

UNIVERSITY OF UTRECHT

European Master's Degree in Human Rights and Democratisation

A.Y. 2014/2015

Gender perspective in the
South African and East-Timorese
Truth and Reconciliation Commissions

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Abstract

For this thesis it was carried out a study about gender perspective in the South African Truth and Reconciliation Commission and the East-Timorese Commission for Reception, Truth and Reconciliation. It was studied individually each of these commissions and in the conclusion it was made a comparison between them, bringing out both the good practices and the flawed points, and how the evolution of gender mainstreaming in the international instruments have influenced both commissions. An armed conflict affects men and women in different ways. The numbers show that more men than women suffer severe human rights violations. Nevertheless women are more vulnerable to become victim of sexual violence, which causes great trauma. Because of the inevitable harm, females have to deal not just with the trauma caused by the violence, but also with the discrimination and ostracism in their own communities. Debates on international level directed to an examination about the role of women in countries in transition and in the processes of transitional justice. Later, it developed to discussions on gender issues in truth commissions and the particular suffering faced by women and girls and their special needs. South Africa had the first Truth and Reconciliation Commission to have a concern on women's issues. Despite great efforts to uncover the truth and promote to reconciliation of the population, the TRC turned a blind eye to the issue of sexual violence as human rights violation against women and the consequences of the conflict in their lives. The gender-neutral position adopted by the TRC resulted in absence of gender mainstreaming. The consequence was reflected in a lack of sensitivity on different ways that women and men experienced the conflict. The result is that the special female needs were not taken into account. On the other hand, the Commission for Reception, Truth and Reconciliation in East Timor evolved this concept and effectively implemented gender mainstreaming. Sexual crimes were investigated and the special needs of women and girls have been met. Moreover it was analysed the violation of economic, social and cultural rights of women. Fifty per cent of the reparations were destined for women, because the commission recognized a bigger vulnerability of women. However, the flawed point was the non-investigation of forced maternity, which was understood not as a crime *per se*, but as a mere consequence of rape.

Keywords: Transitional Justice. Truth and Reconciliation Commission. Gender. Gender mainstreaming. South Africa. East Timor.

Table of Contents

Abstract	5
Table of Acronyms	7
1. INTRODUCTION	11
2. METHODOLOGY	14
3. HISTORICAL BACKGROUND ON WOMEN’S RIGHTS AND GENDER IN TRANSITIONAL JUSTICE PROCESSES	15
3.1 Historical development of Women’s Rights as Human Rights	15
3.2 The situation of women in post-colonialism	21
3.3 The concept of gender in human rights law	23
3.4 The idea of Gender Mainstreaming	25
3.5 The gendered limits of traditional approaches to transitional justice	26
3.6 Truth and Reconciliation Commissions	28
3.6.1 How the idea of truth commissions was created.....	31
3.6.2 Gender perspective in the Truth and Reconciliation Commissions.....	32
4. SOUTH AFRICA	38
4.1 A Brief of South African History	39
4.2 South African Truth and Reconciliation Commission	41
4.2.1 Composition of the TRC	42
4.2.2 Mandate of the Truth and Reconciliation Commission.....	43
4.2.3 Investigating and Documenting Gendered Human Rights Violations.....	45
<i>a) Definition of gross violations of human rights</i>	47
<i>b) Rape qualified as severe ill-treatment</i>	48
<i>c) Women’s participation</i>	49
<i>d) Special hearings</i>	50
4.2.4 Amnesty	52
4.2.5 Types of Truth – a creation of the South African TRC	53
4.2.6 Reconciliation and Reparation	55

4.3 Preliminary Conclusion.....	59
5. EAST TIMOR	61
5.1 A Brief of Timorese History	61
5.2 The Situation and the Role of the Women during the Conflict.....	64
5.3 Truth Commission in East Timor (CAVR).....	67
5.3.1 The Composition of the CAVR	69
5.3.2 Mandate of the CAVR	70
5.3.3 Investigating and documenting gendered human rights violations.....	71
a) <i>Sexual Violence</i>	72
b) <i>Violation on Reproductive Rights</i>	75
c) <i>Economic Rights</i>	77
5.3.4 Support and Reparation for Women.....	79
5.4 Preliminary Conclusion.....	83
6. CONCLUSION	84
BIBLIOGRAPHY	93