



BOLETIM SOBRE DIREITOS HUMANOS



<https://multimedia.europarl.europa.eu>

www.cddmoz.org

Thursday, April 3, 2025 | Year V, NO. 417 | Director: Prof. Adriano Nuvunga | English

The role of the African Union in promoting transitional justice in Mozambique



DR. JOHN IKUBAJE – AFRICAN UNION DEPARTMENT OF POLITICAL AFFAIRS, PEACE AND SECURITY

Introduction

During the high-level webinar held on March 11, 2025 — *“Truth and Justice for Post-Electoral Human Rights Violations in Mozambique”* — Dr. John Ikubaje, transitional justice expert and representative of the African Union’s Department of Political Affairs, Peace and Security, presented a strategic reflection on the role of the AU in promoting reconciliation, accountability, and institutional reform in contexts of political violence.

The event brought together African experts, civil society representatives, human rights defenders, and regional institutions to discuss possible pathways to address the legacy of repression and systematic human rights violations in Mozambique. Dr. Ikubaje emphasized

that the African Union has a robust normative framework and extensive practical experience from several African countries, which can be highly relevant to Mozambique’s current situation.

His intervention focused on three main areas:

1. The political context and historical foundations of the AU Transitional Justice Policy;
2. The structure and guiding principles of the continental policy and its relevance to Mozambique;
3. The forms of technical, institutional, and political support that the AU can offer the country at this critical juncture.

Context and foundations of the AU transitional justice policy

Human rights violations in situations of conflict and authoritarian regimes have deeply marked Africa’s political trajectory. Cases such as those of the DRC, Sudan, South Sudan, Libya, and especially the 2007 electoral violence in Kenya — with clear parallels to the Mozambican scenario — highlight the need for solid mechanisms of justice, reconciliation, and prevention of future crises.

It was within this context that the African Union began, over a decade ago, to develop its agenda on transitional justice, promoting initiatives aimed at peacebuilding, the rule of law, accountability, national reconciliation, and victims’ voices.

According to Dr. Ikubaje, transitional justice must be understood as a multidimensional discipline that goes beyond criminal accountability and also encompasses institutional reforms, reparations, historical truth, and guarantees of non-repetition.

Based on this experience, the AU recommends that transitional justice processes be conducted in a balanced way, avoiding overly punitive approaches that could trigger resistance from governments. For Mozambique, an inclusive, gradual model rooted in listening and civic participation is recommended.

Structure and Principles of the AU Transitional Justice Policy

The AU Transitional Justice Policy, adopted in 2019 after years of research by the AU Panel of the Wise, represents the main continental political framework on the subject. It emerged from the publication *“No Impunity: Truth, Justice and Reconciliation”* (2011) and is structured around four central components:

A) GUIDING PRINCIPLES

- **African leadership:** Processes must be led by Africans, with national and local ownership;
- **Inclusiveness and equity:** Broad and non-discriminatory participation of all social groups;
- **Context specificity:** Avoid mechanical replication of models such as South Africa’s;
- **Balance among transitional justice pillars;**
- **Integration of gender and generation,** with special focus on youth, women, and marginalized populations.

B) INDICATIVE ELEMENTS

The policy expands on the traditional four pillars (truth, justice, reparations, and reforms) by including:

- Peace processes as opportunities to institutionalize transitional justice;
- Truth Commissions as mechanisms for listening and recognition;
- Valuing traditional and community-based justice;
- Promotion of social and economic justice, diversity management, historical memory, and political-institutional reforms;
- Adoption of guarantees of non-repetition and respect for human rights.

C) CROSS-CUTTING ISSUES

The policy emphasizes the inclusion of women, youth, children, the elderly, persons with disabilities, internally displaced persons, and stateless persons. Their participation is seen as essential for legitimacy and effectiveness.

D) ACTORS AND IMPLEMENTATION

The policy recognizes the role of national governments, regional communities, civil society, and non-state actors. It also encourages articulation between local, national, regional, and continental levels.

What the African Union Can Offer Mozambique

Dr. Ikubaje highlighted that the African Union can provide both technical and political assistance to Mozambique, tailored to its needs. Potential forms of support include:

- Adoption of the AU policy's principles and guidelines as a foundation for a national transitional justice process;
- Deployment of technical missions, upon formal request by the Mozambican government;
- Support in designing a National Transitional Justice Policy, drawing on experiences from countries such as Ethiopia, The Gambia, and South Africa;
- Integration of transitional justice into future political agreements, memoranda of understanding, or internal peace processes;
- Promotion of collaboration with non-state organizations such as CDD, ICTJ, and human rights defenders' networks;
- Sharing best practices and recommendations from the AU's annual continental forums on transitional justice.

Final Considerations

The African Union is committed to strengthening continental transitional justice policies and stands ready to assist Mozambique in designing and implementing inclusive and effective mechanisms. Dr. Ikubaje emphasized that regional economic communities such as SADC are also developing their own frameworks aligned with the AU policy, providing an even stronger foundation for cooperation. For Mozambique, this is a decisive moment. African experience shows that ignoring the wounds of the past only postpones and intensifies future conflict. The AU Transitional Justice Policy offers a legitimate, adaptable, and dignity-centered African path forward.

Dr. Ikubaje's closing appeal was clear: may this dialogue be the starting point of renewed collaboration between Mozambique and the African Union, toward the construction of a national transitional justice process that is comprehensive, participatory, and sustainable.



Dr. Ikubaje's closing appeal was clear: may this dialogue be the starting point of renewed collaboration between Mozambique and the African Union, toward the construction of a national transitional justice process that is comprehensive, participatory, and sustainable.





MISSÃO:

Inspirar e impulsionar ações para proteger os direitos humanos, fortalecer a democracia e promover a justiça.


MISSION:

Inspiring and driving actions to protect human rights, strengthen democracy, and promote justice.

EDITORIAL INFORMATION

Property: CDD – Centro para Democracia e Direitos Humanos
Director: Prof. Adriano Nuvunga
Editor: André Mulungo
Program Assistants: Artur Malate; Sheila Wilson; Marcia Massosste; Florentina Cassabue.
Author: CDD
Layout: CDD

Address:
Rua de Dar-Es-Salaam Nº 279, Bairro da Sommerschild, Cidade de Maputo.
Telephone: +258 21 085 797

 CDD_moz
E-mail: info@cddmoz.org
Website: <http://www.cddmoz.org>

FINANCING PARTNERS

