



A Transitioning World

Mission Statement

The International Center for Transitional Justice assists countries pursuing accountability for past mass atrocity or human rights abuse. ICTJ works in societies emerging from repressive rule or armed conflict, as well as in established democracies where historical injustices or systemic abuse remain unresolved.

Governments and others seeking to promote justice, peace and reconciliation are likely to consider a variety of responses to human rights crimes. ICTJ assists in the development of integrated, comprehensive and localized approaches to

transitional justice, focusing on seven key elements: prosecutions, truth-seeking, institutional reform, gender justice, reparations, peace and justice, and memorials.

ICTJ is committed to building local capacity and strengthening the emerging field of transitional justice, and works with partner organizations and experts around the world. ICTJ provides comparative information, legal and policy analysis, documentation and strategic research to justice and truth-seeking institutions, civil society, governments and others.

Principles

ICTJ's core principles are reflected in its operational guidelines:

Give priority to the interests and perspectives of victims and survivors. ICTJ always assesses and respects the interests of victims, often working closely with victims' organizations and human rights advocacy groups.

Promote compliance with international obligations. ICTJ promotes understanding and acceptance of the obligations of states in responding to rights violations, especially requirements established in international law.

Shape policy and advice based on a rigorous analysis of the national and international context and circumstances.

ICTJ undertakes each assignment with a focused assessment of local conditions and relevant international circumstances, rather than approaching its work with prior blueprints or rigid guidelines that predetermine options.

Promote local involvement and empowerment. ICTJ emphasizes the training and empowerment of local actors. ICTJ will always involve them in policy development so that initiatives are shaped and ultimately decided by nationals.

Support and facilitate the work of organizations and individuals in the transitional justice field. ICTJ promotes communication, networking and collaboration among those working in transitional justice.

Front cover:

BOGOTÁ, Colombia. A woman in Bogotá's Bolívar Square lights a candle during a protest against kidnappings by guerrilla groups. *Mauricio Duenas/AFP/Getty Images.*

Back cover:

BOGOTÁ, Colombia. Bolívar Square becomes a field of candlelight as hundreds of Colombians join a demonstration against guerilla groups. *Mauricio Duenas/AFP/Getty Images.*

Letter from the President



Dear Friends,

In 2008, ICTJ assisted governments and civil societies in more than 30 countries and expanded its strategic reach on every continent. To meet the demand for our expertise, our staff grew to more than 130 people around the world.

The tools of transitional justice are crucial to building a durable peace for societies emerging from conflict and to offering established democracies ways to address past wrongs. One of our strengths is our ability to help societies recognize that the many problems that flow from prior abuses are often too complex to be solved by any one action. Without a holistic approach, it is far too easy for states taking small steps, perhaps en route to real transition, to slide into the practices of the past.

By remaining agile and responsive, ICTJ has shown itself to be a crucial actor in transitions all over the world. In Peru, we support efforts to bring former president Alberto Fujimori to justice; in Colombia, we work with local groups to bring appropriate levels of justice, peace and truth to society through the demobilization of more than 3,000 paramilitaries. In the former Yugoslavia, Burundi and Nepal, we see opportunities for transitional justice to take hold and are intensely involved through programs aiding prosecutions, promoting truth-seeking, reforming security services and, above all, promoting the interests of victims. In Canada, we counsel the first national truth commission created in an established democracy, focusing on crimes committed against indigenous children and their families in a church- and state-run residential school system. Through a special grant, ICTJ is also taking a singular look at children's experiences of transition around the world.

ICTJ plans its efforts with the utmost care, relying on our experience, analyses and technical expertise to map the path ahead. We have helped strengthen civil society and national and international organizations active in the field. We are especially proud of the 230 ICTJ Fellows who graduated from our intensive courses in transitional justice, taught in English, Spanish, French and Arabic. We continue to sustain our institutional growth through careful attention to administrative support and the technology necessary to keep our many offices fully integrated. And our vigor is renewed by generous funding for new projects in Sudan, Zimbabwe, the Solomon Islands and Kenya.

We welcome your interest and look forward to your support for our vital agenda.

A handwritten signature in dark ink, appearing to read 'J. Méndez', written in a cursive style.

Juan E. Méndez
President

The State of Transitional Justice

This is a watershed era for the field of transitional justice. Across the world in 2008, some of the field's potential was realized through international and national courts, truth-seeking efforts, reparations programs and the reform of security institutions, work creatively advanced by the International Center for Transitional Justice.

Since its inception, ICTJ has worked to bring greater justice for past crimes. We have helped shape the global discourse on accountability in societies that are emerging from violent conflict and seeking to promote justice and reconciliation.

ICTJ has made significant contributions to transitional justice through a holistic approach rooted in both judicial and non-judicial accountability measures; through the quality of our local partnerships and sensitivity to local stakeholders in the countries in which we work; through the organization's technical assistance; and through creative advocacy, capacity building, high-quality research and policy innovation.

In Latin America, courts in Argentina and Chile were bringing perpetrators of serious international crimes to trial, in some instances more than 30 years after the crimes had been committed. Former Peruvian president Alberto Fujimori stood trial for crimes he allegedly committed when he was in office.

From Africa, Charles Taylor, former president of Liberia, was on trial before the Special Court for Sierra Leone in The Hague. In Asia, Indonesian authorities arrested and brought to trial Muchdi

Purwopranjono, former deputy head of Indonesia's intelligence agency, for ordering the murder of Munir Said Thalib, a leading human rights activist assassinated in September 2004. The Extraordinary Chambers in the Courts of Cambodia slowly launched the process of trying prominent members of the Khmer Rouge regime for genocide.

In Europe, the notorious Bosnian Serb leader Radovan Karadzic was finally handed over to the International Criminal Tribunal for the former Yugoslavia to face trial for his role in the Bosnian genocide, after being a fugitive from justice since the mid-1990s.

Not least, the International Criminal Court (ICC) formally considered issuing an arrest warrant for President Omar al-Bashir of Sudan in what would be the ICC's first effort to hold a standing president accountable for serious international crimes. The ICC held four suspects in custody in The Hague, including a former vice president of the Democratic Republic of Congo (DRC).

Ten years ago, in an iconic moment in the evolution of the transitional justice movement, the South African Truth and Reconciliation Commission released its report. Similar, yet improved initiatives followed in places such as Peru, Timor-Leste and Morocco. A decade later, 2008 saw a truth commission in Liberia nearing the end of its operations, one just beginning in Canada, and another about to start in the Solomon Islands. Legislation was being introduced in Kenya to establish a Truth, Justice and Reconciliation Commission, and the

same was true in Nepal after its remarkable transition to democracy. Commissions were also under discussion in Aceh and West Papua in Indonesia, and a controversial bi-national truth commission (the Commission on Truth and Friendship) produced its report confirming Indonesia's culpability for violence in East Timor during and after the 1999 referendum that paved the way for that country's independence.

Global Impact

These initiatives—and the human rights violations that gave rise to them—were not the exclusive preserve of poor or developing countries in Asia and Africa. Recent months also brought the highly charged public apology of Australian Prime Minister Kevin Rudd for the human rights abuses committed against that country's aboriginal population. Several initiatives were underway to deal with memories of past human rights violations in Northern Ireland. In Spain, the graves of people killed by the Franco regime and during the Spanish Civil War were being exhumed. Canada set a precedent for an established democracy in providing reparation, a truth commission and a public apology for crimes against indigenous children over the preceding 100 years in the Indian Residential Schools. And the Italian government potentially set a precedent when it agreed to pay Libya \$5 billion in a deal to resolve colonial-era disputes, making Libya the first African country to be explicitly compensated by a former colonial power for its occupation. This was also an important initiative in the field of interstate reparations.

The past year witnessed other important advances in the provision of reparation for victims in various parts of the world. In Peru, a significant collective reparations program finally started, albeit through the actions of a government that was reluctant to pursue other recommendations from the Peruvian truth commission. In Sierra Leone the advent of a newly elected government appeared to prompt a new commitment to reparations for victims of war in one of the world's poorest nations. And after a long delay in Timor-Leste, reparations were put on the legislative agenda.

In the course of the year, Morocco made significant progress in delivering reparations on the recommendation of that nation's Equity and Reconciliation Commission. This included commitments to provide victims of human rights violations and their families with medical care and vocational training at the state's expense and the identification of 11 regions as beneficiaries of planned communal reparations. The ICC's Trust Fund for Victims also began to map its approach to reparations and tentatively sought to start small assistance projects in Uganda and the DRC.

Hurdles for Justice

Yet the past year has also generated challenges and reversals, not only to our demands for judicial accountability, but also to our quest for truth, the provision of reparation and the reform of abusive institutions. Indeed, ICTJ and transitional justice practitioners face an uphill struggle. In particular, during the past seven years the multilateral-

ism upon which the evolving system of international justice relies has suffered some significant blows.

One such blow has come in the aftermath of the invasion of Iraq. The global commitment to human rights and accountability was dramatically affected by the United States' use of the "war on terror" as a shield against accountability. This has meant that the fostering of impunity has been at the hands not only of "pariah states" but also of the United States, an emboldened Russia active in the Caucasus, and China, an ardent defender of rights-violating governments in Burma and Zimbabwe.

A consequence of widespread impunity has been the militarization of security at the expense of human security centered on the synergies of economic development, human rights and democratic governance as the path to durable peace. This has presented a major challenge for transitional justice practitioners seeking to build security institutions based on justice and accountability for past wrongs, rather than the mere efficacy or efficiency of these institutions.

Another challenge has been the dilemma of dealing with past violations during ongoing conflict, as in Colombia, Afghanistan and the DRC. While this has presented significant problems, it has also spurred us to think creatively about early-intervention models and how best to promote accountability where violations are still occurring. Equally serious has been the challenge posed when peace processes and

The State of Transitional Justice (cont.)

accountability are promoted by weak states that cannot fulfill even the most basic promises.

The result is a significant gap between global legal norms—which render amnesty or impunity for the most serious international crimes unacceptable—and the prevailing practice in some countries. Despite the innovation and evolution of international law, militias are still recruiting children, the sexual violation of women in many parts of the world remains pervasive and systematic, and known perpetrators roam free where no one has the power or will to arrest them. For all the instances in which those most responsible have been brought to justice, there have been other cases of presidential pardons or a simple lack of political will to pursue many perpetrators or even ensure the disclosure of the truth about past violations.

Despite their investment in truth-seeking, some truth commissions reflect deals between protagonists from past conflicts; they seek to sanitize the past rather than secure a durable peace through accountability. In Nepal and Kenya, for example, early drafts of legislation for truth commissions included amnesty provisions that could have done more harm than good to reconciliation and accountability. ICTJ worked in both countries to maximize the chances of obtaining both truth and justice.

Despite all the successes on the reparations front, there are striking cases such as South Africa, Iraq, Indonesia and several states of the former Yugoslavia, where governments, for lack of political

commitment, have failed to put reparations on the agenda or fallen far short of their obligations.

These practical dilemmas have been compounded by a “peace or justice” debate that threatens to divide transitional justice advocates and peacemakers. The division can be avoided. A holistic, carefully timed transitional justice approach that blends both judicial and non-judicial accountability tools offers these practitioners the opportunity to work together to build a more durable peace. By focusing on building rule-of-law institutions, transitional justice can help societies lay the foundations for justice and sustainable peace.

Opportunities and Innovations

All these developments have produced an environment offering opportunities and risks for the global struggle against impunity for serious crimes. For ICTJ the complex challenges have prompted innovation as well as a renewal of our core commitments, especially our emphasis on the needs and acknowledgment of victims.

In each of our innovations during the past year, we have sought to capitalize on the gains that have been made in the field.

Through the regional organization of our work, we have developed strategies that recognize the importance of country-level interventions yet also respond to the regional character of conflicts that cross the boundaries of nation-states.

Using a holistic approach that seeks to integrate trials, truth-seeking, reparations, gender justice, the reform of abusive institutions and memorialization as complementary tools to maximize accountability, we have sought to contribute not only to dealing with past conflict but to building more durable peace.

Through a holistic approach, ICTJ’s new Peace and Justice Program has addressed the dilemmas facing peacemakers, demonstrating that this approach to accountability can contribute to, rather than compromise, the course of sustaining fragile peace processes.

ICTJ’s Security System Reform Program has been innovative by asserting that accountability for past violations needs to be an integral part of the reform of security system institutions, and by recognizing that the integrity of the rule of law depends on this approach.

Our Gender Justice Program seeks to analyze and help end patterns of violence and violation that often survive formal political transition and that disproportionately affect women.

And ICTJ has launched innovative programs that address the relationship between development and transitional justice, and that grapple with identity conflicts. Both instances constitute an important attempt to come to terms with debates on the root causes of conflict and to ensure that our work addresses the needs of marginalized groups.



Where we work

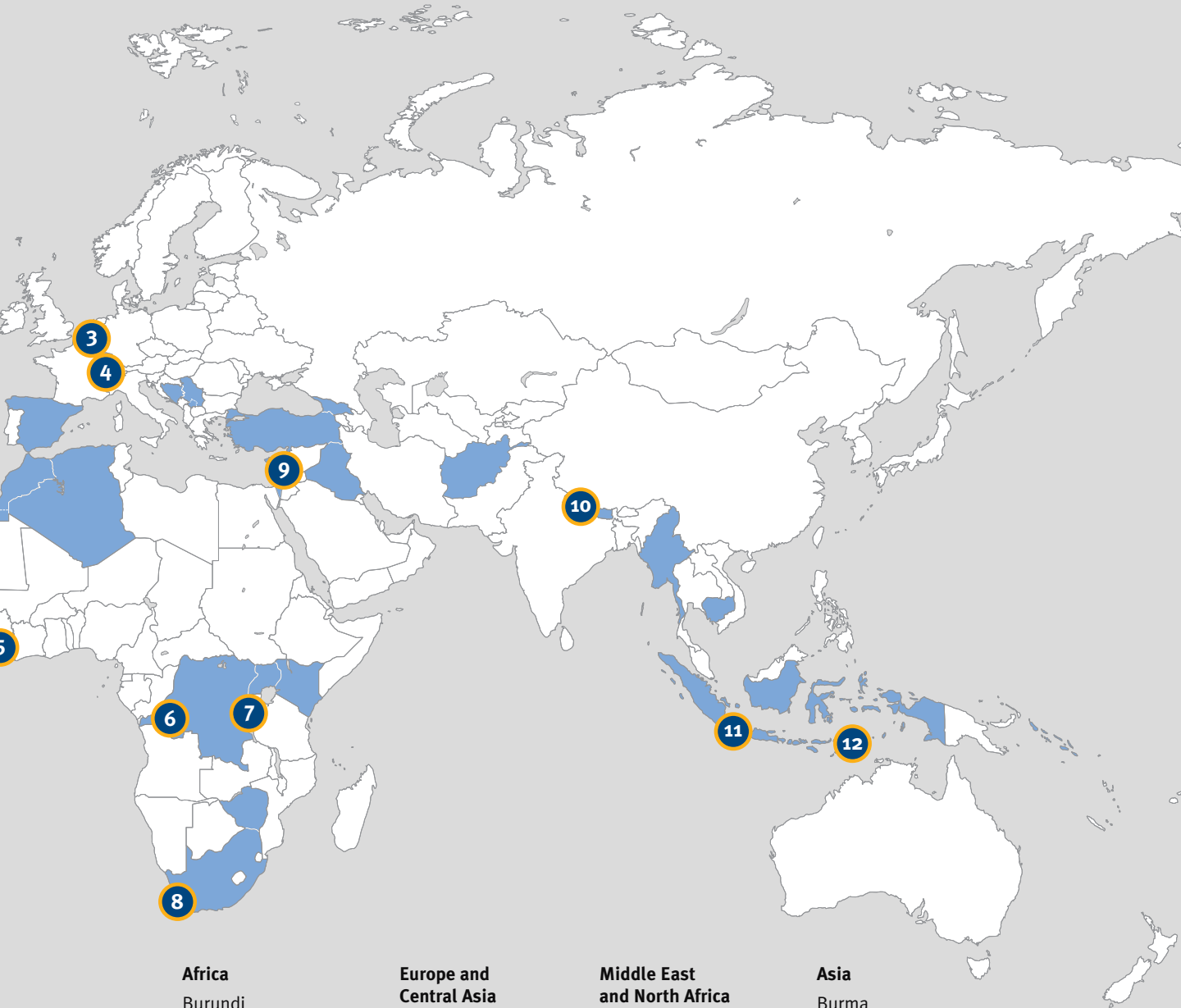
● ICTJ Offices

- | | | |
|------------|-------------|--------------|
| 1 New York | 5 Monrovia | 9 Beirut |
| 2 Bogotá | 6 Kinshasa | 10 Kathmandu |
| 3 Brussels | 7 Bujumbura | 11 Jakarta |
| 4 Geneva | 8 Cape Town | 12 Dili |

Americas

- Argentina
- Brazil
- Canada
- Chile
- Colombia
- Ecuador
- Guatemala
- Mexico
- Peru
- United States

This map shows the countries and territories in which ICTJ works. Its use of place names and display of boundaries should not be interpreted as ICTJ's view of the status of disputed territory.



Africa

- Burundi
- Democratic Republic of Congo
- Kenya
- Liberia
- Sierra Leone
- South Africa
- Uganda
- Zimbabwe

Europe and Central Asia

- Afghanistan
- Bosnia and Herzegovina*
- Cyprus
- Georgia
- Kosovo*
- Serbia*
- Spain
- Turkey

*The former Yugoslavia

Middle East and North Africa

- Algeria
- Bahrain
- Lebanon
- Iraq
- Israel/Occupied Palestinian Territory
- Morocco/Western Sahara

Asia

- Burma
- Cambodia
- Indonesia
- Nepal
- Solomon Islands
- Timor-Leste

Since 2001, ICTJ has worked in more than 35 countries, partnering with justice and truth-seeking institutions, local civic groups, governments and international organizations.

Support ICTJ

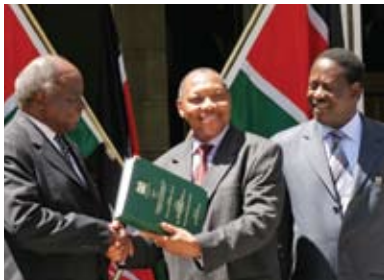
As the leading experts on transitional justice, we are committed to:

- emphasizing the interests and perspectives of victims and survivors
- promoting compliance with international obligations
- shaping policy based on a rigorous analysis of national and international context and circumstances
- fostering local involvement and empowerment
- supporting the work of organizations and individuals in the transitional justice field



ICTJ provides invaluable expertise that transforms the lives of victims and creates healthy judicial systems and sustainable societies. International demand for our assistance increases each year, and your support has never been more important.

Contact MaryClaire Brooks, director of individual giving, at 917-637-3844 and mbrooks@ictj.org, or visit our website at www.ictj.org.



Above: **NAIROBI, Kenya.** Kenyan President Mwai Kibaki, left, receives a copy of the report on Kenya's post-electoral violence from Kenyan Judge Philip Waki as Kenyan Prime Minister Raila Odinga, right, looks on. ICTJ assisted mediation efforts and collaborated with Kenyan civil society to brief parliament on transitional justice measures. *Khalil Senosij/AP Photo.*

Right: **BEIRUT, Lebanon.** A Lebanese woman holds pictures of her husband and four sons, all kidnapped during Lebanon's civil war, during a rally to commemorate the 1975–90 conflict. ICTJ supports local efforts to address the legacy of fighting. *Mahmoud Tawil/AP Photo.*

In Colombia, we promote accountable demilitarization and advise the Supreme Court as it investigates politicians linked to paramilitary groups.

In Kenya, we support negotiations so delicate peace processes are built on a responsible foundation that recognizes atrocities of the past. In Nepal, we are broadening the parameters of national interest to include prosecutions, reparations, security system reform and the creation of appropriate memorials to assist healing, through capacity-building workshops. In Canada, we counsel the first national truth commission created in an established democracy, as it focuses on crimes committed against indigenous children and their families in the Indian Residential School system.

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ICTJ gratefully acknowledges the generous donations of the foundations, organizations, governments, multilateral funders, individuals, corporations and in-kind donors listed above for their support from April 1, 2007, through December 31, 2008.

Financials

Statement of Financial Position (with comparative totals for 2007)

Year ended March 31	2008	2007
Assets		
Cash and cash equivalents	\$ 4,408,927	\$ 7,519,856
Contributions receivable, net	3,256,724	350,000
Grants receivable	7,837,539	5,462,630
Accounts receivable	-	58,005
Deposits and other assets	408,778	591,062
Fixed assets, net	761,774	\$663,311
Total assets	16,673,742	14,644,864
Liabilities and Net Assets		
Liabilities		
Accounts payable and accrued expenses	476,391	691,512
Accrued payroll and related liabilities	55,568	48,443
Deferred rent	90,437	197,330
Total liabilities	622,396	937,285
Commitments		
Net assets		
Unrestricted	5,956,552	9,071,127
Temporarily restricted	10,094,794	4,636,452
Total net assets	16,051,346	13,707,579
Total liabilities and net assets	16,673,742	14,644,864

Statement of Activities*(with comparative totals for 2007)*

Year ended March 31	2008			2007
	Unrestricted	Temporarily restricted	Total	
Revenues and support				
Grant income	\$ 6,784,552	\$ 13,334,213	\$ 20,118,765	\$ 13,931,121
Contributions	39,926	-	39,926	78,893
Interest income	220,965	-	220,965	238,728
Net assets released from restrictions	7,875,871	(7,875,871)	-	-
Total revenues and support	14,921,314	5,458,342	20,379,656	14,248,742
Expenses				
Program services	13,449,244	-	13,449,244	8,672,488
Supporting services				
Management and general	2,672,158	-	2,672,158	2,216,873
Development	887,398	-	887,398	463,442
Total supporting services	3,559,556	-	3,559,556	2,680,315
Total expenses	17,008,800	-	17,008,800	11,352,803
Change in net assets before foreign translation gain (loss)	(2,087,486)	5,458,342	3,370,856	2,895,939
Foreign translation gain (loss)	(1,027,089)	-	(1,027,089)	1,432,456
Change in net assets	(3,114,575)	5,458,342	2,343,767	4,328,395
Net assets, beginning of year	9,071,127	4,636,452	13,707,579	9,379,184
Net assets, end of year	5,956,552	10,094,794	16,051,346	13,707,579

These are excerpts from our audited financial statements. You may obtain a full copy of the financial statements from International Center for Transitional Justice, 5 Hanover Square, 24th Floor, New York, NY 10004. Attn: Finance Department.

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Since its inception, ICTJ has worked to bring greater justice for past crimes. We have helped shape the global discourse on accountability in societies that are emerging from violent conflict and seeking to promote justice and reconciliation. We believe our work and expertise is even more indispensable in meeting the needs ahead, as societies reckoning with their past strive for justice.

