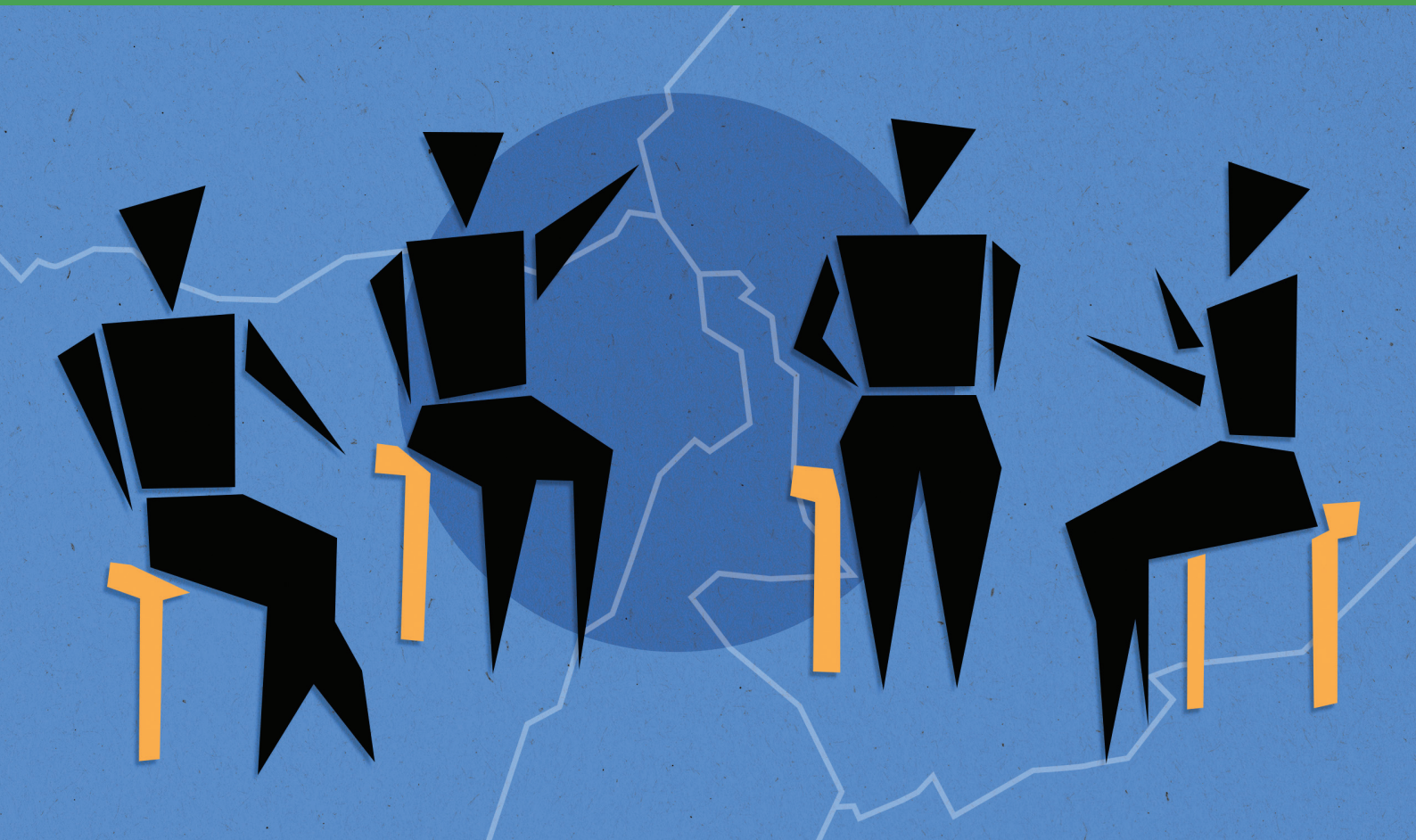


Transitional justice

Testing the waters in the Lake Chad Basin

Akinola Olojo and Maram Mahdi



Transitional justice is a tried and tested approach in post-conflict peacebuilding. It presents challenges and opportunities in regions plagued by violent extremism, such as the Lake Chad Basin. The duration and scale of abuses call for an exploration of how transitional justice could contribute to national and regional approaches to restoring peace. This report assesses the role and importance of timing, awareness, context and stakeholders for implementing transitional justice tools.

Key findings

- ▶ Countries in the Lake Chad Basin (LCB) are at different levels of conceptualising and developing transitional justice tools.
- ▶ Although a regional approach to transitional justice is essential, country-specific models tailored to national peculiarities are necessary. Timing and sequencing should be influenced by country-specific trends.
- ▶ Across the four LCB countries, communities are torn between restorative and retributive justice. The ideal model would require a careful balance between both approaches.
- ▶ Well-designed restorative justice tools would fill gaps, especially in the reintegration of some former violent extremists into communities.

Recommendations

A society-wide campaign aimed at raising awareness of transitional justice should be launched in LCB countries:

- ▶ This should be led by the ministry of justice in collaboration with ministries focused on humanitarian affairs, information, women and youth.
- ▶ State-led campaigns should involve media, civil society, traditional and religious institutions, women and youth groups.
- ▶ Creating a quick reference guide to transitional justice in local languages would increase awareness.

Community-centred consultations should be the hallmark of the LCB's transitional justice agenda:

- ▶ Consultations with affected communities should be transparent and inclusive.
- ▶ A framework of communal dialogue informed by traditional and faith-based institutions would enhance the authenticity of the process.
- ▶ Local conflict resolution mechanisms should be scaled up through the support of national and regional stakeholders to target a larger population.

Enhancing capacity in the justice sector should be a priority:

- ▶ Technical capacity and financial resources in all four LCB countries should be strengthened.
- ▶ The African Union's Transitional Justice Policy should be adapted to local realities.
- ▶ In line with the Regional Stabilisation Strategy of the Lake Chad Basin Commission, mechanisms should be created at national, regional and continental levels.

LCB governments should deepen efforts at improving governance:

- ▶ A transitional justice framework alone will not address perennial challenges. State institutions must tackle the root causes of violent extremism in the LCB. This entails dealing with issues such as structural inequalities, promoting inclusive development and equitable management of resources.

Global support and the sharing of good practices:

- ▶ LCB countries should observe lessons and experiences from other countries, and adapt these to fit local realities.

Introduction

Countries in the Lake Chad Basin (LCB), namely Cameroon, Chad, Niger and Nigeria, grapple with multiple challenges. In a region affected by violent extremism, these countries are forced to contend with recurrent intra- and inter-communal clashes, banditry, abductions, and contested state governance, particularly in border regions. This has resulted in the loss of lives and livelihoods in a region where approximately 10.6 million people need humanitarian assistance and 2.8 million are internally displaced.¹

These challenges are exacerbated by the rise of the Islamic State West Africa Province (ISWAP) and the recent and continuous waves of disengagement of former fighters of the Jama'atu Ahlis-Sunnah Lidda'awati Wal Jihad (JAS), that started in 2021.²

Following more than a decade of crises, regional responses could benefit from complementary approaches which cater to the scale and magnitude of human rights abuses and provide an accountable basis for reconciliation. Ensuring sustainable peace in the long term would require the prioritisation of community needs for truth-seeking, memory and accountability regarding past violations and reparations for harm and healing, integral to rehabilitation and reintegration.

Transitional justice has traditionally been applied to post-conflict societies, and the LCB region is not yet a post-conflict setting. However, despite an active insurgency and asymmetrical conflict, the region has presciently launched reflections regarding the relevance or applicability of the tools of transitional justice. This report aims firstly, to explore how transitional justice is perceived and conceptualised in LCB communities. Secondly, it seeks to understand the integration of timing, awareness, context and the stakeholders into existing transitional justice approaches in the four countries. Thirdly, the report will frame key findings that could inform transitional justice policy and programming at different levels.

Methodology

Data for this study collected in November and December 2021 relied on a combination of key informant interviews and focus group discussions in the four LCB countries.

Localities in Maroua, Tokombéré, Amchide, Kolofata and Yaoundé were visited in Cameroon. In Niger, interviews were conducted in Niamey, Diffa, Maine Soroa and Goudoumaria. In Chad, data was collected in N'Djamena, Ngouri, Bol and Baga Sola. In Nigeria, interviews and focus group discussions took place in internally displaced persons camps including Bakassi, Madinatu and Dalori camps in Maiduguri, Borno State, while key informant interviews were conducted in Abuja.

Victims, internally displaced persons and ex-Boko Haram associates were among those interviewed across gender, religious and ethnic lines; as well as across community groups. Among those interviewed were administrative authorities, traditional authorities, religious leaders, civil society actors, members of international organisations, academics and journalists.

Regional responses could benefit from approaches that cater to the scale of human rights abuses

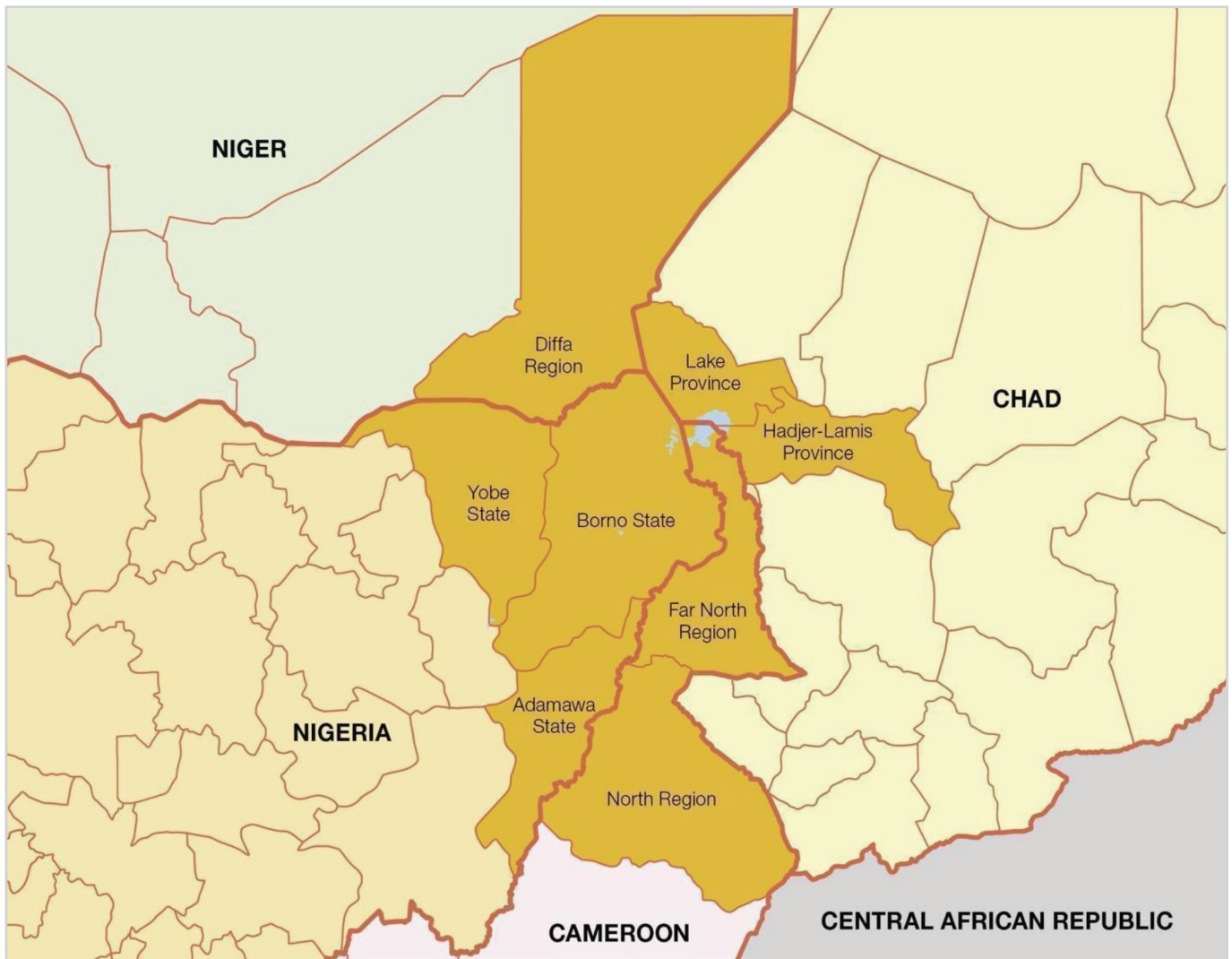
Challenges encountered revolved around different perceptions and interpretations of transitional justice among community members vis-à-vis the technical framings and language often inherent in continental and global norms. However, interviewers needed to provide a familiar context or scenario to enable respondents to relate to formal expressions employed in the current study. This realisation nevertheless constituted a key finding and is discussed in the report. The interlocutors were assured confidentiality in order to facilitate discussions on sensitive issues in the context of ongoing violence.

What is transitional justice?

Transitional justice is the full range of processes and mechanisms associated with a society's attempt to come to terms with a legacy of large-scale past abuses, in order to ensure accountability, serve justice and achieve reconciliation. These processes and mechanisms constitute a critical component of the United Nations framework for strengthening the rule of law.³

Chart 2 illustrates four widely recognised pillars of transitional justice, namely: the right to know or truth-

Chart 1: The eight affected states, regions and provinces in the Lake Chad Basin countries



seeking; the right to reparation or redress; the right to justice or criminal accountability; and the guarantee of non-recurrence – which is also understood as the reform of laws and institutions. The pillars combine elements of restorative and retributive justice,⁴ and they aim to address different aspects of ‘dealing with the past’.

The framework for comprehensive transitional justice necessitates a balance between restorative and retributive justice. Among those interviewed, there seems to be an inclination towards restorative as opposed to retributive justice. This is owed to the structural, political and administrative challenges associated with domestic judicial systems in the LCB.⁵

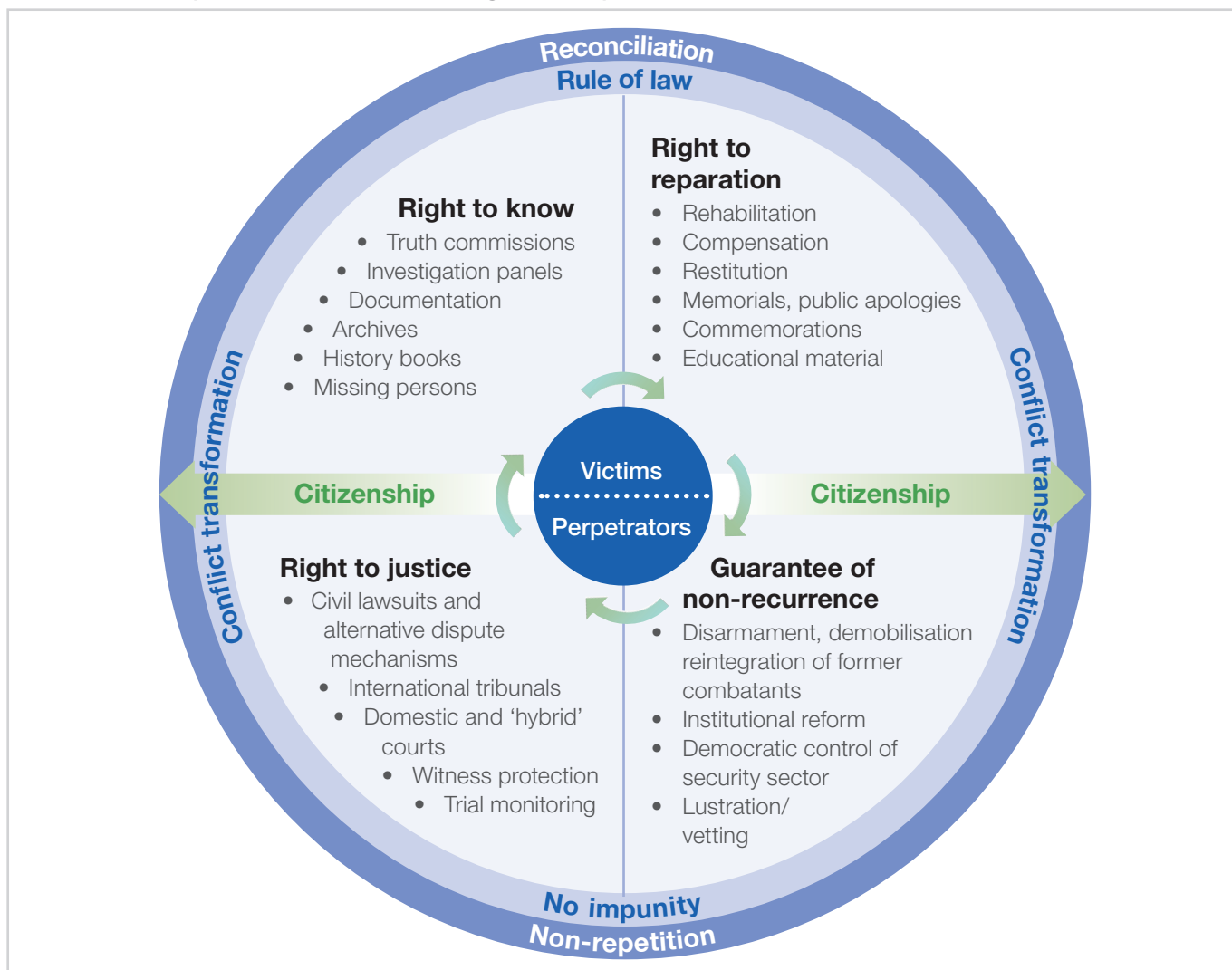
Seeking retributive justice is often an extra burden to bear for victims. Where victims of human rights violations

pursue justice, challenges surrounding investigation and prosecution such as mass arbitrary arrests; unlawful detention; inadequate legal aid throughout trials and evidence have resulted in significant dents in the state’s ability to adjudicate mass cases of terrorism, for example in Nigeria.⁶

In Chad, respondents recognised the primary responsibility and sovereignty of the state to adjudicate, while being sceptical regarding the state’s capacity to effectively fulfil such a role. This was also evident in Niger during the 2017 trial of hundreds of individuals alleged to be members of Boko Haram.

While military efforts are necessary in a counterinsurgency campaign, hard security responses will not address challenges such as marginalisation,

Chart 2: A conceptual framework for dealing with the past



Source: Adapted from The Principles Against Impunity by L Joinet and D Orentlicher, 2016⁷

weak governance, corruption, injustice and redress for victims. In fact, heavy-handed responses by states have notably contributed to a degree of traumatising and victimisation of individuals, and lessons from these experiences highlight the need to address grievances in communities.

Why explore transitional justice?

The manifestation of violent extremism in the LCB region has resulted in serious human rights abuses and mass atrocities. The Boko Haram crisis is ongoing and its impact and consequences are akin to those experienced by victims of conventional armed conflict.⁸

Moreover, transitional justice offers mechanisms that can assist states' transition from conflict to sustainable peace

by addressing past and ongoing grievances.⁹ It offers tools and levers to states at various stages of transition, while providing a balanced approach towards addressing demands for justice and reconciliation. Transitional justice mechanisms are thus necessary for addressing systemic and gross violations of human and people's rights. If these concerns are adequately addressed, this can contribute to resolving the grievances that push certain individuals towards violent extremism while lessening their vulnerability to recruitment.

The added value of a comprehensive transitional justice process is that it combines various forms of justice including restorative, retributive, reparative and rehabilitative and consists of a range of judicial and non-judicial measures. The application of retributive

and restorative justice ensures that accountability is achieved where perpetrators have committed violations. At the same time, it is victim-centred in ensuring redress for individuals and communities that have suffered violations.¹⁰

In addition, the tools proffered provide the maintenance of an accurate historical record for society, especially in a context where ‘truth-keeping’ of the extent and scale of crimes committed can be used as evidence at a later stage if and when documentation is needed.

Is Lake Chad Basin ready for transitional justice?

There is little doubt about the utility of exploring transitional justice processes. Whether these processes can be effectively implemented or at least tested in the LCB depends on country-specific dynamics. To usefully analyse transitional justice’s nexus with peacebuilding means that local needs should be separated into the national, the subnational and the micro-local, all of which have different and often conflicting interests.¹¹ However, before taking a more detailed look, two overarching issues merit examination because they apply to all four countries. These include the different interpretations and timing of transitional justice.

Interpretation of transitional justice

Readiness for transitional justice in the region necessitates acknowledging differences of interpretation and programming. Addressing these concerns would contribute to enhancing the level of community agency that is required for informed consultations and decision-making on transitional justice. In the four LCB countries, there are varying levels of awareness and understanding regarding the scope, application and possible outcomes of transitional justice in the context of violent extremism.

Transitional justice is often conflated with the process of disarmament, demobilisation and reintegration (DDR). Transitional justice is misconceived as presenting mechanisms for outright reintegration of Boko Haram associates and, in some instances, to the detriment of criminal sanctions for the perpetrators of atrocities. Some community members in Cameroon, for example, believed that transitional justice would remedy the

challenges of DDR programmes by providing clarity on the reintegration of ex-Boko Haram associates.

However, while DDR focuses on rehabilitating and reintegrating ex-associates of violent extremist groups, transitional justice more broadly seeks to sustainably reconcile perpetrators and victims. The waves of desertion¹² from the late Shekau’s JAS faction since May 2021 offer a glimpse of what a post-Boko Haram crisis landscape may look like and what the potential sequencing of DDR and transitional justice could be.

The two related processes of reintegration and reconciliation are not easily delineated. DDR processes are regarded more as perpetrator-centric, while transitional justice is victim-centric. Transitional justice therefore balances the goal of social cohesion and the need for accountability as a result of mass human rights violations at the individual, society and state levels.

Importance of timing

There were two categories of responses to the issue of whether the country in question was ready for transitional justice. The first category related to the urgency of transitional justice processes, while the second considered its appropriateness while the conflict was ongoing.

This disparity of opinions among respondents was primarily influenced by the perception of the state of the conflict in the different countries. On one level, the four countries experience varying types, degrees, and frequency of attacks, as well as displacement levels, among other aspects. This creates the impression that respective LCB countries are arguably at different stages of the conflict cycle and should therefore be permitted to choose when transitional justice mechanisms can be explored.

A number of respondents in Cameroon observed the reduction in suicide bombings and mass attacks and a transition towards predatory assaults. Theft of motorcycles and other criminal activities continued to occur along axes such as Kourgui-Kolofata, Kourgui-Amidé and Guedérou-Amchidé in Mayo-Sava, as well as Moskota-Zeleved in Mayo-Tsanaga. Communities attributed these incidents to Boko Haram and other brigands.

In certain communities the conflict seemed to have acquired the semblance of a post-intervention and

resolution phase signalling the cessation of conflict, even though it could still evolve otherwise. The apparent reduction of active conflict in particular communities may be an opportune moment to plant seeds of lasting peace. Contextualising where each country is in its conflict evolution is key to designing specific transitional justice processes.

Given the conflict cycle variability (prevention, intervention/management, post-intervention/resolution phases) in the four countries, different tools are required in each country and at each stage. This underscores the need that transitional justice not only provide models for dealing with legacies of violent conflicts but should also span the full cycle of violent extremism by providing mechanisms for addressing human rights abuses during and after the cessation of conflict.

Country perspectives

Cameroon

There are three levels of debate. The first constitutes the form of justice preferred among community members who implement traditional conflict resolution mechanisms in their communities. In this regard, restorative, as opposed to retributive justice, is prioritised and legal proceedings are regarded as offering little value to victims. Those who espouse this position prefer that repentant ex-combatants swear on the Qur'an against recidivism before traditional and religious authorities can assist in reintegrating them into communities such as Kolofata and Amchidé.¹³

Certain religious adherents prefer that ex-combatants take an oath of non-recidivism as part of the social reintegration process. For these religious and traditional leaders, the mechanisms for such reintegration can be informed by local traditions and are believed to establish trust and peace between ex-combatants and victims.¹⁴ The preference for local conflict resolution systems is confirmed whereby rural populations victimised by Boko Haram have less inclination or preference for prosecution. Conversely, urban-based civil society actors, international organisations and the media prefer prosecuting those found guilty of violent extremism and terrorism. These dynamics show the preferences and competing forms of justice at different levels.

The second form of debate pertains to the role that transitional justice offers for wider national healing. Transitional justice can be applied where there are long-standing divisions, for example, those stemming from the Anglophone crisis in Cameroon.¹⁵ If well implemented, a transitional justice framework can contribute to establishing the rule of law while strengthening the process of identifying victims and according them due recognition and justice for harms suffered. The same framework can also enable the creation of a truth and reconciliation commission, as well as reparation programmes that will help to rebuild communities.

The third perception in communities calls for the application of transitional justice mechanisms to members of violent extremist groups. As earlier noted, a number of individuals understand transitional justice to have linkages with DDR programmes. A call for disarmament by Cameroonian President Paul Biya on 6 November 2018 resulted in significant defections and the entry of ex-associates into DDR centres in Meri and Mora. This is cited as an example that highlights the potential of transitional justice mechanisms.

A transitional justice framework can contribute to affording victims recognition and justice for harm suffered

There are examples of ex-combatants who repented and swore on the Qur'an before the religious authorities in locations such as Gancé, Tolkomari and Kerawa between October and November 2017. Guarantees of non-recurrence such as the one mentioned above help to cement the utility of transitional justice in countering violent extremism.

Respondents believe that an independent commission would be best placed to take charge of implementation if trends improved. This is because there is limited trust in the ability and goodwill of the state. A number of community members are persuaded that such a commission should comprise international and local civil society members, religious authorities and victims. It is however unclear how this commission will be allowed to function without the inclusion of government.

Cameroon's legal framework does not currently provide pathways for transitional justice mechanisms and less so in relation to countering violent extremism.¹⁶ Law No. 2014/028 of 23 December 2014 on the Suppression of Acts of Terrorism¹⁷ is silent on transitional justice. Amendments that introduce clauses on transitional justice at this stage will contribute to filling the existing legal gaps while acting as an incentive for combatants to surrender.

Some DDR officials in Cameroon suggest that transitional justice would profit more if it is introduced when the reception centres have received the highest number of returnees. The push for a reintegration process may be triggered and thus require the application of transitional justice mechanisms to facilitate its implementation.¹⁸

Chad

Although understanding transitional justice varies among different community members in Chad, there is general agreement that it could help bring about reconciliation and lasting peace. Transitional justice could also contribute to social cohesion and the restoration of trust within and between communities, and between communities and the state.

However, there is still a mix of narratives in Chad. On the one hand the current environment does not appear conducive for initiating a transitional justice process. On the other hand, there are signs of a gradual move towards implementing transitional justice. Those who argue that conditions are not ripe underscore the challenge of timing. The current context makes it inconceivable that mechanisms such as truth commissions, for example, can be established, given continued fear of reprisals by both victims and perpetrators alike.

However, any transitional justice process requires inclusion and local ownership of its mechanisms. This can only be done when there is good faith of all actors to commit to the process. Hence, some estimate that the current socio-political milieu in Chad does not meet these requirements but perhaps allows for awareness raising, training and advocacy involving all stakeholders focused on developing a common transitional justice framework.

This debate is anchored to the amnesty law of November 2021 applied in liberating nearly 300 individuals previously sentenced for offences including 'crimes of opinion', 'terrorism' and 'harming the state's integrity'.¹⁹ Ideally, this move presents an opportunity for Chadians to envision a political climate that is favourable towards reconciliation and a broader implementation of transitional justice. Yet, true dialogue that can engender social cohesion and national reconciliation is still a long way off as some analysts²⁰ raise concerns about the inclusivity of the current process.

Secondly, similar to Cameroon, the narrative in Chad highlights the importance of healing in view of the country's experience of civil wars since independence and the resultant human rights abuses and other forms of injustice. Such a tumultuous past and the persistence of various conflicts necessitate Chadian reconciliation and the laying of foundations for a new republic.

Community actors are increasingly demanding new approaches to address issues such as reconciliation and social cohesion, socio-economic justice, political and institutional reforms, respect for human rights and accountability. To this extent, the initiation of a transitional justice process including a truth commission would be helpful in reconciling Chadians and restoring a measure of social cohesion.

Any transitional justice process requires inclusion, local ownership and good faith from all actors

A third point to note emerges from the religious space where Islam and Christianity predominate. These two religions, through their tenets and practices, have been identified as potentially positive influences on a transitional justice process in Chad. One of the pillars of transitional justice is based on the repentance of those guilty of human rights violations and forgiveness by the victims of these violations. Both religions promote repentance and forgiveness. Therefore a transitional justice process could draw on the values and principles they advocate, yet taking into account the risks associated with those who exploit religious narratives.

Closely associated with religion are socio-cultural values and practices that could positively or negatively influence transitional justice processes. An example of a local conflict resolution mechanism in Chad is *diah*. This practice is based on agreements between communities that in the event of crime or serious harm committed by a member of one community against a member of another community, the community of the perpetrator asks the victim's community for forgiveness and pays compensation fixed in advance. This ends the dispute and prevents retaliation. When this rule is observed, the community of the victim has an obligation to grant pardon to the perpetrator. *Diah* thus constitutes an alternative dispute mechanism and a transitional justice tool in Chad.

Niger

A common perception of transitional justice among community members in Niger is that it is 'a form of amnesty that enables actors to be freed from responsibility for violence without legal proceedings.'²¹ Transitional justice is recognised as an alternative that can fill gaps where legal proceedings have proved inadequate in providing justice to victims.

In addition, some of the trends in Niger over the years have reflected a degree of focus on reintegrating ex-combatants. There was the 'outstretched hand policy' formalised in December 2016 by the Nigerien government. Recent governmental policy actions reflect some of the focus on reintegrating ex-combatants with a view towards reconciling communities. This policy attempted to create opportunities for Boko Haram defectors to be de-radicalised and reintegrated into society.

Niger has also sought to strengthen its judicial system and make it efficient and accessible to citizens. Being among the priorities of the erstwhile Mahamadou Issoufou-led government, the country recently adopted Law 2018-36 focused on restructuring the justice sector and building appellate courts in all regions. This can inspire confidence and offer balanced options between retributive and restorative transitional justice. Already, the government seems committed to the development of a 10-year action plan for 2016–2025. It has set up a monitoring committee and in October 2017 created the Judicial Training School of Niger.

While translating political will into measurable action is still a work in progress, Niger's creation of the High Authority for the Consolidation of Peace for over a decade is considered an attempt to respond to victims' needs and gradually introduce aspects of transitional justice processes.

Last, respondents cited several local conflict resolution mechanisms that have been applied in communities where there are inter-communal conflicts. These include peace agreements such as the signing of a commitment on 13 September 2019 to prevent community conflicts between traditional leaders in Diffa.²² Indeed, within communities, there are existing approaches and mechanisms for resolving conflicts which can be adapted to addressing violent extremism while reflecting elements of transitional justice.

Nigeria

Nigeria has the highest concentration of communities impacted by the Boko Haram crisis in the region. Likewise, not only are fatalities, displacement, human rights violations and loss of livelihoods comparably more dire, but also expectations of redress are highest in Nigeria. There is also a wide range of experiences and perspectives that can form the basis for the country to lead conversations on transitional justice and its exploration in the region.

To begin with, Nigeria's Boko Haram-conflict landscape is complex and reflects a lack of consensus on the timing and sequencing of transitional justice mechanisms. It is difficult to implement these mechanisms when there is no cessation of hostilities. There are continuously new victims and cases of trauma in communities, compounded by recurrent abductions and mass displacement. A cessation of hostilities would create a stable milieu where transitional justice would be easier to implement.

Second, many stakeholders point to a semblance of transitional justice tools already being applied in the country but in a non-violent extremist context. An example is the judicial panel of inquiry on restitution for victims of brutality perpetrated by members of the security services. Following killings and human rights violations during the October 2020 Lekki tollgate massacre, which is also referred to as the #EndSARS

protests, the government recognised the urgency of implementing the recommendations of a judicial report.²³

Third, there are doubts about the capacity of an overburdened justice system to independently and effectively prosecute mass cases of terrorism and associated human rights abuses.²⁴ These cases have clogged up the courts and subsequent delays in legal processes have corroded the reputation of the courts as credible arbiters on law and justice.²⁵

The gaps in criminal justice responses have thus compelled local organisations to reassert traditional and religious conflict resolution mechanisms that can restore healing and reconciliation in sections of the country. Some local organisations have rolled out initiatives centred on religious doctrines such as *sulhu* to restore and sustain peace in communities devastated by the insurgency. *Sulhu* is derived from the Qur'an and underpinned by reconciliation through mediation. It is often closely linked to repentance and forgiveness.²⁶ Organisations make use of this concept to train and equip the *ulama* (Islamic clerics) to promote peace.

The implementation of counter-messaging strategies based on traditional and religious concepts offers some value for a transitional justice framework in Nigeria's north-east. Traditional conflict resolution mechanisms which have largely been used for prevention or mediation are applied to low-intensity conflict but usually within the scope of land or resource issues. They have concentrated on inter- or intra-community and proximity conflicts.²⁷

These mechanisms have been preferred for several reasons. They have some legitimacy because they are based on custom, religion and history. They are prioritised over modern conceptions of justice because of their organic linkages to the local environment whence they have emerged and are perceived as a more timely and cost-effective method of applying justice. Whether these mechanisms can be scaled up and formalised on a state or federal level will come with potential benefits and challenges. This requires further investigation.

A final but significant observation in Nigeria relates to the provision of resources for livelihood and social services that can serve as an incentive to prepare communities

towards embracing transitional justice. Many local communities have decried the resources and provision of services that have been invested in DDR processes while victims in communities who have borne the brunt of violent extremist attacks and loss of livelihoods have benefited little.

There have been instances where community members rejected the reintegration of former Boko Haram members. This highlights the extent to which victims have been neglected in DDR processes and more importantly, a need for victim-centred transitional justice mechanisms. In comparison with the other LCB countries, Nigeria has greater awareness and frameworks to implement transitional justice mechanisms and as noted earlier, the use of concepts such as *sulhu* shows that traditional justice mechanisms are already being applied in north-eastern Nigeria. It would be useful to explore the opportunities and limitations that these mechanisms offer and whether there are avenues to expand them.

Conclusion

There will be challenges associated with implementing transitional justice in a setting such as the LCB region due to a range of factors examined in this study. However, this should not impede attempts. Implementing the tools of transitional justice should also not be perceived as leniency or capitulation on the part of the state. On the contrary, it is an opportunity for LCB governments to exercise political will aimed at inspiring consultations with affected communities. This will shape the terms and framework for authentic and appropriate mechanisms.

Good practices and lessons learned from other countries where transitional justice tools have been applied should not be ignored but rather contextualised to match the realities of the LCB region. Mandates should be clearly defined in order to avoid outcomes that are counter-productive and processes that are misconstrued. The added value is that transitional justice offers a comprehensive and multi-pronged approach that is victim-centric while simultaneously addressing the structural drivers that led to the emergence of the violent extremism crisis in the region.

Notes

- 1 United Nations Office for the Coordination of Humanitarian Affairs, Lake Chad Basin: Humanitarian Snapshot, 29 November 2021, <https://reliefweb.int/report/chad/lake-chad-basin-humanitarian-snapshot-29-november-2021>.
- 2 M Samuel, Islamic State fortifies its position in the Lake Chad Basin, *ISS Today*, 13 July 2021, <https://issafrica.org/iss-today/islamic-state-fortifies-its-position-in-the-lake-chad-basin>.
- 3 United Nations, Guidance Note of the Secretary-General: United Nations Approach to Transitional Justice, www.un.org/ruleoflaw/files/TJ_Guidance_Note_March_2010FINAL.pdf.
- 4 Conflict Solutions Center, Retributive vs Restorative Justice, www.cscsb.org/restorative_justice/retribution_vs_restoration.html.
- 5 Justice Beyond Borders? Human Rights and the ECOWAS Court of Justice, *West Africa Insight*, Justice on Trial: Courts and Commissions in West Africa, Centre for Democracy and Development, 2019, Vol 6 (4).
- 6 A Ngari and A Olojo, Besieged but not relenting: Ensuring fair trials for Nigeria's terrorism suspects, *West Africa Report* 29, May 2020, <https://issafrica.s3.amazonaws.com/site/uploads/war-29-2.pdf>.
- 7 Report of the Transitional Justice and Reconciliation Commission, based on the Principles Against Impunity by L Joinet and D Orentlicher, 2016, <https://waves.ca/public/justice-issues/TransitionalJustice&ReconciliationCommissionReport2016.pdf>.
- 8 MM Ndiloseh and HM Maalim, Transitional justice in crisis situations: Addressing violent extremism, beyond a militarized approach, Policy paper, African Union and Centre for the Study of Violence and Reconciliation, 2021, www.africaportal.org/publications/transitional-justice-crisis-situations-addressing-violent-extremism-beyond-militarised-approach/.
- 9 African Union, Transitional Justice Policy, February 2019, https://au.int/sites/default/files/documents/36541-doc-au_tj_policy_eng_web.pdf.
- 10 Ibid.
- 11 P McAuliffe, Reflections of the nexus between justice and peacebuilding, in *Journal of Intervention and Statebuilding*, 2017, 11:2, 245–260.
- 12 M Samuel, R Hoinathy and R Zambo, Boko Haram desertions could be the tipping point, *ISS Today*, 18 August 2021, <https://issafrica.org/iss-today/boko-haram-desertions-could-be-the-tipping-point>.
- 13 Interviews and focus group discussions with community leaders in Kolofata and Amchidé, November 2021.
- 14 The authors appreciate the perspectives of Emmanuel Dekane PhD, whose study draws on interviews in Tokombéré, Cameroon.
- 15 P-S Handy and F Djilo, No more half measures in Cameroon's Anglophone crisis, *ISS Today*, 23 March 2021, <https://issafrica.org/iss-today/no-more-half-measures-in-camerouns-anglophone-crisis>.
- 16 I Saïbou and N Machikou, Reintegrating former Boko Haram associates: Perspectives from Far North region in Cameroon, *Global Center on Cooperative Security*, 2019.
- 17 Law No 2014/028 of 23 December 2014 on the Suppression of Acts of Terrorism in Cameroon, www.assnat.cm/gestionLoisLegislatures/libraries/files_upload/uploads/Lois/2014-028fr.pdf.
- 18 Interview with an official of the National Committee for Disarmament, Demobilisation and Reintegration (CNDDR), November 2021.
- 19 Chad gives amnesty to hundreds of rebels and dissidents, meeting opposition demand, France24, 29 November 2021, www.france24.com/en/africa/20211129-chad-gives-amnesty-to-hundreds-of-rebels-and-dissidents.
- 20 R Hoinathy, Le long chemin vers la réconciliation au Tchad, *ISS Today*, 2 March 2022, https://issafrica.org/fr/iss-today/le-long-chemin-vers-la-reconciliation-au-tchad?utm_source=BenchmarkEmail&utm_campaign=ISS_Weekly_FR&utm_medium=email.
- 21 Interview with NGO representative in Maine Soroa, Diffa in November 2021.
- 22 Center for Humanitarian Dialogue, Signing of a commitment to prevent inter-communal conflict in Niger's Diffa region, 13 September 2019, www.hdcentre.org/updates/signing-of-a-declaration-of-commitment-to-intercommunal-conflict-prevention-between-the-traditional-leaders-of-the-region-of-diffa-in-niger/.
- 23 Lagos State Ministry of Justice, Lagos State Judicial Panel of Inquiry on Restitution for Victims of SARS-Related Abuses and Other Matters, 2021, <https://lagosstatemoj.org/wp-content/uploads/2021/12/Report-of-Judicial-Panel-of-Inquiry-on-Lekki-incident-investigation-of-20th-October-2020.pdf>.
- 24 Ibid.
- 25 Justice on Trial: Courts and Commissions in West Africa, Centre for Democracy and Development, *West Africa Insight*, Vol 6 (4): 2019.
- 26 I Hassan and J Tyvoll, After Boko Haram: Prospects for transitional justice in north-east Nigeria, Centre for Democracy and Development, July 2018, https://media.africaportal.org/documents/After_Boko_Haram_Prospects_for_Transitional_Justice_in_the_North_East_.pdf.
- 27 N Abdoul, HK Fougou, H Mbarkoutou and F Chatot, Regional Research Study, Lake Chad Basin: Endogenous mechanisms of prevention, mediation and conflict resolution in the face of current crisis, Resilac, Groupe URD, October 2020, https://836cf33d-21dd-4704-8c4a-fc4956e3464c.filesusr.com/ugd/04c082_6082daa1e97e4055888f7352035ee74a.pdf.

About the authors

Akinola Olojo is a Senior Researcher in the Lake Chad Basin Programme at the Institute for Security Studies in Dakar. Maram Mahdi is a Research Officer in the Office of the Executive Director at the Institute for Security Studies in Pretoria. The authors were supported in conducting the research for this report by Abba Yusuf Tijjani, Abdoulaye Igodoe, Celestin Delanga, Chefu Sirri Afanwi Joy, Idris Mohammed and Remie Fotue.

About ISS West Africa Reports

West Africa Reports provide the results of in-depth research on the latest human security challenges in the region. Some reports analyse broad conflict trends and threats to peace and security in specific West African countries. Others focus on challenges in the region such as electoral reform, corruption or intra-state conflict.

About the ISS

The Institute for Security Studies (ISS) partners to build knowledge and skills that secure Africa's future. The ISS is an African non-profit with offices in South Africa, Kenya, Ethiopia and Senegal. Using its networks and influence, the ISS provides timely and credible policy research, practical training and technical assistance to governments and civil society.

Development partners



This report is funded by the United States Mission to the African Union. The ISS is also grateful for support from the members of the ISS Partnership Forum: the Hanns Seidel Foundation, the European Union, the Open Society Foundations and the governments of Denmark, Ireland, the Netherlands, Norway and Sweden.

© 2022, Institute for Security Studies

Copyright in the volume as a whole is vested in the Institute for Security Studies and the authors, and no part may be reproduced in whole or in part without the express permission, in writing, of both the authors and the publishers.

The opinions expressed do not necessarily reflect those of the ISS, its trustees, members of the Advisory Council or donors. Authors contribute to ISS publications in their personal capacity.

Cover image: © Amelia Broodryk/ISS

