

## Effect of human security law & International Criminal Court (ICC) or regional equivalents on food security and nutrition & health security

Participation in transitional justice has an adverse effect on mental health outcomes.

Geographic focus: sub-Saharan Africa

Effect: Large negative effect ( $g=-0.65$ )

Confidence in study findings: Low (1 study with 10 effect sizes)

### Short summary

The one study in the cell examines the effect of transitional justice - namely the Gacaca tribunals in Rwanda - on mental health. All the measured emotions - sadness, anger, shame, guilt, disgust, fear and anxiety - all worsened for both victims and perpetrators after the trial compared to before (other than anger for perpetrators). Community-level emotional health also deteriorated.

The cell examined whether collective rituals, like Rwanda's adapted gacaca system, could modify a nation's emotional climate after conflicts. Gacaca tribunals involved community discussions with survivors and accused prisoners. Prisoners expressing guilt received sentence reductions. Emotional analysis revealed decreased anger post-trial, while sadness, fear, and guilt increased, particularly for prisoners. The evidence, based on one quasi-experimental study in Rwanda, highlights gacaca as a unique legal-social intervention having a large effect on the emotional impacts of past atrocities.

### Long summary

#### *The intervention*

Given that the International Criminal Tribunal for Rwanda (ICTR) lacked the capacity to handle the large number of alleged perpetrators of the genocide, a traditional Rwandan community-based conflict resolution system called *gacaca* was transformed and adapted for judging all those accused of participation in the genocide. Gacaca tribunals were created throughout the country to act as a transitional justice mechanism. Court officials were persons of integrity elected by the inhabitants of cells, sectors, districts, and provinces. Prisoners are brought before the tribunal in the community where they allegedly committed a crime. In their presence, survivors and the entire community discuss the alleged acts, providing testimony and counter-testimony. Prisoners who confess before the proceedings and ask for forgiveness can benefit from reductions in sentences.

#### *How the intervention is expected to work*

Transitional justice like the Gacaca tribunals in Rwanda work by helping communities the human rights abuses which took place during the genocide. They are intended to ensure accountability, serving justice, achieving reconciliation, and preventing future violations. The process should lead to a feeling of closure, so that traumas can be addressed, and general the general mental health environment improve as a result of reconciliation.

#### *The evidence base*

The cell contains one quasi-experimental study and one qualitative study (Brouneus 2008), both concerning Rwanda (2) and one systematic review.

### *Evidence findings*

#### **The review evidence**

The systematic review (Holder and Englezos, 2023) is a review of the global evidence of the effect of engagement in the justice system - either domestic or international. There were four included studies which assess victim emotional or psychological recovery outcomes. The direction of effect for these outcomes is not reported.

#### *The impact evaluation evidence*

Involvement in the gacaca trial had a large negative effect on the emotional health of the prisoners. All seven negative emotions - sadness, anger, shame, guilt, disgust, fear and anxiety - increased amongst both prisoners and perpetrators (with the one exception of anger amongst perpetrators). The overall emotional environment also deteriorated.

In more detail, there are three main findings. The first, which concerns sadness, fear, disgust, shame, and anxiety, is the deterioration was larger for survivors than for prisoners. For anger, prisoners expressed a lower level of anger after than before the Gacaca. Responses about guilt revealed yet another pattern. As expected, a significant increase was observed among prisoners, *and* an insignificant decrease was observed among survivors. For the general emotional climate item, prisoners thought the emotional climate was better than did survivors. At the same time, the general emotional climate was perceived to be worse than before the Gacaca trial.

#### *Included study*

There is 1 impact evaluation and 1 systematic review in the cell. An evidence summary of the impact study is provided here.

**Kanyangara (2007)** draws on Durkheim's (1912) theory of collective rituals to predict that participation in the gacaca would involve a reactivation of negative emotions in both victims and perpetrators, and so would also negatively affect the perceived emotional climate. The study had a quasi-experimental design. Among prisoners, 150 were contacted and 70 agreed to contribute, with 50 of them who completed all the forms before and after the trial. The study found a significant adverse effect on anger, fear, and on guilt. Not surprisingly, prisoners expressed less anger and fear than survivors. In contrast, prisoners reported substantially more guilt than survivors. The general emotional climate was perceived to be worse after than before the gacaca trial ( $P < 0.01$ ). The study was rated as medium confidence as it is a non-experimental study.

#### *Confidence assessment*

Overall low confidence as there is only one study in the cell.

#### *Link to review summaries*

Holder (2023)

All studies may be accessed via the EGM.