

POLICY BRIEF



A Study on Transitional Justice Mechanisms in the Horn of Africa

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List of Abbreviations

AAR	Agreement on Accountability and Reconciliation
AFSC	American Friends Service Committee
AU	African Union
AUTJP	African Union Transitional Justice Policy
CCA	Compensation and Reparation Authority
CIPEV	Commission of Inquiry into Post-Election Violence
CRA	Compensation and Reparation Authority
CSO/CSOs	Civil Society Organization(s)
CSVR	Centre for the Study of Violence and Reconciliation
CTRH	Commission for Truth, Reconciliation and Healing
EPRDF	Ethiopian People's Revolutionary Democratic Front
FGS	Federal Government of Somalia
HRW	Human Rights Watch
ICC	International Criminal Court
ICTJ	International Center for Transitional Justice
IGAD	Intergovernmental Authority on Development
IPSS	Institute for Peace and Security Studies
LRA	Lord's Resistance Army
MHPSS	Mental Health and Psychosocial Support
NTJP	National Transitional Justice Policy
OCHA	United Nations Office for the Coordination of Humanitarian Affairs
OHCHR	Office of the High Commissioner for Human Rights
R-ARCSS	Revitalised Agreement on the Resolution of the Conflict in South Sudan
RSF	Rapid Support Forces
SAF	Sudanese Armed Forces
SGBV	Sexual and Gender-Based Violence
TJ	Transitional Justice
TJRC	Truth, Justice and Reconciliation Commission
UNDP	United Nations Development Programme
UNFPA	United Nations Population Fund
UNHCR	United Nations High Commissioner for Refugees
UNMISS	United Nations Mission in South Sudan
UNSOM	United Nations Assistance Mission in Somalia
WHO	World Health Organization

Executive summary

Transitional Justice Mechanisms in the Horn of Africa are crucial for addressing historical grievances, promoting accountability, and fostering reconciliation in a region marked by prolonged conflict and ethnic tensions. This report analyzes Transitional Justice Mechanisms in the Horn of Africa countries of Djibouti, Eritrea, Ethiopia, Kenya, Somalia, South Sudan, Sudan, and Uganda. In doing so, it examines the aforementioned countries efforts to implement Transitional Justice Mechanisms, their adherence to the African Union Transitional Justice Policy (AUTJP), their respective gender dimensions, and highlight challenges as well as best practices while providing policy recommendations to improve TJ processes in the region.

The undertaken research has come up with a number of key findings. In terms of adherence to the African Union Transitional Justice Policy (AUTJP), Kenya Ethiopia, Sudan, and Uganda show moderate alignment. Countries such as Kenya have made efforts to engage international bodies like the International Criminal Court (ICC). Efforts to integrate traditional justice mechanisms into formal TJ frameworks by Ethiopia are also encouraging. Somalia, South Sudan, and Djibouti, Eritrea, however, demonstrate low adherence, lacking formal TJ mechanisms and struggling with weak institutions and ongoing conflicts. To the exclusion of Eritrea, which has almost entirely shelved the issue of Transitional Justice, these nations largely rely primarily on traditional justice systems that are not largely aligned with the broader objectives of the AUTJP.

Ethiopia, Uganda, and Kenya exhibit an effort in integrating the traditional justice mechanisms into broader TJ frameworks. However, these systems often struggle to meet international human rights standards, particularly regarding gender-based violence and inclusivity. Somalia and Djibouti, on the other hand, rely almost exclusively on informal clan-based or traditional systems due to weak or absent formal justice institutions. Gender dynamics remain a significant issue across all eight countries. Women's participation in TJ processes is limited, with traditional systems frequently failing to address gender-based violence or involve women in decision-making.

Yet, there are also notable best practices emerging in the region. Ethiopia's integration of traditional and formal justice systems offers a model for balancing local customs with international human rights standards. Uganda's dual approach – using traditional mechanisms like Mato Oput for community-level reconciliation while engaging the ICC for high-profile cases – demonstrates an effective strategy for promoting both local and international accountability. South Sudan's focus on communal reconciliation through traditional systems has proven to be a valuable approach for restoring relationships in communities ravaged by conflict.

Based on these findings, several policy recommendations are proposed. First, countries should strengthen the integration of traditional and formal justice systems, ensuring they are aligned with human rights standards, particularly in addressing gender-based violence and ensuring inclusivity. Second, TJ mechanisms must actively address ethnic divisions and power struggles, involving marginalized groups and promoting national cohesion. Third, governments should ensure the meaningful participation of women, youth, and marginalized communities in all stages of TJ.

Introduction

The Horn of Africa has experienced repeated cycles of political rupture, militarised governance, civil wars, mass atrocities, and structural repression, producing some of the continent's most enduring legacies of violence. From Ethiopia's Red Terror and contemporary armed conflicts, to Kenya's post-election violence, Uganda's LRA insurgency, South Sudan's civil wars, Somalia's state collapse, Sudan's Darfur genocide and ongoing SAF-RSF conflict, Eritrea's authoritarian entrenchment, and Djibouti's repression following internal insurgencies, the region exhibits overlapping patterns of historical injustice and unresolved grievances. Transitional justice has therefore emerged as an essential framework through which states, regional bodies, and affected communities seek to confront past human rights violations and prevent recurrence of other related atrocities.

The African Union Transitional Justice Policy (AUTJP, 2019) defines transitional justice as 'a comprehensive and holistic process that includes truth-seeking, justice, reparations, healing, reconciliation, and measures to guarantee non-recurrence,' emphasising context-specific, nationally owned, and victim-centred approaches. Across the region, demands for acknowledgment of atrocities, restoration of dignity, and rebuilding of trust have intensified, driven by long-standing exclusion, large-scale displacement and refugee flows, gender-based and conflict-related violence perpetrated by state and non-state actors, and widespread erosion of confidence in governance institutions. These pressures have made transitional justice not only a post-conflict imperative, but a strategic tool for stabilisation, state-building, and social cohesion in one of Africa's most politically complex and volatile regions.

Comparative Regional Analysis

Transitional justice pathways across Ethiopia, Kenya, Uganda, South Sudan, Somalia, Sudan, Eritrea, and Djibouti display marked differences shaped by each country's political history, conflict patterns, and institutional capacities. Drawing on the African Union Transitional Justice Policy (AUTJP), emerging IGAD frameworks, and recent regional analyses of transitional justice in the Horn of Africa, it is evident that these states converge and diverge across several dimensions, including the nature and scale of their legacies of violence, the extent and design of their formal transitional justice architectures, the roles accorded to customary and community-based justice systems, the degree of gender inclusion and victim participation, ongoing debates over timing and sequencing, and the increasing influence of regional bodies in shaping nationally owned transitional justice processes.

Shared Legacies of Violence and Authoritarian Governance

All eight countries share deeply rooted legacies of violence, authoritarian governance and exclusionary state-building, but the intensity, duration and visibility of these legacies vary. Sudan and South Sudan represent the most protracted and regionally consequential conflict systems, with almost continuous war from 1955 to the present encompassing two Sudanese civil wars, the Darfur atrocities, and now the SAF–RSF conflict in Sudan, alongside renewed civil war and recurring violence in South Sudan (Johnson, 2023–2025). Ethiopia and Somalia illustrate centre–periphery patterns of domination: in Ethiopia, the imperial, Derg and EPRDF periods involved Red Terror, counter-insurgency in the Somali Region and repeated repression of dissident groups; (Human Rights Watch, 2008) in Somalia, the Siad Barre regime's campaigns in the north, particularly against the Isaaq, were followed by state collapse, warlordism and Al-Shabaab insurgency (HRW, 1990). Kenya and Uganda have experienced episodic but severe crises—such as the 2007–2008 post-election violence in Kenya and the LRA war or counter-insurgency in northern Uganda—layered

onto longer histories of repression and land dispossession (CIPEV (Kenya), 2003). Djibouti and Eritrea, by contrast, are characterised less by large-scale civil wars in recent decades than by long-term authoritarian rule and security-force abuses which, while less visible internationally, have produced chronic and often invisible forms of structural violence (Amnesty International & HRW Reports, 1996–2022).

A key regional insight is that impunity in the Horn is cumulative: earlier episodes of abuse have rarely been addressed in a systematic way, so each new wave of conflict is built on layers of unresolved grievance. Regional research on transitional justice in the Horn stresses that these unresolved cycles of abuse continually re-surface in current conflicts, whether in Darfur and Kordofan, in northern Ethiopia, or in the peripheral regions of Kenya and Uganda (AFSC/IPSS TJ Study, 2024).

Formal Transitional Justice Architectures: Normative Ambition and Structural Absence

When the eight countries are read against the AUTJP's holistic pillars of truth, justice, reparations, institutional reform and memorialisation, their formal TJ architectures span a spectrum from normatively ambitious but under-implemented frameworks to almost complete institutional absence.

At one end, Ethiopia, South Sudan and Uganda have articulated relatively elaborate national frameworks. Ethiopia's National Transitional Justice Policy (2024) sets out a comprehensive, long-term roadmap that covers truth-seeking, criminal accountability, reparations, traditional justice and institutional reform, but the institutions it envisages have yet to be created through enabling legislation (AU & Government of South Sudan CTRH Commissioner Call, 2025). South Sudan's Revitalised Agreement on the Resolution of the Conflict (R-ARCSS) establishes a sophisticated architecture consisting of a Hybrid Court, a Commission for Truth, Reconciliation and Healing (CTRH) and a Compensation

and Reparation Authority (CRA). While the adoption of the CTRH Act and CRA Act and the recent joint AU–government call for CTRH commissioners mark a significant operational step, the Hybrid Court remains stalled, and no reparations have yet been delivered (Government of Ethiopia, National Transitional Justice Policy, 2024.). Uganda’s National Transitional Justice Policy (2019) and the earlier Agreement on Accountability and Reconciliation provide a relatively holistic framework that combines criminal accountability, truth, reparations and traditional justice, but implementation beyond ICC engagement and some local reconciliation practices has been uneven and partial thereby propelling the CSOs calls for a development and adoption of a national transitional justice law.

Kenya occupies a distinctive position. It is the only country in the sub-region to have established a fully-fledged truth commission—the Truth, Justice and Reconciliation Commission—mandated to cover the entire post-independence period, and to have undergone a major constitutional transformation anchored in a strong bill of rights and re-designed accountability institutions. However, the implementation of the (TJRC’s, 2023) recommendations has been weak, particularly in respect of reparations and land redress, while ICC prosecutions of high-level suspects ultimately collapsed or were withdrawn, highlighting the limits of elite commitment to accountability.

Sudan and Somalia exhibit more fragmented arrangements. In Sudan, peace agreements such as the Comprehensive Peace Agreement (CPA) and the Juba Peace Agreement contained rhetorical commitments to reconciliation and in the Darfur context envisaged a hybrid court and compensation structures, but these mechanisms were never operationalised (CPA, Juba Agreement, 2020). Internationalised accountability through the ICC has advanced further in relation to Darfur, culminating in the Kushayb conviction, yet this has not been accompanied by domestic reforms or broader truth-seeking. In Somalia, there is no dedicated transitional justice legislation and no truth or reparations commission, although the 2012 Provisional Constitution and the (National

Reconciliation Framework, 2019) provide some normative hooks for future TJ design.

Djibouti and Eritrea stand at the minimalist end of the spectrum. Djibouti has relied largely on broad amnesty laws and a small number of domestic trials without developing truth-seeking, reparations or vetting mechanisms, and justice-sector reforms under Vision 2035 have been primarily forward-looking rather than retrospective (UNDP Justice Reform Reports, 2022).. Eritrea has neither committed to nor experimented with formal TJ processes; it has consistently rejected UN-mandated inquiries and denies the pattern of abuses documented by the Commission of Inquiry, leaving it with almost no normative or institutional basis for transitional justice (UN Commission of Inquiry, Eritrea 2015).

Overall, the region is marked by a strong rhetorical convergence around the language of transitional justice and the AUTJP, but a pervasive gap between normative commitment and institutional reality.

Customary and Religious Justice: Hybridisation, Practice and Limitations

Customary and religious justice systems remain central across the Horn of Africa and often command greater trust than formal courts, yet their role in transitional justice is mixed. Uganda’s model—combining ICC accountability with Acholi practices such as Mato Oput—is frequently cited as a deliberate hybrid that links community reconciliation with formal justice (ICTJ, 2017).

In Ethiopia, the NTJP similarly envisions customary institutions as complementary mechanisms, coinciding with recent efforts to formalise customary courts through draft legislation and regional pilots. While these reforms aim to expand access to justice, they raise concerns that, without strong safeguards, formalisation may entrench gender inequality, weak procedural protections, and practices inconsistent with human-rights norms (Tadesse Simie Metekia, 2025). South Sudan’s CTRH framework likewise anticipates a role for chiefs

and customary courts in local reconciliation.

Elsewhere, hybridisation is mostly informal. Somalia's xeer system remains central to inter-clan dispute resolution but prioritises collective clan interests over individual rights. In Kenya, Sudan, and parts of Ethiopia, elders' councils play important peace-making roles but are rarely linked to truth-seeking or reparations, leaving their place within transitional justice uncertain (Refugee Law Project, 2018).

Regional research warns against romanticising customary mechanisms. The Centre for the Study of Violence and Reconciliation (CSVr) notes that, although such systems can support social cohesion, they often struggle with gender-based violence, discrimination, and due-process safeguards (Tadesse Simie Metekia, 2025). Customary justice therefore remains useful but insufficient: it can complement transitional justice but cannot substitute for formal guarantees of rights, accountability, and reparations.

Gender, Inclusion and Victim Participation

Across all eight countries, there is a noticeable gap between normative commitments to inclusion and the practical realisation of gender-responsive, victim-centred transitional justice. At the level of policy and legal frameworks, (Ethiopia's NTJP, 2024), (Uganda's NTJP, 2019), Kenya's TJRC report and South Sudan's CTRH/CRA Acts explicitly reference women, youth and marginalised groups and commit to inclusive participation, in line with AUTJP provisions that foreground gender and generational justice. The recent CTRH commissioners' call in South Sudan, which stipulates minimum numbers of women among both national and international commissioners, illustrates attempts to institutionalise gender balance at leadership level.

In practice, however, survivors of sexual and gender-based violence—whether in Darfur, Tigray, northern Uganda, the Rift Valley, Somalia or South Sudan—face major barriers to accessing justice, psychosocial support and reparations. Many truth-seeking and investigative processes have under-documented SGBV, treated it as a

collateral rather than central harm, or failed to tailor procedures to the needs of women and girls. Customary mechanisms across the region tend to be male-dominated and to prioritise family or clan reconciliation over individual rights, which constrains survivors' ability to speak out or seek redress (UNSOM–UNFPA SGBV Reports, 2023).

Feminist analyses of African truth commissions have consistently argued that gendering transitional justice requires more than descriptive representation; it demands gender-specific mandates, dedicated investigative teams, reparations that address reproductive and economic harms, and long-term psychosocial services. The regional experience in the Horn broadly confirms this diagnosis. While there has been important progress at the level of normative design, there is still limited evidence that TJ mechanisms are structurally equipped to address the gendered dimensions of violence and exclusion (UN Women Africa, Gender and TJ, 2020).

Timing, Sequencing and the Peace–Justice–Reform Nexus

The relationship between transitional justice and parallel peacebuilding processes—ceasefires, power-sharing agreements, national dialogues and DDR programmes—emerges as a central comparative challenge. In South Sudan, the R-ARCSS laid down a sophisticated TJ framework from the outset, but implementation was repeatedly delayed. This delay has been interpreted by UN and independent expert bodies as a strategy to insulate elites from accountability and has arguably weakened deterrence and public trust (UNMISS & UNCHR South Sudan Reports, (2019–2024)). Sudan presents a different, but related, pattern: major peace agreements such as Addis Ababa (1972), the CPA (2005) and Juba (2020) either omitted or marginalised concrete accountability and reparations mechanisms. In each case, the preference for amnesty, power-sharing and institutional reform without truth or justice components contributed to renewed conflict and entrenched impunity.

Kenya and Uganda illustrate another facet of the sequencing problem: important steps were

taken at critical moments (the CIPEV and TJRC in Kenya, the AAR and NTJP in Uganda, ICC referrals in both contexts) but were not followed by sustained implementation. This has created a sense of “transitional justice fatigue” among victims and civil society, who see extensive documentation and normative commitments with little translation into tangible redress (KNCHR & UHRC, Victim Consultations (2010–2020)).

Ethiopia, Somalia and Djibouti highlight the difficulty of designing transitional justice in the midst of ongoing insecurity and political contestation. Ethiopia’s NTJP was adopted while armed confrontations and political tensions persisted in multiple regions, raising complex questions about whether, and how, to launch truth-seeking or prosecutions in a still-volatile environment. Somalia’s National Reconciliation Framework must contend with continuing Al-Shabaab violence and centre–periphery disputes, and Djibouti’s justice-sector reforms are forward-looking but do not yet engage with past abuses.

The (AUTJP,2019) and recent AU and IGAD guidance documentation on transitional justice now emphasise context-sensitive sequencing: early measures such as psychosocial support, interim reparations, documentation and symbolic recognition can precede or accompany longer-term truth commissions, courts and institutional reform (AU TJ Guidance Notes,2022). In the Horn, Ethiopia’s NTJP, South Sudan’s CTRH/CRA legislation and Uganda’s policy signal increasing awareness of the need for strategic phasing, but the practical articulation of sequencing with national dialogue, DDR and broader governance reform is still evolving.

Regionalisation, Cross-Border Harms and the Emerging IGAD Mechanism

Transitional justice in the Horn cannot be understood purely within national borders. Conflicts in Sudan, South Sudan, Somalia, Ethiopia and Eritrea have generated mass cross-border displacement, creating large refugee populations in Kenya, Uganda, Ethiopia and beyond. Many victims and witnesses of

atrocities now live outside the jurisdiction of the state where violations occurred, which raises complex questions about participation, evidence-gathering and reparations (UNHCR Displacement Reports, (2023–2024)).

The AUTJP explicitly encourages the involvement of regional economic communities in supporting national TJ processes, and IGAD, similar to the SADC’s adopted PCRD and Transitional Justice framework has begun to respond to this mandate. In 2024, IGAD announced work toward an IGAD Human Rights and Transitional Justice Mechanism, envisaged as a regional platform to strengthen the nexus between human rights, TJ and peace processes in East and Horn of Africa states (IGAD Secretariat Communiqué, 2024). This initiative underscores the recognition that many harms in the region—Darfur and South Sudan atrocities, LRA crimes, cross-border impacts of Ethiopia’s conflicts, displacement from Somalia and Eritrea—are regional in nature and that states may require external support for documentation, witness protection, and, in some cases, internationalised prosecutions.

For countries with nascent or stalled TJ processes, such as South Sudan, Somalia and Ethiopia, an IGAD mechanism could provide technical support, peer learning and a forum for regional standard-setting. For contexts with little or no domestic space for transitional justice, such as Eritrea and Djibouti, regional mechanisms might at least help to preserve evidence and articulate norms for future openings. Yet sovereignty sensitivities and the diverging political interests of member states will limit how far IGAD can go without strong political backing from national governments. The added value of regionalisation will thus depend on whether it reinforces credible national processes rather than becoming a substitute for domestic responsibility.

Mental Health and Psychosocial Support

Across the Horn of Africa, mental health and psychosocial support (MHPSS) remains one of the least developed pillars of transitional justice despite the (African Union Transitional Justice Policy’s,2019) emphasis on healing and trauma recovery. Countries such as Ethiopia,

South Sudan, Sudan, Somalia, and Uganda have experienced mass atrocities, widespread sexual violence, disappearances, torture, and prolonged displacement, yet national frameworks—including Kenya’s TJRC, ~(Uganda’s NTJP,2019), (Ethiopia’s NTJP,2023), and South Sudan’s CTRH/CRA,2023 Acts—refer to psychosocial recovery only superficially and without establishing institutions, budgets, or operational plans.

The absence of coordinated MHPSS systems constitutes a structural deficit because untreated trauma affects all dimensions of transitional justice. Trauma can limit survivors’ participation in truth-telling, reduce the reliability of testimony, undermine reconciliation, and weaken public trust in state institutions. Importantly, MHPSS in transitional justice must extend far beyond clinical psychological services (UN Office for the Coordination of Humanitarian Affairs, 2022). International guidance, including WHO standards, stresses that psychosocial recovery is fundamentally communal, requiring community-based interventions, culturally grounded healing practices, safe dialogue spaces, rituals of mourning, and the rebuilding of social institutions—not just individual counselling (WHO, 2017).

This need is particularly acute in highly affected regions such as Tigray, Darfur, Kordofan, northern Uganda, and south-central Somalia, where entire communities—not isolated individuals—have endured collective trauma, social fragmentation, and repeated displacement. In these settings, reliance on narrow Western-style clinical models risks obscuring communal forms of suffering, intergenerational harm, and the erosion of social cohesion. Effective MHPSS must therefore incorporate the restoration of community relationships, the strengthening of customary and religious support systems, and the rebuilding of basic social services and livelihoods as part of the healing process.

Given this reality, MHPSS should be recognised both as a stand-alone pillar of transitional justice and as a cross-cutting requirement. As a distinct pillar, states should establish specialised psychosocial units within truth commissions,

reparations bodies, and victim-participation offices, staffed by counsellors, social workers, and culturally competent practitioners. As a cross-cutting pillar, trauma-sensitive approaches must inform investigations, outreach strategies, reparations design—especially rehabilitation—and local reconciliation initiatives. Regional organisations, including the AU and IGAD, are well-positioned to promote common standards, support trauma-informed methodologies, and coordinate cross-border services for the region’s large refugee and displaced populations.

In a region where millions live with untreated trauma and where transitional justice often unfolds amid ongoing insecurity, institutionalising MHPSS is not an auxiliary humanitarian measure but a precondition for credible, participatory, and sustainable transitional justice. Without accessible, community-based, and survivor-centred psychosocial support, truth-seeking risks retraumatising victims, reparations will remain incomplete, and reconciliation efforts will lack the emotional and social foundations required for durable peace.

Civil Society Engagement: Local Roles and Shrinking Civic Space

Civil society organisations (CSOs) remain indispensable to transitional justice across the Horn of Africa. Local groups—including women’s associations, survivor networks, youth collectives, religious institutions, and legal aid organisations—provide documentation, community mobilisation, psychosocial support, and linkages between victims and formal institutions (ICTJ, 2017). In contexts where state institutions are weak or mistrusted, these actors serve as the primary conduits for truth-seeking and accountability, particularly in remote or conflict-affected areas.

Despite this importance, civic space is narrowing across much of the region. Comparative assessments describe increasing restrictions on association, funding, and independent monitoring, alongside periodic harassment of human-rights defenders (CIVICUS Monitor, 2023). Ethiopia exemplifies this tension: although the

Pretoria Agreement and the National Transitional Justice Policy (NTJP) formally guarantee CSO participation, regulatory pressures and shrinking operating space have raised concerns about whether civil society can meaningfully support the next phases of truth-seeking, documentation, and reparations (Amnesty International, 2023). Similar constraints affect South Sudan and Sudan, where intimidation and insecurity limit CSOs' engagement with bodies such as the CTRH or investigative committees. In Eritrea, independent civil society is effectively absent, while in Djibouti and Somalia structural restrictions severely curtail autonomous organising and public advocacy (OHCHR, (2019–2023)).

These conditions weaken transitional justice in three ways: by limiting victim participation, undermining documentation of abuses, and exposing emerging mechanisms to political capture. Local CSOs—often the most trusted community actors—are especially affected by funding gaps and operational constraints, despite their central role in facilitating access to justice, supporting survivors of sexual violence, and mediating community reconciliation (AFSC & IPSS, 2024).

For transitional justice to be credible, governments must protect civic space, revise restrictive NGO laws, and institutionalise CSO involvement in truth commissions, reparations programmes, and institutional reforms. Regional bodies such as the AU and IGAD also have a critical role in safeguarding human-rights defenders and embedding civil society participation within emerging regional transitional justice frameworks.

Synthesis and Policy Implementation

Across the Horn of Africa, transitional justice is marked by strong normative commitment but limited implementation. Ethiopia, South Sudan, Uganda, and Kenya have articulated comprehensive frameworks, yet progress on truth-seeking, accountability, reparations, and victim participation remains slow. Somalia, Sudan, and Djibouti show only partial or fragmented commitments, and Eritrea remains closed to transitional justice altogether.

A defining regional pattern is the systematic deferral of accountability. Despite repeated political pledges, concrete steps toward investigation and prosecution are largely absent. Ethiopia has not yet operationalised its planned investigative and prosecutorial bodies; South Sudan's Hybrid Court remains stalled; Kenya's ICC cases collapsed; Sudan's domestic accountability remains obstructed; Somalia relies on military courts that fail to meet international standards; and Djibouti and Eritrea rarely investigate abuses at all. This persistent gap entrenches impunity and undermines trust in emerging transitional justice processes.

Reparations remain the weakest pillar across the region. Even where truth-seeking has been extensive, as in Kenya or parts of Uganda, reparations programmes are incomplete or non-existent. Gender-responsive justice also remains largely rhetorical, with few mechanisms equipped to address sexual and gender-based violence or structural inequalities. Customary justice systems—now undergoing formalisation in Ethiopia—continue to exhibit patriarchal norms and limited procedural safeguards, making them helpful for local reconciliation but insufficient for broader rights-based

transitional justice.

Across all eight countries, institutional reforms—particularly in security and intelligence sectors—lag behind normative commitments, weakening guarantees of non-recurrence. Equally absent is a coherent approach to MHPSS. Despite widespread communal and intergenerational trauma, no country has established a coordinated MHPSS framework. The lack of trauma-informed, community-based support undermines truth-telling, reparations, reconciliation, and survivors' safe participation.

The region is also experiencing a contraction of civic space, limiting the ability of civil society to document abuses, support survivors, and engage in truth-seeking and monitoring. Ethiopia, despite the NTJP and Pretoria Agreement, faces increasing restrictions; South Sudan and Sudan are constrained by insecurity; Eritrea has no independent civil society; and Djibouti and Somalia maintain structurally restrictive environments.

Given these dynamics, regionalisation is becoming indispensable. The AU and IGAD are increasingly central, particularly through the AUTJP, the AU's support for South Sudan's CTRH and Hybrid Court, and IGAD's emerging regional transitional justice mechanism. These actors can support cross-border evidence preservation and victim participation but cannot replace national political will.

Overall, transitional justice in the Horn has become a widely adopted policy vocabulary, but its future credibility depends on whether states take tangible steps toward investigations, prosecutions, reparations, trauma-informed participation, and institutional reform. Without these measures—supported by protected civic space and regional cooperation—transitional justice

risks remaining symbolic rather than transformative.

Recommendations

A credible transitional justice agenda in the Horn of Africa requires coordinated national and regional action that is victim-centred, trauma-informed, and supported by an enabling civic environment. Governments must prioritise the creation of independent, well-resourced institutions for truth-seeking, accountability, reparations, and guarantees of non-recurrence. This includes enacting enabling legislation, ensuring transparent and merit-based appointments, and insulating transitional justice bodies from political interference to overcome the entrenched impunity that characterises much of the region.

Transitional justice must be grounded in inclusive and meaningful public participation. Effective engagement of women, survivors of sexual and gender-based violence, displaced populations, refugees, youth, minority groups, and traditional leaders is essential for legitimacy. This participation requires safe, accessible consultation processes and integrated MHPSS services—recognising that untreated trauma undermines testimony, reconciliation, and long-term peace. MHPSS should be understood not merely as clinical care but as a community-centred process that incorporates cultural healing practices, social reconstruction, and long-term support for individuals and communities.

Given the prevalence of customary and religious justice across the Horn, hybrid approaches should be pursued with safeguards to ensure compliance with human-rights norms. Formal justice systems should maintain supervisory roles to prevent discrimination, protect due process, and ensure that customary

practices do not undermine gender justice or the rights of minorities.

Reparations must shift from rhetorical commitments to actionable frameworks. States—especially Kenya, Uganda, Ethiopia, and South Sudan—should establish functional reparations authorities capable of delivering compensation, rehabilitation (including psychosocial support), restitution, and collective reparations. These programmes should prioritise victims of sexual violence, torture, displacement, forced conscription, and property destruction, and be designed through participatory processes.

Accountability for serious crimes requires strengthening domestic courts and expanding hybrid or internationalised mechanisms where national capacity remains limited. Countries such as Somalia, Sudan, and South Sudan may require joint arrangements with regional bodies or international partners to ensure credible prosecutions. Cooperation with the ICC, where applicable, remains essential.

A regional approach is equally critical. The African Union should accelerate support for the Hybrid Court for South Sudan and assist member states in aligning national frameworks with the AUTJP. IGAD's emerging regional human-rights and transitional justice mechanism should facilitate cross-border investigations, evidence preservation, and outreach to refugee and diaspora communities. The East African Community can support judicial cooperation and harmonisation of accountability standards.

Strengthening transitional justice financing is essential. The African Transitional Justice Fund envisioned in the AUTJP should be operationalised, and IGAD should support predictable, coordinated funding streams for the region. States should allocate dedicated annual budgets for transitional justice, including reparations and MHPSS.

Finally, international partners should adopt sustained, multi-year funding commitments that reflect the long-term nature of transitional justice. Donors should expand support for CSOs – particularly local and community-based groups—that document violations, accompany survivors, and facilitate participation. In contexts where civic space is restricted, including Eritrea and Djibouti, international actors should reinforce human-rights monitoring and support independent research and documentation as a foundation for future processes. In Ethiopia, despite the NTJP and the Pretoria Agreement's recognition of CSO participation, the narrowing civic space requires urgent attention to ensure that domestic organisations can contribute fully and safely.

Together, these recommendations establish the foundation for a holistic, context-responsive, and survivor-centred transitional justice strategy aligned with the African Union Transitional Justice Policy and designed to break long-standing cycles of violence across the Horn of Africa.

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The American Friends Service Committee (AFSC) promotes a world free of violence, inequality, and oppression. Guided by the Quaker belief in the divine light within each person, we nurture the seeds of change and respect for human life to fundamentally transform our societies and institutions. We work with people and partners worldwide of all faiths and backgrounds to meet urgent community needs, challenge injustice, and build peace. Through its Africa Regional Office in Kenya, AFSC promotes projects in Kenya, South Sudan, Somalia, Burundi, and Zimbabwe, with an evidence-based advocacy component for policy change in the Horn of Africa, with an office in Addis Ababa, Ethiopia. AFSC has decades of experience leading advocacy, evidence-based research, and worldwide civil society strengthening programs. AFSC brings Global South leaders and Civil Society Organizations through the Dialogue and Exchange Program to learn and exchange ideas every year. Due to the challenging situation in the Horn of Africa, AFSC focused intensely on this region to link up with existent civil society networks and Faith Leaders to contribute with its specific expertise.

American Friends Service Committee
1501 Cherry Street, Philadelphia, PA 19102
Tel: +1 215-241-7000
afsc.org



About the All Africa Conference of Churches, AACC:

The All Africa Conference of Churches (AACC) is a continental ecumenical body that accounts for over 140 million Christians across the continent. AACC is the largest association of Protestant, Anglican, Orthodox, and Indigenous Churches in Africa and is a member of the worldwide ecumenical network. AACC is a fellowship of 204 members comprising Churches, National Christian Councils (NCCs), Theological and Lay Training Institutions, and other Christian Organizations in 43 African Countries. AACC works through member Churches and with member Churches in the continent to address issues facing the people of the African continent. AACC also works with and collaborates with global ecumenical partners (in and out of Africa), multilateral bodies (African Union (AU), United Nations (UN) agencies, development agencies), Civil Society Organizations (CSOs), foundations, private Businesses, etc. Through its AU Liaison Office, the AACC follows the ambition of its strategic plan for 2019-2023 for a solid political engagement at the AU level.

All Africa Conference of Churches,
P.O. Box 14205 - 00800
Nairobi, Kenya
Tel: +254 4441483, 4441338/9
aacc-ceta.org



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