

Episode 5, season 3 (January 2022)

## How do we talk about youth participation in TJ in the DRC?

*Welcome to Justice Visions, the podcast about everything that is new in the domain of Transitional Justice (TJ). Justice Visions is hosted at the Human Rights Centre of Ghent University. For more information visit [Justicevisions.org](http://Justicevisions.org).*

**Tine:** Welcome to Justice Visions. My name is Tine Destrooper and in today's episode we'll be talking about the concept of collective participation and how we can theorize it, but also about what it means on the ground and how it can help us to better understand, for example, issues like youth participation in transitional justice. We'll be talking to Christian Cirhigiri, whose research focuses on the Democratic Republic of Congo and with Henry-Pacifique Mayala, who is a member of [Lucha](#), which is a youth movement that seeks to contribute to transitional justice in Congo. Christian, Henry-Pacifique, welcome.

**Henry:** Thanks for having me.

**Tine:** Maybe let me start with you, Christian, because today we'll be talking about collective participation and how that notion can help us to understand the role of youth in the DRC. But before that, I think we should also try to better understand the general context of transitional justice in the DRC, right? Because the DRC is definitely not a typical transitional justice case.

**Christian:** Indeed, the field of transitional justice in the DRC is still in its formative stage. Since 1996, the DRC has been embroiled in protracted cycles of conflicts with large scale human rights violations against civilian populations. What makes the DRC an atypical case of transitional justice, is actually the ongoingness of violence.

**Tine:** Right. But despite this ongoingness of violence, throughout the different cycles of violence there have been various attempts at transitional justice, right?

**Christian:** Yes, indeed. Including a short lived state-led Truth and Reconciliation Commission in 2003. This period was then followed by pockets of renewed violence, mainly in the eastern DRC. And President Joseph Kabila was brought into power in 2003 and stayed in power until 2018. Now, during his term, the TJ discourse ceased to be the state's priority, despite the publication of the UN mapping report in 2010. This report documented 617 incidents of gross human rights violations and international crimes committed by the state and non-state actors from 1993 to around 2003. The mapping report made an essential contribution to the transitional justice field in the DRC and specifically to prevent the recurrence of human rights violations.

**Tine:** Right. And so, when you say that that report made an essential contribution to the field of transitional justice in the DRC, what does that mean? What does that field of transitional justice look like today in the DRC?

**Christian:** That's a really good question. Indeed, after a long period of failed attempts of TJ, there is currently momentum for the possibility of developing a national strategy that is going to be more all-inclusive and which is hoped to position the TJ agenda at the center of the Congolese government's priority that has been expressed during the [43<sup>rd</sup> ministers meeting](#) on how they would like to deal with the legacies of continued large scale human rights abuses in the DRC.

**Tine:** Right. But then the government is not the only one expressing an interest in transitional justice, right? There're also civil society actors who have been actively and explicitly adopting the language of TJ and who have been pushing for TJ really, right?

**Christian:** There have been actually several actors being involved in transitional justice, including Lucha, and we are glad today to be talking to Henry later to learn more about what they've been exactly doing. And what I find interesting about Lucha is that it really proceeds on the basis of what I would call collective participation.

**Tine:** What, to you, makes this concept of collective participation interesting in the case of the DRC. Why do we need the notion of collective participation to better understand youth involvement in transitional justice processes?

**Christian:** So first and foremost, it is worth noting that while TJ literature puts more weight on individual participation, there is still scarcity of research on collective participation in transitional justice mechanisms, which are actually quite present in relevant contexts of ongoing violence. So how I understand collective participation is: as group mobilization in demanding state accountability for specific human rights violations.

**Tine:** So, if I interpret that at more general level, what you're trying to do then, is to really shift the focus from, I would say, participation in invited spaces, to mobilization that could also happen in claimed spaces, or could also even happen in the absence of a formal transitional justice process, right?

**Christian:** Precisely. And in the article that I wrote about this, I discussed three features of collective participation, namely (1) that it may increase TJ mechanisms relevance by recognizing human rights abuses committed by security actors,(2)that it may actually pressure state actors to undertake needed reforms aiming to deter specific human rights violations, and(3)that it may complement and enhance formal TJ mechanisms by underscoring guarantees of non-recurrence measures undertaken now this time by victimized masses to harness their agency and assert their justice demands.

**Tine:** Right. And so, these three elements that you're mentioning increasing TJ mechanisms relevance, putting pressure on state, complementing formal TJ mechanisms, how is that specific, I would say, to youth participation in transitional justice?

**Christian:** What I would like to say about that is that for me, I consider Lucha as a concrete example of how youth has mobilized collectively in the context of TJ in the DRC. Overall, though, the practice of TJ pays very limited attention to how youth could contribute to the development of the field. So, what I think is that by focusing on collective participation and on how it allows to shift our focus to informal and claimed spaces, we also open up more space to think about the role of youths who are often not involved really in formal processes.

**Tine:** It makes a lot of sense, but it also raises kind of the more, the underlying question, right, about why we should be talking more about youth participation in transitional justice to start with?

**Christian:** That's a very pivotal question indeed, Tine. And I think for me, I will start by saying that growing up in eastern Congo, I have always been passionate about youth civic engagement. So, having lived through a large part of the Congo conflict, I've been privileged to be part of several grassroots youth led peace and justice initiatives in the DRC. Still none has left really indelible impact on me regarding its potential to influence political change and contribute to the TJ justice discourse like Lucha. So, I think we should be talking more about youth participation in TJ, first to foster the

field's inclusiveness of groups that are very least involved in TJ mechanisms. Secondly is to understand the relevance of TJ mechanisms to youth groups and also to encourage more explicitly and intergenerational learning and complementarity in approaches that seek to deal with legacies of human rights violations.

**Tine:** And I think you're very nicely us towards, you know, the work that Lucha is doing. So, there I would maybe, Henry, want to turn to you, as a member of Lucha, a youth movement that was created in 2012 in Goma. First again, I want to thank you for accepting the invitation to be here and maybe to start, could you contextualize a little bit for our listeners what Lucha is, what it does, what it wants to do, just a bit of a general introduction to the movement? [00:08:26][29.3]

**Henry:** As you have mentioned, Lucha started in 2012 with a small group of young women and men who gathered to express their frustration about the general chaotic situation in the DRC. Transitional justice framework is relevant for the movement, given its centeredness on the victims and survivors rights. In that regards, the movement has been for the past 10 years advocating for the rights of Congolese trapped in cycles of ongoing violence and has fostered youth civic engagement in demanding state accountability for everyday political and socio economic violations affecting the masses. On a personal level, I timidly joined the movement as a sympathetic member back in 2013 shortly after I was returning from my studies in Kampala. I came across the Lucha's manifesto for translation and I directly related to the movement's spirit, that I offered to do the job free of charge. In 2015, I moved to Goma and have actively participated in the movement's activities since then.

**Tine:** That's really interesting because what I hear you say is that it's really TJ's concern with victims and victim participation that actually led Lucha to adopt transitional justice as, say the most relevant framework to be addressing human rights issues, right, if I understand you correctly. And I think that's really relevant also for our listeners, because we talk a lot, of course, about participation in this podcast and that that's really what drew Lucha into the narrative in a way of transitional justice. What it also makes me wonder what you just said is if you think, you know, think about your experience of activism in the DRC and in light also of recent developments on the possibility of developing a national strategy on transitional justice in the DRC. I was wondering if you could say a bit more about some of the hurdles that you have been experiencing with Lucha, some of the hurdles to youth participation especially in that context.

**Henry:** I would say there are manifold challenges to youth participation and I will discuss some to illustrate. The main challenge lies into the intrinsic and systemic functioning of the Congolese state when it comes to having the right people acting in the right role to serve the benefits of the majority, rather than falling into political considerations. Linked to this challenge and relevant for TJ, is the recent appointment of individuals reported to have committed heinous crimes in the past, to act in official sensitive roles. For example, Mr. Tommy Tambwe, the current coordinator of the [New Disarmament and Demobilization Program](#), is a former senior member of a rebellion, which committed serious human rights crimes that are very well documented in key reports such as the UN Mapping Report, which you cited earlier. This appointment deepened mistrust and caused considerable hostility from the general Congolese civil societies, including the Lucha. Another important challenge is the political leaders perceptions of the country's youth, rather than being considered as partners and collaborators at some points back in the years we were even assimilated to terrorist groups. Several of our comrades were sent to prison for years on zero rational basis. And lastly, on April 30th, 2021, the current regime decreed a state of siege in the North Kivu and Ituri provinces, with no prior consultation with grassroots organizations. The state of siege has been an utter failure and has exacerbated insecurity in the eastern Congo overall. To decry the increasingly deteriorating contexts of civilians safety, the Lucha launched, a series of peaceful demonstrations which have been severely repressed by the Congolese National Police using lethargic forces. On

January 24th, as we celebrated three years of ineffective governance in the DRC, a third activist of the Lucha was shot dead by the police in Beni. Mumbere Ushindi was only 20 years old. All he wanted was his government to hear his voice, to hear the voices of Congolese youth. All these concerns are important to take note of when it comes to meaningful youth participation in TJ in the DRC.

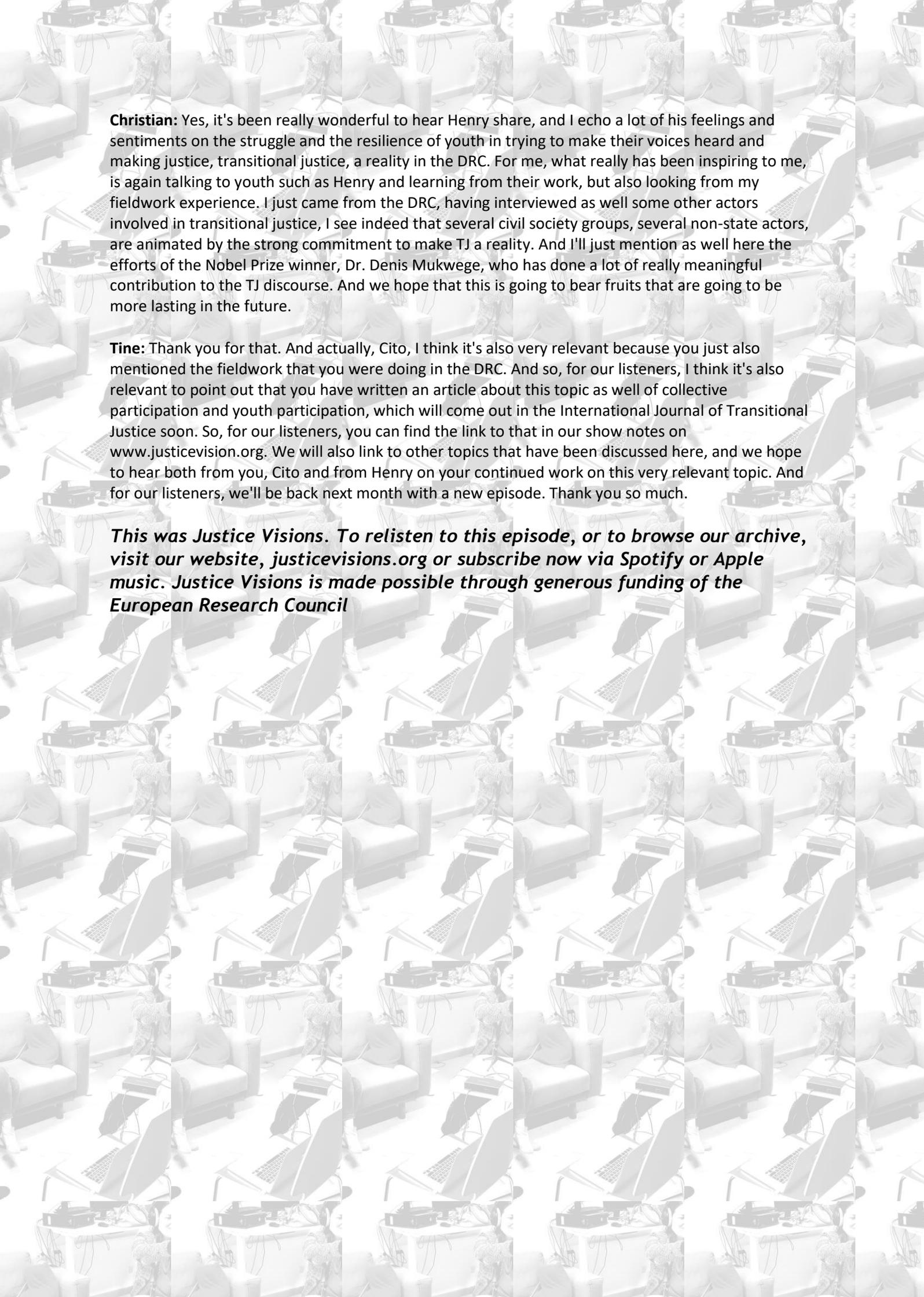
**Tine:** I think what you're saying is also really giving us a bit of an insight into the kind of context that you're working in, right? It's the general challenges I would say that you're facing in terms of human rights abuses, in terms of transitional justice. And then the added value, as you correctly point out, that youth can sometimes be targeted in that context as well, right? So, I can only start to imagine how challenging that is, and I would maybe also want to follow up with a different question, which is about some of the achievements of Lucha in this context, right? Say an example of when you felt proud of the movement's efforts to , contribute to the TJ process or contribute to the prevention of specific human rights abuses. Because I can imagine that that is also part of the story, no?

**Henry:** 10 years down the road. Lucha has collected some little victories, one that I really feel most proud, is the movement's contribution to the efforts that led to the former president, Joseph Kabila, to step down back in 2018. Through sustained protests of Lucha across the country, denouncing the unconstitutional attempt of President Kabila to seek to remain in power beyond his final term, which ended in 2016, the movement amplified and galvanized voices of Congolese youth, decrying the violation of the Constitution by President Kabila. I feel proud of having been part of this struggle. On top of my mind is also the movement's involvement since May 2020 in the non-renewal of SEMLEX contracts by the Congolese government. [SEMLEX](#) is a Belgian company, which was previously in charge of producing Congolese biometric passports at an exorbitant price of three hundred dollars. To date, the cost has been sliced to hundred fifty dollars average. The Congolese passport has long been a luxury in views of its price and source of enrichment for some of the Congolese leaders. These had considerably hampered freedom of movement for several Congolese during this era, travel should no longer be a privilege of the few.

**Tine:** That's really relevant, and it's a really hands on experience that makes it very tangible what you do and also how these different kinds of rights violations, I would say, or not having access to one's rights rather, how they are intertwined, I think that is very insightful. Maybe as we're slowly approaching the end of our conversation as well, I would want to ask you a question that we ask of all our guests. When you think of LUCHA's next steps, where do you find inspiration? Are there other movements? Are there other organizations whose work you find worthwhile and where you feel that this is in a way where the future of participation, or the future of transitional justice lies?

**Henry:** I draw inspiration from fellow Congolese youth that love our blessed nation. And one who inspired me the most is Luc Nkulula, who was cruelly assassinated by arson on June 10th at his house in Goma. Rest to his soul. For six years, Luc Nkulula devoted his life to activism. His whole being, his possessions, were devoted to his passion for social justice. To understand Luc Nkulula's civic engagement, you just had to approach him. His words and his actions express, on one hand, the indignation with the Congolese tragedy and on the other hand, an unwavering commitment to be on the side of those who think of solutions. Luc is my hero and the flame of his spirit of courage and commitment, that flame kept alive by fellow women and men like Ngalukiye Espoir, or Micheline Mwandike still inspire me to continue speaking out about all forms of injustices befell on Congolese people.

**Tine:** It is very inspiring indeed. Cito, can I ask you the same question also as a wrap up to the conversation, also coming from a similar context and background as Henry, where you are looking for inspiration, where you see interesting things happening on the topic that we are talking about today?



**Christian:** Yes, it's been really wonderful to hear Henry share, and I echo a lot of his feelings and sentiments on the struggle and the resilience of youth in trying to make their voices heard and making justice, transitional justice, a reality in the DRC. For me, what really has been inspiring to me, is again talking to youth such as Henry and learning from their work, but also looking from my fieldwork experience. I just came from the DRC, having interviewed as well some other actors involved in transitional justice, I see indeed that several civil society groups, several non-state actors, are animated by the strong commitment to make TJ a reality. And I'll just mention as well here the efforts of the Nobel Prize winner, Dr. Denis Mukwege, who has done a lot of really meaningful contribution to the TJ discourse. And we hope that this is going to bear fruits that are going to be more lasting in the future.

**Tine:** Thank you for that. And actually, Cito, I think it's also very relevant because you just also mentioned the fieldwork that you were doing in the DRC. And so, for our listeners, I think it's also relevant to point out that you have written an article about this topic as well of collective participation and youth participation, which will come out in the International Journal of Transitional Justice soon. So, for our listeners, you can find the link to that in our show notes on [www.justicevision.org](http://www.justicevision.org). We will also link to other topics that have been discussed here, and we hope to hear both from you, Cito and from Henry on your continued work on this very relevant topic. And for our listeners, we'll be back next month with a new episode. Thank you so much.

***This was Justice Visions. To relisten to this episode, or to browse our archive, visit our website, [justicevisions.org](http://justicevisions.org) or subscribe now via Spotify or Apple music. Justice Visions is made possible through generous funding of the European Research Council***