

ANNUAL REPORT 2008

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VISION, MISSION AND GOALS

Located at the interface between civil society and academia, the Institute's main aim is the building of fair, democratic and inclusive societies in Africa before, during and after political transition.

While it advocates policies or interventions that should be undertaken, its main objective is to cultivate the potential for reconciliation and the (re)construction of society after conflict through a range of carefully selected interventions.

The Institute promotes its main vision through the following key areas of work:

- Research and analysis of economic, social and political trends prevalent during political transition
- Reconciliation and reconstruction in post-conflict communities
- Development of education resources, tools and interventions to foster reconciliation
- Stimulation of public dialogue and policy interventions to build inclusive societies

To harness its resources most effectively, the Institute organises its work in three programmes:

- The **Political Analysis Programme** identifies and examines critical success factors in South Africa that relate to reconciliation, transformation and development. Qualitative and quantitative analysis guides and supports the Institute's initiatives in South Africa and across the rest of the continent.
- The **Reconciliation and Reconstruction Programme** seeks to promote processes of reconciliation in post-apartheid South Africa. The TRC offered both insights and warnings in this regard, but constituted only a first step in the process. The experiences from RRP have fed into similar processes that the Institute has become engaged with elsewhere in Africa.
- The **Transitional Justice in Africa Programme** promotes transitional justice and reconciliation initiatives in other African countries by gathering and sharing the lessons of the South African experience, and developing them further in conjunction with other agents of transition. Key activities include engaged research and analysis, capacity-building, and collaborative political intervention.

A Word from the Patron



We cannot afford to rest on our laurels in South Africa. So much remains to be done in our wonderful democracy.

The Institute for Justice and Reconciliation continues to play its own, unique part in this regard. I am delighted to see that the Institute is going from strength to strength under its new leadership, and that its programmes continue to make an impact far beyond our borders.

I am especially proud about the UNESCO Prize for Peace Education awarded to the Institute in recognition of its work in the education of reconciliation and justice across Africa.

As Patron, I wish the Institute the very best for the coming year.

God bless you.

Archbishop Emeritus Desmond M Tutu

Chairperson's Report

Every South African alive on 27 April 1994 gained a new identity on that day: we became the *first* citizens of the democratic Republic of South Africa. We alone in human history will carry this identity, an honour to be cherished and greatly respected. With this identity came the responsibility of making sense of the legacy of the past and laying a strong foundation for all future South Africans. On that day we inherited a nation of great promise, but one that was deeply hurt and which would be confronted by immense challenges, not least the challenges of nation building through justice and reconciliation.

History will record the struggles of the 'First South Africans' in this regard, and the consequences of our actions will be felt for decades to come. Along the way we have done some truly majestic things. We created a Constitution that is without peer, enshrining in it wide-ranging fundamental rights, and conceptualised and executed a process of truth and reconciliation of such audacity that, in spite of its shortcomings, the world stands in awe. For these and many other great achievements history will praise us. It will say also that we were wise, because despite these successes we understood that we would still face great danger in the future, when different ways of thinking and acting would create tensions of such magnitude as to imperil our democracy. To prepare ourselves for times like these, history will say, we created organisations that would help keep us humble, hopeful, watchful and grounded. The Institute for Justice and Reconciliation is just such an organisation which, without fear, will sound the alarm and move rapidly to intervene should we appear to be losing our majestic focus.

Such is the quality of the Institute's service to our nation and beyond, that UNESCO crowned its work with the 2008 Prize for Peace Education. This is indeed well deserved and we congratulate Charles Villa-Vicencio, Fanie Du Toit and all the dedicated staff whose contribution over the years has earned this honour for the Institute and for our nation. My thanks and congratulations also extend to the Board, which has ably supported and guided the Institute as it accompanies our nation on its challenging journey. As ever, we are deeply grateful to our donors whose generous assistance is as crucial now as it has ever been.

All the signs are there that our species is entering a time of extreme change in both the social and natural spheres. We will certainly need to have our wits about us as we engage with these challenges, but we can take heart in the existence of organisations such as the Institute for Justice and Reconciliation, who remain steadfast in articulating the conversations, matched by the actions, that will help carry us through.



Brian O'Connell

Chairperson

Executive Director's Report

South Africa's fourth set of national and provincial elections have elicited more intense debate than any other since 1994. Widely shared is the sense that the country faces a watershed moment in consolidating its democracy. At stake are not only core Constitutional values such as reconciliation, accountability and justice, but also the credibility of democratic institutions tasked with ensuring compliance with these values.

South Africans are feeling more insecure than in any preceding period since the transition from apartheid. People are not only concerned about domestic change, but also about the international financial crisis and its anticipated impact – a trend first anticipated in Institute reports over a year ago. The combined result is that post-1994 achievements are increasingly viewed against the backdrop of what South Africa has not yet achieved. The work to remove obstacles that prevent achieving important national goals must be tackled with renewed urgency.

Within this context, the Institute for Justice and Reconciliation, now in its tenth year, experienced a busy and productive year. It was, for example, intimately involved in efforts to help manage the fall-out from the xenophobic attacks that shocked South Africa in May. In September, the Institute received the UNESCO Prize for Peace Education in Paris and in October hosted a national conference to evaluate responses to the TRC recommendations, ten years after its final report was handed to President Mandela.

Whereas the UNESCO Prize testified to increasing international recognition of the Institute's work, not least on issues of peace education in Africa, the TRC conference appeared to have had a direct impact on government policy regarding community reparations. In turn, the Institute's engagement with communities in the wake of the xenophobic attacks has provided an important context to the Institute's research, analysis and publication efforts. The Masiphumilele community received the Institute's annual Reconciliation Award for their efforts in combating xenophobia, and over 60 Western Cape communities will have participated in



One of 2008's highlights was the news that the Institute had been awarded the UNESCO Prize for Peace Education. Fanie du Toit (right) accepts the award on behalf of the Institute from UNESCO Director-General Koïchiro Matsuura at a ceremony in Paris in September.

the Institute's Community Healing Leadership Training by the end of 2009. Benefiting from this grassroots exposure, the Institute's flagship research reports, the Transformation Audit and the Reconciliation Barometer, received positive reviews and extensive media coverage.

At the same time, the Institute's Africa programme has continued to grow apace. With a focus on Southern Africa, the Greater Horn of Africa and the Great Lakes Region in Central Africa, the Institute has seen major developments in most of its country programmes. The request from Rwanda's National Unity and Reconciliation Commission to develop a Rwanda Reconciliation Barometer on the footprint of our South African project is a highlight, together with innovative community healing work in Ituri and ongoing facilitation work at all levels in Zimbabwe. While sharing South African experiences and challenges with the partners in these areas, the Institute in turn derives important benefits from insights gained in these engagements.

The Institute is increasingly involved in continent-wide conversations about the nature and scope of post-conflict justice in Africa. In August the Institute hosted a conference that deliberated on the merits of Indigenous African Mechanisms to provide peace on the continent and ways to integrate them in broader national and international justice processes.

The Institute also underwent important institutional developments during 2008. The transition, as founding director Charles Villa-Vicencio stepped down and I took over, went smoothly. The Institute was one of five regional peace and security organisations subjected to an extensive external audit by the Swedish International Development Cooperation Agency (SIDA). We were gratified by the positive and encouraging assessment and the recommendation for continued core support resulting from the audit.

Furthermore, a series of strategic planning sessions in 2008 culminated in a comprehensive and detailed Strategic Plan for 2009–2011. The process included training in results-based management skills for staff. In addition, an integrated monitoring, evaluation and reporting system was developed in line with the new strategic plan. On the basis of this eight-month long process, the Royal Netherlands Embassy and the Evangelischer Entwicklungsdienst e.V. (EED) have committed themselves as core funders to the Institute for another cycle.

The Institute is indeed fortunate to have developed an effective management system and, to quote from the SIDA report, 'a strong and harmonious team' of competent and committed staff. These factors, together with careful risk management, will ensure that the Institute continues to thrive.

We are immensely grateful for the continuing generosity and trust of our donors, and for the guidance and support of our Board members, friends and associates.

The Institute and its services remain in high demand. It enjoys the support of a range of South African, African and international partners, and clearly has a growing capacity to deliver – a capacity that may be needed in increasing measure. Events unfolding in the first few months of 2009 here in South Africa, elsewhere on the African continent and across the globe indicate that there may yet be bigger challenges to meet, now and in the future.

Fanie du Toit

Executive Director

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Masiphumelele representatives with their Reconciliation Award which was presented by Institute Chair Brian O'Connell (behind, second from right).

Reconciliation Award honours community effort

For the first time since its inception in 2001, the Institute's Annual Reconciliation Award was presented not to an individual, but to an entire community. The Masiphumelele community was honoured, during a moving ceremony, with the Institute's annual Reconciliation Award for its resolve and leadership in tackling xenophobia as early as 2006, but especially for its response during the xenophobic violence that flared up in May 2008.

Masiphumelele, meaning 'let us succeed together', is a small township in the Southern Peninsula. The community (originally groups and individuals living in the Noordhoek and Fish Hoek surrounds) was established in the late 1980s in defiance of the apartheid regime's plans to forcibly remove 'blacks' to distant Khayelitsha and 'coloureds' to nearby Ocean View. Despite poverty, a lack of resources and a diverse population, the community's exemplary approach to overcoming difficult challenges – including raging fires which left many of its residents homeless, the HIV pandemic and xenophobia – serves as an inspiration for communities countrywide.

The community established a dialogue forum in 2006 to address the emerging conflict between local and Somali-owned businesses, and involved organised youth and women's groups, political and faith-based structures, the broader Masiphumelele community and Somali constituencies, business owners, street committees and civic associations.

As a result of these ongoing interventions to build social cohesion, the community was able to respond swiftly to the xenophobic attacks in 2008, leading not only to an apology to foreign nationals affected by xenophobia in Masiphumelele, but also to the return of their stolen property.

The success of this collective action has motivated and inspired the community to re-establish civic structures within their area. While the challenges facing provincial governments' reintegration strategy for foreign nationals are still unresolved in many cases, Masiphumelele's grassroots efforts show that communities can solve their own problems, and that they have lived up to their name – "let us succeed together".

UNESCO Prize for Peace Education acknowledges the Institute's work in promoting reconciliation

The 2008 UNESCO Prize for Peace Education was awarded to the Institute for Justice and Reconciliation, on the recommendation of an international jury, "for its outstanding efforts in building sustainable reconciliation through education and in addressing systemic injustice in Africa."

On 18 September 2008, at a ceremony at the UNESCO Headquarters in Paris, Executive Director Fanie du Toit accepted the award on behalf of the Institute from UNESCO Director-General Koïchiro Matsuura.

Two members of the International Jury for 2008 were present: President of the Jury Mr Mohammed Arkoun, Emeritus Professor of History of Islamic Thought, and Mr Javier Pérez de Cuéllar, former Secretary-General of the United Nations. Mr George Anastassopoulos, President of UNESCO's General Conference, also attended.

Funded by the Nippon Foundation since 1981 and awarded every two years, the \$40,000 UNESCO Prize for Peace Education encourages efforts to raise awareness of the need to promote peace. Previous winners include the Association of the Mothers of the Plaza de Mayo (Argentina), Prayudh Payutto (Thailand), Mother Teresa (India), Rigoberta Menchú Tum (Guatemala) and Paulo Freire (Brazil).

"Peace education is fundamental to developing respect for human rights and democracy. It eschews violence, prejudice, stereotypes and discrimination, and instils a spirit of tolerance and international understanding that allows us to move from a culture of war to a culture of peace."

Koïchiro Matsuura, UNESCO Director-General



Institute Patron and Nobel laureate Emeritus Archbishop Tutu addressed the approximately 500 guests at the award ceremony in a videotaped message to congratulate, in his words, 'his stepchild' the Institute for Justice and Reconciliation for winning the UNESCO Prize for Peace Education.



The Political Analysis Programme works towards fair, democratic and inclusive societies in Africa by providing accurate analyses of issues related to socio-political justice and reconciliation, which in turn contribute to dynamic, ongoing and democratic policy processes.

POLITICAL ANALYSIS PROGRAMME

The Programme conducts research and provides incisive analysis of those socio-economic and political dynamics that inform South Africa's broader transitional justice landscape, serving as a critical source of intelligence that informs the Institute's strategic interventions. Such information is also shared and disseminated more widely across the broader spectrum of South African society through Institute publications, seminars and debates, and through the media publicity that these engender. This ensures that issues related to transitional justice remain firmly on the national agenda, and that key debates on reconciliation and transformation are informed by well-researched and accurate information.

The programme follows a dual strategy in its two main projects. Through the public opinion lens of the *SA Reconciliation Barometer (SARB)* it looks at how ordinary South Africans make sense of socio-political and economic change and how this in turn affects their relationships towards each other. This project, now in its sixth year, has gradually been building up a substantial and significant body of data that is both incisive and critical to the understanding of post-apartheid relations, not only between citizens and the state, but also among citizens themselves. The *Transformation Audit* project, on the other hand, produces an annual publication that assembles ground-breaking and original research on matters relating to the transformation of the South African economy in four key sectors, each accompanied by a score-card that measures change over time. These two projects complement each other in significant ways, given that they often cover the same political and material issues, but from different perspectives.

The picture that emerged during 2008 is one characterised by dark overtones of volatility and broad grey strokes of uncertainty. The international economy teetered at the edge of the abyss of one of the worst crises in decades. What made this more frightening than preceding crises is that the global financial system appeared to have created a monster in the form of runaway markets which, as evidenced in successive ineffectual government bailout attempts, it now struggles to contain.

While the South African financial system has been fairly protected from the global financial crisis, its impact has been and will continue to be felt in the real economy. This in turn will have a direct impact on government attempts to combat poverty and inequality, as well as on its ability to finance key infrastructural projects that are supposed to drive higher levels of growth. Importantly, a downturn of this nature has repercussions stretching far beyond the economic sphere because, as successive rounds of the SARB have shown, citizens regard economic inequality as the single most divisive aspect of South African life. Not insignificantly, this perception overlaps strongly with the issue of race.

This scenario has further been complicated by South Africa's increasingly fluid party political landscape. It remains to be seen to what extent the debilitating factional battles and the resultant founding of a breakaway party will have on the hegemonic influence of the African National Congress (ANC). While these developments may be good for political pluralism, they have added another dimension of unpredictability to an already uncertain future.

Against this background, the interpretation and analysis provided by this programme has gained new significance. In the face of such unpredictability, research and analysis become critical, not only for establishing the extent of the challenges facing our nation, but also for developing new approaches to replace those that have failed us in recent years. The findings and insights of the *SA Reconciliation Barometer* and the *Transformation Audit* amply reflect how this context of unpredictability has shaped South Africans' outlook and real prospects.

SA Reconciliation Barometer

The SA Reconciliation Barometer (SARB) is a survey-based project that tracks public opinion on socio-economic and political transformation, and remains the only independent civil society project of its kind in the country to provide an annual overview of public sentiment. As a quantitative tracking instrument, the Barometer aims to measure attitudes towards key variables that impact on reconciliation between citizens of various backgrounds. These variables include human security, political culture, cross-cutting political relationships, dialogue, historical confrontation, commitment to social transformation and redress, and inter-group relations.

The SA Reconciliation Barometer quarterly newsletters for 2008



The 2007 round of the SARB Survey highlighted a growing fragility of the public's confidence in democratic institutions, paralleled by an equally dramatic decline in public approval of key government competencies. It was not the actual levels of confidence that caused concern, but the margin of the year-on-year decline. This concern, and the argument that it may have been largely attributable to the internal squabbles of the ruling party, have consistently been raised in the media and from public platforms since the data was released. An absence of confidence signals a belief that such institutions are dysfunctional, or that their behaviour is inconsistent with prevailing laws and constitutional values, or both; this breeds uncertainty and anxiety, particularly in highly-polarised societies such as ours. More worryingly, such conditions become even more potent when they coincide with periods of economic hardship or decline, such as the one that we seem to be entering.

The considerable extent of public insecurity was a striking feature of the 2008 round of the survey, released in December 2008. Over the past two years the public's sense of physical security has declined by 17%, with a 19% decline in feelings of economic security; a 15% decline among those who are satisfied with their current living conditions; and a 26% drop in the number of South Africans who believe that the country is moving in the right direction. Of note is that these findings were recorded *prior* to the global financial crisis and the most heated political exchanges between ANC factions in the run-up to the Zuma corruption case and the subsequent recall of President Thabo Mbeki.

The dire consequences of such a confluence of fragile institutions and low levels of human security became frighteningly apparent in the wave of xenophobic violence that swept across the country in May. Events leading up to, during, and in the wake of this tragedy left a serious question mark on the State's capacity to foster social cohesion. While underlying negative stereotypes may have determined the way in which this breakdown in law and order manifested, growing economic desperation and poor government responsiveness may explain its intensity.

Transformation Audit

The *Transformation Audit* (TA) has garnered a reputation as an important political economy resource. Through its unique scorecard methodology, developed specifically for the publication by a team of leading South African economists, the TA provides an annual review of progress – or otherwise – in attaining socio-economic justice in South Africa. It looks at the economy and ownership, changes in education and employment, and at the

redress of poverty and inequality. By auditing developments within these four focus areas, the TA offers insight into, and measurement of, the massive changes that the economy has undergone over the past fifteen years. Such scrutiny enables it to identify critical shortcomings, but also strategic points for the targeting of resources. The scorecards are supplemented by ground-breaking analysis commissioned from the country's top economists and political analysts. The data, analysis and concomitant insights are presented in a coherent format and intelligible to those outside of the field of economics, thus opening doors for a wider audience to understand and participate in important national debates.

Guided by the challenges and social dynamics of the day, the project has since its inception chosen an annual theme, which uses as a 'prism' to look more closely at each of its four focus areas. The 2007 Audit, with the title "Leadership and Legitimacy", was launched during a special briefing to the Office of the President of South Africa in January 2008. Informed by the attention that factional contests within the ruling party have attracted, both to the question of political leadership and to the legitimacy of the

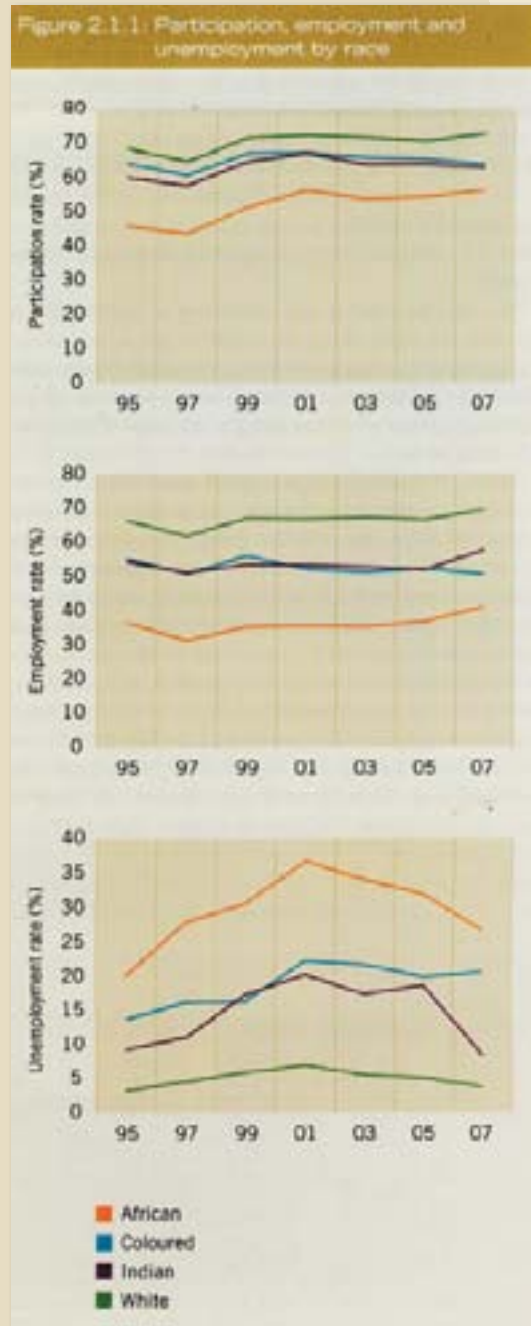


institutions over which political leaders preside, this edition of the *TA* highlighted the need for procedural consistency and higher levels of public accountability to instil trust in key institutions.

The theme of the 2008 *TA*, "Risk and Opportunity", was formulated against the background of the international and domestic challenges that arose over the past year. It follows naturally on the 2007 theme, as both share the underlying condition of uncertainty. While the 2007 edition alluded more specifically to the need for political certainty and predictability, the 2008 theme addresses the convergence of political and global economic uncertainty. This conceptualisation examines the view that historical junctures potentially pose great risk, but importantly also create the opportunity for renewal when conventional practices and strategies increasingly begin to fail. The publication therefore has the objective not only of highlighting both the real and perceived risks of this uncertain environment and the degree of control that we have over them, but also of emphasising the opportunities for economic and political innovation that might emerge through our efforts to overcome such challenges. Its content, which includes contributions from eminent analysts such as Iraj Abedian, Servaas van der Berg and Ingrid Woolard, provides illuminating insights into the possible trajectories that the country may follow in key areas, ranging from the social grant system to the development of an employment-friendly industrial policy. More pertinently, it also highlights the key lessons that we should take from the robust phase of growth that appears to be winding down.

Conclusion

Relevant research and informed analysis become prized commodities in times that are inherently uncertain and volatile. The Institute's Political Analysis programme has much to contribute in this regard. Credible resources such as the *TA* and the *SARB*, which are independent of government or any other political influence, provide important yardsticks against which progress can be measured. Not only have they served as accurate early warning systems, they have also proved to be excellent diagnostic tools in contexts of political and economic fluidity. The strengthening of such tracking tools could therefore also be regarded as an investment towards the creation and maintenance of a viable democracy that is responsive to the most vulnerable of its citizens.



This graph from the 2008 Transformation Audit shows trends in 'Participation [in the labour market], employment and unemployment by race' between 1995 and 2007. While participation and employment rates show a general improvement over the past few years, with unemployment falling, the percentage rates for race shows a marked inequity, with Africans well below other race groups. This can be partly explained by the economy's failure to generate enough low-skills jobs, while still experiencing a shortage of skilled labour.



RECONCILIATION AND RECONSTRUCTION PROGRAMME

The Reconciliation and Reconstruction programme promotes processes of reconciliation in post-apartheid South Africa that contribute towards the building of a fair and democratic society. It seeks to stimulate dialogue between different perspectives. Projects within the programme broadly embrace the following processes and outcomes:

- Historical narratives based on exclusivity and oppression are challenged and inclusive narratives based on fair and democratic principles are developed.
- Public debate and policy decisions about issues related to memory, history, justice and reconciliation are informed by the experiences of a diverse range of communities.
- Constructive dialogue is facilitated between communities divided along socio-economic and political lines.

Currently, the work of the Programme is organised into three distinct, but occasionally overlapping, clusters: “Memory, Arts and Healing”, “Building an Inclusive Society” and “Education for Reconciliation”.

Photograph above: Learners from the Hout Bay ‘Making Apartheid History’ project produced this depiction of diversity and harmony in a photographic workshop, one of the skills in which they were trained during the project.

MEMORY, ARTS AND HEALING

These projects provide opportunities for a diverse range of South Africans to create, record, and empower the expression of memory. It promotes recollection and affirmation of memories, the writing and recording of stories, biographies and autobiographies, exploration of appropriate forms of memorialisation, and engagement of people in conciliatory dialogue – including between victims and beneficiaries.

Memory, Arts and Culture

This project encourages communities to articulate their historical perspectives and memories through music, visual art, the spoken word, photography and writing. With funding from the Department of Arts and Culture, the Institute was able to partner with others working in related fields on South Africa's intangible heritage – folk tales, songs, stories and poetry – hosting workshops, seminars and public meetings, and working with communities from the Eastern, Western and Northern Cape, as well as the Free State.

Following the earlier development of three educational publications – *Stories op die Wind*, *Songs worth singing*, *Words worth saying* and *A community on the move* – the main focus for 2008 was on sharing these narratives and the project methodology with other communities through presentations, workshops and the dissemination of the learning materials. The distribution of the anthology of folktales, together with a DVD and teacher guide to all community art centres, libraries and high schools in the Northern Cape coincided with the widely-publicised launch in March 2008 at the Wildebeest Rock Art Centre in Platfontein, and was subsequently extended to libraries and schools in the Free State and the Western Cape.

In a second initiative, begun in 2007, youth music and poetry groups from across the Western Cape participated in a mentorship programme with experienced musicians, singers and poets within their communities. In a series of workshops and training seminars led by well-known local musicians, choirs, bands and voice ensembles were taught various indigenous musical genres, while established local poets mentored emerging young poets. These young people showcased their skills at an IJR Reconciliation Day Concert in December 2007, and the 2008 programme focused on editing the film footage taken at the workshops and concert into a DVD and CD publication. An e-Songbook containing music sheets and scores of all the songs accompanies the DVD and CD.

For the first time since the implementation of the new curriculum, music teachers will have access to musical annotations of political and spiritual songs sung during the apartheid struggle, as well as traditional 'moppies' and 'ghoemaliedtjies' – an integral part of the Western Cape musical heritage.

In a third project, following a series of workshops and seminars over the past two years which brought together participants from Bonteheuwel, Langa, Retreat, Lwandle and Pinelands, a final series of focus group discussions relating to migrancy and belonging in the Western Cape was hosted in the first semester of 2008. Input from these discussions informed the further development of the resource guide for art teachers, *A Community on the Move: Migrancy and Belonging in the Cape*. This resource is unique, assisting educators in drawing oral history methodology into the art classroom and enabling them to teach and assess multiple learning outcomes from a single activity.

With these three initiatives, this project has sought to integrate the stories and other forms of artistic self-expression of three marginalised groups (the Khoi and San, traditional Western Cape musicians, and migrant workers) into mainstream education curricula and discourses.



A Community on the Move not only allows educators to teach and assess multiple learning outcomes from a single activity, but also affords integration across learning areas and subjects

Schools Oral History Project

Over the past eight years, the Institute has developed its own methodology for promoting oral history in schools by working with a diverse range of communities in a series of youth-orientated oral history projects – Qumbu in the Eastern Cape, Riemvasmaak and Askam in the Northern Cape and Langa, Bonteheuwel and Constantia in the Western Cape. These projects have had a decisive impact, not only in the source communities, but through dissemination of the teaching resources produced from the projects in national and regional school curricula.

In 2008, two carefully selected areas – Hout Bay, an urban area, and rural Paarl – were targeted for an oral history intervention entitled 'Making Apartheid History'. Nestled in a fertile valley on one of the world's most spectacular coastlines, Hout Bay's idyllic setting belies a history of deep tensions between three racial communities – the mainly 'coloured' traditional fishing community of on the slopes of Hangberg; the 'valley', populated mainly by affluent white residents; and the sprawling, mainly 'black' Imizamo Yethu, a mushrooming and over-populated informal settlement with appalling living conditions and plagued by crime which has spilt over into the other sectors.

Similarly, racially-based conflict still lingers in Paarl. Residential integration has occurred only within higher income level groups, with black communities remaining marginalised both economically and geographically on the outskirts. Efforts by these communities to enter into the formal economy in Paarl are hampered by continued monopoly of established white business interests, exacerbating tension and compromising efforts to develop a sense of belonging across racial barriers.

High school learners on both sides of the racial and class barriers of these deeply-divided communities were tasked with eliciting and recording stories of the lived experiences of ordinary people in their communities. Many interviewees testified to a renewed self-esteem as a result of the interest shown by a younger generation, while new bonds were forged among the learners who shared their community stories with each other across racial boundaries.

In preparation, learners attended workshops to train in oral history methodology, writing, photography and film production. They then identified potential interviewees (generally family members and neighbours) who could relate their experiences of life during apartheid. In addition, learners were asked to find evidence in their neighbourhoods to suggest the emergence of a post-apartheid society.

The project formed part of the Continuous Assessment mark for Grade 12, and for Grade 11 learners marks were banked for credits in Grade 12. The recollections and reflections recorded audio-visually and in writing by the learners will be disseminated through a resource guide, available on the Institute website, with a limited number of print copies distributed to high schools in the province.

Community Healing

At the heart of nation building in post-apartheid South Africa is the willingness of communities to acknowledge and respect multiple voices in their midst, a reality starkly underlined by the xenophobic violence in 2008. Community Healing's main goal is to build more inclusive and cohesive communities equipped with skills to sustain ongoing inter-community dialogue and strengthen relationships. It seeks to provide platforms for community members to discuss issues of identity, stereotyping and memory, and also to plan the sharing of resources and the strengthening of development initiatives across racial boundaries.

This year the project continued to consolidate its work in the predominantly 'coloured' Bonteheuwel and predominantly 'black' Langa communities, who struggled with socio-economic and social leadership challenges

'Making apartheid history' opens doors to the past and the future for young participants

Lodewyk Amerika, a Grade 12 learner at Charleston Hill Senior Secondary School in Paarl, seizes every opportunity that comes his way. By participating in the 2008 Schools' Oral History Project, 'Making apartheid history – Bridging the apartheid divides', he believes he has acquired valuable skills and knowledge that he can put to good use.

During his involvement in the project, he heard community elders' stories of how they personally suffered under apartheid. He also learnt about the role played by anti-apartheid activists like Ashley Kriel, but was equally impressed to learn about how many ordinary people resisted the apartheid system. He regrets not being eligible to vote in the 2009 general election, but views his participation in his school's Learners' Representative Council as an ideal opportunity to acquire an understanding of democratic institutions.

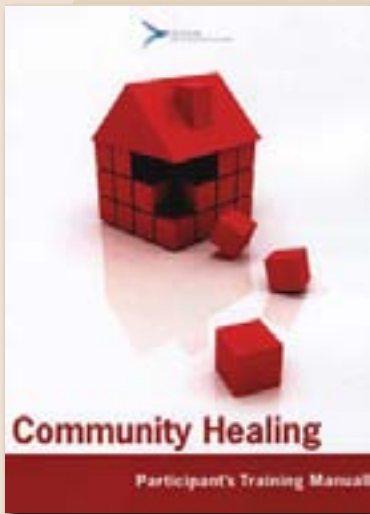
The 16 year-old, who lives with his mother and sister's family in Lovers' Lane, a low-income informal residential area, is also a budding hip-hop artiste and has composed a number of rap songs. 'I miss you' deals with the loss of his father who died of cancer a year ago, and in 'My success' he salutes those who have had a positive influence on his life. He believes that hosting regular musical concerts in Paarl, where different genres of music are performed in local languages, will help foster cross-cultural understanding among local communities.

Lodewyk has high praise for the project's training workshops which gave him the opportunity to improve his writing skills, learn about interviewing techniques, and acquire computer skills during the editing phase of the short documentary. His experience on this project, which has given him greater insight into his community's past, has also influenced his future choices: he hopes to train for a career as an investigative journalist.



as they worked to overcome their past and current disadvantages. To empower a cross-racial and cross-community leadership with a moral and reconciliation ethic, the project helped to establish the BonteLanga Forum that is now developing strategies to continue independently of Institute guidance. In the process, the Forum has embraced co-operation not only across geographic boundaries but also across those of gender, political ideology, generation and language. The process produced a database of members, patrons and supporters of the project across the three geographic communities, a fortnightly Forum Newsletter as well as additional organisational capacity within the three communities.

Throughout the year, the Institute benefited from the input and participation in a variety of public events by the BonteLanga group. In one such event, the Institute hosted a panel discussion entitled 'Xenophobia – Why now, where to next?' to address these issues in a wider context. Panellists included Bishop Paul Verryn (Methodist Church of Southern Africa), Adekeye Adebajo (Centre for Conflict Resolution) and Patrick Chauke (Chairperson: Portfolio Committee on Home Affairs) chaired by Lionel Louw (Chief of Staff: Office of the Premier). Critical and constructive analyses of the reasons for the violence were presented, and challenging questions and comments from the audience contributed to an insightful and engaging discussion.



Healing through training

The project consolidated its years of experience in community healing into a training course and manual, designed to facilitate community healing strategies in vulnerable urban and rural communities, not least in the light of what appeared to be increasing levels of xenophobia in these areas. As part of the Social Transformation Programme of the Western Cape provincial government, leaders from 60 such communities will have undertaken the course by the end of 2009.

The course involves a minimum of 30 hours of training, and aims to equip community leaders with the necessary skills to help build social cohesion within their communities and promote social inclusivity through dialogue, the sharing of memory, history and lived experiences. Each participant will receive a Community Healing training manual, available in the three official languages of the Western

Cape, and will be expected to implement their learnt strategies and techniques in their communities, with support visits by the Institute to monitor progress.

BUILDING AN INCLUSIVE SOCIETY

A central part of the Institute's efforts to 'build an inclusive society', is its work in helping to bring a dignified and responsible end to the TRC process which, a decade later, has important unfinished aspects. This project cluster aims to address specific aspects of this "unfinished business" through its commitment to social inclusivity and public dialogue on a range of issues related to the recommendations and legacies of the TRC.

National TRC Conference

Coinciding with the tenth anniversary of the handover of the TRC's Final Report to government in 1998, the Desmond Tutu Peace Centre, the Foundation for Human Rights and the Institute co-hosted a conference entitled "A National Priority? TRC Recommendations and the Need for Redress" in October. Expert Panels of experts undertook an audit of progress made in terms of the implementation of these recommendations, presenting reports on responses to the recommendations and submitting proposals for the way forward. Drawn from a wide range of stakeholders, the approximately forty panelists included former TRC commissioners, and representatives from government, civil society, affected communities, and business. Proceedings enjoyed extensive media coverage and excellent participation. The Department of Justice responded to the conference by announcing immediate measures to begin the implementation of community reparations which have stalled since 2003 when the TRC's final report was submitted to Parliament.

Apartheid-era Prosecutions

In a joint research initiative between the Institute and the Harvard Law School International Human Rights Clinic, key role-players from civil society and the legal profession were invited to articulate possible outcomes and implications in reply to the question: "What role will prosecutions of apartheid-era perpetrators play in South Africa's ongoing efforts to pursue justice and reconciliation over the next ten years?" The scenarios developed were compiled in a report and book publication produced by Harvard University Press, in conjunction with the Institute.

Presidential Pardons

In 2008 former President Mbeki established a Reference Group of representatives from each political party in Parliament to provide him, 'in the spirit of the TRC', with recommendations for who might be granted presidential pardons for political crimes committed in the past. The aim was to bring an end to the prison

terms of a range of apartheid-era political prisoners who, for whatever reason, did not apply for amnesty through the TRC process. Although not against presidential pardons in principle, a coalition of civil society organisations including the Institute, objected to the manner in which this process unfolded. Not only were requests for victim participation rejected, but decisions would remain confidential and perpetrators would not need to disclose any further information. This, the coalition asserted, constituted a significant violation of the 'spirit of the TRC', leaving civil society with no alternative but to pursue satisfaction through the courts as a last resort. At the time of publication of this report, an application by the coalition seeking to prevent the process from going ahead is being heard by the Gauteng Division of the Pretoria High Court.

Transitional Justice Lecture Series

The Institute co-hosted the first in a new series of Transitional Justice Lectures together with the International Centre for Transitional Justice and the Centre for the Study of Violence and Reconciliation. The inaugural lecture, "The Responsibility to Protect", was delivered by Dr Rama Mani, and was well attended by students, lay people and transitional justice practitioners and academics.

The Memory Project

After intensive consultations with a range of stakeholders during 2008, the Memory Project hosted three seminars that brought together individuals and organisations involved in memory work in Cape Town. The events were mostly attended by representatives from small and large cultural history museums, academic research groupings, local and provincial government as well as interested individuals.

A diverse range of opinions, insights and challenges were recorded on topics such as 'gatekeepers' of memory, memory as part of transitional justice, official truth and common memory, memory and identity, and the ethics of memorialisation.

Through these meetings and a monthly electronic newsletter, the project exposed participants to a range of narratives and processes of sharing these, opening up new and potentially better ways to forward memory work in the Mother City. Ideas and input from both the group and plenary conversations have been compiled in a Memory Project booklet, entitled *Where Memory Meets*.



(Left to right) Professor Sheila Meintjies, Advocate Dumisa Ntsebeza and Justice Dunstan Mlambo participated in a panel on "Promoting a human rights culture" at the TRC Conference

The Simon's Town History Project

In a good example of producing history 'from below', the Institute was invited to become involved in a community-driven effort to explore the early history of the Simon's Town area, and in so doing to involve ordinary citizens, heritage practitioners, historians, legal experts and religious leaders in developing shared insights and narrative about the history of the area.

The project aimed to put in place measures to begin a historical validation process of the facts about various physical sites in Simon's Town, and a community reconciliation process to help bridge the divisions resulting from conflicting narratives of the local history. The process raised a number of topical issues, such as the ongoing relevance of slavery and political exile identities, issues that are increasingly recognised as pertinent to post-conflict reconciliation efforts on the African continent.

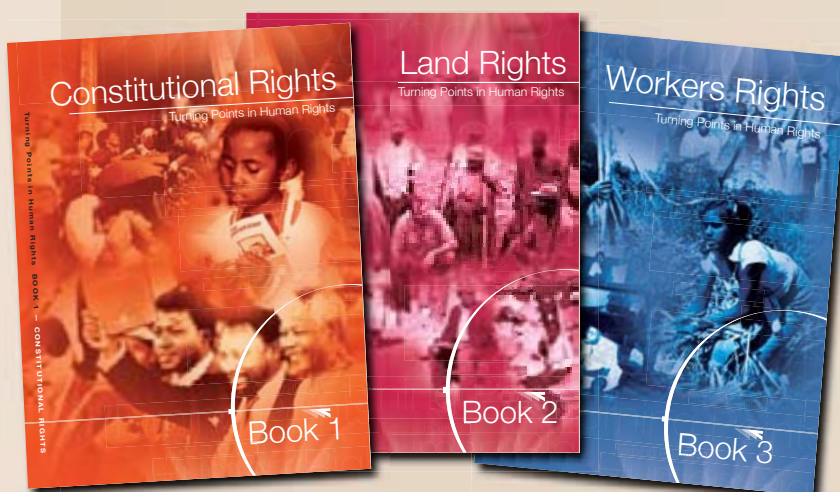
Ashley Kriel Memorial Youth Lecture

The fifth Annual Ashley Kriel Memorial Youth lecture commemorated the launch of the United Democratic Front (UDF) 25 years ago in Rocklands, Mitchells Plain – the largest national gathering since the banning of liberation movements in 1960. The UDF advocated a minimum political programme, allowing for the widest possible inclusion on the basis of the rejection of the tri-cameral parliament and demanding a united, non-racial and non-sexist South Africa. Dr Allan Boesak, keynote speaker at the UDF launch, critiqued the current state of politics in his address "All, here, and now: the politics of hope or the politics of delusion – reflections twenty-five years after the launch of the United Democratic Front", delivered to a 2 000-strong audience at the University of the Western Cape.

EDUCATION FOR RECONCILIATION

This project works to stimulate curriculum development as it impinges on context, milieu and social intent. It suggests that mathematics, science and languages – albeit crucial and indispensable knowledge and skills – need to be taught within a value-based framework that prioritises social inclusivity and democracy.

To help turn the tide of sub-standard education in South Africa, this project is developing teacher-training materials aimed at promoting awareness and respect, with a focus on human rights and its complicated relationship with history teaching. These unique South African educational resources encourage democratic participation, social justice and, ultimately, reconciliation. Primarily history and



The Turning Points in Human Rights series, published in 2008, complements the impactful Turning Points in History series and is designed to promote ethics and values not only in History and Life Skills, but across the national curriculum as a whole.

life skills subject materials, the materials are designed to promote values underpinning the national curriculum as a whole and provide a value-based framework for the teaching of all subjects.

The Institute's inaugural project in this field, the *Turning Points in History* series, was driven by a commitment to provide impactful state-of-the-art education material. Presenting history as a dialogue between perspectives, rather than one particular perspective, *Turning Points* invited discussion and engagement in a history that was deliberately sidelined under apartheid. The series also caught the attention of other African countries, notably Rwanda, Sudan and Zimbabwe, as a possible model for history writing in those contexts. Responding to suggestions during impact assessment studies throughout South Africa, the Institute has now produced a second series of similar text books called *Turning Points in Human Rights* with teacher's guides for Grades 7-9 and 10-12.

The hard lessons of the TRC

Ten years on, memories of the TRC period have faded and many South African teenagers and young adults have scant knowledge of its processes and the important lessons it holds for the future of democracy in South Africa. To bring the TRC back into focus for a new generation, the Institute worked with acclaimed journalist Max du Preez to produce a series of documentaries on the TRC using original footage from his coverage of the events for the SABC. Intended for use in high schools and universities, the DVD comprises twelve well-crafted short documentaries focusing on various aspects, implications and stories to emerge from the TRC. The DVD is accompanied by a teacher's guide that provides background information, teaching tools and resources. It is anticipated that this combined audio-visual resource will be particularly valuable to teachers of life skills and history, as this is the first educational material available on the TRC.



A national conference hosted by the Department of Education's Race and Values Directorate in Cape Town afforded the opportunity to present the *Truth, Justice and Memory* DVD and its accompanying guide to curriculum specialists. The unanimous position of these educationists confirmed the Institute's view that South African teachers, particularly those who directly experienced the atrocities of apartheid, will need further support in order to teach the material to learners and mediate its context and content, particularly in racially-diverse classrooms.

In subsequent discussions, the Minister of Education acknowledged that the TRC is part of the curriculum content and must be taught in schools. To ensure that the teaching of a painful and recent history is handled with sensitivity, the Institute, together with the Directorate for Race and Values, will work on providing educators with appropriate support strategies.



In most African countries emerging from protracted conflict, sustainable peace requires the reshaping of group relations in fair, democratic and inclusive ways, the readjustment of relations between the political elite and civil society, and the will to address economic disparities. While the prosecution of elite perpetrators is important, it represents only one aspect of transitional justice in Africa, which also needs to promote peace building and reconstruction through dialogue and collaboration between the various components of society.

TRANSITIONAL JUSTICE IN AFRICA PROGRAMME

During 2008 the Africa programme has continued to grow decisively. With a focus on Southern Africa, the Greater Horn of Africa and the Great Lakes Region in Central Africa, the programme has seen important developments in each country in which it works. As a result, better support was available to communities, civil society and government stakeholders to develop transitional justice mechanisms most relevant to their respective contexts. To this end, partner organisations participated with the Institute in facilitated dialogues in South Africa and elsewhere. At the same time, ongoing monitoring and analysis by Institute staff guided its field operations and strengthened the impact of its partnerships.

An important milestone has been the request by Rwanda's National Unity and Reconciliation Commission to develop a 'Reconciliation Barometer' for Rwanda based on the Institute's well-established South African initiative. This project, to be implemented during the course of 2009 and beyond, is the result of long-standing collaboration between the Institute and its Rwandan counterparts. Innovative community healing work in Ituri, based on insights from the Institute's interventions in South Africa, as well as ongoing political and policy-related facilitation work in Zimbabwe, were other highlights. While sharing South African experiences and challenges with the partners in these areas, the Institute in turn derives important benefit from insights gained in these engagements.

The Institute is also increasingly involved in continent-wide conversations about the nature and scope of post-conflict justice in Africa, hosting a conference in August that deliberated on the merits of indigenous African mechanisms in promoting peace on the continent, and on ways to integrate them in broader national and international justice processes.

PHOTO CREDITS: All photographs on location in Africa: Friederike Bubenzer, except pg 25: Marian Matshikiza (IJR Africa Programme staff members)

“African Cultural Traditions in Transitional Justice” – Regional Consultation

The focus of the Institute's annual Africa-wide conference was on community-based and indigenous African strategies and traditions to deal with conflict and its aftermath. Bringing together scholars and practitioners from Institute target countries and beyond, the meeting explored how communities are developing their own strategies for justice, accountability and reconciliation where effective national peace-building and transitional justice programmes were absent.

Presentations, case studies and panel discussions examined the strengths and weaknesses of traditional practices, their impact and legitimacy, their potential to encourage impunity or foster reconciliation, their role in promoting social cohesion, and the resulting policy implications for national and international justice processes.

The Conference heard that despite their growing influence, indigenous accountability and reconciliation mechanisms do not feature prominently within national and regional reconciliation frameworks – partly due to the belief that these mechanisms, being regional-specific or community-focused, are not suited to deal with gross violations of human rights. Furthermore, within human rights circles these mechanisms are often criticised for their perceived conservatism, with inadequate gender and youth representation.

At the same time these mechanisms have important strengths, not least a tangible and credible presence in communities across the continent. National and international justice mechanisms often fail to match this level of community impact, whether through lack of capacity, credibility or cultural suitability. Moreover, community initiatives lend popular support and legitimacy to efforts to build the rule of law, and provide continuity and sustainability to reconciliation efforts that are too often associated with once-off national events such as a Truth Commission or an International Tribunal. In this light, traditional justice mechanisms have the potential to enhance the range of options available to deal with dilemmas faced during transitions.

... despite their growing influence, indigenous accountability and reconciliation mechanisms do not feature prominently within national and regional reconciliation frameworks ... these mechanisms are often criticised for their perceived conservatism, with inadequate gender and youth representation.



The Fellows-in-Residence Programme: Building capacity in African partnerships

To expand and strengthen Institute involvement with partner organisations in Africa, a fellowship programme was constituted to give individuals from these organisations extensive access to the Institute's resources and contacts in Cape Town. As the Institute had become increasingly active in the in the Greater Horn region during 2007/2008, the first fellowships were offered to three candidates from Uganda.

The six-week programme provides an inclusive and hands-on learning process, including a series of intimate dialogue sessions with local experts on issues related to transitional justice. Visits to places of historical significance were arranged to complement the programme, alongside attendance at relevant events, public debates, workshops and conferences taking place in Cape Town at the time. Each candidate was required to produce a research paper by the end of the fellowship period.

In October, the Institute hosted the following individuals in the first Fellows-in-Residence Programme:

Jackee Budesta Batanda, a writer who is currently Communications Officer on the Beyond Juba project within the Refugee Law Project at Makerere University in Kampala, Uganda. Her research at the Institute involved investigating the role of civil society and the media in communicating transitional justice issues in Uganda.

Fabius Okumu-Alya, Director of the Institute for Peace and Strategic Studies at Gulu University which works towards transforming communities in Northern Uganda for positive and sustainable peace through research, documentation, dissemination and outreach programmes. He produced a paper on 'counter-factual investigations' as a methodology that could be used for transitional justice interventions, notably in Uganda.

Lino Owor Ogora, Research Officer in the Justice and Reconciliation Project (JRP) of the Gulu District NGO Forum. His work involves action-oriented research with ex-combatants, community leaders, and war-affected communities in IDP camps in Northern Uganda. At the Institute, he explored the contextualisation of traditional justice in contemporary Northern Uganda alongside more formal mechanisms.



Institute staff with the Fellows at their farewell dinner. Jackee Budesta Batanda is second left in the front row, and Lino Owor Ogora second left and Fabius Okumu-Alya fourth right in the back row.

BURUNDI

Political overview

April 2008 saw a brief resumption of armed violence in Burundi as Palipehutu-FNL combatants launched a series of attacks on the capital, Bujumbura. Despite progress in implementing a peace agreement between the CNDD-FDD-led government and the country's last active rebel movement, the FNL, Burundi is going through a political crisis which could compromise free and fair elections in 2010, and the country's future stability. The return of FNL leader Agathon Rwasa to Bujumbura and the signing of the Magaliesburg agreement in June are important steps forward in the peace process. However, FNL disarmament has barely started and the issue of integrating former rebels into state institutions and security forces remains unresolved. A prevailing climate of mistrust and the absence of dialogue between the government and the main opposition parties could have further negative impact on the democratisation process.

The Institute's involvement in Burundi during this period consisted mainly of supporting a process of national consultation set up by government to shape future truth and justice processes in Burundi. In partnership with the South African Embassy in Bujumbura, the Ligue Iteka for Human Rights and the Burundian Civil Society Forum (FORSC), the Institute has been able to coordinate a strategy to offer support to principal actors in the transition, namely civil society organisations, government institutions and relevant sectors of the international community, most prominently the United Nations.

This meant working closely with a Tripartite Steering Committee (TSC) comprising two representatives each from the government, civil society and the United Nations as well as an NGO Transitional Justice Working Group, whose members meet bi-monthly to provide informal guidance to the TSC on behalf of civil society. Despite ongoing violence, these partnerships have enabled the Institute to conduct a three-part workshop series during the year entitled 'Fostering Dialogue: National Consultation in Burundi'.

The key objectives were to empower key actors in Burundian transitional justice to contribute to policy development; to enhance dialogue between the TSC and the Civil Society Working Group; to contribute to the sustainability of government and civil society interventions in the broad framework of national consultations and transitional justice; and to initiate dialogue between Burundian and South African practitioners in the sphere of transitional justice.

Outcomes of the workshops included civil society organizations committing to the process of dialogue with government, becoming more involved in the organisation and implementation of the national consultations, and beginning to develop appropriate research methodologies relevant to a national consultation process. Participating organizations were also invited to commit themselves to non-partisanship in representing the interests of the population, an important step forward in the politically-charged environment of Burundi.



Women shopping in a Burundian market

DEMOCRATIC REPUBLIC OF THE CONGO (DRC)

Political overview

Armed conflicts in three areas of Eastern DRC threaten the overall stability of the country and the region as a whole. The Government in Kinshasa remains hampered by its inability to extend full administrative and military control over these volatile eastern parts of the country.

North Kivu The agreement of January 2008 securing a ceasefire between the Congolese government and armed groups in North Kivu has failed to bring sustainable peace. Its principal weaknesses were the failure to include the FDLR in the agreement, and difficulties faced by the United Nations peace-keeping force (MONUC) and the Congolese Army to enforce it. By late October, Laurent Nkunda's well-equipped CNDP had taken control of a strategic corridor and seized a key military base north of the provincial capital Goma. The attendant humanitarian consequences of the fighting were wide-scale looting and rape, the targeting of civilians and the displacement of 200 000 people, adding to the 1.5 million displaced since fighting erupted in August 2007. High-level diplomatic interventions attempted to address the strained relations between Presidents Kabila and Kagame who had accused each other of supporting the CNDP and the FDLR respectively. The threat of a new DRC war and a potentially explosive regional crisis make these interventions all the more important.

Ituri District, Orientale Province Units of the Congolese Army engaged in the disarmament of FRPI, a residual militia group in Ituri, were redeployed in August to North Kivu to help contain the CNDP forces. The vacuum resulted in an intensification of fighting in Ituri in September, as FRPI joined other political factions under the banner of the Forces for Justice in the Congo (FPJC). This new movement appeared ideologically connected to Nkunda's CNDP, but his real motivation would appear to be control over mineral-rich resources, rather than actual political change.

Dungu, Orientale Province In this area adjacent to Sudan and Uganda, the Lord's Resistance Army (LRA) renewed its violent civilian recruitment drive in October as Joseph Kony persisted in his refusal to sign up to the peace deal (see also the section on Uganda).

Ituri Assessment and Workshop

In March 2008, Institute staff travelled to Ituri to assess peace initiatives undertaken by community leaders, and to determine opportunities for Institute support for these local initiatives. It was clear that peace negotiations implemented by local leaders had some measure of impact, but that the State had failed to adequately address principal underlying causes of the conflict, such as land rights and reform of the justice system, which both lie at the heart of the conflict in the area. Office-bearers within the justice system in Ituri, for example, are complicit in maintaining a system of inequitable access to land in some areas, and government has yet to commit to implementing land reform measures.

In responding to these findings, the Institute developed a series of community-level interventions to foster joint action in addressing underlying causes of the conflict. The Lendu, Hema and other conflict-affected communities in Djugu and Irumu Territories would be the primary beneficiaries of this process.

The first event took place in December 2008. Entitled 'Developing a shared response to security and DDR', it brought together representatives from the affected ethnic groups, the relevant government and state institutions, local civil society organisations, and UN and international agencies. Follow-up workshops in 2009 and 2010 will explore the development of shared responses to land reform policies, food security, vulnerable group protection, and environmental and resource management.



(Simon Makol story)

need intro

For Simon Makol, the scholarship to attend a three-month course in Peace Studies and Conflict Transformation at the Reconcile Peace Institute in Yei, Southern Sudan came as a gift from above.

The 36-year-old was orphaned at age nine, and was co-opted into the Sudan People's Liberation Army (SPLA) four years later in 1987*, under the pretext that he would receive a free and better education in neighbouring Ethiopia. But the promised education never materialised; the only skills he acquired were to shoot a gun and to survive in some of the most gruelling conditions as the SPLA fought one running battle after the next.

Makol recalls: "It took us two months to get to Ethiopia on foot through the desert and bush. On the way many of us lost our lives to hunger; tropical diseases such as malaria, and many of us were eaten by wild animals. We carried dried chapatti and sometimes we got water from the streams we crossed."

Aged nineteen, Makol managed to escape across the border to a refugee camp in Kenya, where he finally received his long-awaited education. His experience, ambition and optimistic nature soon got him volunteering with the humanitarian agencies running the camp. Makol returned to Sudan after the signing of the Comprehensive Peace Agreement in 2005 and began working for the Ministry of Local Government and Law Enforcement.

Armed with his new knowledge and skills from the diploma course, Makol hopes to mobilise his community to work together and begin making a small contribution to the massive task of rebuilding a peaceful Sudan.

RWANDA

Political overview

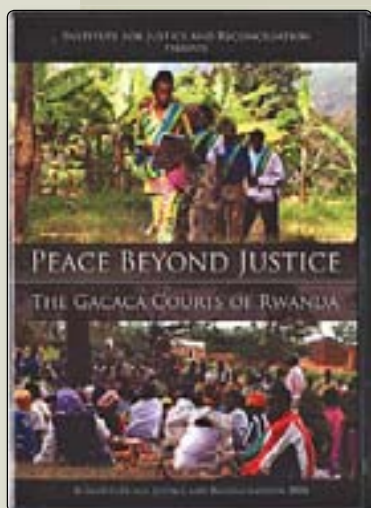
Fifteen years after the signing of the Arusha Accord, in essence a power-sharing agreement between Tutsi and Hutu parties, political liberalisation in Rwanda remains elusive. Two divergent views of recent history prevail: that of the largely Hutu groups in exile under the umbrella of the FDLR wanting a political voice and more equitable representation within public institutions, and that of the Tutsi-dominated government which seeks to force through broad consensus on a framework for national reconciliation.

In concrete terms, the concept of reconciliation will occupy an increasingly important place in Rwanda, as most remaining genocide cases are transferred from civil to Gacaca jurisdictions, following the introduction of a new law in 2008. The large number of people returning to reintegrate into their communities after submitting to the Gacaca process – having been tried and sentenced or released – will have strong implications for group relations in that country. Gacaca is expected to terminate its operations in the near future, and it is uncertain how the Rwandan government intends to replace or follow up on its work.

Previously, the South African Embassy in Rwanda twice invited the Institute to facilitate sensitive discussions among representatives of religious groups, including Islamic leaders, on collective responsibility for the 1994 genocide. The discussions culminated in the signing of a landmark document now known as the Kigali Declaration, which acknowledged the failure of faith communities to do more to prevent the massacres, and recommended that peace, justice, unity and reconciliation should be the responsibility of all. In November 2008 discussions were held with Rwandan religious leaders on how to implement the Kigali Declaration in Rwandan communities.

Evaluating "Peace beyond Justice"

The Institute's production of a film documentary on the Gacaca courts was completed in April 2008. Copies of the DVD documentary were then dispatched to the National Service of Gacaca Jurisdictions (NSGJ) for distribution to institutions in Rwanda, including the Ministry of Justice, the National Unity and Reconciliation Commission, the Ministry of Local Government, Good Governance, Social and Community Development and the National Commission for Human Rights, as well as secondary schools and tertiary institutions. In November, the Institute met with the NSGJ to develop a framework for an impact study of the documentary, which will be carried out early in 2009.



The documentary is also making an impact in Southern Africa; it was screened at the Maputo Film Festival in September and numerous requests for copies of the DVD have been received from members of the South African public, academic institutions and researchers.

In a further development, the Institute was requested by the National Unity and Reconciliation Commission to develop a national Reconciliation Barometer, in conjunction with relevant Rwandan agencies, for that country. The measurement instrument would be constructed on the footprint of the Institute's South African Reconciliation Barometer that has been in existence for eight years. The aim would be to produce accurate information on the state of reconciliation in the country on an annual basis and to guide policy and civic interventions in this regard. This project is to be implemented in 2009, with the first set of results expected by September 2009.



The Ugandan High Court in Kampala, where a recently-formed War Crimes Division will be activated.

UGANDA

Political overview

Since the signing in February 2008 of the Agreement on Accountability and Reconciliation between the government of Uganda and the Lord's Resistance Army (resulting from the Juba peace talks mediated by the government of Southern Sudan in 2006), possibilities for the implementation of transitional justice mechanisms are gaining momentum in Uganda. However, a number of key issues are obstructing real progress, paramount being LRA leader Joseph Kony's unwillingness to disarm or disband until the International Criminal Court withdraws its warrants of arrest against him and three of his senior commanders. Despite reports just a few weeks earlier that the LRA had abducted hundreds of children in north-eastern DRC, Uganda was elected as a non-permanent member of the UN Security Council, again highlighting the ongoing schism between international justice and the need for a holistic domestic reconciliation process.

Since the signing of the above Agreement, steps are being taken to concretise its recommendations. A high-level working group was set up by the government under the chairmanship of the Principal Judge of the High Court in Uganda. The group is tasked with developing a transitional justice system for Uganda, focusing on activating the newly-created War Crimes Division of the High Court. During a series of interactions, both formal and informal, between the Institute and this group, the Institute was asked to assist in facilitating the exchange of transitional justice lessons between South Africa and Uganda, particularly in the areas of truth-telling, amnesty and truth commissions. A series of capacity-building workshops as well as training sessions for key players in civil society, government and the judiciary were planned for the 2008/2009 period.

ZIMBABWE

Political overview

The year began with some uncertainty as to whether or not Zimbabwe's presidential and parliamentary elections scheduled for March would usher in a new political dispensation and provide hope for a better future for Zimbabweans. This hope was fed, not least by the 2007 mediation efforts by the Southern African Development Community (SADC) which, despite failures in other regards, seemed to have convinced the government to repeal and minimise some of the restrictive laws confining campaigning by opposition parties to certain parts of the country.

In the elections Morgan Tsvangirai failed to attain a 51% majority. His party nevertheless won a majority in parliament while the upper house held a Zanu-PF majority. Contestation over the Presidency and a period of widespread political unrest followed as parties prepared for a presidential run-off election. Tsvangirai's withdrawal a few days before the run-off allowed Robert Mugabe to claim an uncontested victory. Violence and intimidation, the failing economy and the ever-worsening humanitarian situation drew an extensive range of regional, continental and international responses. In September, a landmark power sharing agreement, the Global Political Agreement (GPA), was reached between the two MDC factions and ZANU-PF. Yet, disagreement over details such as the allocation of ministries dead-locked the process and was referred to an emergency SADC summit for resolution.

Throughout the tumultuous year, the Zimbabwe Desk closely monitored and analysed political developments in Zimbabwe. This enabled the Institute to intervene strategically. In collaboration with the Crisis in Zimbabwe Coalition, the Institute hosted a workshop in Bulawayo on "Civic Solidarity, Democracy and Timing" in February. Using the experience of the South African Peace Accord as an entry point, a broad spectrum of civil society and church organisations engaged with issues facing the country, focusing on accurately reading the context, the political environment and the willingness of the regime to compromise and dialogue, and preparing Zimbabwean society for a transition.

In May, the Institute hosted a seminar entitled "Zimbabwe: where to now?" with Mr Tendai Biti, MDC Secretary General, and Mrs Elinor Sisulu of the Crisis in Zimbabwe Coalition as guest speakers. This high-profile event enabled the South African public to interact with political actors closely involved in some of the most burning issues in Zimbabwe.

A further public seminar was held at the end of November, where a diverse panel from Zimbabwe, including the recently-appointed Education Minister, David Coulthard and well-known political analyst from the University of Zimbabwe, John Makumbe, discussed "Prospects and Challenges of the Rainbow Towers Political Agreement".

Institute interventions in Zimbabwe culminated in a three-day workshop in Cape Town, which brought together the leading human rights agencies and organization in Zimbabwe under the auspices of the Institute to map opportunities for addressing national healing and reconciliation as provided for in the GPA. The outcomes of the various contacts we have had with Zimbabweans have included:



MDC Secretary General Tendai Biti is interviewed by the media after speaking at the Institute's public seminar entitled 'Zimbabwe: where to now?'

- Clearly defined capacity-building areas for churches and faith-based organisations, women's groups and civil society as a whole, generally in the area of transitional justice and particularly around reconciliation and community healing.
- Deepened relationships with political actors, contributing to efforts to encourage these individuals to prioritise the need for dealing with the past in order to secure a better future in Zimbabwe.
- Opportunities for documenting stories and accounts of struggles in Zimbabwe, as well as channels for the continued writing of history.
- The development of frameworks for reconciliation and community healing, intended to affect the programmatic interventions of partner organisations as well as national policy.

MOZAMBIQUE

In 2008 the Institute focused its involvement in Mozambique through the Southern African Regional Assessment (SARA) project. SARA is a joint project involving the Institute for Justice and Reconciliation, the Institute for Democracy in South Africa (IDASA), the Centre for the Study of Violence and Reconciliation (CSVr) and the International Centre for Transitional Justice (ICTJ). The project has conducted transitional justice assessment missions in Angola, Mozambique, Namibia and Zimbabwe.

In May the Mozambique mission was undertaken by the Institute and ICTJ in partnership with Mozambique's Association for the Promotion of Peace (PROPAZ). The purpose was to investigate how Mozambique (which had no formal transitional justice mechanisms) had dealt with its traumatic past of civil war and addressed its post-conflict challenges. It sought to map the nature and variety of post-conflict reconciliation processes, and to examine the key concerns that could threaten or undermine Mozambique's apparent current stability. As

part of the wider regional study, the mission also sought to deepen an understanding of South Africa's role in the region during the apartheid era and beyond.

One of the key findings of the assessment is that since 1994 Mozambique has engaged in a wide range of transitional justice mechanisms that have often been overlooked because they had not been institutionalised as part of a national project. Instead, churches and communities initiated mechanisms for healing and reintegration. The assessment identified strengths and weaknesses of the transition and made recommendations for future partnerships. Areas identified for potential investigation were human rights education, traditional African structures of transition, the role of narrative, counseling and the re-integration of child soldiers, recording and documenting women's experiences, interrogating the effects of development aid, regional responsibilities and co-operation in the post-war context.

At the end of October, all participants in the SARA project met in Cape Town to discuss the findings of the missions to Angola, Namibia, Mozambique and Zimbabwe. While many differences in circumstances and outcomes were apparent among these countries, one significant issue common to all was the divisive role that South Africa played in the region during the apartheid era. An important shared priority was the need for social and economic reconstruction programmes as a prerequisite for reconciliation.

Signs of the time: A selection of signage from various African countries in which the Institute works



OUTPUTS: EVENTS

The more prominent events of the Institute in 2008 included the following:

Reconciliation and Reconstruction Programme

March	Launch of <i>Stories op die Wind</i> (Platfontein, Northern Cape)
April	"Apartheid Era Prosecutions" workshop in partnership with Harvard Law Clinic (Cape Town)
May	"The Responsibility to Protect": guest lecture by Rama Mani, co-hosted with ICTJ and CSV (Cape Town)
July	Ashley Kriel Youth Memorial Lecture, delivered by Dr Allan Boesak (University of the Western Cape)
October	National conference: "A National Priority? TRC Recommendations and the Need for Redress" (Cape Town)
November	Ceremony for 2008 Reconciliation Award, presented to the Masiphumelele community (Cape Town)
December	Launch of the first Community Healing training course to community leaders as part of the Western Cape Government's social transformation programme (Cape Town)

Transitional Justice in Africa Programme

January	Support to National Consultations (capacity-building workshop) (Bujumbura, Burundi)
March	Transitional Justice capacity-building workshop and peace-building assessment (Ituri, DRC)
May	Public event: "Zimbabwe: where to now?" with guest speakers Mr Tendai Biti and Mrs Elinor Sisulu (Cape Town)
July	Regional Consultation: "African Cultural Traditions in Transitional Justice" (Johannesburg)
November	Workshop: "Reconciliation in Burundi" (Bujumbura, Burundi) Zimbabwean civil society strategic planning session: 'Mapping opportunities for a reconciliation and national healing agenda' (Cape Town) Public event: "The Rainbow Towers Agreement – Prospects and Challenges" with speakers David Coulthard, Zimbabwean Education Minister, and political analyst John Makumbe (Cape Town)
December	Peace-building dialogue – "Land Access and Food Security" (Ituri, DRC)

Political Analysis Programme

January	Launch of 2007 Transformation Audit (The Presidency, Pretoria and Cape Town)
April	Labour/Business Bosberaad (Stellenbosch)

OUTPUTS: PUBLICATIONS

Some of the more significant publications of the Institute during 2008 are listed below. Further publications are reflected on the Institute's website: www.ijr.org.za

Political Analysis Programme

SA Reconciliation Barometer Newsletter (four issues)

2008 Transformation Audit: Risk and Opportunity

SA Reconciliation Barometer Survey Report

Reconciliation and Reconstruction Programme

Making Apartheid History: My contribution (resource guide)

Community Healing Participant's Training Manual

Community Healing Facilitator's Training Manual

A Community on the Move: Migrancy and Belonging in the Cape (guide for teachers and art practitioners)

Songs worth Singing, Words worth Saying (DVD, CD and e-Songbook collection)

Turning Points in Human Rights (5-book series):

Constitutional Rights; Land Rights; Workers' Rights; Gender Rights; Youth Rights

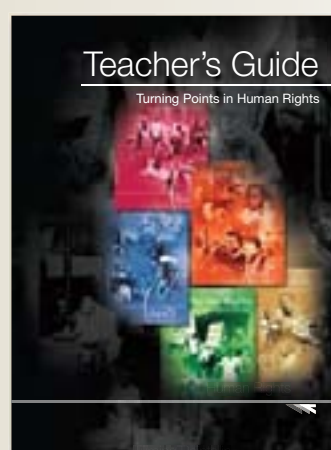
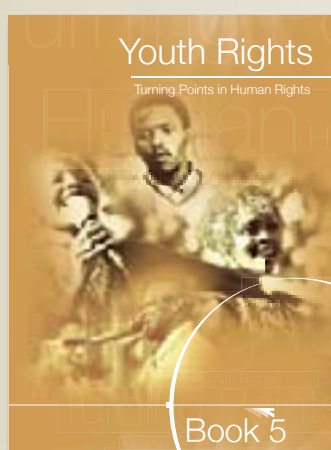
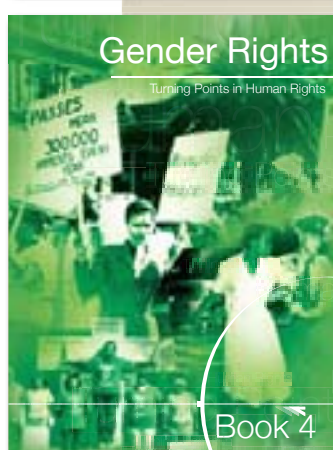
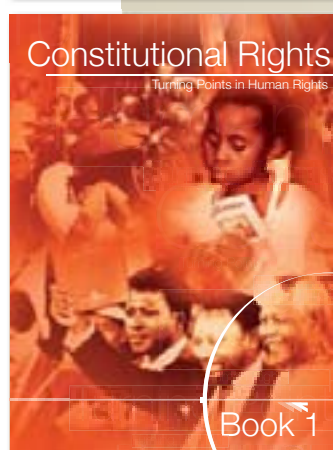
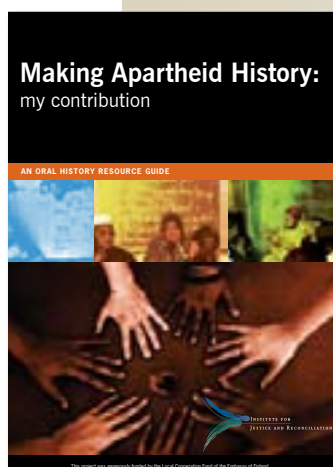
Turning Points in Human Rights Teachers' Guides (Grades 7-9 and Grades 10-12)

Where memory meets: A review of the Memory Project 2008

Transitional Justice in Africa Programme

'Strengthening institutions for sustainable growth and development: the public service as a driver of the developmental state' (conference paper)

'The State of Trust in South African Political Institutions' (conference paper)



INSTITUTE STAFF 2008

Executive Director

Fanie du Toit

Executive Consultant

Charles Villa-Vicencio

Administrative Staff

Felicia Thomas

Carol Esau

Crystal Murray

Political Analysis Programme

Jan Hofmeyr (Programme Manager)

Lameez Klein

Alleyne Smith

Dadisai Taderera (Intern)

Reconciliation and Reconstruction Programme

Valdi van Reenen-Le Roux (Programme Manager)

Cecyl Esau

Nkwenkwe Lukuko

Natalie Jaynes

Lucretia Arendse

Transitional Justice in Africa Programme

Marian Matshikiza (Acting Programme Manager)

Shuvai Nyoni

Friederike Bubenzer

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Ms Glenda Wildschut

Rev Dr Spiwo Xapile

CONTACT DETAILS

The Institute for Justice and Reconciliation

Physical Address:

Wynberg Mews

Ground Floor, House Vincent

Corner Brodie and Ebenezer Roads

Wynberg 7800

Postal Address:

PO Box 18094

Wynberg 7824

South Africa

Tel: + 27 21 763 7128

Fax: + 27 21 763 7138

Email: info@ijr.org.za

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