

GENDER PERSPECTIVE IN TRANSITIONAL JUSTICE PROCESSES

Recommendations and lessons learned from Women Now For Development to the special rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence :

Although “transitional justice” and “reconciliation” are now on the agenda of international policy makers, Syria is still far from beginning a comprehensive and inclusive transitional justice process. Syrian women are often excluded from the conversation but, more importantly, their unique approach and understanding of notions of peace and justice are often totally absent from these agendas. Women Now for Development has identified some key elements that need to be considered at early stages in order to identify gendered impacts of different crimes in order to push for their inclusion in peace negotiations, as well as in transitional justice mechanisms.

1. As the root causes of gender-based violence precede the conflict, what is needed is transformative, and not just transitional, justice.
2. Our experience shows that including women in Syrian peace negotiations has been very ad hoc. What is needed is the meaningful political participation and representation of women which should be based on the recognition of existing power relations between women and across marginalized social groups. Without a clear awareness of the power dynamics based on class, education, ethnicity, religion etc. women’s political initiatives risk reproducing them instead of challenging them.
3. The task is to be gender-sensitive, not gender exclusive: So, when gender-specific programs support women, it is due to their social, economic and political marginalization, not because they are “women”. Patriarchal social norms are inextricably influenced and shaped by other types of social and political power relations gender-specific programs should be sensitive to.

The following identifies certain principles that should inform approaches to transitional justice or other forms of justice:

Peace is not only a political process, it is also a social process: peace is often understood as happening at the global level and involving high profile political leaders. However, Syrian women’s “everyday peace practices” emphasize that economic, food, social, political, psychological, education, health and mental safety and security are all intertwined.

The local is political: there is an urgent need to address the gap between local political activists and the “peace negotiations” happening at the global level. Moreover, successful small-scale, local and regional political initiatives should be further studied and inform global political initiatives.

Legal justice is important but so are social, economic and political justice: Legal initiatives should be informed by social realities with a focus on diverse (and divergent) local and regional micro social, economic, political and everyday realities.

Demilitarization is as social as it is political: the need to address Syrian society’s militarization cannot be limited to negotiations happening between political leaders at the international or

regional level. Demilitarization demands social and economic work that addresses the structural dimensions of armed violence. Poverty is a form of violence and armed violence should not be isolated from its economic and social conditions of existence.

There should be a holistic and relational approach to violence in justice mechanisms: beyond documenting human rights abuses and sexual violence, there is an urgent need to elaborate long-term support for the victims. Systematic accountability mechanisms that protect the victims should consider the complex and intertwined social and political dimensions of violence.

Promote and foster feminist pragmatism in global peace negotiations: we need a feminist approach to peace that would foster critical perspectives on the conflict while enabling us to build partnerships and participate in negotiations with global actors. For example, a Syrian feminist approach to peace would insist on the importance to disband/reform Syrian security services alongside the rebuilding of social and societal relations. It would also include children's rights, education, health and social and economic justice.

Transitional justice is about how women experience justice: history from the point of view of women needs to be told and documented, including through arts and cultural initiatives both for women in general and Syrian women activists in particular. They not only offer new and creative spaces of expression and socialization for women in and outside Syria, but also foster alternative readings and understandings of both everyday realities and global politics.

Evidence-based research on the various social and economic realities that face Syrian women should underpin all interventions: activists should be trained in documenting Syrian women's everyday needs and challenges, which needs further data and fieldwork-based research¹.

¹ Further details in our report "[Gender Justice and feminist knowledge production in Syria](#)", 2019