

ANNUAL REPORT 2019



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impunity 
watch

Impunity Watch is a non-profit human rights organisation dedicated to ending impunity for severe violations of human rights, especially in countries emerging from a violent past. We analyse, advocate, and partner to help local communities seek accountability for gross human rights abuses and for systemic injustice. In our work, we adopt a bottom-up, participatory, and context-sensitive approach, and support victims and survivors in exercising their rights. Our work is legal, social, and political.

Impunity Watch began its work in 2004 in response to calls from Guatemalan human rights groups for greater support in their struggle for redress after the internal armed conflict of 1960-1996. It was registered as an independent foundation in 2008 in the Netherlands. Today, Impunity Watch works in a wide range of countries and has offices in Burundi, Guatemala, and The Netherlands.

VISION

We envisage a world in which states and societies respond effectively to serious crimes and gross violations of human rights with redress and recognition - where cultures of human rights and rule of law prevail, and where people no longer accept impunity as "the norm."

MISSION

We research the root causes of impunity as well as obstacles to its reduction. We seek to directly engage affected individuals and communities in justice processes. We promote their voices in the design and implementation of policies to encourage truth, justice, reparations, and the non-recurrence of violence and abuse. We encourage the active involvement of local actors in transformations after violence. We support informal initiatives that complement formal transitional justice mechanisms.

For more information, please visit our website:

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Our Annual Report provides an overview of the work of Impunity Watch from January to December 2019. The report documents the ongoing struggle of many victims of human rights violations to claim their rights and restore their dignity amidst a globally shrinking space for the protection and promotion of human rights.

The report shines a light on our various programmes and details our joint work with civil society organisations, victim groups, and survivors of human rights violations to acknowledge their suffering, end impunity, and hold perpetrators accountable. Financial figures are provided at the end of the report.





Message from the **EXECUTIVE DIRECTOR**

Throughout 2019, Impunity Watch continued to work hand-in-hand with partners, victims, colleagues, and supporters with the ultimate aim of challenging the existing systems of impunity. We focused on our three strategic priorities: 1) ensuring an increased and more meaningful victim participation in justice processes; 2) ensuring that transitional justice policies are politically-informed by and adapted to the opportunities and challenges of the context in which they take place; and 3) ensuring that justice strategies and policies are gender-transformative and seek to address pre-existing gender-based power relations and hierarchies.

As we release this annual report covering the year 2019, the world is struggling with the COVID-19 pandemic. We are all learning together how to normalise our personal and professional lives with this new, unknown and often challenging reality, especially in conflict-affected contexts where we work. Civil society is no exception and organisations across the globe are relentlessly seeking, implementing, and experimenting new modalities to maximise the impact of their work while physical distancing and travel bans govern our daily life. With concern, we observe through our work that the coronavirus has only come to exacerbate the pre-existing challenges of 2019 in the realm of global peace and security, as well as the shrinking space for human rights and civil society activism. Reacting to the symptoms of this crisis, in terms of addressing health and security challenges only, is not enough. This crisis highlights the need for integrated social, political and legal responses to address the deeper structural root causes of injustice and inequality so bluntly unmasked by the pandemic. These relate to our economic model, issues of social injustice, and ingrained and often violent and patriarchal systems of impunity and corruption. If these root causes go unchallenged, inequality and vulnerability disproportionately affecting women and minority groups, will only intensify, undermining broader public health priorities. Human Rights, the rule of law, social justice frameworks, strengthening the capacity of civil society to make joint claims based on common goals provide central tools to challenge root causes and to promote societies that are more just, inclusive, and resilient in the long term to dealing with the effects of such crises.

In our role as a victim-centred organisation, now more than ever we realise that there is a need for us to rethink our role within the specific field in which we operate. As Impunity Watch, we are eager to contribute to dynamising a broader anti-impunity movement that looks beyond thematic and geographic silos and that, by working together, will have greater capacity to bring the topic back on the global political agenda. As such, we are committed to

building partnerships and cooperation with organisations across humanitarian, development, and human rights fields, among others. Within these partnerships, we focus on supporting bottom-up approaches and the voices of grassroots groups to ensure our work is meaningful on the local level, effectively fights impunity, and helps these groups resist the increasing threats against them.

Impunity Watch operates in a number of challenging contexts where political and security developments are far from promising. Victims and marginalised groups are the most affected by these circumstances, and as such know best what measures are needed to transform root causes and bring change. As an organisation, we connect grassroots groups with national, regional, and international decision-makers with the aim of influencing policy-making processes that can lead to real change on the ground. This Annual Report 2019 summarises the most important activities that we carried out across our different programmes.

We have no choice but to remain optimistic! Only together we can create more space for hope and change. The clarity, dedication, and hard work of human rights activists, civil society organisations, and victim groups in spite of many setbacks is a source of constant motivation that inspires us to never give up. They prove, by the day, that it is possible to achieve important results by working together, learning from each other's experiences and activism, and understanding that although achieving genuine sustainable change is a long-term and often multigenerational process worth fighting for.

Best Regards,
Marlies Stappers



OUR INTERNATIONAL WORK

Impunity Watch works closely with grassroots movements and supports them in their fight against impunity. This field work is complemented by advocacy efforts aimed at influencing policy-making at the regional and international level. In our engagement with policymakers throughout 2019, we continued to prioritise advocating for meaningful victim participation in justice processes, for justice strategies and policies that are gender-transformative and seek to address pre-existing gender-based power relations and hierarchies, and for transitional justice policies that are politically-informed by and adapted to the opportunities and challenges of the context in which they take place.

We believe that (international) policymaking can benefit greatly from dialogue with grassroots (victim) groups and movements. The latter's insights on root causes of injustice and obstacles to combatting impunity should be sought and their visionary power for change, for guaranteeing access to justice and "never again" should be strengthened and prioritised over often preferred technical top-down approaches. Impunity Watch has been supporting the creation of platforms where victim groups can exchange, strategise, and build networks of solidarity and joint action. It has established connections between these groups and national, regional and international policy platforms to influence the international agenda around victim-centred transitional justice issues and fighting impunity. As a partner of the Office of the High Commissioner for Human Rights (OHCHR) we directly connected policymakers to civil society activists and victims at the grassroots levels. For instance, we hosted a [civil society meeting](#) with the United Nations High Commissioner for Human Rights, Ms. Michelle Bachelet, in May 2019 in our office in The Hague. Survivors and civil society representatives from Guatemala and Syria, among others, urged the High Commissioner to support their plea for an institutionalised victim-centred approach and dialogue within the UN, for example in the framework of the policy processes around the SDG16+ and the Intersessional seminars on the contribution of the Human Rights Council to the prevention of human rights violations. Later, in October 2019, we organised with REDRESS an International Conference entitled "[Victims: Front and Centre](#)" that brought together, in The Hague, victims and activists from Guatemala, Uganda, Syria and others to engage with policy-makers from international and regional organisations and different countries. The overarching demand that victims raised was to involve victims in the design, implementation, and follow-up to transitional justice processes so as to ensure that these reflect and address their specific needs. Participants stressed that the lack of long-term political and financial support to justice processes in contexts where some progress was achieved at the level of challenging impunity has had damaging consequences on civil society and political activism, throwing to waste the achieved results. Participants called on the international community to support victim movements and their agenda of addressing the root causes of impunity; with particular attention to the role of women therein.

Moreover, Impunity Watch remained an active member of the [Working Group on Transitional Justice and SDG16+](#), which released, in June 2019, its [report](#) on sustainable peace and development after massive human rights violations¹. Our contribution thereto focused in particular on victim participation as well as gender-transformative and context specific approaches to transitional justice. Within the framework of the 2030 Agenda for sustainable development, we demonstrated that victim participation is essential in ensuring meaningful access to justice in conflict, post-conflict and transitional settings and offered a set of policy recommendations to this end to be taken on board by States committed to the SDG 16+ agenda.

¹ - The Working Group on Transitional Justice and SDG16+ is comprised of civil society experts, governmental experts and UN agencies. It was convened to examine the contribution of transitional justice to SDG 16+. Recommendations contained in its report, *On Solid Ground: Building Sustainable Peace and Development after Massive Human Rights Violations*, ultimately targeted UN member states participating in the 2019 UN High-Level Political Forum on Sustainable Development.



Our work on a gender-transformative approach to transitional justice mostly focused on researching and raising awareness among our local partners and internationally about the root causes of violent and militarised masculinities with a focus on the security sector and its relation with systemic impunity and human rights violations, including sexual and gender-based violence (SGBV). Our comparative field research on Burundi and Guatemala has shown that those in power consistently use certain images of 'maleness' of a man that is aggressive, violent, and armed as a strategy to mobilise and manipulate not only young men, but also women; and to impose a security sector model based on (violent) repression and domination rather than on prevention and dialogue. Our main message to interlocutors was therefore that any efforts to deconstruct hegemonic patriarchal systems and a militarised security sector and to address gendered abuses and human rights violations, including SGBV, will remain elusive if their root causes and the enabling structural discrimination and gender norms are not similarly identified and challenged. This must be done in genuine partnership with affected communities and engaging the international community in developing security sector reform processes from a gendered perspective. To push forward this perspective, we engaged in policymaking processes and relevant events on the regional and international levels at the European Union (EU), African Union (AU) and the United Nations (UN). We used international opportunities to promote the need to fight SGBV. In June we participated in a meeting on "Strategic Approaches to Tackle Impunity for Sexual and Gender-Based Violence" in Geneva and in October spoke at the "Workshop on Advancing Reparations for Survivors of Conflict-Related Sexual Violence" in New York. In these fora, we highlighted that approaches to SGBV should not only focus on the symptoms and on supporting women survivors, but also take into account a more central focus on challenging violent and militarised masculinities and promoting alternative and inclusive ones.

Evidence from around the world unanimously supports that a strong and independent civil society correlates with positive human rights indicators and with lower probabilities of conflict. Civil society that works on transitional justice and dealing with the past has been considered essential from a prevention perspective. Over the past decades, civil society has been a key driver of transitional justice in many contexts. It has ensured for example that the question of accountability for war crimes and mass human rights violations was put - and has remained - on the political agenda. It has stepped in for weak state capacity in the pursuit of post-conflict justice. Civil society has also been an alternative to often technocratic transitional justice interventions from outside actors. Today, however, this role of civil society is increasingly under pressure. As a result of the shrinking civic space and donor funding approaches and priorities, civil society organisations have become donor-dependent and too often altered their agendas accordingly. Unfortunately, this has exacerbated competition over funds and weakened their political agenda. All of this has not been supportive to strengthen the capacity of civil society at the national and international levels to articulate joint political claims. Countering this dangerous trend should be a priority for all civil society organisations working in this field. Therefore, at Impunity Watch, we foregrounded in all our policy and advocacy work a call to counter the shrinking of civic space and to support civil society movement building and its political claim making power, with a special focus on strengthening the role of women activists and leaders. We have thus been urging donors to tie funding to their inclusion in justice and transition processes. Civil society should not be seen as an ad-hoc service-provider, but as part and parcel of any viable long term political or transitional strategy. We seek to become part of a broader anti-impunity movement, trying to identify and connect to other organisations in the human rights, transitional justice, and peace-building fields.



BURUNDI AND THE DEMOCRATIC REPUBLIC OF CONGO

“Men are not the only ones who have the right to play a political role, as if we, women, cannot do anything. We are capable.”

- Scholastique, a female teacher from the Bururi Province in Burundi

OVERVIEW

Four years into a political crisis that began in 2015, the human rights situation in Burundi remained desperate throughout 2019. The UN Commission of Inquiry, established in the wake of 2015, documented abuses including sexual violence, summary executions, and arbitrary arrests. In the run-up to the 2020 elections, violence against members of the main political opposition, linked to the youth wing of the party in power, increased exponentially. Democratic and civic space was further restricted, as seen by the forced closure of foreign media outlets, a new restrictive code of conduct imposed on journalism, and the arrests and detention of journalists from the country's only independent print media. Simultaneously, national NGOs have been forced into exile, and international NGOs were under constant government pressure of meeting strict administrative measures. This came after the suspension of INGOs in late 2018, leaving only a handful of organisations working on transitional justice and human rights still operating in Burundi. A new Truth and Reconciliation Commission (TRC) has filled this space after its establishment in December 2018, with a number of changes to the mandate of the previous TRC (2014-2018) leading many to suggest that the Commission will struggle to prove its independence from the party in power. A controversial exhumations policy pursued across the country in 2019 appears to confirm this fear, as does the TRC's public approval of the government's policy of renaming of roads and monuments in June 2019, interpreted by some activists as attempts to impose a one-sided understanding of Burundi's history. Communities are thus facing an increasingly uphill battle in their search for truth, justice, and reconciliation. As with previous periods of political upheaval in the country's past, instrumentalisation of the past for political gain and identity-based manipulation – affecting youth in particular – are gaining traction.

The situation in neighbouring Democratic Republic of Congo (DRC) was no less challenging. Rival protests broke out in January 2019, following the contested victory of opposition candidate, Felix Tshisekedi, in the December 2018 elections. The elections were meant to be the first democratic transition of power in the country since its independence; however, reports rapidly emerged about voter suppression and violence. Despite claiming in his inauguration speech that his government would prioritise “an effective and determined fight against corruption [...] impunity, bad governance, and tribalism”, Tshisekedi has appointed individuals implicated in human rights violations to prominent government positions. Unsurprisingly, there are persistent gaps in access to justice, especially for victims of violence, and many public decision-making processes remain opaque and non-participatory, hindering people's – especially victims' – ability to demand and secure accountability. Moreover, the physical and political distance between Kinshasa and the volatile east of the DRC that makes policymaking and governance extremely challenging in the country was further accentuated in 2019 following the elections. The Congolese people still struggle to see their human rights protected and continue to be marginalised from key decision-making processes. Ensuring accountability and redress for the large-scale human rights violations and massacres that have been perpetrated in communities in the Kivus where Impunity Watch is mostly concentrating efforts remained among the main challenges faced by victims in 2019.

ACTIVITIES

Our team in Burundi dedicated particular attention throughout 2019 to accelerate our gender-transformative agenda, scale-up our psychosocial support to tackle inherited traumas, build community resilience to deal with legacies of violence and impunity, and pursue our longstanding research-based advocacy approach. Together with our local partner Association Dushirehamwe, we tackled entrenched norms and policies that perpetuate the daily violence and insecurity women face. We supported groups of women in four key provinces to formulate recommendations on gender-based violence and dealing with past injustices, and then conduct advocacy toward women's leadership in local and national policy forums. We [raised awareness](#) among men and boys about the destructive effects of violent masculinities, and we transformed attitudes toward women's leadership and rights at the local community levels. [The groups of women](#) with whom we worked stated that they gained awareness of their rights to participate in political life, learned that the best-run communes in the country are those lead by women, and this together inspired them to actively participate in local and national politics and encourage other Burundian women to do so too.

Meanwhile, we continued to raise awareness on transitional justice and memorialisation in more than 100 communities across Burundi, reaching over 200,000 people. At the community level, knowledge about transitional justice and basic rights remains low and access to information constitutes a significant obstacle to participation. Thus, we concentrated our efforts on the prevailing need to equip victims and marginalised communities to participate in dealing with the past processes on their own terms and to claim their rights. These approaches have significantly increased knowledge and understanding and have led to the creation of community-based transitional justice initiatives such as local memorials and inter-community memory platforms. Simultaneously, we implemented an extensive participatory action research project engaging youth from various provinces in intergenerational dialogues within their respective communities. These intergenerational dialogues helped young people from across political and ethnic divides to better understand the causes and consequences of violence. Such inclusive approaches are building more resilience among youth to resist political manipulation and, according to the communities, are building greater societal cohesion. At the regional and international levels, we engaged policymakers to do more to support community-led efforts for dealing with the past as a prerequisite to national-level mechanisms such as the TRC. Using findings and policy advice generated from our innovative research approaches we contributed to the African Union's Transitional Justice Policy regional roadmap for the Great Lakes and engaged Burundi-based international policymakers to develop more coordinated policies among donors.



In the DRC, our priority remained supporting the Congolese Coalition for Transitional Justice (CCJT) to advocate for greater inclusion of the interests of victims and marginalised communities in national policymaking. We held joint policy forums in Butembo and Beni in North Kivu in which victims' demands for justice and especially reparations were brought to the attention of the local administration, customary authorities, and the judicial authorities. Our efforts led to concrete engagements by these key actors to prioritise victims' demands in their work that will be used to hold them more accountable in the future. We bolstered CCJT's lobby efforts to increase momentum for national-level transitional justice policies, connecting civil society actors nationwide to advocate for a TRC and a judicial mechanism based on two draft laws developed collaboratively by civil society with our support. Complementing this national strategy, we trained Congolese civil society organisations based in the Kivus to conduct community sessions on participation and gender transformation. These sessions have led to community members in Bukavu, Minova, Kaniola, and Katagota organising themselves into groups representing victims of large-scale violence. With our partners, we are supporting these groups to develop and implement advocacy strategies so that they can lobby local authorities to deliver justice and provide reparations for victims.



Story from the field

Alexis Habarugira is a young man from the Cankuzo Province in Burundi. In 2019, he participated in an Impunity Watch-organised training on women's leadership and positive masculinities. According to Alexis, the training increased his awareness that men and women can be treated equally. He changed his views of women's political participation and is now strongly supporting his wife's candidacy for the 2020 communal elections. Asked about how he intends to support her, Alexis explained that women in his community lack access to information; therefore, he is adamant to keep her well-informed of the news and political events she might need to attend. Alexis added that he is ready to help out with the household chores and collect wood and water, whenever his wife is busy with her preparations for the elections. Alexis is aware that despite his support to his wife, his country still has a long way ahead to ensure genuine equality in political participation. He highlighted that families can play an important role in changing the perception and treatment of women by properly educating their children. He emphasised that change in the familial education system is crucial to achieve the meaningful participation of women in elections as well as gender parity.

GUATEMALA

"I was terrified of seeing the defendants in the courtroom during the proceedings, but I drew courage from the thought that other victims had been able to confront their persecutors. I could therefore do the same." - Emma Molina Theissen, Guatemalan survivor of sexual violence and human rights advocate

OVERVIEW

Guatemala witnessed major setbacks in human rights and the fight against impunity throughout 2019. The government of President Jimmy Morales and the National Congress expelled the International Commission against Impunity in Guatemala (CICIG) in September after having launched a campaign to discredit prosecutors, judges and human rights defenders who supported its work. CICIG investigations had shown the magnitude and seriousness of corruption in Guatemala. During its mandate (2006-2019), CICIG uncovered more than 60 corruption networks in state institutions and brought more than 600 people to justice, including two former presidents, as well as ministers, deputies, judges, leaders of political parties, and powerful businessmen. The Government and Congress continue to undermine the independence of the justice system and put an end to the fight against impunity.

In 2019, Congress came alarmingly close to reforming the National Reconciliation Law and passing a general amnesty to liberate more than 40 former military officers prosecuted and convicted for crimes against humanity committed during the internal armed conflict (1960-1996). Impunity Watch joined victims and human rights organisations and advocated regionally and international against this bill; urging the international community to take a firm stance in the defence of the rule-of-law and human rights in Guatemala and to halt this legislation. As result of these advocacy efforts, the Inter-American Court of Human Rights issued a resolution reminding the State of Guatemala that amnesties for gross human rights violations are prohibited under international law. Our joint advocacy efforts were also fruitful in failing the Congress' attempts to dismiss the Human Rights Ombudsman and the magistrates from the Constitutional Court. Throughout 2019, institutions and policies protecting victims, in particular women, were profoundly weakened. For instance, the lack of political will and a low budget prevented the National Reparations Program and the Women's Secretariat from functioning properly.

Presidential, congressional, and mayoral elections were held in June with elected officials taking office in January 2020. The appointment of President Alejandro Giammattei, who is intricately connected to the conservative military elite, leaves little hope for positive change. 160 deputies from 19 different parties will constitute the next Congress which will make it difficult to reach political deals. Additionally, the process to elect the next Supreme Court and Court of Appeals began in August; however, it was suspended due to serious irregularities in the process. This jeopardizes the impartiality of the courts that should resolve the cases of corruption investigated by CICIG as well as gross human rights violations.



ACTIVITIES

Given the adverse context, we maintained close support to prosecutors, judges and human rights defenders at risk. We carried out a series of activities to strengthen the protection measures for threatened prosecutors and judges. For instance, we held workshops with the judges' associations on security measures and provided them with legal advice to defend themselves against unfounded complaints. We also requested precautionary measures for a number of judges before the Inter-American Commission on Human Rights and we kept the UN Special Rapporteurs well-informed of their situation. To highlight the dangerous deterioration in the situation of the justice system, we published three reports including [Judges in High Risk \[Courts\]: Threats to Judicial Independence in Guatemala](#). Impunity Watch has been at the forefront of using strategic litigation as a tool to fight impunity and bring about transformative change for victims. To discuss successful cases and share lessons learned and best practice from different contexts, we brought together 100 national and international experts in Guatemala City in August 2019 in an international conference entitled: ["Strategic Litigation for the Protection of Human Rights and Social Transformation."](#) This conference, combined with other research and advocacy efforts drew on the unique experience of Guatemala to highlight the unprecedented impact of strategic litigation as a tool to promote justice for victims and bring about legal, political and social reform and showcased important lessons learned on victim participation.

In October 2019, we released our research on [transformative reparations for survivors of sexual violence](#) during a public forum we [co-organised](#) with UN Women and OXFAM Guatemala on the occasion of the 19th Anniversary of UN Security Council Resolution 1325. This report, which forms an important part of prioritising the gender component of our work, analyses the international reparation standards for survivors of sexual violence and serious human rights violations in internal armed conflicts. It is primarily addressed to justice operators and prosecutors in legal proceedings and provides key elements for the design and implementation of transformative reparation measures in cases of sexual violence in the contexts of armed conflict.



We continued to further meaningful participation of victims in the transitional justice process. In this regard, we contributed to creating and offering technical and political support to the National Victim Platform. It is an important coalition of more than 40 organisations from different regions of the country that by working together have enhanced their joint activism and capacity to make political claims in promoting victims' rights. Supporting victim networks is a strategic investment that can help protect the meaningful results achieved in the past and push back against any present or future backlashes in the access to justice agenda which is a long-term, multigenerational process. We maintained our strategic litigation efforts in the Maya Achí Case of sexual violence. The case experienced a major setback in June 2019 when Judge Claudette Domínguez ruled that there was insufficient evidence to send the six accused to trial for crimes against humanity. She subsequently removed from the case in September on account of the prejudicial nature of her questioning of a victim and evidence of bias towards the accused and replaced by an independent judge, Miguel Angel Galvez; a decision widely celebrated as a victory for justice and a sign of new hope that the case can move forward. An important action subsequently undertaken in the framework of this case, included supporting the Achí women in filing a [complaint](#) for racism against Judge Dominguez for the discriminatory way in which she treated them during the proceedings, which we hope will be a springboard for tackling root causes and contribute to the transformation of a racist system. In addition, we maintained our strategic litigation efforts in the case of Santa Lucía Cotzumalguapa, which is currently before the Inter-American Commission on Human Rights as a result of a complaint presented in 2018 by Impunity Watch and three victims from Santa Lucía. Although the Guatemalan representative argued that the case had long expired and that it is time to turn the page and look to the future instead of opening up old wound, the Commission dismissed these statements, affirmed the continuous nature of certain human rights violations, such as enforced disappearances, when the fate and whereabouts of loved ones remain unknown, and reinforced their commitment to this issue. This acknowledgement alone has had a powerful reparatory impact on the victims of Santa Lucía. The case seeks justice for over 100 sugar cane workers and religious leaders from Santa Lucía, who were killed or disappeared by state forces to terrorise the population, dismantle the organisation of trade unions, and silence demands for better working conditions and wage increases in the late 1970s and early 1980s.

Story from the field

Since 2018, Impunity Watch has been involved in the strategic litigation of the Maya Achí sexual violence case by monitoring, advising, and representing women in the case. This is a case of sexual violence against 36 Maya-Achí women from the region of Rabinal, Baja Verapaz, who were subjected to repeated acts of sexual violence in their homes, communities, and/or during their illegal detention in the former military facilities of Rabinal. The case involves former Civil Defense Patrols (PACs) who were charged with crimes against humanity against the women between 1981 and 1985, a period when State violence hit indigenous communities in the country's interior the hardest.²

Juana de Paz is one of these survivors and is adamant to continue the fight for justice. "It is with courage that we, as women, set an example for other women," she said noting that there were many other women who were also "raped and defeated." Pedrina Lopez is another Maya Achí survivor fighting impunity. "Well, right now we have to fight, and that is the most important thing for us," she said. Lopez emphasised that others do not value them because of their traditions and the way they dress. In her turn, Paulina Ixtapa, another Maya Achí survivor, stressed that what happened to them still hurts and they will never forget neither the sexual violence nor how the civil defence patrollers [members of the pro-government militias *Patrullas de Autodefensa Civil*] took their animals, burned down their houses and killed their families. She argues that her fight for justice is important "because one day we will not be in this world anymore but our granddaughters are growing up here. We want them and the people of our nation to realise what it was like from 1981 to 1984."

² The Commission for Historical Clarification report, released in 1999, found that sexual violence against indigenous women was systematically used as a weapon of war.

IRAQ

"If perpetrators are not held accountable through fair trials, you or your children might be the victims in the future. We are calling for the prosecution of the perpetrators to avoid the repetition of these crimes."

- Basma AlDakhi, Yazidi survivor and peace mediator in Northern Iraq



OVERVIEW

2019 was a tumultuous year for Iraq with significant changes to the political landscape. Iraq continued to struggle with the legacy of ISIS despite its military defeat in late 2017, and domestic trials for ISIS defendants which lack basic standards of fairness and prone to abuse continued. Proposals for an international tribunal focused solely on ISIS gained some traction risking to further complicate Iraq's fragile recovery and reconciliation processes with a selective approach to justice and a counter-productive tendency to view transitional justice issues through a counterterrorism lens. Victims have been calling for safe and voluntary returns for the displaced, access to justice, comprehensive reparations packages at the individual and collective level, and professional exhumations of all mass grave sites to reveal the fate of the missing. A significant step in this regard was the opening of the Kojo mass grave site in Sinjar in March 2019, though overall the needs of victims in Ninewa governorate and beyond went largely unmet and impunity remained the norm. Beginning in October 2019, mass youth protests against corruption, unemployment and poor services rocked the capital Baghdad and the south, toppling the government of Adel Abdulmahdi and leading to a political vacuum amidst heightened US-Iran tensions in late 2019. These spontaneous and non-partisan protests calling for a civil state, social justice, meaningful democracy, and accountability were met with brutal repression; over 450 were killed and thousands injured by the end of 2019. A government investigation was highly unsatisfactory, and protest leaders were targeted with assassinations, death threats and abductions.

ACTIVITIES

Impunity Watch expanded its network of civil society organisations, victim activists, and international partners in Iraq throughout 2019. We conducted research into the structural causes of ongoing impunity in the country, particularly in Ninawa Governorate, via research and networking visits to Iraq and a strategising and exchange meeting with Iraqi policymakers and human rights activists in July 2019. Post-ISIS accountability formed the main focus of our advocacy efforts. Together with PAX for Peace and the Syrian Center for Media and Freedom of Expression, we developed a [Policy Brief](#) arguing that an international ISIS-only tribunal in Iraq would ultimately be counterproductive and fail to meet victims' needs and putting forward alternative recommendations to ensure justice and redress. We also supported victims of ISIS from Ninewa and Syria to bring forward their justice demands to international policymakers by organising a [side-event](#) at the Assembly of States Parties to the International Criminal Court (ICC), a public event in The Hague, and a special session at the Dutch parliament in December. As the protest movement gained momentum, we also supported Iraqi partner organisations focusing on documenting violations against demonstrators, with lessons learned from efforts to secure accountability after the repression of protest movements in other contexts. These case studies helped inform Iraqi civil society's demand for a special session on Iraq at the Human Rights Council.

Together with Iraqi al-Amal Association and Pax for Peace, we pursued our gender-related work in the country, focusing on mapping the root causes and identifying SGBV in Iraq from 2003-2018 - an area with a serious gap in documentation and analysis. We worked closely with 15 Iraqi women activists from different governorates and supported them in their role as agents of change within their society. These activists have been able to contribute to truth-seeking efforts in their country by interviewing SGBV survivors and documenting their suffering after we provided them with [training](#) on new techniques for interviewing, storytelling, and data and testimony collection techniques. A detailed SGBV mapping report and a number of multimedia products depicting the survivors' stories will be released in 2020. The materials will be used in an online campaign and as an advocacy tool with national and international policymakers to promote the participation of SGBV survivors in transitional justice processes.



Story from the field

From chemical engineering to becoming a vibrant and staunch feminist and human rights activist; this is the path Inas from Baghdad chose for herself. Her activism started early on when she joined student movements at university and culminated throughout the years by supporting women causes, women political participation, and transparent elections among other issues. Inas also worked with refugees and ISIS victims, mainly providing them with legal support. Today, Inas is fully focused on advocating for a law on domestic violence, along with a group of feminists from different Iraqi governorates.

In 2019, she participated in a training on new techniques for interviewing SGBV survivors, storytelling, and data and testimony collection techniques, organised by Impunity Watch and Iraqi al-Amal Association in Beirut in 2019. Inas, like the 14 other Iraqi women activists who participated in the training, interviewed SGBV victims in Iraq. Throughout the phase of conducting interviews, the activists received psycho-social support to be able to cope with the intensity of the survivors' stories. Inas refers to this experience as the "turning point" in her activism, as it made her shift all her energy toward supporting SGBV survivors. Working with SGBV survivors completely changed her perspectives and convictions, she said. **"The survivors' stories touched me deeply. I am part of the [Iraqi] society and I was judgemental,"** she added, explaining that in the past she perceived women forced into prostitution as **"guilty."** Inas noted that after listening to the survivors' stories, she realised that she could have been in their place had she faced different circumstances. Inas now tries to spread awareness about this topic around her starting with her family, friends and society. **"Even if I am free and I am a human rights activist, my freedom will never be complete until all women are free,"** she said, stressing on the importance of capacity building for women as agents of change.

SYRIA

"When conflicts end, women are generally deprived from taking decisions related to the restitution of or return to their house, land and property. Syrian women are no exception. All laws, indicators, and practices show that they are the weakest element. They will continue to endure violence, persecution, and impoverishment if such practices are not confronted."

- Lama Kannout, Researcher, Writer, and Executive Director of the Syrian Feminist Lobby



OVERVIEW

2019 brought new cycles of human rights violations to the Syrian conflict by all parties, especially the Assad regime. Areas recaptured by the government through so-called 'reconciliation agreements' witnessed particularly high levels of well-documented violations. Under the pretext of rehabilitation and reconstruction, the government is demographically engineering the country to its own political advantage. It continued to develop its legal framework allowing it to confiscate the properties and homes of its opponents, without due process or adequate compensation. Meanwhile, rights groups documented serious abuses by Turkish forces and their Syrian allies during Turkey's military operation against the Syrian Democratic Forces in north-east Syria. By mid-December, Idlib and north-west Syria witnessed a sharp escalation of hostilities led by Syrian regime forces and Russia. Both of these developments provoked new waves of mass displacement and suffering for populations already worn down by years of conflict, repeated displacement and humanitarian suffering.

On the international level, the UN-led political negotiations resumed in the form of a constitutional committee comprised of representatives of the Syrian government, opposition groups and civil society. Yet, there is little hope of reaching a peace settlement. The counter-terrorism agenda has overshadowed the needs of victims, and post-conflict "reconstruction" concerns have taken precedence on policies. The increasing readiness by some members of the international community to normalise relations with the Syrian regime remains worrisome. Nevertheless, important developments took place regarding the advancement of the justice agenda in 2019. Syrian civil society groups, including Impunity Watch partners, continued to pursue Syrian perpetrators of international crimes before European courts under the doctrine of universal jurisdiction amidst blocked local and international routes to justice.

ACTIVITIES

Impunity Watch concentrated its efforts on supporting victim groups and civil society organisations in their pursuit of accountability and victim-centred justice. We facilitated their access to international policymakers, mechanisms and bodies such as the International, Impartial and Independent Mechanism (IIIM). In 2019, we expanded our technical support to include also the coalition of the families of ISIS victims. Our strategic partnerships with the Violations Documentation Center (VDC)/The Syrian Center for Media and Freedom of Expression (SCM) and the Syrian Legal Development Network (SLDP) focused on building the capacity of victim groups in areas like documentation, advocacy, research, and consultation. With the support of the Dutch and Swiss Ministries of Foreign Affairs, we organised with SCM a meeting on detention between IIIM representatives and civil society organisations. We also held in-depth discussions with organisations and victims on unlawful attacks in Syria in preparation for a IIIM meeting early 2020. Meanwhile, SLDP strengthened the legal capacity of Some Syrian NGO's on issues pertaining to business, reconstruction and their interlinkages with human rights abuses in Syria. Moreover, we facilitated the meetings for four Syrian victim groups (Association of Detainees and Missing Persons in Sednaya Prison, Caesar Families Association, Ta'afi, and Families for Freedom) who are jointly working on an advocacy strategy to advance victims' rights; including a 'charter' of shared aims, vision and values, and the rights of victims in future peace negotiations and recovery/reconstruction. We provided our partners with platforms to present and discuss their latest justice-related publications. Moreover, we maintained our cooperation with the Syrian Negotiation Commission (SNC) to ensure that accountability and victim-centred redress are taken into account in the negotiations.

In line with our focus on the root causes and underlying structural enablers of impunity, we co-organised with PAX for Peace [a two-day workshop](#) in July for Syrian activists and international experts. Participants examined violations of property rights in Syria and explored ways to address them, all while focusing on vulnerable groups like women, minorities and detainees. A relevant policy brief with clear recommendations was due early 2020. We also co-facilitated a workshop on social cohesion, reconstruction and space in post-conflict urban contexts, organised by the Heinrich Boll Stiftung in Berlin.

On the topic of post-ISIS accountability, we developed with PAX for Peace and SCM a [Policy Brief](#) arguing that an international ISIS-only tribunal in Iraq would ultimately be counterproductive and fail to meet victims' needs (*See Iraq section p. 18*).

Story from the field

Horrific testimonies of survivors have come out of the notorious military prison Sednaya, located outside of Damascus, Syria. In November 2019, the Association of Detainees and the Missing in Sednaya Prison (ADMSP) released a report documenting the human rights violations committed in this facility based on 400 face-to-face interviews with former detainees. With the support of Impunity Watch and the Canadian Ministry of Foreign Affairs, the report was drafted by a team of 11 Syrian researchers, ten of whom are former detainees; the eleventh is the wife of one of the former detainees. Entitled [Detention in Sednaya: Report on the procedures and consequences of political imprisonment](#), the report documents the horrendous torture methods used by the Assad regime and focuses on the psychological and physical damage that survivors struggle with for the rest of their life. Once set free after completing their prison sentences issued through unfair trials, survivors discover that they have lost their property and job. They go out to find their families exhausted from financial and moral embezzlement by the Assad regime. In an interview with Impunity Watch ADMSP Director, Diab Serrieh revealed that their main challenge while drafting the report was to convey the abundant feelings expressed in the testimonies of the survivors. **"We were under the psychological pressure of how to convey feelings rather than cold and rigid statistics,"** he said. A mechanical engineer, Serrieh was himself a prisoner at Sednaya for five years from 2006-2011. The Syrian Revolution had just started when he was released, and in no time the number of detainees began skyrocketing. He was detained again in another facility for 100 days in 2012, after which he left Syria. Asked about what inspired the journey of producing this report, he stressed that it was the persistence of the survivors. **"We will never stop talking about what happened. We will continue to demand justice [for the victims] and accountability [for the perpetrators]. We should speak up and reveal the pain we endured. This is what gives us hope and strength,"** he concluded.

TUNISIA

“Capacity-building for victims helps them expand their demands beyond reparations only and makes them human-rights defenders who start calling for ending impunity, accountability and reforms.”

- Karim Abdelsalem, Human Rights activist and President of the Justice and Rehabilitation Association

OVERVIEW

Although Tunisia continued to face security issues and economic stagnation resulting in sporadic social unrest, the general elections of 2019 were largely promising for transitional justice. The newly elected President Kais Saied and other emerging politicians are in favour of transitional justice, in contrast to the hostile environment that had prevailed in the country since 2014. This political support comes at a crucial time. The Truth and Dignity Commission (TDC) finalised its seven-volume final report, which includes recommendations for political, institutional and economic reforms. The government is now faced with the responsibility of proposing a multi-year implementation plan that builds upon these recommendations. In parallel, the slow judicial process to hold perpetrators of abuses accountable continues in the 13 Specialised Criminal Chambers (SCC); amidst doubts by some human rights defenders on compliance of the procedure with international standards for a fair trial.

Civil society and victim organisations are hopeful to see transitional justice move in the right direction. They are trying to push forward three priorities: reforms and rule-of-law, collective and individual reparations to victims and regions that endured violations, and attaining justice by holding perpetrators accountable. If steered properly, the process can make remarkable contributions to the emerging socio-political order in Tunisia.

ACTIVITIES

Impunity Watch initiated its Tunisia program in 2019 and began establishing its network of civil society organisations and victim groups. At this phase, most of our work was research-based in addition to providing some victim groups with technical support. We formed a working group³ that conducted a collective and multidisciplinary review of the TDC report (to be published in 2020).⁴ The review process encompassed issuing recommendations regarding guarantees of non-recurrence, memory, and reparations amongst others themes; and activists may advocate for the implementation thereof. Moreover, the TDC report addresses important issues related to the past and while it did not always succeed in revealing the full picture, it certainly paved the way for having an open discussion about the past. In addition, we worked with a number of victim groups and provided them with technical assistance to better understand the TDC report as well as to define their advocacy priorities and coalition building strategies around it. For instance, we worked with a victim led-group, Karama Association, on the issue of memorialisation and facilitated their meeting with the director of the National Archives.

From a gender lens, we designed a survey on female victims' participation in transitional justice which we will be carrying out with two victim organisations, Karama Association and Justice and Rehabilitation Association. The survey aims to identify ways to ensure efficient female victim-participation and the results will inform our future advocacy efforts.

Story from the field

Karim Abdelsalem is a Tunisian human rights activist who spent 13 years in prison as a political detainee. **“We are what we experienced”**, he says, noting that his years in prison turned him into a human rights activist. Abdelsalem heads a victim group called the Justice and Rehabilitation Association and has been working closely with victims of human rights violations in Tunisia especially in the area of building their advocacy capacities. In 2019, he engaged as a representative of his association with Solidar Tunisia and Impunity Watch in reviewing the TDC report for Tunisia. As part of this process, the victims are being provided with technical assistance to better understand the report and define their advocacy priorities. Reflecting on this experience, Abdelsalem highlighted the importance of this exercise in bringing forward a new grassroots-based perspective as well as making transitional justice more tangible and reachable to victims and reflective of their demands and needs. The report was no longer viewed as **‘sacred’** but as subject to criticism and improvement, he said. He added that while victims are key partners and play a pivotal role in the justice process, their opinions might sometimes be different, but the baseline remains respecting human rights. Abdelsalem said that the review process of the TDC report allowed an exchange between the grassroots and the international organisations. Transitional justice is not only about accountability and trials, but taking into account what victims aspire to, he said. In collaboration with Impunity Watch, Abdelsalem is currently working on a paper about the specialised chambers in Tunisia and the possible solutions to counter attempts to block their work. Capacity-building for victims helps them expand their demands beyond reparations only and makes them human-rights defenders who start calling for ending impunity, accountability and reforms, he said. **“As human rights defenders, they start negotiating with the authorities to achieve reforms and justice which can result in real change,”** he concluded.

³- The working groups consists of four organisations: The Justice and Rehabilitation Association, Solidar Tunisie, the International Center for Transitional Justice (ICTJ) and Impunity Watch.

⁴- The TDC was formed in June 2014, with a four-year renewable mandate to investigate gross human rights violations committed by the state or its protégées from 1955-2013, when Tunisia passed its transitional justice law.

WESTERN BALKANS

"A broader gender perspective to transitional justice policies in the Balkans is missing. Gender equality and transitional justice policy in the region has been mostly limited to pushing for legally addressing conflict-related sexual violence."

- Extracted from the Policy Brief: Balkan Chronicle: Gender Equality, Transitional Justice and the International Community

OVERVIEW

The year 2019, the Western Balkan region was predominantly marked by political instability. Attempts by the US to re-start the Belgrade-Pristina dialogue have so far not borne any fruits. Meanwhile, the EU and its member states are missing a clear vision for the Western Balkans whereby the accession perspective has at least been kept open for Albania and North Macedonia. The Greek-Macedonian dispute has been almost resolved, and North Macedonia is getting closer to becoming a member of the NATO. Macedonia finally changed its name to the Republic of North Macedonia, ending a 30-year dispute over the country's name.

The region continues to battle with the same problems it has been experiencing for decades. Polarisation driven by nationalistic ideologies is ongoing promoting impunity and using the past to divide people further along ethnic lines. From a gender lens, systematic problems like intolerance toward minorities, gender-based violence, high level of corruption, toxic masculinity, and the continuous side-lining of women in political processes and economic policies are not being addressed. Impunity for the crimes committed in the 1990s remains widespread and continues to undermine victims' demands for justice. In the absence of any strategic vision as to what constitute effective guarantees of non-recurrence, the Balkans continue to be a battleground of conflicting narratives, in which each side claims victimhood and blames the other for past abuses. These are all indicators that are concerning and risk, if not addressed, becoming root causes for future conflict.



"Justice for Girls" protest on 19 October 2019 in Zagreb. Photo: BIRN

ACTIVITIES

In 2019, our Western Balkan work continued to consolidate. With our focus on research for policy, we fill a niche that is in particular valued by civil society. Over the past couple of years, our research and policy outputs have impacted thinking by policymakers, including policy actors within the EU, UN, and others within the donor community. With our analysis we are filling an important knowledge gap in the region. The knowledge around comprehensive policy work on transitional justice in the region is low and a clear vision is missing. Since the closure of the International Criminal Tribunal for the former Yugoslavia (ICTY) at the end of 2017, the space for civil society continues to shrink. Impunity Watch is seeking to reinvigorate debate and discussions around dealing with the past. Throughout the year, we focused on gender in particular. Together with our partner the Balkan Investigative Reporting Network (BIRN), we focused our research on understanding the gender-dimension of the existing post-conflict situation. Subsequently, we released a policy brief, ["Balkan Chronicle: Gender Equality, Transitional Justice and the International Community."](#) The brief clearly shows how impunity for past and present violence against women remains a main obstacle for justice and gender equality throughout the Western Balkan region. At the same time, responses by the international community have been too narrow and lack long-term political support. Moreover, the political and economic policies that were put in place contributed to rooting the conservative and nationalist status-quo and fostered systematic impunity, disproportionately affecting women. The narrow approaches did not address the root causes of violence and hence impeded real change. The findings and recommendations of the report were discussed by activists and civil society organisations during a workshop we organised with BIRN. Participants strategised on how to coordinate their advocacy towards the international community; striving for more coherent and holistic approaches across policy fields. They also touched on the needs of civil society organisations, the role of women and women organisations therein, and how civil society can develop political leverage to fight the engrained systems of impunity.

We maintained good relationships and regular contact with members of the donor community and other government agencies, including through our participation in and contribution to high-level policy meetings and other relevant events at the regional and international level, such as the 12th Forum for Transitional Justice in post-Yugoslav Countries organised by the Coalition for RECOM in Zagreb in December. We equally invested in our partnerships with BIRN, as well as the Post Conflict Research Centre (PCRC), ZFD (in Kosovo), and WILPF (in Bosnia). In addition to aforementioned research and advocacy endeavours, in 2019, we prioritised efforts to seek out, strengthen and support civil society actors working on transitional justice in the Balkans, based inside and outside of the region.



(in euros)

	Actual 2019	Budget 2019	Actual 2018
INCOME			
Grants	3,382,612	4,044,000	2,062,537
Others	25,311	3,000	15,613
	3,407,923	4,047,000	2,078,150
EXPENDITURE			
General management and fundraising	189,699	343,000	127,709
Guatemala programme	439,943	510,000	462,726
Burundi programme	832,363	1,144,500	648,404
Intervention 1: Research	179,564	571,000	520,828
Intervention 2: Knowledge sharing	1,470,891	966,000	181,191
Intervention 3: Lobby	285,376	529,500	129,182
	3,397,836	4,064,000	2,070,040
Result for the year	10,087	-17,000	8,110
Appropriation of the result			
General reserve	10,087	-17,000	8,110
Total	-	-	-

The net result of € 10,087 has been added to our restricted funds/general reserves.

For more detailed information, an audited [financial report for 2019](#) is available on our website.

LIST OF PUBLICATIONS AND MULTIMEDIA

PUBLICATIONS

- [Guidelines on Transformative Reparations for Survivors of Sexual Violence](#)
- Balkan Chronicle: Gender Equality, Transitional Justice and the International Community [English](#) | [Bosnian](#) | [Albanian](#) | [Macedonian](#)
- ISIS-only tribunal: selective, politicised justice will do more harm than good [Arabic](#) | [English](#)
- [Lineamientos de Reparación Transformadora para Sobrevivientes de Violencia Sexual](#)
- [Policy Brief: Strategic Litigation for Cases of Sexual and Gender-Based Violence in Guatemala](#)
- [Defendemos la vida: Resistencia de las mujeres y las comunidades de Santa Cruz Barillas y Santa Eulalia](#)
- [Jueces en Mayor Riesgo: Amenazas a la independencia judicial en Guatemala](#)
- [Victims: Front and Center](#)

MULTIMEDIA

- Voices from Burundi: [Venantie](#) | [Scholastique](#) | [Alexis](#) | [Calinie](#)
- [Guatemala: National Victims Day](#)
- [Guatemala: From Victims to Advocates](#) | [Miguel Itzep](#) | [Full version](#)
- [Uganda: From Victims to Advocates](#) | [Bua John Ocen](#) | [Full version](#)
- [Uganda: From Victims to Advocates](#) | [Christ Ongom](#) | [Full version](#)
- [40 Years since the Spanish Embassy Massacre](#)
- [Guatemala: From Victims to Advocates](#) | [Felician Macario](#) | [Full version](#)
- [36 Maya Achi women seek justice](#)