

POLICY BRIEF
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Transitional
justice as a driver
of transformation
in Colombia

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Summary

This Policy Brief proposes a notion of transformative justice in response to the serious human rights violations resulting from the armed conflict in Colombia, as well as its underlying causes rooted in impunity and structural violence, based on the findings and recommendations of the Truth Commission. To this end, we analyse the limitations of the traditional concept of transitional justice and propose the pillars of a justice system that can serve as an engine for transforming the structural causes of the conflict. These pillars include rethinking democracy and empowering marginalised communities, seeking solutions to structural violence, implementing transformative reparations, and combating impunity. Concrete recommendations are then presented for the Colombian government to successfully turn transitional justice into a transformative force for the country.

Keywords:

community participation; justice; social exclusion; social reform.

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Transitional justice has become a globally dominant lens through which to approach states addressing legacies of a violent past, most often implemented as a component of larger efforts at liberal state-building. From its beginnings as a primarily legal approach to human rights violations committed by outgoing regimes, understandings of the concept of *transitional justice* have expanded to encompass largely state-led practices such as trials, truth-telling, institutional reforms, and reparations processes. An industry of praxis has emerged, supported by dedicated NGOs and large-scale funding from Western donors. Yet, the performance and impact of transitional justice mechanisms have been at best ambiguous and at times disappointing. They have been criticised, for example, for treating the symptoms rather than the causes of the conflict. This suggests the need for a new agenda for the practice of *transitional justice*, one that offers a concept of justice that is more “transformative”.

Colombia’s transitional justice process has been framed by longstanding global approaches but has also seen an acknowledgment that acts of violence were underpinned by chronic and extreme structural disparities that must be addressed to ensure the non-repetition of conflict.

In particular, the *Comisión para el Esclarecimiento de la Verdad, la Convivencia y la No Repetición* (CEV) has noted that Colombia “is an exclusionary society, with structural problems [...] inequality, racism, colonial treatment, patriarchy, corruption, drug trafficking, impunity” (CEV, 2022a, p. 13), and that non-repetition demands “transformations that need to be undertaken to overcome the factors that have allowed the persistence of armed conflict and violence for decades” (CEV, 2022b, p. 636). The CEV “assumes that, if profound changes are not made

to the country’s economic development model, it will be impossible to achieve the non-repetition of the armed conflict” (CEV, 2022a, p. 31).

The 2016 peace process also acknowledged the centrality of agrarian inequality to the conflict, but was circumscribed by an understanding that the state, the army, and the economic model were not to be reformed. In this Policy Brief, an effort is made to articulate practical approaches to advancing a transformative approach to Colombia’s political transition, using the ongoing transitional justice process as a platform for transformative change. This is particularly relevant as the current government is embarking on a series of ambitious reforms, based on the demands of grassroots social movements, to explicitly address the socio-economic roots of the conflict as part of a comprehensive peacebuilding initiative called ‘total peace’.

Transformative justice is a concept that can be applied anywhere and at any time to address concerns such as structural and everyday violence. While transformative justice does not seek to completely dismiss or replace transitional justice, it does aim to radically reform its politics, locus, and priorities. Transformative justice entails a shift in focus from the legal to the social and political, and from the state and institutions to communities and everyday concerns. Transformative justice is not the result of a top-down imposition of external legal frameworks or institutional templates, but of a more bottom-up understanding and analysis of the lives and needs of populations (Gready & Robins, 2020).

Transformative justice is understood as transformative change that: 1) emphasises local agency and resources; 2) prioritises process and pluralism rather than singular paradigms and preconceived outcomes; 3) addresses a violent past, but



in a way that acknowledges continuities between past and present and that creating a better future is an open-ended, ongoing project; and 4) challenges unequal and intersecting power relationships and structures of exclusion through strategic action spanning local, national (the state), and global levels.

Limitations of transitional justice

This briefing examines two main limitations facing contemporary transitional justice: the liberal peace and top-down, state-based responses. These are particularly relevant in the Colombia case, where the state has long been highly exclusionary. The liberal peace, in which transitional justice is embedded, emerges from two dominant strands of contemporary globalisation. The first strand privileges liberal paradigms of civil and political rights through an emphasis on elections, procedural democracy, constitutionalism, and the rule of law, and various backward-looking truth and justice measures. The second strand is market-driven, neo-liberal economics. The liberal peace is now widely critiqued in transitional settings for handing power from one elite to another, and for failing to challenge underlying patterns of inequality and exclusion. Transitional justice fits too neatly into this paradigm, prioritising civil and political rights, with acts of violence being of greater interest than chronic structural violence and unequal social relations. Contemporary transitional justice discourse too rarely extends to an analysis of liberal peace that ultimately shapes local realities far more than transitional justice itself. In Colombia, both the formal institutions of liberal democracy and the free market have served to sustain the structural violence that drove the armed conflict (Thomson, 2011; Gutiérrez, 2015).

A second and related foundational limitation is that transitional justice as a global political framework is dominated by an elite international professional and donor network rather than locally-rooted movements. Repeated calls for local control and adaptation should not overlook the power that an industry such as this has on the repertoire of options imagined and on donor funding. In addition, the state-centric focus it brings to examining violent pasts discourages the engagement of affected populations. Transitional justice measures limited to institutional mechanisms restrict participation; a small number of citizens engage with such mechanisms in highly prescribed ways, as witnesses,

defendants, or through the giving of testimony. Typically, those most affected by violations have little or no opportunity to impact the goals of the process or the nature of particular mechanisms. In Colombia, nominally, victims have been at the centre of progressive transitional justice mechanisms and tools—for example, the Victims and Land Restitution Law (2011)—but have remained largely unable to appropriate transitional justice processes, partly due to both a restrictive framing demanding a neutral, apolitical, deserving victim and the lack of institutional and financial support to benefit grassroots movements.

Transformative justice in Colombia

The potential targets of a transformative justice approach in Colombia have been identified, based on the CEV report. Issues and constituencies where longstanding histories of structural violence and marginalisation are relevant include:

- **The peasantry and rural populations:** “The progress of the peasant farmer struggle for agrarian reform in the 20th century was reversed in a violent agrarian counter-reform at the beginning of the 21st century. The peasantry was persecuted, marginalised, and stigmatised, including an overwhelming concentration of land that increased during the internal war and took away eight million hectares from farmers” (CEV, 2022a, p. 28).
- **The indigenous, black, Afro-Colombian, Raizal, Palenquero, and Roma peoples:** “The suffering and uncertainty caused by the internal armed conflict ... were and continue to be more destructive and lingering in ethnic communities [that] are not reached by the State in the process of national integration [...] as a result of exclusion and prevailing racism ... the exclusion of Indigenous and Afro territories and populations, and the imposition on them of mining and agro-industrial projects that destroyed their cultural and ecological environments” (CEV, 2022a, p. 31).
- **Women and sexual minorities:** “Violence against women became normalised, and [...] cultural prejudices against LGBTQ+ people allowed a social complicity that facilitated violence against them” (CEV, 2022a, p. 27).
- **Inequality, both rural and urban, and the country’s economic development model:** The CEV confirmed “the situation of poverty in the



countryside and the poor neighbourhoods of the large cities” (which have swelled with the influx of displaced and uprooted populations from the rural areas), and “inequality that places Colombia among the ten most unequal countries in the world”. It continues, “If profound changes are not made to the country’s economic development model, it will be impossible to achieve the non-repetition of the armed conflict, which will be repeated and will evolve in unpredictable ways” (2022a, p. 31).

The above analysis of the challenges Colombia faces demonstrates that any transformative approach must be intersectional, accounting for the fact that while the economic model and extreme inequality affect most Colombians, systems of inequality based on particular identities will overlap to create unique dynamics and effects. Additionally, marginality has a spatial element, and particular geographies (rural areas, informal urban settlements) should be targeted by any transformative approach. There is also a temporal dimension, with exclusions and violations caused by colonialism, neoliberalism, extractivism, and ongoing patterns of external influence, phenomena that have occurred at different moments in history.

The following sections will set out a transformative justice agenda for Colombia through the following themes: i) rethinking democracy and empowering marginalised groups; ii) addressing structural violence; iii) delivering transformative reparations; and iv) challenging impunity.

Rethinking democracy and empowering marginalised groups

Colombia’s democratic institutions have long ensured the conditions that have driven armed conflict, with longstanding clientelism in politics, violence against political opponents, and the erosion of the institutions of the state by those committed to violence. The result has been a failure of the state to provide most Colombians, particularly rural Colombians, with infrastructure and services, while entire communities have been dispossessed under the very nose, and often with the complicity of state institutions (Peña-Huertas et al., 2017). The marginalisation of certain groups has been reinforced by the conflict, which has a dampening effect on solidarity and mobilisation which in turn is vital to make social and political demands. We discuss here, building on the recommendations of

the CEV Final Report, routes to active participation in terms of enabling legal frameworks, socio-political empowerment, and challenging barriers to democratic participation.

Legal frameworks

While formal, legal approaches to transformation are often limited, for example, due to failures of implementation, there are positive examples of ongoing practice relating to democracy in Colombia. For example, the recognition by the Constitution of 1991 of the indigenous jurisdiction and subsequent implementing laws and decrees have generated geographical, social, and legal spaces of indigenous self-governance. As a result, some indigenous groups, despite the legacies of centuries of discrimination and marginalisation, as well as decades of armed conflict, have become empowered political and social actors both locally and nationally.¹

While similar provisions exist for Afro-Colombian communities, implementation of this legislative framework has not been effective. Since the economic model privileged by the state prioritises the economic interests of large transnational and national corporations, legal tools designed to guarantee the participation of citizens are not fully implemented, and those seeking to mobilise face constant harassment and violence without any effective protection (McNeish, 2016). Peaceful protests, in particular in the context of national mobilisations as recently as 2021, have been violently repressed by the authorities.

Despite this, the case of the indigenous jurisdiction and its implementation provides a positive (even if far from perfect) example that may be reproduced for other marginalised rural communities. Indeed, the CEV recommended that the government should similarly recognise the peasant (*campesino*) as a subject worthy of protection under the law and empower them to participate in decision-making processes that affect them (CEV, 2022b, Recommendation 49, pp. 708–709; p. 671), a recognition that agrarian organisations have demanded for decades (on the marginalisation of the peasantry in Colombia, see Gutiérrez et al., in press). This recognition should include their own education and health systems, as well as their governance and decision-making processes, and should be

¹ This, however, is not to claim that the existing institutional and legal arrangements have satisfactorily and effectively resolved the marginalisation of indigenous communities in Colombia.



accompanied by adequate state budget allocations and guarantees of protection and non-interference for political mobilisation to ensure the full exercise of their rights and prerogatives (see recommendation 1 at the end of the policy brief).

Socio-political empowerment

The socio-political influence of any intervention can be framed in terms of influencing official policies and programmes at different state levels; building capacity and empowerment in a community; carving out increased opportunities for participation by women through the adoption of an intersectional focus; and providing a platform to link a diverse range of social organisations and struggles - especially relevant to improving links with peasant, indigenous, and Afro-Colombian communities.

An example of a state-led process driving empowerment, even if not fully operationalised or financed, is the policy of creating *Zonas de Reserva Campesina* (ZRC, Peasant Reserve Zones). Farming communities living in ZRCs are the primary actors in the pursuit of a delicate balance between (sustainable) production and conservation. Specific development plans co-designed by the relevant government agencies and farming communities regulate the boundaries of agricultural land and prohibit the concentration of land within ZRCs beyond fixed percentages, limiting concentrations of ownership while recognising elements of political autonomy for the peasantry and control over their territory.

Despite staunch (and often violent) opposition by members of the elite and powerful local actors, these remain important tools for transformative justice. Models of self-determination and policy co-production, such as the ZRCs and the right to prior and informed consultation, should be implemented and expanded to serve other marginalised communities while making sure that permits and concessions granted to large corporations for the exploitation of land and resources do not trump communities' interests and rights (see recommendation 2b at the end).

Barriers to democratic participation

To enhance democratic participation, the government must first remove the obstacles that neutralise the effectiveness of the existing mechanisms of participatory governance, especially concerning the use of land and natural resources. Several of these are macro-level concerns, such as the economic model that drives inequality and exclusion

and the systemic use of violence to undermine forms of democratic governance. For example, empowering marginalised groups is threatened in the absence of basic security conditions to ensure the exercise of participatory governance. Better security is paramount for democratic participation, especially in the governance of natural resources. The current government's attempt to establish 'total peace', which encompasses all armed groups operating in the country, constitutes a step in the right direction to achieve this goal. Importantly, the security gap across the country, especially in rural areas, cannot be addressed by increasingly militarising the territory (especially by an unreformed army, as is the case in Colombia). This approach is ineffective and leads to increased levels of violence and human rights violations (Moreno, 2012) (see recommendation 3 at the end).

Addressing structural violence

A truly transformative justice system in a context of conflict-peace transition should reduce levels of both structural and direct violence, which are invariably interrelated. It is worth noting that, while the 2016 Peace Agreement was immediately followed by a relative reduction in levels of violence, the armed conflict has not subsided (Gutiérrez, 2020). In fact, direct violence has increased and continues against rural communities, land restitution claimants, environmentalists, community leaders, trade unionists, ex-combatants, human rights defenders, and others. This violence has been exacerbated by, among other things, conflicts between marginalised rural communities (peasants, indigenous, and Afro-Colombians), which are not adequately mediated, the unconstrained economic interests of large corporations over land and natural resources, obscene levels of land concentration, a primarily repressive approach of the state to meeting demands from marginalised groups, and an inequitable taxation system that rewards foreign investors.

The most egregious form of structural violence is inequity in wealth, including land and property ownership: 0.1% of landholdings control 58.72% of the arable land, while 81% of the poorer owners control a mere 4.92% of the arable land, with a Gini coefficient of 0.897 in 2014 (Guereña, 2017). Land restitution efforts must be strengthened, for example, through the full implementation of the Victims and Land Restitution Law and the first section of the



2016 peace agreement on rural reform. But even if fully implemented, it needs to be recognised that merely restitutive measures are insufficient and that redistributive policies, in the form of agrarian reform, should be implemented. Land poverty, lack of access to markets, inadequate access to credit, and other forms of support for producers are central to the issues underlying the conflict, including the dependency on illicit crops. Communities that have historically been excluded from land ownership or who have *de facto* lost their access to land should be empowered and supported in their efforts to (re-)establish and/or formalise ownership over territory (see recommendation 2a at the end).

This process needs to mediate between competing ownership claims to avoid conflict between ethnic and peasant communities, exacerbated by the different constitutional status of the rural actors involved (Fitzgerald, 2022). These processes should be accompanied by mechanisms that facilitate dialogue and the resolution of territorial disputes, as recommended by the CEV through the establishment of local multi-actor platforms (CEV, 2022b, Recommendation 53, pp. 712–713). These platforms must be adequately funded, equipped with a legal framework that places different communities in a comparable bargaining situation (e.g., the constitutional recognition of the rights of the peasantry and strengthening the recognition of Afro-Colombian communities), and with adequate guarantees of impartiality in the governmental approach to negotiating with the communities involved (see recommendation 2c at the end).

The CEV further recommends that to address land conflicts the legal and institutional frameworks that regulate public utilities, and the public and strategic interest regimes concerning extractive mega-projects, should be reformed to ensure the meaningful participation of the affected local communities (CEV, 2022b, Recommendation 53, pp. 712–713). Mechanisms such as the constitutional right to *consulta previa* (prior consultation)² should be fully implemented and extended to communities that do not necessarily qualify as ethnic communities (Vargas-Chaves et al., 2022) (see recommendation 2d at the end).

Moreover, to ensure a more equitable distribution of economic benefits and land, the CEV

² *Consulta previa* is the fundamental right that ethnic groups have, to be able to decide on measures (legislative and administrative) or projects, works, or activities that are going to be carried out within their territories.

recommends that the tax regime over land should be progressive, and revenues should benefit especially local authorities and constituencies (2022b, Recommendation 52.6, p. 712). The tax reform proposed by the current government and ratified by the Colombian Parliament takes a step in the right direction, in that it weighs more heavily on those who have a higher income or extensive assets, thus facing staunch criticism from political sectors linked to the traditional elites (Matamoros, 2022) (see recommendation 4 at the end). Furthermore, by weighing on corporations involved in the fossil fuel industry, the reform aims to encourage a transition to more sustainable renewable energy sources. However, for the reform to successfully accompany a country-wide project of more equitable distribution of land, the transition to green energies should not reproduce land dispossession and displacement patterns (see recommendation 2b at the end).

Delivering transformative reparations

The transformative dimension of integral reparation not only allows the repair of the damage caused by victimisation but also additionally targets the conditions of exclusion and inequality that allowed the violation of rights. Guaranteeing reparation under a transformative approach is also a guarantee of non-repetition, which drives social development in terms of distributive justice. (CEV, 2022b, p. 645)

The CEV has acknowledged that reparation as a transformative tool not only provides restitution but can also contribute to undoing the marginalisation and structural violence that sustain the armed conflict. Much of the violence in Colombia in recent decades is rooted in unequal power relations, between rich and poor, men and women, between peripheries and the centre, and between the state and its victims, which are sidelined when analysed exclusively through the traditional transitional justice perspective of individual responsibility. Framing such violence as structural, and rooted in power inequalities, demands that reparations change not only the lives of victims but also how individuals and communities relate to each other and the state.

Colombia's 'integral reparation' system, instituted in the Law on Victims and Land Restitution (Law 1448 of 2011), theoretically addresses the victims and the multiple forms of victimisation through



a broader concept of harm and incorporates a transformative approach to reparation (Article 25). This comprehensive reparation consists of five types of measures, namely restitution, compensation, rehabilitation, satisfaction, and guarantees of non-repetition. However, its performance has been criticised, notably due to a failure to address issues faced by women victims, its narrow scope concerning the massive land distribution problem in Colombia, and its failure to deliver on its promises of land restitution, even exposing claimants to further victimisation (Rähme, 2018). An example is the enormous number of land claimants who have suffered harassment, persecution, and even murder, often instigated by powerful and well-connected actors, demonstrating the links between structural violence and physical violence.

In this Policy Brief, we focus on three elements of transformative reparations: *agency*, the need for a *collective focus*, and engagement with *informal* as well as *formal processes*. A truly transformative reparative process must be driven by the agency of victims and their broader communities, and, in many cases, this would be a collective agenda of people who share an experience of victimhood and conflict. One task for the Colombian state in such a process is to build on the agency of victims in determining what forms reparation and guarantees of non-repetition must take and incorporate these into state-sanctioned processes, overlapping with the need to ensure the empowerment of victims (see above).

Collective victimhood has been acknowledged in Colombia, among other mechanisms, in the concept of *territory* as a victim (Huneus & Rueda, 2021), challenging an individualistic, anthropocentric, and liberal conception of reparations, which creates the possibility of a collective reparative process necessary to tackle structural violence. However, implementation in practice remains problematic. Of particular relevance for indigenous people is the narrow temporal remit of land restitution, starting in 1991 and thus excluding, not only the long history of dispossession of all rural communities that can be traced back to the early 20th century, but also forms of colonial dispossession. It also presumes an understanding of land ownership that is alien to indigenous and Afro-Colombian communities, as well as many peasants, and that was actively used to dispossess the indigenous by dismantling their collective rights from the 19th century onwards (Lazala, 2020).

One way to effectively privilege local agencies around reparation is through formal and informal approaches led by trusted and accessible community-based actors. Some of these actors can be found among the vast networks of community-led governance mechanisms, such as the *Juntas de Acción Comunal* (Community Action Committees), the indigenous *cabildos*, the Afro-Colombians *Consejos Comunitarios* (Community Councils), and other actors such as the agrarian unions and, in some cases, the Catholic Church. Such local actors can in particular support the construction of social memory to support claims-making around transformative reparation through their capacity for broadening the understanding of the damage to victims, not only in terms of atrocities, but also in terms of patterns of social exclusion. Such truth-telling can identify mechanisms that address the root causes of both poverty and violence (see recommendation 5 at the end).

Tackling impunity

Addressing impunity is understood as a key element of transitional justice, with a focus on criminal accountability for those who have perpetrated human rights violations. The CEV recognises many of the drivers and factors that contribute to fostering a climate of impunity, including, for example, the lack of independence and impartiality of parts of the judicial system, the lack of an appropriate normative and procedural framework to prosecute human rights violations, and inadequate guarantees of security for justice system operators. Impunity can be effectively tackled only if the necessary conditions for ensuring the independence and impartiality of the justice sector are met. Beyond this, there is also a need to address the civilian sponsors of violence (including national and transnational businesses) and the structural violence that underlies physical violence.

In its recommendations, the CEV recognises that the Colombian legal framework is insufficient to address gross human rights violations perpetrated in the context of the armed conflict (2022b, pp. 481-485). While urging the Colombian authorities to incorporate into domestic law international criminal law relating to crimes against humanity and war crimes (Recommendation 35, p. 682), it does not address more technical issues that impact significantly on the extent to which the criminal



justice system can tackle impunity. One such issue is the notion of command responsibility adopted within the Colombian transitional justice framework, which differs substantially from the articulation of command responsibility embraced by the Rome Statute of the International Criminal Court. Adopting a domestic legal framework that complies with recognised international standards is essential to closing the impunity gap.

At the same time, the CEV largely ignores ongoing impunity for actions that have sustained the conditions that drive the armed conflict, including political corruption, elites' political support for criminal and armed actors, and illegal land dispossession. Although initially the Special Jurisdiction for Peace (Jurisdicción Especial para la Paz, JEP) considered the issue of the involvement of elites in the financing and promotion of private militias, and explored the economic actors who profited greatly from dispossession, after strident opposition from political sectors linked to these economic elites, this proposal was watered down (FIDH & CAJAR, 2020) (see recommendation 6 at the end).

Mechanisms of community-based and customary justice recognised in the Colombian constitution may represent helpful tools to address the weaknesses and gaps in the state justice system, providing local communities with agency when it comes to accountability, bringing justice closer to those affected by violations, and supporting sustainable peace in geographical areas historically ignored by state justice institutions. While it is important not to romanticise these institutions, they legitimise informal institutions recognised by communities (Uprimny, 1994), such as traditional authorities in indigenous or Afro-Colombian communities or the conciliation committees of the Community Action Committees for the peasantry. These alternative forms of justice may also fill the gap left by the disappearance of the regulatory order established by armed groups that have demobilised while providing continuity with social norms internalised by these communities (Gutiérrez & Voyvodic, in press) (see recommendation 7 at the end).

Recommendations

Colombia as a context is an object lesson in how the limitations of transitional justice as global discourse and practice fail to address either the needs of populations that have suffered chronic violence

or the drivers of that violence. A transformative justice lens offers insights into how marginalised populations can be supported and enabled to find their place as citizens and how the extreme inequalities in wealth and power that underpin and sustain structural violence in Colombia can be addressed. This Policy Brief has sought to build on the analysis and recommendations of the CEV to lay out a transformative agenda that a government committed to progressive solutions to the nation's history of exclusion and conflict could engage with.

The recommendations of this Policy Brief to the government are as follows:

1. **Ensure that both Afro-Colombian and peasant communities benefit from full recognition of their subjectivity under the law**, including their governance and decision-making processes, with state budget allocations to support the full exercise of their rights and prerogatives.
2. **Implement a comprehensive agrarian reform that responds to long-standing demands for development, peace, and justice**, and that builds on but goes beyond the limited (and not fully implemented) integral rural development provisions contained in the 2016 peace agreement, by:
 - 2a. **Introducing redistributive measures** to address the centuries-old land poverty of the bulk of the rural populations. This could be done by:
 - 2b. **Empowering marginalised communities** through existing models of self-determination and policy co-production (e.g., *Zonas de Reserva Campesina*), promoting sustainable forms of production, and ensuring that the transition to green energy does not reproduce land dispossession and displacement patterns and that relevant fiscal regimes ensure fair returns in terms of economic benefits for local communities.
 - 2c. **Establishing local multi-actor platforms aimed at facilitating dialogue** between local communities, local and national authorities, and civil society to reach local agreements, accompanied by adequate funding and an appropriate legal framework.
 - 2d. **Reforming the legal and institutional frameworks related to extractive megaprojects, to address land conflicts**



and ensure the full implementation of the right to prior and informed consultation, even extending it to communities that may not necessarily be considered ethnic communities.

3. **Ensure physical security** through the dismantling of paramilitary groups with links to state institutions and businesses and a commitment to reforming military institutions and decreasing militarisation.
4. **Continue to reform the tax regime to make it more progressive**, with revenues benefitting local authorities and communities.
5. **Draw up a programme of explicitly transformative reparations, driven by the agency of victims and marginalised communities**, including collective as well as individual elements, and drawing on formal and informal governance mechanisms that are respected within communities.
6. **Strengthen informal justice mechanisms, to generate trust in a justice process that is closer to the community** and ultimately more 'user-friendly' and trusted, particularly where a regulatory void has been left by the departure of armed groups.
7. **Develop a transformative approach against impunity** that tackles both human rights abuses and the conditions that drive the conflict, and ensures that an effective judicial process and universal access to justice are key components of non-recurrence.

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