of Ghana exacted from GBC employees. Indeed, until the Ghana Broadcasting Corporation Decree, 1968 (NLCD 226), was passed to turn the Ghana Broadcasting Service into a public corporation in 1968, the Civil Service Act governed the GBC. Accordingly, the men and women who worked at the GBC as journalists perceived themselves as civil servants, serving the government of the day. It was not until 1996, three years after the restoration of democratic governance under the Fourth Republic, that the airwaves were liberalized, allowing for private participation in radio and television broadcast in Ghana. This state of affairs meant that it was largely, but not exclusively, government-controlled GBC and their press counterparts which were complicit and/or resistant to the illegitimate actions of unconstitutional governments.

Reference 14 - 0.01% Coverage

3.9.5.5 Participation By Electronic Media

Reference 15 - 0.01% Coverage

5.16.2.9 With their involvement with women, it rapidly became clear that one of the major concerns and therefore the major obstacle to women's participation in activities, economic or otherwise, was the welfare of their pre-school children. Therefore, in 1986, the DWM began to open Day-Care Centres all over the country and encouraged their branches to put up structures to serve this purpose.¹⁰³ At these day-care centers, preschool education was subsidized.

Reference 16 - 0.01% Coverage

gender and development terrain by

championing the economic empowerment of women. It also facilitated the participation of women in small-scale income generating activities through the establishment of day nurseries which enabled women to free themselves of childcare to participate in entrepreneurial activities.¹⁰⁶

Reference 17 - 0.01% Coverage

5.16.2.11.8 In 1988 and 1992, a majority of the women who were elected to the District Assemblies and Parliament respectively, were those with strong links to the DWM as the DWM had created opportunities for women's participation in politics at the local level.¹¹¹

Reference 18 - 0.01% Coverage

The NUGS' resolution is not surprising when examined against the backdrop of its participation in the 'Labone Forum' that decided that the PNP Government was not socialist enough to achieve anything purposeful for the poor in Ghana.

Reference 19 - 0.01% Coverage

Others would assist to rebuild roads and evacuate food crops and cocoa, and still others would help to implement communal health services and education programmes on electoral processes. Finally, he announced that participation was compulsory since it was

"a period when nobody could

Reference 20 - 0.01% Coverage

9.2.10.3 Generally, the Muslim communities feared that colonial rule would impose Christianity on them. This led the Muslim communities in Ghana to isolate themselves from active participation as a group to react to issues, which bordered on human rights abuses against either them or other people in society.

Reference 21 - 0.01% Coverage

indicated that although the inclusion of a Catholic priest on the PNDC was indicative of the regime's recognition of the important contribution which the church could make to the development of the country, it would have been better if he had been appointed to an advisory role, as such participation in the government could cause a rift in his congregation. The official position of the Catholic Church was to suspend him from priestly duties.

Reference 22 - 0.02% Coverage

results shared with the relevant

security institutions, to enable appropriate and coordinated action to be taken. No Intelligence Report pertaining to threats to State security should remain un-investigated, however apparently trivial. Failure to handle Intelligence information with despatch, should be treated as a major dereliction of duty, and sanctioned accordingly. 3.3.6 Political Education 3.3.6.1 Officers, Men and Women in the Armed Forces require political education as part of their training. They should be educated to understand that the Armed Forces operate under civilian political authority as represented by the President of the Republic as the Commander-in-Chief, and the Minister of Defence as the Government's political representative in the Armed Forces. 3.3.6.2 Training Curricula should be developed to effect a re-orientation. Such Training should aim at educating them on the role of the Military in constitutional governance; inculcate in them respect for the Constitution; emphasize traditional Military values of loyalty to the State; and cultivate respect for civilian authority. 3.3.6.3 In designing the Curricula and training, use should be made of the expertise of experienced retired Military personnel and resources in existing educational institutions. 3.3.7 Discipline 3.3 7.1 Members of the Armed Forces should be made to appreciate the value of the existing Military Regulations against non-participation in partisan politics. These Regulations should be strictly enforced by the Military High Command. Service personnel should be constantly reminded that those interested in holding political office, must resign from Service.

Reference 23 - 0.05% Coverage

3.8.4 Students act as the informed mouthpiece of the youth in general, because they consider themselves as spokespersons for the rights of the future prospects of the youth. Consequently, students tend to associate themselves with labour issues because upon completing their programmes, they would become new entrants on the labour market. Policy makers should be conscious of this fact and involve the student movements in broad consultations on policies that could affect the prospect of future generations. 3.8.5 Each of the student leaders interviewed admitted that with the benefit of hindsight, their actions were often born of inexperience, and that given the chance again, they would do things differently. Student leaders also expressed amazement about how much older persons who ought to have known better deferred to them on important national issues even when they were wrong. Student leaders also conceded that opposition politicians often used them to achieve their political ends, particularly during unconstitutional periods when the opposition could not operate legally. Students and their leaders should be aware of the potential for politicians (both civilian and military) and both in government and in the opposition, to use them for their own political ends, rather than the national interest. 3.8.6 There does not appear to have been sufficient democracy within the student movements. Consequently it was easy for particular interest groups to hijack the movements and implement their own political agenda. Institutions should ensure that the student movements develop and maintain intra-movement democratic structures and processes to enable them offer appropriate representation to the entire student-body. 3.8.7 There should be more transparency and accountability within the set-up of the student movement. Student leaders should learn good habits of probity and respect for ethics in public office, because their stint in office as student leaders often becomes the training ground for their participation in national governance. 3.8.8 The various stakeholders in education would need to be proactive especially in revision of conditions of service for staff of educational institutions to forestall unnecessary agitation as these tend to disrupt the academic year and affect national progress and development. 3.8.9 Students are entitled to free expression and activity. However, such expression and activity should be in conformity with the rules and regulations of the universities and other tertiary institutions, and within the limits allowed by the law. The universities and other tertiary institutions should not compromise on disciplining those who flout their rules and regulations. Effective ways of communicating and disseminating information on the campuses of institutions, should be put in place so as to improve information-flow and so minimize the exploitation of student-ignorance by disgruntled persons. 3.8.10 During student riots, the Police should be more restrained when invited to restore order so that fatal accidents do not occur. The principle of minimum use of force in crowd control should always be observed. 3.8.11 Students need to appreciate the importance of using negotiations as the primary tool for resolving disputes. Demonstrations should be used as a last resort, as its potency as a weapon is higher when threatened, than when resorted to, without much effect. 3.8.12 Student-demonstrations must respect rules of public order, and must be peaceful. Violent demonstrations can lead to unnecessary destruction of property, and even loss of life. 3.8.13 The universities should not allow their campuses to be used as a safe haven for subversionists, and persons who are a threat to national security.

Reference 24 - 0.04% Coverage

3.10.5 The Traditional Councils should ensure that the selection and enstoolment or enskinment procedures are simplified to avoid litigation and also enable the Chiefs to save resources for the development of their respective communities. 3.10.6 Traditional rulers must ensure that their communities enjoy the benefits of revenue accruing from stool lands. 3.10.7 District Assemblies must honour their financial obligations to the Traditional Councils. 3.10.8 Partisan politics have caused a great deal of pain to royal lineages as some persons have used their political influence at particular times to obtain stools and skins. This bred litigation and destoolment or deskinment when the political atmosphere changed. It must be remembered at all times that chieftaincy is an institution that is traditional in nature; therefore its norms of nomination/election as well as the status of the stool or skin must be determined by cultural norms and usages. 3.10.9 Chiefs should not call upon the government to create paramountcies for them. Chieftaincy is by customary usages, therefore elevation to paramountcy status should not be the work of central government as this renders

the status an artificial one dependent upon the will of politicians in power, and makes the occupant beholden to the government that granted such elevation. The National House of Chiefs should work out modalities for elevation of those whose customary usages make no such provision. 3.10.10 The recognition clause must never be re-instituted as it undermines the ability of the Chiefs to represent their people. There is an urgent need for the lineages of all stools/skins to be published by the Traditional Councils and the Regional Houses to reduce conflict and litigation when vacancies occur. 3.10.11 The issues of land and access to land have not been fully explored. There is the need for a formal national project on land and ownership of land in the various areas. This would minimise litigation arising out of wrongful assumption of ownership over land by chiefs. Chiefs must ensure that all lands under their control are surveyed by properly by qualified surveyors registered with the Ghana Institution of Surveyors. 3.10.12 There must be clear guidelines particularly to the public about the requirements of land acquisition in each traditional area. 3.10.13 Land compulsorily acquired must be promptly paid for to prevent dealings in the land with unsuspecting members of the general public. 3.10.14 The system of land administration must be overhauled. Processes of compulsory acquisition must be made to involve the wider community to prevent unscrupulous persons being able to dispose of the lands after they have been compulsorily acquired. 3.10.15 The Houses of Chiefs should determine for themselves what would be appropriate interaction with the Party in power and with the ruling government so as to curtail the propensity of those who would under the guise of 'hospitality', court favour with politicians. Such actions tend to create disaffection for the Chiefs and encourage detractors to initiate destoolment actions when that particular administration leaves office. 3.10.16 Land problems in Northern Ghana require special study so as to end the inter-ethnic conflicts that erupt frequently, seemingly over trifles. The State should initiate action on this matter as soon as practicable. 3.10.17 Chiefs must remain barred from participation in partisan politics so that they can maintain the dignity of the institution and sustain the unity of his community.

Reference 25 - 0.02% Coverage

- To guarantee that the masses of the people of this country form the basis of power to carry out the 31st December revolution under the leadership of the Provisional National Defence Council (PNDC).
- To mobilize the people to know and defend their rights and to be able to organize the affairs of the nation as to ensure the availability of their basic needs such as work, food, clothing, shelter, health, education etc.
- To guarantee the democratic participation of the people – especially the farmers, fishermen and other working people - in the decision making process in this country and in the running of the affairs of their villages, towns, and cities; their offices, factories, and workplaces and in the nation generally.
- To help expose the internal enemies of the people both in business and in the bureaucratic state machinery, for it is through such internal collaborators that foreigners can dominate our lives and plunder both our human and material resources.
- To educate and mobilize the people to combat any form of domination and exploitation.
- To mobilize the human and material resources of the nation for the rapid all round development of our country and people and to ensure that efforts for our development are based primarily on ourselves.
- To organize the people to achieve a perpetual state of readiness for immediate political response to any political attacks on them and the revolutionary process.
- To foster brotherly cooperation and unity between our struggling people and those of our continent Africa and other parts of the world.

Reference 26 - 0.01% Coverage

5.16.2.9 With their involvement with women, it rapidly became clear that one of the major concerns and therefore the major obstacle to women's participation in activities, economic or otherwise, was the welfare of their pre-school children. Therefore, in 1986, the DWM began to open Day-Care Centres all over the country and encouraged their branches to put up structures to serve this purpose. At these day-care centers, pre-school education was subsidized.

Reference 27 - 0.01% Coverage

former member of the DWM:

carved a niche for itself in the gender and development terrain by championing the economic empowerment of women. It also facilitated the participation of women in small-scale income generating activities

Reference 28 - 0.01% Coverage

5.16.2.11.8 In 1988 and 1992, a majority of the women who were elected to the District Assemblies and Parliament respectively, were those with strong links to the DWM as the DWM had created opportunities for women's participation in politics at the local level.

Reference 29 - 0.01% Coverage

The NUGS' resolution is not surprising when examined against the backdrop of its participation in the 'Labone Forum' that decided that the PNP Government was not socialist enough to achieve anything purposeful for the poor in Ghana.

Reference 30 - 0.01% Coverage

electoral processes. Finally, he announced that participation was compulsory since it was "a period when nobody could escape work" and that "attendance to all functions would be recorded to ensure maximum success of the exercise".

Reference 31 - 0.01% Coverage

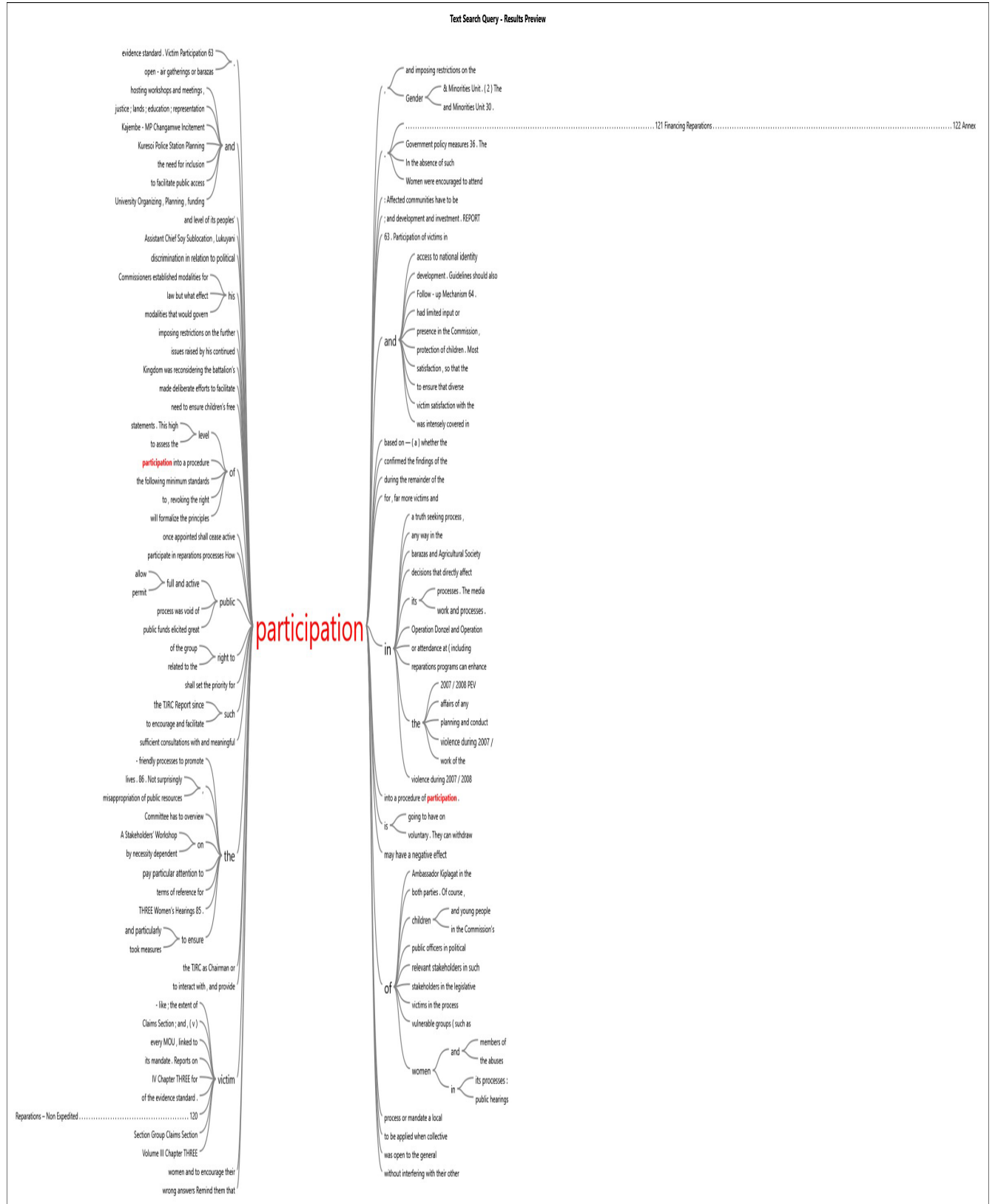
9.2.10.3 Generally, the Muslim communities feared that colonial rule would impose Christianity on them. This led the Muslim communities in Ghana to isolate themselves from active participation as a group to react to issues, which bordered on human rights abuses against either them or other people in society.

Reference 32 - 0.02% Coverage

9.3.9.4 It was clear, during the PNDC period that the terror unleashed by the regime was such that only established bodies such as the Christian Council of Ghana, the Catholic Bishops' Conference and Association of Professional Bodies were capable of collectively expressing condemnation of the regime's excesses. One Christian leader has remarked that, "It was a miracle that the leaders of the Christian Council of Ghana and the Ghana Catholic Bishops' Conference were able to exhibit such courage during the early 1980s and to survive the fury of Rawlings' regime." This, according to him, was due to the grace of God. 9.3.9.5 Rev Dr Vincent Kwabena Damuah, a Catholic Priest, became a member of the PNDC and took active part in most of the decisions during that time. A few Ghanaian priests spoke against the membership of Rev. Damuah on the PNDC, such that social commentators were divided on the issue of the involvement of religious leaders in politics. While some believed that priests should eschew politics, others were convinced that the appropriate role for the clergy was in the advisory capacity. Rev. Dr. Joseph Osei-Bonsu, then a lecturer at the University of Ghana, Legon, indicated that although the inclusion of a Catholic priest on the PNDC was indicative of the regime's recognition of the important contribution which the church could make to the

development of the country, it would have been better if he had been appointed to an advisory role, as such participation in the government could cause a rift in his congregation. The official position of the Catholic Church was to suspend him from priestly duties.

References to Participation in Kenya Report Tree Map



Name: References to Participation in Kenya Report

<Files\\Kenya-TJRC_Volume_1-4> - § 56 references coded [0.91% Coverage]

Reference 1 - 0.03% Coverage

The work of the Commission was structured into four mutual and overlapping phases: statement-taking, research and investigations, hearings and report writing. Staff at all levels were trained and prepared for their various roles to ensure that they were sensitive and observed confidentiality of all those who gave testimony to the Commission. The Commission also carried out civic education and outreach activities in partnership with civic organisations and community based bodies to permit full and active public participation in its work and processes. Gender equality was a priority in staff composition at all levels and was particularly important as a means of ensuring that men and women felt comfortable testifying before the Commission. To decentralise its presence and reach out to as many Kenyans as possible, the Commission established regional offices in Eldoret, Garissa, Kisumu and Mombasa.

Reference 2 - 0.02% Coverage

□ The Commission finds that minority groups and indigenous people suffered state sanctioned systematic discrimination during the mandate period (1963-2008). In particular, minority groups have suffered discrimination in relation to political participation and access to national identity cards. Other violations that minority groups and indigenous people have suffered include: collective punishment; and violation of land rights and the right to development.

Reference 3 - 0.02% Coverage

Thus, while the mandate of the Commission did not have a child-specific focus, the Commission made deliberate efforts to facilitate participation of children and young people in its proceedings and to ensure that their interests and views both as direct and indirect witnesses and victims of human rights violations were captured. The Commission designed child-friendly processes to promote the participation and protection of children. Most notably, the Commission held a thematic hearing in Nairobi that included an opportunity for children to testify in their own words in an environment that was safe and supportive.

Reference 4 - 0.01% Coverage

The Report

documented blatant violations of the electoral code, including misuse and misappropriation of public resources, the participation of public officers in political campaigns and incitement to and incidences of violence.

Reference 5 - 0.01% Coverage

Secondly, and perhaps more importantly, four weeks was too short a period to allow for sufficient consultations with and meaningful participation of stakeholders in the legislative process. The legislative process officially commenced on 9 May 2008,

Reference 6 - 0.01% Coverage

24 TJR Act, sec 10. 25 But see C Alai 'Truth, Justice and Reconciliation Commission' in L Mute & L Young (eds) Transitional justice in Kenya: Looking forward, reflecting on the past (2011) 111, 120 (noting that 'the selection process was void of public participation and had limited input or scrutiny from civil society and victims' groups'.

Reference 7 - 0.03% Coverage

59. While victims are at the heart of a truth-telling process, the involvement of alleged or actual perpetrators is equally important for optimum success of the process. Firstly, for a complete and accurate story of violations, the perspectives of both victims and perpetrators are a requisite. For this reason, section 5(a) of the TJR Act required the Commission to record the 'motives and perspectives of the persons responsible for commission of the violations'. Secondly, inter-personal reconciliation between a victim and a perpetrator is by necessity dependent on the participation of both parties. Of course, a victim may reconcile with his situation and even forgive the perpetrator without the two ever meeting, but the benefits of a healing and reconciliation process are maximised when both parties have a joint forum for constructive engagement.

Reference 8 - 0.01% Coverage

requirement, the Commission carried out civic education and outreach activities to allow full and active public participation in its work and processes. These civic education and outreach activities were also a means of building ownership of both the Commission's processes and its final report among Kenyans.

Reference 9 - 0.01% Coverage

The Civic Education and Outreach Department conducted a number of activities including training of stakeholders, hosting workshops and meetings, and participation in barazas and Agricultural Society of Kenya (ASK) shows in an effort to reach as many people as possible from all sectors of society.

Reference 10 - 0.03% Coverage

The Department's major activity involved conducting pre-hearing civic education drives around the country. These drives served a three-fold objective: informing the public about the Commission's work and processes; managing public expectations; and creating a receptive environment for the hearings that were to follow. The drives used interactive and participatory approaches that allowed participants to seek clarification and engage in discussions. Most of these drives were held in town halls but in some areas they took the form of open-air gatherings or barazas. Participation was open to the general public, different groups of victims, community leaders (including representatives of councils of elders and political leaders), as well as members of professional organisations and the business community.

Reference 11 - 0.02% Coverage

Statement-taking is not only one of the primary sources of information for truth commissions but it is also a major avenue through which individuals interact with a truth commission. The number of statements collected provides an indication of the interest of individuals in a truth telling process. The Commission

collected a total of 42,465 statements. This high level of participation confirmed the findings of the Makau Mutua Task Force that there was overwhelming desire for a truthseeking process in Kenya.

Reference 12 - 0.01% Coverage

The Commission was fully aware that the process of sharing experiences of gross human rights violations could be traumatic for victims. As such, Statement Takers were trained on how to assist victims deal with trauma. Moreover, aware of the importance of the need for inclusion and participation in a truth seeking process, the Commission ensured that the statement taking process was inclusive, accessible and safe. In particular:

Reference 13 - 0.02% Coverage

In November 2010, the Commission reviewed the statement-taking process in consultative meetings with CSOs based in all eight provinces. The review had a three-fold objective: to identify gaps and critical issues emanating from the statement taking process; to assess the quality of information received through the statement taking process; to assess the level of participation of vulnerable groups (such as women, persons with disabilities, etc) in the process.

Reference 14 - 0.01% Coverage

29. A Stakeholders' Workshop on the Participation of Children in the Commission's Process was held on 7 October 2011 in Nairobi. The purpose of the meeting was to consult child protection agencies and other stakeholders on best practices in taking statements and organising hearings involving children.

Reference 15 - 0.02% Coverage

with children and record their statements. The scope of the training included aspects relating to: the different evolving capacities of children and processes suited to those capacities; the need to ensure children's free participation without interfering with their other entitlements such as education or play; the need to avoid stigmatisation or discrimination; and the need to obtain consent from the parents, caregivers or guardians of a child. A total of 40 statement takers - drawn from the Commission, child protection agencies and individual professional counselling organisations – were trained under programme.

Reference 16 - 0.01% Coverage

The Commission held hearings in several locations in each region in an effort to facilitate public access and participation and to ensure that diverse voices were heard. Simultaneous translation of the proceedings was provided at all public hearings including into sign language.

Reference 17 - 0.08% Coverage

The participation of women and members of other vulnerable groups is a central pillar of any comprehensive and inclusive truth-seeking process. Experience has shown that due to gender stereotypes and cultural norms, women are unlikely to participate in public processes unless proactive measures are taken to encourage and facilitate such participation. In the absence of such measures in the past, Kenyan

women had traditionally been left out of public processes that had shaped and defined the country's socio-political and economic policies including those policies that directly impacted their day to day lives.

86. Not surprisingly, the participation of women in public hearings conducted by the Makau Mutua Task Force to gather views as to whether Kenyans desired a truth commission was limited.

observation, suggesting as it did, that a truth commission established in accordance with its recommendations should pay particular attention to the participation of women in its processes:¹¹

The Task Force was deeply concerned by the low numbers of women who turned up at its public hearings to make submissions. Although the Task Force encouraged the few women present to speak up, this problem will have to be addressed once the truth commission is set up so that the issues that are particular to women are adequately dealt with. Kenya, like most countries, has deeply embedded prejudices, policies, and traditions that have historically marginalised women and made them invisible in the public square. Discrimination against women, violence, rape, and patriarchy have consigned women to the margins of society. Human rights violations and the economic crimes committed by the state have a special gendered effect on women. That is why violations against women have disproportionately multiplied adverse effects and are rarely addressed. A truth commission must pay particular attention to the participation of women and the abuses perpetrated against them. Otherwise, a truth commission will have little or no beneficial value in addressing the plight of women.

87. Against this background, the Commission took measures to ensure the participation of women in its processes including in the hearings. Indeed, section 27(1) of the TJR Act permitted the Commission to put in place special arrangements and adopt specific mechanisms and procedures to address the experiences of, amongst others, women.

Reference 18 - 0.02% Coverage

92. Women's Hearings were presided over by female Commissioners and female staff of the Commission. The proceedings of the hearing were recorded verbatim. Translation services were provided to allow participants to freely communicate in the language of their choice. Prior to the hearings and with the financial support of UN Women, civic education was conducted to create awareness about the hearings amongst women and to encourage their participation. Women were encouraged to attend and participate in the hearings through announcements at local markets, and local radio stations. Leaders of community based organizations encouraged women to attend and to participate.

Reference 19 - 0.02% Coverage

101. The evaluation report also raised a number of concerns including that: the hearings were legalistic and court-like; the extent of victim participation in the planning and conduct of the hearings was unclear; information about the Commission's resources and procedures for provision of psychosocial support were not widely and publicly available; and that the Commission's dissemination of information relating to hearings fell below expectation.

Reference 20 - 0.02% Coverage

Media Coverage of Public Hearings

108. The success of a truth commission partly depends on a nation's awareness and level of its peoples' participation in its processes. The media plays a central role given its ability and capacity to reach out to the masses. For this reason, and bearing in mind the dynamic and positive contribution the media had made in the success of, for instance, the South African Truth Commission, the Makau Mutua Task Force had

envisaged a Kenyan truth commission whose public hearings would be carried live on television and radio.¹²

Reference 21 - 0.02% Coverage

notable in this regard is the low media coverage of the proceedings. This is most aptly demonstrated through a comparison between the media coverage of the public hearings (and the TJRC process in general) and past national truth-recovery processes. For instance, the Goldenberg Inquiry into embezzlement of public funds elicited great public participation and was intensely covered in the media including through daily live broadcasts of the Commission's proceedings in one of the main television stations. Given the gravity of the past atrocities that form the subject of the TJRC hearings, one would imagine that there would be significant public interest in and robust media coverage of the hearings.¹⁴

Reference 22 - 0.01% Coverage

130. In preparation for rolling out reconciliation activities and particularly to ensure the participation of relevant stakeholders in such activities, the Commission convened two meetings in March 2011. On 3 March 2011, the Commission held a Consultative Prayer Breakfast with religious leaders in Nairobi. This was followed a week later by a three-day Stakeholders Consultative Workshop in Naivasha.

Reference 23 - 0.02% Coverage

18. Recognising the detrimental effect this controversy was having on the work of the Commission, and recognising further that a legal process had now been initiated to address the issues raised by his continued participation and presence in the Commission, Ambassador Kiplagat agreed to step aside until the tribunal process reached its conclusion. This promise was included in the letter of 12 April 2010 to the Minister of Justice which was signed by all Commissioners, including Ambassador Kiplagat.

Reference 24 - 0.02% Coverage

63. But more importantly, the TJR Act in itself made it clear that once elected, Commissioners were enjoined to act independently and to serve in their personal capacity. In particular, section 10(7) provided that: A commissioner once appointed shall cease active participation in the affairs of any political party or other organisation, whether registered or unregistered, propagating partisan views with respect to the work of the Commission.

Reference 25 - 0.02% Coverage

Given the High Court decision against restricting Ambassador Kiplagat from returning to the Commission, the Commissioners established modalities for his participation during the remainder of the Commission's life. The Ministry of Justice (and in particular the Minister for Justice, the Honorable Eugene Wamalwa) and the Commission on Administrative Justice (CAJ) assisted the Commission in establishing the terms of reference for the participation of Ambassador Kiplagat in the remaining work of the commission.

Reference 26 - 0.01% Coverage

b) Ambassador Kiplagat 'should not participate or interfere with the preparation of the TJRC Report since such participation may have a negative effect to the acceptance

Reference 27 - 0.01% Coverage

modalities that would govern his participation in the work of the Commission during the remainder of its life. The proposed modalities were drafted based upon the meetings facilitated by the Minister of Justice, the Advisory Opinion issued by the Office of the Ombudsman, and consultations with experts in the area of conflicts of interest. The resulting modalities were four:

Reference 28 - 0.01% Coverage

or organization may participate in.

(5) The Commission shall set the priority for participation based on—

Reference 29 - 0.01% Coverage

a breach of these Rules

as it considers fit, including, but not limited to, revoking the right of participation, and imposing restrictions on the further participation in or attendance at (including exclusion from) the hearing by any participant, representative, individual, organization or members of the media.

Reference 30 - 0.01% Coverage

long the session will last

Tell them that all answers are correct. There are no wrong answers Remind them that participation is voluntary. They can withdraw from the process if they like.

Remind participants that the information

Reference 31 - 0.02% Coverage

selection panel was properly constituted.

The second prayer sought was that of prohibition, to prohibit Amb. Bethuel Kiplagat from running the offices of the TJRC as Chairman or participation in any way in the affairs of the TJRC. The Court looked at the jurisprudence that informs the issuance of such an order of prohibition, and found that the remedy of prohibition as sought by the Applicants was not available to them. The Application was dismissed with costs on the 28th November 2011.

Reference 32 - 0.01% Coverage

substantively participated in its preparation?

The question is not about who is right in law but what effect his participation is going to have on the strength of the report? We reiterate and agree with the observations that had been made much earlier by Justice Muchelule in HC Misc. No.95 of 2011 which we quote below in extenso;

Reference 33 - 0.02% Coverage

3. That Amb. Bethuel Kiplagat should not participate or interfere with the preparation of the TJRC report since such participation may have a negative effect to the acceptance of the Report. He should however be given an opportunity to review the report within a short time and to script an addendum to the report wherein he may agree or give his dissenting opinion. This is precented. In the Report of the Independent Electoral Review Commission (IREC or Kieggler Commission), two Commissioners duly expressed their dissent, and reasons thereof, which was included as an addendum to the report.

Reference 34 - 0.01% Coverage

Battalion, the United Kingdom was reconsidering the battalion's participation in Operation Donzel and Operation Monogram. The British considered a number of options. One suggestion was

Reference 35 - 0.01% Coverage

In preparation for rolling out reconciliation activities and particularly to ensure the participation of relevant stakeholders in such activities, the Commission convened two meetings in March 2011. On 3 March 2011, the Commission held a Consultative Prayer Breakfast with religious leaders in Nairobi. This was followed a week later by a three-day Stakeholders Consultative Workshop in Naivasha.

Reference 36 - 0.02% Coverage

Victim Participation and Follow-up Mechanism 64. Witnesses at the Commission's hearings noted that despite the various efforts by both governmental and non-government organisations towards reconciliation, nothing much seems to change. Communities remain polarised and tension continues to be heightened. Many of the witnesses felt that the conflicting communities and in other cases, the concerned individuals, have not been involved in such efforts/processes. They indicated there was need for a 'bottom top' approach to ensure that reconciliation efforts are not only home-grown but are also sustainable.

Reference 37 - 0.05% Coverage

CHAPTER THREE Reparation Framework	97
Introduction	97
The Concept of Reparation	98
Methodology	100
Priority A: Most Vulnerable	105
Priority B: Collective Reparations	107
Priority C: Individual Reparations – Non Expedited	120
Victim Participation	121
Financing Reparations	122

Reference 38 - 0.04% Coverage

It is noteworthy that some compared this Commission's work with that of the International Criminal Court (ICC) or asked about the relationship between the Commission and the ICC. As noted, the Commission was not a court of law, and while some of the purposes of the Commission were similar to that of the ICC, they were very different institutions. First, the Commission was a more victimcentered institution. The ICC, while more victim-centered than many courts, still has as the subject of its primary focus the suspect, and determining by a high standard of proof whether the suspect is guilty of the charges alleged. Second, the Commission was focused on historical narratives, context, and perspectives of victims, perpetrators, and witnesses. The ICC, like all courts, is much more narrowly focused. As a result of these and other differences, the Commission was able to interact with, and provide participation for, far more victims and other Kenyans than the ICC. Third, the ICC's temporal mandate is relatively narrow – from the time of the ratification of the Rome Statute by Kenya on 1 June 2005 to 26 November 2009 (the date of the ICC Prosecutor's filing of a request for the initiation of an

Reference 39 - 0.02% Coverage

The Commission finds that minority groups and indigenous people suffered statesanctioned systematic discrimination during the mandate period. In particular, minority groups have suffered discrimination in relation to political participation and access to national identity cards. Other violations that minority groups and indigenous people have suffered include: collective punishment, and violation of land rights and the right to development.

Reference 40 - 0.07% Coverage

in Education; and Statelessness Conventions.

The Commission recommends that the President, within six months of the issuance of this Report, issues an official, public and unconditional apology to minority and indigenous communities in Kenya for the state's systematic discrimination against these groups and communities during the mandate period. The Commission recommends that obstacles experienced by minority groups such as members of Somali and Nubian ethnic communities in accessing the national identity cards be removed within 12 months of issuance of this Report. The Commission recommends that the Kenya Law Reform Commission examines all Kenyan legislation to ensure that it does not result in de jure or de facto discrimination against minority groups. In consultation with minority and indigenous groups, develop national legislation governing state-sponsored or private development programs that requires free-prior and informed consent of affected communities and that includes specific guidelines as to how to engage in a process of consultation with communities. The Commission recommends that the government develops a plan on data collection and disaggregation on minority and indigenous communities, with special attention to ensuring disaggregation of data related to minority and indigenous women. The process shall incorporate the principles of the United Nations Expert Workshop on Data Collection and Disaggregation for Indigenous Peoples. The Commission recommends the release and implementation by the Government of the recommendations of the Presidential Special Action Committee to Address Specific Concerns of the Muslim Community in Regard to Alleged Harassment and/or Discrimination in the Application/Enforcement of the Law. The recommendations of the Special Action Committee related to the following seven areas: citizenship and registration of persons; security; access to and administration of justice; lands; education; representation and participation; and development and investment.

Reference 41 - 0.01% Coverage

It is recommended that the Implementation Committee's Technical Secretariat establish the following units, or a comparable structure that ensures it can effectively fulfil its functions: □ Outreach & Registration Unit □ Evaluation & Classification Unit □ Individual Claims Section □ Group Claims Section □ Victim Participation, Gender and Minorities Unit

Reference 42 - 0.01% Coverage

the types of organizations involved.

Clear performance criteria should be drafted into every MOU, linked to victim participation and satisfaction, so that the conditions for revocation of the MOU are clear to both parties to the agreement.

Reference 43 - 0.01% Coverage

20. (1) There is established a Secretariat which shall consist of the following and such other units as it may require in fulfilling its functions: (i) Outreach and Registration Unit; (ii) Evaluation and Classification Unit; (iii) Individual Claims Section; (iv) Group Claims Section; and, (v) Victim Participation, Gender & Minorities Unit.

Reference 44 - 0.01% Coverage

□ Violation of the group right to participation in decisions that directly affect the minority or indigenous group in question

Reference 45 - 0.01% Coverage

The Implementation Committee will develop guidelines to specify that socioeconomic measures can be incorporated as a component of reparations only under the following minimum standards of participation:

Reference 46 - 0.02% Coverage

12 See the United Nations Declaration on the Rights of Indigenous Peoples, Human Rights Council, Report to the General Assembly on the First Session of the Human Rights Council, at 58, U.N. Doc. A/HRC/1/L.10 (2006) and the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious or Linguistic Minorities, G.A. res. 47/135, annex, 47 U.N. GAOR Supp. (No. 49) at 210, U.N. Doc. A/47/49 (1993) for specific parameters related to the right to participation and development. Guidelines should also be based on best practices related to implementation of ILO 196, which can be found at Indigenous & Tribal People's Rights in Practice - A Guide to ILO Convention No. 169.

Reference 47 - 0.01% Coverage

the minimum standards here above.

□ The Implementation Committee has to overview the participation process or mandate a local actor to do so.

Reference 48 - 0.01% Coverage

The Implementation Committee will formalize the principles of participation into a procedure of participation.

Reference 49 - 0.01% Coverage

Victim Participation

63. Participation of victims in the process of design, implementation, and monitoring of the reparations programme is a fundamental principle. The Implementation Committee will be required to develop policies on engagement with victims and their representatives through each stage of the reparations process. The policies should consider:

Reference 50 - 0.01% Coverage

to participate in reparations processes

□ How participation in reparations programs can enhance victim capacity building to advocate for their own interests and contribute to empathy amongst victims

Reference 51 - 0.01% Coverage

for victim participation to be applied when collective reparation measures are designed and implemented.
65.

The Implementation Committee will

Reference 52 - 0.02% Coverage

The Implementation Committee will review all operational plans with the view to integrating the voices of victims in the process. The Implementation Committee will be specifically tasked with procuring regular and independent evaluations of the Implementation Committee interaction with victims throughout its mandate. Reports on victim participation and victim satisfaction with the Implementation Mechanism and other reparations service providers will be submitted to the Implementation Committee every six months, and will include a scientific sampling of victim opinion on these issues.

Reference 53 - 0.01% Coverage

Hon. Ramadhan Kajembe - MP Changamwe

Incitement and participation in violence during 2007/2008 PEV KNCHR 2008.

Reference 54 - 0.01% Coverage

Bitok - Lecturer at Moi University

Organizing, Planning, funding and participation in the violence during 2007/2008 PEV

Reference 55 - 0.01% Coverage

Osewe – OCS Kuresoi Police Station

Planning and participation in the violence during 2007/2008 PEV

Reference 56 - 0.01% Coverage

Assistant Chief Soy Sublocation, Lukuyani

Participation in the 2007/2008 PEV

References to Civic Engagement in Liberia Report Tree Map

Text Search Query - Results Preview

generations . This would also encourage — civic engagement — around women's experiences of conflict ,

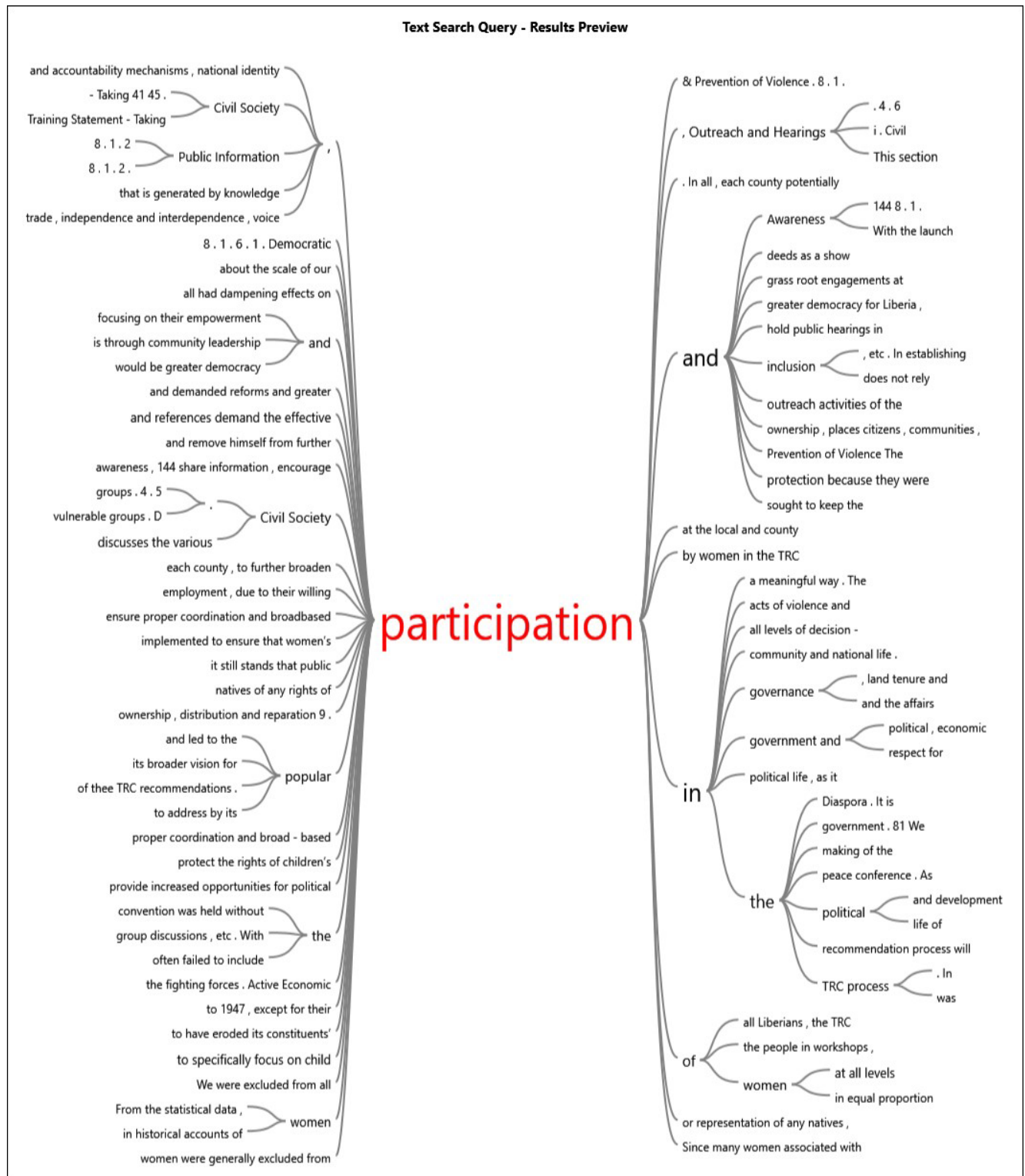
Name: References to Civic Engagement in Liberia Report

<Files\\Liberia.TRC_.Report-FULL> - § 1 reference coded [0.03% Coverage]

Reference 1 - 0.03% Coverage

causes and course of mass crime, and allow the re-interpretation and re-assertion of the belief systems. However, while memorialization can be a bridge between past and future and contribute to reconciliation and healing projects, in many instances it further marginalizes women. Women's experiences, contributions, struggles for change, and campaigns for peace in Liberia, must be mainstreamed into the memorialization practice to ensure that they serve as mechanisms for inspiration and motivation for current and future generations. This would also encourage civic engagement around women's experiences of conflict, breaking cultures of silences and shame, and furthering the course towards gender equality.

References to Participation in Liberia Report Tree Map



Name: References to Participation in Liberia Report

<Files\\Liberia.TRC_Report-FULL> - § 39 references coded [1.18% Coverage]

Reference 1 - 0.01% Coverage

International Staff Training Statement-Taking
Civil Society, Participation, Outreach and Hearings i. Civil Society

Reference 2 - 0.02% Coverage

D. Civil Society Participation, Outreach and Hearings

This section discusses the various civil society participation and outreach activities of the TRC inclusive of national and international hearings processes. In this context, it will also highlight the various activities that the TRC designed and implemented for women and children.

Reference 3 - 0.05% Coverage

For historical, cultural, social, political, economic and other reasons, women's experiences are often not reported and hence underrepresented in reported violations. Recognizing this reality, the TRC Act provides guidelines for the treatment of women in the TRC process. In addition to the Preamble, nine sections of the Act speak to women's realities and how they should be incorporated in the TRC process. These provisions and references demand the effective participation of women at all levels and in all aspects of the TRC process, including as Commissioners, managers and staff of the TRC, petitioners, victims, perpetrators, victim-perpetrators, and witnesses. Article IV and VI of TRC Act specifically requires the TRC to adopt mechanisms and procedures to address the experience of women, children and vulnerable groups; pay particular attention to genderbased violations; employ specialists in women's rights; protect women's safety; and not endanger women's social reintegration or psychological recovery.

Reference 4 - 0.04% Coverage

In adhering to these requirements, the TRC has engaged in numerous activities with women in Liberia and in the Diaspora. Several formal and informal meetings have been held with individuals as well as women's groups. In 2006, to ensure proper coordination and broadbased participation by women in the TRC process, and to guarantee that woman's concerns are adequately expressed and addressed, the TRC established a gender committee comprising a wide spectrum of civil society and international partners. Members of this committee included the Women NGO Secretariat of Liberia; the Ministry of Gender; the Open Society Initiative for West Africa (OSIWA); ICTJ; the United Nations Development Fund for Women (UNIFEM); UNMIL Gender Section; Rule of Law Section and Human Rights and Protection Section; Liberia Crusaders for Peace Women's Wing; Traditional Women Association of Liberia; Women on the Move; and the Liberian Media Women Association.

Reference 5 - 0.01% Coverage

The TRC Statute requires the TRC to specifically focus on child participation and protection because they were targeted and victimized in Liberia's successive wars. They were illegally recruited to take part in

hostilities-became victims-perpetrators and witnesses, of conflict in Liberia. Child friendly procedures have been used and

Reference 6 - 0.02% Coverage

legal safeguards established to protect the rights of children's participation in the TRC process. In addition, protective measure were taken to conceal the identity of children, no video coverage was permitted, media was not allowed to interview or cover child-related sessions and special social workers were trained and available to assist them to provide counseling to them prior to, during and after the hearings.

Reference 7 - 0.01% Coverage

4.4 Statement-Taking <<<<<<<<<<<<<<<<<<< 41 45. Civil Society, Participation, Outreach
and Hearings <<<<<<<<. 4.6 National and International Outreach and Hearings <<<<<<<<.

Reference 8 - 0.01% Coverage

8.1.2 Public Information, Participation and Awareness <<<<<<< 144
8.1.3 Statement Taking: Recruitment, Training, Deployment<<<<< 146
8.1.4 Hearings: Victims

Reference 9 - 0.01% Coverage

8.1.5 Inquiry – Investigations, Interviews, IT Data Base, Research, Witness Protection, Security
 <<<<<<<<<<<< 155

8.1.6 Towards Greater democracy and the TRC Process

- 8.1.6.1. Democratic Participation & Prevention of Violence
- 8.1.6.2 Peoples’ Knowledge is Power in Democratic Settings

Reference 10 - 0.03% Coverage

Though this latter group of us equally desire national healing and reconciliation, it should be accomplished without any cost to our current standing and prestige. Bygones must be bygones. Having no regard for the rule of law, we ignored the TRC Process and when we opted to cooperate and appear before the Commission, we deliberately lied and failed to speak truthfully about the scale of our participation and deeds as a show of remorse and contrition which acknowledges the pains and sufferings of victims and triggers the national healing and reconciliation we profess to desire.

Reference 11 - 0.02% Coverage

handicap and other vulnerable groups.

4.5. Civil Society Participation, Outreach and Hearings

This section discusses the various civil society participation and outreach activities of the TRC inclusive of national and international hearings processes. In this context, it will also highlight the various activities that the TRC designed and implemented for women and children.

Reference 12 - 0.10% Coverage

According to TRC findings, various episodes of the armed conflict affected men and women differently. While men account for nearly 50% or half of all reported violations compared to one third or 33% from women, women were uniquely targeted because of their gender throughout the conflict and its different phases. Moreover, above 70% of all sexual based violations reported were against women. For historical, cultural, social, political, economic and other reasons, women's experiences are often not reported and hence under-represented in reported violations. Recognizing this reality, the TRC Act provides guidelines for the treatment of women in the TRC process. In addition to the Preamble, nine sections of the Act speak to women's realities and how they should be incorporated in the TRC process. These provisions and references demand the effective participation of women at all levels and in all aspects of the TRC process, including as Commissioners, managers and staff of the TRC, petitioners, victims, perpetrators, victim-perpetrators, and witnesses. Article IV and VI of TRC Act specifically requires the TRC to adopt mechanisms and procedures to address the experience of women, children and vulnerable groups; pay particular attention to gender-based violations; employ specialists in women's rights; protect women's safety; and not endanger women's social reintegration or psychological recovery.

In adhering to these requirements, the TRC has engaged in numerous activities with women in Liberia and in the Diaspora. Several formal and informal meetings have been held with individuals as well as women's groups. In 2006, to ensure proper coordination and broad-based participation by women in the TRC process, and to guarantee that woman's concerns are adequately expressed and addressed, the TRC established a gender committee comprising a wide spectrum of civil society and international partners. Members of this committee included the Women NGO Secretariat of Liberia; the Ministry of Gender; the Open Society Initiative for West Africa (OSIWA); ICTJ; the United Nations Development Fund for Women (UNIFEM); UNMIL Gender Section; Rule of Law Section and Human Rights and Protection Section; Liberia Crusaders for Peace Women's Wing; Traditional Women Association of Liberia; Women on the Move; and the Liberian Media Women Association.

Reference 13 - 0.03% Coverage

The TRC Statute requires the TRC to specifically focus on child participation and protection because they were targeted and victimized in Liberia's successive wars. They were illegally recruited to take part in hostilities-became victims-perpetrators and witnesses, of conflict in Liberia. Child friendly procedures have been used and legal safeguards established to protect the rights of children to participate in the TRC process. In addition, protective measures were taken to conceal the identity of children, no video coverage was permitted, media was not allowed to interview or cover child-related sessions and special social workers were trained and available to assist in providing counseling to the children prior to, during, and after the hearings.

Reference 14 - 0.01% Coverage

meetings, workshops, group discussions, etc.

With the participation of all Liberians, the TRC was able to produce three major documents which gave the TRC a clear understanding of the past experiences of the Liberian people during the war, and the overwhelming aspirations of the Liberian people to ensure that war will be no more, and that in unity, the current peace will

Reference 15 - 0.01% Coverage

8. Land and the conflict over tenure, ownership, distribution and reparation 9. Participation in government and political, economic decentralization 10. Envisioning a New Post – Conflict Liberia

Reference 16 - 0.03% Coverage

Representation at the national conference followed the same pattern with additional seven representatives added to the initial 13 delegates from each county, to further broaden participation. In all, each county potentially fielded twenty representatives at the national conference; bringing county representation to 300 in total, constituting the single largest block representation at the conference. Apart from county delegates, other stakeholders from political parties, the government, partners and the international community, and the Diaspora were represented.

Reference 17 - 0.03% Coverage

Although The Advocates had no control over TRC policies, scope of work, or timeline of activities, the organization was viewed by many in the Diaspora as having influence over processes in Liberia. For example, the TRC's decision not to call major perpetrators to public hearings until late in the process, the refusal by key actors including the president not to appear before the TRC, and coverage of internal conflicts at the TRC all had dampening effects on participation in the Diaspora. It is important to note that this relationship can be reciprocal as well.

Reference 18 - 0.05% Coverage

The head of the Commonwealth was a Governor appointed by the ACS. Its first governor was Thomas Buchanan, (Buchanan City), former agent of Bassa Cove. He consolidated the Commonwealth, extended his influence and mediated the DeyGola war of 1838. He ruled until 1841 when he was succeeded by Joseph Jenkins Roberts. The commonwealth had a separate executive, judiciary and legislative bodies but denied natives of any rights of participation and sought to keep the two communities apart. The Commonwealth needed a controlled territory, and authority over its territory. This exercise of authority was questioned and challenged by foreign powers operating in the area who had become accustomed to unfettered trade and movement in the West African region. Moreover, these British and French colonialists had territorial ambitions to annex additional Liberian territories. This threat encouraged many kings to join the commonwealth in support against foreign colonial aggression on their territories. The clamor for independence was echoed by the settlers who also became increasingly resentful to the autocratic and direct rule of the ACS, which denied them basic rights and freedoms in deciding matters that affected them and the Commonwealth.

Reference 19 - 0.02% Coverage

In the following year a constitutional convention was held without the participation or representation of any natives, allies or antagonists. The constitution, written by a Harvard Law Professor, was adopted by the convention along with the 'Declaration of Independence', written by Hilary Teage on July 26, 1847. There was no woman represented at the convention, but eleven women were later designated to sew the Liberian flag. Delegates to the convention were drawn from the three counties that were members of the commonwealth:

Reference 20 - 0.01% Coverage

than law, frown us down.

We were excluded from all participation in the government. 81

We were taxed without our

Reference 21 - 0.06% Coverage

the status quo became more pronounced with heightened expectations, occasioned by the death of Tubman, that there would be greater democracy and participation in government and respect for the rule of law and greater individual freedom.

Tolbert moved very fast on reforms and earned the name 'speedy' from those who advocated and demanded reforms and greater participation in the political and development processes of Liberia. President Tolbert encouraged the high expectations by the remarkable progress he made on his development agenda. He loosened up the society, replaced the environment of terror with one of free speech; expanded the physical infrastructure of the country; built low cost housing estates, highways and farm to market roads; encouraged agriculture and increased access to safe pipe-borne water. He encouraged and enlisted the services of young Liberian professionals; especially of indigenous backgrounds and pursued a policy of decentralization that will see a system of administrative de-concentration in Monrovia to extend the benefits of top-down government to smaller political units. He changed the presidential dress code from a typical business suit to the safari suit he popularized to the status of a national dress. He promoted such development slogans as 'from mat to mattress', 'total involvement for higher heights', etc.

Reference 22 - 0.02% Coverage

of the crisis and said:

'They are in real sense a culmination of more than one hundred years of a national leadership that appears to have eroded its constituents' participation in a meaningful way. The surfacing of these problems which the events of April 14 occasioned could nevertheless be viewed as a consequence of continuing decline of the quality of the social mores and principles provided for in our constitution'.

Reference 23 - 0.02% Coverage

Taylor's sealed indictment at the UN, USA and Great Britain backed Special Court for Sierra Leone was unsealed on June 4, 2003; charging President Taylor with several counts of war crimes and crimes against humanity for his support and complicity with the RUF of Sierra Leone. President Charles Taylor had to flee the Republic of Ghana and remove himself from further participation in the peace conference. As an indictee, his future role in Liberian politics was extinguished and his protégés had to continue representation of GOL at the talks.

Reference 24 - 0.01% Coverage

commission's work has continued uninterrupted

8.1.2. Public Information, Participation and Awareness

Reference 25 - 0.01% Coverage

share information, encourage participation and hold public hearings in the Diaspora communities in the United States, Nigeria, Ghana and Sierra Leone where feasible.

Reference 26 - 0.03% Coverage

We observe in Table 1 that the TRC collected a significant number of statements from female statement givers. Truth commissions in other countries have often failed to include the participation of women in equal proportion to men in statementtaking. In Liberia, however, nearly fifty percent of statements have been received from female statement-givers, which helped the TRC reflect the experiences of women as well as men during the Liberian conflict. This is also another distinguishing point of the TRC process in Liberia. This data however, does not include children engaged in the TRC Process. A child friendly regiment for taking statements and holding hearings was adopted by the TRC.

Reference 27 - 0.05% Coverage

In order to engage every Liberian in the TRC process, and overcome negative perceptions about the TRC or its mandate, the TRC granted unhindered access to it and the opportunity for engagement was, very early on, guaranteed thus, ensuring that every Liberian truly understands what the TRC is and what the goals of the process are. As part of its broader vision for popular participation and greater democracy for Liberia, the TRC first established County Coordinating Committees (CCC) throughout the 15 political subdivision of Liberia comprising of various people that are well known and respected within each county. The members of the Committees were educated on different aspects of the TRC work and charged with engendering public inputs and interest into the TRC process. This initial structure was successful but encountered problems when the TRC fell short of resources to maintain and continue the engagement after the statement taking process. The success of the statement-taking and hearings in the counties are attributable to the honest work of our staff and the CCC.

Reference 28 - 0.13% Coverage

A historical need: A culture of distrust and lack of confidence in national institutions has been formed in Liberia due to the many years of exclusion exacerbated by atrocities that people suffered during the war. This same sense of distrust may be transferred to people's views of the TRC. This is a risk the TRC was aware of and sought to avoid. There was a dire need to get the people involved with the TRC process and assist them overcome the inhibiting distrust, guilt and fears they harbor about it. Some people felt it is better to cover up the past rather than dig it up, possibly bringing up past pains that many feel should stay buried. Allowing trusted institutional and religious leaders to educate Liberians on the process helped to bridge the gap that a lot of people felt or perceived to have existed between them, the TRC and national processes. In a nation where distrust is widespread and people have learned to take care of themselves first, the way to restore trust and inspire hope in national institutions is through community leadership and participation in community and national life. Very early on the TRC realized it was important that credible community leaders and organizations enjoying the respect of the people are involved in the reconciliation and decision making processes affecting them at both the local and national levels. If these groups were able to maintain the trust of people throughout the war, their assistance to the TRC would be incredibly beneficial.

Sense of connection, belonging and ownership: This philosophy of community engagement guided the TRC throughout its work and led to the popular participation of the people in workshops, town hall meetings, research, county and regional consultations, and national conference. A sense of belonging and ownership

of the TRC process was engendered nationally. There is a sense of belonging and moral satisfaction that is gained when people are allowed to take part in social and political activities. The goal of the TRC was to build national ownership of the process and the future of Liberia in the national consciousness beginning from the grass root, which bears the scars of historical exclusion and disenfranchisement. The TRC wants every Liberian to feel like a part of the new Liberia, by allowing ordinary survivors of the conflict to take such an active role in the TRC.

The TRC believed that a common sense of morality, duty and obligation that is generated by knowledge, participation and ownership, places citizens, communities, and institutions in the position more apt to ensuring and campaigning for the implementation of the TRC recommendations. Popular participation in governance and the affairs of society generally, after violent conflict, can serve as a catalyst in engineering or forming new values of a society and help policy makers understand and prioritize the priorities of the people in building a new safer and secured society.

8.1.6.1. Democratic Participation and Prevention of Violence

Reference 29 - 0.09% Coverage

exchanging information, identifying needs, setting priorities, making choices and building consensus on these decisions. By allowing the public to have an active role in determining what should be done, added legitimacy is accorded the TRC process and the conclusions it makes, which reduces the potential for general dissatisfaction, confusion, further polarization and violent conflict. The TRC of Liberia by democratically legitimizing its process in the wishes of the people hopes to bridge the gap between people's aspirations and TRC's conclusions. The County Coordination Committee (CCC), County Regional Consultations (CRC), and the National Conference on Reconciliation (NCR) were intended to eliminate such gap, by involving every interested Liberian in the recommendation forming process. Research has shown that, frustration and lack of trust may contribute to violent protests to express public opposition to policy choices made by politicians, policy makers and bureaucrats.¹ Public contributions to policies can result in policies that are more responsive to public need and reduce insecurity of poor and disadvantaged communities in the policy-makers and policies, which reduce the need for these groups to resort to violence in order to have their voices heard. While the recommendations of the TRC aren't being made by politicians or policy makers, they will nonetheless be charged with its implementation, an obligation the TRC, the people of Liberia and their international partners take very seriously. Therefore, it still stands that public participation in the recommendation process will decrease frustration and increase trust in the policies that are formed and the new grounds that are broken. The TRC policy towards greater democracy is well founded on the belief that If community members are given proper information and allowed to dialogue on national issues, participate in local decision making processes as to what the recommendations of the TRC shall be, there will be less risk of unfulfilled promises and more desire for people to be part of the ongoing reconciliation process.

Reference 30 - 0.04% Coverage

Another issue the TRC endeavored to address by its popular participation and grass root engagements at the levels of the CCC, CRC, and the NCR, is massive awareness and education of the TRC process. Many Liberians have little or no formal education due to the war to understand the sophistication and complexities of the TRC in generalized terms. Or, if they are able to get information on the TRC, they don't understand the terms used and the purpose of the TRC. The CCC, the TRC county teams including statement-takers, were charged with explaining the basic terms used by the TRC, as well as the more complex ideas, in a way that every Liberian could comprehend at the very grassroots. At all TRC forums, people were allowed to speak in the language of their choice to engender free speech as a matter of TRC policy.

Reference 31 - 0.04% Coverage

To the contrary, a historical review by the TRC of Liberia's conflict and state building past reveal a legacy of violence and deadly conflicts over issues of land tenure and ownership, trade, independence and interdependence, voice, participation and inclusion, etc. In establishing the root causes of our current conflict, its antecedent and historical causes become desirable. A catalogue of violent conflicts and wars which have underpinned unity and reconciliation in Liberia are presented herein. Also are human rights violations publicly documented by human rights institutions in Liberia and around the world, the worldwide mass media as well as local and international non-governmental organizations (NGO). Generally, these violations are not included in the TRC Data Base and are therefore considered supplementary and historical in nature which contributes to the TRC's mandate to investigate and document human rights violations that occurred between 1979 and 2003.

Reference 32 - 0.02% Coverage

2. Women: Survivors and Peacemakers

Historically, women were generally excluded from participation in political life, as it was only until 1947, a full century after independence that women were accorded the right to vote. There is no mention anywhere in historical accounts of women participation in the political life of the colony, prior to 1947, except for their participation in the making of the Liberian flag at independence.

Reference 33 - 0.02% Coverage

against the general armless population.

From the statistical data, women participation in the TRC process was impressive as over fifty percent of statements gathered during the statement-taking exercise are attributed to women. Women account for 28 percent of all violations while on the other hand men account for 47 percent. From these statistics, it is clear that as a class of victims, men comprise the larger proportion, although both men and women appeared to have been targeted in about equal proportions.

Reference 34 - 0.02% Coverage

The TRC further recommends that the Government of Liberia should advance reforms that provide increased opportunities for political participation at the local and county levels which will ensure that community governance structures are established at neighborhood and community levels with residence electing their own leaders to represent them as a catalyst for local development.

Reference 35 - 0.02% Coverage

We the delegates at this National Reconciliation Conference, organized by the Liberia Truth and Reconciliation Commission with the theme: 'National Reconciliation and the Way Forward', discussed at length issues related to reconciliation for our people, including reparations, prosecutions, amnesty, memorialization, traditional reconciliation and accountability mechanisms, national identity, participation in governance, land tenure and ownership, and a national vision for a new Liberia.

Reference 36 - 0.01% Coverage

Ensure that implementation efforts take into account the need to improve social protection of women, children, the disabled, and other vulnerable groups, focusing on their empowerment and participation in all levels of decision-making; and

Reference 37 - 0.01% Coverage

associated with the fighting forces.

Active Economic Participation

Since many women associated with

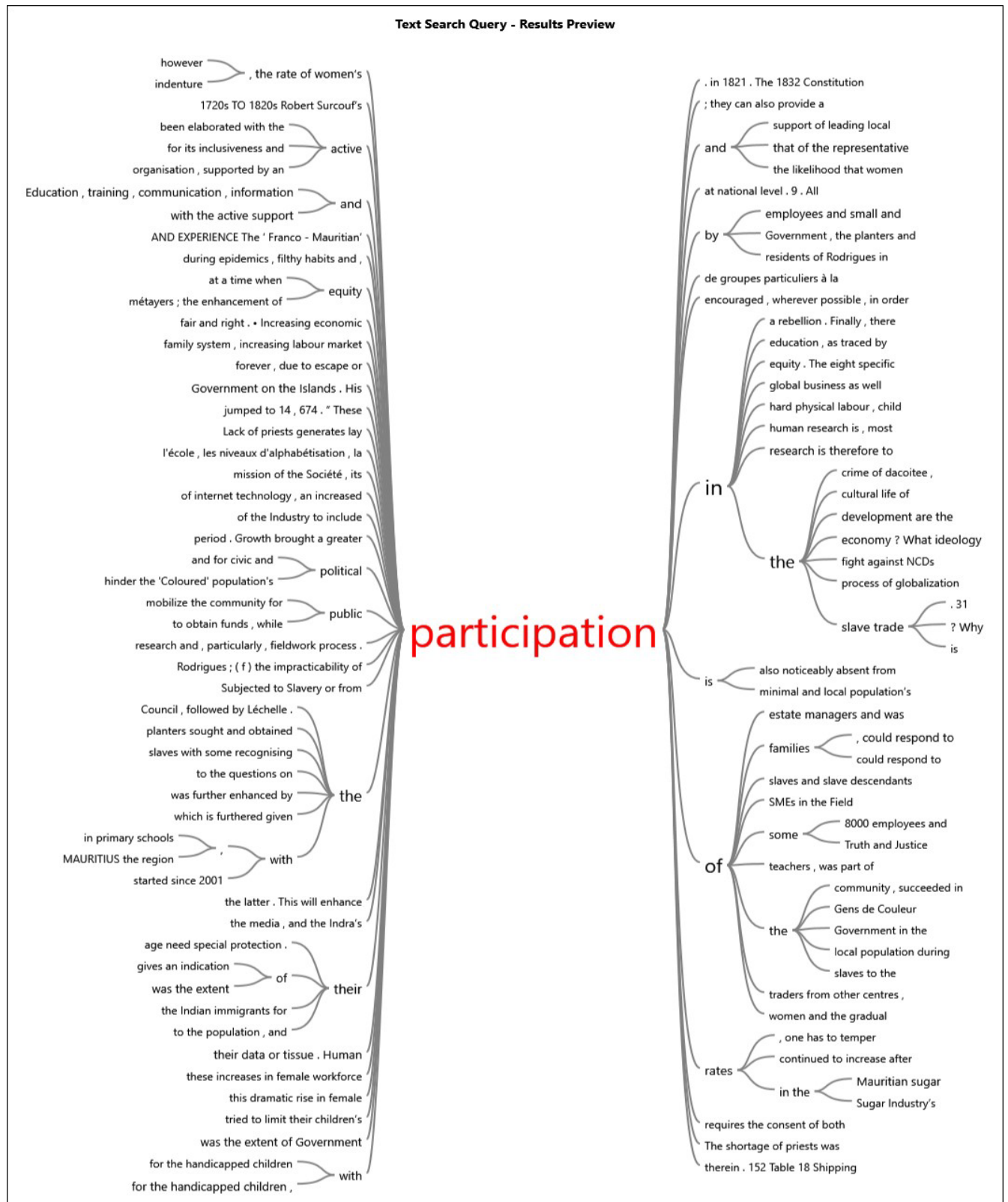
Reference 38 - 0.01% Coverage

An affirmative action policy or law must be developed and implemented to ensure that women's participation and inclusion does not rely on goodwill.

Reference 39 - 0.09% Coverage

Under institutional reform, vetting is increasingly implemented to address human rights abuses. It is defined as a formal process for the identification and removal of individuals responsible for abuses from public office. Vetting is becoming an integral part of the process of restoring trust in organs of the state, in an attempt to ensure that the structures that facilitated human rights abuses in the past no longer exist. The collapse of the rule of law during the war with the army and the police involved in perpetrating acts of violence on civilians makes credible institutional reform essential for citizens, especially women, to regain their trust in the state organs. It is also vital that Liberian state institutions reform and transform so as to promote and foster gender equality. The institutional reform process should transform such institutions into efficient and fair institutions that respect human rights, maintain peace, and preserve the rule of law. Institutional reform measures in Liberia are recommended to create the following in all public institutions such as the police and the military: * the creation of oversight, complaint and disciplinary procedures; * public education and awareness campaigns to train the public, especially women, on how to access recourse if the system discriminates against them or is harmful, especially the translation of such procedures into Liberian English and other accessible forms of communication. * the reform or establishment of new legal frameworks; * the development or revision of ethical guidelines and codes of conduct; * the provision of adequate salaries, equipment and infrastructure; * the reform of all institutions by screening and removing personnel who are deemed unsuitable for public employment, due to their willing participation in acts of violence and destruction during the war, from, for example, the security forces, the police or the judiciary.

References to Participation in Mauritius Report Tree Map



Name: References to Participation in Mauritius Report

<Files\\Mauritius.TJC_Report-FULL> - § 57 references coded [0.20% Coverage]

Reference 1 - 0.01% Coverage

vii. Kindergartens, as well as specialized schools for the handicapped children, with participation of families, could respond to real needs.

Reference 2 - 0.01% Coverage

Human promotion and community development rehabilitate the individual and his family in his dignity and upgrade the status of the population. To reach this goal, Integral Education, training, communication, information and participation in the development are the Key Concepts.

Reference 3 - 0.01% Coverage

an integrated development in Agalega.

The Resident Manager has a prominent role to play and should be referred to as the Representative of the Government on the Islands. His participation and that of the representative of the inhabitants are important to motivate action. A workshop or a round table thereon, with all stakeholders in situ, would help.

Reference 4 - 0.01% Coverage

and what happened to them.

What was the importance of the slave trade and slavery for, and in, Mauritius? What was the contribution of slaves to the economy and society of Mauritius? Slavery is often considered in Mauritius to be a separate institution from whatever else was going on in Mauritius; it is rarely seen as a product of colonial society and economy nor are slaves seen an intrinsic part of Mauritian society in the 18th and 19th centuries. How important was slavery to the economy of Mauritius and what was the value of slave labour? What was the extent of their participation in the economy? What ideology did slavery create in Mauritius? Why was there so much opposition to the abolition of the slave trade? Who benefited from the slave trade? What was the extent of Government participation in the slave trade? Why was there such a big increase in the slave trade in the 1770s?

Reference 5 - 0.01% Coverage

The package offered was applicable to all employees "wishing" for an early retirement and included cash compensation as well as a plot of land of 300 m2. This policy had started since 2001 with the participation of some 8000 employees and is referred to as VRS I.

Reference 6 - 0.01% Coverage

Although the feeling is that life was very difficult in the past, or wracked by "boukou mizer", as many informants described it in creole, that does not mean estate camp life was viewed only negatively. Actually, many of the informants looked back on estate camp life with a certain degree of fondness and described inter-ethnic relations as being harmonious, and everyone was living like a "family". Holidays were often opportunities for families to get together, and depending on the occasion, a goat would be sacrificed and

consumed, or a special meal of canned fish curried with tomatoes was cooked to celebrate the occasion, if finances permitted. During the harvest season, rituals were also performed and offerings made to the goddess Kalimai to ensure a good harvest, and more often than not, it was conducted with the active support and participation of estate managers and was usually led by sirdars. Masses and prayers were also organised for Christian and Muslim workers. The informants also described estate managers distributing presents to children at Christmas time and receiving bonuses during harvest season. And parents told their children stories at night in the absence of modern-day forms of entertainment, such as radio and television. Nonetheless, these reminiscences were tempered by the view that "Christians", or in other words, skilled Creole artisans and their families,³⁴⁸ lived in superior housing and sometimes looked down upon the inhabitants of estate camps. The paucity of reflections on the family life of white managerial staff points to a certain amount of social and possibly racial distance between employers and estate camp inhabitants.

Reference 7 - 0.01% Coverage

THE TRUTH AND JUSTICE COMMISSION

This neglect of the rights of female labourers, which probably goes some way towards explaining why they were paid less for doing some of the same types of tasks as men, may also reflect their marginal position in the Mauritian Sugar Industry since the days of indenture. Few women were 'indentured' in the 19th century but with the end of indenture, the rate of women's participation rates in the Sugar Industry's workforce gradually increased. The Great Depression, widowed women, poverty are some of the reasons cited but this needs to be more fully researched. Surra epidemics may also have been responsible as many women had previously stayed home to rear cattle.

Reference 8 - 0.01% Coverage

the Council, followed by Léchelle.

The participation of the Gens de Couleur in political life increased dramatically in the latter half of the 19th century, with the campaign for

Reference 9 - 0.01% Coverage

The Care of Elderly Persons

In line with the trend for the Republic of Mauritius, the population structure in Rodrigues is gradually changing towards an increasingly larger number of elderly persons. The age structure in the Republic has changed considerably in the past four decades. In Rodrigues, the number of persons aged 60 or above increased by 65% from 1990 to 2004. At the same time, the share of population above the age of 60 grew from 5.9% to 9.1%. The ageing population poses new challenges to the society, particularly in terms of care arrangements. Wider societal changes, such as the abandoning of the extended family system, increasing labour market participation of women and the gradual disappearance of the female care-giver model, all add impetus to the need for society to arrange for care of the elderly. In view of these changes and given the growth in the elderly population, it is important to set up facilities that can accommodate elderly persons who are not able to live with the family or on their own and elderly who are in need of day care services. The population projections, detailed below, indicate that the elderly population in Rodrigues will grow rapidly over the next 40 years and that the elderly population will come to constitute an increasingly larger share of the island's inhabitants.

Reference 10 - 0.01% Coverage

women is fair and right.

- Increasing economic participation and the likelihood that women would find decent and productive jobs so as to increase their economic autonomy, hence allowing them to escape poverty;
- Deliberate promotion of women empowerment

Reference 11 - 0.01% Coverage

non-traditional ways of learning;

□ Kindergartens, as well as specialized schools for the handicapped children, with participation of families, could respond to real needs.

Reference 12 - 0.01% Coverage

□ The Maurice Ile Durable project or Sustainable Development Project has so far favoured large commercial concerns and mega projects. Many companies and professionals are jumping on the MID bandwagon to obtain funds, while public participation is minimal and local population's interests in the environment and heritage not considered.

Reference 13 - 0.01% Coverage

THE COMMISSION RECOMMENDS

254. Human promotion and community development rehabilitate the individual and his family in his dignity and upgrade the status of the population. To reach this goal, Integral Education, training, communication, information and participation in the development are the Key Concepts.

Reference 14 - 0.01% Coverage

The Resident Manager has a prominent role to play and should be referred to as the Representative of the Government on the Islands. His participation and that of the representative of the inhabitants are important to motivate action. A workshop or a round table thereon, with all stakeholders in situ, would help.

Reference 15 - 0.01% Coverage

to as a research participant.

Human Research: means research conducted with or about people, or their data or tissue. Human participation in research is therefore to be understood broadly, to include the involvement of human beings through: (i) taking part in surveys, interviews or focus groups; (ii) undergoing psychological, physiological or medical testing or treatment; (iii) being observed by researchers; (iv) researchers having access to their personal documents or other materials; (v) the collection and use of their body organs, tissues or fluids (e.g. skin, blood, urine, saliva, hair, bones, tumour and other biopsy specimens) or their exhaled breath; (vi) access to their information (in individually identifiable, reidentifiable or non-identifiable form) as part of an existing published or unpublished source or database.¹

Reference 16 - 0.01% Coverage

risk of damage and destruction

When conducting research, the research participants establish a trustworthy relationship and, sometimes, comradeship with the researcher and this relationship forms the basis of the research and, particularly, fieldwork process. Participation in human research is, most of the time, from a voluntary and altruistic concern.

Reference 17 - 0.01% Coverage

to as a research participant.

Human Research: means research conducted with or about people, or their data or tissue. Human participation in research is therefore to be understood broadly, to include the involvement of human beings through: (i) taking part in surveys, interviews or focus groups; (ii) undergoing psychological, physiological or medical testing or treatment; (iii) being observed by researchers; (iv) researchers having access to their personal documents or other materials; (v) the collection and use of their body organs, tissues or fluids (e.g. skin, blood, urine, saliva, hair, bones, tumour and other biopsy specimens) or their exhaled breath; (vi) access to their information (in individually identifiable, reidentifiable or non-identifiable form) as part of an existing published or unpublished source or database.⁴

Reference 18 - 0.01% Coverage

It is important to stress that children and young people less than 18 years of age need special protection. Their participation requires the consent of both parents or where applicable of the guardian or caregiver or their standing consent to their child's involvement in projects in the school setting.

Reference 19 - 0.01% Coverage

The testimonies diverged on the recognition of the contribution of slaves with some recognising the participation of the slaves to the development of the country

Reference 20 - 0.01% Coverage

life of the island only.

The responses to the questions on the participation of slaves and slave descendants to the economic, social, cultural and political development of Mauritius indicated that for people these spheres are not interconnected but rather distinct and isolated. Only some informants mentioned that the slave descendants contribute to the economic development of the country by working in the sugar industry as skilled workers and labourers and that the Mauritian culture underpins the development of the tourism industry.

Reference 21 - 0.01% Coverage

Quan (2006, p.3) stated:

...Land is a capital asset offering opportunities for social and economic empowerment and thereby a springboard from which to escape from poverty. Secure rights to land are a basis for shelter, for access to services and for civic and political participation; they can also provide a source of financial security furnishing collateral to raise credit, as a transferable asset which can be sold, rented out... mortgaged, loaned or

bequeathed. Moreover secure access to land creates incentives for the user to invest labour and other resources in it so as to maintain its value and sustain its productivity, and allow the user access to social and economic development opportunities.

Reference 22 - 0.01% Coverage

their parents through informal education.

Based on the writings of Teelock (1998, p.182), Mauritian society and economy were developed on partly on the exploitation of children that was inherent to the slave system. The slave children were denied 'childhood' and 'although parents tried to limit their children's participation in hard physical labour, child labour was widely practised.'

Reference 23 - 0.01% Coverage

of succession by the Contractor.

(h) "Profits from the Slave Trade" shall mean any company advantage or financial benefit derived from the labour of Persons Subjected to Slavery or from Participation in the Slave Trade.

Reference 24 - 0.01% Coverage

With the end of indenture, however, the rate of women's participation rates in the Mauritian sugar industry's workforce gradually increased. According to Vijaya Teelock (2009:360), the Great Depression to a significant extent accounted for this increase. "Another effect of the Depression was to bring more women into wage labour: in 1921, there were for example, 9,373 Indian women working, by 1931 this had jumped to 14,674." These participation rates continued to increase after the Great Depression as more female labourers joined the ranks of the Mauritian sugar industry.

Probably no singular explanation can account for this dramatic rise in female participation rates in the Mauritian sugar industry as the twentieth century unfolded. The elderly female sugar estate workers who were interviewed by the AGTF's research assistants provide a number of different reasons as to why they decided to become labourers. Some women for example were forced to work after their husbands were incapacitated by a life-crippling injury, while others stated that after their husbands died, they had little choice but to become labourers in order to look after their children. Many of the informants also indicated that they opted to become labourers after

Reference 25 - 0.01% Coverage

AND SOCIAL CONDITIONS OF DESCENDANTS

getting married, though without always providing a succinct explanation for their actions. One is tempted to ascribe this decision to the need for women to play their part in contributing financially to the upkeep of poorer families, in view of the fact that there would be more mouths to feed after getting married and having children. But as tempting as it might be to point to rising levels of poverty as a way of accounting for these increases in female workforce participation rates, one has to temper this possibility against the knowledge that many women did not feel compelled to enter the workforce but instead preferred to stay at home in order to raise children or to work on their own land and to rear livestock (cf. ARLD 1950:30). One also has to ask why it is that sugar estates in Mauritius, which previously had shown an aversion to employing female labourers during the indentured labour period, increasingly opted to employ more female labourers over the course of the twentieth century. These numbers continued to increase such that by the end of the Second World War, female labourers accounted for almost half of the Mauritian sugar industry's workforce, or a maximum of 18,126 female labourers at the height of the crop season in 1945

(ARLD 1945:46). It is important to note, however, that more female labourers tended to be employed during the inter-crop period whereas men made up the bulk of field labourers during both the inter-crop and crop periods. The same logic used to determine how much men and women should be paid for the types of tasks they performed, also seems to account for the industry's preference to employ more women to do lighter tasks between crops and for men to do heavier tasks such as harvesting cane when the crop has to be harvested.

Reference 26 - 0.01% Coverage

Although the elderly sugar estate workers who were interviewed by the AGTF's research assistants confirmed that life was very difficult in the past, or wracked by "boukou mizer" as many informants described it in Creole, that does not mean estate camp life was viewed only negatively. Actually, many of the informants looked back on estate camp life with a certain degree of fondness and described inter-ethnic relations as being harmonious and everyone living like a "family". Holidays were often opportunities for families to get together, and depending on the occasion, a goat would be sacrificed and consumed, or a special meal of canned fish curried with tomatoes was cooked to celebrate the occasion if finances permitted. During the harvest season, rituals were also performed and offerings made to the goddess Kalimaya to ensure a good harvest, and more often than not, it was conducted with the active support and participation of estate managers and was usually led by sirdars. Masses and prayers were also organised for Christian and Muslim workers.

Reference 27 - 0.01% Coverage

eligibility to the 'Conseils de Commune' enabled the White elite to prevent the 'Coloured', as well as the British, from being members. The Whites thus managed to hinder the 'Coloured' population's political participation.

Reference 28 - 0.01% Coverage

This report documents the discourses, practices and experiences of race in Mauritius. This is no small task, given the complexity of identities and the complexities of social structure in Mauritius. The society is affected by racial prejudice, is cut across by class and caste and is still largely patriarchal. Furthermore, as a modernising State, Mauritius is experiencing new waves of immigration, the increased use of internet technology, an increased participation in global business as well as increasing numbers of international tourists. These changes are impacting on social relations transforming Mauritius into a globalised society and its people, global citizens. In view of the transformative capacity of globalisation one might ask why one would 'need' the investigation of racial discourses and practices, especially at a time when Mauritius is experiencing positive economic growth and has relative social stability. Is there not a risk that a report of this nature will bring about instability or further distrust? We, the team members, argue that this is not the case. As we found out, Mauritians long for an honest reflection on the past as well as an honest account of the present.

Reference 29 - 0.01% Coverage

The 'Franco-Mauritian' participation is also noticeably absent from the work of this researcher but was fortunately 'taken up' by another researcher. The latter (a South African of European descent) experienced 'better luck' in interviewing Franco-Mauritians. However, even she found that like the Sino-Mauritians, the

Franco-Mauritians constitute a minority and closed community with rigid and deeply-rooted racial barriers which make it difficult for non Franco-Mauritians to gain access to the latter and gain insights into their stereotypes and personal experiences. However, through informal social encounters and observations, it was possible to get fragmented information on social behaviour and attitudes that may or may not be useful displays of their idiosyncratic beliefs of their own racial superiority.

Reference 30 - 0.01% Coverage

CASTE SYSTEM IN MAURITIAN SOCIETY

But it is not forbidden in the least to assert one's belonging to a caste, in itself. In fact, the jati identity remains strong, especially in rural areas where it is at the core of social interactions. Their dynamism belies some critics' forecast that saw, in castes, a brake upon the country's growth and social structures as bound to disappear. Although the regulation of exchanges has become more flexible in large cities, and although people in general resent bringing up the issue of castes no longer existing, the jati still play an essential political and economic role. The development of communications and the media, and the Indra's participation in the process of globalization have entailed the rise of an important middle-class that partly clouds caste identities. The opposite seems to be true: social and political stakes, the development of forms of organizations based on jati at all levels of society tend to crystallize identities. These dynamics help to keep fine distinctions of status as private matters, particularly for marriages, whereas a more general mobilization in political action calls for reifying caste identities in pseudo-ethnic terms.

Reference 31 - 0.01% Coverage

Kindergartens as well as specialized schools for the handicapped children with participation of families could respond to real needs

Reference 32 - 0.01% Coverage

économique ». Channouf, 2010, p.18

"Il faudrait donc encourager les États à collecter et diffuser des données spécifiques sur la situation des enfants appartenant à des minorités et des enfants de travailleurs migrants dans les domaines de l'éducation, de la formation et de l'emploi, y compris des données sur l'âge de sortie de l'école, les niveaux d'alphabétisation, la participation de groupes particuliers à la formation professionnelle et les taux de chômage par rapport à la communauté en général, avec une ventilation par sexe et par groupe minoritaire ou de migrants ». Conférence mondiale contre le racisme, la discrimination raciale, la xénophobie et l'intolérance qui y est associée. Nations Unies. Comité Préparatoire. Première session. Genève, 1-5 mai 2000.

Reference 33 - 0.01% Coverage

Health Education on hygiene and nutrition in primary schools, with the participation of teachers, was part of the School Medical Service activities in the 1950s. Health exhibitions were also commonly held for pupils and the general public (MHD 1952).

Reference 34 - 0.01% Coverage

dedicated staff with an excellent

organisation, supported by an active participation of the community, succeeded in producing rapid and excellent results. The strategy consisted of surveillance and treatment of all detected cases with spraying of the foci. The last indigenous

Reference 35 - 0.01% Coverage

In fact, non observance of the terms of the Labourer's Contract on housing, medical care and treatment facilities, food and payment of wages were the sources of resentment expressed by the immigrants. The Royal Commission Report of 1875 is very candid on the recruitment process. At paragraph 4044, the whole system of recruitment in India was denounced on the following counts: (1) The recruiters in India, (2) The Protector in Mauritius, (3) The employers of labour (4) The Police, (5) The Magistrates and (6) The Legislative Council as the framers of the Labour Laws. On the last point, the Report found that in matters of the application of a New Labour Law of 1867 to address the issues of vagrancy, idleness, improvidence, inhumanity towards each other during epidemics, filthy habits and, participation in the crime of dacoitee, the 'Law was enforced both by the police and the Magistrates in such a reckless and indiscreet manner as to cause cruel hardship to a number of the Majesty's subjects' and that 'the spirit of the law was too often overlooked and even the letter of the law was often far out-stepped by the manner in which it was carried out'. Investigating on the form of treatment expended to the immigrants, William E Frere and Victor A. Williamson had acknowledged that the 'traditions of slavery' still prevailed on the island's Indian residents modelled on old fugitive slave laws.

Reference 36 - 0.01% Coverage

a team of dedicated health

workers, capable of providing continuing care. The challenge for decision makers is to mobilize the community for public participation in the fight against NCDs and to empower individuals in selfmanagement of chronic diseases within an environment that promotes healthy living.

Reference 37 - 0.01% Coverage

It is rarely seen as

a product of colonial society and economy, and slaves are not seen as an intrinsic part of Mauritian society in the 18th and 19th centuries. How important was slavery to the economy of Mauritius? What was the value of slave labour? What was the extent of their participation in the economy? What ideology did slavery create in Mauritius? Why was there so much opposition to the abolition of the slave trade? Who benefited from the slave trade? What was the extent of Government participation in the slave trade? Why was there such a big increase in the slave trade in the 1770s?

Reference 38 - 0.01% Coverage

other centres in the late

eighteenth century, with a decline in the dominance of Nantes-centred operations after the Seven Years' War. From then on, trade increased, with the average number of vessels departing from France each year and returning compared to that experienced in the pre-war period. Growth brought a greater participation of traders from other centres, including Bordeaux and La Rochelle. Prior to the war, vessels originating in Nantes represented more than 50 per cent of the trade, but only about 40 per cent in the period immediately following the war. The percentage of captives

Reference 39 - 0.01% Coverage

SLAVE TRADE 1720s TO 1820s

Robert Surcouf's participation in the slave trade is a case in point. While he is portrayed as a daring navigator and adventurer in a number of studies about him in Mauritius, his past as slave trader is not often mentioned. He started at the very young age, of 16, when he embarked on the *Aurore* in 1789. Apart from Mauritius, the ship went to Pondichéry and Mozambique, where 600 slaves were purchased for the Caribbean. Back in Ile de France in 1791, he found employment in the *Courrier d'Afrique* which engaged in the slave trade with Mozambique and later on *La Revanche*. Two further slave trading voyages were undertaken on *Le Navigateur*, when 312 slaves were purchased in Mozambique and a further 360 in Madagascar. In 1795, he was given the command of the *Créole* and proceeded on an illegal slave trading mission and was even threatened with prosecution. It is from then on that his 'career' as a corsair began. Roman, however, believes that Surcouf continued slave trading activities; the *Marie Ann* in 1819 went from Senegal to Martinique and in the *Victor*. Between 1815 and 1827, of the 20 expeditions organized by Surcouf, 6 of them, Roman believes, were slave trading voyages.

Reference 40 - 0.01% Coverage

change. Despite acquiring considerable economic resources, they still felt handicapped because of their ignorance and they gradually focused on the education of their children, which they were now in a position to pay for. Indian children were educated in the traditional knowledge through *Baithakas* and *Madrasas*. In fact, *Baithakas* contributed very significantly not only to inculcating the initial education in the children but were also vital in the emergence of community consciousness among the immigrants. The first demand from the Indian immigrants for their participation in education, as traced by C. Kalla, came from the Muslim community towards the end of 1880s when a petition signed by more than 7,000 members of the Indian community was submitted to the Governor.²⁹⁰ This sectarian classification of this petition by Kalla was falling in line with the distorted explanation offered by the colonial administrators to reject the petition, and it does not carry much weight as Kalla himself mentions that the petition was signed by members of diasporic community across the religious affiliations. The possible lead was taken by a group of Muslim merchants who were emerging as economically influential class among the Diaspora. At the turn of the century, the attitude of the Indian immigrants witnessed a gradual positive change in favour of educating their children, as Governor Jerningham reported to the Secretary of State, 'The half-time schools are rapidly becoming full time second grade schools, a proof that Indian parents are anxious to give to their children the full benefit of a whole day's education'.²⁹¹ This affirmative outcome of this changed attitude soon began to be reflected in the increased representation of Indian community in different 'white collar' vocations like clerks and some even went to European countries after being educated at the prestigious Royal College, as a report observed in 1906:

Reference 41 - 0.01% Coverage

THE CONSEQUENCES FOR CONTEMPORARY MAURITIUS

the region, with the participation and support of leading local merchants and businessmen. These privateers preyed on British ships plying the Indian route. The excitement, with which news of some major "prises" were greeted in the island, underlines the dire situation of the local population during the last years of the Ile de France.

Reference 42 - 0.01% Coverage

with 60 factories in operation.

Following the British conquest, a shift towards sugar cane cultivation and sugar production built on relatively recent past developments; this shift was further enhanced by the participation of some

Reference 43 - 0.01% Coverage

to cover the costs involved.

Following this experiment, the planters sought and obtained the participation of the Government in the recruitment of indentured labourers from British India; the contracts would be signed before a Magistrate by the parties concerned. That would ensure that especially the indentured labourers would abide by the terms of the contract and, in particular, that the labourers did not change the sugar estate owner who engaged them in the first instance.

Reference 44 - 0.01% Coverage

and the Comoro Islands.¹⁵¹

Many Indian firms, especially from Gujarat, invested in the trade between Mauritius and India. The Table 18 gives an indication of their participation therein.¹⁵²

Reference 45 - 0.01% Coverage

of the Sugar Industry's affairs.

The concretization of the changes in the Government policy with regard to the Sugar Industry was embodied in the 1985-1990 Action Plan, published by the Sugar Authority in February 1985.²⁴⁸ The Policy Statement and Action Plan contained a number of recommendations which would form the basis of future far-reaching changes in the operation of the Sugar Industry. These changes included the closure of several factories, a "thorough study" on the centralization and modernization of sugar factories, the separation of milling and planting activities and a wider share ownership of the Industry to include participation by Government, the planters and workers. Looking back on the outcome of these recommendations, we can argue that the insight shown by those involved in planning the future of the Sugar Industry had a determinant influence over the evolution of the Sugar Industry during the following two decades.

Reference 46 - 0.01% Coverage

and increase sugar cane yields.

Accordingly, a certain number of measures were incorporated in the sugar reform in December 2007, after a deal was concluded between Government and the Mauritius Sugar Producers Association (MSPA). The measures referred to the transfer of some 2000 A (arpents) by the MSPA membership to Government for agricultural and social housing purposes over the duration of the deal; a package for métayers; the enhancement of equity participation by employees and small and medium planters in the various components of the sugar cane cluster; an independent study on the Independent Power Producers (IPPs); the maintenance of the sugar apportionment ratio for the tenyear duration of the deal; the liberalisation of the price of imported sugar sold on the local market so as to eliminate losses incurred on the sale of imported sugar; and the inclusion of interest charges in the costs that could be recouped in respect of the VRS, the ERS and the Blue Print.

Reference 47 - 0.01% Coverage

being set up by Government.

The seventh aspect relates to additional measures implemented to address the problems posed by the current indebtedness of sugar factories. The last element of the MAAS is to create synergies among the different stakeholders and foster cane cultivation agreements between millers and planters to ensure an adequate supply of canes to the former and remove the sugar loss constraints faced by the latter. This will enhance participation in equity. The eight specific measures of the strategy are essentially meant to regroup small planters, sustain difficult areas under sugarcane cultivation, move out of sugar cane, centralisation, right-sizing of the labour force, increase contribution to national electricity production, shift to ethanol production and optimise the use of sugarcane lands. Among these eight measures, we will focus on the 'pro-poor dimension' aspect of the MAAS which is related to the right sizing of the labour force via the implementation of the VRS, which in reality has given way to a completely different picture.

Reference 48 - 0.01% Coverage

Further, enhanced cane supply would

impact positively on the milling sector and other sugar/cane based downstream sectors, at a time when equity participation by employees and small and medium planters is being stepped up. Fourth, improved viability impacts positively on the 'pro-poor dimension' which is furthered given the participation of SMEs in the Field Operations Regrouping and Irrigation Project and lastly, land under cane, as opposed to abandoned land, affords better protection and preservation of the environment and fits well in the Maurice Ile Durable project and complies with the environment concerns of the EU. The extent to which all these objectives have been met needs to be evaluated.

Reference 49 - 0.01% Coverage

wages at time t (2)

where $t=L$ is the years the slave will be used that is the effective useful life of the slave. The U_t term is defined as upkeep costs in time t and the discount term δ defines the rate of time preference, where current investment and borrowing is traded off against future consumption. However, there are several types of uncertainty, which take the form of transaction cost discounts, to the value of a slave. The first, easily incorporated into equation 2 above, is uncertainty about commodity prices P_t . Secondly, owners were concerned about the possibility of slave revolts in groups, or escapes, either of which were likely to make the slave unavailable for service. Consequently, this form of uncertainty takes the form of a probability distribution defined over a discrete outcome set: either a slave continues in service, or is lost forever, due to escape or participation in a rebellion. Finally, there is uncertainty over the prospect of the abolition of slavery. Again, the form of the outcome is discrete, with a high probability that abolition will not occur, and some small probability that it will occur in any given year. Like escape, however, abolition is forever: if it occurs, the value of the slave is lost.

Reference 50 - 0.01% Coverage

7 to 8,000 souls.

Lack of priests generates lay participation

Reference 51 - 0.01% Coverage

public) made in Mauritius; (e)

Restricted opportunities for employment and career fulfillment in Rodrigues; (f) the impracticability of participation by residents of Rodrigues in the major education, cultural and sporting facilities located in Mauritius; (g) the lack of sustained development in Rodrigues; [... (h) omitted]; and (i) the special needs of Rodrigues in terms of accelerated development.”

Reference 52 - 0.01% Coverage

delegations on some international missions.

8. Sectors that do not fall under the purview of the RRA should, nonetheless, provide for its inclusiveness and active participation at national level.

Reference 53 - 0.01% Coverage

so for the coming generations.

To end this report, we would like to quote from “Sustainable Integrated Development Programme for Rodrigues” (SIDPR 2009) – Rodrigues in 2025 – An Enlightened View: “This blue-print for Rodrigues has been elaborated with the active participation of the local population during the period 2006-2008. The vision it embodies, represented by two fictitious characters below, Roland and Jeannine, whose transformed lives in 2025 are viewed as the product of a successful living and rolling integrated development process, originated from the 2007 Sustainable Integrated Development plan for Rodrigues (SIDPR).

Reference 54 - 0.01% Coverage

A LESSER DEPENDENCY 10. RECOMMENDATIONS

10.1.1 Human promotion and community development rehabilitate the individual and his family in his dignity and upgrade the status of the population. To reach this goal, Integral Education, training, communication, information and participation in the development are the Key Concepts.

Reference 55 - 0.01% Coverage

an integrated development in Agalega.

The Resident Manager has a prominent role to play and should be referred to as the Representative of the Government on the Islands. His participation and that of the representative of the inhabitants are important to motivate action. A workshop or a round table thereon, with all stakeholders in situ, would help.

Reference 56 - 0.01% Coverage

Agalega (Ref,10.1.2).

The award, taking effect from 1 July 2008, has brought a new impetus to the working population. A material change has occurred in the life of every family. It is now an excellent opportunity to start a new style of living with moral values, work discipline, focus on training and Education for the promotion of each and every individual, the family and the community. It is therefore imperative that training be given at all levels and that all avenues in Mauritius be explored. It is possible to achieve great progress in consultation with the residents. All developments and projects on both islands should be made known to the population, and

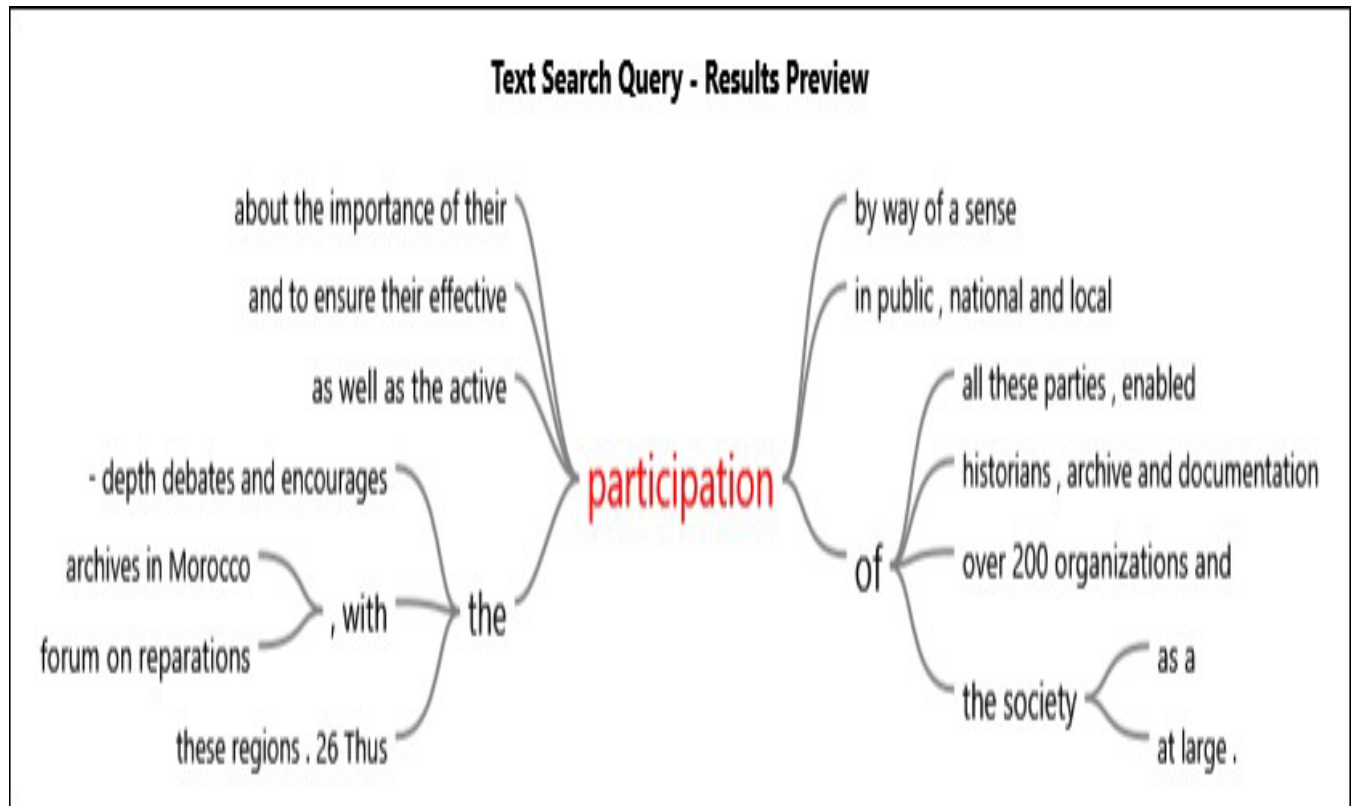
their participation encouraged, wherever possible, in order to avoid any doubt or confusion and even retaliation. The time will come when the residents will take in hand the development of their own islands through a Village Council System. Until then, support from stakeholders is necessary.

Reference 57 - 0.01% Coverage

local elite, marking the memorial

process that led to the emergence of a local heritage. This undertaking was initiated by the intention of the Société to promote local history. Although the promotion of human sciences is not the primary mission of the Société, its participation in the cultural life of the colony was very active. As early as 1858, the members of the Société Royale expressed their intention to encourage historical research financially and intellectually. They argued that the richness of events that took place in Mauritius deserved to be researched for transmission to future generations (RSAS, 1860:217). This ambition led to the creation of a section on History and Literature within the Société on 22 June 1859 (SRAS, 1870:8). This committee proposed to recompense the members that would produce a contribution on the history of Mauritius, or scientific or literary publications (RSAS, 1860:334).

References to Participation in Morocco Report Tree Map



Name: References to Participation in Morocco Report

<Files\\Report_TRC_Morocco-Equity-and-Reconciliation-Commission_IER_-English-Summary-of-Report> -
§ 8 references coded [1.51% Coverage]

Reference 1 - 0.25% Coverage

Thus the participation of all these parties, enabled the definition of adequate economic development plans consistent with the comprehensive notion of communal reparations. This process led the Commission to issue recommendations towards strengthening already existing projects as well as adopting other projects that had not been planned, all of which bolstered the communal reparations approach and the related arbitration mechanism.

Reference 2 - 0.08% Coverage

- Organized a national forum on reparations, with the participation of over 200 organizations and 50 national and international experts;

Reference 3 - 0.15% Coverage

Council for Audio-Visual Communication.

These developments significantly contributed to citizens' awareness about the importance of their participation in public, national and local affairs. They further contributed to strengthening freedoms of expression, press, association and demonstration.

Reference 4 - 0.50% Coverage

Thus, the Commission gave a priority to the rehabilitation of victims of gross human rights violations, through rehabilitation and reinsertion programs, efforts to restore their dignity, through communal reparations empowering the society at both the local and national levels towards participating in the ongoing democratization of the country, to restore trust in a state of institutions and the rule of law, and to ensure their effective participation by way of a sense of citizenship that fosters social justice and the belief in a truly modern democratic society.

In its truth-seeking mission about past violations, the Commission opted for an open methodology that integrates open and in-depth debates and encourages the participation of the society at large. This strategic choice gave precedence to the principle of state responsibility rather than individual responsibility.

Reference 5 - 0.10% Coverage

To that end, the Commission held a seminar about archives in Morocco, with the participation of historians, archive and documentation experts who sought the following:

Reference 6 - 0.08% Coverage

Summary of the Final Report

justice, security, order maintenance, education, and permanent training, as well as the active participation of the society as a whole.

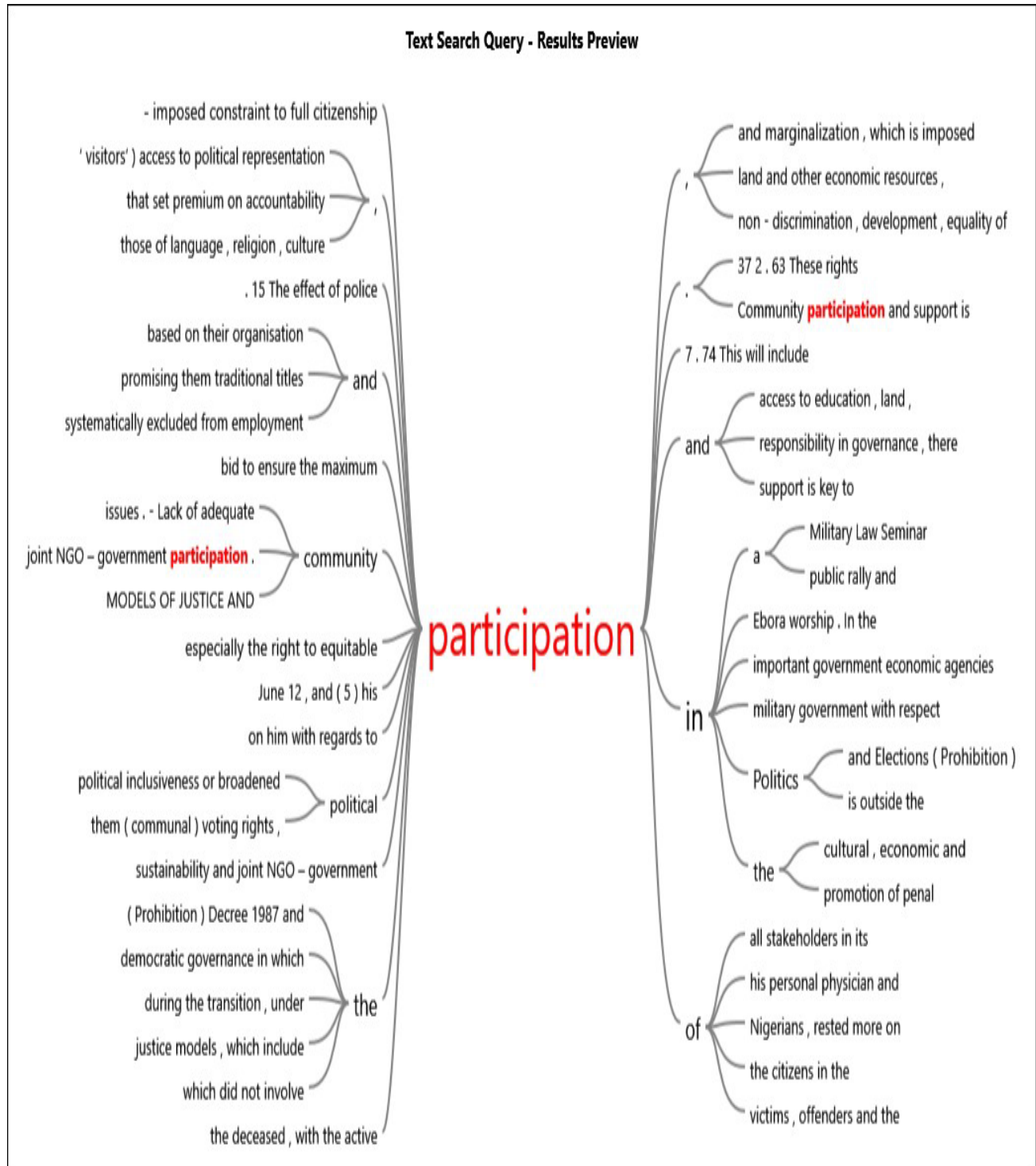
Reference 7 - 0.08% Coverage

- Organized a national forum on reparations, with the participation of over 200 organizations and 50 national and international experts; and

Reference 8 - 0.28% Coverage

Based on the results of its final report, the Commission recommends the development of a comprehensive national strategy, integrated and multi-faceted in this field. This strategy should be based on the notion that the struggle against impunity requires, in addition to legal reforms, the development and implementation of a general set of policies in the fields of justice, security, order maintenance, education, and permanent training, as well as the active participation of the society as a whole.

References to Participation in Nigeria Report Tree Map



Name: References to Participation in Nigeria Report

<Files\\Nigeria.HRVIC_Report-FULL> - § 24 references coded [0.29% Coverage]

Reference 1 - 0.01% Coverage

As one of our research teams pointed out, quite correctly, our national experience with federalism shows that the problem of marginalization is at the bottom of minority ethnic group fears of the curtailment or violation of substantive human rights—the right to selfdetermination, the right to the promotion of their cultural rights, and their citizenship rights, especially the right to equitable participation in the cultural, economic and political life of the country.

Reference 2 - 0.01% Coverage

I only wish to observe here that we need to distinguish between marginality, which is a self-imposed constraint to full citizenship participation, and marginalization, which is imposed from the outside by wielders of political and economic power and is therefore historically deeprooted and structurally-determined.

Reference 3 - 0.01% Coverage

our national experience with federalism shows that the problem of marginalization is at the bottom of minority ethnic group fears of the curtailment or violation of substantive human rights—the right to selfdetermination, the right to the promotion of their cultural rights, and their citizenship rights, especially the right to equitable participation in the cultural, economic and political life of the country.

Reference 4 - 0.01% Coverage

between marginality, which is a self-imposed constraint to full citizenship participation, and marginalization, which is imposed from the outside by wielders of political and economic power and is therefore historically deep-rooted and structurally-determined.

Reference 5 - 0.02% Coverage

research reports and other documents

(petitions etc) submitted to the Commission show, while there were indications of cooperation and integration among the various peoples and communities in pre-colonial and colonial Nigeria, as well as political institutions that set premium on accountability, participation and responsibility in governance, there were also cultural and political norms, practices and institutions as well as economic institutions which entailed human rights violations and abuses, aggravating and deepening latent animosities and conflicts between the various communities and alienating individuals from the political system.

Reference 6 - 0.01% Coverage

postulated in this language of

rights, belong to human beings as such. They are "natural," in the sense that they are not rights granted by the state or government, which can withdraw them or abuse them, at will. Historically, they have emanated as claims and entitlements, which are asserted against the state, as part of the struggle for political emancipation and political inclusiveness or broadened political participation.

Reference 7 - 0.01% Coverage

In a bid to ensure the maximum participation of all stakeholders in its work, the Commission organized a retreat at the 46

Reference 8 - 0.01% Coverage

as well as its implementation, both of which did not involve the participation of Nigerians, rested more on economic than on political considerations. Apart from the fact that it seemed economically prudent to amalgamate the two territories, the one land-locked and the other with a long seaboard, it was felt that the more prosperous Southern Protectorate would subsidize its northern neighbour until such a time as it would become selfsupporting.

Reference 9 - 0.01% Coverage

banning and disqualification of certain categories of Nigerians from holding elective public offices during the transition, under the Participation in Politics and Elections (Prohibition) Decree 1987 and the Participation in Politics and Elections (Prohibition) (Amendment) Decree of 1989; (c) "one a little-to-the

Reference 10 - 0.02% Coverage

7. Trial itself violates Art. 7, therefore the executions arbitrarily deprived those sentenced to death the right to life, a violation of Art. 4. 8. Denial of blood pressure medication seriously endangered the life of one defendant, a second violation of Art. 4.9. The defendants' alleged culpability was based on their organisation and participation in a public rally and their work in an organisation. This logic adversely affects the right to assemble as well as constitutes government prejudice toward certain opinions, a violation of Arts. 11 and 10.1, as well as 9.2. 10.

Reference 11 - 0.01% Coverage

the group and collectivity (ethnic group, religious group, women), which are not as explicitly stated as those in the category of individual rights enshrined in the constitution and are therefore mostly implied, include those of language, religion, culture, participation, non-discrimination, development, equality of access and opportunity, justice, and self-determination. Violations of collective rights, as we shall see, generally have to do with systemic (local level, state level and federal

Reference 12 - 0.03% Coverage

and the Justice Gbadeyan's Kabba

disturbances tribunal of enquiry (1987), yet no lasting solution could be found. Indeed, the Judicial Commission of Inquiry on the Disturbances of September 1994 found that the tussle over the Obaro stool was one of the remote causes of the 1994 disturbances, with the Akumajila alleging that Mr M.F. Olobayo was imposed on them by the government and also that he "bought" Idomari support by promising them traditional titles and participation in Ebora worship. In the search for lasting peace, the Report of the Judicial Commission recommended that the principle of rotation between the Ilajo and Akumajila should guide succession to vacant Obaro stool as well as ascension to the two Ololu titles of Obajemu and Obadofin, which belong to all three family groups; and that to reduce if not eliminate discrimination against the Idomari, there should be legislation recognising them as the fourth group and fourteenth family of the Owe-Yoruba.

Reference 13 - 0.02% Coverage

sources of systemic deprivation and

human rights violations in Nigeria is the distinction often made between indigenes and non-indigenes of communities. It involves denying so-called non-indigenes (also called 'strangers', 'visitors') access to political representation, participation, land and other economic resources, and subjecting them to discriminatory treatment in matters like admission of children to school, notwithstanding their length of stay or residency and the fact that they pay tax and perform other obligatory citizenship duties. Discrimination against nonindigenes has been reinforced by official and legal provisions (the constitution for instance) and practices (such as different school fees for indigenes and non-indigenes), which privilege indigenes. Regionalism, statism and localism represent critical stages in the contemporary consolidation of this form of discrimination, but at the

Reference 14 - 0.02% Coverage

strewn across most local government

areas of Nasarawa state, but are most preponderant in NasarawaEggon, Lafia, Keffi, Obi, Doma, Keana, Karu, Kokona, Akwanga and Awe. With exception of Nasarawa-Eggon local government where they form the majority, (Eggons believed the local government was so named to create the impression that all Eggon are from there – they wanted it named Akun), the Eggon are treated as non-indigenes in the other local government areas. Furthermore, they allege that the creation of village areas and districts was manipulated to deny Eggon communities autonomous units, thereby subordinating them to alien rule, and denying them (communal) voting rights, political participation and access to education, land, employment and other economic resources.

Reference 15 - 0.01% Coverage

type of government has a

direct relationship with the observance and respect for human rights of the citizens in any political community or society. Governments and regimes that have little or no respect for the rule of law and the constitution of the country are more likely to have less respect for the rights of the citizens. As such, democratic governance in which the participation of the citizens in the political process is elicited and the

Reference 16 - 0.02% Coverage

account holders, as well as the ban in 1971 of the importation of secondhand clothing and stockfish, which were the main commodities for Igbo traders, made re-entry of Ndigbo into the national economy very difficult. This was especially because the process of indigenizing the economy through the sale and transfer of key enterprises to Nigerians was initiated in 1972, only two years after the war, and at a time Ndigbo lacked the wherewithal to compete with members of other groups for control of the economy and industrial sector. Ndigbo were also systematically excluded from employment and participation in important government economic agencies established shortly after the war, namely, the Nigerian Agricultural Bank (1971), Nigerian Standards Organization (1971), Nigerian National Petroleum Corporation (1971), and Nigerian Bank for Commerce and Industry (1973).

Reference 17 - 0.01% Coverage

prisons and penal reform issues.

- Lack of adequate community participation in the promotion of penal reform

Reference 18 - 0.01% Coverage

IMPLEMENTING NEW MODELS OF JUSTICE AND COMMUNITY PARTICIPATION 7.74

Reference 19 - 0.01% Coverage

include schemes on 'transformative' and

restorative justice models. This will highlight the traditional African justice models, which include the participation of victims, offenders and the community such as victim-offender mediation/conciliation, family group conferencing, community mentoring, community service etc. The model will highlight healing justice and redirect energy from emphasis on revenge.

Reference 20 - 0.02% Coverage

of criminal justice agents/health

professionals to improve their treatment of prisoners and detainees as well as the execution of programmes to address the problems faced by vulnerable prisoners – young offenders, women prisoners, foreign prisoners, mentally ill prisoners and prisoners on death row need to be encouraged. Planned interventions need to be well articulated, coordinated and monitored with in-built elements of sustainability and joint NGO–government participation. Community participation and support is key to providing long term validity and relevance for the programme. In addition, the military has to desist from interfering with the prison operations and statutory functions.

Reference 21 - 0.01% Coverage

regard to their constitutional implications.

8.15 The effect of police participation in military government
with respect to human rights

Reference 22 - 0.02% Coverage

account to his letters of

commendation from General Muhammadu Buhari, Gen. Chris Garuba, Gen. Ike Nwachukwu, etc. and emphasised that the reasons Gen. Abacha and his fellow travelers wanted to get rid of him include (1) His crime bursting role as a provost Officer which made him to step on some sacred toes and fraudulent officers like Abacha, (2) his insistence on Military professionalism and hatred by Gen. Abacha. (3) His complaint to the Chief of Army Staff in 1979/80 against discrimination meted out to him by Abacha for denying him sponsorship training abroad, (4) His stand on the actualisation of June 12, and (5) his participation in a Military Law Seminar which was approved by Army authorities and held at Enugu in 1994.

Reference 23 - 0.01% Coverage

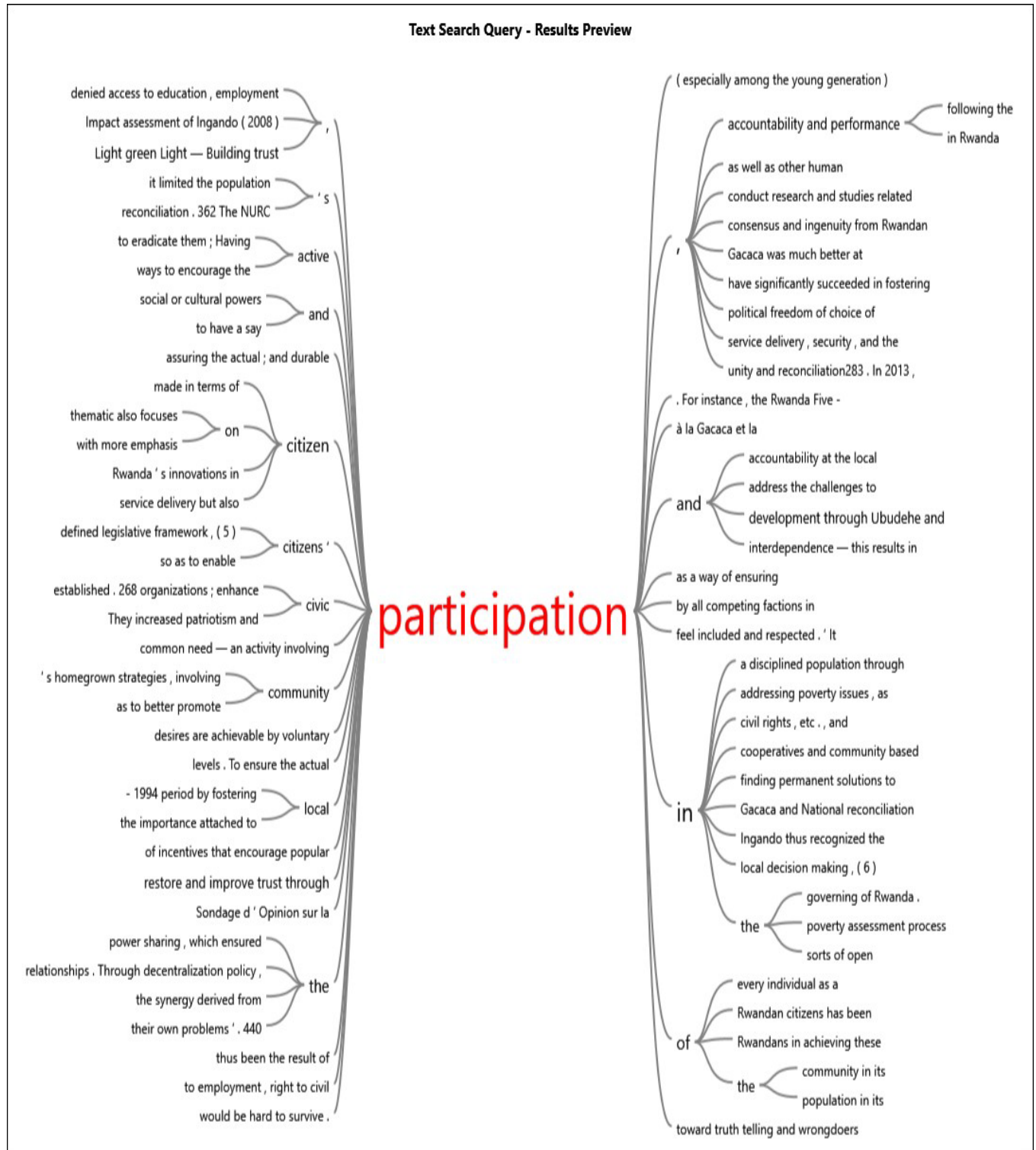
the rules of Natural Justice.

c) The petitioner's complaint as regards to the ban imposed on him with regards to participation in politics is outside the terms of reference of the Commission by reason of the fact that political right is not a fundamental human right issue.

Reference 24 - 0.01% Coverage

n) That although there was a comprehensive post mortem examination on the body of the deceased, with the active participation of his personal physician and other observers, there is still need to institute a further probe or inquiry on all the surrounding circumstances and activities leading to Chief MKO Abiola's death on the 7th July, 1998 having regard to the uncontroverted but revealing evidence of ASP Theodore B. Zadok before the Commission.

References to Participation in Rwanda Report Tree Map



Name: References to Participation in Rwanda Report

<Files\\Unity and Reconciliation Process in Rwanda> - § 32 references coded [3.12% Coverage]

Reference 1 - 0.12% Coverage

It is worth to note that the Tutsi who remained in the country were excluded from political and civil rights. Particularly, they were denied the right to education, right to employment, right to civil participation, as well as other human rights,⁸⁵ which was radicalized by the state. For example, President Kayibanda said that Two nations in a single state, two nations between whom there is no intercourse and no sympathy, who are as ignorant of each other's habits, thoughts and feelings as if they were dwellers of different zones, or inhabitants of different planets.⁸⁶ In the eyes of President Kayibanda himself, the issue of co-existence and pacific cohabitation between Hutu and Tutsi required the establishment of two separate zones; otherwise one ethnic group should disappear on behalf of the other.' Kayibanda went further by submitting to the UN and the former Belgian metropolis a proposal of zone redistribution, the Hutu-land and the Tutsi-land. The Tutsi-land would be the more habitable part of Bugesera, Buganza and all the territory, which had become the provinces of Kibungo and Umutara (the Eastern-part of Rwanda); and the remaining part of the country would be the Hutu Zone'. Unity, concord, mutual assistance, trust, collaboration, patriotism among Rwandans had thus lost their value and no longer existed.

Reference 2 - 0.14% Coverage

The formation of the Government of National Unity was therefore a clear indication that power sharing and inclusiveness were paramount for successful unity and reconciliation process in Rwanda. 4.2.1. Power sharing and inclusiveness Power sharing and inclusiveness, with the core principle that the winner does not take it all', was at the core of the principles of the new leadership headed by RPF. This was also in respect of Arusha Protocol of Agreement on power sharing, signed on 30th October 1992 and on 9th January 1993¹⁶⁹, between the then Government of Rwanda and RPF. After the 1994 Genocide against Tutsi, the most important action that RPF leadership took in rebuilding Rwanda is that it resisted the natural temptation of the winner takes it all'. Though it had just won the war and stopped the Genocide against Tutsi, the RPF focused on the principle of National Unity and Reconciliation and established a broad-based Government of National Unity, which included people from all walks of life (from all political parties except those which spearheaded the Genocide against Tutsi). The governance model of post-1994 Genocide's new leadership was aimed at not only restoring unity that Rwandans had before colonization, but also by taking it at a higher level that extends to the world. As indicated above, this was done through an inclusive model of power sharing, which ensured the participation by all competing factions in a new government—hence the establishment of the Government of National Unity, after the Genocide against Tutsi.¹⁷⁰

Reference 3 - 0.03% Coverage

197 Ensign Margee M. (2014). —Red Light green Light—Building trust, participation and development through Ubudehe and Imihigo. In Gasanabo Jean Damascene, David J. Simon, and Margee M. Ensign, *Confronting Genocide in Rwanda: Dehumanization, Denial, and Strategies for Prevention*, Kigali: CNLG, p.355-356.

Reference 4 - 0.05% Coverage

202 This stipend is used as collateral of short-term loans, capital for small-scale investment. Without this stipend, disabled ex-combatants acknowledge that it would be hard to survive. Participation in cooperatives and community based associations is one of the ways in which disabled ex-combatants can enhance their social and economic reintegration (Rwanda Demobilization and Reintegration Commission. Impact assessment of health insurance, housing, monthly allowances and other entitlements for disabled ex-combatants, Kigali, report July 2012, p.21-27

Reference 5 - 0.11% Coverage

of the country and in

the development of solutions to its problems.||216 In this regard, various mechanisms and programs were also proposed so as to enable citizens' participation and address the challenges to unity and reconciliation thus identified.217 This vast enterprise has included both universal and, above all, homegrown and community-based strategies,218 which were considered as mutually supportive, so as to usher in a new era where Rwandans would view each other in the mirror of unity and common destiny.219 In this regard, one of the most important mechanisms adopted at Urugwiro consultative meetings, and in accordance with the 1993 Arusha Peace Agreements, was the creation of the National Unity and Reconciliation Commission (NURC), in March 1999. 4.3. National Unity and Reconciliation Commission The country [Rwanda] was deeply divided along ethnic lines...and also many Rwandans were still refugees in neighboring countries. So, politics in Rwanda was based on divisionism. The establishment of the Unity and Reconciliation Commission would help build the understanding of unity and reconciliation of people who had come from different background to sort out problems that had been caused by previous [divisive] conflicts.220

Reference 6 - 0.03% Coverage

224 See: Les rapports annuels pour les années 2000, 2001 et 2002 et 2003. 225 See : Sondage d'Opinion sur la Participation à la Gacaca et la Réconciliation Nationale, Kigali, 2003 ; Sondage d'Opinion sur Le Processus de Décentralisation et de Démocratisation au Rwanda, Kigali, 2004.

Reference 7 - 0.07% Coverage

250 Some examples of research works carried out include, but not limited to: _The history of Rwanda, Community conflict in Rwanda: causes and solutions (2007), The process of decentralization and democratization in Rwanda (2004), Origin of conflicts in Rwanda (2003), The role of women in reconciliation and peacebuilding in Rwanda: Ten years after genocide-1994-2004 (2005), Social cohesion (2005-2008), Impact assessment of Ingando (2008), Participation in Gacaca and National reconciliation (2003), Land property and reconciliation (2005), Rwanda reconciliation Barometer (2010) Rwanda reconciliation Barometer-Qualitative (2012), etc...(NURC, 2009, 15 Years of Unity and Reconciliation process in Rwanda: The ground covered to-date, October, Kigali, p.16).

Reference 8 - 0.02% Coverage

organizations; enhance civic participation, conduct research and studies related to governance; document home grown solutions and provide policy advocacy to Government for achieving good service delivery, sustainable development and prosperity.

Reference 9 - 0.06% Coverage

To strengthen the principle of good governance, toward the promotion of unity and reconciliation, the Government of National Unity has engaged in the decentralization process with more emphasis on citizen participation, service delivery, security, and the use of decentralization-based home grown solutions (to be explored below) with the purpose of making citizens more enthusiastic and committed, while owning the process of unity and reconciliation. Rwanda's innovations in citizen participation and accountability at the local level, and how these innovations have successfully contributed to unity and reconciliation, have been important.²⁷³

Reference 10 - 0.10% Coverage

It is worth emphasizing, however, that prior to its implementation, other projects had been undertaken throughout Rwanda, which provided the groundwork for the decentralization policy to be formulated.²⁷⁶ They include a series of laws redesigned in different tiers of local government to institute the election of local leaders. They also include Community Development Committees (CDCs) set up to identify needs and priorities in their development plans and form the planning process at the local levels. To ensure the actual participation of the population in its development, the planning became a participatory process including all the different levels.²⁷⁷

In addition to the decentralization policy, the following support policies have been formulated: Fiscal and Financial decentralization policy, which seeks to provide adequate resources to fulfill local service responsibilities; Community Development Policy, aimed to allow the implanting of the national policy of decentralization by suggesting ways and means of assuring the actual; and durable participation of the community in its own development.²⁷⁸

Reference 11 - 0.21% Coverage

This was made possible through redesigned local administration that set up strong local planning and monitoring mechanisms. Local governments are nowadays the main implementers of national policies, executing more than 25% of the domestic budget,²⁸⁰ and employing 50% of the Rwandan administration.²⁸¹ Officially, decentralization has been a means of breaking away from the governance pattern of the pre-1994 period by fostering local participation. For instance, the Rwanda Five-Year Decentralization Implementation Program of 2004 stated the need to replace 'the sub culture of passive obedience which left people submissive to political and sectarian manipulation'.²⁸² With the belief that Rwanda's main resource are its people, the effective decentralization also led to successful rehabilitation of public socio-economic infrastructures (schools, health centers, telecommunications, energy, water, etc.), and citizens' empowerment so as to own their unity and reconciliation process, and hence the future of their country. Not surprisingly, a whole strand in the literature considers Rwandan decentralization as an exemplary reform that has not only fostered service delivery but also citizen participation, unity and reconciliation²⁸³. In 2013, the Commonwealth Local Government Forum (CLGF)—a part of the Commonwealth Secretariat—commissioned a study to evaluate Rwanda's decentralization programs compared to 'the Aberdeen principles'—12 principles for Local Democracy and Good Governance adopted by all members of the Commonwealth Local Government Forum (CLGF) on March 18, 2005. These principles include (1) Constitutional and legal recognition for local democracy, (2) political freedom to elect local representatives, (3) partnership and cooperation between spheres of government, (4) defined legislative framework, (5) citizens' participation in local decision making, (6) open local government—accountability, (7) open local government-transparency, (8) scrutiny of the executive, (9) inclusiveness, (10) adequate and equitable resource allocation, (11) equitable services, and (12) capacity building for effective leadership.²⁸⁴ The Aberdeen principles were thus used as the basis, or benchmarks, for analyzing and assessing Rwanda's local government system. The CLGF study concluded that:

Reference 12 - 0.04% Coverage

Rwanda have, through decentralization process, implemented the Aberdeen principles as a continuation of decentralization process. Considerable progress has been made in terms of citizen participation, political freedom of choice of local leadership, inclusiveness, transparency and accountability of local governments to mention a few. In conclusion, local governments in Rwanda have, through a decentralization process, implemented the Aberdeen Agenda since 2001.²⁸⁵

Reference 13 - 0.01% Coverage

that affect our lives.²⁸⁹

The new constitutional law has thus been the result of participation, consensus and ingenuity from Rwandan citizens, who

Reference 14 - 0.10% Coverage

Chamber of Deputies must belong to different political organizations (Art.58).²⁹² The ruling party can only have 50% of positions in the executive—a system, which allows other political forces to have a say and participation in the governing of Rwanda.²⁹³ The existence of political parties' forum (as emphasized previously), as a unity and reconciliation mechanism, is also provided for in the 2003 Constitution, notably in its Article 56, which stipulates that: Without prejudice to the independence of political organizations and their collaboration, political organizations officially recognized in Rwanda shall organize themselves in a consultative forum. The forum is mainly responsible for (1) facilitating exchange of ideas by political organizations on major issues facing the country, (2) consolidating national unity, (3) advising on national policy, (4) acting as mediators in conflicts arising between political organizations, and (5) assisting in resolving internal conflicts within a political organization upon request by that political organization.²⁹⁴

Reference 15 - 0.10% Coverage

The general objective of the National Policy on Unity and Reconciliation is _to build a united Rwanda in which all citizens have equal rights and are free to corporately participate in the governance and development of their country.'³⁰⁵ The policy serves as a monitoring and evaluation tool designed to measure the achievements made, challenges encountered, and strategies put in place by various organs in fostering unity and reconciliation.³⁰⁶ The policy acknowledges the wanton destruction of the national unity and that its reconstruction is an inevitable obligation for all Rwandans. It emphasizes that _unity and reconciliation is the only option that Rwanda has chosen' and that _it is the responsibility of every Rwandan to strive for these values and to ensure that they are attained and jealously safeguarded.'³⁰⁷ The policy also underscores the importance of the synergy derived from the participation of every individual as a must for the attainment of unity and reconciliation, as well as the mainstreaming and institutionalizing of unity and reconciliation in Rwanda's day to day programs. The guiding principles of the policy are:

Reference 16 - 0.19% Coverage

4.4.11. Imihigo—Performance contracts Unity and reconciliation challenges that Rwanda had, soon after 1994 Genocide against Tutsi, included how to ensure transparency and hold leaders accountable to the will

of the citizens and how to improve livelihoods without discrimination. One of these responses was the focus on the program called ‘Imihigo’ or ‘performance contracts’, introduced in 2006.³²⁵ Transparency and accountability have indeed been at the cornerstone of the Government of National Unity’s agenda toward unity and reconciliation in Rwanda. Accountability and transparency were also part of decentralization strategies in Rwanda. In fact, in 2000, a shift in the responsibilities of all levels of government as a result of a decentralization program required a new approach to monitoring and evaluation. Local levels of government were now responsible for implementing development programs which meant that the central government and people of Rwanda needed a way to rebuild citizens’ trust in governance institutions and to ensure accountability. This was achieved as local leaders are directly accountable to the communities they serve (citizen-centred development) through performance contracts (Imihigo). Imihigo (performance contracts) is the plural Kinyarwanda word of Umuhigo, which means to vow to deliver. Imihigo also includes the concept of guhiga, which means to compete among one another. Imihigo describes the pre-colonial cultural practice in Rwanda where an individual sets targets or goals to be achieved through performance within a specific period of time.³²⁶ Imihigo were thus among the mechanisms put in place in order to restore and improve trust through participation, accountability and performance following the 1994 Genocide against Tutsi. In Rwanda, the Imihigo constitute the focus of the planning process between the centre and the districts. Planning at district levels is through a five-year District Development Plan, disaggregated into yearly action plans from which a performance contract is extracted.

Reference 17 - 0.19% Coverage

New development projects have thus been conceived as opportunities to reunite Rwandans at local level around solidarity actions that promote the shared socio-economic goals.³⁴⁰ This agrees with the studies that have indicated that countries with negative growth rates can be primary sources of violence.³⁴¹ Victims are often denied access to education, employment, participation in civil rights, etc., and when chaos ends, it becomes the right time to address such imbalances.³⁴² In such case(s), socio-economic development in post-conflict is imperative for peace, and peace is paramount for unity and reconciliation process.³⁴³ As Collier, Sambanis and Wallenstein³⁴⁴ assert, the economic development is imperative in any post-conflict society because there cannot be peace without social, political and economic justice. In Rwanda, the divisive past, and the 1994 Genocide against Tutsi not only destroyed the country’s social fabric but also the economy and state structures. Rwanda was socioeconomically on its knees with the cumulative decline in GDP having passed the 60% mark by 1994.³⁴⁵ Therefore, the —rebuilding of social relations and unity must go hand in hand with socio-economic development...||³⁴⁶ For example, Rwanda recognizes that reconciliation process cannot be possible without focusing on poverty reduction strategies.³⁴⁷ This reflects the say in Rwanda that —when the stomach is empty, ears do not hear.|| In this regard, Rwanda aims to ensure human security, which goes beyond military considerations and includes all aspects of the community life; i.e. economic, social, and environmental security.³⁴⁸ The Government of Rwanda is particularly tapping into traditional forms of collaboration, notably those that adhere to the notion of contact, collectivity and cooperation, in the example of Ubudehe and Umuganda. The next lines and paragraphs are therefore aimed at discussing Rwanda’s key socio-economic-oriented mechanisms, strategies or programs toward unity and reconciliation, which are embodied within the country’s development roadmap—the vision 2020.

Reference 18 - 0.08% Coverage

Embodied in Vision 2020, like any other Rwanda’s development policy, the Economic Development and Poverty Reduction Strategy (EDPRS) was launched in 2006 as a continuum of the Poverty Reduction Strategic Paper (PRSP) for the period 2002-2006 within the implementation process of Vision 2020. Given that the mainstreaming of conflict prevention in PRSP (2002-2006) was limited, it was not until the launching of EDPRS workshop in early 2006 that the National Unity and Reconciliation Commission (NURC) suggested

the explicit integration of peace and reconciliation in the different sectors.³⁶¹ In the framework of the EDPRS, it is stated that Rwanda cannot achieve effective poverty reduction, without promoting peace, security and unity and reconciliation.³⁶² The NURC's participation in the poverty assessment process to mainstream reconciliation and unity in the

Reference 19 - 0.14% Coverage

5.4. Ubudehe—Community work

Ubudehe is a homegrown solution rooted in Rwanda's culture of mutual support. Traditionally, Ubudehe referred to the tradition of collective action, at community level, for community development that was actually re-established to enhance planning and implementation of anti-poverty measures.³⁹² The program was re-initiated towards the end of 2001 with the objective of enforcing community work at village or community level in order to alleviate poverty, and is considered a pillar of the ongoing political and financial decentralization process. Moreover, Ubudehe is also one of the mechanisms put in place in order to restore and improve trust through participation, accountability and performance in Rwanda since the aftermath of the 1994 Genocide against Tutsi. In Rwanda's early history, Ubudehe was a time for individuals to assist each other with collective activities, such as planting crops and building houses. Thus, there had been a tradition of communal or collective action and mutual assistance in times of need. By reintroducing Ubudehe program, the initial goal of Ubudehe was not limited to 'collective action'; instead, it became this time 'community work' so as to better promote community participation in addressing poverty issues, as well as fostering the culture of mutual support. Under this program, each village selects two poorest families; they then develop strategies with the larger community in support of two trained volunteers to help the later out of poverty. The poorest ones are selected based on the categorization of Rwandans' economic

Reference 20 - 0.01% Coverage

□ Having active participation in finding permanent solutions to Rwanda's problems and contribute to national unity;

Reference 21 - 0.07% Coverage

The participation in Ingando thus recognized the dignity and humanity of the participants as equal Rwandans. Irrespective of their roles in the Rwandan conflict, the Ingando form the starting point to unity and reconciliation.⁴⁴¹ From 1999 to 2009, more than 90,000 Rwandans participated in these programs aimed to clarify Rwandan history and the origins of division amongst the population, promote patriotism and fight Genocide ideology.⁴⁴² Major results of what Ingando have achieved can be observed in the following⁴⁴³: □ Over 200 students clubs of unity and reconciliation in universities and secondary schools are active in combating divisive and Genocide ideology among the youth, while promoting unity and reconciliation values;

Reference 22 - 0.26% Coverage

programs and the positive values of the Rwandan culture. Participants understood that cultural values could help them develop their judgment, psychology, work and mutual aid, life and collaborative relationships.⁴⁵³ Itorero was thus—and remains—an education forum, without discrimination or segregation, where Rwandans were mentored on civic education and good relationships with each other.⁴⁵⁴ When colonizers arrived in Rwanda, they found Rwanda's leadership very strong under, among other factors, the unifying Itorero. The first mandate of colonization has been to suppress the Itorero by changing its mission to focus

only on dancing. This situation impacted negatively on relationships among Rwandans and the way the country was governed.⁴⁵⁵ To restore national unity, reconciliation through Itorero was useful. Itorero indeed stands as an educative initiative aimed at re-introducing the culture of serving the country at no financial reward, encouraging patriotism, positive values, responsibility and selfless service— attributes that contribute to accelerating progress, promote social cohesion, peace and reconciliation and democratic governance. Itorero has nowadays been revived to promote values of unity, truth, culture of hard work and avoiding attitudes and mindsets that deter development, all aimed at speeding up the attainment of Vision 2020, MDGS and EDPRS.⁴⁵⁶ The Government of National Unity decided to reintroduce this practice as a way to rebuild the social fabric of Rwanda. Itorero, as a platform for educating Rwandans, was adopted following Umwiherero (Leadership Retreat) at the Akagera Game Lodge in February 2007. At this retreat, mandated institutions including the Ministry of Local Government (MINALOC), Ministry of Education (MINEDUC), Ministry of Youth, Sports and Culture (MIJESPOC) and the National Unity and Reconciliation Commission (NURC), were asked to establish strategies for the Vision 2020, the Millennium Development Goals (MDG), and the Economic Development and Poverty Reduction Strategy 2008-2012 (EDPRS) to be more understandable to Rwandans. These institutions were also tasked with finding ways to encourage the active participation of Rwandans in achieving these strategies through changes in mindset and work ethic.⁴⁵⁷ The Cabinet Meeting of 12 November 2007 approved the creation of the Itorero as the main contributor to speeding up the mindset change and, through this initiative, to achieve the objectives of Vision 2020. The President of the Republic publicly launched this program on 16 November 2007 and, in his speech at the closing ceremonies of activities of the Teachers' Itorero in 2008, reiterated the importance of Itorero by saying that the mission of the post1994 Itorero is to participate actively in the —mindset change of Rwandans about economic and social revolution.||⁴⁵⁸

Reference 23 - 0.09% Coverage

The Itorero thus strives to harness Rwandans and support them in addressing a number of challenges such as (1) low levels of social cohesion/engagement, (2) lack of values that help to promote positive attributes of Rwanda's culture and that help people especially the youth to grow up as responsible and productive citizens, (3) low levels of patriotism, (4) low levels of awareness on unity and reconciliation, (5) high levels of both unemployment and underemployment, (6) overall low levels of education, (7) low levels of entrepreneurship and high level of dependency, etc. Such desires are achievable by voluntary participation in a disciplined population through a well-organized National Service (Urugerero) Program, which is indeed provided for in Art. 47 of the Constitution of the Republic of Rwanda (2003) stipulating that —All citizens have the duty to participate, through work, in the development of the country; to safeguard peace, democracy, social justice and equality and to participate in the defense of the motherland.||⁴⁶⁴

Reference 24 - 0.11% Coverage

Given its decentralized nature and the importance attached to local participation, Gacaca was much better at involving the entire community, including survivors. Finally, through the process of local discussions and fact-finding, Gacaca proceedings developed a fuller picture of the nature of the violence that occurred and the responsibilities of different people. The confessions procedure, with its requirement for complete confession, including the names of all other people involved in the crime, set in motion an avalanche of confessions, including the implication of other people, which led to significant debates as people could explain themselves, implicate others, contextualize events and so on. Hence the Gacaca procedure produced more truth than the formal justice system has so far managed to do.⁵⁵⁷ Likewise, Gacaca provided a platform for victims to express themselves, encouraging acknowledgments and apologies from the perpetrators, and facilitating the coming together of both victims and perpetrators in a way that prevented

scenario for revenge.⁵⁵⁸ The confessions procedure brought significant reductions in length of prison sentences for those found guilty. Illustrative accounts of Rwandan citizens in this regard read:⁵⁵⁹

Reference 25 - 0.11% Coverage

Traditionally, the community used to play a role in Rwanda's life. Social relationships were based much more on the neighborhood than on interpersonal relationships. Through decentralization policy, the participation of Rwandan citizens has been considered at the center of development and problem solving. It is in this regard that the Inteko y'abaturage (literally translated as "citizens' council") has been used by local administration to solve community problems before they are unnecessarily brought to courts. The Inteko y'abaturage is thus a council at village, or cell level, which brings together village or cell members, once a month to discuss, and mediate about, all issues or problems that the community is facing so as to find solutions together. Issues pertaining to unity and reconciliation are also discussed toward mediation and restorative justice. These regular meetings are important as they constitute a favorable social arena or space (a suitable forum) that not only brings together different individuals, families, and communities, but also enables constructive dialogue among them in a way that is aimed at reconciling and uniting them.

Reference 26 - 0.05% Coverage

contribute to offender behavior.⁶⁰⁸

Restorative justice, form of transitional justice, was thus the justice mechanism adopted and supported by Rwandans, not only because of the necessity for Reconciliation and the restoration of Unity in Rwanda, but also because it was the only alternative. As put above, the western form of justice (formal courts, ICTR for example) did not provide the room for reconciliation because it limited the population's participation in the sorts of open dialogue, as Gacaca did, for example.⁶⁰⁹ In this regard, restorative or transitional justice adopted by Rwanda is understood as:

Reference 27 - 0.28% Coverage

Unity and Reconciliation suggest that a space for the acknowledgement of the past and envisioning of the future is the necessary ingredient for reframing the present. Acknowledgment is decisive in Unity and Reconciliation dynamic. It is one thing to know; it is yet a very different social phenomenon to acknowledge. Acknowledgement through hearing one another's stories validates experience and feelings and represents the first step toward the restoration of the person and the relationship. At the same time, Reconciliation must envision the future in a way that enhances interdependence,⁶²⁷ which is illustrated in the expressions of remorse/repentance, apology and forgiveness. It is clear that successful Unity and Reconciliation process, after divisions and violence, therefore necessitates, on the one hand, that the perpetrators voluntarily acknowledge their wrongdoings, repent, and apologize for these evildoings. On the other hand, it becomes much more beneficial when the survivors' voluntary forgiveness is also granted toward renewed relationships. This is indeed the approach that Rwanda adopted. Community-based mechanisms and programs (National summits, Grassroots and community consultations, Ndi Umunyarwanda, National dialogue Council, Itorero, Ingando, Gacaca, etc.), adopted by Rwanda, brought together Rwandans of all walks of life to discuss issues about Rwanda's past while envisioning or planning about the Rwanda's bright future. This, in turn, opened up for expressions of acknowledgement, apology and forgiveness regarding human rights abuses. As indeed pointed out earlier and although this remains a process, these mechanisms and programs enabled an encounter between Genocide perpetrators and survivors and provided a favorable space for perpetrators not only to tell the truth, but also to voluntarily acknowledge their wrongdoings, repent, and apologize for these evildoings, on the one hand, and survivors to forgive them, on the other hand. For example, the Gacaca law indicates a set of incentives that encourage popular participation toward truth telling and wrongdoers to acknowledge their wrongdoings and repent.⁶²⁸

Another example is that, after passing through solidarity camps (Ingando), former Genocide militia put up peacebuilding associations and clubs where they confessed their previous wrongdoing and pledge to build Unity and Reconciliation.⁶²⁹ In this regard, forgiveness—which however does not imply forgetting—entails foregoing feelings of resentment and a desire for revenge against the perpetrators, in a way that reconciles both sides and allows people to deal with memories of the past in a more constructive manner. Rwanda's dialogue-based mechanisms enabled active-public acknowledgment of crimes committed, and left open the possibility for victims to seek redress from perpetrators. Rwanda's approach thus addressed such worries like the thinking that forgiveness will entail the enforced forgetting of crimes, or that perpetrators will not receive the punishment they deserve.

Reference 28 - 0.14% Coverage

Other studies also indicated that Rwanda's homegrown strategies, involving community participation, have significantly succeeded in fostering trust and social cohesion. For example, RGB's Citizen Report Card indicates citizens' level of trust at 93%.⁶⁵⁴ The study conducted by the Institute of Policy Analysis and Research in Rwanda (IPAR) has also indicated a high level of trust by citizens for local politicians (82.9% in average) and national political institutions (89.8% in average), and a very high level of trust among members of the same family (95%).

All the above findings, which portray how much community-based solutions contributed/contribute to trust and social cohesion, match with theories that have shown that when the sides work together to satisfy a common need—an activity involving participation and interdependence—this results in a positive expectation that each side has in relation to the others. Each side expects that the other side would contribute to his or her well-being given that both sides were expected to share the success or the failure of their shared undertaking. It follows that they all strive towards the success of their shared undertaking, which implies a common understanding and eventually trust, with ultimately positive consequences on their relationships. The relatively simple act of trusting that each side would contribute to the well being of the other is thus an important aspect characterizing conflicting parties' improved and restored relationships.⁶⁵⁵

Reference 29 - 0.08% Coverage

Likewise, the socio-cultural and educative mechanisms, notably those favoring collective action (rooted in the traditional culture of working together) contributed to increased solidarity, and strengthened togetherness and national identity. They increased patriotism and civic participation (especially among the young generation), social integration and cohesion, and a sense of responsibility and love for the country. For example, Civic education (through Itorero and Ingando) provided to all Rwandans reinforced national identity (Rwandanness) and solidarity among them while nurturing as sense of ownership of their own destiny. Programs such as Imihigo and Ubudehe also re-energized national identity and patriotism while enhancing collective ownership of national problems, as well as commitment to finding solutions together.⁶⁶¹ Ensign expressed his optimism while concluding his recent

Reference 30 - 0.02% Coverage

4. Accountably governance: to improve the overall level of service delivery and ensure citizens satisfaction above 80%. This thematic also focuses on citizen participation as a way of ensuring ownership and feedback for efficiency and sustainability.

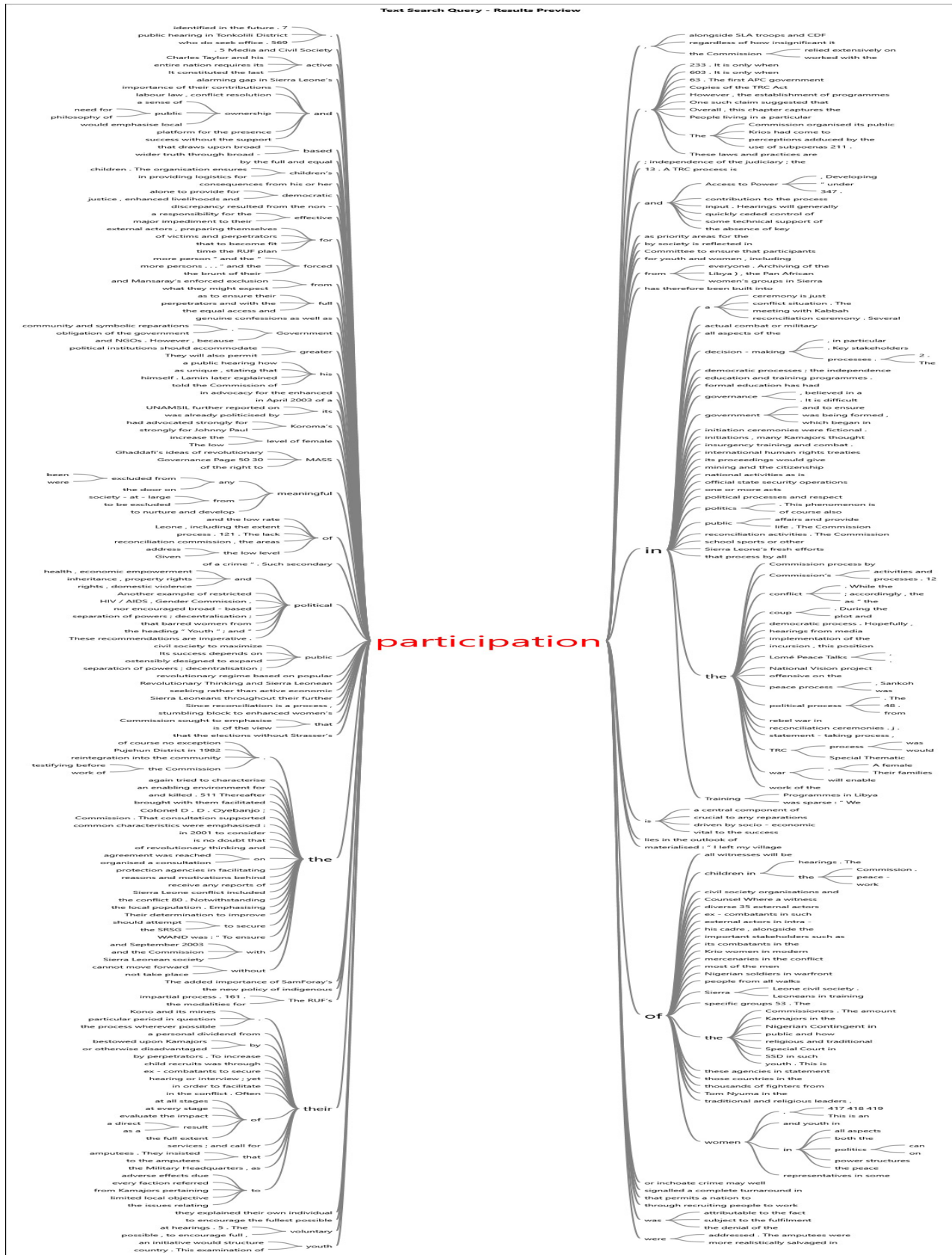
Reference 31 - 0.11% Coverage

The 'inclusiveness' fostered by these mechanisms implies, in agreement with Mani,⁷³⁵ a shared governance by a united community in which the past divisions of winners versus losers—'us' and 'them'—are overcome, and where those who earlier left excluded from political, economic and social or cultural powers and participation feel included and respected.' It is worth emphasizing that the 'inclusive community' does not mean evading the (perceived) differences between people. Instead, it means including all people, groups, and communities—despite their (perceived) differences—in the same political and civic community and partaking of the joint project of reuniting and rebuilding the society together. It is in so doing that the 'never again' vision aimed at preventing the society from the recurrence of divisions and Genocide is likely to be guaranteed. This also agrees with Mani's contention that —it is the forging of an inclusive political community out of the shards of violence that will be the touchstone of a peaceful future. By the same token, the failure to rebuild such an inclusive political entity could spark the embers for a future relapse into

Reference 32 - 0.02% Coverage

Ensign, M. M. (2014). —Red Light green Light—Building trust, participation and development through Ubudehe and Imihigo.|| In Gasanabo Jean Damascène, David J. Simon, and

References to Participation in Sierra Leone Report Tree Map



Name: References to Participation in Sierra Leone Report

<Files\\Sierra.Leone_TRC-Report-FULL> - § 168 references coded [0.82% Coverage]

Reference 1 - 0.01% Coverage

Many of the dire conditions that gave rise to the conflict in 1991 remain in 2004. As in the late 1980s, many young adults continue to occupy urban ghettos where they languish in a twilight zone of unemployment and despair. The Commission found that the youth in Sierra Leone were and continue to be excluded from meaningful participation in the political process. The Commission recommends the creation of a Youth Commission and a minimum percentage of youth to be represented as candidates in national and local government elections.²⁷ The role of the youth in Sierra Leone's civil war is set out in the chapter entitled "Youths and the Armed Conflict".²⁸

Reference 2 - 0.01% Coverage

The Commission holds that the right to the truth is inalienable. This right should be upheld both in national and international law. It is the exploration of the wider truth through broad-based participation that permits a nation to examine itself honestly and to take effective measures to prevent a repetition of the past.

Reference 3 - 0.01% Coverage

victims of human rights violations.

3. Membership of the Commission shall be drawn from a cross-section of Sierra Leonean society with the participation and some technical support of the International Community. This Commission shall be established within 90 days after the signing of the present Agreement and shall, not later than 12 months after the commencement of its work, submit its report to the Government for immediate implementation of its recommendations.

Reference 4 - 0.01% Coverage

An illustration may be helpful to show how these distinctions were of relevance to the work of the Commission. The participation of mercenaries in the conflict (Gurkhas, Sandline, Executive Outcomes) has been widely documented. The use of mercenaries is not a 'war crime', and as such it is clearly outside the jurisdictional purview of the Special Court. But the use of mercenaries is condemned by international declarations and treaties, and is clearly discouraged by the relevant international humanitarian law instruments.²² It may arguably be described as an 'abuse' of 'international humanitarian law', but perhaps one that is confined to international armed conflict. The use of mercenaries would not therefore seem to fall within the remit of the Special Court, but it is a matter that can be fully examined by the Commission (at the very least, to the extent that it is determined that an international armed conflict exists).

'Related to the Armed Conflict

Reference 5 - 0.01% Coverage

additional mandate regarding juvenile offenders

The OHCHR initiative in this area focused on the research study on traditional methods of conflict resolution and reconciliation, which was expected to provide the Commission with input on how various groups in Sierra Leone approached juvenile crime. Additionally, UNICEF, in 2001, organised a consultation on the participation of children in the Commission. The report of that consultation was a comprehensive study on how the Commission could partner with UNICEF and the child protection agencies in facilitating the participation of children in the Commission and ensuring that their rights were protected in the process.

Reference 6 - 0.01% Coverage

The third challenge was the recruitment of statement takers. Guidelines had been established for their recruitment. The Commission did not have the luxury of time to engage in an elaborate recruitment process. During the consultations the Commissioners had in all the districts between September and November 2002, the people had wanted assurances that the Commission would emphasise local ownership and participation through recruiting people to work in their respective communities. They believed that this would give confidence to prospective statement givers that those who would take their statements had the requisite sensitivity to customs and local mores. The project document on the Commission had stipulated that statement takers be recruited from NGOs and civil society organisations in the respective districts.

Reference 7 - 0.01% Coverage

In May 2003, the Commission organised the first research conference where the thematic themes were created and researchers assigned specific research topics. Further research conferences took place after the hearings in August and September 2003 with the participation of the Commissioners. The amount of information collected during the statement taking and from other sources was enormous. With only eight researchers, it became obvious that the October deadline for the submission of the report to the president of Sierra Leone was overly ambitious.

Reference 8 - 0.01% Coverage

During the conflict, women and children were the victims of the most brutal violations and abuses. It was necessary that they participated in all the activities of the Commission to ensure that their voices were heard. There was no single body or group representing victims' interests in Sierra Leone. There are instead various institutions and agencies, both local and international, providing services to women and children victims of the war. Many of these agencies existed long before the TRC was established and have been documenting violations and abuses, providing psychosocial support services and carrying out school enrolment and training programmes for women and children. The Commission worked closely with many such organisations. Furthermore, in 2001, UNICEF organised a consultation on the participation of children in the work of the Commission. That consultation supported the participation of children in the work of the Commission and outlined a number of measures to ensure the protection of participating children.

Reference 9 - 0.01% Coverage

The Commission entered into agreements with key partner organisations for the provision of technical support. A Project Co-ordination Agreement was signed in November 2002 between the Commission and United Nations Fund for Women (UNIFEM). This partnership with UNIFEM was intended to ensure that gender-based violence was properly accounted for during the Commission's work. It also served to

encourage the fullest possible participation from women's groups in Sierra Leone in the work of the Commission.

Reference 10 - 0.01% Coverage

Media and Civil Society Participation 13.

A TRC process is by nature a public process. Its success depends on public participation. The Commission organised its public interactions according to several principles. The most important of which was the need for public ownership and participation in the Commission's activities and processes, as emphasised in both the Lome Peace Accord and the TRC Act. The media was an important tool in that respect.

Reference 11 - 0.01% Coverage

Based on this philosophy of public ownership and participation, the Commission relied extensively on civil society to carry out the public education and sensitisation of its activities. The Commission developed partnerships with Sierra Leonean civil society organisations for public education on the different phases of its work. The implementation of the recommendations and in particular the reparations programme will depend in large measure on how civil society engages the government and other state institutions.

Reference 12 - 0.01% Coverage

The agreement entered into by the Commission with UNICEF and the Child Protection Agencies was to ensure that children had the full protections at all stages of their participation in the work of the Commission. Child protection agencies oversaw the process of children testifying before the Commission. The participation of these agencies in statement taking offered assurance, comfort and security to the children. Counselling and psychosocial assistance was on hand for children. It was important that the children's emotional and physical well-being was assured at every stage of their participation in the work of the Commission.

Reference 13 - 0.01% Coverage

The Law Group assisted in the formation of a Women's Task Force, a coalition of women's groups, which advocated for the creation of an enabling environment for the participation of women in both the TRC and the Special Court processes.

Reference 14 - 0.01% Coverage

Phase of the Commission 88.

Public education during the Preparatory Phase work focused on explaining its mandate and role, the kinds of processes involved in a truth and reconciliation commission, the areas of participation of the public and how the Commission was different from the Special Court, which had also been established by this time.

Reference 15 - 0.01% Coverage

A workshop was organised by UNIFEM and the Commission with the participation of civil society organisations and women from the provinces to garner input from them on the recommendations that the

Commission should make on women. A conference on reparations was organised by the TRC Working Group to make suggestions for recommendations to the Commission. The International Centre for Transitional Justice and the International Human Rights Law Group also facilitated a series of civil society consultations on the possible recommendations that the Commission should make. The outcome document was formally presented by civil society to the Commission at a public briefing organised by the Commission in December 2003.

Reference 16 - 0.01% Coverage

the statement taking process.

124.

In order to address the low level of statements given by members of the Republic of Sierra Leone Armed Forces (RSLAF), Campaign for Good Governance (CGG), another Sierra Leonean NGO, organised awarenessraising campaigns in March 2003 for soldiers in various regions of the country. Commissioners and senior staff, together with representatives of CGG, travelled to many military installations. The purpose was to give more detailed information on the TRC and its processes to the military and their dependents in order to facilitate their participation. Copies of the TRC Act and leaflets featuring questions and answers on the TRC were distributed. The CGG also assisted in the airing of jingles on statement taking on various radio stations in Freetown and in the provinces in March 2003.

Reference 17 - 0.01% Coverage

The last group that did not initially wish to collaborate with the Commission was the amputees. They insisted that their participation was subject to the fulfilment of certain conditions by the government. These conditions included the provision of housing, a monthly allowance in cash, rice allocations, education for their children, a reintegration allowance, medical treatment and assistance with transport.

Reference 18 - 0.01% Coverage

The Commission made considerable efforts to address these problems. A number of meetings took place between the Amputee Association and senior staff of the Commission. A meeting was organised by the TRC Working Group in February 2003 between representatives of the Amputee Association and the Commission, where all the issues relating to their participation were addressed. The amputees were sensitised to the fact that the Commission did not have a budget of its own to fulfil any of their demands. Furthermore, the Commission reiterated its independence from the government. The Commission sought to emphasise that participation in its proceedings would give amputees a forum to explain their plight and to make an input to the recommendations and reparations proposals.

Reference 19 - 0.01% Coverage

were addressed during these hearings:

- Governance in Sierra Leone, including the extent of participation in political processes and respect for human rights

Reference 20 - 0.01% Coverage

Further to the Framework for Co-operation established during statement taking between the Commission and the CPAs, an agreement was reached on the participation of children in hearings. The Commission provided a list of potential child witnesses. The CPAs conducted the necessary vulnerability and safety assessments and consulted with the children and their families. If approval was obtained, the children were prepared for a hearing. A social worker was always present at a child hearing, sitting next to the child and offering any emotional or other support required. After the hearing, the social worker conducted further visits to the child, to ensure no adverse consequences from his or her participation.

Reference 21 - 0.01% Coverage

211. Where individuals or organisations were unwilling to co-operate with the Commission in the fulfilment of its mandate, the Commission was compelled to resort to its powers of subpoena, as set out section 8(1) of the TRC Act. These powers were used very sparingly, since the spirit of co-operation was generally positive. The Commission preferred, wherever possible, to encourage full, voluntary participation from everyone.

Reference 22 - 0.01% Coverage

The voluntary participation of all witnesses will be encouraged at all times. The use of subpoena to attend a hearing will be a last resort in appropriate cases.

Reference 23 - 0.01% Coverage

meaning attributable to those facts

c. At those briefings, witnesses would be given information on the hearings procedures and the position of the witness during the hearing. They will also be told what they might expect from participation in the hearings from media coverage to the psychological impact of testifying about painful events. Post hearings actions and support will also be discussed, such as the consequences if any, for the perpetrators they identify and the Commission's anticipated timeline for report writing.

4. Witness protection.

The Commission

Reference 24 - 0.01% Coverage

be identified in the future.

7. Participation of Counsel

Where a witness is accompanied

Reference 25 - 0.01% Coverage

Consultation. There will be ongoing consultation with different sectors of civil society to maximize public participation and input. Hearings will generally be planned in collaboration with civil society institutions.

Reference 26 - 0.01% Coverage

The Commission heard submissions from a variety of authoritative sources that the war in Sierra Leone was largely the result of failures in governance and institutional processes in the country.⁴ Successive governments diminished the state's capacity to meet such critical challenges as the security and livelihood of its citizens, let alone to provide for democratic participation in decision-making processes. The Commission shares the view that unsound governance provided a context conducive for the interplay of poverty, marginalisation, greed and grievances that caused and sustained the conflict. The Commission hopes its treatment of issues of governance – by identifying past distortions, evaluating the adequacy of current remedies and making recommendations to fill the gaps – will enhance efforts towards national recovery, stability and reconciliation.

Reference 27 - 0.01% Coverage

The instruments of proper governance include laws, institutions, due processes and humane practices that lead to such desired ends as security, justice, enhanced livelihoods and democratic participation. The perceptions adduced by the Commission during its hearings indicate that Sierra Leoneans yearn for a principled system of governance. They want a system that upholds the rule of law over the rule of strong patrons and protects the people from the abuse of rulers through a system of checks and balances. They wish to see horizontal and vertical accountability through the effective operation of such institutions as the judiciary, the auditor general's office, the electoral commission, the media and civil society.

18.

Reference 28 - 0.01% Coverage

The Commission looked at the record of each of the post-independence governments on the following critical 'indicators': separation of powers; decentralisation; political participation; independence of the judiciary; the rule of law; and the existence and effective operation of oversight bodies and institutions of accountability. The Commission analysed approximations towards or deviations from proper governance on two levels. First, it reviewed the basic legal documents of the land, such as Constitutions and the evolving body of laws, to assess whether 'indicators' of proper governance were enshrined and guaranteed. Second, it assessed the manifestation of these 'indicators' in practice.

Reference 29 - 0.01% Coverage

In seeking answers, the Commission reviewed the multiple roles of women in the armed conflict, recognising that women often took on the role of perpetrator and / or collaborator usually out of conviction and / or the need to survive. The Commission assessed the impact of the conflict on women, notions of honour and the breakdown of the traditional extended African family structures and social fabric. It looked at the extent to which women's issues were addressed by disarmament, demobilisation and reintegration efforts; their level of access to education and the impact of the practice of early and forced marriages on the education of girls; and areas in which women suffer discrimination (both under common and customary laws), including marriage, divorce, inheritance, property rights, domestic violence and political participation.

Reference 30 - 0.01% Coverage

in responding to their needs.

59. While the full impact of the conflict has yet to be measured, children have been affected at all levels of their development, in particular their education and health. During the conflict, children in Sierra Leone

were denied their childhood. A major area of concern is the child-headed household, a direct result of children having lost parents or guardians in the war. The breakdown in family and community structures and the loss of social values have affected children materially and psycho-socially. These effects are enduring and far-reaching. A number of excombatant children are still bearing the brunt of their forced participation in the war. Their families and communities have in many cases rejected them because of their former affiliations. Girls especially have experienced both derision and rejection because they were forced to become 'bush wives' or sexual slaves.

Reference 31 - 0.01% Coverage

The Commission holds that the right to the truth is inalienable. This right should be upheld in terms of national and international law. It is the reaching of the wider truth through broad-based participation that permits a nation to examine itself honestly and to take effective measures to prevent a repetition of the past.

Reference 32 - 0.01% Coverage

The Commission holds that the right to the truth is inalienable. This right should be upheld in terms of national and international law. It is the reaching of the wider truth through broad-based participation that permits a nation to examine itself honestly and to take effective measures to prevent a repetition of the past.

Reference 33 - 0.01% Coverage

The political elite in successive regimes excluded society-at-large from meaningful participation in decision-making. Key stakeholders in society, including students, youths, and the populace of the Provinces, were marginalised by the political elite. Ultimately, these marginalised groups played a central role in initiating and fuelling the armed conflict.

Reference 34 - 0.01% Coverage

Notwithstanding the participation of thousands of fighters from other countries in the war, the overwhelming majority of atrocities were committed by Sierra Leoneans against Sierra Leoneans.

Reference 35 - 0.01% Coverage

The RUF's participation in the implementation of the Lomé Agreement drove a wedge between members of its political wing and the RUF combatant cadre. RUF monitors in the Joint Monitoring Commission and the Ceasefire Monitoring Committee were often subjected to harassment and physical abuse by members of their own faction.

Reference 36 - 0.01% Coverage

The AFRC faction was deliberately left out from participating in the Lomé Peace Talks at the insistence of the RUF. Accordingly, its terms and conditions for peace were not addressed in the resultant Lomé Agreement. The AFRC High Command had advocated strongly for Johnny Paul Koroma's participation in the Lomé Peace Talks, but these efforts were in vain. The AFRC therefore did not have a stake in the implementation of the peace agreement. The marginalisation of the AFRC at Lomé endangered the prospects of successfully implementing the Lomé Peace Agreement.

Reference 37 - 0.01% Coverage

The benefits bestowed upon Kamajors by their participation in initiation ceremonies were fictional. Initiation did not protect the subject from harm nor endow him with superhuman ability.

The Commission finds that initiation gave rise to ever-more irresponsible conduct on the part of those who underwent it. It artificially enhanced notions of the Kamajors' human limits and as such was a cynical and dangerous form of psychological manipulation. As a direct result of their participation in initiations, many Kamajors thought that they could not be killed by bullets.

Reference 38 - 0.01% Coverage

The Commission finds that the youth in Sierra Leone have been excluded from any meaningful participation in the political process.

The political exclusion of the

Reference 39 - 0.01% Coverage

The Commission finds that the youth were excluded from any meaningful participation in the political process from the late 1960s through to the outbreak of war in 1991. The exclusion of the youth from the political process occurred through the stifling of dissent and the freedom of expression, the creation of a one-party state and the total domination of the political scene by the APC.

Reference 40 - 0.01% Coverage

The Commission holds that the right to the truth is inalienable. This right should be upheld in terms of national and international law. It is the reaching of the wider truth through broad-based participation that permits a nation to examine itself honestly and to take effective measures to prevent a repetition of the past.

Reference 41 - 0.01% Coverage

Truth and Reconciliation Commissions represent one of the most viable means of securing a sustainable peace. Such commissions can strengthen the peace through the establishment of an impartial historical record of the conflict and the creation of a public understanding of the past that draws upon broad based participation.

Reference 42 - 0.01% Coverage

The Commission found that the political elite in successive regimes excluded society-at-large from meaningful participation in decision-making, in particular youths and women. The Commission highlights its recommendations to increase the level of representation for youths and women in representative politics, in cabinet and government.¹⁵

Reference 43 - 0.01% Coverage

See "Bringing Government and Service Delivery to the People" under the heading "Promoting See "Political Representation" under the heading "Youth"; and "Political Participation and Access to Power" under the heading

Reference 44 - 0.01% Coverage

Women Affected by the Armed Conflict, Domestic Violence, Sexual Violence, Sexual Offences under Customary Law, Police, Prosecutors and Judicial Officers, Discrimination against Women, Minimum Age of Marriage of Girls, Skills Training and Economic Empowerment, War Widows, Education, Access to Justice, HIV/ AIDS, Gender Commission, Political Participation and Access to Power, Developing Leadership, Achieving Equality, The Most Vulnerable

Reference 45 - 0.01% Coverage

Texts published in different countries cover constitutional rights, the court system, criminal procedure, consumer law, family law, labour law, conflict resolution and participation in public life.

Reference 46 - 0.01% Coverage

An alarming gap in Sierra Leone's participation in international human rights treaties is its failure to ratify the Convention on the Prevention and Punishment of the Crime of Genocide, which was adopted by the United Nations in 1948. Sierra Leone has also failed to cooperate with United Nations human rights officials, such as the Special Rapporteur on Extra-judicial, Summary and Arbitrary Executions, which is a special procedure of the United Nations Commission on Human Rights.⁴⁶

Reference 47 - 0.01% Coverage

121. The lack of participation by society is reflected in the 1991 Constitution. Chapter III of the Constitution is extremely elaborate and detailed, undermining clarity and the force of the text. There are numerous "claw-back clauses", by which a right is announced in one provision, but curtailed in the next. A bill of rights should be comprehensible and framed in straightforward terms. A bill of rights should provide an enumeration of the basic principles on which society is based, accessible to the citizen, instead of losing itself in details and exceptions. Some fundamental rights to which Sierra Leone is bound by international law do not figure at all, such as the right to education, which is recognised in articles 13 and 14 of the International Covenant on Economic, Social and Cultural Rights.

Reference 48 - 0.01% Coverage

The Commission commends efforts made by the Government and certain international agencies to decentralise government. Such efforts will bring government closer to the people. They will also permit greater participation in the democratic process. Hopefully, these efforts will result in improved delivery of public services.

Reference 49 - 0.01% Coverage

The Commission recommends that all political parties be required to ensure that at least 10% of their candidates for all public elections are youths.¹¹³ This includes national elections, local government and district council elections. Legislation should be enacted to make this a legal requirement. The National Electoral Commission should be required to enforce this minimum representation. Such a stipulation will require all political parties to nurture and develop meaningful participation of the youth. This is an imperative recommendation.

Reference 50 - 0.01% Coverage

Such an initiative would structure youth participation in public affairs and provide a training ground for tomorrow's leaders. The Commission supports this initiative and calls on Government to set in place the necessary legislative framework to make it work. The Commission also calls on Government and the donor community to resource this important programme.

Reference 51 - 0.01% Coverage

The Commission's recommendations to address structural inequality encompass law reform, access to justice, the abolition of discriminatory customary law and practices, the building of institutional capacity and the establishment of educational programmes to counter attitudes and norms which lead to the oppression of women. The Commission views education, health, economic empowerment and political participation as priority areas for the progressive development of women in Sierra Leone.

Reference 52 - 0.01% Coverage

These recommendations are imperative. Political Participation and Access to Power

Reference 53 - 0.01% Coverage

The Commission recommends that political parties be required to ensure that at least 30% of their candidates for public elections are women. This includes national elections, local government and district council elections. Legislation should be enacted to make this a legal requirement. The National Electoral Commission should be required to enforce this minimum representation. Such a stipulation will require all political parties to nurture and develop meaningful participation of women. This is an imperative recommendation.

Reference 54 - 0.01% Coverage

The Commission commends the establishment by the Kimberly Process in April 2003 of a Participation Committee to ensure that participants and applicants meet the organisation's minimum standards. The Commission calls on the Kimberly Process to ensure that participants in the Kimberley Process export only rough diamonds that they either legitimately produced or legitimately imported from another Kimberly Process participant.

Reference 55 - 0.01% Coverage

The victims who came before the Commission expressed the view that addressing their needs should be the obligation of the government. Government participation is a central component of a reparations programme. What distinguishes a reparations programme from a general recovery programme is that 1) in a reparations programme, the harm done to victims is acknowledged and 2) government involvement constitutes an acknowledgment that the violations were committed and that they deserve to be attended to, thereby going some way to restoring the citizen-state relationship. Government's adoption of the reparations programme is a necessary condition if the programme is to have any reparative effect on the victims. This responsibility of the government cannot be ceded or delegated to other potential sources of assistance, such as the international community.

Reference 56 - 0.01% Coverage

Programmes have already been implemented on the rehabilitation and inclusion of perpetrators into society, necessary elements of a successful transition. These programmes, such as the Disarmament, Demobilization, and Reintegration Programme (DDR), helped to assist ex-combatants some of whom were perpetrators of atrocities. As a consequence of the war, these excombatants have been alienated from their respective communities. They need opportunities for education and skills acquisition as well as gainful employment to foster self-esteem, economic growth and provide them with a sense of ownership and participation. However, the establishment of programmes to assist ex-combatants created an onus on the Government to replicate these efforts on behalf of victims.

Reference 57 - 0.01% Coverage

80. While the views of victims shaped these recommendations, the victims should continue to play an integral role in the formulation of reparations policy. Since the purpose of the reparations programme is to help restore what was taken from them and to improve their quality of life, victims should have a say in the process wherever possible. Their participation has therefore been built into the recommendations for community and symbolic reparations.

Reference 58 - 0.01% Coverage

In line with the guiding principle of feasibility and sustainability, many of the proposal reparations measures can fit into existing programmes that are currently being implemented by donor agencies and NGOs. However, because government participation is crucial to any reparations programme, the government is obliged to assist those existing institutions in faithfully executing the recommendations made.

Reference 59 - 0.01% Coverage

Government participation is vital to the success of any reparations programme. For this reason, reference is made throughout this report calling for government assistance. Government assistance, requires the government to finance the measures prescribed in the programme. It may also entail: (a) the government continuing a service where an organization or body does not have the capacity or the mandate to maintain its activities; and/or (b) the government seeking outside financial or donor support for any given measure mentioned in the programme.

Reference 60 - 0.01% Coverage

constitutional arrangements that granted increased representation to the numerically superior Protectorate were ostensibly designed to expand public participation in governance. It is difficult to escape the impression, though, that in reality these measures were the first steps by the colonialists towards reining in the vocal and perceptibly "over-educated" Krio elite.

Reference 61 - 0.01% Coverage

CHAPTER TWO Governance

Introduction 1.

The Commission heard submissions from a variety of authoritative sources that the war in Sierra Leone was largely the result of failures in governance and government institutions.¹ Successive regimes diminished the state's capacity to meet such critical challenges as the security and livelihood of its citizens, let alone to provide for democratic participation in decision-making processes.

Reference 62 - 0.01% Coverage

instruments of good governance include equitable laws, efficient institutions, due processes and humane practices that lead to such desired ends as security, justice, enhanced livelihoods and democratic participation. People living in a particular territory include citizens and non-citizens, as well as majority and minority groups. Proper governance is therefore not only about serving citizens, but also about regulating and securing the rights of minorities, of which non-citizens constitute a significant component.

Reference 63 - 0.01% Coverage

The Commission has looked at the record of each administration in the postindependence period on the following critical 'indicators': separation of powers; decentralisation; public participation in democratic processes; the independence of the judiciary; the rule of law; and the existence and effective operation of oversight bodies and institutions of accountability.

Reference 64 - 0.01% Coverage

Two Governance Page 50 30

MASS PARTICIPATION IN THE POLITICAL PROCESS 48.

Good governance necessarily encompasses democracy

Reference 65 - 0.01% Coverage

Another example of restricted political participation was the denial of the opposition's right to be heard over the national radio station operated by the Sierra Leone Broadcasting Service (SLBS).

Sir Albert's ultimately vain attempt

Reference 66 - 0.01% Coverage

The NRC junta was an aberration on the political scene. Having grabbed political power through a coup, the regime lacked legitimacy, which could only really be conferred on a regime through electoral success. The NRC was also extremely reluctant to implement the outcome of the 1967 elections, despite enormous popular pressure for the mass vote to be recognised. The regime neither represented nor encouraged broad-based political participation.

Reference 67 - 0.01% Coverage

Members of Parliament in 1978 had to join the APC party or face expulsion. Despite this objectionable downturn in the governance of the country, there is no indication that the 11 remaining SLPP MPs made any protest at the deliberate robbing of the right to mass participation in the political process. The opposition political elite instead proved that it would rather be included in the one-party structure than stand up for the cardinal democratic right and responsibility of the populace to choose candidates of its choice. The SLPP politicians, like their APC counterparts, have always preferred individual short-term survival over sound ideology, doctrines of principle or good governance. Thus in 1978, the SLPP members abdicated their responsibilities to challenge bad governance, their major focus instead switching to means of reaping the loot of co-optation.

Reference 68 - 0.01% Coverage

THE PREDECESSORS, ORIGINS AND MOBILISATION OF THE REVOLUTIONARY UNITED FRONT (RUF) The Rise of Revolutionary Thinking and Sierra Leonean Participation in Training Programmes in Libya 16.

The system of government adopted

Reference 69 - 0.01% Coverage

The current President of Sierra Leone, Ahmad Tejan Kabbah, told the Commission that Charles Taylor was "first received and even encouraged... as a result of some financial consideration paid by him (Taylor) to the higher echelons of the APC regime."¹⁴ President Kabbah then implied that the APC Government subsequently retracted its support without returning Taylor's bribe, apprehended Taylor for making such a request and detained him in state custody for a time. According to President Kabbah, "this conduct by the APC regime is a factor that might have provoked the hostility of Charles Taylor and his active participation in the rebel war in Sierra Leone... This country and its people have paid most dearly and are still paying for such improper conduct of the APC Government."¹⁵

Reference 70 - 0.01% Coverage

Ibrahim Dugbeh, who testified somewhat evasively to the Commission at its public hearings in Makeni, was originally a trained soldier in Doe's Armed Forces of Liberia (AFL), but was captured by the NPFL in 1990. He was 'turned over' to Sankoh's RUF and became a vanguard, apparently with something of a stake in Sierra Leone on account of his mother's nationality. Dugbeh described his case as unique, stating that his participation in training was sparse:

Reference 71 - 0.01% Coverage

In this light it is ironic that the wholesale mobilisation of the RUF vanguards from their training base at Camp Namma was actually the secondary component of the deployment plan. According to testimonies of those who were involved in the incursion, the vanguards were divided approximately in two, each half constituting an initial 'Battalion' of the RUF. On this point, the Commission's research indicates that despite being numbered up to 385, the vanguard contingent in fact comprised between 360 and 370 operational fighters. The discrepancy resulted from the non-participation of most of the men with vanguard numbers from 001 to 021, who were claimed by Foday Sankoh to be 'colleagues who will join us later'.

Reference 72 - 0.01% Coverage

combatants under their own command.

141. Commandership of the First Battalion on the Southern Front had originally been earmarked for Rashid Mansaray. He had been Sankoh's second-in-command throughout the period when the RUF was taking shape, including the training of the vanguards described above. However, due to the dispute between the two men and Mansaray's enforced exclusion from participation in the incursion, this position had to be re-assigned.

Reference 73 - 0.01% Coverage

to protect the people..."¹⁰²

261. Many of the SSD's functionaries had undergone advanced training abroad, notably in Guinea and in Cuba on state-sponsored programmes in the 1970s.¹⁰³ SSD officers were the enforcers of the will of the Government and were always on hand to perform specialist security tasks as a complement, or a substitute, to the RSLMF, as the Army was then known. Notably the SSD had made a decisive contribution to the quelling of the Ndorgboryosoi rebellion in the Pujehun District in 1982. The participation of the SSD in such operations invariably made the military acutely aware of its own inadequacies, but the poorly-funded and institutionally backward RSLMF could not aspire to even rudimentary improvements, far less parity in combat capacity with the SSD.

Reference 74 - 0.01% Coverage

271. In a series of speeches designed to encourage solidarity among the local population and the various expatriate communities based in Sierra Leone, President Momoh was eager to portray the efforts to defend Sierra Leone against the threat of the insurgents as an issue whose successful resolution was in the interests of all the countries of the sub-region. Within two weeks of the outbreak of hostilities, Momoh announced that both Nigeria and Guinea had "responded positively to our requests [for assistance] by sending military hardware and soldiers," ¹¹¹ although the sizes and mandates of the respective deployments from these states remained a topic of some confusion and consequent debate. The Nigerians, for example, were moved to correct rumours in their local press that as many as three Battalions had been deployed in Sierra Leone soon after the start of the conflict, announcing that in fact their contribution numbered only 800 soldiers and that its role was restricted to guarding "airports and other key installations to ensure their protection

from the threat of war.”¹¹² In effect it appears that Nigeria had simply bolstered the defence of Lungi Airport, whose strategic importance was as much derived from its use as a take-off and landing point for ECOMOG flights over Liberia as from its status as Sierra Leone’s only international airfield. Indeed, the Commission did not receive any reports of the participation of Nigerian soldiers in warfront activities in Sierra Leone until later in the conflict.

Reference 75 - 0.01% Coverage

he or she would require

considerably more time than that to become fit for participation in a conflict situation. The measured and multi-layered screening process undergone in respect of the Sierra Leone Battalion (LEOBATT) sent to Liberia was testament to the rigours of assembling a worthy fighting force out of the pre-war SLA,¹⁴¹ let alone out of the beast of burden that it had become.

Reference 76 - 0.01% Coverage

In Pujehun District, the fighters who were affiliated to the RUF in Phase I had always subscribed had a very limited local objective to their participation in the conflict. While the vanguards and early batches of junior commandos were set on the propagation of ‘Sankoh’s revolution’, the militiamen of the ‘Action Group’ styled themselves more as ‘defenders of the people’ against the proGovernment forces of the Army and ULIMO. It was always likely to be a confusing dichotomy for the military properly to understand. In trying to decipher the blurred lines between civil defence and rebellion, the Army often got it wrong and ended up targeting innocent civilians. Local people started to see the soldiers as the most likely abusers of their human rights, whereas the various squads of local militiamen fighting under the umbrella of the RUF were, conversely, a source of protection.

Reference 77 - 0.01% Coverage

Moreover the vigilantes often engaged in active combat, independently or alongside the Army, at the warfront. Although they were not usually provided with firearms by the soldiers, they had full authority from the SLA to fire their single-barrelled shotguns in defence of their people. Many of them became formidable vigilante fighters. Joseph A. S. Koroma was one such fighter in Pujehun District; he explained to the Commission in a public hearing how his participation materialised:

Reference 78 - 0.01% Coverage

Nevertheless, the Commission notes that the elections without Strasser’s participation were more realistically salvaged in spite of him rather than secured by him. Certainly Strasser’s political convictions seem to have fluctuated somewhat between April 1995 and January 1996. It is in these fluctuations and the reactions to them that one can best understand how the whole episode culminated in a peaceful handover to a new Government.

Reference 79 - 0.01% Coverage

The Commission has given primacy in its title for the third phase to the notion of power struggles. The Commission thereby aims to demonstrate the causes of the overwhelming majority of violations and abuses

committed in the conflict. Woven through almost every event in the foregoing narrative are conflicting notions of power, as seen through the eyes of those who pursued them. Members of every faction referred to their participation in the conflict as “the struggle”, giving the impression that it was waged in the name of the people. As the chapter on the Nature of the Conflict demonstrates, the dynamics are more complex than that.

Reference 80 - 0.01% Coverage

The problem was that the military was already politicised by its participation in government which began in the 1960's. The latest experience of governance during the NPRC regime created a hunger for the spoils of office in the serving soldiers. The miscalculations of the SLPP government fed into this hunger.

Reference 81 - 0.01% Coverage

Perhaps the most significant of all Hinga Norman's international partnerships was formed in the month of July 1997. It grew out of the diligent efforts of Reverend Alfred SamForay, an American-based Sierra Leonean with a robust network of contacts. The added importance of SamForay's participation was attributable to the fact that he liaised not only with Hinga Norman, but simultaneously with President Kabbah, Richard E. S. Lagawo and several other figures in the hierarchy of Sierra Leone's Government in Exile.

Reference 82 - 0.01% Coverage

Nyuma was expelled from Liberia along with his compatriots and returned to the USA. SamForay received information about this incident and relayed it to President Kabbah.³¹⁵ It constituted the last active participation of Tom Nyuma in the Sierra Leone conflict. It also spelled the enforced end of the President's plan to replace Hinga Norman as the National Co-ordinator of the CDF in the operation to restore the Government.

Reference 83 - 0.01% Coverage

Paul Koroma during this period.

ECOMOG Deployment Review Committee, chaired by Colonel D. D. Oyebanjo; The Participation of the Nigerian Contingent in the ECOMOG Operation in Sierra Leone; undated document marked 'RESTRICTED'; provided to the Commission in hard copy; September 2003; at paragraphs 82 and 134.

Reference 84 - 0.01% Coverage

The ECOMOG operation to conquer Freetown began on 2 February 1998 when the majority of the participating forces were airlifted to Hastings Airfield. The advance was hampered and hardly moved for over a week due to stout resistance, however. On all three of its routes, ECOMOG encountered heavy fortifications mounted by the AFRC, including a widespread presence of landmines. In addition, junta positions were initially defended by artillery support from elite mercenaries, apparently drafted in from the Ukraine. M. S. Dumbuya told the Commission of his participation in the offensive on the 'Regent Axis':

"Originally we were moving in

Reference 85 - 0.01% Coverage

ECOMOG Deployment Review Committee, chaired by Colonel D. D. Oyebanjo; The Participation of the Nigerian Contingent in the ECOMOG Operation in Sierra Leone; undated document marked 'RESTRICTED'; provided to the Commission in hard copy; September 2003; at paragraph 188.

Reference 86 - 0.01% Coverage

ECOMOG Deployment Review Committee, chaired by Colonel D. D. Oyebanjo; The Participation of the Nigerian Contingent in the ECOMOG Operation in Sierra Leone; undated document marked 'RESTRICTED'; provided to the Commission in hard copy; September 2003; at paragraphs 127, 125 and 189.

Reference 87 - 0.01% Coverage

ECOMOG Deployment Review Committee, chaired by Colonel D. D. Oyebanjo; The Participation of the Nigerian Contingent in the ECOMOG Operation in Sierra Leone; undated document marked 'RESTRICTED'; provided to the Commission in hard copy; September 2003; at paragraph 188.

Reference 88 - 0.01% Coverage

The two named persons, Tamba Gborie and Abu Sankoh (alias Zaggallo) in fact rendered confessional statements before the Court Martial in which they explained their own individual participation in the coup plot and that of fifteen others. None of the fifteen others mentioned in this regard was apprehended and tried before the Court Martial. July 2003

Reference 89 - 0.01% Coverage

ECOMOG Deployment Review Committee, chaired by Colonel D. D. Oyebanjo; The Participation of the Nigerian Contingent in the ECOMOG Operation in Sierra Leone; undated document marked 'RESTRICTED'; provided to the Commission in hard copy; September 2003; at paragraph 86.

Reference 90 - 0.01% Coverage

ECOMOG Deployment Review Committee, chaired by Colonel D. D. Oyebanjo; The Participation of the Nigerian Contingent in the ECOMOG Operation in Sierra Leone; undated document marked 'RESTRICTED'; provided to the Commission in hard copy; September 2003; at paragraph XX.

Reference 91 - 0.01% Coverage

Pujehun and Freetown, July to

ECOMOG Deployment Review Committee, chaired by Colonel D. D. Oyebanjo; The Participation of the Nigerian Contingent in the ECOMOG Operation in Sierra Leone; undated document marked 'RESTRICTED'; provided to the Commission in hard copy; September 2003; at paragraph 195.

509 TRC Confidential Interview with

Reference 92 - 0.01% Coverage

ECOMOG Deployment Review Committee, chaired by Colonel D. D. Oyebanjo; The Participation of the Nigerian Contingent in the ECOMOG Operation in Sierra Leone; undated document marked 'RESTRICTED'; provided to the Commission in hard copy; September 2003; at paragraph 195.

Reference 93 - 0.01% Coverage

of the former Brookfields Hotel.

1022. The morale among the young Kamajors was at an all-time low when the AFRC-led troop entered Freetown on 6 January 1999. The base at the Brookfields Hotel was attacked and ransacked within 24 hours of the initial entry and many of its Kamajor inhabitants were captured and killed.⁵¹¹ Thereafter the participation of the Kamajors in the defence of Freetown became something far more peripheral. Their deployment history and elementary training meant they were not suited to the travails of urban warfare in a built-up environment. As a collective force, their main contribution was reserved for the 'mopping up' phase that followed the main operation to liberate the city.

Reference 94 - 0.01% Coverage

1042. The military element would require the RUF to demonstrate a commitment to peace and a responsibility for the effective participation of its combatants in the DDR process. The political element would require meaningful concessions from the Government of Sierra Leone to build new national transitional institutions and assist the RUF in seeing through its transformation.

Reference 95 - 0.01% Coverage

in all my endeavours."⁵¹⁹

1050. Foday Sankoh also spent several weeks in Liberia during the preparatory phase of Lomé implementation, in the care of his long-standing ally President Charles Taylor. In order to arrange the modalities for the RUF's participation in the peace process, Sankoh summoned a host of senior RUF commanders to meet him at the Executive Mansion in Monrovia for a set of consultations with President Taylor and the Liberian Cabinet.

Reference 96 - 0.01% Coverage

1070. Many of the combatants therefore saw no reward in the disarmament process and refused to participate. Their strategy was to become one of 'stockpiling' weapons in secret locations or drifting out of the surveillance areas of the disarmament monitors.⁵³¹ As such the combatant cadre developed into a far more volatile and dangerous proposition in the peace process than its counterparts in the political wing could ever have been. Militarily and strategically, the combatant cadre was well-armed and well-positioned, with bases across most of the North of the country and unthreatened control of Kono and its mines. Their participation in the peace process was by no means certain and nor was Sankoh's ability to change their minds.

Reference 97 - 0.01% Coverage

1084. At around the same time the RUF plan for participation in Government was being formed, the ex-soldiers of the AFRC also reformed themselves. Johnny Paul Koroma's absence on the ground for eighteen months had given rise to well-publicised disaffection among the former AFRC soldiers he had left behind.⁵³⁸ The AFRC High Command, including Alex Tamba Brima (alias "Gullit"), Santigie Kanu (alias "Five Five") and Foday Kallay, had advocated strongly for Koroma's participation in the Lomé Peace Talks.⁵³⁹ However, they were overruled by their RUF counterparts and Koroma was deliberately cut out from the Lomé talks at the behest, mainly, of Sam Bockarie (alias "Mosquito").⁵⁴⁰ The collective leadership of the AFRC faction thus contended that they had been "totally unrepresented, unrecognised and marginalised"⁵⁴¹ throughout the Lomé negotiations.

1085. The official delegate of

Reference 98 - 0.01% Coverage

Information about the attack had also been relayed to Freetown through UNAMSIL channels, however, and its details were known to President Kabbah the same evening. Kabbah chose to express his concerns to the RUF Minister Mike Lamin rather than addressing Foday Sankoh himself. Lamin later explained his participation in a meeting with Kabbah to the Sierra Leone Police:

"I recall sometime in the

Reference 99 - 0.01% Coverage

so much as challenged him.

1308. The Commission finds that the West Side Boys acted upon the instructions of Johnny Paul Koroma in their engagement as part of the 'Peace Task Force' between 6 and 8 May 2000. They carried out Koroma's instructions as to the targets and mode of their operations. Koroma in turn derived authority to command these operations directly from the President. It was thus that the West Side Boys became part of the state security apparatus for the particular period in question. Their participation signalled a complete turnaround in the alignment of their faction, which further vindicated the Commission's impression of the essentially chameleonic character of many combatants who fought in the Sierra Leone conflict.⁷⁶⁷

Reference 100 - 0.01% Coverage

1337. In most of the testimonies from demonstrators, two common characteristics were emphasised: the participation of people from all walks of life; and the predominantly pacific nature of the marchers. One of the main organisers of the demonstration described it as follows:

"Nearly all civil society groups

Reference 101 - 0.01% Coverage

1398. The Commission notes that the West Side Boys had become frequent visitors to Cockerill Barracks, the Military Headquarters, as their participation in official state security operations had increased between 6 May and 8 May. They appeared to be welcomed as a result of the legitimacy newly bestowed upon them by the President's announcement that they would be reinstated into the Army. Tom Carew, the Acting Chief of Defence Staff, was one of those who participated in the mobilisation of Government troops as further reinforcements on 8 May 2000. Carew placed the leadership of this operation in the hands of the West Side Boys. 853

1399. This mission was to obliterate the chances of a peaceful resolution to the day's landmark events. Yet in his testimony to the Commission, one of the West Side Boys again tried to characterise the participation of his cadre, alongside the Kamajors, as being an indication of their 'peaceful' objectives:

"During that time they were

Reference 102 - 0.01% Coverage

1458. On 10 May 2000, UNAMSIL further reported on its participation, alongside SLA troops and CDF militiamen, in a search patrol through the areas where Sankoh was thought to be hiding. The objective of the patrol was to find Foday Sankoh, but the purpose of finding him was rather ambiguous. The report first stated that the patrol was "despatched to locate and rescue the Chairman [Foday Sankoh];" yet at its conclusion it spoke of "apprehending the escaping men."⁹⁰⁹

Reference 103 - 0.01% Coverage

The ECOWAS peace monitoring group, ECOMOG, in the course of its operations was responsible for a number of violations. While these violations were committed by troops from the troop contributing countries, the violations have been attributed to ECOMOG because it provided the institutional platform for the presence and participation of those countries in the Sierra Leonean conflict. The database of the Commission however contains the breakdown of the violations committed by troops from specific countries.

Reference 104 - 0.01% Coverage

Sierra Leone (RUF/SL) 232.

The RUF was a revolution that was still born even before it started. It was born out of opportunism. The original leader of the movement, Allie Kabbah, and the Pan African Union, the group of ex-student radicals who wanted to actualise a revolutionary regime based on popular participation in governance, believed in a revolution anchored first on the political education of the people. Military action would be the culmination of other preceding revolutionary activities. Believing that these antecedent actions had not taken place, the Pan African Union late in 1988 pulled out of the revolutionary project. The likes of Foday Sankoh with his military background, believed that armed force was all that was necessary to carry out a revolution. With the departure of Allie Kabbah and his group from Libya, Sankoh exploited the leadership vacuum by claiming ascendancy. The remaining members of the movement deferred to him because of his age and military experience. Even at the conclusion of training in Libya, the RUF had no document that espoused its beliefs. It was only in 1995 that it released "Footpaths to Democracy".

Reference 105 - 0.01% Coverage

whilst undergoing guerrilla training.

The exercise known by this name was originally conceived to be conducted on a circular 'running track' in a rough desert area on the outskirts of Tripoli. Recruits were given an onerous load to carry on their heads, such as a large plastic container filled with water or oil. They were then made to run (or stumble) around the circuit, the soles of their bare feet being torn open by the rough ground, whilst simultaneously kicking up sand and grit into their own and other trainees' faces. Trainers would stand on the edges of the circuit barking instructions at the trainees, sometimes slapping or kicking them to encourage greater speed. Any trainee who so much as tripped would be verbally lambasted and often physically beaten. If one should fall

to the ground during the 'halaba', he or she would be mercilessly flogged using sticks and other implements, including the butts of guns. The use of 'halaba' was retained by Foday Sankoh and the other Libyan-trained Sierra Leoneans throughout their further participation in insurgency training and combat. Thus, it was used to train the 'vanguards' of the RUF/SL on their camp in Namma, Liberia, and indeed to train the recruits who were brought into the RUF/SL after its incursion into Sierra Leone. At some point, probably between Libya and Liberia, the name of the exercise was warped from 'halaba' into 'halaka'; accordingly those recruits who were trained in 1990/91 in Liberia, or after

Reference 106 - 0.01% Coverage

manner. The coup plotters assigned to themselves very important political offices as a result of their participation in the coup. During the NPRC era, it was common to see Brigadiers and Colonels saluting their juniors (mostly captains and lieutenants). The impact on morale and discipline in the army was devastating and negated the core foundations for executing the coup.

Reference 107 - 0.01% Coverage

small handful of former Kamajors testified publicly about the full extent of their participation in the conflict; accordingly, the remainder of witnesses in that category did as much to confuse the Commission further with half-truths and convenient oversights as they did to assist in the creation of an impartial historical record. There was a marked absence of public testimony from Kamajors pertaining to their participation in actual combat or military operations. The Commission has depended largely upon closed testimony and confidential interviews to formulate its account of that aspect of the CDF's conduct. Moreover, very few witnesses were willing in any forum to discuss the details of their initiation ceremonies, which for many of them remain taboo.

Reference 108 - 0.01% Coverage

The first factor was the management of the economy. The popular expectation in the years before independence in many countries was captured by the Ghanaian Kwame Nkrumah in his refrain: "Seek ye first the political kingdom and all other things will be added unto you". The assumption was that political independence would free latent energies in the nation. The new state would churn out a host of policies to create and empower an indigenous entrepreneurial class, which was expected to be the engine of growth and development. In reality, however, the beneficiaries of these new policies turned out to be the political elite rather than the common people. Unfortunately for Sierra Leone, the indigenous elite preferred rent seeking rather than active economic participation and quickly ceded control of important economic activities to Lebanese and Syrian businessmen. Furthermore, the dominant economic management theories of the time favoured state intervention and centralised management of the economy. Leading members of the ruling elite sought to privatise state resources, thus depriving the nation of the benefits of its most valuable assets. Such "predatory domination" has been defined as the "conversion of political power and position into economic wealth for the benefit of the few at the expense of the many."³

Reference 109 - 0.01% Coverage

The combination of the new policy of indigenous participation in mining and the citizenship decree had two consequences. First, it consolidated the dependence of Sierra Leoneans - who did not possess the necessary capital - upon wealthier individuals, mainly the Lebanese, thus deepening the "supporter" system

that had begun in the 1950s. Second, since the right to acquire a mining licence was now restricted to citizens of African descent, many Lebanese invested through the local chiefs, using the chiefs' names to get licences and sharing the profits.⁵⁹

Reference 110 - 0.01% Coverage

In order to institute an efficient system of supply of items such as diamonds and gold, chiefs had to assemble a labour force from among their own people. In this regard, while the majority of those engaged in mining or auxiliary tasks appear to have worked on a voluntary basis, the Commission received testimony from aggrieved persons who claimed that they were forced into labour or otherwise disadvantaged by their participation. One such claim suggested that in the chiefdom they were "regimented" into performing different types of labour and heavily punished if they refused the "orders" of their chiefs.

Reference 111 - 0.01% Coverage

There are many reasons and motivations behind the participation of external actors in intra-state conflicts. These parties may be lured into a conflict by a shared ideology with one of the factions, or by ethnic, religious or other identity sentiments. Furthermore, the strategic importance of the conflict-affected state, geo-political interests or economic considerations could also be taken into account before intervening in intra-state conflicts. The involvement of external actors could also result from compliance with obligations under international protocols or membership of regional or international institutions, like the Economic Community of West African States (ECOWAS) and the United Nations (UN). The conflict in Sierra Leone was not a war imposed from outside: it was an internal armed conflict in which certain external actors became involved.

Reference 112 - 0.01% Coverage

More detail on the pre-conflict phase and, in particular, on the rise of revolutionary thinking and the participation of Sierra Leoneans in training programmes in Libya can be found in the chapter on the Military and Political History of the Conflict in Volume Three A of this report.

Reference 113 - 0.01% Coverage

ECOMOG Deployment Review Committee, chaired by Colonel D. D. Oyebanjo; The Participation of the Nigerian Contingent in the ECOMOG Operation in Sierra Leone; undated document marked 'RESTRICTED'; provided to the Commission in hard copy; September 2003; at page 8.

Reference 114 - 0.01% Coverage

108. On 18 January 2002, President Kabbah declared that the war was over at a symbolic ceremony at Lungi Airport. Among those in attendance were numerous external actors, preparing themselves for participation in Sierra Leone's fresh efforts to achieve sustainable peace and development.

Reference 115 - 0.01% Coverage

The UN Secretary-General, in his Twenty-first Report to the Security Council on the UN Mission in Sierra Leone, has stated that "violence against women, including sexual exploitation, as well as discrimination against women in law and in practice and the low rate of participation of women and youth in the political and administrative affairs of the country needs to be addressed."²

Reference 116 - 0.01% Coverage

High levels of illiteracy have also had implications at a political level, where women and women's issues have generally been relegated to the back burner. There has always been a great lack of awareness of the need for women to participate in issues affecting their lives, even among women themselves. It was therefore relatively easy for successive governments before the war to ignore issues affecting women and girls. The low level of female participation in formal education has had negative consequences in terms of economic viability, politics, health and social welfare level for women.

Reference 117 - 0.01% Coverage

main aim of WAND was:

"To ensure the participation of women in all aspects of the life of the nation."²⁴

Reference 118 - 0.01% Coverage

The Krios, descended from an "immigrant culture," did not have any such entrenched traditional belief systems that barred women from political participation. The Krios had come to Freetown to express their desire for freedom in all spheres of life. The culture of independence that they brought with them facilitated the participation of Krio women in modern politics.

Reference 119 - 0.01% Coverage

Such was the prevailing situation before the conflict. While politics all over the world is a male-dominated field at the best of times, undoubtedly the inherently patriarchal nature of politics has exacerbated the exclusion of women. Sierra Leone is of course no exception. The participation of women in politics on a mass scale in Sierra Leone was largely limited to the provision of moral support, the raising and collection of party funds, voluntary labour and the organisation of catering or entertainment in their various political parties. Women leaders were often lent the somewhat patronising sobriquet "Mammy Queen", indicating their aptitude in stereotypically "maternal" roles.

Reference 120 - 0.01% Coverage

still discriminatory against women.

115.

Customary law, as practiced in certain communities, clearly discriminates against the interests of women in areas such as marriage, inheritance, property rights and political participation. These laws and practices are a challenge for the enjoyment of women's rights, their advancement in the family and contribution to the political, economic and social development in Sierra Leone. Women are the victims of many forms of violence, yet the legal system does not provide adequate remedies to protect women and punish their violators. Traditional and cultural mores perpetuate gender stereotyping and greatly impact on the legal framework and practice relating to women.

Reference 121 - 0.01% Coverage

The two essential elements unique to the crime of sexual slavery are the “exercise of any of all of the powers attaching to the right of ownership over one or more persons...” and the forced participation in one or more acts of sexual violence.¹⁶² The ICC adds the requirement that this be accomplished by such acts as “purchasing selling, lending or bartering such a person or [persons, or by imposing on them a similar deprivation of liberty” which can include reducing a person to a servile status under the international law or forced labour. Sexual slavery is a form of enslavement identified by the fact that the perpetrator must cause the victim(s) to engage in one or more acts of a sexual nature.

Reference 122 - 0.01% Coverage

There is a growing recognition of the vast numbers of people who are internally displaced and who are forced to become refugees. In 1992, the SecretaryGeneral appointed a Special Representative on Internally Displaced Persons to develop a framework to protect their rights. Dr. Francis Deng, the expert, developed guiding principles on internal displacement. A positive development for women has been the fact that the Guiding Principles call for the specific recognition of the needs of women. They acknowledge the situation of female heads of households; emphasise women’s physical and psychological needs; reaffirm their need for access to basic services; and call for their participation in education and training programmes.²²⁵

Reference 123 - 0.01% Coverage

In terms of international law, the two essential elements unique to the crime of sexual slavery are the “exercise of any or all of the powers attaching to the right of ownership over one or more person” and the “forced participation in one or more acts of sexual violence”.²⁹⁸ In Sierra Leone, hundreds of abducted women and girls were compelled to endure the violation of “sexual slavery”. The Commission identified the act of “forced marriage” as synonymous with “sexual slavery”. This violation is colloquially referred to by Sierra Leoneans as being forced to become a “bush wife”. In describing the experiences of what the Commission has termed “sexual slavery”, the pattern that emerged was as follows: women were captured and abducted; they became part of the entourage of the armed group to which their captors belonged; and they were continuously sexually violated as their captors moved along with them. Again this violation was particularly prevalent for the RUF and the AFRC, who kept women as sexual slaves under what could only be termed “roaming detention”, which could last for time periods ranging from one or two days to several months and years.

Reference 124 - 0.01% Coverage

At different times in the conflict, the RUF and other factions carried out specific military operations against civilians, which invariably resulted in widespread human rights violations. The objectives of these operations on occasion specifically included looting. In particular, the campaign of attacks known as “Operation Pay Yourself” resulted in large scale looting by RUF and AFRC combatants eager to gain a personal dividend from their participation in the war. A female health worker who was working with MSF at Kenema in 1997 described how her possessions were looted by members of the AFRC junta:

“In 1997, during junta rule

Reference 125 - 0.01% Coverage

WOMEN AS PERPETRATORS AND COLLABORATORS

388. While women and girls bore the brunt of the violations as victims, they also played a multiplicity of roles including those of “perpetrator” and “collaborator”. While these experiences are not widely documented, it is not surprising that women also took sides in the conflict. Often their participation is driven by socio-economic needs, the need to protect themselves and their families or to improve the quality of their lives. They assumed varied roles, including becoming armed combatants, providing medical assistance, feeding armed groups and supplying opposing forces with intelligence information often at great risk to their lives. Taking on an active role in the conflict placed a woman in even greater danger than normal, as opposing forces treated women associated with enemy factions more brutally than their male counterparts.

Reference 126 - 0.01% Coverage

Peace and Security stated that:

“Members of the Security Council... affirm that the equal access and full participation of women in power structures and their full involvement in all efforts for the prevention and resolution of conflicts are essential for the maintenance and promotion of peace and security.”⁴¹⁸

Reference 127 - 0.01% Coverage

struggle for a strong women’s

voice in Sierra Leone in the broader struggle for women’s inclusion in peace initiatives around the world. The institutions and processes of peace, security and development, as well as societies at large, are made stronger and more effective by the full and equal participation of women.

Reference 128 - 0.01% Coverage

There is no doubt that the participation of women in the peace process as well as in civil and political affairs has contributed to the relative stability of the country in the aftermath of the conflict. The transition now provides women with an opportune moment to demand changes that will improve their status in all areas that affect them. While legal reform has been slow, the increased awareness by women of their rights has catalysed positive developments on a number of fronts affecting them. Some of these developments are listed below:

Reference 129 - 0.01% Coverage

There is little doubt that these changes would not have not come about without the combined efforts of women and NGOs involved in advocacy work for women’s involvement in politics. One such NGO is the 50 / 50 Group, which was formed in November 2000 with the objective of empowering women and enabling them to participate effectively in politics. Its stated mission is to increase the level of female participation in government and to ensure gender parity in all walks of life.⁵¹⁰ It has been involved in the training of both old and budding new women politicians. The funding for its training has come from the National Democratic Institute and the Westminster Foundation for Democracy, administered locally through the British Council of Sierra Leone.⁵¹¹

Reference 130 - 0.01% Coverage

However the biggest stumbling block to enhanced women's participation lies in the outlook of women themselves. Due to culture and tradition, women have been socialised into accepting that they should neither participate in politics nor seek to occupy positions of power, as these domains are "reserved" for men. It is an attitude that not only prevents women from attaining positions of political representation and leadership, but also in a perverse way discourages them from voting for and supporting the few women who do seek office.

Reference 131 - 0.01% Coverage

Participation in politics of course also requires access to financial resources, which most women lack. Women have identified a lack of access to finance as a major impediment to their effective participation in politics. This phenomenon is not unique to Sierra Leone; it is rather a worldwide trend that requires to be addressed through sustained, concerted efforts.

Reference 132 - 0.01% Coverage

Despite the various remaining obstacles, women in Sierra Leone are no longer willing to be passive onlookers in the political arena. Their determination to improve the participation of women in politics can be seen in the activities of NGOs such as the 50 / 50 Group and the Network of Women Ministers and Parliamentarians (NEWMAP). The latter is a caucus of women Ministers and parliamentarians who are working in league to put issues concerning women forward in every facet of the society. According to the 50 / 50 Group:

"Sierra Leone women are not

Reference 133 - 0.01% Coverage

The Commission was fortunate enough to have recourse to a report prepared by UNICEF, reflecting the outcomes of a consultative process that UNICEF had organised in 2001 to consider the participation of children in the work of the Commission. The report confirmed the support within the children's sector for children's experiences to be fully accounted for in the work of the Commission. It also highlighted challenges and areas of concern and proposed a variety of measures designed to protect children. The Commission took these proposals into account when designing its operational policies.

Reference 134 - 0.01% Coverage

The Commission resolved that it would reach out proactively to children so as to ensure their full participation in all aspects of the Commission's work. This approach would include sensitising children as to the role of the TRC, taking statements from them, having them participate in hearings and involving them in special hearings on children. The Commission's main objective in respect of children was to ensure that their voices should be heard, particularly in the final report and recommendations. The Commission also enacted policies to protect the security and well-being of children.

Reference 135 - 0.01% Coverage

Protection Agencies in Sierra Leone.

In terms of the agreement between the Commission and the CPAs, the practice of the Commission was to hand over a list of child witnesses to the CPAs before a hearing was held. The CPAs conducted vulnerability and safety assessments and consulted with the children and their families. If approval was obtained from the families and the child was willing to testify, the children were prepared for the hearing. Social workers would also be present at hearings ready to offer emotional support if necessary. Once a hearing had taken place, the social workers would conduct further visits to the children in order to ensure that they had not suffered any adverse effects due to their participation in the Commission's processes.

Reference 136 - 0.01% Coverage

During the conflict period, children continued to be recruited into the Army in the most bizarre circumstances. One method of identifying child recruits was through their participation in school sports or other physical exercise.²⁴³ Children would be subjected to activities such as long-distance running. Their ability to finish in an impressive time would see them awarded a place in the Army, as they were considered sufficiently energetic and fit for the job.

Reference 137 - 0.01% Coverage

380. A number of ex-combatant children are still bearing the brunt of their forced participation in the war. Their families and communities have rejected them because of their former affiliations with some of the armed factions and those violations they had committed while in the group. They are punished by their societies and "re-victimised" for having been forced into becoming soldiers in the conflict. Girls particularly have experienced both derision and rejection because they were forced to become "bush wives" or sexual slaves. In the case of those who came back with babies, both mother and child have been rejected and taunted. Ironically the society that failed to protect them from the violence of the conflict has revictimised them through not fault of their own. Sadly the fear of rejection has resulted in many of these children refusing to go back to their communities in the first place.

Reference 138 - 0.01% Coverage

The Children's Forum Network (CFN) is an important tool for children's advocacy in Sierra Leone. Its members maintain a strong and influential voice on issues affecting children. The organisation ensures children's participation in national activities as is spelt out in the Convention on the Rights of a Child. Members of CFN were instrumental in producing the child-friendly TRC report.

Reference 139 - 0.01% Coverage

UNAMSIL is involved through its outreach programmes in advocacy for the enhanced participation of children in the peace-building process. Thus the CPA is an ad-hoc member of the Advisory board for the Voice of Children. In conjunction with other stakeholders, UNAMSIL provides support and encouragement for children's organisations like the Children's Forum Network.

Reference 140 - 0.01% Coverage

Finally, UNAMSIL has been providing technical advice and supporting the development of policies, procedures and activities for children's involvement in the principal transitional justice mechanisms, the Truth and Reconciliation Commission (TRC) and the Special Court. UNAMSIL, with the help of the MSWGCA, UNICEF and other CPAs, was instrumental in providing logistics for children's participation in the TRC Special Thematic Hearings on Children.

UNITED NATIONS CHILDREN'S FUND (UNICEF)

Reference 141 - 0.01% Coverage

Sierra Leone faces the daunting task of reclaiming a "lost generation" of youth. The "youth question" is therefore central to lasting peace and development in the country. This examination of youth participation in the war will enable the Commission to make detailed recommendations on how to respond to the challenges created by misguided youth in the past and how to restore youths as productive members of their communities.

Reference 142 - 0.01% Coverage

The 1980s saw the emergence of well-organised radical groups and study clubs on university and college campuses, including the Green Book study club (promoting Ghaddafi's ideas of revolutionary mass participation from Libya), the Pan African Union (PANAFU), which called for a popular movement,²² and the Socialist Club. Unlike other campus clubs, PANAFU brought both categories of youth together and was concerned with educating its members about apartheid in South Africa and neo-colonialism in Africa. PANAFU operated outside the campuses and had revolutionary "cells" in central and eastern Freetown.

Reference 143 - 0.01% Coverage

Article 1(1) of the Statute of the Special Court refers to violations "committed in the territory of Sierra Leone". Article 6(1) of the Statute allows prosecution of any person who "planned, instigated, ordered, committed or otherwise aided and abetted in the planning, preparation or execution of a crime". Such secondary participation or inchoate crime may well have taken place outside Sierra Leone. The ability of the Prosecutor or the Defence to gather evidence outside Sierra Leone depends upon the co-operation of foreign governments.

Reference 144 - 0.01% Coverage

The international dimensions to the Sierra Leone conflict included the participation of diverse 35 external actors and the occurrence

Reference 145 - 0.01% Coverage

By the end of business on 16 September 2003, the Special Court had not responded as requested. The Commission was anxious to resolve the impasse and sought the intervention of the Acting Special Representative of the UN Secretary-General (SRSG), Mr. Alan Doss, to mediate between the Commission and the Court. Mr. Doss participated in a meeting with two Commissioners (including the TRC Chairman, Bishop Joseph Humper) and TRC staff members on 18 September 2003.⁸⁴ A detailed dossier was handed to the SRSG with the specific request that he should attempt to secure the participation of the Special Court in the mediation. Mr. Doss undertook to take the matter further and to revert back to the Commission.

Reference 146 - 0.01% Coverage

The Commission never heard from the office of Mr. Doss again, notwithstanding telephone calls to his office. Informally, the Commission was advised that the request had been referred to the UN Office of Legal Affairs at its Secretariat in New York. This office apparently supplied an opinion in which two propositions were made: that the Special Court held “primacy” over the Commission; and that no mediation could take place without the involvement of the Special Court. The point on primacy represented a misreading of the Special Court statute. With regard to the second point the writer of the opinion appeared to overlook the fact that the Commission had requested the SRSG to secure the participation of the Special Court in the mediation. While the Commission was generally disappointed with the failure of the UN structure to act expeditiously, the Commission wishes to recognise the constructive support provided on this issue by individual staff members of the Human Rights Section at UNAMSIL.

Reference 147 - 0.01% Coverage

The Judge tendered such reasoning apparently as a means of excluding the detainees from the TRC process. Yet not even the most accommodating reading of the TRC Act 2000 would permit the novel interpretation constructed by Judge Thompson. To have confined the meaning of “perpetrator” to the definition suggested by the Judge would necessarily have excluded the vast majority of perpetrators in the Sierra Leone conflict from the ambit of the Commission.¹³¹ The reality of the Commission’s work was that most perpetrators were not willing to disclose their involvement in atrocities, at least not in advance of a hearing or interview; yet their participation in the TRC process was vital to developing understanding, to recording historical facts and to opening the accountability debate to the Sierra Leonean public.

Reference 148 - 0.01% Coverage

an open and transparent manner.

There will be only one TRC in Sierra Leone and the Special Court has closed the door on any meaningful participation in that process by all the detainees in its custody. In effect the decision of the President of the Special Court has:

- o rejected the right of

Reference 149 - 0.01% Coverage

Truth and Addressing Impunity 235.

Truth and Reconciliation Commissions represent one of the most viable means of securing a sustainable peace. Such commissions can strengthen the peace through the establishment of an impartial historical record of the conflict and the creation of a public understanding of the past that draws upon broad based participation.

Reference 150 - 0.01% Coverage

the war in Sierra Leone.

Since reconciliation in Sierra Leone involves traditional values and beliefs, the reconciliation process cannot move forward without the participation of the religious and traditional leaders. Article 7(2) of the TRC Act

explicitly refers to the assistance from traditional and religious leaders in facilitating reconciliation. The inter-faith community in Sierra Leone has played an important role in the negotiations for peace and is still one of the strongest support networks for people affected by the war. In view of the limited mandate of the TRC, partnerships with religious and traditional leaders have become all the more important. The dialogue that has started between various groups and the community can continue with the presence of these leaders. Traditional and religious leaders can help make reconciliation more sustainable.

Reference 151 - 0.01% Coverage

During the statement-taking phase, efforts were focussed on the sensitisation activities necessary to inform the public about the work of the Commission. TRC activities also targeted specific groups of victims and perpetrators for participation in the statement-taking process, as a prelude to reconciliation activities that might take place later on.

Reference 152 - 0.01% Coverage

providing testimony before the Commission.

i. Often the willingness of a perpetrator to confess was a result of one or more sessions with a counsellor. When a perpetrator refused to confess or gave erroneous information to the Commission, an additional session with counsellors and other staff, or a meeting with the community leaders, would sometimes lead to more genuine confessions as well as participation in the reconciliation ceremonies.

Reference 153 - 0.01% Coverage

up on witnesses after hearings:

w. After the hearings, the Commission organised follow-up visits to the witnesses in order to evaluate the impact of their participation in reconciliation activities. The Commission ensured that, where possible, the visits were undertaken by the same counsellors who had assisted the witnesses during the hearings, in order to preserve the relationship of confidence that had already been developed.

Reference 154 - 0.01% Coverage

Emphasising the participation of specific groups 53.

The Commission recognised that the reconciliation process could not take place without the participation of important stakeholders such as perpetrators and victims. Therefore, special efforts were made by the Commission to reach out to those stakeholders who were initially reluctant to cooperate with the Commission. The Amputee and War Wounded Associations were amongst those stakeholders initially refusing to participate in the TRC process.

Reference 155 - 0.01% Coverage

To address the problem, several meetings were facilitated between the Amputee Association, senior staff members of the Commission, by Mr. John Caulker, the Coordinator of the Truth and Reconciliation Working Group. At the meetings, the Commission explained that it did not have a budget of its own to fulfil any of the demands made by the amputees but that the mandate calls upon it to make recommendations on reparations. It was also explained to the amputees that their participation in the TRC process would give them a forum to explain their plight, which would assist the Commission in formulating recommendations on reparations.

Reference 156 - 0.01% Coverage

The Commission also recognised the important role that ex-combatants played in the reconciliation process and, therefore, made a concerted effort to involve them in the activities of the Commission. In the initial stages of the statement-taking phase, the Commission took notice of the fact that very few statements were being provided by perpetrators. To increase their participation, the Commission worked with the Post Conflict Reintegration Initiative for Development and Empowerment (PRIDE), an NGO that sensitises ex-combatants on the workings of the TRC and the Special Court. The initial reluctance of the ex-combatants to cooperate with the TRC stemmed from the fact that many of them were afraid that the TRC would pass on information to the Special Court. Following the sensitisation, many ex-combatants came to testify at several of the Commission hearings in the district. In addition, the RUFP, the political party that is considered to be the successor of the RUF, actively participated in the thematic hearings as well as other reconciliation activities such as the National Reconciliation Procession and the workshop on National Reconciliation.

Reference 157 - 0.01% Coverage

To address the low level of participation in the Commission process by members of the Republic of Sierra Leone Army, the Commission in collaboration with the Campaign for Good Governance (CGG) organised awareness raising campaigns in March 2003 in various military formations across the country. Various media outlets such as the radio were also used to reach those in the army in hopes that they would provide statements to the Commission. Although the Commission obtained the full cooperation of the RSL Army authorities, the number of statements by the military remained small. However, some members of the military testified during the hearings phase, either as victims or as perpetrators, and some were reconciled with their victims following their testimony. Additionally, the members of the military actively participated in the thematic hearings of the Commission as well as in the National Reconciliation Procession.

Reference 158 - 0.01% Coverage

Many reconciliation ceremonies were organised during the course of TRC hearings. The ceremonies took place with the consent of the victims and perpetrators and with the full participation of traditional and religious leaders, as well as their respective communities.

Reference 159 - 0.01% Coverage

77. While the TRC supported reconciliation meetings between victims and perpetrators, it endeavoured to ensure that the reconciliation process was supported and accepted by the community. Since reconciliation is a process, participation in a ceremony is just a first step. The community's support is required to make it sustainable. The example below is drawn from the hearings that took place in the Bonthe District from 6 to 9 July 2003. The Commission facilitated reconciliation between an elderly victim, Alhaji Noah Abdul Wahab (known as Mr. Noah), who was accused of trying to imitate the amulets of the Kamajor fighters, and his perpetrator, Lamin Sadiki, a member of the Kamajors. During his testimony, Mr. Noah recounted the story of how he was beaten up by the Kamajors and had his ear nearly cut off by Mr. Sadiki. At the request of the TRC, Mr. Sadiki appeared at the hearing and told his side of the story.

Reference 160 - 0.01% Coverage

When a perpetrator confessed to violations committed elsewhere or when the victim could not be found, the reconciliation ceremonies organised by the Commission focused on reconciliation between the perpetrator and his community. In many districts, the community had rejected perceived perpetrators because of their membership of armed factions, even though they had not committed any violations in that community. In these instances the perpetrators would ask the community to forgive them and to accept them back as full members of the community. Traditional and religious leaders would usually grant reintegration into the community. The participation of women representatives in some cases was particularly important when the perpetrator confessed to having committed acts of sexual violence.

Reference 161 - 0.01% Coverage

The most striking examples of ambiguous half-hearted confessions were the hearings in the Tonkolili District in June 2003, when several ex-combatants came to testify but tried to minimise the role they played, notwithstanding extensive questioning by the Commission. Many in the community were unhappy with the events that played out during the hearings in the district. A meeting was held on the eve of the last day, before the reconciliation ceremony, in which community leaders announced that they would not participate in the closing ceremony and they would not accept the perpetrators back into the community if they did not apologise. This was of great importance given the fact that many ex-RUF combatants reside in the district, many of them being employed in an agricultural project led by Sheriff Parker, a former child combatant known as "Base Marine". TRC commissioners and staff had to mediate with and counsel the ex-combatants to secure their participation in a reconciliation ceremony. Several witnesses, along with the religious and traditional leaders of the community, made statements at the ceremony.

Reference 162 - 0.01% Coverage

A former RUF Commander kneels before the people of Magburaka to appeal for forgiveness at a TRC public hearing in Tonkolili District. Participation of ex-combatants in such symbolic reconciliation ceremonies is seen by the Commission as an important step in encouraging community reintegration.

Reference 163 - 0.01% Coverage

Since the workshop focused on national reconciliation, those invited to attend included national stakeholders such as the President's Office, various line ministries, national bodies such as the Anti-Corruption Commission, the Government Gold and Diamond Office, political parties, representatives of Parliament and the judiciary, members of civil society and the media. Among those present were the Minister of Works, the Deputy Minister of Social Welfare, Gender and Children's Affairs, and representatives from the police, Defence Headquarters, Prisons, NCDDR, NCDHR, APC, PLP and RUF. Given the low level of participation and the absence of key national stakeholders, developing a roadmap that would lead to national reconciliation seemed impractical. Nevertheless, the contributions by participants at the workshop are reflected in this report.

Reference 164 - 0.01% Coverage

The main stakeholder in the reconciliation process is considered to be the average Sierra Leonean citizen. It is the responsibility of every citizen to make the process a nationally-owned process and to realise the importance of their contributions and participation, regardless of how insignificant it may seem to them. As

stated by the Sierra Leonean Red Cross Society in its responses to the questionnaire: "The public will for reconciliation needs to be there."

Reference 165 - 0.01% Coverage

Society, Oversight Institutions and Media:

The reconciliation process cannot be a success without the support and participation of Sierra Leone civil society. Major civil society groups such as women's organisations, youth groups, etc. should step up their involvement and be the force that helps to drive the process.

Reference 166 - 0.01% Coverage

The marginalisation of women and youth in politics and in the decision-making process, sectionalism, tribalism, nepotism, and the marginalisation of rural areas are all perceived as obstacles to reconciliation. Regarding women, particular attention was drawn to customary law and practices that limit the role of the women in society. Regarding youth, attention was drawn to the high unemployment rate. A similar affirmative action policy recommended for women should also be adopted for youth. Another problem facing youth is their lack of willingness to engage in politics. To address this problem, political parties and political institutions should accommodate greater participation for youth and women, including the occupation of key positions by these groups.

Reference 167 - 0.01% Coverage

The Role of the Government:

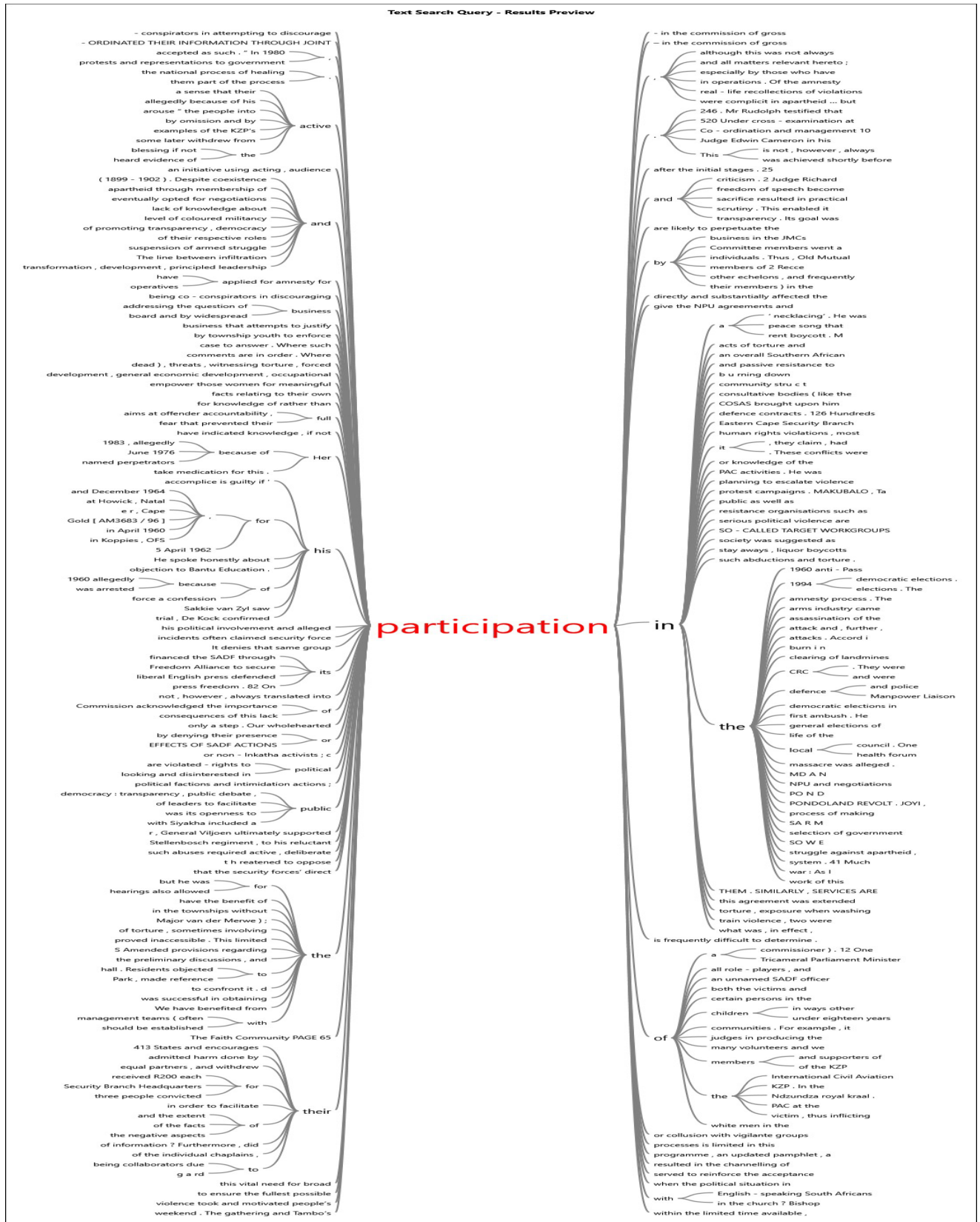
The lack of commitment on the part of the government and politicians to reconciliation activities is seen as an obstacle to the process. The responsibility of the government to ensure the existence of peace and stability for her people and the entire nation requires its active participation and contribution to the process of reconciliation. Since the government is seen as the primary stakeholder in the reconciliation process, one of its major responsibilities is to ensure the provision of funds and other logistical support.

Reference 168 - 0.01% Coverage

The Commission is of the view that participation in the National Vision project should be expanded.

The Commission accordingly recommends to

References to Participation in South Africa Report Tree Map



Name: References to Participation in South Africa Report

<Files\\SouthAfrica.TRC_Report> - § 118 references coded [0.36% Coverage]

Reference 1 - 0.01% Coverage

78 Our difficult work would have been even more so had it not been for the outstanding contributions of the various faith communities, non-governmental organisations (NGOs) and other organisations of civil society, so many of whom have facilitated our work at different levels and in all kinds of ways. We have benefited from the participation of many volunteers and we want them to know that we are deeply indebted to them for their invaluable contribution.

Reference 2 - 0.01% Coverage

57 But bodily integrity rights are not the only fundamental rights. When a person has no food to eat, or when someone is dying because of an illness that access to basic health care could have prevented - that is, when subsistence rights are violated - rights to political participation and freedom of speech become meaningless.

Reference 3 - 0.01% Coverage

5 A distinctive feature of the Commission was its openness to public participation and scrutiny. This enabled it to reach out on a daily basis to large numbers of people inside and outside South Africa, and to confront them with vivid images on their television screens or on the front pages of their newspapers. People saw, for example, a former security police officer demonstrating his torture techniques. They saw weeping men and women asking for the truth about their missing loved ones. The media also helped generate public debate on central aspects of South Africa's past and to raise the level of historical awareness. The issues that emerged as a consequence helped the nation to focus on values central to a healthy democracy: transparency, public debate, public participation and criticism.

Reference 4 - 0.01% Coverage

41 In recognising the importance of social or 'dialogue' truth, the Commission acknowledged the importance of participation and transparency. Its goal was to try to transcend the divisions of the past by listening carefully to the complex motives and perspectives of all those involved. It made a conscious effort to provide an environment in which all possible views could be considered and weighed, one against the other. People from all walks of life were invited to

Reference 5 - 0.01% Coverage

42 It is particularly important to emphasise that establishing the truth could not be divorced from the affirmation of the dignity of human beings. Thus, not only the actual outcome or findings of an investigation counted. The process whereby the truth was reached was itself important because it was through this process that the essential norms of social relations between people were reflected. It was, furthermore, through dialogue and respect that a means of promoting transparency, democracy and participation in society was suggested as a basis for affirming human dignity and integrity.

Reference 6 - 0.01% Coverage

52 This means that one must guard against such simplistic platitudes as 'to forgive is to forget'. It is also crucial not to fall into the error of equating forgiveness with reconciliation. The road to reconciliation requires more than forgiveness and respectful remembrance. It is, in this respect, worth remembering the difficult history of reconciliation between Afrikaners and white English-speaking South Africans after the devastating Anglo-Boer/South African War (1899-1902). Despite coexistence and participation with English-speaking South Africans in the political system that followed the war, it took many decades to rebuild relationships and redistribute resources - a process that was additionally complicated by a range of urban/rural, class, and linguistic and other barriers. Reconciliation requires not only individual justice, but also social justice.

Reference 7 - 0.01% Coverage

abject poverty into modest security.

79 Other fundamental human needs needed to be addressed under the banner of reparation and rehabilitation. Victims and/or their families, dependants and friends needed to understand why gross violations of human rights took place. They needed to be free from the legacy of fear that prevented their full participation in the life of the community, stifled their creativity and undermined their dignity. Victims needed to know that, in the future, they would be protected from similar gross violations of human rights.

■ UBUNTU: PROMOTING RESTORATIVE JUSTICE

80

Reference 8 - 0.01% Coverage

legal professionals acting as facilitators;

d supports a criminal justice system that aims at offender accountability, full participation of both the victims and offenders and making good or putting right what is wrong.²²

Reference 9 - 0.01% Coverage

104 At the practical level, the vexed issue of apartheid as a crime against humanity impinges perhaps more directly on moral than on legal culpability. A simple focus on the criminal culpability of isolated individuals responsible for apartheid can ignore the broader responsibilities presently under discussion. It is not enough merely to identify a few high-profile 'criminals' as those responsible for the atrocities of the past - and thus give insufficient attention to a deeper analysis of the underlying nature, cause and extent of apartheid. The essential nature of a crime against humanity, suggests Professor Denys Schreiner, does not lie in the detail or nature of the actual deeds involved in a particular system that is judged to be a crime.²⁹ Rather, it relates to the political structures which result in sections of the society being seen as less than fully human. It condemns the identified group to suffering and violence as a matter of birth, over which the individual concerned has no influence, control or escape. It excludes a section of the population from the rights afforded to others. It denies that same group participation in the selection of government and in government itself. It facilitates the promotion of extra-legal actions by the dominant group further to suppress those judged to be the 'enemy' - whether Jews, slaves or blacks. Finally, it promotes moral decline within the dominant group and the loss of a sense of what is just and fair. Briefly stated, it involves systematic racial discrimination which, by definition, constitutes the basis of apartheid.

Reference 10 - 0.01% Coverage

9 Given the short time span within which the Commission was required to complete its work, the chief executive officer adopted the strategies of research and action learning. Action research assisted with the analysis and synthesis of work, with a view to solving managerial challenges and problems. It also provided valuable lessons in transformation, development, principled leadership and participation.

Reference 11 - 0.01% Coverage

30 Other proposals explored with Siyakha included a public participation programme, an updated pamphlet, a comic book, a radio drama and a paid magazine radio programme. However, again, the development of these proposals was curtailed by budgetary constraints.

Reference 12 - 0.01% Coverage

48 During the hearings stage, the team planned, set up and held hearings in selected towns. The availability of suitable venues and the need to accommodate the needs of the media determined where hearings were held. Occasionally, however, the chosen location proved inaccessible. This limited the participation of communities. For example, it was decided on the basis of the aforementioned criteria to hold the southern Cape hearing in George, without taking into account the fact that human rights violations took place predominantly in Oudtshoorn. This limited the involvement of members of the Oudtshoorn community and informed a later decision to hold a reparation and rehabilitation programme in Oudtshoorn in February 1997.

Reference 13 - 0.01% Coverage

f Northern Natal (10-12 September 1996). The sixth hearing took place at Newcastle. Twenty-nine cases were heard, including that of the brutal slaying of trade unionist and ANC activist, Professor Hlalanathi Sibankulu, whose burnt body was found in his car. Most of the cases involved murder, harassment and detention at the hands of the Security Branch of the SAP or the KZP, sometimes in collaboration with the IFP in the region. There were also cases where the Special Branch worked in the townships without the participation of the KZP. In the case of the Hlobane Mine massacre, where eleven people were killed, witnesses implicated mine management in addition to the Special Branch and the IFP. Another trend that emerged at this hearing related to disappearances. Some children had not been seen by their families since they went into exile, which left unanswered questions as to their whereabouts.

g Welkom (8-10 October

Reference 14 - 0.01% Coverage

11 Interviews for staff were conducted in March 1996 and, by the end of April 1996, approximately 75 per cent of the envisaged staff complement had been employed. Panels of commissioners selected senior staff, and other staff were interviewed and selected by management teams (often with the participation of a commissioner).

Reference 15 - 0.01% Coverage

Amended provisions regarding the participation of certain persons in the activities of certain organisations as well as ministerial powers regarding the registration of newspapers.

Commenced: 8 March 1972 Repealed

Reference 16 - 0.01% Coverage

and all matters relevant hereto;

ii) the economic field, including commerce and industrial development, agricultural development, general economic development, occupational participation, and all matters relevant hereto;

Reference 17 - 0.01% Coverage

223 The operation was jointly commanded by Colonel (later Brigadier) Hans Dreyer and Colonel Johannes van der Hoven of the Pietermaritzburg and Eastern Transvaal security police divisions respectively. Other participants included Security Branch operatives from the Eastern Transvaal and Pietermaritzburg, such as Major Nic van Rensburg and Sakkie van Zyl. The Commission received an amnesty application from a Pietermaritzburg security policeman, Warrant Officer Don Gold [AM3683/96], for his participation in the first ambush. He did not participate in the second operation.

Reference 18 - 0.01% Coverage

coverage in order to provide the SADF with a motivation for a large-scale armed attack on Botswana. Schoon undertook the task with the assistance of Eugene de Kock and C2 head Martin Naudé. They put together a cache comprised of weapons of Eastern bloc origin which Major Coetzee arranged to be hidden in an abandoned mine in the Krugersdorp area. In testimony in mitigation at his trial, De Kock confirmed his participation in what was, in effect, a state-directed 'false-flag' propaganda operation

Reference 19 - 0.01% Coverage

482 The ANC office was empty at the time of the explosion; only the caretaker of the building was slightly injured. Both the AAM's former chair, Lord Hughes (in his appearance before the Commission) and its executive secretary, Mr Mike Terry (in a discussion with the Commission) raised the possibility that the operation may have been an assassination attempt on the life of the ANC president, Mr Oliver Tambo. They point to the fact that the operation coincided with a large international anti-apartheid demonstration in London that weekend. The gathering and Tambo's participation in it, they claim, had been widely publicised. They also point to the timing of the blast (09h00) and the fact that it was well known that Tambo tended to hold early morning meetings at the ANC office when in London.

Reference 20 - 0.01% Coverage

being done in South Africa.

In his written submission to the Commission, Mr Pik Botha does not actually deny the fact of the government's involvement in the operation. Instead, he quotes at length and without contradiction the conclusions of the UN Commission of Enquiry into the coup. This found that the NIS had been aware from the outset "of the preparations for the mercenary aggression" and that a number of factors clearly established the fact of South Africa's involvement. Amongst these were the SADF's delivery to Hoare of the

arms, ammunition and other equipment to be used in the operation (the delivery took place on 6 October 1981 and was made by a Sergeant Major van der Merwe); the participation of an unnamed SADF officer in the preliminary discussions, and the participation by members of 2 Recce in the operation itself.

498 In the light of

Reference 21 - 0.01% Coverage

1960 and 1990 PAGE 191

109 Forced postures or body positions were also used as a form of torture, sometimes involving the participation of the victim, thus inflicting psychological as well as physical stress. Examples included forcing the detainee to stand on a piece of foolscap piece of paper for hours, sometimes days, on end; forcing the detainee to balance on a brick or two bricks or to sit in an imaginary chair for hours on end; forcing the detainee to hold an object above her/his head. Other techniques were imposed by force. These included the 'helicopter' technique which involved manacled detainees' hands above their heads or hanging them upside down for lengthy periods.

110 Mr Archibald Patuleni [EC2636

Reference 22 - 0.01% Coverage

countries to inside South Africa.

502 With regards to Security Branch personnel, it needs to be noted that many were operationally deployed in the region, both before and after the establishment of TREWITS. Similarly Military Intelligence personnel have indicated knowledge, if not participation, in operations. Of the amnesty applicants said to have attended regional meetings, Commission analysis indicates that they have applied for approximately eighty-two killings, seven attempted killings and four abductions and/or acts of torture.

Reference 23 - 0.01% Coverage

WELL AS WITHIN THOSE STATES;

- EXTRA-JUDICIAL KILLINGS WERE OFTEN THE END RESULT OF A PROCESS OF OPERATIONALLY DIRECTED INTELLIGENCE COLLECTION ON TARGETED INDIVIDUALS. ALL THREE PRIMARY SECURITY INTELLIGENCE ARMS – NATIONAL INTELLIGENCE SERVICE (NIS), SECTION C2 OF THE SECURITY BRANCH, AND MILITARY INTELLIGENCE – UNDERTOOK SUCH ACTIVITIES AND CO-ORDINATED THEIR INFORMATION THROUGH JOINT PARTICIPATION IN SO-CALLED TARGET WORKGROUPS FORMED IN 1986 IN CERTAIN SELECTED STRATEGIC AREAS (EASTERN TRANSVAAL, SOUTHERN FREE STATE) WHOSE ROLE WAS INTER ALIA TO TARGET INDIVIDUALS FOR KILLING OUTSIDE OF SOUTH AFRICA'S BORDERS AS WELL AS CO-ORDINATING STRUCTURES SUCH AS THE TEEN REWOLUSIONERE INLIGTINGS TAAKSPAN (TREWITS);

- EXTRA-JUDICIAL KILLINGS WERE TARGETED

Reference 24 - 0.01% Coverage

Kock was in overall command.

519 Later a braai was held for the white Vlakplaas members to celebrate the success of the operation. It appears that black members may have received R200 each for their participation.

Reference 25 - 0.01% Coverage

238 The frequency of massacres increased dramatically in the late 1980s. A vicious cycle of political violence resulted when police used tough measures to stop mass protest actions. Victims and witnesses of incidents often claimed security force participation, although this was not always visible. An example of this is when Mr Peter Sithole [JB02330/01GTSOW] and twenty-five other commuters were hacked to death in the September 1990 train massacre at Benrose station. The deponent in the case said that white men who had covered their faces with a black substance participated in the massacre.

Reference 26 - 0.01% Coverage

1960 to 1990 PAGE 413

States and encourages their participation in an overall Southern African military treaty organisation against a common enemy". By this time, the bantustan militaries had been integrated into the SADF's 'area war' strategy, designed to counter the threat posed by the armed struggle of the African National Congress (ANC).

54 The 1st Transkei Battalion

Reference 27 - 0.01% Coverage

262 A full report on the role of the KZP is not possible in this chapter, but examples of the KZP's active participation in serious political violence are given by way of window cases below.

Political bias, incompetence and general

Reference 28 - 0.01% Coverage

aligned or non-Inkatha activists;

c Participation or collusion with vigilante groups in the intimidation and attack of individuals accused of not supporting Inkatha;

d Failure to intervene to

Reference 29 - 0.01% Coverage

268 The Commission heard evidence of the active participation of members of the KZP in what has been described as the 'Esikhawini hit squad' which was responsible for a number of hit squad killings in Esikhawini, near Richards Bay, and surrounding areas between 1991 and August 1993. The origins and activities of the Esikhawini hit squad, as well as a review of the violations perpetrated by its members are to be found in the KwaZulu-Natal regional profile in Volume Three.

Reference 30 - 0.01% Coverage

299 Second, many of these activities were conducted with the blessing if not the active participation of the Ndzundza royal kraal. Despite their emergence as leading opponents of the Imbokodo in 1986, members of the royal family were involved in earlier forms of vigilante activity. In fact, individuals participating in early vigilante operations emphasised that they were "called by the king" when such activities were deemed necessary. With this history in mind, Imbokodo members have claimed that their organisation was constituted at the royal kraal and derived its authority from the king himself.

300 Third, vigilantes and members

Reference 31 - 0.01% Coverage

339 A number of security force operatives applied for amnesty for participation in or knowledge of the operation. These include: Brigadier Jack Cronjé (former divisional commander of the Northern Transvaal Security Branch); his subordinates Captain Jacques Hechter and Captain Jacob van Jaarsveld; Captain Chris Kendall

Reference 32 - 0.01% Coverage

24 The day after the crash, Mozambique and South Africa agreed that an international board of enquiry should be established with the participation of the International Civil Aviation Organisation. According to the Chicago Convention, South Africa, as the state on whose territory the crash had occurred, would head up the investigation. South Africa was, however, obliged to work in partnership with the state of ownership (Mozambique) and the state of manufacture (the Soviet Union). These countries were not, however, taken on as equal partners, and withdrew their participation after the initial stages.

Reference 33 - 0.01% Coverage

6 In December 1993, a Transitional Executive Council (TEC) was installed, composed of representatives of all parties to the negotiations process. Meanwhile, behind-the-scenes talks continued with the Freedom Alliance to secure its participation. This was achieved shortly before the 27 April 1994 election.

Reference 34 - 0.01% Coverage

234 Both local and regional IFP leadership were involved in the authorisation and planning of train violence. As indicated in the previous section, of the three people convicted for their participation in train violence, two were IFP members. Mr Albert Msuseni Dlamini, a resident of Mazibuko hostel in Katlehong [AM1557/96] was involved in an attack on Katlehong station on 9 October 1991. He was convicted in April 1993 and sentenced to ten years' imprisonment on one charge of attempted murder and one of the illegal possession and use of a .38 revolver. Mr Xolani Mnguni [AM3551/96] received the death sentence in February 1993 for the murder of Mr William Matsosale on 29 November 1992 at a Naledi-Cleveland train. He said that he was acting under the orders of a certain Hadebe of the IFP who allegedly

Reference 35 - 0.01% Coverage

267 Right-wing groups in the early 1990s could be roughly classified as the 'mid-right' (moderates), the loosely structured "Boerestaal Alliance" and the 'ultra-far right'. Most were later unified under the umbrella of the AVF. Many of the ultra-right members believed that the AVF would lead them into a war, while the moderates eventually opted for negotiations and participation in the 1994 elections.

Reference 36 - 0.01% Coverage

290 The line between infiltration and participation is frequently difficult to determine. A security policeman applied for amnesty in relation to a number of acts carried out allegedly by the Wit Wolwe in mid-1990 – including death threats made to a Pretoria NP councillor after the city council decided to open facilities to

all, and the shooting of an arrow at the house of a Democratic Party candidate in Alberton, with the words "Wit Wolwe, wit woede, wit weerstand" (White wolves, white rage, white resistance) attached. The applicant, who does not want to be identified as he claims still to be working undercover, says he has been involved in gathering information on the right wing since 1985, mainly with a view to identifying violent campaigns in the wake of the 1983 constitutional changes. During the late 1980s, his main task shifted to identifying those policemen who were actively involved in far-right organisations, as they might have had access to weaponry and military intelligence. He identified and named several such policemen.

Reference 37 - 0.01% Coverage

staged. Gqweta told the Commission:

At the time of Sabelo's death there was conflict within the PAC as to the suspension of armed struggle and participation in the general elections of 1994. The position of Sabelo was that of being against the suspension of armed struggle, but he was for the participation of the PAC at the general election. He even called 1994 'the year of the bullet and the ballot'. This view of Sabelo's was a popular view among the organisation as a whole, but

Reference 38 - 0.01% Coverage

102 The period 1983–89 is remarkable for the emergence of organisations and associations in a rising tide of opposition to the imposition of local authorities and the incorporation of certain areas into KwaZulu. Such organisations included residents' and ratepayers' associations and rent action committees. There was also an increase in the number of NGOs set up to promote social justice and democracy in all arenas of civil society. Many of these organisations, based chiefly in Durban and Pietermaritzburg, ran on a non-profit basis and were supported financially by churches and other donor organisations. Many became affiliates of the UDF in 1983, although some later withdrew from active participation when the political situation in the province became more sharply polarised in the later 1980s.

Reference 39 - 0.01% Coverage

259 The Commission has made a comprehensive finding regarding the KZP, in which it is described, inter alia, as a highly politicised force, openly assisting the IFP – by omission and by active participation – in the commission of gross human rights violations, as well as being grossly incompetent. THE COMMISSION FINDS THAT THE KZP, FROM THE PERIOD 1986 TO 1994, ACTED IN A BIASED AND IMPARTIAL MANNER AND ACTED OVERWHELMINGLY IN FURTHERANCE OF THE INTERESTS OF INKATHA, AND LATER THE IFP, IN THE MANNER SET OUT BELOW. THE KZP DISPLAYED BLATANT BIAS AND PARTIALITY TOWARDS IFP MEMBERS AND SUPPORTERS, BOTH THROUGH ACTS OF COMMISSION, WHERE THEY WORKED OPENLY WITH INKATHA, AND THROUGH ACTS OF OMISSION, WHERE THEY FAILED TO PROTECT OR SERVE NON-IFP SUPPORTERS. THE KZP WAS RESPONSIBLE FOR LARGE NUMBERS OF POLITICALLY MOTIVATED GROSS HUMAN RIGHTS VIOLATIONS (KILLINGS, ATTEMPTED KILLINGS, INCITEMENT AND CONSPIRACY TO KILL, SEVERE ILL-TREATMENT, ABDUCTION TORTURE AND ARSON), THE VICTIMS OF WHICH WERE ALMOST EXCLUSIVELY NON-IFP MEMBERS.
OFFICERS OF THE KZP WERE

Reference 40 - 0.01% Coverage

86 In October, township youth launched a campaign against liquor establishments (shebeens and shebeen-owners), perceiving these to be symbols of oppression. Youth clashed violently with shebeen owners and with the police. In December youth activists announced that festive activities over the Christmas period would be limited and instead the deaths of those killed during the uprising over the past months would be mourned. Migrant workers residing in the townships failed to heed the call to mourn rather than celebrate. Over Christmas 1976, Nyanga hostel-dwellers violently resisted attempts by township youth to enforce participation in stay aways, liquor boycotts and memorials. The key targets of youth resistance – liquor and labour – touched migrants directly. They interpreted these actions, as well as the boycott of schools, as criminal activity by gangsters and mobilised around perceived threats to their security and livelihood.

Reference 41 - 0.01% Coverage

101 Political activity and conflict in the Peninsula was shaped particularly by two demographic features. Firstly, there was a high level of coloured militancy and participation in public as well as underground resistance activities. The semiunderground youth structure known as the Bonteheuvel Military Wing (BMW) is a particular manifestation of this.

Reference 42 - 0.01% Coverage

Tracking Unit within a year.

197 During his amnesty hearing, Jeffrey Benzien admitted to several acts of torture against Mr Peter Jacobs, Mr Ashley Forbes, Mr Anwar Dramat, Mr Tony Yengeni, Mr Gary Kruse, Mr Niclo Pedro and Mr Allan Mamba. This was done with the knowledge of his superior officer, Lieutenant Liebenberg. His admissions included the 'wet bag' method for which he was renowned, electric shocks and assaults. In a moment of high drama during his hearing he physically demonstrated the wet bag method on a volunteer. His admissions were contested by some of those he had tortured and others he denied torturing. They argued that Benzien's admissions were very limited and did not reflect the full extent of the abuses to which he had subjected his victims. Further, they argued that he was the 'fall guy' for the entire group of torturers and that he continued to protect them by denying their presence or participation in acts of torture and abuse.

Reference 43 - 0.01% Coverage

heavy price upon political leadership.

329 The Commission is of the opinion that it has not been able to obtain a fully representative sample of statements regarding the multiplicity of conflicts in this period. Tensions and conflicts still prevail in certain areas, and the Commission has reason to believe that victims were not encouraged to give statements in some areas, or were even actively discouraged from doing so. In addition, the marginalised nature of informal settlements (where most of the violations took place) would have contributed to a lack of knowledge about and participation in the process of making Commission statements.⁴⁶

Reference 44 - 0.01% Coverage

477 A number of security force operatives have applied for amnesty for participation in or knowledge of the operation. These include: Brigadier Jack Cronjé (former divisional commander of the Northern Transvaal Security Branch); his subordinates Captain Jacques Hechter and Captain Jacob van Jaarsveld; Captain Chris Kendall (Security Branch commander at Bronkhorstspuit); General Joep Joubert (Commander General of SADF Special Forces); Sergeant Deon Gouws and Warrant Officer Stephanus A Oosthuizen (both of the SAP

uniform branch). THE COMMISSION FINDS THAT IMBOKODO ABDUCTED 360 MOUTSE RESIDENTS AND HUMILIATED AND TORTURED THEM AT A COMMUNITY HALL IN SIYASBUSWA. THE COMMISSION FINDS THAT THE TORTURE AND ASSAULT OF THE MOUTSE RESIDENTS CONSTITUTE A GROSS VIOLATION OF HUMAN RIGHTS FOR WHICH IMBOKODO, KWANDEBELE CHIEF MINISTER SS SKOSANA AND VIGILANTE LEADER PIET NTULI (DECEASED) ARE HELD RESPONSIBLE. THE COMMISSION FINDS THAT ON 28 APRIL 1986, IMBOKODO ABDUCTED YOUTH FROM THEIR HOMES IN VLAKLAAGTE NO. 1 AND ASSAULTED THEM AT EMAGAZINI IN KWAGGAFONTEIN. THE COMMISSION FINDS THAT THE ASSAULTS ON THE YOUTHS CONSTITUTE GROSS VIOLATIONS OF HUMAN RIGHTS, FOR WHICH IMBOKODO, CHIEF MINISTER SS SKOSANA AND MR PIET NTULI ARE HELD RESPONSIBLE.
THE COMMISSION FINDS THAT MR

Reference 45 - 0.01% Coverage

as a formal political party.

531 Although the violence was precipitated and fundamentally shaped by the contest for political power which took place in the wake of the unbanning of political organisations, there were a variety of other divisions, including generational, economic, territorial and personal, that impacted on the form that violence took and motivated people's participation in it. These conflicts were intensified by the context of poverty and disempowerment within which they occurred.

Reference 46 - 0.01% Coverage

45 A number of witnesses who were interviewed, particularly those from Slovo Park, made reference to the participation of white men in the attack. None of these whites were identified as policemen, but several statements confirm the presence of security force vehicles in the area during the massacre. In some instances these vehicles were perceived as accompanying and possibly assisting the attackers. Many witnesses were unable to distinguish between various security force vehicles.

Reference 47 - 0.01% Coverage

African evil could be unravelled.

7 It was considered extremely important that both 'sides' should be present and able to speak at the hearings of their perceptions and experiences. Sometimes the Commission was successful in obtaining the participation of all role-players, and sometimes it was not. Some refused the invitation of the Commission.

8 Often the hearings revealed

Reference 48 - 0.01% Coverage

conditions for successful political transition.

11 In addressing the question of business participation in human rights violations, most business submissions took the view that such abuses required active, deliberate participation by individuals. Thus, Old Mutual stated in its opening paragraph that:

In principle, the mandate of

Reference 49 - 0.01% Coverage

76 The only submission by business that attempts to justify participation in the arms industry came from the Armaments Corporation of South Africa (Armcor). Armcor noted that, in carrying out its function to obtain armaments, it was "carrying out a function which is normal in all governments except that the policies of this [apartheid] government were abnormal". The submission continues:

We do not deny that

Reference 50 - 0.01% Coverage

119 Efforts to accelerate reform included further protests and representations to government, participation in consultative bodies (like the Economic Advisory Council) and visits by leading business representatives to the ANC in exile. The Consultative Business Movement (CBM), a body consisting of business people and representatives of community organisations, was formed in 1988 to work towards a non-racial democracy. The CBM actively sought alliances with popular leaders and attempted to guide business along the path of political transformation.

Reference 51 - 0.01% Coverage

122 Unfortunately, the business submissions provided no specific details about this. Nevertheless, a few comments are in order. Where participation by business in the JMCs resulted in, or facilitated, subsequent human rights abuses by the security establishment, there is a clear case to answer. Where such participation resulted in the channelling of resources to townships, the moral issues are more opaque. While JMC-facilitated development in townships was certainly motivated by counter-revolutionary aims, there is an important difference between counterrevolutionary strategies based on providing infrastructure to people, and strategies based on torture and repression. Again, not all businesses played the same role in the process.

Reference 52 - 0.01% Coverage

125 The ANC submission drew attention to the way in which private business was increasingly drawn into the militarisation of South African society under the tutelage of the former state. The Carlton Conference in 1979 introduced a new form of partnership between government and business and was seen as the beginning of a 'new era'. This is illustrated by the fact that business people were members of the ARMSCOR board and by widespread business participation in defence contracts.

Reference 53 - 0.01% Coverage

which strongly reflects Zulu culture.

14 African Initiated Churches have, at times, been regarded as inward looking and disinterested in political participation. This is not, however, always the case. The Council of African Initiated Churches unites across a number of bodies and has been politically engaged. It is also connected to other churches through its membership of the SACC.

Reference 54 - 0.01% Coverage

The Faith Community PAGE 65

participation by their members) in the machinery of the state, refused to oppose a state professing to be 'Christian', or simply promoted a consciousness that insulated their members against opposition.

Acts of commission and legitimisation

Reference 55 - 0.01% Coverage

war related stress and anxiety.

35 Whatever the motivation of the individual chaplains, their participation served to reinforce the acceptance of the apartheid cause in the minds of church members, and often 'justified' the demonisation of their opponents. Here again, leadership came from the Dutch Reformed Church. Dominee Neels du Plooy, a former SADF chaplain, testified at an earlier hearing⁵ that those who objected to service in the Defence Forces were described as "unbelievers". Those who served, on the other hand, were given a New Testament with a special message from South Africa's then President, PW Botha, telling them that the Bible was their "most important weapon". This message was later removed, at the request of chaplains from the English-speaking churches.

Reference 56 - 0.01% Coverage

29 Seventh, there is an interdependence between all parts of the legal profession, such that most of the references to the judiciary above can be applied to the advocates, attorneys, teachers and students to some degree. No one who participates in an evil system can be entirely free of responsibility for some injustice; although it is possible for the good achieved by some to outweigh the negative aspects of their participation. Judge Edwin Cameron in his submission stated that:

The overriding point is thus that all lawyers and judges, whatever their personal beliefs and the extent of their participation, were complicit in apartheid... but this does not conclude the moral debate about the role of lawyers; nor does it mean that there were no degrees of complicity or moral turpitude in the legal enforcement of apartheid.

Reference 57 - 0.01% Coverage

40 The Commission does not intend to enter the lists in this regard, but simply states its conclusion as briefly as possible. While the Commission does believe that substantive resistance to the injustice of apartheid by a significant number of lawyers would have undermined its effectiveness and betrayed its reliance on brute force — even if only through a prosecutorial authority reluctant to act and a judiciary uncomfortable with its complicity in injustice — in the light of the reality that those who chose to resist were relatively so few, the Commission finds that the alleviation of suffering achieved by such lawyers substantially outweighed the admitted harm done by their participation in the system.

Reference 58 - 0.01% Coverage

Congress (ANC) had Radio Freedom.

34 Broadcasting from five 'friendly' countries in Africa, Radio Freedom operated from March 1973 to December 1990, using information to "mobilise and arouse" the people into active participation in the struggle against apartheid, within and outside the borders of South Africa.

Reference 59 - 0.01% Coverage

79 The liberal English press defended its participation in the NPU and negotiations with government concerning, amongst other things, a statutory Press Council and agreements with government on defence and police matters. It asserted that this was the only way to prevent the government from bringing in restrictions that were even more draconian or even banning their papers.

Reference 60 - 0.01% Coverage

81 The consistent attacks on the English press plus constant threats of closure bear this out to a degree. But the question arises: did the liberal press, by participating in the NPU and constantly responding to government threats, willingly participate in a system which allowed the government to control the flow of information? Furthermore, did their participation give the NPU agreements and negotiations a legitimacy they did not deserve? The manner in which the NPU was viewed by black journalists, for example, shows the contempt in which they held those who allowed the government to dictate the level of press freedom.

82 On its participation in the defence and police liaison committees, the repeated refrain – from the publishing houses and the NPU itself in a submission made after the hearing – was that these committees were seen as a way of improving the flow of information or “keeping the channels of communication open” in an increasingly closed environment. This view has been totally rejected by a number of researchers and writers.

Reference 61 - 0.01% Coverage

21 On 17 September 1980, amendments to the agreement between the Minister of Defence and the NPU were signed. The new agreement set up a joint liaison committee to meet at least once a month “to consider matters of policy and principle” including the amendment of the agreement itself. The agreement provided that the press “must abide by” any request by the defence minister that “no reference should be made to the fact that he had been approached and refused to comment, as even a ‘no comment’ reply could embarrass him”. Additionally, the Minister of Defence was given a right of pre-publication comment. The guidelines further provided that reporters “should understand that there are to be no arguments with the Minister or the [relevant] officers on matters that have leaked out somewhere in their publication. A request that a report or comment should not appear is accepted as such.” In 1980, participation in this agreement was extended to the state-owned arms company, ARMSCOR, which was given a seat on the liaison committee.

Reference 62 - 0.01% Coverage

The rest of his national service was completed as part of the regiment of the University of Stellenbosch and, from the beginning of the 1980s, as a member of the Stellenbosch Commando. He described his gradual shift from wholehearted support for and full co-operation with the national service system in 1973, through disillusionment with the University of Stellenbosch regiment, to his reluctant participation in and passive resistance to the militarisation of his home town and his professional and private life.

Reference 63 - 0.01% Coverage

the national process of healing.

Participation of children under eighteen years of age

Reference 64 - 0.01% Coverage

10 The special hearings on children and youth were more flexible than other hearings of the Commission, in that they allowed participants to reflect on or critically analyse the root causes of apartheid and its effects on children. Most parties providing testimony supplied written submissions ahead of the hearing and were asked to summarise their submissions orally and answer questions posed by the panel. The hearings also allowed for the participation of children in ways other than by testifying; this included finding creative ways

to access and share the children's experience. Before the KwaZulu-Natal/Free State hearing, for example, children spent a day telling their stories and making drawings that reflected their experiences. These were shared at the hearings the following day.³

Reference 65 - 0.01% Coverage

sentenced to six years' imprisonment.

46 Some white youth joined the struggle against apartheid through membership of and participation in resistance organisations such as the End Conscription Campaign (ECC)⁹, student movements, such as the National Union of South African Students (NUSAS) or by joining political organisations. Like other activists, they became targets of state violence.

Reference 66 - 0.01% Coverage

51 Ms Joyce Mthimkulu told the story of her son, Sipiwe Mthimkulu, at the Commission's hearings in Port Elizabeth in June 1996. The case of Sipiwe Mthimkulu details the tragic layers of abuse that were endured by many activists. Sipiwe was a determined political activist in the Eastern Cape from the age of seventeen. His activities centred on his objection to Bantu Education. His participation in COSAS brought upon him the wrath of the regime. He was detained numerous times and subjected to severe forms of torture. He was shot in the arm and faced constant police harassment. To protect his family from harassment, he was continually on the run and, when he did return home, he lived in a dog kennel.

52 In 1981, after his

Reference 67 - 0.01% Coverage

97 Most activists anticipated the risks of incarceration, detention and torture and were thus better placed to deal with the emotional consequences of suffering than were those who had not been inducted into political resistance. Many who were activists in their youth have had to struggle with a sense that their active participation and sacrifice resulted in practical and material losses – especially through missed educational opportunities. For many, the new South Africa has not proved to be the land of

Reference 68 - 0.01% Coverage

psychologically, mentally or emotionally, for example by simulated execution (includes Russian roulette), solitary confinement, degradation (includes use of excrement, urine, spit), insults, disinformation (for example, telling the person that a loved one is dead), threats, witnessing torture, forced participation in torture, exposure when washing or on toilet, threat of torture.

Reference 69 - 0.01% Coverage

situation from developing in future.

22 It is also important to point out that the Committee has been in contact and discussion with various leadership figures of the main political groupings and that considerable assistance was given to the Committee in this regard. This has been an ongoing process and the Committee has endeavoured to identify and respond to difficulties experienced by various groupings in order to facilitate their participation in the

amnesty process. The Committee obtained valuable assistance and co-operation from the various submissions of political parties to the Commission and from individual leaders.

Reference 70 - 0.01% Coverage

to the question of accessibility.

28 Insofar as the hearing itself is concerned, the Act empowers the Committee either to promulgate rules of procedure which are generally applicable to hearings or alternatively to determine the procedure to be followed at a particular hearing. To avoid overly formalising the process and to retain the degree of flexibility necessary to ensure the fullest possible participation within the limited time available, the Committee decided against prescribing a set of generally applicable rules of procedure. This decision was partly based upon an acceptance by the Committee of the Commission's approach: that its process should not be equated to that of a court of law and should not be overly regulated. However, the proceedings of the Committee are largely judicial in nature and include in particular the right of cross-examination within reasonable bounds. All parties are allowed to adduce relevant evidence and to address argument to the hearings panel concerning all issues that have to be decided. The proceedings are recorded and the Committee gives reasoned decisions on each application. The Commission publishes these decisions. Within these parameters, the Committee endeavoured to conduct its proceedings in such a manner as to ensure that all parties are treated fairly.

Reference 71 - 0.01% Coverage

were most likely to emigrate.

190 The absence of white South Africans at the Commission hearings has been disappointing. If true reconciliation is to take place, white communities will have to take responsibility and acknowledge their role as beneficiaries of apartheid. The consequences of this lack of participation are likely to perpetuate the polarisation of South African communities and further obstruct processes of reconciliation.

Reference 72 - 0.01% Coverage

freely available to the Commission.

18 This spirit of openness was not, however, always translated into participation by other echelons, and frequently membership, of the ANC. The Commission received few statements from ANC leaders, past or present. Almost none of the ANC's senior leaders in exile came to the Commission to give first-hand details of what had led them into exile or of their experiences at the hands of cross-border intruders. No one who survived the raids at Matola, Maseru or Gaberone, or individual assassination attempts, made submissions on these experiences. Few Umkhonto weSizwe (MK) cadres or underground activists, aside from those who applied for amnesty, made statements to the Commission.

Reference 73 - 0.01% Coverage

who chose to confront it.

d The participation of judges in producing the highest capital punishment rate in the 'western' world, an execution rate which impacted overwhelmingly on poor black male accused.

Reference 74 - 0.01% Coverage

WHERE THE PATIENT IS INCARCERATED.

THE SANDF PROVIDE APPROPRIATE MENTAL AND PHYSICAL HEALTH CARE FOR THOSE SUFFERING FROM THE EFFECTS OF SANDF ACTIONS OR PARTICIPATION IN THEM. SIMILARLY, SERVICES ARE NEEDED FOR THOSE WHO PARTICIPATED IN AND SUFFERED THE RESULTS OF OTHER STATESPONSORED OR LIBERATION MOVEMENT VIOLENCE.

ALL HEALTH CARE FACILITIES HAVE

Reference 75 - 0.01% Coverage

CHAPTER 9 Reconciliation PAGE 387

Commission that we have made every possible effort to provide as complete and as honest a disclosure as it lies in our power to do. I plead with you and with the nation, that this submission be accepted with respect for the truth which it embodies. It is vital for the Association, at this point in its development, [for] its renewal and its transformation, to achieve reconciliation, and this can only happen if there has been full disclosure and full acknowledgement of all the wrongs of the past. If there are gaps or omissions in this submission, they are unintentional. We would welcome any input in this regard from whatever quarter it may come. The transformation of MASA of which I speak is an ongoing process. A significant event along the way was the unconditional apology for the past wrongs of the Association that was made in June 1995. We stand by every word that was spoken in that apology. However, there are those who understood this apology to be an attempt on the part of the Association to achieve what they termed blanket amnesty and to sweep everything else from our past under the carpet. This was far from the intention of that apology. The apology was a necessary step along the road we are travelling, but it was only a step. Our wholehearted participation in the work of this Commission is yet another step on this road, but again only a step.

Reference 76 - 0.01% Coverage

100 A few amnesty applicants did seem sensitive to this need for restitution. Colonel Eugene de Kock devoted the royalties from the sale of his autobiography to a trust fund for victims. Mr Sakkie van Zyl saw his participation in the clearing of landmines in Angola as a form of restitution. Mr Brian Gcina Mkhize risked his own life by co-operating with the authorities to expose clandestine operations in KwaZulu-Natal during the years of conflict. The challenge is to involve much larger numbers of those who received amnesty and other perpetrators of gross human rights violations in the process of restitution.

Reference 77 - 0.01% Coverage

than you realise. Thank you.

102 The following statements illustrate this vital need for broad participation, especially by those who have been unjustly privileged in the past, together with some of the obstacles to restitution. Dr Laurie Nathan, director of the Centre for Conflict Resolution and former Chairperson of the End Conscription Campaign (ECC), said at a special hearing on compulsory military service in Cape Town: I want to end by addressing the question of how, in the light of this history, we should manage the past, and I want to address these comments in particular to the white community. The white community tends to take one of three positions in this regard.

First, they say they are

Reference 78 - 0.01% Coverage

103 At the hearing on conscripts in Cape Town on 23 July 1997, Mr Craig Botha talked about his involvement in the SADF as a conscript in the Navy during the late 1970s and early 1980s. He spoke honestly about his participation in the war: As I look back upon this period, it is with deep shame and regret that I took part in these acts of sabotage and violent destabilisation. The struggles that our neighbouring states have had to undergo, even to this time, are partially attributable to these missions.

Reference 79 - 0.01% Coverage

126 The following extract deals with the role of women in a particular church, but can also be seen as a clear challenge for all South Africans to pay more than lip service to the constitutional ideal of a society where men and women can participate fully, where human rights are respected: Ms Joyce Seroke: Bishop Michael, I would like to, through you, commend the CPSA [Church of the Province of Southern Africa] for coming to grips at last after a long and painful process of accepting women as priests in the church, but I would like to know what is the church doing to empower those women for meaningful participation within the church? Bishop Michael Nuttall: Chairperson, as you will know this is a fairly recent development within the life of our church. It goes back to 1992. Perhaps we should have made that decision long before but, like so many other churches in this respect throughout the world, we have been on a journey and all of us have had to come to a profound change of mind when we've come to the point of accepting women clergy should be as free to operate within the life of our church as men clergy. So, we've only been involved in this for the past five years. We now have something like twenty-three women clergy out of 120 within the diocese which I'm part of ... but there's still a very long way to go, and part of that long way to go is the need for the mindset to change because so many of us across the board, this is not a white or black phenomenon, but across the board, so many of us, particularly those of us who are male, but not only men, have got to make a major inner adjustment to this new reality within the life of our church. But as I said just now, I think that a new liberating process is underway for men and women alike in this process.

Reference 80 - 0.01% Coverage

all sectors of the community.

Past conflicts have not disappeared. They have simply taken a new form. In some cases, the conflict entails almost exactly the same issues as in the past; it is simply the way that people pursue their incompatible goals that has changed. This leads to new alliances and new forms of mobilisation of support. Problems in leadership-follower relations have emerged as political leaders attempt to build a support base that is not simply geared at protest politics and which is not sustained by mass mobilisation. The ability of leaders to facilitate public participation processes is limited in this new era, and the public consequently feels that their elected leaders are out of touch or leave them in the dark.

Reference 81 - 0.01% Coverage

the sections in the Department.

35. These workshops proved an invaluable way of training staff and making them part of the process. Participation by Committee members went a long way towards communicating their expertise to staff and proved invaluable in setting up channels of communication. During these workshops, everyone had the opportunity to air their views and work together to identify problem areas and seek solutions.

Reference 82 - 0.01% Coverage

c With the exception of De Kock, the applicants had failed to make a proper and full disclosure of all relevant facts relating to their own participation in the assassination of the deceased.

Reference 83 - 0.01% Coverage

legal professionals acting as facilitators.

d It supports a criminal justice system that aims at offender accountability, full participation of both the victims and offenders, and making good or putting right what is wrong.

Reference 84 - 0.01% Coverage

reasons she did not specify.

24. Currently, Mrs Tenza is struggling to support her various dependants. She feels emotionally unable to continue her income-generating practice and is helping the health authority with health education issues, specifically in relation to HIV/AIDS. She says that she has a heart condition and must take medication for this. Her participation in the local health forum has been compromised by her health:

56 Interview conducted with deponent

Reference 85 - 0.01% Coverage

leaders into the state apparatuses.

51. The renting of Waterloo farm to security force agents by Tongaat Hulett, a sugar-producing company with a majority Anglo American shareholding, represents one example of such collusion. Business, moreover, directly financed the SADF through its participation in the Defence Manpower Liaison Committee structures. These were designed to facilitate the least disruptive conscription of white men to the armed forces by supplementing the income of soldiers during their stints in the army.

Reference 86 - 0.01% Coverage

4. One such example is a theatrical play called The story I'm about to tell. This was (and still is) an initiative using acting, audience participation, real-life recollections of violations and an improvised script that was true to life events.

5. The actors are survivors

Reference 87 - 0.01% Coverage

115. When the Commission asked the SADF about Operation Orpheus, the SADF denied its existence. However, applications received from Messrs Johan Edward Moerdyk [AM2001/031; AM7218/97] and Frans Nyoni Mandlazi [AM5027/97; AC/2001/277] concerning abductions in Kwandebile and the Eastern Transvaal reveal a similar modus operandi to that described by Hugo. Although Mandlazi was granted amnesty for the incidents for which he applied, Moerdyk's application was refused, as he had sought amnesty for knowledge of rather than participation in such abductions and torture.

Reference 88 - 0.01% Coverage

Cradock, Grahamstown and Fort Beaufort.

241. Twelve members of the Eastern Cape Security Branch, including two divisional commanders, applied for amnesty for eight incidents. A Security Branch informant, Patrick Mncedisi Hlongwane, also applied for amnesty for a number of incidents. Applications were also received from members of the C1 (Vlakplaas) unit and from the Technical Division of Security Branch Headquarters for their participation in Eastern Cape Security Branch operations.

242. Incidents applied for include

Reference 89 - 0.01% Coverage

301. The role and functions of the DCC came under the spotlight after a raid on DCC premises by the Goldstone Commission in November 1992. Following this raid, then President de Klerk ordered an investigation headed by South African Air Force general Pierre Steyn. Drawing on two earlier investigations conducted by the SADF's Counter-Intelligence Unit as well as the NIS, General Steyn concluded that DCC personnel were involved in a range of unlawful activities. These included the planning and execution of coups in the Ciskei and Transkei; manipulating important role players in the Transkei and Ciskei; involvement with the IFP; fanning unrest through killing, arming of political factions and intimidation actions; participation in planning to escalate violence in order to thwart the government's reform initiatives, and corruption with regard to illegal arms deals.

Reference 90 - 0.01% Coverage

206. Rank and file ANC membership, particularly youth, clashed with the traditional authorities and their political structures in the former homelands, particularly in the Ciskei and Bophuthatswana, which resisted free ANC political activity and threatened to oppose participation in the 1994 democratic elections.

Reference 91 - 0.01% Coverage

122. Mr Dawie Ackerman, whose wife was killed in the attack, opposed their amnesty applications. There was also opposition from Mr Lorenzo Smith and Mr Dimitri Makogon, who had lost an arm and both legs in the attack. Both Messrs Ackerman and Smith argued that the applicants had not fully disclosed the nature of the facts of their participation in the attack and, further, that the offences were disproportionate to the political objectives of the PAC.

123. They also

Reference 92 - 0.01% Coverage

227. The Committee accepted that the applicants had acted on behalf of APLA and in accordance with what was then the policy of the PAC. It was satisfied that they had made a full disclosure of their respective roles and participation in the attacks. Accordingly, Mr Lerato Abel Khotle, Mr Luvuyo Kulman and Mr Phila Martin Dolo were granted amnesty for the attacks in Ficksburg.

Reference 93 - 0.01% Coverage

the alliance were not recognised.

42. However, General Viljoen ultimately supported participation in the democratic elections in 1994.

PART TWO: SUMMARY AND

Reference 94 - 0.01% Coverage

245. The Committee also did not deem it necessary to make a finding as to the proximate cause of the public violence. All the Committee needed to consider was whether the applicants complied with the formal requirements of the Act, whether the acts were committed with a political objective as required by the Act and whether the applicants had made a full disclosure of all relevant facts with regard to their participation.

Reference 95 - 0.01% Coverage

29. Allegations of 'third force' activity reached a crescendo in the wake of the Boipatong massacre in June 1992. The Commission did not undertake detailed investigation into all allegations of security force complicity. Instead it relied on a number of reports submitted to it by monitoring groups who went into Boipatong immediately after the massacre and compiled reports based on the testimony received. The Commission made a series of detailed findings in which it alleged that there had been direct collusion between the security forces and the IFP, and that the security forces' direct participation in the massacre was alleged. Conversely, the Amnesty Committee accepted the version of most amnesty applicants, who denied any security force involvement in the massacre, and rejected the evidence of Andries Matanzima Nosenga, the one applicant who supported victims' assertions that the security forces were complicit. The Amnesty Committee did, however, leave open the possibility of security force complicity: it acknowledged the victims' allegations, while accepting that there was no evidence to connect the amnesty applicants with them. The Commission does not accept that allegations about this complicity were fabricated.

Reference 96 - 0.01% Coverage

elaborated on the meaning of

'accomplice' liability and concluded that the accomplice is guilty if 'his participation directly and substantially affected the commission of that offence through supporting the actual commission before, during, or after the incident' and that he 'had knowledge of the underlying act'. This test was not challenged and has been adopted by other chambers of the ICTY. In the *Akayesu* case, the ICTR defined 'planning' to mean 'one or several persons contemplate designing the commission of a crime at both the preparatory and execution phases'.

Reference 97 - 0.01% Coverage

the beginning of para 280:

The Commission held public hearings into the violence in March 1990, that became known as the Seven Day War, but did not have the benefit of the participation of members and supporters of the IFP, who chose not to participate in the hearings. Thereby the Commission did not have the benefit of hearing the IFP's perspective of the nature and causes to this very intense period of violence and its findings are based on submissions received mainly from those involved in the conflict under the ANC banner.

Reference 98 - 0.01% Coverage

paragraph is amended as follows:

292 The Commission held public hearings relating to the Seven-Day War, but did not have the benefit of the participation of members and supporters of the IFP, who chose not to participate in the hearings. The Commission did not have the benefit of hearing the IFP's perspective of the nature and causes of this intense period of violence and its findings are based on submissions received mainly from those involved in the

conflict under the ANC banner. The full findings of the Commission on the event which became known as the Seven day War are recorded elsewhere in the Commission's report. In summary, they are as follows:

Reference 99 - 0.01% Coverage

The Commission has made a comprehensive finding regarding the KZP, in which it is described, inter alia, as a highly politicised force, openly assisting the IFP – by omission and by active participation -in the commission of gross human rights violations, as well as being grossly incompetent.

This paragraph is amended by

Reference 100 - 0.01% Coverage

of the first sentence below:

In investigating the activity of the KZP, which was disbanded and integrated into the SAPS in 1994, the Commission did not have the benefit of eliciting the viewpoint of and evidence from the KZP, as most of its senior members did not volunteer evidence to the Commission. The Commission has made a comprehensive finding regarding the KZP, in which it is described, inter alia, as a highly politicised force, openly assisting the IFP – by omission and by active participation - in the commission of gross human rights violations, as well as being grossly incompetent.

Reference 101 - 0.01% Coverage

E 7 Victim findings: Summaries

near KwaMashu, Durban, on 27 July 1991, in ongoing political conflict in the area. BULOSE, Ngenzeni Gretta (42), had her home burnt down by IFP supporters at Sonkombo, Ndwedwe, KwaZulu, near Durban, on 16 March 1994. See SONKOMBORSONATTA CKS. BULOSE, Sipho (45), was shot dead by IFP supporters at his home in Inanda, near KwaMashu, Durban, on 8 August 1993. Mr Bulose and his family had fled their home earlier that year because of the political conflict between ANC and IFP supporters in the area. He was killed when he returned to retrieve some of the family's possessions. BULOSE, Zombo (73), had her home burnt down by IFP supporters on 16 March 1994 at Sonkombo, Ndwedwe, KwaZulu, near Durban. See SONKOMBORSONATTA CKS. BUNGANA, Mcingelwa Peter, an ANC supporter, broke his shoulder-blade when a political meeting he was attending was raided by members of the SAP in 1960 during the Ngquza raid at Ngqeleni, Transkei. Police hurled another man at Mr Bungana, severely injuring him. BUNGANA, Mondli, an ANC supporter, was arrested and severely beaten by the police in Bizana, Transkei, in March 1960. The beatings resulted in internal injuries that led to his death four months later. See PONDOLANDREVOLT. BUNGANE, Mzwandile Mbuso (19), an ANC member from Maluti, Transkei, was shot dead on 9 December 1982 in an attack by SADF Special Forces operatives on several ANC houses and a block of flats on Maseru, Lesotho. Thirty South Africans and 12 citizens of Lesotho were killed in the midnight attack. Mr Bungane's family had not known he was in exile until they heard over the radio that he was among those killed. BUNGU, Mzuvukile Victor (27), was shot in his right leg by members of the CDF during political protests in Mdantsane, Ciskei, in January 1982. BUQA, Daniel Mazizi (28), an ANC supporter, was detained and severely beaten by named SAP members during a SCHOOLBOYCOTT in Jagersfontein, OFS, in February 1990. BURGERS, Raymond, a BCM member, was arrested in 1975 and held at John Vorster Square, Johannesburg, where he was beaten in an attempt to force him to testify against Trevor Bloem, charged under the Terrorism and Communism Act. Mr Burgers and Patric McGluwa were suspected of being co-conspirators in discouraging participation in the CRC. They were sentenced to one year's imprisonment after refusing to testify. BURROWS, Ian P, was injured when MK operatives detonated an explosive in a car outside the South African Air Force (SAAF) headquarters in

Church Street, Pretoria, on 20 May 1983. Twenty-one people were killed and 217 injured. The overall commander of MK's Special Operations Unit and two MK operatives were granted amnesty (AC/2001/003 and AC/2001/023). See CHURCH STREET BOMBING, PRETORIA.

Reference 102 - 0.01% Coverage

E 7 Victim findings: Summaries

Branch operatives were granted amnesty for this operation (AC/2000/214). DINWA, Nomonde, was shot and injured by a BALACLOUP, allegedly linked to the Lingeletu West Town Council, in Khayelitsha, Cape Town, on 16 December 1991. The attack left three people dead, three wounded and 40 houses burnt. DINWA, Nyamaayipheli, was executed in Pretoria, on 5 April 1962 for his participation in the PONDOLAND REVOLT, an extended uprising by groups in Pondoland against imposed tribal authorities and self-government for Transkei. DINWA, Qhekwane, an ANC supporter, was arrested in Bizana, Transkei, during the PONDOLAND REVOLT. DINWA, Vuyo Patrick (12), was shot and severely injured by a member of the SAP on 1 May 1990, while on his way to the shops in Mbekweni, Paarl, Cape. DIOKA, Keodirileng (25), a UDF supporter, was repeatedly tortured during interrogations by members of the Bophuthatswana Police in Thaba Nchu, Bophuthatswana, in 1986. DIPHOKO, Samba Joy, survived when shots were fired into the home of the Ntsime family at Mmabatho, Bophuthatswana, during an attempted coup d'état on 10 February 1988. Two Bophuthatswana Defence Force members were granted amnesty for their role in the attempted coup (AC/2000/044). DIPHOKO, Zayedwa (41), died after being shot, allegedly by IFP supporters, in Katlehong, Tvl, on 6 July 1993 while on his way to work. DIPICO, Sephiri Ignatius (21), a member of the Ikageng Civic Association, was arrested and assaulted by named members of the SAP in Potchefstroom, Tvl, in May and June 1986. Mr Dipico had helped form a street committee and participated in the occupation of empty land. DIPPENAR, Francois, a member of the SAP, was shot at during an exchange of fire with an ANC member whom the police had come to arrest on 25 March 1993, in northern KwaZulu/Natal. The perpetrator was granted amnesty for the incident (AC/1999/0341). DIRANE, Jacob, an ANC supporter, was shot dead by members of the SAP in Orlando West, Soweto, Johannesburg, on 5 November 1986 during the state of emergency. DIREKO, Lettie Maboleta (62), was shot with a rubber bullet by members of the Bophuthatswana Police at Ga-Rankuwa, Bophuthatswana, during a peaceful march by the community to deliver a memorandum to the magistrate on 7 March 1990. DISCO, an unidentified skier, was stabbed to death by MK operatives who were attempting to escape from the covert Security Branch farm, Valkeplaas, Tvl, a round New Year in 1981. Two MK operatives were granted amnesty (AC/1999/215). DISEKO, George (17), an ANC supporter, was stabbed to death with a pang by named perpetrators in Khutsong, Carletonville, Tvl, in November 1993 during conflict between COSAS and a newly-elected ANC branch committee in the area.

Reference 103 - 0.01% Coverage

E 7 Victim findings: Summaries

JOSIAH, Mlondolosi Isaac (25), was shot in the back five times by members of the SAP in Langa, Uitenhage, Cape, on 21 March 1985 when police opened fire on mourners marching to a funeral. At least 20 people were killed and many injured in the shooting. See LANGASHOOTING. JOSISA, Zenele Alsom (35), had his house burnt down in Bhambayi, near KwaMashu, Durban, during January 1993, in intensifying political conflict between ANC and IFP supporters in the area. JOTINA, Meisie (31), a UDF supporter, was detained on 13 June 1985 during the state of emergency in Klipplaat, Cape, and held for five months during which she was severely beaten by members of the SAP. See POLICE Brutality. JOYI, Anderson Dalagubhe (38), a committee member of the Bumbane Tribal Authority, was detained several times in 1963 in Umtata, Transkei, because of his involvement in ANC underground meetings. JOYI, Mbeki Marhelane Bangilizwe (42), was detained and then banned in 1958 in Umtata, Transkei, for holding unlawful meetings and being a member of the Committee of Bumbane Tribal Authority. The banning order was lifted in

December 1963. JOYI, Mnjwenjwe (46), was detained for six months in Kokstad prison, Natal, and his home in Bizana, Transkei, was burnt down by members of the SAP in 1960 allegedly because of his participation in the PONDOLAND REVOLT. JOYI, Mpunzima (55), a TDP member, was banned and his house in Mputi Village, near Umtata, Transkei, destroyed on 14 June 1980, allegedly because of his opposition to the Transkei government. His family was banished to Mtshanyane Village, Cofimvaba, Transkei, for six years. JOYI, Nolingene (59), and her family were banned from Mputi Village, near Umtata, Transkei, on 14 December 1980, and could only return six years later. Ms Joyi's husband had been a supporter of the Transkei Democratic Party, which opposed the Transkei government. JOYI, Twalimfene (48), an ANC supporter, was shot dead by a named member of the Transkei Police in March 1976 in Flagstaff, Transkei, allegedly because of his opposition to Transkei's independence and the Matanzima government. JOYISA, Mavis (51), a UDF supporter, had her home destroyed in a hand grenade attack by members of the KWAZULU POLICE and SADF 32 Battalion in Umbumbulu, KwaZulu, near Durban, on 15 June 1990. JOZI, Nomatshawe Amelia (48), an ANC supporter, had her house burnt down on 30 April 1990 in Pholile, Matatiele, Natal, by a group of men carrying traditional weapons and looking for ANC supporters. Nine homes were burnt in the area that day. At the time, ANC supporters were being attacked, and some killed, in an attempt to prevent the ANC from setting up local branches in the area. JUDA, Mongezi (17), was one of four youths shot dead by named members of the SAP who opened fire on protesters after unrest broke out in Bongweni, Colerberg, Cape, on 3 July 1985.

Reference 104 - 0.01% Coverage

GE181

KEYE, Misiwe Evelyn (43), was severely beaten by members of the SAP and bitten by police dogs in Wilsonia, East London, on 5 August 1983, allegedly because of her participation in the MDANTSANEBUSBOY COTT. KGABILENG, Piet Basimane (46), was shot and severely assaulted by members of the Bophuthatswana Police in Taung, Bophuthatswana, in 1988 for refusing to give them keys to the Taung tribal office. At the time, there was conflict over the chieftainship of the area. KGADIMA, Mmatlou Ramaesela (55), a People's Congress member, had her home burnt down by supporters of Chief BK Matala in GaMatlala, Lebowa, on 2 February 1980 because she resisted Lebowa's proposed independence from South Africa. KGAFELA, Annah Kwena (12), had her home burnt down by supporters of Chief BK Matala in GaMatlala, Lebowa, on 2 February 1980, because her family resisted Lebowa's proposed independence from South Africa. KGAFELA, Joel, was beaten to death by supporters of Chief BK Matala in GaMatlala, Lebowa, on 2 February 1980, because Mr Kgafela resisted Lebowa's proposed independence from South Africa. KGAFELA, Ngoepe Johanna (28), had her home burnt down by supporters of Chief BK Matala in GaMatlala, Lebowa, on 2 February 1980 because she resisted Lebowa's proposed independence from South Africa. KGAFELA, Oupa, was beaten by members of the SAP at Vereeniging police station, Tvl, on 3 September 1984 at a time of community action against town councillors popularly known as the VALUPRISING. Mr Kgafela was walking with friends when police opened fire, killing one of them instantly. Mr Kgafela and two friends were then taken to Vereeniging police station and assaulted. KGAFELA, Tshophe White (58), had his house burnt down by supporters of Chief BK Matala at GaMatlala, Lebowa, on 2 February 1980 because Mr Kgafela resisted Lebowa's proposed independence from South Africa. KGAHLE, Maggie, was severely beaten by members of the Bophuthatswana Police on her way to attend an ANC rally in Rustenburg, Tvl, during 1992. Police stopped the bus several times along the journey to Phokeng and eventually people were ordered out and were assaulted with fists and rifle butts. KGAKETSANE, Johannes Gogang (40), was severely beaten by members of the Bophuthatswana Police in Garankuwa, Bophuthatswana, during a riot in the area in 1977. KGALEMA, Jabu Jacob (11), was shot and injured by members of the SAP in KwaGuga, Witbank, Tvl, on 6 April 1986 during a school boycott. Jabu is partially paralysed as a result. KGANG, Simon Orapeleng, an ANC supporter, was fatally stabbed with a knife by a named perpetrator in Mafikeng, Bophuthatswana, in February 1992. At the time Mr Kgang was

on bail for taking part in an illegal political gathering. KGAPHOLA, Mmabje Harold (32), was shot and injured on his way to work in Alexandra, Johannesburg, in July 1986 when police confronted youths returning

Reference 105 - 0.01% Coverage

E 7 Victim findings: Summaries

K H E S WA, Mzwandile (22), was shot and paralysed by IFP supporters in Soweto, Johannesburg, on 30 May 1992 during conflict between IFP and ANC supporters. K H E S WA, P Xolani, was stoned to death by UDF supporters in Pietermaritzburg on 7 November 1988 in intensifying conflict between Inkatha and UDF supporters in the area. K H E S WA, Samuel Molefi (23), was severely injured in the foot when a hand grenade detonated by an MK operative exploded in Sebokeng, Tvl, on 27 November 1992. MK and APLA members who had returned from exile were training members of the community to defend themselves against alleged IFP and security forces attacks. The perpetrator allegedly threw the hand grenade after getting involved in an argument at a stockpile. Six people were killed and four were injured in the explosion. K H E S WA, Sbusiso Blessing (18), an ANC supporter, was abducted by Inkatha supporters while waiting for a bus in Umzinto, Natal, in March 1990. He has not been seen since and is presumed dead. K H E S WA, Simangele Loveness (27), was severely injured by shrapnel when a bomb planted by the AWB exploded in Johannesburg, on 24 April 1994 in political conflict in the run-up to the APRIL 1994 ELECTION. K H E S WA, Victor Khethisi, was shot and injured by ANC supporters in Boipatong, Vanderbijlpark, Tvl, in December 1990 at a street committee meeting called after he was acquitted of killing an ANCYL member in the area. Mr Kheswa, known as the 'Vaal monster', died in police custody on 10 July 1993. See also IFP-aligned K H E T H I S I K H E S WA G A N G. K H E T H WA, Simphiwe (13), was shot dead by members of the SAP who opened fire on fleeing youths during protests in Venterstad, Cape, on 27 March 1986. KHETSHENGANE, Mzwandile Elmas (27), was shot dead by members of the SAP during boycotts and political conflict in Fort Beaufort, Cape, on 16 June 1986. KHOABANE, Johannes Tlhoriso, was shot and injured by members of the SAP in Sebokeng, Tvl, on 3 September 1984 during the VAA L U P R I S I N G sparked by an increase in rent and the subsequent attack and burning of councillors' homes. KHOADI, Kefilwe Frederica (16), was severely intimidated by AZAPO supporters in Mohlakeng, Randfontein, Tvl, on 21 May 1986. KHOALI, Elias Masilo, an ANC member, was tortured by a named member of the Security Branch in Koppies, OFS, for his participation in the 1960 anti-Pass Law campaign. Mr Khoali was regularly detained and subjected to ill-treatment. KHOBENI, Wandile Alphonse Ganda (23), a COSAS member, was detained and severely tortured in Bethulie, OFS, in 1989, allegedly for his part in harassing students whose fathers were CO UN C I L L O R S or policemen. KHOBO, Siyabulela (14) was abducted, severely assaulted and tortured by named and other supporters of a named Crossroads leader on 22 May 1993, in order to force him to falsely implicate their political opponents in violence. Crossroads leader, Jeffrey Nongwe, and

Reference 106 - 0.01% Coverage

E 7 Victim findings: Summaries

KRUGER, Susanna Maria Magdelina, suffered injuries when a limpet mine, placed in a pot plant, was detonated near the Juicy Lucy restaurant on the corner of Andries and Vermeulen Streets, Pretoria, on 26 May 1988. Three MK operatives were granted amnesty (AC/2000/199). KRUSER, Gary John (25), an MK operative, was tortured during interrogation in Cape Town by members of the Western Cape Security Branch, in September 1987. He was held for six months under SECTION 26 and then for three years, while on trial for terrorism. Two members of the Western Cape Security Branch were granted amnesty for the torture of Mr Kruser (AC/1999/0027 and AC/1999/028). KUAPE, Mantwa Lydia, a UDF activist, was shot dead by members of the SAP, allegedly in an ambush, in Katlehong, Tvl, on 25 July 1986. Prior to her death Ms Kuape was repeatedly visited by members of the security forces who accused her of hiding

weapons and ammunition. Ms Kuape's brother was an MK member in exile at the time of her death. KUBAYI, Solomon Muzamane (15), was shot with a bullet and injured by members of the SAP in Alexandra, Johannesburg, on 25 April 1986 during mass community action against vigilante groups and community councillors. KUBEKA, Fakazile Joyce (36), a UDF supporter, was shot by members of the Security Branch at Ntuzuma, near Durban, on 21 October 1989 in a raid on her home. She lost her sight as a result of the shooting. KUBEKA, Lilian Matshomo (49), mother of a policeman, lost her home when it was petrol-bombed by alleged 'comrades', in Daveyton, Tvl, on 25 February 1994. Policemen were targeted because of their role in enforcing apartheid laws. KUBEKA, Mpoto Philemon (67), had his store looted and burnt and his car burnt to ashes by named perpetrators at Madadeni, KwaZulu, near Newcastle, Natal, on 1 March 1994, in political conflict in the area. KUBEKA, Zamokwakhe (42), an ANC supporter and a councillor, was shot dead, and his shop was looted, by IFP supporters in KwaMashu, Durban, on 17 November 1990. KUBEKA-MODISE, Abigail Sibongile (46), an ANC supporter, had her house in Orlando, Soweto, Johannesburg, burnt down in 1986 by named perpetrators because of her participation in a peace song that was organised by the apartheid government. KUBEKA, Albertina, died in hospital on 5 May 1986 from burn wounds sustained when her house in Madadeni, KwaZulu, near Newcastle, Natal, was set alight by Inkatha supporters on 27 April 1986. Her sons were shot and injured while extinguishing the fire. Another son, who was later killed, was a NACTU member. Inkatha and KWAZULU POLICE members reportedly harassed union members and their families because unions were considered a political threat. KUBEKA, Amos Bongani (17), was abducted and tortured by IMBOKODO vigilantes in KwaNdebele, in May 1986 following violence over the area's proposed independence.

Reference 107 - 0.01% Coverage

E 7 Victim findings: Summaries

MABASO, Michael (47), a UDF supporter and formerly chairperson of the Klaarwater Residents' Association, was constantly harassed and threatened by members of the Security Branch in Klaarwater, near Pinetown, Natal, from 1983 to 1987, allegedly because of his active participation in community structures. Security Branch members wearing balaclavas would visit his home at night and threaten members of his family. MABASO, Michael Thulani (35), an ANC supporter, was shot dead by ANC supporters on 14 February 1994 in Wembezi, KwaZulu, near Estcourt, Natal, allegedly in conflict within the party and between the ANC and SACP in the area. MABASO, Mngoma Johannes (82), was shot, allegedly by IFP supporters in Tokoza, Tvl, on 16 August 1993, reportedly because his family refused to join the IFP. He died three days later. Four people died and three were injured in the attack, including a five-year-old boy. MABASO, Muzi David (33), an IFP supporter, was burnt to death by ANC supporters who attacked him and petrol-bombed his family home in Ezakheni, KwaZulu, near Ladysmith, Natal, on 10 June 1993. MABASO, Muzikawufunwa (46), an Inkatha supporter and active member of the local school committee, was stabbed to death by unidentified school students, believed to be UDF supporters, on 22 February 1988 in Mpumalanga, KwaZulu, near Durban, in conflict between students and a local school committee. Both his sons were shot dead by ANC supporters in November 1988 and 1992. In February 1989 his wife's home was burnt down. MABASO, Njabulo Joyful (21), was shot and injured when IFP supporters attacked his home in Matshana, KwaZulu, near Empangeni, Natal, on 24 March 1993, allegedly because members of the family refused to join the IFP. Mr Mabaso lost his sight in one eye as a result of the shooting. His mother survived the attack with stabbing and gunshot injuries, while his sister, aged 4, was stabbed and severely injured. MABASO, Nkosinathi Augustini, died after being stabbed by a named ANC supporter in Madadeni, KwaZulu, near Newcastle, Natal, on 9 March 1991, allegedly because he was seen wearing an IFP T-shirt. MABASO, Noble, was shot dead by alleged members of the SAP in Naledi, Soweto, Johannesburg, on 24 August 1976 when police were patrolling the area in the aftermath of the SOWETO UPRISING. MABASO, Nomhlaulo Mary-Magdeline Maria (45), had her house burnt down by members of the SAP in Diepkloof, Soweto, Johannesburg, on 8 May 1986. MABASO, Nomsa, was shot dead by IFP supporters in Piet Retief, Tvl, on 3 June 1993 during a commemoration ceremony for an ANC activist killed near the

Swaziland border. MABASO, Ntombikayise Victoria (34), had her house in Sonkombo, Ndwedwe, KwaZulu, near Durban, burnt down by ANC supporters on 20 March 1994. See SONKOMBORSONATATACK S. MABASO, Owen Sibuya, was shot and killed in Tokoza, Tvl, on 8 March 1992 during ongoing political conflict in the area.

Reference 108 - 0.01% Coverage

E 7 Victim findings: Summaries

June 1986. He was shot in the back while walking away from policemen who had interrogated him in the veld at night. MAKHUBELA, Edward Bongani, an ANCYL member, was allegedly beaten to death by a member of the SAP in Vosloorus, Tvl, in July 1992. MAKHUBELA, Joseph, an ANC supporter, was shot dead by IFP-aligned hostel-dwellers in Swanieville, Krugersdorp, Tvl, on 12 May 1991. About 115 shacks were set alight, 27 people were killed and 25 vehicles were burnt in retaliation for the expulsion of IFP supporters from Swanieville informal settlement. Twelve people were charged with crimes ranging from murder to arson but were acquitted due to lack of evidence. MAKHUBELA, Joyce, was injured when UDF supporters launched a petrol bomb attack on a bus along the N3 freeway, near Standerton, Tvl, in March 1987. The bus was transporting Pirates soccer club players and fans to Tokoza. The Pirates were believed to be a vigilante group collaborating with community councillors and police in attacking the UDF. Three UDF supporters were granted amnesty (AC/2001/071). MAKHUBELA, Sellinah Mapontsho (34), had her house damaged in an arson attack by supporters of Chief Tshajwa in Maboloka, Bophuthatswana, on 7 May 1977 during conflict between the supporters of Chiefs Tshajwa and Lion. MAKHUBELA, Siphos Albert (18), was shot by members of the SAP in Dube, Tvl, on 26 August 1976 in the aftermath of the SOWETO UPRISING. MAKHUBELA, Winnie (15), was severely injured when she was gang-raped, stabbed and shot, then thrown out of a window and left for dead, allegedly by IFP supporters in Tokoza, Tvl, on 29 July 1993. Ms Makhubela was abducted with three other girls, two of whom were killed. MAKHUBO, Beatrice Lindiwe (22), was shot by members of the SAP in Duduza, Nigel, Tvl, in April 1984 during a student protest. MAKHUBO, Gagaza Morris, (21), a UDF supporter, was arrested and beaten while in custody by members of the SAP in Siyathemba, Balfour, Tvl, on 2 May 1986 for his political involvement and alleged participation in burning down a local store. Mr Makhubo was charged with public violence and granted R200 bail but the charges were eventually dismissed. MAKHUBO, Stanley Mzwandile (17), was shot dead by members of the SAP in a street in Zola, Tarkastad, Cape, on 11 September 1990, after allegedly throwing a petrol bomb at them. MAKHUBO, Thabo, an MK operative deployed in the Transkei, was shot dead at a police roadblock near Elliot on 11 August 1981. Two others were also killed in the shoot-out. Two escaped but were cornered and died fighting at Barkly Pass two days later. The bodies were secretly buried on a farm, Lushof, in the magisterial district of Rouxville, near Aliwal North, Cape, and exhumed by the Commission on 9 April 1997. MAKHUBU, Makomorane Aletta, an ANC supporter, was shot in Vrede, OFS, on 28 April 1993, when police

Reference 109 - 0.01% Coverage

E 7 Victim findings: Summaries

police dog in Langa, Cape Town, on 2 September 1976. He was part of a student group that assembled at Langa station to join protest marches to Cape Town as part of the SOWETO UPRISING. MAKUBALO, Nyembezi Richard (47), an ANC supporter, was severely tortured by members of the SAP in March and May 1960 in Worcester, Cape, for his participation in protest campaigns. MAKUBALO, Taruni Tapepe (19), was beaten and shot by members of the SAP in Langa, Cape, on 15 August 1976, during the SOWETO UPRISING. In 1977 he was tortured while in detention for nine months in Cape Town and Bloemfontein. MAKULANA, Munzhedzi Emily, was severely assaulted and burnt to death by a group of youths at Mfunzi village, Venda, on 21 March 1990. She was accused of using witchcraft to hinder the work

of the Youth Congress in the area. Three perpetrators were granted amnesty (AC/2000/094). MAKULANI, William Rhorhwana (36), a PAC supporter, was tortured by members of the SAP in Victoria West, Cape, in April 1968, allegedly because of his involvement in Poqo. He was part of a group of 26 men ultimately acquitted of charges of sabotage after long periods in custody on trial. This was part of a set of arrests and trials in the Karoo region in which Poqo networks were alleged to have conspired to rise up against the white population. MAKULUVE, Andrias (25), an IFP supporter, was killed by ANC supporters in Esigisini, KwaZulu, near Empangeni, Natal, on 4 November 1991. MAKUME, Godfrey Ntai, was shot dead at his home in Sebokeng, Tvl, on 21 April 1993. His brother and three guests died in the same attack. MAKUME, Mokutu Given, was shot dead at his home in Sebokeng, Tvl, on 21 April 1993. His brother and three guests died in the same attack. MAKUME, Oupa Everest (40), an ANC supporter, was hacked to death in Vosloorus, Tvl, on 12 September 1990, allegedly by IFP supporters. MAKUME, Thomas Kabelo (19), an ANC supporter, was shot and injured by members of the SAP while on a march to demand the release of political prisoners at Sebokeng, Tvl. MAKUNGA, Duduzile (43), an IFP supporter, had her home burnt down by ANC supporters, some of whom are named, in Empangeni, Natal, on 30 October 1993. MAKUNGA, Phumzile, an IFP supporter, was raped and then stabbed to death by ANC supporters in Empangeni, Natal, on 18 February 1992. MAKUNYANE, David, a COSAS member, was arrested under emergency regulations in September 1986 and detained for three weeks in Middelburg, Tvl. Mr Makunyane was accused of public violence. MAKUPULA, Nosilingi Patricia, an ADM supporter, lost her house in an attack by ANC supporters in Alice, Ciskei, on 8 September 1992. MAKUTWANA, Tapela Meshack (17), was left permanently disabled after he was shot by police and then stabbed and severely burnt by migrant workers in Nyanga, Cape Town, on 26 December 1976, during

Reference 110 - 0.01% Coverage

E 7 Victim findings: Summaries

from CR Swart Square, Durban, and took him to his great-aunt without his mother's permission. McBRIDE, Dorris Yvonne (around 47), an ANC supporter, was continually harassed and was detained on several occasions by members of the Security Police in Durban in the 1980s, allegedly because of the involvement of members of her family in political activities. McCLUNE, Robert, was shot and injured by named members of the SAP in Wolsley, Cape, on 24 November 1990, while participating in a legal protest at the opening ceremony of Wolsley's community hall. Residents objected to the participation of a Tricameral Parliament Minister in the proceedings. McDONALD, Ian, was killed when APLA operatives attacked members and guests at the King William's Town Golf Club, Cape, on 28 November 1992. Four people were killed and 17 injured in the attack. See APLA AT TACKS. Four APLA members were granted amnesty (AC/2001/182). McDONALD, Nonceba Mary, an ANC supporter, was tortured and had a hand grenade thrown at her home by members of the Ciskei Police on 19 January 1987 in Mdantsane, Ciskei, allegedly because her son was an MK operative. McDONALD, Patrick Vusumzi (30), an MK operative, was shot dead by named members of the Ciskei Police on 18 January 1987 in Mdantsane, Ciskei. McDONALD, Rhoda, a civilian, was injured when APLA operatives attacked members and guests at the King William's Town Golf Club, Cape, on 28 November 1992. Four people were killed and 17 injured in the attack. See APLA AT TACKS. Four APLA members were granted amnesty (AC/2001/182). MCEDI, Vincent Mpho, was shot dead by members of the 'Zim-Zim' faction of the KHUTSONG YOUTH CONGRESS (KYC) in Khutsong, Carletonville, Tvl, on 27 November 1990. The ANC-aligned KYC had split into two rival factions, the 'Zim-zims' and the 'Gaddaffis'. At least 17 people were killed in Khutsong between 1989 and 1991 before a peace pact took effect in May 1991. Mr Mcedi was a supporter of the 'Gadaffi' faction. MCELU, Morris Mzimkhulu (20), a COSAS member, was shot and injured by named members of the SAP at Mlungisi, Queenstown, Cape, on 19 November 1985. Two days earlier, police and residents had clashed at a meeting at the Nonzwakazi Methodist Church. MCE RWA, Ndumiso (15), an AZASM member, was shot and injured by a UDF-aligned SASCO member in Soweto, Johannesburg, in March 1986. UDF and AZASM supporters clashed violently in a number of Transvaal townships in the mid to late 1980s. MCE TYWA, Harriet Jabulile

(34), had her home damaged in an arson attack by IFP supporters and other named perpetrators in Pongola, Tvl, in 1993. M C G L U W A, Patric W i l l i a m , a BCM member, was arrested on 14 February 1975 and held at John Vo r s t e r S q u a r e, Johannesburg, where he was beaten and intimidated by named members of the Security Branch to try and force him to testify against Trevor Bloem, charged under the Terrorism and Suppression of

Reference 111 - 0.01% Coverage

Communism Acts. Mr Mcgluwa and another were suspected of being co-conspirators in attempting to discourage participation in the CRC and were sentenced to a year's imprisonment for refusing to testify. McGOSH, Samuel Navarro (22), a founder member of AZAPO, was tortured in detention in Johannesburg, in 1976. He was arrested for being a member of AFRO, an anti-collaborationist front. M C H I Z W A, Phungula (55), an ANC member, was detained and severely beaten by members of the SAP in 1960 in Bizana, Transkei, during the P O N D O L A N D R E V O L T. M C H O L W A, Mthingwevu Lizethile (29), an ANC member in Engcobo, Transkei, was killed in an attack by SADF Special Forces operatives on several ANC houses and a block of flats in Maseru, Lesotho, on 9 December 1982. Thirty South Africans and 12 citizens of Lesotho were killed in the midnight attack. MCHUNU, Andrinah Malithi (26), an ANC supporter, had her house destroyed in an arson attack by Inkatha supporters in Pietermaritzburg, on 26 March 1990, during the S E V E N - D A Y W A R. MCHUNU, Baphindile (47), an ANC supporter, had her house at Engonyameni, near Umlazi, Durban, burnt down by Inkatha supporters in December 1989 in intensifying political conflict in the area. MCHUNU, Batembile (49), an ANC supporter, had her house in Chimora, Umlazi, Durban, burnt down by IFP supporters on 16 January 1992 in intense political conflict in the area. See C H I M O R A S E T T L E M E N T A T T A C K S. MCHUNU, Bheki Joseph, was severely assaulted by members of KWAZULU POLICE at Inchanga, Natal, in 1989. The police claimed that he was in possession of illegal firearms. MCHUNU, Bhukumuzi Moses (36), an ANC supporter, was shot and severely injured by IFP supporters in Wembezi, KwaZulu, near Estcourt, Natal, on 27 September 1991. MCHUNU, Bhelukuyise Phillip, a UDF supporter, was killed by a named member of the SAP in Pietermaritzburg on 7 January 1990, allegedly because of his active political involvement. MCHUNU, Deli, was shot and injured by Inkatha supporters at Nhlalakahle, Greytown, Natal, on 17 January 1988. The perpetrators were allegedly looking for another occupant of the house, whom they suspected of being a UDF supporter. MCHUNU, Dumisani (36), was severely stabbed and beaten by named IFP supporters in Empangeni, Natal, on 12 March 1991. She was suspected of being an ANC supporter. MCHUNU, Elizabeth Ntombifuthi

Reference 112 - 0.01% Coverage

MK commander from Soweto, Johannesburg, was shot dead in an ambush by named members of the Eastern Transvaal Security Branch on 9 July 1987 at Lobamba, Swaziland. An ANC NEC member and senior MK commander, Mr Job Tabana ('Cassius Make'), and a Mozambican woman, Ms Eliza Tsini, were killed in the same operation. M O T A U, Refilwe Gift (13), was sjambokked and assaulted by members of the Lebowa Police in 1985 in Duiwelskloof, Lebowa, because of his involvement in forming an SRC. The launch of the UDF in 1983 led to an underground core of activists in the area organising pupils to replace the prefect system with more democratic SRCs. This met with strong government disapproval and resulted in the detention and assault of many pupils by the Lebowa Police. M O T A U, Tagishe Willkie (28), an SAP member, lost his house in an arson attack in July 1990 in Siyathuthuka, Belfast, Tvl, because people thought he was a police informer. M O T A U, Thomas Tommy, an ANC supporter, died mysteriously after he was arrested and sentenced to six years for public violence in Bela-Bela, Warmbaths, Tvl, in 1986. He was active in the local organisation which campaigned for a rent boycott. M O T A U N G, Adeline, a UDF supporter, had her house damaged when it was attacked by Inkatha supporters during political violence at Mpumalanga, KwaZulu, near Durban, on 14 November 1987. One perpetrator was granted amnesty (AC/1999/0332). M O T A U N G, Diratsagae Winston (32), was severely beaten and subjected to

electric shock torture by members of the SAP, two of whom are named, after his arrest on 7 May 1991 in Vanderbijlpark, Tvl. Mr Motaung was arrested because of his participation in a rent boycott. M O TAUNG, Ephraim (40), disappeared in Natal spruit, Voelorus, Tvl, in June 1993 during conflict between the ANC and the IFP supporters in the area. He has not been seen since and is presumed dead. M O TAUNG, George Samuel (26), died after being stabbed, hacked and thrown from a moving train by IFP supporters at Ikwezi, Soweto, Johannesburg, on 14 October 1993. Between 1990 and 1993, 572 people died in T R A I N V I O L E N C E initiated by groups opposed to a democratic transition. M O TAUNG, Hendrick Oupa, died three days after he was abducted from his home and set alight, allegedly by ANC supporters, on 27 November 1986 in Katlehong, Tvl, during political conflict in the area. M O TAUNG, Henry Moloantoa (41), was shot and injured by a member of the SAP on 8 September 1980 in Odi, Ga-Rankuwa, Bophuthatswana, during political conflict in the area. M O TAUNG, Jacob Moganeliwa Didie (25), a member of the EAGLES CLUB, was severely beaten when ANC supporters attacked him

Reference 113 - 0.01% Coverage

M O TAUNG, Joseph Makhwakhwa (24), was shot and killed by members of the SAP in Sharpeville, Vereeniging, Tvl, on 3 September 1984. A police officer's house had been burnt down by youth in the township that day. M O TAUNG, Josphina Mamokete (53), lost her three houses in an arson attack in 1976 at Maboloko, Bophuthatswana during conflict over the chieftaincy of the area. M O TAUNG, Judith Fikile (28), an ANC member, was detained in Wattville, Benoni, Tvl, by members of the SAP from 16 June 1976 because of her participation in the S O W E T O U P R I S I N G. M O TAUNG, Kgomo Alfred (16), was shot and paralysed in 1990 in Ga-Rankuwa, Bophuthatswana, when members of the SAP opened fire on demonstrators protesting against the selling of land by the Bophuthatswana government. M O TAUNG, Khotso Joshua (48), lost his house in an arson attack in 1976 at Maboloko, Bophuthatswana, during conflict over the chieftaincy of the area. M O TAUNG, Lekgotla Ezekiel (17), a COSAS member, was detained and tortured under the partial state of emergency in 1985 and again under the nationwide state of emergency in 1986 by named members of the SAP at the Houtkop police station in Sebokeng, Tvl. M O TAUNG, Malefetsane Johannes (20), a COSAS member, was severely beaten with sjamboks and tortured by named SAP members in Petrus Steyn, OFS, on 12 August 1987, allegedly because he had been participating in a protest during a S C H O O L B O Y C O T T. He has experienced a partial loss of sight and severe back problems, due to a spinal cord injury, since the beating. M O TAUNG, Maria, suffered severe ill-treatment and damage to property during the B O I P A T O N G M A S S A C R E by IFP supporters in Boipatong, near Vanderbijlpark, Tvl, on 17 June 1992, which left 45 people dead and 27 seriously injured. Thirteen perpetrators were granted amnesty; a further three applications were refused (A C / 2 0 0 0 / 2 0 9). M O TAUNG, Mikia (50), had his home in Maboloko, Bophuthatswana, burnt down during conflict over the chieftaincy in the area on 8 May 1977. M O TAUNG, Modiem Elizabeth (14), was shot dead by alleged IFP supporters in Boipatong, Vanderbijlpark, Tvl, in the B O I P A T O N G M A S S A C R E on 17 June 1992. The attack was allegedly planned and carried out with the aid of the police. M O TAUNG, Morena Samuel, was shot dead by named IFP supporters in Sebokeng, Tvl, on 26 June 1993 during the 'Vaal monster' reign of terror in the area. See K H E T I S I K H E S W A G A N G. M O TAUNG, Ntamakhala Dyke (33), was severely beaten on 24 July 1987 in Moutse, KwaNdebele, during conflict over I N C O R P O R A T I O N into KwaNdebele. M O TAUNG, Paseka George, was assaulted and abducted, together with one other person, by a group of COSAS students in Sebokeng, Tvl, on 15 October 1988. The two were allegedly state witnesses in trials against 'comrades'. They escaped serious injury when

Reference 114 - 0.01% Coverage

16 December 1985, in an attempt to force a confession of his participation in a 'necklacing'. He was later acquitted of the charges. M O T H I B I, Samuel, was shot and injured by named members of the SAP in K W A K W A T S I, K O P P I E S, OFS,

on 30 March 1990. MOTHIBI, Sylvia Potata (21), was severely beaten and tortured by members of the Bophuthatswana Police in Zeerust, Tvl, on 28 March 1989.

VOLUME

Reference 115 - 0.01% Coverage

July 1991 in Berlin, Cape.

MPOPOSHENKOSIYANE, Nelson Zwelidumile (71), an ANC supporter, was shot dead by members of the SAP in Soweto, Johannesburg, on 4 April 1989. An MK operative also in the house was shot dead. Police opened fire and threw hand grenades into the house, shattering window panes, breaking doors and causing a fire to break out. Several spent cartridges were left at the scene. MPOSA, Tyuka Johnson (23), a PAC supporter, was arrested and severely beaten by members of the SAP on 13 April 1963 in Burgersdorp, Cape. MPOSELWA, Gwebelentlanzi, a PAC member, was shot dead by named members of the Transkei Police and Transkei Defence Force at a roadblock in Port St Johns, Transkei, on 29 March 1994. MPOSULA, Mohanoe Johannes (21), an ANC supporter, was shot and severely injured by members of the SAP in Bloemfontein on 12 March 1990, when police clashed with protesters during a march in the area. As a result of the shooting, he lost the sight in one eye. MPOSULA, Sifiso, was shot and injured by IFP supporters in Madadeni, KwaZulu, near Newcastle, Natal, on 7 June 1993 in continuing political conflict between IFP and ANC supporters in the area. A friend he was visiting at the time was also shot and injured. The house was destroyed with a petrol bomb. MPOSULA, Sipho Samuel, a UDF supporter, had his house looted and set alight on 6 April 1990 when a group of Inkatha supporters attacked UDF supporters and residents at Mpumalanga, KwaZulu, near Durban, in spite of a heavy police and military presence. Fourteen people were killed and at least 120 homes burnt down. One former IFP member was granted amnesty (AC/1999/0332). MPOTSA, Jama Isaac, was shot dead by members of the SAP in Lichtenburg, Tvl, on 20 October 1977. MPOTULO, Nozipho Edith, lost her home in an arson attack in KTC, Cape Town, in June 1986, during the mass destruction of UDF-supporting squatter camps by WITDOEK E vigilantes, acting with the tacit approval and aid of the security forces. Over 60 people were killed and 20 000 homes destroyed in the attacks. MPOZA, Lulama Jeremiah, an ANC supporter, was severely beaten by members of the SAP at Worcester, Cape, in April 1960, for his participation in the burning of Pass books during the countrywide anti-Pass Law campaign. MPUKUNYONI, Ngxolo, was tortured and beaten by members of the SAP in Bizana, Transkei, while participating in a protest march against the implementation of the Tribal Authorities Act.

VOLUME

Reference 116 - 0.01% Coverage

E 7 Victim findings: Summaries

run-up to the APRIL 1994 ELECTIONS. Mr Ncane's son, an ANC supporter, was stabbed to death on the same day. The Ncane family was forced to flee the area. NCANE, Nomusa Beauty (44), was shot and injured by IFP supporters in Port Shepstone, Natal, on 6 March 1994, during political conflict in the run-up to the APRIL 1994 ELECTIONS. NCANE, Nqunu Rose (58), lost her house in an arson attack at Margate, Natal, on 7 March 1994, during political conflict between ANC and IFP supporters in the run-up to the APRIL 1994 ELECTIONS. NCANE, Palweni (73), had her house burnt down by ANC supporters in Ngwemabalala, KwaXolo, near Port Shepstone, Natal, on 7 April 1994 in political conflict between ANC and IFP supporters during the run-up to the APRIL 1994 ELECTIONS. On the same day, ANC supporters attacked a homestead in neighbouring Izingolweni, killing five IFP supporters and injuring four. NCANE, Sipho Petros (25), an ANC supporter, was stabbed to death by named IFP supporters in Mvutshini, near Port Shepstone, Natal, on 11 April 1994, in the run-up to the APRIL 1994 ELECTIONS. NCANI, Busisiwe Rose (37), had her house and possessions destroyed in an arson attack by ANC supporters at

Port Shepstone, Natal, on 2 March 1994, during political conflict in the run-up to the A P R I L 1 9 9 4 E L E C T I O N S. NCANI, Thuleleni Berthina (59), an ANC supporter, was shot and injured by named IFP supporters in Port Shepstone, Natal, on 8 January 1994. NCA PAI, Sisa Mabuya Matshaya (28), a PAC member, was arrested and severely tortured in Cape Town, in November and December 1964, for his participation in PAC activities. He was later acquitted of all charges. NCA PAYI, Kenneth, was shot dead in the informal settlement Phola Park, Tokoza, Tvl, on 23 August 1993, allegedly by members of the SAP on patrol who opened fire, killing and injuring several people. NCA PAYI, Tatise Williams, an ANC supporter, was shot by members of the Ciskei Defence Force (CDF) in Bisho, Ciskei, on 7 September 1992 during an ANC protest march to demand free political activity in Ciskei. See BISHOMASSACRE. Two members of the former CDF were refused amnesty for the shooting (AC/2000/122). NCA PHAYI, Thozamile Samson (52), an ANC supporter, was stabbed and severely injured by IFP supporters in Soweto, Johannesburg, on 27 September 1990. NCA WENI, Mahleka Wilson, was shot and injured by members of the IFP-aligned KHAMALONGA during a series of attacks on residents in Tokoza, Tvl, on 24 October 1991. NCA IYANA, Mawani Elizabeth (60), an IFP supporter, lost her home and possessions in an arson attack by ANC supporters in Richmond Farm, near KwaMashu, Durban, in February 1991. NCAZELA, Solomon, a Transkei Defence Force (TDF) soldier, was injured during an ATTEMPTED COUP IN UM TATA, TRANSKEI, on 22 November 1990. Seven TDF soldiers were killed and some 33 wounded. Four of the coup conspirators were granted amnesty. Six Vlakplaas

Reference 117 - 0.01% Coverage

NZIMANDE, Mkhombiseni, was shot dead by members of the SAP during political unrest in KwaNdengezi, KwaZulu, near Pinetown, Natal, on 1 June 1993. NZIMANDE, Mlekeleli (20), an IFP member, was shot and injured by ANC supporters at Richmond, Natal, in September 1992. His brother was shot dead in the incident. NZIMANDE, Moses (55), was shot dead during political conflict between IFP and ANC supporters in Umbumbulu, KwaZulu, near Durban, on 19 July 1992. NZIMANDE, Ms (first name not given), was shot and injured at Port Shepstone, Natal, in 1992 in ongoing conflict between ANC and IFP supporters in the area. NZIMANDE, Mshishi Siphiwo Johnson (37), an ANC member, was shot dead by IFP supporters and members of the Security Branch in Ezakheni, KwaZulu, near Ladysmith, Natal, on 24 October 1992. NZIMANDE, Mzofile (40), an IFP supporter, was killed in the 'battle of the forest', an unprecedented armed clash between UDF and Inkatha supporters in timber plantations at Richmond, Natal, on 29 March 1991. Twenty-three IFP supporters were reportedly killed. NZIMANDE, Mzwakhe Stompie, a PAC supporter, was beaten with sjamboks and canes by police at Hermanus, Cape, in June 1960, allegedly because of his role in leading a march after the SHARPVILLE MASSACRE. On 25 April 1992 Mr Nzimande was caught up in the violence in Natal where he was beaten to death by IFP supporters who accused him and three other men of being ANC supporters. NZIMANDE, Ndabenzima Nyangembi (30), an IFP supporter, was stabbed and shot dead by ANC supporters at Ixopo, Natal, in December 1993. He had gone to assess the damage to his house, which had been burnt. His body was found by police. NZIMANDE, Nokuphiwe (3), was attacked with pangas and knives by named IFP supporters at her home in Nyandezulu, near Port Shepstone, Natal, on 8 March 1991. The perpetrators were looking for her uncle, an ANC supporter. Other family members were also severely injured and killed. Political conflict led to the introduction of defence patrol groups by both parties, but ultimately these groups were themselves implicated in attacks. The perpetrators were sentenced to 15 years imprisonment. NZIMANDE, Raphael, an NUM shopsteward, was harassed in 1986 by IFP supporters at Howick, Natal, for his participation in the SARMCOLSTRIKE, which began in April 1985. NZIMANDE, Regina Siziwe (39), had her house burnt down by ANC supporters during ongoing political conflict at Mpumalanga, KwaZulu, near Durban, in March 1990. NZIMANDE, Sibomu (52), was hacked to death with an axe at Swayimane, Table Mountain, near Pietmaritzburg, on 29 October 1989, during intense conflict between UDF and Inkatha supporters. NZIMANDE, Sifiso (7), died after being stabbed, laid on a bag of cement and having his neck chopped with a bushknife at his

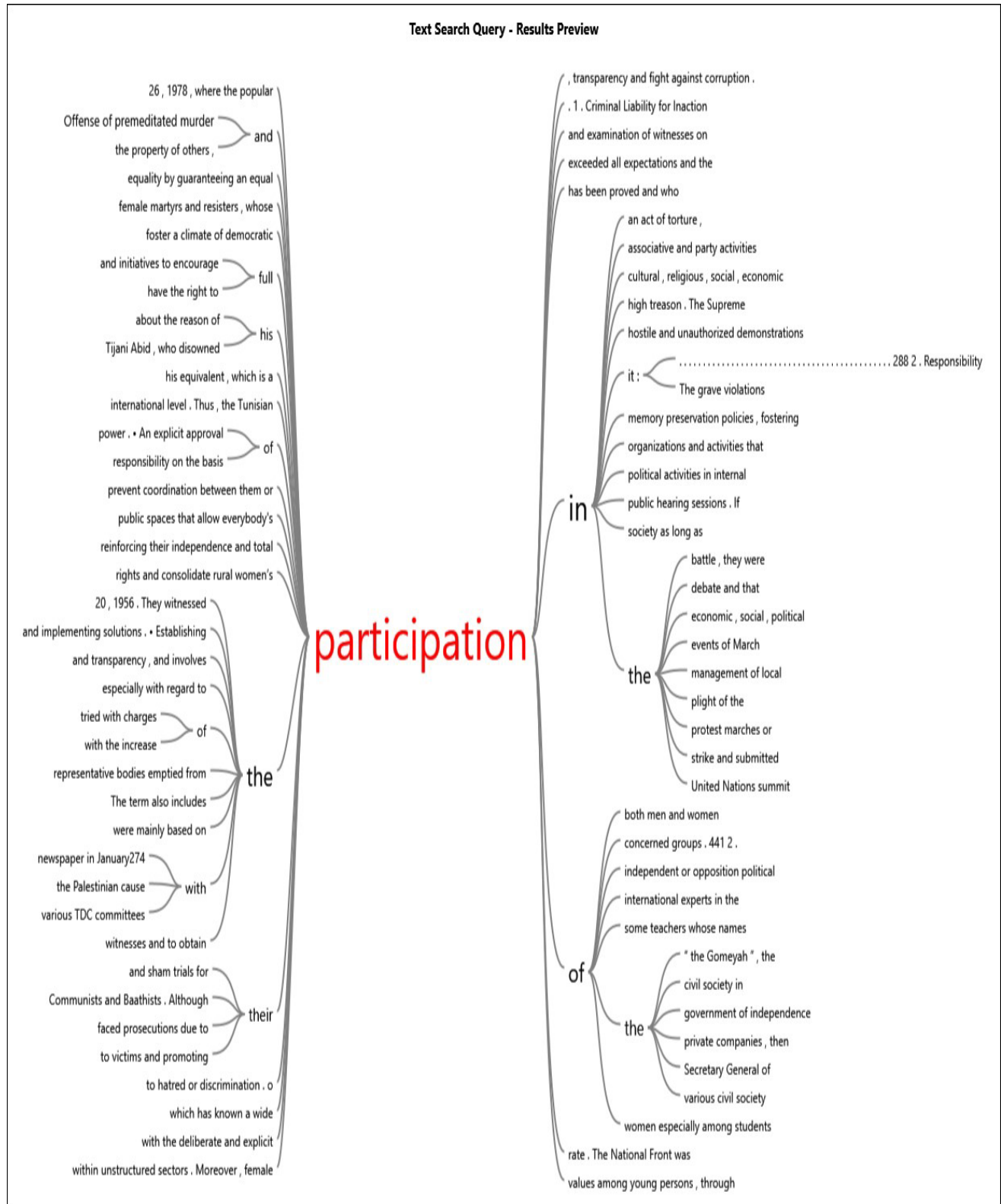
home in Nyandezulu, near Port Shepstone, Natal, by named IFP supporters on 8 March 1991. The perpetrators, who were looking for

Reference 118 - 0.01% Coverage

E 7 Victim findings: Summaries

P H ATO, Makulana, an ANC supporter, was severely l y assaulted in 1960 in the Bizana police station, Tr a n s k e i, after participating in meetings held to discuss the i n t roduction of the Trust Land Act. P H AWE, Lephoi Nape, an ANC supporter, was shot dead by IFP supporters in Ipelegeng, SchweizerReneke, Tvl, during clashes between IFP and ANC s u p p o r t e r s in 1993. PHEFO, Solomon Chippa, was stabbed to death on 29 October 1985 in Mohlakeng, Randfontein, Tvl, during clashes between AZAPO and UDF support e r s . PHEHLANE, Edward T s h u d i, was severely injure d when he was assaulted and stabbed during an attack on his family by S E L F-D E F E N C E U N I T (SDU) members in B r a n d f o r t, OFS, on 14 July 1991. His mother was killed in the attack and his younger brother Patrick was i n j u r e d. The family store was set alight. Mr Phehlane's f a t h e r, Morgan, previously an ANC supporter, and his family were accused of being collaborators due to their participation in the local council. One SDU member applied for amnesty, which was granted for most aspects of the attack, but refused in respect of the stabbing of Patrick Phehlane (AC/1997/0043). PHEHLANE, Morgan Sebata (67), was the target of an attempt on his life when S E L F-D E F E N C E U N I T (S D U) members attacked his home and family in Brandfort, OFS, on 14 July 1991. His wife was killed, his two sons severely injured, and his home and store were b u r n t d o w n in the attack. Mr Phehlane, previously an ANC supporter, and his family were accused of being collaborators due to their participation in the local council. One SDU member applied for amnesty, which was granted for most aspects of the attack, but refused in respect of the stabbing of his son, Patrick Phehlane (AC/1997/0043). PHEHLANE, Patrick (14), was severely injured when he was repeatedly stabbed during an attack on his family by S E L F-D E F E N C E U N I T (SDU) members in B r a n d f o r t, OFS, on 14 July 1991. His mother was killed in the attack and his older brother Edward was i n j u r e d. The family store was set alight. Mr Phehlane's f a t h e r, Morgan, previously an ANC supporter, and his family were accused of being collaborators due to their participation in the local council. One SDU member applied for amnesty, which was granted for most aspects of the attack, but refused in respect of the stabbing of Patrick (AC/1997/0043). PHEHLANE, Susan Mosela, was brutally murd e r e d and her body burnt, when the family store was set alight by S E L F-D E F E N C E U N I T (SDU) members in Brandfort, OFS, on 14 July 1991. Her two sons were also severely injure d in the attack. It was alleged that Ms Phehlane, her husband, Morgan, a once respected ANC leader, and their family, were suspected of collaborating with the NP government, as they were members of the local council, and were there f o r e r e g a r d e d as traitors and opposed to the UDF/ANC alliance. One SDU member applied for amnesty, which was granted for most aspects of the attack, but refused in respect of the stabbing of Ms Phehlane's son, Patrick (AC/1997/0043).

References to Participation in Tunisia Report Tree Map



Name: References to Participation in Tunisia Report

<Files\\Tunisia-Truth-and-Dignity-Commission-Report_executive_summary_report> - § 37 references coded [0.76% Coverage]

Reference 1 - 0.02% Coverage

V. Assassination of Salah ben Youssef	288
1. Offense of premeditated murder and participation in it:	288
2. Responsibility of former President Habib Bourguiba for the assassination of Salah Ben Youssef	292
Conclusion	294

Reference 2 - 0.01% Coverage

The aim of investigations is to refer the perpetrators to the competent criminal chambers based on their individual criminal responsibility, whether they are physical perpetrators or instigating commanders. Their criminal responsibility in the Transitional Justice process rests upon the rules and mechanisms recognized by international and national laws. It is also based on the 'negative act' (inaction) and on the commanders' liability and the criminal responsibility on the basis of participation.

Reference 3 - 0.01% Coverage

However, despite holding consultation meetings on the draft, the TDC was not invited to take part in the final working sessions held at the Presidency of the Government to reach a decision regarding Fund creation Order. The Order was issued⁴⁹ on February 28, 2018, without taking into account any of the TDC's recommendations, especially with regard to the participation of the civil society in the Fund's Board. As at the date of the end of the TDC's work, the Fund had not seen the light of day.

Reference 4 - 0.01% Coverage

In the beginning of its mandate, TDC had positive cooperation with ICTJ, the International Center for Transitional justice. Accordingly, several activities have been staged jointly with the various TDC committees with the participation of international experts in the field of Transitional Justice.

Reference 5 - 0.01% Coverage

the Democratic Constitutional Rally (RCD):

Sources of funding of the Democratic Constitutional Rally (RCD) were mainly based on the participation of the private companies, then public institutions and enterprises and finally the natural persons.

A document belonging to the

Reference 6 - 0.02% Coverage

an important source of information."

A president of a Democratic Constitutional Rally (RCD) cell in the federation of Bouaarada, while he was simultaneously the director of the secondary school of Bouaarada sent on April 2nd, 2002, a report to the

Secretary General of the Democratic Constitutional Rally (RCD) to inform him of a student demonstration to support the Palestinian cause with the participation of some teachers whose names were listed. Thus, in the light of these facts mentioned in the denunciation, a series of punitive measures were subsequently taken against them as the deprivation of administrative assignment, transfer or promotion.

Reference 7 - 0.04% Coverage

The Supreme Court was established by virtue of the provisions of Article 68 of the 1959 Constitution. The organization of its competences, composition and functioning was regulated by law n°. 10 of April 1st, 1970. The Court assumes the trials of the government members for high treason charges¹³⁰. The article 5 of the above-mentioned law indicate its bench, which is composed of "a President and 4 official members and 3 delegate members. The President is chosen among the senior judges and is appointed by order. The Assembly of the Nation elects the remaining of the members from its deputies by absolute majority on the occasion of each parliamentary term." The Supreme Court had been presided by the Judge Mohamed Farhat¹³¹. On May 19th, 1970 the Secretary of State for Planning and National Economy, Ahmed Ben Salah, appeared before this court with charges of high treason following the failure of the experience of cooperatives. On May 23rd, 1970 he was sentenced to 10 years of forced labor and 10 years under house arrest and stripping him of his political rights. In the same case Omar Chachia, Taher Kacem, Monji Fekih, Hedi Baccouche, Ibrahim Haider had been tried with charges of the participation in high treason. The Supreme court sentenced Omar Chachia to 10 years forced labor with his deprivation of his national medals. The other defendants had been sentenced with 5 suspended years in prison and for a rule on not hearing the suit for Ibrahim Haider.

Reference 8 - 0.09% Coverage

created a division within the executive board of the League (LTDH) between those who are biased¹⁸⁶ to the regime solution and those who are against it.¹⁸⁷ To resolve the position of the League (LTDH) as to the agreement of this sword of Damocles hanging over its independence or not, its national council met on June 13th, 1991 and resulted in a majority which refused the subjugation to the dictations of the authority, even under the cover of law, which were considered as unfair and unconstitutional.¹⁸⁸ Immediately after the vote and while the council was still in meeting, the Minister of Interior contacted the League leadership saying: "the League is now dissolved". Abdallah Kallel granted the executive board two hours before sealing their headquarters. Things went like that. The executive board decided to secure its archives in the Arab Institute of Human Rights (IADH), but it has not yet retrieved it. In 1991, Ben Ali established the High Committee for Human Rights and Fundamental Freedoms (CSDHLF) and appointed Mr. Rachid Idriss as its new president. He remained in this position until 2000. He sought to make this committee a substitute for the League (LTDH) when the grip was tightened on it and it was dissolved. The reports of the committee used to be submitted to the president of the republic and they had not been published to the public. The League (LTDH) had been dissolved for a year before the date of the United Nations Human Rights Summit, which took place in Vienna on June 14th, 1993. The cost of the dissolution of the League (LTDH) was high for the regime. Indeed, the discourse of human rights was at the heart of the political legitimacy of the regime of Ben Ali on an international level. Thus, the Tunisian participation in the United Nations summit while the League (LTDH) was dissolved was a really hard equation. This is why the regime started negotiations with the executive board to reach a compromise consisting in suspending the categorization of the League (LTDH) within the associations submitted to the law article on "general category" associations and later on issuing a fair verdict for the League (LTDH) from the administrative court as to the automatic membership. As a counterpart, the League (LTDH) committed to organize an extraordinary assembly in February 1994. The League (LTDH) accepted this solution and legally took part in the Human Rights Summit. During the preparation of the assembly, the regime resorted to "moderate" members from within the

executive board to change its leadership. They succeeded in facilitating the membership of members who were loyal to the regime (1300 new members). This guaranteed the victory of a loyal team headed by Taoufik Bouderbala who accepted the congratulations of Zine Al Abidine Ben Ali. Thus, the regime succeeded in taming the League (LTDH). The salient characteristic of the new leadership had been the decline of activities and presence amidst the increasing repression and the crashing down of a leaden shroud on public space.

Reference 9 - 0.01% Coverage

elections to be held democratically”.

For half a century, this choice of electoral pattern led to representative bodies emptied from the participation of independent or opposition political formations. Thus, the ballot was emptied from any bet despite the changes made to it and this resulted in the deprivation of Tunisian people from their sovereignty. This path led to the codification of the one-party system in 1964, after effective elimination of all the political expressions opposing the regime.

Reference 10 - 0.02% Coverage

The testimony of a former first delegate, Salem Maghroum,²⁰³ at the time of the organization of these elections, received by TDC (IVD) reveals that before finishing the process of votes counting in the governorate of Jendouba, instructions came that the number of votes granted to the list of Socialist Democrats be below 15% and then below 3% with the increase of the participation rate. The National Front was officially declared winner by 95.53% with the Socialist Democrats Movement gaining 1.91% . But, by collecting all the polling station minutes, regardless of their conformity with the truth of the votes declared in the various offices, the result gives 52.5 % of the votes to the National Front versus 46.3% for the Socialist Democrats.

Reference 11 - 0.02% Coverage

These battles took place in the form of what is known as "guerrilla warfare" and their results differed from one battle to another. The battles of Agri and Ghar El Jani, which took place on May 29, 1956 and June 1, 1956, are the most important battles recorded in the region of Tataouine, as they occurred more than a month after the declaration of independence on March 20, 1956. They witnessed the participation of the "the Gomeyah", the "M'khzeniah", the Roving Guard and the welfare committees (Lijan Al-Riâaya) with the deliberate and explicit participation of the government of independence led by Habib Bourguiba.

Reference 12 - 0.03% Coverage

resistance fighters on Mount Agri

There are frequent oral accounts of the shooting of a group of resistance fighters by some French officers, amongst them was the martyr Said ben Abdullah ben Ali Tonakti²²⁰. The resistance fighter Ahmad ben Omran from tribe Dhahibah testified about Said's conditions of arrest after a battle he conducted with a group of his comrades "They stopped them in a row on the edge of the mountain, led by Mohamed ben Abdullah Amri. And after interrogating him about the reason of his participation in the battle, they were furious with him and started shooting him until he fell dead on the foot of the mountain. Then they took us to another place where we found another bunch of captives with their hands tied. We spent our night with them and likewise we were tied... In the morning, they took with them three prisoners: Mabrouk Shaikh, the leader of the Dhahibah group, a prisoner of Zarqani and another Hamidi. I understood from what the French officials were saying which Dhaif Allah ben Aoun translated to me that they will be executed, which was the case...".

Reference 13 - 0.01% Coverage

and to preserve national memory.

1. Offense of premeditated murder and participation in it:

Reference 14 - 0.02% Coverage

Leftist thinking was formed mainly in two basic structures: the Tunisian Communist Party, which was founded in the 1930s, and the Socialist Studies and Socialist Group in Tunisia, founded in 1961 and known as the Perspectives (Prospects of Tunisia) referring to the political review that was published in Paris and brought in secret. To Tunisia to be distributed among students and political activists in general. Each spectrum had their own vision in the political work and structure of objectives, but this did not prevent coordination between them or participation in the plight of the consequences of their political activities as they have been considered one enemy of the authoritarian regime.

Reference 15 - 0.11% Coverage

In the spring of 1967, following the aggression against Egypt and Syria, there were massive protest marches in the center of the capital, where the leftist movement was one of its components and through which the regime took advantage of the opportunity to get rid of its political opponents, especially the leftists, by assigning the leadership of the Socialist Constitutional Party militias to attack Jews on "Al Horriyya" street and burn a number of Tunisian Jewish property and shops²⁵⁹, most of whom lived in the "Lafayette" in the center of the capital. These attacks were aimed to distort the protest march by the leftist groups who tried to prevent this as the Protests were not against the Tunisian Jews, but against the Israeli attacks on both Egypt and Syria. This incident pushed leaders of the General Union of Tunisian students to condemn the distortion process led by the Socialist Constitutional Party, which led to the intervention of the national army and launched a campaign of mass arrests. Mohamed bin Jenet was arrested without the knowledge of the authority that he is one of the leaders of the perspectives for he was a student at Zaytuna University. He was held responsible for arson and vandalism. He was referred to the military court and, on August 31, 1967, he was sentenced to 20 years of hard labor and imprisoned in Borj El Roumi prison. Due to these events, the school year 1967-1968 witnessed many student movements as it was an exceptional year at all levels, during which there were numerous strikes, public meetings and political statements in an unprecedented manner. And by that time a committee made up of communist and perspective students was formed to demand the release of Mohamed Ben Jenet. Another committee was formed to support Vietnam and to denounce the US war against Vietnam. In addition to demonstrations which were organized to denounce the visit of the Vice President of the United States "Humphrey". The perspective activists intensified the student movement during march of the same year by massively distributing flyers at universities and high schools. Various free public meetings were held at university between 15 and 19 March and resulted in the forming of the "Committee of Five", consisting of Ahmed Ben Othman, Aziz Krichen, Ibrahim Razguallah, Salah Zghidi and Khemaies Chammari. The committee's mission was to negotiate with the university deans to be authorized to have part in the management of the university. After a tripartite dialogue between students, professors and administration which committed its self not to take any punitive measures, whether judicial or administrative against students. When Ben Jenet was not released, the Perspective movement continued to incite strikes and demonstrations. That's why the Bourguiba regime launched a campaign of arrests against all political sensitivities. The confrontation began with the arrest of the "Committee of Five Students" in the office of the Dean of the Faculty of Law and Economic Sciences along with other students and professors. The campaign continued and reached hundreds of Perspective activists and those supporting the movement, together with some Communists and Baathists. Although

their participation in the events of March 1968 at the university was almost nonexistent. The logic of the one-party system requires the elimination of all opponents at once. After referring them to a judge, 134 suspects were held captive; they were perspective activists and Baathists including Noureddine Ben Khedher, who was arrested in 1968 along with Ibrahim Razgallah and Ahmed Smaoui at the Ministry of Interior. Gilbert Naccache was

Reference 16 - 0.05% Coverage

In light of this tense political climate, the UGTT held a national plenary session at Amilcar Hotel on 8, 9 and 10 January 1978, which witnessed lengthy deliberations that ended with the agreement on organizing a general strike on Thursday 26-01-1978 for 24 hours, provided that it does not include some public services such as electricity, water and health. . The general strike took place on January 26, 1978, where the popular participation exceeded all expectations and the streets of the capital witnessed marches in which many trade unions, workers and students took part. The strike spread to all parts of the country and the movement turned into a popular state rejecting government policy. The government proceeded with the option of a bloody confrontation by firing live bullets at the demonstrators, killing and wounding many²⁶⁶. The government then admitted that 52 people were killed and 365 were wounded. Security forces also launched a campaign of arrests, which began with the arrest of most members of the Executive Office except Tijani Abid, who disowned his participation in the strike and submitted his resignation from the Union before the outbreak of events and was inaugurated a month later a new Secretary-General of the Union in the extraordinary 15th Congress. Around 5,000 people were arrested. The arrests targeted a large number of trade unionists who were arrested and taken to various security centers and to the headquarters of the State Security Safety Division at the Ministry of Interior where they were brutally interrogated and tortured. The arrested unionists were subjected to various forms of torture in the cellars of the Ministry of Interior, and some died under torture, such as Hussein al-Kouki²⁶⁷, founder of the regional

Reference 17 - 0.02% Coverage

legitimacy" they have never had.

Following the suspension of a group of young Communist Party students in February/March 1998, the university experienced a state of decline, resignation and terror. At that time, Union Secretary-General Assef Yahyaoui came close to power and signed a joint statement with the Minister of Higher Education with the purpose of domesticating the organization and opening the way for students loyal to authorities to seize it²⁷³. The next Secretary General Ezzedine Zaatour continued on the same path by taking part in the famous press conference organized by Al-Sabah newspaper in January²⁷⁴ with the participation of the Secretary General of the RCD Students' Association.

Reference 18 - 0.02% Coverage

The detainees were falsely accused of theft, looting, assault on private and public property, damage to the property of others, and participation in hostile and unauthorized demonstrations and were thrown by hundreds into prisons, as some detainees from influential families were released from prison and replaced by poor people and popular neighborhoods inhabitants, especially rural migrants who were obliged to admit thefts and looting acts they did not commit. They were tortured during investigation, however judges refused to examine the traces of torture on their bodies.

Reference 19 - 0.01% Coverage

Violent and systematic practices against women for more than 55 years were not limited to grave violations, but also to unfair and sham trials for their participation in associative and party activities and protest marches. This was done by pressing malicious charges against them and sentencing to harsh prison terms. TDC recorded 229 trials involving women, representing a sample from the total of political trials.

Reference 20 - 0.03% Coverage

These arbitrary arrests and prosecutions continued during the 1970s, on charges of conspiracy against the security of the state, maintaining an unauthorized association, harming the dignity of the President and the government members, and publishing false news. During this campaign, detained women were subjected to the worst forms of torture inside the state security centers and the Ministry of Interior offices. The prosecutions included women who used to support Bourguiba, most notably Radhia Haddad, who became an outspoken critic of Bourguiba's policy, publicly supporting a new and democratic orientation within the RCD party. She was sentenced on May 8, 1974 to four months of prison, suspended, followed by a period of harassment and persecutions.³⁸⁴ As for the Islamic trend, which has known a wide participation of women especially among students and pupils, and who's public field presence was met with total rejection by the Bourguiba regime, preventing women affiliates from organizing and public activities, along

Reference 21 - 0.05% Coverage

Minors were not only subject to violations, they also faced prosecutions due to their participation in the protest marches or to their family ties with political opponents. Pressing malicious charges resulted in harsh sentences against them, in clear violation of all national laws, international instruments and conventions that have been ratified by Tunisia to protect the rights of the child, and United Nations Committee on Children's Rights recommendations to the Tunisian Authority³⁹⁰. These prosecutions lacked all legal procedures for the prosecution of minors stipulated in the UN Convention on the Rights of the Child in its Article 40, especially: - To be informed promptly and directly of the charges against him or her, and, if appropriate, through his or her parents or legal guardians, and to have legal or other appropriate assistance in the preparation and presentation of his or her defense; - To have the matter determined without delay by a competent, independent and impartial authority or judicial body in a fair hearing according to law, in the presence of legal or other appropriate assistance and, unless it is considered not to be in the best interest of the child, in particular, taking into account his or her age or situation, his or her parents or legal guardians; - Not to be compelled to give testimony or to confess guilt; to examine or have examined adverse witnesses and to obtain the participation and examination of witnesses on his or her behalf under conditions of equality; - If considered to have infringed the penal law, to have this decision and any measures imposed in consequence thereof reviewed by a higher competent, independent and impartial authority or judicial body according to law; As well as child protection code in its chapter 94:

Reference 22 - 0.01% Coverage

- Ensure that the process of development and implementation of the national employment strategy is in full compliance with the principles of accountability and transparency, and involves the participation of concerned groups.

Reference 23 - 0.01% Coverage

TDC recommends that the State should enable Tunisian Amazigh, Jews and Christians to have the right to full participation in cultural, religious, social, economic and public life. They should have an active role at national and regional levels in decisions affecting them.

Reference 24 - 0.01% Coverage

incitement to hatred or discrimination.

o Participation in organizations and activities that promotes and incites to racial discrimination.

- Take immediate and effective measures

Reference 25 - 0.01% Coverage

in the national development dynamic.

- Establishing contractual relations between public and private sectors, whereby the latter benefits from time-limited privileges in return for clear commitments, in order to build a diversified, integrated and competitive economy, with careful control and accountability to foster a climate of democratic participation, transparency and fight against corruption. c- Promoting Social Solidarity Economy:

Reference 26 - 0.01% Coverage

phased process to the other.

Implementing equality by guaranteeing an equal participation of both men and women in politics and in decision making and also by responding to the requests of victimized regions inhabitants, as well as achieving equity and public welfare. That can occur by guaranteeing equal opportunity for all to access services and improve their conditions.

410, , previous source, page 2

Reference 27 - 0.01% Coverage

agricultural work within unstructured sectors.

Moreover, female participation in political activities in internal areas is still not popular and frowned upon, as it requires mingling with men and meetings outside work time as well as remote travels sometimes. In addition to a pejorative attitude towards women which restricts their role to reproduction alone. These factors deprive women of freely managing their time and energy or devote part of it to political activity.

Reference 28 - 0.01% Coverage

which can empower them economically.

Raise awareness about their rights and consolidate rural women's participation in the management of local affairs.

Reference 29 - 0.02% Coverage

Ensure the representation of women with disability when collecting data and making statistics. Based on the result of these statistics, conduct research and inquiries in order to diagnose the situation of women

with disability and determine their personal needs in order to set and adopt strategies and policies reinforcing their independence and total participation in society as long as these strategies focus on education, health, social security and the fight against violence against women with disability.

Reference 30 - 0.01% Coverage

development of transitional justice strategies.

It is imperative to provide public spaces that allow everybody's participation in the debate and that ensure the credibility of the process, as well as their public ownership, as dialogue processes about the past are the most useful among memorialization initiatives of whatever kind.

The independence period was marked

Reference 31 - 0.01% Coverage

TDC recommends integrating the results of its final report on the events of the National Movement, the liberation battles, the list of male and female martyrs and resisters, whose participation has been proved and who were not previously included, in the history of the National Movement.

Reference 32 - 0.01% Coverage

What is referred to as art galleries and other cultural activities are all the different activities that make victims the center of their attention and a key theme in their works. The term also includes the participation of the various civil society actors in bringing human rights and

Reference 33 - 0.03% Coverage

Therefore, transitional justice strategies and reconciliation policies should not neglect cultural rights, as provided for in the Constitution and in article 15 of the International Covenant on Economic, Social and Cultural Rights. All persons have the right to acquire, take part in, benefit from and contribute to culture, especially cultural heritage. Culture shall include both history and memory. Victims shall be able to make their voices heard, and the right to freedom of artistic expression and creativity must be fully respected and protected. Which calls for paying more attention to victims and promoting their participation in memory preservation policies, fostering interaction and understanding among Tunisian women and men, and sharing views on the past and on the design of a cultural landscape that is reflective of cultural diversity within society.

Reference 34 - 0.01% Coverage

claim of abuse of power.

- An explicit approval of participation in public hearing sessions.

If the request for arbitration

Reference 35 - 0.01% Coverage

- Work to amend the Penal Code so to ensure that article 101 bis of the Penal Code is in conformity with article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; amend the article 101ter of the Penal Code to ensure that any act committed by a public servant or his equivalent, which is a participation in an act of torture, does not remains unpunished.

Reference 36 - 0.01% Coverage

- Establishing the participation values among young persons, through educational institutions, media and civil society.

Reference 37 - 0.01% Coverage

1. Victim areas compensation

TDC recommends that marginalization should be resisted as it is a systematic process that prevents a group from enjoying the various rights, opportunities and resources normally available to members of a community and initiatives to encourage full participation in the economic, social, political and cultural life of the society in which they lived should be taken⁴⁷².