

# **THE PATRIARCHY OF INTERNATIONALIZED TRANSFORMATIVE JUSTICE?**

EU SUPPORT FOR GENDER JUSTICE IN TUNISIA AND  
UKRAINE

Elise Ketelaars, LLB, LLM  
Faculty of Arts, Humanities and Social Sciences, University of Ulster

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bibliography

# TABLE OF CONTENTS

DECLARATION .....	8
ABSTRACT .....	9
ACKNOWLEDGEMENTS .....	11
LIST OF FIGURES .....	12
ACRONYMS .....	13
<b>1. INTRODUCTION: The EU, ‘the patriarchy of internationalized transitional justice’ and transformative gender justice solutions .....</b>	<b>15</b>
<i>1.1 INTRODUCTION</i> .....	15
<i>1.2 BACKGROUND TO THE STUDY</i> .....	16
1.2.1 The patriarchy of internationalized transitional justice .....	17
1.2.2 Feminist transformative justice solutions .....	21
<i>1.3 FOCUS OF THIS RESEARCH</i> .....	23
<i>1.4 AIMS AND OBJECTIVES</i> .....	28
<i>1.5 CONTRIBUTION TO KNOWLEDGE</i> .....	30
<i>1.6 STRUCTURE OF THE THESIS</i> .....	32
<b>2. THEORY: Bridging the gap between feminist theory on international engagement with transitional justice and feminist transformative justice theory .....</b>	<b>36</b>
<i>2.1 INTRODUCTION</i> .....	36
<i>2.2 THE LIMITS OF INTERNATIONALIZED TRANSITIONAL JUSTICE PRACTICE</i> .....	37
<i>2.3 THE POLITICS BEHIND ‘THE PATRIARCHY OF INTERNATIONALIZED TRANSITIONAL JUSTICE’</i> .....	42
<i>2.4 THE PROMISE OF LOCALLY INSPIRED SOLUTIONS FOR THE PROBLEMS OF ‘THE PATRIARCHY OF INTERNATIONALIZED TRANSITIONAL JUSTICE’</i> .....	47
<b>2.5 THE LIMITS OF THE LOCAL</b> .....	<b>54</b>
2.5.1 The absence of distributive outcomes .....	54
2.5.2 Competing agendas of local gender justice actors .....	56
2.5.3 Co-option of gender justice efforts at the local level .....	63
<i>2.6 CONCEPTUALIZING TRANSFORMATIVE JUSTICE AND INCLUDING LOCAL GENDER JUSTICE OPPORTUNITY STRUCTURES IN THE EQUATION</i> .....	66
2.6.1 A tri-partite conceptualization of transformative justice .....	66
2.6.2 Including local gender justice opportunity structures in the equation.....	68
<i>2.7 CONCLUSION</i> .....	72
<b>3. METHODOLOGY: Researching EU support for gender justice in Tunisia and Ukraine .....</b>	<b>74</b>
<i>3.1 INTRODUCTION</i> .....	74
<i>3.2 RESEARCH DESIGN</i> .....	76
3.2.1 A qualitative case study approach .....	77
3.2.2 Justifying the use of a multi-level case study design.....	78
3.2.3 Case study selection.....	85

3.2.4 Operationalizing the case study design .....	90
3.2.5 Conclusion .....	92
<b>3.3 DATA COLLECTION.....</b>	<b>93</b>
3.3.1 Methods to understand ‘the what’ and ‘the why’ of EU engagement with gender justice in Tunisia and Ukraine .....	94
3.3.2 The sources for documentary analysis .....	102
3.3.3 The interviewing sample.....	110
3.3.4 A reflexive account of the interviews .....	118
3.3.5 Conclusion .....	128
<b>3.4 DATA ANALYSIS.....</b>	<b>130</b>
3.4.1 Qualifying the nature of EU engagement with gender justice in transition .....	130
3.4.2 Qualifying the drivers behind EU engagement with gender justice in transition .....	133
<b>3.5 ETHICS.....</b>	<b>138</b>
<b>3.6 CONCLUSION.....</b>	<b>141</b>
<b>4. CASE STUDY BACKGROUND: The EU’s policy commitments, and gender justice opportunity structures in Tunisia and Ukraine .....</b>	<b>145</b>
<b>4.1 INTRODUCTION.....</b>	<b>145</b>
<b>4.2 GENDER JUSTICE PRIORITIES IN THE EU POLICY FRAMEWORK ON SUPPORT FOR TRANSITIONAL JUSTICE .....</b>	<b>146</b>
4.2.1 The Framework: A prioritization of mainstream gendered transitional justice goals over a transformative approach towards transitional justice.....	146
4.2.2 The EU’s support for forward-looking gender justice initiatives in transition .....	154
4.2.3 Conclusion .....	157
<b>4.3 TUNISIA’S GENDER JUSTICE OPPORTUNITY STRUCTURE .....</b>	<b>158</b>
4.3.1 Gendered Harms in Tunisia.....	159
4.3.2 Gender politics in Tunisia .....	162
4.3.3 Avenues for gender justice in Tunisia .....	168
4.3.4 The EU’s relations with and foreign policy priorities in Tunisia.....	181
4.3.5 Conclusion - Gender Justice in Tunisia: Gendered Harms, Avenues for Change, And (Gender) Politics.....	185
<b>4.4 UKRAINE’S GENDER JUSTICE OPPORTUNITY STRUCTURE.....</b>	<b>185</b>
4.4.1 Gendered harms in Ukraine.....	186
4.4.2 Gender politics in Ukraine .....	190
4.4.3 Avenues for gender justice in Ukraine .....	194
4.4.4 The EU’s relations with and foreign policy priorities in Ukraine.....	211
4.4.5 Conclusion - Gender Justice in Ukraine: Gendered Harms, Avenues for Change, And Gender Politics.....	216
<b>4.5 CONCLUSION.....</b>	<b>217</b>
<b>5. FINDINGS I: The EU’s support for gender justice in transition in Tunisia and Ukraine in practice .....</b>	<b>220</b>
<b>5.1 INTRODUCTION.....</b>	<b>220</b>
<b>5.2 FINANCIAL SUPPORT FOR EFFORTS TO DEAL WITH THE PAST IN TUNISIA AND ONGOING CONFLICT IN UKRAINE.....</b>	<b>221</b>
5.2.1 EU financial support for efforts to deal with the past in Tunisia .....	226
5.2.2 EU financial support for efforts to deal with the ongoing conflict in Ukraine .....	230
5.2.3 Conclusion .....	236
<b>5.3 POLITICAL SUPPORT FOR EFFORTS TO DEAL WITH THE PAST IN TUNISIA AND THE ONGOING CONFLICT IN UKRAINE.....</b>	<b>237</b>
5.3.1 EU use of political/economic leverage to support efforts to deal with the past in Tunisia .....	240
5.3.2 EU use of political/economic leverage to support efforts to deal with the ongoing conflict in Ukraine.....	244

5.3.3 Conclusion.....	250
<b>5.4 EU SUPPORT FOR FUTURE-FOCUSED GENDER JUSTICE EFFORTS IN TUNISIA AND UKRAINE.....</b>	<b>251</b>
5.4.1 EU support for the fight against the continuum of violence in practice in Tunisia	252
5.4.2 EU support for the fight against the continuum of violence in practice in Ukraine	257
5.4.3 Conclusion: Forward-looking legislative and institutional reform as preferred vehicles for EU support for gender justice in transition.....	265
<b>5.5 CONCLUSION.....</b>	<b>266</b>
<b>6. FINDINGS II: The drivers behind EU support for gender justice in transition in Tunisia and Ukraine .....</b>	<b>269</b>
<b>6.1 INTRODUCTION.....</b>	<b>269</b>
<b>6.2 THAT WHAT DOES NOT DRIVE EU SUPPORT WITH GENDER JUSTICE IN TRANSITION: POLICY COMMITMENTS AND GRASSROOTS GENDER JUSTICE PRIORITIES.....</b>	<b>271</b>
<b>6.3 HOW TO EXPLAIN THE EU'S LACK OF MEANINGFUL ENGAGEMENT WITH MAINSTREAM GENDERED TRANSITIONAL JUSTICE EFFORTS?..</b>	<b>275</b>
6.3.1 The local politics behind the lack of EU engagement with mainstream (gendered) transitional justice efforts .....	276
6.3.2 The local gender politics behind the EU's selective engagement with future focused gender justice efforts .....	287
6.3.3 Conclusion.....	292
<b>6.4 CO-OPTION OF TRANSFORMATIVE APPROACHES TOWARDS GENDER JUSTICE IN TRANSITION.....</b>	<b>293</b>
<b>6.5 DEFINING TRANSFORMATIVE.....</b>	<b>296</b>
6.5.1 Can internationalized transitional justice practice be transformative? A post-colonial feminist perspective.....	298
6.5.2 Conceptualizing a more transformative approach to supporting gender justice in transition: A practical perspective .....	302
<b>6.6 CONCLUSION.....</b>	<b>307</b>
<b>7. DISCUSSION: Diversifying feminist transitional justice scholarship to meet the demands of a field and a global order in transition .....</b>	<b>311</b>
<b>7.1 INTRODUCTION.....</b>	<b>311</b>
<b>7.2 DEVELOPMENTS IN THE FIELD OF TRANSITIONAL JUSTICE.....</b>	<b>312</b>
7.2.1. A widening of the conceptual boundaries of internationalized transitional justice practice.....	313
7.2.2 A widening of the geographical boundaries of internationalized transitional justice practice.....	319
7.2.3 Conclusion.....	325
<b>7.3 DEVELOPMENTS IN INTERNATIONAL POLITICS.....</b>	<b>326</b>
7.3.1 The impact of the EU's embrace of 'principled pragmatism' on its approach towards gender justice in transition .....	328
7.3.2 The consequences of more pragmatism for the feminist study of 'the patriarchy of internationalized transitional justice' .....	337
7.3.3 Putting the 'Protection' P back at the centre of analysis.....	341
<b>7.4 CONCLUSION: METHODOLOGICAL INNOVATION TO FACILITATE THE CREATION OF A DIVERSIFIED THEORY OF 'THE PATRIARCHY OF INTERNATIONALIZED TRANSITIONAL JUSTICE'.....</b>	<b>348</b>
<b>8. CONCLUSION: The patriarchy of internationalized transformative justice?.....</b>	<b>351</b>
<b>8.1 INTRODUCTION.....</b>	<b>351</b>

<b>8.2 THE NATURE OF AND MOTIVATIONS BEHIND EU GENDER JUSTICE SUPPORT IN TUNISIA AND UKRAINE: CO-OPTING TRANSFORMATIVE JUSTICE APPROACHES?</b> .....	<b>353</b>
8.2.1 The nature of EU engagement with gender justice in Tunisia and Ukraine .....	354
8.2.2 The drivers behind EU engagement with gender justice in Tunisia and Ukraine .....	357
<b>8.3 THEORETICAL INNOVATION</b> .....	<b>361</b>
<b>8.4 METHODOLOGICAL INNOVATION</b> .....	<b>364</b>
<b>8.5 DEVELOPING A FEMINIST (RESEARCH) AGENDA FOR INTERNATIONALIZED TRANSITIONAL JUSTICE PRACTICE</b> .....	<b>368</b>
8.5.1 Enhancing understanding of the nature of, drivers behind and impact of internationalized transitional justice support .....	368
8.5.2 Understanding the impact of international support for gender justice in transition	370
8.5.3 Developing a bottom-up feminist agenda for internationalized transitional justice practice .....	373
8.5.4 Identifying institutional inroads for improving international actors' performance as gender justice supporters .....	375
<b>8.6 CONCLUDING REMARKS</b> .....	<b>375</b>
<b>BIBLIOGRAPHY</b> .....	<b>377</b>
Academic literature.....	377
Publications by international organizations and national governments .....	398
Think thank pieces, NGO reports, articles in news media and other sources .....	400
Legislation and treaties.....	406
EU documents.....	408
<b>APPENDICES</b> .....	<b>412</b>
<b>APPENDIX I: CODING MANUAL</b> .....	<b>412</b>
<b>APPENDIX II: LIST OF EU BUDGETARY COMMITMENTS</b> .....	<b>468</b>
Relevant EU commitments per category (Transitional Justice, Gender, Justice, Security) .....	468
Complete overview of all EU commitments per instrument.....	477
EU commitments in Tunisia and Ukraine under the ENI/ENPI .....	477
EU commitments in Tunisia and Ukraine under the EIDHR.....	521
EU commitments in Tunisia and Ukraine under the IcSP.....	530
EU commitments in Tunisia and Ukraine under the Instrument for Development Cooperation .....	533
<b>APPENDIX III: STATEMENTS ON TRANSITIONAL JUSTICE AND VAW IN ANNUAL EU HUMAN RIGHTS REPORTS</b> .....	<b>540</b>
Statements on transitional justice Tunisia .....	540
Statements on transitional justice Ukraine .....	540
Statements on VAW and gender equality Tunisia.....	544
Statements on VAW and gender equality Ukraine.....	544
<b>APPENDIX IV: PUBLIC STATEMENTS ON TRANSITIONAL JUSTICE AND VAW BY HIGH-RANKING EU OFFICIALS</b> .....	<b>546</b>
Statements on Ukraine.....	546
Statements on Tunisia.....	548
<b>APPENDIX V: LIST OF INTERVIEWEES</b> .....	<b>550</b>
List of interviewees Brussels .....	550
List of interviewees Tunisia .....	550
List of interviewees Ukraine .....	551
<b>APPENDIX VI: PARTICIPANT INFORMATION SHEET</b> .....	<b>552</b>





**DECLARATION**

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**ABSTRACT**

One of the aims of feminist transitional justice scholarship is to identify remedies for international transitional justice actors' tendency to use support for gender justice in transition to advance other foreign policy goals. A feminist transformative justice agenda, which emphasizes the need to address the continuum of violence, has been put forward as a potential antidote. This thesis examines the extent to which this agenda is equipped to fulfil this aim through an analysis of EU support for past and future focused gender justice efforts in Tunisia and Ukraine embedded in in-depth knowledge of the local (gender) politics that are shaping both countries transitions.

It finds that while the EU's engagement with gender justice in both countries has been shaped by ulterior political considerations, the EU has actually prioritized support for efforts that address 'everyday' Gender-Based Violence instead of politically motivated Sexual and Gender-Based Violence. As such, this thesis questions the merit of a feminist definition of transformative justice around a predetermined set of harms. Instead it argues for the adoption of a diversified theory of 'the patriarchy of internationalized transitional justice', and the embrace of a definition of 'transformative' that is centred around the notion of challenging vested interests of powerful elites.

In light of recent developments in the field of transitional justice itself and global politics, these theoretical goals require methodological innovation. Case study selection needs to reflect that today a broader range of transitions falls within the remit of internationalized transitional justice practice than fifteen years ago. Moreover, reliance on analysis of policy documents as the core tool to identify international actors' priorities in the realm of gender justice in transition should be reduced. This will safeguard reliability of data about international actors' support for gender justice in transition in a context where these actors are adopting ever more sophisticated WPS

rhetoric while simultaneously embracing more 'pragmatic' overarching foreign policy agendas.

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**LIST OF FIGURES**

Table 3.1: EU Annual Action Programmes and Special Measures analysed in the context of this thesis	104
Table 3.2: Total number of EU budgetary commitments under ENPI/ENI per year	106
Table 3.3: Total number of EU budgetary commitments under EIDHR per year	106
Table 3.4: Total number of EU budgetary commitments under IcSP per year	107
Table 3.5: Total number of EU Budgetary commitments under the Instrument for Development Cooperation per year	107
Table 5.1: EU budgetary commitments supporting efforts to deal with the past in Tunisia	222
Table 5.2: EU budgetary commitments supporting efforts to deal with the ongoing conflict in Ukraine	223
Table 5.3: EU budgetary commitments supporting efforts to deal with GBV in Tunisia	253
Table 5.4: EU budgetary commitments supporting efforts to deal with GBV in Ukraine	258

**ACRONYMS**

AA	Association Agreement
ATFD	Association Tunisienne des Femmes Démocrates
ATO	Anti-Terrorist Operation
AFTURD	L'Association des Femmes Tunisiennes pour la Recherche sur le Développement
CEDAW	Convention on the Elimination of all Forms of Discrimination Against Women
COLIBE	La Commission des Libertés Individuelles et de l'Egalité
CSO	Civil Society Organization
CSDP	Common Security and Defence Policy
CT	Counterterrorism
CVE	Countering Violent Extremism
EEAS	European External Action Service
EIDHR	European Instrument for Democracy and Human Rights
ENI	European Neighbourhood Instrument
ENP	European Neighbourhood Policy
ENPI	European Neighbourhood Partnership Instrument
ESS	European Security Strategy
EU	European Union
EUAM	European Union Advisory Mission
EUGS	European Union Global Strategy
FTS	Financial Transparency System
GAP	Gender Action Plan
GBV	Gender-Based Violence
GEWE	Gender equality and women's empowerment
GIZ	Deutsche Gesellschaft für Internationale Zusammenarbeit
HRMMU	Human Rights Monitoring Mission Ukraine
HRW	Human Rights Watch
IACtHR	Inter-American Court of Human Rights
ICC	International Criminal Court
ICL	International Criminal Law
IDP	Internally Displaced Person
IcSP	Instrument contributing to Stability and Peace
ICTJ	International Centre for Transitional Justice
iNGO	International Non-Governmental Organizations
IO	International Organization
MENA	Middle East and North Africa
NAP	National Action Plan
NGO	Non-governmental Organization
OHCHR	Office of the High Commissioner for Human Rights
OSCE	Organization of Security and Co-operation in Europe
PVE	Preventing Violent Extremism
SGBV	Sexual and Gender-Based Violence
SGUA	Ukraine Support Group
SMM	Special Monitoring Mission
TDC/IVD	Truth and Dignity Commission/Instance Vérité et Dignité
TJI	Transitional Justice Institute

UN	United Nations
UNDP/PNUD	United Nations Development Program
UNGA	United Nations General Assembly
UNFPA	United Nations Population Fund
UNSC	United Nations Security Council
UNSCR	United Nations Security Council Resolution
USAID	United States Agency for International Development
VAW	Violence Against Women
WPS	Women, Peace and Security

# 1. INTRODUCTION: The EU, ‘the patriarchy of internationalized transitional justice’ and transformative gender justice solutions

## *1.1 INTRODUCTION*

In 2015, European Union (EU) High Representative for Foreign Affairs and Security Policy, Frederica Mogherini, took the stage at the High-Level Conference: Achieving Gender Equality – Challenges and Opportunities in the ENP to confirm the EU’s commitment to the promotion of gender equality abroad, stating:

Gender equality is not simply a moral duty, and a matter of social justice, of equal access.

Granting the same rights to men and women – the very issue that brings us here today – makes our societies richer and more secure. It is a matter of development, and a matter of peace and security, not purely a matter of principles.<sup>1</sup>

This statement is exemplary of the EU’s reinvigorated approach to the promotion of women’s rights abroad that gained steam in with the adoption of its second Gender Action Plan (GAP) in 2015.<sup>2</sup> Inspired by this combination of revived enthusiasm for the promotion of women’s rights abroad on the EU’s behalf, and the EU’s adoption of its first transitional justice strategy around the same period,<sup>3</sup> this thesis selected the EU as a

<sup>1</sup> EEAS, Speech by the HR/VP Mogherini at the International High-Level Conference: Achieving Gender Equality – Challenges and Opportunities in the European Neighbourhood Policy, Tbilisi 2015. Available at:

[https://ec.europa.eu/delegations/georgia/5905/node/5905\\_ru](https://ec.europa.eu/delegations/georgia/5905/node/5905_ru), accessed 23 July 2019.

<sup>2</sup> European Commission & High Representative of the European Union for Foreign Affairs and Security Policy, Gender Equality and Women’s Empowerment: Transforming the Lives of Girls and Women through EU External Relations 2016-2020, Brussels, 21.9.2015 SWD(2015) 182 final.

<sup>3</sup> Council of the European Union, EU’s support to transitional justice – Council Conclusions, 13576/15, 16 November 2015. Annexed to it is: European Commission & High Representative of the Union for Foreign Affairs and Security Policy, Joint Staff Working Document: The EU’s Framework on Support to Transitional Justice, SWD(2015) 158 final, Brussels.

case study to look into international engagement with transformative gender justice in transition.

Through an in-depth study of EU engagement with gender justice in transition in Tunisia and Ukraine in the wake of the Arab Spring and the Maidan, this thesis examines the viability of solutions suggested in feminist transformative justice scholarship to act as a remedy for the flaws of what Ní Aoláin has coined ‘the patriarchy of internationalized transitional justice’.<sup>4</sup> By interpreting these findings against recent developments in global politics and the field of transitional justice itself, this thesis suggests a number of methodological and theoretical innovations that could put feminist (transformative) transitional justice scholarship in a better position to address the challenges of contemporary internationalized transitional justice practice. This introductory chapter sets out the background to this study, specifies its focus, lists its aims and objectives, highlights its added value and provides an outline of the chapters that follow.

## ***1.2 BACKGROUND TO THE STUDY***

This thesis draws on and contributes to two bodies of literature in feminist transitional justice scholarship: 1) feminist critiques of internationalized transitional justice practice, and 2) feminist forays into transformative approaches to the promotion of gender justice in transition.<sup>5</sup> The latter body of literature is based mostly on research with

<sup>4</sup> Fionnuala Ní Aoláin, ‘Women, security, and ‘the patriarchy of internationalized transitional justice’ (2009) 31(4) *Human Rights Quarterly* 1055.

<sup>5</sup> Jelke Boesten and Polly Wilding, ‘Transformative gender justice: Setting an agenda’ (*Women's Studies International Forum Elsevier*, 2015) 75; Wendy Lambourne and Vivianna R Carreon, ‘Engendering Transitional Justice: a Transformative Approach to Building Peace and Attaining Human Rights for Women’ (2015) *Human Rights Review* 1; Niamh Reilly, ‘Seeking gender justice in post-conflict transitions: towards a transformative women’s human rights approach’ (2007) 3(2) *International Journal of Law in Context* 155, Ruth Rubio-Marín and International Center for Transitional Justice., *The gender of reparations: unsettling sexual hierarchies while redressing human rights violations* (Cambridge University Press [in association with] International Center for Transitional Justice 2009), Natalia Szablewska and Olga Jurasz, ‘Sexual and gender-based violence: the case for transformative justice in Cambodia’ (2018) *Global Change, Peace & Security* 1, Sahla Aroussi, ‘Perceptions of Justice and



female victims and activists in societies in transition on the ground, and insights derived from it have been put forward as a remedy for the flaws of ‘the patriarchy of internationalized transitional justice’. However, little research into international support for gender justice in societies in transition has explored international actors’ engagement through the comprehensive gender justice lens suggested in transformative gender justice literature.

### ***1.2.1 The patriarchy of internationalized transitional justice***

Internationalization is a central factor in feminist transitional justice scholarship. No meaningful discussion of the advances that have been made in relation to the recognition of gendered harms in contemporary transitional justice practice is complete without consideration of the role that international law and the internationalization of transitional justice practice have played in this process.<sup>6</sup> At the same time, internationalization can neither be neglected in any meaningful discussion about the limited contribution contemporary transitional justice practice has made to the accomplishment of tangible gender justice gains for women in societies in transition.<sup>7</sup> Over the last decade, in absence of the type of women’s rights victories that incited feminist optimism about internationalization in the late 1990s and early 2000s, the latter

Hierarchies of Rape: Rethinking Approaches to Sexual Violence in Eastern Congo from the Ground up’ (2018) *International Journal of Transitional Justice*, Madeleine Rees and Christine Chinkin, ‘Exposing the Gendered Myth of Post Conflict Transition: The Transformative Power of Economic and Social Rights’ (2015) 48 *NYU Journal of International Law & Politics* 1211.

<sup>6</sup> Catherine O’Rourke, ‘Dealing with the Past in a Post-Conflict Society: Does the Participation of Women Matter-Insights from Northern Ireland’ (2012) 19 *William & Mary Journal of Women & Law* 35: 38; Otto D, ‘Challenging the New World Order: International Law, Global Democracy and the Possibilities for Women’ (1993) 3 *Transnational Law & Contemporary Problems* 371.

<sup>7</sup> Sabine Hirschauer, *The securitization of rape: Women, war and sexual violence* (Springer 2014); Ní Aoláin (n4); Sarah Smith, ‘When “gender” started’: the United Nations in post-occupation Timor-Leste’ (2015) 27(1) *Global Change, Peace & Security* 55; Louise Chappell, ‘The role of the ICC in transitional gender justice: Capacity and limitations’ in *Gender in Transitional Justice* (Springer 2012); Rosemary Nagy, ‘Transitional justice as global project: Critical reflections’ (2008) 29(2) *Third World Quarterly* 275; Kiran Grewal, ‘Rape in conflict, rape in peace: Questioning the revolutionary potential of international criminal justice for women’s human rights’ (2010) 33(1) *Australian Feminist Law Journal* 57; Kiran Grewal, ‘International criminal law as a site for enhancing women’s rights? Challenges, possibilities, strategies’ (2015) 23(2) *Feminist Legal Studies* 149.

type of discussions has dominated feminist transitional justice scholarship.<sup>8</sup> Moreover, the tenor of these discussions has shifted increasingly from being focused on the role of the definitional constraints of international law, to the role of political calculations in holding back the advancement of progressive gender justice gains.<sup>9</sup> This sensitivity to the role of politics in shaping international approaches towards gender justice in transition is in the DNA of this thesis.

The relation between feminists and international legal frameworks has always been contentious. As Charlesworth, Chinkin and Wright have remarked ‘both the structures of international lawmaking and the content of the rules of international law privilege men; if women’s interests are acknowledged at all, they are marginalized’.<sup>10</sup> Nevertheless, international law has been one of the core vehicles to advance progressive gender justice goals through transnational women’s rights advocacy.<sup>11</sup> The 1990s feminist scholarly approach towards international law, which is at the basis of what would become the subfield of feminist transitional justice studies,<sup>12</sup> therefore was characterized by a spirit of ‘simultaneous engagement and critique’.<sup>13</sup> Important gains, such as the recognition of various conflict-related gendered harms as crimes that should trigger legal and political responses, were secured in part thanks to these contributions to the debate.<sup>14</sup> This provided feminist scholars with the impression that ‘the doctrine and institutions of international law have never been more supportive of delivering

<sup>8</sup> Lucy Fiske, 'The Rise (and Fall?) of Transitional Gender Justice: A Survey of the Field' in *Rethinking Transitional Gender Justice* (Springer 2019).

<sup>9</sup> Margaret E Keck, Kathryn Sikkink, *Activists beyond borders: Advocacy networks in international politics* (Cambridge University Press 1998).

<sup>10</sup> Hillary Charlesworth, Christine Chinkin and Sally Wright, 'Feminist approaches to international law' (1991) 85(4) *American Journal of International Law* 613: 614-615.

<sup>11</sup> Sally Engle Merry, *Human rights and gender violence: Translating international law into local justice* (University of Chicago Press 2009), Radhika Coomaraswamy, *Preventing Conflict, Transforming Justice, Securing the Peace: A Global Study on the Implementation of United Nations Security Council Resolution 1325* (United Nations 2015): 103.

<sup>12</sup> Fionnuala Ní Aoláin, 'Advancing feminist positioning in the field of transitional justice' (2012) 6(2), *International Journal of Transitional Justice* 205.

<sup>13</sup> Catherine O'Rourke, *Gender politics in transitional justice* (Routledge 2013): 7.

<sup>14</sup> Keck and Sikkink 1998 (n9).

positive human rights outcomes for women from domestic processes of transitional justice'.<sup>15</sup>

However, empirical research demonstrates that in spite of these definitional advances concrete gender justice gains for women largely failed to materialize in various contexts where international law and its institutions played a dominant role in attempts to pursue accountability for past wrongs.<sup>16</sup> More specifically, feminist scholars have found that transitional justice efforts have reinforced hierarchies of harms that exclude a large share of the harms most commonly experienced by women.<sup>17</sup> These hierarchies prioritize bodily harms resulting from civil and political rights violations inflicted on victims during narrowly delineated time frames of conflict and repression. These are the types of harms most commonly suffered by men. This approach excludes various types of violence that dominate many women's experience of conflict and repression – e.g. socio-economic rights violations – and neither allows for consideration of the fact that much of the violence women encounter in their lives is not bound to exceptional political circumstances.<sup>18</sup>

In view of these observations, concerns about the restraining nature of international law as a framework to advance tangible gender justice goals have remained squarely at the centre of the strand of feminist transitional justice scholarship that approaches the field through a legal paradigm.<sup>19</sup> However, feminist transitional justice

<sup>15</sup> O'Rourke 2013 (n13): 7.

<sup>16</sup> Annika Björkdahl and Johanna Mannergren Selimovic, 'Gendered justice gaps in Bosnia–Herzegovina' (2014) 15(2) *Human Rights Review* 201.

<sup>17</sup> Diana Sankey, 'Towards recognition of subsistence harms: Reassessing approaches to socioeconomic forms of violence in transitional justice' (2013) 8(1) *International Journal of Transitional Justice* 121.

<sup>18</sup> Monica McWilliams and Fionnuala Ní Aoláin, 'There is a War Going on You Know': Addressing the Complexity of Violence Against Women in Conflicted and Post Conflict Societies' (2013) 1(2) *Transitional Justice Review* 4; Helen Moffett, 'These women, they force us to rape them': Rape as narrative of social control in post-apartheid South Africa' (2006) 32(1) *Journal of Southern African Studies* 129.

<sup>19</sup> Louise Chappell, 'Nested Newness and Institutional Innovation: expanding gender justice in the international criminal court' in *Gender, politics and institutions* (Springer 2011); Monica Ingber, 'Gender Imaginaries, Child Soldiering, and International Criminal Law' in *The Asian Yearbook of Human Rights and Humanitarian Law* (Brill Nijhoff 2019).

scholarship on international support for gender justice in transition has increasingly situated analysis outside the realm of law into the domain of international politics. In this body of work, legal frameworks to advance women's rights in transition are approached as relatively malleable institutions at the grace of international actors, who implement or neglect them according to their broader political interests.<sup>20</sup> Besides being reflective of a feminist fatigue with international law,<sup>21</sup> it seems driven by the fading of boundaries between feminist peacebuilding and transitional justice scholarship,<sup>22</sup> and characterized by a discussion of gender justice efforts in the wider framework of international engagement with the Women, Peace and Security Agenda (WPS Agenda).<sup>23</sup> This thesis falls within this tradition in the sense that it recognizes the important role of political calculations in driving international engagement with gender justice in transition.<sup>24</sup> However, it is not only interested in how these calculations are reflected in international actors' prioritization of pursuing accountability for Sexual and Gender-Based Violence (SGBV), but also how they might affect international actors' support for other types of gender justice efforts; particularly those identified as potentially transformative.

<sup>20</sup> Karen Engle, 'Calling in the Troops: The Uneasy Relationship among Women's Rights, Human Rights, and Humanitarian Intervention' (2007) 20 *Harvard Human Rights Journal* 189; Maria Jansson and Maud Eduards, 'The politics of gender in the UN Security Council resolutions on women, peace and security' (2016) 18(4) *International feminist journal of politics* 590.

<sup>21</sup> Anette Bringedal Houge and Kjersti Lohne, 'End impunity! Reducing conflict-related sexual violence to a problem of law' (2017) 51(4) *Law & Society Review* 755.

<sup>22</sup> Gina Heathcote and Diana Otto, *Rethinking peacekeeping, gender equality and collective security* (Springer 2014).

<sup>23</sup> Cynthia Enloe, *Manoeuvres: The international politics of militarizing women's lives* (University of California Press 2000), Sahla Aroussi, 'Women, Peace and Security': addressing accountability for wartime sexual violence' (2011) 13(4) *International Feminist Journal of Politics* 576.

<sup>24</sup> Ruti Teitel, 'The law and politics of contemporary transitional justice' (2005) 38 *Cornell International Law Journal* 837.

### ***1.2.2 Feminist transformative justice solutions***

What changes are required to put transitional justice as a field in a better position to pursue meaningful gender justice outcomes for women? This question is at the core of what this thesis refers to as feminist transformative justice scholarship.<sup>25</sup> While scholarship on ‘the patriarchy of internationalized transitional justice’ focuses mostly on identifying the flaws in the system in its current shape, feminist transformative scholarship focuses on the search for solutions. This has resulted in a broad range of suggestions of gender justice issues and efforts that should be incorporated into mainstream transitional justice practice in order to make sure that 1) the wide range of gendered harms experienced by women during conflict and repression are addressed, and 2) the efforts to address these harms put female victims and women as a group in a better position than before conflict or repression uprooted their lives.<sup>26</sup>

Delineating the exact scope of the feminist transformative justice lens is challenging as while feminist transformative justice scholarship is on the rise, a universally accepted definition that identifies the core components of a transformative justice approach has failed to materialize yet.<sup>27</sup> Nevertheless, key aspects of a feminist approach towards transformative justice are identifiable in this growing body of literature.<sup>28</sup> Based on a review of key contributions to feminist transformative justice literature – to be discussed in more depth in chapter 2 - this thesis argues that a transformative approach towards gender justice in transition consists of three elements: 1) formal transitional justice efforts to pursue accountability for narrowly defined politically motivated sexual and gender-based violence (SGBV) against women, 2)

<sup>25</sup> Boesten and Wilding 2015 (n5); Fionnuala Ní Aoláin, ‘Transformative gender justice?’ in *From Transitional to Transformative Justice* (Cambridge University Press 2019).

<sup>26</sup> Ní Aoláin 2012 (n12).

<sup>27</sup> Attempts to comprehensively define what constitutes being ‘transformative’ have been made in relation to individual transitional justice mechanisms such as reparations: Fionnuala Ní Aoláin, Catherine O’Rourke and Aisling Swaine, ‘Transforming reparations for conflict-related sexual violence: Principles and practice’ (2015) 28 *Harvard Human Rights Journal* 97: 142.

<sup>28</sup> Ní Aoláin 2019 (n25).

formal and informal efforts to pursue justice for a wider range of harms – including what Sankey refers to as subsistence harms - experienced directly as a result of conflict or repression,<sup>29</sup> and 3) more future-focused attempts at legislative and institutional reform to break the continuum of violence experienced by women regardless of the prevalence of conflict and repression.<sup>30</sup> This thesis uses the term support for gender justice in transition to refer to these three categories taken together. The term gendered transitional justice is used to refer to mainstream transitional justice efforts that fall within the first category.

An important characteristic of feminist transformative justice scholarship is that it draws inspiration from the local. This is in line with a feminist research ethos which emphasizes the importance of including and highlighting the experiences of (marginalized) women in knowledge creation.<sup>31</sup> This body of scholarship, however, has paid significantly less attention to what happens when these solutions meet the ‘patriarchy of internationalized transitional justice’. This is an important gap in the scholarship as in the current transitional justice landscape international actors play an important role at the financial and political level in advancing and shaping ‘local’ transitional justice efforts.<sup>32</sup> Neglecting this reality comes at the risk of rendering the transformative gender justice agenda less equipped to contribute to real life progressive

<sup>29</sup> Diana Sankey, 'Gendered Experiences of Subsistence Harms a Possible Contribution to Feminist Discourse on Gendered Harm?' (2015) 24(1) *Social & Legal Studies* 25.

<sup>30</sup> Rubio Marín 2009 (n5).

<sup>31</sup> Caroline Ramazanoglu and Jannet Holland, *Feminist methodology: Challenges and choices* (Sage 2002).

<sup>32</sup> Thomas Obel Hansen, 'The vertical and horizontal expansion of transitional justice: Explanations and implications for a contested field' in *Transitional justice theories* (Routledge 2013): 207; Charles T Call, 'Is transitional justice really just' (2004) 11 *Brown Journal of World Affairs* 101; Rupert Skilbeck, 'Funding Justice: The Price of War Crimes Trials' (2008) 15(3) *Human Rights Brief* 2; William Muck and Eric Wiebelhaus-Brahm, 'External Transitional Justice Funding: Introducing a New Dataset' (2016) 11(2) *Journal of Peacebuilding & Development* 66; Victor Peskin, *International justice in Rwanda and the Balkans: virtual trials and the struggle for state cooperation* (Cambridge University Press 2008); Rachel Kerr, *The International Criminal Tribunal for the Former Yugoslavia: an exercise in law, politics, and diplomacy* (Oxford University Press 2004); Jelena Subotić, 'The paradox of international justice compliance' (2009) 3(3) *International Journal of Transitional Justice* 362; Marlene Spoerri, 'Justice Imposed: How Policies of Conditionality Effect Transitional Justice in the Former Yugoslavia' (2011) 63(10) *Europe-Asia Studies* 1827.

gender justice outcomes, and is emblematic of what O'Rourke has referred to as a 'de-politicizing impulse' consuming feminist transitional justice scholarship.<sup>33</sup>

### ***1.3 FOCUS OF THIS RESEARCH***

This thesis is interested in engagement of international transitional justice actors with gender justice in transition through support for both mainstream transitional justice as well as past and future focused transformative gender justice efforts. It employs the term international actor to refer to the states and international organizations (IOs) that have used their political weight and considerable financial resources to support the adoption and implementation of transitional justice measures abroad. It analyses the support of one such actor, the EU, for gender justice in Tunisia and Ukraine through the conceptual transformative gender justice framework described in section 1.2.2. In doing so it connects feminist scholarship on 'the patriarchy of internationalized transitional justice' and feminist transformative justice scholarship. The analysis relies on multiple types of comparisons to provide insight in 1) the factors which determine the nature of the EU's engagement with gender justice in transition, and 2) the extent to which feminist transformative justice scholarship is equipped to identify and provide solutions for the flaws of contemporary internationalized transitional justice practice.

As will be discussed in chapter 3, the research relies on analysis of relevant EU documents and in-depth interviews with EU officials and other actors working on gender justice in transition in Brussels, Tunisia and Ukraine to provide a comprehensive picture of EU engagement with gender justice in transition in Tunisia and Ukraine in the wake of their respective revolutions. When the thesis alludes to the EU it refers to the EU as a supranational entity rather than its individual Member States. It therefore

<sup>33</sup> Catherine O'Rourke, 'Feminist scholarship in transitional justice: a de-politicising impulse?' (Women's Studies International Forum Elsevier 2015) 118.

only looks into the actions supported directly from the EU budget and/or supported and carried out by EU institutions such as the Council, Commission and European External Action Service (EEAS). The actions the thesis takes into account are 1) financial support for different types of efforts that aim to advance gender justice in transition, 2) gender mainstreaming of relevant fields of EU external action (notably justice and security sector reform (SSR)), and 3) the EU's use of diplomatic tools (public statements, economic conditionality and in the Ukrainian case sanctions) to support efforts aimed at advancing gender justice goals.

Looking into the EU's record as a supporter of gender justice in transition is important. This is first of all the case simply because in general transitional justice scholarship has failed to provide in-depth accounts of the role transitional justice support plays in major international actors' foreign policy activities. In this regard Arthur has noted:

There is no shortage in the literature on transitional justice (TJ) of discussion of the role of international norms in shaping the practice of TJ. Researchers and observers have written incisively about “reconciling” global norms and local agency, how such norms are “negotiated” by local actors “on the ground,” the importance of TJ “from below” led by “grassroots activists,” “localizing” TJ, and “dilemmas of the global and local.” But what about the role of international assistance in TJ, and in particular, financial aid from governments? The challenges in addressing the issue are substantial: there is a dearth of data on such financial flows; donor agencies may offer little public insight into their decision-making; qualitative research among donors faces practical and political difficulties, simply in terms of identifying the right people and getting them to agree to an interview; and, finally, the sheer range of actors involved would be daunting to any researcher.<sup>34</sup>

Against this background of a general dearth of information on international actors' engagement with transitional justice, the EU is a particularly under-explored entity,

<sup>34</sup> Paige Arthur, ‘Why Do Donors Choose to Fund Transitional Justice?’ in *Transitional Justice, International Assistance, and Civil Society: Missed Connections* (Cambridge University Press 2018): 209.



despite the fact that it has been an important player in this realm. The EU has historically been a core financial backer of transitional justice efforts worldwide, and particularly of the legal institutions erected to deal with large-scale, grave human rights violations.<sup>35</sup> Nevertheless, academic literature on the EU's activities in this realm is relatively scarce.<sup>36</sup> This seems to be related to the fact that only in 2015 the EU published its first policy on transitional justice 'The EU's Framework on Support to Transitional Justice' (hereafter: the Framework), publicly positioning itself as an international transitional justice actor.<sup>37</sup>

As the introduction has highlighted, this publication coincided with a period in which the EU has started to seriously gear up its women's rights rhetoric. While doing so, the EU has also embraced some transformative gender justice language. However, existing analyses of EU engagement with the WPS Agenda imply that the EU's approach in this regard has been characterised by high levels of opportunism.<sup>38</sup> Taken

<sup>35</sup> The EU has been amongst other things been the core financial backer of the ICC. Council of the European Union 2015 (n3).

<sup>36</sup> Notable exceptions to this gap in the literature are Davis' comprehensive analysis of the EU's approach towards transitional justice, which was conducted before the publication of the Framework, and the work of various other scholars and think-tank experts on EU engagement with transitional justice in the Balkans in particular. When it comes to the gendered dimensions of the EU's approach towards transitional justice, the literature review conducted for this research has identified the existence of only one relevant working paper which contains a textual analysis of the new policy framework by Maria Martín de Almagro. Laura Davis, EU foreign policy, transitional justice and mediation: principle, policy and practice (Routledge 2014); Maria Martín de Almagro, 'Transitional justice and women, peace and security: a critical reading of the EU framework' (2017) LSE Women, Peace and Security Working Paper Series, 5/2017.

Other relevant publications include: Iavor Rangelov, 'Democracy or stability? European approaches to justice in peace and transitional processes' (2014) 5(2) Global Policy 191; Katy A Crossley-Frolick, 'The European Union and transitional justice: Human rights and post-conflict reconciliation in Europe and beyond' (2011) 3(1) Contemporary readings in law and social justice 33; Iavor Rangelov, 'A regional approach to justice? Rethinking EU justice policies in conflict and transition' (2011) Policy Brief (May 2011), European Policy Centre Brussels; Igor Rangelov and Maria Theros, 'Transitional justice in Bosnia and Herzegovina: coherence and complementarity of EU institutions and civil society' in *Building a Future on Peace and Justice* (Springer 2009); Olivera Simic, *The European Union and the Western Balkans: Time to move away from retributive justice?*, in *The EU and Member State Building: European Foreign Policy in the Western Balkans*, 191 (Routledge, 2015); Thomas Unger, *The European Union and transitional justice* (TMC Asser Institute 2010).

<sup>37</sup> Council of the European Union 2015 (n3).

<sup>38</sup> Critiques of the EU's engagement with GEWE in general and WPS specifically are numerous, and some of them do indeed suggest that that the EU's engagement with women's rights abroad is driven by the type of political calculations that have been identified as drivers of 'the patriarchy of internationalized transitional justice'. Based on textual analysis of the EU's 2008 Comprehensive Approach towards WPS

together, these initial observations further strengthen the case for zooming in on the EU for an in-depth examination of what happens when transformative gender justice ideals collude with the reality of international gender justice politics.

Beyond providing a descriptive account of EU engagement with gender justice in Tunisia and Ukraine, the thesis also identifies the factors that have shaped the nature of this engagement. To do so, it relies on a comparison between what the EU says it does, what it actually does, and what it could be doing in Tunisia and Ukraine. To make these comparisons, the thesis looks at three levels of information: 1) how the EU depicts its approach towards each of the above discussed gender justice activities in generic policy documents, 2) what opportunities exist to support each of these gender justice efforts in Tunisia and Ukraine and how various local actors have positioned themselves in relation to these opportunities (the local gender justice opportunity

Hannah Muehlenhoff has for instance found that the EU's focus on women's empowerment and participation in security efforts fits in with the neoliberal nature of EU foreign policy. In its security efforts the EU approaches women in the first place in their capacity as human resources which can be utilized to further stability or peace without much consideration for the security and well-being of these individuals themselves. Laura Davis' recent feminist analysis of core EU foreign policy documents such as the 2016 EU Global Strategy detects a heavy emphasis on the role of European women in security operations in line with an overall shift in the direction of more focus on hard security in EU foreign policy. In relation to EU CSDP missions Nadine Ansoorp and Toni Haastrup argue that the initial design of the EU CSDP mission in Ukraine (EUAM) constrained the inclusion of gender issues, echoing Maria Adriana Deiana and Kevin McDonagh's assessment that on the ground the importance of gender mainstreaming is only recognized in as far as it is considered to contribute to predetermined security goals.

Hannah Muehlenhoff, 'Victims, soldiers, peacemakers and caretakers: the neoliberal constitution of women in the EU's security policy' (2017) 19(2) *International Feminist Journal of Politics* 153; Maria-Adriana Deiana and Kenneth McDonagh, 'It is important, but...': translating the Women Peace and Security (WPS) Agenda into the planning of EU peacekeeping missions' (2018) 6(1) *Peacebuilding* 34; Laura Davis, *Kissing the frog: Gender equality in EU conflict prevention and other fairy tales* (2018) EU-CIVCAP; Nadine Ansoorp and Toni Haastrup, 'Gender and the EU's Support for Security Sector Reform in Fragile Contexts' (2018) 56(5) *JCMS: Journal of Common Market Studies* 1127.

See also: Roberta Guerrina and Katherine A Wright, 'Gendering normative power Europe: lessons of the Women, Peace and Security agenda' (2016) 92(2) *International Affairs* 293; Maria Stern, 'Gender and race in the European security strategy: Europe as a 'force for good?'' (2011) 14(1) *Journal of International Relations and Development* 28; Annika Kronsell, 'Sexed Bodies and Military Masculinities Gender Path Dependence in EU's Common Security and Defense Policy' (2015) *Men and Masculinities*.

structure), and 3) how the EU engages with each of these opportunities in reality. To allow for structured comparison the thesis uses the tripartite conceptualization of gender justice in transition discussed in section 1.2.2 as a guiding framework. This exercise contributes to establishing the balance between the role of global – universal - gender justice commitments and local gender justice opportunity structures in shaping EU engagement with gender justice in practice.

By using Tunisia and Ukraine (with a focus on transitional justice initiatives around the conflict in the Donbas region) as case studies at the local level, this thesis breaks with the tendency in feminist scholarship on internationalized transitional justice practice, to mostly focus on international engagement with from war-to-peace transitions in Sub-Saharan African and South-East Asian countries whose conflicts were characterized by large scale occurrence of conflict-related SGBV. Tunisia's experience qualifies as a transition from authoritarianism to democracy. The Donbas conflict is a low-intensity war with relatively few instances of conflict-related SGBV. Both countries are situated on the borders of Europe. In adopting such a focus this research can provide clarity on the applicability of dominant feminist theories on the nature of internationalized transitional justice practice in non-typical case study contexts.

To the extent that the findings demonstrate that solutions suggested by feminist transformative justice proponents are not addressing the gaps in the EU's approach towards gender justice in transition in Tunisia and Ukraine, this thesis also uses comparative analysis to enhance understanding of why the findings from this thesis deviate from dominant insights in the literature. More specifically, it compares the research design – choice of case studies and methods – underlying this thesis, against the types of research designs that have usually been employed by feminist scholars to grasp the nature of international engagement with gender justice in transition. This

comparison serves to understand how methodological choices might explain the differences in findings between this thesis and the literature it builds on. It links these findings to broader developments in the field of transitional justice itself and global politics, to suggest advances at the theoretical and methodological level that could put feminist transitional justice scholarship in a stronger position to address the challenges posed by contemporary transitional justice practice.

#### ***1.4 AIMS AND OBJECTIVES***

The research aims to contribute to the development of feminist theory and methodology in the field of transitional justice – particularly feminist transformative justice scholarship - through the provision of original insights about the EU’s engagement with gendered transitional justice in third countries in practice. As such, the main research question this thesis aims to answer is: How to enhance the ability of feminist transitional justice scholarship to respond to the political realities of the contemporary internationalized transitional justice environment? To answer this question, the thesis identified six research objectives:

- 1. To identify and categorize EU gender justice policy priorities:** What does the EU imply its priorities are with regard to support for gender justice in transition in relevant policy documents? Where are these priorities situated in the tripartite conceptualization of gender justice in transition at the core of this thesis?
- 2. To identify and categorize local gender justice opportunity structures:** What is the local gender justice opportunity structure for each of the three components of the tripartite conceptualization of the feminist transformative justice agenda in Tunisia and Ukraine? What are the priorities of different local actors, and how do these priorities

differ from what are considered to be mainstream gendered transitional justice priorities?

**3: To identify and categorize EU gender justice efforts in practice:** What type of gender justice efforts does the EU support in Tunisia and Ukraine? Where should one locate the EU's actions in practice on the tripartite transformative gender justice conceptualization?

**4. To identify the factors that drive EU engagement with gender justice in transition by comparing EU gender justice efforts against local gender justice opportunity structures and international gender justice priorities:** When comparing the EU's gender justice activities in Tunisia and Ukraine in practice with what are considered to be international actors' gendered transitional justice priorities and the local gender justice opportunity structure, where should the EU's approach be situated? What does this imply about the factors driving EU engagement with gender justice in transition?

**5. To identify how choices at the level of research design and methodology have affected the extent to which this thesis' findings do not align with dominant insights from feminist theory:** When comparing the findings of this thesis with common feminist insights about the nature of international gender justice support and the drivers behind these efforts, what are the similarities and differences? In case of differences how can the research design of this thesis, compared to the approaches feminist studies on 'the patriarchy of internationalized transitional justice' most commonly rely upon, explain these differences?

**6. To provide suggestions for theoretical and methodological innovations that will render feminist transitional justice better equipped to respond to the challenges posed by contemporary internationalized transitional justice practice.**

What type of approaches are most suited to capture international actors' engagement

with gender justice in transition in view of recent developments in the field of transitional justice itself, global approaches towards human rights and global actors' gender justice rhetoric?

### ***1.5 CONTRIBUTION TO KNOWLEDGE***

Feminist transitional justice scholarship aims to contribute to the realization of progressive gender justice outcomes for women in societies in transition.<sup>39</sup> To do so, it needs to accurately identify problems and come up with realistic solutions for them. This thesis' added value - besides providing a detailed picture of the gender justice activities of an under-researched transitional justice actor – therefore resides in its identification of theoretical and methodological innovations feminist transitional justice scholarship should embrace to provide more pointed solutions to the flaws of 'the patriarchy of internationalized transitional justice'. As discussed in the background section, feminist transformative justice scholarship has suggested various improvements to mainstream transitional justice practice to arrive at more meaningful gender justice outcomes. However, when it comes to addressing the flaws of 'the patriarchy of internationalized transitional justice', this thesis has found that these solutions did not address the gaps in the EU's engagement with gender justice in Tunisia and Ukraine. In fact, the EU's political interests in, and relations with Tunisia and Ukraine make it more inclined to engage with forward-looking transformative gender justice efforts, than with the type of mainstream gendered transitional justice efforts, international actors have been found to prioritize in other contexts.

'The patriarchy of internationalized transitional justice' thus is a multi-headed beast, and solutions identified as remedies for the flaws of 'the patriarchy of

<sup>39</sup> Christine Bell and Catherine O'Rourke, 'Does feminism need a theory of transitional justice? An introductory essay' (2007) 1(1) *International Journal of Transitional Justice* 23.

internationalized transitional justice' in feminist transformative justice scholarship are not addressing all of its many appearances. By looking into the methodological specifics of this research – case study choice and methods – this thesis finds that its reliance on atypical case studies and analysis of EU activities on the ground rather than policy documents might account for the differences between the picture painted by this research and dominant feminist critiques of international engagement with gender justice in transition. Interpreting these findings in light of recent developments in the field of transitional justice itself and global politics more broadly speaking, this thesis concludes that as this thesis' case studies speak to these developments, its findings present an urgent case for diversification at the theoretical and methodological level in feminist scholarship on 'the patriarchy of internationalized transitional justice'.

More specifically, this thesis calls for less reliance on analysis of policy documents to enhance understanding of the nature of and drivers behind international engagement with gender justice as 1) due to a shift towards more interest-based foreign policy at the global level, policy documents seem to become ever more remote from the reality on the ground, and because 2) due to an enlargement of the scope of transitions being of interest to internationalized transitional justice practice, generic policy language is decreasingly unable to provide a comprehensive and adequate picture of international actors' priorities in the field of gendered transitional justice. This thesis, therefore, argues in favour of more contextualized analyses of the functioning of the patriarchy of transitional justice. This approach should cover a wider range of country contexts than those that have traditionally dominated feminist scholarship on international transitional justice support, in order to account for the inclusion of a wider range of transitions in the scope internationalized transitional justice practice.

These innovations at the methodological level should go hand in hand with developments at the level of feminist theory. Here the thesis argues that the notion

‘transformative’ should not necessarily be defined in terms of a predetermined set of mechanisms or harms, but rather in terms of the extent to which actions challenge vested interests or address under-addressed gender justice issues, when suggested as a remedy for the flaws of internationalized transitional justice practice.

### ***1.6 STRUCTURE OF THE THESIS***

The thesis consists of eight chapters: this introductory chapter, a theoretical framework chapter, methodology chapter, case study background chapter, two findings chapters, a discussion chapter discussing the theoretical and methodological implications of these findings, and a conclusion.

Chapter 2 discusses the two strands of feminist transitional justice theory that constitute the theoretical backbone of this thesis. It finds that feminist scholars have increasingly searched for solutions to the flaws of ‘the patriarchy of internationalized transitional justice’ by studying female victims’ demands and (feminist) grassroots gender justice initiatives, because these demands and approaches acknowledge a much wider range of gendered harms than internationalized transitional justice practice traditionally has. It, however, argues that neither critiques of ‘the patriarchy of internationalized transitional justice’, nor feminist transformative justice scholarship, have taken into account how local gender politics might impact the type of gender justice efforts international actors will support.

Chapter 3 elaborates on research methodology, justifying the choice for a multi-level case study design as the vehicle for the examination of the extent to which transformative gender justice solutions address the flaws of ‘the patriarchy of internationalized transitional justice’, that is sensitive to the impact of international and local gender justice politics. It also provides a reflexive account of the reliance on elite-



interviews as a primary method for data collection in a feminist thesis that aims to critically scrutinize powerful international actors.

Chapter 4 constitutes a more in-depth discussion of the EU's policy commitments to support for gender justice in transition, and the local gender justice opportunity structures, including the gender politics that have shaped gender justice efforts and discourses in Tunisia and Ukraine in the wake of their respective revolutions. This chapter is crucial to allow for insight in the extent to which EU support for gender justice in both countries is in line with its gender justice commitments on paper, and the extent to which the EU acquiesces to the gender justice priorities of local grassroots actors and/or political elites.

Chapter 5 is a detailed description of the EU's support for gender justice in Tunisia and Ukraine that distinguishes between the EU's support for the three different categories of gender justice in transition identified in section 1.2.2. This chapter covers both the financial support and political backing the EU has provided to gender justice in Tunisia and Ukraine. It finds that the EU has prioritized forward-looking gender justice initiatives over past-focused efforts of both a transformative and mainstream kind. These findings are significant as they refute some dominant insights about the nature of international support for gender justice in transition. They refute the notion that international actors are disproportionately focussed on addressing politically motivated instances of SGBV and have ignored the continuum of violence experienced by women.

Chapter 6 uses comparative analysis to examine to what extent EU policy commitments and/or local gender justice opportunity structures have shaped these outcomes. It compares the findings of chapter 5 to the insights discussed in chapter 4 and connects them to statements by EU representatives and other experts about the motivations driving EU engagement with gender justice in transition shared during

interviews. It argues that the similarities and differences in the nature of the EU's engagement with gender justice in Tunisia and Ukraine compared to information about local gender justice opportunity structures, imply that EU support for gender justice in transition is guided more by the intersection of EU foreign policy interests with those of local governing elites than by predefined international gender justice commitments. Statements by EU actors support this vision. This means that while the EU's engagement with gender justice in transition is vulnerable to co-option, the nature of the efforts that are co-opted differs from what are generally thought to be the gender justice efforts most vulnerable to instrumentalization.

Chapter 7 reflects on how choices at the level of research design might have influenced the type of EU engagement with gender justice in transition that this thesis has uncovered. It compares this thesis' choices at the level of case study selection and methods, to the methodological approaches that have dominated most other feminist studies on international support for transitional justice. It elaborates on the theoretical and methodological innovations discussed in the previous section.

Chapter 8 summarizes the findings of this thesis. It concludes that to enhance feminist transitional justice scholarship's ability to provide effective solutions for the flaws of 'the patriarchy of internationalized transitional justice' it needs to maintain its sensitivity to the ways in which broader political agendas shape international engagement with gender justice in transition. However, this requires acknowledgement of the fact that that these agendas exist on the local level as well, and that neither mainstream gendered transitional justice efforts nor transformative gender justice efforts are immune to being instrumentalized/co-opted to advance these agendas. It elaborates on a future research agenda for the feminist study of international engagement with gender justice in transition to overcome the limitations of this thesis, which both enhances insight in the nature and drivers behind international engagement

with gender justice in transition, as well as uses these findings to create a bottom-up feminist vision for internationalized transitional justice practice.

## **2. THEORY: Bridging the gap between feminist theory on international engagement with transitional justice and feminist transformative justice theory**

### ***2.1 INTRODUCTION***

Critiques of ‘the global’, and insistence on the need to incorporate ‘the local’ have become an ‘increasingly common trope in academic and policy discourse’ on transitional justice,<sup>40</sup> and feminist transitional justice scholarship is no exception to this trend. After section 2.2’s discussion of the flaws of ‘the patriarchy of internationalized transitional justice’, and feminist explanations for these flaws, section 2.3 argues that for locally-inspired solutions to be successful they need to address both conceptual lacunae as well as provide a strategy to overcome politically-motivated selective engagement with gender justice in transition. Section 2.4 demonstrates that feminist scholars have suggested a locally inspired feminist transformative justice agenda to overcome these flaws. However, section 2.5’s in-depth examination of accounts of transformative gender justice efforts that have been pursued in local contexts demonstrates that in reality these efforts have failed to tackle the hurdles erected by local (gender) politics. Based on these observations it argues that feminist transitional justice scholarship needs to enhance its understanding of ‘local gender justice opportunity structures’. The subjugation of gender justice support to broader political goals has also been found to be at the root of the failure of internationalized transitional justice practice to yield

<sup>40</sup> Dustin Sharp, 'Addressing Dilemmas of the Global and the local in Transitional Justice' (2014) 29 Emory International Law Review 71.

meaningful gender justice outcomes. Therefore, section 2.5 argues that it is important to examine more closely what happens when ‘the patriarchy of internationalized transitional justice’ meets the transformative gender justice concept. As such this chapter identifies the core aim of this thesis, with section 2.6 also setting out the conceptual framework that will facilitate this research to achieve this aim in a robust, structured manner.

## ***2.2 THE LIMITS OF INTERNATIONALIZED TRANSITIONAL JUSTICE PRACTICE***

The internationalization of transitional justice that kicked off in the 1990s, has gone hand in hand with increased recognition of the need to recognize women’s experiences of conflict and repression when designing and implementing measures to deal with the past. The recognition of rape as a war crime,<sup>41</sup> and the adoption of UNSCR 1325 are the most high-profile examples of this development.<sup>42</sup> However, paradoxically feminist scholars have found that the internationalization that initially catapulted women’s rights to the centre of transitional justice debates, is nowadays one of the key factors prohibiting the pursuit of such an agenda.<sup>43</sup>

When referring to transitional justice in its ‘traditional’ or ‘mainstream’ sense, this thesis refers to the definition put forward by the United Nations Secretary General in its 2004 report on the matter.<sup>44</sup> The surge of the systematic use of activities that fall

<sup>41</sup> Coomaraswamy 2015 (n11): 103.

<sup>42</sup> Susanne Willett, 'Introduction: Security Council Resolution 1325: assessing the impact on women, peace and security' (2010) 17(2) *International Peacekeeping* 142.

<sup>43</sup> Ní Aoláin 2009 (n4).

<sup>44</sup> The definition reads: “[Transitional justice comprises] the full range of processes and mechanisms associated with a society’s attempts to come to terms with a legacy of large-scale past abuses, in order to ensure accountability, serve justice and achieve reconciliation. These may include both judicial and non-judicial mechanisms, with differing levels of international involvement (or none at all) and individual prosecutions, reparations, truth-seeking, institutional re- form, vetting and dismissals, or a combination thereof.” U.N. Secretary-General, *The Rule of Law and Transitional Justice in Conflict and Post-conflict Societies*, 8, U.N. Doc. S/2004/616 (Aug. 23, 2004).

within the realm of this definition date back to early 1980s when a wave of transitions from authoritarianism to (free market) democracy in Latin American and - later - Eastern European created demand for tools to address legacies of violence and widespread human rights violations in times of political transition.<sup>45</sup> Since then the field has rapidly evolved. The most notable development in this regard has been the widening of the field's scope. Three decades after the 'third wave of democracy' that gave birth to transitional justice as a field of study and practice, the field is 'increasingly associated not just with narrow transitions to democracy, but with post-conflict peacebuilding more generally'.<sup>46</sup> This widening of scope has gone hand in hand with the field's move 'from the periphery of international attention and policymaking to the centre'.<sup>47</sup> While the early adopters of transitional justice initiatives implemented them without significant support of – or interference from - foreign actors, the 1990s and 2000s witnessed an explosive growth of international interest in and support for transitional justice, culminating in the above-mentioned landmark UN Secretary General report on transitional justice, which constituted 'an official institutional endorsement of transitional justice'.<sup>48</sup>

These latter developments have coincided with the recognition that transitional justice efforts need to recognize and address the gendered nature of harms inflicted on individuals and societies during times of conflict and repression:

[The] confluence of transitional justice expansion and the WPS agenda is motivating a dramatic broadening of feminist objectives in transitional justice. Whereas transitional justice activity

<sup>45</sup> Ruti Teitel, *Transitional justice* (Oxford University Press 2000).

<sup>46</sup> Dustin Sharp, 'Emancipating transitional justice from the bonds of the paradigmatic transition' (2014) 9(1) *International Journal of Transitional Justice* 150: 150.

<sup>47</sup> Dustin Sharp, 'Interrogating the Peripheries: The Preoccupations of Fourth Generation Transitional Justice' (2013) 26 *Harvard Human Rights Journal* 149: 156.

<sup>48</sup> *Ibid.*

motivated little feminist concern or engagement in the paradigmatic transitions of the Latin American Southern Cone, it is now an area of concerted feminist analysis, policy, and activism.<sup>49</sup> As a result of feminist advocacy that 'sought to extend the feminist energy and insights concerning violence against women (VAW) in international human rights law to the legal treatment of violence in international humanitarian law and ICL' wartime rape was recognized as a war crime.<sup>50</sup> The advances in the field of ICL coincided with similar developments in the field of international security politics. The notion that women and gender could no longer be neglected in this domain was picked up by those actors residing in 'the highest echelons of power' through the United Nations Security Council's (UNSC) adoption of Resolution 1325.<sup>51</sup> This resolution calls upon international actors to ensure women and gender are taken into account in all efforts related to conflict resolution and peacebuilding.<sup>52</sup> The Resolution contains a strong gendered transitional justice component as it '[e]mphasizes the responsibility of all States to put an end to impunity and to prosecute those responsible for genocide, crimes against humanity, and war crimes including those relating to sexual and other violence against women and girls, and in this regard stresses the need to exclude these crimes where feasible from amnesty provisions'.<sup>53</sup>

As, in spite of historical evidence of the recurring wide scale use of strategic rape in conflict settings, the harms resulting from it had historically been understood to just be 'collateral damage',<sup>54</sup> these developments inspired a certain level of feminist

<sup>49</sup> O'Rourke 2012 (n6): 38. Their goal was to assure that no longer would any relevant body of international law be 'blind to sexual violence perpetrated against women in war'.

<sup>50</sup> Catherine O'Rourke, 'International law and domestic gender justice: why case studies matter' (2011) Transitional Justice Institute Research Paper.

<sup>51</sup> Janet Halley, *Split decisions: How and why to take a break from feminism* (Princeton University Press 2008), Catherine O'Rourke, 'Walk [ing] the halls of power? Understanding women's participation in international peace and security' (2014) 15 *Melbourne Journal of International Law* 14.

<sup>52</sup> S/RES/1325 (2000).

<sup>53</sup> *Ibid* Paragraph 11.

<sup>54</sup> For an overview of historic prevalence of rape in conflict contexts see: Aisling Swaine, *Transition or Transformation: An Analysis of Before, During and Post-Conflict Violence Against Women in Northern Ireland, Liberia and Timor-Leste* (PhD Thesis Ulster University 2011).

euphoria. However, after this initial excitement about definitional advances had ebbed away, feminists shifted their focus to the impact of these developments on the ground. This has resulted in increasing levels of disillusionment with internationalized transitional justice, as research demonstrates that both justice for individual female victims, as well as more gender equal societies in general have largely failed to materialize in practice.<sup>55</sup> First of all, feminists have found a basic failure on international actors' behalf to meaningfully implement their actual commitments in practice. In the realm of international criminal law feminists have, for instance, lamented that very few convictions have resulted from the above discussed definitional advances.<sup>56</sup> In the field of WPS feminists have criticized the limited extent to which commitments have been translated into for instance increased spending on the promotion and protection of women's rights in the context of international security efforts,<sup>57</sup> and the limited extent to which the number of women participating in this type of effort has increased.<sup>58</sup>

Second, feminists have since long questioned whether the approach towards (gendered) transitional justice that has become the norm in internationalized transitional justice practice actually has the potential to contribute to gender justice in transition.<sup>59</sup>

At the level of the quest for justice for individual victims, they have questioned whether

<sup>55</sup> Fiske 2019 (n8).

<sup>56</sup> Melanie O'Brien, 'Don't kill them, let's choose them as wives': the development of the crimes of forced marriage, sexual slavery and enforced prostitution in international criminal law' (2016) 20(3) *International Journal of Human Rights* 386; Louise Chappell, 'The gender injustice cascade: 'transformative' reparations for victims of sexual and gender-based crimes in the Lubanga case at the International Criminal Court' (2017) 21(9) *International Journal of Human Rights* 1223.

At the same time developments such as the 2014 adoption of the Policy on Sexual and Gender-Based Crimes by the ICC's Office of the Prosecutor in response to the previous absence of persecutions for this type of crimes, and the subsequent success in the realization of ICC prosecution of sexual violence in the Bemba case indicate that international actors have made attempts to address feminist concerns in this regard. This complex balance between neglect and implementation shows that though gender mainstreaming has not lived up to its perceived potential, it is too simplistic to argue that this strategy has failed altogether in its quest to integrate women and gender concerns in the field of international security generally, and transitional justice specifically.

<sup>57</sup> Coomaraswamy 2015 (n11): 368.

<sup>58</sup> *Ibid*: 36.

<sup>59</sup> Karen Engle, 'Feminism and its (dis)contents: Criminalizing wartime rape in Bosnia and Herzegovina' (2005) 99 *American Journal of International Law* 778.



approaches centred around trials and truth commissions are most optimal to bring about meaningful gender justice outcomes for victims of the gendered harms that now do fall within the scope of ‘mainstream’ transitional justice practice.<sup>60</sup> In relation to prosecutions Mertus has found that the language of legal proceedings, which requires victims to ‘narrowly define what happened to them in line with the rules of evidence and the legal definition of rape’ can result in rape victims’ further alienation rather than them obtaining a feeling of justice.<sup>61</sup> ‘The fragmentation of testimony’ characteristic to criminal procedures only deepens this feeling. Truth commissions, while initially hailed as a platform better positioned to allow women to share their experiences,<sup>62</sup> have also been critiqued for their inability to provide a comprehensive picture of women's experiences of political violence.<sup>63</sup> Instead they have been found to prioritize broader agendas of victimhood and nation-building at the expense of women's individual narratives.<sup>64</sup>

Third, at the conceptual level, feminists have criticized transitional justice practice in its current shape for its inability to contribute to the mitigation of structural (gender) inequalities. In fact, O’Rourke has found that ‘attention to structural gender inequalities has emerged as the sine qua none of contemporary feminist interventions into transitional justice’.<sup>65</sup> The body of feminist scholarship which explores how transitional justice practice needs to be adjusted to be better able to address these structural gender inequalities is referred to in this thesis as ‘feminist transformative

<sup>60</sup> Sankey 2015 (n29).

<sup>61</sup> Julie Mertus, 'Shouting from the Bottom of the Well: The Impact of International Trials for Wartime Rape on Women's Agency' (2004) 6(1) *International Feminist Journal of Politics* 110.

<sup>62</sup> Bell and O'Rourke 2007 (n39): 33. They refer to Mertus 2004 (n61) and Christine Chinkin, 'Women's International Tribunal on Japanese Military Sexual Slavery' (2001) 95 *American Journal of International Law* 335.

<sup>63</sup> Lia Kent, 'After the truth commission: Gender and citizenship in Timor-Leste' (2016) 17(1) *Human Rights Review* 51.

<sup>64</sup> Fiona C Ross, *Bearing Witness: Women and the South African Truth and Reconciliation Commission* (2000).

<sup>65</sup> O'Rourke 2015 (n33): 120.

justice scholarship' and will be discussed in more detail in the section 2.3. This thesis argues that it has three core goals: 1) to provide female victims of traditionally prioritized gendered harms with more meaningful justice that puts them in a better position than before they were subjected to these harms; 2) to recognize a broader range of (gendered) harms, particularly socio-economic rights violations, as worthy of being taken into consideration in transitional justice efforts; and 3) to use periods of transition as windows of opportunity to address the structural marginalization of women that is at the root of the more excessive types of violence inflicted on women during periods of conflict and repression.

### ***2.3 THE POLITICS BEHIND 'THE PATRIARCHY OF INTERNATIONALIZED TRANSITIONAL JUSTICE'***

Increasingly, transitional justice's continuous failure to address this broader range of harms has been explicitly ascribed to the field's internationalized character.<sup>66</sup> More specifically, feminist and other critical transitional justice authors have argued that internationalization has come with a standardization of a type of transitional justice practice heavily rooted in Western notions of justice that does neither address the needs of the victims, nor square with attitudes towards justice in the societies where they are implemented. In line with this observation feminist authors have increasingly looked at the local for inspiration for solutions for the flaws of contemporary internationalized transitional justice practice.

In relation to the link between internationalization and transitional justice's inability to pursue meaningful justice for those subjugated to it, scholars have argued that the disconnect between internationalized transitional justice's practice

<sup>66</sup> Ní Aoláin 2009 (n4).

conceptualization of justice and local visions on justice is at the root of this issue. In this regard Sharp has remarked:

This “prosecution preference,” under which anything short of Western-style courtroom justice is often seen as compromised justice, is seemingly hardwired into the DNA of mainstream transitional justice. It has been and continues to be persistent source of debate and global-local frictions. Though truth commissions as a form of restorative justice are arguably an exception to the historic emphasis on retributive responses to mass atrocities, it has been argued that they are still fundamentally rooted in Western modes of truth telling and traditions of public confession and may not be appropriate in cultures with a different historical grounding.<sup>67</sup>

Similarly, Gready and Robins consider the ‘top-down imposition’ of legalist justice measures to be closely connected to the emergence of a global ‘industry of practice [...] supported by dedicated nongovernmental organizations and large-scale funding from Western donors’.<sup>68</sup>

Feminist scholars have found, on top of that, that the dominance of traditional Western conceptualizations of justice in transitional justice practice is central to its patriarchal nature. As mentioned, to summarize this state of affairs, Ní Aoláin has coined the term the ‘patriarchy of internationalized transitional justice’.<sup>69</sup> She explains that this concept captures the continuous dominance of masculinity and masculine norms within societies and institutions, including those representing the liberal order. Patriarchal mentality is reflected in, but not restricted to, the prioritization of civil and political rights - which are norms that mostly speak to the male experience of and priorities in conflict and repression, legalist responses as outlined above, and a narrow definition of stability/security that prioritizes the integrity of the masculine state structure over the day-to-day security of its citizens.

<sup>67</sup> Dustin Sharp, *Re-Thinking Transitional Justice for the 21st Century* (Cambridge University Press 2018): 79.

<sup>68</sup> Paul Gready and Simon Robins, 'From transitional to transformative justice: A new agenda for practice' (2014) 8(3) *International Journal of Transitional Justice* 339: 339.

<sup>69</sup> Ní Aoláin 2009 (n4).

The dominance of the West/Global North is not only present at the conceptual level, it is also reflected in the composition of the actors (institutions and individuals) that provide the bulk of funding and expertise for the running of transitional justice activities on the day-to-day level.<sup>70</sup> Here, international actors are often credited for ‘rescuing such societies from the worst of their own excesses’.<sup>71</sup> However, Ní Aoláin points out that ‘what is little appreciated is that such men also bring with them varying aspects of gender norms and patriarchal behaviour that transpose into the vacuum they fill’.<sup>72</sup> As such Ní Aoláin argues that ‘despite an array of cultural differences between locals and internationals, frequently overlooked are fundamentally similar patriarchal views that internal and external elites share, which operate in tandem to exclude, silence, or nullify women's needs from the transitional space’.<sup>73</sup> Internationalization of transitional justice has thus resulted in the importation of ‘international masculinities’ to the local level, and the reinforcement of local patriarchies by the patriarchy of international oversight.<sup>74</sup> In this light it is not surprising that transitional justice interventions have been called out for their neo-colonial nature by critical feminist international law and transitional justice scholars.<sup>75</sup>

Moreover, an emerging body of feminist scholarship finds that broader foreign policy agendas of powerful international actors should be blamed for internationalized transitional justice practice essentialist approach towards support for women’s rights in

<sup>70</sup> Laurel E Fletcher and Harry Weinstein, 'How Power Dynamics Influence the "North-South" Gap in Transitional Justice' (2018) 36(2) Berkeley Journal of International Law 190.

<sup>71</sup> Ní Aoláin 2009 (n4): 1062.

<sup>72</sup> Ibid.

<sup>73</sup> Ibid.

<sup>74</sup> Ibid.

<sup>75</sup> Stephanie Vielle, 'Transitional justice: A colonizing field' (2012) 4 Amsterdam Law Forum 58; Sarah Maddison and Laura J Shepherd, 'Peacebuilding and the postcolonial politics of transitional justice' (2014) 2(3) Peacebuilding 253; Khanyisela Moyo, 'Feminism, Postcolonial Legal Theory and Transitional Justice: A Critique of Current Trends' (2012) 1(2) International Human Rights Law Review 237; Ratna Kapur, *Erotic justice: Law and the new politics of postcolonialism* (Routledge 2013).

transition.<sup>76</sup> Essentialism refers to the identification of what counts as women's rights concerns worthy of international support based on deeply ingrained stereotypes about womanhood, women's value to society, and female suffering.<sup>77</sup> The paradox of the increased international recognition for gendered experiences of transition is thus that while it has finally recognized women's rights as a matter of international security, the terms of inclusion have severely restricted the boundaries within in which feminists can advocate for women's rights. In this regard, Otto finds that in spite of UNSCR 1325's façade of comprehensiveness, significant silences have been embedded in the policy framework from its inception – e.g. the importance of demilitarization - whereas other issues – as important as they are – have received a disproportionate amount of attention.<sup>78</sup> Essentialist tendencies are particularly apparent in the international community's obsession with conflict-related SGBV, and its neglect of other types of VAW of both physical as well as economic nature.<sup>79</sup>

Obviously, this has raised the question why these essentialist understandings of what constitute gender justice concerns worthy of international attention, have not changed despite increasing feminist advocacy in favour of a more inclusive vision on gender justice in transition. Various feminist scholars have come to the conclusion that this is the case because international engagement with gender justice has not been

<sup>76</sup> Anne Orford, 'Feminism, imperialism and the mission of international law' (2002) 71(2) *Nordic Journal of International Law* 275; Nicola Pratt, 'Reconceptualizing Gender, Reinscribing Racial–Sexual Boundaries in International Security: The Case of UN Security Council Resolution 1325 on “Women, Peace and Security” 1' (2013) 57(4) *International Studies Quarterly* 772; Fionnuala Ní Aoláin, 'The ‘war on terror’ and extremism: assessing the relevance of the Women, Peace and Security agenda' (2016) 92(2) *International Affairs* 275; Enloe 2000 (n23); Annika Kronsell, *Gender, sex and the postnational defense: Militarism and peacekeeping* (Oxford University Press 2012).

<sup>77</sup> Annie Bunting, 'Theorizing women's cultural diversity in feminist international human rights strategies' (1993) 20(1) *Journal of Law and Society* 6.

<sup>78</sup> Diane Otto, 'Power and danger: Feminist engagement with international law through the UN Security Council' (2010) 32(1) *Australian Feminist Law Journal* 97.

<sup>79</sup> Ní Aoláin 2009 (n4).

driven by a commitment to the feminist project, but rather opportunistic political calculations on behalf of international actors.<sup>80</sup>

It has been argued that international actors have feigned commitment to the protection of women in conflict to advance mainstream policy interests that are antithetical to feminist goals.<sup>81</sup> This understanding of the motivations behind international engagement with gender justice in transition has been fueled by instances in which international actors – from the Global North - have justified interventions in the Global South by invoking the need to protect local women’s rights.<sup>82</sup> In this regard feminists have also found that for patriarchal actors from the Global North it is more convenient to call out exceptional types of Gender-Based Violence (GBV) associated with conflict and repression than to call out everyday VAW which is also rampant in societies in the Global North;<sup>83</sup> and even less so to acknowledge the structural violence women experience as a result of global economic inequalities fostered and exploited by powerful actors in the Global North,<sup>84</sup> or worse, to recognize the violence experienced by women as a result of abuse of international peacekeeping missions.<sup>85</sup> Taken together, this has brought certain feminist scholars to conclude that the way in which international actors have delineated their gender justice goals betrays an instrumentalist approach towards support for women’s rights in transition: it allows them to intervene in third countries while it doesn’t require them to address how their own actions exacerbate inequality at home and abroad. This is what this thesis refers to as ‘instrumentalization’ or ‘co-option’.

<sup>80</sup> Ní Aoláin 2016 (n76).

<sup>81</sup> Pratt 2013 (n76).

<sup>82</sup> Ibid.

<sup>83</sup> Cynthia Cockburn, 'The continuum of violence: a gender perspective on war and peace', in *Sites of Violence: Gender and Conflict Zones* (University of California Press 2004).

<sup>84</sup> Jacqui True, *The political economy of violence against women* (Oxford University Press 2012).

<sup>85</sup> Muna Ndulo, 'The United Nations responses to the sexual abuse and exploitation of women and girls by peacekeepers during peacekeeping missions' (2009) 27 *Berkeley Journal of International Law* 127.

## ***2.4 THE PROMISE OF LOCALLY INSPIRED SOLUTIONS FOR THE PROBLEMS OF 'THE PATRIARCHY OF INTERNATIONALIZED TRANSITIONAL JUSTICE'***

This section discusses in more detail the feminist transformative gender justice agenda and argues that 'the local' has been instrumental in shaping this agenda. It shows that both examples of gender justice efforts executed by grassroots gender justice actors and local female victims' voices have shaped the feminist transformative gender justice agenda. Based on an analysis of these publications, this thesis identifies the priorities of the feminist transformative gender justice agenda as being: 1) to provide female victims of 'traditional' gendered harms with more meaningful justice that puts them in a better position than before they were subjected to these harms; 2) to recognize a broader range of (gendered) harms, particularly socio-economic rights violations, as worthy of being taken into consideration in transitional justice efforts; and 3) to use periods of transition as windows of opportunities to address the structural marginalization of women that is at the root of the more excessive types of violence inflicted on women during periods of conflict and repression. To address all three goals feminists have found, based on research in local contexts, that it is crucial to address the socio-economic dimension of harms inflicted during conflict and repression, and to recognize violence inflicted on women in the private space.

The need to recognize the socio-economic dimension of harms has been central to feminist transformative gender justice scholarship.<sup>86</sup> First of all, women are suffering from structural economic marginalization and their dependence on men makes them vulnerable to being harmed in the private sphere regardless of the occurrence of

<sup>86</sup> Boesten and Wilding 2015 (n5).

conflict or repression.<sup>87</sup> During times of conflict and repression women's economic fragility increases the likelihood of them becoming victim to a range of grave human rights violations including politically motivated SGBV.<sup>88</sup> Conflict-induced poverty also increases the risk that women are forced to participate in survival sex.<sup>89</sup> Many feminist scholars therefore argue that if transitional justice processes aim to bring about meaningful justice outcomes for women they need to address this structural inequality.<sup>90</sup> Second, feminists have found that during times of conflict and repression socio-economic rights violations constitute the bulk of violations experienced by women, and that women suffer disproportionately from this type of harm in their capacity as sole providers/care-takers of the family when husbands or other male family members are absent due to imprisonment, forced disappearance or war.<sup>91</sup> Not addressing conflict/repression-induced socio-economic rights violations in transitional justice

<sup>87</sup> Seema Vyas and Charlotte Watts, 'How does economic empowerment affect women's risk of intimate partner violence in low and middle income countries? A systematic review of published evidence' (2009) 21(5) *Journal of International Development* 577.

However, the relation is not that straightforward as in some contexts women have been found to become victims of increased levels of domestic violence when provided with means that could support their economic independency such as micro-credits. In this regard Schuler and others have found in the Bangladeshi context that 'in some cases, however, providing resources to women and encouraging them to maintain control over these resources may provoke violent behaviour in men, because they see their authority over their wives being undermined.

Sidney Ruth Schule, Syed M. Hashemi and Shamsul Huda Badal, 'Men's violence against women in rural Bangladesh: undermined or exacerbated by microcredit programmes?' (1998) 8(2) *Development in Practice* 148.

<sup>88</sup> Khuloud Alsaba and Anuj Kapilashrami, 'Understanding women's experience of violence and the political economy of gender in conflict: the case of Syria' (2016) 24(47) *Reproductive Health Matters* 5: 10; Sara E Davies and Jacqui True, 'The pandemic of conflict-related sexual violence and the political economy of gender inequality' in *Rape Justice* (Springer 2015).

<sup>89</sup> Reilly (n5): 165. See also: Alice Hutchinson and others, 'Understanding early marriage and transactional sex in the context of armed conflict: protection at a price' (2016) 42(1) *International perspectives on sexual and reproductive health* 45.

<sup>90</sup> Boesten and Wilding 2015 (n5).

<sup>91</sup> Bell and O'Rourke 2007 (n39): 34. In this regard Nikolic-Ritanovic has found that the trauma Serbian, Bosniak and Croatian women experienced as a result of losing male family members was aggravated by a loss of resources and the need to assume sole responsibility for the care and survival of other family members. Vesna Nikolić-Ristanović, 'War, nationalism, and mothers in the former Yugoslavia' (1998) *The women and war reader* 234.



processes, effectively means excluding a large chunk of gendered harms from the narrative.<sup>92</sup>

These findings about the importance of recognizing the socio-economic dimension of gendered harms have been inspired and backed up by research with female victims. Research by scholars such as Aroussi who conducted interviews with survivors of conflict related SGBV in South Kivu concludes that for most victims ‘justice primarily meant economic assistance and development-oriented remedies, particularly those targeted at subsistence and livelihoods, access to education and healthcare’.<sup>93</sup> It also includes Simon Robin’s research with families of the disappeared in Nepal, which identified subsistence needs to be the priority for the wives of the disappeared even though this raised dilemmas ‘in having to choose among the need to feed themselves now, the need to know the truth before any compensation or reparations can be accepted and the very idea of putting a value on the life of the disappeared by accepting money from the authorities’.<sup>94</sup>

In addition to and in synergy with the need to recognize socio-economic rights violations, feminist scholars have argued for the need for transitional justice processes to recognize violence inflicted on women in the private sphere.<sup>95</sup> Injuries – both of psychological and physical nature – resulting from domestic violence are some of the most common harms experienced by women before, during and after conflicts, but have rarely been recognized in transitional justice processes, which focus on politically

<sup>92</sup> Sankey 2015 (n29).

<sup>93</sup> Aroussi 2018 (n5): 294-295.

<sup>94</sup> Simon Robins, 'Towards victim-centred transitional justice: Understanding the needs of families of the disappeared in postconflict Nepal' (2011) 5(1) *International Journal of Transitional Justice* 75: 91.

<sup>95</sup> Romi Sigsworth and Nahla Valji, 'Continuities of violence against women and the limitations of transitional justice: The case of South Africa' in *Gender in transitional justice* (Springer 2012). The 2004 United Nations Secretary General’s Report on the Rule of Law and Transitional Justice identifies addressing women’s experiences of domestic violence in addition to targeting violence in the public sphere as priority for ‘filling the rule of law vacuum.’ *The Rule of Law and Transitional Justice in Conflict and Post-Conflict Societies*, Report of the Secretary-General, UN Document S/2004/616 2004, para. 33.

motivated violence including wartime rape.<sup>96</sup> While recognizing the gravity of wartime rape, several feminist scholars have historically criticized the arbitrary distinction between conflict related SGBV and SGBV inflicted on women outside conflict settings, most notably the violence women experience within the ‘safety’ of their own homes.<sup>97</sup>

Many have argued that this distinction between conflict-related and other types of SGBV serves patriarchal agendas, as it only requires men to recognize the need for the pursuit of accountability for gendered harms when it is inflicted on women by the other/the enemy.<sup>98</sup> As women are more likely to become victim to violence at the hands of their own family members/partners and more excessive types of SGBV that occur during conflict seem to build on this everyday impunity of GBV, transitional justice’s neglect of domestic violence denies women’s experience of conflict and repression, and fails to contribute to a more secure society for women in the aftermath of such periods.<sup>99</sup> Therefore, proponents of a feminist transformative justice agenda have emphasized the importance of institutional and legislative reform in combination with efforts to address forgiving societal norms and attitudes towards everyday violence.<sup>100</sup>

Again, the importance of recognizing the need to address domestic violence in transitional justice trajectories has been backed up by extensive research with women in societies in transition. McWilliams’ work on intimate partner violence in Northern Ireland is a cautionary tale of how conflict both increases the levels of domestic violence experienced by women, as well as deflects attention from this issue because

<sup>96</sup> Jelke Boesten, 'Analyzing rape regimes at the interface of war and peace in Peru' (2010) 4(1) *International Journal of Transitional Justice* 110.

<sup>97</sup> Catherine Burns and Kathleen Daly, 'Responding to everyday rape in Cambodia: Rhetorics, realities and somroh somrue' (2014) 2(1) *Restorative Justice* 64; Evelyn Rose, 'A feminist reconceptualisation of intimate partner violence against women: A crime against humanity and a state crime' (*Women's Studies International Forum Elsevier*, 2015) 31.

<sup>98</sup> Olivera Simic, 'Rape, silence and denial' in *Transitional Justice and Reconciliation* (Routledge 2015).

<sup>99</sup> Shana Tabak, 'False dichotomies of transitional justice: Gender, conflict and combatants in Colombia' (2011) 44 *NYU Journal of International Law & Politics* 103.

<sup>100</sup> Rubio Marín 2009 (n5): 387.

there are ‘more important’ issues to address.<sup>101</sup> In the South-African context literature has highlighted how domestic violence has ‘continued at levels akin to, or surpassing, those experienced during the conflict’.<sup>102</sup> Based on extensive research into women’s experience of violence in Northern Ireland, Liberia and Timor-Leste Swaine identifies ‘a complex mosaic of pre and during conflict violences upon which to view the aftermath’.<sup>103</sup> More specifically she finds that that while ‘armed men, as well as men who are not directly involved in the conflict may take the opportunity presented by conflict to enact both political and conflict-influenced private abuses’.<sup>104</sup> However, she also finds that current responses – be they of a legal, policy or practical programming nature – ‘do not adequately address these multi-dimensional and multi-faceted violences nor the fluidity that exists between the two’.<sup>105</sup>

How to achieve better justice outcomes for women in times of transition? Many feminist researchers agree that while some tools from the current transitional justice toolkit have the potential to deliver upon such outcomes, they do not suffice by themselves,<sup>106</sup> and/or should be employed in a different way.<sup>107</sup> Therefore, feminist scholars have looked at existing initiatives at the local level to answer this question. Lambourne and Carreon, for instance, have studied the activities of the ‘The Women’s Advocacy Network’ (WAN) in Uganda, and its use of participatory strategies to bring women together to advocate for socio-economic justice and access to land, reparations and bursaries for their children, inclusion in consultations regarding post-war reconstruction and elimination of stigmatisation.<sup>108</sup> Crosby, Lykes and Caxaj have

<sup>101</sup> McWilliams and Ní Aoláin 2013 (n18).

<sup>102</sup> Moffett 2006 (n18).

<sup>103</sup> Swaine 2011 (n54): vi.

<sup>104</sup> Ibid: 264.

<sup>105</sup> Ibid: 264-265.

<sup>106</sup> Wendy Lambourne, 'Transitional justice and peacebuilding after mass violence' (2009) 3(1) *International Journal of Transitional Justice* 28.

<sup>107</sup> Paul Gready and Simon Robins, 'Rethinking civil society and transitional justice: lessons from social movements and ‘new’ civil society' (2017) 21(7) *International Journal of Human Rights* 956.

<sup>108</sup> Lambourne and Rodriguez Carreon 2015 (n5): 88.

documented an ‘emerging sense of protagonism’ amongst female Mayan survivors of SGBV in Guatemala in their research on a project in which these victims, with the support of a consortium of women’s groups have undertaken efforts to pursue justice and reparations.<sup>109</sup> Meertens and Zambrano have examined Columbian indigenous women’s groups’ advocacy efforts aimed at agrarian reform laws in order to guarantee women access to land.<sup>110</sup>

Feminist transformative justice scholarship has also studied the use of alternative grassroots justice mechanism as an avenue for the pursuit of transformative gender justice outcomes for female victims. Examples include the use of grassroots transitional justice toolkits,<sup>111</sup> or the organization of popular tribunals/women’s courts.<sup>112</sup> While this type of initiatives does not provide any formal justice outcomes they can contribute to a feeling of justice on behalf of female victims who do not have access to formal justice mechanisms or who do not wish to participate in formal justice mechanism for a variety of reasons. In this regard O’Reilly finds that ‘the increasing use of popular tribunals by women’s movements is indicative of evolving efforts to reconcile two fundamental concerns of women’s human rights advocates. The first is to

<sup>109</sup> It concerns the *Actoras de Cambio* (Actors for Change) consortium, which was comprised of the *Unión Nacional de Mujeres Guatemaltecas* (National Union of Guatemalan Women, UNAMG), the *Equipo de Estudios Comunitarios y Acción Psicosocial* (Community Studies and Psychosocial Action Team, ECAP) and several independent feminists.

The project includes participation of fifteen Quechi women associated with this consortium in the Sepur Zarco case on sexual slavery and sexual violence, and the filing of a demand for integral reparations from the Guatemalan State before the Inter-American Commission on Human Rights by all fifty-four survivors who participate with the consortium.

Alison Crosby, Brinton Lykes and Brisna Caxaj, ‘Carrying a heavy load: Mayan women’s understandings of reparation in the aftermath of genocide’ (2016) 18(2-3) *Journal of Genocide Research* 265.

<sup>110</sup> Donny Meertens and Margarita Zambrano, ‘Citizenship deferred: The politics of victimhood, land restitution and gender justice in the Colombian (post?) conflict’ (2010) 4(2) *International journal of transitional justice* 189: 197. This indeed concerns reforms of reform laws, as the inform reform laws aimed at achieving more equal access to land did not incorporate a gender perspective.

<sup>111</sup> Eilish Rooney, ‘Justice Learning in Transition: A Grassroots Toolkit’ (2017) 9(2017) *Political Settlements Research Programme Working Paper Series* 18.

<sup>112</sup> Dasa Gordana Duhacek, ‘The Women’s Court: A feminist approach to in/justice’ (2015) 22(2) *European Journal of Women's Studies* 159; Maria O’Reilly, ‘Peace and justice through a feminist lens: Gender justice and the women’s court for the former Yugoslavia’ (2016) 10(3) *Journal of Intervention and Statebuilding* 419.

counter the potential threat of re-victimisation of women victims of gender crimes in the context of formal, top-down, legal proceedings. The second is to affirm nonetheless a commitment to ‘objective’ values of fairness, transparency and accountability and to appropriate the legitimacy and authority of the law toward the advancement of meaningful equality and human rights for women’.<sup>113</sup> These grassroots transitional justice initiatives also function as an important agenda setting and advocacy tool for women’s movements, as they can generate significant levels of popular attention.

From these studies emerges a multi-faceted feminist transformative justice proposition. First, they highlight the importance of relying more on underused traditional transitional justice mechanisms such as reparations and guarantees of non-repetition to pursue meaningful gender justice outcomes for victims, in parallel with prosecutions and truth-seeking initiatives. They could also include development initiatives that particularly focus on historically marginalized communities. These publications emphasize the importance of using these initiatives to address both conflict-related SGBV and other conflict-related harms such as socio-economic rights violations inflicted on women as a direct result of the conflict. Second, many of these publications also emphasize the need for broader, more future-focused reform efforts that address broader legacies of structural violence and marginalization impacting all women. These efforts consist of legislative and institutional reform efforts that benefit the female population at large. Lastly, many of these publications highlight the importance of support for grassroots transitional justice initiatives that advocate for more inclusive gender justice approaches and provide space to women to grapple with the harms they experienced outside official transitional justice avenues.

<sup>113</sup> O’Reilly 2016 (nError! Bookmark not defined.).

## **2.5 THE LIMITS OF THE LOCAL**

Despite that the local has proven to be a fruitful source for inspiration for a feminist transformative gender justice agenda, this section finds that a closer look at the ‘effectiveness’ of some of these initiatives puts into question the feasibility of the comprehensive transformative gender justice agenda outlined in feminist literature. Not only have few of the above-discussed initiatives managed to provide durable gender justice gains due to resistance of local patriarchal forces, there has also been significant competition between different local gender justice proponents who prioritize different components of the agenda for both practical and ideological reasons. This section argues that this points towards the need for the consideration of specific ‘local gender justice opportunity structures’ before proposing universal locally inspired solutions for the flaws of ‘the patriarchy of internationalized transitional justice as put forward in the previous section.

### ***2.5.1 The absence of distributive outcomes***

Despite that the ideals of above-discussed grassroots women’s groups nicely coincide with the feminist transformative justice ideal, in practice they have achieved limited success in terms of actualizing these ideals. While in many cases grassroots transitional justice activities have contributed to providing women with a sense of recognition, they have not advanced any redistributive claims.<sup>114</sup> In relation to WAN’s activities in Uganda Lambourne and Rodriguez Carreon for instance admit that while WAN’s approach mirror’s the authors’ ideal of transformative justice practice ‘many challenges remain, such as poverty, trauma and cultural practices’, and conclude with the generic observation that:

<sup>114</sup> Ibid.

In order to engender the social transformation needed to undermine sexual and other direct and structural violence which women continue to experience with alarming impunity, the participation of men is also essential—to lead and support changes in discriminatory laws and attitudes in a partnership with women empowered to fully exercise their agency in relationships as well as in institutions.<sup>115</sup>

Similarly, authors that have examined the contribution of ‘women’s courts’ to the pursuit of gender justice in post-conflict societies have also highlighted the limited impact this type of grassroots initiatives have on for instance the redistribution of resources. O’Reilly ascribes this to ‘the obstacles to the ‘trickle-up’ effect of civil society initiatives, particularly in deeply divided societies where political elites continue to propagate division and ethno-nationalist narratives’.<sup>116</sup> In relation to the Women’s Court for the Former Yugoslavia she finds that: ‘as a civil society initiative, the Women’s Court was not backed by a reparations programme for BiH. It could not respond to resources disparities’, and that while ‘BiH activists did engage with representatives from state and entity-level ministries, as part of the preparatory process, to push for government endorsement of a Programme for Victims of Wartime Rape, Sexual Abuse and Torture and their Families in Bosnia-Herzegovina ... the programme ... remains delayed by ongoing political deadlock’.<sup>117</sup>

As Meertens’ and Zambrano’s research in Colombia shows, local women’s groups advocacy has resulted in legal reform that provided women with land rights claims, an important distributive justice gain. However, they also found that reliance on legislative reform and subsequently court litigation to enforce these rights has proven to be a fickle strategy in Colombia due to under enforcement.<sup>118</sup> Similarly, in the Congolese context Aroussi found that in spite of the allocation of reparations to women via

<sup>115</sup> Lambourne and Rodriguez Carreon 2015 (n5): 93.

<sup>116</sup> O’Reilly 2016 (nError! Bookmark not defined.): 433.

<sup>117</sup> Ibid: 433.

<sup>118</sup> Meertens and Zambrano 2010 (nError! Bookmark not defined.).

judgements of mobile courts, few female SGBV survivors ended up receiving these reparations due to both a lack of access to court as well as a generic failure to execute the judgements once the mobile courts left.<sup>119</sup> Thus while grassroots women's advocacy manages to achieve distributive justice goals via legal reform, these gains have often not fully translated in actual redistributive outcomes on the ground as a result of the fact that the culture in the institutions that are responsible for implementing these laws has not changed. Ní Aoláin and Rooney indeed find that in Northern Ireland competing institutional interests have prevented the authorities from upholding women's rights—including in the area of women's economic rights—in spite of the inclusion of commitments to ensuring women's equality and social inclusion in the Good Friday Agreement.<sup>120</sup>

Advocates of bottom-up approaches have consistently emphasized the way in which 'participation of affected communities in shaping these processes also increases the likelihood of outcomes being considered legitimate, particularly in comparison to outcomes resulting from the imposition of an agenda by outside elites'.<sup>121</sup> However, for these outcomes to materialize there is need for support from inside elites, and as the above discussed examples indicate, this support has often been lacking.

### ***2.5.2 Competing agendas of local gender justice actors***

Second, findings about female victims' justice needs and grassroots female led initiatives to pursue (transformative) gender justice in transition indicate that 'the local' is not a uniform space, as even between local actors whose aim is to pursue/promote gender justice for themselves and female citizens at large, significant differences exist with

<sup>119</sup> Aroussi 2018 (n5).

<sup>120</sup> Fionnuala Ní Aoláin and Eilish Rooney, 'Underenforcement and intersectionality: Gendered aspects of transition for women' (2007) 1(3) *International Journal of Transitional Justice* 338: 346.

<sup>121</sup> Matthew Evans, 'Structural violence, socioeconomic rights, and transformative justice' (2016) 15(1) *Journal of Human Rights* 1: 8.



regard to what they consider to be transformative. This issue has received increasing recognition in feminist scholarship when it comes to the priorities and alliances of female victims vs. the priorities of feminist scholars. However, less attention has been paid to other types of fragmentation at the local level, such as tensions between different female victims' groups and between various elements of local women's movements.

Feminist scholars have found a discrepancy between what on the one hand the literature and feminist activists consider to be the root causes of VAW during times of conflict, and how on the other hand some female victims themselves conceptualize the reasons for the harms they have endured.<sup>122</sup> While feminist experts have identified a robust link between the persistent reality of women's marginalization during 'normal' times and the type of aggravated harms women experience during times of conflict and repression, some female victims have been found to consider their suffering to be primarily a result of other factors such as their status as a member of a racial or religious minority.<sup>123</sup> Furthermore, Rubio Marín has suggested that female victims who feel a desire to return to the status quo – unequal as it might have been - or fear to let down or further peril their already severely marginalized (male) community members,<sup>124</sup> might not acknowledge the existence of a 'continuum of violence':

This double dimension of extraordinary violence against women (as both affirmation and subversion of pre-existing meanings and orders) makes the project of reparations for survivors

<sup>122</sup> Rubio Marín 2009 (n5): 293.

<sup>123</sup> This tendency of women to ascribe their victimization to their ethnic identity has been particularly strong in the aftermath of the Balkan wars, resulting in a denial to consider for instance Serbian female victims of rape in line with the idea that in order to be worthy of consideration rape should have a genocidal (and thus ethnic) dimension, and only Bosniak women have been the victim of this type of crime. See for example: Simic 2015 (n98).

<sup>124</sup> This dynamic has first been identified by Crenshaw outside a transitional justice context in Afro-American communities in the US where women are cautious to accuse their male counterparts of violent behaviour, because of the already existing stigma against black man in the US: Kimberly Crenshaw, 'Mapping the margins: Intersectionality, identity politics, and violence against women of color' (1990) 43 *Stanford Law Review* 1241; Catherine A MacKinnon, 'Intersectionality as method: A note' (2013) 38(4) *Signs: Journal of Women in Culture and Society* 1019.

one that is inevitably ridden with tensions. On the one hand the disruption of a pre-existing order may be the source of corrective claims of victims to have it re-established and affirmed (going back to “normal”). On the other, victims and women in general may also have legitimate expectations to push a transformative agenda when asking for reparations so as to question sexual hierarchies that were embedded in the “ordinary” accounting for many of the forms of violence they experienced in their normal lives.<sup>125</sup>

In addition, due to deeply held religious or political beliefs some female victims might just genuinely adhere to a conservative worldview which prioritizes the conservation of the patriarchal order over transformative gender justice gains. These female victims might opt for the pursuit of justice – including reparations - for harms inflicted on them by other men, but oppose understanding the harms inflicted on them as a manifestation of women’s structural marginalization. In such instances the prioritization of victims’ needs and perspectives, and the desire to promote a feminist transformative justice agenda can be at odds.

Women’s movements in societies in transition on the other hand have in some cases consciously refrained from focusing their advocacy efforts on measures to deal with the past. Based on a comparative study of women’s movements in Northern Ireland, Chile and Colombia O’Rourke has for instance found that ‘while reparations have been the area of most creative feminist scholarly analysis in transitional justice’, local women’s movements in Northern Ireland and Chile have been slower in embracing this issue: in Chile in particular ‘reparations have never been a key mobilizing issue in feminist organizing’.<sup>126</sup> She ascribes low levels of engagement and even reluctance on behalf of local women’s movements to advocate for reparations to the broader political opportunity structure ‘that is typically hostile to acknowledging state liability for past harms’.<sup>127</sup> As such ‘women’s movements seeking to build collaborative

<sup>125</sup> Rubio Marín 2009 (n5): 293.

<sup>126</sup> O’Rourke (n13): 168.

<sup>127</sup> Ibid: 153.

relationships with the new or reformed state may not wish prioritise oppositional issues such as reparations for past harms'.<sup>128</sup> Human rights organizations and female victims groups on the other hand have been the core voices in advocacy for reparations, which means that in Chile different gender justice actors have engaged selectively with the transformative justice agenda.

This divergence between transformative gender justice priorities does not only exist between female victims and women's/feminist groups that advocate for a more gender just society in a general sense. Case studies of women's movements in societies in transition have found significant levels of fragmentation between different women's groups. Once the uniting aim of toppling a dictator or ending war has been achieved, there is room for ideological divergences, different priorities and competing interests to manifest themselves. Some of this fragmentation takes place along ethno-nationalist lines. In this regard O'Reilly finds that the organizers of the Women's Court in Bosnia received significant criticism from local activists for giving the impression that it only focused on SGBV inflicted on Bosniak women who had fallen victim to Serbian perpetrators:

Second, the perception that the Women's Court was not a neutral initiative appears to have impeded participation by BiH survivors. Within BiH, the lead organization, WiB, is noted for its work with individuals and communities who were victims of crimes committed by Serbian forces in 'their name'. Perceptions that the initiative was partial in favour of 'Bosniak' survivors and against 'Serb' survivors in particular were reinforced by the decision by WiB to select the Mothers of Srebrenica association as a Regional Board member. The screening of promotional materials, which featured testimonies of survivors targeted by Bosnian Serb forces, to women in communities which are mainly Bosnian Serb, was also problematic. This issue was flagged by activists from organizations within the RS, but did not lead to changes in outreach.<sup>129</sup>

<sup>128</sup> Ibid.

<sup>129</sup> O'Reilly 2016 (nError! Bookmark not defined.): 16.

Simic has also reflected on the divides between local women's groups in the Balkans, identifying a cleavage between those who wanted to foreground the gendered nature of wartime rape and women's groups that predominantly approached it as a harm inflicted on women because of their ethnic identity.<sup>130</sup> As Pavlovic has remarked, this severely limited the capacity of feminists to advance a transformative gender justice agenda for all as 'attempts to express any form of solidarity and commonality with women across ethnic and national identity lines could be regarded as disloyalty'.<sup>131</sup> Simic's recent work on the silences around wartime rape of tainted, Serbian victim-subjects in the context of the aftermath of the Balkan war is emblematic of the increase of feminist attention for the fault lines that divide gender justice advocacy at the local level. Reflecting on being a feminist academic who has strong ties with the context she is researching, she describes how focusing on Serbian victims of SGBV put strain on her relations with some feminist activists in Bosnia.<sup>132</sup> This demonstrates that in deeply divided societies grassroots gender justice actors will not necessarily embrace transformative conceptualizations of victims and harms.

Fragmentation along other fault lines exists as well. Alliance to diverging political ideologies has been a major cause for fragmentation with left-wing feminists having pursued more ambitious agendas at the level of socio-economic rights than some of their less radical counterparts in the women's movement.<sup>133</sup> This discord within the women's movement in societies in transition is also caused by diverging visions about what is the most pragmatic/effective approach for ensuring gender justice concerns are taken into account in times of transition. In Chile and Northern Ireland

<sup>130</sup> Olivera Simic, 'Feminist research in transitional justice studies: Navigating silences and disruptions in the field' (2016) 17(1) Human Rights Review 95.

<sup>131</sup> Tamara Pavlovic, 'Women in Croatia: Feminists, nationalists and homosexuals' in *Gender Politics in the Western Balkans Women and Society in Yugoslavia and the Yugoslav Successor States* (1999): 131.

<sup>132</sup> Simic 2015 (nError! Bookmark not defined.).

<sup>133</sup> Georgina Waylen, 'Women and democratization conceptualizing gender relations in transition politics' (1994) 46(3) World Politics 327.

the women's movement has been divided between those not willing to make any concessions to their transformative gender justice agenda, and those applying a more pragmatic approach that acknowledges the need for compromise for the sake of reaching any tangible outcomes.<sup>134</sup> In Chile feminist activists have criticized those feminists who have joined the state's women's bureau 'SERNAM', as it has mostly advanced policies that are considered to be non-controversial. In this regard Waylen found that:

Many women's organizations (some of which are often seen as radical feminist) have been wary because SERNAM is regarded as an arm of the state (La Boletina nd.). Popular women's movements in particular are confused as to what SERNAM does and do not feel represented by it. There has also been some disillusionment with what is considered to be SERNAM's lack of a radical approach. The nature of the projects now being funded has shifted towards projects focused around narrow market orientated economic aims.<sup>135</sup>

In Northern Ireland feminists have questioned the Northern Irish Women's Coalition's decision to not invoke reproductive rights during the peace talks in which they participated. Representatives of the Northern Irish Women's Coalition, however, defended this choice on pragmatic grounds, by stating that it was clear from the start that abortion would not figure in the peace agreement.<sup>136</sup>

This means that while feminist scholars have set out an ambitious transformative gender justice agenda that has been embraced by some local gender justice actors such as WAN in Uganda or the feminist networks working with Mayan victims in Guatemala, other case studies imply that not all female victims' groups and women's movements adhere to the same coherent vision of transformative justice. To the contrary, in some contexts different gender justice actors have endorsed 'competing' (transformative) gender justice priorities.

<sup>134</sup> O'Rourke 2013 (n13).

<sup>135</sup> Waylen 1994 (n133): 91.

<sup>136</sup> O'Rourke 2013 (n13): 204-205.

Needless to say that the embrace of one of the above discussed visions on what is transformative over the other has severe implications for the extent to which ‘the past’ is considered as a factor that needs to be taken into account, what harms are being prioritized, and the extent to which transitional justice mechanisms are relied upon. Female victims’ groups and other gender justice actors who focus on pursuing justice for victims of conflict-related SGBV operate from a strong past-focused point of view even if their goal is to pursue the type of justice that mitigates the consequences of structural violence. These groups are likely to invoke the full range of transitional justice mechanisms – if available – as a tool to pursue gender justice outcomes for the victims at hand. They might also establish informal transitional justice measures themselves in absence of official transitional justice mechanisms, or if the existing transitional justice mechanisms that exist fail to incorporate a gender perspective. The women’s movements that prioritize societal transformation and gender justice for society at large seem to have adopted a more future-focused mind-set, prioritizing for instance legislative and institutional reform, meaning that they have relied less on the other tools of the transitional justice toolbox. This implies there is some friction between the academic interpretation of ‘transformative justice’ and the definition of ‘transformative justice’ employed by some of the local actors that according to the literature are central to its promulgation.

Thus, while the local has figured prominently in feminist transitional justice scholarship, case studies that focus on local efforts to pursue gender justice in transition put into question the generalized use of the term ‘the local’ in feminist transitional justice scholarship. While isolated examples of ambitious gender justice initiatives by certain local women’s groups do align well with the transformative justice ideal, they have not always yielded the aspired outcomes. Moreover, the women’s organizations that have embraced an ‘ideal’ version of a transformative approach towards the

promotion of gender justice in transition often constitute only one of the many gender justice actors operating in the same local sphere. Local gender justice actors include female victims' groups and a range of local women's groups of different ideological backgrounds. Research shows that in various contexts between them no consensus exists about what type of gender justice outcomes qualify as most transformative, and what approaches are best suited to pursue these goals.

### ***2.5.3 Co-option of gender justice efforts at the local level***

Few feminist publications on transformative justice have devoted much attention to the fragmented nature of transformative gender justice efforts at the local level, when championing the feminist transformative gender justice agenda. As such, it is not surprising that even less feminist energy has been devoted to the question why at the local level the implementation of the feminist transformative gender justice agenda has been incomplete and/or fragmented. However, some evidence implies that instrumentalist approaches towards gender justice also happen in local contexts. Interestingly, while at the international level instrumentalist tendencies have been associated with an exclusive focus on wartime rape, in local contexts political engineering has been reflected in the prioritization of addressing more mundane instances of GBV over politically sensitive efforts to pursue accountability for past politically motivated harms.

The co-option of women's rights issues for broader political goals is not restricted to international actors and contexts. Scholars who have examined state engagement with women's rights in non-transitional contexts have consistently found a tendency to employ women's rights language and promotion for political gains.<sup>137</sup> In the

<sup>137</sup> Anna Elomäki and Johanna Kantola, 'Theorizing feminist struggles in the triangle of neoliberalism, conservatism, and nationalism' (2018) 25(3) *Social Politics: International Studies in Gender, State & Society* 337; Augustin Jomier, 'Secularism and state feminism: Tunisia's smoke and mirrors' (2011) *Books*

literature on state level engagement with the feminist agenda, instances in which the states are significantly involved in the creation and implementation of feminist policies are referred to with the term ‘state feminism’.<sup>138</sup> In itself state feminism does not have to be a bad thing, as women’s rights in many of the most progressive countries around the globe – and even in some more conservative ones - have been improved as a result of extensive state support for gender equality policies.<sup>139</sup> However, at the same time many of these examples demonstrate that state support for the feminist cause is rarely unconditional, and can result in the feminist cause getting exploited by those in power. This has resulted in selective engagement with certain feminist priorities, the protection of rights of certain groups of women, and the use of feminist policies as a fig leaf to cover up less savoury policies. This in its turn has rendered the – often already controversial - feminist cause and movement vulnerable to criticism from political opponents of the ruling elite.<sup>140</sup>

While the prevalence of state feminism in contexts that are experiencing transition has been the topic of feminist research,<sup>141</sup> few feminist scholars have explored the consequences of state feminism on support for gendered transitional justice specifically. An exception is O’Rourke whose work on the engagement of local women’s movements with the full range of recognized transitional justice mechanisms in Northern Ireland, Chile and Colombia has figured in section 2.3.3. She has found that certain transitional states’ tendency to shy away from pursuing justice for past

and Ideas; Nelfour De Mel, *Women & the nation's narrative: gender and nationalism in twentieth century Sri Lanka* (Rowman & Littlefield 2001); Sabrina P Ramet, *Gender politics in the Western Balkans: Women and society in Yugoslavia and the Yugoslav successor states* (Penn State Press 2010).

<sup>138</sup> Carol Pateman, *The disorder of women: Democracy, feminism and political theory* (John Wiley & Sons 2018).

<sup>139</sup> Anette Borchorst and Birte Siim, 'Woman-friendly policies and state feminism: Theorizing Scandinavian gender equality' (2008) 9(2) *Feminist Theory* 207.

<sup>140</sup> Emma C Murphy, 'Women in Tunisia: Between state feminism and economic reform' *Women and Globalization in the Arab Middle East: Gender, Economy, and Society* (Lynne Rienner Publishers 2003): 169.

<sup>141</sup> Waylen 1994 (n133).



political crimes, could result in a preference for less controversial legislative reform to combat VAW over the pursuit of accountability for, the unveiling of truth about, and/or the provision of reparations for gendered harms as a result of past political violence.<sup>142</sup>

These findings have two important implications within the scope of this research. First of all, they raise questions about the immunity of the transformative gender justice agenda against co-option. In this regard O'Rourke herself has argued that the lack of attention for this risk in feminist transitional justice scholarship suggests that the field is consumed by a 'de-politicizing impulse'.<sup>143</sup> Making sure that feminist transitional justice scholarship stays politically relevant requires recognition that the transformative gender justice agenda is vulnerable to fragmentation and systematic examination of (international) engagement with all of its components. Second, by highlighting the competing interests of different fractions of the local women's movement and the role that national political/governing elites play in shaping gender justice trajectories, O'Rourke's research emphasizes the importance of recognizing local 'gender justice opportunity structures' as a factor in shaping gender justice outcomes. Significant knowledge gaps exist both in relation to international actors' interaction with the transformative justice agenda as well as the role local gender justice opportunity structures play in shaping international actors' engagement with women's rights in societies in transition. Both concepts will be explored in more depth in this chapter's final section.

<sup>142</sup> O'Rourke 2013 (n13).

<sup>143</sup> O'Rourke 2015 (n33).

## ***2.6 CONCEPTUALIZING TRANSFORMATIVE JUSTICE AND INCLUDING LOCAL GENDER JUSTICE OPPORTUNITY STRUCTURES IN THE EQUATION***

In view of the fact that international actors have a propensity for selectively understanding feminist gender justice agendas, the previous sections' observations raise concerns about what happens when international actors meet a multi-faceted transformative gender agenda, which has been vulnerable to co-option at the local level. They also draw attention to the need of taking into consideration the impact of local actors and circumstances in shaping the drivers behind international engagement with gender justice in transition. This section operationalizes both the transformative justice concept as well as the notion of 'local gender justice opportunity structures' and explains how they inform the remainder of this thesis.

### ***2.6.1 A tri-partite conceptualization of transformative justice***

Both in the context of internationalized transitional justice practice as well as transitional justice efforts at the local level, elites have co-opted gender justice efforts for political gain. This phenomenon manifests itself at both levels through selective engagement with only certain components of a more comprehensive women's rights agendas. Feminist scholarship on internationalized transitional justice practice has identified co-option predominantly at the level of support for the pursuance of accountability for wartime rape. However, feminist scholars studying transitional justice in local contexts have demonstrated that co-option can also take place via a neglect of politically motivated gendered harms and a prioritization of forward looking gender justice efforts. In order to get a complete picture of the occurrence of co-option within the context of internationalized transitional justice practice it is important to study international actors' engagement with all components of the transformative gender

justice agenda. To facilitate such an exercise this thesis relies on a tripartite conceptualization of transformative gender justice in transition, that has been developed along the conceptual fault lines that have separated local gender justice actors' engagement with gender justice in transition.

The idea is that while the feminist transformative gender justice ideal is comprehensive, and envisions all components to be implemented in synergy, experience shows that in reality both powerful elites as well as local gender justice actors prioritize and neglect certain components of this agenda based on political calculations. What components are and are not supported differs from context to context, but the way in which these components are delineated seems relatively consistent, with the key dividing lines being drawn between future vs. past focused efforts and between efforts with a focus on a narrow vs a more comprehensive set of gendered harms. As such, the three core components of the transformative gender justice agenda under consideration in this thesis are:

1. Past-focused gender justice efforts that focus on a narrow set of gendered harms experienced by female victims of politically motivated violence: This component refers to the type of gender justice issues that have dominated international actors' engagement with gender justice in transition. These include attempt to pursue accountability for a narrow set of gendered harms – conflict and repression-related SGBV – predominantly relying on trials and truth commissions.
2. Past-focused gender justice efforts that focus on a wider set of gendered harms experienced by female victims and aim to effect transformative change: This category contains efforts to address socio-economic rights violations and instances of SGBV that do not qualify as wartime rape inflicted on female

victims as a direct result of conflict or repression. Reparations and guarantees of non-repetition as well as grassroots initiatives such as women's courts play a key role in addressing these harms with an eye on effectuating transformative change. This is the component that has dominated much feminist literature on transformative justice, and efforts by grassroots gender justice groups and (certain) female victims' groups discussed in section 2.3.1.

3. Future-focused gender justice efforts that focus on addressing structural marginalization and gender inequality: This category is the furthest removed from traditional gender justice practice. It concerns efforts to use transitions as windows of opportunity to effectuate broader legislative and institutional reform aimed at combating structural inequality and marginalization of women.

Through an examination of the EU's engagement with each of these types of gender justice efforts in Tunisia and Ukraine – more details on what they entail exactly in both contexts in section 3.2.4 and chapter 4 – this research provides insight in the nature of international engagement with gender justice in transition across the full spectrum of transformative justice activities.

### ***2.6.2 Including local gender justice opportunity structures in the equation***

These observations raise challenging questions about the viability and desirability of the transformative gender justice agenda outlined in section 2.4 as a solution for the flaws of contemporary internationalized transitional justice practice. One of the reasons behind this discordance seems to be the fact that feminist scholarship focuses almost uniquely on 'the global' or 'central' level when it comes to understanding the drivers behind internationalized transitional justice practice. This constitutes an important gap in the literature, as research in the broader development studies field, and – recently –

some research on internationalized transitional justice practice, emphasizes the role of local elites' political power and priorities in shaping international actors' transitional justice preferences. This section argues that this mismatch between problem and hints at the need for better understanding of “local gender justice opportunity structures” as a *sine qua non* for the design of alternatives for contemporary internationalized transitional justice approaches.

The notion that the shaping of development aid agendas is a two- rather than one-way process is well established in the field of development studies.<sup>144</sup> In this regard Findley and others have for instance argued that ‘the provision of aid involves a bargaining relationship between donors and recipient governments; the balance of power between them depends on the situation’.<sup>145</sup> This potential for local actors to shape development aid, including international support for transitional justice, is often more or less ignored in critical – including feminist – assessments of international transitional justice practice.<sup>146</sup> However, over the last couple of years, a small but growing body of transitional justice publications has explored how local actors and circumstances shape the nature and impact of international transitional justice support. In a comparative study of the pursuit of gender justice in the DRC and South-Africa, Lake has for instance shown that if states are weak and local political elites are absent or highly dependent on international aid providers – as is the case in the DRC - this can result in more progressive gender justice outcomes than when established state structures do exist.<sup>147</sup> The important role of political elites in shaping the

<sup>144</sup> Jeremy Armon ‘Aid, politics and development: a donor perspective’ (2007) 25(5) *Development Policy Review* 653.

<sup>145</sup> Michael G. Findley, Adam S. Harris, Helen V. Milner and Daniel L. Nielson, ‘Who Controls Foreign Aid? Elite versus Public Perceptions of Donor Influence in Aid-Dependent Uganda’ (2017) 71(4) *International Organization* 633: 658.

<sup>146</sup> Adam Kochanski, ‘The “Local Turn” in Transitional Justice: Curb the Enthusiasm’ (2018) *International Studies Review* 26; Soumita Basu, ‘The Global South writes 1325 (too)’ (2016) 37(3) *International Political Science Review* 362.

<sup>147</sup> Milli Lake, *Strong NGOs and Weak States: Pursuing Gender Justice in the Democratic Republic of Congo and South Africa* (Cambridge University Press 2018).

implementation of international actors' transitional justice agendas has also been highlighted in MacDonald's research on the transitional justice implementation gap in Uganda, in which she shows that meaningful transitional justice outcomes have failed to crystalize as a result of donors' inability to respond to political manoeuvring by domestic elites.<sup>148</sup>

These publications draw attention to the role of what has been described as political or legal 'opportunity structures' in literature on the role of social movements in advancing political and societal goals. Kitschelt defines opportunity structures as 'specific configurations of resources, institutional arrangements and historical precedents for social mobilization' that allow for or constrain certain political or societal outcomes to materialize.<sup>149</sup> These opportunity structures have figured prominently in leading feminist literature on the advancement of women's rights goals at the national and international level.<sup>150</sup> While these publications consistently emphasize the importance of the transnational women's movement in pushing forward progressive gender justice outcomes, they also emphasize the important role of the state and other (patriarchal) international institutions in both restraining and advancing women's rights outcomes.

Some feminist examinations of the pursuit of gender justice outcomes in societies in transition have also identified political opportunity structures as both a facilitating and restraining factor when it comes to the advancement of (certain) gender justice outcomes.<sup>151</sup> Building on this body of work, this thesis aims to look into the interaction between local gender justice opportunity structures and international

<sup>148</sup> Anna MacDonald, "'Somehow This Whole Process Became so Artificial": Exploring the Transitional Justice Implementation Gap in Uganda' (2019) 13(2) *International Journal of Transitional Justice* 225.

<sup>149</sup> Herbert P Kitschelt, 'Political opportunity structures and political protest: Anti-nuclear movements in four democracies' (1986) 16(1) *British Journal of Political Science* 57: 58.

<sup>150</sup> Keck and Sikkink 1998 (n9); Engle Merry 2009 (n11).

<sup>151</sup> O'Rourke 2013 (n13).

transitional justice actors to get better insight in the drivers behind international engagement with gender justice in transition. This research distinguishes three central components of these opportunity structures: the various actors involved in advancing gender justice trajectories (both those whose stated aim is to advance women's roles as well as those who act as constraining factors), the type of gender justice issues that are being featured in national debates, and the mechanisms (e.g. legislative reform, transitional justice measures, SSR) that are available to advance these goals.

Importantly, this thesis examination of local gender justice opportunity structures takes into account the preferences of local political/governing elites; A category that, McAuliffe argues, has been chronically understudied in transformative justice scholarship:

Of these actors involved in negotiating TJ, it is here argued that the most important, but least well understood, are domestic elites. Strategic options that are theoretically available to TJ implementers may not be 'incentive compatible' insofar as they do not accord with the other compelling interests of critical politically effective groups to adopt (the government, faction leaders and economic elites, for the most part). As discursively framed in the TJ literature, elites emerge as a homogenous coterie of bogeymen pursuing a clearly definable class interest whose position is actively perpetuated by traditionally corrective TJ at the expense of empowering the marginalised (Aguirre and Pietropaoli, 2008: 367). However, though identified as one of the main barriers to transformation, there has been no sustained analysis in the transformative TJ literature of who elites are, what they do, the divisions between them or the incentives they might have to ameliorate the conditions of those in their society.<sup>152</sup>

In particular, this thesis is interested in the implications of local gender justice opportunity structures on international actors' engagement with the tripartite transformative gender justice agenda as outlined in the previous section. Tunisia and Ukraine's local gender justice opportunities structures will be mapped and subsequently

<sup>152</sup> Pádraig G McAuliffe, 'The problem of elites' in *Transitional and Transformative Justice* (Routledge 2019) 77: 78-79.

compared to the nature of EU engagement with gender justice in transition to examine whether and how international gender justice support is connected to local circumstances. Based on the answers to questions about the nature and drivers behind EU engagement with gender justice in transition in Tunisia and Ukraine, this thesis will eventually answer the broader research question: How to enhance the ability of feminist transitional justice scholarship to respond to the political realities of the contemporary internationalized transitional justice environment?

## ***2.7 CONCLUSION***

This chapter aimed to identify the gaps that exist between feminist scholarship on international engagement with transitional justice and feminist transformative justice scholarship, and to create a clear conceptual framework that would allow for systematic analysis of international engagement with transformative gender justice in transition.

While feminist scholars have developed transformative conceptualizations of gender justice in transition out of discontent with the direction that ‘the patriarchy of internationalized transitional justice’ practice has taken, few feminist scholars have systematically examined international engagement with these efforts. This is problematic; a critical look at the literature on local efforts to promote transformative justice, suggests that the transformative gender justice agenda can be susceptible to co-option by actors in power as mainstream gendered transitional justice efforts are. While O’Rourke has previously pointed out the possibility of local political elites instrumentalizing more forward-looking gender justice efforts for political gain, this chapter is original in the sense that it asks readers to consider that this mentality could also affect international actors’ engagement with gender justice in transition. In particular, this chapter identified the need to develop a politically informed conceptualization of the transformative gender justice agenda and the importance of



taking into consideration local gender justice opportunity structures when examining the drivers behind international engagement with gender justice in transition.

The remainder of this thesis sets out the local gender justice opportunity structures in Tunisia and Ukraine and studies EU's interaction with them to address this gap in the literature and contribute to the development of more robust feminist theory on solutions that can contribute to mitigating the flaws of 'the patriarchy of internationalized transitional justice'.

### **3. METHODOLOGY: Researching EU support for gender justice in Tunisia and Ukraine**

#### ***3.1 INTRODUCTION:***

Powerful actors, such as the EU, constitute a challenging type of research subject. The methodological challenges posed by focusing on the powerful, however, have remained relatively under-explored in feminist methodological scholarship. This is remarkable as while challenging traditional power structures is a core feminist research goal, the strategies suggested in mainstream methodological contributions to get robust data on the actions of these actors do not always sync well with a feminist research ethos. Nevertheless, through careful choices at the level of research design (section 3.2), data collection (section 3.3) data analysis (section 3.4) and research ethics (section 3.5), and the consistent application of reflexivity, this thesis mitigated the risk of reinforcing traditional power dynamics in knowledge production, while staying in line with a feminist research ethos, and also collecting reliable, high quality data.

At the level of research design, this chapter argues that as the starting point of this thesis is that politics shape powerful actors' engagement with (gendered) transitional justice, it is a prerequisite to go beyond analysis of policy documents. Instead it requires looking at the actual engagement of international actors with gender justice in specific countries to understand how broader foreign policy interests shape what components of the transformative gender justice agenda international actors do and do not engage with. Reliance on a multi-level case study design allowed for the consideration of contextual circumstances while simultaneously facilitating the inclusion of the voices of local gender justice actors. These voices from the periphery were captured by complementing analysis of EU budgetary commitments to support for

gender justice in Tunisia and Ukraine with in-depth interviews with a range of stakeholders working on these issues in both countries.

Nevertheless, despite that the research allowed for the inclusion of perspectives from not only Brussels, but also Carthage and Kyiv, all interviewees for this research qualified as experts and some as ‘elites’. Most feminist methodological literature presumes an opposite power dynamic between the interviewer and interviewee and therefore offers limited guidance for the specific challenges posed by elite interviews. It is, however, clear that the simultaneously deferential and manipulative approach towards creating rapport suggested in some mainstream methodological literature on elite interviewing, does not sync well with a feminist research ethos even when the power balance is in favour of the interviewee. This research therefore adopted a critical dialogue format towards interviews with elite actors, and used a reflexive approach both in relation to the data collection as well as analysis process to grasp how the dynamic between the researcher’s own positionality as well as the interviewees’ institutional affiliations impacted the type of data collected.<sup>153</sup>

<sup>153</sup> Reflexivity is one of the key strategies used by feminist academics to identify, acknowledge, and – ideally – remedy power differentials. It requires researchers’ to be aware of how ‘our subjectivity becomes entangled in the lives of others’. Reflexivity can be used to map and address power differentials when doing research with vulnerable or powerful participants. According to Sharlene Nagy Hesse-Biber, it entails taking into consideration questions such as: ‘How does your own biography affect the research process; what shapes the questions you chose to study and your approach to studying them? How does the specific social, economic, and political context in which you reside affect the research process at all levels?’ Feminist researchers in the social sciences consistently reflect on how social background affects the knowledge created by their research. The use of reflexivity is a common thread throughout this chapter as well. See: Karen V England, ‘Getting personal: Reflexivity, positionality, and feminist research’ (1994) 46(1) *The Professional Geographer* 80; Mary Margaret Fonow and Judith A Cook, *Beyond methodology: Feminist scholarship as lived research* (Indiana University Press 1991); Brooke Ackerly and Jacqui True, ‘Reflexivity in practice: Power and ethics in feminist research on international relations’ (2008) 10(4) *International Studies Review* 693; Sharlene Nagy Hesse-Biber, ‘The practice of feminist in-depth interviewing’ in *Feminist research practice: A primer* (2007): 130; Andrea Doucet and Natasha S Mauthner, ‘Feminist methodologies and epistemology’ in *Handbook of 21st Century Sociology* (Sage 2006) 36: 41; Wanda Pillow, ‘Confession, catharsis, or cure? Rethinking the uses of reflexivity as methodological power in qualitative research’ (2003) 16(2) *International journal of Qualitative Studies in Education* 175.

### ***3.2 RESEARCH DESIGN***

This research seeks to understand how following the popularization of transformative conceptualizations of gender justice in transition the EU has supported gender justice efforts in Tunisia and Ukraine in practice. To capture the interaction between the global and the local, this thesis employs a qualitative multi-level case study design that combines elements from a single case study with a comparative case study design. It is a single case study in the sense that it constitutes an investigation of the gender justice activities of one international actor, the EU.<sup>154</sup> It is multi-level and comparative in the sense that it examines EU activities in two local contexts.<sup>155</sup>

Many feminist publications in the field of transitional justice and WPS more generally have studied international actors' support for gender justice in transition in isolation from the local. Feminist research into international actors' support for transitional justice has often relied on textual analysis of generic policy documents,<sup>156</sup> while research into the local has employed more often an empirical case study approach.<sup>157</sup> This chapter, however, argues that to get an in-depth understanding of international support for gender justice in transition one needs to embrace an empirical lens to study the activities of international actors in specific local contexts, because this facilitates consideration of how 'politics' shape international engagement with gender justice in transition. Such an approach also better serves the feminist goal of challenging existing power relations, as it facilitates the inclusion of local perspectives.

<sup>154</sup> John Gerring, 'The case study: what it is and what it does' in *The Oxford handbook of comparative politics* (Oxford University Press 2007).

<sup>155</sup> William Zartman, 'Comparative case studies' (2005) 10(1) *International Negotiation* 3.

<sup>156</sup> Muehlenhoff 2017 (n38); Martin de Almagro 2017 (n36); O'Rourke 2011 (n50); Nadine Puechguirbal, 'Discourses on gender, patriarchy and Resolution 1325: A textual analysis of UN documents' (2010) 17(2) *International Peacekeeping* 172.

<sup>157</sup> O'Rourke 2011 (n50).

### ***3.2.1 A qualitative case study approach***

To understand how the promotion and popularization of transformative conceptualizations of gender justice in transition are likely to influence international engagement with women's rights in transition it is crucial to get insight in the values and belief systems of the individuals who represent the EU and are responsible for the execution of its activities. This complex web of motivational factors cannot be measured in numbers, and therefore does not lend itself to quantitative interrogation. A qualitative research approach, which is usually defined by its aim to understand certain aspects of social life in its natural context, and relies on methods that generate words instead of numbers as data for analysis, is best suited for this task.<sup>158</sup>

Qualitative studies can be conducted in different ways.<sup>159</sup> At the basis, this thesis has utilized a case study design. A case study design consists of the 'empirical

<sup>158</sup> Norman K Denzin and Yvonna S Lincoln, *The SAGE handbook of qualitative research* (Sage 2011). Qualitative approaches have also been the subject of a large range of objections. These concern the inability to produce generalizable outcomes through qualitative studies. In the field of transitional justice specifically, researchers have criticized the lack of research that aims to establish generalizable claims about the contribution of transitional justice mechanisms to their stated goals. However, even if one accepts that qualitative research has an important place in transitional justice scholarship pressing challenges still exist in relation to rigour, bias, and trustworthiness. These include the creation of opportunities for third parties – e.g. research participants, supervisors, other students, reviewers for academic journals, examiners, etc. – to review the data collection and analysis process. This happened throughout this thesis thanks to 1) supervision of Professor Louise Mallinder, Professor Rory O'Connell and Eilish Rooney, 2) annual progress reviews by Ulster University, and 3) participation in numerous conferences, and 4) submission of case study findings for review to academic journals. To facilitate such reviews, the researcher is best advised to provide thick descriptions of his findings, and leave a 'decision trail' when doing data analysis. Data analysis is discussed in more depth in section 3.4, and supported by Appendix I which contains the code book. See: Kirsti Malterud, 'Qualitative research: standards, challenges, and guidelines' (2001) 358(9280) *The Lancet* 483; Todd Landman, 'Social Science, Methods and Human Rights' (2014) *The SAGE Handbook of Human Rights: Two Volume Set* 181; Phuong Pham and Patrick Vinck, 'Empirical research and the development and assessment of transitional justice mechanisms' (2007) 1(2) *The International Journal of Transitional Justice* 231; Oskar Thoms, James Ron and Roland Paris, 'State-level effects of transitional justice: what do we know?' (2010) 4(3) *International Journal of Transitional Justice* 329; Tina Koch, 'Establishing rigour in qualitative research: the decision trail' (2006) 53(1) *Journal of Advanced Nursing* 91; Lynn Weber Cannon, Elizabeth Higginbotham and Marianne L Leung, 'Race and class bias in qualitative research on women' (1988) 2(4) *Gender Society* 449; Yvonna S Lincoln and Egon G Guba, 'But is it rigorous? Trustworthiness and authenticity in naturalistic evaluation' (1986) 1986(30) *New directions for evaluation* 73; Donna Haraway, 'Situated Knowledges: The Science Question in Feminism and the Privilege of Partial Perspective' in *Turning Points in Qualitative Research: Tying Knots in a Handkerchief* (2004) 21.

<sup>159</sup> Creswell and others, for example, distinguish five types of research design in qualitative studies, namely, ethnography, narrative, phenomenological, grounded theory, and case study. John W Creswell and others, 'Qualitative research designs: Selection and implementation' (2007) 35(2) *The Counselling Psychologist* 236. Yin distinguishes between experiments, surveys, archival analysis, histories and case studies. Richard K Yin, *Case study research: Design and methods* (Sage Publications 2013).

examination of a real-world phenomenon within its naturally occurring context, without directly manipulating either the phenomenon or the context'.<sup>160</sup> In this sense, the case study differs from an experimental design in which external factors, except for the one under study, are eliminated. Qualitative case study research facilitates the intimate analysis of a 'spatially and temporally delimited phenomenon observed at a single point in time or over some period of time',<sup>161</sup> and can be descriptive, exploratory or explanatory.<sup>162</sup> As the assumption at the core of this thesis is that contextual factors shape the type of support international actors provide to gender justice in societies in transition, the case study method is well-suited to provide answers to the research questions at the core of this thesis.

### ***3.2.2 Justifying the use of a multi-level case study design.***

This research uses what it refers to as 'a multi-level case study design', as the specific features of such a design aligned with the feminist ethos of this research as well as facilitated the fulfilment of the research objectives it aimed to achieve. A multi-level case study design reunites a single case study design and a comparative case study design in one study. This is possible, because the research is conducted at two levels. The research focuses on the EU in its capacity as an international actor to contribute to development of theory on 'the patriarchy of internationalized transitional justice'. As the EU is only one international actor, this choice qualifies the research design as a single case study design. However, by studying the EU's activities in two different contexts, Tunisia and Ukraine, it is at the same time a comparative case study design.

<sup>160</sup> Juliet Kaarbo and Ryan K Beasley, 'A practical guide to the comparative case study method in political psychology' (1999) 20(2) Political Psychology 369: 372.

<sup>161</sup> John Gerring, Case study research: Principles and practices (Cambridge university press 2006): 19.

<sup>162</sup> John Gerring, 'What is a case study and what is it good for?' (2004) 98(2) American Political Science Review 341.

This combination allows the research to provide a more robust picture of the activities the EU supports in the realm of gender justice and the factors that drive these choices.

This approach also is in line with the feminist ethos of this thesis even though it differs from the most common approaches towards studying international actors in feminist transitional justice scholarship. Except for those authors' whose work specifically focuses on ad hoc international tribunals or the activities of the International Criminal Court (ICC) in certain countries,<sup>163</sup> few feminist transitional justice scholars have conducted empirical research on transitional justice support provided by individual international actors in well-defined local contexts.<sup>164</sup> Critiques of 'the international' in feminist transitional justice scholarship usually do not identify one specific international actor,<sup>165</sup> and often rely on analyses of generic policy documents written in headquarters in New York, Brussels, Geneva or other capitals in the Global North. Therefore, little in-depth feminist knowledge of the day-to-day practices of specific global actors engaged in transitional justice efforts at the local level is available.<sup>166</sup> This is odd, as

<sup>163</sup> Chappell 2017 (n56); Kateřina Uhlířová, 'Contribution of the International Criminal Court to the Prosecution of Sexual and Gender-Based Crimes: between Promise and Practice' in *The Rome Statute of the ICC at Its Twentieth Anniversary* (Brill Nijhoff 2018); Valerie Oosterveld, 'The Special Court for Sierra Leone's Consideration of Gender-based Violence: Contributing to 'Transitional Justice?' (2009) 10(1) *Human Rights Review* 73.

<sup>164</sup> Barbara Miller, Milad Pournik and Aisling Swaine, 'Women in peace and security through United Nations Security resolution 1325: Literature review, content analysis of national action plans, and implementation' (2014) 13 *IGIS WP*. This study provided more detailed insight in the activities of a range of international actors through analysis of National Action Plans on WPS, but the data on implementation concern generic trends rather than insights of implementation in specific contexts. Some examples of this type of research from a not particularly feminist perspective include: Davis 2014 (n36); Annie Bird, *US Foreign Policy on Transitional Justice* (LSE Theses online 2012); Paige Arthur and Christalla Yakinthou, *Transitional Justice, International Assistance, and Civil Society: Missed Connections* (Cambridge University Press 2018).

<sup>165</sup> Basu 2016 (n146); Ní Aoláin 2009 (n4).

<sup>166</sup> In the mainstream literature, there has been more, but still relatively little attention, for the everyday dynamics of international engagement with transitional justice processes in societies in transition. Most of these publications also fail to identify specific international actors. see for example:

Simon Robins, 'Transitional justice as an elite discourse: Human rights practice where the global meets the local in post-conflict Nepal' (2012) 44(1) *Critical Asian Studies* 3; Tshepo Madlingozi, 'On transitional justice entrepreneurs and the production of victims' (2010) 2(2) *Journal of Human Rights Practice* 208; Jelena Subotić, 'The transformation of international transitional justice advocacy' (2012) 6(1) *International Journal of Transitional Justice* 106; Gerhard Thallinger, 'The UN Peacebuilding Commission and Transitional Justice' (2007) 8 *German Law Journal* 681; Olga Martín-Ortega, 'Building peace and delivering justice in Bosnia and Herzegovina: The limits of externally driven processes' (2013) *Transitional Justice and Peacebuilding on the Ground: Victims and Ex-Combatants* 139; Dustin Sharp,

feminist research is based on the premise that knowledge production should be democratized both when it comes to those who produce knowledge as well as those topics that are the subject of knowledge production.<sup>167</sup> Focusing on what international actors say in policy documents in isolation from examining what they do in local contexts does not allow for the inclusion of specific local voices. A multi-level case study design facilitates the examination of powerful actors outside the confines of their own bureaucratic epicentres, and facilitates the inclusion of local voices, including those of grassroots women's rights actors.<sup>168</sup> As such, the multi-level case study design facilitates the feminist premise of democratizing knowledge creation.

The multi-level case study design also facilitates theory development. Some authors believe that a qualitative case study design's capacity to deliver intimate knowledge about a phenomenon comes at the expense of generalisability of the data acquired through it.<sup>169</sup> However, this thesis adheres to the notion that case study research can contribute to the production and further development of knowledge that is relevant outside the confines of the specific case,<sup>170</sup> provided that the research is

'Bridging the Gap: The United Nations Peacebuilding Commission and the Challenges of Integrating DDR and Transitional Justice' (2013) *Transitional Justice and Peacebuilding on the Ground: Victims and Ex-Combatants* 23; Arnaud Kurze, 'Time for Change: Aid, NGOs, and Transitional Justice in Bosnia-Herzegovina' (2017) 1(5) *Transitional Justice Review* 2; Laura Davis, 'Make do, or mend? EU security provision in complex conflicts: The Democratic Republic of Congo' (2015) 24(1) *European Security* 101.

It is important to note, however, that these publications do not specifically focus on the gender dimension of international actors' day-to-day engagement with transitional justice. Literature on the gendered impact of international interventions in post-conflict contexts does exist, but does not consider transitional justice specifically. See for example: Dina Francesca Haynes, Naomi Cahn and Fionnuala Ní Aoláin, 'Women in the post-conflict process: Reviewing the impact of recent UN actions in achieving gender centrality' (2012) 11 *Santa Clara Journal of International Law* 189. While it derives its observations regarding the practical implications of the adoption of UNSCRs on Darfur and Afghanistan on research conducted by third parties, it does shed light on the actual impact of these resolutions and the way they are perceived by local actors.

<sup>167</sup> Lorraine Code, *What can she know?: feminist theory and the construction of knowledge* (Cornell University Press 1991); Judith A Cook and Mary Margaret Fonow, 'Knowledge and women's interests: Issues of epistemology and methodology in feminist sociological research' (1986) 56(1) *Sociological Inquiry* 2; Kathleen Lennon, 'Gender and knowledge' (1995) 4(2) *Journal of Gender Studies* 133.

<sup>168</sup> Petra Debusscher, 'Analysing European gender equality policies abroad: A reflection on methodology' (2016) 23(3) *European Journal of Women's Studies* 265.

<sup>169</sup> Robert E Stake, *The art of case study research* (Sage 1995): 8.

<sup>170</sup> Robert K Yin, *Applications of case study research* (Sage 2011).



purposefully designed to illustrate specific theoretical propositions.<sup>171</sup> In this regard Zartman has stated that though social scientists ‘can never be caught inescapably in theories, mechanisms and regularities’, case studies can provide presumptive explanations for events when data fit with theory, or can be a source for the development of alternative explanations for certain phenomena.<sup>172</sup>

In relation to what constitutes a suitable design for case study research to contribute to theory development, opinions also differ with regard to the question whether only comparative case study designs or also single case study designs can contribute to theory development. Yin, for instance, posits that the consideration of multiple cases is likely to contribute to a stronger research design.<sup>173</sup> Nevertheless, others have argued that also the single case study design, can contribute to the development and refining of theory.<sup>174</sup> Flyvbjerg is a defender of the latter vision arguing that a single case study design can contribute to the building of ‘soft theory’ through amongst other things the ‘force of example’.<sup>175</sup> He particularly recommends the use of case studies as a means of falsification. If a case study does not deliver the outcomes predicted by the theoretical framework one adheres to, this is a strong indication that the theory is flawed.

Therefore, this thesis’ reliance on an examination of only one international actor’s activities in the realm of international transitional justice support, can still contribute to theory development, as feminist theory on international engagement with transitional justice already exists, but has not been tested through the use of the EU as an example. In this research the EU is approached in its quality as a unitary

<sup>171</sup> Gerring 2007 (n154).

<sup>172</sup> Zartman 2005 (n155): 6.

<sup>173</sup> Yin 2011 (n170).

<sup>174</sup> Bent Flyvbjerg, 'Five misunderstandings about case-study research' (2006) 12(2) *Qualitative Inquiry* 219: 227.

<sup>175</sup> *Ibid*: 228.

international actor,<sup>176</sup> comparable to how the UN or US foreign policy have been the subject of research on international actor engagement with transitional justice.<sup>177</sup> The choice for the EU as a case study in this context is based on the observation that most theories on international engagement with gender justice in transition have been based on examinations of the activities of international courts and UN documents – most notably UNSCRs on WPS - which less directly represent the political interests of one or more specific international actors. The EU is an international actor with a more clearly interest-based foreign policy agenda which has the primary goal of protecting its own and its Member States' political, economic and security interests. This allows this thesis to interrogate and refine feminist theory on how foreign policy interests shape international engagement with various types of gender justice in transition, by what Flyvbjerg calls the 'force of example'.<sup>178</sup>

The use of two case studies at the local level serves to get a more diversified picture of EU engagement with gender justice in different contexts in line with the notion that in practice international engagement with gender justice in transition depends on local circumstances. The core assumption that underlies this research, is that transitional justice actors' choices for engagement with certain types of gender justice efforts are – at least partly - driven by political calculations. Therefore, one cannot make generic statements about the nature of international support for gender justice in transition based on an actor's engagement with such efforts in just one context, as the nature of this engagement could be completely dependent on the

<sup>176</sup> Contrary to an approach which examines the EU by looking into the activities of each single Member State.

<sup>177</sup> Bird 2012 (n164); Sharp 2013 (n166).

<sup>178</sup> The EU is a severely under researched transitional justice actor, particularly when it comes to its use of transitional justice mechanisms to support gender justice in countries in transition. This observation provided further incentive to have a closer look into the EU's activities in the field. In addition, considerations in relation to practicality and feasibility also supported the case study selection: being physically located in the European Union, and having a certain degree of prior knowledge of and affinity with the subject due to previous research experience.

specific circumstances of the recipient country. However, if actors demonstrate similar or dissimilar tendencies in certain contexts, that can be linked to comparable or different local circumstances, this can suggest the existence of patterns in the drivers behind international engagement with gender justice in transition.

Notwithstanding the clear benefits of a (comparative) case study design, challenges exist as well. In this regard comparative case study research is at risk to suffer from sloppy formalization, and deference to case idiosyncrasy. This results in the collection of data that are outside the scope of the research to answer the research question, and conclusions that are non-representative.<sup>179</sup> However, a balance of strengths and weaknesses is inherent to any type of research design, and both an intentional, well-argued choice for cases, as well as a clear delineation of the research subject contribute to the robustness of the outcomes. Choosing three comparable instances of gender justice reform in two countries to examine the motivations behind EU engagement with gender justice in transition allowed for structured comparison. According to George and others, structured comparison entails the careful development of a standardized set of questions based on the objectives and theoretical propositions guiding the research, which are asked of each case under study.<sup>180</sup> This results in standardized data collection, which allows for systematic comparison and accumulation of the findings of the cases, reducing the risk of loose formalization and deference to case idiosyncrasy.

Through in-depth examination and thick description of EU engagement with each instance of gender justice in both countries, the research subsequently aimed to gather various instances of evidence of the operation of causal mechanisms envisioned by the theories at hand, which allowed for the drawing of conclusions about the

<sup>179</sup> Zartman 2005 (n155): 12.

<sup>180</sup> Alexander L George and others, *Case studies and theory development in the social sciences* (MIT Press 2005).

appropriateness or inadequacy of an explanation.<sup>181</sup> Systematically comparing the EU's actual engagement with different gender justice mechanisms in multiple countries can provide insight in 1) the actual nature of international – in this case the EU's – engagement with different types of gender justice in transition, and 2) the extent to which this engagement is shaped by universal gender justice commitments and/or political calculations.

The idea here is that the nature of the EU's engagement with gender justice in transition falls somewhere on a two-point scale with pre-determined universal EU gender justice priorities presenting one end of the scale and gender justice opportunity structures constituting the other point of this scale. Local gender justice opportunities differ according to the types of issues that are pursued by local women's movements and the priorities of local political elites. These can be pursuing accountability for politically motivated instances of SGBV, but also effectuating legislative or institutional reform to combat VAW, or to pursue justice for a broader set of politically motivated gendered harms than just SGBV. By providing a detailed map of what these local opportunity structures are in Tunisia and Ukraine and which local actors are the proponents and opponents of each of these actions, one can subsequently identify whether EU support for gender justice activities is mostly in line with its own policy priorities or with (certain) local gender justice agendas.

The multi-level case study design thus compares the strengths of a single case study with those of a comparative case study design contributing to feminist theory development in relation to international support for transitional justice by creating robust insight in the factors that drive EU engagement with gender justice in transition based on a comparison of its activities in two countries, examined against the gender

<sup>181</sup> Andrew Bennett and Collin Elman, 'Qualitative research: Recent developments in case study methods' (2006) 9 Annual Review of Political Science 455.

justice opportunity structures that exist in each country. The success of such an approach, however, depends on deliberate case study selection. Therefore, the following sub-section will explain why Tunisia and Ukraine are two suitable countries to study in this framework.

### ***3.2.3 Case study selection***

This thesis identified a number of criteria the case studies at the local level would have to meet based on presence of gender justice efforts under scrutiny in this thesis and presumptions about factors that could potentially shape EU engagement with gender justice in transition.<sup>182</sup> Specifically, the following selection criteria were used for inclusion in this research:

- This research only took into account countries that embarked on their process of transition after 2011. The rationale behind this is, that as the idea of transformative (gender) justice only acquired traction rather recently outside the specialist confines of transitional justice scholarship/practice,<sup>183</sup> it would not make sense to research the EU's engagement with this concept before it reached prominence in academic circles, and subsequently reached a broader audience. The cut-off point has been set at the onset of the Arab Spring, as it has been argued in the literature that this development significantly contributed to the popularization of transformative justice outside the realm of transitional justice experts.<sup>184</sup> The preference to study more recent transitional justice efforts also

<sup>182</sup> George and others 2005 (n180): 24; Flyvbjerg 2006 (n174).

<sup>183</sup> Many have argued that the Arab Spring in particular catapulted the transformative justice concept in more mainstream debates about transitional justice at the practical level. See for instance: Kirsten J Fisher and Robert Stewart, 'After the Arab Spring: a new wave of transitional justice?' (2015) *Transitional Justice and the Arab Spring*. Other seminal publications on transformative justice include: Gready and Robins 2014 (n68); Boesten and Wilding 2015 (n50); Rodrigo Uprimny Yepes, 'Transformative reparations of massive gross human rights violations: Between corrective and distributive justice' (2009) 27 *Netherlands Quarterly of Human Rights* 625.

<sup>184</sup> Fisher and Stewart 2015 (n183).

seemed more appropriate as the EU only adopted its first official guidelines on transitional justice in 2015.<sup>185</sup> While the EU supported transitional justice around the globe before that time,<sup>186</sup> the 2015 document contains tangible self-imposed standards that can be analysed from a gender lens and be used as a yardstick to assess the EU's subsequent efforts in the field.

- The research only focused on countries which had put some form of transitional justice mechanisms in place to pursue justice for past (or ongoing) politically motivated crimes in order to explore EU support for politically sensitive past-focused transitional justice efforts.
- The research only focused on countries which were simultaneously engaged in broader state-level reform efforts to ensure a better position for women in society in line with the idea that transformative justice connects traditional transitional justice efforts with generic reform. Examples of such efforts include the adoption of legislation to combat VAW and increase women's political participation,<sup>187</sup> as well as comprehensive efforts to reform the security sector in the spirit of the WPS Agenda.<sup>188</sup> In practice, this meant that only countries that were experiencing a certain level of stability were taken into consideration, as this type of comprehensive reform efforts usually do not take place during phases of severe insecurity.
- This research only took into account countries where local gender justice politics have resulted in the authorities disproportionately supporting certain types of gender justice measures while neglecting or even obstructing others.

<sup>185</sup> Council of the European Union 2015 (n3).

<sup>186</sup> Davis 2014 (n36).

<sup>187</sup> Rubio-Marín 2009 (n5).

<sup>188</sup> Ibid; Ní Aoláin 2009 (n4).

This means that countries where authorities have been generally dismissive of women's rights support were not taken into consideration.

- This research only focused on countries in which the EU had strong political, economic, and security interests, as this would make it easier to trace how these interests impact an international actor's engagement with different types of gender justice in transition. The thesis relied on EU foreign policy strategies to identify which regions/countries the EU considers to be most central to its own prosperity and stability.<sup>189</sup> These documents indicate that the EU considers safeguarding stability in the countries it refers to as the 'European Neighbourhood' one of its most vital foreign policy interests.

Focusing on the European Neighbourhood a range of countries have experienced transitions or attempts at transitions since 2011. These include: Libya, Egypt, Syria, Tunisia, Ukraine. Some of these countries, Libya and Syria most notably, got eliminated from the list of possible case study sites as they were too insecure to conduct fieldwork. Initially, the researcher therefore decided to look into Egypt and Tunisia, as in 2015 transitional justice and gender justice more broadly still were on the agenda in both countries. However, as the repressive climate (for transitional justice actors and researchers) in Egypt worsened,<sup>190</sup> and Egypt's attempts to pursue accountability for past harms and implement women's rights reforms halted under President el-Sisi's rule, this option seemed increasingly unsuitable.

Ukraine had not dominated recent debates in academic literature and practitioner communities the way Tunisia and Egypt had. However, various transitional justice measures had been implemented since the Maidan Revolution had resulted in the

<sup>189</sup> European Union, Shared Vision, Common Action: A Stronger Europe – A Global Strategy for the European Union's Foreign and Security Policy (2016).

<sup>190</sup> In 2016 the Italian Cambridge University graduate Giulio Regeni was abducted and tortured to death in Egypt.

overthrow of the Yanukovich government in 2014.<sup>191</sup> Amongst other things the ICC had opened preliminary investigation into alleged Rome Statute crimes after Ukraine made two special ad hoc article declarations under article 12(3) of the ICC Rome Statute. This move by the Ukrainian authorities provided the ICC with jurisdiction to examine events related to the Maidan, the annexation of the Crimea, and the conflict in Eastern Ukraine from November 2013 onward.<sup>192</sup> As the conflict in the Donbas region deepened,<sup>193</sup> publications by the Office for the High Commissioner for Human Rights highlighted the occurrence of grave human rights abuses, including conflict-related SGBV in the context of the Donbas conflict.<sup>194</sup> Moreover, desk research into the broader gender justice landscape in Ukraine revealed that like Tunisia,<sup>195</sup> Ukraine was in the midst of several important gender justice reforms, including an attempt to ratify the Council of Europe's Istanbul Convention, the Council of Europe's Convention aimed at combating GBV,<sup>196</sup> and efforts aimed at integrating more women in security institutions in line with commitments set out in the WPS Agenda.<sup>197</sup> In both countries

<sup>191</sup> Igor Lyubashenko, *Transitional Justice in Post-Euromaidan Ukraine: Swimming Upstream* (Peter Lang GmbH 2016).

<sup>192</sup> For a comprehensive analysis of Ukraine's dealings with the ICC see: Global Rights Compliance, *Ukraine and the International Criminal Court* (2016). Available at: <http://www.globalrightscpliance.com/uploads/b9e51ef48ed2c8ce3036fa577142990e.pdf>, accessed 15 August 2018.

<sup>193</sup> A region in the East of Ukraine which consists of the two oblasts – administrative regions - Donetsk and Luhansk.

<sup>194</sup> OHCHR, *Accountability for killings in Ukraine from January 2014 to May 2016* (2017). Available at: [https://www.ohchr.org/Documents/Countries/UA/OHCHRThematicReportUkraineJan2014-May2016\\_EN.pdf](https://www.ohchr.org/Documents/Countries/UA/OHCHRThematicReportUkraineJan2014-May2016_EN.pdf), accessed 15 August 2018. For the most recent update see: OHCHR, *Report on the human rights situation in Ukraine 16 February to 15 May 2018* (2018): 17-18. Available at: [https://www.ohchr.org/Documents/Countries/UA/ReportUkraineFev-May2018\\_EN.pdf](https://www.ohchr.org/Documents/Countries/UA/ReportUkraineFev-May2018_EN.pdf), accessed 15 August 2018.

<sup>195</sup> République Tunisienne, *Loi organique No. 2017-58 du 11 août 2017, relative à l'élimination de la violence à l'égard des femmes*. An official translation in French is available at: <http://www.legislation.tn/sites/default/files/news/1f2017581.pdf>, accessed 15 August 2018.

<sup>196</sup> Council of Europe, *The Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence* (November 2014). Available at: <https://www.refworld.org/docid/548165c94.html>, accessed 3 August 2019.

<sup>197</sup> Elise Ketelaars, 'When 'European values' do not count: Anti-gender ideology and the failure to comprehensively address GBV in Ukraine' (2018) LSE Engenderings. Available at: <https://blogs.lse.ac.uk/gender/2018/09/26/when-european-values-do-not-count-anti-gender-ideology-and-the-failure-to-comprehensively-address-gbv-in-ukraine/>, accessed 14 April 2019.

<sup>198</sup> Mila O'Sullivan, "'Being strong enough to defend yourself': untangling the Women, Peace and Security agenda amidst the Ukrainian conflict' (2019) *International Feminist Journal of Politics* 1; ONU



political elites have been supportive of at least some of these measures (to be discussed in more depth in chapter 4). In view of these observations, it appeared that Ukraine would be an appropriate alternative for Egypt in the context of this research.

The combination of Tunisia and Ukraine as case studies in a research project on international support on gender justice in transition, also allowed for the examination of international engagement with gender justice in transition in the type of transitional contexts that have received relatively little attention in feminist transitional justice scholarship; most feminist research on international engagement with gender justice in transition has focused on ‘war-to-peace’ transitions in the Global South, where conflict related SGBV and wartime rape have been highly prevalent.<sup>198</sup> By including a case study with a (potential) war-to-peace transition but with a low rate of conflict-related SGBV, and a case study of a transition from authoritarianism to democracy, this thesis could test whether insights about the nature of and drivers behind internationalized transitional justice support derived from examinations of ‘war-to-peace’ transitions in contexts that experienced high levels of conflict-related SGBV also apply in other types of transitional contexts.<sup>199</sup>

Femmes Maghreb, ‘La Tunisie lance son Plan d’Action National de mise en œuvre de la Résolution du Conseil de Sécurité 1325 Femmes, Paix et Sécurité’ (July 2018). Available at: <http://maghreb.unwomen.org/fr/actualites-evenements/actualites/2018/07/lancement-pan-unscr1325-tunisie>, accessed 12 May 2019.

<sup>198</sup> This observation is based on a structured review of feminist literature that specifically focuses on international actors’ engagement with transitional justice by Palomo and others. Through an analysis of the SCOPUS database, they have found that in publications on WPS ‘most of the fieldwork has been focused on the United States and the main areas of conflict in the world throughout history’. See: Jesus Palomo, Cristina Figueroa-Domecq and Pilar Laguna, ‘Women, peace and security state-of-art: a bibliometric analysis in social sciences based on SCOPUS database’ (2017) 113(1) *Scientometrics* 123. See also: Laurel E Fletcher and Harvey Weinstein, ‘How Power Dynamics Influence the “North-South” Gap in Transitional Justice’ (2018) 36(2) *Berkeley Journal of International Law* 190.

<sup>199</sup> Previous research has found that in the case of low levels of SGBV, women’s silence around accountability is instrumental in securing peace deals: Sara E Davies, Jacqui True and Maria Tanyag, ‘How women’s silence secures the peace: analysing sexual and gender-based violence in a low-intensity conflict’ (2016) 24(3) *Gender & Development* 459. In general, when it comes to the implementation of accountability measures, experts agree that these efforts play out very differently in negotiated transitions from authoritarianism to democracy than in from war-to-peace transitions with significant international intervention: Paige Arthur, ‘How transitions reshaped human rights: a conceptual history of transitional justice’ (2009) 31 *Human Rights Quarterly* 321.

For the purpose of this study it is also important that while Tunisia and Ukraine have both been the stage to the full range of types of gender justice initiatives of interest to this research, the actual local gender justice opportunity structures in relation to these various gender justice efforts differ significantly. These differences – which will be discussed in extensive detail in chapter 4 – exist at the level of robustness of (state-sanctioned) transitional justice measures, the prominence of gender justice concerns in debates about nationhood and the type of gender justice issues that have and have not received government buy-in. Thus, while in principle the EU could engage with each of the three types of gender justice efforts identified in this thesis in both countries, context-specific circumstances make that whether it is politically opportune for the EU to engage with a certain gender justice issue varies between the two contexts.

### ***3.2.4 Operationalizing the case study design***

To operationalize the research this section identifies three specific avenues for gender justice support in each context and three types of EU *modi operandi* to support these gender justice issues. The avenues are the local examples of the three components of the tripartite conceptualization of the feminist transformative gender justice agenda identified in the previous chapter.

In the Tunisian context, the three avenues include: 1) the Specialized Chambers' efforts to pursue accountability for politically motivated SGBV, 2) the Truth and Dignity Commission's (TDC) efforts to pursue justice for indirect victims, and female victims of socio-economic rights violations, including its design of a comprehensive strategy for reparations, and/or grassroots initiatives to pursue transformative gender justice outcomes such as women's courts put in place by feminist actors who have remained mostly at the side-lines of Tunisia's official transitional justice efforts, and 3) the pursuit of legislative and institutional reform to combat VAW and create a more

gender equal society. In the Ukrainian context, these include 1) efforts to document and prosecute the instances of conflict-related SGBV committed within the context of the Donbas conflict, 2) grassroots transformative gender justice efforts aimed at the pursuance of justice for socio-economic harms inflicted on internally displaced persons (IDPs) and citizens of the Donbas in the framework of the conflict, and 3) attempts to ratify the Council of Europe's Istanbul Convention and/or gender mainstreaming in SSR efforts to combat VAW. The type of activities that would be interesting to consider in the scope of this research were selected based on what has been identified in feminist transitional justice literature discussed in chapter 2 as possible areas for traditional and transformative gender justice support. The specific instances that would be relevant to consider in each country context were identified during desk research.<sup>200</sup> More details

<sup>200</sup> For Tunisia: Doris H Gray, 'Tunisia after the Uprising: Islamist and secular Quests for women's rights' (2012) 17(3) *Mediterranean politics* 285; Doris H Gray and Terry Coonan T, 'Notes from the field silence kills! Women and the transitional justice process in post-revolutionary Tunisia' (2013) 7(2) *International Journal of Transitional Justice* 348; Kora Andrieu K, 'Confronting the Dictatorial Past in Tunisia: Human Rights and the Politics of Victimhood in Transitional Justice Discourses Since 2011' (2016) 38(2) *Human Rights Quarterly* 261; Christopher K Lamont and Helena Pannwitz, 'Transitional Justice as Elite Justice? Compromise Justice and Transition in Tunisia' (2016) 7(2) *Global Policy* 278) and the gendered implications of this state of affairs; ATFD, *La repression des soulèvements populaires de 2010–2011 récits et témoignages: Quelle justice transitionnelle pour les femmes?* (2011); Loes Debuysere, 'Tunisian women at the crossroads: Antagonism and agonism between secular and Islamist women's rights movements in Tunisia' (2016) 21(2) *Mediterranean Politics* 226; Elham Manea, 'Transitional Justice and the Arab Spring from a Gender Perspective' in *Transitional Justice and the Arab Spring* (Routledge 2015); Mounira M Charrad, 'Progressive Law: How it Came About in Tunisia' (2015) 18 *Journal of Gender Race & Justice* 351.

For Ukraine: Emily S Channell-Justice, '"We're Not Just Sandwiches": Europe, Nation, and Feminist (Im)Possibilities on Ukraine's Maidan' (2017) 42(3) *Signs: Journal of Women in Culture and Society* 717; Olga Onuch and Tamara Martsenyuk T, 'Mothers and Daughters of the Maidan: Gender, repertoires of violence, and the division of labour in Ukrainian protests' (2014) 1(1) *Social, Health, and Communication Studies Journal* 105; Sarah D Phillips, 'The Women's Squad in Ukraine's protests: Feminism, nationalism, and militarism on the Maidan' (2014) 41(3) *American Ethnologist* 414; Marian J Rubchak, 'A Fiery EuroMaidan Ignites a Feminist Voice' (2014) 44(2) *Perspectives on Europe* 82; Igor Lyubashenko, 'Trying to move a rock. Lustration in Ukraine' (2016) 21(2) *New Eastern Europe* 116; Klaus Bachmann and Igor Lyubashenko, 'The Puzzle of Transitional Justice in Ukraine' (2017) 11(2) *International Journal of Transitional Justice* 297; DCAF and La Strada-Ukraine, *Criminal Justice Practice and Violence Against Women* (2017). Available at: [https://dcaf.ch/sites/default/files/publications/documents/Criminal%20justice%20practice%20and%20violence%20against%20women\\_engl.pdf](https://dcaf.ch/sites/default/files/publications/documents/Criminal%20justice%20practice%20and%20violence%20against%20women_engl.pdf), accessed 15 August 2018.

about each of these efforts and how various local actors (female victims' groups, feminist activists, political elites) relate to them, follow in chapter 4.

EU support for each of these gender justice efforts in practice is measured along three axes in line with the EU's own conceptualization of gender justice support being a three-pronged approach which 'combines gender mainstreaming, gender-specific actions with political and policy dialogue to maximise outcomes'.<sup>201</sup> Thus when examining EU support for the three different types of gender justice efforts it looks at 1) how the EU has mainstreamed gender in its transitional justice support (which can constitute of financial and diplomatic support) and other relevant activities such as judicial reform and SSR, 2) how it has supported gender justice efforts directly through targeted action such as support for specific gendered transitional justice initiatives or feminist advocacy in the realm of legislative reform, and 3) how it has used diplomatic tools including political/economic pressure to support traditional and transformative gender justice efforts.

### ***3.2.5 Conclusion***

Much research on international support for gender justice in transition only focuses at the central level. This does not allow for consideration of how local context specific factors affect international support for gender justice in transition. As the starting point of this thesis is that local gender politics are likely to shape how universal gender justice norms are implemented by international actors in third country contexts, such an approach is not likely to provide the required information to enhance understanding of the dynamics behind international support for gender justice in transition. Moreover, a

<sup>201</sup> European Commission, Evaluation of EU Support to Gender Equality and Women's Empowerment in Partner Countries Final Report Volume 1: Main Report April 2015: 1. Available at: [https://ec.europa.eu/europeaid/sites/devco/files/evaluation-cooperation-ec-gender-1338-main-report-201504\\_en.pdf](https://ec.europa.eu/europeaid/sites/devco/files/evaluation-cooperation-ec-gender-1338-main-report-201504_en.pdf), accessed 25 July 2018; European Commission and High Representative of the Union for Foreign Affairs and Security Policy 2015 (n2).

Brussels/New York/Geneva focused case study design is not in line with the feminist ideal to decentralize the narrative from those in power. This section argues that a multi-level case study design which maps the EU's activities through engagement with both EU officials and gender justice experts at the central level and on the ground is a more suitable approach for enhancing insight in the factors that drive EU engagement with gender justice in transition. It subsequently showed that through a careful research design and case study choice it is possible to identify which factors weigh heaviest in shaping the EU's approach towards gender justice in transition abroad. The next section will discuss how careful choice of data collection methods further reinforced the feminist ethos of the research and provided the required information to make the above discussed comparisons.

### ***3.3 DATA COLLECTION***

A case study design facilitates various data collection methods that rely on different types of sources.<sup>202</sup> In the case of this research these sources need to give insight in 'the what' and 'the why' of EU engagement with gender justice in transition. A combination of analysis of EU documentary data and in-depth interviews was identified as the most appropriate strategy for data collection within the existing practical constraints. However, both the overall choice for these methods as well as the specifics execution could potentially refute the (feminist) methodological principles at the basis of this thesis. This section therefore justifies the choice for these methods (3.3.1) and explains how through purposive selection of documents (3.3.2) and careful execution of the in-depth interviews (3.3.3), and the application of reflexivity (3.3.4) the researcher managed

<sup>202</sup> Yin 2011 (n170).

to collect the required, high-quality data while staying true to the feminist ethos of this thesis.

### ***3.3.1 Methods to understand ‘the what’ and ‘the why’ of EU engagement with gender justice in Tunisia and Ukraine***

A combination of documentary analysis and in-depth interviews with EU officials and gender justice actors in Brussels, Tunisia and Ukraine was identified as the best approach for getting insight in the nature of EU engagement with gender justice in Tunisia and Ukraine, broader local opportunity structures for gender justice support and the factors that determined EU engagement with certain gender justice efforts at the expense of others. Each of the data collection tools has limits both in relation to the overall nature and quality of the data this method can yield and the appropriateness of the use of this method within the feminist spirit of this research. This section justifies the overall approach while identifying the limits of these methods and introducing the measures that were taken to mitigate them.

#### *3.3.1.1 Documentary analysis*

At first sight reliance on analysis of EU documents to get insight in the nature of EU engagement with gender justice seems to contradict this thesis’ critical stance towards feminist scholars’ reliance on textual analysis to understand international support for gender justice in transition. This is not the case. Official documents can provide useful insight in international engagement with gender justice in transition provided that the type of documents that are included in the analysis and the type of information that is extracted from them is clearly delineated. More concretely, in order to get a meaningful picture of an international actor’s support for gender justice in transition in a certain context the researcher should only rely on documents directly relating to that context.

These documents should only contain factual information about the interventions that the international actors will or has already carried out there.

Other documents, such as thematic policy strategies were included in the analysis as well, but only to draw conclusions about the nature of EU policy priorities and thus not about the nature of its support *an sich* or the factors that motivate EU engagement with gender justice in transition. Documentary analysis was also used to get insight in the avenues for gender justice support in Tunisia and Ukraine. In this context the researcher relied on existing academic literature and reports by IOs and NGOs about gender justice issues and initiatives to address them. Taken together they were used to create an overview of avenues for change and the local actors associated with each of these avenues. The findings from the first stage of the research about the nature of EU engagement with gender justice in transition informed the second stage which relied on in-depth interviews with EU officials and gender justice actors in Brussels, Tunisia and Ukraine to get more insight in the motivations behind EU support for gender justice in transition.

### *3.3.1.2 In-depth elite-interviews*

In-depth interviews are generally acknowledged as a suitable tool to get access to the views and interpretations of the organizations and actors under scrutiny,<sup>203</sup> and are regularly used in feminist research.<sup>204</sup> However, in the context of this research reliance on in-depth interviews could also raises some methodological challenges. First, as almost all interviewees were interviewed in their capacity as professionals or civil society organization (CSO) representatives about topics that fall within the remit of their

<sup>203</sup> Geoff Walsham, 'Interpretive case studies in IS research: nature and method' (1995) 4(2) *European Journal of information systems* 74.

<sup>204</sup> Hesse-Biber 2007 (n153).

expertise, they qualified as experts. Some interviewees, due to their high-level positions in the EU bureaucracy itself, other IOs, or powerful international non-governmental organizations (iNGOs) qualified as elites,<sup>205</sup> particularly compared to the researcher's own status as a junior academic. This choice for prioritizing engagement with experts on EU foreign policy, gender and transitional justice is a natural fit for this thesis, as the aim of this research is to establish what the EU is doing in this realm, and why it is doing so, rather than to examine how EU foreign policy impacts women's lives in the countries where it is active. However, it seems at odd with the key premise of feminist research which is to democratize knowledge making and shift narratives away from those in power. The researcher tried to mitigate this issue by including the voices of expert actors of different categories, including those representing women's interests, in order to avoid lifting the voices of one category of elite actors.

A second issue concerned the fact that as elite interviews are not considered a mainstay of feminist scholarship, feminist methodological literature contains relatively little guidance on how to approach these interviews. It is believed that extracting quality data from elites is particularly challenging. Therefore, mainstream experts on elite-interviewing have elaborated strategies to facilitate data collection. However, at the same time it is clear that some of these strategies do not sit well with a feminist research ethos as they to some extent rely on 'manipulation' to optimize data collection. This means that a feminist researcher who relies on elite interviews needs to find a way to successfully balance her commitment to a feminist research ethos with the need to

<sup>205</sup> While the idea that feminist experts from the Global North can be qualified as elite gatekeepers has gained much traction over the last decade, the notion that feminist experts from the Global South can also qualify as such has only since more recently explored in more depth: Lata Narayanaswamy, 'Whose feminism counts? Gender(ed) knowledge and professionalisation in development' (2016) 37(12) *Third World Quarterly* 2156.



extract quality data with relatively little guidance from feminist methodological literature.

The acquisition of good interview data depends on the acquisition of access to and the creation of a positive relationship – rapport - with interviewees. In relation to the notion of rapport DiCicco-Bloom and Crabtree have found that:

Essentially, rapport involves trust and a respect for the interviewee and the information he or she shares. It is also the means of establishing a safe and comfortable environment for sharing the interviewee's personal experiences and attitudes as they actually occurred.<sup>206</sup>

In general, experts have emphasized that in order to create rapport researchers should adjust their message and communication style to their target audience in order to create a favourable expression.<sup>207</sup> If the interviewer manages to create a favourable impression, he/she can significantly improve the richness and quality of that data gathered. Experts on elite interviewing have set out various strategies for the actual conduct of the interview to facilitate the creation of rapport. One of the most common advices concerns the build-up of the interview from relatively generic, 'unthreatening' questions to more specific and critical questions.<sup>208</sup>

However, following such a schedule is no guarantee for the creation of rapport and/or a successful interview. Experts acknowledge that even when interviewers adhere to this type of strategies, one conversation might not be sufficient to – if necessary – change the interviewee's first impressions, or generic willingness to talk to the researcher about the topic under scrutiny.<sup>209</sup> Individuals, and particularly individuals with a duty to or stake in protecting their organizations against scrutiny/criticism, might not be fully open about what factors motivate their organizations' activities. In this

<sup>206</sup> Barbara DiCicco-Bloom and Benjamin F Crabtree, 'The qualitative research interview' (2006) 40(4) *Medical Education* 314: 316.

<sup>207</sup> David Richards, 'Elite interviewing: Approaches and pitfalls' (1996) 16(3) *Politics* 199.

<sup>208</sup> Joanne McEvoy, 'Elite interviewing in a divided society: Lessons from Northern Ireland' (2006) 26(3) *Politics* 184.

<sup>209</sup> Zoe S Morris, 'The truth about interviewing elites' (2009) 29(3) *Politics* 209.

regard, it has been observed that elite interviewees in particular are shrewd interpreters of the intentions of (critical) academic researchers.<sup>210</sup> Institutional affiliations, project description, or even choice of research topic in itself can raise certain expectations – and misinterpretations – on behalf of the interviewee about the interviewer’s intentions and point of view.<sup>211</sup> Moreover, experts on elite interviewing have observed that with elite interviewees in particular there always exists a risk that interviewees will be dishonest.<sup>212</sup> In this regard Stephen Ball has argued that elite interviewees only agree to participate in an interview to ‘present themselves in a good light, not be indiscreet, to convey a particular version of events, to get arguments and points of view across, to deride or displace other interpretations and points of view’.<sup>213</sup> If they get access, researchers might have a hard time distilling truth from lies, as elite actors are often excellent communicators who are trained in setting the terms of a conversation. The researcher was aware that EU officials in particular might display this type of behaviour.

However, there is little advice for feminist researchers how to deal with these challenges in a fashion that is in line with a feminist research ethos. Mainstream scholars, to the contrary, have come up with a range of tactics to tilt the power dynamics that guide the interview more in favour of the researcher to ensure optimal data collection. These vary from being professional and well-prepared,<sup>214</sup> to participating in outward deceit.<sup>215</sup> In the latter category Lilleker, for instance, advises those researching political elites to discuss controversial topics in generic terms, and while

<sup>210</sup> Elaine Campbell, 'Interviewing men in uniform: a feminist approach?' (2003) 6(4) *International Journal of Social Research Methodology* 285.

<sup>211</sup> *Ibid.*

<sup>212</sup> Morris 2009 (n209).

<sup>213</sup> Stephen J Ball, 'Political Interviews and the Politics of Interviewing' in *Researching the Powerful in Education* (1994): 97-98.

<sup>214</sup> Dexter has argued that (experienced) interviewers might come a long way interviewing elites if they are able to sense or guess the motivations behind the behaviour and responses of the interviewee, and adjust their own behaviour and questions accordingly. Lewis Anthony Dexter, *Elite and specialized interviewing* (ECPR Press 2006).

<sup>215</sup> Andrew Herod, 'Reflections on interviewing foreign elites: praxis, positionality, validity, and the cult of the insider' (1999) 30(4) *Geoforum* 313.

doing so to try to ‘flatter’ the respondent by highlighting their influential role in the matter.<sup>216</sup> Others have advised researchers to appear relatively ‘unknowing’ – even though they actually are well-informed - as this will create a ‘unthreatening’ atmosphere in which the elite interviewee will feel more at ease to share his/her real points of view.<sup>217</sup> At the more extreme side of the spectre, researchers such as Spencer and Routledge have gone as far as to actively betray their powerful research objects by hiding they were academic researchers.<sup>218</sup> They justify such approaches by arguing that ‘under certain conditions, when dealing with powerful bureaucracies, to mask one’s true purpose of seeking facts rather than the perpetuation of myths, in order to obtain the information essential to sustain a free society’.<sup>219</sup> However, while on the surface, such an argument speaks to the essence of the feminist research agenda which is to challenge the patriarchy, various feminist researchers have criticized such an approach.

At the core of these critiques sits the question: how, as an ethical researcher, can you justify engaging in the same type of behaviour for which you criticize your interviewee? In this regard, Morris concludes in relation to the suggestion to use more manipulative techniques to create rapport that:

In practice these are probably very effective ... but they are also duplicitous; a point not acknowledged by those offering the advice. They involve the researcher doing precisely what they criticise elites for doing – being selective in what they present in order to elicit a particular response in others.<sup>220</sup>

<sup>216</sup> Darren G Lilleker, 'Interviewing the political elite: Navigating a potential minefield' (2003) 23(3) *Politics* 207: 209.

<sup>217</sup> Margaret Desmond, 'Methodological challenges posed in studying an elite in the field' (2004) 36(3) *Area* 262: 265.

<sup>218</sup> Gary Spencer, 'Methodological issues in the study of bureaucratic elites: A case study of West Point' (1973) 21(1) *Social Problems* 90: 102.

<sup>219</sup> *Ibid*; Paul Routledge, 'Travelling east as Walter Kurtz: identity, performance, and collaboration in Goa, India. *Environment and Planning D*' (2002) 20 *Society and Space* 477.

<sup>220</sup> Morris 2009 (n209): 213.

Bradshaw agrees, noting that as academics ‘we cannot work with two codes, one for researching up and one for researching down’.<sup>221</sup> Kezar finds that the notion that ‘it is the interviewer’s responsibility to be open to transforming the lives of all people they interview, not just those who need empowerment or ones that we identify with as similar to ourselves’, is inherent to a feminist research ethic.<sup>222</sup> According to Smith these concerns are deepened by the fact that those who are powerful in daily life are not necessarily also powerful – or do not necessarily display the characteristics and behaviours of a powerful actor – during an interview: ‘it is not always the case that “elites” exert the power associated with their professional position in the research space. Perhaps we need to make room to consider the possibility of “vulnerable elites”’.<sup>223</sup> Moreover, she also finds that actors who are normally not considered as ‘powerful’ can display the characteristics associated with powerful actors: ‘there is little evidence to support the idea that any areas of concern relate specifically to interviewing “elites”’. Instead, there seems to be an assortment of potential problems which all interviewers may encounter’.<sup>224</sup> This means that those who think it is acceptable to use ‘manipulative techniques’ with elite actors, might actually be using them with vulnerable subjects, further increasing the unethicalness of such an approach.

Nevertheless, the imperative to collect quality data is also of concern to feminist researchers. This raises questions about how to reunite this objective with a feminist research methodology. Feminist scholars do not provide an unequivocal answer to this question.<sup>225</sup> Smith’s advice to researchers, for instance, is to admit that ‘the goal of

<sup>221</sup> Matt Bradshaw, ‘Contracts and member checks in qualitative research in human geography: Reason for caution?’ (2001) 33 (2) *Area* 202: 204.

<sup>222</sup> Adrianna Kezar, ‘Transformational elite interviews: Principles and problems’ (2003) 9(3) *Qualitative Inquiry* 395: 403.

<sup>223</sup> Katherine E Smith, ‘Problematizing power relations in ‘elite’ interviews’ (2006) 37(4) *Geoforum* 643: 650.

<sup>224</sup> *Ibid*: 652.

<sup>225</sup> Shelley Pacholok, ‘Interviewing elite men: Feminist reflections on studying “up” and selling out’ (2016) *Researching Amongst Elites: Challenges and Opportunities in Studying Up* 199.

perfection is actually unobtainable',<sup>226</sup> and to reflect in more depth and openness how power relations actually worked out during the interviewing process. Kezar provides more elaborate and concrete advice about steps one should take when interviewing elites with the aim to transform certain types of oppressive behaviour in which the interviewee takes part. She suggests that 'decisions about challenging elites must be made very judiciously and perhaps toward the later part of the study' when data have been collected.<sup>227</sup> This, however, seems to refute her insistence on authenticity throughout the interviewing process. Campbell, who interviewed senior police officers - 'a group of powerful, authoritative and uniformed men' - sought to extend the intersubjectivity of a brokered understanding, or to gain reflexive distance from 'self-evident' beliefs and values'.<sup>228</sup> However, as she found that not all senior police officers were equally open to such an exercise, she identified successful rhetoric devices to address sensitive topics and voice critiques, while not providing a hostile impression. These include reliance on 'a devil's advocate approach', the use of hypothetical questions rather than direct questions about the handling of certain cases by the police officers who participated in the interviews, and the use of 'ideal world' comparisons.<sup>229</sup>

The interviewer can thus use certain rhetoric devices to broach critiques in a more diplomatic fashion while not betraying the critical feminist ethos of the research. Nevertheless, most publications on feminist elite interviewing seem to suggest it is inevitable that the feminist researcher will have to deal with hard – if not impossible – to reconcile goals. Reflecting on these findings the researcher decided that most of the measures to mitigate power imbalances that tilt in favour of the interviewee, would have

<sup>226</sup> Smith 2006 (n223): 652.

<sup>227</sup> Kezar 2003 (n222): 411.

<sup>228</sup> Campbell 2005 (n210): 290.

<sup>229</sup> Ibid: 294. These seem acceptable, as they allow the interviewer to express his or her critiques in a more constructive fashion. This seems less 'deceitful' than Lilleker's advise to broach controversial topics in generic terms, and while doing so to try to 'flatter' the respondent by highlighting their influential role in the matter.

to be taken outside the scope of the interview itself. More specifically the researcher identified that 1) careful, inclusive selection of interviewees and contrasting of the perspectives they shared,<sup>230</sup> 2) the application of reflexivity to identify how the level rapport between the interviewer and interviewee might have influenced the quality of the data, and 3) triangulation of the interviews with other sources would be the most efficient way to ensure the reliability of the data.

### ***3.3.2 The sources for documentary analysis***

This thesis relied on a range of documents to provide a comprehensive picture of the EU's policy priorities, and the nature of EU engagement with gender justice in transition in Tunisia and Ukraine as well as of the local gender justice climate in Tunisia and Ukraine. This section provides an overview of the types of documents that were taken into consideration within the framework of this exercise.

#### *EU documents relied upon to understand the nature of EU engagement with gender justice in transition*

As discussed, this thesis distinguishes between EU policy documents and other documents which contain information about actual activities that the EU has undertaken in Tunisia and Ukraine. This section lists the key policy documents that were studied to inform the fieldwork and the Tunisia and Ukraine specific documents that were analysed to understand the actual activities the EU has undertaken in both countries. With regard to these activities the thesis distinguishes between different foreign policy tools the EU has at its disposal to support gender justice in transition (targeted action, gender mainstreaming, political measures). Different types of EU

<sup>230</sup> Asking multiple actors about their interpretation of the same types of events or action on behalf of the EU facilitates the identification of points of consensus and contestation. In this regard it has been remarked that 'it is through the connection of many 'truths' that interview research contributes to our knowledge of the meaning of the human experience'. DiCicco-Bloom and Crabtree 2006 (n206): 316.

documents were relied upon to identify to what extent the EU has used each of these approaches to advance gender justice in Tunisia and Ukraine.

To understand the EU's policy priorities in the realm of gender and transitional justice in advance of the fieldwork the thesis relied upon analysis of core policy documents in the realm of gender and transitional justice. The starting point for this analysis were the 2015 Council Conclusions on transitional justice and the EU's Policy Framework on Support to Transitional Justice annexed to the conclusions.<sup>231</sup> This document contains several references to other policy frameworks relevant to the EU's support for gender justice in transition such as the EU's 2008 Comprehensive approach to the EU implementation of the United Nations Security Council Resolution (UNSCR) 1325 and 1820 on women, peace and security,<sup>232</sup> the Guidelines on Violence against Women and Girls,<sup>233</sup> and the Gender Action Plan.<sup>234</sup> These documents were analysed to get insight in the EU's policy priorities in the realm of gender justice in transition in general and in the European Neighbourhood in specific. After the fieldwork the EU published an updated strategy on Women Peace and Security (December 2018).<sup>235</sup> The findings about the nature of EU engagement with gender justice in transition were compared against the previous 2008 EU policy framework on WPS and this updated version to check whether today's policy framework better reflects the EU's actual approach than the previous one.

<sup>231</sup> Council of the European Union 2015 (n3)

<sup>232</sup> Council of the European Union, Comprehensive approach to the EU implementation of the United Nations Security Council Resolutions 1325 and 1820 on women, peace and security, Brussels, 1.12.2008, 15671/1/08. See also: Council of the European Union, Revised indicators. Comprehensive approach to the EU implementation of the United Nations Security Council Resolutions 1325 and 1820 on women, peace and security, 12525/16, 22 September 2016.

<sup>233</sup> European Union, The EU Guidelines on violence against women and girls and combatting all forms of discrimination against them. Available at: [https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/eu\\_guidelines\\_on\\_violence\\_against\\_women\\_and\\_girls\\_1.pdf](https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/eu_guidelines_on_violence_against_women_and_girls_1.pdf), accessed 31 July 2018.

<sup>234</sup> European Commission and High Representative 2015 (n2).

<sup>235</sup> Council of the European Union, Council conclusions on Women, Peace and Security, 15086/18, Brussels 10 December 2018.

To get insight in targeted spending on gender justice activities in Tunisia and Ukraine the thesis relied in first instance on Annual Action Programmes, i.e. ‘financing decisions adopted by the European Commission, to reserve funds for regional and country-based external cooperation programmes’,<sup>236</sup> In the Ukrainian context the research also relied on Special Measures the EU has published, outlining ad hoc spending on issues of imminent importance. All Annual Action Programmes and Special Measures are available via the country pages for Tunisia and Ukraine at the website of the European Commission.<sup>237</sup> The Ukrainian Annual Action Programmes are available in English, while the Tunisian ones can be consulted in French. Annual Action Programmes contain annexes related to specific fields of intervention such as justice sector reform, SSR and support for gender equality. The table below lists which Annual Action Programme annexes were considered in the context of this thesis:

*Table 3.1: EU Annual Action Programmes and Special Measures analysed in the context of this thesis*

	<b>Tunisia</b>	<b>Ukraine</b>
2011	<a href="https://bit.ly/31bj6qZ">https://bit.ly/31bj6qZ</a> (Special Measure Marginalized Regions) <sup>238</sup>	NA
2012	<a href="https://bit.ly/2KhkT6Z">https://bit.ly/2KhkT6Z</a> (Justice PARJ2) <sup>239</sup>	NA
2013	No relevant documents	NA

<sup>236</sup> European Commission, Annual Action Programmes, Available at: [https://ec.europa.eu/europeaid/work/ap/index\\_en.htm\\_en](https://ec.europa.eu/europeaid/work/ap/index_en.htm_en). Accessed 20 July 2019.

<sup>237</sup> European Commission Tunisia page: [https://ec.europa.eu/neighbourhood-enlargement/neighbourhood/countries/tunisia\\_en](https://ec.europa.eu/neighbourhood-enlargement/neighbourhood/countries/tunisia_en). Accessed 20 July 2019; European Commission Ukraine page [https://ec.europa.eu/neighbourhood-enlargement/neighbourhood/countries/ukraine\\_en](https://ec.europa.eu/neighbourhood-enlargement/neighbourhood/countries/ukraine_en). Accessed 20 July 2019.

<sup>238</sup> Commission Européenne, Fiche action du Programme d'Appui au Développement des Zones Défavorisées pour la Tunisie (2011). Available at: [https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/c20116826\\_sm\\_tunisie\\_2011\\_ad1.pdf](https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/c20116826_sm_tunisie_2011_ad1.pdf), accessed 2 August 2018.

<sup>239</sup> Commission Européenne, DÉCISION D'EXÉCUTION DE LA COMMISSION du 28.9.2012 Approuvant le programme d'appui à la réforme de la justice en faveur de la Tunisie sous le programme SPRING à financer au titre du budget général de l'Union européenne, Bruxelles, le 28.9.2012 C(2012) 6858 final.



2014	<a href="https://bit.ly/2GT88ij">https://bit.ly/2GT88ij</a> (Justice) <sup>240</sup> <a href="https://bit.ly/2YjEk8V">https://bit.ly/2YjEk8V</a> (Gender) <sup>241</sup>	<a href="https://bit.ly/2yvopoY">https://bit.ly/2yvopoY</a> (Special Measure State-building) <sup>242</sup> <a href="https://bit.ly/2MvxYMD">https://bit.ly/2MvxYMD</a> (Special Measure CS) <sup>243</sup>
2015	<a href="https://bit.ly/2Mxbf32">https://bit.ly/2Mxbf32</a> (SSR) <sup>244</sup>	No relevant documents
2016	No relevant documents	<a href="https://bit.ly/2KfcSiZ">https://bit.ly/2KfcSiZ</a> (Special Measure Rule of Law PRAVO) <sup>245</sup>
2017	<a href="https://bit.ly/2SXastc">https://bit.ly/2SXastc</a> (CS and independent institutions) <sup>246</sup> <a href="https://bit.ly/2T0aOzl">https://bit.ly/2T0aOzl</a> (Justice PARJ3) <sup>247</sup>	No relevant documents
2018	No relevant documents	<a href="https://bit.ly/2LRpPCI">https://bit.ly/2LRpPCI</a> (AAP - HR) <sup>248</sup>

In addition, the research also looked at specific projects the EU has funded through the European Neighbourhood Instrument (ENI)/European Neighbourhood and Partnership Instrument (ENPI), the European Instrument for Democracy and Human Rights (EIDHR), the Instrument contribution to Stability and Peace (IcSP), and Development Cooperation Instrument in Tunisia and Ukraine.<sup>249</sup> Information about

<sup>240</sup> Commission Européenne, Annexe 2 de la décision d'exécution de la Commission approuvant le programme d'action annuel 2014 en faveur de la Tunisie: Document relatif à l'action « Programme d'Appui à la Réforme de la Justice 2 ».

<sup>241</sup> Commission Européenne, Annexe 4 de la décision d'exécution de la Commission approuvant le programme d'action annuel 2014 en faveur de la Tunisie, Document relatif à l'action “Programme de promotion de l'égalité homme-femme en Tunisie”.

<sup>242</sup> European Commission, Annex 1 of the Commission Implementing Decision on the Special measure 2014 in favour of Ukraine Action Document for the State Building Contract for Ukraine.

<sup>243</sup> European Commission, Annex 2 of the Commission Implementing Decision on the Special measure 2014 in favour of Ukraine Action Document for Ukraine Civil Society Support Programme.

<sup>244</sup> Commission Européenne, Annexe 2 de la décision d'exécution de la Commission relative au programme d'action annuel 2015 en faveur de la Tunisie partie I à financer sur le budget général de l'Union européenne, Document initial relatif à l'action pour le programme d'appui à la réforme et modernisation du secteur de la sécurité de la République tunisienne

<sup>245</sup> European Commission, Annex 1 of the Commission Implementing Decision on the Special Measure III 2016 on Support to Rule of Law Reforms in Ukraine (PRAVO) Action Document for Support to Rule of Law Reforms in Ukraine (PRAVO)

<sup>246</sup> Commission Européenne, Décision d'exécution de la Commission du 17.11.2017 relative au programme d'action annuel 2017 partie I en faveur de la Tunisie à financer sur le budget général de l'Union, Bruxelles, le 17.11.2017 C(2017) 7759 final.

<sup>247</sup> Commission Européenne, Décision d'exécution de la Commission du 29.11.2017 relative au programme d'action annuel 2017 partie 2 en faveur de la Tunisie à financer sur le budget général de l'Union, Bruxelles, le 29.11.2017 C(2017) 8046 final.

<sup>248</sup> European Commission, Annex 2 of the Commission Implementing Decision on the Annual Action Programme 2018 (part 1) in favour of Ukraine Action Document for Technical Cooperation Facility 2018.

<sup>249</sup> It looked at the ENI, because it is the core instrument for funding of EU actions in the neighbourhood. It looked at the other three, because thematically these are closest to the topics of

projects supported through these grants was accessed via the Financial Transparency System (FTS),<sup>250</sup> which is a publicly accessible online EU managed database of EU funded projects. In this database results can be filtered per country, instrument and year. This thesis identified a total of 384 commitments in Tunisia between 2011 and 2018 and 317 commitments in Ukraine between 2014 and 2018 under these instruments.<sup>251</sup> Each of these commitments was studied to examine if it was relevant to EU support for gender justice in transition according to this thesis' definition of gender justice in transition.

*Table 3.2: Total number of EU budgetary commitments under ENPI/ENI per year*

	<b>Tunisia</b>	<b>Ukraine</b>
2011	47	NA
2012	37	NA
2013	35	NA
2014	30	52
2015	36 (10 ENI, 26 ENPI)	52 (10 ENI, 42 ENPI)
2016	33 (22 ENI, 11 ENPI)	43 (15 ENI, 28 ENPI)
2017	35	35
2018	40	30
Total number of commitments considered	293	212

*Table 3.3: Total number of EU budgetary commitments under EIDHR per year*

	<b>Tunisia</b>	<b>Ukraine</b>
2011	18	NA
2012	7	NA
2013	1	NA
2014	24	25
2015	5	6
2016	1	6
2017	5	5
2018	3	3
Total number of commitments considered	64	45

interest to this thesis. In her analysis of EU funding for transitional justice Laura Davis also focused on these three thematic instruments. Davis 2014 (n36): 81.

<sup>250</sup> European Commission, Financial Transparency System. Available at: [http://ec.europa.eu/budget/fts/index\\_en.htm](http://ec.europa.eu/budget/fts/index_en.htm), accessed 3 August 2019.

<sup>251</sup> The commitments are listed in Appendix II.

*Table 3.4: Total number of EU budgetary commitments under IcSP per year*

	<b>Tunisia</b>	<b>Ukraine</b>
2014	0	0
2015	0	6
2016	2	7
2017	5	2
2018	No data available via FTS	4
Total number of commitments considered	7	19

*Table 3.5: Total number of EU Budgetary commitments under the Instrument for Development Cooperation per year*

	<b>Tunisia</b>	<b>Ukraine</b>
2011	0	NA
2012	5	NA
2013	0	NA
2014	6	24
2015	4	2
2016	0	4
2017	2	8
2018	1	3
Total number of commitments considered	18	41

Above discussed documents and commitments provide straightforward insight in the EU's support for different types of gender justice efforts through targeted action. They can also contribute to increasing understanding of the extent to which the EU uses gender mainstreaming of relevant programmes to contribute to gender justice in transition. To get enhanced insight in the EU's use of gender mainstreaming, the researcher looked for references to women/girls/gender/gender mainstreaming in the annexes describing the EU's Annual Action Programmes in the area of human rights, justice and SSR. While these references are no guarantee that the EU has actually applied gender mainstreaming in practice, they provide insight in the extent to which the role of gender in EU programmes in Tunisia and Ukraine has evolved over time and also whether the EU allocates the same importance to this tool in Tunisia and Ukraine.

The in-depth interviews were subsequently used to get insight in the extent to which the EU has actually lived up to these commitments in practice.

As diplomacy often takes place behind closed doors, in a sense analysis of EU documents in itself was not sufficient to get a comprehensive picture of the ways in which EU has used political tools to support gender justice initiatives in Tunisia and Ukraine. Still, the annual country reports the EU has publishes every year to reflect on the state of democracy and human rights around the world provide some insight in what the EU considers to be priority issues in the realm of human rights and democratization in Tunisia and Ukraine.<sup>252</sup> The same is true with regard to the statements the EU releases after annual human rights dialogues and other major events such as association councils, as do EU statements released in response to important developments in Tunisia and Ukraine.<sup>253</sup> The research analysed all EU human rights reports on Tunisia and Ukraine and relevant public statements (23 statements on Ukraine and 18 statements on Tunisia) published between the Arab Spring – in the

<sup>252</sup> European External Action Service, Human rights and democracy in the world: Report on EU Action in 2011. Available at: [https://eeas.europa.eu/sites/eeas/files/2011\\_human-rights-annual\\_report\\_en.pdf](https://eeas.europa.eu/sites/eeas/files/2011_human-rights-annual_report_en.pdf), accessed 20 July 2019; Council of the European Union, EU Annual Report on Human Rights and Democracy in the World in 2012 (Thematic Reports). Available at: [https://eeas.europa.eu/sites/eeas/files/2012\\_human-rights-annual\\_report\\_thematic\\_en\\_0.pdf](https://eeas.europa.eu/sites/eeas/files/2012_human-rights-annual_report_thematic_en_0.pdf), accessed 20 July 2019. [the country reports are not available online]; Council of the European Union, EU Annual Report on Human Rights and Democracy in the World in 2013. Available at: [https://eeas.europa.eu/sites/eeas/files/2013\\_human-rights-annual\\_report\\_en.pdf](https://eeas.europa.eu/sites/eeas/files/2013_human-rights-annual_report_en.pdf), accessed 20 July 2019; Council of the European Union, EU Annual Report on Human Rights and Democracy in the World in 2014, Available at: [https://eeas.europa.eu/sites/eeas/files/2014-human-rights-annual\\_report\\_en.pdf](https://eeas.europa.eu/sites/eeas/files/2014-human-rights-annual_report_en.pdf), accessed 20 July 2019; Council of the European Union, EU Annual Report on Human Rights and Democracy in the World in 2015 - Country and Regional Issues, Available at: <http://data.consilium.europa.eu/doc/document/ST-12299-2016-INIT/en/pdf>, accessed 20 July 2019; Council of the European Union, Annual Report on Human Rights and Democracy in the World in 2016. Available at: [https://eeas.europa.eu/sites/eeas/files/annual\\_report\\_on\\_human\\_rights\\_and\\_democracy\\_in\\_the\\_world\\_2016.pdf](https://eeas.europa.eu/sites/eeas/files/annual_report_on_human_rights_and_democracy_in_the_world_2016.pdf), accessed 20 July 2019; Council of the European Union, Annual Report on Human Rights and Democracy in the World in 2017 - Country Updates on Human Rights and Democracy. Available at: [https://eeas.europa.eu/sites/eeas/files/compiled\\_country\\_updates\\_annual\\_report\\_on\\_human\\_rights\\_and\\_democracy\\_2017\\_clean\\_0.pdf](https://eeas.europa.eu/sites/eeas/files/compiled_country_updates_annual_report_on_human_rights_and_democracy_2017_clean_0.pdf), accessed 20 July 2019; Council of the European Union, Annual Report on Human Rights and Democracy in the World in 2018 - Country Updates on Human Rights and Democracy. Available at: [https://eeas.europa.eu/sites/eeas/files/complete\\_eu\\_country\\_updates\\_on\\_human\\_rights\\_and\\_democracy\\_in\\_the\\_world\\_2018-29.05.pdf](https://eeas.europa.eu/sites/eeas/files/complete_eu_country_updates_on_human_rights_and_democracy_in_the_world_2018-29.05.pdf), accessed 20 July 2019.

<sup>253</sup> For a list of these statements see: Appendix IV.

Ukrainian case the Maidan – and 2018. The statements were identified through the press communications databases of the European Commission and the websites of the European Delegations in Tunisia and Ukraine. In addition, in the Ukrainian context the research also looked into the sanctions the EU has imposed in response to the events that are taking place in the Donbas.<sup>254</sup>

*Academic literature and other publications to enhance understanding of gender justice environment in Tunisia and Ukraine*

To understand the gender justice environment in which the EU is operating in Tunisia and Ukraine in advance to the interviews the research relied on English language academic publications reflecting on the different type of transitional justice and gender justice activities implemented in Tunisia and Ukraine in the wake of their respective revolutions and the gender politics that have shaped these gender justice trajectories. In relation to the Tunisian context this includes the work of authors such as Gray and Coonan, Debuysere, Charrad, Lamont, and Andrieu. In the Ukrainian context this includes publications by Martsenyuk, Phillips, Channell-Justice, Hankivsky and Skoryk, Lyubashenko and Lachowski. These publications were identified through searches in Google Scholar, HeinOnline, JSTOR, Muse, SAGE, Wiley and Taylor and Francis through the use of search terms such as [country] AND ‘transitional justice’ OR gender, [country] AND gender, [country] AND ‘women’s rights’, and through references in these articles to other sources. In addition, the research has relied on reports by NGOs and IOs on gender justice issues in Tunisia and Ukraine. These were identified through references in academic literature and google searches in French and English for Tunisia and in English for Ukraine.

<sup>254</sup> A timeline of sanctions imposed by the European Union in response to the Ukraine Crisis is available at: <https://www.consilium.europa.eu/en/policies/sanctions/ukraine-crisis/history-ukraine-crisis/>, accessed 10 July 2019.

While findings from this desk research informed the interview guide, during the interviews the researcher gained a much more detailed picture of EU activities in the realm of gender justice in Tunisia and Ukraine and the local gender justice landscape. Thanks to the interviews she also identified additional documents to include in the documentary analysis that she had not yet identified during the first phase. Insights from these new documents were used to further refine descriptions of the local gender justice opportunity structure discussed in chapter 4 and to draw conclusions on the nature of EU engagement with gender justice in Tunisia and Ukraine.

### ***3.3.3 The interviewing sample***

Purposive sampling was used to create a diverse sample of interviewees in accordance with the notion that it is through the connection of many 'truths' that interview research contributes to our knowledge of the meaning of the human experience'.<sup>255</sup> The multi-sited case study design was chosen as the backbone for this study to facilitate the inclusion of expert voices from the periphery while researching a powerful international actor based in the Global North. However, the case study design in itself does not guarantee that all relevant voices are taken into account. Within each case study site, the researcher also had to ensure that she engaged with the (from a feminist perspective) relevant individuals. This required purposive sampling.<sup>256</sup> As the sampling stage is a phase of the research during which the researcher is still in relative control over the direction in which the fieldwork is heading, the composition of a balanced sample was one of the core measures the researcher took to mitigate the risk of acquiring unreliable

<sup>255</sup> DiCicco-Bloom and Crabtree 2006 (n206).

<sup>256</sup> Ma. Dolores C Tongco, 'Purposive sampling as a tool for informant selection' (2007) 5 *Ethnobotany Research and applications* 147.

data as result of reluctance on behalf of (EU) elites to freely share their perspectives on certain issues

In the context of research on EU development support in third countries, Petra Debusscher has argued for the inclusion of voices of local feminist organizations rather than a focus on those who are active on the Brussels level in order to avoid ‘stereotypical, paternalist and Eurocentric ideas about the meaning of gender equality abroad’, as:

An approach grounded in the lived realities of people seems more appropriate to detect possible ‘silences’ (what is not said) in EU development discourse and practice (Debusscher, 2011), and allows to question policy-makers’ labels and predetermined solutions, as well as the implications they have.<sup>257</sup>

However, the inclusion of feminist voices as an antidote to the dominance of the voice of powerful institutions, also presents some challenges as the feminist narrative itself can be considered oppressing, regardless of the fact that feminists have traditionally presented themselves as a marginalized societal force.<sup>258</sup> As the previous chapter discussed, in feminist transitional justice scholarship increasing recognition of the differences that exist between women as a result of their positionality has emerged. Intersectional and postcolonial feminist scholars have pointed out the power discrepancy between powerful and less powerful feminist/female voices.<sup>259</sup>

This acknowledgement of the existence of power differentials between not only ‘powerful’ international actors on the one hand and women or feminists on the other, but also amongst actors who have the female cause at heart, shaped the identification of interviewees for this research. More specifically the selection process of interviewees

<sup>257</sup> Debusscher 2016 (n168): 13.

<sup>258</sup> Halley 2008 (n51).

<sup>259</sup> Natalie J Sokoloff and Ida Dupont, 'Domestic violence at the intersections of race, class, and gender: challenges and contributions to understanding violence against marginalized women in diverse communities' (2005) 11(1) *Violence Against Women* 38; Moyo 2012 (n75).

took into account 1) the global/local divide, 2) the division between international actors and (feminist) CSO representatives, 3) differences between 'hegemonic' feminist and marginalized feminist narratives, and 4) differences between feminist priorities at large and the experiences of (non-feminist) women with a focus on female victims.<sup>260</sup>

For the identification of actual interviewees, the researcher used a combination of purposive sampling, snowball sampling, and opportunistic sampling techniques.

Purposive sampling entails the identification of interviewees based on the researcher's awareness of the contribution that this individual can make to the research.<sup>261</sup> This requires knowledge of the composition of the previously identified stakeholder groups. Researchers with intimate knowledge of certain populations e.g. because they previously conducted research with this group or used to be part of the group themselves, can identify interviewees based on their familiarity with the population. A study of existing

<sup>260</sup> In the Tunisian context, the researcher was familiar with a range of academic publications on the volatile/politicized nature of Tunisia's transitional justice process (e.g. Andrieu K, 'Confronting the Dictatorial Past in Tunisia: Human Rights and the Politics of Victimhood in Transitional Justice Discourses Since 2011' (2016) 38(2) *Human Rights Quarterly* 261; Lamont CK and Pannwitz H, 'Transitional Justice as Elite Justice? Compromise Justice and Transition in Tunisia' (2016) 7(2) *Global Policy* 278) and the gendered implications of this state of affairs (e.g. Gray and Coonan 2014 (n200)). These publications paid particular attention to the rift between prominent feminist organizations and the Islamist female victims, who constitute the core female constituency participating in Tunisia's transitional justice process. Based on a combination of these insights and those from postcolonial and intersectional feminist literature, this thesis's aim was to include voices representing both groups from throughout the country. In Ukraine the thesis aimed to include a similar variety of interviewees including representatives of the country's core feminist organizations that emerged with Western donor support after the collapse of the USSR, more radical post-Maidan feminist activists, and representatives of women's groups who are engaged in peacebuilding activities related to the conflict in the Donbas. Alexandra Hrycak, 'Foundation feminism and the articulation of hybrid feminisms in post-socialist Ukraine' (2006) 20(1) *East European Politics & Societies* 69; Emily S Channell-Justice, "'We're Not Just Sandwiches": Europe, Nation, and Feminist (Im)Possibilities on Ukraine's Maidan' (2017) 42(3) *Signs: Journal of Women in Culture and Society* 717; Olga Onuch and Tamara Martsenyuk T, 'Mothers and Daughters of the Maidan: Gender, repertoires of violence, and the division of labour in Ukrainian protests' (2014) 1(1) *Social, Health, and Communication Studies Journal* 105; Sarah D Phillips, 'The Women's Squad in Ukraine's protests: Feminism, nationalism, and militarism on the Maidan' (2014) 41(3) *American Ethnologist* 414; Marian J Rubchak, 'A Fiery EuroMaidan Ignites a Feminist Voice' (2014) 44(2) *Perspectives on Europe* 82.

Importantly, the researcher did not aim to include activist voices from the Femen movement due to the controversies surrounding this movement, and the lack of Femen activities that relate directly to the Maidan protests or the developments in the field of women's rights that followed these. See: Heather McRobie, 'Bikinis and babas: the gender subtext of clichés about Ukraine', *Open Democracy*, January 2015. Available at: <https://www.opendemocracy.net/5050/heather-mcrobie/bikinis-and-babas-gender-subtext-of-clichés-about-ukraine>, accessed 22-5-2018.

<sup>261</sup> Oisin Tansey, 'Process tracing and elite interviewing: a case for non-probability sampling' (2007) 40(4) *PS: Political Science & Politics* 765.



literature or organograms of organizations can also provide the researcher with potential names of interviewees. For those with fewer connections, as was the case for this researcher, snowball sampling is a particularly useful tool to identify and reach more potential interviewees.<sup>262</sup> When using snowball sampling, a researcher identifies one or more individuals with insider knowledge and asks them to name others who would be useful informants for the research.<sup>263</sup> After identification of potentially useful interviewees based on a review of academic literature, a mapping of relevant NGOs active in Brussels and the case study countries, and a study of the EU organogram, the researcher reached out to other academics who had done research on the EU's support for transitional justice and/or the WPS Agenda to suggest to her other relevant interviewees.

No matter how big the efforts invested in the careful selection of interviewees, the successful collection of data from a varied sample always depends on chance. Elite or expert actors are not only notoriously challenging to interview, but also difficult to reach,<sup>264</sup> and when it comes to the existence of strategies to overcome these barriers Kenneth Goldstein has found that '[t]he bottom line is that there are no silver bullet solutions, and scheduling and completing elite interviews takes a fair bit of luck'.<sup>265</sup> While the researcher used snowball sampling to identify relevant interviewees, and

<sup>262</sup> Kenneth Goldstein, 'Getting in the door: Sampling and completing elite interviews' (2002) 35(4) *PS: Political Science & Politics* 669.

<sup>263</sup> Nissim Cohen and Tamar Arieli, 'Field research in conflict environments: Methodological challenges and snowball sampling' (2011) 48(4) *Journal of Peace Research* 423.

<sup>264</sup> Goldstein 2002 (n262); Lilleker 2003 (n216). Smith, however, does not agree that what most researchers consider to be elite actors are necessarily harder to reach. She argues that 'whilst gaining access to powerful groups may indeed be extremely difficult, this is no more true of 'elites' than it is for some other groups'. The examples she cites include the experiences of a white, male researcher trying to get access to a Puerto Rican neighbourhood where inhabitants engaged in illegal drug dealing (subjects not only threatened to withdraw participation, but also to kill the researcher if he would not exceed his activities) and the obstacles faced by a white, female researcher in identifying working-class lesbians, her topic of interest. Smith (n223): 648. She refers to:

Philippe Bourgois, *In Search of Respect: Selling Crack in El Barrio* (Cambridge University Press 1995); Yvette Taylor, 'Hidden in the small ads: Researching working-class lesbians' (2004) 1(2) *Graduate Journal of Social Science* 253.

<sup>265</sup> Goldstein 2002 (n262).

asked existing contacts to introduce her to other relevant interviewees, this approach only covered part of the sample. Therefore, the researcher still had to rely on ‘cold-calling’ to reach certain interviewees who had been identified as potential core informants.

Eventually 89 individuals participated in interviews for this thesis.<sup>266</sup> About 25 individuals who were invited to take part in an interview never responded to the invitation or turned it down. The researcher took a number of steps to increase the response rate. These measures include the use of personalized invitations,<sup>267</sup> which were sent predominantly to individual work email accounts identified through EU address books and NGO websites. In Brussels and Ukraine, where the fieldwork only lasted for a month,<sup>268</sup> the researcher tried to plan interviews as much as possible in advance of the fieldwork.<sup>269</sup> In Brussels the researcher interviewed a total of 28 individuals and in Kyiv 27.<sup>270</sup> In Tunisia the researcher organized a two-months internship with the Tunisia country office of the ICTJ to get access to a network of interviewees.<sup>271</sup> Thanks to the

<sup>266</sup> For an anonymized list of interviewees, indicating location and generic descriptor of professional affiliation see Appendix V.

<sup>267</sup> Most authors emphasize the importance of providing a biography with credentials of the researcher, fully explaining the research project to the target population, and being clear about the parameters of the interview.<sup>267</sup> In line with these insights, this research employed a standard invitation letter, which introduced the researcher and the research, including a reference to her affiliation to Ulster University’s Transitional Justice Institute. These letters were subsequently individualized for each interviewee with a tailored explanation of what would be the expected contribution of this interviewee to this research. The invitation included TJI’s official letterhead and were dispatched by email with a subject information sheet attached. Goldstein 2002 (n262); Richards 1996 (n207).

<sup>268</sup> The researcher stayed in Brussels in June 2017 and came back for a week in July. The researcher stayed in Tunisia from mid-July 2017 till the beginning of October 2017. The researcher was in Ukraine from the very end of October till the very beginning of December 2017.

<sup>269</sup> The first component of the fieldwork started in Brussels in the beginning of June 2017, and lasted a month. Interview invitations were sent well in advance in view of the relatively short duration of the stay. The aim was to make optimal use of this period of time, and this required conscientious planning. Initially, the response rate to the invitations was low. In hindsight, this was probably related to the fact that they were sent just before the 2017 Easter weekend. After a polite reminder, a reasonable number of responses materialized, and the researcher was able to schedule 15 interviews from diverse stakeholder groups before arriving in Brussels. Snowball sampling resulted in the identification of another 13 interviewees in Brussels, and a reasonable number of contacts in Tunisia and Ukraine particularly within EU institutions.

<sup>270</sup> The thesis uses Ukrainian spelling in accordance with the spelling used by the UN in reporting on the situation in Ukraine, unless it cites source material that uses the Russian spelling. This means for instance that the thesis uses the Ukrainian Kyiv, Odesa, Donbas and Luhansk rather than the Russian Kiev, Odessa, Donbass and Lugansk.

<sup>271</sup> The researcher, however, introduced herself as a researcher from the University of Ulster.

internship, the researcher got in touch with various representatives of female victims' groups throughout Tunisia, who would have been very difficult to reach if she would not have been affiliated with this organization due to language barriers and the relatively unorganized nature of some of these groups. During a three-months stay, 34 individuals belonging to the different stakeholder groups identified in the previous sub-section agreed to participate in an interview. Two interviewees the researcher spoke to in Kyiv withdrew after reading the transcript, which means that the researcher relied on insights from 87 interviews.<sup>272</sup>

However, gaining access to the interviewees required considerable effort, and as said not all of these efforts eventually turned out to be successful on the short and the long-term. This had implications for the representativeness of the data, particularly at the level of saturation. Saturation concerns the question whether the researcher interviewed a sufficient number of individuals to get a complete picture of the topic under examination. It can be described as the point 'at which the data collection process no longer offers any new or relevant data',<sup>273</sup> or 'when gathering fresh data no longer sparks new theoretical insights, nor reveals new properties of your core theoretical categories'.<sup>274</sup> In view of the large number of individuals the researcher spoke with, problems at the level of saturation might not seem obvious. Goldstein, however, argues that when a researcher engages in elite interviewing it is more appropriate to tackle the issue of saturation from a sampling theory perspective.<sup>275</sup> He argues that when assessing the quality of the sample it is most important for the researcher to compare the characteristics of the respondents and non-respondents in order to avoid what

<sup>272</sup> The implications of these withdrawals are discussed in section 3.3.4.

<sup>273</sup> Shari L Dworkin, Sample size policy for qualitative studies using in-depth interviews (2012) 1319.

<sup>274</sup> Kathy Charmaz, *Constructing Grounded Theory: A Practical Guide through Qualitative Analysis* (Sage Publications 2006) 113.

<sup>275</sup> Goldstein 2002 (n262).

quantitative researchers call ‘systematic error’.<sup>276</sup> If all non-respondents share the same profile, which is significantly different from the profile of the respondents, the absence of their perspective from the collected data will likely bias the outcomes of the research.<sup>277</sup>

Saturation is thus easier to reach with a relatively homogenous interviewee sample. As this research identified a rather diverse sample of interviewees, it had to get access not only to more interviewees, but also make sure all of the sub-groups in all of the three locations would be represented sufficiently. This was a struggle in all case study sites. In Tunisia and Ukraine, this was related to the fragmented nature of the countries’ women’s movements, and some of these actors’ either aversion to or lack of interest in transitional justice. In Tunisia relevant gender justice actors’ perspectives on the concept of (transformative) gender justice in transition and the best ways to pursue it differed significantly between the local gender justice actors, and certain amongst them were very sceptical about the transitional justice process and some of the IOs engaging with it.<sup>278</sup> Thanks to the affiliation with ICTJ, the researcher got relatively easily in touch with representatives of the female victims’ groups with which ICTJ had established strong connections.<sup>279</sup> However, due to this same affiliation the researcher experienced severe obstacles in reaching other stakeholders, and particularly representatives of Tunisia’s leading feminist organizations. When the researcher finally managed to speak to representatives of these organizations the researcher did not ask directly why they had ignored her invitations during a period of two months. However, the interviewees did indicate that they thought the TDC’s Women’s Committee had

<sup>276</sup> Ibid.

<sup>277</sup> Ibid.

<sup>278</sup> Interview 29 Tunisia, Tunis, 29 September 2017, Representative Tunisian feminist NGO.

<sup>279</sup> The ICTJ has established the female victims’ network ‘Transitional Justice is also for Women’. This network consists predominantly of female victims’ groups/CSOs closely affiliated to the Islamist movement in Tunisia. See: <https://www.ictj.org/our-work/regions-and-countries/tunisia>, accessed 8 July 2019.

failed to pursue inclusive gender justice outcomes, and that the ICTJ (Tunis country office) was partly to blame for the approach the TDC had taken in this regard.<sup>280</sup>

In Ukraine, the researcher spoke predominantly to Ukrainians – all of them in favour of Ukraine’s independence from Russia – working for international governmental and non-governmental organizations, and local NGOs. This sample differed from the ideal sample, which would have included more interviewees from Ukraine’s grassroots women’s movement, radical feminist activists, and also some perspectives from representatives of non-feminist women’s groups. That the researcher did not speak to all these categories of interviewees was a result of language obstacles and a lack of time and resources for extensive travel.<sup>281</sup> Nevertheless, the interviewees the researcher talked with were the ones who were most engaged in the activities that are of interest to this thesis – gendered transitional justice and legislative reform in the field of women’s rights – and could therefore provide relevant insights about the developments in this field, and the EU’s engagement with it. Therefore, as the researcher was aware of these gaps and the overall sample was sufficiently diverse to compare competing truths, they did not result in biased or incomplete findings. If local NGOs for instance declined to participate, the researcher would look up their publications – provided that they were available in English - to understand what gender justice issues they prioritized.

A second issue in relation to saturation that affected the overall sample of interviewees, but particularly the sample of Brussels interviewees, relates to this research’s focus on transitional justice, and more specifically transformative gender justice in transition. In Brussels very few interviewees – be it in the EU institutions itself or NGO offices in Brussels - were working on or had specific expertise on this topic.

<sup>280</sup> Interview 29 Tunisia (n278).

<sup>281</sup> The researcher relied on a Ukrainian interpreter for one interview. Interview 5 Ukraine, Kyiv, 31 October 2017, Representative Ukrainian transitional justice NGO.

Therefore, the researcher had to talk to persons working on related issues. As a result, interviewees approached the topic from a range of different angles, which raised definitional concerns and questions about interviewees working on how many different topics should be included in the sample. However, as the issue at the core of this thesis is the EU's approach towards gender justice in transition, it was possible to overcome this issue by using more generic terminology when necessary, and to focus specifically on the interviewees' attitudes to gender mainstreaming/women's rights in their activities. This approach greatly facilitated the identification of common threads even if the interviewees were working on a wide range of different issues, which they themselves would not always necessarily describe as 'transitional justice', but which could qualify as such according to the broad conceptualization of gender justice in transition of this thesis.

### ***3.3.4 A reflexive account of the interviews***

A reflexive comparison between the more and less successful interviews conducted in the course of the fieldwork in Brussels, Tunisia and Ukraine, implies that often factors outside the researcher's control largely determine the unfolding of the interview; a finding in line with experiences of other feminist researchers who did elite interviewing.<sup>282</sup> Nevertheless, being well-prepared and critical in a 'smart', factual way, can help mitigating initial distrust or at least provide the researcher with a feeling of dignity and control when the conversation does not unfold as planned. Importantly, applying reflexivity contributes to understanding what are the deeper implications of the spirit in which an interview took place on the meaning of the data. In this regard the researcher found that while interviews in which rapport did not crystalize were more

<sup>282</sup> Campbell 2005 (n210); Kezar 2003 (n222).

challenging in the moment itself, they sometimes provided a more genuine picture of the interviewee's views on the matters under discussion than some of the experiences in which the interviewees were very facilitating.

The strategy for this fieldwork was to be open about the feminist nature of the research, not to engage in manipulative techniques, and to be prepared to engage in what Campbell describes as critical dialogue:

In other words, to achieve something resembling 'interpretive rapport' in this context, I adopted an interviewing style which inhibited as much as it facilitated an 'empathic' interviewee-interviewer relationship. At the same time, this somewhat schizophrenic approach was capable of producing a hermeneutical understanding of these officers' decision-making world. If I was pressed to describe this style I would say that it was based on 'critical dialogue'. By this I mean that rather than 'empathy', the concept of 'dialogue' seems more appropriate. 'Dialogue' suggests connection without requiring empathy and acceptance of all that is said, and when qualified by 'critical', which allows for challenge, it becomes a working construct which adequately conveys the key elements of such an interviewing style.<sup>283</sup>

Against this background, it was decided that good preparation and the demonstration of a certain level of expertise would be key to 1) being capable to ask well-informed critical questions, and 2) not alienating interviewees when posing these questions. This included the drafting of comprehensive interview guides before the fieldwork commenced, research on the background of the interviewees before each meeting, and additional skimming through relevant policy documents/publications just before the meeting to have important information readily available.

In most instances, interviewees demonstrated willingness to engage with critical/sensitive questions in relation to their own activities aimed at supporting gender justice in transition or those of other relevant actors. However, the time and efforts it took to create the type of rapport required for this type of conversations differed. In

<sup>283</sup> Campbell 2005 (n210): 293.

some cases, interviewees seemed eager – almost relieved - to share critical perspectives; they emphasized the importance of this type of research and expressed interest in reading the findings.<sup>284</sup> In others, interviewees who seemed nervous/reluctant in the beginning were put at ease relatively quickly through a question that triggered their interest or a small joke. In many cases, interviewees were willing to engage with critical questions, but stayed on the defensive side. Within this category some provided the impression that they were not willing to share openly. In the EU's case, some of the interviewees in this category seemed to genuinely believe in the EU's status as a women's rights 'pioneer'.<sup>285</sup> In a small number of cases, despite preparations and the use of strategies to put the interviewee at ease, interviewees did not overcome their antagonism/distrust towards the researcher, resulting in rather unpleasant conversations. In others, however, the researcher did manage to overcome scepticism and build rapport. These interviews were some of the most rewarding experiences of the fieldwork, and often also yielded the most interesting data.

A good example of an interview in which the researcher managed to gradually create rapport was an encounter she had with a Brussels-based EU diplomat who was working on security related matters in the European Neighbourhood.<sup>286</sup> This diplomat started the interview by criticizing the focus of the research as irrelevant as the EU did not prioritize transitional justice in the European Neighbourhood. However, during the

<sup>284</sup> Interview 15 Ukraine, Kyiv, 15 November 2017, Representative EU Delegation. In relation to my reflection that in absence of effective gender mainstreaming in Ukraine, it might be more effective to rely more on targeted action the interviewee mentioned:

I: But also coming back to the recommendation related to the other question you were asking before, the recommendation that you gave before about perhaps leaving this cross-cutting...

E: Well not leaving it, but at least...

I: Leaving it aside for a moment, and then taking a more targeted approach. I surely would be very happy to read this in the end results.

<sup>285</sup> Interview 6 Brussels, 8 June 2017, Representative EEAS (gender expert). This interviewee literally used the term 'pioneer' to describe the EU's activities in the field of women's rights. In another interview with two EEAS representatives, one interviewee stated in relation to the importance of gender mainstreaming in Ukraine that it is important, because it is 'part of our way of life in the EU to treat men and women equally'. Interview 20, Brussels, 19 June 2017, Representative EEAS.

<sup>286</sup> Interview 18 Brussels, 16 June 2017, Representative EEAS.



conversation the interviewee came to understand that 1) the researcher was well aware of the developments in the realm of EU security policy in the European Neighbourhood, 2) that transitional justice efforts in Tunisia and Ukraine were relevant to her work on the European Neighbourhood, and 3) that the researcher was eager to learn more about these activities. This diplomat seemed to appreciate the researcher's preparation and the interest she displayed in the interviewee's activities. Over the course of the conversation, the interviewee became ready to fill in gaps in the researcher's knowledge, rather than to consider these gaps a reason to disqualify the researcher's capability. Towards the end of the interview, she allowed the researcher to have a look at various relevant documents that were not publicly available, and provided her with the contact details of a number of other potentially relevant interviewees.

Overall, critical dialogues predominantly took place with EU officials who were working on issues in the field of justice and security without having specific expertise in the field of gender. An important goal of the research was to learn their visions on the role of gender mainstreaming, and the WPS Agenda in EU support for justice and security in the European Neighbourhood. In order to trigger such discussions, the researcher shared her own (feminist) perspectives on these matters. This served the goal of creating a democratic interviewing process and promoting the feminist narrative amongst actors who might not be completely familiar with for example the rationale behind the WPS Agenda, or the concept of gender mainstreaming.

However, despite many positive experiences, rapport did not always crystalize. Problems arose in relation to two categories of interviewees specifically. The first category consisted of EU officials who were working on gender-related issues, but who did not agree with the feminist critiques of the EU's activities in this field in the academic literature. The second category was composed of interviewees who interpreted the researcher's questions about gender and transitional justice as a critical

assault on the EU's activities in Ukraine in particular. In two of the three case study sites – Brussels and Ukraine - the researcher encountered gender advisers/experts/focal points within EU institutions who were openly sceptical of the research and in some cases even outwardly hostile towards the researcher. Though the researcher was aware of critiques on governance feminism - which problematizes the role of career feminists and their 'complicity' in the propagation of otherwise harmful policies of major IOs - the attitude of these interviewees was still surprising and difficult to digest. This was particularly the case as the sample also included various EU gender experts who easily sympathized with the researcher and the research topic, who were not afraid to voice critiques in relation to EU support for gender justice in neighbouring countries,<sup>287</sup> and even emphasized the importance of this research and the need to share the outcomes with them.

Upon reflection the researcher identified two reasons for reluctance on behalf of gender advisors and focal points to engage with this researcher. Some had little affinity with the topic and seemed to have ended up as gender focal points and advisors rather randomly. In this regard one hostile gender focal point indicated that he fulfilled his role on a voluntary basis in addition to his core activities that related to a completely different field of EU activities in the European Neighbourhood. During the interview, he repeatedly criticized the introduction of the concept of gender in a women's rights context, while at the same time implying that he did not understand exactly what it

<sup>287</sup> The researcher interviewed nine gender experts/advisors/focal points active in various EU institutions in the three case study contexts. Conducting 89 interviews and establishing rapport with 89 interviewees in three different countries in three different languages (English, French and Dutch) in a period of six months is a tiresome process in itself. Failures to establish rapport and especially encounters with hostile interviewees take their toll. However, due to good preparation it was possible to take distance, evaluate the process, learn from it, and rationalize these experiences. This contributed to enhanced interviewing skills and a better understanding of the reality of the reliance on in-depth interviews as a tool for data collection. In spite of the many strategies set out in academic literature on in-depth interviewing, the creation of the rapport required for critical dialogue to crystalize in the end very much depends on a certain level of chemistry between researcher and interviewee that neither good preparation nor 'manipulative' techniques on their own can achieve.

entailed.<sup>288</sup> The researcher, however, also experienced difficulties establishing rapport with a gender advisor who was relatively high ranking in the EU hierarchy, and had much knowledge and experience in relation to the topic. In her case it seemed that she was sceptical about certain tendencies in the academic feminist literature that inspired this research:

That is a problem, ... that people who explain how things are don't really know enough of how are things are done, and also how long things take. So the perceptions in those ivory towers are sometimes that things are not happening, because people are ignorant or they don't care, or they are not serious, but I would argue that that is many times not the case. So I would also say that this criticism is sometimes driven by external actors who don't fully understand. And that said, of course at the same time there are situations where also criticism is very, very relevant. So I am not arguing that it shouldn't be in place, but I think there are two types of criticism.<sup>289</sup>

However, the researcher got the impression it could also be the case that her reluctance to engage with the critiques inspiring this research was caused by the stakes she had in portraying the EU as a progressive gender justice actor, or at least a gender justice actor that had made big strides over the recent years.<sup>290</sup> This type identification with the institution by gender advisors working for big IOs has been documented by others before.<sup>291</sup>

The fact that the researcher only experienced difficulties with gender advisors in Brussels and Ukraine seemed to reflect the fact that the EU – and its staff – felt much more confident about its gender justice activities in Tunisia. In Tunisia the EU has

<sup>288</sup> Interview 19 Ukraine, Kyiv, 21 November 2017, Representative EU Delegation.

<sup>289</sup> Interview 29, Brussels, 27 July 2017, Representative EEAS.

<sup>290</sup> Similarly, the director of the Brussels office of an IO working on women's rights was very reluctant to engage with the researcher, and like the EU gender expert was not willing to have the conversation recorded. While she was not as hostile as the EU gender advisor, the conversation never touched upon issues beyond the surface level, and the interviewee's answers occurred scripted. Again, as this organization very much cherished its cooperation with the EU the interviewee seemed to have high stakes in constructing a mutually beneficial picture of the EU's role as a supporter of women's rights around the world. Interview 22 Brussels, 12 July 2017, Representative IO.

<sup>291</sup> Uma Kothari, 'Authority and expertise: The professionalisation of international development and the ordering of dissent' (2005) 37(3) *Antipode* 425; Lucy Ferguson, "'This Is Our Gender Person'" *THE MESSY BUSINESS OF WORKING AS A GENDER EXPERT IN INTERNATIONAL DEVELOPMENT*' (2015) 17(3) *International Feminist Journal of Politics* 380.

invested significantly in women's rights support, and many civil society interviewees acknowledged the important role the EU has played in this regard over the last five years.<sup>292</sup> In Ukraine the EU's presence has been much more limited and representatives of IOs, iNGOs, local NGOs and even actors within EU institutions expressed themselves very critically about the EU's activities in this area.<sup>293</sup> For those committed to defending the EU's reputation as a 'gender justice pioneer' Ukraine definitely seemed to present a more sensitive case than Tunisia. The researcher considered some of the tensions that arose when discussing EU support for gender justice in Ukraine, but also other sensitive gender justice topics broached with officials in Brussels to be strong indicators of the EU's uneasiness in relation to its gender justice presence in this country, and the EU's uneasiness in relation to its gender justice record in certain areas of foreign policy.

Some of these experiences were emotionally challenging; it is never pleasant to have a 30-60 minutes' conversation in which the atmosphere is fraught and one feels as if one needs to defend both his/her capability as a researcher as well as the research itself.<sup>294</sup> All these interviewees were middle-aged, had significantly more working experience and authority than the researcher, and sometimes seemed to intentionally want to make the researcher feel incompetent. So while one could argue that their stakes into the matter made them belong to the category of 'vulnerable elites' identified by Smith, the actual interviews made the researcher feel vulnerable in her capacity as a

<sup>292</sup> Interview 25 Tunisia, Tunis, 12 September 2017, Representative international development NGO; Interview 8 Tunisia, Tunis, 21 August 2017, Representative regional women's rights NGO.

<sup>293</sup> Interview 2 Ukraine, Kyiv, 27 October 2017, Representative EUAM, Interview 7 Ukraine, Kyiv, 4 November 2017, Representative IO, Interview 9 Ukraine, Kyiv, 8 November 2017, Representative Ukrainian women's rights NGO, Interview 12 Ukraine, 10 November 2017, Kyiv, Representative EU Delegation.

<sup>294</sup> The emotional toll of doing fieldwork as a young feminist researcher has been discussed in more depth by Katharine Sarikakis, 'A Feminist in Brussels (and Glasgow, Berlin, Düsseldorf...)' *Self-Configuration in Research into European Union Politics* (2003) 10(4) *European Journal of Women's Studies* 423. While the overall fieldwork experience for this research was more positive than hers – it seems – the feelings the researcher experienced during the more difficult interviews closely resemble hers.

junior academic. The clearest example of this was the senior gender advisor who requested to see the questions in advance, and then started the interview by stating that she had never seen such questions before, and that academics would normally not get away with asking such questions.<sup>295</sup> While she did answer some of the questions, it is probably easy to imagine how embarrassed the researcher felt throughout the interview and that the atmosphere during the interview was not really conducive to the creation of a constructive conversation. A similar attack directed at her intellectual/academic capacities was launched by the gender focal point, who did not like the notion of

<sup>295</sup> The questions for this specific interviewee included (the researcher removed the questions which would reveal the identity of this interviewee):

1. How do you experience your cooperation with security experts in the EU institutions and third countries that do not have a specific gender background?
2. The adoption of the 2015 review of the ENP and the Global Strategy seem to indicate a shift towards a stronger role for security related efforts in EU foreign policy. What is your perspective on this development from a gender perspective?
3. In the European Neighbourhood various countries are involved in a process of transition (including my case studies Ukraine and Tunisia), to what extent is [your office] promoting the incorporation of a gender perspective in transitional justice processes? Does the EU framework on support to transitional justice play a role in your work?
4. Feminist academics as well as women's rights NGOs have expressed the concern that the adoption of the WPS has mostly resulted in the inclusion of women in existing security structures rather than more transformative approaches towards international security. To what extent do you think this also applies to the EU's approach towards the WPS agenda? Is gender mainstreaming sufficient or should the EU focus more on targeted support for gender equality (e.g. through transitional justice processes/legislative reform)?
5. CT & P/CVE are priorities in the EU's external action in the (Southern) Neighbourhood, UNSCR 2242 requires the implementation of a gender perspective in such activities. Many feminist scholars, however, have expressed concern about the 'instrumentalization' of women's groups/women individually for purposes countering violent extremism. What is your perspective on the EU's approach towards gender mainstreaming in CT and P/CVE activities?
6. The adoption of the GAP requires all EU institutions to more structurally mainstream gender in their foreign policy activities, which has been welcomed by women's rights advocates as a positive development. However, experts and previous interviewees have also identified various obstacles to a successful implementation of the GAP such as a lack of targeted funding and human resources to support successful implementation. What is your perspective on the potential of the GAP to enforce gender mainstreaming in EU foreign policy?
7. What are the biggest obstacles the EU is facing in Ukraine in relation to the promotion of a gender perspective in the EU's security efforts?
8. What is your perspective on the functioning of the gender focal point system in EUAM?
9. Ukraine has rejected adoption of the Istanbul Convention, how could the EU best proceed in supporting the struggle against VAW in Ukraine?
10. The EU is no part of the conflict in the East of Ukraine. However, there have been reports of sexual violence, is the EU involved in any type of support for victims of wartime rape in Ukraine or efforts to collect evidence for potential future efforts to achieve accountability?
11. Do you think the EU has a different approach towards the promotion of gender equality in Neighbourhood East and Neighbourhood South?
12. Do you have any additional information you would like to share?

gender, after the interview. He withdrew his participation after he read the transcript of the interview, noting that he had never encountered a researcher who shared verbatim transcripts, and that the use of verbatim transcripts seriously put in doubt the researcher's professionalism.<sup>296</sup>

Reflecting on these experiences, it seems that these interviewees simply did not like the content of the conversation either from the start of the conversation itself or in hindsight when reading the transcript. For instance, the informed consent sheet informed interviewees about the fact that they would receive verbatim transcripts if they expressed interest in receiving the transcript. The interviewee who eventually withdrew his participation, initially expressed interest in receiving the transcript. The researcher could only have changed these attitudes by asking questions that would not have challenged their own and the EU's attitudes towards support for gender justice in transition. This, however, would have yielded far less interesting data, and also refuted the notion that one should speak truth to power. Therefore, in these cases creating rapport would have come at the expense of both the quality of the data as well as the ideological principles behind this thesis.

Both positive and negative experiences were a valuable indicator about the actual 'trustworthiness' of the data. Interestingly, hostile answers often seemed to be some of the most 'truthful' responses. In the literature on elite interviewing, it has indeed been posited that while the creation of rapport is considered a core condition for critical dialogue, its establishment is by no means a guarantee that real critical dialogue will take place.<sup>297</sup> First, there is the risk that researchers in their desire to establish rapport forego being critical.<sup>298</sup> Second, even if researchers are critical, and there seems

<sup>296</sup> Interview 19 Ukraine (n288).

<sup>297</sup> Campbell 2005 (n210)

<sup>298</sup> Susan A Ostrander, "'Surely you're not in this just to be helpful'" Access, Rapport, and Interviews in Three Studies of Elites' (1993) 22(1) *Journal of Contemporary Ethnography* 7.

to be rapport, (elite) interviewees might not wholeheartedly participate in this process, withholding certain truths or trying to sabotage the interview.<sup>299</sup> Campbell has remarked in relation to her interviews with police officers that she sometimes had the impression that ‘if democratic relations “broke out”, they did so on the terms and conditions of the interviewees rather than those of the interviewer’.<sup>300</sup> Similarly, during the fieldwork sometimes situations occurred during which even though the atmosphere was very friendly and positive, the researcher was not in control of the interview.<sup>301</sup> In one such conversation, the interviewee for instance jokingly admitted that he was using his skills as a diplomat to bend the conversation to his will.<sup>302</sup> And indeed, the researcher was aware during the conversation that this interviewee was talking a lot while revealing very little and not allowing the interviewer to insert many questions. He embodied the type of shrewd communicator invoked by Ball.<sup>303</sup>

As discussed, one of the key concerns in the literature on elite interviewing is the potential dishonesty of elite interviewees. The establishment of a positive interviewing relationship can make the researcher to some extent oblivious to the ‘hidden agenda’ of his/her interviewee. In this regard, the researcher’s core concern was the EU’s self-representation as a ‘normative power’.<sup>304</sup> It seemed that the desire to defend the image of the EU as a ‘force for good’ coloured the answers of some of the interviewees.<sup>305</sup> This was not always necessarily a matter of ‘dishonesty’ born out of loyalty to the institution in which they worked. To the contrary, in some cases it seemed to reflect the interviewees’ actual impressions of the nature of the EU’s role in the

<sup>299</sup> Morris 2009 (n209).

<sup>300</sup> Campbell 2005 (n210): 296.

<sup>301</sup> Ibid.

<sup>302</sup> Interview 5, Brussels, 8 June 2017, EU official.

<sup>303</sup> Ball 1994 (n213).

<sup>304</sup> Guerrina and Wright (n38); Richard G Whitman, *Normative Power Europe: empirical and theoretical perspectives* (Palgrave Macmillan 2011).

<sup>305</sup> Interview 6 Brussels (n285); Interview 20 Brussels (n285).

world, inspired by the abundance of EU policy documents that have been published on its commitments to human rights, equality, and democracy.

Thus while advice on the best approaches towards elite interviewing in mainstream literature often emphasizes the need for ‘manipulative’ techniques, a more straightforward approach towards interviews, rooted in a feminist research ethos, can also yield quality data. The reflections on the fieldwork show that while such an approach can be emotionally challenging, these experiences can still be valuable if one approaches them through a reflexive lens. This entails using them as a way to improve interviewing skills and/or data analysis. As such, one of the most important insights derived from this exercise in reflexivity concerns the fact that willingness/enthusiasm on behalf of EU officials to speak about gender and gender mainstreaming does not always correlate with the extent to which gender actually plays a role in the day-to-day activities of the interviewees. To the contrary, in some cases those most invested in the issue are most reluctant discussing it critically as the stakes for them are obviously higher. On the other hand, those chatting about gender most optimistically often seemed to be those EU officials for whom gender was just an afterthought. Both observations were kept into mind during the data analysis stage.

### ***3.3.5 Conclusion***

While feminist methodological insights have been developed with a marginalized research subject in mind, feminist methodological principles can be applied to data collection centred around powerful subjects. This thesis relied on a combination of textual analysis and in-depth interviews to enhance insight in EU engagement with gender justice in Tunisia and Ukraine. Both activities were executed according to this research’s feminist ethos which sought to shift the narrative from the centre to the periphery. Nevertheless, by design ‘the centre’ and the actors who represent it are at the



core of this research. This created dilemmas particularly during the interviewing stage. However, through the combination of adherence to feminist values in each encounter, and the subsequent application of the feminist methodological tool of reflexivity the researcher managed to balance these seemingly competing goals. This impacted both the selection of interviewees, as well as the actual conduct of interviews with those who accept to participate. With regard to the latter this thesis acquiesces with Campbell's assessment that the approach towards power differentials in some circles of feminist academia has been too narrow to capture the complex reality of elite interviewing. In relation to her own research, she observed that while she had to 'admit' that her efforts to create rapport were predominantly driven by a purely instrumental motive to solicit information; this did not necessarily result in an undemocratic interviewing process.

The potentially biggest contribution of the embrace of a feminist approach towards elite interviewing could be a more honest reflection on the challenges and pitfalls inherent in this exercise. Many methodological elaborations on elite interviewing, or publications that are based on information derived from elite interviews, do not explicitly recognize the difficulties and failures encountered during the interviews. Based on this lack of transparency one might get the impression that if one applies the right strategies rapport, and as a result, interesting, truthful conversations will follow. The key take away from this research' fieldwork, however, was that the establishment of rapport is a much more arbitrary process, than what is depicted in the literature. Moreover, the creation of rapport, or a positive interviewing relationship, is no golden bullet for critical dialogues in which both parties share their honest views on sensitive topics. This type of observation might by some be interpreted as an admission of failure or defeat.<sup>306</sup> This section, however, argued that the awareness

<sup>306</sup> In this regard other doctoral and early career researchers have also emphasized the importance of more openness about challenges and defeats during fieldwork, in order to break 'a culture of silence' surrounding these topics. See: Brendan Browne and Luke Moffett, 'Finding your feet in the field: Critical

of these ‘deficits’ is inherent of being reflexive and will eventually improve interviewing praxis and interpretation of data. The subsequent section on data analysis strategies will outline how these insights impacted the transformation of raw interview data into findings.

### ***3.4 DATA ANALYSIS***

The data analysis phase is the phase during which the researcher can take back control, as the researcher can decide which issues will be foregrounded and whose voices will be acknowledged. This section discusses what interpretative decisions lay underneath this research’ analysis of ‘the what’ and ‘the why’ of EU engagement with gender justice in transition.

#### ***3.4.1 Qualifying the nature of EU engagement with gender justice in transition***

One of the core objectives of this research is to get objective insight in the nature of EU engagement with gender justice in transition, by creating a list of gender justice activities supported in Tunisia and Ukraine. This was challenging because support for gender justice is carried out through different foreign policy tools and under different funding instruments. The researcher relied on a combination of clues from interviews, documentary analysis, and analysis of EU financial transparency data to get a complete picture. In terms of analysis the core challenge subsided in how to determine whether a certain activity qualified as a type of support for gender justice in transition according to the conceptual framework outlined in section 2.7. This section outlines the steps the researcher took to identify and classify EU gender justice support – both of a financial as well as political nature.

As a first step in the process, the researcher used key word searches to identify references to gender, gender justice, transitional justice, and women in EU documents, public statements, and the list of projects yielded by searches in the EU's FTS.<sup>307</sup> These key word searches provided a selection of statements made and projects supported by the EU that had varying levels of relevance to the type of 'gender justice in transition' support that is under question in this research. It was thus necessary to determine whether these statements and activities 1) qualified as EU support for 'gender justice in transition', and if so 2) where they would fall exactly on the tripartite conceptual framework of different types of gender justice activities set out in section 2.7. The researcher used the criteria outlined in chapter 2.7 to make these decisions:

- To qualify as gender justice support, only those projects and statements which embraced a strong women's rights angle, focused on addressing GBV, and/or aimed to address women's rights abuses caused by conflict or repression were taken into account. This means that projects focusing on amongst other things women's economic development *an sich* were not considered in the scope of this research' analysis.
- To qualify as support for 'past-focused gender justice efforts that focus on a narrow set of gendered harms experienced by female victims of politically motivated violence' statements and/or activities had to concern EU efforts to support pursuance of accountability for victims of politically motivated bodily harms via official transitional justice mechanisms such as the TDC and Specialized Chambers in Tunisia and UN-sanctioned human rights violations documentation missions and the ICC or domestic courts in

<sup>307</sup> An overview of the coded projects can be found in Appendix II.

Ukraine. This does only cover direct EU support to these entities; it can also include EU support for CSOs supporting these efforts and institutes.

- To qualify as ‘past-focused gender justice efforts that focus on a wider set of gendered harms experienced by female victims and aim to effect transformative change’, efforts still had to focus on harms inflicted on female victims during periods of conflict or repression, but could cover a wider range of human rights violations including those of a socio-economic nature. This category could cover support for efforts by official transitional justice mechanisms such as the TDC in Tunisia, but mostly covered civil society initiatives.
- To qualify as support for future-focused gender justice efforts, EU efforts had to focus on women’s rights promotion via legislative reform or the inclusion of women in SSR efforts.

Descriptions of EU activities in the FTS did not always provide a complete picture of the scope of the activity, making it hard to distinguish whether an activity qualified as any to the types of support for gender justice in transition described above. In some cases interviews with EU officials or representatives of implementer organizations provided more detailed information of some of these programmes.<sup>308</sup> These insights helped in establishing whether certain projects qualified as one of the three components of EU support for ‘gender justice in transition’. These insights were triangulated with descriptions of the projects provided by project implementers on their websites and social media platforms. Online sources were also used to get insight in the exact nature of potentially relevant projects in case interview data did not provide more clarity on certain projects – because interviewees were not familiar with them. In general, in-depth knowledge of the local context and local gender

<sup>308</sup> More detailed information on the analysis of interview data follows in the following section.

justice trajectories was of key importance for establishing whether a certain activity did or did not qualify as transitional justice support.

### ***3.4.2 Qualifying the drivers behind EU engagement with gender justice in transition***

Interview data alongside structured comparisons between EU policy commitments, local gender justice opportunity structures and the actual nature of EU gender justice support, were used to identify the drivers behind EU engagement with gender justice in transition. This section reflects on the process put in place to identify motivations behind EU gender justice support based on interview data. As the spoken word often is less unequivocal than textual data and ‘the drivers behind’ are more difficult to pin down than ‘the nature of’ gender justice support efforts, this exercise required a careful approach which relied on guidance from feminist methodological literature on data analysis and used NVivo to facilitate the process.

In her reflective account of research with senior police officers, Campbell found that even though she sometimes did not feel in control during the data collection process, the data analysis process allowed to her to reset power imbalances.<sup>309</sup> The notion that the data analysis stage puts the (feminist) researcher in – disproportionate - control over actual research outcomes based on his/her epistemological and ontological choices has been discussed by other feminist researchers such as Mauthner and Doucet as well.<sup>310</sup> They have found that while data collection efforts are usually documented in minutiae, the activities resulting in the translation of raw interview data in final analysis are rarely the topic of in-depth discussion, let alone rendered visible to a publicly available decision-trail. This failure to provide evidence which shows how raw interview

<sup>309</sup> Campbell 2005 (n210).

<sup>310</sup> Natasha S Mauthner and Andrea Doucet A, 'Reflexive accounts and accounts of reflexivity in qualitative data analysis' (2003) 37(3) Sociology 413.

data translated into research findings is not unique to feminist research.<sup>311</sup> In the field of transitional justice, it has been found that it is not uncommon to read rather ‘grandiose’ claims about the effectiveness of certain mechanisms presumably based on findings from interviews without any documentation of how these findings could be derived from the data.<sup>312</sup> This section aims to break this pattern by providing a transparent account of the decisions made during the data analysis stage.

At the practical level, qualitative data analysis usually entails coding. Coding constitutes the allocation of units of meaning to fragments of the data and categorization of fragments to which the same unit of meaning has been allocated in groups. This facilitates the identification of relevant patterns in large quantities of data. The identification of relevant units of meaning can be guided by the data themselves (a grounded theory approach),<sup>313</sup> or by a pre-existing theoretical framework.<sup>314</sup> As this thesis had already identified a rather well-defined set of motivations of international actors to engage with gender justice in transition based on existing feminist theory on ‘the patriarchy of internationalized transitional justice’ and feminist literature on EU foreign policy, this research relied upon what Crabtree and Miller refer to as template approach: a deductive data analysis strategy, which uses a pre-defined code book to organize the interview data.<sup>315</sup> It differs from inductive ‘editing styles’ in which ‘the researcher makes interpretations (observations) of segments of text, and these interpretations then are used to make further abstractions’.<sup>316</sup> A researcher who uses

<sup>311</sup> Malterud 2001 (n159); Catherine Houghton and others, 'From screening to synthesis: using NVivo to enhance transparency in qualitative evidence synthesis' (2017) 26(5-6) *Journal of Clinical Nursing* 873.

<sup>312</sup> Kochanski 2018 (n146); Anna MacDonald, 'From the ground up: what does the evidence tell us about local experiences of transitional justice?' (2015) 1(3) *Transitional Justice Review* 4.

<sup>313</sup> Alireza Moghaddam, 'Coding issues in grounded theory' (2006) 16(1) *Issues in educational research* 52.

<sup>314</sup> Jennifer Fereday and Eimear Muir-Cochrane E, 'Demonstrating rigor using thematic analysis: A hybrid approach of inductive and deductive coding and theme development' (2006) 5(1) *International Journal of Qualitative Methods* 80.

<sup>315</sup> Benjamin F Crabtree and William F Miller, 'A template approach to text analysis: developing and using codebooks' (1992).

<sup>316</sup> *Ibid.*

code books turns this process around, as he or she defines the template or codes – which already present a certain level of abstraction – a priori to the coding process. The template approach is considered to be particularly useful for researchers who already have a rather well-defined hypothesis or set of hypotheses to explain expected outcomes, as was the case for this research. The template approach requires less coding cycles than editing styles, which makes the template approach less time-consuming.<sup>317</sup> The downside to this approach is that it requires ‘a trade-off with respect to the potential of new discovery’.<sup>318</sup>

The creation of a code book which syncs with the theoretical framework is central to the template approach. This thesis relied on Miles and Huberman’s structured approach for this task.<sup>319</sup> This approach relies predominantly on insights of the theoretical framework, rather than the more inductive approach for code book creation – i.e. first reading over large swaths of the text – as propagated by Willms and others.<sup>320</sup> The initial code book consisted of descriptive codes that could capture the actual gender justice activities the EU supports in Tunisia and Ukraine for both countries separately.<sup>321</sup> ‘EU gender in Tunisia/Ukraine’, ‘EU TJ in Tunisia/Ukraine’, ‘EU security in Tunisia/Ukraine’. In ‘EU gender’ the codes distinguished between the type of gender justice activities supported according to the categorization of section 2.7- ‘EU past

<sup>317</sup> Ibid.

<sup>318</sup> Ibid.

<sup>319</sup> Matthew B Miles and Michael A Huberman, 'Drawing valid meaning from qualitative data: Toward a shared craft' (1984) 13(5) Educational Researcher 20.

<sup>320</sup> Dennis Willms and others, 'A systematic approach for using qualitative methods in primary prevention research' (1990) 4(4) Medical Anthropology Quarterly 391.

<sup>321</sup> At the practical level the researcher transcribed all interviews – except for the ones in which the interviewees did not provide permission for recording. The transcripts were uploaded in NVivo, a Computer Assisted Qualitative Data Analysis Software (CAQDAS) programme, as ‘cases’ with each interview being a separate case to which characteristics such as type of interviewee (EU official, representative feminist NGO, diplomat etc.), country in which the interviewee is based, country on which the interviewee is working (for Brussels based interviewees working on Tunisia or Ukraine), and thematic expertise. The use of this programme facilitated the organization and comparison of codes. Moreover, it also leaves a ‘trail of evidence’ that benefits the rigour of the research. The coding was conducted in two rounds. After the first round initial codes were refined based on insights from analytical memos that were written during the coding process.

centred gendered transformative justice’, ‘EU gendered traditional TJ’, ‘EU support for future focused transformative justice’ – and the tools the EU has at its disposal to support each of these activities – ‘EU gender & diplomacy’, ‘EU targeted support’, and ‘EU gender mainstreaming’. Each code contained fragments in which EU officials or third actors familiar with EU support for gender justice in Tunisia and Ukraine discussed activities actually taking place. Triangulated with information from the EU FTS and EU documents summarizing annual activities these codes allowed understanding of what categories of gender justice the EU actually supports in practice, as discussed in the previous section. This information constitutes the backbone of the findings presented in chapter 5.

In addition to the descriptive codes, explanatory codes were created based on the theoretical insights about motivations driving international engagement with gender justice in transition as identified in feminist scholarship discussed in chapter 2. The overarching codes in this regard were ‘EU essentialization’, ‘EU instrumentalization’, ‘EU de-politicization’. Statements implying that the EU considers women as victims/passive actors and/or prioritizes responding to politically motivated SGBV were included in the first category, statements implying that the EU supports gender justice because it is useful or serves other foreign policy goals were included in the ‘instrumentalization category’. Statements implying that the EU does not engage with politically sensitive gender justice topics were included in the third category. For these categories, the researcher made a distinction between statements by EU officials and statements by local gender justice actors and transitional justice experts about how EU support for gender justice in transition is linked to external factors. This was deemed important as the researcher could not be sure of the ‘truthfulness’ of statements made by EU actors about the motivations driving EU support for gender justice in transition.



In addition, local actors' descriptions of their own activities and gender justice priorities were categorized according to the same principles set out in section 3.2.2. This allowed the researcher to get a better picture of the activities that the EU could support in both countries. They were captured in the category called 'local gender justice efforts'. Thanks to these codes it was possible to compare to what extent EU gender justice support synced with the different gender justice avenues available in Tunisia and Ukraine. The implications of the comparison between what the EU does, and what the EU could be doing are discussed in chapter 6.

The previous section discussed how the application of reflexivity provided the researcher with a better understanding of the significance of certain behaviours and attitudes by interviewees during the interviews. These attitudes towards the research are expected to affect the meaning of the insights shared by interviewees. Thus, if the researcher thought that an interviewee's mentality during the interview was particularly remarkable or if certain questions triggered particularly strong reactions the researcher noted this during the interview. Later, during the coding process the researcher took these interpretations in mind and wrote – if necessary – short analytical notes about the ways in which to interpret these statements.

Thus, a structured approach towards data analysis allowed the researcher to demonstrate how the EU's approach towards gender justice in Tunisia and Ukraine breaks with certain insights about international engagement with gender justice in feminist literature. This is quite significant as the researcher started coding with a code book based on aforementioned insights. In order to demonstrate that these insights are rooted in the data, the researcher has attached the code book and a diagram showing the evolution of the data classification in Appendix I.

### ***3.5 ETHICS***

Traditionally the definition of ethics relates to the imperatives of doing good while avoiding harm.<sup>322</sup> In qualitative research, this notion has been translated in a number of guidelines and principles that should be followed by researchers in their pursuit of knowledge in order to protect participants and researchers, minimize harm, increase the sum of good, assure trust, and ensure research integrity.<sup>323</sup> The safeguarding of these principles has increasingly been formalized through the instalment of formal ethics boards and committees in universities and grant funding authorities. This section reflects on the implications of adhering to safety and ethical standards when doing research with those who are in power. It argues that while adherence to research ethics is important to create trust between researcher and elite interviewees, this practice – especially the right to review transcripts and withdraw from participation – in research with powerful actors can reinforce existing power dynamics. This means that measures originally devised to protect ‘vulnerable groups’ can inadvertently become a tool for those in power to control knowledge creation.

Protecting those who participate in research against harm resulting from this participation is the core aim of the use of ethical standards as a framework for academic research. The measures which need to be taken to guarantee the participants’ safety depend on a combination of factors including the context in which research is performed and the extent to which the participant qualifies as potentially vulnerable. Standard procedures for ethical research under all circumstances include the acquiescence of informed consent, the safeguarding of confidentiality, and the right for

<sup>322</sup> Rosalind Edwards and Melanie Mauthner, 'Ethics and feminist research: Theory and practice' (2002) *Ethics in qualitative research* 14; Regina Scheyvens and Helen Leslie, 'Gender, ethics and empowerment: Dilemmas of development fieldwork' (*Women's Studies International Forum* Elsevier, 2000) 119.

<sup>323</sup> John D Brewer, 'The ethics of ethical debates in peace and conflict research: Notes towards the development of a research covenant' (2016) 9 *Methodological Innovations*.

participants to review their contributions and withdraw from the research.<sup>324</sup>

Researchers who do research in high-risk settings should take extra precautions to ensure that the fieldwork and the products resulting from it will cause harm to neither the researcher nor the participants.<sup>325</sup> The provision of information sheets and informed consent forms in advance of interviews, the anonymization of participants in interview transcripts and other outputs resulting from the research, the secure storage of data, and the provision of transcripts to interviewees are examples of the basic steps the researcher should take to put these commitments into practice.

As the fieldwork took place in Tunisia at a time that the Foreign and Commonwealth Office still advised against all but necessary travel, the researcher took additional precautions to guarantee her own and her participants safety. The researcher did not identify any of the interviewees as members of vulnerable groups in the traditional sense, because the interviewees were approached in their professional capacity, be it as officials working for the European Union or civil society advocates in the field of women's rights and transitional justice. Engagement in this type of jobs or activism implies a certain extent of interaction with the public including researchers.

Nevertheless, the researcher was aware of the fact that even though the participants did not qualify as vulnerable in their capacity as professionals, this did not abolish the possibility that they could be vulnerable in other capacities. Both in Tunisia and Ukraine some of the women's rights and transitional justice activists interviewed in the context of this research had at some point in their lives been victimized for political reasons.

While this could have been a source of retraumatization, these interviewees emphasized that they considered themselves activists in the first place, and that - if ever they had

<sup>324</sup> Marlene De Laine, *Fieldwork, participation and practice: Ethics and dilemmas in qualitative research* (Sage 2000); Ian Shaw, 'Ethics and the practice of qualitative research' (2008) 7(4) *Qualitative Social Work* 400.

<sup>325</sup> Brewer 2016 (n323).

looked at themselves as victims - the embrace of this role had been crucial in overcoming a sense of victimization.<sup>326</sup> During the interviews, the researcher was careful to never bring up personal experiences of victimization. However, some interviewees referred to these experiences themselves. If this occurred, they were not cut off, because it was considered important to respect their choice to transform their past experiences of victimhood into a source of strength.<sup>327</sup>

As this chapter has highlighted, most of the interviewees actually qualified as 'powerful'. Ethical standards also apply in this type of situations. However, the type of harms that could be experienced by powerful actors as a result of participation in research are different than those that might be experienced by marginalized interviewees. Here, one could think about the risk of reputational damage and/or professional repercussions.<sup>328</sup> In this light, especially when the research concerns a sensitive topic confidentiality is paramount to many elite interviewees.<sup>329</sup> Therefore, in many instances having such standards in place will be a *sine qua non* to get access to elite interviewees. Moreover, the researcher provided interviewees with the opportunity to review transcripts in the wake of the interview, make amendments, or withdraw.

As discussed, two interviewees made use of the right to withdraw. Another interviewee used the opportunity to revise the transcript to make significant amendments to the transcript which changed the meaning of her initial responses. Besides that these withdrawals caused some distress to the researcher due to manner in which they were announced to her, they also reduced the amount of data the researcher

<sup>326</sup> Interview 26 Tunisia, Tunis, 13 September 2017, Representative Tunisian feminist NGO; Interview 34 Tunisia, Tunis, 11 October 2017, Representative Islamist women's organization.

<sup>327</sup> This approach is in line with what has been argued by Kapur in: Ratna Kapur, 'The Tragedy of Victimization Rhetoric: Resurrecting the "Native" Subject in International/Post-Colonial Feminist Legal Politics' (2002) 15 *Harvard Human Rights Journal* 1.

<sup>328</sup> Catherine Marshall, 'Elites, bureaucrats, ostriches, and pussycats: Managing research in policy settings' (1984) 15(3) *Anthropology & Education Quarterly* 235.

<sup>329</sup> Kari Lancaster, 'Confidentiality, anonymity and power relations in elite interviewing: conducting qualitative policy research in a politicised domain' (2017) 20(1) *International Journal of Social Research Methodology* 93.

could rely on. The amendments described above reduced the trustworthiness of the account provided by the interviewee. Respect for this type of interventions by elite interviewees, while being central to an ethical research practice, reduces the researcher's ability to scrutinize powerful actors. As exposing how existing power structures are disadvantaging women is a central premise of feminist research adherence to ethics poses feminist researchers with serious dilemmas:

On the other hand, managing these sensitivities and participants' control over 'their' data is a balancing act. Researchers conducting research in policy networks have described the 'trade off' involved in guaranteeing confidentiality to participants and how this shapes both data collection and the way that research findings can be reported. By guaranteeing confidentiality to participants, participants are protected and may more confidently offer rich description and detailed accounts ... Researchers must be aware that the decision not to disclose particular information is a political choice which may have implications for maintaining or perpetuating troubling power dynamics.<sup>330</sup>

While the researcher respects the importance of research ethics, the fact that this trade-off influenced the type of data collected in the framework of this thesis should be acknowledged. Moreover, while through their withdrawal these participants aimed to withhold information from the outside world, they provided a potentially more meaningful insight in the extent to which gendered transitional justice support is considered a difficult or sensitive topic for the EU in the European Neighbourhood.

### ***3.6 CONCLUSION***

This thesis does aims to not only provide a descriptive account of EU engagement with gender justice in transition, but also to use insights about EU activities in this realm to draw conclusions about 1) what drives EU engagement with gender justice in transition and 2) what these findings tell about the capacity of feminist transformative justice

<sup>330</sup> Ibid: 102.

theory in its current state to address the flaws of ‘the patriarchy of internationalized transitional justice’. To derive this type of more generic insights from case study research one needs a robust research design. This chapter explained how this thesis multi-level comparative research design allowed this thesis to contribute to both goals. It also detailed the methods this thesis has employed to get a comprehensive picture of EU engagement with gender justice in transition in Tunisia and Ukraine, and sets out the measures the Researcher has taken to guarantee that data collection and analysis lived up to the feminist research ethos that guides this thesis.

The researcher identified the multi-level qualitative case study design as best suited to enhance insight in the factors that drive EU engagement with gender justice in transition. One of the key hypotheses underlying this thesis is that gender politics and gender justice opportunity structures in the countries receiving EU support for gender justice in transition, shape – and perhaps determine – the nature of EU engagement with gender justice in transition. In order to account for these factors, it is necessary to examine EU engagement with transitional justice in at least one specific country context. The thesis opted to look into two country contexts in order to allow for a structured comparative exercise that could enhance insight in whether EU choices in this regard provide the impression of a pattern or are rather random. By relying on a multi-level case study design this research deviates from the more common feminist practice of researching the nature of international engagement with transitional justice through analysis of generic policy documents and statements about WPS and other relevant issues produced by these actors. This thesis argues that the multi-level case study design not only allows for taking into account local gender justice opportunity structures, but also is more appropriate from a feminist perspective as it allows for the consideration of a broader range of voices than just those of (elite) EU bureaucrats.

These voices, however, still all constituted experts or elites. As feminist methodology is constructed around the notion of providing a platform to marginalized groups there is relatively little guidance on how to engage with elites in a feminist fashion. This provided the researcher with a challenge, as common knowledge has it that elites/experts are notoriously difficult subjects to interview, but the tactics to overcome these challenges suggested in mainstream scholarship on elite interviewing seem to be antithetical to some core premises of a feminist research ethic. This researcher therefore decided in favour of an approach towards interviewing that did not rely on any 'questionable' tactics to elicit data, and to rely on reflexivity during the interviewing process itself and the data collection stage to compensate for any difficulties she might have encountered during data collection. Reflecting on the researcher's experiences during the fieldwork this chapter argues that in doing so it is possible to elicit high quality data while living up to a feminist research ethic. Moreover, it found that while this approach might sometimes result in the occurrence of less pleasant encounters, these encounters can turn out to be some of the most valuable sources for insight into the reality of EU support for gender justice in transition when approached through a reflexive lens.

The comparative multi-level case study design discussed in this chapter guides the structure of the chapters that follow with chapter 4 providing insight in EU policy commitments in the realm of gender justice in transition on the one hand and local gender justice opportunity structures in Tunisia and Ukraine on the other, chapter 5 giving a detailed picture of EU engagement with gender justice efforts in Tunisia and Ukraine in practice and chapter 6 comparing between what the EU does (as discussed in chapter 5) with what it could be doing (as discussed in chapter 4) to enhance insight of the factors that drive EU engagement with gender justice in transition. This chapter plays a more central role in chapter 7 which compares this thesis' research design with

that of other publications on internationalized transitional justice practice in order to understand why – to the extent that this thesis’ findings differ from commonly held knowledge about the nature of “the patriarchy of internationalized transitional justice” – this might be related to research design.



## **4. CASE STUDY BACKGROUND: The EU's policy commitments, and gender justice opportunity structures in Tunisia and Ukraine**

### ***4.1 INTRODUCTION***

Intimate knowledge of EU policy commitments and the transitional justice environment in the two local case study countries is vital to understanding which factors shape EU engagement with gender justice in Tunisia and Ukraine. The core function of this chapter is to set the parameters against which the EU's actual engagement with gender justice in Tunisia and Ukraine will be compared. As discussed in the introduction and the previous chapter, this thesis compares what the EU says it is doing and what the EU is actually doing in terms of gender justice support in Tunisia and Ukraine against the 1) the avenues for gender justice support that it could be taking in both countries, and 2) global gender justice priorities as identified in feminist literature.

To make any of these comparisons it is necessary to know what are the EU's stated gender justice priorities in policy, and what is the nature of the gender justice opportunity structures in Tunisia and Ukraine. As such section 4.2 of this chapter provides an analysis of the EU policy documents – allegedly – guiding its engagement with gender justice abroad, and section 4.3 and 4.4 on their turn constitute detailed overviews of the gender justice opportunity structures in Tunisia and Ukraine. In doing so this chapter fulfils objectives 1 and 2 of this thesis, which are to identify and categorize EU policy priorities, and to identify and categorize local gender justice opportunity structures.

## ***4.2 GENDER JUSTICE PRIORITIES IN THE EU POLICY FRAMEWORK ON SUPPORT FOR TRANSITIONAL JUSTICE***

In theory policy commitments are the guiding framework for international actors' engagement with gender justice in transition. In practice, evidence shows this is not always the case. Knowing the extent to which policy and practice are removed from each other in the case of EU engagement with gender justice in transition in Tunisia and Ukraine is necessary to enhance insight in the factors that drive its activities in this regard. Through an analysis of the EU's Policy Framework on Support to Transitional Justice and associated documents, this section argues that while the Framework hints at more transformative conceptualizations of transitional justice and support for gender justice in transition – e.g. by acknowledging that women suffer from 'socio-economic violations and gender-differentiated impacts of forced disappearances, torture, loss of family members and other violations or abuses' - traditional notions of gendered transitional justice still dominate in the Framework.<sup>331</sup> As such, analysis of EU policy documents partly confirms feminist concerns about international actors' engagement with gendered transitional justice, while also demonstrating a nascent commitment on the EU's behalf towards a more transformative approach towards gender justice in transition.

### ***4.2.1 The Framework: A prioritization of mainstream gendered transitional justice goals over a transformative approach towards transitional justice***

In November 2015, the EU Council adopted Council Conclusions on the EU Framework on Support to Transitional Justice.<sup>332</sup> As mentioned, this is the first EU policy document specifically devoted to EU engagement with transitional justice in its

<sup>331</sup> Council of the European Union 2015 (n3): 29.

<sup>332</sup> Ibid.

foreign policy. In doing so the Council acknowledged the Framework as the official guiding framework for EU engagement with transitional justice.<sup>333</sup> The goals of EU transitional justice support are twofold according to the Framework: ‘to strengthen the EU’s position on transitional justice’ and ‘to promote a comprehensive approach to transitional justice’ in order to achieve ‘peaceful, just and democratic societies’.<sup>334</sup> The document also emphasizes the need to integrate a gender dimension in all EU transitional justice activities. As such, it recognizes that ‘pre-existing gender inequalities inform both the nature of the crimes committed and the consequences of those violations’,<sup>335</sup> and acknowledges that during times of war and repression, women suffer from a wider range of violations than just sexual violence, including the wide scale violation of socio-economic rights. In its endorsement of the Framework, the Council remarked that the EU:

Prioritises gender sensitive transitional justice which addresses the full range of violations and abuses suffered by women, girls, men and boys and responds to their differentiated vulnerabilities and needs. In this respect, gender must be mainstreamed throughout transitional justice mechanisms and processes, from their design through to implementation of recommendations.<sup>336</sup>

Does this commitment to the consideration of a gender perspective in transitional justice support entail adherence to a transformative vision on gendered transitional justice that covers all three aspects of the transformative justice agenda described in section 2.7? For answers to this question, this section looks both at the gender paragraph of the Framework - in synergy with the documents this paragraph refers to - and the Framework as a whole.

<sup>333</sup> The Framework is annexed to the Council Conclusions.

<sup>334</sup> Ibid: 14.

<sup>335</sup> Ibid: 29.

<sup>336</sup> Ibid: 4.

The Framework indicates that the EU has a broad understanding of the gendered harms that should be covered by transitional justice processes. After recognizing that pre-existing inequalities inform women's experience of conflict and repression, it specifies the type of violations typically experienced by women. These examples imply a broad understanding of gendered harms, as it acknowledges that victims also go through 'socio-economic violations and gender-differentiated impacts of forced disappearances, torture, loss of family members and other violations or abuses'.<sup>337</sup> The recognition of socio-economic rights violations as a cause worthy of consideration in transitional justice efforts, and acknowledgement of indirect victimhood are integral to a transformative justice agenda generally speaking, of which feminist transformative justice scholarship is one strand.

However, despite these promising statements, some characteristics of the Framework's language on gender put into question the depth of the EU's commitment to a transformative feminist gender justice agenda. Some phrases imply that pursuing accountability for SGBV still is the EU's key gender justice priority in transition. In relation to the first point, the gender paragraph of the Framework states that:

Ending sexual violence and gender-based violence in conflict and post conflict situations is a priority area for the EU, in which transitional justice has a strong role to play in bringing perpetrators to account, preventing further violence and supporting survivors to overcome violations.<sup>338</sup>

The need to provide justice to victims of socio-economic rights violations and other types of GBV is not explicitly identified as a priority area. Moreover, while the EU does mention transitional justice's role in 'bringing perpetrators to account, preventing further violence and supporting survivors to overcome violations', the gender paragraph of only 24 lines does not contain detailed guidance on how the EU will implement EU

<sup>337</sup> Ibid: 29.

<sup>338</sup> Ibid: 29.

commitments to more transformative gender justice goals in terms of which actors and mechanisms it will support to realize them.

An analysis of the Framework as a whole, that looks beyond the gender paragraph, paints a similar picture of hesitant commitment to a more transformative approach towards transitional justice, without clear guidance on how to implement these commitments. While the Framework does not usher the term ‘transformative justice’ as such, it does include a number of references that indicate that the EU is inclined to support transitional justice efforts that contribute societal transformation:

The EU [...] supports transitional justice processes that are forward-looking, with the aim to transform the society by identifying and dealing with root causes of conflict and violence that may reside in discrimination, marginalisation or violation of social, economic and cultural rights. EU support to transitional justice mechanisms and processes are based on Articles 208 and 212 TFEU. Transitional justice is therefore considered as an integral part of EU external assistance.<sup>339</sup>

However, at the level of implementation, the EU’s language betrays hesitance with regard to committing to the approaches generally associated with transformative justice. Firstly, the language on ‘transformation’ is linked to a need to integrate support for transitional justice in a ‘security-development nexus paradigm’:

As transitional justice mechanisms can significantly contribute to initiating post-conflict recovery and in preventing the emergence of new cycles of violence, the EU recognises the links between rule of law, peacebuilding, development and transitional justice. In this context, the main EU objective is to assist partner governments to provide effective, legitimate and accountable justice and security services to their citizens, in a manner that is consistent with democratic norms, rule of law values, good governance principles and respect for human rights.<sup>340</sup>

<sup>339</sup> Ibid: 31.

<sup>340</sup> Ibid.

As such it is not clear whether this statement refers to supporting transitional justice that is transformative for individual victims, or supporting the type of transitional justice mechanisms – guarantees of non-repetition – most commonly associated with transformation at the institutional level.

Second, the Framework's language on reparations is not entirely in line with the vision on reparations espoused by transformative justice advocates. While the Framework indicates the EU believes that 'the potential to access reparations should be as inclusive as possible in order to avoid any marginalisation of victims and to support their reintegration and empowerment in society',<sup>341</sup> it also mentions that reparations should only be provided to provide redress for 'serious crimes'.<sup>342</sup> While the term 'serious crimes' has a broader scope than 'grave human rights violations', without a specifier of what 'serious crimes' entails, one cannot be certain about the scope of crimes the EU is willing to pursue reparations for. Does the EU believe that reparations have a role in dealing with root causes of conflict and violence that may reside in discrimination, marginalisation or violation of social, economic and cultural rights?

While one could argue that this lack of detail should be expected in a generic policy document, the resources the Framework refers to for more detail – when it comes to the EU's approach to gendered transitional justice – do not provide much more transitional justice specific detail, and to some extent seem to employ more conservative notions of what a gender sensitive approach towards transitional justice entails. The Framework refers to the 2008 European Council's Comprehensive approach to the EU implementation of the United Nations Security Council

<sup>341</sup> Ibid: 19.

<sup>342</sup> It states: Reparations programmes seek to redress harm suffered by victims as a result of serious crimes under international law by providing a range of material and/or symbolic benefits to victims. They can include measures such as monetary compensation, rehabilitation (e.g. medical and psychological services, educational support), measures of socio-economic reintegration, return of property or compensation for loss thereof, but also official public apologies, building museums and memorials, and establishing days of commemoration.' Ibid.

Resolutions 1325 and 1820 on Women, Peace and Security,<sup>343</sup> and The EU Guidelines on violence against women and girls and combatting all forms of discrimination against them for further guidance.<sup>344</sup> The term transitional justice does not figure prominently in either of these documents.<sup>345</sup> Moreover, to the extent that they invoke the term transitional justice, both documents espouse a more narrow understanding of gendered harms than the Framework.<sup>346</sup>

The Comprehensive Approach mentions transitional justice only in relation to the need to pursue accountability and redress for ‘war crimes affecting women’:

In its support to the strengthening and reform of the justice sector the EU will seek to enhance the involvement of women and their access to justice, including transitional justice mechanisms. The EU will pay specific attention to building capacity for the prosecution of crimes against women and the protection of witnesses. The provision of reparations and other forms of redress for survivors will be considered wherever possible. Ending impunity for war crimes affecting women is the objective of these efforts, as is providing justice and redress to victims.<sup>347</sup>

This phrasing is slightly unclear, as all war crimes could potentially affect women.

However, it is likely that the Comprehensive Approach referred to the types of sexual violence listed as war crimes in the Rome Statute, being: ‘Rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity’.<sup>348</sup> Moreover, when mentioning the continuum of violence affecting women in societies in transition it implies that this continuum only

<sup>343</sup> Council of the European Union 2008 (n232).

<sup>344</sup> European Union (n233).

<sup>345</sup> The 2008 Comprehensive Approach document only contains one direct reference to transitional justice, and the Guidelines document does not contain any reference to the term transitional justice at all. Instead, this document includes a section on ‘combating the impunity of perpetrators of violence against women and access to justice for victims’ which is not specific to conflict-related settings.

<sup>346</sup> This has also been argued by Martin de Almagro, see Martin de Almagro 2017 (n36).

<sup>347</sup> Council of the European Union 2008 (n232): 17.

<sup>348</sup> Article 8, which contains the definition of ‘War Crimes’ identifies as a war crime: ‘Committing rape, sexual slavery, enforced prostitution, forced pregnancy, as defined in article 7, paragraph 2 (f), enforced sterilization, or any other form of sexual violence also constituting a grave breach of the Geneva Conventions. UN General Assembly, Rome Statute of the International Criminal Court (last amended 2010), 17 July 1998.

applies to rape and sexual violence: ‘women around the world continue to suffer systematic sexual violence and rape before, during and after conflict’.<sup>349</sup>

Both the Comprehensive Approach’ and the Guidelines’ understanding of which gendered harms are most common and least addressed during times of conflict and repression also conflict with insights from feminist scholarship. The Comprehensive approach, for instance, states that ‘the weakest pillar of the implementation of Resolution 1325 is prevention and response to Sexual and Gender-based Violence’.<sup>350</sup> This goes against the broadly held feminist observation that international actors have prioritized protecting women against and addressing the consequences of SGBV, to the detriment of addressing other gendered harms.<sup>351</sup> In a similar vein, the Guidelines mention that ‘in situations of crisis or armed conflict, the use of rape, slavery, sexual abuse and exploitation are the most systematic and widespread manifestations of violence against women’.<sup>352</sup> This statement contradicts the notion that women’s experiences of conflict and repression are much broader, and that socio-economic rights violations and the type of GBV that is indirectly spurred by conflict are some of the most common gendered harms experienced by women during conflict and repression.<sup>353</sup>

When it comes to mechanisms, the EU’s commitment to reparations seems weaker than its commitment to the pursuit of legal accountability. In the above-cited quote from the Comprehensive Approach, the EU for example states that ‘the provision of reparations and other forms of redress for survivors will be considered wherever possible’. This is less robust language than the statement it makes on combatting impunity for violence against women and girls in the Guidelines, in which it

<sup>349</sup> Council of the European Union 2008 (n232): 6.

<sup>350</sup> Ibid.

<sup>351</sup> Ní Aoláin 2009 (n4).

<sup>352</sup> European Union (n233): 15.

<sup>353</sup> Swaine 2011 (n54): 284-285.



states that ‘it is essential for States to ensure that violence against women and girls is punished by the law and to see that perpetrators of violence against women and girls are held responsible for their actions before the courts.’<sup>354</sup> One could argue that this phrasing on reparations leaves space for greater state discretion in how to fulfil these obligations. Nevertheless, the adoption of strong language on reparations by the EU could signal to states that reparations should be a priority and not an afterthought.

However, since recently, thanks to the adoption of the 2018 ‘EU Strategic Approach to Women, Peace and Security’,<sup>355</sup> the EU has brought its language on WPS more in line with the gendered transitional justice commitments outlined in the Framework. This new document specifies that the EU is committed to promoting ‘efforts that aim to end impunity for crimes of sexual and gender-based violence, including conflict-related sexual violence’.<sup>356</sup> This phrasing differs from the phrasing used in the 2008 Comprehensive Approach. It identifies conflict-related sexual violence as one of the crimes of SGBV for which accountability should be pursued, instead of narrowing down the range of gendered harms that should be addressed down to ‘war crimes’ affecting women’. Moreover, the 2018 Strategy very clearly mentions that during times of conflict ‘women are at risk of violence in both the public and the private sphere’ and that the EU should:

Address conflict-related sexual violence as part of a continuum of gender-based violence closely intertwined with persistent inequalities and broader attacks on gender equality and women’s human rights, including, but not limited to, digital and cyber violence.<sup>357</sup>

This is a stronger acknowledgement of the existence of a continuum of violence than the Comprehensive Approach’ observation that ‘women around the world continue to

<sup>354</sup> European Union (n233): 4.

<sup>355</sup> This document was adopted by the Council in December 2018: Council of the European Union 2018 (n235).

<sup>356</sup> Ibid: 37.

<sup>357</sup> Ibid: 39.

suffer systematic sexual violence and rape before, during and after conflict'.<sup>358</sup> In relation to transitional justice mechanisms the 2018 document uses much stronger rhetoric on victims' rights to reparations, stating that one of the EU's objectives is to: 'ensure that every person who has suffered from sexual or gender-based violence has the right and access to comprehensive healthcare information and services, justice and reparations'.<sup>359</sup>

Taken together, this implies that while the EU has quite significantly developed its rhetoric support for gender justice in transition from a transformative point of view, lack of detail on how to implement these commitments raises questions about their depth. As mentioned, this might be partly related to the purpose of policy documents, which is to set out broad commitments with the expectation that implementation steps will be outlined in other documents adapted to specific contexts. However, the ambiguity in relation to transformative justice is also reflected in the overall tone of the Framework, including the gender paragraph, which suggests that while the EU is aware of the developments in transitional justice literature and practice, it still prioritizes its traditional goals of pursuing accountability for grave human rights violations.

#### ***4.2.2 The EU's support for forward-looking gender justice initiatives in transition***

What about the role of forward-looking gender justice initiatives that aim to address structural inequalities? While the Framework acknowledges that gendered harms inflicted on women during times of conflict and repression are rooted in structural marginalization, it does not discuss support for concrete initiatives to address structural gender inequalities in any depth. However, the documents it refers to do. The

<sup>358</sup> Council of the European Union 2008 (n232): 6.

<sup>359</sup> Ibid: 41.

Comprehensive Approach and Guidelines include references towards the need for support for women's socio-economic empowerment and support for (legislative) efforts to address VAW. The Comprehensive Approach, for instance, suggests that the EU should support:

The development of enabling legal systems [...] so that land and asset ownership will be guaranteed for women, particularly in contexts where female-headed households risk losing land and other productive assets because of gender-biased inheritance systems. Credit and other enterprise support systems designed to catalyze economic recovery particularly in agrarian economies must be tailored to serve women producers.<sup>360</sup>

As discussed in chapter 2, land ownership has been a central theme in both mainstream as well as feminist transformative justice literature. When it comes to addressing everyday physical VAW, the Comprehensive Approach and the Guidelines emphasize the importance of legislative reform. In this regard the Comprehensive Approach states that periods of transition 'offer windows of opportunity to review and redraft constitutions and laws and to create new systems of governance, including reform of both customary and formal judicial systems', and that in these contexts the EU will be specifically focused on 'advancing the protection of women's rights in conformity with International Law: elimination of discrimination in the letter and application of all relevant laws'.<sup>361</sup> Thus, historically the EU has acknowledged the need for broader legislative and institutional reform to advance women's position in societies in transition.

In the 2018 WPS strategy the EU has very much 'upped' its language on the need for structural reforms. It even explicitly acknowledges support for women's empowerment and gender equality as an essential step towards conflict prevention.

<sup>360</sup> Ibid: 18.

<sup>361</sup> Ibid: 17.

- Promote gender equality and women’s empowerment systematically and in the long term in stages of fragility, conflict, relief and recovery. Furthermore, the EU will maintain its focus on gender-related root causes throughout its implementation of the WPS Agenda, and will continue to address prevention in parallel to response.
- Support efforts that address the root causes of violence, such as exclusion, discrimination, structural inequalities and sexual and gender-based violence including violence against women and girls.
- Support inclusive civil society initiatives at the community, national, regional and global levels to build sustainable peace and to transform gender-based inequalities. Also support initiatives that aim to challenge and transform socialised gender norms and stereotypes.<sup>362</sup>

This type of explicit recognition of the fact that gender inequality is at the root of conflicts, and that therefore it is important to promote gender equality as a conflict prevention and resolution strategy is an example of the progress the EU has made from recognizing women as useful resources in their capacity of grassroots peacebuilders to recognizing the need for promotion of gender equality as such to safeguard stable societies.

As such, the findings from Martin de Almagro’s 2017 analysis of the Transitional Justice Framework – when the updated EU strategy on 1325 had not been published yet – seem therefore slightly outdated. She found that:

If the EU directs its normative potential and high levels of expenditure on retributive and restorative transitional justice that limits the understanding of what is a “gendered sensitive approach” to crimes concerning (only) sexual violence, it also perpetuates the idea that the WPS agenda is directed at protecting women from (sexual) violence and at empowering women as participants and democracy promoters as key to security, development and international stability.<sup>363</sup>

<sup>362</sup> Council of the European Union 2018 (n235): 32.

<sup>363</sup> Martin de Almagro 2017 (n36): 11.

It shows that over the last ten years the EU has acknowledged the need for support for forward looking gender justice measures in societies transitioning from conflict to security. The new WPS Strategy seems to make this link more clearly than the 2008 Comprehensive Approach by emphasizing the need for support for gender equality as an essential component of conflict prevention as well as resolution. However, these documents do not clearly indicate whether the EU considers these activities as an intrinsic component of the EU's transitional justice activities – e.g. as part of EU support to guarantees of non-repetition. Regardless, the policy documents imply that in contexts in transition the EU will combine support for efforts to pursue accountability for politically motivated SGBV with efforts to support (legislative and institutional) reform to create more gender equal societies. Support for past-focused transformative gender justice initiatives, that provide transformative justice solutions to individual victims and/or provide justice to victims of politically motivated socio-economic harms seems less of an EU priority.

#### ***4.2.3 Conclusion***

Based on analysis of policy documents the EU seems to endorse a more diversified approach towards support for gender justice in transition, than one would expect based on feminist critiques of international transitional justice actors. While combating impunity for conflict-related SGBV is at the core of the EU's gendered transitional justice strategy, the Framework itself displays some recognition on the EU's behalf to adopt a more transformative approach towards gender justice transition. It does so, amongst other things, through recognizing that conflict-related SGBV is rooted in women's structural marginalization, and only one of the many types of gendered harms experienced by women during conflict and repression. Nevertheless, when it comes to supporting more transformative approaches towards gender justice in transition the EU

seems more inclined to supporting forward-looking initiatives to combat women's marginalization, than to embrace transformative justice initiatives with a clear past-focused link.

However, identifying this willingness on the EU's behalf to support potentially transformative gender justice efforts requires: 1) embracing the broad definition of transformative gender justice at the root of this thesis, and 2) looking beyond the Framework itself for a more comprehensive description of EU engagement with gender justice in countries in transition. If one does not do this, the EU's Framework on Support to Transitional Justice paints the image of and international actors whose half-hearted embrace of some vague transformative justice rhetoric, does not come close of hiding the fact that in its support for gendered transitional justice per se the EU is still heavily skewed towards support for the pursuit of accountability for conflict-related SGBV. The significance of this finding – i.e. what this means for the role and functionality of documentary analysis as a tool to understand international support for gender justice in transition - will be discussed in more depth in chapter 7.

### ***4.3 TUNISIA'S GENDER JUSTICE OPPORTUNITY STRUCTURE***

To understand what factors drive EU engagement with gender justice in transition, it is important to understand the local gender justice circumstances in which the EU operates. This section provides such an overview for the Tunisian context, while the next one will focus on Ukraine. Both will set out the gendered harms that have been on the agenda during both countries' transitions, the avenues that exist to address these harms, and the perspectives of different local gender justice actors – broadly understood as those actors who directly engage with and have influence over gender justice efforts – on each of these harms and avenues for change. They conclude looking into the EU's ties with both countries to contextualise what engagement with some and

neglect of other gender justice issues on the EU's behalf likely demonstrates about the factors driving EU engagement with gender justice abroad.

In the Tunisian context this section finds that while the country is grappling with a wide range of gendered harms and has erected various state-sanctioned and grassroots initiatives to address them, questions around transitional justice and women's position in society have become highly politicized post-Arab Spring across religious/secular lines, and powerful political elites have used this polarisation to sabotage gender justice efforts focused on addressing the past in particular. As the EU is heavily invested in safeguarding good ties with Tunisian political elites, engagement with certain gender justice issues at the expense of others could provide insight in whether EU policy commitments or local priorities determine the nature of its engagement with gender justice in Tunisia.

#### ***4.3.1 Gendered Harms in Tunisia***

During almost six decades of dictatorship, Tunisia has been the stage for a wide array of gendered harms. The following paragraphs provide an overview of these harms to provide the reader with insight in the range of gender justice issues that are on the agenda in Tunisia and the identity of the women who have suffered these harms. The latter is important to better understand the next section's discussion of how gender justice issues were instrumentalized for political gain.

The different categories of harms inflicted on women because of their – real or perceived – political affiliations are multi-fold. This includes politically-motivated SGBV including rape at the hands of representatives of the Tunisian security forces inflicted on women associated with the Islamist movement.<sup>364</sup> A more common type of harm

<sup>364</sup> Gray and Coonan 2014 (n200).

inflicted on women who the regime considered to be associated with political opposition was the exclusion from educational and professional opportunities. For example, Circular 108 banned women who wore headscarves from enjoying university education or becoming a civil servant.<sup>365</sup> Islamist women are widely believed to have been on the receiving end of the most widespread, systematic politically motivated gendered harms.<sup>366</sup> However, some leftist female activists experienced similar treatment.<sup>367</sup> Women associated with oppositional activities were subjected to intense surveillance, requiring them to report multiple times a day with the authorities and leaving them vulnerable to intrusions into their private lives by security forces day and night.<sup>368</sup> Wives and other female relatives of male political prisoners also suffered in their capacity as indirect victims. Besides psychological trauma, this included socio-economic marginalization as a result of the loss of male breadwinners and social exclusion.<sup>369</sup>

Working class women in Tunisia in particular have borne the brunt of Ben Ali's exclusionary economic policies.<sup>370</sup> In Tunisia's marginalized regions, particularly the phosphate mines in the South, women played a central role in the organization of large-scale protests against the corruption and bad economic governance that was at the core of the marginalization of these female workers themselves and their regions as a

<sup>365</sup> Circulaire du ministre de l'éducation nationale n° 108 du 18 septembre 1981. For more information see: ADLI, *Les Circulaires Liberticides* (2018). Available at:

[http://www.adlitn.org/sites/default/files/circulaires\\_fr\\_eng\\_ar\\_lr\\_19\\_12.pdf](http://www.adlitn.org/sites/default/files/circulaires_fr_eng_ar_lr_19_12.pdf), accessed 3 August 2019.

<sup>366</sup> Salwa El Gantri, 'Our Voices Will Not be Silenced: Charting Women's Struggle for Justice in Tunisia' 2016 ICTJ. Available at: <https://www.ictj.org/news/women-struggle-justice-tunisia>, accessed 18 October 2018. Interview 12 Tunis, 24 August 2017, representative Islamist women's group; Interview 13 Tunis, 24 August 2017, representative Islamist women's group; Interview 34 Tunis, 11 October 2017, representative Islamist women's group.

<sup>367</sup> Interview 26 Tunisia (n326); Agatha Palma, 'Of Laws Tattooed in Flesh: Gendered Self-Expression through "Touns" in Post-Revolutionary Tunisia' (2014) *Al-Raida Journal* 30: 35.

<sup>368</sup> Gray and Coonan 2014 (n200).

<sup>369</sup> Roslyn Warren et al, *Inclusive Justice: How Women Shape Transitional Justice in Tunisia and Colombia* (2017) Georgetown Institute for Women, Peace and Security.

<sup>370</sup> Loes Debuysere, 'Between feminism and unionism: the struggle for socio-economic dignity of working-class women in pre-and post-uprising Tunisia' (2018) 45(155) *Review of African Politics and Economy* 25.



whole.<sup>371</sup> These protests sowed the seeds for what would become the Arab Spring. These initial efforts, however, were met with violent crackdowns by the Ben Ali regime resulting in physical harms being inflicted on these women in addition to the socio-economic harms they already experienced as a result of their marginal status as workers in the phosphate mines, as well as the overall marginalization of their regions.

Tunisia has been heralded as an example in the field of women's rights in the Arab World for its relatively progressive 1956 Personal Status Code. Amongst other things, this law abolished polygamy and provided Tunisian women with equal divorce rights. Nevertheless, female Tunisians as a group have continued to be the subject of sustained marginalization since the country's independence from France. This includes inequality in the domain of inheritance,<sup>372</sup> and vulnerability to violence in the private sphere due to the absence of an adequate legislative framework and institutional capacities to protect women against GBV. The gravity of this issue is reflected in statistics on the prevalence of domestic violence, which indicate that one in two Tunisian women have experienced violence by a partner or relative.<sup>373</sup>

Thus, Tunisia has witnessed all types of gendered harms that have been of interest to feminist transformative justice scholars. The following sub-sections discuss how these harms have been embroiled in a broader struggle for Tunisia's identity in the wake of the Arab Spring, and how this has impacted the implementation of each of these efforts.

<sup>371</sup> Manea 2015 (n200).

<sup>372</sup> Mounira Charrad, *States and women's rights: The making of postcolonial Tunisia, Algeria, and Morocco* (University of California Press 2001): 228.

<sup>373</sup> l'Office National de la Famille et de la Population, *Etude Nationale sur la violence à l'égard des femmes en Tunisie*, 2010.

### *4.3.2 Gender politics in Tunisia*<sup>374</sup>

After the Revolution the above-discussed gender harms have become central to a struggle between competing political elites, as part of the Islamist and secular political classes' attempts to determine Tunisia's post-revolutionary national identity. While Islamists have prioritized the pursuit of gender justice via transitional justice mechanisms, secular actors have promoted gender justice through legislative reform in line with their aversion against transitional justice. This section discusses the history behind this struggle, how different political groups have used support for – or denunciation of – certain gender justice causes for political gain, and how different components of Tunisia's women's movement have responded to the politicization of the struggle to pursue transformative gender justice goals. This background is necessary to allow this thesis to disentangle if and how the EU's support for certain types of gender justice issues in Tunisia aligned it with the interests of certain local actors and in particular local political elites.

Since Tunisia's independence from France, women's rights have been used as a tool to define and solidify the country's identity as a modern nation in the Arab World. Habib Bourguiba, Tunisia's first president, considered the emancipation of Tunisia's female population a key condition for Tunisia's successful transition to 'modernity.'<sup>375</sup> This progressive attitude towards women's rights – albeit less sincerely and effectively – was preserved by Bourguiba's successor Zine El Abidine Ben Ali. This explains Tunisia's relatively progressive record in the field of women's rights compared to other countries in the Middle East and North Africa.<sup>376</sup> However, not all segments of

<sup>374</sup> This section is an adjusted version of the section 'History and Politics behind Tunisia's Pursuit of Gender Justice in Transition' of a previously published article in the International Journal of Transitional Justice: Elise Ketelaars, 'Gendering Tunisia's Transition: Transformative Gender Justice Outcomes in Times of Transitional Justice Turmoil?' (2018) 12(3) International Journal of Transitional Justice 407.

<sup>375</sup> Debuysere 2016 (n200).

<sup>376</sup> Charrad 2015 (n200).

Tunisian society shared this desire for a shift towards modernity and more liberal gender norms, most notably conservative Islamist actors who after independence from France aimed to establish a Tunisian state governed according to the principles set out in the Sharia.<sup>377</sup> This sentiment, however, largely stayed under the surface, as progressive women's rights policies went hand in hand with severe political oppression of those who opposed Tunisia's subsequent dictatorial regimes.<sup>378</sup>

The overthrow of Ben Ali revealed the discontent of large parts of society with the direction the 'modern' Tunisian state had taken. While this discontent predominantly concerned the ruling class's corrupt economic policy,<sup>379</sup> the victory of the socially conservative Islamist Ennahda party in Tunisia's first democratic elections also put the question of Tunisia's national identity at the forefront of the debates concerning Tunisia's path towards democracy.<sup>380</sup> Since liberal gender norms had traditionally been presented as a core signifier of Tunisia's nature as a modern Arab state, these became the centre of the post-2011 debates on national identity.<sup>381</sup> Liberal opponents pointed at Ennahda's intention to restore the Tunisian woman in her traditional role as caretaker of the family as the most vivid symbol of its dangerous and oppressive politics.<sup>382</sup> The struggle for the determination of the identity of 'the Tunisian woman' – and in her trail the Tunisian state - in the wake of the 2011 revolution reached a boiling point when Ennahda attempted to introduce 'complementarity'

<sup>377</sup> Currently Ennahda states that it is in favour of democratically governed state: Rached Ghannouchi, 'Islam and Democracy in Tunisia' (2018) 29(3) *Journal of Democracy* 5.

<sup>378</sup> Lamont and Pannwitz 2016 (n200).

<sup>379</sup> Fabio Merone, 'Enduring class struggle in Tunisia: the fight for identity beyond political Islam' (2015) 42(1) *British Journal of Middle Eastern Studies* 74.

<sup>380</sup> Teije Hidde Donker, 'Re-emerging Islamism in Tunisia: repositioning religion in politics and society' (2013) 18(2) *Mediterranean Politics* 207.

<sup>381</sup> Debuysere 2016 (n200); Maaïke Voorhoeve, 'Women's Rights in Tunisia and the Democratic Renegotiation of an Authoritarian Legacy' (2015) 5 *New Middle Eastern Studies*.

<sup>382</sup> Mounira M Charrad and Amina Zarrugh, 'Equal or complementary? Women in the new Tunisian Constitution after the Arab Spring' (2014) 19(2) *The Journal of North African Studies* 230

instead of ‘equality’ in the new constitution to describe spousal relations. Many Tunisians considered this to be an unacceptable breach of the spirit of Tunisia’s ‘popularly valorised Code of Personal Status.’<sup>383</sup>

However, while being socially conservative in terms of women’s rights during the initial period of its ascendancy to power, the Ennahda party presented itself as an ardent supporter of transitional justice.<sup>384</sup> This was directly related to the fact that the party represents the part of Tunisia’s electorate that was subject to the harshest and most intense repression under the Ben Ali regime. The party played a pivotal role in the design of Tunisia’s transitional justice trajectory and particularly in the creation of the Truth and Dignity Commission (TDC) which is at the centre of it.<sup>385</sup> Interestingly, when the TDC was created, leading party figures of the otherwise conservative Ennahda movement emphasized the importance of including women and their experiences in this effort to come to terms with the country’s past.<sup>386</sup> The chair of the TDC’s Women’s Commission, Ibtihel Abdellatif, is the former director of an Islamist women’s group, Nisa Tounsiat.<sup>387</sup> Moreover, newly active Ennahda-affiliated women’s groups have become pivotal forces in popular outreach and advocacy in the field of transitional justice,<sup>388</sup> while simultaneously carving out their own conservative niche in Tunisia’s

<sup>383</sup> Ibid: 230. Large-scale protests headed by Tunisia’s well-organized feminist movement followed, and eventually the constitutional guarantee of men and women’s equality in every aspect of life was retained.

<sup>384</sup> Andrieu 2016 (n200).

<sup>385</sup> The Ennahda government even created the position of Minister of Human Rights and Transitional Justice, which was taken up by Samuel Dilou. Christopher K Lamont, Joanna R Quinn and Eric Wiebelhaus-Brahm, ‘The Ministerialization of Transitional Justice’ (2019) 20(1) Human Rights Review 103.

The trajectory is laid out in Tunisia’s Transitional Justice Law: République Tunisienne, Loi organique 2013-53 du 24 décembre 2013, relative à l’instauration de la justice transitionnelle et à son organisation. Available at: <https://www.ilo.org/dyn/natlex/docs/SERIAL/95319/112171/F-313159060/TUN-95319.pdf>, accessed 14 August 2018.

<sup>386</sup> Gray and Coonan 2014 (n200).

<sup>387</sup> Warren et al 2017 (n369): 20-21.

<sup>388</sup> For more information on the role of Islamist women’s groups in Tunisia’s transitional justice process, see, Salwa El Gantri, ‘Our Voices Will Not be Silenced: Charting Women’s Struggle for Justice in Tunisia,’ Available at: <https://www.ictj.org/news/women-struggle-justice-tunisia>, accessed 1 August 2018. This was confirmed during interviews with representatives of Islamist female victims’ associations:

traditionally feminist women's movement.<sup>389</sup> This means that Islamist actors have become some of the core drivers of the pursuit of gender justice in transition via Tunisia's official transitional justice institutions, albeit with a different vision of gender justice to their secular counterparts.

The country's transitional justice efforts were dealt a severe blow when the secular Nidaa Tounes party – which has strong ties to the former ruling elite – won the majority of the votes in the country's 2014 election. While it needed to enter into a coalition government with the at that point still pro-transitional justice party, Ennahda, Nidaa Tounes has become the most powerful political opponent of Tunisia's transitional justice process.<sup>390</sup> This is unsurprising in view of the strong ties of some of its members – including Tunisia's recently deceased President Beji Caid Essebsi – have/had with one or both of Tunisia's preceding regimes.<sup>391</sup> This obstruction includes attempts to push through an amnesty for businesspeople and officials who engaged in corrupt practices under the previous regime through an Administrative Reconciliation Law,<sup>392</sup> the refusal to prolong the TDC's mandate in spite of the fact that the

Interview 6 Tunisia, Sfax, 17 August 2017, Representative female victims' organization 1; Interview 7 Tunisia, Sfax, 17 August 2017, Representative female victims' organization 2

<sup>389</sup> Khedija Arfaoui and Valentine M Moghadam, 'Violence against Women and Tunisian Feminism: Advocacy, Policy, and Politics in an Arab Context,' (2016) 64(4) *Current Sociology* 637.

<sup>390</sup> Ketelaars 2018 (n374); Andrieu 2016 (n200).

<sup>391</sup> From Ketelaars 2018 (n374): 'The bill was formally titled Draft Law No.49/2015 on Exceptional Measures Relating to Economic and Financial Reconciliation and was passed on 13 September 2017, with a narrow majority of 117 votes in favour (out of a possible 217). During the revisions of the draft, it was renamed the Administrative Reconciliation bill.

<sup>392</sup> République Tunisienne Loi organique No. 2017-62 du 24 octobre 2017, relative à la réconciliation dans le domaine administratif. An official translation in French is available at: <http://www.legislation.tn/sites/default/files/fraction-journal-officiel/2017/2017E/085/Tf2017621.pdf>, accessed 9 August 2019.

The bill was formally titled Draft Law No.49/2015 on Exceptional Measures Relating to Economic and Financial Reconciliation and was passed on 13 September 2017. During the revisions of the draft, it was renamed the Administrative Reconciliation bill. For an unofficial translation in English and analysis of the law, see: ICTJ, ICTJ Comments on Draft Organic Bill Number 49/2015 Pertaining to Reconciliation in the Administrative Field (2017). Available at: [https://www.ictj.org/sites/default/files/ICTJ\\_Comments\\_Tunisia\\_ReconciliationBill\\_2017.pdf](https://www.ictj.org/sites/default/files/ICTJ_Comments_Tunisia_ReconciliationBill_2017.pdf), accessed 22 October 2017.

commission had not yet finished its work,<sup>393</sup> and consistent attacks on the legitimacy of the Specialized Chambers.<sup>394</sup> Interestingly, over the course of time the Islamist Ennahda party has increasingly turned its back on transitional justice as well, copying its coalition partner's rhetoric on the need for reconciliation.<sup>395</sup> This means that at the highest echelons of power, little support for past-focused gendered transitional justice efforts remains.

On the other hand, however, Nidaa Tounes, and particular President Essebsi, have been very vocal about the need to defend and expand Tunisia's progressive record in the field of women's rights.<sup>396</sup> Amongst other things, this has been translated in staunch support for the adoption of legislation to combat VAW - and a presidential push for a revision of Tunisia's current inheritance legislation to guarantee equal inheritance between men and women.<sup>397</sup> Commentators have suggested that while

The Council of Europe's Venice Commission judged that it would 'not permit the achievement of one of the objectives of transitional justice, namely reform of the institutions'. CDL-AD(2015)032-e Interim Opinion on the institutional aspects of the Draft Law on special procedures concerning reconciliation in the economic and financial fields of Tunisia adopted by the Venice Commission at its 104th Plenary Session (Venice, 23-24 October 2015). Available at: [http://www.venice.coe.int/webforms/documents/?pdf=CDL-AD\(2015\)032-e](http://www.venice.coe.int/webforms/documents/?pdf=CDL-AD(2015)032-e), accessed 22 October 2017.'

For an in-depth analysis of the evolution of the Economic Reconciliation Bill, see:

<http://www.justiceinfo.net/en/justice-reconciliation/33929-tunisia-plans-amnesty-for-corrupt-public-employees.html>, accessed 22-10-2017.

<sup>393</sup> The Transitional Justice Law did foresee the opportunity to prolong the TDC's mandate with another year in case it would not finish its activities within the initial five-year mandate. Belhassine O, 'Tunisie : La justice transitionnelle en péril' (2018) JusticeInfo.net. Available at: <https://www.justiceinfo.net/fr/commissions-verite/36891-tunisie-la-justice-transitionnelle-en-peril.html>, accessed 14 May 2018.

<sup>394</sup> Avocats Sans Frontières, *Attaques contre le processus de justice transitionnelle en Tunisie* (2018). Available at:

[https://www.google.com/url?sa=t&rcct=j&q=&esrc=s&source=web&cd=9&cad=rja&uact=8&ved=2ahUKFwins4P7z6jiAhVMNOwKHXwnCtUQFjAlegQIAhAC&url=https%3A%2F%2Fwww.asf.be%2Fwp-content%2Fuploads%2F2018%2F04%2FASF\\_TUN\\_JT201804\\_FR.pdf&usq=AOvVaw1MiqHn8HZWnL2a0Lg-o\\_ew](https://www.google.com/url?sa=t&rcct=j&q=&esrc=s&source=web&cd=9&cad=rja&uact=8&ved=2ahUKFwins4P7z6jiAhVMNOwKHXwnCtUQFjAlegQIAhAC&url=https%3A%2F%2Fwww.asf.be%2Fwp-content%2Fuploads%2F2018%2F04%2FASF_TUN_JT201804_FR.pdf&usq=AOvVaw1MiqHn8HZWnL2a0Lg-o_ew), accessed 5 January 2019.

<sup>395</sup> Espace Manager, *Justice transitionnelle : Ghannouchi plaide pour une amnistie générale* (27 October 2018). Available at: <https://www.espacemanager.com/justice-transitionnelle-ghannouchi-plaide-pour-une-amnistie-generale.html>, accessed 11 August 2019.

<sup>396</sup> HRW, 'Tunisia: Parliament Should Back Gender Equality in Inheritance' (2018). Available at: <https://www.hrw.org/news/2018/12/04/tunisia-parliament-should-back-gender-equality-inheritance>, accessed 20 February 2019.

<sup>397</sup> The COLIBE report was mandated by President Essebsi.

President Essebsi might believe genuinely in equal inheritance rights, it is also a political ploy to bolster Nidaa Tounes' reputation as the party defending secular statehood, and representing women's interests, despite it having entered a coalition with the Islamists.<sup>398</sup> The Islamist party and its base have expressed strong opposition against attempts to introduce equal inheritance rights, as it goes against the spirit of the principles of Islamic family law.<sup>399</sup>

Somewhere in the middle of these political intrigues operates Tunisia's historically well-organized and relatively powerful feminist movement, spearheaded by the ATFD, its sister organization AFTURD and feminist lawyers/intellectuals/activists such as Sana Ben Achour, Monia Ben Jemia, and Bochra Belhaj Hmida. For these actors, the pursuit of accountability and redress for politically motivated gendered harms that occurred in the past – both in the sense of trials as well as more broadly speaking - is an important goal, and after the Revolution they indeed were some of the first to travel to the marginalized regions of Tunisia to collect testimonials from women who had experienced oppression by the hands of the dictatorial regime. They, however, have been much more reluctant to participate in or utilize Tunisia's official transitional justice mechanisms as an avenue to pursue gender justice goals, due to the perceived dominance of Islamist actors and narratives in the process as a whole, and particularly the Women's Commission. In this regard, a Tunisian feminist activist interviewed during the fieldwork for this thesis remarked:

We tried to work a bit with the Women's Commission, but I think that for various reasons be it for the TDC itself, or even for some of international NGOs that support the TDC's work, there

<sup>398</sup> Amna Guellali, 'One Step Forward, One Step Back in Tunisia: Progress on Women's Rights; Regression on Justice' (2017) Human Rights Watch. Available at: <https://www.hrw.org/news/2017/09/15/one-step-forward-one-step-back-tunisia>, accessed 1 November 2017.

<sup>399</sup> Sharan Grewal, Can Tunisia Find a Compromise on Equal Inheritance (25 September 2018) Brookings Institute. Available at: <https://www.brookings.edu/blog/order-from-chaos/2018/09/25/can-tunisia-find-a-compromise-on-equal-inheritance/>, accessed 3 August 2019.

has been an orientation towards Islamist victims. They were the principal victims, but there has been a marginalization of all other women and struggles, and with this approach we are not satisfied. There is a need for more objectivity for all victims.<sup>400</sup>

Instead, the feminist movement has used the opportunities created by the ascendance to power of the secular Nidaa Tounes party to push through aforementioned legislation to combat VAW, and reforms in the area of equal inheritance. Bochra Belhaj Hmida has for instance presided the COLIBE Commission which was established by President Essebsi to explore the actions Tunisia should take to guarantee its citizens' equality and individual liberties. At the same time, feminist organizations have protested the regime's attempts to crackdown on the transitional justice process, as they consider the pursuit of accountability for politically-motivated human rights violations – including those inflicted on ATFD activists themselves – and the structural marginalization of Tunisia's hinterlands as a core condition for a successful democratic transition.<sup>401</sup>

As the support for past and future focused gender justice efforts is this starkly divided across political lines, EU engagement with one or the other could be a strong indication of the factors that determine the contours of EU activities in this regard. The next paragraph will provide a more detailed description of the gender justice efforts that have been pursued in Tunisia and the actors that have dominated these efforts according to this thesis' conceptual framework in order to allow for structured comparison.

### ***4.3.3 Avenues for gender justice in Tunisia***

This section categorizes the different types of avenues for gender justice support that have been established in the wake of the 2011 revolution according to the conceptual

<sup>400</sup> Interview 29 Tunisia (n278).

<sup>401</sup> ATFD 2011 (n200).



framework identified in chapter 2. In combination with the previous sub-section's reflections on the politicization of gender justice in Tunisia, this allows for in-depth insight in how each type of avenue for the pursuit of gender justice goals is related to broader political interests and specific gender justice actors. It finds that past-focused mainstream transitional justice efforts on the one hand, and future-focused transformative gender justice efforts (i.e. legislative reform) are each very strongly associated with one of the competing political fractions discussed above. The efforts of the TDC are central as an avenue for the which the pursuit of both mainstream gender justice goals and more transformative gender justice outcomes. However, other activities designed by grassroots justice actors provide another avenue for the pursuit of transformative gender justice efforts that have a strong link with the past. All in all, weighing political support for, and opposition against each of the three types of gender justice efforts, it seems that legislative reform has been the most effective avenue for change, while past-focused gender justice efforts have increasingly lost their momentum due to political opposition (the TDC and Specialized Chambers) or their marginality (grassroots transformative justice efforts).

#### *4.3.2.1 Past-focused mainstream gendered transitional justice efforts in Tunisia*

In the wake of the Arab Spring a transitional justice trajectory has been put in place in Tunisia to deal with legacies of political violence including the gendered harms discussed above. As such the TDC and the Specialized Chambers are the main avenues for the pursuit of mainstream gendered transitional justice goals in the Tunisian context. Both institutions were state-sanctioned transitional justice mechanisms. However, as discussed, they were the target of consistent attacks by the Nidaa Tounes party, and over time also lost Ennahda's unconditional support. As such the pursuit of mainstream

past-focused gender justice goals has become one of the most challenging, politically sensitive gender justice endeavours in the Tunisian context.

The contours of Tunisia's transitional justice trajectory are laid out in Tunisia's 2013 Transitional Justice Law, which 'set out a comprehensive approach to addressing past human rights abuses'.<sup>402</sup> The Law foresees the invocation of all tools of the mainstream transitional justice toolbox: truth seeking, reparations, accountability, institutional reform, vetting, and national reconciliation.<sup>403</sup> Article 39 of Tunisia's Transitional Justice Law calls for the creation of a Truth and Dignity Commission (TDC) to be at the centre of and streamline the different components of Tunisia's transitional justice process. The TDC's mandate covers the period between 1955 and 2013, and includes the following tasks: to investigate violations committed since June 1955; to collect testimonies to create a list of victims and a database of violations; to identify responsibility and root causes; to recommend reparations and take immediate action to compensate victims; and to preserve the national memory.

When it comes to addressing politically motivated grave human rights violations inflicted on Tunisian women during the dictatorial rule, Article 4 of the Transitional Justice Law specifies that efforts to reveal the truth should address the particularity of the violations experienced by a range of vulnerable groups, including women. Violations are defined in Article 3 as:

Any gross or systematic infringement of any human right committed by the State's apparatuses or by groups or individuals who acted in State's name or under its protection, even if they do not have the capacity or authority to do so. Violation shall also cover any gross or systematic infringement of any human right committed by organized groups.<sup>404</sup>

<sup>402</sup> International Center for Transitional Justice, 'ICTJ Welcomes Tunisia's Historic Transitional Justice Law' (16 December 2013). Available at: <https://www.ictj.org/news/ictj-welcomes-tunisia's-historic-transitional-justice-law>, accessed 14 August 2018.

<sup>403</sup> République Tunisienne 2011 (n385).

<sup>404</sup> Ibid, Article 3.

This means that documenting instances of politically motivated SGBV inflicted on women is a central task of the TDC. In addition, the Law also stipulates that rape and other forms of sexual violence amongst the violations which should be addressed by Specialized Judicial Chambers which will be entrusted with ‘adjudicating cases related to gross violations of human rights as specified in international agreements ratified by Tunisia and in this law’.<sup>405</sup>

In practice, identifying, documenting and highlighting politically motivated SGBV has been a central component of the activities of the TDC’s Women’s Commission. The Women’s Commission’s mandate is to deal specifically with violations inflicted on female victims and support the integration of a gender dimension in the activities of the other Truth Commissioners. This Commission has developed a methodology for testimony-taking that would facilitate testimonies by female victims of SGBV, who either due to a reluctance to relive the trauma, the social stigma that rests on survivors of SGBV, or due to pressure of family members to remain silent would be reluctant to come forward with this experiences.<sup>406</sup> The methodology introduced special measures that would allow these victims to testify without having to go public with their stories, by introducing the possibility of secret hearings for female victims of rape and

<sup>405</sup> Ibid, Article 8.

<sup>406</sup> In this regard Ibtihel Abdellatif, the president of the Women’s Commission, has remarked:

‘During the initial period of the TDC’s work receiving victims’ cases, i.e. from 15 December 2014 to 15 June 2016, we noticed that no more than 5% of the total number of cases pertained to women victims of violations. This alerted us to the role played by the barrier of silence, a barrier that was chosen voluntarily by some victims and forced upon others by the family or family environment. We discerned, via the direct relationship with the women victims, that the voluntary silence was due to the impact of grave violations and psychological traumas, the desire to suppress and forget them, and the fear of recalling those incidents and events that left psychological and social effects of varying degrees of gravity. It was also due to fear of society’s reaction and the lack of psychological rehabilitation available throughout the period of living with the violations and their legacy. As for the forced silence, it is due to refusal by family members, especially many of the children who blame their guardians for their marginalization and are still haunted by a memory burdened by the legacy of the violations that involved the entire family, not least the removal and imprisonment of a father or mother.’

The Legal Agenda, ‘Ibtihel Abdellatif of Tunisia’s Truth and Dignity Commission: The Women Victims Who Chose to Testify’ 2019 The Legal Agenda. Available at: <http://legal-agenda.com/en/article.php?id=5424>, accessed 20 July 2019.

other types of SGBV.<sup>407</sup> To inform the Tunisian public about the occurrence of these harms the TDC's second public hearing was devoted to women's experiences of repression, and figured the testimonies of female victims of politically motivated SGBV who were willing to discuss their experiences publicly. One of these women was Basma Balai,<sup>408</sup> a female political activist who experienced sexual harassment and rape threats and witnessed the rape of other women by members of security forces during a two-month period of imprisonment in the early 1990s. The TDC's final report, while published online in Arabic, is not yet available in French or English. However, third sources have noted that the part of the report that discusses the characteristics of the repressive system, is divided in three parts with one part being violations against women and children.<sup>409</sup>

Basma Balai's case was one of the first cases to be referred to the Specialized Chambers once they became functional.<sup>410</sup> The role of the Specialized Chambers is to prosecute the perpetrators of grave human rights violations such as deliberate killing, rape and any form of sexual violence, torture, enforced disappearance, and execution without fair trial guarantees. The TDC is responsible for selection of cases that should

<sup>407</sup> Ibid.

<sup>408</sup> Henda Chennaoui, 'IVD: Les femmes victimes de la dictature brisent le silence' 2017 Nawaat. Available at: <https://nawaat.org/portail/2017/03/10/ivd-les-femmes-victimes-de-dictature-brise-le-silence/>, accessed 10 May 2018.

<sup>409</sup> The report consists of multiple components. The first part discusses the mandate of the TDC. Subsequently, four parts are consecrated to 'the dismantling of the despotic system', one of these parts discusses violations inflicted on women and children. The sixth part sets out a comprehensive approach towards reparations, and the final component contains recommendations for guarantees of non-repetition.

Olfa Belhassine, a Tunisian journalist who has closely documented the activities of the TDC since its inception, however, remarks that the part dedicated to violations inflicted on women and children is relatively underdeveloped: 'On peut regretter, par exemple, que le volume consacré aux violations contre les femmes et les enfants soit plutôt maigre, malgré les très nombreux témoignages recueillis'.

Olfa Belhassine, 'Rapport de l'IVD en Tunisie (1ère partie) : un scanner de l'oppression' (30 April 2019) JusticeInfo.net. Available at: <https://www.justiceinfo.net/fr/commissions-verite/41289-rapport-ivd-tunisie-1ere-partie-scanner-oppression.html>, accessed 20 July 2019.

<sup>410</sup> Avocats Sans Frontières, 'Affaire Basma Balai'. Available at: <https://www.asf.be/nl/blog/publications/affaire-basma-balai-tunisie-rapport-dobservation-dauidence-devant-la-chambre-criminelle-specialisee-a-nabeul-28-09-2018/>, accessed 21 December 2018.

be transferred to the Specialized Chambers. However, the TDC has struggled to send cases concerning politically motivated SGBV to the Specialized Chambers, because most victims who provided a testimony to the TDC did so on the condition of anonymity. In this regard Ibtihel Abdellatif, the President of the TDC's Women's Commission, has remarked that:

Per the TDC's procedure manuals, a violation case is only referred to the Specialized Chambers for Transitional Justice if the victim agrees. In reality, many women victims did not want to enter the accountability process because they refused to publicize the violations they suffered. Unfortunately, the judicial process does not guarantee the secrecy that we succeeded in providing to the victims in the secret hearings. Hence, the women abstained from putting their right to accountability into effect.

She, however, also identified the TDC's failure to effectively investigate all cases that could potentially be transferred to the Specialized Chambers, because of internal struggles in the TDC and particularly the hostility between the President of the TDC and the Commissioner responsible for investigations as a reason for the low number of cases concerning female victims having been transferred to the Specialized Chambers.

411

Nevertheless, it is clear that in Tunisia the TDC and Specialized Chambers have acted as an important platform for addressing the types of gendered harms that have traditionally been at the core of efforts to introduce a gender dimension in transitional justice efforts. This means that in Tunisia, while these harms might not have been the most common ones experienced by female victims of repression by the dictatorial regime, did figure quite prominently in the country's state sanctioned transitional justice efforts. As such, by supporting the work of the TDC's Women's Commission or the Specialized Chambers the EU could contribute to addressing the gendered harms it

<sup>411</sup> The Legal Agenda, 'Ibtihel Abdellatif of Tunisia's Truth and Dignity Commission: The Women Victims Who Chose to Testify' (2019) The Legal Agenda. Available at: <http://legal-agenda.com/en/article.php?id=5424>, accessed 20 July 2019.

identifies in its Framework on Support for Transitional Justice as priority harms to be addressed in transitional justice efforts. However, in view of section 4.3.2's discussion of the political opposition that hampered the activities of the TDC and Specialized Chambers, it could be argued that these mechanisms have become the most challenging avenues through which to pursue gender justice outcomes, as they have become the subject of Nidaa Tounes' political ire while having lost significant levels of support from their Islamist backers.

#### *4.3.2.2 Past-focused transformative gender justice efforts in Tunisia*

Tunisia has also witnessed both state-sanctioned and grassroots efforts to pursue more transformative gender justice outcomes through widening the type of gendered harms beyond those harms that have traditionally dominated efforts to introduce a gender dimension in transitional justice efforts, and attempts to provide the types of redress that could potentially transform the lives of female victims. This section discusses both categories of efforts, as they could provide the EU with an opportunity to demonstrate a commitment to supporting transformative gender justice efforts.

At the state-sanctioned level, Tunisia's Transitional Justice Law foresees a role for transitional justice mechanisms to bring about more transformative justice outcomes. Article 10 provides a broad definition of the concept of victim stipulating that:

In this law, a victim shall mean any individual, group or legal entity having suffered harm as a result of a violation. Under the Public Law, shall also be considered as victims' family members who were harmed as a result of their kinship to the victim as well as any person who was harmed while intervening to help the victim or to prevent the violation. This definition shall include every region which was marginalized or which suffered systematic exclusion. <sup>412</sup>

<sup>412</sup> République Tunisienne 2011 (n385), Article 10.

By explicitly acknowledging the concept of ‘indirect victimhood’, Tunisia’s Transitional Justice Law facilitates the participation of a broader category of women in the transitional justice process, as the majority of female victims consisted of family members of men, who were persecuted by the Ben Ali regime.<sup>413</sup>

Moreover, while the Transitional Justice Law does not explicitly refer to the socio-economic dimensions of indirect victimhood, thanks to activities of the Women’s Commission over the course of its investigations, the TDC has acknowledged that an adequate response to the gendered dimensions of repression requires the formal recognition of harms of a socio-economic nature.<sup>414</sup> In the Tunisian case, this includes the harms resulting from exclusion from educational and employment opportunities, and the economic insecurity women experienced as a result of the loss of a male breadwinner.<sup>415</sup> Guaranteeing recognition for the harms experienced by women who were expelled from school/university and their (public sector) jobs for wearing the veil has been a signature issue for the Women’s Commission throughout its tenure.<sup>416</sup> This was facilitated by the submission of a collective file of 140 testimonies to the TDC by

<sup>413</sup> Gray and Coonan 2014 (n200).

<sup>414</sup> Warren et al 2017 (n369): 16. This report finds that: ‘Although not expressly articulated in the law, the inclusion of socio-economic harms within the IVD process was reinforced by the broad mandate of the law as implemented by the female officials charged with carrying out that mandate, and by the diversified experiences of the women who submitted testimony’.

<sup>415</sup> Art. 67 du règlement intérieur de l’Instance Vérité et Dignité. See also, République Tunisienne, Instance Vérité et Dignité, 2015 Rapport Annuel (Résumé). Available at : <http://www.ivd.tn/wp-content/uploads/2017/12/Resume-Rapport-Annuel-IVD-2015.pdf>, accessed 1 August 2018.

<sup>416</sup> Seif Soudani, ‘Tunisie. Port du voile sous Ben Ali : la "circulaire 108" devant la justice transitionnelle’ (16 May 2016) *Le Courrier d’Atlas*. Available at: <https://www.lecourrierdelatlas.com/tunisie-port-du-voile-sous-ben-ali-la-circulaire-devant-la-justice-transitionnelle--5012>, accessed 20 July 2019.

In this article Ibtihel Abdellatif, the president of the TDC’s Women’s Commission, is cited stating that responding to this violation against a woman’s right to participate equally in public life is as serious as responding to accusations of corruption levelled at the family in law of former President Ben Ali.

‘Pour Ibtihel Abdellatif, présidente de la commission Femme au sein de l’Instance, “la réconciliation dans ce domaine n’est pas moins importante que celle avait récemment été illustrée par une poignée de main historique” entre l’Etat tunisien et Slim Chiboub en tant que demandeur d’arbitrage en matière de corruption.’

‘For Ibtihel Abdellatif, president of the women's commission, "reconciliation in this area is no less important than the reconciliation that was recently illustrated by a historic handshake" between the Tunisian state and Slim Chiboub in his quality as an applicant for arbitration in matters of corruption.’

the ‘Transitional Justice is Also for Women Network’ on Circular 108.<sup>417</sup> This network consists of eleven women’s organizations with most of them representing Islamist victims. Their submission constituted the first time a women’s advocacy group presented a collective file to the TDC.<sup>418</sup>

The TDC has also worked on the issue of marginalized regions and the violations inflicted on the individuals who protested against corruption in the management of Tunisia’s phosphate mines before the 2011 Revolution emerged. Files concerning these violations – e.g. torture inflicted on protesters during the 2008 uprisings in the mines of Gafsa – have been referred to the Specialized Chambers.<sup>419</sup> The Women’s Commission, however, has not been particularly active on this issue, regardless of the obvious gendered dimensions of regional marginalization. Some grassroots gender justice actors have therefore questioned the Women’s Commission’s priorities. More specifically, they have criticized the Commission’s focus on Circular 108 and indirect victimhood experienced by female family members of political activists at the expense of for instance more focus on developing gendered analyses of the notion of marginalized regions and efforts to highlight the stories of female victims of the crackdowns of the protests in the phosphate mines.<sup>420</sup>

Therefore, Tunisian grassroots gender justice actors have developed parallel efforts to pursue past-focused transformative gender justice outcomes with a different thematic focus. Just after the ousting of Ben Ali, representatives of the ATFD, Tunisia’s leading feminist organization, travelled to Tunisia’s marginalized regions to take the

<sup>417</sup> Circulaire du ministre de l’éducation nationale n° 108 (n365).

<sup>418</sup> ICTJ, ‘‘It was a way to destroy our lives:’’ Tunisian women speak out on religious discrimination’ (14 June 2016). Available at: <https://www.ictj.org/news/tunisia-women-speak-out-religious-discrimination-tdc>, accessed 14 August 2018.

<sup>419</sup> Fida Hammami, ‘Révolte de Gafsa & Justice transitionnelle: La portée symbolique ne suffit pas’ 2018 Nawaat. Available at: <https://nawaat.org/portail/2018/10/03/revolte-de-gafsa-justice-transitionnelle-la-portee-symbolique-ne-suffit-pas/>, accessed 28 December 2019.

<sup>420</sup> ATFD 2011 (n200).



testimonies of female activists and victims who had been engaged in the popular uprisings against the Ben Ali regime that preceded the 2011 revolution. This resulted in the publication of a report highlighting the role of female activists in these uprisings, and the harms they suffered as a result of their participation.<sup>421</sup> Subsequently, in 2013, the ATFD, with the support of the Heinrich Böll Foundation, organized a popular tribunal which provided a stage to a range of women who were victimized by the oppressive regime. This tribunal highlighted the various forms of gendered oppression that have been inflicted on Tunisian women. It included female victims whose rights had been violated during the era of Bourguiba, under Ben Ali, during the revolution and in the period following Ben Ali's ousting.<sup>422</sup> The testimonies alluded to a large variety of harms, ranging from the imprisonment and torture of a female political activist in the 1970s, to the harassment, economic exploitation and eventual imprisonment of a housekeeper by members of Ben Ali's family. The tribunal also highlighted the contemporary suffering of the mothers of the Martyrs of the Revolution, who after two years had still not received the promised and much-needed state support.<sup>423</sup>

This means that in Tunisia the EU had different options at its disposal to engage with transformative gender justice efforts. Here again, the activities of the TDC's Women's Commission, or the TDC as such, have become a difficult to navigate avenue for pursuing gender justice outcomes. Therefore, the grassroots efforts could act as a less politically sensitive area for engagement with transformative gender justice efforts if the EU indeed is interested in exploring such opportunities. However, due to their 'unofficial character' and the overall lack of interest in these activities on behalf of

<sup>421</sup> Ibid.

<sup>422</sup> For more information, see: Nasr A, 'La Repression des Soulevement Populaires 2010-2011 - Recits et Temoignages: Quelle Justice Transitionnelle pour les Femmes?' (22 December 2013) Heinrich Boll Stiftung. <https://tn.boell.org/fr/2013/12/22/tribunal-fictif-quelle-justice-transitionnelle-pour-les-femmes>, accessed 1 August 2018.

<sup>423</sup> An interviewee for this research indicated that the ATFD, when approached to participate in the public hearing on women's rights by the TDC, suggested to highlight these experiences as well, but that the Women's Commission did not agree. Interview 29 Tunisia (n278).

those in power, puts into question the utility of this mechanisms as an avenue for the pursuit of transformative gender justice goals.

#### *4.3.2.3 Legislative reform to pursue progressive gender justice outcomes in Tunisia*

Last, but not least this thesis identified support for legislative and institutional reform as a way for the pursuit of more forward-focused transformative gender justice outcomes. This section discusses how gender justice actors have employed this avenue for change to effect transformative gender justice outcomes since 2011. It distinguishes between legislative reform to combat VAW and to safeguard/achieve gender equality before the law and efforts to integrate more women in the security services in particular, with an eye on improving this institution's ability to address cases of GBV.

In the direct aftermath of the Arab Spring, most feminist advocacy efforts at the legislative level were aimed at safeguarding the women's rights standards that already existed against the potential whims of a conservative Islamist parliamentary majority.<sup>424</sup> This included – successful - advocacy against the proposition to include the notion that spouses are complementary rather than equal in Tunisia's new constitution.<sup>425</sup> However, since the 2014 elections, which tilted the power balance back in the direction of more secular political parties, feminist advocacy has focused on expanding the legislative framework to provide better protection to women against GBV and to guarantee equal rights between women and men.<sup>426</sup> The key achievement in this regard has been the

<sup>424</sup> Charrad and Zarrugh 2014 (n382); Jane D. Tchaïcha and Khedija Arfaoui, *The Tunisian women's rights movement: From nascent activism to influential power-broking* (Routledge 2017).

<sup>425</sup> Under the Ennahda led government Tunisia did lift all of its specific reservations to CEDAW. However, it did maintain a general declaration stipulating that the country 'shall not take any organizational or legislative decision in conformity with the requirements of this Convention where such a decision would conflict with the provisions of Chapter I of the Tunisian Constitution'. Chapter I states that the Islam is Tunisia's religion.

Nawaat, 'La Tunisie lève officiellement ses réserves sur la Cedaw, mais maintient la Déclaration générale' (2014). Available at: <https://nawaat.org/portail/2014/04/29/la-tunisie-leve-officiellement-ses-reserves-sur-la-cedaw-mais-maintient-la-declaration-generale/>, accessed 18 October 2018.

<sup>426</sup> Arfaoui and Moghadam 2016 (n389).

adoption of the Integral Law on VAW.<sup>427</sup> VAW, as mentioned in section 4.3.1, is a persistent problem in Tunisia, and Article 46 of Tunisia's 2014 Constitution obliged the State to take measures to combat this phenomenon. This was in line with recommendations addressed at the Tunisian State by CEDAW in 2010.<sup>428</sup>

Before the adoption of the Integral Law on VAW, grave acts of VAW including rape could go unpunished. Article 227bis of the Criminal Code,<sup>429</sup> for instance, provided rapists with the opportunity to escape prison time if they marry their victims. Tunisia's legislative framework neither obliged the state to take the necessary steps to prevent VAW, nor to protect victims of VAW against further harms. The onus for taking care of victims and rehabilitating them was mostly put on feminist CSOs such as the ATFD.<sup>430</sup> The new law includes a comprehensive definition of VAW which recognizes the physical, sexual, moral, economic and political dimensions of VAW (Article 3), and sets out a clear, multi-sectoral approach for preventing, adjudicating and supporting the victims of this type of violations. This includes the creation of a National Observatory to monitor the implementation of the law (Article 39).<sup>431</sup> While not being perfect – the law for instance does not criminalize marital rape – it has been welcomed as a major achievement in the struggle for women's rights by both Tunisian as well as international women's rights activists.<sup>432</sup>

<sup>427</sup> République Tunisienne 2017 (n195).

<sup>428</sup> CEDAW, Concluding Observations Tunisia 2010, CEDAW/C/TUN/CO/6; CEDAW.

<sup>429</sup> République Tunisienne, Code Pénal, Décret du 9 juillet 1913. Available at: <https://legislation-securite.tn/node/43760>, accessed 5 August 2019.

<sup>430</sup> Interview 26 Tunisia (n326); Arfaoui and Moghadam 2016 (n389).

<sup>431</sup> The implementation of this law remains a topic of concern. EuroMed Rights for instance found in relation to the establishment of the observatory that 'No initiative has been taken to include independent civil society in the future observatory, which is currently dependent on the Ministry of Women and Family Affairs. Therefore, in the absence of a truly independent mechanism, which should include representatives of civil society, no proper monitoring of the implementation of the law can be carried out'. See: EuroMed Rights, Shortcomings of Tunisia's Law on Violence against Women (22 November 2017). Available at: <https://euromedrights.org/publication/shortcomings-tunisia-law-violence-women/>, accessed 15 August 2018.

<sup>432</sup> ONU Femmes Maghreb, 'La Tunisie adopte une loi historique pour mettre fin à la violence envers les femmes' (2017). Available at: <http://maghreb.unwomen.org/fr/actualites-evenements/actualites/2017/07/vote-loi-contre-violences-tunisie>, accessed 15 August 2018.

Women's rights have also been advanced via legal reforms, and attempts to pursue legal reforms, in the realm of family law. While the Tunisian Constitution and the Integral Law on VAW call for the prohibition of all forms of discrimination against women, Tunisia's contemporary legislative acquis still contained and contains a number of discriminatory laws and by-laws. In this regard, the abolition of Decree 1973,<sup>433</sup> which prohibited Tunisian women from marrying non-Muslim men, has been the first step in the direction of further equality in this regard.<sup>434</sup> The core objective of Tunisia's feminist movement is to revise the country's Personal Status Code in order to abolish all discriminatory articles it contains including the ones relating to inheritance.<sup>435</sup> Currently, Tunisian women have the right to only half of what their brothers inherit in line with the inheritance system outlined in the Sharia. Since the adoption of the Integral Law on VAW, equal inheritance rights have dominated feminist advocacy. This cause has been picked up by the Tunisian President, who has created a Commission to examine the extent to which Tunisia's legislative framework lives up to international human rights standards aimed at protection equality and civil liberties. The report that was issued by this Commission in July 2018 recommends amongst other things the revision of the legislative framework to guarantee equality in inheritance.<sup>436</sup> In December 2018 the Cabinet approved the referral of a Bill that would enshrine equal inheritance rights into law to the Tunisian Parliament.<sup>437</sup>

<sup>433</sup> Circulaire du ministre de la justice n°216 du 5 novembre 1973.

<sup>434</sup> Sally Hayden, 'Tunisian Muslim women allowed to marry non-Muslims for first time in decades' (15 September 2017) *The Independent*. Available at: <https://www.independent.co.uk/news/world/africa/tunisia-muslim-women-marry-non-muslims-first-time-decades-islamic-sharia-religion-a7948916.html>, accessed 15 August 2018.

<sup>435</sup> Mari Norbakk, 'The women's rights champion. Tunisia's potential for furthering women's rights.' (2016) CMI Report: 25.

<sup>436</sup> La Commission des libertés individuelles et de l'égalité (COLIBE), Propositions de lois visant à faire correspondre l'arsenal juridique tunisien aux exigences d'égalité et de libertés individuelles (2018).

<sup>437</sup> Global Legal Monitor, 'Tunisia: Cabinet Approves Bill Requiring Equal Inheritance Shares for Men and Women (4 December 2018)'. Available at: <http://www.loc.gov/law/foreign-news/article/tunisia-cabinet-approves-bill-requiring-equal-inheritance-shares-for-men-and-women/>, accessed 3 August 2019.

Legislative reform has so far proven to be the most effective avenue for gender justice change. Thanks to buy in from both secular and Islamist parties the parliament could pass legislation to combat VAW. Equal inheritance rights are more politically controversial and the subject of significant Islamist opposition. However, this thesis would argue that even this avenue for transformative gender justice change is more viable than for instance the transformative gender justice efforts discussed in the previous paragraph, because at least they are relevant and can count on the support of one powerful political fraction.

#### ***4.3.4 The EU's relations with and foreign policy priorities in Tunisia***

In order to understand what factors drive EU engagement with gender justice in Tunisia based on a comparison between what avenues for gender justice support are available and what the EU actually does engage with, it is important to know the overall nature of the relations between the EU and Tunisia. After all, if the EU's broader foreign policy interests in a certain country are rather narrow, it is likely that its engagement with gender justice issues will be less determined by political factors. In Tunisia the EU has strong foreign policy interests. As such this section argues that if the EU's priorities in the realm of gender justice in transition coincide with those of the authorities, this is a strong indication that local political interests shape EU engagement with gender justice in transition.

In the EU's own terms, Tunisia is 'a key partner country' in the Mediterranean region.<sup>438</sup> Relations between the bloc and Tunisia gained significant momentum when Tunisia and the EU signed an Association Agreement in 1995.<sup>439</sup> However, cooperation

<sup>438</sup> Commission Européenne, *Cadre Unique d'Appui pour l'appui de l'UE à la Tunisie (2014-2015)* (2014): 7.

<sup>439</sup> See: European Commission, Tunisia. Available at: [https://ec.europa.eu/neighbourhood-enlargement/neighbourhood/countries/tunisia\\_en](https://ec.europa.eu/neighbourhood-enlargement/neighbourhood/countries/tunisia_en), accessed 31 August 2018.

only really kicked off after the 2011 Revolution. With the ratification of a privileged partnership in 2012, EU-Tunisia relations have entered a new phase of ‘intense political contacts, higher levels of financial assistance and significant progress in many areas including trade relations, security sector reforms, education, research and innovation’.<sup>440</sup> These commitments are more than just rhetoric. Through a combination of grants, macro-financial assistance and loans, the EU has supported Tunisia’s democratic transition with over 3.5 billion euro between 2011 and 2016.<sup>441</sup> In an 2019 interview with *Le Monde Afrique* Patrice Bergamini, the EU Ambassador to Tunisia, remarked that between 2016 and 2020 Tunisia has received, and will continue to receive 300 million euro per year, which makes it the country that has received the highest amount of EU support per inhabitant.<sup>442</sup>

This level of support is not just a sign of benevolence on the EU’s behalf. The EU has a real interest in keeping Tunisia on track. Tunisia is the only country that is moving towards democracy in the wake of the Arab Spring,<sup>443</sup> a process in which the EU is heavily invested for several reasons. First, the credibility of the EU as a value-centred foreign policy actor, and generally the credibility of the EU’s value-centred foreign policy approach are largely dependent on Tunisia’s successful democratic transition. Moreover, one could argue that in view of the hostile conditions for support for democracy and the rule of law in other countries in the region, Tunisia is the only country where the EU has room to spend significant resources on the country’s development.<sup>444</sup> Second, faced with socio-economic decline and political unrest in the

<sup>440</sup> Ibid.

<sup>441</sup> European Commission, Fact sheet: Relations between the EU and Tunisia (10 May 2017): 1.

<sup>442</sup> Frederic Bobin, “Face aux turbulences régionales, l’Europe ne veut pas perdre le soldat Tunisie” (9 July 2019) *Le Monde Afrique*. Available at: [https://www.lemonde.fr/afrique/article/2019/07/09/face-aux-turbulences-regionales-l-europe-ne-veut-pas-perdre-le-soldat-tunisie\\_5487381\\_3212.html](https://www.lemonde.fr/afrique/article/2019/07/09/face-aux-turbulences-regionales-l-europe-ne-veut-pas-perdre-le-soldat-tunisie_5487381_3212.html), accessed 20 July 2019.

<sup>443</sup> Eva Bellin, 'The Puzzle of Democratic Divergence in the Arab World: Theory Confronts Experience in Egypt and Tunisia' (2018) 133(3) *Political Science Quarterly* 435.

<sup>444</sup> In this regard it has even been found that so much aid has been directed towards Tunisia, that the country is experiencing an absorption problem:

region, the country has become one of the main exporters of both jihadist fighters aspiring to join Daesh in the Middle East, as well as terrorists involved in attacks on the EU's soil.<sup>445</sup> In 2015 Tunisia was the scene of two major terrorist attacks – in the Museum of Bardo in Tunis and at the beach of the popular holiday destination Sousse. In the Bardo attack twenty-two individuals lost their lives, of whom 17 tourists.<sup>446</sup> The Sousse attack resulted in the deaths of 38 individuals (including the perpetrator) out of whom thirty were British tourists.<sup>447</sup> The EU perceives these developments as an existential threat to its own security.<sup>448</sup> Therefore, providing Tunisia with the capacity to counter terrorism – both through support for its faltering economy and the development of its security apparatus – has become a key foreign policy priority for the EU in Tunisia as of 2015.<sup>449</sup>

'The Commission acknowledges that the Tunisian authorities may have encountered difficulties in managing all the assistance, due to the post-revolution context and frequent changes of governments and within the administration. However, it must also be emphasised that the absorption rate for EU projects is higher than that of other donors.'

European Court of Auditors, Special Report: EU Assistance to Tunisia (2017): 40. Available at: [https://www.eca.europa.eu/Lists/ECADocuments/SR17\\_3/SR\\_TUNISIA\\_EN.pdf](https://www.eca.europa.eu/Lists/ECADocuments/SR17_3/SR_TUNISIA_EN.pdf), accessed 5 August 2019.

<sup>445</sup> Anthony Dworkin and Fatim Zohra El Malki 'The southern front line: EU counter-terrorism cooperation with Tunisia and Morocco', ECFR (25 February 2018). Available at: [https://www.ecfr.eu/publications/summary/the\\_southern\\_front\\_line\\_eu\\_counter\\_terrorism\\_cooperation](https://www.ecfr.eu/publications/summary/the_southern_front_line_eu_counter_terrorism_cooperation), accessed 31 August 2018; E Gall C, 'Tunisia Fears the Return of Thousands of Young Jihadists', The New York Times (25 February 2017). Available at: <https://www.nytimes.com/2017/02/25/world/europe/isis-tunisia.html>, accessed 31 August 2018.

<sup>446</sup> This included citizens from Japan, Italy, Colombia, Australia, France, Poland and Spain.

BBC, Tunisia attacks: Militants jailed over 2015 terror (9 February 2019). Available at: <https://www.bbc.com/news/world-africa-47183027>, accessed 5 August 2019.

<sup>447</sup> Ibid.

<sup>448</sup> In this regard the 2016 Global Strategy states: 'We live in times of existential crisis, within and beyond the European Union. Our Union is under threat. Our European project, which has brought unprecedented peace, prosperity and democracy, is being questioned. To the east, the European security order has been violated, while terrorism and violence plague North Africa and the Middle East, as well as Europe itself'. European Union 2016 (n189): 7.

<sup>449</sup> The overall 2015 revision of the European Neighbourhood policy stated:

'There will be a new focus on stepping up work with our partners on security sector reform, conflict prevention, counter-terrorism and anti-radicalisation policies, in full compliance with international human rights law. More than ever after the November 13th terrorist attacks in Paris, intensified cooperation with our neighbours is needed in these areas. Safe and legal mobility and tackling irregular migration, human trafficking and smuggling are also priorities'. European Commission 2015 (**nError! Bookmark not defined.**): 3.

What does this mean for the EU's relations with Tunisia's political elites? One could argue that in light of the EU's commitment to promoting a successful democratic transition the EU should be willing to be highly critical of undemocratic behaviours displayed by Tunisia's political elites. However, in light of the pressing security issues, many experts agree that the EU has prioritized the goal of safeguarding stability. Stability in this sense includes both political stability and security more narrowly. As such the EU has abstained from behaviour that could put the country's delicate political balance at peril. It has also identified SSR as a priority area for EU engagement. In order to conduct SSR successfully one needs buy in from local political elites even if they do not always take all principles of good governance at heart.

The nature of the EU's engagement with gender justice in Tunisia is interpreted against this background. High levels of EU engagement with more controversial gender justice issues – most notably the TDC - would refute the idea that interests of local political elites rather than EU policy commitments determine the EU's approach towards gender justice in transition. The opposite of course also is the case; if the EU only engages with issues that can count on buy in from these elites, this thesis will interpret this as an indication that the EU's support for gender justice in transition is shaped by the priorities of those in power.

In relation to Tunisia specifically the EU 2017-2020 Single Support Framework states that SSR and actions aimed at combatting terrorism remain priorities for the EU in Tunisia.

Commission Européenne, Cadre unique d'appui UE-Tunisie (2017-2020): 5. Available at: [https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/ssf-tunisia-c\\_2017\\_5637\\_1\\_annex\\_fr\\_v1\\_p1\\_944238.pdf](https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/ssf-tunisia-c_2017_5637_1_annex_fr_v1_p1_944238.pdf), accessed 5 August 2019.



#### ***4.3.5 Conclusion - Gender Justice in Tunisia: Gendered Harms, Avenues for Change, And (Gender) Politics***

In the wake of the Arab Spring, the position of women in Tunisia's new democratic system has been at the core of discussions about national identity. This has drawn significant attention to the gendered harms that women have experienced under past dictatorial regimes. It, however, has also resulted in the further politicization of women's rights issues. This section argues that at the national level past-focused gender justice initiatives – both of a mainstream and transformative nature – have particularly borne the brunt of this development. Future focused transformative gender justice efforts such as legislative reform to combat GBV have suffered less from political backlash. In theory the EU could either feel triggered to put all its political weight behind supporting mainstream gendered transitional justice goals, in line with its commitment to combating impunity for politically motivated SGBV, or decide to support the type of gender justice efforts that already have buy in from the authorities. There could be multiple reasons behind either choice. This section, however, argues that as the EU is heavily invested in safeguarding strong ties with Tunisia, a choice on the EU's behalf to prioritize future focused gender justice efforts at the expense of past-focused ones, is a strong indication that priorities of local political elites determined the EU's engagement with gender justice in transition.

#### ***4.4 UKRAINE'S GENDER JUSTICE OPPORTUNITY STRUCTURE***

While less prominently so than in Tunisia, in Ukraine the success of post-Maidan gender justice efforts has been impacted quite heavily by political calculations. As is the case in Tunisia both before Euromaidan as well as during the conflict that erupted in its wake, women have been subjected to a wide range of harms of a political and private nature. In Ukraine past-focused gender justice efforts have also suffered from political

opposition or - in case of grassroots efforts past-focused transformative justice efforts - of an overall lack of political interest. As is the case in Tunisia, forward-looking transformative gender justice efforts have received most support from political elites. However, in Ukraine's case this support was not granted to attempts to ratify the Istanbul Convention to address more structural types of violence, but rather to integration of women in the country's army and security forces. This focus on women's participation fits in with Ukraine's historical, Soviet era women's rights priorities and also is convenient in the current political climate in which influential religious actors have been pushing for a rejection of the recognition of the Istanbul Convention. Again, this section concludes that as safeguarding close ties with Ukraine is a core EU foreign policy priority, EU support for certain types of gender justice efforts and/or neglect of others could be a clear indication of the factors that drive EU engagement with gender justice in transition.

#### ***4.4.1 Gendered harms in Ukraine***

The relative invisibility of gender justice concerns in the narratives surrounding the contemporary transition and crisis in Ukraine does not mean that gender inequality generally speaking, and VAW specifically are not major issues in Ukraine. To the contrary, local and international women's rights organizations have drawn attention to the occurrence of conflict-related SGBV in Donbas,<sup>450</sup> increased levels of 'everyday' GBV in the conflict-affected areas,<sup>451</sup> the high rates of GBV in Ukraine generally

<sup>450</sup> OHCHR 2017 (n194).

<sup>451</sup> UNFPA and Ukrainian Centre for Social Reforms, *Gender-Based Violence in the Conflict-Affected Regions of Ukraine* (2015). Available at: [https://reliefweb.int/sites/reliefweb.int/files/resources/gbv\\_study\\_2015\\_final\\_eng.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/gbv_study_2015_final_eng.pdf), accessed 15 August 2018.

speaking,<sup>452</sup> the economic cost of this type of violence,<sup>453</sup> and the huge lacunae in Ukraine's legislation when it comes to protecting women against the consequences of GBV.<sup>454</sup> The following paragraphs introduce these harms for the reader to have a global picture of what type of gender justice issues the EU could engage with in Ukraine.

The type of harm that has gotten most international attention is conflict-related SGBV inflicted on women in the context of the Donbas war. In 2017, the OHCHR reported that between March 2014 and January 2017 Government forces and armed groups on both sides had inflicted conflict-related sexual violence on both men and women.<sup>455</sup> Most of this happened to individuals who were in detention, and the scope of harms ranged from rape to threats to rape one's children:

Beatings and electrocution on the genitals, rape, threats of rape, and forced nudity were used as a method of torture and ill-treatment to punish, humiliate, or extract confessions ... Perpetrators threatened to also detain, abduct, rape, injure or kill victims' relatives, especially their children, to increase the pressure.<sup>456</sup>

Constituting the first comprehensive overview of the gendered dimension of conflict in the Donbas by a major IO active in Ukraine, this report finally drew some mainstream attention to the gendered consequences of the Ukraine crisis.<sup>457</sup>

However, while shedding light on an important aspect of women's experience of conflict, the report prioritized the extraordinary over the more 'everyday' type of

<sup>452</sup> UNFPA, *Masculinity Today: Men's Attitudes to Gender Stereotypes and Violence Against Women* (2018). Available at: <https://ukraine.unfpa.org/en/publications/masculinity-today-mens-attitudes-gender-stereotypes-and-violence-against-women>, accessed 3 August 2019.

<sup>453</sup> UNFPA & Ukrainian Centre for Social Reforms, *Economic Costs of Violence against Women in Ukraine* (2017). Available at: [https://ukraine.unfpa.org/sites/default/files/pub-pdf/Economic%20Costs%20of%20Violence\\_2017\\_3.pdf](https://ukraine.unfpa.org/sites/default/files/pub-pdf/Economic%20Costs%20of%20Violence_2017_3.pdf), accessed 15 August 2018.

<sup>454</sup> DCAF and La Strada-Ukraine, *Criminal Justice Practice and Violence Against Women* (2017). Available at:

[https://dcaf.ch/sites/default/files/publications/documents/Criminal%20justice%20practice%20and%20violence%20against%20women\\_engl.pdf](https://dcaf.ch/sites/default/files/publications/documents/Criminal%20justice%20practice%20and%20violence%20against%20women_engl.pdf), accessed 15 August 2018.

<sup>455</sup> OHCHR 2017 (n194).

<sup>456</sup> Ibid: 3.

<sup>457</sup> Jack Losh, 'Ukraine's Invisible Scars' (April 2018) POLITICO. Available at: <https://www.politico.eu/article/ukraine-invisible-scars-conflict-sexual-violence/>, accessed 15 May 2018.

women's rights violations. Nevertheless, as was the case in Tunisia, Ukrainian women have been subjected to a much broader range of harms. In the Donbas region and around the contact line, i.e. the area in government-controlled Ukraine that borders with the Donbas region, economic deprivation is rampant. This is partly a result of the 'normal' economic fall-out of war, but it is exacerbated by the refusal of the Ukrainian government to pay social security allowances to inhabitants of the Donbas who have not registered as IDPs.<sup>458</sup> For women, the absence or death of male breadwinners has put the onus of taking care of the family uniquely on their shoulders. The OHCHR estimates that up to 13,000 people have been killed as a result of the conflict in Donbas between 2014 and 2019.<sup>459</sup> Economic despair has resulted in increased levels of trafficking and reliance on 'survival sex' to make ends meet in the Donbas region in particular, but also in other parts of Ukraine.<sup>460</sup>

Ukraine also has persistent and pervasive problems in the realm of women's rights and GBV. UNFPA data for instance, show that while in 2016 174 women died as a direct result of the conflict, 601 were killed as a result of non-conflict related GBV.<sup>461</sup> As is the case in most countries in conflict, the occurrence of conflict has further increased the prevalence of this phenomenon in both the Donbas as well as the country itself. Women's rights organizations have reported spikes in violence as a result of traumatized husbands and fathers returning to their homes without sufficient psycho-social support.<sup>462</sup> Moreover, historically domestic violence has largely gone unpunished

<sup>458</sup> UNHCR, Thousands in eastern Ukraine lose access to pensions (14 June 2017). Available at: <https://www.unhcr.org/hk/en/14134-thousands-in-eastern-ukraine-lose-access-to-pensions.html>, accessed 20 July 2019.

<sup>459</sup> OHCHR, Report on the human rights situation in Ukraine 16 November 2018 to 15 February 2019 (2019). Available at: <https://www.ohchr.org/Documents/Countries/UA/ReportUkraine16Nov2018-15Feb2019.pdf>, accessed 3 August 2019.

<sup>460</sup> Daria Popova, 'Social-Economic Situation in Ukraine: Gender Perspective' (2018) Transform Europe. Available at: <https://www.transform-network.net/en/blog/article/social-economic-situation-in-ukraine-gender-perspective/>, accessed 14 December 2018.

<sup>461</sup> UNFPA and Ukrainian Centre for Social Reforms 2017 (n453).

<sup>462</sup> Based on insights shared by the Ukrainian women's rights organization La Strada (accessible in Ukrainian) a 2018 UNFPA report notes that: 'With the expansion of the military actions, the problem of

as a result of an inadequate legislative framework and institutional obstacles that prohibit the prosecution of GBV.<sup>463</sup>

Lastly, discriminatory legislative frameworks have prohibited Ukrainian women from fully participating in the labour force.<sup>464</sup> This includes exclusion from jobs included in a list which was created when Ukraine was still under Soviet rule. The rationale behind this practice was the perceived need to protect women's reproductive health.<sup>465</sup> This exclusion caused problems when in 2014 many women decided to join the army and take up combat roles in response to the eruption of the conflict in the Donbas. Once they entered the armed forces, women did not receive the same treatment as men. Some did not receive any payment, because they could not officially register as a soldier. Others could register but not under the combat roles, they had taken up, but rather as support staff. These women were excluded from the benefits allocated to male combatants such as the right to social guarantees afforded to veterans.<sup>466</sup>

Thus, also in Ukraine the EU could potentially interact with the full range of harms that has been identified in feminist transitional justice scholarship as relevant to post-conflict and post-repression efforts to pursue gender justice in transition. The

domestic violence has become particularly acute. Servicemen have returned home with unrecognized post-traumatic stress disorder and have not sought psychological assistance. Human rights activists from "La Strada Ukraine" noted that they recorded 7,725 complaints in 2014, of them 72.2% were related to domestic violence. On average, the organization's telephone hotline receives about 5.5 thousands of complaints a year, but the number of women's appeals increased by 2,000 last year. In 2015, there were almost 6,000 appeals only in the first half of the year. The human rights activists allocate a separate category of complaints of women who seek assistance because of their husband's violence after returning from the war; analysis of this information will allow for an assessment of the scale of this phenomenon in the future.<sup>7</sup>

UNFPA and Ukrainian Centre for Social Reforms 2015 (n451).

<sup>463</sup> Until December 2017 domestic violence was not considered to be a criminal offense in Ukraine.

<sup>464</sup> EuroMaidan Press, Ukraine's Health Ministry opens up previously banned 450 professions for women (21 December 2018). Available at: <http://euromaidanpress.com/2017/12/21/ukraines-health-ministry-lifts-restrictions-on-womens-employment-in-450-professions/>, accessed 3 August 2019.

<sup>465</sup> Anti-Discrimination Centre, Gender Discrimination – Jobs Banned for Women (2018). Available at: <https://adcmemorial.org/www/publications/gender-discrimination-jobs-banned-for-women?lang=en>, accessed 2 August 2019.

<sup>466</sup> Tamara Martsenyuk, Ganna Grytsenko and Anna Kvit, "The" Invisible Battalion": Women in ATO Military Operations in Ukraine' (2016).

following sections discuss how local political elites have engaged with each of these harms, and how this has affected the pursuit of gender justice via the three types of avenues for gender justice reform under scrutiny in this thesis.

#### ***4.4.2 Gender politics in Ukraine***

In Ukraine political elites have also engaged selectively with the gender justice issues described above. This section argues that the extent to which the different categories of gendered harms have been addressed depends on the extent to which the pursuit of gender justice for these harms interferes with narratives of nationhood and male heroism in times of crisis. Such efforts are not popular in Ukraine at the moment, and therefore political elites have shied away from them. Again, understanding which efforts can and cannot count on this type of support is important to know, if one wants to establish whether and to what extent EU engagement with gender justice in Ukraine is adjusted to the priorities and preferences of powerful local actors.

Powerful domestic actors, most notably the Council of Churches, have been at the centre of advocacy against ratification of the Istanbul Convention.<sup>467</sup> The All-Ukrainian Council of Churches, which is an inter-confessional advisory body which aims to unite the efforts of religious organizations in service of the national and spiritual revival of Ukraine, has argued that its invocation of the term gender and its questioning of gender stereotypes puts at risk Ukraine's traditional family values.<sup>468</sup> The Istanbul Convention considers VAW to be GBV. Understanding VAW as GBV implies that one considers women to become victim of this type of violence because they are women.

<sup>467</sup> The Council of Churches is the representative organ of all Ukraine's Christian institutions. Ketelaars 2018 (n196).

<sup>468</sup> Institute for Religious Freedom, 'Council of Churches stands for the European integration of Ukraine without the gender ideology' (8 January 2019). Available at: [https://www.irf.in.ua/eng/index.php?option=com\\_content&view=article&id=461:1&catid=34:ua&Itemid=61](https://www.irf.in.ua/eng/index.php?option=com_content&view=article&id=461:1&catid=34:ua&Itemid=61), accessed 20 July 2019.

Article 3 of the Istanbul Convention defines gender as ‘the socially constructed roles, behaviours, activities and attributes that a given society considers appropriate for women and men’, and calls upon Parties ‘where appropriate’, to take ‘the necessary steps to include teaching material on issues such as equality between women and men, non-stereotyped gender roles [...] in formal curricula and at all levels of education’ (Art. 14). This rejection of gender stereotypes and traditional gender roles is at the core of the Council of Churches resistance against the document, as it believes that recognition of the notion that traditional gender roles are problematic, constitutes a threat for Ukraine’s social stability. In this regard, representatives of the Council of Churches have remarked that ‘such a twisted approach [...] can make the Istanbul Convention an instrument for popularizing new “gender roles” and same-sex relations in Ukrainian schools and universities, which would be a disastrous way for Ukraine’.<sup>469</sup>

The fact that a parliamentary majority gave in to this advocacy for the protection of traditional values by the Council of Churches is remarkable, as it is type of rhetoric that has been associated with Russia’s recent promotion of ‘Russian values’.<sup>470</sup> Since the Maidan and Russia’s attacks on Ukraine’s sovereignty, Ukraine has preached a shift to more European values.<sup>471</sup> Ratification of the Istanbul Convention, being a Council of Europe Convention, would be a clear signifier of such a shift. However, despite their desire for closer integration with the EU, the majority of the Ukrainian

<sup>469</sup> Union of Orthodox Journalists, ‘No to gender: Council of Churches speaks out against ratification of Istanbul Convention’ (2017). Available at: <http://spzh.news/en/news/40019-no-to-gender-council-of-churches-speaks-out-against-ratification-of-istanbul-convention> accessed 27 January 2019.

<sup>470</sup> Valentina Feklyunina, ‘Soft power and identity: Russia, Ukraine and the “Russian world(s)”’ (2016) 22(4) *European Journal of International Relations* 773.

<sup>471</sup> ‘Nothing can stand between Ukraine and its European Ambitions’, UNIAN (10 July 2018). Available at: <https://www.unian.info/politics/10182074-nothing-can-stand-between-ukraine-and-its-european-ambitions-poroshenko.html>, accessed 27 January 2019.

<sup>471</sup> Kostiantyn Yelisieiev, ‘Ukraine to EU: Tell us what we’re fighting for’ (15 November 2017) *EUobserver*. Available at: <https://euobserver.com/opinion/139873>, accessed 27 January 2019. Matthes Buhbe, ‘How Ukrainians Perceive European Values Main Results of an Empirical Survey’, Friedrich Ebert Stiftung (2017). Available at: <http://library.fes.de/pdf-files/id-moe/13731.pdf>, accessed 27 January 2019.

population is religious,<sup>472</sup> and Ukrainian religious institutions including the Council of Churches and the Orthodox Church of Ukraine enjoy wide popularity amongst Ukrainian citizens. This is partly due to the Church's strong stance against the interference of Russia and the Moscow Patriarchate in Ukraine's domestic and religious affairs. The European Parliamentary Research Service has found in this regard that 'religion is seen as a key aspect of Ukraine's evolving national identity, which includes the struggle for hearts and minds amid Moscow's hybrid war against the country'.<sup>473</sup> The Kyiv Patriarchate's autocephaly from Moscow in January 2019 has been embraced as an important step for Ukraine in the direction of independence from Russia.<sup>474</sup> The popularity of these religious institutions has been recognized by Ukrainian politicians all the way up to the presidency. During the 2019 Presidential elections, President Poroshenko ran – albeit unsuccessfully – under the slogan: 'Army, language, faith'.<sup>475</sup>

The reluctance to pursue accountability for conflict-related SGBV inflicted on women in Donbas also is an example of how 'country' is being prioritized over women's security. While it is true that Ukrainian authorities cannot prosecute separatist forces who have committed such crimes, these are not the only individuals who have been found to engage in these acts. The OHCHR report has found that members of the

<sup>472</sup> Pew Research Center, *Religious Belief and National Belonging in Central and Eastern Europe* (2017). Available at: <https://www.pewforum.org/wp-content/uploads/sites/7/2017/05/CEUP-FULL-REPORT.pdf>, accessed 3 August 2019.

<sup>473</sup> Naja Bentzen, *Ukraine: Religion and (geo-)politics - Orthodox split weakens Russia's influence* (2019) European Parliamentary Research Service. Available at: [http://www.europarl.europa.eu/RegData/etudes/BRIE/2019/635525/EPRS\\_BRI\(2019\)635525\\_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/BRIE/2019/635525/EPRS_BRI(2019)635525_EN.pdf), accessed 3 August 2019.

<sup>474</sup> President of Ukraine, Petro Poroshenko Official Website, 'Head of State: Church autocephaly is the most important event similar to the Ukrainian aspiration to join the European Union and NATO' (14 October 2018), Available at: <https://www.president.gov.ua/en/news/glava-derzhavi-avtokefaliya-cerkvice-najvagogomisha-podiya-po-50450>, accessed 27 January 2019.

<sup>475</sup> Volodymyr Yermolenko, 'Does Poroshenko Have a Chance at a Second Term?' (1 October 2018) Atlantic Council. Available at: <https://www.atlanticcouncil.org/blogs/ukrainealert/does-poroshenko-have-a-shot-at-a-second-term>, accessed 23 May 2019.

The eventual winner of the Presidential elections Volodymyr Zelensky is of Jewish descent and religion has barely figured in his campaign. Still, President Poroshenko's emphasis on it showed that he believed that appealing to religious sentiments would be a winning strategy.



Ukrainian army and affiliated armed groups have also engaged in this type of violence.<sup>476</sup> In principle the Ukrainian authorities could prosecute these men. They, however, have largely failed to do so.<sup>477</sup> Ukrainian – and international – women’s rights defenders believe that the reluctance to prosecute conflict related SGBV is related to the fact that soldiers are considered to be ‘heroes’ of the nation.<sup>478</sup> Even when it comes to cases of sexual violence inflicted on female Ukrainian soldiers, it has been found that ‘though sexual abuse in the army is widespread, it is typically overlooked in a society reluctant to criticize soldiers during a war’.<sup>479</sup> Similarly, when it comes to the violent behaviour of returning soldiers directed towards their own family members, experts have found that ‘Women who suffer abuse from partners in military service are further discouraged from reporting the crime, as Ukrainian police and society view servicemen as heroes and patriots’.<sup>480</sup> If even the cases of the women fighting for Ukraine themselves, or the wives of those soldiers who do cannot count on support, the hopes for female victims considered as members of the ‘enemy’ are virtually zero.

However, the Maidan and conflict in the Donbas have not only contributed to political and societal resistance against gender equality and women’s rights. Women’s participation in the Maidan protests and subsequently the war has bolstered public support in favour of women’s participation in the security sector. Paradoxically, while Soviet era rules were at the root of women’s exclusion from military service, this attitude seems to build on the Soviet mentality towards gender equality which considers

<sup>476</sup> OHCHR 2017 (n194): 15-19.

<sup>477</sup> Ibid.

<sup>478</sup> Ilione Schultz and Marie-Alix Detrie, ‘Ukraine: The Intimate War’ (28 March 2017) Zero Impunity. Available at: <https://zeroimpunity.com/ukraine-the-intimate-war/?lang=en>, accessed 3 August 2019.

<sup>479</sup> Iulia Mendel, ‘A Good Career, if I Satisfied Him.’ Ukraine Fights Sexual Abuse, and a War’ (19 May 2019) The New York Times. Available at: <https://www.nytimes.com/2019/05/19/world/europe/ukraine-sex-abuse-military-war.html>, accessed 3 August 2019.

<sup>480</sup> Zoe Gillard, ‘The continuum of gender based violence in Ukraine’ (23 October 2018) LSE Blogs. Available at: <https://blogs.lse.ac.uk/wps/2018/10/23/the-continuum-of-gender-based-violence-in-ukraine/>, accessed 20 July 2019.

women's participation in the labour force to be the core indicator of a country's track record in the field of women's rights.<sup>481</sup> Moreover, somehow attempts to integrate women in and highlight their contribution to security operations has gone hand in hand with the objectification of female combatants and supporting staff in service of both nationalist narratives,<sup>482</sup> as well as everyday sexism.<sup>483</sup> Ukrainian and international media have for instance reported about beauty contests figuring women military medics.<sup>484</sup> With regard to the use of the female soldier to incite nationalist sentiments, various authors have reflected on the use of imagery of beautiful female Ukrainian soldiers to incite nationalist sentiments.<sup>485</sup>

This broader political reality naturally greatly impacts the pursuit of gender justice via each of the three conceptual avenues for gender justice support identified in this thesis albeit in different ways. The following section will discuss in more depth the efforts that have been undertaken in each category and how these political calculations impact each of them.

#### ***4.4.3 Avenues for gender justice in Ukraine***

While the pursuit of transitional justice and gender justice in Ukraine has followed a less structured approach than in Tunisia – not in the least because Ukraine is engaged in an ongoing conflict - gender justice actors have used mainstream transitional justice mechanisms, grassroots transformative gender justice efforts, and legislative and institutional reform to advance women's rights at this critical juncture in Ukraine. This

<sup>481</sup> Nanette Funk and Magda Mueller, *Gender politics and post-communism: Reflections from Eastern Europe and the former Soviet Union* (Routledge 2018).

<sup>482</sup> Phillips 2014 (n200): 414-426.

<sup>483</sup> Marta Havryshko 'The womanly face of war: the agency and visibility of Ukraine's female soldiers' (5 December 2018) OpenDemocracy. Available at: <https://www.opendemocracy.net/en/odr/agency-ukraine-female-soldiers/>, accessed 3 August 2019.

<sup>484</sup> Ibid.

<sup>485</sup> Phillips 2014 (n200): 414-426.

section discusses these efforts according to the conceptual framework at the backbone of this thesis in order to facilitate systematic tracking and comparison of whether and how EU support for gender justice issues in Ukraine aligns with the agendas of local actors, and how this compares to Tunisia. This section demonstrates that, as is the case in Tunisia, in Ukraine forward-looking gender justice efforts seem most viable due to the political calculations described above. However, in Ukraine, as a result of the opposition against the Istanbul Convention, these forward-looking efforts mostly concern integration of women in the security services rather than legislative reform. This section will reflect on the relevance of this finding in light of the comparative exercise that will be conducted in the following chapters.

#### *4.4.2.1 Past-focused mainstream gendered transitional justice efforts in Ukraine*

In Ukraine official transitional justice efforts have been less systematic and coherent than in Tunisia. After the Maidan Uprisings and the 2014 ousting of President Viktor Yanukovich, Ukraine has embarked on a process of political transition aimed at further distancing the country from its Soviet past and while doing so aligning itself more closely to the EU and its values.<sup>486</sup> However, this process of transition has been disrupted by Russia's annexation of the Crimea, and a Russia backed separatist war in the Eastern Donbas region.<sup>487</sup> In theory, transitional justice related considerations play a significant role in both contexts.<sup>488</sup> However, for various reasons, including the ongoing

<sup>486</sup> Channell-Justice 2017 (n200); Elias Kuhn von Burgsdorff, 'The Euromaidan Revolution in Ukraine: Stages of the Maidan Movement and Why They Constitute a Revolution' (2015) 7(02) *Inquiries Journal*.

<sup>487</sup> For a comprehensive discussion of the developments that resulted in the annexation of Crimea and the separatist war in Donbas, see: Richard Sakwa, *Frontline Ukraine: crisis in the borderlands* (IB Tauris 2014).

<sup>488</sup> For theoretical reflections on the role of and possibilities for transitional justice in Ukraine see: *Post-Conflict Justice in Ukraine -Materials of the conference*, Joint Conference of Ukrainian Helsinki Union for Human Rights, European Society of International Law, and Ukrainian Association of International Law, 25-27 May 2017, Kyiv.

conflict,<sup>489</sup> and political reluctance,<sup>490</sup> Ukraine has not embarked on a comprehensive transitional justice trajectory. Within the framework of its political transition, the Ukrainian Parliament has passed a number of home-grown transitional justice measures. Some of these are aimed at purging Ukraine's bureaucracy of its corrupt elements,<sup>491</sup> others at the decommunization of the country from its Soviet past,<sup>492</sup> and again others at pursuing accountability for the grave human rights violations inflicted on protesters during the Maidan.<sup>493</sup> However, observers have noted that, except for the decommunization efforts, so far the state has implemented most of these laws only to a marginal extent.<sup>494</sup>

When it comes to the pursuit of accountability for grave human rights violations committed during the Maidan protests and in the context of the Donbas war, the Ukrainian government has initially tried to outsource efforts to international institutions. Ukraine, which has signed but not ratified the Rome Statute, has made two

<sup>489</sup> Tomasz Lachowski, 'Transitional Justice in Ongoing Conflicts and Post-War Reconstruction: Reintegrating Donbas into Ukraine' (2017) 46 Polish Political Science Year Book 36.

<sup>490</sup> Igor Lyubashenko, 'Trying to move a rock. Lustration in Ukraine' (2016) 21(2) *New Eastern Europe* 116; Klaus Bachmann and Igor Lyubashenko, 'The Puzzle of Transitional Justice in Ukraine' (2017) 11(2) *International Journal of Transitional Justice* 297.

<sup>491</sup> Verkhovna Rada, Law of Ukraine No 1188-VII on Restoring Confidence in the Judiciary in Ukraine [in Ukrainian] (8 April 2014). Available at: <http://zakon4.rada.gov.ua/laws/show/1188-18>, accessed 15 August 2018.

For an analysis of the law, see: Lyubashenko 2016 (n490). Yuliva Zabyelina, 'Lustration Beyond Decommunization: Responding to the Crimes of the Powerful in Post-Euromaidan Ukraine' (2017) 6(1) *State Crime Journal* 55; Tadeusz A Olszanski, 'The Ukrainian Lustration Act (2014) OSW - Ośrodek Studiów Wschodnich im. Marka Karpia. Available at: <https://www.osw.waw.pl/en/publikacje/analyses/2014-10-01/ukrainian-lustration-act>, accessed 15 August 2018.

<sup>492</sup> Decommunization refers to the process aimed at rewriting Ukraine national memory politics centred around the condemnation of its Soviet past. See: Ilya Nuzov, 'The Dynamics of Collective Memory in the Ukraine Crisis: A Transitional Justice Perspective' (2016) 11(1) *International Journal of Transitional Justice* 132; Andriy Portnov, 'How to Bid Goodbye to Lenin in Ukraine?' (26 May 2015) *OpenDemocracy*. Available at: <https://www.opendemocracy.net/andriy-portnov/on-'decommunisation'-identity-and-legislating-history-in-ukraine>, accessed 15 August 2018. Women have remained notably absent from these efforts: Olga Khromeychuk, 'What place for women in Ukraine's memory politics', *Open Democracy*, October 2016.

<sup>493</sup> OHCHR, Accountability for killings in Ukraine from January 2014 to May 2016 (2016): 17-18. Available at: [https://www.ohchr.org/Documents/Countries/UA/OHCHRThematicReportUkraineJan2014-May2016\\_EN.pdf](https://www.ohchr.org/Documents/Countries/UA/OHCHRThematicReportUkraineJan2014-May2016_EN.pdf), accessed 15 August 2018.

<sup>494</sup> Interview 14 Ukraine, Kyiv, 15 November 2017, Ukrainian transitional justice expert. See also: Igor Lyubashenko 2016 (n490).

special ad hoc article declarations under article 12(3) of the ICC Rome Statute, in order to give the ICC jurisdiction to examine crimes committed on Ukrainian territory or by its nationals.<sup>495</sup> The ICC's Office of the Prosecutor is currently engaged in a preliminary examination into the situation in Ukraine, 'which focuses on the Maidan events, as well as on the alleged crimes occurring after 20 February 2014 in Crimea and eastern Ukraine'.<sup>496</sup> This examination consists of four stages. In relation to the alleged crimes committed in Ukraine since 21 November 2013 (during Maidan), the preliminary examination reached phase 2. As such, the Prosecutor is now in the process of determining the ICC's subject-matter jurisdiction. Based on a review of all relevant information the Prosecutor will decide 'whether there is a reasonable basis to believe that the alleged crimes fall within the subject-matter jurisdiction of the Court'.<sup>497</sup>

However, the Ukrainian Prosecutor's Office has picked up some cases relating to the killings of protesters by members of the security service during Maidan and later on the killing of 48 individuals during violence between pro-Ukrainian and 'pro-federalist' groups in Odesa in May 2014 (Kulikov Field Killings). Four years after these killings took place the OHCHR concludes in relation to both of them that 'Due to the complexity of cases and failure to preserve evidence shortly after the events or to prevent key suspects from fleeing the country, little progress has been achieved in prosecuting those responsible'.<sup>498</sup> In relation to prosecution of those responsible for the violence in Odesa in particular the OHCHR has concluded that 'investigations and legal proceedings related to the violence continued to be one-sided, focusing on prosecution

<sup>495</sup> For a comprehensive analysis of Ukraine's dealings with the ICC see: Global Rights Compliance, *Ukraine and the International Criminal Court* (2016). Available at: <http://www.globalrightscompliance.com/uploads/b9e51ef48ed2c8ce3036fa577142990e.pdf>, accessed 15 August 2018.

<sup>496</sup> International Criminal Court, *Preliminary examination Ukraine*. Available at: <https://www.icc-cpi.int/ukraine?ln=en>, accessed 3 August 2019.

<sup>497</sup> *Ibid.*

<sup>498</sup> OHCHR, *Report on the human rights situation in Ukraine 16 February to 15 May 2018* (2018): 17. Available at: [https://www.ohchr.org/Documents/Countries/UA/ReportUkraineFev-May2018\\_EN.pdf](https://www.ohchr.org/Documents/Countries/UA/ReportUkraineFev-May2018_EN.pdf), accessed 15 August 2018.

of ‘pro-federalists’ involved in the clashes. Moreover, the failure to prevent several senior police and emergency service officials from fleeing the country results in inability to bring them to account’.<sup>499</sup>

When it comes to prosecution of Ukrainian perpetrators of grave human rights violations in the context of the Donbas war as of the end of 2017 Ukrainian law enforcement agencies have engaged in efforts to prosecute human rights violations committed by Ukrainian soldiers, members of the Ukrainian security service (SBU) and members of Ukrainian armed groups fighting next to the military in the Donbas conflict.<sup>500</sup> Before, attempts by Ukrainian authorities to pursue accountability for human rights violations and abuses only targeted members of separatist armed groups.<sup>501</sup> Despite these positive developments the OHCHR cautioned that ‘yet, a large number of investigations remain to be undertaken into human rights violations allegedly perpetrated by military and security forces’.<sup>502</sup> Moreover, it also ‘observed that some cases that occurred in the earlier stages of the conflict have still not been investigated or adequately investigated’.<sup>503</sup> Moreover, in 2019 the OHCHR reported that most of the cases that had been taken up in 2017 had stalled, that few new cases had been taken up, and that in cases that were still on track prosecutors had failed to enforce defendants’ presence as a general practice.<sup>504</sup>

<sup>499</sup> Ibid: 18.

<sup>500</sup> Ibid: 9. Under endnote 53 the report lists the following examples: ‘The Military Prosecutor’s offices of Kharkiv and Mariupol garrisons are conducting investigations into allegations of illegal arrest and detention and use of unlawful methods of interrogation by SBU officers; four UAF soldiers are currently standing trial in Svativskiyi district court of Luhansk region on charges of abduction and killing a civilian in June 2014 in Kreminna district, Luhansk region; five members of former ‘Donbas’ volunteer battalion, three members of ‘Dnipro-1’ battalion and three members of ‘Right Sector’ are on trial before Krasnoarmiisk town-district court of Donetsk region for crimes perpetrated against civilians in 2014-2015 and early 2016; an SBU officer accused of beating to death a resident of Avdiivka in March 2017 is on trial before Druzkivskiyi town court of Donetsk region; the trial against 2 SBU officers, accused of causing a death of a civilian arrested at a checkpoint by torturing him and failing to enable his immediate access to medical aid in November 2014 is nearing completion in Iziium town-district court of Kharkiv region’.

<sup>501</sup> Ibid: 13.

<sup>502</sup> Ibid.

<sup>503</sup> Ibid: 9.

<sup>504</sup> Office of the United Nations High Commissioner for Human Rights

In parallel to these efforts Ukraine has been negotiating a peace agreement with Russia in the framework of the Normandy Format,<sup>505</sup> which also includes France and Germany. These negotiations resulted in the adoption of the Minsk II agreement. Minsk II – as did the Minsk Protocol which preceded it – does not make any reference to gender or women. Moreover, if abided to, the document could have significant consequences for the pursuit of accountability for crimes committed within the context of the Donbas conflict. Minsk II calls upon the parties to:

Ensure pardon and amnesty by enacting the law prohibiting the prosecution and punishment of persons in connection with the events that took place in certain areas of the Donetsk and Lugansk regions of Ukraine.<sup>506</sup>

This provision concerns all parties to the conflict, including separatist fighters. In view of the 13.000 citizens who have died in Donbas, and the economic havoc the conflict has wrecked on the country as a whole, it is not surprising that this provision is highly unpopular in (government-controlled areas of) Ukraine.<sup>507</sup> Therefore, in 2017 the Ukrainian President signed into law an amnesty law which only exempts from prosecution Ukrainian soldiers who ‘defended the independence, sovereignty and territorial integrity of Ukraine’ while directly taking part in the antiterrorist operations and who committed a crime ‘that is not a particularly grave crime against the life and health of a person’.<sup>508</sup> This excludes separatist fighters from the amnesty.

Report on the human rights situation in Ukraine 16 November 2018 to 15 February 2019: 17.

<sup>505</sup> A group of senior representatives of Ukraine, Russia, Germany and France who reunited regularly to solve the conflict in Donbas.

<sup>506</sup> Trilateral Contact Group, Package of measures for the Implementation of the Minsk agreements (12 February 2015). Available at: [https://peacemaker.un.org/sites/peacemaker.un.org/files/UA\\_150212\\_MinskAgreement\\_en.pdf](https://peacemaker.un.org/sites/peacemaker.un.org/files/UA_150212_MinskAgreement_en.pdf), accessed 15 August 2018.

<sup>507</sup> Sabine Fischer, *The Donbas Conflict Opposing Interests and Narratives, Difficult Peace Process* (2019) German Institute for International and Security Affairs.

<sup>508</sup> Verkhovna Rada, Law of Ukraine 1810-VIII on Amnesty in 2016 [in Ukrainian] (22 December 2016). Available at: <https://zakon.rada.gov.ua/laws/show/1810-viii>, accessed 15 August 2018.

Overall, this phrasing seems in line with the notion that amnesties should not be rewarded for grave human rights violations. As such it seems that the Ukrainian authorities' inactiveness on prosecuting offenders of grave human rights violations in the context of the Donbas conflict is not a result of the Amnesty Law, but rather general unwillingness to hold soldiers, members of armed groups or members of the Ukraine's Security Service (SBU) to account. In this regard it is interesting to notice that while the OHCHR has found widespread violations of fair trial rights of individuals charged with affiliation or links with armed groups or crimes against the national security of Ukraine, SBU officers and members of pro-Ukrainian armed groups accused of grave human rights violations against civilians have often be released of custody during trial.<sup>509</sup>

Faced with this lack of serious efforts on behalf of the Ukrainian authorities to prosecute offenders of grave human rights violations, national CSOs and IOs have engaged in documentation of and reporting on human rights violations in the context of the conflict. The most significant efforts to monitor the occurrence of SGBV in the Donbas have been conducted by the Coalition "Justice for Peace in Donbass",<sup>510</sup> and the UN Human Rights Monitoring Mission Ukraine (HRMMU).<sup>511</sup> While their reports disagree about the prevalence, and nature of SGBV inflicted on civilians by Ukrainian security forces and separatist armed groups,<sup>512</sup> they have been the ones to identify the

<sup>509</sup> The OHCHR illustrates this practice with the following examples: 'Five members of the Donbas battalion accused of a number of crimes against civilians (including abductions, armed robberies, extortions, and banditry) were released on 30 August 2016 during a preparatory court hearing after four members of Parliament motioned to release them under their personal guarantees. In another case, three members of the Right Sector on trial for a number of incidents of extortion, ill-treatment and arbitrary detention of civilians were released during trial'.

OHCHR 2018 (n498): 15.

<sup>510</sup> Volodymyr Shcherbachenko et al, Unspoken Pain: Gender Based Violence in the Conflict Zone of Eastern Ukraine (2017) Coalition "Justice for Peace in Donbass". Available at: <https://jfp.org.ua/system/reports/files/92/en/Unspoken-Pain-web.pdf>, accessed 15 August 2018.

<sup>511</sup> OHCHR 2017 (n194).

<sup>512</sup> Most notably divergence exists in relation to the question to what extent sexual violence is being used as a weapon of war in Ukraine. While the HRMMU has found no evidence of either side using SGBV systematically for strategic purposes, the Coalition "Justice for Peace in Donbass" concluded that sexual



occurrence of this type of violence in the context of the Donbas war. These reports have also drawn attention to the fact that impunity for this type of violation prevailed, with the HRMMU report noting that by the end of 2016 the Chief Military Prosecutor's Office 'had launched only three criminal proceedings that included allegations of sexual violence committed by Ukrainian forces and/or members of armed groups against civilians in Donetsk and Luhansk regions'.<sup>513</sup> This of course is in line with the overall reluctance of the judicial authorities to prosecute Ukrainian soldiers and affiliated groups for any type of grave human rights violations.

In addition, Ukrainian human rights NGOs have found that the fact that Ukraine's current legislative framework is not in accordance with the core norms of international humanitarian law and international criminal law further facilitates impunity. In this regard a Global Rights Compliance report has found:

Although crimes against humanity are crimes under customary international law and the Rome Statute, the Criminal Code of Ukraine does not criminalise crimes against humanity. Concerning war crimes, and as previously discussed, the Criminal Code of Ukraine does not contain a comprehensive list of war crimes. [...] The introduction of such a list of war crimes would enable better compliance with international standards and also assist with providing the necessary specificity and certainty that would guide domestic investigators and prosecutors in framing investigations and prosecutions that respect the principle of legality and culpability and form the basis for effective criminal sanction.<sup>514</sup>

Therefore, NGOs have pushed – so far unsuccessfully - the national authorities to bring the Criminal Code and Code on Criminal Procedure of Ukraine into accordance with

violence has been used consciously and deliberately with military purposes in mind. However, these reports agree on the fact that both sides have engaged in acts of sexual violence, most of these instances occurred in detention facilities, victims included both women and men, and the acts involved a wide range of violations.

<sup>513</sup> OHCHR, Report on the human rights situation in Ukraine 16 May to 15 August 2017 (2017): 27. Available at: [https://www.ohchr.org/Documents/Countries/UA/UAReport19th\\_EN.pdf](https://www.ohchr.org/Documents/Countries/UA/UAReport19th_EN.pdf), accessed 16 August 2018.

<sup>514</sup> Global Rights Compliance, The Domestic Implementation of International Humanitarian Law in Ukraine (2016). Available at: <https://www.globalrightscompliance.com/uploads/e6f0ccd036b6f83ffe2b94f3e19983e0.pdf>, accessed 5 August 2019.

the provisions of international humanitarian law and international criminal law.<sup>515</sup>

Moreover, when it comes to pursuit of accountability for conflict related SGBV in particular, the OHCHR and women's rights NGOs have drawn attention to additional obstacles hampering the pursuit of justice. In this regard, the Ukrainian Criminal Code's previous definition of rape, and the evidentiary standards required by courts, were identified as key obstacles to the pursuit of accountability for SGBV. Article 152 of the Criminal Code defined rape as 'sexual intercourse combined with violence, threats of violence, or committed by taking advantage of the victim's helpless condition'.<sup>516</sup>

According to OHCHR, the notion of 'helpless condition' was problematic as it was 'interpreted by investigators and courts in a restrictive matter, lacking any notion of coercive circumstances or inability to give genuine consent, which is of particular importance in contexts of armed conflict'.<sup>517</sup> This combined with the fact that courts only accept forensic evidence which 1) demonstrates the fact of penetration, and 2) proves the involuntary nature of the act, including a physical struggle with the perpetrator,<sup>518</sup> is the reason why sexual violence cases almost never reached trial, and if they did rarely result in guilty verdicts.<sup>519</sup> However, the 2017 law which recognized

<sup>515</sup> Two representatives of Ukrainian human rights organization interviewed in the context of this research mentioned the revision of Ukraine's criminal code as their priorities. They have also advocated for the EU to push Ukraine to integrate humanitarian law provisions in its criminal code. See: Recommendations from participants of the EU Ukraine civil society seminar On human rights 21.03.2017, Brussels: 3. Both this document, as well as a draft of proposed revisions of the Ukrainian Criminal Code [in Ukrainian] have been provided to the author.

<sup>516</sup> English version of Criminal Code of the Republic of Ukraine. Available at: [http://www.wipo.int/wipolex/fr/text.jsp?file\\_id=438599](http://www.wipo.int/wipolex/fr/text.jsp?file_id=438599), accessed 16 August 2018.

<sup>517</sup> OHCHR 2017 (n194): 13.

<sup>518</sup> This requires an immune-biological test which needs to be conducted within 72 hours after the assault. The HRMMU report points out that in most cases of conflict related sexual violence this is nearly impossible, as victims in general, but particularly those in detention rarely have access to law enforcement/medical facilities within 72 hours. Ibid: 26.

<sup>519</sup> In Ukraine 'in 2016, for example, 1,049 complaints of rape were reported to police nationwide; yet, in the same reporting period, only 61 perpetrators were sentenced for this offence (art. 152 of the CC) by the courts.' See: DCAF and La Strada-Ukraine 2017 (n454): 11.

domestic violence as a crime, also recognized sex without consent as rape.<sup>520</sup> The law went into effect in January 2019.<sup>521</sup>

In view of this combination of structural obstacles and unfavourable politics, it seems safe to conclude that the pursuit of accountability for SGBV in Ukraine currently is a very challenging avenue for the pursuit of gender justice outcomes despite the significant levels of attention that the OHCHR report has raised for this issue. This mirrors the Tunisian situation where the authorities' overall opposition against measures to deal with the past has significantly hampered attempts to pursue accountability for politically motivated gendered harms under the repressive regime.

#### *4.4.3.2 Past-focused transformative gender justice efforts in Ukraine*

In view of the fact that more traditional gender justice concerns have only recently gained more traction, it is not surprising that discussions about the need for transformative conceptualizations of gender justice have not figured prominently in more mainstream debates about gender justice in Ukraine. Nevertheless, various representatives of CSOs interviewed during the fieldwork for this thesis indicated that both in the government-controlled as well as in the non-government-controlled areas socio-economic rights concerns are on the top of the agenda of a large share of Ukrainian women.<sup>522</sup> One interviewee working as a mediator in conflicted communities in the East remarked that he estimated that 85 per cent of Ukraine's population – this

<sup>520</sup> Verkhovna Rada, Law of Ukraine No 2227-VIII on Amending the Criminal and Criminal Procedure Codes of Ukraine with a view to implementing the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence [in Ukrainian] (6 December 2017). Available at: <https://zakon.rada.gov.ua/laws/show/2227-viii/>, accessed 15 August 2018.

<sup>521</sup> Oleg Sukhov, Ukraine recognizes sex without consent as rape, criminalizes domestic violence (12 January 2019) Kyiv Post. Available at: <https://www.kyivpost.com/ukraine-politics/ukraine-recognizes-sex-without-consent-as-rape-criminalizes-domestic-violence.html>, accessed 3 August 2019.

<sup>522</sup> For insight in the hardships endured by Ukrainian women in Eastern Ukraine, see: Nina Potarska, 'The Voice of Non-Militants: The Experience of Women from Eastern Ukraine' (7 December 2015) Gunda Werner Institute. Available at: <https://www.gwi-boell.de/en/2015/12/07/voice-non-militants-experience-women-eastern-ukraine>, accessed 16 August 2018.

includes both the government controlled and separatist areas - was currently living ‘the values of survival’.<sup>523</sup> As such, he argued, most people are not very much concerned about questions surrounding justice and accountability for crimes of which they have not been direct or indirect victims themselves.<sup>524</sup>

Those who are living in the non-government controlled territories have been hit hardest by economic deprivations as a result of the conflict. HRMMU reports describe ‘increased levels of poverty and unemployment coupled with record-high food prices’.<sup>525</sup> As a result of these dire living conditions, even in the conflict affected areas, traditional transitional justice concerns are not high on the agenda. This has been confirmed by a number of surveys, which indicate that the desire for peace and restoration of minimal living standards trumps the justice demands of Ukrainian citizens.<sup>526</sup>

When it comes to gender specific demands for transformative justice, a number of feminist interviewees working with (internally displaced) women on both sides also emphasized that the women they worked with were mostly concerned about their and their family’s subsistence needs.<sup>527</sup> The shadow report submitted jointly by a range of women’s rights NGOs to CEDAW for Ukraine’s eighth periodic review emphasizes the economic dimension of the harms inflicted on Ukrainian women as a result of the conflict, with a focus on the way these harms are exacerbated by intervention of international financial institutions.<sup>528</sup> Similarly, input by women’s rights organizations to the 2014 UN Human Rights Council attests that socio-economic concerns were at the core of the Maidan protests, and the subsequent emergence of conflict in the East,

<sup>523</sup> Interview 18 Ukraine, Kyiv, 20 November 2017, Ukrainian peace mediator.

<sup>524</sup> Ibid.

<sup>525</sup> OHCHR 2017 (n512): 23.

<sup>526</sup> Cited by Lyubashenko (n494): 42-43.

<sup>527</sup> Interview 13 Ukraine, Kyiv, 14 November 2018, feminist peacebuilding activist; Interview 24 Ukraine, Kyiv, 29 November 2017, Ukrainian feminist activist.

<sup>528</sup> WILPF, The Effects of Intervention by International Financial Institutions on Women’s Human Rights in Ukraine: Shadow Report to CEDAW Committee, 66th Session (2017). Available at: [https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/UKR/INT\\_CEDAW\\_NGO\\_UKR\\_26388\\_E.pdf](https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/UKR/INT_CEDAW_NGO_UKR_26388_E.pdf), accessed 16 August 2018.

before right-wing extremists hijacked the protests for the promotion of their nationalist agenda:

In our view, it is important not to forget about the analysis of origins of street confrontation during Maidan and further confrontation in south-eastern regions. Maidan partly canalised dissatisfaction of social and economic situation of those who strongly opposed Yanukovich, while supporters of anti-Maidan and federalisation were unhappy with the new government in Kyiv. Throughout, Ukraine people's main problems were low standard of living, lack of social security and corruption in almost all spheres of life, ranging from healthcare and education to business and courts. In connection with situation in the East, requirements to reduce social programs, inflation and rise in tariffs.<sup>529</sup>

Some of these developments have hit women hardest.<sup>530</sup> When men are fighting women often need to carry responsibility for the care of multiple family members. In this regard the OSCE Special Monitoring Mission found that:

Reports from the field indicate that deterioration of the economic conditions, necessity to support a parent or a child and/or addiction to alcohol are major causes driving a number of women into harmful coping mechanisms. The SMM, for instance, met with a registered IDP who had fled her home town due to shelling and subsequently could not find a job in Mariupol. She shared that having to take care of her daughter and a grandmother with health issues, without sufficient funds, eventually led to her entering into sex work. She noted that the majority of her clients are soldiers.<sup>531</sup>

In view of these observations, women's rights defenders ask for more attention for women's socio-economic marginalization in the context of Ukraine's political transition and peacebuilding efforts in the East. Similarly, a number of feminist activists interviewed for this research, who were active in conflict-affected regions, remarked that, while they welcomed attempts to monitor conflict related SGBV in the East, more

<sup>529</sup> WILPF, *Voices from Ukraine: Civil Society as a Driver for Peace* (2014). Available at: <https://wilpf.org/wp-content/uploads/2014/09/Report.pdf>, accessed 1 December 2018: part 1.

<sup>530</sup> Ibid.

<sup>531</sup> OSCE, *Thematic Report: Gender Dimensions of SMM's Monitoring* (2018): 14. Available at: <https://www.osce.org/special-monitoring-mission-to-ukraine/407804?download=true>, accessed 2 August 2019.

attention for the deprivation of women's basic needs in conflict-affected areas was necessary.<sup>532</sup> In this regard, one interviewee even alluded that while instances of politically motivated SGBV had indeed occurred, a significantly larger share of women were vulnerable to become victims of SGBV as a result of their 'voluntary' engagement in the above described types of 'survival sex' with combatants on both sides.<sup>533</sup> Another interviewee also criticized the tendency (of international actors) to only focus on IDP women when providing aid, as many women who lived on the Ukrainian side of the contact line, and who had not fled war, lived in equally dire circumstances as IDPs.<sup>534</sup>

However, for multiple reasons the need to address socio-economic rights violations through a transitional justice paradigm has gained little traction. First of all, because the war is still raging and Ukrainians are suffering across the board, there is little popular support for measures to address the socio-economic rights violations inflicted on citizens of the Donbas. Second, as Ukraine lacks the type of comprehensive transitional justice trajectory as was put in place in Tunisia, there is not really a platform around which to argue for more transformative gender justice approaches. Third, when it comes to the gender-specific dimensions of these harms and particularly the increased rates of survival sex, the willingness to recognize these issues is even lower as sex work is stigmatized in Ukraine – as in most places – and sexual exchanges that take place between soldiers and women around the conflict line are even harder to discuss openly, as addressing it comes at the risk of muddling the reputation of soldier heroes. In this regard a journalist reporting on the occurrence of survival sex in Donbas noticed:

<sup>532</sup> Interview feminist peacebuilding activist, 14 November 2018, Kyiv; Interview feminist activist, 29 November 2017, Kyiv.

<sup>533</sup> Interview 13 Ukraine (n527). See also WILPF 2017 (n528): 9; Valeria Costa-Kostritsky, 'Ukraine: sex work in times of war' (3 April 2017) OpenDemocracy. Available at: <https://www.opendemocracy.net/od-russia/valeria-costa-kostritsky/ukraine-sex-work-in-times-of-war>, accessed 16 August 2018.

<sup>534</sup> Interview 13 Ukraine (n527).

Many people refuse to speak about sex work taking place near the conflict zone. They say the topic is sensitive, and that talking might displease soldiers or put sex workers at risk from the police. Doors are closed, organisations never return calls. I'm told people are probably concerned I will use the information obtained against the Ukrainian side.<sup>535</sup>

Eventually a psychologist working for an NGO providing assistance to people living around the contact line told this journalist:

We go to places where life was very hard before the conflict and has gotten even worse since ... Alcoholism is much worse. Women have sex with soldiers to feed their kids or even their parents. Everything around them appears feels like a nightmare and soldiers appear to be a potential protection. These girls can be 13 or 15. They tell you about what happens in confidence, but they are scared of any kind of institution — schools, hospitals, social services — finding out because they could suffer the consequences. Victims of sexual violence are stigmatised. It's very hard to talk about that violence. If you speak up, people see it as an assault on patriotism.<sup>536</sup>

As such, pursuing and supporting the pursuit of transformative gender justice goals for women in Ukraine seems to be an even bigger challenge than it was in Tunisia, because there is no existing structure that can be used as a vehicle for advocacy efforts and some of the core issues that need to be addressed in attempts to pursue transformative gender justice outcomes in the context of the Donbas war are heavily stigmatized.

#### *4.4.3.3 Forward-looking gender justice efforts in Ukraine*

In Ukraine attempts to pursue forward-looking gender justice goals have in some sense also be the most viable ones. However, due to the opposition of more conservative elements in society against the Istanbul Convention, the biggest advances have been made in relation to the integration of women in the security sector.

<sup>535</sup> Costa-Kostritsky 2017 (n533).

<sup>536</sup> Ibid.

Demands for legislative reform aimed at improving the response to cases of SGBV in the Donbas, fit into a broader push for reform aimed at improving Ukraine's response to GBV. These advocacy efforts have centred on the ratification of the Council of Europe's Istanbul Convention.<sup>537</sup> The Istanbul Convention is 'the first pan-European and legally-binding instrument aimed at tackling all types of VAW, including DV, and is unique in its approach'.<sup>538</sup> The document is centred on the axes of prevention, protection and prosecution, and obliges states parties to improve their de jure and de facto responses to GBV. Its guiding principle is 'due diligence',<sup>539</sup> which means that states parties are held accountable for VAW perpetrated by both state and non-state actors. Ukraine signed the Convention in 2011, and has embarked on a trajectory that should result in ratification.

As mentioned before, Ukraine's current legislation is not well equipped to deal with the issue of GBV in Ukraine. Legislative change would therefore be one of the first reforms triggered by the ratification of the Istanbul Convention. Since 2002 domestic violence had been charged in Ukraine as an administrative offence.<sup>540</sup> The criminalization would have been a first step in fighting back against a climate of impunity and would also have facilitated the adoption of a series of restrictive measures to protect victims, and prevent escalation, for example through the issuing of restraining orders. The parliament, however, voted against the ratification of the Istanbul Convention in 2016, preventing the adoption of a comprehensive legislative framework to combat VAW. Instead, it opted to ensure the criminalization of domestic violence through the adoption of an isolated Statute in December 2017.<sup>541</sup> The

<sup>537</sup> Council of Europe 2014 (n195).

<sup>538</sup> DCAF and La Strada-Ukraine 2017 (n454): 13.

<sup>539</sup> Lisa Grans, 'The Istanbul Convention and the Positive Obligation to Prevent Violence' (2018) 18(1) Human Rights Law Review 133.

<sup>540</sup> DCAF and La Strada-Ukraine 2017 (n454) 13.

<sup>541</sup> Verkhovna Rada, Law of Ukraine No 2227-VIII on Amending the Criminal and Criminal Procedure Codes of Ukraine with a view to implementing the provisions of the Council of Europe Convention on



ratification and incorporation into domestic law of the Istanbul Convention would have provided more robust protection to Ukrainian women, as it goes beyond just criminalizing domestic violence, by also calling upon states to take preventive measures and put mechanisms in place to deal with the consequences of domestic violence at all levels. Therefore, advocacy efforts for its ratification continue.

However, adopting new legislation, even ratification of the Istanbul Convention, would not have been sufficient to ensure an effective response to GBV in Ukraine anyway. Ukraine also needed to develop capacities at the operational level, both when it comes to the response of law enforcement agencies, as well as service providers.<sup>542</sup> Recognizing the difficult current political reality, local and international women's rights organizations have started investing in the operational infrastructure necessary to respond to VAW.<sup>543</sup> Most of these efforts focus on training police and judiciary and providing healthcare and psycho-social services to victims. The Ukrainian government has noticed these efforts, and the Ministry of Interior has for instance decided to support an existing UNFPA project which has established mobile police brigades which are specialized in dealing with cases of domestic violence.<sup>544</sup>

Preventing and Combating Violence against Women and Domestic Violence [in Ukrainian] (6 December 2017). Available at: <https://zakon.rada.gov.ua/laws/show/2227-viii/>, accessed 15 August 2018.

<sup>542</sup> Advocates for Human Rights & Center "Women's Perspectives", Ukraine: Domestic Violence – Joint Stakeholder Report for the United Nations Universal Periodic Review (2017). Available at: [https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&ved=2ahUKEwiE6IbCuyHcAhWCfFAKHYGIC\\_UQFjABegQICRAC&url=https%3A%2F%2Fuprdoc.ohchr.org%2Fuprweb%2Fdownloadfile.aspx%3Ffilename%3D4355%26file%3DEnglishTranslation&usg=AOvVaw2mSILh6rTNoivIn78oJA27](https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&ved=2ahUKEwiE6IbCuyHcAhWCfFAKHYGIC_UQFjABegQICRAC&url=https%3A%2F%2Fuprdoc.ohchr.org%2Fuprweb%2Fdownloadfile.aspx%3Ffilename%3D4355%26file%3DEnglishTranslation&usg=AOvVaw2mSILh6rTNoivIn78oJA27), accessed 16 August 2018.

<sup>543</sup> See for example: Council of Europe, The Council of Europe Action Plan for Ukraine 2018-2020 (2017): 13. Available at: <https://rm.coe.int/prems-196917-gbr-1501-action-plan-ukraine-2018-2021-couv-bat-a4-web/1680794dc5>, accessed 16 August 2018.

<sup>544</sup> UNFPA Ukraine, Annual Report 2017 (2017): 13. Available at: <https://ukraine.unfpa.org/sites/default/files/pub-pdf/UNFPA%20Annual%20Report%202017.pdf>, accessed 16 August 2018.

During an interview in the framework of this research the Ukrainian Deputy Minister of Interior expressed the Ministry's intent to continue these efforts. Interview 23 Ukraine, Kyiv, 28 November 2017, Ukrainian Deputy Minister of Interior.

Legislative reform has also been pursued to remove discriminatory provisions that prohibited Ukrainian women from entering the security forces.<sup>545</sup> The first step in this direction constituted of feminist advocacy efforts aimed at providing visibility to female combatants and their experiences of marginalization, e.g. through the publication of the study and production of the documentary ‘The Invisible Battalion’. These efforts were picked up by the Ukrainian government who in December 2017 abolished the Soviet-era list of 450 professions deemed too dangerous for women to take up. In addition, the Ukrainian government has taken steps to facilitate the integration of women in its security forces. This includes the publication of a National Action Plan on Women, Peace and Security.<sup>546</sup> This willingness on behalf of the Ukrainian authorities to integrate women in the security sector seems in line with the growing positive attitude towards female participation in the armed forces. This attitude is reflected also in the appointment of Ukraine’s first female military general in 2018,<sup>547</sup> and the presentation of awards to women representatives of law enforcement agencies who participated in deterring Russian aggression in eastern Ukraine by President Poroshenko in the beginning of 2019.<sup>548</sup>

Thus, while in Tunisia and Ukraine forward-focused gender justice efforts have received most political backing, different types of approaches have been prioritized in each country. This is relevant to the comparative exercise that will be conducted to enhance understanding of the factors that drive EU engagement with gender justice in Tunisia and Ukraine. If the data show that the EU for instance prioritizes the pursuit of

<sup>545</sup> Martsenyuk, Grytsenko and Kvit 2016 (n466).

<sup>546</sup> Cabinet of Ministries of Ukraine, NATIONAL ACTION PLAN on implementation of UN Security Council Resolution #1325 “Women, Peace, Security” till 2020 (24 February 2016). Available at: [https://www.peacewomen.org/sites/default/files/Ukraine\\_NAP.pdf](https://www.peacewomen.org/sites/default/files/Ukraine_NAP.pdf), accessed 7 August 2019.

<sup>547</sup> Denys Krasnikov, Ukraine appoints its first female military general (14 October 2018) Kyiv Post. Available at: <https://www.kyivpost.com/ukraine-politics/ukraine-appoints-its-first-female-general.html>, accessed 3 August 2019.

<sup>548</sup> Ukrinform, President presents awards to Ukrainian women soldiers (8 March 2019). Available at: <https://www.ukrinform.net/rubric-defense/2655660-president-presents-awards-to-ukrainian-women-soldiers.html>, accessed 3 August 2019.

legislative reform to combat VAW in both countries, even though in Ukraine the Istanbul Convention has proven to be a divisive topic, this would suggest that policy commitments to support legislative reform in the field of VAW drive EU engagement with forward-focused gender justice issues. However, if in Ukraine the EU would be relatively silent on the Istanbul Convention and instead focus on mostly on integrating women in the security sector, this would be a strong indication of the fact that gender justice priorities of local political elites are shaping the nature of the EU's engagement with gender justice in transition abroad.

#### ***4.4.4 The EU's relations with and foreign policy priorities in Ukraine***

Also in the Ukrainian context it is important to establish the overall nature of the EU's relationships with this country, in line with the notion that one can only understand the significance of gender justice choices on the EU's behalf if one understands its broader political agenda.

After the Maidan uprisings, which erupted in response to the refusal of the Yanukovich regime to sign an Association Agreement with the EU after pressure from Russia, the rhetoric on Ukraine's political transition has centred on the need for rapprochement with the EU and its values.<sup>549</sup> Russia's annexation of the Crimea and its support for the separatists in the Donbas has intensified this desire to look westwards. The EU has embraced this attitude on behalf of Ukraine and emerged as its core financial and political ally as the stability of the country was put in peril due to the annexation of Crimea and the emergence of the conflict in Donbas.

Central to these efforts has been the signing of the Association Agreement that ignited the Maidan Revolution in the first place. This Agreement aims to spur political

<sup>549</sup> Taras Kuzio, 'Ukraine between a Constrained EU and Assertive Russia' (2017) 55(1) *JCMS: Journal of Common Market Studies* 103.

association and economic integration through a comprehensive set of reforms.<sup>550</sup> EU has provided Ukraine with approximately 15 billion euro to support these efforts.<sup>551</sup> In order to successfully implement EU support and monitor Ukraine's progress the Delegation in Kyiv is the second largest EU Delegation in the world.<sup>552</sup> Furthermore, in Brussels, a special Support Group for Ukraine (SGUA) was created to assist with the implementation of the Association Agreement,<sup>553</sup> and on the invitation of the Ukrainian authorities, the EU has also deployed an advisory mission, EUAM to:

Assist the Ukrainian authorities towards a sustainable reform of the civilian security sector through strategic advice and practical support for specific reform measures based on EU standards and international principles of good governance and human rights.<sup>554</sup>

The EU's commitment to Ukraine's reform process has most recently been confirmed by Jean-Claude Juncker, President of the European Commission, at the 2019 EU-Ukraine summit, where he stated:

The European Union's partnership with Ukraine is one of mutual solidarity and friendship. It is also one that is flourishing: we have achieved more progress together in the last five years than we did in the two decades before. Ukraine has taken up ambitious reform commitments. The EU, in turn, has provided Ukraine with unprecedented support, from financial and expert support, to autonomous trade measures, and almost 3 million visa-free visits to the EU for Ukrainian citizens to date. This, alongside continued unity on sanctions, shows the EU's commitment to Ukraine – one that remains unwavering.<sup>555</sup>

<sup>550</sup> The full text of the association agreement is available at:

[https://trade.ec.europa.eu/doclib/docs/2016/november/tradoc\\_155103.pdf](https://trade.ec.europa.eu/doclib/docs/2016/november/tradoc_155103.pdf), accessed 15 July 2018.

<sup>551</sup> Balázs Jarábik and others, 'The EU and Ukraine: Taking a Breath', Carnegie Endowment for International Peace (27 February 2018). Available at: <https://carnegieendowment.org/2018/02/27/eu-and-ukraine-taking-breath-pub-75648>, accessed 28 August 2018.

<sup>552</sup> Kataryna Wolczuk and Darius Zeruolis, *Rebuilding Ukraine: An Assessment of EU Assistance* (August 2018) Chatham House. Available at: <https://www.chathamhouse.org/sites/default/files/publications/research/2018-08-16-rebuilding-ukraine-eu-assistance-wolczuk-zeruolis.pdf>, accessed 3 July 2019.

<sup>553</sup> For more information see: European Commission, *Support Group for Ukraine*. Available at: [https://ec.europa.eu/neighbourhood-enlargement/neighbourhood/countries/ukraine/sgua\\_en](https://ec.europa.eu/neighbourhood-enlargement/neighbourhood/countries/ukraine/sgua_en), accessed 29 August 2018. European Commission, *Support Group for Ukraine Activity Report: The first 18 months* (2016).

<sup>554</sup> See EUAM website: <http://www.euam-ukraine.eu/our-mission/about-us/>, accessed 15 July 2018.

<sup>555</sup> European Commission, *Remarks by President Juncker at the joint press conference with President Tusk and Volodymyr Zelenskyy, President of Ukraine, following the EU-Ukraine Summit* (8 July 2019).

However, EU backed reforms have met with serious obstacles as a result of deeply ingrained corruption and the further strains put on the country as a result of the conflict.<sup>556</sup> One of the more worrying aspects of Ukraine's post-Maidan reform track record include Ukraine's failure to reform the Prosecutor General's Office. While a new legislative framework has been put in place to govern to Prosecutor General's Office,<sup>557</sup> the office remains highly politicized due to the nomination of political allies in the higher ranks of the office.<sup>558</sup> As a result, the Prosecutor General has remained closely tied to the Presidency, making his office a tool to advance the interests of the President and his associates. This politicization of the Prosecutor General's Office in Ukraine is perhaps most clearly exemplified in the fact that the Prosecutor General who was appointed by Poroshenko in 2016 is not a lawyer, but a politician.<sup>559</sup> In order to approve this appointment, the Ukrainian Parliament had to change the Law on the Prosecutor's Office removing the requirement that the head of the office should have a legal education. This change to the law was adopted in one day.<sup>560</sup> Needless to say that this arrangement has severely limited Ukraine's ability to effectively address its struggles with corruption.

Nevertheless, the EU is keen on safeguarding good relations with Ukraine and has been careful to direct serious criticism in the direction of the Ukrainian authorities.

Available at: [https://ec.europa.eu/commission/presscorner/detail/en/speech\\_19\\_3909](https://ec.europa.eu/commission/presscorner/detail/en/speech_19_3909), accessed 3 August 2019.

<sup>556</sup> This was confirmed by various EU and CS interviewees in Brussels and Kyiv. Interview 20 Brussels, (n285); Interview 6 Ukraine, Kyiv, 3 November 2017, Representatives Ukrainian think tank.

<sup>557</sup> Democracy Reporting International, Reforming the Public Prosecutor's Office of Ukraine: Institutional Aspect (2019). Available at: <https://democracy-reporting.org/wp-content/uploads/2019/01/DRI-UA-BP-Prosecution-Institutional-Reform.pdf>, accessed 2 August 2019; Democracy Reporting International, Reforming the Functions of Ukraine's Public Prosecutor's Office: New Constitutional Provisions and Their (Pending) Implementation (2018). Available at: <https://democracy-reporting.org/wp-content/uploads/2018/07/DRI-BP-Functional-Reform-FINAL.pdf>, accessed 2 August 2019.

<sup>558</sup> Yuri Polakivsky, Why Are Donors Afraid of the Prosecutor's Office? (17 June 2019) Atlantic Council. Available at: <https://www.atlanticcouncil.org/blogs/ukrainealert/why-are-donors-afraid-of-the-prosecutor-s-office>, accessed 2 August 2019.

<sup>559</sup> Ibid.

<sup>560</sup> Ibid.

What explains this commitment on the EU's behalf to support for Ukraine despite the fact that it has not implemented many of the reforms required from it? Many experts believe that also in Ukraine the EU's security interests trump other considerations.<sup>561</sup> Indeed, the EU itself identified Russia's interference in Ukraine as one of the biggest threats to the EU's stability:

Peace and stability in Europe are no longer a given. Russia's violation of international law and the destabilisation of Ukraine, on top of protracted conflicts in the wider Black Sea region, have challenged the European security order at its core. The EU will stand united in upholding international law, democracy, human rights, cooperation and each country's right to choose its future freely.<sup>562</sup>

In this context the EU's goal is not only to protect Ukraine against the negative consequences of Russian interference, but also to make sure that Ukraine continues to envision its future as a nation in terms of a shift towards Europe rather than a return towards Russia.<sup>563</sup> This means that the EU needs to balance support for reforms – which it considers to be essential to Ukraine's stability on the longer term – with the safeguarding of close ties with Ukraine's political elites that might not be as invested in these reforms as the EU itself.<sup>564</sup>

Against this background it seems likely that also when it comes to Ukraine's failed attempts to support women's rights, the EU will take a relatively restrained approach. Therefore, also in Ukraine the nature of the EU's engagement with gender justice is interpreted against this background. A willingness on behalf of the EU to push for controversial gender justice issues such as the Istanbul Convention or the obligation to prosecute conflict-related SGBV would be understood as a confirmation of the EU's

<sup>561</sup> Richard Youngs, *Europe's Eastern crisis: The geopolitics of asymmetry* (Cambridge University Press 2017).

<sup>562</sup> European Union 2016 (n189): 21.

<sup>563</sup> Kataryna Wolczuk, 'Ukraine and Europe: Reshuffling the boundaries of order' (2016) 136(1) *Thesis Eleven* 54.

<sup>564</sup> Olga Burlyuk and Natalia Shapovalova, "'Veni, vidi, ... vici?'" EU performance and two faces of conditionality towards Ukraine' (2017) 33(1) *East European Politics* 36.

approach towards gender justice in transition being shaped by the policy commitments discussed in section 4.2, rather than gender justice preferences of local counterparts. But also here, it should be noted that the opposite of course also is the case; if the EU only supports the integration of women in Ukraine's security sector, this thesis will interpret this as an indication that the EU's support for gender justice in transition is shaped by the priorities of those in power at the local level. As mentioned, the fact that forward-focused gender justice priorities of local political elites differ in Ukraine and Tunisia makes it possible to double check whether this is the case.

However, Ukrainian interests are not the only ones that count in the EU's approach towards Ukraine. In the end, for the EU, and its individual Member States, the ultimate goal is stability in the Eastern Neighbourhood, which requires some type of working relations with Russia.<sup>565</sup> This desire goes beyond the simple absence of war. For many EU Member States, Russia, in its capacity as a global power and energy hub,<sup>566</sup> is an important partner to have on their side, despite the fact that Russia's

<sup>565</sup> Christopher S Browning, 'Geostrategies, geopolitics and ontological security in the Eastern neighbourhood: The European Union and the 'new Cold War'' (2018) 62 *Political Geography* 106.

<sup>566</sup> One of the clearest examples in this regard is Germany's cooperation with Russia on the Nord Stream 2.<sup>566</sup> The Nord Stream 2 is a project which would allow Russia to ship gas directly to Germany through the construction of a pipeline under the Baltic Sea. This project has put Germany at odds with Eastern Europe and the US, who worry about Moscow's use of this pipeline as diplomatic tool. More specifically, it would allow Russia to circumvent Ukraine's pipelines when distributing gas to the EU. This would put Ukraine's own energy security at risk, as Russia – as it has done previously – could decide to close off gas transports to Ukraine without jeopardizing its gas transport to Western Europe. In this regard the European Policy Centre has remarked that:

For the EU, the announcement of NS2 came at a delicate moment. Politically, the pipeline goes against several of the objectives of the Energy Union, a flagship initiative of the Juncker Commission. Economically, it will cement Gazprom's dominant position in the eastern parts of the EU market, and give Gazprom a competitive advantage over newcomers, notably in the liquefied natural gas (LNG) market. Geopolitically, it could deprive Ukraine of its transit role, a strategic asset and an important source of financial resources. As such, NS2 is at odds with the EU's commitment to support the country following Russia's annexation of Crimea and continued support to separatist forces. To date, the European Commission (EC), a majority of MEPs in the European Parliament, and several EU member states have openly criticised this pipeline.<sup>566</sup>

While this consideration is not discussed openly in EU foreign policy documents or statements – as this is an issue of disagreement among Member States – experts thus agree that this has been an important factor affecting EU engagement with the Ukraine Crisis.<sup>566</sup>

behaviour in many regards is in disaccord with core European values, including core principles of international law.<sup>567</sup> In this regard it should be noted that energy security has been acknowledged as a core EU security concern in the Global Strategy.<sup>568</sup>

While this reality might have less direct impact on the EU's engagement with gender justice goals in Ukraine than the consternation about 'gender-ideology', it will likely affect its approach towards transitional justice in Ukraine and therefore the EU's support for mainstream gendered transitional justice goals. This influence is particularly likely to be detected in the framework of the Minsk Peace Process. While the EU is no part of these talks – not in the least because it is such a sensitive exercise – its two leading Member States, France and Germany, are. In view of the fact that stability is the overarching goal of these talks, and Russia in the end has more leverage in these talks than Ukraine due to its military might and geo-economic importance to Europe, this might shape the type of transitional justice measures France and Germany will insist on or allow to be neglected. This could subsequently impact the EU's stance on the fight against impunity in Ukraine.

#### ***4.4.5 Conclusion - Gender Justice in Ukraine: Gendered Harms, Avenues for Change, And Gender Politics***

In Ukraine, women's rights and transitional justice have occupied much less prominent spots in the discourse on national identity post-Maidan. Nevertheless, national and international women's rights actors have tried to use this window of transition to

Mitchell A Orenstein and Daniel R Kelemen, 'Trojan horses in EU foreign policy' (2017) 55(1) *JCMS: Journal of Common Market Studies* 87; Thijs van de Graaf T and Jeff D Colgan, 'Russian gas games or well-oiled conflict? Energy security and the 2014 Ukraine crisis' (2017) 24 *Energy Research & Social Science* 59; Marco Giuli, 'Nord Stream 2: Rule no more, but still divide' (2018) *European Policy Centre*. Available at: [https://www.epc.eu/documents/uploads/pub\\_8613\\_nordstream2.pdf?doc\\_id=2010](https://www.epc.eu/documents/uploads/pub_8613_nordstream2.pdf?doc_id=2010), accessed 8 August 2019; Marco Siddi, 'German foreign policy towards Russia in the aftermath of the Ukraine crisis: A new Ostpolitik?' (2016) 68(4) *Europe-Asia Studies* 665.

<sup>567</sup> Wolczuk 2016 (n563).

<sup>568</sup> European Union 2016 (n189).



advance important women's rights causes such as the ratification of the Istanbul Convention. The conflict in the Donbas has resulted in the occurrence of conflict-related SGBV inflicted by both those fighting on the Ukrainian as well as the separatists' sides. Ukraine's political elites have largely failed to advance forward-focused gender justice issues, or to pursue accountability for the conflict-related SGBV currently taking place in the Donbas. A range of factors including the fact that the war is still ongoing, and the existence of relatively powerful nationalist and religious actors who are hostile to certain women's rights advances are at the root of this neglect of women's rights issues. However, integration of women in security services has emerged as a cause that can count on relatively high levels of support by Ukraine's political elites. This means that while legislative reform to combat VAW has been a highly polarizing gender justice issue, forward-focused gender justice efforts nevertheless could count on most buy in from local political elites. As the EU also has high stakes in safeguarding strong relations with Ukraine, the assumption underlying this thesis is that if the EU focuses mostly on forward-focused gender justice efforts in Ukraine, this is an indication of the fact that local interests rather than EU policy commitments shape its engagement with women's rights in transition.

#### ***4.5 CONCLUSION***

This chapter worked towards objectives 1 and 2 of this research which are to provide insight in the EU's policy commitments in the realm of gender justice in transition and the local gender justice opportunity structures. Having a clear picture of both is necessary to enhance understanding of the factors that drive EU engagement with gender justice in transition.

This chapter found that the EU has adopted a transitional justice policy framework in which it commits itself to a relatively comprehensive approach towards

the promotion of gender justice in transition which contains mainstream past-focused and transformative past and future focused elements. Moreover, over the last couple of years the EU seems to have evolved gradually in the direction of a more comprehensive vision of support for gender justice in transition. Nevertheless, the commitment to support for efforts to pursue accountability for politically motivated SGBV still seems to be the strongest feature of the EU's gender justice in transition philosophy.

An in-depth analysis of the gender justice landscapes in Tunisia and Ukraine through the conceptual framework of this thesis shows that for each three categories of gender justice support avenues for engagement do exist. However, in both contexts some gender justice efforts have been sacrificed by local political elites in favour of broader 'nation-building' efforts. While this state of affairs has been discussed exhaustively in academic literature on the role of gender issues in the context of Tunisia's transition, these issues have received relatively little attention in the context of Ukraine.

Discussions of the EU's overarching foreign policy interests in and relationships with Tunisia and Ukraine indicate that safeguarding strong relations with both countries is a key EU foreign policy priority. This puts into doubt the EU's willingness to implement its comprehensive gender justice agenda in both countries. Therefore, this chapter argues that engagement with and/or abstention of support for certain gender justice initiatives in both countries can function as a strong indication of whether universal gender justice commitments or local gender justice opportunity structures determine the nature of EU engagement with gender justice in transition in third countries. Chapter 6 is going to answer this question based on a comparison between this chapter's insights and chapter 5's findings regarding the types of gender justice activities the EU has supported in practice in Tunisia and Ukraine.



## **5. FINDINGS I: The EU's support for gender justice in transition in Tunisia and Ukraine in practice**

### ***5.1 INTRODUCTION***

What is the exact nature and scope of the EU's engagement with the different gender justice activities identified in the previous chapter in Tunisia and Ukraine? Based on analysis of the range of EU documents and budgetary commitments identified in chapter 3, and interviews with actors who have insight in the EU's activities in Tunisia and Ukraine, this chapter provides an overview of EU engagement with 1) past-focused mainstream gendered transitional justice efforts, 2) past-focused transformative gender justice efforts, and 3) future-focused gender justice efforts. In doing so, it fulfils objective 3 of this thesis: To identify and categorize EU gender justice efforts in practice.

The analysis shows that while policy commitments have to some extent been translated into financial support for both mainstream and more transformative transitional justice efforts (5.2), the EU has largely failed to back up this financial support with the type of political support which seems required to advance these goals (5.3). This puts into question the extent to which the EU is committed to transitional justice at all. This chapter finds, instead, that the EU has prioritized forward-looking gender justice initiatives (5.4). Comparing these insights to feminist critiques of 'the patriarchy of internationalized transitional justice' this chapter argues that significant discrepancies exist between what the EU has been doing and what international actors are thought to be doing in the literature (section 5.5).

This chapter provides the raw material – the facts - for the analyses of the two following chapters which aim to 1) provide insight in the drivers behind EU engagement with gender justice in transition based on a comparison between this chapter's and the previous chapter's findings, and 2) suggest theoretical and methodological innovations that will put feminist transitional justice scholars in a better position to understand current day international engagement with gender justice in transition.

## ***5.2 FINANCIAL SUPPORT FOR EFFORTS TO DEAL WITH THE PAST IN TUNISIA AND ONGOING CONFLICT IN UKRAINE***

Following the money is an effective approach to enhance understanding of the types of issues the EU has prioritized in its engagement with gender justice in transition in Tunisia and Ukraine. Based on the documents and overview of projects discussed in chapter 3, this section provides insight in the nature of EU financial support for past-focused (gendered) transitional justice initiatives in order to identify whether the EU has prioritized support for mainstream (gendered) transitional justice efforts or also lived up to its commitment to engage more with past-focused transformative (gender) justice initiatives. This section finds that The EU's financial support for activities that qualify as transitional justice efforts in practice still prioritizes efforts that contribute to the pursuit of mainstream transitional justice goals. However, in Tunisia the EU has supported some projects constructed around a more transformative notion of dealing with the past, and in Ukraine EU implementing partners have ensured to not uniquely focus on a narrow set of civil and political rights violations. As such the EU's financial support for efforts to deal with the past – or the ongoing conflict in Ukraine – is a bit more diverse than one would expect based on the way in which international transitional justice actors have been depicted in feminist literature.

As discussed in chapter 3, this thesis relied on analysis of EU AAPs and projects funded under ENI/ENPI, EIDHR, IcSP and the Instrument for Development Cooperation to get a comprehensive picture of EU support for gender justice in transition in Tunisia and Ukraine. When it comes to EU engagement with past-focused gender justice efforts – of a mainstream and transformative nature – the analysis identified six projects in Tunisia and six projects in Ukraine that contributed to the pursuit of justice for past crimes. In Tunisia the majority of these commitments was funded under the EIDHR, whereas in Ukraine most of these commitments were funded under the IcSP. The projects this thesis identified as relevant in relation to effort to pursue justice for past crimes in the Tunisian context are:

*Table 5.1: EU budgetary commitments supporting efforts to deal with the past in Tunisia*

Year	Amount	Topic	Instrument	Implementer(s)
2011	8,423 €	Support for a workshop on transitional justice <sup>569</sup>	ENI/ENPI	Travel Academy SARL (Tunisian events agency)
2012 2014	206,489 € 31,697 €	Active peripheries: support to participation and freedom of expression for civil society and vulnerable groups in the Sidi Bouzid governorate <sup>570</sup>	EIDHR	GVC (Italian NGO)
2012	438,593 €	The struggle against torture and ill-treatment in Tunisia <sup>571</sup>	EIDHR	OMCT (Swiss NGO)
2014	700,000 €	Support to the transitional justice process in the processing of cases by the judicial authorities, with the creation of a mechanism for the protection of victims and witnesses <sup>572</sup>	ENI/ENPI (funded under PARJ II)	UNDP

<sup>569</sup> In French: Soutien de la Délégation au séminaire "Assises de la Justice transitionnelle en Tunisie" à la cité des Sciences de Tunis les 9-10/12/2011). A description of the event can be found at: Marsad Tunisie, Démarrage du congrès international sur « les assises de la justice transitionnelle en Tunisie » (2011). Description of the event available at:

<https://www.observatoire-securite.tn/fr/2011/12/09/demarrage-du-congres-international-sur-les-assises-de-la-justice-transitionnelle-en-tunisie/>, accessed 5 August 2019.

<sup>570</sup> In French: Périphéries actives: Appui à la participation et libre expression de la société civile et des groupes vulnérables du Gouvernorat de Sidi Bouzid)

<sup>571</sup> In French: La lutte contre la torture et les mauvais traitements en Tunisie

<sup>572</sup> In French: L'appui au processus de justice transitionnelle dans le traitement des dossiers par les autorités judiciaires, avec la création d'un mécanisme de protection des victimes et des témoins. This project did not appear on the list of projects in Appendix II, because it is funded under PARJ II. This commitment was not divided in smaller commitments in the FTS overview. However, the annex to the

The projects this thesis identified as relevant in the same category in the Ukrainian context are:

*Table 5.2: EU budgetary commitments supporting efforts to deal with the ongoing conflict in Ukraine*

Year	Amount	Topic	Instrument	Implementer
2014	140,583 € 119,417 €	Civic campaign against torture and ill-treatment in Ukraine	EIDHR	Kharkiv Human Rights Protection Group (Ukrainian NGO)
2015- 2015 2016 2017	2,000,000 € 7,000,000 € 6,000,000 € 5,000,000 € <sup>573</sup>	Support to OSCE Special Monitoring Mission in Ukraine	IcSP	OSCE
2015 2018	3,199,522 € 3,000,000 €	Support to the UN Human Rights Monitoring Mission in Ukraine <sup>574</sup>	IcSP	OHCHR
2017	1,000,000 €	Combatting Torture and Ill-Treatment in Georgia Armenia and Ukraine	EIDHR	International Medical Rehabilitation Center For Victims Of Wars And Totalitarian Regimes (IRC)
2017	1,120,000 €	Parliamentary Campaign for the Effectiveness and Universality of the Rome Statute (RS) of the International Criminal Court (ICC) System (PGA ICC Campaign)	EIDHR	Center for Civil Liberties Civic Organization (Ukrainian NGO)
2018	275,000 €	Fight Against Torture, Ill-Treatment and Impunity in Ukraine	EIDHR	Consortium of Ukrainian NGOs <sup>575</sup>

Two initial observations that can be made in relation to these overviews of projects are:

- 1) that the EU itself only considers few of them as direct support for transitional justice,
- and 2) none of them support efforts specifically focused at pursuing justice for

2014 AAP that describes the EU's commitments under PARJ II contains an extensive description of the project: Commission Européenne 2014 (n240).

<sup>573</sup> In 2019 the EU provided another 10,000,000 € under IcSP to the OSCE SMM.

<sup>574</sup> For more information about this project: European Commission, Annex Instrument contributing to Stability and Peace Exceptional Assistance Measure "Support to conflict-affected populations in Ukraine" (2015). See also: [https://icspmap.eu/pdf/?format=single&contract\\_number=379842](https://icspmap.eu/pdf/?format=single&contract_number=379842)

<sup>575</sup> Kharkiv Human Rights Protection Group, Kharkiv Institute for Social Researches, Odessa Regional Organization of All Ukrainian Non Governmental Organization Committee of Voters of Ukraine Civic Organisation, Territory of Success/Terytoriya Uspikhy.

gendered harms that have been inflicted on women during times of conflict and/or repression. A quick look at the projects the EU has supported under IcSP globally shows that in other countries the EU has supported projects which the EU categorizes as transitional justice,<sup>576</sup> and even projects which are purely focused on the integration of a gender dimension in transitional justice.<sup>577</sup>

Nevertheless, based on the previous chapter's analysis of the human rights violations that have dominated the discourse surrounding transitional/transformational justice in Tunisia and Ukraine, this thesis still identified six EU supported projects in each case study country as relevant to these efforts. Based on these twelve projects the following paragraphs analyse to what extent the EU's financial support for efforts to deal with the past provide the impression of an actor committed to support for a more transformative approach towards transitional justice in general, and gender justice in transition in particular. For this analysis it relies on descriptions of the projects and

<sup>576</sup> Examples include the projects: Ensuring Access to Justice for Witnesses/Victims through Strengthening Existing and Establishing New Witness Support Networks across BiH; Tahdir: Tutoring Syrian Talents to Tackle Transition; Prevention et réduction de la conflictualité à Diffa par le dialogue (Niger); Supporting the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic; Renewed EU Support to the Special Tribunal for Lebanon

See: European Commission, Instrument Contributing to Stability And Peace (IcSP) (2019). Available at: <https://icspmap.eu/pdf/?format=>, accessed 5 August 2019.

The EU will likely have supported other transitional justice initiatives globally through other instruments. It was outside the scope of this thesis to come up with a comprehensive overview of the EU's activities globally. The most recent overview of transitional justice projects the EU has supported around the world is included in Laura Davis' analysis of EU transitional justice support: Davis 2014 (n36): 81.

This overview demonstrates that the largest share of EU transitional justice funding has been allocated to support for the ICC and other tribunals.

<sup>577</sup> Examples include the projects: Empowering Women for Peace: Towards Implementation of the National Action Plan on UNSCR 1325 and 1820 (Nepal), and Gender-Sensitive Transitional Justice (Colombia, Kosovo, Philippines).

For a description of the latter, see: European Commission, Annex 2 of the Commission Implementing Decision on the 2014 Annual Action Programme for the Instrument contributing to Stability and Peace (ISP) Conflict prevention, peace-building and crisis preparedness component (Article 4) - Action Document for "Gender and Transitional Justice" (2014).



insights about these projects shared with the researcher during interviews with EU officials and representatives of organizations implementing these projects.

The research also looked into the EU's support for transitional justice through its justice and security sector reform programmes in Tunisia and Ukraine. However, based on interviews with EU officials working in these areas in Tunisia and Ukraine the researcher concluded that neither in Tunisia nor in Ukraine the EU has approached its support for broader justice and security sector reform efforts as an avenue to deal with the past through for instance supporting legislative or judicial reform efforts that could contribute to the more effective prosecution of conflict-related and/or politically motivated grave human rights violations.<sup>578</sup>

<sup>578</sup> This seemed a particularly relevant avenue for transitional justice support in Ukraine where the onus to pursue accountability for grave human rights violations taking place in the Donbas so far rests on the Ukrainian authorities. Chapter 4, however, highlighted that these authorities have largely deflected their responsibility to prosecute grave human rights violations by either referring cases to the ICC or generally ignoring these violations. Therefore, besides creating political support for the fight against impunity, improving the capacity of the Ukrainian justice system to prosecute these violations was considered vital by several interviewees. The EU has played a pivotal role in justice sector reform in Ukraine through both the financial support it provides through the Delegation, and the expertise it has shared with Ukrainian institutions via EUAM. However, during interviews with EU officials in Brussels and Kyiv, the picture arose that the fight against impunity has not figured as an explicit goal defining the work of both institutions. EUAM's work on prosecutorial reform is a potential avenue through which the EU can address impunity. However, an interviewee in Kyiv stipulated that none of the trainings for this institution has targeted the prosecution of war crimes specifically:

E: But with regard to the prosecution of human rights violations, some of the main violations of this kind are taking place in the context of the conflict. So EUAM's training for prosecutors doesn't touch upon that kind of work, or does it?

I: It does. This is a sensitive issue let me frame it in the most sensitive way. Let us say for instance, we are participating as lecturers in a human rights training for the prosecutors, the training was organized by the Council of Europe, and they invited trainers from the UN, and from our side, and from Ukrainian institutions, and it is hosted by the academy of prosecutors which is a completely civilian institution, and they are sending Ukrainian prosecutors there. Will some of those prosecutors later on be investigating and prosecuting crimes that are committed in the East of Ukraine? Certainly, but we don't have that perspective. We don't teach how to investigate war crimes specifically etc. There are other institutions which do that with specific training for instance. The EU does not target counterparts specifically that work on this kind of issues, and we don't participate in projects that encompass military interlocutors, and we don't like discuss issues related to Crimea or to the war in the East in Ukraine. Interview 3 Ukraine, Kyiv, 30 October 2019, Representative EUAM.

In relation to the opportunity of supporting the Ukrainian Prosecutor's Office with the prosecution of perpetrators of grave human rights violations during and just after Maidan, another EU official mentioned that the Ukrainian authorities had actually requested such support from EUAM, or more precisely that: 'the Ukrainian prosecutor's office is trying to drag the EU/EUAM into this effort'.<sup>578</sup> However, providing such support was deemed impossible as EUAM only provides advice at the strategic level, and does not engage with specific cases.

### ***5.2.1 EU financial support for efforts to deal with the past in Tunisia***

In Tunisia only two projects qualify as direct support to transitional justice, of which one was a very small grant of 8,423 EUR to support a conference on transitional justice in 2011. The other is a relatively big 700,000 EUR grant allocated to UNDP in 2014 under the PARJ II justice reform package (approximately 15 million EUR in total) to support the creation of Specialized Chambers in Tunisia.<sup>579</sup> As discussed in the previous chapter, the Specialized Chambers were created with the aim of adjudicating those cases of which the files have been transferred to it by the TDC based on the observation that grave human rights violations have been committed in the context of these incidents.<sup>580</sup> The other projects that were identified as relevant to transitional justice were one project that focuses on promoting the engagement of local CSOs in transitional justice advocacy in the marginalized town of Sidi Bouzid, and one project that focuses on combatting torture and ill treatment implemented by OMCT, a global network fighting against torture and other human rights violations. Together these projects totalled 1,626,040 EUR. Besides these projects the FTS search identified two projects implemented by the Belgian NGO ASF which focused on the promotion of socio-economic rights in Tunisia, which were not presented as transitional justice projects, but did focus on advancing (socio-economic) rights protection in Tunisia's marginalized regions (originally one of the central themes of Tunisia's transitional justice trajectory).<sup>581</sup>

<sup>579</sup> Commission Européenne 2014 (n240).

<sup>580</sup> République Tunisienne 2013 (n385): Article 8.

<sup>581</sup> In French: La défense des droits économiques et sociaux des groupes vulnérables des régions de Monastir et du Bassin Minier (Gafsa). Description of the project available at: <http://jamaity.org/project/droits-socio-economiques-des-groupes-vulnerables-de-monastir-et-de-gafsa/>, accessed 5 August 2019. GesRNA: Contribuer à rendre la société civile actrice de la gouvernance locale en matière de gestion des ressources naturelles et dans le respect des droits humains. Description of the project available at: <https://www.asf.be/fr/action/field-offices/archives/archives-asf-in-tunisia/>, accessed 2 April 2020.

While it is clear that EU support for the Specialized Chambers qualifies as transitional justice support, the other projects were only added to this list based on insights from interviews and resources and/or analysis of written sources about the project and consideration of the specific characteristics of Tunisia's transitional justice landscape/local gender justice opportunity structure. With regard to the OMCT project, the organization's 2012 annual report mentions that:

Finally, 2012 saw the European Commission agree to a two-year project, to be managed by the Tunis office, whose objective is to improve access by victims of torture and ill-treatment to justice and to encourage the creation of a system that provides effective prevention and protection against these scourges. The expected results are the improvement, on the one hand, of the access by victims to specialised assistance through the creation of a structure for their rehabilitation, in particular in the regions, and, on the other hand, improvement in the ability of local actors to document cases of torture and defend the victims at the national and international levels. It is also expected that this project will lead to legal and political reforms that will improve the prevention of torture and ill-treatment.<sup>582</sup>

The EU's 2014 annual report on EU-Tunisia relations confirms that its support for OMCT primarily served increasing access to justice for past and recent victims of torture and ill-treatment, alongside supporting the adoption of a law for the creation of a National Authority for the Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

The EU's support for three projects that focus on supporting civil society in Tunisia's marginalized regions were qualified as an attempt to support transitional justice in relation to Tunisia's marginalized regions. In this regard the GVC project

<sup>582</sup> OMCT, 2012 Annual Report, Available at: [https://www.omct.org/files/2013/09/22379/omct\\_annual\\_report\\_2012\\_\\_\\_english.pdf](https://www.omct.org/files/2013/09/22379/omct_annual_report_2012___english.pdf), accessed 13 April 2020.

‘Active peripheries: support to participation and freedom of expression for civil society and vulnerable groups in the Sidi Bouzid governorate’, stipulates on its website that:

The project aims at enhancing the role of Civil Society Organizations (CSOs) and activists in engaging in the process of transitional justice in Sidi Bouzid region, one of the most marginalized in the country. The project’s goal is to guarantee the access to information concerning transitional justice in the rural context in particular, in order to foster disadvantaged groups’ access to justice.<sup>583</sup>

Taken together the EU has spent 1,138,593 EUR on projects contributing to the pursuit of accountability for and/or prevention of future grave human rights violations in Tunisia (the UNDP and OMCT projects), and 238,186 EUR on projects contributing to more transformative justice goals.

A number of features of this short list are remarkable: 1) the fact that in 2012 the EU did support a transitional project focusing on the marginalized town of Sidi Bouzid, and also two other (non-transitional justice) projects addressing (socio-economic) rights violations in Tunisia’s peripheries, 2) the fact that the EU stopped allocating funding to transitional justice related projects in 2014 entirely, 3) the fact that the EU never provided any funding to the TDC or to projects implemented by IOs and/or NGOs to support the TDC despite that the TDC is central to Tunisia’s transitional justice efforts, and 4) the fact that the last and biggest trunk of EU funding to transitional justice in Tunisia has been provided to an effort aimed at supporting the construction of a judicial accountability mechanism aimed at dealing with grave human rights violations committed under the Ben Ali regime implemented by UNDP.

Taken together this provides the impression that in Tunisia just after the Arab Spring the EU started out as willing to support a more transformative vision of

<sup>583</sup> GVC, OPERA. Civil society mobilization and awareness about transitional justice. Available at: [http://www.gvc-italia.org/opera\\_civil\\_society\\_mobilization\\_and\\_awareness\\_about\\_transitional\\_justice.html](http://www.gvc-italia.org/opera_civil_society_mobilization_and_awareness_about_transitional_justice.html), accessed 13 April 2020.

transitional justice, supporting NGO projects that aimed to pursue accountability for the structural marginalization of Tunisia's hinterlands. However, the logical follow-up to these projects, which would have been support for the TDC, being the official transitional justice mechanism most suited to address this broader range of violations, did not crystalize. Instead the EU's only support for official transitional justice mechanisms in Tunisia consisted of support for the creation of the Specialized Chambers through UNDP. This raises three important questions that will be examined in more depth in the next chapter: 1) why did the EU stop providing support to transitional justice related projects in 2014, 2) why has the EU never provided any tangible support to the TDC, and 3) why has the EU channelled its largest trunk of funding through UNDP?

None of these projects had as its direct objective to advance justice for female victims of past crimes. In order to get insight into the extent to which these projects did incorporate a gender perspective the researcher spoke to representatives of the EU Delegation in Tunis familiar with these efforts and to representatives of some of the implementing organizations of these projects. Based on these interviews the researcher learned that The UNDP project in Tunisia incorporates a small component on witness protection and protection of vulnerable victims including women, girls and minors.<sup>584</sup> However, according to interviewees this component did not materialize as a result of insistence on the integration of a gender dimension on the EU's behalf. In this regard it is worthy to notice that the EU's own documents pertaining to the UNDP project on the Specialized Chambers in Tunisia, for instance, do not mention the need for UNDP to integrate a gender dimension in its activities.<sup>585</sup> Representatives of two other

<sup>584</sup> This is not mentioned in the EU description of the project, but was conferred to the researcher by the EU official responsible for transitional justice programming in the EU Delegation in Tunisia. Interview 24 Tunisia, Tunis, 12 September 2017, Representative EU Delegation.

<sup>585</sup> Ibid; Commission Européenne 2014 (n240).

organizations implementing the projects mentioned above indicated that these projects had not specifically addressed harms experienced by women under the dictatorial regime.<sup>586</sup>

Moreover, as discussed in the previous chapter, the Specialized Chambers have contributed relatively little to the pursuit of justice for female victims of the dictatorship, as female victims have been reluctant to openly discuss the grave human rights violations – instances of SGBV in particular – inflicted on them during the era of oppression. Chapter 4, however, did highlight the important role the TDC has played in highlighting the broad range of gendered harms experienced by Tunisian women in the past. The lack of EU support for this body therefore signifies a rather significant gap in the EU's engagement with past-focused gender justice initiatives in Tunisia. The fact that the overview of EU transitional justice projects in Tunisia shows that the EU has neither supported grassroots initiatives by Tunisian women's NGOs (be it of a feminist or more conservative nature) or female victims' groups only strengthens this assessment.

### ***5.2.2 EU financial support for efforts to deal with the ongoing conflict in Ukraine***

In Ukraine EU support for projects contributing to the (eventual) pursuit of justice for crimes committed in the context of the Donbas war amounts to 28,854,522 EUR allocated to various IOs and NGOs between 2014 and 2018.<sup>587</sup> The largest share of this funding has been provided to the OHCHR HRMMU,<sup>588</sup> and to the OSCE SMM in the

<sup>586</sup> Interview 31 Tunisia, Tunis, 5 October 2017, Representative international human rights NGO; Interview 32 Tunisia, Tunis, 6 October 2017, Representative international human rights NGO. For reasons of confidentiality the researcher cannot specify which are these two NGOs exactly.

<sup>587</sup> In 2019 the EU provided another 10,000,000 € under IcSP to the OSCE SMM. However, 2019 funding has not been taken into account as the FTS information for Tunisia and Ukraine was not complete.

<sup>588</sup> For more information about the EU's support for the HRMMU, see: European Commission, Instrument Contributing to Stability and Peace – EU support to the UN Human Rights Monitoring Mission in Ukraine (2016-2018) Available at: [https://icspmap.eu/pdf/?format=single&contract\\_number=379842](https://icspmap.eu/pdf/?format=single&contract_number=379842), accessed 24 August 2018.

Donbas.<sup>589</sup> However, the EU has also supported Ukrainian and iNGOs fighting against torture and ill-treatment, and the Parliamentary Campaign for the Effectiveness and Universality of the Rome Statute (RS) of the International Criminal Court (ICC) System.<sup>590</sup> In Ukraine the EU has not supported any projects of which the core focus is the advancement of transformative justice goals for victims of the conflict in Donbas. However, as the analysis of aforementioned activities will show, some of the human rights monitoring work does contribute to documenting (gendered) harms that go beyond the scope of the mainstream gendered transitional justice agenda.

Systematic documentation of human rights violations taking place in the context of violent conflict has been found to be essential to successful efforts to pursue accountability for these efforts in the wake of conflict or repression.<sup>591</sup> The EU's support for the HRMMU and SMM therefore can be understood as relevant to transitional justice. In this regard the HRMMU's own description of its role in Ukraine explicitly alludes to the goal of combating impunity, stating that it 'monitors, reports publicly and advocates on the human rights situation in Ukraine with the aim of fostering access to justice and bringing perpetrators to account'.<sup>592</sup> The EU justified its first support package to the HRMMU stating that: 'given the rise of serious human rights violations, especially in areas held by the separatists' it is necessary to 'monitor human rights abuses with the aim of building up a well- documented caseload which

This is the second time the EU provides funding to the UN HRMMU.

<sup>589</sup> European Commission, Instrument Contributing to Stability and Peace - Further support in the area of satellite imagery to the OSCE Special Monitoring Mission in Ukraine (2018-2020). Available at: [https://icspmap.eu/pdf/?format=single&contract\\_number=398620](https://icspmap.eu/pdf/?format=single&contract_number=398620), accessed 24 August 2018.

<sup>590</sup> A recent activity that has been conducted in the framework of this project is a roundtable at the Ukrainian Parliament on ensuring harmonization of Ukrainian criminal legislation with provisions of international law. See: <https://www.pgaction.org/news/ukrainian-roundtable-ensuring-harmonization-criminal-legislation.html>, accessed 5 August 2019.

<sup>591</sup> Gerald Steinberg, Anne Herzberg and Jordan Berman, *Best Practices for Human Rights and Humanitarian NGO Fact-Finding* (Brill Nijhoff 2012).

<sup>592</sup> For more information, see United Nations in Ukraine. Available at: <http://www.un.org.ua/en/resident-coordinator-system/human-rights>, accessed 1 December 2018.

will then assist in the restoration of justice for affected individuals and communities'.<sup>593</sup> Furthermore, one of the core objectives of the project is that 'government and civil society have a better understanding of accountability mechanisms and the conduct of effective investigations of most egregious human rights violations (such as torture).<sup>594</sup> There thus exists a clear link between the EU's support for the HRMMU in Ukraine and the advancement of transitional justice goals.

The OSCE SMM was deployed in Ukraine in 2014 after a request by Ukraine's government and a consensus decision by all 57 OSCE participating States, including Russia. It is 'an unarmed, civilian mission, of which the 'main tasks are to observe and report in an impartial and objective way on the situation in Ukraine; and to facilitate dialogue among all parties to the crisis'.<sup>595</sup> As such the direct link with traditional transitional justice goals seems less clear. However, in its description of its support for the SMM the EU identifies the documentation of human rights violations as a core activity, stating that one of the expected objectives is:

Enhanced and more accurate reporting on the ceasefire violations, including on the protection of civil critical infrastructures along the line of contact; the movement of military equipment and troops, and the withdrawal of weapons; comprehensive documentation of human rights violations, including with regard to sexual and gender-based violence, domestic violence, prostitution and trafficking in human beings.<sup>596</sup>

This shows that not only is the EU's support to the OSCE SMM expected to contribute to mainstream transitional justice goals, but also gendered transitional goals.

The projects focused on combating torture also contribute to transitional justice goals in view of various reports on the occurrence of this practice in the context of the

<sup>593</sup> European Commission, Annex Instrument contributing to Stability and Peace Exceptional Assistance Measure "Support to conflict-affected populations in Ukraine" (2015): 1.

<sup>594</sup> Ibid: 6.

<sup>595</sup> For more information see: OSCE Special Monitoring Mission to Ukraine. Available at: <https://www.osce.org/special-monitoring-mission-to-ukraine>, accessed 1 December 2018.

<sup>596</sup> European Commission, Annex Instrument contributing to Stability and Peace Interim Responses Programme on Ukraine – Further support to the OSCE Special Monitoring Mission in Ukraine (2017): 6.



Donbas conflict. Obviously, the support for the Parliamentary Campaign for the Effectiveness and Universality of the Rome Statute (RS) of the International Criminal Court (ICC) System is a core example of EU support for the fight against impunity in Ukraine. Activities conducted within the scope of this project include advocacy for reform of Ukraine's criminal code in order to bring it in line with international law. As discussed in chapter 4, Ukrainian human rights NGOs have found that Ukraine's current legislative framework is not in accordance with the core norms of international humanitarian law.<sup>597</sup> Here, it should be remarked that the EU has also indirectly contributed to the pursuit of accountability in Ukraine through its direct support for the ICC,<sup>598</sup> where human rights violations having occurred during Maidan and the conflict in Donbas are currently under investigation.

Taken together these projects provide the impression that – at least at the financial level – the EU has been a strong backer of traditional transitional justice goals in Ukraine. The overview, however, raises questions about the EU's commitment to the promotion of more transformative justice goals and efforts aimed at addressing gendered harms that are taking place in the context of the Donbas conflict. While the EU has not specifically supported efforts to address a broader range of human rights

<sup>597</sup> Two representatives of Ukrainian human rights organization interviewed in the context of this research mentioned the revision of Ukraine's criminal code as their priorities. They have also advocated for the EU to push Ukraine to integrate humanitarian law provisions in its criminal code. See: Recommendations from participants of the EU Ukraine civil society seminar On human rights 21.03.2017, Brussels: 3. Available at: [http://ccl.org.ua/wp-content/uploads/2017/04/Recommendation\\_EU\\_Ukraine\\_CivilSocietySeminaronHumanRights\\_en-1.pdf](http://ccl.org.ua/wp-content/uploads/2017/04/Recommendation_EU_Ukraine_CivilSocietySeminaronHumanRights_en-1.pdf), accessed 5 August 2019. Both this document, as well as a draft of proposed revisions of the Ukrainian Criminal Code [in Ukrainian] were provided to the author by said representatives.

<sup>598</sup> In this regard a report commissioned by the European Parliament Research Service has found that 'The EU is a staunch supporter of the Rome Statute and the ICC, and its Member States taken together are the biggest contributor to the Court's budget. [...] The EU has provided funding for various actions relating to the Court, for example through the European Instrument for Democracy and Human Rights, which has supported measures such as building legal expertise and fostering cooperation of ICC states parties'.

Ionel Zamfir, International Criminal Court: Achievements and challenges 20 years after the adoption of the Rome Statute (2018) European Parliament Research Service. Available at: [http://www.europarl.europa.eu/RegData/etudes/BRIE/2018/625127/EPRS\\_BRI\(2018\)625127\\_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/BRIE/2018/625127/EPRS_BRI(2018)625127_EN.pdf), accessed 5 August 2019.

violations inflicted as a result of the conflict, it should be noted that its two main implementing partners, the HRMMU and OSCE SMM, have been reporting on a broader range of harms than the traditional civil and political rights violations associated with transitional justice efforts. For instance, the OHCHR has continuously reported on socio-economic rights violations inflicted on IDPs and individuals living in the conflict zone.

When it comes to EU support for efforts to pursue justice for gendered harms inflicted in the context of the conflict in Donbas the HRMMU and OSCE SMM have also ensured the integration of a gender dimension in their activities. The publication of the in the previous chapter repeatedly cited OHCHR report on conflict-related SGBV in Ukraine is the clearest example of these efforts. While this report focuses on the type of gendered harms that have dominated mainstream transitional justice practice, the OSCE SMM has published a report on the gendered dimension of the conflict in Donbas which zooms in on the occurrence of domestic violence, survival sex and socio-economic deprivation in line with the above-cited objective which the EU has formulated in relation to its support for the OSCE SMM.<sup>599</sup> Nevertheless, during the interviews in Ukraine both EU officials as well as representatives of these implementing partners indicated that these partners had been the driving forces behind the inclusion of gender specific considerations. For instance, while the OHCHR's report on SGBV has benefited from EU funding, interviewees in Kyiv specified that this report had not crystalized as a result of a specific EU demand.<sup>600</sup> The HRMMU took the initiative to conduct research on the occurrence of conflict-related SGBV after it noted in the field

<sup>599</sup> OSCE 2018 (n531): 14.

<sup>600</sup> Interview 1 Ukraine, Kyiv, 27 October 2017, Representative UN Agency.

that stories about SGBV increasingly popped up in local media reports, without the EU having had a role in identifying priority areas of concern.<sup>601</sup>

In Ukraine the EU has supported two projects focused on integration of women in conflict-prevention, peacebuilding and post-conflict reconstruction efforts. These, however, do not directly focus on the pursuit of accountability for gendered harms that have taken place in the context of the conflict. Based on the notion that women's participation is important in putting gender justice issues on the agenda in transitional justice trajectories these projects could contribute to these goals.<sup>602</sup>

Overall the EU's financial support for transitional justice related efforts in Ukraine seems robust with a prioritization of support for traditional transitional justice efforts over efforts that could advance a more transformative transitional justice agenda. However, some implementers have integrated a more transformative dimension in their activities focusing on a broader set of harms than those that have traditionally dominated transitional justice efforts. Similarly, while the EU has not supported any projects focusing on the pursuit of justice for gendered harms in particular, a gendered dimension has been integrated in some of the more generic projects the EU supports,

<sup>601</sup> These publications in local media contained explosive accusations about the behaviour of combatants on both sides, but had not been subjected to any type of verification. As both the gravity of the reported incidents was reason for extreme concern, as well as the way in which these (unsubstantiated) accusations were used to further dehumanize the enemy, the HRMMU decided to devote extra attention to the issue. Interview 1 Ukraine (n600).

<sup>602</sup> It Concerns the Projects 'Women as Agents of Change, Peacebuilding and conflict prevention at the grassroots level in Ukraine' (2017), which the EU funded with 561,065 EUR. For more information see: [https://eeas.europa.eu/delegations/ukraine/63644/women-agents-change-peace-building-and-conflict-prevention-grassroots-level-ukraine\\_en](https://eeas.europa.eu/delegations/ukraine/63644/women-agents-change-peace-building-and-conflict-prevention-grassroots-level-ukraine_en), accessed 8 August 2019.

The EU has also funded a bigger UNDP/UN Women project called 'Restoration of Local Governance and Reconciliation in Crisis-Affected Areas of Ukraine' (2016). The EU has funded this project with 10 million EUR. 3 million EUR out of this amount is allocated to ensuring women's participation in local governance. The project is funded under the IcSP.

For more information, see: <http://www.ua.undp.org/content/ukraine/en/home/projects/restoration-and-reconciliation-eu.html>, accessed 8 August 2019.

with some of these projects having looked in a broader set of gendered harms than conflict-related SGBV.

### ***5.2.3 Conclusion***

These findings about the nature of EU engagement with past-focused (gender) justice efforts in Tunisia and Ukraine both confirm and put into question dominant insights from feminist scholarship on ‘the patriarchy of internationalized transitional justice’ as discussed in chapter 2. The type of financial support the EU has provided in Tunisia until 2014 provides the impression of a certain level of acknowledgement on the EU’s behalf of the socio-economic rights violations that are central to Tunisia’s transition. However, at the same time the complete lack of support for the TDC – lauded for its transformative approach towards gender justice – puts into question to what extent the EU recognizes the distinct nature of women’s experience of repression. In addition, the complete absence of EU budgetary commitments to support for transitional justice in Tunisia after 2014 – while official efforts are continuing until today – raises questions about the EU’s overall commitment to transitional justice in Tunisia.

The nature of EU engagement with transitional justice in Ukraine is more reminiscent of the mainstream approach towards transitional justice that international actors have been found to prioritize. However, also here the EU has failed to support efforts that specifically focus on attempts to pursue accountability for conflict-related SGBV. In the literature it has been suggested that with the securitization of conflict-related SGBV and wartime rape, international support for initiatives aimed at pursuing accountability for this type of crimes has eclipsed other activities in the field of women’s rights, and even other transitional justice activities that do not focus on gender.

However, neither in Tunisia nor in Ukraine the EU has supported activities exclusively/predominantly focused on pursuing accountability for politically motivated

or conflict-related instances of SGBV. The nature of the EU's activities – or more adequately, lack of activities – in the realm of fighting against impunity for politically motivated SGBV, underlines the importance of not losing sight of the fact that even the implementation of the most basic type of 'add and stir' mainstreaming can still not be taken as a given when it comes to international engagement with women's rights in societies in transition.

### ***5.3 POLITICAL SUPPORT FOR EFFORTS TO DEAL WITH THE PAST IN TUNISIA AND THE ONGOING CONFLICT IN UKRAINE***

Besides providing financial support, the EU can use diplomacy and other political tools such as sanctions and conditionality to support efforts erected to deal with the past or human rights violations occurring in the context of ongoing conflict. The question to what extent diplomacy and economic pressure (sanctions and conditionality) can contribute to the pursuit of gendered transitional justice goals in third states has remained under-addressed feminist literature on 'the patriarchy of internationalized transitional justice',<sup>603</sup> even though scholars have found that without this type of external pressure mechanisms are unlikely to be set up.<sup>604</sup> In this regard Bell argued that in the context of from war-to-peace transitions:

<sup>603</sup> Examples of such studies from mainstream transitional justice literature include: Kerr 2004 (n32); Peskin 2008 (n32); Subotić 2009 (n32); Spoerri 2011 (n32).

<sup>604</sup> Jack Snyder and Leslie Vinjamuri, 'Trials and errors: Principle and pragmatism in strategies of international justice' (2004) 28(3) *International Security* 5.

This section does not argue that transitional justice would succeed in Tunisia and Ukraine if the EU would put more pressure on the authorities in Tunisia and Ukraine. Subotić has for instance demonstrated that despite the exercise of significant international pressure on governments the Balkans, transitional justice did not yield the expected (or desired) results.<sup>604</sup> Defending the use of conditionality as a tool to enforce transitional justice of course raises significant concerns from a post-colonial perspective. As Call has demonstrated both individuals from wealthy states, as well as individuals from core allies of wealthy states enjoy significantly more impunity from international criminal justice.

Charles T Call, 'Is transitional justice really just' (2004) 11 *Brown Journal of World Affairs* 101.

However, while cognisant of the risk of imposition Lekha Sriram has found that:

The degree and nature of internationalization of the conflict also influences the feasibility and shape of transitional justice mechanisms. It influences the types of carrots and sticks external actors may use to ensure parties accept transitional justice institutions in cases where the meta-bargain presents mutual amnesty as an attractive proposition for both sides. International mediators may get otherwise recalcitrant parties to accept certain terms to gain international approval and financial and political support.<sup>605</sup>

Civil society activists and representatives of IOs interviewed in the context of this research agreed that the financial and technical support the EU is providing or could provide to transitional justice is only of secondary importance.<sup>606</sup> In fact, many explicitly stated that the real potential for the EU to contribute to transitional justice in Tunisia and Ukraine resides in the effective use of its political/economic leverage in both countries.<sup>607</sup>

The objection that transitional justice mechanisms are externally imposed or culturally inappropriate should not, however, be overstated. In many instances, governments themselves request such mechanisms—support for domestic trials, or international or hybrid courts. Further, domestic NGOs often actively push for accountability, suggesting that people are not simply being told by Amnesty International that they should have trials. It may be the case, nonetheless, that the limited repertoires offered by international advisers dealing with transitional justice effectively narrow the range of options for countries engaging in it.

In this regard it is important to note that representatives of local NGOs in both Tunisia and Ukraine emphasized the importance of transitional justice to succeed and the role the EU could play in making the authorities live up to their human rights commitments.

Chandra Lekha Sriram, 'Justice as peace? Liberal peacebuilding and strategies of transitional justice' (2007) 21(4) *Global society* 579: 591.

<sup>605</sup> Christine Bell, 'Contending with the past: transitional justice and political settlement processes' (2017) *Justice Mosaics: How Context Shapes Transitional Justice in Fractured Societies* 92: 97.

<sup>606</sup> In relation to Ukraine one interviewee remarked: 'Conditions should be imposed especially on important issues related to accountability, related to corruption, because these are very important things which affect mind sets of people who run the country, but which also affect millions of citizens in the country. So yes, the Ukrainian government needs support, a lot of support, but this support should not be unconditional. The EU has a lot of leverage over Ukraine, because it supports the Ukrainian government not only politically, but also economically. The EU puts a lot of money in reforming the Ukrainian state, and into saving it from bankruptcy, and to put it back on its feet again, but what is important is, that this support does not go unconditionally. There should be conditions, and not conditions which are only put on paper; when the conditions are not met the EU has to respond, adequately'. Interview 9 Brussels, 12 June 2017, Representative international NGO working on human rights in the Eastern Neighbourhood. See also: Interview 31 Tunisia (n586).

<sup>607</sup> The EU seems to share this opinion: 'EU is Ukraine's strongest supporter, says Mogherini in Kiev'. Available at: [https://ec.europa.eu/delegations/ukraine/41258/eu-ukraines-strongest-supporter-says-mogherini-Kiev\\_en](https://ec.europa.eu/delegations/ukraine/41258/eu-ukraines-strongest-supporter-says-mogherini-Kiev_en), accessed 2 December 2018.

This section therefore examines how the EU has used these tools to support mainstream, but also more transformative (gendered) transitional justice efforts in Tunisia and Ukraine. Getting a comprehensive picture of EU diplomacy in this field is near impossible, as so much of these activities take place behind closed doors. However, it is possible to examine to what extent the EU has used ‘naming and shaming’ to support human rights goals through analysis of publicly available annual human rights reports and public statements by high-ranking EU officials.<sup>608</sup> In addition, overviews of EU sanctions, and statements relating to the dispersal of additional budgetary support to Tunisia and Ukraine (positive conditionality) provide insight in the extent to which the EU has used its economic leverage to support transitional justice efforts. Complemented with insights from interviews, this section argues that in the EU’s case, its failure to back up its financial support for transitional justice with thorough political backing puts into question its commitment to both mainstream and transformative (gendered) transitional justice goals.

<sup>608</sup> It is outside the realm of this thesis to judge whether ‘naming and shaming’ is a desirable or effective tactic. It considers the EU’s use of this tactic as a signal of its commitment to supporting certain human rights issues. It, however, is aware of the controversy that exists around the use of naming and shaming as a way to pressure states into human rights compliance. Emilie M Hafner-Burton, ‘Sticks and stones: Naming and shaming the human rights enforcement problem’ (2008) 62(4) *International Organization* 689; Gina Heathcote, ‘Naming and shaming: Human rights accountability in security council resolution 1960 (2010) on women, peace and security’ (2012) 4(1) *Journal of Human Rights Practice* 82.

Literature on the EU’s use of ‘naming and shaming’ to address human rights violations abroad is very limited. It does, however, happen. Kinzelbach and Lehmann for instance identified 17 shaming events in six countries in the EU’s 2014 annual human rights report.

Katrin Kinzelbach and Julian Lehmann, *Can Shaming Promote Human Rights? Publicity in Human Rights Foreign Policy: A Review and Discussion Paper* (2015) European Liberal Forum: 26-28. Available at: [https://www.gppi.net/media/Kinzelbach\\_Lehmann\\_2015\\_Can\\_Shaming\\_Promote\\_Human\\_Rights.pdf](https://www.gppi.net/media/Kinzelbach_Lehmann_2015_Can_Shaming_Promote_Human_Rights.pdf), accessed 5 August 2019.

### *5.3.1 EU use of political/economic leverage to support efforts to deal with the past in Tunisia*

In Tunisia this thesis looked into the EU's use of political tools to support transitional justice efforts in relation to three issues: The Economic – later Administrative - Reconciliation Bill, the overall resistance against the TDC, and the attacks on the specialized chambers, all discussed in more depth in the previous chapter. These issues provided the EU with the opportunity to use its political tools to support a more transformative vision of (gendered) transitional justice in Tunisia, whereas a political response against the attacks on the Specialized Chambers would signal EU support for traditional transitional justice goals.

Based on analysis of seven Tunisia chapters of the annual human rights reports published by the EU since 2011 (Appendix III),<sup>609</sup> it appears that neither the Economic Reconciliation Bill nor the authorities' obstructionism in relation to the TDC or Specialized Chambers have figured prominently on the EU's human rights radar. In the 2015 report the EU did mention the creation of the TDC,<sup>610</sup> and in 2016 it alludes to the obstacles the TDC is facing, but neither specifies what these obstacles are – i.e. does the EU think they internal or external, or both? – nor calls upon the Tunisian authorities to facilitate the Commissioners' work.<sup>611</sup> In the 2018 report the EU does not mention the failure of the Tunisian Parliament to prolong the TDC's mandate, something that has been heavily criticized by Tunisian CSOs.<sup>612</sup> Neither does it refer to the publication of the report in the end of 2018.

<sup>609</sup> The 2012 country reports were not available online.

<sup>610</sup> Council of the European Union 2015 (n252).

<sup>611</sup> Council of the European Union 2016 (n252).

<sup>612</sup> Rihab Boukhatia, 25 ONG adressent une lettre ouverte à Youssef Chahed à propos de la justice transitionnelle (29 April 2018) HuffPost Maghreb. Available at: [https://www.huffpostmaghreb.com/entry/25-ong-adressent-une-lettre-ouverte-a-youssef-chahed-a-propos-de-la-justice-transitionnelle\\_mg\\_5ae45ba8e4b055fd7fcc1e2a](https://www.huffpostmaghreb.com/entry/25-ong-adressent-une-lettre-ouverte-a-youssef-chahed-a-propos-de-la-justice-transitionnelle_mg_5ae45ba8e4b055fd7fcc1e2a), accessed 5 August 2019.



In 2017 the EU lauds Tunisia for the reforms it has made in the realm of combatting corruption, and then mentions the adoption of the Administrative Reconciliation Law almost as an afterthought:

Significant progress in fighting corruption has taken place, namely with the adoption in February 2017 of the law to protect whistle blowers and the operation 'clean hands' launched in May 2017 by the Government. However, the adoption of the law on administrative reconciliation in October 2017 is considered by many in contradiction with these developments.<sup>613</sup>

The EU does not indicate whether it belongs to the category of actors that consider this law in contradiction with Tunisia's anti-corruption efforts. Moreover, it is remarkable that the EU did not mention the Economic Reconciliation Bill in the 2016 report when it was first put on the table and heavily contested through the popular Manich Msamah movement.<sup>614</sup>

Has the EU been more vocal about the attacks launched at the Specialized Chambers by the Union of Tunisian police forces and the generic unwillingness of the Ministry of Interior to summon the accused to court legitimizing suspects in their choice to not attend trials?<sup>615</sup> The reports indicate this is not the case, as the EU expressed satisfaction over the fact that the Specialized Chambers had become functioning, stating that it:

welcomed [...] the launching of the process for the operationalisation of the Specialized Chambers in the courts of first instance, opening the possibility of judging cases of serious and systemic violations of human rights under the law on transitional justice.<sup>616</sup>

<sup>613</sup> Council of the European Union 2017 (n252): 46.

<sup>614</sup> Ihsan Mejdî, "Manich Msamah": resistance in times of consensus (3 August 2017). Available at: <https://nawaat.org/portail/2017/08/03/manich-msamah-resistance-in-times-of-consensus/>, accessed 5 August 2019.

<sup>615</sup> Communiqué de Presse - Justice transitionnelle : Inquiétudes des organisations de la société civile suite aux récentes attaques à l'encontre du processus de justice transitionnelle (November 2018). Available at: <https://www.icj.org/wp-content/uploads/2018/11/Tunisia-Justice-transitionnelle-News-Press-releases-2018-FRE.pdf>, accessed 5 August 2019.

<sup>616</sup> Council of the European Union 2018 (n252).

As such the EU has not used its annual human rights reports to draw attention to the flaws in Tunisia's transitional justice process.

Public statements by high-ranking EU officials (The President of the Commission, the High Representative and the EU Ambassador to Tunisia) were identified as another avenue through which the EU could publicly support Tunisia's transitional justice process. NGO interviewees for this research indicated that while human rights reports are a useful point of reference for the EU and the partner countries, and can also be used by NGOs in their advocacy directed at local governments or at the EU itself, they do not reach broad audiences. Public statements by high-ranking EU officials at carefully selected occasions were considered more impactful. However, the researcher did not identify any EU public statements in response to important developments in Tunisia's transitional justice process and analysis of statements published in the wake of high-level meetings between EU officials and Tunisian authorities – published between 2011 and 2018 - did not make any reference to transitional justice.<sup>617</sup> As the section on the EU's political support for forward-looking gender justice measures in Tunisia will show, the EU Ambassador in particular, has used this avenue in Tunisia to express his support for progressive – forward-looking - gender justice outcomes.

In addition, interviewees for this research remarked that even if it might be understandable that the EU is hesitant to publicly defend the TDC itself, it could have provided funding to civil society advocacy efforts in this realm. In this regard one interviewee remarked in relation to international actors' support for transitional justice in Tunisia in general – i.e. beyond the EU:

And I mean we saw so many trainings, so many international experts, and they cost so much money. I know that the task is really hard, but at some point when you see how the situation is

<sup>617</sup> See for the list of statements Appendix IV.

evolving, you need to readjust your strategy, you need to readjust how to use your money, and if training is not working... I think now it is not a lot of training we should be doing. Trainings are nice, like study visits are cool, but now you need to play a political game to help the TDC to convince the authorities to collaborate with the Specialized Chambers, to implement the reparations programme, for this type of efforts. And it is not a question of money, it is a question of helping them do their own advocacy work, and I guess... I don't know, I don't see what is happening inside, but sometimes I saw just training and workshops all the time, and it felt like they were spending money on the TDC, but was it exactly what the TDC needed at that time? I am not sure.<sup>618</sup>

However, based on the overview of EU supported transitional justice projects above, it seems safe to conclude that the EU has not provided any such support to the TDC.

In view of the EU's relative silence on the transitional justice process in Tunisia, it might not come as a surprise that the EU has not attached any financial incentives to support for transitional justice in Tunisia.<sup>619</sup> In this regard it should be remarked that despite the obstacles Tunisia has faced in the realm of transitional justice, it has remained the core beneficiary in the Southern Neighbourhood of the EU's 'more for more' incentive mechanism, which makes the provision of additional funding conditional upon human rights compliance and reforms. In this regard the European Commission website states:

The country is also eligible for the "more for more" incentive mechanism, the so called "Umbrella" funds, a mechanism which rewards progress made in terms of reforms. In 2014, Tunisia was the first recipient of Umbrella funds with an amount of €50 million, then followed by an allocation of €71.8 million in 2015, €90.5 million in 2016 and € 95 million in 2017.<sup>620</sup>

<sup>618</sup> Interview 31 Tunisia (n586).

<sup>619</sup> The researcher could not find any documents indicating this was the case, and EU Delegation interviewees indeed confirmed the EU had not attached any financial incentives to support for Tunisia's transitional justice process. The EU has made support conditional upon other reforms such as reforms aimed at combating terrorism in Tunisia: Frederica Zardo and Francesco Cavatorta, 'Friends will be friends? External-domestic interactions in EU-Tunisia and EU-Morocco security cooperation after the uprisings' (2018) *International Politics* 1.

<sup>620</sup> European Commission, Tunisia, Available at: [https://ec.europa.eu/neighbourhood-enlargement/neighbourhood/countries/tunisia\\_pt](https://ec.europa.eu/neighbourhood-enlargement/neighbourhood/countries/tunisia_pt), accessed 5 August 2019.

This lack of political support for transitional justice in Tunisia in the face of consistent attacks by Tunisian authorities since 2015, combined with the previous section's observation that 2014 was the last year in which the EU made a financial commitment to support for transitional justice in Tunisia puts into question the EU's commitment to transitional justice when EU support seemed most urgent. Chapter 6 will discuss in more depth what this signifies about the factors driving EU support for (gendered) transitional justice.

### ***5.3.2 EU use of political/economic leverage to support efforts to deal with the ongoing conflict in Ukraine***

This section focuses on the EU's use of political tools to support efforts to combat impunity for grave crimes taking place in Donbas both at the hands of Russia-backed separatists as well as those fighting on the Ukrainian side. It also looked into the issue of unpaid pensions to citizens living in the Donbas as an issue which could be the subject of more transformative (gender) justice efforts. As was the case for Tunisia it looks into human rights reports and public statements. It also looks into the sanctions the EU has issued in response to the Ukraine Crisis and the EU's use of financial incentives to support reforms in Ukraine.

The need to pursue accountability for grave human rights violations is mentioned consistently in the EU's annual human rights reports on Ukraine since 2014.<sup>621</sup> More specifically, the EU has repeatedly stipulated the requirement that the Ukrainian authorities pursue accountability for the serious crimes that have taken place in the context of the Maidan Revolution, the annexation of Crimea, and the war in the

<sup>621</sup> For instance, in relation to Ukraine: Council of the European Union 2016 (n252): 35; and to Tunisia: Council of the European Union 2018 (n252): 45.

Donbas.<sup>622</sup> This is for instance reflected in this 2015 statement on killings that took place during Maidan after violent protests in Odesa (Kulikov Field Killings):

Impunity and the lack of protection and justice for victims remain a cause of concern.

According to the reports of the International Advisory Panel (IAP) of the Council of Europe on the investigations into the violent incidents during the Maidan demonstrations and the tragic events in Odesa in May 2014, the Ukrainian government failed to satisfy the requirements of the European Convention on Human Rights. The IAP acknowledged that the investigation faced significant challenges but concluded that these challenges 'cannot excuse any failings which did not inevitably flow from them'.<sup>623</sup>

The pursuit of accountability for these killings and the Maidan protests has been singled out as a priority area for the EU. However, the EU's latest human rights report commented that 'little progress was achieved in 2018 in the prosecution and judgement of high-profile cases related to the 2014 mass killings in Maidan and Odesa'.<sup>624</sup>

When it comes to the prosecution of those responsible for war crimes in Donbas the EU has consistently emphasized the importance of Ukraine's ratification of the Rome Statute and called upon all sides to ensure that perpetrators are held to account:

International human rights stakeholders, including the UN Human Rights Monitoring Mission, have recorded a substantial number of violations of international human rights law and international humanitarian law in the conflict affected areas of eastern Ukraine, particularly in territories not under the effective control of the government. The impunity enjoyed by the perpetrators on all sides remains a cause of serious concern and must be addressed.<sup>625</sup>

However, over time the EU's condemnation of Russia's role in committing this type of violations and allowing impunity to persist has overshadowed the EU's calls upon Ukraine to fulfil its obligations. In this regard the 2018 report stated:

<sup>622</sup> Council of the European Union 2017 (n252): 60.

<sup>622</sup> Ibid.

<sup>623</sup> Council of the European Union 2015 (n252).

<sup>624</sup> Council of the European Union 2018 (n252): 29.

<sup>625</sup> Council of the European Union 2015 (n252).

Human rights are generally respected and fundamental freedoms upheld in the area under the control of Ukrainian Government. The most severe human rights violations take place in the areas not under the control of the government (NGCA), both in the Crimean peninsula, which has been illegally annexed by Russia, and in eastern Ukraine, due to the conflict in Donbas, as a consequence of Russia's destabilising actions.<sup>626</sup>

While it might be true that Russia is guilty of graver and more widespread human rights offenses in Ukraine, this does not take away the responsibility from Ukrainian authorities to prosecute grave crimes which are in the remit of its control to prosecute. This includes war crimes inflicted by combatants and security services from the Ukrainian side in the context of the Donbas. This was acknowledged by the EU itself in the 2016 human rights report on Ukraine, which stated that:

The collapse of the rule of law and public order in the east of Ukraine in the area not under government control continues. The most severe cases of torture, ill-treatment and impunity are being recorded in particular in the areas not under Ukrainian government control. At the same time, the Ukrainian government has also been criticised by international watchdogs for cases of forced disappearances, arbitrary detention and ill-treatment.<sup>627</sup>

The 2017 report on Ukraine added sexual violence to this list.<sup>628</sup> As OHCHR reports indicate not much has changed in this regard between 2016/2017 and 2018, one wonders why the EU has shifted its rhetoric in this regard. It is true that in the meantime Ukraine has adopted an amnesty law. However, this law only provides amnesty for crimes that are not particularly grave crimes against the life and health of a person.<sup>629</sup> Interestingly, the 2016, 2017, and 2018 human rights reports do not comment on the adoption of this law.

Besides calling for the pursuit of accountability for grave human rights violations the annual human rights reports also consistently highlight the plight of

<sup>626</sup> Council of the European Union 2018 (n252): 29.

<sup>627</sup> Council of the European Union 2016 (n252): 60.

<sup>628</sup> Council of the European Union 2017 (n252): 33.

<sup>629</sup> Verkhovna Rada 2016 (n508).

Ukrainian IDPs, partly as a result of measures by the Ukrainian government that restrict their access to government pensions. Here the EU explicitly urges ‘the authorities to adopt a long-term integration strategy for internally displaced persons (IDPs), and to resume social assistance and pension payments, which were suspended pending verification of their places of residence.’<sup>630</sup> This signifies attention on the EU’s behalf for the socio-economic harms inflicted on citizens during times of conflict.

When it comes to public statements on the situation in the Donbas EU officials have repeatedly raised the need to prosecute offenders of grave human rights violations. However, these statements have consistently singled out Russia as the culprit and ignored Ukraine’s responsibility in the perpetuation of this situation. In this regard statements have called upon Russia to ‘allow access of international organisations and human rights actors to the areas currently not under the control of the Government of Ukraine, including the Crimean Peninsula, and to respect international humanitarian law’, and to ensure ‘the immediate release of all illegally detained and imprisoned Ukrainian citizens in the Crimean peninsula and in Russia’.<sup>631</sup> In March 2019 High Representative Frederica Mogherini forcefully condemned Russia’s human rights

<sup>630</sup> Council of the European Union 2016 (n252): 60.

The 2017 report further expanded on this observation: ‘As a result of the conflict, there are approximately 1.6 million internally displaced persons (IDPs), who continue to face a difficult situation. The EU has called on the Ukrainian government to resume social assistance and pension payments which have been suspended for approximately 500.000 – 600.000 IDPs in 2016 pending verification of their places of residence. Voting rights of IDPs in local elections continue being restricted. In 2017, the authorities adopted an action plan towards NGCA as well as a long-term integration strategy for IDPs. Social assistance and pension payments have also been suspended in NGCA. The international community has repeatedly called on the Ukrainian authorities to resume these payments. The population in NGCA still needs to recur to court procedures for the recognition of for example birth certificates, which, according to UNHCR, raises the risk of statelessness’. Council of the European Union 2017 (n252): 33.

<sup>631</sup> Council of the European Union, Council conclusions on Ukraine FOREIGN AFFAIRS Council meeting Brussels, 3 March 2014 (2014). Available at: <https://www.consilium.europa.eu/media/28853/141291.pdf>, accessed 22 August 2018.

violations in Crimea referring to December 2018 UNGA Resolution on Russia's violations of international law in Crimea:<sup>632</sup>

Since the illegal annexation by the Russian Federation, the human rights situation in the Crimean peninsula has significantly deteriorated. Residents of the peninsula face systematic restrictions of fundamental freedoms, such as freedom of expression, religion or belief and association and the right to peaceful assembly. [...] The EU calls for full compliance with international human rights standards in the peninsula. All pending cases of human rights violations and abuses, such as enforced disappearances, torture and killings, violence, politically motivated prosecutions, discrimination and harassment should be thoroughly investigated. Full, free and unrestricted access for international human rights actors to the whole territory of Ukraine, including Crimea and Sevastopol, continues to be paramount. The EU recalls UNGA Resolution 73/263 of 22 December 2018, and calls for its full implementation, including the Russian Federation's obligations under applicable international humanitarian law.<sup>633</sup>

Human rights defenders have welcomed the EU's condemnation of Russia's activities in the Crimea and Donbas.<sup>634</sup> However, some of these organizations have also pointed out that while the EU employs a forceful rhetoric against Russia, it has not used sufficient pressure to ensure that Ukraine itself lives up to its responsibility to pursue

<sup>632</sup> The Resolution was tabled by Ukraine, and received strong backing from EU Member States such as the Netherlands, Sweden, Poland, the United Kingdom and Lithuania. See: <https://www.un.org/press/en/2018/ga12108.doc.htm>, accessed 5 August 2019.

Resolution adopted by the General Assembly on 17 December 2018, Problem of the militarization of the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine, as well as parts of the Black Sea and the Sea of Azov, A/RES/73/194. Available at: <https://undocs.org/en/A/RES/73/194>, accessed 5 August 2019.

<sup>633</sup> Council of the European Union, Declaration by the High Representative Federica Mogherini on behalf of the EU on the Autonomous Republic of Crimea and the city of Sevastopol (17 March 2019). Available at: <https://www.consilium.europa.eu/en/press/press-releases/2019/03/17/declaration-by-the-high-representative-federica-mogherini-on-behalf-of-the-eu-on-the-autonomous-republic-of-crimea-and-the-city-of-sevastopol/>, accessed 5 August 2019.

<sup>634</sup> Recommendations from participants of the EU Ukraine civil society seminar on human rights, 21.03.2017, Brussels include a call upon the EU '[t]o impose additional sectoral sanctions against the Russian Federation for the massive human rights violations in the occupied Crimea'. Available at: [http://ccl.org.ua/wp-content/uploads/2017/04/Recommendation\\_EU\\_Ukraine\\_CivilSocietySeminaronHumanRights\\_en-1.pdf](http://ccl.org.ua/wp-content/uploads/2017/04/Recommendation_EU_Ukraine_CivilSocietySeminaronHumanRights_en-1.pdf), accessed 2 December 2018.



accountability for war crimes and human rights violations committed on its own soil and/or by its own forces.<sup>635</sup>

This approach is reflected in the EU's use of economic measures to enforce human rights compliance. While its condemnation of Russia's activities – both breaches of Ukraine's territorial integrity as well as human rights abuses - is backed up with a sanctions regime,<sup>636</sup> the EU has not used economic incentives to pressure Ukraine into human rights compliance. While sanctions would have been an unsuitable tool for this – after all the EU aims to foster good relations with Ukraine - the EU could have made its significant financial support for Ukraine or further political integration (e.g. visa liberalisation) conditional upon human rights compliance. In this regard it should be noted that visa liberalisation was made conditional upon reforms aimed at combatting corruption in Ukraine. However, similar conditionality has not been used in relation to human rights compliance.<sup>637</sup>

As such, also in the Ukrainian context this overview of the EU's use of its political and economic leverage to support mainstream and more transformative (gender) justice outcomes, puts into question the EU's real commitment to these goals. Yes, the EU has used forceful language on Russia and even imposed sanctions. However, this is likely to make little difference as Russia is not dependent on EU support or interested in further integration with the EU. Ukraine is, and does have its

<sup>635</sup> Tanya Cooper, 'This week, the EU should press Ukraine on fundamental rights' (9 July 2018) Human Rights Watch. Available at: <https://www.hrw.org/news/2018/07/09/week-eu-should-press-ukraine-fundamental-rights>, accessed 24 August 2018; International Crisis Group, Ukraine: an opportunity for reinforced European diplomacy (31 January 2018). Available at: <https://www.crisisgroup.org/europe-central-asia/eastern-europe/ukraine/ukraine-opportunity-reinforced-european-diplomacy>, accessed 24 August 2018.

<sup>636</sup> Council of the European Union, EU restrictive measures in response to the crisis in Ukraine. Available at:

<http://www.consilium.europa.eu/en/policies/sanctions/ukraine-crisis/>, accessed 24 August 2018.

<sup>637</sup> Janek Lacoski, How EU conditionality is helping to transform Ukraine, ECFR (22 March 2016). Available at:

[https://www.ecfr.eu/article/commentary\\_how\\_eu\\_conditionality\\_is\\_helping\\_to\\_transform\\_ukraine6046](https://www.ecfr.eu/article/commentary_how_eu_conditionality_is_helping_to_transform_ukraine6046), accessed 2 December 2018.

own human rights compliance problems. As such the EU could have used ‘naming and shaming’ and economic tools to convince Ukrainian authorities of the need to accept their responsibility in at least prosecuting the crimes they have de facto jurisdiction over. What the fact that the EU did not do so indicates about the drivers behind EU support for efforts to deal with the past/ongoing conflict will be discussed in more depth in the subsequent chapter.

### ***5.3.3 Conclusion***

While the overview of the EU’s financial support for efforts to deal with the past in Tunisia and the ongoing conflict in Ukraine provided the impression of a certain level of EU commitment to these issues, albeit limited in scope, and in the Tunisian case duration, this section’s findings put this commitment into doubt. In relation to Tunisia the EU’s near complete lack of public support for the TDC and Specialized Chambers, and silence on the Economic Reconciliation Bill, provide the impression of an international actor which abandoned transitional justice when its proponents were most in need of support. In Ukraine, the EU’s forceful language on Russia, backed up with a sanctions strategy, but lacklustre approach towards Ukraine’s own failure to live up to international human rights commitments, also provides the impression of an actor which is taking the path of least resistance.

Section 5.2 argued that the overview of EU financial support for efforts to deal with the past in Tunisia and ongoing conflict in Ukraine provided the impression that particularly in Ukraine the EU has prioritized a mainstream approach towards support for transitional justice with relatively little specific attention for gendered experiences of conflict and repression. The fact that the EU prioritized mainstream approaches to support transitional justice confirmed feminist critiques of international actor’s priorities in this field. This section, however, puts in into question whether the EU is committed

to transitional justice at all. This raises the spectre that critiques of prioritizing one or another type of transitional justice effort over the other are beside the point, as the problem really is that in Tunisia and Ukraine the EU is not really committed to support for efforts to pursue justice for harms inflicted during times of conflict or repression at all.

#### ***5.4 EU SUPPORT FOR FUTURE-FOCUSED GENDER JUSTICE EFFORTS IN TUNISIA AND UKRAINE***

This thesis' tripartite conceptualization of a feminist transformative justice agenda distinguished between past and future focused gender justice efforts. Now that the EU's engagement with the former have been discussed in the previous section, the remainder of this chapter looks into the EU's engagement with future focused gender justice efforts and particularly its support for the fight against 'everyday' GBV in Tunisia and Ukraine. Despite the lack of EU interaction with women's rights through a transitional justice paradigm, the EU has expressed a strong commitment to the promotion of women's rights in the context of Tunisia's and Ukraine's political transitions. In this regard the EU's priority is support for legislative and institutional reform to combat the 'continuum of violence' experienced by women in Tunisia and Ukraine.

Based on analysis of the overview of the EU's budgetary commitments under ENI/ENPI, EIDHR, IcSP and the Instrument for Development Cooperation, this section finds that especially in Tunisia the EU's support for forward-looking measures to combat GBV has been more robust than its support for (gendered) transitional justice efforts. Analysis of the EU's use of political/economic leverage to advance these efforts confirms this finding. In Ukraine the EU's direct financial support for the fight against GBV, however, has been less extensive, instead it has prioritized the gender mainstreaming of broader justice reform and SSR efforts to contribute to combating VAW. This raises questions about why the EU has prioritized targeted financial support

in Tunisia and gender mainstreaming in Ukraine, and why the EU has been a more active backer of the fight against GBV in Tunisia than in Ukraine. However, in absence of much consequential support for efforts to pursue justice for victims of conflict-related SGBV in Ukraine, the EU's support for efforts to address everyday GBV in Ukraine still is more substantial than its support for past-focused gender justice efforts.

Combined with the findings from the previous sections, this raises the question of whether advocating for an increased focus on the continuum of violence is the most effective strategy to improve the EU's response to gender justice in transition under all circumstances. After all, if the EU is already prioritizing forward-looking responses to GBV in Tunisia, the promotion of such approaches does not respond to the most obvious weaknesses of its support for gender justice there. Feminist authors have not implied that one type of engagement should come at the expense of the others. However, so far they have demonstrated limited awareness that international actors' penchant for selective engagement with feminist ideas, can also come at the expense of the fight against impunity for politically motivated SGBV.<sup>638</sup> In this light, it should be recognized that feminist calls for more future-oriented responses could be taken as an excuse not to engage with traditional transitional justice measures.

#### ***5.4.1 EU support for the fight against the continuum of violence in practice in Tunisia***

In Tunisia the EU has both through financial support as well as through public statements provided significant support for the fight against VAW. The subsequent sections' discussion of the EU's budgetary commitments and political statements will illustrate this point, while also pointing out some remarkable characteristics of this

<sup>638</sup> Otto 2010 (n78).

support such as the timing of these actions and imbalance between certain types of support, which will serve as points of departure for the next chapter's analysis of drivers behind EU engagement with gender justice in transition.

*Table 5.3: EU budgetary commitments supporting efforts to deal with GBV in Tunisia*

Year	Amount	Topic	Instrument	Implementer(s)
2013	550,000 €	Prevention of Gender-Based Violence and Support for Women Victims in North-West Tunisia	ENI/ENPI	Cideal (Spanish NGO)
2014	167,282 € 132,534 €	Sensitization of Tunisian students to the preservation of women's rights and a better understanding of the patriarchal model	EIDHR	Images et Paroles de Femmes (Tunisian NGO)
2014	157,731 € 71,174 €	Project against the sexual abuse of girls	EIDHR	Association Tunisienne des Droits de l'Enfant, Femmes & Leadership Association (Tunisian NGOs)
2014	1,700.000 €	Programme for the promotion of equality between men and women in Tunisia – Objective 3: To contribute to the reduction of gender based violence and discrimination	ENI/ENPI	UNFPA, Tunisian NGOs

The overview shows that between 2011 and 2018 the EU has spent a total of 2,778,721 EUR on the fight against GBV and legally enshrined discrimination of women in Tunisia. This amount is only a fraction of the amount that the EU has spent on projects to promote gender equality more broadly such as projects focused on women's socio-economic development, gender-sensitive budgeting and women's role in the fight against terrorism. Nevertheless, already, EU funding for efforts specifically targeted at combatting GBV, surpasses the amount the EU has spent on all types of mainstream and more transformative past-focused transitional justice efforts in Tunisia.

The support for efforts related to the struggle against GBV can be divided in two broad categories. On the one hand there is support for projects by local and

iNGOs that sensitize Tunisians about the issue of GBV, advocate against it and provide services to victims. On the other hand, there is the big UNFPA implemented project that is part of the EU's larger 7 million Euro support package for the Tunisian Ministry of Women and Children that aims to increase the government's capacity to guarantee equality between men and women. This project has three axes (capacity strengthening of the ministry, women's socio-economic empowerment, and the fight against discrimination and GBV). UNFPA is responsible for the management of the third component. This project had as its objectives to: 1) create an advocacy campaign aimed at the introduction of legislative reform to combat VAW and other types of discrimination, and 2) create and operationalise a national multi-sectoral strategy to combat VAW. An important sub-objective of the second objective was to create and operationalise four shelters for (female) victims of GBV.<sup>639</sup>

Various civil society interviewees indicated that the EU had played a crucial supporting role in the battle for the adoption of a legislative framework to combat VAW.<sup>640</sup> Nevertheless, these interviewees also raised criticism on the EU's approach towards support for advocacy efforts around the Integral Law on VAW. More specifically they lamented the low percentage of funding the EU has allocated for advocacy and the fact that the money that has been allocated to advocacy efforts was allocated to UNFPA.

During interviews Tunisian feminist activists indicated that because of these decisions, the EU had not made optimal use of its financial support to effectuate transformative change.<sup>641</sup> They thought this was the case particularly, because UNFPA subsequently channelled this budget to the Tunisian Ministry of Women and Family Affairs, these feminist NGOs had no access to EU funding to support their own

<sup>639</sup> For an overview of the objectives, see: European Commission 2014 (n241). Interview 25 Tunisia (n292); Interview 26 Tunisia (n326).

<sup>641</sup> Interview 25 Tunisia (n292).

advocacy strategies. According to a representative of one of these NGOs the Ministry subsequently informed them that they were welcome to join the Ministry's advocacy efforts, provided that they would follow its lead.<sup>642</sup> As the Ministry championed a much less ambitious draft law than these feminist CSOs, this was considered out of the question.<sup>643</sup>

Moreover, the money that UNFPA did allocate to Tunisian (feminist) NGOs, was earmarked for the establishment and running of shelters for GBV victims. Interviewees - some representatives of organizations who received EU funding to run shelters - indicated that while service provision to victims is of crucial importance, an exclusive focus on this aspect by donors in the wake of the adoption of the law impedes feminist activists working on monitoring of implementation, and advocacy for more structural change in Tunisia's attitude towards women.<sup>644</sup> In this regard a Tunisian feminist activist, working for an iNGO stated:

I: I think that there is not enough funding for the real issues related to gender.

E: Which are according to you?

I: Which are challenging the structures of power. When it comes to elections etc., we do have some funding for you know elections and women's political participation. For VAW, yeah we still have some funds for there, but when it comes for example to deeply work on changing mentalities, develop models, mainstream gender in curricula etc., we are less funded than it should be. Probably because these are less visible in the short term, and donors including the EU are looking for quick wins, and very visible outputs to show off.<sup>645</sup>

<sup>642</sup> Ibid.

<sup>643</sup> However, the interviewee indicated that once alerted about this issue the EU has been an important ally for feminist advocacy, pushing the Ministry to change its attitude.

<sup>644</sup> Interview 26 Tunisia (n326); Interview 8 Tunisia (n292).

The importance of more structural change is recognized in the EU's political and operational strategic priorities for action 2016-2020 for Tunisia, which mentions the need to take action to 'encourage legal reforms to eradicate all kinds of discrimination against women, with special reference to equal inheritance'. This document is confidential and not accessible online. It was provided to the researcher by an interviewee.

<sup>645</sup> Interview 25 Tunisia (n292).

Thus, while the EU's financial support for the fight against GBV in Tunisia has been important, some aspects of it – its prioritization of cooperation with UNFPA and the Ministry of Women and Families in advocacy efforts most notably – raise questions about the factors that drive EU engagement with this issue, which will be explored in more depth in the next chapter.

The previous sections on EU engagement with past-focused (gender) justice efforts in Tunisia showed that financial support does not necessarily equal an EU political commitment to supporting these issues as well. However, when it comes to the fight against GBV in Tunisia human rights reports and public statements – by the EU Ambassador to Tunisia in particular – provide the impression that in this case financial and political support go hand in hand. Since the Revolution women's rights have figured prominently in human rights reports and policy documents. For instance in 2014 and 2015 the annual human rights country reports in Tunisia singled out GBV as a 'cause for great concern'.<sup>646</sup> In 2017 the human rights report celebrated Tunisia's adoption of the Integral Law on VAW, stating:

Noteworthy progress must be acknowledged with regard gender. 2017 has been marked by the adoption of important laws to promote the progress of women. The framework law on the violence against women adopted on 26 July is a milestone not only for Tunisia, but an important example for the entire region. The EU Spokesperson issued a statement at this important occasion. The government decision to cancel a 1973 administrative decree has opened the possibility for Tunisian women to get married with non-Muslim. The new electoral law ensures an even stronger participation of women. The creation of a Presidential commission on individual liberties and equality in August 2017 is a recognition and an engagement to move ahead with further actions to ensure gender equality.<sup>647</sup>

<sup>646</sup> Council of the European Union 2014 (n252); Council of the European Union 2015 (n252): 58. Available at: <http://data.consilium.europa.eu/doc/document/ST-12299-2016-INIT/en/pdf>, accessed 20

<sup>647</sup> Council of the European Union 2017 (n252): 45-46.



As indicated in this quote, this attention for GBV in EU human rights reports has been backed up in public statements by the EEAS,<sup>648</sup> and high ranking EU officials. The EU Ambassador to Tunisia, Patrice Bergamini, also is a vocal supporter of women's rights via traditional and social media.<sup>649</sup> In his public remarks on this topic he has emphasized the link between EU support for women's rights and democracy promotion, stating that in Tunisia women are 'the first pillars of democracy'.<sup>650</sup>

#### ***5.4.2 EU support for the fight against the continuum of violence in practice in Ukraine***

In Ukraine the EU's direct (financial) support for the fight against GBV, and particularly legislative reform to more effectively tackle this issue, has been much less significant than in Tunisia. This is remarkable in view of the fact that the attempt to ratify the Istanbul Convention in Ukraine has experienced more resistance than efforts to push through legislative reform in this area in Tunisia. However, the subsequent sections' discussion of the EU's activities in Ukraine will show that, nevertheless, over the last two years the EU has slightly scaled up its commitments to fighting GBV in

<sup>648</sup> EEAS, Statement by the Spokesperson on the adoption by the Tunisian Parliament of the law on violence against women (28 July 2017). Available at: [https://eeas.europa.eu/headquarters/headquarters-homepage/30560/statement-spokesperson-adoption-tunisian-parliament-law-violence-against-women\\_en](https://eeas.europa.eu/headquarters/headquarters-homepage/30560/statement-spokesperson-adoption-tunisian-parliament-law-violence-against-women_en), accessed 5 August 2019.

<sup>649</sup> L'Economiste Maghreb, 'Patrice Bergamini: Seule une société où les femmes sont pleinement épanouies est capable de prospérer' (13 August 2018). Available at: <https://www.leconomistemaghreb.com/2018/08/13/femmes-societe-epanouies-prosperer/>, accessed 27 August 2018. This message was shared on the Delegation's Facebook page as well on 13 August 2018, see: <https://www.facebook.com/EUTunisie/photos/a.439444542740259/2377537568930937/?type=3&theater>, accessed 27 August 2018.

He has expressed strong support for legislation introducing equal inheritance: Yassine Bellamine, 'Pour l'ambassadeur de l'Union Européenne en Tunisie Patrice Bergamini, les lignes doivent bouger en matière d'héritage' (13 August 2018) Huffpost. Available at: [https://www.huffpostmaghreb.com/2017/03/08/patrice-bergamini-wonder-\\_n\\_15243078.html](https://www.huffpostmaghreb.com/2017/03/08/patrice-bergamini-wonder-_n_15243078.html), accessed 27 August 2018.

This article was also shared on his official twitter account on 15 August 2018. See: <https://twitter.com/PBergaminiEU>, accessed 27 August 2018.

<sup>650</sup> Ibid.

Ukraine, particularly through reliance of gender mainstreaming of its SSR and justice sector reform programmes.

*Table 5.4: EU budgetary commitments supporting efforts to deal with GBV in Ukraine*

Year	Amount	Topic	Instrument	Implementer(s)
2015	160,143 € 118,481 €	Mobilization Among Internally Displaced Women for Addressing Domestic and Gender-Based Violence	EIDHR	All Ukrainian Charitable Organization Convictus Ukraine
2017	645,000 €	Centre of Gender Culture as a Platform for Empowerment of Women And Youth	Development Cooperation Instrument	Kharkiv Regional Organization - Kharkiv Regional Gender Resource Center

The total amount of targeted EU support for the fight against GBV in Ukraine is 923,624 EUR. In Donbas the EU has supported the project ‘Mobilization of internally displaced women for addressing domestic and gender-based violence’.<sup>651</sup> This aims to strengthen ‘the role of Ukrainian women’s community in ensuring gender equality and women’s rights’. Its primary objectives are:

To empower internally displaced women by drawing public attention to the problem of domestic and gender-based violence; ensure organizational, resource and educational support to the women’s groups interested in the implementation of measures to combat violence; significantly improve capacity to implement preventive measures to combat domestic violence against internally displaced women; enhance their role in identifying and helping those who have suffered or suffer from various types and manifestations of violence.<sup>652</sup>

Besides this project the EU has also started to support the Kharkiv Regional Gender Resource Centre to provide ‘informal gender education [to] young people and women, with the aim of helping them to grow into "gender sensitive leaders" and become active

<sup>651</sup> More information available at:

[https://eeas.europa.eu/delegations/ukraine\\_lo/27178/Mobilization%20among%20internally%20displaced%20women%20for%20addressing%20domestic%20and%20gender-based%20violence](https://eeas.europa.eu/delegations/ukraine_lo/27178/Mobilization%20among%20internally%20displaced%20women%20for%20addressing%20domestic%20and%20gender-based%20violence), accessed 3 December 2018.

<sup>652</sup> Socio Consulting, Mobilization of internally displaced women for addressing domestic and gender-based violence (2017). Available at: <http://sociocon.org/en/issledovaniya/social-policy/181.html>, accessed 8 August 2019.

in decision-making process at both the local and regional levels'.<sup>653</sup> In view of the rejection of the Istanbul Convention being driven by hostility against the use of the term 'gender', this project seems to be particularly relevant and timely.

However, in absence of a large scale project to combat GBV with the Ukrainian authorities the EU's targeted financial support for this issue in Ukraine is much less robust than in Tunisia. Taking into account that Ukraine's total number of inhabitants is approximately four times larger than the total number of inhabitants of Tunisia, one would have expected a multiplication of the level of support provided to Tunisia. Instead the EU has allocated less than half the amount it allocated to efforts aimed at fighting GBV in Tunisia, to the same fight in Ukraine. In this regard it should also be remarked that none of the EU funds has gone directly into projects constructed around advocacy for the Istanbul Convention.

Asked about this absence of targeted support for efforts to support the ratification of the Istanbul Convention at such a – seemingly – pivotal moment in time,<sup>654</sup> EU officials indicated that they had opted to rely on gender mainstreaming rather than targeted action to support the fight against GBV in Ukraine. In this regard an official in the EU Delegation in Kyiv mentioned that the EU considered it:

better, really to mainstream, to make sure that the gender component is ensured in all our policies, in all our assistance that is coming up, the new assistance let's say from 2018 to 2022, because it is going to touch upon the education, upon the governance, judiciary etc., etc.

The same interview specified that:

It is rather... Again it is a question of where you want to put the money on. For the time being, we are thinking that we have to really invest in the reforms. We have to invest in the Association

<sup>653</sup> More information available at: Delegation of the European Union to Ukraine, Centre of Gender Culture as a Platform for empowerment of women and youth (9 August 2018). Available at: [https://eeas.europa.eu/delegations/ukraine\\_me/49255/Centre%20of%20Gender%20Culture%20as%20a%20Platform%20for%20empowerment%20of%20women%20and%20youth](https://eeas.europa.eu/delegations/ukraine_me/49255/Centre%20of%20Gender%20Culture%20as%20a%20Platform%20for%20empowerment%20of%20women%20and%20youth), accessed 3 December 2018.

<sup>654</sup> The fieldwork took place at a time when many activists/experts believed that the Istanbul Convention would be brought before the Verkhovna Rada again.

Agreement to make this country more prosperous, more stable and so on, again the fight against corruption and all those issues, but without leaving gender you know completely, I mean we understand that we also have to integrate this perspective in. So I think for the benefit of the country it is better to have it incorporated than having it as a separate priority.<sup>655</sup>

In Ukraine, two EU institutions are engaged in this type of efforts. The EU Delegation coordinates the justice reform programme and EUAM advises Ukrainian government agencies engaged in justice and civilian security sector reform. The EU Delegation has appointed two individuals as gender focal points, who in addition to their day-to-day activities raise awareness amongst colleagues about the need to integrate a gender dimension in their programming. EUAM houses a gender advisor, whose fulltime job is to translate EUAM's commitment to the WPS Agenda into practice. To facilitate this task, he has established a gender focal point network. The focal point network consists of EUAM officials, who do not work specifically on gender issues, but who volunteer to take part in training and to become a contact for colleagues who need support with questions regarding this matter.

When it comes to efficacy of these efforts both one of the focal points in the Delegation as well as the gender advisor in EUAM identified significant barriers to the successful execution of their role as drivers of gender mainstreaming, including a lack of understanding of the concept amongst colleagues, and limited commitment by the leadership in both institutions. The EUAM gender advisor for instance indicated that despite the mandate of the mission's insistence on UNSCR 1325 guiding all of its activities, it has been a struggle to convince the mission's leadership to implement the obligation to gender mainstream. In this regard he remarked that, while on paper he has created a very comprehensive gender strategy which obliges the mission to integrate 'gender into all documents, and all decision-making processes from the very outset of

<sup>655</sup> Interview 8 Ukraine, Kyiv, 8 November 2017, Representative EU Delegation Ukraine.

the mission through to operational activities’, this has not substantively changed the operation of the mission. Reflecting on this gap between policy and practice he remarked:

I: Then reality is something different, but the management has approved and adopted the gender strategy. It is part of, now, of our collection of SOPs, and as such, if I wanted to make the case for gender mainstreaming I could refer to this document, as they approved it themselves. I haven’t done that so far. Although I have to say that it would be appropriate if I, if I kind of make the point you know, that we are actually not gender mainstreaming the way we are supposed to. We are not fulfilling the ideals or the purpose, the objective of our global mandate, because our global mandate needs to be gender mainstreamed, and it hasn’t happened. But I am currently waiting, I have decided not... You know as a gender advisor you are quite alone at times isolated and engaging in this battle is a bit [laughter], is a bit heavy. So I have decided to pick my battles - and I have had quite a lot of battles - but not to take it to full length, because I won’t, I probably won’t achieve anything anyway.<sup>656</sup>

The notion that the gender advisor faces serious obstacles implementing the gender mainstreaming agenda was confirmed by other EU officials engaged in EUAM’s activities with one stating that gender advisors ‘are still often perceived as a ‘strange animal’.<sup>657</sup>

In case of the Delegation’s existing portfolio of programmes, its support for justice sector reform seems to be the most obvious canal through which the adoption of the Istanbul Convention, and its successful implementation could be supported. At the time of the fieldwork, the first post-Maidan EU supported justice reform programme (8.6 million Euro 2013-2016) hosted its final conference.<sup>658</sup> The programme’s core goals were to help the Ukrainian authorities create a justice reform

<sup>656</sup> Interview 2 Ukraine (n293).

<sup>657</sup> Interview 24 Brussels, 13 July 2017, Representative 1 EU CSDP HQ Brussels.

<sup>658</sup> Support to Justice Sector Reforms in Ukraine, Challenges, achievements and prospects of the Justice Sector Reforms in Ukraine to be discussed by legal professionals and experts, 23 November 2017 Kyiv. For more information, see: <http://www.justicereformukraine.eu/challenges-achievements-and-prospects-of-the-justice-sector-reforms-in-ukraine-to-be-discussed-by-legal-professionals-and-experts/?future=all>, accessed 1 September 2018.

strategy 2015-2020 and to provide the expert assistance needed for the plan's timely implementation.<sup>659</sup> It had a strong focus on corruption and supported the design of anti-corruption legislation and the establishment of a number of anti-corruption agencies. Gender considerations did not play a significant role in these activities.<sup>660</sup> This of course is not in line with the EU's commitment to gender mainstreaming. However, a possible explanation for the absence of this component is that the programme was designed and for a large part implemented before the adoption of GAP II. This was acknowledged by an EU official who remarked that: In regards to gender mainstreaming in Ukraine the EU has been very slow. It still has not achieved to implement the Gender Action Plan, which supposedly should be finalized by now. That hasn't happened.<sup>661</sup>

However, progress seemed to be materializing at the time the fieldwork took place. The EU's overall framework for EU support to Ukraine between 2018-2020, for instance, contains 47 times the term gender, and 13 times the term women.<sup>662</sup> The document distinguishes four priority sectors of intervention, of which one is 'Strengthening institutions and good governance, including the rule of law and security'. Within this sector, the document specifies that one of the main expected results is strengthened effectiveness and efficiency in the fight against organised crime and against SGBV including domestic violence, and that progress will be assessed based on the number of sexual, gender-based and domestic violence offences prosecuted.<sup>663</sup> The new EU justice reform support package (52.2 million Euro) focuses on consolidation of sector-wide justice reforms.<sup>664</sup> Its programming document repeatedly refers to the

<sup>659</sup> Ibid.

<sup>660</sup> Interview 19 Ukraine (n288).

<sup>661</sup> Interview 2 Ukraine (n293).

<sup>662</sup> On a total of 29 pages. European Commission, Programming of the European Neighbourhood Instrument (ENI) - 2017-2020 - Single Support Framework for EU support to Ukraine (2018-2020).

<sup>663</sup> Ibid: 8 & 18.

<sup>664</sup> European Commission 2016 (n245).

importance of incorporating a gender perspective and identifies the pursuit of gender equality as a ‘significant objective’ in addition to the main objective of supporting good governance.<sup>665</sup> The document contains one page which concretizes which actions the EU is planning to take to realize this goal.<sup>666</sup> The guiding framework is UNSCR 1325, and the focus very much is on including more women in the national police forces, and ensuring that more women take on leading roles in this institution.<sup>667</sup> The rationale behind this focus is that ‘support to policewomen has the potential to enact a cultural change within the police system, [which] is particularly relevant when the police is being transformed into a new type of "civilian" institution very different from the "Militsia" of the past’.<sup>668</sup> In cooperation with Ukrainian CS ‘there will be a coordinated work on development of specialised modules on gender-based violence, domestic violence and hate crimes for the National Police’.<sup>669</sup>

Some interviewees within the EU’s structures ensured that in line with these commitments over the course of 2018 gender concerns would indeed become more integral to the EU’s activities in Ukraine.<sup>670</sup> The advisor also mentioned that a number of colleagues in the mission had started working very actively on gender issues – ‘within the last year, it is almost like a revolution happened’ – and that EUAM now had a small project package to support activities on domestic violence, e.g. providing the police with the tools and the understanding to work with domestic violence cases.<sup>671</sup> Lastly, he also noted that the CSDP headquarters in Brussels were engaged in the drafting of operational guidelines that would facilitate his task as they would contain an instruction

<sup>665</sup> Ibid.

<sup>666</sup> Ibid: 18-19.

<sup>667</sup> However, the document does mention that women’s participation should also be increased in other institutions.

<sup>668</sup> European Commission 2016 (n245): 19.

<sup>669</sup> Ibid: 20.

<sup>670</sup> Interview 8 Ukraine (n655); Interview 11 Brussels, 12 June 2017, Representative EU SGUA. This was also confirmed by CSDP/EUAM interviewees: Interview 25 Brussels, 13 July 2017, Representative 2 EU CSDP HQ; Interview 2 Ukraine (n293).

<sup>671</sup> Interview 2 Ukraine (n293).

from the leadership in Brussels to the CSDP missions to implement gender mainstreaming obligations. According to the EUAM gender advisor this meant that EUAM will ‘have a different situation quite soon; looking more into implementation than struggle’.<sup>672</sup>

Nevertheless, despite these positive signs the EU’s use of political tools to support the fight against GBV in Ukraine provides the impression that its commitment to this issue in Ukraine remains much lower than in Tunisia. The Ukraine human rights reports have mentioned Ukraine’s failure to ratify the Istanbul Convention in 2016 and applauded the criminalization of domestic violence in 2017,<sup>673</sup> but have since stopped mentioning the need to more seriously invest in the struggle against GBV. When it comes to public statements by high-ranking EU officials, it should be mentioned that the Istanbul Convention has never been invoked by any of them except for the EEAS Principal Advisor on Gender, Ambassador Marinaki during her visit to Ukraine in April 2016.<sup>674</sup> As her focus area is gender this is in line with the expectations, and therefore it would have been more meaningful if another EU official not specifically focusing on gender had invoked the issue as well.

<sup>672</sup> Ibid. In view of the large sums of money the EU is spending in these areas via the Delegation, and the direct access it has to Ukrainian security forces through EUAM, well implemented gender mainstreaming efforts could indeed turn the EU in a meaningful supporter of women’s rights. The fieldwork in Ukraine implied that this was still a struggle, but that significant progress had been made especially in EUAM over the last two years. This meant that in Ukraine forward-looking gender justice measures have been the ones that have received relatively most EU support.

<sup>673</sup> Council of the European Union 2016 (n252); Council of the European Union 2017 (n252).

<sup>674</sup> Ministry of Foreign Affairs of Ukraine, Deputy Foreign Minister of Ukraine Sergiy Kyslytsya met with the European External Action Service Principal Advisor on gender / UNSC resolution 1325 implementation Mara Marinaki (14 June 2016). Available at: <https://mfa.gov.ua/en/news-feeds/foreign-offices-news/48420-zastupnik-ministra-zakordonnih-sprav-ukrajini-sergij-kislicya-zustrivsyia-z-golovnim-radnikom-jevropejsykoji-sluzhbi-zovnishnih-dij-z-gendernih-pitany-ta-vikonannya-rezolyuciji-rb-oon-1325-maraju-marinaki>, accessed 21 May 2019.



***5.4.3 Conclusion: Forward-looking legislative and institutional reform as preferred vehicles for EU support for gender justice in transition***

International actors' neglect of the continuum of violence experienced by women in societies in transition has been at the core of feminist critiques of 'the patriarchy of internationalized transitional justice'.<sup>675</sup> In line with this, more attention for the continuum of violence through support for legislative and institutional reform that can contribute to more effectively combatting 'everyday' GBV is a core component of most transformative justice approaches proposed in feminist transformative justice scholarship.<sup>676</sup> This section, however, showed that addressing everyday instances of GBV already the EU's gender justice priority in Tunisia and – to some extent - Ukraine. While the approaches the EU supports in both countries differ, both support for the adoption of legislation to combat VAW, as well as the gender mainstreaming of security sector reform are aimed at protecting women against future instances of VAW.

Nevertheless, this overview of EU engagement with gender justice in transition raises certain questions such as 1) why the EU in both countries has prioritized cooperation with authorities over support for advocacy efforts by (local) feminist NGOs, 2) why the EU has prioritized targeted support over gender mainstreaming in Tunisia and vice versa in Ukraine, and 3) why the EU's support for efforts to pursue legislative reform to combat VAW has been much more robust in Tunisia than in Ukraine. Chapter 6 will reflect in more depth on these questions and use them as hooks for answering one of the core research questions of this thesis regarding the drivers behind EU engagement with gender justice in transition.

<sup>675</sup> McWilliams and Ní Aoláin 2013 (n18); Aisling Swaine, 'Beyond Strategic Rape and Between the Public and Private: Violence Against Women in Armed Conflict' (2015) 37(3) Human Rights Quarterly 755.

<sup>676</sup> Rubio Marín 2009 (n5): 293; O'Rourke 2013 (n13).

## **5.5 CONCLUSION**

This chapter aimed to provide a comprehensive factual overview of the nature of EU engagement with gender justice in Tunisia and Ukraine in practice, and compare these findings with dominant insights in feminist scholarship about the nature of international support for gender justice in transition.

In general, this chapter shows that EU (financial) support for both (gendered) transitional justice as well as forward looking gender justice efforts has been rather narrow compared to the overall amount of foreign aid the EU has provided to Tunisia and Ukraine during the years covered by this research. In Tunisia the EU provided just over 1 million EUR in support for efforts to deal with the past and slightly less than 3 million EUR to contribute to forward looking efforts aimed at combatting GBV. Based on Ambassador Bergamini's estimation that since 2011 Tunisia has received around 300 million EUR in aid per year (which totals two billion four hundred million EUR over eight years),<sup>677</sup> the EU's support for gender justice in transition totals less than 0.002 % of the total amount of EU aid Tunisia received. In Ukraine the EU provided almost 29 million EUR to transitional justice related efforts and a bit less than 1 million EUR of targeted support to forward-looking women's rights efforts. Based on the estimation that the EU has provided a total of 15 billion in aid to Ukraine since Euromaidan,<sup>678</sup> the total combine amount of EU gender justice and transitional justice support to Ukraine also constitutes only 0.002 % of its total aid. As such EU support for gender justice in transition in Tunisia and Ukraine is a rather negligible component of its total aid provision.

Nevertheless, focusing on the balance between EU engagement with past- and future-focused gender justice measures the overview implies that significant gaps exists

<sup>677</sup> See section 4.3.4.

<sup>678</sup> See section 4.4.4.

between the EU's approach towards gender justice in Tunisia and Ukraine in practice and feminist theory on the nature of international engagement with gender justice in transition. Contrary to widespread beliefs about international actors' engagement with women's rights in societies in transition the EU has prioritized support for initiatives that address the 'everyday' occurrences of VAW, and been much less consistent in its support for initiatives aimed at pursuing accountability for past instances of politically motivated SGBV.

This is not in line with the broadly held notion that politically motivated instances of SGBV dominate the agendas of international actors engaging with gender justice in transition. Moreover, this chapter found that this lack of engagement with efforts to pursue justice for victims of politically motivated SGBV is not primarily a result of the EU's failure to gender mainstream transitional justice efforts, but rather because of its unwillingness to meaningfully engage with transitional justice at all. As legislative and institutional reform have been identified as tools to address the continuum of violence, the EU support for women's rights that has materialized in Tunisia already and seemed to be prepared in Ukraine is encouraging. However, in absence of support for past-focused (gender) justice initiatives of a 'mainstream' or a 'transformative' nature, the picture remains incomplete. The idea that past-looking gender justice efforts could be at risk of being side-lined, has gained relatively little attention in feminist literature. This chapter highlights the risk of taking this support for granted.

This chapter serves as a basis for the next two chapters. More specifically, chapter 6 will look in more depth into the drivers behind the EU's engagement with gender justice in transition by comparing this chapter's findings to insights about the local gender justice opportunity structures discussed in the previous chapter. Based on these insights chapter 6 suggests two theoretical innovations that could render feminist

transitional justice scholarship better equipped to identify and respond to the challenges posed by 'the patriarchy of internationalized transitional justice'. Chapter 7, on its turn, tries to establish what methodological innovations are required to facilitate this type of developments.

## 6. FINDINGS II: The drivers behind EU support for gender justice in transition in Tunisia and Ukraine

### *6.1 INTRODUCTION*

What explains the discrepancies between the EU's policy commitments in the field of support for gender justice in transition in Tunisia and Ukraine and its actual engagement with such efforts in practice? A comparison of the previous chapter's findings re EU engagement with gender justice in Tunisia and Ukraine with chapter 4's description of the local gender justice opportunity structures, shows that preferences of local political elites rather than predetermined EU gender justice policy priorities determine the nature of EU engagement in this sphere. These findings, combined with statements made by EU officials during the interviews suggest that the EU uses its engagement with gender justice to support the agendas of friendly political elites in Kyiv and Carthage.<sup>679</sup> As such, the first part of this chapter fulfils objective 4 of this thesis, which is to identify the factors that drive EU engagement with gender justice in transition.

The remainder of the chapter looks into the implications of this finding for feminist theory on international engagement with gender justice in transition. It argues that as in both countries the EU has prioritized supporting gender justice efforts that are integral to a more transformative gender justice agenda, this thesis demonstrates that the feminist transformative justice agenda can also be instrumentalized for political gain. This challenges the assumption that opportunist engagement with gender justice in

<sup>679</sup> Carthage is the area of Tunis where the President resides.

transition on behalf of international actors equals the prioritization of the pursuit of accountability for politically motivated SGBV. It also puts into question whether the transformative gender justice agenda is the right response to the flaws of ‘the patriarchy of internationalized transitional justice’. Therefore, this chapter argues that when it comes to defining the notion of transformative justice, feminist scholarship should adopt a more ‘politicized’ definition that emphasizes the need for international actors to balance the need to challenge the agendas of those in power to the extent that they exclude certain gender justice efforts, with embarking on gender justice efforts that enjoy local elites’ support. As such this chapter contributes partially to objective 6, which is to provide suggestions for theoretical and methodological innovations that will render feminist transitional justice better equipped to respond to the challenges posed by contemporary internationalized transitional justice practice.

The focus of this chapter are the higher level (political) dynamics behind EU engagement with gender justice in transition. During the interviews individuals implementing EU transitional justice and gender justice related efforts, identified many practical obstacles restricting their ability to focus on these issues. These include the lack of buy in by ‘the leadership’ – reflected in a lack of human and financial resources to support work on these issues - and the absence of relevant legal frameworks to guide their activities in this realm. While this thesis acknowledges the existence of these barriers, its core focus is on disentangling why they exist, i.e. why has the EU not invested more in creating an enabling institutional environment for supporting gender justice in transition.

***6.2 THAT WHAT DOES NOT DRIVE EU SUPPORT WITH GENDER JUSTICE IN TRANSITION: POLICY COMMITMENTS AND GRASSROOTS GENDER JUSTICE PRIORITIES***

Before diving into the question of what the data suggests to be the factors that are driving EU support for certain gender justice issues, this section briefly reflects on what factors seem to be less influential: policy commitments to mainstream gendered transitional justice priorities, and priorities of (feminist) grassroots transitional justice actors. Based on a comparison between the previous chapter's findings and chapter 4's analysis of the EU's policy framework on transitional justice, the key take-away is that EU's engagement with gender justice in Tunisia and Ukraine is only partly reminiscent of the approach set out in the Framework on Support for Transitional Justice.

As discussed in chapter 4, the EU has significantly developed its policy language on transitional justice from a (transformative) gender justice perspective over the last ten years. While the 2008 Comprehensive Approach mentioned transitional justice only in relation to the need to pursue accountability for conflict-related SGBV including rape, slavery, sexual abuse and exploitation – ‘the most systematic and widespread manifestations of violence against women’<sup>680</sup> – the Framework and 2018 EU strategy on WPS have a more comprehensive definition of the continuum of violence and the types of harms women experience during types of conflict and repression.<sup>681</sup> Nevertheless, the EU still seems to associate transitional justice most closely with the pursuit of accountability for politically motivated SGBV. Moreover, where the EU invokes the need to support more future focused gender justice efforts – legislative reform, institutional reform and land reform amongst other issues – it does not depict these activities as inherent to its gendered transitional justice approach. As such one gets the

<sup>680</sup> Council of the European Union 2008 (n232): 15.

<sup>681</sup> Council of the European Union 2015 (n3); Council of the European Union 2018 (n235).

impression that in 2018 the EU still holds a vision on gendered transitional justice that prioritizes mainstream gendered transitional justice endeavours, but that it has started to explore the feasibility – or desirability? - of integrating more transformative approaches towards dealing with the past in a gender sensitive fashion.

Now, the previous chapter's examination of the EU's activities in the realm of gender justice in Tunisia and Ukraine, indicates that when it comes to financial support for past-focused gender justice efforts, the EU indeed prioritizes support for mainstream transitional justice efforts over more transformative ones. This was particularly the case in Ukraine where the majority of the EU's funding for transitional justice has been directed towards the HRMMU and OSCE SMM, and where smaller badges of funding have been allocated to CSOs working on advocacy geared towards Ukraine's ratification of the Rome Statute and the fight against impunity for torture and ill-treatment. In Tunisia the largest share of EU transitional justice funding has been allocated to the Specialized Chambers, Tunisia's transitional justice mechanism focused on the prosecution of offenders of grave human rights violations. As such, the EU's approach towards financial support for past-focused transitional justice indeed is in line with what its policy language suggests about EU priorities in this field.

However, the need to address gendered harms – of a narrow or broad nature – does not figure prominently in the EU's engagement with transitional justice in Tunisia and Ukraine. This refutes the notion that the fight against impunity for conflict-related SGBV is an EU priority in the realm for support for transitional justice. Moreover, an in-depth look at the EU's political support for efforts to fight impunity as such – so not specifically focused on SGBV - in Tunisia and Ukraine shows that despite some financial support, these efforts do not constitute a real foreign policy priority.

This, however, does not mean that the EU has not engaged with gender justice issues at all. To the contrary, particularly in Tunisia the EU has been a more avid



supporter of forward-looking efforts to combat GBV and other types of discrimination through both financial as well as political tools. As such it could be argued that while the types of transitional justice efforts the EU does support in Tunisia and Ukraine, the EU's real priority in the field of engagement with gender justice in transition is not support for efforts to pursue accountability for exceptional instances of politically motivated SGBV, but support for forward-looking efforts to address everyday GBV. The EU's policy language on transitional justice/gender justice in transition thus much more closely reflects what feminist scholars assume to be international actors' gender justice priorities abroad, than what the EU's actual activities in this realm in Tunisia and Ukraine are.

In itself this finding is not very remarkable; after all, the failure to implement gendered transitional justice commitments is a rather common characteristic of international engagement with gender justice abroad.<sup>682</sup> What is remarkable though, is the fact that the EU is supporting other gender justice issues and most notably efforts to respond to the continuum of violence faced by women in societies in transition. As discussed in chapter 4, the EU does mention these efforts in other policy documents outlining its support for women's rights abroad such as GAP II and increasingly in its policy framework on WPS. This includes statements outlining the EU's commitment to 'support efforts that address the root causes of violence, such as exclusion, discrimination, structural inequalities and sexual and gender-based violence including violence against women and girls'.<sup>683</sup> However, the EU has put less emphasis on them in its transitional justice strategy.

<sup>682</sup> Coomaraswamy 2015 (n11); Christine Bell and Catherine O'Rourke, 'Peace agreements or pieces of paper? The impact of UNSC Resolution 1325 on peace processes and their agreements' (2010) 59(4) *International & Comparative Law Quarterly* 941.

<sup>683</sup> Council of the European Union 2018 (n235): 32.

Is this because local grassroots actors have other gender justice priorities than the mainstream gendered transitional justice priorities traditionally prioritized by international actors? To some extent this is indeed the case, feminist actors in particular have prioritized the fight against the continuum of violence in both Tunisia and Ukraine, which is in line with findings about the priorities of feminist organizations in other countries experiencing transition.<sup>684</sup> However, this observation only applies to a selection of local grassroots gender justice actors, and even for those actors forward-looking gender justice efforts are not the only priority. In Tunisia feminist interviewees, for instance, constantly emphasized the importance of a successful transitional justice process as a basis for the country's democratic transition.<sup>685</sup> The fact that feminist organizations have consistently been represented amongst the signatories of manifestos calling upon the Tunisian authorities to allow for the country's transitional justice process to be carried out, is reflective of this state of affairs.<sup>686</sup>

Moreover, these feminist actors only present a segment of the countries' women's movements. Others, particularly female victims' groups in Tunisia and peacebuilding activists in Ukraine, have focused more on the pursuit of justice – in the broad sense of the term – for female victims of conflict and repression.<sup>687</sup> In Tunisia the EU has neither engaged directly with any of these female victims' groups nor has it provided financial support to iNGOs cooperating with them. Moreover, it has not provided political backing to these – or other - groups when they expressed concern about the direction in which the country's transitional justice process was moving. Therefore, to the extent that the EU has supported gendered transitional justice in Tunisia it did not support any of the signature issues of feminist victims' groups such as

<sup>684</sup> O'Rourke 2013 (n13).

<sup>685</sup> Interview 1 Tunisia, Tunis, 4 August 2017, Representative Tunisian women's rights NGO; Interview 26 Tunisia (n326).

<sup>686</sup> Avocats Sans Frontières, April 2018 (n394); Communiqué de Presse, November 2018 (n615).

<sup>687</sup> See chapter 4.

reparations for a broad range of gendered harms and the withdrawal of Circular 108. In Ukraine the EU has supported NGOs working with IDP women, but these are focusing on the issue of everyday domestic violence, and not the instances of more politically motivated violence that have occurred in Donbas.

As such this thesis argues it is safe to conclude that neither the EU's policy framework nor local grassroots actors' gender justice priorities are the primary drivers of the EU's support for gender justice in Tunisia and Ukraine. The following sections will look into more detail in the reasons behind this absence of support for mainstream gendered transitional justice issues and past-focused transformative justice efforts.

### ***6.3 HOW TO EXPLAIN THE EU'S LACK OF MEANINGFUL ENGAGEMENT WITH MAINSTREAM GENDERED TRANSITIONAL JUSTICE EFFORTS?***

Combining the findings about the nature of EU engagement with gender justice from chapter 5 with chapter 4's insights about the role of politics in shaping Tunisia's and Ukraine's gender justice advances since their respective revolutions, this section argues that the (gender justice) agendas of local powerful political elites are at the root of the EU's near complete lack of meaningful support for past-focused gender justice efforts such as the activities of the TDC in Tunisia, and efforts aimed at pursuing justice for conflict-related SGBV in Ukraine. Comparing the type of EU engagement with future-focused gender justice efforts in Tunisia and Ukraine, it also argues that preferences of the Tunisian and Ukrainian authorities shape the exact nature of future focused gender justice efforts, i.e. whether the EU prioritizes support for legislative reform as it did in Tunisia, or support for institutional reform as it did in Ukraine.

### ***6.3.1 The local politics behind the lack of EU engagement with mainstream (gendered) transitional justice efforts***

Based on chapter 4's insights regarding the gender justice priorities of governing elites in Tunisia and Ukraine, and interviews with EU actors working on relevant issues in Tunisia and Ukraine, this section identifies the drivers behind the absence of strong EU support for mainstream gendered transitional justice efforts. It uses the previous chapter's observations regarding 'remarkable' aspects of the EU's engagement with transitional justice in Tunisia and Ukraine as a starting point for this exercise. In Tunisia these observations concern the timing of EU support for transitional justice and the actors it has and has not provided funding to. In Ukraine these observations concern the EU's strong political condemnation of Russia compared to its relative silence on the failure of Ukrainian authorities to live up to their commitments under international law, and the EU's approach towards the question of amnesties in the context of the Donbas conflict. Comparing these findings to chapter 4's observations about the EU's broader foreign policy priorities in Tunisia and Ukraine, this sub-section concludes that absence of – political – backing for mainstream (gendered) transitional justice efforts on the EU's behalf is guided by local political elites' dislike of attempts to pursue accountability for past and ongoing politically motivated crimes.

Chapter 5 observed that the EU made its last budgetary commitments to support transitional justice efforts – of both a mainstream and more transformative nature – in Tunisia in 2014.<sup>688</sup> This is remarkable as transitional justice efforts continue until today. It is true that the 2014 commitment to support the Specialized Chambers was implemented over the two/three succeeding years. However, it is also the case that during this period the need for support for civil society advocacy activities to support

<sup>688</sup> Section 5.2.1.

Tunisia's transitional justice efforts only increased in importance. Linking back this finding to chapter 4's discussion of broader political developments in Tunisia after 2011, it becomes clear that the EU's final budgetary commitments to support transitional justice have coincided with Nidaa Tounes' victory of the 2014 legislative and presidential elections. As discussed, Nidaa Tounes is vehemently anti-transitional justice.<sup>689</sup> This provides the impression that there is a link between the EU's engagement with transitional justice in Tunisia and this shift of power.

There could be some alternative explanations for this change in priorities, such as the fact that the 'newness' of the issue had worn off by 2014. However, here it should be noted that other international donors have continued to provide funding for transitional justice advocacy up till at least 2018.<sup>690</sup> In doing so these donors seemed to acknowledge the pivotal moment the Tunisian transitional justice process had arrived at with on the one hand the TDC being about to publish its final report and the Specialized Chambers starting to consider cases, but on the other hand political hostility reaching a boiling point.<sup>691</sup> Another possible explanation for the EU's reluctance to support the transitional justice process was offered to the researcher by an EU Member State diplomat. He argued that the EU – and its Member States – had been hesitant to engage with transitional justice in Tunisia as it was broadly considered to be an Islamist undertaking.<sup>692</sup> According to him this would not be good optics for the EU in Tunisia. However, before 2014 when Ennahda was still in power the EU did support transitional justice (related) initiatives which did not provide the impression that the EU was supporting an Islamist vision of transitional justice. Examples include the project

<sup>689</sup> Section 4.3.2.

<sup>690</sup> In 2018 the US Bureau of Democracy, Human Rights and Labour provided funding to the Belgian NGO ASF for a project to build the capacity of local civil society organisations to defend Tunisia's transitional justice process.

<sup>691</sup> For more details on the nature of this political opposition, see: Communiqué de Presse, November 2018 (n615).

<sup>692</sup> Interview 28 Tunisia, Tunis, 25 September 2017, Diplomat European Member State.

focused on supporting Tunisian CSOs' transitional justice advocacy in marginalized regions such as Sidi Bouzid. Moreover, other donors have managed to support transitional justice efforts after 2014 without providing the impression of having bought in to a – supposed – Islamist transitional justice agenda, for instance by supporting iNGOs working with a broad coalition of both secular and Islamists Tunisian transitional justice actors.<sup>693</sup>

This thesis argues that a better explanation for this remarkable transitional justice timeline are the EU's own shifting foreign policy priorities in combination with the shifting political landscape in Tunisia. As discussed in section 4.3.4 on the EU's relations with Tunisia, 2015 marked the year of two major terrorist attacks in Tunisia. These attacks rendered efforts to reform Tunisia's security sector in order to put it in a better position to deal with the significant terrorist threat, the EU's core foreign policy priority in Tunisia. SSR requires cooperation of national authorities and therefore it was essential for the EU to safeguard strong ties with the Tunisian authorities. This was confirmed by an EU Member State diplomat working on SSR in Tunis, who emphasized the importance of safeguarding strong working relations with the authorities, and particularly the Ministry of Interior, to make sure that the EU's 23 million Euro security spending package could be effectively implemented.<sup>694</sup> Both President Essebsi as well as the Minister of Interior have manifested themselves as some of the staunchest opponents of Tunisia's transitional justice process.<sup>695</sup> Examples of this opposition include the introduction of the Economic Reconciliation Bill by the President,<sup>696</sup> and the sabotaging of the work of the Specialized Chambers, as discussed in more detail in chapter 4 and section 5.3.1.

<sup>693</sup> See (n690).

<sup>694</sup> Interview 3 Tunisia, Tunis, 11 August 2017, Diplomat European Member State.

<sup>695</sup> Communiqué de Presse, November 2018 (n615).

<sup>696</sup> See (n392).

The EU did not respond to these attacks. The fieldwork finished before the Ministry of Interior became involved in serious attacks on the (EU-funded) Specialized Chambers.<sup>697</sup> Therefore, interviews did not touch upon the EU's response to these developments. However, as discussed in the previous chapter, no public EU statements were issued against these serious attacks on the independence of the Tunisian judiciary. Asked about the Economic Reconciliation Bill an EU Delegation official stated that it was 'not easy for the EU' to support such an initiative, i.e. the law, instead of straightforwardly condemning this course of affairs. Reflecting on the tri-partite dialogues that are taking place between the EU, Tunisian CSOs and the government, this official mentioned:

And then transitional justice of course was raised as a concern, the law on reconciliation. We discussed why the government wanted to have another approach than what is foreseen in the law. We didn't reach really strong conclusions. The EU maintained that the IVD and commissions established under the IVD are independent, and if the government decides to create a new commission for economic reconciliation cases, it has to be an independent commission. You also need legal remedies, and for transitional justice you also need publication or broadcasting of the content and the conclusion [of the investigations], which was missing from the proposal. Again, the law is back, I mean every year, every summer it is back. We will see how it proceeds. It is not easy to support such a law from our side, because Tunisia agreed to a certain mechanism.<sup>698</sup>

An EU Member State diplomat based in Tunis added to this that the EU had not publicly condemned attacks on Tunisia's transitional justice process, as it was 'too politically sensitive', refusing to go in much more detail into the question why.<sup>699</sup> Taken together the EU's soft stance on and lack of support for transitional justice in Tunisia in

<sup>697</sup> Ibid.

<sup>698</sup> Interview 24 Tunisia (n584).

<sup>699</sup> Interview 28 Tunis (n692).

the wake of 2014, thus seems to be related to developments at the level of ‘core’ foreign policy priorities.

A second remarkable feature of the EU’s support for transitional justice in Tunisia, concerns the actors it has provided support to. While the EU has provided support to iNGOs working on socio-economic rights related issues in Tunisia’s marginalized regions, and the fight against torture and ill-treatment, the EU’s only support focused on Tunisia’s official transitional justice mechanisms was in its entirety channelled through UNDP. This was a source of major critique amongst interviewees working for international human rights NGOs in Tunisia. This is logical as they are competing for the same funding as UNDP. Nevertheless, their critiques do highlight that the EU preferred to provide funding for technical support to transitional justice in Tunisia, rather than to much needed advocacy efforts.<sup>700</sup> Moreover, by providing funding to another IO the EU created distance between itself and Tunisia’s transitional justice efforts.

This is a tactic which has been used by other international donors in other difficult transitional justice environments, as highlighted by Arthur.<sup>701</sup> She identified the creation of ‘pooled’ transitional justice funds. For instance, ‘in Guatemala, a major shift in international funding for TJ initiatives occurred in 2010 with the creation of PAJUST (Transitional Justice Accompaniment Program), administered by UNDP’.<sup>702</sup> This was an instance of pooled funding by USAID, Sweden, Canada, Denmark, the Netherlands, the Basque government, the Catalan government, and the UN Peacebuilding Fund, which totalled nearly 35.9 million USD for a five-year period. Donors indicated that one of the reasons for adopting this approach was that ‘channelling funds through UNDP

<sup>700</sup> Interview 31 Tunisia (n586); Interview 23 Tunisia, Tunis, 8 September 2017, Representative international transitional justice NGO.

<sup>701</sup> Arthur 2018 (n34).

<sup>702</sup> Ibid: 228.



and PAJUST has allowed donor governments to create some distance between themselves and TJ efforts, which have become more politically charged over the past several years, while still supporting important TJ work'.<sup>703</sup>

EU interviewees familiar with the EU's approach towards transitional justice in Tunisia did not as explicitly acknowledge that channelling support through UNDP served this goal. Instead, when asked about prioritizing cooperation with the UNDP one official remarked in an email exchange: 'UNDP is our implementing partner, this is a normal way of working'.<sup>704</sup> Nevertheless, other officials familiar with the EU's engagement with transitional justice in Tunisia repeatedly invoked obstacles that prevented the EU from supporting Tunisian actors working on transitional justice, particularly the TDC's malfunctioning and the population's fatigue with its work,<sup>705</sup> and the lack of institutional strength of some of these local transitional justice NGOs.<sup>706</sup> One official in Brussels, for instance, remarked:

Yes, I mean I think it is a very sensitive dossier; there is the full process of transitional justice going on with the specific body that is dealing with it, which has a lot of problems, a lot of internal problems in functioning. [...] So they have a practical problem but there is also, they are quite a big... It is really sensitive, there is really opposition from a very important part of the society. So it is, I mean I don't think I am saying anything, you know, it is controversial...<sup>707</sup>

<sup>703</sup> Ibid: 228.

<sup>704</sup> Email exchange representative EU Delegation in Tunisia.

<sup>705</sup> Interview 28 Brussels, 13 July 2017, Representative EEAS.

<sup>706</sup> Interview 24 Tunisia (n584).

I: In our call for proposals, it was two years ago, we had transitional justice, but we didn't really receive proposals on that topic.

E: Ah, so no organizations here...

I: I mean there were proposals, but they were not strong enough, and then we selected only two. One which is working with detainees in Sousse, and the other one is legal aid to vulnerable groups, but that is why it is not 100 per cent transitional justice, it is something that helps, but yeah. And there is also the question whether we believe it is going to be successful or not... I mean the IVD we will see if their mandate is extended or not. It took a long, long time to handle the cases in the IVD, and there is a public fatigue and all this money invested in this institution with no results, because they still haven't transferred the files to the court, because of different reasons, and that can be justified, but still IVD didn't transmit a single file to the court.

<sup>707</sup> Interview 28 Brussels (n705).

In this light channelling funding through UNDP must have appeared the safest option for EU engagement with transitional justice in Tunisia.

In relation to Ukraine the previous chapter observed a large discrepancy between the EU's consistent public condemnation of Russia, and its reluctance to express criticism in relation to Ukraine's failure to live up to its commitments under international law. In principle the EU has significantly more leverage over Ukraine than over Russia. As such political/economic pressure applied to Ukraine for its failure to prosecute perpetrators of war crimes and other grave human rights violations on its own side, would likely be more effective. However, as mentioned, it has not done so. Asked about this silence during interviews, EU officials questioned the wisdom of publicly insisting on Ukraine to pursue justice in view of the fragile security situation. More specifically, SGUA officials argued against putting too much public pressure on Ukraine to pursue accountability for war crimes committed by its own forces, as Russia could use this for its anti-Ukraine propaganda.<sup>708</sup>

Outsider observers, however, remarked that this was not the only reason why the EU had not been vocal about the need for Ukraine to pursue accountability. They believed that the EU's hesitation to call out Ukraine was also borne out of fear to put the existing positive working relations in peril, which could negatively affect other more important reforms such as those related to energy security.<sup>709</sup> While EU officials did not

<sup>708</sup> Interview 20 Brussels, (n285).

<sup>709</sup> Interview 14 Ukraine (n494); Interview 9 Brussels (n606).

Others did not invoke energy security directly, but did mention that the EU could not prioritize one type of reforms over the other: Interview 1 Ukraine (n600). This interviewee stated:

The EU excused much of the inexcusable behaviour of the Ukrainian government pointing at the fact that the country was going through a transition and fighting a war at the same time. This was a lost opportunity as it was at the same time the right momentum for reforms. Once the EU started realizing that it was not an effective strategy and started raising criticism, it was already too late, as it had already lost a lot of its credibility. Someone remarked that the international community should act as a good friend to Ukraine; a good friend should not be afraid to give honest feedback, because they want the best for you. The idea of unconditional support for Ukraine is a road to hell. It results into deterioration in many accounts.

directly mention energy security, many commented on the enormous progress Ukraine had already made over the last couple of years – more than it had achieved over the previous twenty years – and cautioned against overburdening Ukraine with too many demands, in order to not put at peril the progress that had been made.<sup>710</sup>

The previous chapter also raised questions about the EU's approach towards amnesties in the context of the Minsk peace process. As discussed, the Minsk II Agreement calls for Ukraine to provide an (seemingly unconditional) amnesty for individuals guilty of crimes committed in the context of the Donbas conflict.<sup>711</sup> In principle the EU opposes unconditional amnesties.<sup>712</sup> However, two EU Member States were involved in the negotiation of the Minsk Agreement, and the EU has consistently called on the full implementation of Minsk. To make things more complicated the EU has also consistently called on all parties to the conflict – even though it has been more vocal about Russia's responsibility – to prosecute offenders of grave crimes. It, however, has not backed up these calls with meaningful political pressure on Ukraine.

This thesis can only speculate about the role of politics in causing this situation as no EU official interviewed for this research displayed willingness to elaborate on the issue.<sup>713</sup> Could it be that the EU has not put more pressure on Ukraine to pursue

<sup>710</sup> Interview 20 Brussels, (n285). This notion of Ukraine having made enormous strides is also reflected in public statements: European Commission, EU-Ukraine Summit: strengthening our partnership and highlighting significant reform progress achieved by Ukraine (24 November 2016). Available at: [https://europa.eu/rapid/press-release\\_IP-16-3988\\_en.htm](https://europa.eu/rapid/press-release_IP-16-3988_en.htm), accessed 4 August 2019.

<sup>711</sup> Trilateral Contact Group, Package of measures for the Implementation of the Minsk agreements (12 February 2015). Available at: [https://peacemaker.un.org/sites/peacemaker.un.org/files/UA\\_150212\\_MinskAgreement\\_en.pdf](https://peacemaker.un.org/sites/peacemaker.un.org/files/UA_150212_MinskAgreement_en.pdf), accessed 15 August 2018.

<sup>712</sup> Council of the European Union 2015 (n3).

<sup>713</sup> When it comes to the role of Germany and France in this process others have argued that both countries' rather lenient stance towards Russia has been the subject of criticism of other EU Member States:

'Last, but not least, stakeholders not included in the Normandy Format continue to question its ability to deliver a full resolution to the conflict. Although the Obama administration and European officials publicly support France and Germany's independent diplomatic enterprise, many officials and experts in Washington, as well as various EU officials, do not hide their concerns that the two most significant European players are handling the crisis by themselves. Eastern EU member states are concerned that their vision of the crisis and Russia's responsibility may not be sufficiently reflected by France and

accountability for grave crimes, because the EU's ultimate aim is to guarantee stability in the Eastern Neighbourhood – both for economic and security purposes - even if this means allowing total impunity for the perpetrators of all types of crimes in the context in the Donbas conflict?<sup>714</sup> If the EU believes this is an acceptable compromise, it could explain why it is not insisting more on Ukraine to take its responsibility in this regard. Interestingly, an in-depth examination of Germany's and France's public statements about the Minsk Agreement by Katherine Brown shows that amnesties for separatists is one of the clauses from the Minsk agreement that both Angela Merkel and Francois Hollande, who was still the President of France when Minsk II was signed, did not comment on publicly at all.<sup>715</sup> Similarly, this researcher has not identified any EU

Germany in the sense that they would not be tough enough with the Russians. [...] For their part, both Berlin and Paris are well aware of the limitations of their efforts to identify a peaceful resolution to the conflict. [...] Yet, they consider that their ability to bring Russia and Ukraine together has played a key role in limiting further escalation of the conflict. And their main concerns, beyond the restoration of Ukraine's sovereignty, from the very beginning have been to avoid escalation, to contain the negative repercussions the conflict may have for European security, and to engage in a diplomatic process conducive to a political settlement.<sup>7</sup>

Simon De Galbert, *The Impact of the Normandy Format on the Conflict in Ukraine: Four Leaders, Three Cease-fires, and Two Summits*, Center for Strategic and International Studies. Available at: <https://www.csis.org/analysis/impact-normandy-format-conflict-ukraine-four-leaders-three-cease-fires-and-two-summits>, accessed 8 August 2019.

<sup>714</sup> Ukraine would not be the first country in which the EU has remained silent in the face of unconditional amnesties, one interviewee shared that in Afghanistan the EU has also funded negotiations that resulted in a deal that provided an unconditional amnesty to Gulbuddin Hekmatyar, 'the Butcher of Kabul'. The European Union provided almost 3 million EUR funding for the 'Afghan Peace Support Initiative' itself, and afterwards provided funding that would allow the peace deal to be implemented.

One interviewee mentioned that this situation even resulted in debate about the Framework's language on Embassy, with individuals in the Afghan EU Delegation objecting against its rejection of unconditional amnesties. Interview 10 Brussels, 12 June 2017, Representative EEAS:

I: So for example I work on Afghanistan, and we have been quite involved in this return of Hekmatyar, the Butcher of Kabul, with whom the government signed a deal, with his Hezb-e Islami party, where it gave some form of an amnesty, which is not in line with international standards. So you know, these challenges; the delegations were a little bit concerned about the language around our approach towards amnesties and so on.

E: So they wanted to have more flexible language?

I: Yeah, I would say so.

<sup>715</sup> Katherine Brown, *Theoretical Explanations for the Minsk II: Power, Preferences, and Interactions Examined*, Thesis - Submitted in partial fulfillment of the requirements for the degree of Master of Arts in European Union Studies in the Graduate College of the University of Illinois at Urbana-Champaign (2018).

documents or public statements reflecting on this specific clause of the Minsk agreement. This provides the impression that the issue of amnesties in context of the Donbas conflict, is one the EU prefers to ignore.

This lack of strategy on how to balance the potentially competing aims of peace and justice in EU foreign policy is not limited to the EU's efforts in the Ukrainian context. In her 2014 analysis of the EU support for peace and justice in foreign policy Davis found a near complete lack of in-depth policy reflection on how to balance conquering goals through for instancing sequencing of support:

Some EU mediators have understood the EU's support for the ICC to mean a prohibition on amnesties for crimes coming under the ICC's jurisdiction, but this is not EU policy. The UN, in contrast, expressly prohibits its mediators from witnessing agreements that include amnesties covering these crimes. The mediation support concept does not provide options, encouragement or requirements for EU mediators to propose positive steps to seek justice for human rights violations committed during conflict.<sup>716</sup>

As such she concluded that EU policy language provides the impression of justice being a low priority for EU in conflict-settings. However, a case-study of EU support for efforts aimed at advancing peace and justice in practice in the DRC, indicated that 'in that country at least, peace mediation and justice were, separately and together, priorities for the EU'. This provides the impression of a rather arbitrary rather than strategic transitional justice actor.

The publication of the Framework in 2015 has clarified the EU's position on some of these issues. The Council Conclusions for instance confirm the EU's commitment to integrating questions of justice in crisis response and peacebuilding efforts:

The Council recognises the desirability of integrating transitional justice into crisis response and peacebuilding including in any peace negotiations which the EU supports. The Council also

<sup>716</sup> Davis 2014 (n36): 179.

encourages EU Special Representatives, who play an active role in efforts to consolidate peace, stability and the rule of law, to promote accountability and the fight against impunity for violations and abuses.<sup>717</sup>

It also clarifies the EU's position on amnesties by explicitly rejecting the permissibility of unconditional amnesties.<sup>718</sup> However, the EU's approach towards accountability in the context of the Donbas conflict provides the impression that the adoption of the Framework has not necessarily resulted in more consistency.

Overall, these observations strongly support the notion that the EU's lack of support for mainstream transitional justice efforts, most notably those aimed at the pursuit of accountability for grave crimes, in Tunisia and Ukraine is informed by the aversion of local political elites against such efforts. As discussed in chapter 4, appeasing local political elites is essential to the EU's broader foreign policy interests in Tunisia and Ukraine. As such, in the context of this thesis' case studies non-engagement with mainstream (gendered) transitional justice goals is reflective of the EU's instrumentalist approach towards engagement with (gender) justice in transition. The more speculative reflections on the EU's approach towards the amnesty clause in the Minsk agreement suggest that in the Ukrainian context broader geopolitical and geo-economic considerations have played a similar role in curbing the EU's insistence on fighting impunity in the context of the Donbas war. The next section will expand the argument that priorities of political elites determine the EU's gender justice in transition in Tunisia and Ukraine, by demonstrating that the EU's support for forward-looking gender justice efforts in both countries is also shaped by elite actor preferences.

<sup>717</sup> Council of the European Union 2015 (n3): 4.

<sup>718</sup> Ibid: 25-27.

### *6.3.2 The local gender politics behind the EU's selective engagement with future focused gender justice efforts*

As discussed, EU policy documents have increasingly emphasized the importance of support for more forward-focused gender justice efforts and the need to address the continuum of violence experienced by women in societies transitioning from conflict and repression. As such, one could argue that the EU's prioritization of support for legislative and institutional reform is not entirely out of step with EU policy commitments. Moreover, as (some) local women's groups have been prioritizing these issues, EU support for them also corresponds with grassroots demands. This thesis agrees. However, it still argues that the agendas of local political elites are the key drivers behind the EU's prioritization of these efforts. It does so, based on some of the previous chapter's observations about the nature of EU engagement with forward-looking gender justice efforts in Tunisia and Ukraine and chapter 4's discussion of local gender politics. The first observation concerns the difference between the overall approach towards supporting efforts aimed at fighting GBV in Tunisia and Ukraine. The second observation concerns the exact nature of the type of efforts – provision of services, advocacy etc. - the EU has supported in the realm of the fight against GBV in Tunisia and Ukraine.

As discussed in chapter 4, in the wake of their respective revolutions both Tunisia and Ukraine have pursued efforts aimed at tackling persistent levels of GBV. More specifically, both countries have pursued legislative reform to enhance the capacity to deal with this issue. Since chapter 4 showed that supporting efforts to address the continuum of violence experienced by women in countries in transition has increasingly become an EU priority in the era of WPS, one would expect the EU to be fully supportive of these attempts in both Tunisia and Ukraine. However, chapter 5 demonstrated that relatively speaking, the EU has provided significantly more support

of both a financial and political nature to this cause in Tunisia than in Ukraine.

Comparing these findings with chapter 4's insights about the role of local gender politics in shaping debates about gender justice in Tunisia and Ukraine, this section argues that this difference between the EU's approaches towards supporting GBV in Tunisia and Ukraine is further evidence of the way in which local political elites shaped the EU's engagement with gender justice in Tunisia and Ukraine.

As mentioned, the EU has been supporting legislative reform to tackle GBV and other types of discrimination in Tunisia through financial and political means. This is in line with the EU's conviction that bolstering women's rights and gender equality is an integral component of and condition for Tunisia's successful democratic transition.<sup>719</sup> This robust financial and political commitment to support for legislative reform is in stark contrast with the attitude of the EU Delegation in Ukraine, where the only high-ranking EU official who has publicly called upon Ukraine to ratify the Istanbul Convention is the EEAS Principal Advisor on Gender, Ambassador Marinaki.<sup>720</sup> As she is not a permanent EU fixture in Ukraine, and women's rights are her only policy portfolio, this does not have the same importance as having the EU Ambassador raising this topic.

<sup>719</sup> This notion is captured in this 2018 statement which celebrates the advances Tunisia made over the course of 2017: 'The period presented in this report was characterized by a consolidation of the transition in Tunisia, for instance through the adoption of electoral laws, the convening of municipal elections for the 6<sup>th</sup> of May 2018, the law on violence against women, the creation of a Commission on reforms related to freedoms and equality, and the adoption of the strategy for the reform of the public administration'. Commission Européenne & La Haute Représentante de l'Union Européenne pour les Affaires Étrangères et la Politique de Sécurité, Document de Travail Conjoint des Services : Rapport sur l'état des relations UE-Tunisie dans le cadre de la Politique européenne de voisinage révisée Mars 2017 – Mars 2018, Bruxelles, le 30.4.2018 SWD(2018) 180 final: 17.

Similar references which connect support for women's rights to support for Tunisia's democratic transition can be found in: Commission Européenne & La Haute Représentante de l'Union Européenne pour les Affaires Étrangères et la Politique de Sécurité, Rapport sur l'état des relations UE-Tunisie dans le cadre de la Politique européenne de voisinage révisée Avril 2017, Bruxelles, le 26.4.2017 SWD(2017) 152 final: 4.

<sup>720</sup> Ministry of Foreign Affairs of Ukraine, Deputy Foreign Minister of Ukraine Sergiy Kyslytsya met with the European External Action Service Principal Advisor on gender / UNSC resolution 1325 implementation Mara Marinaki (14 June 2016). Available at: <https://mfa.gov.ua/en/news-feeds/foreign-offices-news/48420-zastupnik-ministra-zakordonnih-sprav-ukrajini-sergij-kislicya-zustrivsyia-z-golovnim-radnikom-jevropejskykoji-sluzhbi-zovnishnih-dij-z-gendernih-pitany-ta-vikonannya-rezolyuciji-rb-oon-1325-maraju-marinaki>, accessed 21 May 2019.



Connecting these findings to the insights about the controversies that have shaped the discourse around gender justice in Tunisia and Ukraine after the Arab Spring and Maidan, this preparedness or unpreparedness to support legislative reform is directly linked to the local gender justice climate and particularly the preferences of local political elites. In Tunisia, since 2015, the process towards the adoption of legislation to fight GBV has been relatively smooth. In Ukraine, however, the ratification of the Istanbul Convention has become a topic of national controversy with the powerful Council of Churches having expressed opposition against the document due to its use of the term gender. While the Ukrainian President has expressed himself in favour of ratification, he has not exercised his influence to bring this goal any closer. The EU's lack of support for advocacy efforts in favour of ratification suggests that it has replicated the President's approach. In this regard one interviewee working on EU-Ukraine Association in Brussels remarked:

And then, very quickly, when we would like to raise an issue or push for example for the ratification of the Istanbul Convention our leadership says: 'well what is the legal basis for that, we already have a lot of contentious issues, do we really need to add this too?'. That is one side, and on the Ukrainian side they are getting hammered with loads of stuff they need to do and are not doing. So they are also a bit allergic to yet another issue.<sup>721</sup>

Interestingly, in Tunisia the EU has not only presented itself as a vocal backer of legislation to address VAW, but also of President Essebsi's efforts aimed at guaranteeing equal inheritance rights. Contrary to the Integral Law on VAW, this legislation is very controversial amongst large shares of the Tunisian population because it contradicts Islamic law.<sup>722</sup> If the EU's approach towards the struggle against GBV was shaped by popular opinion – as one could argue is the case in Ukraine – one would expect the EU to have refrained from expressing public support for equal inheritance

<sup>721</sup> Interview 11 Brussels (n670).

<sup>722</sup> Grewal 2018 (n399).

rights in Tunisia. However, the EU has adopted the opposite approach. This strengthens the case that the preferences of political elites rather than populations at large determine the EU's engagement with forward-looking gender justice efforts in Tunisia and Ukraine.

In addition, section 5.4.1, which discusses the exact nature of EU support for the fight against GBV and other types of gender-based discrimination, found that while the EU has prioritized support for legislative reform in this realm in Tunisia, some aspects of this support confirmed the notion that the EU's engagement in this regard is restricted by governing elites' priorities. These aspects concern the exact nature of the EU's support and its timing. When it comes to timing of the EU's political support in particular, it should be noted that the EU has only become vocal on equal inheritance right after the President had already committed himself to this cause. When it comes to the nature of EU support for forward-looking gender justice efforts interviewees highlighted the EU's failure to support (feminist) NGOs' advocacy for issues that go beyond the scope of the government's gender justice agenda.

Furthermore, the fact that in Ukraine the EU has prioritized support for efforts to integrate women in the security forces also bolsters the claim that local authorities' priorities shape the EU's gender justice agenda. As described in section 4.4.3, one of the dominant Ukrainian narratives accompanying the conflict in Donbas has been the role that women have played in the defence of Ukraine's territory against Russia, through the taking up of active combat roles.<sup>723</sup> While these women faced severe resistance in the beginning, their choice has become more normalized, and even become a source of national pride.<sup>724</sup> As discussed in section 4.4.2.4, this is reflected in the fact that recently

<sup>723</sup> Martsenyuk, Grytsenko and Kvit 2016 (n466).

<sup>724</sup> Krasnikov 2018 (n547); Ukrinform 2019 (n548)

Ukraine has banned legislation that prohibits women from working in certain high risk jobs including certain positions in the military.<sup>725</sup> Generally speaking, the Soviet vision of emancipation – still heavily shaping Ukraine’s vision on gender equality today – is constructed around women’s participation in the job market as the core indicator of gender equality.<sup>726</sup> Therefore, support for integration of women in the security forces is one of the less disruptive gender justice efforts the EU could support in Ukraine. In Tunisia, to the contrary, the lack of women’s participation in the public sphere has been the key factor banishing the country to the lower ranks of global gender equality indexes.<sup>727</sup>

This picture was confirmed during interviews with EU officials and other experts on the security in Tunisia:

I: The point is I could just tell you ‘okay gender is a marvellous issue’, I could tell you...

E: Yes, I appreciate you are open about this.

I: But I just want to tell you that it is true that it is not so easy when you... Because two years ago you know, it was almost war time here. I mean we had a curfew, a state of emergency. We still have a state of emergency, but in the beginning of the curfew it was from 8 pm. That is very early in the evening. So that means that at 8 everyone was at home. It was a very stressful

This shifting attitude towards women is also reflected in the lifting of a ban that prohibited women to work in 450 professions which were considered to be dangerous. Anti-Discrimination Centre 2018 (n465).

<sup>725</sup> Human Rights Information Centre, In Ukraine more than 450 jobs are still banned for women – report (10 February 2017. Available at: [https://humanrights.org.ua/en/material/v\\_ukrajini\\_zhinkam\\_dosi\\_zaboroneni\\_ponad\\_450\\_profesij\\_zvit](https://humanrights.org.ua/en/material/v_ukrajini_zhinkam_dosi_zaboroneni_ponad_450_profesij_zvit), accessed 28 November 2018.

<sup>726</sup> Tatiana Zhurzhenko, 'Free market ideology and new women’s identities in post-socialist Ukraine' (2001) 8(1) *European Journal of Women's Studies* 29; Maryna Bazylevych, 'Women Professionals in the "Marketplace"' in *Post-Socialist Ukraine: Socialist-Post-Socialist Continuum in Gender Categories* (2005) 23(2) *Anthropology of East Europe Review* 41.

<sup>727</sup> In the 2017 World Gender Gap Index Tunisia scores 131<sup>st</sup> out of 144 nations for economic participation. Its overall ranking is 117<sup>th</sup>, with its highest sub-ranking being 55<sup>th</sup> for political participation. Ukraine, to the contrary, ranks 34<sup>th</sup> out of 144 nations for economic participation, while it ranks 103<sup>rd</sup> for political participation. Available at: [http://www3.weforum.org/docs/WEF\\_GGGR\\_2017.pdf](http://www3.weforum.org/docs/WEF_GGGR_2017.pdf), accessed 25 November 2018.

The UNDP’s 2018 Gender Inequality index ranks Tunisia 95<sup>th</sup> and Ukraine 88<sup>th</sup>. However, also this index shows a huge discrepancy between women’s labour force participation in Ukraine (69.0 %) and Tunisia (24.3 %) versus men at 84.5 % in Ukraine and 70.6 % in Tunisia. Available at: <http://hdr.undp.org/en/composite/GII>, accessed 25 November 2018.

atmosphere, and at that time, again it couldn't be the top priority, for sure. And, I think speaking more and more with them [the Tunisian authorities], and explaining exactly the goal, explaining exactly what can be won, going further and further in this issue takes time. That's all. That's all.

E: Okay...

I: And if it is not well done, you take the risk that officially they will say yes, because politically they are obliged to say yes, but there will be not a single change in depth. I mean, if we really want to achieve any concrete results, we have to put a lot of – what's the name – I mean a lot of people, a lot of money, and a lot of time into this. I mean it will not change by, it cannot be a magical change, do you understand what I mean?<sup>728</sup>

This quote neatly shows that even if the EU is committed to supporting the integration of women in the security sector, it is not a priority, and also that the EU believed that in Tunisia the relevant authorities were not interested in working on this topic.<sup>729</sup>

### **6.3.3 Conclusion**

While EU support for gender justice in Tunisia and Ukraine is partly in line with the agendas of grassroots (feminist) gender justice actors, the exact nature of what it does and does not support betrays that the most significant factors behind EU engagement with gender justice in both countries are the agendas of governing elites. In both countries the absence of meaningful EU engagement with efforts to pursue accountability for past crimes reflects local authorities' reluctance to engage with, or active objection against, mainstream transitional justice efforts. The type of forward-looking gender justice issues the EU does support are also reminiscent of the priorities of local elites. This is nicely illustrated by a comparison between EU gender justice

<sup>728</sup> Interview 3 Tunisia (n694).

<sup>729</sup> It should be noted that since 2017 the EU has started to support WPS projects under the IcSP in Tunisia, but these all focus on women's role in PVE/CVE efforts at the community level. These projects include: 'Salam Prévenir l'Extrémisme Violent en Tunisie : Une Approche Basée sur les Droits Humains et la Consolidation de la Paix' 998,001 €, and 'Femmes Et Jeunes Pour La Paix' 320,000 €

efforts in Tunisia and Ukraine. In Tunisia the EU's readiness to support progressive legislative reform to improve Tunisian women's legal standing, is reminiscent of Nidaa Tounes' gender justice priorities as discussed in chapter 4. In Ukraine similar efforts have been pursued by local and international gender justice advocates, which means that also here the EU could have profiled itself as a champion of legislative reform aimed at combating GBV. However, in Ukraine the EU's engagement with this issue has been rather subdued. This is in line with the lack of serious buy in from governing political elites in the Istanbul Convention. This suggests that also when it comes to forward-looking gender justice support local gender politics rather than EU gender justice principles are at the core of the EU's efforts in this realm. The implications of these findings for feminist theory will be discussed in the upcoming two sections.

#### ***6.4 CO-OPTION OF TRANSFORMATIVE APPROACHES TOWARDS GENDER JUSTICE IN TRANSITION***

How do these findings relate to notions that international actors' approach towards support for gender justice in transition is guided by instrumentalist motives? This section argues that while co-option of gender justice issues by international transitional justice actors has been traditionally associated with support for the pursuit of accountability of wartime-rape, the EU's narrow gender justice agenda in Tunisia and Ukraine testifies to the fact that also support for a more transformative approach towards gender justice in transition can be subordinated to broader foreign policy goals. The fact that the EU wants to safeguard optimal relations with Tunisian and Ukrainian governing elites, and the fact that its gender justice support follows the gender justice priorities of these elites is a strong indicator that gender justice support is employed in such a way as to not jeopardize and even to strengthen working relations with partner governments. This means that while the nature of the EU's engagement with gender

justice in Tunisia and Ukraine differs from the priorities traditionally associated with ‘the patriarchy of internationalized transitional justice’, the factors shaping this engagement are the same. This raises questions about the ability of a feminist definition of transformative justice constructed around certain harms and mechanisms is best suited to tackle the – apparently – multi-headed beast which is ‘the patriarchy of internationalized transitional justice’.

As discussed in chapter 2, instrumentalization or co-option describes the notion that despite increased attention for gender justice in international politics, opportunism rather than ideological commitment to the cause has spurred international actors’ specific efforts in certain contexts. As the critique at the core of feminist scholarship on international engagement with gender justice is that international actors have prioritized support for the pursuit of accountability for conflict-related SGBV at the expense of other type of gender justice efforts, the notion of instrumentalization has been explored mostly in relation to this type of intervention.<sup>730</sup> The embrace of transformative justice approaches that focus on a wider range of harms experienced by women in times of conflict and transition are suggested as a potential remedy against this opportunistic approach towards gender justice abroad.

As discussed in section 3.5 on data analysis, the first version of the code book that functioned as the analysis framework for the interviews, and included ‘instrumentalization’ as an overarching thematic code, did not really sync well with the data. This was related to the fact that the definition of the instrumentalization code was tied to the ‘essentialization’ code. This code was supposed to include statements referring or implying the EU’s prioritization of responding to politically motivated SGBV in its support for gender justice in Tunisia and Ukraine. However, few

<sup>730</sup> Pratt 2013 (n76).

statements suggested such an understanding of gender justice priorities on the EU's behalf. Instead a category called 'side-lining' needed to be added to the code book to capture the many quotes that implied a reluctance on the EU's behalf to engage with mainstream (gendered) transitional justice priorities. To capture the implications behind the quotes describing the type of gender justice efforts the EU did support the code 'de-politicization' was added. De-politicization was used to describe quotes that imply that the EU is supporting gender justice efforts that are not politically sensitive for local political elites. Further reflection on the quotes in the 'side-lining' and 'de-politicization' categories resulted in the insight that instrumentalist attitudes can also be reflected in support for other gender justice efforts than support for the pursuit of accountability for wartime rape.

In fact, the previous paragraphs' core contribution to feminist thinking on international support for transitional justice is that in certain contexts support for the pursuit of accountability for politically motivated SGBV can actually be considered as a liability rather than a vehicle to advance other foreign policy interests. This is particularly the case when past-focused gender justice efforts are not high on the agenda of national political elites – for cultural and/or (geo)political reasons - and the conservation of good relations with these elites is central to the said international actors' foreign policy strategy. In these cases, international support for efforts that have often been singled out as components of a more transformative approach because they address the 'continuum of violence', can actually be the contrary, as they reinforce the agendas of governing political elites. The exact nature of the type of future-focused gender justice efforts the EU does and does not engage with in Tunisia and Ukraine indeed supports the notion that support for 'transformative' justice efforts can also be instrumentalized as a tool to support the agendas of friendly foreign powers.

### ***6.5 DEFINING TRANSFORMATIVE***

Chapter 5 contains findings about the nature of EU support for gender justice in transition that diametrically oppose much of the dominant insights about ‘the patriarchy of internationalized transitional justice’ in feminist scholarship on this issue. As these findings are based on EU engagement with transitional justice in only two case study countries they are not representative of the entire field. It could well be that in other contexts the EU has prioritized the pursuit of accountability for wartime rape and ignored future focused gender justice efforts aimed at addressing the continuum of violence and inequalities experienced by women. Nevertheless, the fact that feminist theory on ‘the patriarchy of internationalized transitional justice’ does not account for the type of findings outlined in the previous chapter, indicates that some adjustments should be made in order to ensure that theory adequately covers the – multi-faceted – realities of international support for gender justice in transition. This section argues in favour of the development of a diversified theory of ‘the patriarchy of internationalized transitional justice’ and politicized definition of transformative justice.

In feminist transitional justice scholarship on international engagement with transitional justice the ‘local’ has often been synonymous with grassroots gender justice actors.<sup>731</sup> In this type of publications, the local fulfils the role of a source of inspiration for more transformative approaches towards gender justice in transition.<sup>732</sup> This chapter’s findings emphasize the importance of acknowledging ‘the local’ as a core political factor shaping the nature of international engagement with gender justice in transition. In this understanding ‘the local’ is not necessarily a shortcut for more transformative, holistic approaches towards the pursuit of gender justice in transition,

<sup>731</sup> O’Reilly 2016 (n112Error! Bookmark not defined.).

<sup>732</sup> Lambourne and Rodriguez Carreon 2015 (n5).



but rather a politicized entity in which gender justice is advanced according to political calculations.<sup>733</sup>

These political calculations impact what constitutes an instrumentalist approach towards gender justice in transition on behalf of international actors. The notion that international actors' engagement with women's rights is determined by opportunistic motives is an often repeated concern in feminist literature.<sup>734</sup> However, as many feminist transitional justice scholars take the fact that international actors prioritize support for the pursuit of accountability for conflict-related SGBV for granted, the existence of opportunistic motives has been explored almost uniquely in relation to this type of violence.<sup>735</sup> Above discussed analysis of the linkages between the nature of the EU's engagement with gender justice in Tunisia and Ukraine and local authorities' gender justice priorities suggests that motives behind other types of gender justice support can be equally opportunistic. This means that in certain contexts international support for transformative justice solutions can be equally instrumentalist as the focus on wartime rape in others. This suggests that when invoked as a potential solution for the flaws of 'the patriarchy of internationalized transitional justice' the definition of the term 'transformative' might need to be constructed around the notion that it addresses the unaddressed.

At the same time, such a definition raises challenging questions about the role of international actors in shaping local gender justice trajectories and the merit of pragmatic vs more idealistic approaches towards support for gender justice in transition. When it comes to the role of donors in shaping gender justice trajectories, one could think of questions such as: Is it acceptable for a donor from the Global North to

<sup>733</sup> See also Kochanski 2018 (n146).

<sup>734</sup> Catherine Powell, 'How Women Could Save the World, if Only We Would Let Them: From Gender Essentialism to Inclusive Security' (2015).

<sup>735</sup> Hirschauer 2014 (n7); Pratt 2013 (n76).

intervene in delicate discussions about gender and nationhood in fragile periods of transition?; When different components of the women's movement have different and/or even competing priorities, how can an outside actor determine what is the worthiest cause? When it comes to pragmatic vs more idealistic approaches, the need to weigh the added value of support for gender justice efforts that have some buy in from local powerholders and those that do not, comes to mind; i.e. is it more valuable to support gender justice efforts that are likely to yield tangible results for beneficiaries because they are condoned or even embraced by local authorities, than to support efforts that will likely not make much difference, because the circumstances will not allow for any progressive gender justice outcomes? The following sections look into what such a transformative approach might look like in practice and particularly what could (or should) be the role of international actors in advancing this ideal.

### ***6.5.1 Can internationalized transitional justice practice be transformative? A post-colonial feminist perspective***

Having established a definition of 'transformative gender justice in transition' it is necessary to engage with the questions whether transitional justice as a concept is able to bring about "transformation" due to its philosophical, geographical and historical roots, and whether international support for such a phenomenon is desirable at all from a feminist perspective. As discussed in chapter 1, feminist transitional justice experts – particularly those adhering to the post-colonial feminist school of thought – have increasingly posited that transitional justice, because it is rooted in a masculine, neo-colonial vision of post-conflict justice can never be used as a method to transform the lives of women and girls in societies transitioning from conflict and/or repression to

democracy and peace.<sup>736</sup> In this regard Moyo describes transitional justice as ‘one of the masculine human rights strategies that are reminiscent of imperial intervention in the lives of postcolonial subjects’.<sup>737</sup> To the contrary, it has been argued that existing patriarchal power structures at both the international and local level have used transitional justice as a cosmetic measure that address only a fragment of the human rights abuses while forestalling efforts aimed at addressing structural inequality and effectuating social justice; a master’s tool poorly equipped to dismantle the master’s house.<sup>738</sup> These observations apply to transitional justice’s role in curbing quests for more distributive justice both within transitional societies themselves, as well as between societies in transition and transitional justice donors in the Global North.<sup>739</sup> In this regard Haynes has demonstrated how the insistence on the embrace of a free market economy in post-conflict Bosnia disproportionately harmed women. Both privatization and welfare reforms hit women harder, because women more often work public sector jobs and also more often are dependent on public services to safeguard their own and their families’ wellbeing.<sup>740</sup> Alongside this prioritization of a narrow vision of transitional justice for economic reasons, post-colonial feminist scholars have also criticized international actors’ invocation of women’s rights to advance security-related goals.<sup>741</sup> These critiques have particularly gained momentum in the context of the War on Terror during which actors in the Global North justified armed intervention in Afghanistan under the pretext of liberating Afghan women from the oppressive Taliban Regime. This reasoning of course completely disregarded the enormous levels

<sup>736</sup> Pascha Bueno-Hansen, ‘Decolonial Feminism, Gender, and Transitional Justice in Latin America’ in *The Oxford Handbook of Gender and Conflict* (2017 Oxford University Press).

<sup>737</sup> Moyo 2012 (n75): 237.

<sup>738</sup> Charlesworth, Chinkin & Wright 1991 (n10).

<sup>739</sup> Orford 2002 (n76).

<sup>740</sup> Dina Francesca Haynes, ‘Lessons from Bosnia’s Arizona Market: Harm to Women in a Neoliberalized Postconflict Reconstruction Process’ (2010) 158(6) *University of Pennsylvania Law Review* 1779.

of harm that the invasion inflicted on the women it alleged to save, and looked even more dubious when in the wake of the intervention women's rights were forgotten or sacrificed in the pursuit of more 'urgent' security and economic development goals.<sup>742</sup>

This presents feminists who are invested in the pursuance of justice for female victims of conflict and repression with a difficult dilemma. Is it desirable to advocate in favour of a practice – i.e. transitional justice – which while on paper might have some potential to contribute to progressive gender justice outcomes, in practice has often been used to advance narrow human rights agendas of political powers in the Global North, while curbing down more ambitious gender justice agendas of feminists in the Global South. In case of a negative response, one is confronted with the follow up question: what would be the consequences of (total) feminist disengagement with what has become the international community's default tool to advance justice demands in societies in transition. In view of the fact that women's and feminists' absence from the table has long been considered a key obstacle to advancing of the cause, it is not surprising calls for total disengagement with transitional justice a rare – if not absent – from feminist transitional justice literature. Instead most (post-colonial) feminist scholars have looked for ways to do transitional justice better, advocating for – as discussed in chapter 1 – an approach that allocates more weight to the voices of local female victims and takes inspiration from initiatives by grassroots gender justice actors.<sup>743</sup> In this regard Moyo for instance concludes that:

Postcolonial legal reading could however, attempt to strike a balance between the need to decolonize humanitarian legal and human rights standards which form the normative basis of

<sup>742</sup> Vasuki Nesiah, 'Feminism as counter-terrorism: The seduction of power' in *Gender, National Security, and Counter-Terrorism: Human rights perspectives* (Routledge 2013) 137; Kevin Ayotte and Mary E. Husain, 'Securing Afghan women: Neocolonialism, epistemic violence, and the rhetoric of the veil' (2005) *NWSA journal* 112.

<sup>743</sup> O'Reilly 2016 (n112 **Error! Bookmark not defined.**).

transitional justice, on the one hand, and a recognition that these international legal standards can be both viperous and redeeming. Further, and against the backdrop that globalization has reconfigured, disrupted and destabilized the notion of the sovereign state, postcolonial legal scholarship can also engage with non-state actors and other locations of power so as to holistically address rights and sites that concern injustices perpetrated on postcolonial subjects and women.<sup>744</sup>

Moyo thus still considers transitional justice to be a potent vehicle for transformative change, provided that grassroots actors or non-traditional centres of power set the agenda. This echoes the work of Otto who also posited that international security bodies and most notably the UNSCR can both act as restraining and facilitating factors when it comes to advancing women's rights in societies in transition depending on whose interests and voices these bodies decide to prioritize.<sup>745</sup> What are the implications of this for the role of international transitional justice donors? While on first sight, having international donors might seem antithetical to this bottom up vision, careful reading of (post-colonial) feminist transitional justice literature shows little appetite of a full denunciation of international transitional justice funding.<sup>746</sup> This most likely reflects a reality where these funds are often the only means to support transitional justice initiatives of any nature – including grassroots, transformative gender justice initiatives. The goals for (post-colonial) feminist transformative justice proponents then thus is to make sure that more of the available funds are diverted in the latter type of efforts.<sup>747</sup> I.e. international support for transitional justice can be beneficial, provided that it is shaped by the priorities of grassroots actors on the ground.<sup>748</sup>

<sup>744</sup> Moyo 2012 (n75): 273.

<sup>745</sup> Dianne Otto, 'Beyond Stories of Victory and Danger: Resisting Feminism's Amenability to Serving Security Council Politics' in *Rethinking Peacekeeping, Gender Equality and Collective Security* (Springer 2014).

<sup>746</sup> Coomaraswamy 2015 (n11).

<sup>747</sup> Daniel Aguirre and Irene Pietropaoli, 'Gender equality, development and transitional justice: The case of Nepal' (2008) 2(3) *The International Journal of Transitional Justice* 356.

<sup>748</sup> Lambourne and Rodriguez Carreon 2015 (n5).

### *6.5.2 Conceptualizing a more transformative approach to supporting gender justice in transition: A practical perspective*

However, both post-colonial feminist analysis of efforts to reclaim transitional justice in post-conflict contexts,<sup>749</sup> as well as this chapter's findings put into question the extent to which simply relying more on 'the local' can be a shortcut towards a more gender just approach towards transitional justice.

These observations beckon the development of a more practical vision of what it means to prioritize 'the local' in internationalized transitional justice practice. In (feminist) transformative justice scholarship the term local ownership often constitutes a shorthand for respecting the priorities of local civil society actors, who while often not interested in the standardized global transitional justice toolkit,<sup>750</sup> do share a commitment to broader (social) justice principles. Under this model, it seems clear that international actors' transitional justice and gender justice support should be directed to these critical, but transitional justice-supportive local voices. However, as McAuliffe has pointed out,<sup>751</sup> this focus on civil society actors obscures the fact that the local actors who are most likely to determine transitional justice outcomes are local (political) elites.<sup>752</sup> In Tunisia and Ukraine these elites are democratically elected and – as both are middle-income countries - have the required resources at their disposal to support

<sup>749</sup> First of all, there are the challenges associated with translating the "Western" notion of transitional justice into a discourse that fits the language and lived experiences of (indigenous) female victims who are mostly based in the Global South. Bueno Hansen's research on efforts by urban feminist groups in Peru to support rural female victims of Peru's conflict, emphasizes the challenges associated with establishing 'gender solidarity amongst women from

different class, ethnic, geographic, and cultural backgrounds' and undoing deeply ingrained suspicion of judicial processes. Second, this thesis – and previous publications – also highlight the risks associated with approaching 'the local' and particularly 'local women' as a monolithic entity with a common agenda and a unified voice. The remainder of this section looks predominantly into this second issue of how competing visions at the local level complicate the notion of more reliance on 'the local' to achieve transformative gender outcomes. Pascha Bueno-Hansen, *Feminist and human rights struggles in Peru: decolonizing transitional justice* (University of Illinois Press 2015).

<sup>750</sup> Madlingozi 2010 (n166).

<sup>751</sup> Pádraig G McAuliffe, 'The problem of elites' in *Transitional and Transformative Justice* (Routledge 2019) 77.

<sup>752</sup> See also: MacDonald 2019 (n148) for an example of these dynamics in the Ugandan context.

transitional justice/gender justice efforts. However, they are also largely opposed to supporting serious efforts to deal with the human rights implications of past repression and ongoing conflict. At the same time these political elites do seem to be in favour of some gender justice advances.

What does the insistence in post-colonial feminist and critical transitional justice literature on local ownership prescribe for international donors under this type of circumstances? The literature provides surprisingly little guidance on this point, because as Sharp has rightly remarked:

Concepts like local ownership present a loose and often confusing theme in academic and policy discourse that subsumes a wide range of critiques and concerns, understanding global-local dilemmas requires one to unpack the concept, distinguishing concerns about actual control (agency, decision making, funding), process (bottom-up, participatory, homegrown), and substance (values, practices, priorities), even if those concerns are in practice highly related.<sup>753</sup>

Looking into the question of international transitional justice funding, Arthur and Yakinthou argue in favour of a better balance between support for state-sanctioned transitional justice measures, international courts and local and international civil society initiatives, urging donors ‘to think more strategically and relationally about the choices they do make (including *not* intervening), and to ensure that civil society priorities, capacities and positioning are factored into that strategic thinking’.<sup>754</sup> Since their research into the nature of international donor support for transitional justice found that civil society initiatives have been chronically underfunded, this implies there is need for a stronger focus on strategic support for civil society in countries in transition. In this vision, local ownership and international transitional justice funding can go hand in hand provided that funding is provided strategically to a range of local civil society actors.

<sup>753</sup> Sharp (n40): 75.

<sup>754</sup> Arthur and Yakinthou 2018 (n164): 243.

Civil society interviewees for this research – from ideologically diverse backgrounds – shared this vision, with none of them contesting the central role that international donor funding plays in advancing transitional justice and gender justice goals in Tunisia and Ukraine, but with many of them questioning international donors’ strategies and priorities. However, this vision does not provide an answer to the question how international donors should spend – limited/finite – resources in case the dilemma is not between state-led transitional institutions vs grassroots transitional justice initiatives, but rather between supporting grassroots past-focused (gender) justice initiatives that do not enjoy much or any state buy-in or future-focused women’s rights efforts that can count on (some level) of support by not only (political) elites, but also (parts of) the local women’s movement.

This thesis does not imply it has the definite answer to this dilemma. However, based on what was observed in Tunisia and Ukraine during this research, and insights from other contexts that have struggled with transitional justice for a longer period,<sup>755</sup> it did identify some suggestions for progress. In particular, this thesis’ findings point at a need for international actors to find a balance between capitalizing on immediate (gender) justice opportunities, such as the opening up of the equal inheritance debate in Tunisia, when they occur, and fostering a roster of civil society actors dedicated to advancing transitional justice that can keep accountability issues on the agenda and jump in when the transitional justice climate improves. The latter is important as while in many contexts around the world attempts at the pursuance of accountability for past human rights abuses initially failed because of political resistance, the passage of time often created space for more successful efforts.<sup>756</sup> In terms of the nature of the types of

<sup>755</sup> Particularly Latin American countries transitioning from dictatorship to democracy. See: Elin Skaar, Jemima García-Godos, and Cath Collins, *Transitional justice in Latin America: the uneven road from impunity towards accountability* (Routledge 2016).

<sup>756</sup> Cath Collins, *Post-transitional justice: Human rights trials in Chile and El Salvador* (Penn State Press 2010).



international actors fund such an approach requires a shift from a funding model that is reactive and project based, to one that is strategic and focuses not necessarily on one-off transitional justice projects (often driven by international transitional justice NGOs). This requires the fostering a resilient roster of the type of critical civil society actors – human rights lawyers, human (and women’s) rights NGOs, victims’ organizations – that have stepped in when space for transitional justice opened up in other country contexts.

Doing this requires investing in these organizations’ capacity to carve out an existence beyond both transitional justice funding specifically as well as donor funding in general. This could include encouraging those actors who are focused on pursuing accountability for (gendered) harms that occurred in the past to also embrace more future focused efforts. It also requires support for the creation of networks between organizations whose core focus is transitional justice and (established) CSOs which have an interest in transitional justice but who have an operating model focused on a broader range of activities and where possible cooperation with authorities to advance human rights outcomes – e.g. the more established women’s rights NGOs in Tunisia and Ukraine. This echoes Arthur and Yakinthou’s recommendation that:

Instead of trying to create networks on TJ from scratch, a more sound approach is to support existing and emerging networks already working on TJ-related issues, which are more likely to have deep roots (and legitimacy) in communities.<sup>757</sup>

While these responsibilities fall within the first place on these local actors themselves, international donors could direct funding in a way that support rather than hinders such efforts. In this regard hindering occurs when donors reward a client-driven, project-orientated mind-set and inspire competition between local actors, and when they do not make meaningful efforts to reach out to a broad range of local civil society actors.

When it comes to EU support for women’s rights in Tunisia and Ukraine this includes

<sup>757</sup> Arthur and Yakinthou 2018 (n164): 259.

providing more support for local CSOs' advocacy efforts in relation to a broad range of issues; a key concern of CSO actors interviewed for this research was the EU's tendency to approach civil society actors as service providers.

This approach on the level of financial support should go hand in hand with continuous political support by international donors for more controversial gender justice efforts. While in some cases providing scarce financial resources to transitional justice efforts that are not viable at a certain point in time, might be inopportune when these resources could also be directed towards future-focused gender justice efforts that will pay off directly, political support is less susceptible to a similar type of calculation. In this regard, it should be noted that several representatives of both local and international transitional justice NGOs emphasized during interviews for this research that at times when transitional justice is difficult, political support can be more meaningful than support for another (technical) transitional justice project – i.e. more workshops, trainings and study visits.<sup>758</sup>

To some extent the EU is doing this already. Clearly, in its approach towards support for gender justice in transition in Tunisia and Ukraine, the EU has capitalized on openings for women's rights progress that have occurred in Tunisia and Ukraine's gender justice opportunity structures. However, it has mostly failed to invest in long-term transitional justice gains by providing the type of support required to create a durable tissue for transitional justice advances. Instead the EU has provided support to technical 'in-the-now' transitional justice efforts driven by iNGOs and IOs, which – in the Tunisian case, has been taken away as soon as local governing elites' appetite for transitional justice waned. As such, for the EU to follow up on its commitment to fostering local ownership would require a significant transformation of its own support

<sup>758</sup> Interview 31 Tunisia (n586).

towards transitional justice, which would be characterised by a more long-term focus on shoring up the capacities of (potential) local transitional justice actors and by providing more significant, continuous political support for efforts to pursue accountability for past crimes.

Taken together, this section thus finds that gender justice support that qualifies as transformative in one context can be just a confirmation of the status quo in another, and that one of the most important types of transformation should take place at the level of the way in which international actors provide their transitional justice support. At the level of feminist scholarship on internationalized transitional justice practice, this means, that the definition of transformative gender justice should be a more contextualized one. When it comes to the invocation of ‘transformative justice’ as a remedy against the flaws of the patriarchy of internationalized transitional justice, it should constitute a definition centred around the notion of addressing those gender justice issues that have been neglected by those in power. It also indicates that simply relying more on ‘the local’ as a solution for the flaws of ‘the patriarchy of internationalized transitional justice’ is not sufficient. Instead ‘the local’ should be a much more tangible construct in analyses of international engagement with gender justice in transition. This means that demonstrating in-depth understanding of the (gender) politics that are present in local contexts should be central to feminist reflections on a more transformative approach towards gender justice in transition in an internationalized transitional justice context. This will contribute to more context-specific, diversified critiques of ‘the patriarchy of internationalized transitional justice’.

## ***6.6 CONCLUSION***

This chapter compared the nature of EU engagement with gender justice in transition in Tunisia and Ukraine with EU policy commitments in the realm of transitional justice,

and chapter 4's insights about local gender justice opportunity structures in order to establish which factors are driving EU engagement with gender justice in transition. Linking back the outcomes of the comparison to insights of the EU's overarching foreign policy priorities in and ties with Tunisia and Ukraine this chapter concluded that what type of gender justice issues the EU does and does not engage with is informed by the desire to appease local governing elites.

From a feminist perspective this finding is remarkable as the co-option or instrumentalization of gender justice issues for political gain by international actors has traditionally been associated with exclusive support for the pursuit of accountability for politically motivated SGBV. Focusing more on the continuum of violence experienced by women rather than only the narrow set of politically motivated instances of SGBV inflicted on women in times of conflict and transition is a central component of the feminist transformative justice agenda. As the internationalization of transitional justice practice has gone hand in hand with this centralization of wartime rape to transitional justice narratives, the embrace of a transformative justice agenda has been suggested as a potential remedy to these essentialist tendencies. However, through the example of EU engagement with gender justice in Tunisia and Ukraine this chapter demonstrated that a broader conceptualization of gender justice in transition can be subjected to a similarly selective approach.

The two core take-aways at the level of need for theoretical innovation are that there is need for a more diversified theory of 'the patriarchy of internationalized transitional justice' that recognizes that the patriarchy can manifest itself through the prioritization of different types of gender justice issues. This means that when it comes to defining the notion of 'transformative justice' as a remedy for the flaws of 'the patriarchy of internationalized transitional justice', feminist scholars should adopt a more 'politicized' definition. Such a definition focuses on the context-specific gaps in

international actors' engagement with gender justice in transition and allows for the development of an ambitious, but at the same time realist feminist agenda of international support for gender justice in transition.

To arrive at this more diversified theory of 'the patriarchy of internationalized transitional justice' and politicized vision of 'transformative justice' feminist scholarship on international engagement with gender justice in transition will need to embrace a number of methodological innovations at the level of case study selection and research design. Chapter 7 identifies these innovations against the background of recent development the field of transitional justice itself and international politics more broadly, and illustrates them with (methodological) observations made in the context of this research.



## **7. DISCUSSION: Diversifying feminist transitional justice scholarship to meet the demands of a field and a global order in transition**

### ***7.1 INTRODUCTION***

What methodological innovations should be embraced to arrive at a more diversified theory of ‘the patriarchy of internationalized transitional justice’? Based on recent developments in the field of transitional justice itself and in international politics more broadly this section argues that this type of theoretical innovation requires the consideration of a wider range of case studies and more reliance on methods that allow insight in what international actors do in practice rather than what they state in policy.

Section 7.2 links the need for the consideration of a wider range of case studies to developments in the field of transitional justice itself. While initially war-to-peace transitions generated most international transitional justice support, over the last decade a wider range of types of transitions has entered the radar of international transitional justice actors. The fact that these transitions have different features, including at the level of the type of gendered harms and political dynamics that define them, will likely impact the way in which international actors engage with them. A second relevant development in the field of transitional justice is the fact that over the last decade a range of high-profile transitional justice contexts have emerged in closer vicinity of ‘The Global North’. As transitions and the implementation of transitional justice measures are associated with concerns about stability, the fact that that these concerns are brought closer to home might also impact international responses to transitional justice.

Feminist scholars have mostly used contexts in the Global South transitioning from conflict to peace as a backdrop for the examination of international engagement with transitional justice. These developments, however, challenge the wisdom of such an exclusive focus.

Section 7.3 argues that the recent embrace of a more interest-driven, transactional approach towards foreign policy by actors that have traditionally presented themselves as champions of transitional justice support abroad, further strengthens the need for methodological innovation. More specifically, it argues that that as overall shifts in foreign policy have not – yet – been followed up by more modest policy language in value-centred fields such as transitional justice and the WPS Agenda, and in the EU's case have actually been accompanied with more ambitious policy language in the field of WPS, the use of analysis of generic policy documents as a method to enhance understanding of the nature of international engagement with gender justice in transition could provide a flawed image. As discrepancies between both EU policy and practice, and feminist theory and practice exist particularly in relation to the EU's priorities under the 'protection pillar' of the WPS Agenda, these issues should be at the centre of the contemporary feminist research agenda.

## ***7.2 DEVELOPMENTS IN THE FIELD OF TRANSITIONAL JUSTICE***

To enhance understanding of the different ways in which gender justice support can be co-opted by international actors, feminist scholars need to increase the range of transitions and range of contexts that figure as the backdrop to the study of international support for transitional justice. Much feminist writing on 'the patriarchy of internationalized transitional justice' focuses on international actors from the Global North that intervene in contexts in the Global South which are going through a transition from conflict to peace with legacies of wartime rape. As a result, feminist



scholarship is attuned to find a prioritization of certain responses by international actors, and a certain set of political dynamics that shape these responses. At first sight, this predisposition to certain case studies makes sense as international transitional justice actors have engaged most intensively with these contexts. However, due to recent developments in internationalized transitional justice practice, insights based on this narrow range of case studies have lost some of their more explanatory power for the field as a whole. These developments include the increase of international engagement with transitions from authoritarianism to democracy in the wake of the Arab Spring, and the emergence of (potential) new transitional justice hotspots in the Global North or its near vicinity. As the notion that politics, history, and geography shape international engagement with transitional justice is central to much feminist theorizing on transitional justice, these developments should be reflected in feminist scholarship on international support for gender justice in transition.

### ***7.2.1. A widening of the conceptual boundaries of internationalized transitional justice practice***

This section argues that the choice of case studies at the basis of this thesis is a first factor that can explain the discrepancies between dominant perspectives in feminist theory about the nature of international transitional justice support and this research' findings. The type of transitions that have dominated feminist scholarship on international engagement with transitional justice are war-to-peace transitions where conflict-related SGBV has occurred at a large scale. Through its inclusion of Tunisia this thesis has focused on international engagement with gender justice within a type of transition- i.e. from authoritarianism to democracy - that has received much less attention in feminist scholarship on international transitional justice support. The fact that this type of transition has remained under examined reflects the fact that both the

internationalization of transitional justice practice as a whole and the international acknowledgement of the gendered dimensions of transitional justice coincided with the widening of the original scope of the field to include war-to-peace transitions. However, as more recently transitions from authoritarianism to democracy, have also increasingly become the topic of internationalized transitional justice practice, feminist scholarship on ‘the patriarchy of internationalized transitional justice’ needs to expand its case study scope to guarantee its insights are relevant to the field as a whole.

Feminist scholars have prioritized the study of international support for gendered transitional justice in the wake of conflicts.<sup>759</sup> This includes places such as the Balkans,<sup>760</sup> Timor-Leste,<sup>761</sup> a number of African contexts including the DRC<sup>762</sup> and Sierra Leone,<sup>763</sup> the genocide in Rwanda;<sup>764</sup> and Afghanistan.<sup>765</sup> In most of these contexts international actors have intervened through a combination of peacekeeping missions, conflict mediation, and subsequently support for the establishment of post-conflict transitional justice institutions such as international or hybrid courts.<sup>766</sup> As in many of these contexts conflict related SGBV has been prevalent, and often rape was used as a weapon of war, most of the international efforts in these countries, including support for transitional justice measures, have attempted to address this issue. In this

<sup>759</sup> Palomo et al (n198).

<sup>760</sup> Catharine A MacKinnon, 'Rape, genocide, and women's human rights' (1994) 17 *Harvard Women's Law Journal* 5; Janine Natalya Clark, *Rape, Sexual Violence and Transitional Justice Challenges: Lessons from Bosnia Herzegovina* (Routledge 2017).

<sup>761</sup> Pam Spees, 'gender justice and accountability in peace support operations' (2004) Policy Briefing Paper, *International Alert*; Elisabeth Porter, 'Gender-inclusivity in transitional justice strategies: Women in Timor-Leste' in *Gender in transitional justice* (Springer 2012).

<sup>762</sup> Milli Lake, Ilot Muthaka and Gabriela Walker, 'Gendering justice in humanitarian spaces: opportunity and (dis) empowerment through gender-based legal development outreach in the eastern Democratic Republic of Congo' (2016) 50(3) *Law & Society Review* 539; Lake 2018 (n147).

<sup>763</sup> Michelle Staggs Kelsall and Shanee Stepakoff, 'When we wanted to talk about rape': Silencing sexual violence at the Special Court for Sierra Leone' (2007) 1(3) *International Journal of Transitional Justice* 355.

<sup>764</sup> Heidi Nichols Haddad, 'Mobilizing the will to prosecute: Crimes of rape at the Yugoslav and Rwandan Tribunals' (2011) 12(1) *Human Rights Review* 109.

<sup>765</sup> Krista Hunt, 'The strategic co-optation of women's rights' (2002) 4(1) *International Feminist Journal of Politics* 116; Sari Kouvo, 'A "Quick and Dirty" Approach to Women's Emancipation and Human Rights?' (2008) 16(1) *Feminist Legal Studies* 37.

<sup>766</sup> Ní Aoláin (n4).

light it is not surprising that feminist scholars have found that the pursuance of accountability for wartime rape has dominated international actors' transitional justice agendas.

However, transitional justice as a field covers a much broader span of transitions than the war-to-peace kind.<sup>767</sup> These have received significantly less attention from feminist scholars exploring international support for gender justice in transition. This is logical, as increased attention for the gendered dimensions of transitional justice, coincided with the internationalization of transitional justice, which in its turn emerged in response to the occurrence of grave conflicts in the 1990s.<sup>768</sup> As discussed in chapter 2, before that point neither transitional justice initiatives,<sup>769</sup> nor the gendered aspects of transitions could count on serious international engagement.<sup>770</sup> However, these days the international character of transitional justice practice is no longer restricted to the confines of war-to-peace transitions. With the emergence – and premature halting of - a new wave of transitions from authoritarianism to democracy in the wake of the Arab Spring, which sparked high levels of international engagement, transitions from authoritarianism to democracy have also increasingly become the subject of international engagement.<sup>771</sup>

Tunisia is a case in point; a country experiencing a transition that qualifies as a classic transition from authoritarianism to democracy as witnessed in Latin America in

<sup>767</sup> Teitel 2000 (n45).

<sup>768</sup> Hirschauer 2014 (n7).

<sup>769</sup> Muck and Wiebelhaus-Brahm 2016 (n32).

<sup>770</sup> In this regard O'Rourke finds that: 'The global expansion of transitional justice activity is occurring at the same time as growing international recognition and institutionalization of the need for a gender perspective in conflict and post-conflict activities, most notably through the Women, Peace and Security (WPS) agenda initiated by United Nations Security Council Resolution 1325 (the Resolution) ... Whereas transitional justice activity motivated little feminist concern or engagement in the paradigmatic transitions of the Latin American Southern Cone, it is now an area of concerted feminist analysis, policy, and activism'. O'Rourke 2012 (n6): 38.

<sup>771</sup> Habib Nassar, 'Transitional Justice in the Wake of the Arab Uprisings: Between Complexity and Standardisation' in *Transitional Justice and the Arab Spring* (Springer 2015): 54.

the 1970s/1980s.<sup>772</sup> While the Latin American countries organized the efforts to deal with a dictatorial past without significant international interference in or support for these efforts, both Tunisia's transition as well as its transitional justice trajectory have become the object of high levels of international engagement right from the start.<sup>773</sup> This development materialized in response to local demands for transitional justice. However, the overwhelming scale of this engagement and the swiftness with which IOs and iNGOs arrived on the scene,<sup>774</sup> aptly illustrates the field's professionalization and ever increasing appetite for new 'projects'.<sup>775</sup> Most importantly – in the context of this chapter's argument - it signifies the extent to which internationalization of transitional justice practice increasingly has now engulfed transitions from authoritarianism to democracy as well.

It is important to study international engagement with transitions from

<sup>772</sup> Pdraig G McAuliffe, 'Transitional Justice's Expanding Empire: Reasserting the Value of the Paradigmatic Transition' (2012) 2(2) *Journal of Conflictology*: 34; Diana Preysing, 'Transitional Justice discourse in transition' in *Transitional Justice in Post-Revolutionary Tunisia (2011–2013)* (Springer 2016).

<sup>773</sup> Eric Gobe, (2016) *Introduction. Justice et politique dans le monde arabe entre autoritarisme, réforme et révolution*, 12. Gobe states in relation to the internationalization of transitional justice in Tunisia:

‘Toutefois, la lecture du témoignage de Khaled Kchir donne des indices sur la manière dont les « professionnels » sont intervenus dans le processus d'élaboration de la loi sur la justice transitionnelle en Tunisie. L'ICTJ, le PNUD, le Haut commissariat de Nations Unies aux droits de l'Homme ont fourni un soutien logistique et de formation aux différentes commissions, nationale et départementales, chargées dans le cadre d'un processus « participatif » d'émettre avis et recommandations sur la mise en place d'un dispositif de justice transitionnelle et, plus particulièrement, sur la création d'une commission Vérité. Au niveau de l'ANC, des « experts internationaux » ont été sollicités pour exposer à la Commission de la législation générale leurs recommandations.’

Translation: ‘However, Khaled Kchir's testimony provides clues as to how "professionals" have intervened in the process of drafting the transitional justice law in Tunisia. ICTJ, UNDP, the United Nations High Commissioner for human rights provided logistical and training support to the various national and departmental committees, which were entrusted as part of a "participatory" process to issue opinions and recommendations on the establishment of a transitional justice system and, more specifically, on the creation of a truth commission. At the level of the ANC, "international experts" were asked to present their recommendations to the General Law Commission.’

Khaled Kchir was amongst the ten representatives of Tunisian civil society selected in 2011 to take part in the national technical commission tasked with organizing the national dialogue around transitional justice. See: Khaled Kchir, *Élaborer un projet de loi sur la justice transitionnelle en Tunisie (2012-2013) : un témoignage* (2016) *Des Justices en Transition dans le Monde Arabe* (Rabat : Centre Jacques-Berque).

<sup>774</sup> The ICTJ for instance organized Tunisia's first conference on transitional justice in April 2011, only three months after the ousting of Ben Ali. See: <http://tjtunis.blogspot.com>, accessed 23 April 2019.

<sup>775</sup> Subotić 2009 (n32).

authoritarianism to democracy in addition to studying their engagement with from war-to-peace transitions, as comparative research on the features of each of these transitions demonstrates big discrepancies about the dynamics that drive them. Bell has for instance argued that:

If the contours of transitional justice institutions in transitions from authoritarianism are at least partly set by a consensus on the normative end-goal of democracy, transitional justice mechanisms in intrastate conflict settings are shaped by navigating a lack of consensus as to the state's endpoint and nature.<sup>776</sup>

She argues that this can both contribute to as well as diminish the opportunities for transitional justice measures to be embraced and implemented, depending on a number of factors including: '1) the balance of power and the nature of the military-political deal; 2) the internationalization of the conflict and post-conflict-environment; 3) the regional human rights system in which the conflict arises; 4) the mobilization and political power of civil society (including victims' groups); and 5) the scale, nature and context of conflict including its relationship to law'.<sup>777</sup>

When it comes to the impact of the nature of transition on the gendered dimension of the measures to deal with the aftermath, feminist research has suggested that a legacy of wide-scale conflict increases the likelihood of the adoption of measures to deal with politically motivated gendered harms. Through a comparison of the DRC's and South Africa's response to SGBV and GBV Lake has found that large scale conflicts that have resulted in a complete breakdown of state structures, create openings for NGOs to influence legal processes in ways that have proved impossible in countries where the state is stronger.<sup>778</sup> As state structures tend to be present in countries transitioning from authoritarianism to democracy, and are more often absent in

<sup>776</sup> Bell 2017 (n605): 96

<sup>777</sup> Ibid.

<sup>778</sup> Lake 2018 (n147).

countries transitioning from widespread violent conflict, more international engagement with the former type of transitions might thus impact gender justice issues they tend to prioritize.

Another reason why addressing GBV in from authoritarianism-to-democracy transitions might be deprioritized relates to the levels of SGBV that has been inflicted during the period of repression. While repressive regimes have also used politically motivated instances of SGBV to oppress political opponents, the scale and nature of the occurrence of this type of harms in most instances differs from the scale and nature witnessed in certain conflicts.<sup>779</sup> The scale at which crimes take place, and the time that has passed since these crimes took place, inform the both local as well as international actors' attitudes towards them.<sup>780</sup> While little research has been done on this issue in relation to from authoritarianism-to-democracy transitions, research on transitions following conflicts with low-intensity violence – and accordingly lower levels of conflict-related SGBV – indicates this has impacted the extent to which SGBV has figured in peace talks and efforts to deal with the past.<sup>781</sup>

When it comes to reactions of international actors a recent quantitative study by Benson and Gizelis for instance finds 'a significant relationship between reports of sexual violence in a conflict and the likelihood that the UNSC will address a civil conflict in a resolution as well as how often'. They also find:

Evidence that reports of systematic sexual violence go together with a higher intensity in UNSC response, measured by the type of action called for in resolutions in a conflict-year, as well as the number of resolutions calling for high levels of action (e.g., sanctions or the outside use of force).<sup>782</sup>

<sup>779</sup> Ximena Bunster-Buratto, 'Surviving beyond fear: women and torture in Latin America.' (1994).

<sup>780</sup> Lake 2018 (n147).

<sup>781</sup> Sara E Davies, Jacqui True and Maria Tanyag, 'How women's silence secures the peace: analysing sexual and gender-based violence in a low-intensity conflict' (2016) 24(3) *Gender & Development* 459; Swaine 2015 (n675).

<sup>782</sup> Michelle A Benson and Theodora-Ismene Gizelis, 'A Gendered Imperative: Does Sexual Violence Attract UN Attention in Civil Wars?' (2019) *Journal of Conflict Resolution* 167: 170.

Therefore, in contexts where rape has systematically been used as a weapon of war in a (very) recent past, politically motivated SGBV is likely to dominate international actors' gender justice agendas. The contrary is true as well; if politically-motivated SGBV has targeted only a relatively small category of victims and/or this has occurred in a relatively distant past, it will likely result in less public outcry.<sup>783</sup> As widespread politically-motivated rape is more likely to occur in conflict settings, this suggests that international actors might prioritize other gender justice issues – or neglect gender justice altogether - in other types of transitions.

All in all, these observations suggest that now that democracies from authoritarianism to democracy have entered the remit of internationalized transitional justice practice, it is paramount to incorporate them as case studies in feminist studies of international engagement with transitional justice. This in itself will likely result in a more diversified understanding of the gender justice priorities of international transitional justice actors, thereby ensuring that feminist critiques stay in tune with broader developments in the field.

### ***7.2.2 A widening of the geographical boundaries of internationalized transitional justice practice***

The focus on war-to-peace transitions in feminist scholarship on international support for transitional justice has gone hand in hand with a prioritization of case studies in the Global South, particularly Sub-Saharan Africa and South-East Asia, as key recipients of transitional justice support. This makes sense as since WWII most major conflicts have taken place in these parts of the world.<sup>784</sup> However, if one takes into account the full range of transitions covered by transitional justice scholarship, it is clear that these

<sup>783</sup> For a discussion of the former aspect – low scale intensity of SGBV – in the context of the Philippines see: Davies, True and Tanyag 2016 (n781).

<sup>784</sup> Fletcher and Weinstein 2018 (n70).

countries have never been the only societies which are dealing with legacies of violence and oppression.<sup>785</sup> Moreover, as over the last decade some of the major conflict zones around the world have moved closer to the borders of the Global North,<sup>786</sup> it becomes increasingly urgent to diversify case study selection to allow for the inclusion of more case studies in this part of the world. Proximity to countries in transition – and the economic and security related concerns that go hand in hand with it - is likely to affect the considerations that shape international actors' support for transitional justice.<sup>787</sup> Studying more transitional justice interactions between neighbouring actors, will provide a more diverse and nuanced picture of the drivers behind international engagement with women's rights issues in societies in transition. This on its turn, will change the notion of what types of approaches qualify as opportunistic at what times.

As noted, in studies of international engagement with gender justice in transition most of the recipient countries of international transitional justice support are situated in the Global South, particularly the African and Asian continents.<sup>788</sup> This is in line with the fact that the majority of conflicts since WWII have taken place in Africa and Asia.<sup>789</sup> Exceptions to this exist, such as the Balkan wars, which have catalysed major international engagement with transitional justice,<sup>790</sup> and have been the back drop

<sup>785</sup> Northern Ireland and Spain are examples of European countries that experienced a transition from either conflict to peace or authoritarianism to democracy. In addition, countries that are not experiencing a paradigmatic transition have relied on transitional justice measures to address histories of violence or oppression. Matt James, 'Uncomfortable comparisons: the Canadian truth and reconciliation commission in international context' (Les ateliers de l'éthique/The Ethics Forum 2010) 23.

<sup>786</sup> In this study 'Global North' refers broadly to higher income, democratic countries, that have greater levels of global political and economic influence. 'Global South' refers to lower and middle-income countries – listed as such by the OECD Development Assistance Committee (DAC) - that tend to hold less power. The research recognizes that these terms are contested, but this definition serves best for the purposes of this thesis.

<sup>787</sup> And even here it is often forgotten that also within the Global North itself countries have been bound by colonial ties, See: Bill Rolston and Fionnuala Ní Aoláin, 'Colonialism, Redress and Transitional Justice: Ireland and Beyond' (2018) 7(2) *State Crime Journal* 329.

<sup>788</sup> Fletcher and Weinstein 2018 (n70).

<sup>789</sup> Therese Pettersson and Peter Wallensteen, 'Armed conflicts, 1946–2014' (2015) 52(4) *Journal of Peace Research* 536.

<sup>790</sup> Iavor Rangelov, 'Justice as a security strategy? International justice and the liberal peace in the Balkans' (2015) 21(1) *Journal of Conflict and Security Law* 9.



to multiple feminist studies on international engagement with transitional justice.<sup>791</sup> However, Northern Ireland to the contrary has virtually received no attention as a case study to examine international support for transitional justice notwithstanding large EU Peace fund interventions.<sup>792</sup> Similarly, if one looks beyond the scope of war-to-peace transitions, other countries in the Global North or its near vicinity which could qualify as case studies for the study of international engagement with gender justice in transition, have not figured as case studies for the feminist study of international support for transitional justice. This includes European countries dealing with legacies of authoritarianism such as Spain and various countries in Eastern Europe, but also former European colonial powers which need to come to terms with legacies of colonialism.

This is related to most of these countries having experienced very little international engagement with their transitional justice efforts. For some – e.g. the transitions in Eastern Europe - this lack of engagement can be explained by the fact that their transitions took place before the field had become properly internationalized. In other contexts in the Global North where ‘transitions’ have started, transitional justice processes have neither materialized, nor been called for by international actors.<sup>793</sup> This of course is related to the fact that those international actors from the Global North that have been the champions of the fight against impunity abroad, have been

<sup>791</sup> Elissa Helms, 'Women as agents of ethnic reconciliation? Women's NGOs and international intervention in postwar Bosnia–Herzegovina' (Women's Studies International Forum Elsevier, 2003) 15; Doris E Buss, 'The curious visibility of wartime rape: Gender and ethnicity in international criminal law' (2007) 25 Windsor Yearbook of Access to Justice 3; Vanessa Pupavac, 'Empowering women? An assessment of international gender policies in Bosnia' (2005) 12(3) International Peacekeeping 391.

<sup>792</sup> Some exceptions include: Linda Racioppi and Katherine O'Sullivan See, 'Grassroots peace-building and third-party intervention: the European Union's special support programme for peace and reconciliation in Northern Ireland' (2007) 32(3) Peace Change 361; Sean Byrne and others, 'The EU Peace II Fund and the International Fund for Ireland: nurturing cross-community contact and reconciliation in Northern Ireland' (2009) 14(4) Geopolitics 630.

<sup>793</sup> Michael Welch, *Crimes of power & states of impunity: The US response to terror* (Rutgers University Press 2009).

much more reluctant to apply similar scrutiny at home.<sup>794</sup> As it is easier to study something that exists, than that what is absent – not in the least because these same actors that refuse to implement transitional justice at home are some of the core funders of (feminist) research on transitional justice,<sup>795</sup> this reality severely reduces the for feminist research into international engagement with transitional justice in such contexts.

As transitional justice interactions between the Global North and Global South have been the core back-drop of feminist scholarship on ‘the patriarchy of internationalized transitional justice’, it is not surprising that many have found that colonial attitudes shape international engagement with gender justice in transition.<sup>796</sup> These attitudes include a predisposition to lecture third countries about a narrow selection of human rights standards, while ignoring those that put the Global North in a less flattering light.<sup>797</sup> It entails readiness to fully fund and in some cases even implement transitional justice measures, while demonstrating disdain for or neglecting the priorities of the citizens and in some cases the political elites of the countries at hand.<sup>798</sup> When it comes to the gendered dimensions of transitional justice in particular, feminist scholars have found a tendency by international actors to use the occurrence of

<sup>794</sup> Katherine Gallagher, 'Universal jurisdiction in practice: Efforts to hold Donald Rumsfeld and other high-level United States officials accountable for torture' (2009) 7(5) *Journal of International Criminal Justice* 1087; Jamie Mayerfeld, 'Who Shall Be Judge?: The United States, the International Criminal Court, and the Global Enforcement of Human Rights' (2003) *Human Rights Quarterly* 93; Larissa van den Herik, 'Addressing ‘Colonial Crimes’ through Reparations? Adjudicating Dutch Atrocities Committed in Indonesia' (2012) 10(3) *Journal of International Criminal Justice* 693; Andrew Ladley, 'Peacekeeper abuse, immunity and impunity: the need for effective criminal and civil accountability on international peace operations' (2005) 1(1) *Politics and Ethics Review* 81.

<sup>795</sup> Fletcher and Weinstein 2018 (n70).

<sup>796</sup> See for instance: Pratt 2013 (n76).

<sup>797</sup> Hannah Franzki and Maria Carolina Olarte, 'Understanding the political economy of transitional justice: A critical theory perspective' in *Transitional justice theories* (Routledge 2013); Nancy Kim, 'Toward a Feminist Theory of Human Rights: Straddling the Fence between Western Imperialism and Uncritical Absolutism' (1993-1994) 25 *Columbia Human Rights Law Review* 49.

<sup>798</sup> Harry M Weinstein and others, 'Stay the hand of justice: Whose priorities take priority' (2010) *Localizing Transitional Justice: Interventions and Priorities after Mass Violence* 27; Anna Di Lellio and Caitlin McCurn, 'Engineering Grassroots Transitional Justice in the Balkans: The Case of Kosovo' (2013) 27(1) *East European Politics and Societies* 129; Jelena Subotić, *Hijacked justice: Dealing with the past in the Balkans* (Cornell University Press 2010).

conflict-related violence as a justification for military intervention in other countries,<sup>799</sup> to subsequently ignore women's rights once presence on the ground has been established.<sup>800</sup> This has resulted in warnings by scholars such as Aroussi 'to be careful that the grand project of dispensing justice for women victims does not become a political cover-up for interventionist policies that have nothing to do with women's well-being'.<sup>801</sup> It is largely based on this type of observations that feminist scholars have established a direct, exclusive connection between the phenomenon of co-option and the tendency to focus predominantly on the pursuance of accountability for conflict-related SGBV.

However, as the geographical areas in which some of the major conflicts of the last five to ten years have occurred, have shifted in the direction of Europe again,<sup>802</sup> the kind of considerations that shape international engagement with transitional justice generally speaking, and gender justice in transition specifically, might be changing. While most of the countries where these conflicts take place still qualify as the 'Global South',<sup>803</sup> the proximity of recipient countries might impact the extent to which

<sup>799</sup> Meghan Mackenzie, 'Securitizing sex? Towards a theory of the utility of wartime sexual violence' (2010) 12(2) *International Feminist Journal of Politics* 202.

<sup>800</sup> Siobhan Mullally, 'Women, Peace and Security in Contemporary Pakistan: Meeting the Challenge of Security Council Resolution 1325?' (2011) *Irish Studies in International Affairs* 53.

<sup>801</sup> Aroussi 2010 (n23).

<sup>802</sup> The 2018 Global Peace Index report finds that: 'The ten-year trend in peacefulness finds that global peacefulness has deteriorated by 2.38 per cent since 2008, with 85 GPI countries recording a deterioration, while 75 improved. The index has deteriorated for eight of the last eleven years, with the last improvement in peacefulness occurring in 2014. In Europe, the world's most peaceful region, 61 per cent of countries have deteriorated since 2008. Not one Nordic country is more peaceful now than in 2008', and that 'Since 2008, the average country score has deteriorated by 2.38 per cent. Over this period of time there were only two years in which global peace improved. The fall in peacefulness over the decade was caused by a wide range of factors, including increased terrorist activity, the intensification of conflicts in the Middle East, rising regional tensions in Eastern Europe and northeast Asia, and increasing numbers of refugees and heightened political tensions in Europe and the US'.

However, it also found that in some regions in Europe, the Balkans in particular, peacefulness has increased.

Institute for Economics and Peace, *Global Peace Index 2018* (2018). Available at: <http://visionofhumanity.org/app/uploads/2018/06/Global-Peace-Index-2018-2.pdf>, accessed 9 August 2019.

<sup>803</sup> As mentioned in this study 'Global North' refers broadly to higher income, democratic countries, that have greater levels of global political and economic influence. 'Global South' refers to lower and middle-

traditional transitional justice supporters are willing to support potentially disruptive transitional justice efforts. While further afar disruption as a result of insistence on controversial transitional justice measures mostly affects the local population, more nearby disruption could have a host of consequences impacting the – real or imagined – security of actors in the Global North themselves. Here one could think of the ‘risk’ of mass influx of migrants, a surge in terrorism and disruption of energy supply.

Reflecting on the extent to which the EU is consistent in its approach towards support for the ICC, Davis has observed that historically the EU’s policy language on the ICC has been much stronger in relation to Sub-Saharan African countries than the Neighbourhood:

The EU is on more difficult ground when it comes to consistent practice beyond its borders. There is, for example, a much greater emphasis on justice in sub-Saharan Africa through the Cotonou agreement and EDF than in the EU’s neighbourhood through the ENP. This may well reflect African leadership on the issue of compliance with the ICC, at least in the early days – the strength of the ICC clause in the Cotonou agreement is as much a product of the support of ACP signatories as their EU counterparts, after all. However, geographic – or geopolitical – inconsistency of this type can be interpreted as double standards.<sup>804</sup>

The EU’s approach towards transitional justice in this thesis’ case studies, Tunisia and Ukraine, does indeed imply a certain level of cautiousness when it comes to challenging the agendas of neighbouring political elites who are sceptical about transitional justice. EU officials indeed confirmed that part of the EU’s ‘leniency’ on the matter of transitional justice has been inspired by the desire to safeguard good relationships with friendly political elites, and to avoid further destabilization in the neighbourhood.<sup>805</sup> An

income countries – listed as such by the OECD Development Assistance Committee (DAC) – that tend to hold less power. The research recognizes that these terms are contested, but this definition serves best for the purposes of this thesis.

<sup>804</sup> Davis 2014 (n36): 187.

<sup>805</sup> For instance: Interview 11 Brussels (n670).

approach on the EU's behalf that has previously been witnessed in Morocco as well.<sup>806</sup>

Including more case studies in or on the borders of the Global North in feminist examinations of international support for transitional justice will therefore likely diversify and enrich feminist understanding of 'the why' behind international engagement with gendered transitional justice. Proximity certainly is not the only factor that might impact international responses to transitional justice, and more research would need to be conducted into the issue whether and under which circumstances proximity impacts the nature of international actors' engagement with gender justice in third countries. However, to facilitate such research more in-depth data about transitional justice support in surrounding countries should be collected first.

### ***7.2.3 Conclusion***

As a wider range of types of transitions has increasingly entered the radar of international transitional justice actors, feminist transitional justice scholars aiming to enhance understanding of the nature of, and drivers behind, international engagement with transitional justice need to widen the scope of case studies they take into account. In line with the fact that war-to-peace transitions have been the core concern of international transitional justice support, so far most literature has focused on these when analysing 'the patriarchy of internationalized transitional justice'. However, due to the different properties of this type of transition compared to transitions from authoritarianism to democracy some of the insights derived from the study of international engagement with these contexts might not easily translate to the wider

<sup>806</sup> Arthur has even argued that the EU's approach towards funding for transitional justice in Morocco, where it was the main transitional justice funder, contributed to 'the tacit legitimization of the Moroccan State's approach to TJ, to the detriment of civil society and victim approaches which typically oppose the state'. Paige Arthur, 'Sending the Wrong Signal: International Assistance and the Decline of Civil Society Action on Transitional Justice in Morocco' in *Transitional Justice, International Assistance, and Civil Society: Missed Connections* (Cambridge University Press 2018): 86.

field. A second development which needs to be reflected in case study choice is the fact that over the last decade transitions have come closer to home – with home referring to the EU/Global North – again. As the potential for unrest on the borders might influence the type of transitional justice measures international actors are willing to support, paying more attention to this factor in analysis of ‘the patriarchy of internationalized transitional justice’ is important. Considering cases with one or both characteristics will contribute to the creation of a more robust, diversified theory of ‘the patriarchy of internationalized transitional justice’. The next sections will look into the way in which recent developments in international politics reinforce the need for such an approach by virtue of the declining reliability of analysis of policy documents as a source to get insight in the nature of the patriarchy of internationalized transitional justice.

### ***7.3 DEVELOPMENTS IN INTERNATIONAL POLITICS***

This section argues that developments in international politics only further increase the need for above discussed diversification on the level of case studies, and also requires feminist scholars to rethink their strategies for data collection. Lately, scholars studying international support for human rights have detected a ‘transition’ in the international attitude towards these norms,<sup>807</sup> with actors that have traditionally acted as their

<sup>807</sup> This shift for instance is reflected in the titles of conferences the researcher attended during her PhD research such as the AHRI Conference that took place in Edinburgh in September 2018. It was titled: ‘Renewing Rights in Times of Transition’, and the Opening Plenary was themed ‘Challenges to Human Rights in Times of Transition’. For more information see: <https://www.ahriconference.law.ed.ac.uk/programme/>, accessed 26 December 2018. In 2016 the researcher also participated in the AHRI conference, which at that time took place in Utrecht. There, the SIM Peter Baehr lecture by Prince Zeid Ra'ad Al Hussein, who was at that time the United Nations High Commissioner for Human Rights, painted a similarly worrying picture of the diminished commitment to human rights globally. For a rendition of this lecture, see: Zeid Ra'ad Al Hussein, '50 Years of the Two UN Human Rights Covenants: Legacies and Prospects' (2016) 34(4) Neth Q Hum Rights 364. In its 2017/2018 World Report Amnesty International also detected a further deterioration of the international human rights climate [for what reasons?] Available at: <https://www.amnesty.org/download/Documents/POL1067002018ENGLISH.PDF>, accessed 26 December 2018. See also the introduction to the fourth edition (2017) of ‘Human Rights in International Relations, David P Forsythe, Human rights in international relations (Cambridge University Press 2017).

guardians, having adopted an increasingly dispirited attitude towards them. This is significant from a transitional justice perspective, as it predominantly concerns the human rights commitments that have been at the conceptual core of mainstream transitional justice practice. This development has been referred to as the emergence of a 'post-human rights world'.<sup>808</sup> It is an additional factor which could explain the divergences between this thesis' conclusions on the nature of EU support for gender justice in Tunisia and Ukraine, and the dominant insights on 'the patriarchy of internationalized transitional justice' in feminist publications from an earlier date. The EU is one of the international actors that has recently publicly embraced a more 'pragmatic' approach towards foreign policy, and based on the interview data underlying this thesis, section 7.3.1 indeed argues that the EU's prioritization of local political elites' gender justice priorities in Tunisia and Ukraine is in line with this development.

When it comes to the methodological and theoretical implications of this development for the feminist study of international support for transitional justice, section 7.3.2 argues that besides that it reinforces the need for more (diversified) case study research, it puts into question the potential of analysis of generic policy documents to provide robust insight in the nature of international priorities in the realm of support for gender justice in transition. After all, when international actors' commitment to universal values is faltering and local circumstances will become more guiding in their engagement with third countries, generic policy language will be increasingly unable to capture these priorities. In the EU's case this situation is exacerbated by the fact that despite the fact that it has become more pragmatic across the board, its WPS language has only become more ambitious and sophisticated.

This thesis' findings about the discrepancy between policy and practice indeed

<sup>808</sup> Louise Mallinder, 'Atrocity, Accountability, and Amnesty in a 'Post-Human Rights World'?: Inaugural Professorial Lecture Ulster University, Belfast 23/03/2017' (2017).

confirm that EU policy documents are an unreliable source to enhance understanding of the nature of its engagement with transitional justice. Section 7.3.3 argues that this is particularly the case when it comes to the EU's engagement with substantive women's rights issues – or what has been referred to as 'the protection pillar' of the WPS Agenda. This is also the area where the biggest discrepancy between the findings of this thesis and feminist theory occurred. This section therefore emphasizes the importance of putting substantive gender justice issues at the core of the research agenda of feminist researchers interested in the consequences of 'principled pragmatism' on international support for transitional justice.

### ***7.3.1 The impact of the EU's embrace of 'principled pragmatism' on its approach towards gender justice in transition***

With the peace vs justice debate more or less having been qualified as a relic from the past in the early 2000s transitional justice scholars increasingly took (international support for) the pursuance of accountability through the pursuance of criminal trials for grave crimes as a given. However, quite recently scholars and practitioners have detected a shift in international actors' attitudes to the human rights principles that have been at the core of the anti-impunity movement.<sup>809</sup> While the backlash against

<sup>809</sup> Ban Ki-moon, 'Opening Remarks at Press Conference with President Erdogan of Turkey at the World Humanitarian Summit' (2016) United Nations Secretary-General, May 24, 2016. Available at: <https://www.un.org/sg/en/content/sg/speeches/2016-05-24/opening-remarks-press-conference-president-erdogan-turkey-world>, accessed 23 April 2019; Ron Dudai, 'Human rights in the populist era: mourn then (Re) organize' (2017) 9(1) *Journal of Human Rights Practice* 16.

However, others warn against this type of overly pessimistic outlooks, noting that these appraisals of the decline in human rights standards are not necessarily rooted in a thorough study of historical adherence to human rights norms: Kathryn A Sikkink, 'A Cautionary Note about the Frame of Peril and Crisis in Human Rights Activism' (2018) *Rising to the Populist Challenge: A New Playbook for Human Rights Actors*.

In the EU's case this thesis acknowledges that while previously the EU might also not always have adhered to its own human rights standards in its foreign policy, the more public questioning of the feasibility of adherence to these norms when faced with security crises is a notable development that might have serious consequences for its approach towards transitional justice.



international courts by countries in the Global South has received significant attention.<sup>810</sup> The consequences of these developments for transitional justice as such, and particularly the challenges of less support for global human rights norms from actors in the Global North has been the topic of less academic debate. This is slowly changing, though, as is reflected in an abundance of conferences, workshops and debates on the theme, and in for instance Mallinder's 2017 inaugural lecture at the Transitional Justice Institute on 'Atrocity, Accountability, and Amnesty in a 'Post-Human Rights World?''<sup>811</sup> Mallinder identifies 2016 as 'the year that human rights activists started to sound alarm bells'.<sup>812</sup> The election of Trump underlined 'the decline in the quality of democracy in established democracies', and raised the point that:

Western democratic states that experience a decline in democracy may withdraw from championing human rights abroad. This could mean, for example, that they engage less in developing international human rights institutions and norms; that they spend less supporting human rights overseas; and that they are less likely to pressure states to be human rights compliant. Although the record of Western democratic states in championing human rights has been patchy to say the least, such a withdrawal would weaken the ability of national and international human rights defenders to pressure governments.<sup>813</sup>

So far a purely feminist analysis of the consequences of these developments on international engagement with gender justice in transition has not materialized.

The EU is a good example to illustrate the consequences of these developments in global politics on the study of international engagement with gender justice in transition, as with the 2016 publication of the EU Global Strategy, the EU openly

<sup>810</sup> Elise Keppler, 'Challenges for international criminal justice in Africa and the role of civil society' (2016) 2016(1) *Acta Juridica* 66.

<sup>811</sup> Mallinder 2017 (n808).

See also: Dustin N Sharp, 'Pragmatism and Multidimensionality in Human Rights Advocacy' (2018) 40(3) *Human Rights Quarterly* 499.

<sup>812</sup> Mallinder 2017 (n808).

<sup>813</sup> *Ibid*: 16. In a discussion of these findings Mallinder added to this that 'the rise of populism means that many governments are less sensitive to naming and shaming by human rights practitioners than would previously have been the case'. These developments are explored in more depth in: Dudai (n809).

embraced ‘principled pragmatism’ as its foreign policy motto.<sup>814</sup> According to the document itself, the embrace of principled pragmatism entails a shift to a foreign policy approach guided by principles, [which] ‘stem as much from a realistic assessment of the current strategic environment as from an idealistic aspiration to advance a better world’.<sup>815</sup> The last time the EU published a foreign policy strategy was the 2003 publication of the European Security Strategy (2003), which was titled ‘A Stronger Europe in a Better World’,<sup>816</sup> neatly summarizing the notion that the promotion of EU values such as human rights and democracy abroad, was at the core of the EU’s own security. The EUGS is titled ‘Shared Vision, Common Action: A Stronger Europe. A Global Strategy for the European Union’s Foreign and Security Policy’. While the EU’s own strength is still at the core of this title, the ‘better world’ part has been forsaken.

This shift of focus to the EU itself rather than the outside world is reflected in the five EU foreign policy priority concerns it identifies: (1) the security of the EU itself; (2) the neighbourhood; (3) how to deal with war and crisis; (4) stable regional orders across the globe; and (5) effective global governance. These are remarkable mostly in terms of what they do not mention: the promotion of democracy abroad. Back in 2003 the EU posited that ‘[t]he best protection for our security is a world of well-governed democratic states’.<sup>817</sup> In 2016 democracy no longer figures between EU foreign policy priorities.<sup>818</sup> Instead, the EU has pledged allegiance to the promotion of

<sup>814</sup> Sven Biscop, ‘The EU global strategy: realpolitik with European characteristics’ (2016) 75 *Security Policy Brief*; Hylke Dijkstra, ‘Introduction: one-and-a-half cheers for the EU Global Strategy’ (2016) 37(3) *Contemporary Security Policy* 369; Giovanni Grevi, ‘A Global Strategy for a soul-searching European Union. EPC Discussion Paper, 13 July 2016’ (2016).

<sup>815</sup> European Union 2016 (n189): 8.

<sup>816</sup> European Union, *European Security Strategy: A Secure Europe in a Better World* (2003). Available at: <https://europa.eu/globalstrategy/en/european-security-strategy-secure-europe-better-world>, accessed 22 February 2019.

<sup>817</sup> *Ibid.*

<sup>818</sup> Wolfgang Wagner and Rosanne Anholt, ‘Resilience as the EU Global Strategy’s new leitmotif: pragmatic, problematic or promising?’ (2016) 37(3) *Contemporary security policy* 414.

resilience,<sup>819</sup> which it defines as ‘the ability of states and societies to reform, thus withstanding and recovering from internal and external crises’.<sup>820</sup> A word count by Wagner and Anholt neatly demonstrates this primacy of resilience in the EUGS.

One of the most striking differences between the EU Global Strategy of 2016 and the European Security Strategy of 2003 is the ubiquity of resilience as a new *leitmotif*. Whereas the term was entirely absent in the 2003 document, the EU Global Strategy of 2016 mentions it no less than 40 times. This puts ‘resilient/resilience’ ahead of ‘human rights’ (mentioned 31 times), ‘democratic/democracy/democratization’ (23 times), and ‘human security’ (4 times).<sup>821</sup>

The embrace of resilience fits in with and serves the EU’s overall goal of being a ‘principled pragmatic’ actor on the global stage. This presents a break with its past insistence on being a ‘force for good’.<sup>822</sup> The EUGS explains this shift referring to the changing security environment, and the acknowledgement on the EU’s behalf that other countries are not necessarily interested in the adoption of values and institutions prescribed by the EU. In this regard Nathalie Tocci, the penholder of the EUGS, has remarked:

The EUGS stands firm on the affirmation of the EU’s internal values ... [and] its firmness on this point is all the more important given that those values are being questioned within, as evident with the rise of extreme-right populism across the continent. But this does not mean that the EU expects its internal liberal values to be adopted externally too.<sup>823</sup>

The fact that the EU hints at the possibility of a less value-centred approach is notable from a transitional justice perspective. If international actors set the bar for democracy and human rights promotion lower, it will be more difficult to hold them to account for their foreign policy choices, and to ‘name and shame’ them into approaches that respect

<sup>819</sup> Ana E Juncos, ‘Resilience as the new EU foreign policy paradigm: a pragmatist turn?’ (2017) 26(1) *European Security* 1.

<sup>820</sup> European Union 2016 (n189): 23.

<sup>821</sup> Wagner and Anholt 2016 (n818): 414.

<sup>822</sup> Biscop 2016 (n814).

<sup>823</sup> Nathalie Tocci, *Framing the EU global strategy. A stronger Europe in a fragile World* (2017 Basingstoke, United Kingdom: Palgrave Macmillan): 61.

their international human rights commitments. As human rights are central to contemporary transitional justice practice, this could hugely impact the EU's approach towards support for transitional justice generally speaking and gendered transitional justice in particular.

First, reduced commitment to democracy promotion might affect the contexts in which and the type of transitional justice the EU might prioritize. While the occurrence of a democratic transition is not required for transitional justice measures to be effectuated,<sup>824</sup> in practice in most cases where such measures have been implemented this happened in the broader framework of an – attempted – transition to democracy.<sup>825</sup> Moreover, one of the justifications for the implementation of transitional justice measures has been its presumed contribution to fostering the consolidation of democratic governance.<sup>826</sup> Therefore, if democracy promotion is less of a foreign policy priority, the incentive to engage with – certain types of - transitional justice measures is likely to be less strong, and opportunities to do so will be fewer in number. In this vein, the EU's willingness to forge closer relations with regimes that do not adhere to the EU's core values,<sup>827</sup> also raises questions about how the EU will reconcile its commitment to support for transitional justice initiatives with its desire to forge close relations with local political elites that might be against such initiatives all together. Second, the EU's overall prioritization of stability, might also change the type of

<sup>824</sup> A case in point in the European Neighbourhood is Morocco.

<sup>825</sup> Onur Bakiner, 'Truth commission impact: An assessment of how commissions influence politics and society' (2013) 8(1) *International Journal of Transitional Justice* 6: 15.

<sup>826</sup> Eric Wiebelhaus-Brahm, *Truth commissions and transitional societies: The impact on human rights and democracy* (Routledge 2010); Tricia D Olsen, Leigh A Payne and Andrew G Reiter, 'The justice balance: When transitional justice improves human rights and democracy' (2010) 32 *Human Rights Quarterly* 980.

Whether it does, and in what shape it does best is still up to question. However, this does not take away from the fact that international actors have presented and approached transitional justice as a tool to contribute to democracy-building.

<sup>827</sup> Suliman Baldo, *Border Control from Hell: How the EU's Migration Partnership Legitimizes Sudan's Militia-State*, The Enough Project (2017). Available at: [https://reliefweb.int/sites/reliefweb.int/files/resources/BorderControl\\_April2017\\_Enough\\_Final.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/BorderControl_April2017_Enough_Final.pdf), accessed 25 February 2019.

transitional justice measures the EU will prioritize if it does decide to engage with transitional justice in a certain context. As certain types of transitional justice measures have been identified as having a more destabilizing impact than others,<sup>828</sup> the EU might prefer support for the less controversial ones.

More concretely, if the EU believes that cooperation with authoritarian regimes is necessary to achieve foreign policy goals, it might insist less on the implementation of transitional justice mechanisms, and particularly criminal tribunals, to pursue accountability in case of partner regimes committing atrocity crimes. Similarly, now the EU's key priority is guaranteeing stability in its neighbourhood, questions arise about its willingness to engage with transitional justice initiatives that could inflame tensions between different segments of society.<sup>829</sup> This might result in a complete neglect of transitional justice efforts or the prioritization of transitional justice compromises, and transitional justice efforts which emphasize reconciliation – be it of a ‘real’ or perceived nature.<sup>830</sup> However, little empirical research has been conducted to understand the consequences of the embrace of principled pragmatism on EU transitional justice efforts in practice. Through the findings of this thesis fieldwork, the following paragraphs discuss how the EU's approach towards gender justice in Tunisia and Ukraine suggests that principled pragmatism is indeed shaping its approach towards (gendered) transitional justice abroad.

When it comes to connecting the lack of serious EU support for the fight against impunity for SGBV to its embrace of principled pragmatism, no direct links can

<sup>828</sup> Mark Kersten, 'Targeting justice: targets, non-targets and the prospects for peace with justice' (2017) 23(3) *Canadian Foreign Policy Journal* 246; Alyssa K Prorok, 'The (In) compatibility of peace and justice? The International Criminal Court and civil conflict termination' (2017) 71(2) *International organization* 213; Johannes Langer, 'Peace vs. justice: The perceived and real contradictions of conflict resolution and human rights' (2016) 8(1) *Criteria* 165.

<sup>829</sup> Tellingly, when asked why the EU had stepped up its security cooperation in the Maghreb, one interviewee answered that before authoritarian leaders took care of stability, but now the EU had to intervene itself. Interview 21 Brussels, 20 June 2017, Representative Council of the European Union.

<sup>830</sup> Cyanne N Loyle and Christian Davenport, 'Transitional injustice: Subverting justice in transition and postconflict societies' (2016) 15(1) *Journal of Human Rights* 126.

be established. However, it is remarkable that at the level of thematic policy documents neither the EUGS itself, nor the policy document that sets out the EU's strategy towards promoting resilience – a key EUGS concept - mention transitional justice.<sup>831</sup> According to a representative of a Brussels-based transitional justice NGO, especially the failure to mention transitional justice in the policy framework on resilience, was a lost opportunity for the EU to anchor transitional justice in its overall foreign policy approach.<sup>832</sup> Her disappointment stemmed from the fact that resilience has replaced 'democracy' as the EU's foreign policy leitmotif, and the policy framework on resilience therefore is a key guiding framework for EU activities abroad. Resilience refers to the need to equip societies and individuals with the tools to persist in the face of adversity.<sup>833</sup> A strategy that prioritizes the strengthening of resilience comes with a different set of priorities than a strategy that is centred around promoting democracy.<sup>834</sup> Nevertheless, transitional justice mechanisms could in theory contribute to both goals. The absence of any references to transitional justice in the policy framework on resilience, however, suggests that the EU did not see a clear role for support to transitional justice in its overall approach towards resilience.

As discussed in chapter 6, the interviews also provided an insightful account of how the EU's prioritization of stability in the neighbourhood affects its willingness to engage with transitional justice. No EU interviewee would bluntly admit that support for transitional justice had been subdued as a result of the need to stay on good terms with the Tunisian and Ukrainian authorities. To the contrary, some EU officials when asked about the impact of the EUGS on its support for transitional justice denied any

<sup>831</sup> European Commission & High Representative of the Union for Foreign Affairs and Security, Joint Communication to the European Parliament and the Council: A Strategic Approach to Resilience in the EU's external action, Brussels, 7.6.2017 JOINT(2017) 21 final.

<sup>832</sup> Interview 4 Brussels, 6 June 2017, Representative international transitional justice NGO

<sup>833</sup> European Commission & High Representative of the Union for Foreign Affairs and Security 2017 (n831).

<sup>834</sup> Wagner and Anholt 2016 (n818).

changes. In this regard one EU official argued that as transitional justice was essentially a value-centred activity, the EU's approach to it had not been affected too much by aforementioned tendencies: 'I think with transitional justice it doesn't really impact my work personally, because transitional justice is, I would say, more of a positive agenda. We are trying to help'.<sup>835</sup> However, other statements did suggest links between the EU's embrace of principled pragmatism and the nature of its support to transitional justice in Tunisia and Ukraine. Understanding the ways in which principled pragmatism has impacted EU engagement with gendered transitional justice therefore functions as a puzzle: separately, statements or even entire interviews do not provide a coherent picture of the drivers behind EU engagement with (gendered) transitional justice, but taken together they do point in the direction of a bargain with significant consequences for the default conceptualization of EU support for gender justice in societies in transition.

Taken together the statements discussed in section 6.3.1 of the previous chapter demonstrate that the EU has a strong interest in safeguarding good relations with the Tunisian and Ukrainian authorities respectively, and that EU officials recognize that certain types of transitional justice support could impact these relations negatively. This ambivalent stance towards transitional justice, and particularly openness to the notion of compromises for the sake of stability – on the ground and in the EU - was not restricted to statements on Tunisia and Ukraine. Several EU officials and civil society actors who were interviewed for this research also mentioned other recent instances in which the EU had opted for less insistence on the pursuance of accountability through criminal tribunals. A European Member State diplomat advising the European Council on security related matters in the MENA region mentioned that he had been engaged in

<sup>835</sup> Interview 10 Brussels (n714).

exercises to determine the EU's approach towards transitional justice in Iraq in the wake of ISIS. Knowing that the researcher was based in Belfast, he expressed great interest in Northern Ireland's experience with amnesties, stating that safeguarding stability was the EU's core priority for Iraq.<sup>836</sup>

In relation to Sudan several civil society representatives lamented that the EU had set aside its commitment to not cooperate with officials indicted by the ICC, by agreeing to cooperate with Sudan to stem the flow of migrants to Europe. This is an obvious example of how the EU's more interest-driven approach towards external relations is affecting its commitment to international legal norms.<sup>837</sup> Another EU official mentioned in relation to Afghanistan that when the Framework on Support for Transitional Justice was drafted, officials working on Afghanistan opposed the strong anti-impunity rhetoric employed in the document:

So for example I work on Afghanistan, and we have been quite involved in this return of Hekmatyar, the Butcher of Kabul, with whom the government signed a deal - with the Hezb-e Islami, his party – which included some form of an amnesty, which is not in line with international standards. So the delegations were a little bit concerned about language around our approach towards amnesties and so on.

This does not constitute definite evidence of the existence of a connection between the choices the EU has made in relation to support for gender justice in transition in Tunisia and Ukraine, and the embrace of principled pragmatism. Nevertheless, these statements indicate that in several instances support for the pursuance of traditional transitional justice goals did not coincide with overall EU foreign policy goals, resulting in EU neglect of certain standards that are core to its vision on transitional justice set out in the Framework, particularly in the area of impunity.

<sup>836</sup>Interview 21 Brussels (n829).

<sup>837</sup> Interview 1 Brussels, 15 May 2017 (Skype), International expert on transitional justice; Baldo 2017 (n827).



### *7.3.2 The consequences of more pragmatism for the feminist study of ‘the patriarchy of internationalized transitional justice’*

What is the methodological significance of these shifts at the level of international politics for feminist scholarship on international engagement with transitional justice?

This section argues that this thesis demonstrates that these developments demand a more careful approach towards the analysis of policy documents as a tool to understand the nature and motivations behind international support for gender justice in transition, as policy language in value-focused policy documents has not yet caught up with the overall changes in foreign policy priorities.

Over the last five years the EU has embraced a more robust commitment to the need to incorporate a gender dimension in its foreign policy. This is reflected in the creation of the position of the EEAS Principal Advisor on Gender and the adoption of the revised GAP which puts more onus on EU institutions to put gender mainstreaming commitments in practice.<sup>838</sup> More recently the EU has also adopted a revised policy framework stipulating its approach towards the implementation of its commitments under the WPS Agenda. In relation to its scope of applicability this document states that:

The WPS Agenda strives to cover all aspects of the connection between gender and conflict but its relevance is not limited to conflict situations. It aims to ensure that the rights, agency and protection of women and girls are observed and upheld before, during, and after conflict, and that a meaningful and equitable role in decision-making is secured for women of all ages during all stages of peace making and peacebuilding. Therefore, the WPS Agenda is centrally placed in the full spectrum of the EU’s common foreign and security policy.<sup>839</sup>

This is an ambitious vision on the scope of applicability of the WPS Agenda and, as

<sup>838</sup> European Commission and High Representative 2015 (n2).

<sup>839</sup> Council of the European Union 2018 (n235): 14.

discussed in chapter 4, the document as a whole is a sophisticated discussion of the EU's commitments under this framework in both internal and external affairs across a range of domains including transitional justice. It is also more comprehensive at the level of both the themes and the contexts that it covers than the 2008 Comprehensive Approach. This means that the text better answers to feminist demands in relation to international engagement with gender justice in transition, which was reflected in positive feedback at its publication from the feminist expert community.<sup>840</sup>

While a strong policy framework is a vital starting point for change, a good text is no guarantee of actual implementation. This is of course always the case, but as the updated WPS contradicts broader trends in EU foreign policy as discussed in the previous section, the likelihood that discrepancies between policy and practice will transpire seems even more profound. The fact that the suggested approach for EU implementation of its commitments under the WPS Agenda signals an increase in ambition across policy areas, while the EUGS expressed the need for a more tailored, country specific and above all pragmatic approach to foreign policy as a whole, raises questions about the feasibility of the new WPS commitments. Put differently: how realistic is the notion that the EU can fulfil all of its WPS commitments in a much wider range of contexts, when the EUGS suggests a recognition on the EU's behalf for the need to make certain trade-offs between value-centred and interest-focused goals if stability demands this? The fact that the document does not reflect in any depth on any possible tendencies further reinforces the concern that inspired by/responding to critiques in feminist scholarship, and helped by increased levels of in-house expertise – the creation of the position of the Principal Advisor guaranteed availability of more resources including a seasoned specialist in the field of WPS to strategy development in

<sup>840</sup> Laura Davis, Time to engage, empower, protect and support women and girls in peacebuilding, (2018) EPLO Blog. Available at: <https://eploblog.wordpress.com>, accessed 20 April 2019.

the area of WPS - the EU has drafted the strategy feminists want, rather than the strategy it can deliver.

As discussed in chapter 4, the Framework on Support for Transitional Justice identifies the WPS Strategy as a key framework for guidance for attempts to incorporate gendered considerations in transitional justice efforts. Even though the fieldwork for this thesis was conducted one year in advance of the adoption of the revision of the EU's WPS Strategy, its findings provide relevant insight in the extent to which the EU's transitional justice specific WPS commitments have been implemented in practice. This is the case as the new WPS Framework, while it does acknowledge the continuum of violence in more general terms, still associates transitional justice mostly with the fight against impunity for conflict-related SGBV:

The WPS Agenda also emphasises the need to prevent and protect women and girls from sexual and gender- based violence. It considers that sexual violence can constitute a war crime, a crime against humanity or an act of genocide (under the Rome Statute of the International Criminal Court<sup>1</sup>). Thus, the WPS Agenda focuses on victims' rights to justice and redress for sexual and gender-based violence and stresses the importance of ending impunity for such crimes.<sup>841</sup>

As discussed in detail in the previous chapters, the EU has instead prioritized support for more forward-looking gender justice efforts.

The publication of the EU's revised approach towards the WPS Agenda in 2018 has to some extent mitigated the inconsistencies between previous policy language and contemporary practice.<sup>842</sup> As said, the document puts much more emphasis on the interlinkages between the EU's activities in the sphere of WPS and more generic GEWE support. In relation to the EU's support for women's rights in the Neighbourhood, the revised approach towards the WPS Agenda for instance states that 'The WPS Agenda and GAP II are both relevant policy frameworks for eliminating all

<sup>841</sup> Council of the European Union 2018 (n235): 15, see also page 37.

<sup>842</sup> See: section 4.2.

forms of discrimination and violence that women and girls suffer from'.<sup>843</sup> However, this language implies that the EU is doing all of this at the same time, instead of tailoring its women's rights support to other foreign policy priorities as it has been doing in Tunisia and Ukraine.

To be more indicative of the EU's actual approach towards support for women's rights abroad, the document would require a genuine reflection on the consequences of the embrace of 'principled pragmatism' on the EU's approach to value-centred policies. However, such a reflection is absent from this and other similar policy documents that exclusively focus on the EU's role as a force for good. The Revised Strategy to the implementation of the WPS Agenda does not mention the term 'principled pragmatism' or a synonymous term once. The same applies to the EU's Framework on Support for Transitional Justice. The question whether it is desirable from a feminist (advocacy) perspective for the EU to set more 'pragmatic' women's rights standards presents a different field of inquiry outside the direct scope of this thesis. In the context of this section the core take away is that EU policy language on WPS and gendered transitional justice is an increasingly unreliable source of information about the nature of EU support for gender justice in transition.

Only through a mapping of the actual efforts the EU had undertaken to support gender justice in transition in Tunisia and Ukraine, this thesis was able to provide an accurate picture of both the nature of this support as well as the motivations that are driving EU support with gender justice in transition at the substantive level. While in other contexts the EU might support a more comprehensive gender justice agenda that incorporates all elements set out in the strategy, the fact that it does not in Tunisia and Ukraine implies that carefulness in relation to the representativeness of the document's

<sup>843</sup> Council of the European Union 2018 (n235).

policy language for the EU's actual activities in practice is warranted. As other international actors might display similar tendencies, and it will take time for policy language to catch up with reality – if it ever will - the implication for feminist scholarship on the patriarchy of transitional justice is that the study of international engagement with gender justice through textual analysis should take into account a wider range of policy documents than just the value-centred ones and/or triangulate findings more with empirical data.

### ***7.3.3 Putting the 'Protection' P back at the centre of analysis***

The WPS Agenda has been perceived as constructed around three pillars: prevention, protection and participation.<sup>844</sup> This section argues that the findings of this thesis demonstrate that the WPS Agenda's rhetoric on 'protection' is increasingly difficult to reconcile with international actors' actual engagement with women's rights in transition in certain contexts in the current era. However, it seems that this issue has received less attention in feminist literature, as more recently concerns about instrumentalization have been explored mostly in relation to international actors' approach towards participation, particularly in relation to international actors' depiction of women's role in the War on Terror.<sup>845</sup> Therefore, this section argues that the methodological innovations suggested in this section should go hand in hand with increased attention for the ways in which the emergence of principled pragmatism impacts international actors' support for efforts aimed at 'protecting' women against the consequences of conflict and repression in a range of different contexts.

Many contemporary feminist critiques of the WPS Agenda concern the

<sup>844</sup> Soumita Basu and Catia C Confortini, 'Weakest "P" in the 1325 Pod? Realizing Conflict Prevention through Security Council Resolution 1325' (2016) *International Studies Perspectives*.

<sup>845</sup> Ní Aoláin 2016 (n76); Nicola Pratt 'Weaponising feminism for the "war on terror", versus employing strategic silence' (2013) 6(2) *Critical Studies on Terrorism* 327; Basu and Confortini 2016 (n844); Powell 2015 (n734); Muehlenhoff 2017 (n38).

imbalance between the extent to which international actors engage with each of the above discussed Ps, and particularly the prioritization of the participation pillar.<sup>846</sup> While increased gender sensitivity and more emphasis on women's participation in a wider range of contexts is a feminist goal, the desirability of the expansion of a framework that in practice has mostly been used to integrate women in security structures has been questioned.<sup>847</sup> The WPS-ization in the sense that it shifts the focus to more female participation in traditional security efforts fits in with the global shift towards more interest-based foreign policy. However, the findings of this thesis suggest that the EU's embrace of a pragmatic approach towards foreign policy has also impacted the type of substantive, 'protection-type' of women's rights issues it engages with, and that these changes do not sync well with dominant insights in feminist theory about international actors' transitional justice priorities. Therefore, the following paragraphs suggest the need for more critical reflection on the nature of gender justice support that takes into account all three pillars of the WPS Agenda.

As discussed in the theory chapter, feminist critiques of international actors' engagement with gender justice in transition have increasingly focused on the opportunistic nature of this support. Opportunism is reflected in the focus on a narrow category of women's rights violations – conflict-related SGBV – which allows actors from the Global North to lecture and even intervene in the Global South, while not needing to consider the way in which the Global North itself perpetuates inequality.<sup>848</sup> Opportunism is also reflected in a focus on the integration of women in patriarchal security structures,<sup>849</sup> and even the use of individual women to achieve security goals without thinking about these women's own security and rights.<sup>850</sup> This latter critique has

<sup>846</sup> Ibid; O'Rourke 2011 (n50).

<sup>847</sup> Muehlenhoff 2017 (n38).

<sup>848</sup> Otto 2010 (n78).

<sup>849</sup> Deiana and McDonagh 2017 (n38); Powell 2015 (n734).

<sup>850</sup> Muehlenhoff 2017 (n38).

increasingly dominated feminist scholarship as the scope of the WPS Agenda has broadened, now also covering counter-terrorism efforts. Ní Aoláin and other feminist scholars have underscored the risk that the wording of UNSCR 2242 suggests an intention on behalf of the international community to instrumentalize women for counter-terrorism purposes in a way that does not contribute to a more secure and enabling environment for women.<sup>851</sup>

This thesis' findings on EU engagement with gender justice in Ukraine, where conflict related SGBV has occurred, and the government has failed to ratify the Istanbul Convention but the EU has largely abstained from serious efforts to address these issues, and instead focused on gender mainstreaming the security sector, illustrate that this concern about the fractional nature of international engagement with the WPS Agenda is also valid outside the realm of counter-terrorism efforts. EUAM's use of the WPS Agenda as the guiding framework for the gendered aspects of its work is particularly remarkable, as it does not undertake any efforts to address the women's rights violations resulting from the conflict in the Donbas, including instances of conflict-related SGBV. As the WPS Agenda's guidelines are not tailored to addressing the gender justice issues that fall within the remit of EUAM's mandate, they are mostly invoked as a tool to contribute to a better balance of male/female staff in EUAM and the Ukrainian institutions with which it works. EUAM's gender advisor questioned the efficacy of such an approach:<sup>852</sup>

E: It must be a bit strange to be talking about 1325 all the time, and then to not focus on what is probably one of the most relevant events in Ukraine from a 1325 perspective?

I: Yes. It is very arbitrary; it is very strange.

<sup>851</sup> Ní Aoláin 2016 (n76).

<sup>852</sup> As previously mentioned UNSCR 1325 is part of EUAM's mandate. However, EUAM does not engage with any conflict-related matters, including the occurrence of SGBV in Donbass. I learned he left when I attended a workshop in Dublin in 2018 where a number of CSDP gender experts based in other EU CSDP missions were also present.

E: At the beginning I didn't really realize that was completely off topic for EUAM.

I: Yeah. Thank god my colleagues in the other organizations deal with this, so I don't have to lie awake at night thinking I am not doing what I am supposed to do, no [laughter], because you are absolutely right. For me working with 1325 makes hardly any sense at all.<sup>853</sup>

In view of this, feminist critique that raises the risk of international support for women's participation usurping support for other more substantive gender justice issues remains relevant in this era of principled pragmatism.

However, the prioritization of this problem in the scholarship has distracted from the study of the consequences of the current shifts in global politics on the nature of the type of gender justice issues international actors engage with and prioritize in societies in transition. This of course concerns the previous chapter's findings about the lack of meaningful EU support for the pursuance of accountability for politically motivated SGBV. Some might argue, that in this regard feminists have consistently criticized international actors for not putting enough efforts to combat impunity for SGBV.<sup>854</sup> However, the overall consensus in feminist scholarship is that if international actors engage with gendered transitional justice, they prioritize the pursuance of accountability for politically motivated sexual violence. What is remarkable then about the EU's approach towards gender justice in Tunisia - and to a lesser extent - Ukraine is what it did support in absence of support for the pursuance of accountability for sexual violence: i.e. legislative (and other) reform to deal with structural VAW. This refutes some core feminist critiques about international actors' failure support efforts to address the continuum of violence experienced by women.

The EU's own policy language also differs from its actual efforts in practice in

<sup>853</sup> Interview 2 Ukraine (n293). Of course the notion that there is need for a stronger connection between WPS and GEWE efforts put forward in the 2018 WPS Strategy puts onus on EU institutions to increase efforts to address other gender justice issues, but one wonders what is the additional value of the WPS Framework in such situations.

<sup>854</sup> Coomaraswamy 2015 (n11).



relation to this specific issue. As mentioned, the Transitional Justice Framework, the Comprehensive Approach, and the also the new Strategy towards EU implementation of the WPS Agenda all imply that the EU's priority in this realm still constitutes the pursuance of accountability for sexual violence. This means that it is in relation to substantive gender justice support in particular, that textual analysis should be employed with extra care as a strategy to enhance understanding of the EU's engagement with gender justice in transition.

However, what is perhaps more important first is to put international engagement with substantive gender justice issues, or what some refer to as the 'protection pillar' back on the feminist research agenda as a component of international actors' approach toward support for gender justice that requires more examination. The fact that the notion that sexual violence has been the international community's core priority in the field of WPS and gendered transitional justice support has dominated feminist scholarship and advocacy makes putting in question the universal validity of this notion a challenge. The difficulties encountered during the analysis phase of this research, as touched upon in section 3.6, illustrate this point. Feminist theory was the starting point of this thesis, and feminist critiques concerning essentialist and instrumentalist tendencies on behalf of international actors shaped the interview guide that guided the fieldwork. Feminist experts – both within and outside EU institutions - and feminist NGO activists were amongst the interviewees whose insights were sought for during this stage.

Many of these actors insisted that conflict-related SGBV is the EU's key gender justice concern at the substantive level:

I think the problem with the whole – I think this is a broader problem not just one of the European Union, it is a challenge for the transitional justice community as well – is that gender is not actually taken seriously at all. I think there is a real challenge to find good examples of the

way in which gender has been really truly taken seriously in transitional justice processes. And when it comes to policy I think there is a problem in the sense that whatever the policy says, in reality the actual implementation of it, or the actual work around it tends to focus primarily on women as victims of sexual violence. So the whole gender component becomes a so called women's issue of sexual violence.<sup>855</sup>

These actors constituted the interviewees with most thematic expertise in the era of my research. Since their visions coincided with EU policy language and dominant insights from the scholarship it was hard to challenge these notions even though these interviewees often did not have geographically specific expertise on Tunisia and Ukraine. Therefore, even when already during the first phase of the fieldwork in Brussels interviews with EU officials working on Tunisia and Ukraine specifically suggested that in both countries the EU was not prioritizing the pursuance of accountability for conflict-related SGBV, it took until the analysis phase for these insights to really land.

And even at that point, as discussed in section 3.6, the code book was still designed around the insights from the literature that informed the research. However, as discussed in the previous chapter, once the coding started the descriptive codes about EU engagement with politically motivated SGBV in Tunisia and Ukraine remained remarkably empty. As a result, the 'essentialization' and 'instrumentalization' thematic codes did not contain many nodes after the first round of coding was finished. Instead the category 'side-lining' had emerged to summarize EU engagement with the more traditional aspects of gender justice in transition. The 'de-politicization' theme, inspired by O'Rourke's concerns about a 'de-politicizing' impulse in feminist transitional justice scholarship' contained 215 references from 45 transcripts.<sup>856</sup> Only thanks to this structured approach this thesis could arrive at the conclusion that to the

<sup>855</sup> Interview 1 Brussels (n837).

<sup>856</sup> For the code book underlying the analysis of this thesis see Appendix I.

extent that the EU does entertain an instrumentalist approach towards support for gender justice in transition in Tunisia and Ukraine it is through support for forward-focused efforts to address the continuum of violence, rather than to engage with more controversial efforts to pursue accountability for past instances of SGBV.

Nevertheless, looking back at the interview transcripts it occurs that due to difficulties in letting go certain insights from feminist theory at the data collection stage, the line of questioning, inspired by critiques expressed in academic literature and feminist experts, was not always optimally geared towards capturing the real lacunae in EU engagement with gender justice abroad. This failure to step outside the boundaries of the literature might be a result of my rather limited experience as an academic interviewer. Still, this does not take away from the fact that if the fieldwork would have built on a more diverse body of feminist critiques on international engagement with gender justice in transition, it would have been easier to acknowledge this misfit between theory and practice already at the data collection stage.

While critiques of international actors' focus on women's participation are timely and relevant, a better understanding of the range of gender justice issues international actors engage with in societies in transition is important as 'protecting' women against harm is a viable component of the WPS Agenda as well. Centring feminist debates more about this issue is important to allow for enhanced understanding of the ways in which the emergence of foreign policy pragmatism is impacting international engagement with gender justice in transition. Moreover, as feminists have found that the focus on participation facilitates international actors' co-option of the feminist agenda, focusing more on the issue of protection can contribute to a conversation on feminists' own rather than international actors' preferred terms.

***7.4 CONCLUSION: METHODOLOGICAL INNOVATION TO FACILITATE THE CREATION OF A DIVERSIFIED THEORY OF 'THE PATRIARCHY OF INTERNATIONALIZED TRANSITIONAL JUSTICE'***

This chapter aimed to identify what type of methodological innovations should be embraced to achieve the goal of theoretical diversification in feminist scholarship on international engagement with gender justice in transition in view of developments in the field of transitional justice itself as well as global politics more broadly. It identified innovations aimed at making the literature more representative of international transitional justice practice, and innovations aimed at guaranteeing more robust data collection.

To render findings regarding the patriarchy of internationalized transitional justice more representative of the current state of the field, feminist scholars should study a wider range of transitions, including transitions from democracy to authoritarianism, as these have become the subject of increased international scrutiny since the Arab Spring. Section 7.2 highlights that due to the different properties of these transitions, some feminist insights about international engagement with transitional justice based on the war-to-peace model might not capture international actors' engagement with other types of transitions. It also highlights the need to consider more case studies of transitions taking place in the Global North or its borders, because the political calculations that drive international engagement with transitions in these contexts are likely to differ from the calculations driving engagement with transitions further afar.

To render findings regarding the nature of international engagement with gender justice in transition more robust and reliable, section 7.3 emphasized the need for less reliance on analysis of policy language as a means to understand the nature of international engagement with gender justice in transition. It argued that this innovation

is particularly urgent in light of recent shifts in international politics. The combination of the public embrace of a more transactional, interest-based foreign policy model by the actors who have traditionally presented themselves as champions of human rights and other values, with adoption of ever more sophisticated language on WPS by these same actors, has widened the gap between policy and practice. This renders analysis of policy documents – even less – reliable as a source of insight in the nature of international engagement with gender justice in transition than before. Section 7.3 illustrated this point through a look at the recent developments in EU policy language on WPS.

Through this analysis the chapter provided one final suggestion for theoretical innovation in feminist scholarship, which is to focus particularly on the nature of international actors' engagement with substantive women's rights issues. This suggestion is inspired by the observation that while the divergence between policy and practice seems to be widening increasingly at this level in particular, it has been the topic of less recent feminist scholarship than the links between international actors' support for women's participation and broader foreign policy goals. Therefore, this chapter argues that to capture the consequences of principled pragmatism on international engagement with gender justice in transition, feminist scholars need to embrace both methodological innovation as well as shift their thematic priorities back to the study of what type of substantive gender justice issues dominate international actors' agenda in the current era.



## **8. CONCLUSION: The patriarchy of internationalized transformative justice?**

### ***8.1 INTRODUCTION***

Finding remedies for the flaws associated with internationalized transitional justice practice has since long been a core goal of feminist transitional justice practice. A feminist transformative justice agenda, which emphasizes the need to acknowledge a broader range of gendered harms, has been put forward to combat international actors' use of support for women's rights in the service of other foreign policy goals. This thesis aimed to identify the theoretical and methodological innovations which are required to guarantee feminist transitional justice scholarship's ability to respond to the political realities of the contemporary internationalized transitional justice environment. It used an in-depth examination of EU engagement with different types of past- and future focus gender justice efforts in Tunisia and Ukraine as a vehicle to answer this question.

It found that EU policy language on gender justice in transition provides the impression of an international gender justice actor which prioritizes support for the mainstream gendered transitional justice goals traditionally associated with 'the patriarchy of internationalized transitional justice' despite some attempts to embrace more transformative justice language. This image was, however, refuted by chapter 5's findings about the nature of EU engagement with gender justice in Tunisia and Ukraine in practice. Instead of prioritizing support for efforts aimed at the pursuit for accountability for grave (gendered) human rights violations, the EU has prioritized support for forward-focused gender justice effort which aim to break the continuum of VAW.

Does this mean the EU is different from the gender justice supporters studied by other feminist scholars interested in international actors' engagement with gender justice in transition? Section 8.2's reflection on the core findings about the nature of EU engagement with gender justice in transition and the drivers behind it suggests differently. Indeed, chapter 6's comparison between the findings about the nature of EU gender justice support and the local gender justice opportunity structures in Tunisia and Ukraine, showed that political opportunism also is at the root of the EU's engagement with gender justice in Tunisia and Ukraine. As such section 8.2 concludes that the patriarchy of internationalized transitional justice is a multi-headed beast which co-opts gender justice issues according to what is most politically convenient in each individual country context. Support for different types of gender justice support, including approaches that have been hailed as potentially more transformative, can also be used for political gain.

As such this thesis has questioned the wisdom of constructing a definition of transformative justice around a predetermined set of harms and mechanisms. Instead, as section will 8.3 reiterate, it emphasized the need for a diversified theory of 'the patriarchy of internationalized transitional justice', and the embrace of a definition of 'transformative' that is centred around the notion of challenging vested interests. To achieve these theoretical aims this thesis argues that feminist transitional justice scholarship needs to embrace two types of methodological innovation: 1) consideration of a broader range of case studies when examining the nature of international engagement with gender justice in transition, and 2) less reliance on analysis of policy documents to determine the nature of international engagement with gender justice in transition.

These suggestions are based on findings about the activities of only one international gender justice actor in only two contexts. Nevertheless, section 8.4 argues



that the fact that the case studies under scrutiny speak to recent developments in internationalized transitional justice practice itself and shifting attitudes towards the role of human rights and other values in global politics, extends the relevance of these findings beyond the specific scope of this research. More specifically, both trends imply that international support for transitional justice will be determined increasingly by context-bound politics rather than universal norms. This means that while this thesis does not provide an unequivocal recipe for a remedy against the flaws of ‘the patriarchy of internationalized transitional justice’, it does confirm the need for a context-bound, politically sensitive approach towards the feminist study of international transitional justice practice in the 21<sup>st</sup> century. Section 8.5, however, concedes that a more systematic examination of the EU’s support for gender justice in transition in a broader range of contexts –in terms of locations where these transitions are taking place, the type of transitions it concerns, and the types of gendered harms relevant to them – could contribute to a more robust understanding of the balance of these factors in determining the EU’s engagement with gender justice in transition in third countries across the globe.

***8.2 THE NATURE OF AND MOTIVATIONS BEHIND EU GENDER JUSTICE SUPPORT IN TUNISIA AND UKRAINE: CO-OPTING TRANSFORMATIVE JUSTICE APPROACHES?***

To make the planned theoretical and methodological contribution to feminist transitional justice scholarship the thesis first had to provide in-depth insight in the nature of and motivations behind EU engagement with gender justice in Tunisia and Ukraine. To do so, it used a multi-level case study design that combined analysis of EU budgetary commitments with interviews with a range of relevant stakeholders in Brussels, Tunisia and Ukraine to get insight in the EU’s gender justice activities in

Tunisia and Ukraine. The two findings chapters combined concluded that while political calculations drive EU engagement with gender justice in Tunisia and Ukraine, the nature of this support is not in line with dominant feminist assumptions about the gender justice issues international actors prioritize. Instead of prioritizing support for the pursuit of accountability for politically motivated SGBV, the EU has put its political and financial weight behind legislative reform (Tunisia) and institutional reform (Ukraine) to break the continuum of ‘everyday’ GBV in line with the gender justice priorities of governing political elites. Therefore, in response to the question where one should locate the EU’s actions in practice on the tripartite transformative gender justice conceptualization, this thesis concludes that they qualify as examples of forward-looking transformative justice efforts. This finding, however, rather than being a conclusion functioned as a catalyser for a range of other queries, including questions about the suitability of the current feminist approach towards defining ‘transformative’ in targeting the flaws of internationalized transitional justice practice.

### ***8.2.1 The nature of EU engagement with gender justice in Tunisia and Ukraine***

This thesis examined EU engagement with gender justice in Tunisia and Ukraine through a tripartite transformative justice lens. It looked into the extent to which the EU engaged with mainstream and transformative past-focused gender justice efforts on the one hand and more future focused gender justice efforts on the other. While doing so, it took into account EU financial and political support for each of these efforts.

Through a comparison between the different types of gender justice efforts the EU engages with both financially and politically, followed by a comparison between the findings on Tunisia and Ukraine, the thesis concludes that to the extent that the EU engages with past-focused gender justice efforts it indeed still prioritizes mainstream (gendered) transitional justice goals. in Tunisia 238,186 EUR out of a total of 1,1 million

EUR in transitional justice funding was allocated to projects contributing to more transformative justice goals,<sup>857</sup> and in Ukraine the core beneficiaries of the EU's 28,854,522 EUR funding for transitional justice in Ukraine – the HRMMU and OSCE SMM – have not only reported on the occurrence of civil and political rights violations in the context of the Donbas conflict, but also harms of a socio-economic nature.<sup>858</sup>

Nevertheless, concerns around women's specific experiences of conflict and repression have figured only marginally in the design of these EU interventions. In Ukraine interviewees indicated that to the extent gender did figure in the project outputs this was a result of decisions on behalf of the implementing partners.<sup>859</sup> This observation includes the OHCHR's landmark report on the occurrence of SGBV in the Donbas.<sup>860</sup> Moreover, despite the embrace of some transformative projects in Tunisia, these interventions still fall short of a full embrace of a more transformative approach towards the pursuit of past-focused gender justice efforts. They neither expand the notion of gendered harms that should be the subject of transitional justice efforts, nor rely on a broader array of transitional justice tools in order to ensure that if justice is pursued for certain gendered harms, this results in progressive outcomes for the female victims at hand. As such, the EU's approach towards gendered transitional justice in Tunisia and Ukraine broadly confirms existing insights about 'the patriarchy of internationalized transitional justice'.<sup>861</sup>

However, both an in-depth examination of the EU's political support for past-focused (gendered) transitional justice efforts and a comparison with the level of support – financially and politically speaking – it has provided to forward-looking gender justice efforts put these findings in a different light. Analysis of EU annual human rights

<sup>857</sup> See section 5.2.

<sup>858</sup> European Commission 2016 (n588); European Commission 2018 (n589).

<sup>859</sup> Interview 1 Ukraine (n600); Interview 24 Tunisia (n584).

<sup>860</sup> OHCHR 2017 (n194).

<sup>861</sup> Ní Aoláin 2009 (n4).

reports and public statements by EU officials displays a near complete absence of political back up to the EU's financial support for transitional justice efforts. This is significant as many interviewees for this research believed that in both countries political support by powerful international actors was direly needed to advance transitional justice efforts. This finding is more striking when compared to the EU's engagement with forward-looking gender justice issues in Tunisia. In this realm money has been allocated enthusiastically – 2,778,721 € for efforts uniquely targeted at combatting GBV - and high-ranking EU officials have joined the Tunisian President in calls for legislative reform that would contribute to a more gender equal society which is free of GBV.<sup>862</sup>

This means that while the EU's support for past-focused transformative gender justice efforts has been rather minimal, the EU's support for forward-focused transformative gender justice efforts has eclipsed its support for both mainstream and transformative past-focused gender justice efforts in Tunisia.

In Ukraine the picture is more complex. Yes, the EU has provided more funding to efforts to combat GBV than to transitional justice efforts specifically aimed at addressing gendered harms – it has not earmarked any funding for past-focused gender justice activities – but its support for the fight against GBV has neither been very robust. This is most clearly reflected in an absence of significant EU financial and political support for the ratification of the Istanbul Convention. At the same time, during the time of the fieldwork, the EU seemed to have arrived at a critical junction, with many officials reporting that the EU was about to invest in increased gender mainstreaming of its SSR and justice reform efforts in a fashion that could greatly contribute to efforts aimed at addressing GBV. Nevertheless, the key take away from

<sup>862</sup> L'Economiste Maghrebin 2018 (n649).

the research seems to be that in terms of supporting gender justice in transition – of any type – the EU has been significantly more financially committed and politically vocal in Tunisia than in Ukraine.

The overarching conclusion is that when examined through the tripartite gender justice framework at the core of this thesis, the EU's engagement with gender justice in transition in Tunisia and Ukraine qualifies thus as much more transformative as one would expect based on insights from feminist literature on 'the patriarchy of internationalized transitional justice'. The EU's prioritization of support for more forward-looking gender justice measures, such as legislative and institutional reform, over mainstream past-focused gender justice efforts refutes the notion that politically motivated SGBV has usurped all other gender justice concerns of international actors engaging with women's rights in societies in transition. These findings put into question the applicability of dominant feminist insights about the nature of the efforts prioritized by international transitional justice actors on the case studies central to this research. They also raise questions about the reasons why the EU has failed to engage with efforts that forge a transformative link between the past and the future.

### ***8.2.2 The drivers behind EU engagement with gender justice in Tunisia and Ukraine***

While the nature of the EU's support for gender justice efforts in Tunisia and Ukraine does not correspond to insights from feminist theory, the findings about the drivers behind the EU's choices in this area did align with insights from the literature. A comparison between the findings about EU gender justice priorities on the one hand, and the priorities of local governing political elites on the other, confirms the broadly held feminist belief that instrumentalist motives drive international actors' engagement with gender justice in transition; an observation that was confirmed during interviews

with EU officials and other relevant stakeholders. Feminist transformative justice scholarship has emphasized the importance of prioritizing the voices of and agendas of local gender justice actors,<sup>863</sup> and to some extent the EU's support benefits efforts championed and implemented by local women's movements. However, overall this thesis' findings suggest that this is only the case to the extent that these agendas coincide with the agendas of governing political elites. Therefore, 'the local' which shapes EU engagement with gender justice is that of local, patriarchal power structures. As such Ní Aoláin's observation that local and international patriarchies reinforce each other in the internationalized transitional justice realm also stands within the context of this research.

At the time of the fieldwork, dealing with the past and fighting impunity did not figure highly on the agendas of Tunisia's and Ukraine's political elites to say the least. In Tunisia, President Essebsi and his Nidaa Tounes party were at the verge of pushing through a bill that would provide amnesties to businesspeople and officials who engaged in corrupt practices under the previous regime.<sup>864</sup> In Ukraine, attempts to pursue accountability for conflict-related SGBV could literally be counted on one hand by the end of 2018.<sup>865</sup> While this was partly a consequence of the lack of effective control over the separatist forces in Donbas, it also reflected reluctance on behalf of the authorities to hold the 'heroes' defending the motherland accountable for war crimes.<sup>866</sup> This reluctance was codified through the 2016 adoption of a law preventing prosecutions of soldiers for less serious offences and providing reduced sentences for those convicted of war crimes. The EU's silence on transitional justice and particularly the fight against impunity – identified as an EU priority in the Framework – seemed to

<sup>863</sup> Lambourne and Rodriguez Carreon 2015 (n5).

<sup>864</sup> République Tunisienne 2017 (n392).

<sup>865</sup> OHCHR 2017 (n513).

<sup>866</sup> Interview 5 Ukraine (n281).

serve the purpose of safeguarding strong ties with both countries' friendly political elites as more urgent foreign policy priorities took centre stage. While interviewees were hesitant to make blunt statements like this, security concerns and broader reforms were regularly invoked as an excuse for the EU's absence in the realm of promoting transitional justice.<sup>867</sup>

Even in the realm of forward-focused gender justice efforts, the EU engaged with certain issues and relied on certain methods while neglecting others according to the preferences of local political – and in Ukraine's case religious - establishments. While the EU supported forward-looking gender justice efforts in both countries, the type of support provided in Tunisia differed significantly from the type of support provided in Ukraine even though a similar set of gender justice issues had animated international and grassroots gender justice actors in both countries. Again, a comparison between the EU's activities in this regard with the gender justice priorities of the Tunisian and Ukrainian ruling classes shows remarkable convergence between what these actors prefer and what the EU prioritizes in its programming and diplomatic exchanges: legislative reform in Tunisia to support Essebsi in his quest to become the second Bourguiba, and gender mainstreaming of EU support for SSR – rather than meaningful support for the blasphemous Istanbul Convention – neatly staying in line with Poroshenko's motto 'Army, language, faith'.

As mentioned in chapter 6, the focus of this thesis were the higher level (political) factors that determine the nature of EU engagement with gender justice in transition. The centrality of foreign policy interests to international actors' has been recognized by other scholars studying internationalized transitional justice practice.<sup>868</sup> However, as pointed out in chapter 6, both interviewees for this research as well as

<sup>867</sup> Interview 20 Brussels, (n285).

<sup>868</sup> MacDonald 2019 (n148).

other publications have identified other factors such as individuals, institutional arrangements, and access to information as important factors in shaping international actors' engagement with transitional justice/gender justice in transition.<sup>869</sup> While this thesis acknowledges the existence of these factors, its core focus is on disentangling why they exist, i.e. why has the EU not invested more in creating an enabling institutional environment for supporting gender justice in transition. Nevertheless, recognizing and mapping the role of individuals and institutional arrangements is important when one wants to come up with suggestions for (incrementally) improving international actors' transitional justice efforts. While foreign policy interests will likely continue to determine the boundaries of international actors' engagement with gender justice in transition, within these overarching boundaries it might be possible to optimize international actors' transitional justice activities by identifying weaknesses at the operational level that hamper international actors from optimally implementing the type of transitional justice support that does fit within their broader foreign policy approach.

Thus, while the nature of EU engagement with gender justice in transition does not confirm feminist critiques of the gender justice preoccupations of international actors, the drivers behind this engagement are reminiscent of what feminist scholars have argued to be the core motivations behind international engagement with gender justice in transitions. This suggests that the defining feature of the patriarchy of internationalized transitional justice is not necessarily what type of gendered harms it does and does not engage with, but rather the type of calculations that define engagement with gender justice in transition in any given context. This raises questions about what focus feminist scholars should adopt when creating a feminist

<sup>869</sup> Arthur 2018 (n34).



transformative justice agenda that aims to remedy the flaws of internationalized transitional justice practice.

### ***8.3 THEORETICAL INNOVATION***

Based on these findings the thesis argues in favour of a more diversified theory of ‘the patriarchy of internationalized transitional justice’ which recognizes that international actors’ co-option of women’s rights for political gain is not related to support for one type of gender justice issue. To the extent that the feminist transformative justice agenda is invoked as a tool to address the flaws of internationalized transitional justice practice, this thesis argues in favour of a more politicized definition of the term transformative, which is sufficiently agile to respond to the multi-fold appearances of ‘the patriarchy of internationalized transitional justice’.

Over the last fifteen years, transformative justice has become the rallying cry of critical transitional justice scholars including many feminists who question the capacity of mainstream transitional justice practice to contribute to meaningful justice outcomes for victims and societies at large. However, an unequivocal definition of the term has failed to emerge. Based on an analysis of feminist transformative justice literature this thesis identified a core set of characteristics most commonly associated with this concept including recognition of the continuum of violence,<sup>870</sup> respect for the priorities of local gender justice actors,<sup>871</sup> and an emphasis on mechanisms/interventions that put female victims and women as a group in a better societal position.<sup>872</sup>

However, the findings about EU engagement with gender justice in Tunisia and Ukraine show that approaches that combine one or more of these characteristics can also be used to consolidate local patriarchal power structures. Does this thesis reject a

<sup>870</sup> Boesten and Wilding 2015 (n5); O’Rourke 2015 (n33).

<sup>871</sup> Lambourne and Rodriguez Carreon 2015 (n5).

<sup>872</sup> Rubio Marín 2009 (n5).

definition of transformative that focuses on addressing the continuum of violence, and that definitions of transformative justice should be constructed around dealing with political instances of past-violence? It does not, as it is aware of the limitations of its findings. First, it relies on the study of the activities of just one international actor in only two contexts over a recently recent period of time. Indeed, both historical data as well as suggestions by interviewees in relation to the EU's activities in other countries imply that in other contexts the EU has prioritized mainstream (gendered) transitional justice goals over addressing the continuum of violence experienced by women in societies in transition.<sup>873</sup> Second, the findings demonstrate that the EU failed to support gender justice efforts that establish a bridge between the past and the future such as reparations. This means that the EU has only prioritized one component of the two more transformative gender justice approaches that this thesis has identified as being fundamental to a feminist transformative justice agenda. Lastly, while cutting the transformative justice concept into components is a useful analytical tool to identify what an international actor does and does not support, in feminist scholarship all of these components are connected and interdependent.

Nevertheless, when it comes to defining transformative justice this thesis would argue there is need for a definition that is both more flexible and more politicized in order to do justice to the fact that gender justice trajectories differ significantly across societies in transition. This requires the embrace of a definition of 'transformative justice' which is not constructed around certain mechanisms or harms, but around the notion of addressing the unaddressed and challenging the status quo/patriarchal power structures. Embracing such a definition requires in-depth understanding of context-specific local gender justice opportunity structures before putting forward

<sup>873</sup> Davis 2014 (n36).

recommendations for more transformative justice approaches. The methodological innovation that is required to arrive at such an understanding is reiterated in the next section.

When it comes to the role of international actors in supporting gender justice in transition, this thesis explored the dynamics between ever increasing demands for more local ownership in transformative justice literature and a reality in which international funding remains vital to many transitional and transformative justice activities.<sup>874</sup> With regard to the question whether local ownership is at all compatible with international transitional justice funding in middle income countries in transition such as Tunisia and Ukraine, this thesis follows the line that in this type of contexts the emphasis should shift from funding state-level transitional justice institutions to civil society initiatives, echoing previous findings by Arthur and Yakinthou.<sup>875</sup> However, looking at the Tunisian and Ukrainian experiences with gender justice in transition this thesis identified a second challenge; which gender justice or transitional justice initiatives to fund in case of competing priorities between various local actors and different levels of state/elite buy-in. This thesis argues there is need for a balance between capitalizing on support for gender justice issues that can count on local elite buy-in, and creating a durable tissue of civil society actors who can step in when space opens up to work on gender and transitional justice issues that are too controversial to advance at earlier points in time.

This research' observations of the EU's efforts in Tunisia and Ukraine, suggest that in the EU's case the embrace of such an approach would require significant shifts in its approach towards supporting gender justice in transition. While the EU has adjusted its approach to the gender justice priorities of national authorities, it has largely

<sup>874</sup> Sharp 2014 (n46).

<sup>875</sup> Arthur and Yakinthou 2018 (n164).

failed to invest in a more sustainable transitional justice tissue. The EU could improve in this regard by focusing less on one-off transitional justice projects driven by iNGOs or IOs, investing more in network building between local civil society actors, and providing more support for advocacy also in relation to gender justice issues that can count on state buy-in. Nevertheless, this thesis is careful to not cast strong judgements about the EU's choice to support an approach towards support for gender justice in transition that prioritizes convergence with gender justice priorities of local authorities. While this approach has obviously come at the expense of support for certain core gendered transitional justice goals, one could think of several reasons why a 'pragmatic' approach towards support for gender justice in transition is preferable over a more confrontational – transformative - one. E.g. by aligning itself with government priorities the EU ensures that its gender justice funding actually contributes to improvements in the situation of women on the ground. These dilemmas highlight the need for more (evaluative) research into the question how international actors can address the unaddressed in the most optimal fashion, as evidence about the impact of international actors' transitional justice support remains scarce.<sup>876</sup> Section 8.5 will reflect on the implications of this absence of evidence in terms of developing a future research agenda.

#### ***8.4 METHODOLOGICAL INNOVATION***

This thesis confirmed that there is need for methodological innovations in the feminist approach towards the study of internationalized transitional justice practice in order to understand the nature of and drivers behind international actors' engagement with gender justice in transition; a first step towards developing a transformative justice

<sup>876</sup> Arthur 2018 (n34): 234.

agenda that responds to the gaps in contemporary internationalized transitional justice approaches. This need for methodological innovation is particularly urgent in light of recent developments in the field of transitional justice itself and global politics more broadly. The former concerns the growing international attention for and engagement with transitions from authoritarianism to democracy.<sup>877</sup> The latter concerns the apparent shift towards a ‘post-human rights world’.<sup>878</sup> To arrive at a diversified theory of the patriarchy of internationalized transitional justice which is rooted in reliable data and representative of the field as a whole this thesis argues in favour of diversification of case studies and less reliance on analysis of (generic) policy documents in the feminist study of internationalized transitional justice practice

Internally, this thesis’ case studies at the local level, Tunisia and Ukraine, are two settings that represent transitions that have remained underexplored in feminist – and mainstream – scholarship on international engagement with transitional justice.<sup>879</sup> Tunisia is experiencing a transition from authoritarianism to democracy,<sup>880</sup> and while Ukraine is grappling with the Donbas war, it concerns a low-intensity conflict that has not received much attention from feminist scholars studying ‘the patriarchy of internationalized transitional justice’.<sup>881</sup> As these types of transitions come with a different set of political dynamics and legacy of human rights violations – including gendered harms – this might affect the approach international actors take towards support for gender justice in this type of contexts. One could argue that it only makes sense that these transitions have not received much attention in feminist scholarship on international engagement with gender justice in transition, as historically they have not constituted an important arena for international transitional justice interventions.

<sup>877</sup> Nassar 2015 (n771).

<sup>878</sup> Mallinder 2017 (n808).

<sup>879</sup> Sharp 2014 (n46); O’Rourke 2012 (n6).

<sup>880</sup> Preysing 2016 (n772); McAuliffe 2016 (n772).

<sup>881</sup> Davies, True and Tanyag 2016 (n781).

However, this is changing, as is particularly well demonstrated by the Tunisian experience, and therefore in order for feminist scholars to develop comprehensive critiques of internationalized transitional justice practice, it is necessary to take these transitions into account as well.

When it comes to methods, the internationalization of a broader set of transitions, puts into question the reliance on generic policy documents as a source of reliable information about international actors' gender justice priorities. Most guiding documents for international engagement with gender justice in transition – most notably the WPS Agenda – were created with war-to-peace transitions in mind. This makes them an ill-fitting source to learn more about the nature of and motivations behind international engagement with gender justice in different types of transitions. Furthermore, developments in global politics, most notably the erosion of international actors' commitment to international human rights norms, and public openness to a more transactional foreign policy approach, even further reduces the authority of these documents as a reliable source of information about the priorities of international actors in terms of transitional justice support.

The challenges the researcher faced when examining the EU's support for gender justice in transition, and the contradictory findings that arose from analysis of policy documents and EU activities in practice seem to support this point. While the EU has adopted a less ambitious overall foreign policy approach in terms of human rights and democracy promotion, it has simultaneously significantly geared up its policy rhetoric on WPS and gendered transitional justice. This is contradictory, and the findings of EU engagement with gender justice in Tunisia and Ukraine in practice indeed demonstrated the EU's failure to live up to this more ambitious policy language. Because the thesis is lacking a historically comparative element, it cannot argue with certitude that the EU's approach towards gender justice in transition has changed. It,

however, found strong indications that its embrace of a more pragmatic approach shapes its engagement with transitional justice in Tunisia and Ukraine.

Reflecting on the struggles the researcher experienced in bringing together the findings from the fieldwork with existing insights from feminist theory, this thesis's last recommendation is to invest in feminist theorization around the notion of instrumentalization or co-option with particular attention for the substantive dimension of international gender justice support. Since the notion that instrumentalist motives guide international engagement with gender justice in transition has gained traction, feminists have explored in much depth how this is related to these actors' increasing preoccupation with the participation pillar of the WPS agenda.<sup>882</sup>

This thesis's findings indeed demonstrate that focusing on promoting women's participation in security operations has indeed well served the EU in Ukraine, confirming earlier findings by for instance Deiana and McDonagh.<sup>883</sup> Feminist scholars have also found connections between the securitization of wartime rape and international actors' broader foreign policy agendas.<sup>884</sup> However, as discussed, the findings of this thesis demonstrated that in Tunisia and Ukraine the EU has abstained from this issue because focusing on this type of politically motivated instances of GBV did not serve its political interests in these contexts. This implies that support for multiple types of gender justice efforts – including the ones that seem on first sight less politicized in the sense that they do not deal with harms inflicted on women during conflict or repression – can serve broader foreign policy agendas. This notion is currently not reflected in feminist theory on internationalized transitional justice practice.<sup>885</sup>

<sup>882</sup> Ní Aoláin 2016 (n76); Muehlenhoff 2017 (n38); Powell 2015 (n734).

<sup>883</sup> Deiana and McDonagh 2017 (n38).

<sup>884</sup> Hirschauer 2014 (n7).

<sup>885</sup> At the local level O'Rourke has greatly contributed to enhancing insight in this phenomenon, O'Rourke 2013 (n13).

### ***8.5 DEVELOPING A FEMINIST (RESEARCH) AGENDA FOR INTERNATIONALIZED TRANSITIONAL JUSTICE PRACTICE***

Theoretical and methodological innovation in feminist transitional justice scholarship can contribute to getting better insight in the nature of and drivers behind internationalized transitional justice practice. This, on its turn, of course serves the more ambitious goal of identifying ways to improve these efforts. As discussed in section 8.3, this research has identified a number of ways for international actors to advance transformative gender justice goals in middle-income countries in transition, where a range of gender justice priorities are competing for financial resources and political support. However, more research – with local stakeholders and informed by clear insight in the actual nature of internationalized transitional justice support – is needed to develop this agenda. This section identifies avenues for further research both aimed at providing more robust insight in the nature of, drivers behind *and impact of* internationalized transitional justice practice and creating locally-driven guidance for international actors on how to optimally contribute to advancing gender justice in transition.

#### ***8.5.1 Enhancing understanding of the nature of, drivers behind and impact of internationalized transitional justice support***

This thesis proposes an ambitious agenda for future feminist research into international engagement with gender justice in transition in a ‘post-human rights world’ informed by both the limitations of this thesis as well as its suggestions for methodological and theoretical innovation. Key to this agenda is the replication of this thesis’ highly contextualized approach to studying international engagement with transitional justice in a larger range of case studies, first at the local level – i.e. looking into EU interactions



with more countries in transitions, and then the international level – i.e. looking into the interactions of more international actors with these local contexts.

When it comes to replicating this thesis' research approach, it would be particularly beneficial to compare findings about the EU's approach towards gender justice in Tunisia and Ukraine with its gender justice priorities in a contemporary example of a typical war-to-peace transition with high levels of conflict-related SGBV. These case study contexts could be located both in the near vicinity of the EU – e.g. Syria – and further afar – e.g. Colombia the DRC or South Sudan. Looking at EU support for gender justice efforts in Syria – particularly political support for accounts to pursue accountability for conflict-related SGBV - would allow for more insight in the question, whether if widespread conflict-related SGBV and wartime rape are prevalent the EU is willing to overcome political barriers to provide meaningful support to efforts to pursue accountability for these crimes. Increased insight in EU engagement with these issues in contexts such as Colombia, the DRC and South Sudan, of which the internal struggles present a less direct foreign policy concern to the EU than those in Tunisia, Ukraine and Syria, would allow for more in-depth examination of how the presence or a lack of strong foreign policy interests affects EU engagement with gender justice in transition.

Collecting data about a range of contexts – for instance ten to fifteen countries – would provide a robust picture of the nature of EU engagement with gender justice in transition, allowing for better informed guidance on how to improve the EU's efforts in this field to make it a more effective supporter of transformative gender justice ideals. A table which classifies findings about EU financial and political engagement in each context while providing information about the level of SGBV experienced by each of the countries, the depth and nature of the EU's foreign policy interests in them, and the

type of transitions these countries are experiencing, could be used to test hypotheses about the drivers behind EU gender justice support.

This thesis would also be interested in a robust historical comparison between EU engagement with different countries in the EU's near surroundings over time to acquire more robust evidence in relation to the question whether the shift towards principled pragmatism has indeed caused the EU's gender justice priorities to shift. Such an examination could take into account EU engagement with transitional justice in Northern Ireland, the Balkans and Morocco in the past, and EU support for transitional justice in Tunisia, Ukraine, Libya and Syria in the present (or near future). Besides conducting more research on the EU's activities in this field it would also be beneficial to compare the EU's activities in the area of gender justice in transition in a specific context with those of other international actors who have a different set of political and security interests in these contexts. This would contribute to getting a better grasp of the extent to which the EU's activities are emblematic of the international approach towards gender justice in transition as a whole or just reflective of the EU's transitional justice activities.

### ***8.5.2 Understanding the impact of international support for gender justice in transition***

The dilemmas international actors face when engaging with gender justice in transition – particularly the question how to balance support for gender justice issues that do and do not have government buy in – also call for more research into the impact of different types of gender justice approaches. Measurement of effects of transitional justice efforts has remained underdeveloped in both transitional justice scholarship and

praxis.<sup>886</sup> Nevertheless, in-depth understanding of the effects of international support for different types of gender justice in transition is essential in order to advance a feminist agenda for internationalized transitional justice practice. Getting this type of insight – particularly when it comes to the effects of isolated interventions/projects - requires a joint effort between (feminist) transitional justice scholars, donors and practitioners. This section suggests some efforts that could be taken to measure the impact of international support for gender justice in transition.

Insight in the effects of transitional justice efforts remains scarce. While some academics have attempted to measure transitional justice's contribution to societal and political objectives such as peace, democracy and the rule of law at the macro-level,<sup>887</sup> there has been a surprising lack of evaluative research at the practitioner level. In this regard Arthur has remarked that:

Perhaps the biggest information gap in relation to TJ is whether it achieves the social change outcomes it sets out to achieve. That this gap remains so large is a puzzling issue. The donor community has poured billions of dollars into TJ efforts (including the international tribunals), but with almost no data upon which to base its funding decisions, and almost no interest in understanding the impact of its assistance.<sup>888</sup>

Furthermore, based on her experience as a transitional justice practitioner for a big international transitional justice NGO, she observes that:

The few evaluations that are undertaken are primarily focused on the project level – rather than the TJ intervention level (like a truth commission) – including even small projects with budgets of less than \$200,000.<sup>889</sup>

<sup>886</sup> Arthur 2018 (n34): 234.

<sup>887</sup> Olsen, Payne and Reiter 2010 (n826); Thoms, Ron and Paris 2010 (n158); Geoff Dancy et al, 'Behind Bars and Bargains: New Findings on Transitional Justice in Emerging Democracies' (2019) 63(1) *International Studies Quarterly* 99; Phuong Ngoc Pham et al, 'Evaluating transitional justice: The role of multi-level mixed methods datasets and the Colombia reparation program for war victims' (2016) 1(4) *Transitional Justice Review* 3; Elisabeth Bunselmeyer and Philipp Schulz, 'Quasi-experimental research designs as a tool for assessing the impact of transitional justice instruments' (2019) *The International Journal of Human Rights* 1.

<sup>888</sup> Arthur 2018 (n34): 234

<sup>889</sup> *Ibid.*

She ascribes this reluctance to evaluate to the notion that “it pays to be ignorant”; i.e. both for transitional justice NGOs as well as individual transitional justice advocates in donor entities it might be more beneficial to have no research on the impact of transitional justice as long as there are some ‘core supporter’ are willing to allocate funds without evidence, rather than to risk gathering evidence that might uncover the inefficiency of certain transitional justice activities.<sup>890</sup>

Besides this opportunistic attitude on behalf of transitional justice advocates, there are practical challenges associated with evaluating complex transitional justice projects. However, in this regard Arthur remarks that ‘claims made by TJ advocates that their work is too complex and therefore “cannot be measured” (meaning assessed or judged) are simplistic and misleading and must be challenged’.<sup>891</sup> In this regard it is encouraging that over the last decade transitional justice scholars have developed both quantitative and qualitative approaches to measure the impact of transitional justice mechanisms across contexts and smaller-scale interventions in specific countries.<sup>892</sup> There should be more synergies between donors, gender justice practitioners and scholars to develop methodologies to measure the impact of transitional justice interventions. Scholars interested in contributing to advancing insight in the impact of transitional justice interventions, need to recognize the fact that international donor funding is scarce and making funding decisions therefore inevitably implies choosing between various actions. It is therefore important that academic research reflects this reality by making comparisons between different courses of actions that are meant to advance similar types of goals. This thesis’ conceptual framework which distinguishes between different components of the transformative gender justice agenda could serve

<sup>890</sup> This phenomenon has been identified originally in a generic development context by Pritchett: Lant Pritchett, ‘It Pays to Be Ignorant: A Simple Political Economy of Rigorous Program Evaluation’ in *Reinventing Foreign Aid* (MIT Press 2008).

<sup>891</sup> Arthur 2018 (n34): 235.

<sup>892</sup> See n887.

as a basis for this type of research, but one could also think of research that compares between support for advocacy vs. technical assistance.

### ***8.5.3 Developing a bottom-up feminist agenda for internationalized transitional justice practice***

Better insight in the nature of, drivers behind and impact of internationalized transitional justice support can contribute to the development of feminist remedies for the flaws of contemporary internationalized transitional justice practice. Section 8.3 summarized the suggestions to improve international engagement with gender justice in transition in middle-income countries put forward in this thesis, based on its findings on the nature of EU engagement with gender justice in Tunisia and Ukraine. However, these suggestions could benefit from the type of extensive comparative research on international engagement with gender justice in transition described in the previous paragraph, and more feedback from local stakeholders to address post-colonial (feminist) critiques of internationalized transitional justice practice. This section sets out steps to realize this objective.

Interviews with civil society actors in Tunisia and Ukraine were a central component to data collection efforts carried out in the context of this research. Initially, the aim of the interviews with these actors was to get better insight in the nature of EU support for these actors and their perspectives on the EU's approach to support for gender justice in transition. However, as chapter 5 showed, only a handful of local civil society actors in Tunisia and Ukraine have benefited from EU support for gender justice efforts. As a result, few civil society interviewees in Tunisia and Ukraine could provide detailed insight in the nature of EU gender justice support. That said, many civil society interviewees did provide critiques on the EU's approach in this regard. However, this thesis' final, full, FTS data driven picture of EU gender justice support

put into question the adequacy of some of these interviewees' perceptions of the EU activities/priorities in the realm of gender justice support. Of course this is not entirely surprising in view of the fact that the majority of interviewees did not qualify as recipients of such support themselves.

The fact that the provision of international transitional justice support – and international aid in general – remains such an opaque affair, is a huge obstacle to improving it and particularly to incorporating local actors' visions in attempts to reform certain practices. While many big iNGOs often have 'business development' departments/roles responsible for analysing the donor funding landscape and maintaining regular contacts with donor agencies, most local CSOs do not benefit from this level of expertise and access. In order to respect the need to prioritize local perspectives in debates around internationalized transitional justice practice, while also developing well-informed critiques about this phenomenon, it is therefore important to share the type of data-driven insights about the nature of internationalized transitional justice practice provided by this thesis with local stakeholders. Such an effort can ignite a bottom-up discussion about *what should be* the role of international actors in supporting gender justice in transition.

Future research on EU engagement with gender justice in transition in different contexts could therefore focus on the impact (broadly defined, along various axes) of EU support for gender justice issues with buy in from local authorities' vs the impact of EU support for gender justice efforts that do not enjoy similar support. This requires careful consideration of what qualifies as impact – does recognition of unrecognized gender justice issues in itself qualify as a gain for instance? – and careful selection of case studies where the EU has adopted a more assertive approach towards support for gender justice in transition. Based on a more in-depth understanding of the results of

each of these approaches, one can provide recommendations for the most optimal approaches towards ‘addressing the unaddressed’.

#### ***8.5.4 Identifying institutional inroads for improving international actors’ performance as gender justice supporters***

This thesis focuses on the higher-level politics driving international engagement with gender justice in transition. Nevertheless, it acknowledges that within the boundaries set by international actors’ foreign policy interests, there might be room to improve their gender justice efforts, by equipping individuals working within these institutions with tools to more efficiently design and implement gender justice efforts. Interviewees within the framework of this research and also other studies have identified information gaps – in relation to local transitional justice trajectories, local stakeholders’ gender justice needs/priorities, and about transitional justice/gender justice in general – as an important obstacle to the successful design and implementation of gender justice/transitional justice efforts. This research did not explore these information needs in any depth as its focus was on identifying the nature of and drivers behind EU gender justice support. However, mapping these needs in more detail in relation to specific country contexts and across contexts will allow for the development of tools that can support gender justice advocates within donor entities to more effectively advocate for, design and implement gender justice projects.

#### ***8.6 CONCLUDING REMARKS***

Co-option of gender justice issues for political gain is a real issue at both the local and the international level, which has rightly alarmed feminist scholars studying international engagement with gender justice in transition. However, through an in-depth study of EU engagement with gender justice in Tunisia and Ukraine which distinguishes between

different approaches that could be qualified as mainstream or transformative, this thesis has demonstrated that co-option does not necessarily crystalize in the sense that has received most attention in feminist scholarship. Moreover, trends in the field of internationalized transitional justice practice and global politics more generally suggest that international attitudes towards gender justice in transition might be diversifying and changing. To capture these developments, feminist transitional justice scholarship on 'the patriarchy of internationalized transitional justice' will need to diversify as well, both at the theoretical and the methodological level. This will constitute a first step towards creating an informed critique of the patriarchy of internationalize transitional justice for the 21<sup>st</sup> century.



# BIBLIOGRAPHY

## *Academic literature*

Ackerly B and True J, 'Reflexivity in practice: Power and ethics in feminist research on international relations' (2008) 10(4) *International Studies Review* 693.

---, 'Back to the future: Feminist theory, activism, and doing feminist research in an age of globalization' (*Women's Studies International Forum Elsevier*, 2010) 464.

Aguirre D and Pietropaoli, 'Gender equality, development and transitional justice: The case of Nepal' (2008) 2(3) *The International Journal of Transitional Justice* 356.

Al Hussein ZR, '50 Years of the Two UN Human Rights Covenants: Legacies and Prospects' (2016) 34(4) *Netherlands Quarterly of Human Rights* 364.

Alsaba K and Kapilashrami A, 'Understanding women's experience of violence and the political economy of gender in conflict: the case of Syria' (2016) 24(47) *Reproductive Health Matters* 5.

Anderson JL, 'Gender, Local Justice, and Ownership: Confronting Masculinities and Femininities in Northern Uganda' (2009) *Peace Research* 59.

Andrieu K, 'Confronting the Dictatorial Past in Tunisia: Human Rights and the Politics of Victimhood in Transitional Justice Discourses Since 2011' (2016) 38(2) *Human Rights Quarterly* 261.

Ansorg N and Haastруп T, 'Gender and the EU's Support for Security Sector Reform in Fragile Contexts' (2018) 56(5) *JCMS: Journal of Common Market Studies* 1127.

Arfaoui K and Moghadam VM, 'Violence against Women and Tunisian Feminism: Advocacy, Policy, and Politics in an Arab Context,' (2016) 64(4) *Current Sociology* 637.

Armon J, 'Aid, politics and development: a donor perspective' (2007) 25(5) *Development Policy Review* 653.

Aroussi S, 'Women, Peace and Security': addressing accountability for wartime sexual violence' (2011) 13(4) *International Feminist Journal of Politics* 576.

---, 'Perceptions of Justice and Hierarchies of Rape: Rethinking Approaches to Sexual Violence in Eastern Congo from the Ground up' (2018) *International Journal of Transitional Justice*.

Arthur P, 'How transitions reshaped human rights: a conceptual history of transitional justice' (2009) 31 *Human Rights Quarterly* 321.

---, 'Why Do Donors Choose to Fund Transitional Justice?' in *Transitional Justice, International Assistance, and Civil Society: Missed Connections* (Cambridge University Press 2018).

---, 'Sending the Wrong Signal: International Assistance and the Decline of Civil Society Action on Transitional Justice in Morocco' in *Transitional Justice, International Assistance, and Civil Society: Missed Connections* (Cambridge University Press 2018)

Arthur and Yakinthou C, *Transitional Justice, International Assistance, and Civil Society: Missed Connections* (Cambridge University Press 2018).

Averre D, 'The Ukraine Conflict: Russia's Challenge to European Security Governance' (2016) 68(4) *Europe-Asia Studies* 699.

Ayotte K and Husain ME, 'Securing Afghan women: Neocolonialism, epistemic violence, and the rhetoric of the veil' (2005) *NWSA journal* 112.

- Bachmann K and Lyubashenko I, 'The Puzzle of Transitional Justice in Ukraine' (2017) 11(2) *International Journal of Transitional Justice* 297.
- Baines EK, 'The haunting of Alice: Local approaches to justice and reconciliation in Northern Uganda' (2007) 1(1) *International Journal of Transitional Justice* 91.
- Bakiner O, 'Truth commission impact: An assessment of how commissions influence politics and society' (2013) 8(1) *International Journal of Transitional Justice* 6.
- Ball S, 'Political Interviews and the Politics of Interviewing' (1994) *Researching the Powerful in Education*.
- Batteson C and Ball SJ, 'Autobiographies and interviews as means of 'access' to elite policy making in education' (1995) 43(2) *British Journal of Educational Studies* 201.
- Basu S, 'The Global South writes 1325 (too)' (2016) 37(3) *International Political Science Review* 362.
- Basu S and Confortini CC, 'Weakest "P" in the 1325 Pod? Realizing Conflict Prevention through Security Council Resolution 1325' (2016) *International Studies Perspectives*.
- Bazylevych M, 'Women Professionals in the "Marketplace" in Post-Socialist Ukraine: Socialist-Post-Socialist Continuum in Gender Categories' (2005) 23(2) *Anthropology of East Europe Review* 41.
- Bell C and O'Rourke C, 'Does feminism need a theory of transitional justice? An introductory essay' (2007) 1(1) *International Journal of Transitional Justice* 23.
- , 'Peace agreements or pieces of paper? The impact of UNSC Resolution 1325 on peace processes and their agreements' (2010) 59(4) *International & Comparative Law Quarterly* 941.
- Bellin E, 'The Puzzle of Democratic Divergence in the Arab World: Theory Confronts Experience in Egypt and Tunisia' (2018) 133(3) *Political Science Quarterly* 435.
- Bennett A and Elman C, 'Qualitative research: Recent developments in case study methods' (2006) 9 *Annual Review of Political Science* 455.
- Benson MA and Gizelis T, 'A Gendered Imperative: Does Sexual Violence Attract UN Attention in Civil Wars?' (2019) *Journal of Conflict Resolution* 3.
- Bird A, *US Foreign Policy on Transitional Justice* (LSE Theses online 2012).
- Björkdahl A and Mannergren Selimovic J, 'Gendered justice gaps in Bosnia–Herzegovina' (2014) 15(2) *Human Rights Review* 201.
- Borchorst A and Siim B, 'Woman-friendly policies and state feminism: Theorizing Scandinavian gender equality' (2008) 9(2) *Feminist Theory* 207.
- Boesten J, 'Analyzing rape regimes at the interface of war and peace in Peru' (2010) 4(1) *International Journal of Transitional Justice* 110.
- Boesten J and Wilding P, 'Transformative gender justice: Setting an agenda' (*Women's Studies International Forum Elsevier*, 2015) 75.
- Bourgois P, *In Search of Respect: Selling Crack in El Barrio* (1995 Cambridge University Press).
- Bradshaw M, 'Contracts and member checks in qualitative research in human geography: reason for caution?' (2001) 33 (2) *Area* 202.
- Brett R and Malagon L, 'Overcoming the original sin of the "original condition." How reparations may contribute to emancipatory peacebuilding' (2013) 14(3) *Human Rights Review* 257.

- Brewer JD, 'The ethics of ethical debates in peace and conflict research: Notes towards the development of a research covenant' (2016) 9 *Methodological Innovations*.
- Briggs L, *Learning How to Ask* (Cambridge University Press 1986).
- Bringedal Houge A, 'Sexualized war violence. Knowledge construction and knowledge gaps' (2015) 25 *Aggression and violent behavior* 79.
- Bringedal Houge A and Lohne K, 'End impunity! Reducing conflict-related sexual violence to a problem of law' (2017) 51(4) *Law & Society Review* 755.
- Brown K, *Theoretical Explanations for the Minsk II: Power, Preferences, and Interactions Examined* (Thesis, University of Illinois at Urbana-Champaign 2018).
- Browne B and Moffett L, 'Finding your feet in the field: Critical reflections of early career researchers on field research in transitional societies' (2014) 6(2) *Journal of Human Rights Practice* 223.
- Browning CS, 'Geostrategies, geopolitics and ontological security in the Eastern neighbourhood: The European Union and the 'new Cold War'' (2018) 62 *Political Geography* 106.
- Brownlee J, Masoud TE and Reynolds A, *The Arab Spring: Pathways of repression and reform* (Oxford University Press, USA 2015).
- Bueno-Hansen P, *Feminist and human rights struggles in Peru: decolonizing transitional justice* (University of Illinois Press 2015).
- , 'Decolonial Feminism, Gender, and Transitional Justice in Latin America' in *The Oxford Handbook of Gender and Conflict* (Oxford University Press 2017).
- Bunselmeyer E and Schulz P, 'Quasi-experimental research designs as a tool for assessing the impact of transitional justice instruments' (2019) *The International Journal of Human Rights* 1.
- Bunting A, 'Theorizing women's cultural diversity in feminist international human rights strategies' (1993) 20(1) *Journal of Law and Society* 6.
- Bunster-Burotto X, 'Surviving beyond fear: women and torture in Latin America.' (1994).
- Burlyuk O and Shapovalova N. "'Veni, vidi, ... vici?'" EU performance and two faces of conditionality towards Ukraine' (2017) 33(1) *East European Politics* 36.
- Burnham P and others, *Research methods in politics* (Palgrave Macmillan 2004).
- Burnet JE, 'Women have found respect: Gender quotas, symbolic representation, and female empowerment in Rwanda' (2011) 7(3) *Politics & Gender* 303.
- Burns C and Daly K, 'Responding to everyday rape in Cambodia: Rhetorics, realities and somroh somruei' (2014) 2(1) *Restorative Justice* 64.
- Buss DE, 'The curious visibility of wartime rape: Gender and ethnicity in international criminal law' (2007) 25 *Windsor YB Access Just.* 3.
- Byrne S and others, 'The EU Peace II Fund and the International Fund for Ireland: nurturing cross-community contact and reconciliation in Northern Ireland' (2009) 14(4) *Geopolitics* 630.
- Byrne S and McCulloch A, 'Gender, representation and power-sharing in post-conflict institutions' (2012) 19(5) *International Peacekeeping* 565.
- Call CT, 'Is transitional justice really just' (2004) 11 *Brown Journal of World Affairs* 101.
- Campbell E, 'Interviewing men in uniform: a feminist approach?' (2003) 6(4) *International Journal of Social Research Methodology.* 285.

- Campbell K, 'Gender Justice Beyond the Tribunals: From Criminal Accountability to Transformative Justice' (2016) 110 *American Journal of International Law Unbound* 22.
- Cannon LW, Higginbotham E and Leung ML, 'Race and class bias in qualitative research on women' (1988) 2(4) *Gender Society* 449
- Carvalho de B and Schia NN, 'Local and National Ownership in Post-Conflict Liberia: Foreign and Domestic Inside Out?' (2011).
- Cassarino J, 'Channelled policy transfers: EU-Tunisia interactions on migration matters' (2014) 16(1) *European Journal of Migration Law* 97.
- Chaban S, 'Addressing Violence Against Women Through Legislative Reform in States Transitioning from the Arab Spring' (2017) *Gender in Human Rights and Transitional Justice* 113.
- Channell-Justice ES, "'We're Not Just Sandwiches": Europe, Nation, and Feminist (Im) Possibilities on Ukraine's Maidan' (2017) 42(3) *Signs*.
- Chappell L, 'Nested Newness and Institutional Innovation: expanding gender justice in the international criminal court' in *Gender, politics and institutions* (Springer 2011).
- , 'The role of the ICC in transitional gender justice: Capacity and limitations' in *Gender in Transitional Justice* (Springer 2012).
- , 'The gender injustice cascade: 'transformative' reparations for victims of sexual and gender-based crimes in the Lubanga case at the International Criminal Court' (2017) 21(9) *International Journal of Human Rights* 1223.
- Charlesworth H, 'Are women peaceful? Reflections on the role of women in peace-building' (2008) 16(3) *Feminist Legal Studies* 347.
- Charlesworth H, Chinkin C and Wright S, 'Feminist approaches to international law' (1991) 85(4) *American Journal of International Law* 613.
- Charmaz K, (2006) *Constructing Grounded Theory: A Practical Guide through Qualitative Analysis* Sage Publications.
- Charrad MM, *States and women's rights: The making of postcolonial Tunisia, Algeria, and Morocco* (University of California Press 2001).
- Charrad MM, 'Progressive Law: How it Came About in Tunisia' (2015) 18 *Journal of Gender Race & Justice* 351.
- Charrad MM and Zarrugh A, 'Equal or complementary? Women in the new Tunisian Constitution after the Arab Spring' (2014) 19(2) *The Journal of North African Studies* 230.
- Chinkin C, 'Women's International Tribunal on Japanese Military Sexual Slavery' (2001) 95 *American Journal of International Law* 335.
- Clark JN, *Rape, Sexual Violence and Transitional Justice Challenges: Lessons from Bosnia Herzegovina* (Routledge 2017).
- Cockburn C, 'The continuum of violence: a gender perspective on war and peace', in W. Giles and J. Hyndman (eds.) *Sites of Violence: Gender and Conflict Zones* (University of California Press 2004).
- Code L, *What can she know?: feminist theory and the construction of knowledge* (Cornell University Press 1991).
- Cohen SB, *Geopolitics: the geography of international relations* (Rowman & Littlefield 2014).

- Cohen N and Arieli T, 'Field research in conflict environments: Methodological challenges and snowball sampling' (2011) 48(4) *J Peace Research* 423.
- Collier D and Mahoney J, 'Insights and pitfalls: Selection bias in qualitative research' (1996) 49(1) *World Politics* 56.
- Collins C, *Post-transitional justice: Human rights trials in Chile and El Salvador* (Penn State Press, 2010).
- Cook JA and Fonow MM, 'Knowledge and women's interests: Issues of epistemology and methodology in feminist sociological research' (1986) 56(1) *Sociological Inquiry* 2.
- Coomaraswamy R, *Preventing Conflict, Transforming Justice, Securing the Peace: A Global Study on the Implementation of United Nations Security Council Resolution 1325* (United Nations 2015).
- Crabtree BF and Miller WF, 'A template approach to text analysis: developing and using codebooks.' (1992).
- Crenshaw K, 'Mapping the margins: Intersectionality, identity politics, and violence against women of color' (1990) 43 *Stanford Law Review* 1241.
- Creswell JW and others, 'Qualitative research designs: Selection and implementation' (2007) 35(2) *The counseling psychologist* 236.
- Crosby A, Brinton Lykes M and Caxaj B, 'Carrying a heavy load: Mayan women's understandings of reparation in the aftermath of genocide' (2016) 18(2-3) *Journal of Genocide Research* 265.
- Crossley-Frolick KA, 'The European Union and transitional justice: Human rights and post-conflict reconciliation in Europe and beyond' (2011) 3(1) *Contemporary readings in law and social justice* 33.
- Dancy G, Marchesi BE, Olsen TD, Payne LA, Reiter AG, and Sikkink K, 'Behind Bars and Bargains: New Findings on Transitional Justice in Emerging Democracies' (2019) 63(1) *International Studies Quarterly* 99.
- Daly E, 'Transformative justice: Charting a path to reconciliation' (2001) 12 *International Legal Perspectives* 73.
- Davies SE and True J, 'The pandemic of conflict-related sexual violence and the political economy of gender inequality' in *Rape Justice* (Springer 2015).
- Davies SE, True J and Tanyag M, 'How women's silence secures the peace: analysing sexual and gender-based violence in a low-intensity conflict' (2016) 24(3) *Gender & Development* 459.
- Davis L, *EU foreign policy, transitional justice and mediation: principle, policy and practice* (Routledge 2014).
- , 'Make do, or mend? EU security provision in complex conflicts: the Democratic Republic of Congo' (2015) 24(1) *European Security* 101.
- , *Kissing the frog: Gender equality in EU conflict prevention and other fairy tales* (2018) EU-CIVCAP.
- , *Time to engage, empower, protect and support women and girls in peacebuilding*, (2018) EPLO Blog. Available at: <https://eploblog.wordpress.com>, accessed 20 April 2019.
- Debusscher P, 'Analysing European gender equality policies abroad: A reflection on methodology' (2016) 23(3) *European Journal of Women's Studies* 265.
- Debuysere L, 'La Femme' Before and After the Tunisian Uprising:(Dis) continuities in the Configuration of Women in the Truth Regime of 'Tunisianité' (2016) 8(2-3) *Middle East Law and Governance* 201.
- , 'Tunisian women at the crossroads: Antagonism and agonism between secular and Islamist women's rights movements in Tunisia' (2016) 21(2) *Mediterranean Politics* 226.

----, 'Between feminism and unionism: the struggle for socio-economic dignity of working-class women in pre-and post-uprising Tunisia' (2018) 45(155) *Review of African Political Economy* 25.

Deiana M and McDonagh K, 'It is important, but...': translating the Women Peace and Security (WPS) Agenda into the planning of EU peacekeeping missions' (2017) *Peacebuilding* 1;

De Laine M, *Fieldwork, participation and practice: Ethics and dilemmas in qualitative research* (Sage 2000).

Delcour L, *The EU and Russia in Their 'contested Neighbourhood': Multiple External Influences, Policy Transfer and Domestic Change* (Routledge 2016).

De Mel N, *Women & the nation's narrative: gender and nationalism in twentieth century Sri Lanka* (Rowman & Littlefield 2001).

Denzin NK and Lincoln YS, *The SAGE handbook of qualitative research* (Sage 2011).

Desmond M, 'Methodological challenges posed in studying an elite in the field' (2004) 36(3) *Area* 262.

Dexter LA, *Elite and specialized interviewing* (ECPR Press 2006).

DiCicco-Bloom B and Crabtree BF, 'The qualitative research interview' (2006) 40(4) *Medical Education* 314.

Dijkstra H, 'Introduction: one-and-a-half cheers for the EU Global Strategy' (2016) 37(3) *Contemporary Security Policy* 369.

Di Lellio A and McCurn C, 'Engineering Grassroots Transitional Justice in the Balkans: The Case of Kosovo' (2013) 27(1) *East European Politics and Societies* 129

Donker TH, 'Re-emerging Islamism in Tunisia: repositioning religion in politics and society' (2013) 18(2) *Mediterranean Politics* 207.

Donno D and Neureiter M, 'Can human rights conditionality reduce repression? Examining the European Union's economic agreements' (2018) 13(3) *The Review of International Organizations* 335.

Doucet A and Mauthner NS, 'Feminist methodologies and epistemology' (2006) *Handbook of 21st Century Sociology* 36.

Dudai R, 'Human rights in the populist era: mourn then (Re) organize' (2017) 9(1) *Journal of Human Rights Practice* 16.

Duhacek DG, 'The Women's Court: A feminist approach to in/justice' (2015) 22(2) *European Journal of Women's Studies* 159.

Dunn H, 'The transitional justice gap: Exploring 'everyday' gendered harms and customary justice in South Kivu, DR Congo' (2017) 25(1) *Feminist Legal Studies* 71.

Durac V, 'Counterterrorism and democracy: EU policy in the Middle East and North Africa after the uprisings' (2018) 23(1) *Mediterranean Politics* 103.

Dworkin SL, (2012) *Sample size policy for qualitative studies using in-depth interviews*.

Eckstein H, *Case study and theory in political science. Handbook of political science* (Addison-Wesley 1975).

Edwards R and Mauthner M, 'Ethics and feminist research: Theory and practice' (2002) *Ethics in qualitative research* 14.

- Elliott I, 'A Meaningful Step towards Accountability? A View from the Field on the United Nations International, Impartial and Independent Mechanism for Syria' (2017) 15(2) *Journal of International Criminal Justice* 239.
- Elomäki A and Kantola J, 'Theorizing feminist struggles in the triangle of neoliberalism, conservatism, and nationalism' (2018) 25(3) *Social Politics: International Studies in Gender, State & Society* 337.
- England KV, 'Getting personal: Reflexivity, positionality, and feminist research' (1994) 46(1) *The Professional Geographer* 80.
- Engle K, 'Feminism and its (dis)contents: Criminalizing wartime rape in Bosnia and Herzegovina' (2005) 99 *The American Journal of International Law* 778.
- , 'Calling in the Troops: The Uneasy Relationship among Women's Rights, Human Rights, and Humanitarian Intervention' (2007) 20 *Harvard Human Rights Journal* 189.
- Engle Merry S, *Human rights and gender violence: Translating international law into local justice* (University of Chicago Press 2009).
- Enloe C, *Manoeuvres: The international politics of militarizing women's lives* (University of California Press 2000).
- Enloe C and others, 'Ask a Feminist: Gender and the Rise of the Global Right' (2019) 44(3) *Signs: Journal of Women in Culture and Society* 823.
- Ephgrave N, 'Women's testimony and collective memory: Lessons from South Africa's TRC and Rwanda's gacaca courts' (2015) 22(2) *European Journal of Women's Studies* 177.
- Evans M, 'Structural violence, socioeconomic rights, and transformative justice' (2016) 15(1) *Journal of Human Rights* 1.
- Feklyunina V, 'Soft power and identity: Russia, Ukraine and the 'Russian world(s)'' (2016) 22(4) *European Journal of International Relations* 773.
- Fereday J and Muir-Cochrane E, 'Demonstrating rigor using thematic analysis: A hybrid approach of inductive and deductive coding and theme development' (2006) 5(1) *International journal of qualitative methods* 80.
- Ferguson L, "'This Is Our Gender Person" THE MESSY BUSINESS OF WORKING AS A GENDER EXPERT IN INTERNATIONAL DEVELOPMENT' (2015) 17(3) *International Feminist Journal of Politics* 380.
- Findley MG, Harris S, Milner HV and Nielson DL, 'Who Controls Foreign Aid? Elite versus Public Perceptions of Donor Influence in Aid-Dependent Uganda' (2017) 71(4) *International Organization* 633.
- Fischer S, *The Donbas Conflict Opposing Interests and Narratives, Difficult Peace Process* (2019) German Institute for International and Security Affairs.
- Fisher KJ and Stewart R, 'After the Arab Spring: a new wave of transitional justice?' (2015) *Transitional Justice and the Arab Spring*.
- Fiske L, 'The Rise (and Fall?) of Transitional Gender Justice: A Survey of the Field' in *Rethinking Transitional Gender Justice* (Springer 2019).
- Fletcher LE and Weinstein H, 'How Power Dynamics Influence the "North-South" Gap in Transitional Justice' (2018) 36(2) *Berkeley Journal of International Law* 190.
- Flyvbjerg B, 'Five misunderstandings about case-study research' (2006) 12(2) *Qualitative inquiry* 219.
- Fonow MM and Cook JA, *Beyond methodology: Feminist scholarship as lived research* (Indiana University Press 1991).

- Forsythe DP, *Human rights in international relations* (Cambridge University Press 2017).
- Franzki H and Olarte MC, 'Understanding the political economy of transitional justice: A critical theory perspective' in *Transitional justice theories* (Routledge 2013).
- Funk N and Mueller M, *Gender politics and post-communism: Reflections from Eastern Europe and the former Soviet Union* (Routledge 2018).
- Gallagher K, 'Universal jurisdiction in practice: Efforts to hold Donald Rumsfeld and other high-level United States officials accountable for torture' (2009) 7(5) *Journal of International Criminal Justice* 1087.
- George AL and others, *Case studies and theory development in the social sciences* (MIT Press 2005).
- Gerring J, 'What is a case study and what is it good for?' (2004) 98(2) *American political science review* 341.
- , *Case study research: Principles and practices* (Cambridge University Press 2006).
- , 'The case study: what it is and what it does' in *The Oxford handbook of comparative politics* (Oxford University Press 2007).
- Ghannouchi R, 'Islam and Democracy in Tunisia' (2018) 29(3) *Journal of Democracy* 5.
- Gibbins SL, 'No angry women at the United Nations: political dreams and the cultural politics of United Nations Security Council Resolution 1325' (2011) 13(4) *International Feminist Journal of Politics* 522.
- Gobe E, (2016) *Introduction. Justice et politique dans le monde arabe entre autoritarisme, réforme et révolution*.
- Goldblatt B and Meintjes S, 'Dealing with the aftermath: sexual violence and the Truth and Reconciliation Commission' (1998) 13(36) *Agenda* 7.
- Goldstein K, 'Getting in the door: Sampling and completing elite interviews' (2002) 35(4) *Political Science & Politics* 669.
- Goodale M, 'Legal ethnography in an era of globalization: the arrival of western human rights discourse to rural Bolivia' in *Practicing Ethnography in Law* (Springer 2002).
- Grans L, 'The Istanbul Convention and the Positive Obligation to Prevent Violence' (2018) 18(1) *Human Rights Law Review* 133.
- Gray DH, 'Tunisia after the Uprising: Islamist and secular Quests for women's rights' (2012) 17(3) *Mediterranean politics* 285.
- Gray DH and Coonan T, 'Notes from the field silence kills! Women and the transitional justice process in post-revolutionary Tunisia' (2013) 7(2) *International Journal of Transitional Justice* 348.
- Gready P and Robins S, 'From transitional to transformative justice: A new agenda for practice' (2014) 8(3) *International Journal of Transitional Justice* 339.
- , 'Rethinking civil society and transitional justice: lessons from social movements and 'new' civil society' (2017) 21(7) *The International Journal of Human Rights* 956.
- Grevi G, 'A Global Strategy for a soul-searching European Union. EPC Discussion Paper, 13 July 2016' (2016).
- , 'Rethinking civil society and transitional justice: lessons from social movements and 'new' civil society' (2017) 21(7) *The International Journal of Human Rights* 956.
- Grewal K, 'Rape in conflict, rape in peace: Questioning the revolutionary potential of international criminal justice for women's human rights' (2010) 33(1) *Australian Feminist Law Journal* 57.



---, 'International criminal law as a site for enhancing women's rights? Challenges, possibilities, strategies' (2015) 23(2) *Feminist Legal Studies* 149.

Guerrina R and Wright KA, 'Gendering normative power Europe: lessons of the Women, Peace and Security agenda' (2016) 92(2) *International Affairs* 293.

Hafner-Burton EM, 'Sticks and stones: Naming and shaming the human rights enforcement problem' (2008) 62(4) *International Organization* 689.

Halley J, *Split decisions: How and why to take a break from feminism* (Princeton University Press 2008).

Haraway D, 'Situated Knowledges: The Science Question in Feminism and the Privilege of Partial Perspective' (2004) 2 *Turning Points In Qualitative Research: Tying Knots in a Handkerchief* 21.

Harwood C, 'Contributions of international commissions of inquiry to transitional justice' *Research Handbook on Transitional Justice* (2017 Edward Elgar).

Harwood C, (2018) *Navigating between principle and pragmatism: the roles and functions of atrocity-related United Nations Commissions of Inquiry in the international legal order*, PhD Dissertation University of Leiden.

Haukkala H, 'A perfect storm; or what went wrong and what went right for the EU in Ukraine' (2016) 68(4) *Europe-Asia Studies* 653.

----, 'The EU's regional normative hegemony encounters hard realities: The revised European Neighbourhood Policy and the ring of fire' in *The Revised European Neighbourhood Policy* (Springer 2017).

Haynes DF, 'Lessons from Bosnia's Arizona Market: Harm to Women in a Neoliberalized Postconflict Reconstruction Process' (2010) 158(6) *University of Pennsylvania Law Review* 1779.

Haynes DF, Cahn N and Aoláin FN, 'Women in the post-conflict process: Reviewing the impact of recent UN actions in achieving gender centrality' (2012) 11 *Santa Clara Journal of International Law* 189.

Heathcote G, 'Naming and shaming: Human rights accountability in security council resolution 1960 (2010) on women, peace and security' (2012) 4(1) *Journal of Human Rights Practice* 82.

Heathcote G and Otto D, *Rethinking peacekeeping, gender equality and collective security* (Springer 2014).

Helms E, 'Women as agents of ethnic reconciliation? Women's NGOs and international intervention in postwar Bosnia–Herzegovina' (*Women's Studies International Forum Elsevier*, 2003) 15.

Herik L van den, 'Addressing 'Colonial Crimes' through Reparations? Adjudicating Dutch Atrocities Committed in Indonesia' (2012) 10(3) *Journal of International Criminal Justice* 693.

Hesse-Biber SN, 'The practice of feminist in-depth interviewing' (2007) *Feminist research practice: A primer*: 130.

Helms E, *Innocence and victimhood: Gender, nation, and women's activism in postwar Bosnia-Herzegovina* (University of Wisconsin Press 2013).

Henry N, 'The Fixation on Wartime Rape Feminist Critique and International Criminal Law' (2014) 23(1) *Social & Legal Studies* 93.

Herod A, 'Reflections on interviewing foreign elites: praxis, positionality, validity, and the cult of the insider' (1999) 30(4) *Geoforum* 313.

Hirschauer S, *The securitization of rape: Women, war and sexual violence* (Springer 2014).

Houghton C and others, 'From screening to synthesis: using nvivo to enhance transparency in qualitative evidence synthesis' (2017) 26(5-6) *Journal of Clinical Nursing* 873.

Hrycak A, 'Foundation feminism and the articulation of hybrid feminisms in post-socialist Ukraine' (2006) 20(1) *East European Politics & Societies* 69.

Hunt K, 'The strategic co-optation of women's rights' (2002) 4(1) *International Feminist Journal of Politics* 116.

Hutchinson A and others, 'Understanding early marriage and transactional sex in the context of armed conflict: protection at a price' (2016) 42(1) *International perspectives on sexual and reproductive health* 45.

Ingber M, 'Gender Imaginaries, Child Soldiering, and International Criminal Law' in *The Asian Yearbook of Human Rights and Humanitarian Law* (Brill Nijhoff 2019).

James M, 'Uncomfortable comparisons: the Canadian truth and reconciliation commission in international context' (*Les ateliers de l'éthique/The Ethics Forum* 2010) 23.

Jansson M and Eduards M, 'The politics of gender in the UN Security Council resolutions on women, peace and security' (2016) 18(4) *International Feminist Journal of Politics* 590.

Jomier A, 'Secularism and state feminism: Tunisia's smoke and mirrors' (2011) *Books and Ideas*.

Juncos AE, 'Resilience as the new EU foreign policy paradigm: a pragmatist turn?' (2017) 26(1) *European Security* 1.

Kaarbo J and Beasley RK, 'A practical guide to the comparative case study method in political psychology' (1999) 20(2) *Political Psychology* 369.

Kapur R, 'The Tragedy of Victimization Rhetoric: Resurrecting the "Native" Subject in International/Post-Colonial Feminist Legal Politics' (2002) 15 *Harvard Human Rights Journal* 1.

---, *Erotic justice: Law and the new politics of postcolonialism* (Routledge 2013).

Kchir K, *Élaborer un projet de loi sur la justice transitionnelle en Tunisie (2012-2013) : un témoignage* (2016) *Des Justices en Transition dans le Monde Arabe* (Rabat : Centre Jacques-Berque).

Keck ME and Sikkink, *Activists beyond borders: Advocacy networks in international politics* (Cambridge University Press 1998).

Kent L, 'After the truth commission: Gender and citizenship in Timor-Leste' (2016) 17(1) *Human Rights Review* 51.

Keppler E, 'Challenges for international criminal justice in Africa and the role of civil society' (2016) 2016(1) *Acta Juridica* 66.

Kerr R, *The International Criminal Tribunal for the Former Yugoslavia: an exercise in law, politics, and diplomacy* (Oxford University Press 2004).

---, (2017) *Tyrannies of Peace and Justice? Liberal Peacebuilding and the Politics and Pragmatics of Transitional Justice*.

Kersten M, 'Targeting justice: targets, non-targets and the prospects for peace with justice' (2017) 23(3) *Canadian Foreign Policy Journal* 246.

Ketelaars E, 'Gendering Tunisia's Transition: Transformative Gender Justice Outcomes in Times of Transitional Justice Turmoil?' (2018) 12(3) *International Journal of Transitional Justice* 407.

Kezar A, 'Transformational elite interviews: Principles and problems' (2003) 9(3) *Qualitative Inquiry* 395.

- Kim N, 'Toward a Feminist Theory of Human Rights: Straddling the Fence between Western Imperialism and Uncritical Absolutism' (1993-1994) 25 *Columbia Human Rights Law Review* 49.
- Kirby P and Shepherd LJ, 'Reintroducing women, peace and security' (2016) 92(2) *International Affairs* 249.
- Kitschelt HP, 'Political opportunity structures and political protest: Anti-nuclear movements in four democracies' (1986) 16(1) *British journal of political science* 57.
- Koch T, 'Establishing rigour in qualitative research: the decision trail' (2006) 53(1) *J Advanced Nursing* 91.
- Kochanski A, 'The "Local Turn" in Transitional Justice: Curb the Enthusiasm' (2018) *International Studies Review*.
- Kothari U, 'Authority and expertise: The professionalisation of international development and the ordering of dissent' (2005) 37(3) *Antipode* 425
- Kouvo S, 'A "Quick And Dirty" Approach to Women's Emancipation and Human Rights?' (2008) 16(1) *Feminist Legal Studies* 37.
- Kronsell A, *Gender, sex and the postnational defense: Militarism and peacekeeping* (Oxford University Press 2012).
- , 'Sexed Bodies and Military Masculinities Gender Path Dependence in EU's Common Security and Defense Policy' (2015) *Men and Masculinities*.
- Kuhn von Burgsdorff E, 'The Euromaidan Revolution in Ukraine: Stages of the Maidan Movement and Why They Constitute a Revolution' (2015) 7(02) *Inquiries Journal*.
- Kurze A, 'Time for Change: Aid, NGOs, and Transitional Justice in Bosnia-Herzegovina' (2017) 1(5) *Transitional Justice Review* 2.
- Kuzio T, 'Ukraine between a Constrained EU and Assertive Russia' (2017) 55(1) *JCMS: Journal of Common Market Studies* 103.
- Lachowski T, 'Transitional Justice in Ongoing Conflicts and Post-War Reconstruction: Reintegrating Donbas into Ukraine' (2017) 46 *Polish Political Science Year Book* 36.
- Ladley A, 'Peacekeeper abuse, immunity and impunity: the need for effective criminal and civil accountability on international peace operations' (2005) 1(1) *Politics and Ethics Review* 81.
- Lake M, *Strong NGOs and Weak States: Pursuing Gender Justice in the Democratic Republic of Congo and South Africa* (Cambridge University Press 2018).
- Lake M, Muthaka I and Walker G, 'Gendering justice in humanitarian spaces: opportunity and (dis)empowerment through gender-based legal development outreach in the eastern Democratic Republic of Congo' (2016) 50(3) *Law & Society Review* 539.
- Lambourne W, 'Transitional justice and peacebuilding after mass violence' (2009) 3(1) *International Journal of Transitional Justice* 28.
- Lambourne W and Carreon VR, 'Engendering Transitional Justice: A Transformative Approach to Building Peace and Attaining Human Rights for Women' (2015) *Human Rights Review* 1.
- Lamont CK and Pannwitz H, 'Transitional Justice as Elite Justice? Compromise Justice and Transition in Tunisia' (2016) 7(2) *Global Policy* 278.
- Lamont CK, Quinn JR and Wiebelhaus-Brahm E, 'The Ministerialization of Transitional Justice' (2019) 20(1) *Human Rights Review* 103.

Lancaster K, 'Confidentiality, anonymity and power relations in elite interviewing: conducting qualitative policy research in a politicised domain' (2017) 20(1) *International Journal of Social Research Methodology* 93.

Landman T, 'Social Science, Methods and Human Rights' (2014) *The SAGE Handbook of Human Rights: Two Volume Set* 181.

Langer J, 'Peace vs. justice: The perceived and real contradictions of conflict resolution and human rights' (2016) 8(1) *Criteria* 165.

Lekha Sriram C, 'Justice as peace? Liberal peacebuilding and strategies of transitional justice' (2007) 21(4) *Global society* 579.

Lennon K, 'Gender and knowledge' (1995) 4(2) *Journal of Gender Studies* 133.

Lilleker DG, 'Interviewing the political elite: Navigating a potential minefield' (2003) 23(3) *Politics* 207.

Lincoln YS and Guba EG, 'But is it rigorous? Trustworthiness and authenticity in naturalistic evaluation' (1986) 1986(30) *New directions for evaluation* 73.

Llewelyn S, 'A neutral feminist observer? Observation-based research and the politics of feminist knowledge making' (2007) 15(2) *Gender & Development* 299.

Love K, 'Will UN's Accountability Mechanism Provide Justice in Syria?' (2017) 36(4) *The Washington Report on Middle East Affairs* 62.

Loyle CE and Davenport C, 'Transitional injustice: Subverting justice in transition and postconflict societies' (2016) 15(1) *Journal of Human Rights* 126.

Lyubashenko I, *Transitional Justice in Post-Euromaidan Ukraine: Swimming Upstream* (2016) Peter Lang GmbH.

Lyubashenko I, 'Trying to move a rock. Lustration in Ukraine' (2016) 21(2) *New Eastern Europe* 116.

MacDonald A, 'From the ground up: what does the evidence tell us about local experiences of transitional justice?' (2015) 1(3) *Transitional Justice Review* 4.

---, '“Somehow This Whole Process Became so Artificial”: Exploring the Transitional Justice Implementation Gap in Uganda' (2019) 13(2) *International Journal of Transitional Justice* 225.

Mackenzie M, 'Securitizing sex? Towards a theory of the utility of wartime sexual violence' (2010) 12(2) *International Feminist Journal of Politics* 202.

MacKinnon CA, 'Rape, genocide, and women's human rights' (1994) 17 *Harvard Women's Law Journal* 5.

---, 'Intersectionality as method: A note' (2013) 38(4) *Signs: Journal of Women in Culture and Society* 1019.

Maddison S and Shepherd LJ, 'Peacebuilding and the postcolonial politics of transitional justice' (2014) 2(3) *Peacebuilding* 253.

Madlingozi T, 'On transitional justice entrepreneurs and the production of victims' (2010) 2(2) *Journal of Human Rights Practice* 208.

Madsen MR, Cebulak P and Wiebusch M, 'Backlash against international courts: explaining the forms and patterns of resistance to international courts' (2018) 14(2) *International Journal of Law in Context* 197.

Mälksoo M, 'From the ESS to the EU Global Strategy: external policy, internal purpose' (2016) 37(3) *Contemporary security policy* 374.

- Mallinder L, 'Atrocity, Accountability, and Amnesty in a 'Post-Human Rights World?': Inaugural Professorial Lecture Ulster University, Belfast 23/03/2017' (2017).
- Malterud K, 'Qualitative research: standards, challenges, and guidelines' (2001) 358(9280) *The Lancet* 483.
- Manea E, 'Transitional Justice and the Arab Spring from a Gender Perspective' in *Transitional Justice and the Arab Spring* (Routledge 2015).
- Mani R, (2008) Dilemmas of expanding transitional justice, or forging the nexus between transitional justice and development.
- Marks M, 'Tunisia opts for an inclusive new government' (2015) *Tunisia's Volatile Transition to Democracy* (POMEPS).
- Marshall C, 'Elites, bureaucrats, ostriches, and pussycats: Managing research in policy settings' (1984) 15(3) *Anthropology & Education Quarterly* 235.
- Martin de Almagro M, 'Transitional justice and women, peace and security: a critical reading of the EU framework' (2017) *LSE Women, Peace and Security Working Paper Series*, 5/2017.
- Martin-Ortega O, 'Building peace and delivering justice in Bosnia and Herzegovina: The limits of externally driven processes' (2013) *Transitional Justice and Peacebuilding on the Ground: Victims and Ex-Combatants* 139.
- Mauthner NS and Doucet A, 'Reflexive accounts and accounts of reflexivity in qualitative data analysis' (2003) 37(3) *Sociology* 413.
- Mayerfeld J, 'Who Shall Be Judge?: The United States, the International Criminal Court, and the Global Enforcement of Human Rights' (2003) *Hum Rights Q* 93.
- McAuliffe PG, 'Transitional Justice's Expanding Empire: Reasserting the Value of the Paradigmatic Transition' (2012) 2(2) *Journal of Conflictology* 34.
- , 'The problem of elites' in *Transitional and Transformative Justice* (Routledge 2019) 77.
- McEvoy K, 'Beyond legalism: towards a thicker understanding of transitional justice' (2007) 34(4) *Journal of Law and Society* 411.
- McEvoy J, 'Elite interviewing in a divided society: Lessons from Northern Ireland' (2006) 26(3) *Politics* 184.
- McKay A and Stockdale L, *Time, Temporality and Global Politics* (2016 *E-International Relations*).
- McWilliams M and Ní Aoláin FD, '"There is a War Going on You Know': Addressing the Complexity of Violence Against Women in Conflicted and Post Conflict Societies' (2013) 1(2) *Transitional Justice Review* 4.
- Meertens D and Zambrano M, 'Citizenship deferred: The politics of victimhood, land restitution and gender justice in the Colombian (post?) conflict' (2010) 4(2) *International journal of transitional justice* 189.
- Merone F, 'Enduring class struggle in Tunisia: the fight for identity beyond political Islam' (2015) 42(1) *British Journal of Middle Eastern Studies* 74.
- Mertus J, 'Shouting from the Bottom of the Well: The Impact of International Trials for Wartime Rape on Women's Agency' (2004) 6(1) *International Feminist Journal of Politics* 110.
- Mickelson RA, 'A feminist approach to researching the powerful in education' (1994) *Researching the powerful in education* 132.

- Miles MB and Huberman AM, 'Drawing valid meaning from qualitative data: Toward a shared craft' (1984) 13(5) *Educational Researcher* 20.
- Moffett H, 'These women, they force us to rape them': Rape as narrative of social control in post-apartheid South Africa' (2006) 32(1) *Journal of Southern African Studies* 129.
- Moghaddam A, 'Coding issues in grounded theory' (2006) 16(1) *Issues in educational research* 52.
- Morgan LM, 'Reproductive rights or reproductive justice? Lessons from Argentina' (2015) 17(1) *Health and Human Rights* 136.
- Morris ZS, 'The truth about interviewing elites' (2009) 29(3) *Politics* 209.
- Moyo K, 'Feminism, Postcolonial Legal Theory and Transitional Justice: A Critique of Current Trends' (2012) 1(2) *International Human Rights Law Review* 237.
- Muck W and Wiebelhaus-Brahm E, 'External Transitional Justice Funding: Introducing a New Dataset' (2016) 11(2) *Journal of Peacebuilding & Development* 66.
- Muehlenhoff H, 'Victims, soldiers, peacemakers and caretakers: the neoliberal constitution of women in the EU's security policy' (2017) *International Feminist Journal of Politics* 1.
- Mullally S, 'Women, Peace and Security in Contemporary Pakistan: Meeting the Challenge of Security Council Resolution 1325?' (2011) *Irish Studies in International Affairs* 53.
- Murphy EC, 'Women in Tunisia: Between state feminism and economic reform' (2003) *Women and Globalization in the Arab Middle East: Gender, Economy, and Society* 169.
- Mutua, 'What is the future of transitional justice?' (2015) *International Journal of Transitional Justice* 1.
- Nagy R, 'Transitional justice as global project: Critical reflections' (2008) 29(2) *Third World Quarterly* 275.
- Narayanaswamy L, 'Whose feminism counts? Gender(ed) knowledge and professionalisation in development' (2016) 37(12) *Third World Quarterly* 2156.
- Nassar H, 'Transitional Justice in the Wake of the Arab Uprisings: Between Complexity and Standardisation' (2015) *Transitional Justice and the Arab Spring* 54.
- Ndulo M, 'The United Nations responses to the sexual abuse and exploitation of women and girls by peacekeepers during peacekeeping missions' (2009) 27 *Berkeley Journal of International Law* 127.
- Nesiah V, 'Feminism as Counter-Terrorism: the seduction of power' (2013) *Gender, National Security and Counter-Terrorism: Human Rights Perspectives* 127.
- Ní Aoláin F, 'Women, security, and 'the patriarchy of internationalized transitional justice'' (2009) 31(4) *Human Rights Quarterly* 1055.
- , 'Advancing feminist positioning in the field of transitional justice' (2012) 6(2), *International Journal of Transitional Justice*, 205.
- , 'Women, peace and security: A review of the high level review' (2015) *Just Security*.
- , 'The 'war on terror' and extremism: assessing the relevance of the Women, Peace and Security agenda' (2016) 92(2) *International Affairs* 275.
- , *Transformative gender justice? From Transitional to Transformative Justice* (Gready, Paul and Simon Robins eds, Cambridge University Press 2019).
- Ní Aoláin F and Hamilton M, 'Gender and the rule of law in transitional societies' (2009) 18 *Minnesota Journal of International Law* 380.

- Ní Aoláin F, Haynes DF and Cahn N, *On the frontlines: gender, war, and the post-conflict process* (Oxford University Press 2011).
- Ní Aoláin F, O'Rourke C and Swaine A, 'Transforming reparations for conflict-related sexual violence: Principles and practice' (2015) 28 *Harvard Human Rights Journal* 97.
- Ní Aoláin F and Rooney E, 'Underenforcement and intersectionality: Gendered aspects of transition for women' (2007) 1(3) *International Journal of Transitional Justice* 338.
- Nichols Haddad H, 'Mobilizing the will to prosecute: Crimes of rape at the Yugoslav and Rwandan Tribunals' (2011) 12(1) *Human Rights Review* 109.
- Nikolić-Ristanović V, 'War, nationalism, and mothers in the former Yugoslavia' (1998) *The women and war reader* 234.
- Norbakk M, 'The women's rights champion. Tunisia's potential for furthering women's rights.' (2016) CMI Report.
- Nuzov I, 'The Dynamics of Collective Memory in the Ukraine Crisis: A Transitional Justice Perspective' (2016) 11(1) *International Journal of Transitional Justice* 132
- Oakley A, 'Interviewing women: A contradiction in terms' in *Doing feminist research* (Routledge 2013).
- Obel Hansen T, 'Transitional justice: Toward a differentiated theory' (2011) 13 *Oregon Review of International Law* 1.
- , 'The vertical and horizontal expansion of transitional justice: Explanations and implications for a contested field' in *Transitional justice theories* (Routledge 2013).
- O'Brien M, 'Don't kill them, let's choose them as wives': the development of the crimes of forced marriage, sexual slavery and enforced prostitution in international criminal law' (2016) 20(3) *The International Journal of Human Rights* 386.
- Olsen TD, Payne LA and Reiter AG, 'The justice balance: When transitional justice improves human rights and democracy' (2010) 32 *Human Rights Quarterly* 980.
- Onuch O and Tamara Martsenyuk T, 'Mothers and Daughters of the Maidan: Gender, repertoires of violence, and the division of labour in Ukrainian protests' (2014) 1(1) *Social, Health, and Communication Studies Journal* 105.
- Oomen B, 'Donor-driven justice and its discontents: the case of Rwanda' (2005) 36(5) *Development and Change* 890.
- Oosterveld V, 'The Special Court for Sierra Leone's Consideration of Gender-based Violence: Contributing to Transitional Justice?' (2009) 10(1) *Human Rights Review* 73.
- Orenstein MA and Kelemen RD, 'Trojan horses in EU foreign policy' (2017) 55(1) *JCMS: Journal of Common Market Studies* 87.
- Orford A, 'Feminism, imperialism and the mission of international law' (2002) 71(2) *Nordic Journal of International Law* 275.
- O'Reilly M, 'Peace and justice through a feminist lens: Gender justice and the women's court for the former Yugoslavia' (2016) 10(3) *Journal of Intervention and Statebuilding* 419.
- O'Rourke C, 'International law and domestic gender justice: why case studies matter' (2011)(11-04) *Transitional Justice Institute Research Paper*.
- , 'Dealing with the Past in a Post-Conflict Society: Does the Participation of Women Matter-Insights from Northern Ireland' (2012) 19 *William & Mary Journal of Women & Law* 35.
- , *Gender politics in transitional justice* (Routledge 2013).

- , 'Walk [ing] the halls of power'? Understanding women's participation in international peace and security' (2014) 15 *Melbourne Journal of International Law* 14.
- , 'Feminist scholarship in transitional justice: a de-politicising impulse?' (*Women's Studies International Forum Elsevier*, 2015) 118.
- O'Sullivan M, '“Being strong enough to defend yourself”: untangling the Women, Peace and Security agenda amidst the Ukrainian conflict' (2019) *International Feminist Journal of Politics* 1.
- Otto D, 'Challenging the New World Order: International Law, Global Democracy and the Possibilities for Women' (1993) 3 *Transnational Law & Contemporary Problems*. 371.
- , 'Power and danger: Feminist engagement with international law through the UN Security Council' (2010) 32(1) *Australian Feminist Law Journal* 97.
- , 'Beyond Stories of Victory and Danger: Resisting Feminism's Amenability to Serving Security Council Politics' in *Rethinking Peacekeeping, Gender Equality and Collective Security* (Springer 2014).
- Outshoorn J and Kantola J, *Changing state feminism* (Springer 2007).
- Pacholok S, 'Interviewing elite men: Feminist reflections on studying “up” and selling out' (2016) *Researching Amongst Elites: Challenges and Opportunities in Studying Up* 199.
- Paffenholz T and others, *Making women count-not just counting women: Assessing Women's Inclusion and Influence on Peace Negotiations* (UN Women 2016).
- Palma A, 'Of Laws Tattooed in Flesh: Gendered Self-Expression through “Tounsi” in Post-Revolutionary Tunisia' (2014) *Al-Raida Journal* 30.
- Palomo J, Figueroa-Domecq C and Laguna P, 'Women, peace and security state-of-art: a bibliometric analysis in social sciences based on SCOPUS database' (2017) 113(1) *Scientometrics* 123.
- Pateman C, *The disorder of women: Democracy, feminism and political theory* (John Wiley & Sons 2018).
- Pavlovic T, 'Women in Croatia: Feminists, nationalists and homosexuals' in *Gender Politics in the Western Balkans Women and Society in Yugoslavia and the Yugoslav Successor States* (1999).
- Peskin V, *International justice in Rwanda and the Balkans: virtual trials and the struggle for state cooperation* (Cambridge University Press 2008).
- Pettersson T and Wallensteen P, 'Armed conflicts, 1946–2014' (2015) 52(4) *Journal of Peace Research* 536.
- Pham P and Vinck P, 'Empirical research and the development and assessment of transitional justice mechanisms' (2007) 1(2) *The International Journal of Transitional Justice* 231.
- Pham PN, Vinck P, Marchesi B, Johnson D, Dixon PJ, and Sikkink K, 'Evaluating transitional justice: The role of multi-level mixed methods datasets and the Colombia reparation program for war victims' (2016) 1(4) *Transitional Justice Review* 3.
- Phillips SD, 'The Women's Squad in Ukraine's protests: Feminism, nationalism, and militarism on the Maidan' (2014) 41(3) *American Ethnologist* 414.
- Pillow W, 'Confession, catharsis, or cure? Rethinking the uses of reflexivity as methodological power in qualitative research' (2003) 16(2) *International journal of qualitative studies in education* 175.
- Porter E, 'Gender-inclusivity in transitional justice strategies: Women in Timor-Leste' in *Gender in transitional justice* (Springer 2012).
- Posner EA, 'Liberal Internationalism and the Populist Backlash' (2017) 49 *Arizona State Law Journal* 795.



- Powell C, 'How Women Could Save The World, If Only We Would Let Them: From Gender Essentialism to Inclusive Security' (2015).
- Pratt N, 'Reconceptualizing Gender, Reinscribing Racial–Sexual Boundaries in International Security: The Case of UN Security Council Resolution 1325 on “Women, Peace and Security” 1' (2013) 57(4) *International Studies Quarterly* 772.
- , 'Weaponising feminism for the “war on terror”, versus employing strategic silence' (2013) 6(2) *Critical Studies on Terrorism* 327.
- Preysing D, 'Transitional Justice discourse in transition' in *Transitional Justice in Post-Revolutionary Tunisia (2011–2013)* (Springer 2016).
- Pritchett L, 'It Pays to Be Ignorant: A Simple Political Economy of Rigorous Program Evaluation' in *Reinventing Foreign Aid* (MIT Press 2008).
- Prorok AK, 'The (In) compatibility of peace and justice? The International Criminal Court and civil conflict termination' (2017) 71(2) *International organization* 213.
- Puechguirbal N, 'Discourses on gender, patriarchy and Resolution 1325: a textual analysis of UN documents' (2010) 17(2) *International Peacekeeping* 172.
- Pupavac V, 'Empowering women? An assessment of international gender policies in Bosnia' (2005) 12(3) *International Peacekeeping* 391.
- Puwar N, 'Reflections on interviewing women MPs' (1997) 2(1) *Sociological Research Online* 1.
- Racioppi L and O'Sullivan See K, 'Grassroots peace-building and third-party intervention: the European Union's special support programme for peace and reconciliation in Northern Ireland' (2007) 32(3) *Peace Change* 361.
- Raik K, 'The Ukraine crisis as a conflict over Europe's political, economic and security order' (2019) 24(1) *Geopolitics* 51.
- Ramet SP, *Gender politics in the Western Balkans: Women and society in Yugoslavia and the Yugoslav successor states* (Penn State Press 2010).
- Rangelov I, 'A regional approach to justice? Rethinking EU justice policies in conflict and transition' (2011) *Policy Brief* (May 2011), European Policy Centre Brussels.
- , 'Democracy or stability? European approaches to justice in peace and transitional processes' (2014) 5(2) *Global Policy* 191.
- , 'Justice as a security strategy? International justice and the liberal peace in the Balkans' (2015) 21(1) *Journal of Conflict and Security Law* 9.
- Rangelov I and Theros M, 'Transitional justice in Bosnia and Herzegovina: coherence and complementarity of EU institutions and civil society' in *Building a Future on Peace and Justice* (Springer 2009).
- Ramazanoglu C and Holland J, *Feminist methodology: Challenges and choices* (Sage 2002).
- Ramirez AM, *Human rights strategies in the context of changing political opportunity structures: the case of two transnational networks in El Salvador* (PhD Thesis, The University of Texas at Austin 2012).
- Rees M and Chinkin C, 'Exposing the Gendered Myth of Post Conflict Transition: The Transformative Power of Economic and Social Rights' (2015) 48 *NYU Journal of International Law & Politics* 1211.
- Reilly N, 'Seeking gender justice in post-conflict transitions: towards a transformative women's human rights approach' (2007) 3(2) *International Journal of Law in Context* 155.
- Richards D, 'Elite interviewing: Approaches and pitfalls' (1996) 16(3) *Politics* 199.

Rieker P, 'Introduction: The European Neighbourhood Policy: An Instrument for Security Community-Building' in *External Governance as Security Community Building* (Springer 2016).

Robins S, 'Towards victim-centred transitional justice: Understanding the needs of families of the disappeared in postconflict Nepal' (2011) 5(1) *International Journal of Transitional Justice* 75: 91.

---, 'Transitional justice as an elite discourse: Human rights practice where the global meets the local in post-conflict Nepal' (2012) 44(1) *Critical Asian Studies* 3.

---, 'Failing Victims? The Limits of Transitional Justice in Addressing the Needs of Victims of Violations' (2017) *Human Rights and International Legal Discourse* 41.

Roht-Arriaza N and Orlovsky K, 'A complementary relationship: Reparations and development' (2009) *Transitional justice and development: Making connections* 170.

Rolston B and Ní Aoláin F, 'Colonialism, Redress and Transitional Justice: Ireland and Beyond' (2018) 7(2) *State Crime Journal* 329.

Rooney E, 'Justice Learning in Transition: A Grassroots Toolkit' (2017) 9(2017) *Political Settlements Research Programme Working Paper Series* 18.

Rose E, 'A feminist reconceptualisation of intimate partner violence against women: A crime against humanity and a state crime' (*Women's Studies International Forum Elsevier*, 2015) 31.

Ross FC, (2000) *Bearing Witness: Women and the South African Truth and Reconciliation Commission*.

Ross K, 'Political elites and the pragmatic paradigm: Notes from a feminist researcher-in the field and out to lunch' (2001).

Rubchak MJ, 'A Fiery EuroMaidan Ignites a Feminist Voice' (2014) 44(2) *Perspectives on Europe* 82.

Rubio Marín R and International Center for Transitional Justice., *The gender of reparations: unsettling sexual hierarchies while redressing human rights violations* (Cambridge University Press [in association with] International Center for Transitional Justice 2009).

Sakwa R, *Frontline Ukraine: Crisis in the borderlands* (IB Tauris 2014).

Sankey D, 'Towards recognition of subsistence harms: Reassessing approaches to socioeconomic forms of violence in transitional justice' (2013) 8(1) *International Journal of Transitional Justice* 121.

Sarikakis K, 'A Feminist in Brussels (and Glasgow, Berlin, Düsseldorf...) Self-Configuration in Research into European Union Politics' (2003) 10(4) *European Journal of Women's Studies* 423.

Scanlon H and Muddell K, 'Gender and transitional justice in Africa: Progress and prospects' (2009) 9(2) *African Journal on Conflict Resolution*.

Scheyvens R and Leslie H, 'Gender, ethics and empowerment: Dilemmas of development fieldwork' (*Women's Studies International Forum Elsevier*, 2000) 119.

Schuler SR, Hashemi SM and Badal SH, 'Men's violence against women in rural Bangladesh: undermined or exacerbated by microcredit programmes?' (1998) 8(2) *Development in practice* 148.

Selim Y, 'The opportunities and challenges of participation in transitional justice: examples from Nepal' (2017) 29(8) *Journal of International Development* 1123.

Sharp DN, 'Interrogating the Peripheries: The Preoccupations of Fourth Generation Transitional Justice' (2013) 26 *Harvard Human Rights Journal* 149.

---, 'Bridging the Gap: The United Nations Peacebuilding Commission and the Challenges of Integrating DDR and Transitional Justice' (2013) *Transitional Justice and Peacebuilding on the Ground: Victims and Ex-Combatants* 23

- , 'Emancipating transitional justice from the bonds of the paradigmatic transition' (2014) 9(1) *International Journal of Transitional Justice* 150.
- , 'Addressing Dilemmas of the Global and the local in Transitional Justice' (2014) 29 *Emory International Law Review* 71.
- , *Re-Thinking Transitional Justice for the 21st Century* (Cambridge University Press 2018).
- , 'Pragmatism and Multidimensionality in Human Rights Advocacy' (2018) 40(3) *Human Rights Quarterly* 499.
- Shaw I, 'Ethics and the practice of qualitative research' (2008) 7(4) *Qualitative Social Work* 400.
- Shaw R, Waldorf L and Hazan P, *Localizing transitional justice: Interventions and priorities after mass violence* (Stanford University Press 2010).
- Shepherd LJ, 'Sex, Security and Superhero (in) es: From 1325 to 1820 and Beyond' (2011) 13(4) *International Feminist Journal of Politics* 504.
- Siddi M, 'German foreign policy towards Russia in the aftermath of the Ukraine crisis: A new Ostpolitik?' (2016) 68(4) *Europe-Asia Studies* 665.
- Sigsworth R and Valji N, 'Continuities of violence against women and the limitations of transitional justice: The case of South Africa' in *Gender in transitional justice* (Springer 2012).
- Sikkink KA, 'A Cautionary Note about the Frame of Peril and Crisis in Human Rights Activism' (2018) *Rising to the Populist Challenge: A New Playbook for Human Rights Actors*.
- Simic O, 'Rape, silence and denial' in *Transitional Justice and Reconciliation* (Routledge 2015).
- Skaar E, García-Godos J and Collins C, *Transitional justice in Latin America: the uneven road from impunity towards accountability* (Routledge 2016).
- Skilbeck R, 'Funding Justice: The Price of War Crimes Trials' (2008) 15(3) *Human Rights Brief* 2.
- Slyomovics S, 'The argument from silence: Morocco's truth commission and women political prisoners' (2005) 1(3) *Journal of Middle East Women's Studies* 73.
- Smith KE, 'Problematising power relations in 'elite' interviews' (2006) 37(4) *Geoforum* 643.
- Smith S, 'When "gender" started': the United Nations in post-occupation Timor-Leste' (2015) 27(1) *Global Change, Peace & Security* 55.
- Snyder J and Vinjamuri L, 'Trials and errors: Principle and pragmatism in strategies of international justice' (2004) 28(3) *International Security* 5.
- Sokoloff NJ and Dupont I, 'Domestic violence at the intersections of race, class, and gender: challenges and contributions to understanding violence against marginalized women in diverse communities' (2005) 11(1) *Violence Against Women* 38.
- Spencer G, 'Methodological issues in the study of bureaucratic elites: A case study of West Point' (1973) 21(1) *Social Problems* 90.
- Spoerri M, 'Justice Imposed: How Policies of Conditionality Effect Transitional Justice in the Former Yugoslavia' (2011) 63(10) *Europe-Asia Studies* 1827.
- Spradley J, *Asking Descriptive Questions. The Ethnographic Interview* (Holt, Rinehart & Winston 1979).
- Staggs Kelsall M and Stepakoff S, 'When we wanted to talk about rape': Silencing sexual violence at the Special Court for Sierra Leone' (2007) 1(3) *The International Journal of Transitional Justice* 355.

Stake RE, *The art of case study research* (Sage 1995).

Stanley L and Wise S, *Breaking Out: Feminist Consciousness and Feminist Research* (1983 Routledge and Kegan Paul).

Steinberg G, Herzberg A and Berman J, *Best Practices for Human Rights and Humanitarian NGO Fact-Finding* (Brill Nijhoff 2012).

Stern M, 'Gender and race in the European security strategy: Europe as a 'force for good?'' (2011) 14(1) *Journal of International Relations and Development* 28.

Subotić J, 'The paradox of international justice compliance' (2009) 3(3) *International Journal of Transitional Justice* 362.

---, *Hijacked justice: Dealing with the past in the Balkans* (Cornell University Press 2010).

---, 'The transformation of international transitional justice advocacy' (2012) 6(1) *International Journal of Transitional Justice* 106.

Swaine A, *Traditional justice and gender based violence in Timor-Leste* (2003 International Rescue Committee).

---, *Transition or Transformation: An Analysis of Before, During and Post-Conflict Violence Against Women in Northern Ireland, Liberia and Timor-Leste* (2011), PhD Thesis Ulster University.

---, 'Beyond Strategic Rape and Between the Public and Private: Violence Against Women in Armed Conflict' (2015) 37(3) *Human Rights Quarterly* 755.

---, *Conflict-related violence against women: transforming transition* (Cambridge University Press 2018).

Szablewska N and Jurasz O, 'Sexual and gender-based violence: the case for transformative justice in Cambodia' (2018) *Global Change, Peace & Security* 1.

Tabak S, 'False dichotomies of transitional justice: Gender, conflict and combatants in Colombia' (2011) 44 *NYU Journal of International Law & Politics* 103.

Tansey O, 'Process tracing and elite interviewing: a case for non-probability sampling' (2007) 40(4) *PS: Political Science & Politics* 765.

Taylor Y, 'Hidden in the small ads: Researching working-class lesbians' (2004) 1(2) *Graduate Journal of Social Science* 253.

Teitel RG, *Transitional justice* (Oxford University Press 2000).

---, 'The law and politics of contemporary transitional justice' (2005) 38 *Cornell International Law Journal* 837.

Teti A, 'The EU's first response to the 'Arab spring': a critical discourse analysis of the partnership for democracy and shared prosperity' (2012) 17(3) *Mediterranean Politics* 266.

Thallinger G, 'The UN Peacebuilding Commission and Transitional Justice' (2007) 8 *German Law Journal* 681.

Thépaut C, *Can the EU pressure dictators? Reforming ENP Conditionality after the Arab Spring* (College of Europe 2011).

Thoms ON, Ron J and Paris R, 'State-level effects of transitional justice: what do we know?' (2010) 4(3) *International Journal of Transitional Justice* 329.

- Tocci N, *Framing the EU global strategy. A stronger Europe in a fragile World* (Palgrave Macmillan 2017).
- Tongco MDC, 'Purposive sampling as a tool for informant selection' (2007) 5 *Ethnobotany Research and applications* 147.
- Uhlířová K, 'Contribution of the International Criminal Court to the Prosecution of Sexual and Gender-Based Crimes: between Promise and Practice' in *The Rome Statute of the ICC at Its Twentieth Anniversary* (Brill Nijhoff 2018).
- Unger T, *The European Union and transitional justice* (TMC Asser Institute 2010).
- Uprimny Yepes R, 'Transformative reparations of massive gross human rights violations: Between corrective and distributive justice' (2009) 27 *Netherlands Quarterly of Human Rights* 625.
- Verloo M and Paternotte D, 'The Feminist Project under Threat in Europe' (2018) 6(3) *Politics and Governance* 1.
- Vielle S, 'Transitional justice: A colonizing field' (2012) 4 *Amsterdam Law Forum* 58.
- Vinjamuri L, 'The International Criminal Court and the paradox of authority' (2016) 79 *Law & Contemporary Problems*. 275.
- Voorhoeve M, 'Women's Rights in Tunisia and the Democratic Renegotiation of an Authoritarian Legacy' (2015) 5 *New Middle Eastern Studies*.
- Vyas S and Watts C, 'How does economic empowerment affect women's risk of intimate partner violence in low and middle income countries? A systematic review of published evidence' (2009) 21(5) *Journal of International Development* 577.
- Wagner W and Anholt R, 'Resilience as the EU Global Strategy's new leitmotif: pragmatic, problematic or promising?' (2016) 37(3) *Contemporary security policy* 414.
- Walby S, 'Gender mainstreaming: Productive tensions in theory and practice' (2005) 12(3) *Social Politics: International Studies in Gender, State & Society* 321.
- Walsham G, 'Interpretive case studies in IS research: nature and method' (1995) 4(2) *European Journal of information systems* 74.
- Warren R et al, *Inclusive Justice: How Women Shape Transitional Justice in Tunisia and Colombia* (2017), Georgetown Institute for Women, Peace and Security.
- Waylen G, 'Women and democratization conceptualizing gender relations in transition politics' (1994) 46(3) *World Politics* 327.
- Weinstein HM and others, 'Stay the hand of justice: Whose priorities take priority' (2010) *Localizing Transitional Justice: Interventions and Priorities after Mass Violence* 27.
- Welch M, *Crimes of power & states of impunity: The US response to terror* (Rutgers University Press 2009).
- Whitman RG, *Normative Power Europe: empirical and theoretical perspectives* (Palgrave Macmillan 2011).
- Wibelhaus-Brahm E, *Truth commissions and transitional societies: The impact on human rights and democracy* (Routledge 2010).
- Willett S, 'Introduction: Security Council Resolution 1325: assessing the impact on women, peace and security' (2010) 17(2) *International Peacekeeping* 142.
- Williams S and Opdam J, 'The unrealised potential for transformative reparations for sexual and gender-based violence in Sierra Leone' (2017) 21(9) *The International Journal of Human Rights* 1281.

Willms DG and others, 'A systematic approach for using qualitative methods in primary prevention research' (1990) 4(4) *Medical Anthropology Quarterly* 391.

Wolczuk K, 'Ukraine and Europe: Reshuffling the boundaries of order' (2016) 136(1) *Thesis Eleven* 54.

Yin RK, *Applications of case study research* (Sage 2011).

---, *Case study research: Design and methods* (Sage 2013).

Youngs R, *Europe's Eastern crisis: The geopolitics of asymmetry* (Cambridge University Press 2017).

Zabyelina Y, 'Lustration Beyond Decommunization: Responding to the Crimes of the Powerful in Post-Euromaidan Ukraine' (2017) 6(1) *State Crime Journal* 55.

Zardo F and Cavatorta F, 'Friends will be friends? External-domestic interactions in EU-Tunisia and EU-Morocco security cooperation after the uprisings' (2018) *International Politics* 1.

Zartman IW, 'Comparative case studies' (2005) 10(1) *International Negotiation* 3.

Zhurzhenko T, 'Free market ideology and new women's identities in post-socialist Ukraine' (2001) 8(1) *European Journal of Women's Studies* 29.

### ***Publications by international organizations and national governments***

Cabinet of Ministries of Ukraine, NATIONAL ACTION PLAN on implementation of UN Security Council Resolution #1325 "Women. Peace. Security" till 2020 (24 February 2016). Available at: [https://www.peacewomen.org/sites/default/files/Ukraine\\_NAP.pdf](https://www.peacewomen.org/sites/default/files/Ukraine_NAP.pdf), accessed 7 August 2019.

Council of Europe, The Council of Europe Action Plan for Ukraine 2018-2020 (2017): 13. Available at: <https://rm.coe.int/prems-196917-gbr-1501-action-plan-ukraine-2018-2021-couv-bat-a4-web/1680794dc5>, accessed 16 August 2018.

Council of Europe, CDL-AD(2015)032-e Interim Opinion on the institutional aspects of the Draft Law on special procedures concerning reconciliation in the economic and financial fields of Tunisia adopted by the Venice Commission at its 104th Plenary Session (Venice, 23-24 October 2015). Available at: [http://www.venice.coe.int/webforms/documents/?pdf=CDL-AD\(2015\)032-e](http://www.venice.coe.int/webforms/documents/?pdf=CDL-AD(2015)032-e), accessed 22 October 2017.

Ministry of Foreign Affairs of Ukraine, Deputy Foreign Minister of Ukraine Sergiy Kyslytsya met with the European External Action Service Principal Advisor on gender / UNSC resolution 1325 implementation Mara Marinaki (14 June 2016). Available at: <https://mfa.gov.ua/en/news-feeds/foreign-offices-news/48420-zastupnik-ministra-zakordonnih-sprav-ukrajini-sergij-kislicya-zustrivsyia-z-golovnim-radnikom-jevropejskykoji-sluzhbi-zovnishnih-dij-z-gendernih-pitany-ta-vikonannya-rezolyuciji-rb-oon-1325-maraju-marinaki>, accessed 21 May 2019.

Office National de la Famille et de la Population, *Etude Nationale sur la violence à l'égard des femmes en Tunisie*, 2010.

Office of the United Nations High Commissioner for Human Rights (OHCHR), *Report on the human rights situation in Ukraine* 15 April 2014 (2014).

---, *Report on the human rights situation in Ukraine* 15 May 2014 (2014). Available at: <https://www.ohchr.org/Documents/Countries/UA/HRMMUReport15May2014.pdf>, accessed 15 August 2018.

---, *Report on the human rights situation in Ukraine* 15 June 2014 (2014). Available at: <https://www.ohchr.org/Documents/Countries/UA/HRMMUReport15June2014.pdf>, accessed 15 August 2018.

- , Report on the human rights situation in Ukraine 15 July 2014 (2014). Available at: [https://www.ohchr.org/Documents/Countries/UA/Ukraine\\_Report\\_15July2014.pdf](https://www.ohchr.org/Documents/Countries/UA/Ukraine_Report_15July2014.pdf), accessed 15 August 2018.
- , Report on the human rights situation in Ukraine 17 August 2014 (2014). Available at: <https://www.ohchr.org/Documents/Countries/UA/UkraineReport28August2014.pdf>, accessed 15 August 2018.
- , Report on the human rights situation in Ukraine 15 November 2014 (2014). Available at: [https://www.ohchr.org/Documents/Countries/UA/OHCHR\\_sixth\\_report\\_on\\_Ukraine.pdf](https://www.ohchr.org/Documents/Countries/UA/OHCHR_sixth_report_on_Ukraine.pdf), accessed 15 August 2018.
- , Report on the human rights situation in Ukraine 15 December 2014 (2014). Available at: [https://www.ohchr.org/Documents/Countries/UA/OHCHR\\_eighth\\_report\\_on\\_Ukraine.pdf](https://www.ohchr.org/Documents/Countries/UA/OHCHR_eighth_report_on_Ukraine.pdf), accessed 15 August 2018.
- , Report on the human rights situation in Ukraine 1 December 2014 to 15 February 2015 (2015). Available at: <https://www.ohchr.org/Documents/Countries/UA/9thOHCHRreportUkraine.pdf>, accessed 15 August 2018.
- , Report on the human rights situation in Ukraine 16 February to 15 May 2015 (2015). Available at: <https://www.ohchr.org/Documents/Countries/UA/10thOHCHRreportUkraine.pdf>, accessed 15 August 2018.
- , Report on the human rights situation in Ukraine 16 May to 15 August 2015 (2015). Available at: <https://www.ohchr.org/Documents/Countries/UA/11thOHCHRreportUkraine.pdf>, accessed 15 August 2018.
- , Report on the human rights situation in Ukraine 16 August to 15 November 2015 (2015). Available at: <https://www.ohchr.org/Documents/Countries/UA/12thOHCHRreportUkraine.pdf>, accessed 15 August 2018.
- , Report on the human rights situation in Ukraine 16 November 2015 to 15 February 2016 (2016). Available at: [https://www.ohchr.org/Documents/Countries/UA/Ukraine\\_13th\\_HRMMU\\_Report\\_3March2016.pdf](https://www.ohchr.org/Documents/Countries/UA/Ukraine_13th_HRMMU_Report_3March2016.pdf), accessed 15 August 2018.
- , Accountability for killings in Ukraine from January 2014 to May 2016 (2016). Available at: [https://www.ohchr.org/Documents/Countries/UA/OHCHRThematicReportUkraineJan2014-May2016\\_EN.pdf](https://www.ohchr.org/Documents/Countries/UA/OHCHRThematicReportUkraineJan2014-May2016_EN.pdf), accessed 15 August 2018.
- , Report on the human rights situation in Ukraine 16 February to 15 May 2016 (2016). Available at: [https://www.ohchr.org/Documents/Countries/UA/Ukraine\\_14th\\_HRMMU\\_Report.pdf](https://www.ohchr.org/Documents/Countries/UA/Ukraine_14th_HRMMU_Report.pdf), accessed 15 August 2018.
- , Report on the human rights situation in Ukraine 16 May to 15 August 2016 (2016). Available at: <https://www.ohchr.org/Documents/Countries/UA/Ukraine15thReport.pdf>, accessed 15 August 2018.
- , Report on the human rights situation in Ukraine 16 August to 15 November 2016 (2016). Available at: [https://www.ohchr.org/Documents/Countries/UA/UAREport16th\\_EN.pdf](https://www.ohchr.org/Documents/Countries/UA/UAREport16th_EN.pdf), accessed 15 August 2018.
- , Report on the human rights situation in Ukraine 16 February to 15 May 2017 (2017). Available at: [https://www.ohchr.org/Documents/Countries/UA/UAREport18th\\_EN.pdf](https://www.ohchr.org/Documents/Countries/UA/UAREport18th_EN.pdf), accessed 16 August 2018.
- , Report on the human rights situation in Ukraine 16 May to 15 August 2017 (2017). Available at: [https://www.ohchr.org/Documents/Countries/UA/UAREport19th\\_EN.pdf](https://www.ohchr.org/Documents/Countries/UA/UAREport19th_EN.pdf), accessed 16 August 2018.

---, Conflict-Related Sexual Violence in Ukraine 14 March 2014 to 31 January 2017 (2017). Available at: [https://www.ohchr.org/Documents/Countries/UA/ReportCRSV\\_EN.pdf](https://www.ohchr.org/Documents/Countries/UA/ReportCRSV_EN.pdf), accessed 16 August 2018.

---, Report on the human rights situation in Ukraine 16 February to 15 May 2018 (2018). Available at: [https://www.ohchr.org/Documents/Countries/UA/ReportUkraineFev-May2018\\_EN.pdf](https://www.ohchr.org/Documents/Countries/UA/ReportUkraineFev-May2018_EN.pdf), accessed 15 August 2018.

---, Report on the human rights situation in Ukraine 16 November 2018 to 15 February 2019 (2019). Available at: <https://www.ohchr.org/Documents/Countries/UA/ReportUkraine16Nov2018-15Feb2019.pdf>, accessed 3 August 2019.

ONU Femmes Maghreb, 'La Tunisie adopte une loi historique pour mettre fin à la violence envers les femmes' (2017). Available at: <http://maghreb.unwomen.org/fr/actualites-evenements/actualites/2017/07/vote-loi-contre-violences-tunisie>, accessed 15 August 2018.

ONU Femmes Maghreb, 'La Tunisie lance son Plan d'Action National de mise en œuvre de la Résolution du Conseil de Sécurité 1325 Femmes, Paix et Sécurité' (July 2018). Available at: <http://maghreb.unwomen.org/fr/actualites-evenements/actualites/2018/07/lancement-pan-unscr1325-tunisie>, accessed 12 May 2019.

OSCE, Thematic Report: Gender Dimensions of SMM's Monitoring (2018): 14. Available at: <https://www.osce.org/special-monitoring-mission-to-ukraine/407804?download=true>, accessed 2 August 2019.

President of Ukraine, Petro Poroshenko Official Website, 'Head of State: Church autocephaly is the most important event similar to the Ukrainian aspiration to join the European Union and NATO' (14 October 2018), Available at: <https://www.president.gov.ua/en/news/glava-derzhavi-avtokefaliya-cerkvi-ce-najvagamisha-podiya-po-50450>, accessed 27 January 2019.

United Nations, The Rule of Law and Transitional Justice in Conflict and Post-Conflict Societies' Report of the Secretary-General, UN Document S/2004/616 2004.

UNFPA Ukraine, Annual Report 2017 (2017). Available at: <https://ukraine.unfpa.org/sites/default/files/pub-pdf/UNFPA%20Annual%20Report%202017.pdf>, accessed 16 August 2018.

---, Masculinity Today: Men's Attitudes To Gender Stereotypes And Violence Against Women (2018). Available at: <https://ukraine.unfpa.org/en/publications/masculinity-today-mens-attitudes-gender-stereotypes-and-violence-against-women>, accessed 3 August 2019.

UNFPA and Ukrainian Centre for Social Reforms, Gender-Based Violence in the Conflict-Affected Regions of Ukraine (2015). Available at: [https://reliefweb.int/sites/reliefweb.int/files/resources/gbv\\_study\\_2015\\_final\\_eng.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/gbv_study_2015_final_eng.pdf), accessed 15 August 2018.

---, Economic Costs of Violence against Women in Ukraine (2017). Available at: [https://ukraine.unfpa.org/sites/default/files/pub-pdf/Economic%20Costs%20of%20Violence\\_2017\\_3.pdf](https://ukraine.unfpa.org/sites/default/files/pub-pdf/Economic%20Costs%20of%20Violence_2017_3.pdf), accessed 15 August 2018.

### ***Think thank pieces, NGO reports, articles in news media and other sources***

ADLI, Les Circulaires Liberticides (2018). Available at: [http://www.adltn.org/sites/default/files/circulaires\\_fr\\_eng\\_ar\\_lr\\_19\\_12.pdf](http://www.adltn.org/sites/default/files/circulaires_fr_eng_ar_lr_19_12.pdf), accessed 3 August 2019.

Advocates for Human Rights & Center "Women's Perspectives", Ukraine: Domestic Violence – Joint Stakeholder Report for the United Nations Universal Periodic Review (2017). Available at: [https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&ved=2ahUKFwiE6IbCuvHcAhWCfFAKHYGIC\\_UQEjABegQICRAC&url=https%3A%2F%2Fuprdoc.ohchr.org%2Fuprweb%2](https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&ved=2ahUKFwiE6IbCuvHcAhWCfFAKHYGIC_UQEjABegQICRAC&url=https%3A%2F%2Fuprdoc.ohchr.org%2Fuprweb%2)



[Edownloadfile.aspx%3Ffilename%3D4355%26file%3DEnglishTranslation&usg=AOvVaw2mSILh6rTNoivIn78oJA27](#), accessed 16 August 2018.

Anti-Discrimination Centre, Gender Discrimination – Jobs Banned for Women (2018). Available at: <https://adcmemorial.org/www/publications/gender-discrimination-jobs-banned-for-women?lang=en>, accessed 2 August 2019.

ATFD, La repression des soulèvements populaires de 2010–2011 recits et temoignages: Quelle justice transitionnelle pour les femmes? (2011).

Avocats Sans Frontières, Attaques contre le processus de de justice transitionnelle en Tunisie (2018). Available at: [https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=9&cad=rja&uact=8&ved=2ahUKewins4P7z6jiAhVMNOwKHXwnCtUQFjAIegQIAhAC&url=https%3A%2F%2Fwww.asf.be%2Fwp-content%2Fuploads%2F2018%2F04%2FASE\\_TUN\\_JT201804\\_FR.pdf&usg=AOvVaw1MiqHn8HZWnL2a0Lg-o\\_ew](https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=9&cad=rja&uact=8&ved=2ahUKewins4P7z6jiAhVMNOwKHXwnCtUQFjAIegQIAhAC&url=https%3A%2F%2Fwww.asf.be%2Fwp-content%2Fuploads%2F2018%2F04%2FASE_TUN_JT201804_FR.pdf&usg=AOvVaw1MiqHn8HZWnL2a0Lg-o_ew), accessed 5 January 2019.

---, 'Affaire Basma Balai', Available at: <https://www.asf.be/nl/blog/publications/affaire-basma-balai-tunisie-rapport-dobservation-dauidence-devant-la-chambre-criminelle-specialisee-a-nabeul-28-09-2018/>, accessed 21 December 2018.

Baldo S, Border Control from Hell: How the EU's Migration Partnership Legitimizes Sudan's Militia-State, The Enough Project (2017). Available at: [https://reliefweb.int/sites/reliefweb.int/files/resources/BorderControl\\_April2017\\_Enough\\_Finals.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/BorderControl_April2017_Enough_Finals.pdf), accessed 25 February 2019.

Belhassine O, Tunisia Adopts Pioneering Law on Violence Against Women, JusticeInfo.net (15 August 2017). Available at: <https://www.justiceinfo.net/en/reconciliation/34340-tunisia-adopts-pioneering-law-on-violence-against-women.html>, accessed 2 December 2018.

---, Tunisie : la justice transitionnelle en peril, JusticeInfo.net (29 March 2018). Available at: <https://www.justiceinfo.net/fr/commissions-verite/36891-tunisie-la-justice-transitionnelle-en-peril.html>, accessed 2 December 2018.

---, 'Rapport de l'IVD en Tunisie (1ère partie) : un scanner de l'oppression' (30 April 2019) JusticeInfo.net. Available at: <https://www.justiceinfo.net/fr/commissions-verite/41289-rapport-ivd-tunisie-1ere-partie-scanner-oppression.html>, accessed 20 July 2019.

---, Tunisia: A Year of Trials under Pression, JusticeInfo.net (6 June 2019). Available at: <https://www.justiceinfo.net/en/tribunals/national-tribunals/41612-tunisia-a-year-of-trials-under-pressure.html>, accessed 3 August 2019.

Bellamine Y, 'Pour l'ambassadeur de l'Union Européenne en Tunisie Patrice Bergamini, les lignes doivent bouger en matière d'héritage' (13 August 2018) Huffpost. Available at: [https://www.huffpostmaghreb.com/2017/03/08/patrice-bergamini-wonder-\\_n\\_15243078.html](https://www.huffpostmaghreb.com/2017/03/08/patrice-bergamini-wonder-_n_15243078.html), accessed 27 August 2018.

Ben Fraj R, 'Lettre d'une féministe tunisienne, trentenaire, précaire et désespérée' (28 November 2018) Nawaat. Available at: <https://nawaat.org/portail/2018/11/28/lettre-dune-feministe-tunisienne-trentenaire-precaire-et-desesperee/?fbclid=IwAR2yvp2ISBCE2po8guSRFjZ81mZ6sab6j4WPZ5v85t6FJpckP6WvsrbttE>, accessed 3 December 2018.

Bentzen N, Ukraine: Religion and (geo-)politics - Orthodox split weakens Russia's influence (2019) European Parliamentary Research Service. Available at: [http://www.europarl.europa.eu/RegData/etudes/BRIE/2019/635525/EPRS\\_BRI\(2019\)635525\\_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/BRIE/2019/635525/EPRS_BRI(2019)635525_EN.pdf), accessed 3 August 2019.

Biscop S, 'The EU global strategy: realpolitik with European characteristics' (2016)(75) Security policy brief.

Boukhayatia R, 25 ONG adressent une lettre ouverte à Youssef Chahed à propos de la justice transitionnelle (29 April 2018) HuffPost Maghreb. Available at: [https://www.huffpostmaghreb.com/entry/25-ong-adressent-une-lettre-ouverte-a-youssef-chahed-a-propos-de-la-justice-transitionnelle\\_mg\\_5ae45ba8e4b055fd7fcc1e2a](https://www.huffpostmaghreb.com/entry/25-ong-adressent-une-lettre-ouverte-a-youssef-chahed-a-propos-de-la-justice-transitionnelle_mg_5ae45ba8e4b055fd7fcc1e2a), accessed 5 August 2019.

Buhbe M, How Ukrainians Perceive European Values Main Results of an Empirical Survey, Friedrich Ebert Stiftung (2017). Available at: <http://library.fes.de/pdf-files/id-moe/13731.pdf>, accessed 27 January 2019.

Chennaoui H, 'TVD : Les femmes victimes de la dictature brisent le silence' (2017) Nawaat.

DCAF and La Strada-Ukraine, Criminal Justice Practice and Violence Against Women (2017). Available at: [https://dcaf.ch/sites/default/files/publications/documents/Criminal%20justice%20practice%20and%20violence%20against%20women\\_engl.pdf](https://dcaf.ch/sites/default/files/publications/documents/Criminal%20justice%20practice%20and%20violence%20against%20women_engl.pdf), accessed 15 August 2018.

Communiqué de Presse - Justice transitionnelle : Inquiétudes des organisations de la société civile suite aux récentes attaques à l'encontre du processus de justice transitionnelle (November 2018). Available at: <https://www.icj.org/wp-content/uploads/2018/11/Tunisia-Justice-transitionnelle-News-Press-releases-2018-FRE.pdf>, accessed 5 August 2019.

Cooper T, 'This week, the EU should press Ukraine on fundamental rights' (9 July 2018) Human Rights Watch. Available at: <https://www.hrw.org/news/2018/07/09/week-eu-should-press-ukraine-fundamental-rights>, accessed 24 August 2018

Costa-Kostritsky V, 'Ukraine: sex work in times of war' (3 April 2017) OpenDemocracy. Available at: <https://www.opendemocracy.net/od-russia/valeria-costa-kostritsky/ukraine-sex-work-in-times-of-war>, accessed 16 August 2018.

Democracy Reporting International, Reforming the Functions of Ukraine's Public Prosecutor's Office: New Constitutional Provisions and Their (Pending) Implementation (2018). Available at: <https://democracy-reporting.org/wp-content/uploads/2018/07/DRI-BP-Functional-Reform-FINAL.pdf>, accessed 2 August 2019.

Democracy Reporting International, Reforming the Public Prosecutor's Office of Ukraine: Institutional Aspect (2019). Available at: <https://democracy-reporting.org/wp-content/uploads/2019/01/DRI-UA-BP-Prosecution-Institutional-Reform.pdf>, accessed 2 August 2019.

Dempsey J, 'The EU's Shift From Transformation to Stabilization' (2016) Carnegie Europe. Available at: <https://carnegieeurope.eu/strategieurope/66455>. Accessed 23 July 2019.

Dworkin A & Zohra El Malki F, 'The southern front line: EU counter-terrorism cooperation with Tunisia and Morocco' (25 February 2018) ECFR.

El Gantri S, 'Our Voices Will Not be Silenced: Charting Women's Struggle for Justice in Tunisia' (2016) ICTJ. Available at: <https://www.ictj.org/news/women-struggle-justice-tunisia>, accessed 18 October 2018.

Espace Manager, Justice transitionnelle : Ghannouchi plaide pour une amnistie générale (27 October 2018). Available at: <https://www.espacemanager.com/justice-transitionnelle-ghannouchi-plaide-pour-une-amnistie-generale.html>, accessed 11 August 2019.

Fassihian D, Democratic Backsliding in Tunisia: The Case for Renewed International Attention (September 2018) Freedom House. Available at: [https://freedomhouse.org/sites/default/files/policybrief\\_democratic\\_backsliding\\_in\\_tunisia.pdf](https://freedomhouse.org/sites/default/files/policybrief_democratic_backsliding_in_tunisia.pdf), accessed 1 December 2018.

Forum Tunisien pour les Droits Economiques et Sociaux (FTDES), Demande relative à l'établissement du statut de « région-victime » de Kasserine. Available at: [https://www.asf.be/wp-content/uploads/2015/06/ASE\\_TUN\\_R--gionVictime\\_201506\\_FR.pdf](https://www.asf.be/wp-content/uploads/2015/06/ASE_TUN_R--gionVictime_201506_FR.pdf), accessed 1 December 2018.

Furness M and Schäfer I, 'The 2015 European Neighbourhood Policy Review: more realism, less ambition' (2015) *The Current Column*.

Gall EC, 'Tunisia Fears the Return of Thousands of Young Jihadists' (25 February 2017) *The New York Times*. Available at: <https://www.nytimes.com/2017/02/25/world/europe/isis-tunisia.html>, accessed 31 August 2018.

Gillard Z, 'The continuum of gender based violence in Ukraine' (23 October 2018), *LSE Blogs*. Available at: <https://blogs.lse.ac.uk/wps/2018/10/23/the-continuum-of-gender-based-violence-in-ukraine/>, accessed 20 July 2019.

Global Legal Monitor, Tunisia: Cabinet Approves Bill Requiring Equal Inheritance Shares for Men and Women (4 December 2018). Available at: <http://www.loc.gov/law/foreign-news/article/tunisia-cabinet-approves-bill-requiring-equal-inheritance-shares-for-men-and-women/>, accessed 3 August 2019.

Global Rights Compliance, *The Domestic Implementation of International Humanitarian Law in Ukraine* (2016). Available at: <https://www.globalrightscompliance.com/uploads/e6f0ccd036b6f83ffe2b94f3e19983e0.pdf>, accessed 5 August 2019.

Grewal S, 'Can Tunisia Find a Compromise on Equal Inheritance' (25 September 2018) *Brookings Institute*. Available at: <https://www.brookings.edu/blog/order-from-chaos/2018/09/25/can-tunisia-find-a-compromise-on-equal-inheritance/>, accessed 3 August 2019.

Guellali A, 'One Step Forward, One Step Back in Tunisia: Progress on Women's Rights; Regression on Justice' (2017) *Human Rights Watch*. Available at: <https://www.hrw.org/news/2017/09/15/one-step-forward-one-step-back-tunisia>, accessed 1 November 2017.

Hammami F, 'Révolte de Gafsa & Justice transitionnelle: La portée symbolique ne suffit pas' (2018) *Nawaat*.

Havryshko M, 'The womanly face of war: the agency and visibility of Ukraine's female soldiers' (5 December 2018) *OpenDemocracy*. Available at: <https://www.opendemocracy.net/en/odr/agency-ukraine-female-soldiers/>, accessed 3 August 2019.

Hayden, 'Tunisian Muslim women allowed to marry non-Muslims for first time in decades' (15 September 2017) *The Independent*. Available at: <https://www.independent.co.uk/news/world/africa/tunisia-muslim-women-marry-non-muslims-first-time-decades-islamic-sharia-religion-a7948916.html>, accessed 15 August 2018.

Human Rights Information Centre, 'In Ukraine more than 450 jobs are still banned for women' (10 February 2017). Available at: [https://humanrights.org.ua/en/material/v\\_ukrajini\\_zhinkam\\_dosi\\_zaboroneni\\_ponad\\_450\\_profesij\\_z\\_vit](https://humanrights.org.ua/en/material/v_ukrajini_zhinkam_dosi_zaboroneni_ponad_450_profesij_z_vit), accessed 28 November 2018.

Institute for Economics and Peace, *Global Peace Index 2018* (2018). Available at: <http://visionofhumanity.org/app/uploads/2018/06/Global-Peace-Index-2018-2.pdf>, accessed 9 August 2019.

Institute for Religious Freedom, 'Council of Churches stands for the European integration of Ukraine without the gender ideology' (8 January 2019). Available at: [https://www.irf.in.ua/eng/index.php?option=com\\_content&view=article&id=461:1&catid=34:ua&Itemid=61](https://www.irf.in.ua/eng/index.php?option=com_content&view=article&id=461:1&catid=34:ua&Itemid=61), accessed 20 July 2019.

International Centre for Transitional Justice, *ICTJ Comments on Draft Organic Bill Number 49/2015 Pertaining to Reconciliation in the Administrative Field* (2017). Available at:

[https://www.ictj.org/sites/default/files/ICTJ\\_Comments\\_Tunisia\\_ReconciliationBill\\_2017.pdf](https://www.ictj.org/sites/default/files/ICTJ_Comments_Tunisia_ReconciliationBill_2017.pdf), accessed 22 October 2017.

International Crisis Group, Can Peacekeepers Break the Deadlock in Ukraine? (15 December 2017). Available at: <https://www.justice.gov/eoir/page/file/1039851/download>, accessed 5 August 2019.

---, Ukraine: an opportunity for reinforced European diplomacy (31 January 2018). Available at: <https://www.crisisgroup.org/europe-central-asia/eastern-europe/ukraine/ukraine-opportunity-reinforced-european-diplomacy>, accessed 24 August 2018.

Jarábik B, Sasse G, Shapovalova N, De Waal T, 'The EU and Ukraine: Taking a Breath' (27 February 2018) Carnegie Endowment for International Peace. Available at: <https://carnegieendowment.org/2018/02/27/eu-and-ukraine-taking-breath-pub-75648>, accessed 28 August 2018.

Johnson D, 'As Ukraine's women speak up on sexual violence, we must not ignore those affected by conflict' (July 2016) OpenDemocracy. Available at: <https://www.opendemocracy.net/od-russia/danielle-johnson/speaking-on-sexual-violence>, accessed 22 May 2018.

Ki-moon B, 'Opening Remarks at Press Conference with President Erdogan of Turkey at the World Humanitarian Summit' United Nations Secretary-General, May 24, 2016. Available at: <https://www.un.org/sg/en/content/sg/speeches/2016-05-24/opening-remarks-press-conference-president-erdogan-turkey-world>, accessed 23 April 2019.

Kinzelbach K and Lehmann J, Can Shaming Promote Human Rights? Publicity in Human Rights Foreign Policy: A Review and Discussion Paper (2015) European Liberal Forum: 26-28. Available at: [https://www.gppi.net/media/Kinzelbach\\_Lehmann\\_2015\\_Can\\_Shaming\\_Promote\\_Human\\_Rights.pdf](https://www.gppi.net/media/Kinzelbach_Lehmann_2015_Can_Shaming_Promote_Human_Rights.pdf), accessed 5 August 2019.

Krasnikov D, Ukraine appoints its first female military general (14 October 2018) Kyiv Post. Available at: <https://www.kyivpost.com/ukraine-politics/ukraine-appoints-its-first-female-general.html>, accessed 3 August 2019.

Khromeychuk O, 'What place for women in Ukraine's memory politics', Open Democracy, October 2016.

Lacoski J, 'How EU conditionality is helping to transform Ukraine' (22 March 2016) ECFR. Available at: [https://www.ecfr.eu/article/commentary\\_how\\_eu\\_conditionality\\_is\\_helping\\_to\\_transform\\_ukraine6046](https://www.ecfr.eu/article/commentary_how_eu_conditionality_is_helping_to_transform_ukraine6046), accessed 2 December 2018.

Ketelaars E, 'When 'European values' do not count: Anti-gender ideology and the failure to comprehensively address GBV in Ukraine' (2018) LSE Engenderings. Available at: <https://blogs.lse.ac.uk/gender/2018/09/26/when-european-values-do-not-count-anti-gender-ideology-and-the-failure-to-comprehensively-address-gbv-in-ukraine/>, accessed 14 April 2019.

L'Economiste Maghrebin, 'Patrice Bergamini: Seule une société où les femmes sont pleinement épanouies est capable de prospérer' (13 August 2018). Available at: <https://www.leconomistemaghrebin.com/2018/08/13/femmes-societe-epanouies-prosperer/>, accessed 27 August 2018.

Losh J, 'Ukraine's Invisible Scars' (April 2018) POLITICO. Available at: <https://www.politico.eu/article/ukraine-invisible-scars-conflict-sexual-violence/>, accessed 15-5-2018.

Martsenyuk T, Grytsenko G and Kvit A, 'The "Invisible Battalion": Women in ATO Military Operations in Ukraine' (2016).

McRobie H, Bikinis and babas: the gender subtext of clichés about Ukraine (January 2015) OpenDemocracy. Available at: <https://www.opendemocracy.net/5050/heather-mcrobie/bikinis-and-babas-gender-subtext-of-clichés-about-ukraine>, accessed 22-5-2018.

Mejdi I, “Manich Msamah”: resistance in times of consensus (3 August 2017). Available at: <https://nawaat.org/portail/2017/08/03/manich-msamah-resistance-in-times-of-consensus/>, accessed 5 August 2019.

Mendel I, “A Good Career, if I Satisfied Him.’ Ukraine Fights Sexual Abuse, and a War’ (19 May 2019) The New York Times. Available at: <https://www.nytimes.com/2019/05/19/world/europe/ukraine-sex-abuse-military-war.html>, accessed 3 August 2019.

Olszanski T, The Ukrainian Lustration Act (2014) OSW - Ośrodek Studiów Wschodnich im. Marka Karpia. Available at: <https://www.osw.waw.pl/en/publikacje/analyses/2014-10-01/ukrainian-lustration-act>, accessed 15 August 2018.

Pavliuk A, ‘Investigation of war crimes: what’s the situation in Ukraine?’ (18 April 2018) UHHRU. Available at: <https://helsinki.org.ua/en/articles/investigation-of-war-crimes-what-s-the-situation-in-ukraine/>, accessed 2 December 2018.

Pew Research Center, Religious Belief and National Belonging in Central and Eastern Europe (2017). Available at: <https://www.pewforum.org/wp-content/uploads/sites/7/2017/05/CEUP-FULL-REPORT.pdf>, accessed 3 August 2019.

Polakiwsky Y, ‘Why Are Donors Afraid of the Prosecutor’s Office?’ (17 June 2019) Atlantic Council. Available at: <https://www.atlanticcouncil.org/blogs/ukrainealert/why-are-donors-afraid-of-the-prosecutor-s-office>, accessed 2 August 2019

Popova D, ‘Social-Economic Situation in Ukraine: Gender Perspective’ (2018) Transform Europe. Available at: <https://www.transform-network.net/en/blog/article/social-economic-situation-in-ukraine-gender-perspective/>, accessed 14 December 2018.

Portnov A, ‘How to Bid Goodbye to Lenin in Ukraine?’ (26 May 2015) OpenDemocracy. Available at: <https://www.opendemocracy.net/andriy-portnov/on-‘decommunisation’-‘identity’-and-legislating-history-in-ukraine>, accessed 15 August 2018.

Potarska N, The Voice of Non-Militants: The Experience of Women from Eastern Ukraine’ (7 December 2015) Gunda Werner Institute. Available at: <https://www.gwi-boell.de/en/2015/12/07/voice-non-militants-experience-women-eastern-ukraine>, accessed 16 August 2018.

Schultz I and Detrie MA, ‘Ukraine: The Intimate War’ (28 March 2017) Zero Impunity. Available at: <https://zeroimpunity.com/ukraine-the-intimate-war/?lang=en>, accessed 3 August 2019.

Shandra A, Ukraine’s Health Ministry opens up previously banned 450 professions for women, Euromaidan Press (21 December 2017). Available at: <http://euromaidanpress.com/2017/12/21/ukraines-health-ministry-lifts-restrictions-on-womens-employment-in-450-professions/>, accessed 5 December 2018.

Shcherbachenko V, Ianova G, Pavlichenko O, Unspoken Pain: Gender Based Violence in the Conflict Zone of Eastern Ukraine (2017) Coalition “Justice for Peace in Donbass”. <https://jfp.org.ua/system/reports/files/92/en/Unspoken-Pain-web.pdf>, accessed 15 August 2018.

Spees P, ‘gender justice and accountability in peace support operations’ (2004) Policy Briefing Paper, International Alert.

Sukhov O, Ukraine recognizes sex without consent as rape, criminalizes domestic violence (12 January 2019) Kyiv Post. Available at: <https://www.kyivpost.com/ukraine-politics/ukraine-recognizes-sex-without-consent-as-rape-criminalizes-domestic-violence.html>, accessed 3 August 2019.

The Legal Agenda, ‘Ibtihel Abdellatif of Tunisia’s Truth and Dignity Commission: The Women Victims Who Chose to Testify’ 2019 The Legal Agenda. Available at: <http://legal-agenda.com/en/article.php?id=5424>, accessed 20 July 2019.

Ukrinform, President presents awards to Ukrainian women soldiers (8 March 2019). Available at:

<https://www.ukrinform.net/rubric-defense/2655660-president-presents-awards-to-ukrainian-women-soldiers.html>, accessed 3 August 2019.

Union of Orthodox Journalists, 'No to gender: Council of Churches speaks out against ratification of Istanbul Convention' (2017). Available at: <http://spzh.news/en/news/40019-no-to-gender-council-of-churches-speaks-out-against-ratification-of-istanbul-convention> accessed 27 January 2019.

Wolczuk K and Žeruolis D, Rebuilding Ukraine: An Assessment of EU Assistance (August 2018) Chatham House. Available at: <https://www.chathamhouse.org/sites/default/files/publications/research/2018-08-16-rebuilding-ukraine-eu-assistance-wolczuk-zeruolis.pdf>, accessed 3 July 2019.

Women's International League for Peace and Freedom, Voices from Ukraine: Civil Society as a Driver for Peace (2014). Available at: <https://wilpf.org/wp-content/uploads/2014/09/Report.pdf>, accessed 1 December 2018

---, The Effects of Intervention by International Financial Institutions on Women's Human Rights in Ukraine: Shadow Report to CEDAW Committee, 66th Session (2017). Available at: [https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/UKR/INT\\_CEDAW\\_NGO\\_UKR\\_26388\\_E.pdf](https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/UKR/INT_CEDAW_NGO_UKR_26388_E.pdf), accessed 16 August 2018.

Yeliseiev K, 'Ukraine to EU: Tell us what we're fighting for' (15 November 2017) EUobserver. Available at: <https://euobserver.com/opinion/139873>, accessed 27 January 2019.

Matthes Buhbe, How Ukrainians Perceive European Values Main Results of an Empirical Survey,

Yermolenko V, 'Does Poroshenko Have a Chance at a Second Term?' (1 October 2018) Atlantic Council. Available at: <https://www.atlanticcouncil.org/blogs/ukrainealert/does-poroshenko-have-a-shot-at-a-second-term>, accessed 23 May 2019.

Youngs R & Echague A, 'A Shrinking Space for Civil Society: The EU Response' (21 April 2017) Carnegie Europe. Available at: <http://carnegieeurope.eu/2017/04/21/shrinking-space-for-civil-society-eu-response-pub-68743>, accessed 1 December 2018.

Zamfir I, International Criminal Court: Achievements and challenges 20 years after the adoption of the Rome Statute (2018) European Parliament Research Service. Available at: [http://www.europarl.europa.eu/RegData/etudes/BRIE/2018/625127/EPRS\\_BRI\(2018\)625127\\_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/BRIE/2018/625127/EPRS_BRI(2018)625127_EN.pdf), accessed 5 August 2019.

### ***Legislation and treaties***

Republique Tunisienne, Code Pénal, Décret du 9 juillet 1913. Available at: <https://legislation-securite.tn/node/43760>, accessed 5 August 2019.

---, Code du Statut Personnel, Décret du 13 Aout 1956. Available at: <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/73374/74946/E-1287339442/TUN-73374.pdf>, accessed 5 August 2019.

Circulaire du ministre de la justice n°216 du 5 novembre 1973.

Circulaire du ministre de l'éducation nationale n° 108 du 18 septembre 1981.

United Nations General Assembly, Rome Statute of the International Criminal Court (last amended 2010), 17 July 1998.

République Tunisienne, Loi organique 2013-53 du 24 décembre 2013, relative à l'instauration de la justice transitionnelle et à son organisation. Available at:

<https://www.ilo.org/dyn/natlex/docs/SERIAL/95319/112171/F-313159060/TUN-95319.pdf>, accessed 14 August 2018.

Verkhovna Rada, Law of Ukraine No 1188-VII on Restoring Confidence in the Judiciary in Ukraine [in Ukrainian] (8 April 2014). Available at: <http://zakon4.rada.gov.ua/laws/show/1188-18>, accessed 15 August 2018.

Council of Europe, The Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (November 2014). Available at: <https://www.refworld.org/docid/548165c94.html>, accessed 3 August 2019.

The Permanent Representative of Ukraine to the United Nations, On Peaceful Settlement of Situation in the Eastern Regions of Ukraine (unilateral) (24 February 2015). Available at: [https://peacemaker.un.org/sites/peacemaker.un.org/files/UA\\_140607\\_Peaceful\\_Settlement-Situation-Eastern-Ukraine.pdf](https://peacemaker.un.org/sites/peacemaker.un.org/files/UA_140607_Peaceful_Settlement-Situation-Eastern-Ukraine.pdf), accessed 15 August 2018.

The Permanent Representative of Ukraine to the United Nations, Memorandum on the implementation of the provisions of the Protocol on the outcome of consultations of the Trilateral Contact Group on joint steps aimed at the implementation of the Peace Plan of the President of Ukraine, P. Poroshenko, and the initiatives of the President of the Russian Federation, V. Putin (24 February 2015). Available at: [https://peacemaker.un.org/sites/peacemaker.un.org/files/UA\\_140919\\_MemoImplementationPeacePlan\\_en.pdf](https://peacemaker.un.org/sites/peacemaker.un.org/files/UA_140919_MemoImplementationPeacePlan_en.pdf), accessed 15 August 2018.

The Permanent Representative of Ukraine to the United Nations, Protocol on the outcome of consultations of the Trilateral Contact Group on joint steps aimed at the implementation of the Peace Plan of the President of Ukraine, P. Poroshenko, and the initiatives of the President of the Russian Federation, V. Putin (24 February 2015). Available at: [https://peacemaker.un.org/sites/peacemaker.un.org/files/UA\\_140905\\_MinskCeasfire\\_en.pdf](https://peacemaker.un.org/sites/peacemaker.un.org/files/UA_140905_MinskCeasfire_en.pdf), accessed 15 August 2018.

Verkhovna Rada, Law of Ukraine 1810-VIII on Amnesty in 2016 [in Ukrainian] (22 December 2016). Available at: <https://zakon.rada.gov.ua/laws/show/1810-viii>, accessed 15 August 2018.

---, Law of Ukraine No 2227-VIII on Amending the Criminal and Criminal Procedure Codes of Ukraine with a view to implementing the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence [in Ukrainian] (6 December 2017). Available at: <https://zakon.rada.gov.ua/laws/show/2227-viii/>, accessed 15 August 2018.

Trilateral Contact Group, Package of measures for the Implementation of the Minsk agreements (12 February 2015). Available at: [https://peacemaker.un.org/sites/peacemaker.un.org/files/UA\\_150212\\_MinskAgreement\\_en.pdf](https://peacemaker.un.org/sites/peacemaker.un.org/files/UA_150212_MinskAgreement_en.pdf), accessed 15 August 2018.

République Tunisienne, Loi organique No. 2017-58 du 11 août 2017, relative à l'élimination de la violence à l'égard des femmes. An official translation in French is available at: <http://www.legislation.tn/sites/default/files/news/tf2017581.pdf>, accessed 15 August 2018.

République Tunisienne Loi organique No. 2017-62 du 24 octobre 2017, relative à la réconciliation dans le domaine administratif. An official translation in French is available at: <http://www.legislation.tn/sites/default/files/fraction-journal-officiel/2017/2017E/085/Tf2017621.pdf>, accessed 9 August 2019.

United Nations General Assembly, Resolution adopted by the General Assembly on 17 December 2018, Problem of the militarization of the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine, as well as parts of the Black Sea and the Sea of Azov, A/RES/73/194. Available at: <https://undocs.org/en/A/RES/73/194>, accessed 5 August 2019.

***EU documents***

Commission Européenne & La Haute Représentante de l'Union Européenne pour les Affaires Étrangères et la Politique de Sécurité, Document de Travail Conjoint des Services : Mise en œuvre de la politique européenne de voisinage en Tunisie Progrès réalisés en 2013 et actions à mettre en œuvre, Bruxelles, le 27.3.2014 SWD(2014) 97 final.

---, Rapport sur l'état des relations UE-Tunisie dans le cadre de la Politique européenne de voisinage révisée Avril 2017, Bruxelles, le 26.4.2017 SWD(2017) 152 final

---, Document de Travail Conjoint des Services : Rapport sur l'état des relations UE-Tunisie dans le cadre de la Politique européenne de voisinage révisée Mars 2017 – Mars 2018, Bruxelles, le 30.4.2018 SWD(2018) 180 final.

Commission Européenne, Fiche action du Programme d'Appui au Développement des Zones Défavorisées pour la Tunisie (2011).

---, Annexe 4 de la décision d'exécution de la Commission approuvant le programme d'action annuel 2014 en faveur de la Tunisie, Document relatif à l'action "Programme de promotion de l'égalité homme-femme en Tunisie".

---, Décision d'exécution de la Commission du 28.9.2012 Approuvant le programme d'appui à la réforme de la justice en faveur de la Tunisie sous le programme SPRING à financer au titre du budget général de l'Union européenne, Bruxelles, le 28.9.2012 C(2012) 6858 final.

---, Annexe 2 de la décision d'exécution de la Commission approuvant le programme d'action annuel 2014 en faveur de la Tunisie: Document relatif à l'action « Programme d'Appui à la Réforme de la Justice 2 » (2014).

---, Document relatif à l'action "Programme de promotion de l'égalité homme-femme en Tunisie" (2014).

--- Annexe 2 de la décision d'exécution de la Commission relative au programme d'action annuel 2015 en faveur de la Tunisie partie I à financer sur le budget général de l'Union européenne, Document initial relatif à l'action pour le programme d'appui à la réforme et modernisation du secteur de la sécurité de la République Tunisienne (2015).

---, Cadre unique d'appui UE-Tunisie (2017-2020).

---, Décision d'exécution de la Commission du 17.11.2017 relative au programme d'action annuel 2017 partie I en faveur de la Tunisie à financer sur le budget général de l'Union, Bruxelles, le 17.11.2017 C(2017) 7759 final.

---, Décision d'exécution de la Commission du 29.11.2017 relative au programme d'action annuel 2017 partie 2 en faveur de la Tunisie à financer sur le budget général de l'Union, Bruxelles, le 29.11.2017 C(2017) 8046 final.

Council of the European Union, Comprehensive approach to the EU implementation of the United Nations Security Council Resolutions 1325 and 1820 on women, peace and security, Brussels, 1.12.2008, 15671/1/08.

---, EU Annual Report on Human Rights and Democracy in the World in 2012 (Thematic Reports). Available at: [https://eeas.europa.eu/sites/eeas/files/2012\\_human-rights-annual\\_report\\_thematic\\_en\\_0.pdf](https://eeas.europa.eu/sites/eeas/files/2012_human-rights-annual_report_thematic_en_0.pdf), accessed 20 July 2019. [the country reports are not available online].

---, EU Annual Report on Human Rights and Democracy in the World in 2013. Available at: [https://eeas.europa.eu/sites/eeas/files/2013\\_human-rights-annual\\_report\\_en.pdf](https://eeas.europa.eu/sites/eeas/files/2013_human-rights-annual_report_en.pdf), accessed 20 July 2019.

---, Council conclusions on Ukraine Foreign Affairs Council meeting Brussels, 12 May 2014.



----, Council Decision 2014/486/CFSP of 22 July 2014 on the European Union Advisory Mission for Civilian Security Sector Reform Ukraine (EUAM Ukraine).

----, EU restrictive measures in response to the crisis in Ukraine.

----, EU Annual Report on Human Rights and Democracy in the World in 2014, Available at: [https://eeas.europa.eu/sites/eeas/files/2014-human-rights-annual\\_report\\_en.pdf](https://eeas.europa.eu/sites/eeas/files/2014-human-rights-annual_report_en.pdf), accessed 20 July 2019.

----, EU Annual Report on Human Rights and Democracy in the World in 2015 - Country and Regional Issues, Available at: <http://data.consilium.europa.eu/doc/document/ST-12299-2016-INIT/en/pdf>, accessed 20 July 2019

----, EU's support to transitional justice – Council Conclusions, 13576/15, 16 November 2015.

----, Revised indicators. Comprehensive approach to the EU implementation of the United Nations Security Council Resolutions 1325 and 1820 on women, peace and security, 12525/16, 22 September 2016.

----, Annual Report on Human Rights and Democracy in the World in 2016. Available at: [https://eeas.europa.eu/sites/eeas/files/annual\\_report\\_on\\_human\\_rights\\_and\\_democracy\\_in\\_the\\_world\\_2016.pdf](https://eeas.europa.eu/sites/eeas/files/annual_report_on_human_rights_and_democracy_in_the_world_2016.pdf), accessed 20 July 2019.

----, Annual Report on Human Rights and Democracy in the World in 2017 - Country Updates on Human Rights and Democracy. Available at: [https://eeas.europa.eu/sites/eeas/files/compiled\\_country\\_updates\\_annual\\_report\\_on\\_human\\_rights\\_and\\_democracy\\_2017\\_clean\\_0.pdf](https://eeas.europa.eu/sites/eeas/files/compiled_country_updates_annual_report_on_human_rights_and_democracy_2017_clean_0.pdf), accessed 20 July 2019.

----, Annual Report on Human Rights and Democracy in the World in 2018 - Country Updates on Human Rights and Democracy. Available at: [https://eeas.europa.eu/sites/eeas/files/complete\\_eu\\_country\\_updates\\_on\\_human\\_rights\\_and\\_democracy\\_in\\_the\\_world\\_2018-29.05.pdf](https://eeas.europa.eu/sites/eeas/files/complete_eu_country_updates_on_human_rights_and_democracy_in_the_world_2018-29.05.pdf), accessed 20 July 2019.

----, Council conclusions on Women, Peace and Security, 15086/18, Brussels 10 December 2018.

Délégation de l'Union européenne en Tunisie, Rapport d'activité Edition (2017). Available at: [https://eeas.europa.eu/sites/eeas/files/rapport\\_activite\\_due\\_2017\\_fr\\_20062017.pdf](https://eeas.europa.eu/sites/eeas/files/rapport_activite_due_2017_fr_20062017.pdf). Accessed 18 July 2018.

European Commission, Annex 1 of the Commission Implementing Decision on the Special measure 2014 in favour of Ukraine Action Document for the State Building Contract for Ukraine (2014).

----, Annex 2 of the Commission Implementing Decision on the Special measure 2014 in favour of Ukraine Action Document for Ukraine Civil Society Support Programme (2014).

----, Annex 2 of the Commission Implementing Decision on the 2014 Annual Action Programme for the Instrument contributing to Stability and Peace (ISP) Conflict prevention, peace-building and crisis preparedness component (Article 4) - Action Document for "Gender and Transitional Justice" (2004).

----, Annex Instrument contributing to Stability and Peace Exceptional Assistance Measure "Support to conflict-affected populations in Ukraine" (2015).

----, Evaluation of EU Support to Gender Equality and Women's Empowerment in Partner Countries Final Report Volume 1: Main Report April 2015 (2015)

----, Annex 1 of the Commission Implementing Decision on the Special Measure III 2016 on Support to Rule of Law Reforms in Ukraine (PRAVO) (2016)

----, Support Group for Ukraine Activity Report: The first 18 months (2016).

----, Fact sheet: Relations between the EU and Tunisia (10 May 2017).

----, Annex Instrument contributing to Stability and Peace Interim Responses Programme on Ukraine – Further support to the OSCE Special Monitoring Mission in Ukraine (2017)

----, Commission Implementing Decision of 25.7.2018 on the Annual Action Programme 2018 (part 1) in favour of Ukraine to be financed from the general budget of the Union, Brussels, 25.7.2018 C(2018) 5022 final.

----, Annex 2 of the Commission Implementing Decision on the Annual Action Programme 2018 (part 1) in favour of Ukraine Action Document for Technical Cooperation Facility 2018.

----, Programming of the European Neighbourhood Instrument (ENI) - 2017-2020 - Single Support Framework for EU support to Ukraine (2018-2020).

----, Remarks by President Juncker at the joint press conference with President Tusk and Volodymyr Zelenskyy, President of Ukraine, following the EU-Ukraine Summit (8 July 2019). Available at: [https://ec.europa.eu/commission/presscorner/detail/en/speech\\_19\\_3909](https://ec.europa.eu/commission/presscorner/detail/en/speech_19_3909), accessed 3 August 2019.

European Commission and High Representative of the European Union for Foreign Affairs and Security Policy, Joint Communication to the European Council, the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: A Partnership for Democracy and Shared Prosperity with the Southern Mediterranean, Brussels, 8.3.2011 COM(2011) 200 final.

----, Joint Staff Working Document: Partnership for Democracy and Shared Prosperity: Report on activities in 2011 and Roadmap for future action - Accompanying the document Joint Communication to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions Delivering on a new European Neighbourhood Policy, Brussels, 15.5.2012 SWD(2012) 121 final: 6)

----, Joint Communication to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions - European Neighbourhood Policy: Working towards a Stronger Partnership, Brussels, 20.3.2013 JOIN(2013) 4 final.

----, Joint Staff Working Document: Implementation of the European Neighbourhood Policy in 2012 Regional Report: A Partnership for Democracy and Shared Prosperity with the Southern Mediterranean, Brussels, 20.3.2013 SWD(2013) 86 final.

----, Gender Equality and Women's Empowerment: Transforming the Lives of Girls and Women through EU External Relations 2016-2020, Brussels, 21.9.2015 SWD(2015) 182 final.

----, Joint Staff Working Document: Implementation of the European Neighbourhood Policy in Ukraine Progress in 2014 and recommendations for actions, Brussels, 25.3.2015 SWD(2015) 74 final.

----, Joint Communication to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: Review of the European Neighbourhood Policy, Brussels, 18.11.2015 JOIN(2015) 50 final.

----, Joint Communication to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: Report on the Implementation of the European Neighbourhood Policy Review, Brussels, 18.5.2017 JOIN(2017) 18 final.

---, Joint Staff Working Document: Association Implementation Report on Ukraine, Brussels, 14.11.2017 SWD(2017) 376 final.

----, Joint Communication to the European Parliament and the Council: A Strategic Approach to Resilience in the EU's external action, Brussels, 7.6.2017 JOIN(2017) 21 final.

European Court of Auditors, Special Report: EU Assistance to Tunisia (2017).

European External Action Service and European Commission, Cadre Unique d'Appui pour l'appui de l'UE à la Tunisie (2014-2015) (2014).

European External Action Service, Human rights and democracy in the world: Report on EU Action in 2011. Available at: [https://eeas.europa.eu/sites/eeas/files/2011\\_human-rights-annual\\_report\\_en.pdf](https://eeas.europa.eu/sites/eeas/files/2011_human-rights-annual_report_en.pdf), accessed 20 July 2019

European Union, European Security Strategy: A Secure Europe in a Better World (2003).

---, Shared Vision, Common Action: A Stronger Europe – A Global Strategy for the European Union's Foreign and Security Policy (2016).

---, The EU Guidelines on violence against women and girls and combatting all forms of discrimination against them.

---, Joint statement following the 20th EU-Ukraine Summit Brussels, 9 July 2018.

# APPENDICES

## *APPENDIX I: CODING MANUAL*

### **Coding manual: EU support for (transformative) gender justice in a neighbourhood in transition**

#### **GENERAL DESCRIPTIVE CODES**

These codes capture tendencies in the EU's approach towards gender justice in transition. Codes on EU engagement with gender justice in Tunisia and Ukraine specifically are aggregated under these codes.

#### **1. The EU's shifting approach to security**

This research is constructed around the idea that EU support for gender justice (in transition) is inextricably linked to broader developments in the field of EU foreign policy and particularly the EU's approach towards security. Therefore, it is necessary to capture 1) the extent to which the EU's approach towards security has evolved in the eyes of the interviewees, and 2) how this has influenced the EU's attachment to the promotion of 'European values' in third countries.

The aim is not to use these references to argue that there is a shift in EU foreign policy (as this has been already established in existing literature), but rather to use these statements as input for an analysis of the way these developments impact EU support for TJ and gender justice. This is necessary as when directly asked about support for gender justice in transition EU officials often do not make the link with broader developments in the field of EU foreign/security policy, as despite the EU's adherence to the WPS Agenda various interviewees did not display understanding that this means that gender is integral to all the EU's security efforts and therefore that broader developments in the field of EU security policy automatically impact the EU's engagement with the WPS Agenda as well.

The codes were initially based on interviews conducted in Brussels, but remarks by interviewees in Tunisia and Ukraine neatly fitted into these nodes

<b>Code</b>	<b>Description</b>	<b>Example</b>
1.1 Security is human security	This code contains references and remarks which imply that 'human security' or a value based approach is still at the heart of EU security policy.	So the vision was to really engage and to step up cooperation for us to help the first line of defence when it comes to the EU to tackle the threat with a very focused, with a very concrete focus on prevention, on youth, on women, and on human rights and rule of law responses, and comprehensive responses to a very complex threat

		<p>in a way. And with Tunisia with the added element of the foreign terrorist fighters' phenomenon, which in a way transformed into a returnees' problem now. Returnees meaning the returnees that went to Syria, Iraq to fight coming back to Tunisia.</p>
<p>1.1.1 Recognition CS security concerns</p>	<p>This code contains references and remarks which imply that concerns of local civil society organizations, including women's groups, constitute serious input for EU security policy. Recognition of the concerns of these local actors is a core characteristic of adherence to the human security ideal.</p>	<p>I1: And then what I also wanted to say, and I already said, is that we had, you know in the ENP Review this four key priorities, right, and one of them is security, because this is also related to your research. And so, then we wanted after the adoption of the Review, because we said we would do it, to consult the civil society on it. Actually we are consulting the civil society on all the issues, on all the topics of the ENP Review, be it specifically on a topic or on all the topics you know of the ENP Review. You know we have these civil society fora, regional fora that we organize. There is one for the South coming up in July, and there was a preparatory meeting for that in April in Tunis, and then specific topics are selected for those discussions, and then in the preparatory meeting for example for the forum in July, the preparatory meeting of April they selected security and migration for discussion for obvious reasons.</p>
<p>1.1.2 HR and RL are central to security</p>	<p>This code contains references and remarks which imply that values such as human rights and the rule of law are at the centre of EU security related interventions in third countries.</p>	<p>In response to the question how cooperation with third country governments that are not democratic might impact EU commitments to human</p>

		<p>rights and democracy, the interviewee emphasizes the central role of human rights and democracy in all of the EU's support for security related interventions in third countries. Security cooperation also doesn't come at the expense of other types of traditional EU cooperation with third countries. EU support for security related projects is not an obstacle to the EU's commitment to human rights and gender. To the contrary, as both commitments are always incorporated in the EU's security policies and programmes directed at third countries as this is a requirement.</p>
<p>1.2 Shift to hard security</p>	<p>This code contains references and remarks which imply that the EU is increasingly prioritizing hard security goals in its foreign policy, which has resulted in an increased willingness to rely on hard security measures, and less emphasis on the promotion of democracy and related values as a core dimension of EU security policy.</p> <p>Obvious examples of this shift include the EU's increased focus on CT measures in third countries, and its willingness to cooperate with repressive regimes. It also entails a readiness to look away when grave violations of EU values are taking place in third countries, when this is (seemingly) beneficial for EU (short term) security goals.</p>	<p>'The prioritization of the fight against terrorism has changed EU foreign policy in the sense that the question 'what does it bring to our own security?' has increasingly influenced or determined the EU's choices and efforts in the field of foreign policy. Money for development is now also being used to increase security. We are in the process of mainstreaming counter terrorism into activities which are already being carried out.'</p>
<p>1.2.1 Security experts increasingly dominating EU foreign policy</p>	<p>This code contains remarks or references that indicate that officials with security backgrounds are increasingly dominating EU foreign policy. This has been linked by some interviewees to the EU's approach towards TJ and gender.</p>	<p>'So I think that even within this you have some people who are really focused on conflict prevention, peace building, who are really trying to promote this from within, but then some people are coming at maybe from other divisions, counter terrorism from a very</p>

		<p>hard security approach. So obviously, they are going to potentially have to work together. Though sometimes I think that they don't push too much either, because you know terrorism would be considered, or kind of issues related to terrorism or violent extremism would be considered the remit of the counter terrorism division, so the PRISM people won't kind of approach it too much.'</p>
<p>1.2.2 Less recognition local CS security concerns</p>	<p>This code contains remarks and references which imply that the EU has paid less attention to the security concerns of local and to a certain extent international CS organizations. This is reflected in reduced support for grassroots organizations who work on peacebuilding and community security, and increased bureaucratic pressure on CS organizations in the name of security.</p> <p>The importance of the recognition of grassroots organizations in security effort is a the core of the WPS agenda, and the fact that the EU seems to be engaged in a move into the other direction implies that the EU's shift to hard security is coming at the expense of its commitment to the WPS Agenda.</p>	<p>I: Well don't get me started on that, because I would have a lot to say about that from a personal perspective. In the last dialogue that we had on women's participation in the peace processes in Ukraine this was something that was brought up a lot. The programming tends to focus on a specific view of what the relations between men and women are in Ukraine, and that they are not taking into account the voices of women themselves there.</p> <p>E: The EU?</p> <p>I: It was not, it was a dialogue between civil society and the EU, and OSCE. So I can assume this was also targeted at the EU. It was targeted at donors in general, but basically the programming was made in such a way that it is not looking at the priorities, the actual priorities of activists, and women on the ground, women's groups including, and referring also to a saviour kind of complex, and a disconnect. So they saw</p>

		<p>that trend. Some of the participants there were saying that this was not useful, as they have to answer these constant proposals in a way that, is, is not you know connected to reality and to their needs. There is quite a few things on having a gender lens, a recommendation that came over and over again, please adopt a gender lens when you do programming, when you do analysis, and do not just look at numbers of women, look at the, you know, more in detail. Yeah.</p>
<p>1.2.3 EU cooperation with repressive governments</p>	<p>This code contains remarks or references which indicate that the EU is increasingly willing to cooperate with repressive governments for the sake of (short term) security goals. For many interviewees this seemed to be one of the clearest indicators of the EU's prioritization of hard security goals. Moreover, such a shift was considered to be particularly detrimental for the promotion of TJ goals.</p>	<p>I: And this is the case for example with Egypt where they are reinforcing their partnership with Egypt, because it seen as such an important partner to respond to migration and terrorism, whereas basically what Egypt is doing is, well basically it is murdering its citizens and arresting its people. It is not respecting human rights including of women – especially - but it is also driving the problems. Like when you are doing these kind of things, you are clearly part of the problem, and that is kind of what we are trying to do in the context of our work on counter terrorism approaches. It is to say basically you are reinforcing those institutions that are causing a lot of these problems. And it is not only because of terrorism that we shouldn't be working with them, it is also because they are not respecting the human rights of their citizens and people who on their territory. And the EU</p>



		should not be kind of providing a green light to this kind of behaviour by providing them with legitimacy through this engagement.
1.2.4 Rebranding development money for security purposes	Remarks or references which imply that the EU has rebranded budgets that were previously destined to support development or value oriented policies as financial sources to support security efforts. Both EU as well as non-EU interviewees referred to this tendency, and this is something that can be triangulated through a control of EU budgets.	E: And in my interviews with some women's organizations they expressed the concern, what you mentioned, that the funding for CVE has exploded and that it is also diminishing funding for for example other types of civil society engagement.  I: Yes, that is true.
1.3 Contradicting messages	<p>This code contains remarks and references which reflect the EU's use of contradicting messages when it comes to its approach towards security, and the role which HR and RL commitments play in this policy. As (EU) interviewees did not (often) explicitly refer to this type of behaviour themselves, it was deduced from the use of contradictory statements from EU interviewees during the conversations I had with them, and also from remarks by NGO representatives who actually did mention this tendency on behalf of the EU.</p> <p>This observation is important input for the instrumentalization theme. As it seems that the EU is not really instrumentalizing either women as individuals but rather it is instrumentalizing (women's) rights language to cover up the shift to hard security the EU policy has made. This is slightly different from the observation in feminist literature that international actors use the women's rights agenda to justify security interventions, as the EU does not use the women's rights argument to say it should make certain interventions, but rather uses (women's) rights language to make interventions seem acceptable.</p>	<p>I1: But we have concluded the discussions with Egypt, and human rights and all this is included in the partnership priorities.</p> <p>I2: So there are elements within the partnership priorities that refer to human rights, the importance of civil society. Now those were very long protracted discussions, but the fact is that they are in there, and they are there, because we both agreed that they should be there, including the Egyptians agreeing that they should be there. Now, whether it comes out in a form, whether you as an individual will feel when they finally publish, and you can read them, that is the perfect expression of human rights, is another. I'm not thinking it isn't, but that is not, there will be all sorts of interpretations. I am sure there will be a lot of interest, but that gives us something to work from. That is a public, political commitment between the EU and Egypt that includes references to human rights, and that is</p>

		<p>our starting point. You know there is a recognition there that other elements of the relationship that might be, you know, where it might be easier to advance on the economy for example, it is an easier relationship, but we have something in writing with Egypt that says, you know we will cooperate in this area, and we will move forward.</p>
<p>1.3.1 Gap between HQ and ground</p>	<p>This code contains references and remarks which indicate that the language used by EU policy makers in Brussels does not really resonate on the ground.</p>	<p>I: In fact, frankly speaking I don't know exactly what was said in Brussels, but, I totally understand the concept of the mainstreaming of gender. The point is that I think, that sometimes even if it comes from the UN Resolutions, and you want to support these UN Resolutions now, the main difficulty as far as I know, is at the time you have to, and it is not so easy. You have to transform the kind of theoretical idea in concrete results.</p> <p>E: The theoretical idea you mean is gender?</p> <p>I: Yeah, because it is... I notice, honestly, honestly, that in the field here, even inside the different Member States you do not have exactly the same point of view about what could be done in terms of gender into. I mean for the security and armed forces, because for instance northern countries of the EU are perhaps more advanced in terms of gender approach than other countries. It is not, even if everybody shares the same general idea, we do not have the same</p>

		<p>approach inside our own military forces, inside our military security forces etc., and just because someone has to tell you, one story was an eye opener to me, in a meeting with Libyan security forces and armed forces, a meeting between - to say quite generally – people from the international community on one side, and people from intelligence and armed forces on the Libyan side. One person from an international organization - to not be so accurate...</p>
1.3.2 Words and no deeds	<p>This node contains remarks or references that indicate that the EU's rhetoric on (women's) rights and TJ is often not translated in concrete action. This is for example reflected in the limited impact of EU human rights dialogues and the EU's reluctance to use its leverage/conditionality to push partner countries to live up to their commitments in the field of TJ and women's rights.</p>	<p>I2: Maybe I could make the more general point that the EU is most comfortable intervening on core issues. So when we talk about energy policy, energy security for example, or competition law, or transport, or border management. Then there is a huge number of experts, there is an EU acquis, and there is money. We know what we want, we know how to do it, and we know how to put pressure to get it done. When we talk about issues such as doing gender, or promoting a little bit more promotion of gender equality in Ukraine, or how to deal with issues of historical memory, how does Ukraine see its past, how does it define its identity, how does it deal with language, very hotly debated issues in Ukraine, then we see that there is a problem, but it is much harder for the EU to react. Because sometimes either there is no EU competence, like the EU doesn't haven't</p>

		<p>any rules or competencies on how to deal with historical memory for example. If Ukraine outlaws the communist party, the swastika, the hammer and the sickle, the ... of St. George, we don't know what EU law says about it. So the EU then has to turn to OSCE or Council of Europe and ask them for an opinion, and push that opinion politically, but it is a very different logic from this is what is what we want on the energy market and electricity, and now we are going to push that, because you already have a template.</p>
<p>1.3.3 Using HR to obscure</p>	<p>This code contains remarks and references which allude to the EU's tendency to use HR language to obscure certain security tendencies which are not in line with EU values.</p> <p>These can be direct remarks by NGO representatives, but also contradictory statements by EU officials. In this regard I remarked during the coding:</p> <p>'In the methodology chapter I already alluded to the fact that EU officials can be skilful in using rhetoric to obscure real interests/intentions. This I now recognized as a category in the data analysis. Sometimes I even catch myself not understanding certain statements, because they seem to be so contradictory.'</p>	<p>I2: I think it is just a new buzzword. And there is the question of how long, I think that it sounds better, while actually what they are planning is not that great, and it leaves a lot of room for many governments also outside the EU to talk about national security resilience. And sort of this, that is ... me. So yeah, not a big fan, and I am not sure about the military part either I must say. Because that is also changing a bit the focus of the EU</p>

## 2. EU approach to transitional justice

This parent code contains references of interviewees from all three case study sites to the EU's approach towards transitional justice. This includes references to the process that resulted in the EU's Policy Framework on Support to Transitional justice, the EU's actual activities in the field, and the obstacles which hampered the adoption of the Framework and which continue to hamper the EU's activities in the field as identified by the interviewees. As I aimed to put all references to the EU's approach towards and support for gender justice under one node, references to the gendered dimensions of the EU's support to TJ are not included under this node. As the core aim of this node is

to collect and categorize the views of the interviewees, without adding my own interpretation of these views, the technique I used for coding was ‘descriptive coding’, Descriptive coding ‘summarizes in a word or short phrase – most often as a noun – the basic topic of a passage of qualitative data’.<sup>893</sup> According to Tesch these codes ‘are identifications of the topic, not abbreviations of the content. The topic is what is talked or written about. The content is the substance of the message’. Descriptive codes were used to indicate 1) what aspect over EU support for TJ the interviewee was talking about, and 2) what the interviewee considered to be obstacles to this effort.

Code	Description	Example
2.1 Creation EU TJ strategy	This code contains all references to the process that resulted in the creation of the EU’s Framework on Support to TJ. It’s core function to be used as a source of reference for a description of the EU’s creation of the TJ strategy. This information is not available in the literature.	‘I: To be honest I don’t know. The idea maybe started back in 2005/2006. I don’t think there ever really was a draft, maybe there was, I never saw such a thing. I think the main impetus was, we had an action plan on human rights and democracy from 2012-2014, and that included a commitment to develop this transitional justice policy. I joined the EEAS in July 2014, and at that stage there had been a kind of wide consultation with civil society. I think there had been an initial, a discussion actually back in this COHOM in an informal setting on kind of whether there was support for such a policy framework. See when I joined in July 2014 I kind of started the proper drafting process. There had been a concept note I think for this, it was organized with I think EPLO and some others.’
2.1.1 Role individuals	This code contains the references the interviewees made to the role of individuals in the creation of the EU’s Framework. This was a recurring theme when interviewees discussed the coming into existence of the Framework. These codes refer both to the positive as well as negative impact individuals had in this process.	‘And then through the years, and also through our advocacy work we got to a turning point with the adoption of the action plan. I think it was in 2012. If I am not mistaken. And you know as in any other, or most of the policy developments, I think it

		<p>was also a coincidence of several elements. The COHOM chair at the time was an expert actually on transitional justice, and was a person with also a keen interest in the field, and his assistant [name assistant], who by the way is back in Brussels, so you might want to interview him. He is now policy officer with [name third organization]. So he is not dealing with transitional justice at the moment, but you know, he was actually right in the heart of the decision making process back then.'</p>
<p>2.2 Impact EU strategy</p>	<p>This code contains all references to the way the adoption of the Framework has impacted EU activities in the field of transitional justice or EU foreign policy generally speaking. The note does not contain references which discuss the success of the strategy or attach value judgements to EU support to TJ, but rather contains interviewees' perceptions of the ways in which the strategy has (or hasn't) changed behaviour and activities.</p>	<p>E: So, then 1,5 year ago. What has been the impact, and also importantly, how do colleagues for example in the regional desks respond to it?</p> <p>I: Yeah I think the challenge always is to keep it known and relevant. I mean we have a huge turn-over of staff here. There is mobility every three to four years, and there is a lot more turn-over even with that. So it is really trying to constantly have trainings, ensure that one is kind of aware of this. I mean I send, and I cannot sort of overburden either, but I would send the heads of political sections and the human rights focal points in our delegations every six months a reminder of the existence of the policy framework. They are reminded that I am here, if they need help in terms of transitional justice thematic support. We organize trainings. So there has been one this year, there will be</p>

		<p>another one in October on transitional justice, but also on justice issues more broadly. So I think that is the main challenge. I think the awareness is quite good, but it could be better. I mean I am still meeting people who don't know about this policy in countries that you would expect, you know, should know about it. And so that's a little bit the challenge.</p>
2.3 Resources EU TJ support	<p>This code contains references to the EU's resources for transitional justice support, and serves mostly as a source of practical information, which is not available in the literature or easily accessible via the EU's websites.</p>	<p>And on the Facility actually, now there are few financial instruments supporting transitional justice projects. One is the EIDHR, the European Instrument for Democracy and Human Rights, it is a thematic program. Another is the Instrument Contributing to Stability and Peace (ICSP), another thematic instrument and as part of the ICSP there will be, and I don't know if they will call it a facility, but there will be a specific programme supporting justice in conflict, so it will not be transitional justice, it will be justice in conflict. You might wish to discuss with someone from the FPI Unit, because they are discussing the new facility now. I mean these months. So you might wish to contact [name EU official in FPI Unit] who is in charge of the, or [name EU official in FPI Unit] actually, he is the head of division, and he might be here willing to meet you, or to address you to one of his colleagues.</p>
2.4 Obstacles EU support to TJ	<p>This node contains references to various issues which interviewees consider to be the biggest obstacles to (successful) EU</p>	

	support for TJ. These are descriptive, but they serve as inspiration for more thematic nodes, which interpret the occurrence of these obstacles within the larger EU foreign policy context.	
2.4.1 Lack of support NGO community	This node contains two child nodes that refer to a lack of support of the NGO community (in Brussels) for TJ as a core obstacle to the creation and implementation of the TJ strategy.	
2.4.1.1 Hostile NGO community Brussels	<p>This node contains references which point at a hostile NGO community as a major obstacle to the adoption of an EU framework on support for TJ. Various interviewees have pointed out that peacebuilding and (particularly) human rights NGOs which are active in Brussels displayed a hostile attitude towards the idea of transitional justice, and that this hampered the creation of the TJ strategy, and impacted the EU's conceptualization of TJ.</p> <p>I am not yet sure how this point will inform my broader theoretical framework, but it seems important to note this point, as it indicates that it is not only unwillingness on the EU's behalf which hampers effective EU TJ support. It could indicate that some NGOs consider TJ as a concept to susceptible to political engineering and a distraction from the EU's commitment to 'core issues' such as ICJ and the defence of civil and political rights.</p>	I: I think it was trying to accommodate very, very diverse views. So, I think in principle people support the idea of transitional justice, but it is then when this is translated into kind of the concrete blocks there are challenges. The idea, the NGO, the kind of NGO community here, I had a lot of difficulties with this issues were they felt that by having a policy on transitional justice we were diluting our support to the ICC. So it was quite a challenge trying to bring them along with the process.
2.4.1.2 Low priority for civil society	This node contains references which indicate that while civil society might not necessarily be hostile against TJ, it is also not a priority.	<p>E: Okay, are you familiar with the Transitional Justice Strategy the EU published in 2015?</p> <p>I1 &amp; I2: No I2: No, we should, but we are not.</p>
2.4.2 Low priority EU	This node contains references which indicate that TJ is not a high priority for the European Union, which obviously impedes its support for the topic. The fact that interviewees think that TJ is a low priority can be used to construct more analytical explanations for the EU's approach towards TJ. I.e. if TJ is a low	We had also joint initiatives with UNDP, with NGOs here to try to discuss the basic of transitional justice, but it is true that it brings to the second question 'is it a priority?', I mean 'does the EU consider transitional justice a priority in the Tunisian



	<p>priority the EU might put it aside when other issues occur.</p>	<p>context?'. Yes, but at the time the needs to reform the whole judiciary and independent, I mean streamline the independence of justice was somehow even more priority than the work on transitional justice.</p>
2.4.2.1 Lack of human & financial resources	<p>This code contains references which indicate that a lack of human and financial resources is a key obstacle to the EU's support for TJ. This exemplifies the fact that TJ is not a high priority for the EU.</p> <p>These codes refer specifically to the lack of FTEs which are specifically dedicated to working on TJ, and financial resources specifically attributed to support for TJ projects.</p>	<p>I: The other challenge is resource issues, I mean I listed my responsibilities, I mean you should have really someone fulltime working on transitional justice.</p> <p>E: Yes, I was already wondering, because it sounded like a pretty heavy workload.</p> <p>I: You know, it should be a fulltime job for someone, and the resources are not dedicated to it. So I don't think that has changed necessarily.</p>
2.4.3 Ambiguity concept	<p>This node contains references which refer to the ambiguity of the concept as one of the reasons underlying some of the other obstacles. This is to say that due to its nature transitional justice does not fit in many of the existing structures in EU institutions and civil society. This is a reason for the lack of expertise on the topic and as a result the hostility against the concept.</p>	<p>The section working on conflict prevention and peace building was not fully on board at the start, as to them the concept transitional justice was not completely clear.</p>
2.4.3.1 Lack of expertise	<p>This code contains references which indicate that a lack of expertise on TJ amongst EU officials generally speaking is a huge obstacle to successful implementation of the policy, because when people are not aware of the strategy or the nature of the topic they will not implement it. Lack of expertise seems to be related to the ambiguity of the concept.</p>	<p>I: Well, everywhere in the world there is a section, and then, if it is applicable. So obviously, in countries, I mean you see some strange things where countries where there is no question of transitional justice, and then they give an analysis. So, that also kind of shows a lack, you know again, that is also a sign to me, that again training needs to improve,</p>

2.4.3.2 Internal resistance	This node contains references which indicate that hostility of certain EU officials or certain departments (notably DEVCO) against the concept was a key obstacle to adoption of the strategy and its implementation. Hostility can be a consequence of lack of expertise, but also be incited by other factors such as the idea that it will increase workload.	there was also resistance internally coming from DEVCO. You know the cooperation and development directorate. They were not keen on having a policy document on transitional justice to start with, because they thought the EU was already doing much in the field. That they didn't need another policy document. That it would have been another constraint on the staff in Brussels and in Delegations. They were, I think well, they were quite hostile actually to the entire process. And this also was one reason to delay the process, because at the beginning they were considering to publish a communication, which requires, you might know, a quite complex decision making process within the EU, and it does require the consensus, the agreement by all the actors, and it is also a much more powerful document than a staff working document. This wasn't possible, because of the resistance by DEVCO. You will see in other interviews, if my assessment, my analysis would be corroborated by others, but I believe one of the reasons why we didn't end up with a communication, it is because DEVCO was not supporting it.
2.4.3.3 Conflation with other types of support	This node contains references which indicate that the fact that TJ is often conflated with other types of support and most notably rule of law and justice reform is one of the major obstacles to implementation of the TJ strategy, as officials responsible for TJ think they are	E: Okay, that is fine. So, with regard to the whole idea that transitional justice is a part of general rule of law reform, I heard some criticism on EU approaches to transitional justice which kind of put it on one pile with rule of law reform.

	<p>doing TJ while they are actually doing something else.</p> <p>This node is important in constructing the de-politicization argument, as the type of support the EU is providing under the denominator of TJ is often much less controversial than what actual TJ support would be.</p> <p>Conflation with other types of support is partly a result of the lack of expertise on TJ.</p>	<p>Do you actively work on that to raise awareness that it is not synonymous, and that you can combine it, but that it takes more than just technical...</p> <p>I: Yeah, no this is definitely a problem. I mean even with DEVCO who would lead a lot on justice related issues, there is a tendency to throw everything into the one pot. So I have worked a lot with them to try to instil some kind of concrete analysis of what projects relate to transitional... I mean sometimes it is a case that they are transitional justice, but they are not called transitional justice, you know it could be reconciliation issues, you know which is totally fine, not everything needs to be labelled transitional justice, but at the same time we need to be clear what is this, and when it is a priority in our strategies, it needs to be translated in programming and development work on this specific issue, and having a huge project where we are funding reform of the justice sector, that is not, you know sometimes... I saw at the beginning certainly a trend to tell me that in certain countries, yes this justice sector reform is transitional justice. So yeah, but then again, it is a work in progress. There has been a turnover again of a number of staff in DEVCO on this.</p>
2.4.4 Lack of cooperation target countries	This node contains references which indicate that a lack of willingness on behalf	I mean what I would say again caveating everything is, and this is why it is called support

	<p>of the EU's partner countries to invest in TJ is a key obstacle to EU TJ support.</p> <p>This is important input for arguments about EU neo-colonial attitudes</p>	<p>to transitional justice, it is a support, we are not doing transitional justice or, I mean it has to be, for transitional justice to be successful there has to be a desire on the part of the government, a desire on the part of civil society. So there is only so much pressure you can put, like illegitimate transitional justice processes are those that have no government buy in, like look at Kosovo and this failed working party on transitional justice. I mean we funded so much of money pumped into this, expertise so on, and it ended in nothing. So I think we also, I mean, I think were we can have the most impact is where a country genuinely, and the government wants to act on transitional justice. And we shouldn't be really in my view be forcing it too much. I think we can support civil society in the country in trying to change public opinion, in trying to push the government a bit. But yeah I would sometimes be a little bit reluctant when people say that, yeah we can have clear criteria about you know dealing with the past, about reconciliation, but we shouldn't be dictating how that is going to be transformed into concrete transitional justice initiatives.</p>
2.5 EU and transformative justice	<p>This note contains references to EU support for transformative justice. This includes direct references to the word transformative justice as well as references to types of TJ support which are generally considered to be transformative such as those focused on reparations, institutional reform and socio-economic rights.</p>	<p>E: So if you look at developments in the academic community focussing on transitional justice, there is a lot of emphasis on transformative justice and the importance of socio-economic rights. I don't think this is</p>

		<p>strongly presented in the European strategy.</p> <p>I: Right.</p> <p>E: Were there any attempts to have stronger language in that regard. I: Yeah, I think there was, I mean I think the issue is, we see it for example with the ICTJ which is the lead NGO, I mean they are even trying to move their approach a little bit away from this kind of four pillars, and yeah bring in this kind of more transformative approach. I don't think it is really the role of the EU to be the kind of novelty setter on this. And I think the decision had to be taken, I mean the Special Rapporteur is starting to kind of explore these issues in the reports, but I don't think, kind of the discussions were developed far enough to have. I mean certainly there were suggestions from NGOs. There were ideas kind of a little bit more evolved in the draft, but this is a bit of a criticism about all our work on human rights issues, that we prioritize more of the civil political rights over the socio-cultural rights. And yeah it's a tricky one, particularly anything to do with, I mean obviously, I mean in terms of transitional justice we found so much work on this, but I suppose the concern a little bit also around when we were bringing in this whole idea about the socio-economic rights, the need to move more in this direction, people were a little bit fearful what this would mean in terms of our</p>
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<p>2.6 TJ in context CSDP</p>	<p>This node contains references to the role TJ plays in the EU's broader foreign policy.</p> <p>This node aims to capture references to the idea that EU support to TJ is integral to the EU's foreign policy and that as a result developments in the EU's attitude to third countries impact the way it approaches support for TJ.</p> <p>This node does not capture exactly how these broader security developments impact TJ support, but they will feed in to thematic nodes about the EU's approach towards TJ.</p>	<p>E: And then if you look at, so there is a transitional justice strategy, but there, well documents have been published to which transitional justice could be relevant. Well it wasn't in the Global Strategy, but that of course is a really big one, but I just went through the resilience communication and it isn't there. I think something is mentioned in relation to justice, but not transitional justice. Is that a problem, or how does this? I: Yeah I mean, again with these, I mean with the Global Strategy, I don't think I ever expected you would have transitional justice, I mean it is still very much in line with the principles, and it is not that it is not at all compatible with it. I mean again we have so many policies and documents on everything under the sun here, that you know would fall asleep if you would turn the Global Strategy into links to every single policy we have. So, you know that was not the aim of it. On the resilience communication, yeah again there were suggestions to put transitional justice into the document, again in editing and when you are having comments from hundreds of people it</p>

		didn't make the final cut. I don't know. In my view it should have been in there.
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### 3. EU support for gender justice (in transition)

The topic of this thesis is EU support to gender justice in transition with a specific focus on the gendered dimension of EU transitional justice support. However, it proved to be very difficult to discuss these topics in one breath with the majority of interviewees. There are two reasons for this: 1) The EU's efforts in the field of transitional justice have not been profoundly gender mainstreamed; 2) the concept of gendered transitional justice or gender justice in transition as promoted in feminist literature has become complex to such an extent that many instances which are considered as gendered 'transitional justice' in the literature would not be recognized as such by interviewees. As a result of these factors I made a separate category for EU support for gender justice which contains 'EU support for gendered transitional justice' as one of its sub categories.

This code is essential in understanding what types of gender justice in transition the EU does and does not support. It contains both generic remarks about EU support to gender justice in transition as well as Tunisia and Ukraine specific remarks. The child codes have been designed based on remarks by the interviewees rather than according to some existing structure in order to identify the activities and concerns dominating EU support for gender justice. Doing so made that I discovered that some issues which figure prominently in the literature do not seem to be on the EU's agenda/radar at all.

The information stored under this code is essential input for thematic codes which discuss the EU's support for (certain types of) gender justice in transition within the context of broader EU foreign policy tendencies.

Code	Description	Example
3.1 EU & gender mainstreaming	This code contains remarks or references to EU efforts to gender mainstream its own activities. This concerns EU activities generally speaking (there's a separate node on EU support for WPS, which is gender mainstreaming security related efforts) While this is not a type of direct support to gender justice gender mainstreaming is one of the EU's main tools to advance women's rights and gender equality in	E: Maybe more concrete, when you make a policy do you actually start at the first stage thinking about how does this affect men and women differently or is it most of the time we draft a policy and then a gender expert looks at it and makes an extra gender paragraph?  I1: Well I haven't been working on this for years, but as far as my experience goes for a couple of months actually, because I haven't been working on this before, it is rather the second option. So people who are working on specific sectors draft the policy, or the action document, the intervention, and then it is consulted with colleagues, or with the colleagues here, colleagues in the

	<p>third countries (in transition). This raises questions about the EU's actual (financial) commitments in this field, to which the answers can be very instructive for this research. This code therefore contains information about the practicalities of EU gender mainstreaming such as the policy framework guiding the EU's gender mainstreaming efforts, the financial and human resources reserved for this exercise, and the way gender mainstreaming is implemented in practice.</p>	<p>Commission, and then they have the possibility to comment, and to bring in dimensions like gender, or environment, or like all kinds of cross-cutting issues.</p>
3.1.1 General remarks gender mainstreaming		
3.1.1.1 GAP 2016-2020	<p>This code contains references to and views on the GAP 2016-2020 by EU officials and NGO representatives. The GAP is the framework guiding the EU's gender mainstreaming efforts. References to GAP by EU officials indicate awareness of the obligation to gender mainstream. However, references to GAP without reflection on the way GAP has impacted the interviewee's activities implies a commitment to gender mainstreaming that does not reach below surface level.</p>	<p>I1: Yeah, first of all we have a formal dimension to this, because we have an EU Gender Action Plan for 2016-2020, which also applies to neighbourhood countries. So we have certain thematic priority areas which are quite broad, and which involve physical integrity, psychological integrity, economic and social rights, and political participation. It is actually the whole range. Yeah so we are supposed to implement this action plan into our work, which means that in our, all new programmes that we are designing we have to think about the gender dimension, to think how, well first of all the problem that we tackle differently affects men and women, and how we want to respond to this, and how we can design our programmes in a way that they also respond to the specific, well the specific gender dimension of a certain reform area.</p>
3.1.1.2 Resources for gender mainstreaming	<p>This code contains references to financial and human resources</p>	<p>I: And then they don't have budget. So you have a really good action plan, a lot of initiatives, activities, but you cannot</p>



	that the EU has allocated for gender mainstreaming. These are important indicators of the EU's actual commitment to gender mainstreaming and can be triangulated as well.	implement it. So, I think that it is also the, a question that really some people, they don't perceive, and they are just still a little bit like the patriarchy, patriarchal ideas. They don't really perceive, I mean the importance of it really, and how you will...
3.1.1.3 Commitment leadership and mentality change.	This code contains references or remarks concerning the (importance of) commitment of EU leadership to gender mainstreaming in order to create a change of mentality amongst individuals. This has been identified as a key condition for successful gender mainstreaming.	The main thing is that gender is not only the gender person in charge of implementing a GAP. No, it is an institutional thing. You have to take it as that, because obviously one person cannot mainstream gender. That is impossible. You know, make sure that, you know, that will be the person that is designing, that is implementing, that is monitoring, he will look at specific issues on gender. But that for many people I mean they don't see it. They really, you know I had colleagues that they ask you 'but is it true that women are in a worse position than men, but that is really true?'. Because they have maybe... Firstly, because they maybe only see, I mean the situation of women that they have around, and they perceive maybe, but it even the wrong perception, because we have the main, maybe less issues than developing countries, less but we have the same, we share the same. I mean here in you know the access to highest positions and all that, I mean getting lower salaries etc.,
3.1.1.5 'Add and stir' mainstreaming	This code contains references which imply that most of the EU's efforts to gender mainstream policies continue to adhere to the 'add and stir' formula, which means that gender is grafted on to existing policies in a final stage of the policy making process.	E: Maybe more concrete, when you make a policy do you actually start at the first stage thinking about how does this affect men and women differently or is it most of the time we draft a policy and then a gender expert looks at it and makes an extra gender paragraph?  I1: Well I haven't been working on this for years, but as far as my experience goes for a couple of months actually, because I haven't been working on this before, it is rather the second option. So people who are working on specific sectors draft the policy, or the action document, the intervention, and then it is consulted with colleagues, or with the colleagues here, colleagues in the

		Commission, and then they have the possibility to comment, and to bring in dimensions like gender, or environment, or like all kinds of cross-cutting issues.
3.1.2 EU gender mainstreaming TJ	This code contains remarks to the EU's efforts to gender mainstream its efforts in the field of transitional justice	I: Honestly I think it was a tick-of-the-box exercise meaning that there is nothing specific in the transitional justice policy. Again, I think it was also because there was no expertise in house to go deeper. On the other hand, I believe that the EU is quite strong on its gender policy. You know there have been documents, there is a new GAP, so there are guidelines, it's, they now have clear criteria about selecting proposals. So both at policy and implementation level the EU is taking a strong stand on gender policy, and I believe that this is reflecting on the TJ. It is still too early, too premature to see any independent, or innovative developments within the transitional justice framework. So I believe that, because the EU has a strong gender policy, that you will also find actions in the field of transitional justice, or attention and focus in the discourse and in the policy on transitional justice.
3.1.3 EU gender mainstreaming security/EU support for WPS Agenda	This code contains references and remarks which allude to the EU's efforts to gender mainstream its efforts in the field of security and its commitment to the WPS agenda. As EU support for WPS	E: Do you think the EU actually wants to put a lot of money, people, resources, and time generally in this issue?  I: I think that it becomes more and more important, because as you know special – I don't know exactly what is the term?  E: Principal advisor on gender?  I: Yeah, there is a principal advisor. It is quite new, it was last year, and in any, in any EU Delegation one person is in charge of gender. Here it is the head of the political section for instance. E: [name head of political section]?
3.1.3.1 EU support for gender mainstreaming community security efforts	This code contains references to EU efforts to gender mainstream security activities at the community security level. This includes the	So that UN resolution on that - that was of course very much supported by my country as well, by Spain, I mean as a footnote – also I think links to security and counter terrorism in the sense that, like Minusma for example in Mali.

	incorporation of women and women's groups in efforts to prevent violence from interrupting and in peacebuilding efforts.	Minusma is tackling terrorism, so the gender lens in what Minusma is doing is very important to really succeed on security and counter terrorism when it comes to the future of Mali. So there there is a real link I see, but from a strictly counter terrorism perspective we look at gender mainstreaming as one of the elements of PVE/CVE as we look at youth also as a key element.
3.1.3.2 EU support for gender mainstreaming SSR	This code contains references to EU efforts to gender mainstream support for 'hard' security reform in third countries. This concerns support for the incorporation of women in security agencies, but also for the introduction of a gender perspective in the activities of these security agencies.	It is not, even if everybody shares the same general idea, we do not have the same approach inside our own military forces, inside our military security forces etc., and just because someone has to tell you, one story was an eye opener to me, in a meeting with Libyan security forces and armed forces, a meeting between - to say quite generally - people from the international community on one side, and people from intelligence and armed forces on the Libyan side. One person from an international organization - to not be so accurate...  [phone]  I: This person was in charge to explain to the Libyans that they should enhance the gender approach in the stream, and the Libyan, the chief of the Libyan side said 'okay this time guys we are twenty on this room, ten from Libya, ten from the international community'.
3.2. Targeted support gender equality	Besides gender mainstreaming the EU also provides targeted support to women's rights and gender equality in third countries this node contains references or remarks which allude to (the importance of) this type of support.	Then on the second pillar of that project; we launched a call for proposals last year, for a budget of 2.8 million euro (as part of the 7 million programme mentioned above) and we have five new projects on...  E: For civil society?  I1: Yeah, on economic and political participation of women. So we are going to have two economic projects. One with TAMSS.
3.2.1 EU efforts to combat violence against women	This code contains references to EU	E : Et qu'est-ce qu'était le rôle de l'UE pour changer la perspective de ministère et CREDIF ?

	support directly targeted at combatting violence against women in third countries.	I : En fait je n'ai pas grande idée honnêtement, je ne peux pas dire ..., mais lors de plaider de la Délégation de l'UE était avec nous. Ils ont vraiment pousse pour meilleure loi, une meilleure loi pour que ça passe, pour que ça soit l'auteur des atteintes et de nos atteintes aussi, mais ils n'ont pas empêché du tout l'amélioration et l'adoption de la loi au contraire, ils ont vraiment appuyé ce processus. Voilà, mais la coalition on a reçu de financement à la fin de la part de l'UNFPA aussi, un petit montant pour assurer notre suivi et notre plaider pour la loi intégrale.
3.2.1.1 EU support for adoption and implementation GBV legislation	This code contains references to EU activities focused on the adoption of legislation to criminalized GBV. This entails support for local and international feminist advocacy.	So there are many, you know, different areas of working. The main one is about the GBV law and advocacy work and also the revision of discriminatory dispositions regarding women.
3.2.1.2 EU support for service provision victims GBV	This code contains references to EU activities focused on the provision of services to victims of GBV.	E: No, but I also think that the concept of, I mean I like the concept of gender mainstreaming, but I think that for this type of actors like the EU, let's say who are not completely 'woke' it is sometimes better to make sure to do gender specific support like for example supporting Istanbul Convention or supporting advocacy on that, or putting political pressure.  I: I agree with that, but I don't think they are going to do it. I mean their gender mainstreaming is really very formal and weak, and their attention to gender based violence, and gender based discrimination is you know like very specific on you know health's rights, and international support to specific victims, which is very good, but not enough.
3.2.1.3 EU support accountability for conflict related SGBV	This code contains references to the EU's commitment to and support for the pursuance of accountability for victims	E: Do you think this is on the EU's agenda at all? Combatting sexual and gender based violence are priorities of EU external action in the field of women's rights and gender equality.

	of SGBV. (This is a type of gendered TJ support, but it is imaginable that the EU supports this type of activities even when there is no clear support for TJ)	I: I mean, this is somehow something where you know EU has probably, there is not that much the EU can do to prevent these crimes apart from working on a ceasefire which they try to do – not the EU directly, but some Member States – but one thing they could do, and I think they do it, is to work with the victims on the rehabilitation side, because something that we see in this conflict is that people who are affected by the conflict including combatants who come back from the war, they do not get sufficient support. There are no institutions nor mechanisms that could support former combatants, women, children. There are different vulnerable groups who have gone through traumatic experiences as a result of the conflict, and who need psycho-sociological, and sometimes medical rehabilitation, but the mechanisms are either non-existent, or there are some private initiatives, and they are not sufficient.
3.2.1.4 EU humanitarian support victims SGBV	This code contains references to EU activities focused on the provision of services and humanitarian aid to victims of conflict related SGBV.	E: Of what there is can you give examples?  I1: There have been projects with IDP women so far with IDP women's organizations, for example for community building, but also relating to domestic violence there has been a project, which I think is ending this year, but what will continue in some, or at least the content of it will continue in some form. Also on domestic and gender based violence and implementing referral systems and shelters, which has been implemented with, via a civil society organization. What else, there have been, yeah there is an ongoing call for civil society which also contains a gender equality element, but I mean it is an open call, so it depends on which organizations will apply, but there is a possibility for these organizations to actually apply and get selected.
3.2.2 Other targeted efforts to support gender equality	This code contains references to other types	

	of EU targeted action to support women's rights and gender equality.	
3.3 EU support for gender justice through diplomacy	This code contains references to the EU's use of diplomacy, i.e. political dialogues/human rights dialogues and conditionality to support women's rights in third countries.	Because this is for the operational part let's say, but on policy issues you probably know that we have an action plan for Tunisia 2013-2017, and in the framework of this action plan, which is linked to the association agreement, the on a yearly basis we organize the association council which is this stock taking exercise, and the forward looking exercise to discuss our relationship with Tunisia. The association committee which prepares the association council, and thematic sub committees, so including Justice and Human Rights, and gender issues as well. So before all these formal, political, high-level meetings we organize mainly in Tunis, but it occurred that we organized some events in Brussels, but we organized trilateral meetings between us, the Tunisian civil society, and Tunisian authorities. So we have both levels of interventions, so dialogue at the political level, and more at the operational level with projects, involvement of civil society. So this project is quite operational, but if you want it targets more the political level rather than I don't know, providing pipelines for water or more concrete issues which are relevant, but let's say for rule of law and justice you often have these kind of more political projects let's say.
3.3.1 EU use political dialogues to support GJ in transition	This code contains references to EU support for gender justice through the use of political/human rights dialogues	Because this is for the operational part let's say, but on policy issues you probably know that we have an action plan for Tunisia 2013-2017, and in the framework of this action plan, which is linked to the association agreement, the on a yearly basis we organize the association council which is this stock taking exercise, and the forward looking exercise to discuss our relationship with Tunisia. The association committee which prepares the association council, and thematic sub committees, so including Justice and Human Rights, and gender issues as well. So before all these formal, political, high-level meetings we organize

		<p>mainly in Tunis, but it occurred that we organized some events in Brussels, but we organized trilateral meetings between us, the Tunisian civil society, and Tunisian authorities. So we have both levels of interventions, so dialogue at the political level, and more at the operational level with projects, involvement of civil society. So this project is quite operational, but if you want it targets more the political level rather than I don't know, providing pipelines for water or more concrete issues which are relevant, but let's say for rule of law and justice you often have these kind of more political projects let's say.</p>
<p>3.3.2 EU use conditionality to support GJ in transition</p>	<p>This code contains references to the EU's use of conditionality to pressure third country governments to live up to their women's rights commitments.</p>	<p>The way the human rights dialogue is conducted depends very much on the issue at hand. With regard to the Istanbul Convention the interviewee indicates that the Ukrainian counterpart, the MoI is actually very willing to work on it. However, it has to be passed by the parliament, but the parliament has its own way of doing things. The question is therefore what is the best moment to bring it before the parliament again with an eye on avoiding to be rejected again. There is a gender caucus in the parliament that might be instrumentalized to achieve a better result. In relation to conditionality the interviewee remarks that the Istanbul Convention is a good example of an issue where</p>

		applying conditionality is probably not productive, as it is the parliamentarians who vote on it and for whom EU leverage does not really matter.
3.4 Obstacles	This code contains references to the obstacles hampering the EU's support to gender justice in transition.	-
3.4.1 Obstacles EU support WPS	This code contains references to the internal and external factors that hamper EU support for the implementation of the WPS agenda in third countries.	-
3.4.1.1 WPS no priority EU under difficult circumstances	This code contains references that indicate that the EU's commitment to the WPS Agenda falters under difficult circumstances. This includes situations in which partner countries are not willing to work on the implementation of the WPS agenda (in certain sectors), the EU wants to avoid engagement in conflict. Generally speaking it concerns situations in which the introduction of a gendered lens to security is considered to be a spoiler of other EU interests.	<p>I: But I just want to tell you that it is true that it is not so easy when you, because two years ago you know, it was almost war time here. I mean we have a curfew, state of emergency. We have still state of emergency, but in the beginning of the curfew it was until, it was from 8 pm, it is quite, it is very early in the evening. So that means that everyone at 8 was at home. It was a very stressed atmosphere, and at that time, again it couldn't be the top priority, for sure. And, I think speaking more and more with them, and explaining exactly the goal, explaining exactly what can be won, going further and further in this issue takes time. That's all. That's all.</p> <p>E: Mhm</p>



3.4.1.2 WPS politically sensitive partner countries	This code contains references which indicate that unwillingness of partner countries to adhere to the WPS agenda is a significant obstacle to the EU efforts in this field	Yeah, and in this case, in the case of the projects we have in preventing violent extremism is quite, as you may know, is a quite sensitive area of intervention and especially when it comes to women's involvement. First of all, even if we want to target specifically women, and involve women, we need to make sure that all security measures are in place. We always have to take into account women in our security projects, and in order to do that we talk with, through our project implementers, through the local CSOs to understand how to better deal with this. Whether we need to label our project as CVE or not to avoid putting at risk women's lives, and what kind of security measures we can put in place to make sure that they are protected and to make sure that there won't be negative effects on them.
3.4.1.3 One dimensional notion of participation and prevention	This code contains references which indicate that even when the EU is living up to its commitments in the field of WPS the EU's understanding of women's participation and prevention are one-dimensional in the sense that the EU favours women's participation only in certain security activities and a type of prevention which does not take into account what are generally considered to be the root causes of violence such as (gender) inequality and poverty.	E: Combatting gender based violence is one of the EU's priorities in third countries. What are your other priorities in the field?  I: What we are doing recently is to empower. I mean the logic is to try to move from the approach to

		<p>consider women as victims to empower women in the sense that, I mean, we are working on preventing and reacting. When we say reacting usually it means we provide support and assistance, when women unfortunately are victims, but the problem is that we need to empower them. We need to provide them with skills, with expertise, with the knowledge to be able to play a key role in their private and public life.</p>
3.4.2 Obstacles gender mainstreaming EU	<p>This code contains references to the ways in which internal factors hamper the EU's commitment to gender mainstreaming as described by interviewees. They are often interconnected.</p>	-
3.4.2.1 EU lacking template for gender mainstreaming		<p>I2: Maybe I could make the more general point that the EU is most comfortable intervening on core issues. So when we talk about energy policy, energy security for example, or competition law, or transport, or border management. Then there is a huge number of experts, there is an EU acquis, and there is money. We know what we want, we know how to do it, and we know how to put pressure to get it done. When we talk about issues such as doing gender, or promoting a little bit more promotion</p>

		<p>of gender equality in Ukraine, or how to deal with issues of historical memory, how does Ukraine see its past, how does it define its identity, how does it deal with language, very hotly debated issues in Ukraine, then we see that there is a problem, but it is much harder for the EU to react. Because sometimes either there is no EU competence, like the EU doesn't haven't any rules or competencies on how to deal with historical memory for example. If Ukraine outlaws the communist party, the swastika, the hammer and the sickle, the ... of St. George, we don't know what EU law says about it. So the EU then has to turn to OSCE or Council of Europe and ask them for an opinion, and push that opinion politically, but it is a very different logic from this is what is what we want on the energy market and electricity, and now we are going to push that, because you already have a template.</p>
3.4.2.2 Gap vision HQ and reality in practice		<p>And again, here in Tunisia it seems to be easy to cooperate, because they have ..., because they always say yes, but in fact it is not so easy, because after having said yes, they do what they want to</p>

		<p>do. That is why when people come from Brussels, saying we do not see any clear results in terms of gender issues, sometimes it is quite difficult to explain to them why, because I give the explanation I try to honestly provide to you, but without any judgment. I don't judge them, I don't say, I just say that is the way they act, that's the constraints they face, that is the political blockade. I do not judge, I just tell you the truth what is my observation on the ground in the level of co-chairing two working groups in the G7+6 mechanism.</p>
<p>3.4.2.3 Gender advisors as a strange species</p>		<p>In relation to the gender advisors the interviewee remarked that they are still often perceived as a 'strange animal'. Focal points to the contrary are police persons themselves, so other police persons feel as if they can talk to this person on a more equal footing. In this context the interviewee also indicates that with his own strong background in intelligence and military security he has not been exposed that much to gender himself. In this light he also considers the focal point system a good way to create more</p>

		awareness and actually implement gender mainstreaming.
3.4.2.4 Lack of resources, training and expertise		<p>So it is, when I say gender mainstreaming, I think that the Commission now has this, is aware that you have to do it, I mean in the planning process. I mean it must be there, it cannot only be at the end, but I see that, that means also that you need to have enough resources, because the gender analysis, sometimes you need to have data, sometimes data is not available in the country, so you need to find somehow, I mean maybe the agency of statistics in the country to facilitate, in order to allow them to get some data in the area that you need, and that takes time, and that is a cost that you need to consider in order to, because it is not, I mean something that you will do at the end just including, I mean gender is mainstreamed here. No, you need to have a baseline, the baseline will inform your indicators, also otherwise you cannot report. If you don't know the baseline, if you don't know the previous situation, how are you going to measure. I mean, which has been the progress that has been done?</p>

3.4.2.5 Patriarchal mentality in EU institutions		So, I think that it is also the, a question that really some people, they don't perceive, and they are just still a little bit like the patriarchy, patriarchal ideas. They don't really perceive, I mean the importance of it really, and how you will...
3.4.3 Obstacles EU support for targeted action women's rights and gender equality	This code contains what have been identified by interviewees as core obstacles to the EU's use of targeted action as a way to promote gender justice in third countries.	
3.4.3.1 Mainstreaming at the expense of targeted action	Various interviewees alluded to the fact that a core obstacle to the EU's support for gender justice in third countries is that the EU's adherence to gender mainstreaming as a strategy to achieve this goal has come at the expense of its support for more targeted action. This is problematic, as the EU's commitment to gender mainstreaming has not yet fully been translated into practice.	E: Ah okay, yes. And so for example in Tunisia they recently adopted legislation on domestic violence, no violence against women, combatting violence against women as well. And now the EU there is basically going to fund the whole ministry of women to set up all the services, could you imagine something similar happening in Ukraine, or? I: But I think the situation is a bit different, see here this is the country that, ehm, I mean the economic situation, let's face it in Tunisia is different than it is here. Here we also have the Association Agreement that if you want to bring the let's say EU closer, the Ukraine closer to the EU, and you want to have a stable country in our neighbourhood, you

		<p>have to bring a number of reforms. I am not so sure whether there will be really, whether it will be so beneficial you know to finance the whole ministry establishing and so on, or in our idea so far it was better really to mainstream, to make sure that actually this women, the gender component is ensured in all our policies in all our assistance that is coming up, the new assistance let's say from 2018 to 2022. Because it is going again to touch upon the education, upon the governance, judiciary etc., etc. So I think there is room for targeted let's say intervention, I mean I can say for example, I mean you know all the sensitivity training, and the legal training for the judges, prosecutors, police you the ones who are the first, for example, who are the first ones who are attending women, let's say</p>
<p>3.4.3.2 Service delivery at the expense of structural change</p>	<p>Various interviewees also alluded to the fact that the EU's targeted action to support gender justice has prioritized service delivery over support for (feminist) advocacy aimed at enforcing structural change.</p>	<p>I2: Yeah I think that when they talk about security, it is different than when we talk about security, and for sure it is also a matter of who you listen to and that goes in the experience you just described of the [name other organization]. That</p>

		<p>it is not necessary to include civil society in security discussions, but rather using them as implementers. And then more towards service delivery. But there is still opening for discussion, but yeah, yeah it will affect I think in the long run. It is harder and harder for many to internationally find money for advocacy work, or to actually be the watchdog that civil society is supposed to be as well.</p>
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## THEMATIC CODES

These codes were created to test to what extent insights from feminist theory regarding the motivations and convictions driving international support for gender justice in transition are reflected in the EU's approach towards this topic. Each parent code therefore contained child nodes reflecting ideas from feminist theory. Through coding I subsequently hoped to discover to what extent feminist critiques were repeated by CS representatives monitoring the EU's efforts in this regard, and reflected in remarks voiced by EU officials themselves.

However, during the coding process I also nuanced my understanding of these processes through remarks made by interviewees resulting in the addition of new codes which I had initially not foreseen.

I also found that some of the obstacles hampering EU promotion of (specific components of) the women's rights agenda as identified in the descriptive codes discussed above were good indicators of the tendencies dominating the EU's approach to women's rights promotion in transition.

Already (early on) during the coding process I found that while some remarks reflected perspectives and behaviours which have been associated with essentialist and instrumentalist views on the feminist agenda, the EU's approach towards women's rights in transition (in Tunisia and Ukraine) seems to be best captured by the de-politicization paradigm.

### 6. Essentialization

In feminist literature essentialization refers to the tendency of international actors who engage with the WPS Agenda and/or support for women's rights in times of transition to focus on an essentialist version of womanhood and in line with this an essentialist



notion of what entails a gendered harm. This essentialist notion of womanhood both racialises and sexualises women. Characteristics of this essentialist approach are:

- The tendency to approach women solely in their capacity of victims
- The tendency to reduce the scope of harms to those resulting from sexual and gender based violence, neglecting harms resulting from socio-economic rights violations
- The tendency to exceptionalise SGBV by associating it to times of conflict or repression, overlooking persistency of this type of harms during times of relative ‘normalcy’.
- The tendency to depict both victims as well as perpetrators as ‘others’ invigorating the white saviour complex.

Each of these indicators of essentialist behaviour were translated into codes to examine to what extent EU officials indeed displayed these tendencies, or CS representatives felt that they were confronted with this type of notions when interacting with the EU to support women’s rights.

I found that while essentialization of women’s rights seems to occur it is not as prevalent as one would expect based on the literature. EU officials sometimes referred to women’s vulnerability, but most would add that the EU also recognizes women in their capacity as actors. Moreover, while combatting violence against women is a priority of the EU’s women’s rights agenda, in the context of this research this seemed to be in line with the topics feminist activists in Tunisia and Ukraine were working on.

One of the most interesting findings in the context of this research on promotion of gender justice in transition is that in Tunisia and Ukraine the EU has mostly ignored the ‘exceptional’ type of women’s rights violations that took place during the dictatorship in Tunisia and are currently taking place in the context of the Donbass conflict in Ukraine. This goes against the idea commonly held in feminist literature that international actors engaging with women’s rights in countries in transition focus on ‘exceptional’ violence at the expense of addressing the continuum of harms women in these societies are experiencing.

<b>Code</b>	<b>Description</b>	<b>Example</b>
6.1 EU victimizing women	This code contains remarks or references which allude that the EU approaches women in third countries predominantly in their capacity as victims. In feminist literature this is the core characteristic of an essentialist approach wards women’s rights protection.	And there is a small component also on witness protection and victims, so especially focussing on women and girls. So that’s vulnerable groups meaning women, girls and minors. So that’s the special focus.
6.2 EU essentializing harms	This code contains remarks or references that indicate that the EU prioritizes or exclusively addresses physical harms when supporting women’s rights in transition	Likewise, if there are specific concerns around gender, for example sexual and gender based violence those issues would be raised in that forum.

<p>6.3 EU exceptionalizing harms</p>	<p>This code contains remarks or references which indicate that the EU is only interested in ‘exceptional’ harms when engaging with women’s rights in societies in transition such as (sexual) violence inflicted on women during times of transition.</p> <p>If the EU has mainstreamed its TJ efforts one would expect this to be one of its core priorities when supporting transitional justice in third countries.</p>	
<p>6.4 EU racializing victims and perpetrators</p>	<p>This code contains remarks and references which allude to the EU’s tendency to present ‘others’ as victims and perpetrators. Such an approach lifts the EU of the burden to take a critical look at the way its own policies disadvantage women in third countries</p>	<p>The place of the woman in the MENA region is not the same that we can have in the EU etc. And for sure it is necessary to develop during workshop or during project etc. the gender dimension, but I think we have to be very - what is the name carefully it is called, cautious? – because otherwise we could appear like if you would like to impose something totally different from them, and without any explanation why it is better to have more women inside the security forces etc. It is, I mean, I don’t know if you have this term in English, but I mean we have to be with a pedagogic, pedagogical, I don’t know, I mean, that, yeah we have to explain them.</p>
<p>6.4.1 EU as a women’s rights pioneer</p>	<p>This code contains remarks in which EU officials describe the EU as being an example when it comes to protection of women’s rights.</p>	<p>In the EU we don’t even notice human rights anymore, as they are part of our culture, but in the regions (Kharkov &amp; Lviv) this is less self-evidentiary. Therefore, it is important to make police people on the ground aware of the importance of respect for human rights. Respect for human rights is always a priority for the EU. In Ukraine we provide basic training on them to the national police for example with respect to detention. With regard to gender/women’s rights</p>

		specifically, the mission has a gender advisor. This is telling according to the interviewee as it shows the importance the EU attaches to the issue of gender. Initially Ukrainians were not very open to the idea as they were not used to the concept, but now they are starting to appreciate it more as they get more familiarized with it.
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## 7. Instrumentalization

In the literature instrumentalization refers to the tendency of international actors to support (components of) the women's rights agenda on the condition that it serves broader interests. This tendency includes both the instrumentalization of women as individuals under the premise of empowerment, and the instrumentalization of the feminist agenda as a whole. The notion of instrumentalization has emerged in feminist literature particularly in relation to the appropriation of the WPS agenda in the context of the War on Terror.

Instrumentalization is closely linked to the prioritization of the participation pillar of the WPS Agenda, partly spurred by the feminist agenda that promoting women's participation is not only the right thing to do, but also the smart thing, as engaging women increases the chance that societies will become and remain peaceful and secure. Instrumentalization occurs when this focus on participation is embraced while disregarding the other components of the feminist security agenda, incorporating women as individuals into already existing security practices to promote traditional security interests, and paying lip service to the feminist agenda as an ideal to legitimize traditional (non-feminist) approaches towards international security. This is detrimental for gender justice in transition as in this fashion the engagement and participation of women does nothing to advance their own security and can even have detrimental consequences.

During the coding of the interviews I conducted in Brussels women indeed were often referred to as useful resources in the fight against terror. However, in the Tunisian context they were mostly perceived to be useful in community security efforts and nobody mentioned the need to integrate more women or a gender perspective in SSR efforts. In the Ukrainian context officials did refer to the benefits of integrating women in security forces, but also mostly ignored the need to integrate a gender dimension, failing to link increased participation of women to better outcomes for women.

Regarding the use of the women's rights agenda, and particularly the notion that women need to be protected against their own men from exceptional types of politically motivated SGBV to justify certain interventions, I did not encounter this type of language. However, I did identify another way in which the EU instrumentalizes the feminist agenda: the use of women's rights language not to justify interventions, but rather to tone down the recent tendencies in EU foreign policy which prioritize hard security over human security.

Moreover, the EU's support for gender justice issues that have buy in from local political elites at the expense of more 'controversial' gender justice issues also suggest that women's rights are co-opted for political purposes on the EU's behalf.

Code	Description	Example
7.1 EU (ab)use of women(s groups) for security purposes	This code contains remarks or references which allude to the EU's tendency to use individual women or groups as women in the implementation of EU security strategies without providing clear benefits in return.	I: So I think that there are those actors that exist in the Tunisian context that are pushing that agenda. I think that the priorities of the EU at the moment, in my humble opinion, are much more on countering migration to Europe, and on ensuring security so that there aren't any more violent terrorist incidents that occur here. Personally that is the way I see it, but that is a very cynical view. So I do think that to your point that are women instruments, are instrumentalized, I think that is probably accurate as opposed to genuinely valuing the unique voices that women have, and that it can serve both security, and their own promotion in the society, and I think that the two go hand in hand, but that the former is more prioritized than the latter.
7.2 EU support for partial participation	This code contains remarks or references which indicate that the EU's support for women's participation is only partial in the sense that it only supports women's participation in instances it considers beneficial for achievement of other interests. This indicates that the support of women's participation is not incited by the conviction that it is 'the right thing' to do, and that it is not unconditional.	Subsequently the researcher asked to what extent police missions also recognize that gender mainstreaming is important not only because it can be instrumental to the success of the mission, but also because the WPS Agenda obliges states to protect women. In response to this the interviewee answered that recognizing the importance of addressing the specific vulnerabilities women experience in the contexts in which the EU CSDP missions operate is for many officials involved still a bridge too far.

<p>7.3 EU neglect of priorities local women</p>	<p>This code contains references or remarks which allude that when the EU supports the participation of women in security efforts it does not take into account the priorities of these women themselves. This implies that the EU's support for women's participation is not significantly changing its views on what constitutes security and how to achieve and preserve a secure society.</p>	<p>I: Well don't get me started on that, because I would have a lot to say about that from a personal perspective. In the last dialogue that we had on women's participation in the peace processes in Ukraine this was something that was brought up a lot. The programming tends to focus on a specific view of what the relations between men and women are in Ukraine, and that they are not taking into account the voices of women themselves there.</p> <p>E: The EU?</p> <p>I: It was not, it was a dialogue between civil society and the EU, and OSCE. So I can assume this was also targeted at the EU. It was targeted at donors in general, but basically the programming was made in such a way that it is not looking at the priorities, the actual priorities of activists, and women on the ground, women's groups including, and referring also to a saviour kind of complex, and a disconnect. So they saw that trend. Some of the participants there were saying that this was not useful, as they have to answer these constant proposals in a way that, is, is not you know connected to reality and to their needs. There is quite a few things on having a gender lens, a recommendation that came over and over again, please adopt a gender lens when you do programming, when you do analysis, and do not just look at numbers of women, look at the, you</p>
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		know, more in detail. Yeah.
7.3.1 EU use of local women's groups as implementers	The idea that the EU does not take into account the security concerns of the women it relies on to implement certain of its own security policies is reflected in remarks which allude to the EU's use of women's groups as implementers of policy rather than (co-)developers.	I: Another thing that I find, maybe it is a positive, for call for proposals that are been by the EU to implement projects in Tunisia, the priority is given for NGOs coming from the North. They have the lead, they have the lead, and they associate Tunisian local NGOs as partners, as associated NGOs etc. The question is the following. Do the Tunisian, the local NGOs not have the capacity to implement such projects? For example, if I think to [name organization], I can say that we have the necessary skills, capacity etc. to implement this project. We don't need the help or the assistance of other North NGOs to assist us in this implementation. I am for the exchange between the NGOs, but not in one sense, in a unique sense, that the North NGOs are assisting the local NGOs. Local NGOs can also help some NGOs from the North. Local, for local NGOs they are from the North, they need our experience, we have our experience, they have their experience and we can exchange our experiences.
7.4 EU appropriation of feminist language to cover up FP tendencies	This code contains references or remarks which indicate that the EU instrumentalizes feminist language to cover up broader tendencies in its FP which from a feminist perspective are not desirable at all.	So yeah, to go back to your question it is a challenge to, yeah, at Brussels level probably. There is an increasing scepticism, but at the same time on some other aspects there is increasing, apparent progress on language that is not necessarily followed by the necessary capacity, resources, and institutional culture that would enable that these

		commitments are implemented.
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## 8. Side-lining

I introduced the side-lining code during the coding process, as I realized that while most of my thematic codes were based on the assumption that gendered concerns – be it in a good or a bad sense – shape EU foreign policy, in reality gender is often left completely out of the equation. The side-lining codes acknowledge this reality and also specify under what circumstances the EU leaves aside gender as a policy and intervention shaping factor.

This code also contains codes that contain remarks which refer to the EU's side lining of transitional justice. These practices seem to be connected, as the circumstances under which gender are side-lined the most fall within the traditional domain of transitional justice.

Code	Description	Example
8.1 EU side-lining TJ	<p>This code contains remarks or references which allude to the EU's reluctance or refusal to engage with transitional justice in third countries even if transitional justice is high on the agenda in these countries.</p> <p>The EU not engaging with TJ in this type of situations goes against its commitment to support locally rooted initiatives.</p> <p>These locally initiatives do not necessarily have to be already established TJ mechanisms. They can also be efforts to facilitate the establishment of this type of mechanisms at a later point in time.</p>	<p>The EU, EUAM, however, is not planning to get involved, as it has only an advisory function. EUAM advises at the strategic level and is not involved at the operational level. EUAM also does not advise on anything related to the investigation or prosecution of war crimes in the Crimea or Donbas, as, again, the EU does not cover anything that relates to the conflict.</p>
8.1.1 TJ as a spoiler	<p>This code contains remarks or references which explicitly imply that the EU side-lines TJ because it is too controversial and might impede other EU interests in third countries. It also contains remarks which indicate that the EU's support for TJ is mostly limited to contexts where the EU has no other overriding interests.</p> <p>This code is important as part of the argument that the EU's approach towards gender justice in transition can best be qualified as a strategy of 'de-politicization', supporting the type of gender justice efforts which are not likely to stir controversy in third countries or embroil</p>	<p>The same issue with maybe some of the colleagues in delegations when they reflect on the reality on the ground. It is not always directly in line with our policy framework. So for example I work on Afghanistan, and we have been quite involved in this return of Hekmatyar, the Butcher of Kabul, with whom the government signed a deal with the Hezb-e Islami, his party, where it gave some form of an amnesty, which is not in</p>

	<p>the EU in situations it prefers not to be embroiled in.</p>	<p>line with international standards. So you know, these challenges, so the delegations were a little bit concerned about language around our approach towards amnesties and so on.</p> <p>E: So they wanted to have more flexible?</p> <p>I: Yeah, I would say.</p>
8.2 EU side-lining gender	<p>This code contains remarks or remarks which allude to the EU's reluctance or refusal to engage with (certain) instances of injustice inflicted on women in third countries even if the EU has explicitly committed to making these efforts, these issues are persistent, and the local feminist/women's movement is grappling with them.</p>	<p>In terms of the gender dimension of all of this we have focused more – so I guess from the EU perspective, I would say that there was no interest, and that I didn't feel strongly that the EU had that as a priority, I have to say. I, our other donor in part of this programming was the Canadians, and in their reporting templates, and their strategic priorities they emphasized much more the gender dimension, and how that was one of their key interests that they were seeking from implementers. So I personally didn't feel like the EU had that as a strong priority, and was demanding that from their implementing partners.</p>
8.2.1 No implementation of gender mainstreaming commitment	<p>This code contains remarks or references which indicate that the EU is not implementing its commitments in the field of gender mainstreaming. This is telling as both EU policy documents as well EU officials have implied that gender mainstreaming is the EU's tool of choice when promoting women's rights in third countries. Not putting in practice gender mainstreaming effectively side-lines women's rights particularly when the EU is not engaging in targeted action to support women's rights.</p>	<p>I: Yeah, but this is, I mean this is very traditional, this is very traditional understanding of the roles, and I mean, we don't even have to go too far, because I mean we had, I mean sometimes I also hear it from my colleagues here. I mean I had recently a discussion about vocational training, well training in general.</p> <p>E: For EU staff members.</p>



		<p>I: No, I mean training in Ukraine, I mean for the education in Ukraine, and I mean I thought this would be a very nice sector actually to really to work on from the gender perspective, and then a colleague told me, I mean what is the issue? I mean there is no gender problem in the education, 70 per cent of teachers are women. I mean...</p>
<p>8.2.1.1 Not having the template</p>	<p>This code contains remarks or references which indicate that the lack of implementation of the EU's gender mainstreaming commitment is a result of the lack of a clear template for gender mainstreaming. This remark was often made in comparison to EU efforts in other fields where there does exist a clear regulatory framework.</p> <p>However, the fact that such a framework has not been created, or the lack of recognition of existing legal frameworks which enshrine the EU's and its MS's obligations in the field of women's rights is also a choice. Thus the (perceived) lack of such a template implies that the EU is not acknowledging the importance of gender justice despite its rhetoric in this field.</p>	<p>When we talk about issues such as doing gender, or promoting a little bit more promotion of gender equality in Ukraine, or how to deal with issues of historical memory, how does Ukraine see its past, how does it define its identity, how does it deal with language, very hotly debated issues in Ukraine, then we see that there is a problem, but it is much harder for the EU to react. Because sometimes either there is no EU competence, like the EU doesn't haven't any rules or competencies on how to deal with historical memory for example. If Ukraine outlaws the communist party, the swastika, the hammer and the sickle, the ... of St. George, we don't know what EU law says about it. So the EU then has to turn to OSCE or Council of Europe and ask them for an opinion, and push that opinion politically, but it is a very different logic from this is what is what we want on the energy market and electricity, and now we are going to push that, because you already have a template.</p>

8.2.1.2 EU not mainstreaming gender in transitional justice	Remarks or references which indicate that the EU is not mainstreaming gender in its transitional justice support.	I: I think I have written about this, so I should be able to remember. I think the problem is, and by the way the EU, the EEAS, is currently doing its third – I think it is the EEAS and the European Commission, I can't remember – is currently doing its third implementation report on 1325 and 1820, and this will include something on the European Union, women and transitional justice. I think the problem with the whole – I think this is a broader problem not just one of the European Union, it is a challenge for the transitional justice community as well – is that gender is not actually taken seriously at all.
8.2.3 Gender as a spoiler to successful implementation other policies	<p>This code contains remarks or references which indicate that the EU is not living up to its gender mainstreaming commitments in certain fields, because officials consider devoting attention to gender concerns a potential spoiler for the successful implementation of core policies.</p> <p>This mentality results in a half-hearted approach towards gender mainstreaming, meaning that gender mainstreaming, if implemented at all, is only applied when gender mainstreaming does not require the EU to reconsider its core interests/policies.</p>	I2: And then, very quickly, when we would like to raise an issue or push for example for the ratification of the Istanbul Convention our leadership says: 'well what is the legal basis for that, we already have a lot of contentious issues, do we really need to add this too?'. That is one side, and on the Ukrainian side they are getting hammered with loads of stuff they need to do and are not doing. So they are also a bit allergic to yet another issue.
8.2.3.1 Gender as a spoiler to EU security policy	Remarks or references which indicate that SSR and security policy more generally speaking is one of the fields in which the EU is not living up to its commitment to gender mainstream.	I: But I just want to tell you that it is true that it is not so easy when you, because two years ago you know, it was almost war time here. I mean we have a curfew, state of emergency. We have still state of emergency, but in the beginning of the curfew it was until, it

		<p>was from 8 pm, it is quite, it is very early in the evening. So that means that everyone at 8 was at home. It was a very stressed atmosphere, and at that time, again it couldn't be the top priority, for sure. And, I think speaking more and more with them, and explaining exactly the goal, explaining exactly what can be won, going further and further in this issue takes time. That's all. That's all.</p> <p>E: Mhm</p>
8.2.3.2 No conditionality related to gender issues	<p>Remarks or references which indicate that the EU is not applying conditionality when a third country breaches or does not live up to its women's rights commitments, as this might hamper cooperation with this country in other fields.</p>	<p>In response to the critique that the EU does not sufficiently use its leverage to enforce reform in neighbouring countries and particularly Ukraine, the interviewees reply that the EU is a political body, and that it needs to look at the bigger picture. There are a lot of forces at play, and the EU is involved in loads of reform processes in Ukraine. The EU cannot just be tough on Ukraine in order to safeguard future cooperation. Moreover, we also need to acknowledge that Ukraine cannot do everything at once. The EU does use conditionality, but in a smart way.</p>
8.2.4 Gender mainstreaming at expense of targeted action	<p>This code contains references and remarks which imply that the EU's adherence to gender mainstreaming as the key strategy to support gender equality and women's rights has come at the expense of EU support for targeted action.</p> <p>This is particularly problematic taken into account that the EU is not living up to its commitment to gender mainstream all of its policies.</p>	<p>Generally, in the past we have seen that most emphasis was on mainstreaming, but it is also important to have targeted programmes. Specific funding allocations are needed. Within all development policies and instruments we need to have more of a focus on gender equality rather than just</p>

		mainstreaming. The same goes for EU funded activities. The interviewee really appreciates the GAP, but stresses the importance of continuing to push the EU to do more.
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## 9. De-politicization

The remarks catalogued under the previous codes indicate that instrumentalization is not a pervasive issue in the EU's approach towards mainstream gendered transitional justice issues in third countries, and that in a multitude of situations the EU is actually more inclined to side-line women and gender issues than to rely on them in the urge to achieve other policy goals. However, despite this lack of unfaltering commitment to gender mainstreaming and gender justice, this does not mean that the EU is not engaged in any type of support for gender justice at all. To the contrary, various interviewees who voiced criticism on the EU's approach towards support for gender justice in third countries in transition, at the same time indicated that the EU is an important, and active supporter of women's rights. This code therefore combines the insights from the previous code on side-lining with new insights about the circumstances under which the EU does support gender justice (in transition), and in doing so to elucidate the nature of the EU's support to gender justice.

It finds that the EU most effectively supports gender justice when it relies on targeted action, and when the stakes are not high for the EU itself. This thesis qualifies this approach as de-politicization. This is not to imply that the EU's approach towards gender justice in transition is not politicized, as exactly because the EU seems to be making deliberate choices when/where and when/where not to engage in certain types of gender justice promotion, gender justice is clearly considered to be a politically relevant topic. Instead the term 'de-politicization' implies that the EU only supports the type of gender justice issues which are not politically sensitive at the local level.

This tendency is not restricted to the EU's approach towards women's rights in third countries, it also applies to other issues to which the EU adheres on paper, but support for which is not considered to be at the core of the EU's welfare and security. One of these issues is transitional justice. The EU adheres to the notion that after grave and widespread human rights violations accountability should be pursued, and on paper ascribes to the idea that the pursuance of justice is essential for the creation of stable, democratic societies. However, as the side-lining note indicates, these ideals are easily put aside when the EU perceives that the destabilizing qualities of transitional justice mechanisms might impede more urgent EU foreign policy goals. Since TJ is often side-lined this automatically results in the side-lining of some of the most prolific issues of gender justice in transition that have traditionally dominated the international discourse on women's rights, such as conflict related sexual violence. Without transitional justice support it is also impossible to gender mainstream activities in such a fashion that the EU is engaging in support for transformative gender justice.

Code	Description	Example
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9.1 EU depoliticization and TJ	This code contains references or remarks which indicate that when the EU supports TJ it is the type of support it considers not to be impeding other FP objectives. This concerns the type of measures the EU supports, the countries in which it is active, and the actors it cooperates with.	-
9.1.1 EU avoiding support for controversial TJ endeavours	This code contains remarks or references which allude explicitly to the EU's tendency to avoid support for TJ measures which are controversial at the local level, and as a result could negatively impact the EU's relations with third country governments.	<p>Now for the EU perspective on progress made in transitional justice. As I told you it is not an easy subject in Tunisia like anywhere. This manipulation of information was very difficult for us, because we were approached by many organizations saying completely the opposite what we should do, what we shouldn't. They couldn't agree together.</p> <p>E: You mean Tunisian civil society?</p> <p>I: Yes, Tunisian civil society. You had even fights against the coalition for transitional justice, and the others. So if we would fund one and not the other, it would be really counterproductive.</p>
9.1.2 EU conflating TJ support with rule of law reform	This code contains remarks or references which indicate that the EU conflates support for TJ with rule of law reform. This approach provides the impression that the EU is supporting (politically controversial) TJ efforts while actually engaging with the more technical, and less controversial exercise of rule of law reform	<p>I: Yes, yes I do.</p> <p>E: And what is your view on their role in this whole process?</p> <p>I: Well, it is also a part of the EU's strategy to ensure stability and security in Tunisia. They are working, I can give you the example of their justice reform programme. They are working very hard with the ministry of justice and UN to put in place the specialized chambers, but otherwise for example you cannot see the victim's place in the global picture; 'so we need to reform text</p>

		<p>A, we need to select judge B, we need to take into consideration the capacities here or there', and all the understanding of this victim is this file that will be transferred by the TDC to the specialized chambers. Okay, but what, how should I act as a victim? What are my rights in all this process, how do I proceed etc.? This is absent from the, from the global picture, something that we are working on, and we will issue very recently a briefing paper on this, but it's as I told you, they work very hard on the process, but still, and naturally of course in a bigger picture that is related to stability and security in Tunisia.</p>
9.1.3 EU following other international TJ actors	<p>This code contains remarks or references which allude to the EU's tendency to adhere to the UN's TJ doctrine, and to support TJ through other international actors, who are responsible both for the creation and implementation of projects. This is a type of de-politicization as it creates a barrier between the EU and the (messy reality) of transitional justice practice, and to some extent takes responsibility for certain choices off the EU's shoulders.</p>	<p>I should also mention the UN had a big role, the special rapporteur. I mean you have read the policy framework, it is very much modelled on the kind of UN approach, which is what the EU normally uses for these things. I mean sometimes on certain issues I think we would go further than the UN, but the UN is normally the agreed line. So particularly on sensitive issues, things around amnesties and so on, I really relied on the position of the UN on this. From the gender perspective UN Women were consulted heavily as were other gender experts here.</p>
9.1.4 No use of conditionality in relation to ICJ obligations	<p>This code contains references which indicate that the EU is reluctant to impose conditionality in order to assure that third countries which receive EU support</p>	<p>Civil society is also quite critical towards EUAM itself. Their main criticism concerns EUAM's passiveness on</p>

	<p>adhere to their commitments under international criminal law, which is a core pillar of TJ and is generally considered to be at the core of the EU's support for TJ as well. Not prioritizing ICJ in certain contexts seems to be a type of de-politicization</p>	<p>incidents such as the 2 May incident in Odessa. They expect EUAM to be more critical towards the Ukrainian authorities and to demand more in exchange for its support. However, generally speaking conditionality is not one of the EU's strengths.</p>
<p>9.1.5 Preference for support socio-economic rights</p>	<p>This code contains remarks which indicate that the EU is developing a preference for the support of socio-economic rights in societies in transition. However, these were not directly related to TJ support. Nevertheless this seemed to be an interesting development with an eye on the EU's traditional focus on CPR.</p>	<p>And where there is interesting thought around things like socio-economic rights, justice around socio economic rights, the problem could be that then big actors, whether it would be the EU, or whether it could be big international NGOs, or whether it could be individual donors is that they just sort of see this chocolate box of transitional justice options and they all pick the apparently easy ones, and then that whole connection with the human rights, impunity, accountability for human rights violations, which may have been there in the original thought of how to deal with socio-economic rights, gets put by the waste, just because it is difficult politically. So that would be my fear.</p>
<p>9.2 Depoliticization and gender justice</p>	<p>This code contains references or remarks which indicate that when the EU supports gender justice in transition it is the type of support it considers not to be impeding other FP objectives. This concerns the modality through which the EU supports gender justice, the countries in which it is active in this field, and the actors it cooperates with.</p>	<p>-</p>
<p>9.2.1 EU supporting non-controversial types of gender justice in transition</p>	<p>This code contains references or remarks which explicitly allude to the fact that when the EU supports women's rights it prefers to support projects and causes which are not likely to stir controversy or impede other EU FP goals.</p>	<p>E: And maybe even though you are not working on the, it must be a bit strange to be talking about 1325 all the time, and then not focus on what is probably the most relevant event in</p>

		<p>Ukraine from a 1325 perspective? So...</p> <p>I: Yes. It is very arbitrary; it is very strange.</p> <p>E: Yeah, to me I didn't, first I didn't really realize that was completely off topic for EUAM, but I mean, I would think that the main advocacy should also be there.</p> <p>I: Yeah. Thank god my colleagues in the other organizations deal with this, so I don't have to lie awake at night thinking I am not doing what I am supposed to do, no [laughter], because you are absolutely right. For me working with 1325 makes hardly any sense at all.</p>
9.2.1.1 Service delivery over feminist advocacy	<p>This code contains references or remarks which indicate that the EU prioritizes service delivery over feminist advocacy when supporting women's rights in third countries and particularly when supporting the fight against violence against women. This facilitates the support for women's rights while avoiding getting embroiled in battles about culturally sensitive issues feminist advocates tend to engage with.</p>	<p>E: Okay, and if you look at international political actors such as the EU, how important are they?</p> <p>I: They were extremely important in different levels, and even when we have had issues with the ministry, we turned back to the EU to help us to sort out the issue. When there were some issue with the funding, because the EU did a huge mistake.</p> <p>E: Oh?</p> <p>I: They transferred all the money to UNFPA.</p> <p>E: Yes, I know, I spoke to UNFPA as well.</p> <p>I: And then UNFPA channelled all the money to the ministry.</p> <p>E: Ah, and not to civil society?</p> <p>I: When we approached them for civil society the</p>



		<p>EU was very interested into our strategy. We invited them, and we presented the coalition's strategy etc., and [name EU official] was very enthusiastic at that time, and asked us 'all the money is at UNFPA, send a request to UNFPA'. Then UNFPA told us 'we gave all the money to the ministry, so go to the ministry'.</p>
<p>9.2.1.2 Bureaucracy over substance</p>	<p>This code contains references or remarks which indicate that when the EU engages in support for women's rights it prioritizes bureaucratic procedures over actual substance. Many interviewees indicated that this rigid adherence to all types of bureaucratic procedures comes at the expense of opportunities to affect real change in the field of women's rights.</p> <p>This is a characteristic of de-politicization as the EU uses these standards to keep firm control over the gender justice efforts which are conducted in its name.</p>	<p>I: I know, I know, I know, but it is frustrating. So you know it is going from the beneficiary, and you are going up, up, up. So believe me, the process, all of it is not easy. However, we have been, we most, I mean, we have had not very good experiences, but you see funding organizations, which are also learning, and trying – the locals who are here – trying to understand. And we have to also raise our voices sometimes, and say no. I took the risk. I take the risk. When sometimes, when there is an exaggeration, I have no problem to say 'that's it, I am done, I am done'. I don't play with people's lives, that is what it is. Because when you go, you see deep, deep in a miserable community, women in a miserable situation. You are trying to find a solution with her, and that is how we work. For me everybody must respect that. If I don't see, and I don't feel respect, I don't work. I prefer that I don't go to her at all, than going, starting, and then giving up. For me that is worse. That is the worst thing I can do.</p>

9.2.1.3 Counting women and one of trainings	This code contains remarks or references which allude to the EU's habit to conflate counting women and providing one-off trainings with gender mainstreaming. This is a sign of de-politicization as this approach allows the EU not to really look into its policies with a gender perspective in mind, which could possibly require the EU to change certain policies and activities which it considers to be crucial to a successful FP.	<p>E: Yes, also, because I spoke with them this morning, she said we don't do gender specific things like for example putting a lot of money on the Istanbul Convention, we prefer to do gender mainstreaming in all our activities, which theoretically would be great if they actually did it, but...</p> <p>I: They don't do it. Gender mainstreaming in their perception would be making grantees report on number of men and women who attended their events. It is not gender mainstreaming.</p>
9.2.1.4 Outsourcing gender justice support to international actors	This code contains remarks/references which indicate that as with its support to TJ the EU outsources its support for gender justice to other international actors such as UN Women at the expense of local (feminist) women's groups.	Though the EU is not involved in the conflict, the EU does finance projects through IcSP to contribute to conflict resolution specifically focussing on women, youth and children. They might not be the most visible projects, and it is always good to do more, but the funding is limited. Through the OSCE budget the EU is also indirectly supporting conflict resolution efforts. This is a significant amount of money.
9.2.1.5 Prioritizing cooperation with authorities on women's rights matters	This code contains remarks/references which indicate that the EU prioritizes cooperation with and even follows the lead of local authorities when it comes to matters of gender justice.	<p>Voila, and then you have the dimension of the projects of course which tries to support this process. One point maybe on the programmes is the fact that we do a lot of budget support in Tunisia, which means...</p> <p>E: It goes to the authorities directly? I: Yes, on the basis of certain conditions. So, yes they have to respect these conditions, and it is a sort of we think</p>

		<p>leverage, you know we say 'fine we support your strategy or your reforms in this field, justice for instance, women, but okay you should comply with this, this, this', to see if that is the appropriate way to, we think that is the good way to work also, because attached to that you have a number of activities with civil society.</p>
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**APPENDIX II: LIST OF EU BUDGETARY COMMITMENTS****Relevant EU commitments per category (Transitional Justice, Gender, Justice, Security)**

TRANSITIONAL JUSTICE TUNISIA [Search terms: Justice Transitionnelle, IVD, Chambres Spécialisées, Droits sociaux, Torture]

ENI/ENPI

**2011 Soutien de la Délégation au séminaire "Assises de la Justice transitionnelle en Tunisie" à la cité des Sciences de Tunis les 9-10/12/2011 8,423 € [CODE TJ TN]**

TRAVEL ACADEMY SARL\*  
Tunisia

EIDHR

**2012 La défense des droits économiques et sociaux des groupes vulnérables des régions de Monastir et du Bassin Minier (Gafsa) 218,944 € [CODE TJ TN]**

AVOCATS SANS FRONTIERES - BELGIQUEASBL\*ASF ADVOCATEN ZONDER GRENZEN ANWALTE OHNE GRENZEN  
Belgium

**2012 Périphéries actives: Appui à la participation et libre expression de la société civile et des groupes vulnérables du Gouvernorat de Sidi Bouzid 206,489 € [CODE TJ TN]**

GRUPPO DI VOLONTARIATO CIVILE ASSOCIAZIONE\*G.V.C  
Italy

**2012 La lutte contre la torture et les mauvais traitements en Tunisie 438,593 € [CODE TJ TN]**

ORGANISATION MONDIALE CONTRE LA TORTURE ASSOCIATION\*OMCT WORLD ORGANISATION AGAINST TORTURE  
Switzerland

**2014 DROUCE - Droits sociaux et citoyenneté 65,662 € [CODE TJ TN]**

IMED ISTITUTO PER IL MEDITERRANEO ASSOCIAZIONE\*  
Italy

**2014 La défense des droits économiques et sociaux des groupes vulnérables des régions de Monastir et du Bassin Minier (Gafsa) 21,894 € [CODE TJ TN]**

AVOCATS SANS FRONTIERES - BELGIQUEASBL\*ASF ADVOCATEN ZONDER GRENZEN ANWALTE OHNE GRENZEN  
Belgium

**2014 Périphéries actives: Appui à la participation et libre expression de la société civile et des groupes vulnérables du Gouvernorat de Sidi Bouzid 31,697 € [CODE TJ TN]**

GRUPPO DI VOLONTARIATO CIVILE  
Italy

**2015 CONTRIBUER À RENDRE LA SOCIÉTÉ CIVILE ACTRICE DE LA GOUVERNANCE LOCALE EN MATIÈRE DE GESTION DES RESSOURCES NATURELLES ET DANS LE RESPECT DES DROITS HUMAINS 375,737 € [CODE TJ TN]**

ANA YAKEDH - IWATCH  
Tunisia

AVOCATS SANS FRONTIERES - BELGIQUEASBL\*ASF ADVOCATEN ZONDER GRENZEN ANWALTE OHNE GRENZEN  
Belgium

## GENDER TUNISIA [Search terms: Genre, Femme]

## ENI/ENPI

**2013 Prévention de la Violence fondée sur le genre et accompagnement des femmes victimes dans le Nord-Ouest Tunisien 550,000 €**  
**[CODE GENDER TN]**

FUNDACION CIDEAL DE COOPERACION E INVESTIGACION\*  
 Spain

**2016 MISSION DE FORMULATION POUR LA MISE EN OEUVRE DE LA BUDGÉTISATION SENSIBLE AU GENRE EN TUNISIE 21,976 €**  
**[CODE GENDER TN]**

ECORYS NEDERLAND BV\*  
 Netherlands  
 21,976 €

**2016 ASSISTANCE TECHNIQUE DE DÉMARRAGE POUR LE PROGRAMME DE PROMOTION DE L'ÉGALITÉ HOMME-FEMME EN TUNISIE 20,076 €** **[CODE GENDER TN]**

DAI EUROPE LIMITED  
 United Kingdom  
 20,076 €

**2017 ANALYSES GENRE SECTORIELLES –TUNISIE 138,084 €** **[CODE GENDER TN]**

IBF INTERNATIONAL CONSULTING SA\*  
 Belgium  
 138,084 €

**2017 MISSION D'APPUI AU MINISTÈRE DE LA FEMME, LA FAMILLE ET L'ENFANCE, AU CONSEIL DES PAIRS ET SES PARTENAIRES 137,715 €** **[CODE GENDER TN]**

INTERNATIONAL CONSULTING EXPERTISEGEIE\*ICE  
 Belgium  
 137,715 €

**2017 MISSION DE FORMULATION POUR LA MISE EN OEUVRE DE LA BUDGÉTISATION SENSIBLE AU GENRE EN TUNISIE 10,704 €**  
**[CODE GENDER TN]**

ECORYS NEDERLAND BV\*  
 Netherlands  
 10,704 €

**2017 FLAG : FEMMES, LEADERSHIP, APPUI ET GESTION 826,546 €** **[CODE GENDER TN]**

ASSOCIAZIONE PONTES RICERCA E INTERVENTI  
 Italy

CENTRE TUNISIEN POUR L'ENTREPRENARIAT SOCIAL\*TUNISIAN CENTER FOR SOCIAL ENTREPRENEURSHIP  
 Tunisia

**2017 CLEF: COSMÉTOLOGIE ET FEMMES, ÉMANCIPATION ET ÉGALITÉ DE LA FEMME RURALE À TRAVERS LA VALORISATION ET LA COMMERCIALISATION DES RESSOURCES DU TERRITOIRE 653,903 €**  
**[CODE GENDER TN]**

ASSOCIATION DE KAIROUAN POUR L'AUTO-DEVELOPPEMENT  
 Tunisia

ASSOCIATION DE L'ENVIRONNEMENT POUR LE DEVELOPPEMENT DURABLE D'ELGUETAR  
 Tunisia

**2017 PARFAIT: PARTICIPATION DES FEMMES POUR L'AVANCEMENT ET L'INNOVATION DE LA TUNISIE 500,000 €** **[CODE GENDER TN]**

ASSOCIATION DES AGENCES DE LA DEMOCRATIE LOCALE\*ASSOCIATION OF LOCAL DEMOCRACY AGENCIES  
 AADL/ALDA

France

EUROPEAN PARTNERSHIP FOR DEMOCRACY  
Belgium

**2017 PAROLE AUX FEMMES 465,209 € [CODE GENDER TN]**

ACTION ASSOCIATIVE  
Tunisia

FUNDACION CIDEAL DE COOPERACION E INVESTIGACION\*  
Spain

**2017 LES FEMMES, ACTRICES DE LA GOUVERNANCE LOCALE DANS LES GOUVERNORATS DU GRAND TUNIS, DE GAFSA ET DE JENDOUBA 354,342 € [CODE GENDER TN]**

**2018 PRÉPARATION ET EXPÉRIMENTATION DE LA MISE EN OEUVRE DE LA BUDGÉTISATION SENSIBLE AU GENRE EN TUNISIE 240,520 € [CODE GENDER TN]**

AECOM INTERNATIONAL DEVELOPMENT EUROPE SL  
Spain  
240,520 €

**2018 ANALYSES GENRE SECTORIELLES –TUNISIE 68,986 € [CODE GENDER TN]**

IBF INTERNATIONAL CONSULTING  
Belgium

68,986 €

**2017 AUDIT FINANCIER ET DE SYSTÈME DU DPD ET DPC 1 DU PROGRAMME EGALITÉ HOMME ET FEMME 18,525 € [CODE GENDER TN]**

MOORE STEPHENS LLP\*  
United Kingdom  
18,525 €

**2017 MISSION DE FORMULATION POUR LA MISE EN OEUVRE DE LA BUDGÉTISATION SENSIBLE AU GENRE EN TUNISIE 10,704 € [CODE GENDER TN]**

ECORYS NEDERLAND BV\*  
Netherlands  
10,704 €

**2018 DÉVELOPPEMENT ET MISE EN OEUVRE D'UN SYSTÈME DE SUIVI ET D'ÉVALUATION (S&E) POUR LE « PROGRAMME DE PROMOTION DE L'ÉGALITÉ ENTRE LES FEMMES ET LES HOMMES EN TUNISIE » [CODE GENDER TN]**

**28,500 €**  
ECORYS NEDERLAND BV\*  
Netherlands  
28,500 €

## EIDHR

**2014 Sensibilisation des étudiants Tunisiens à la préservation des droits de la femme et à une meilleure compréhension du modèle patriarcal 167,282 € [CODE GENDER TN]**

IMAGES ET PAROLES DE FEMMES ASSOCIATIO\*  
Tunisia

**2014 Projet de lutte contre l'abus sexuel des filles 157,731 € [CODE GENDER TN]**

ASSOCIATION TUNISIENNE DES DROITS DE L'ENFANT\*ATUDE ATDE  
Tunisia

FEMMES & LEADERSHIP ASSOCIATION\*F&L  
Tunisia

**2014 Sensibilisation des étudiants Tunisiens à la préservation des droits de la femme et à une meilleure compréhension du modèle patriarcal 132,534 € [CODE GENDER TN]**

IMAGES ET PAROLES DE FEMMES ASSOCIATIO\*  
Tunisia

**2014 Promotion de l'égalité professionnelle femmes-hommes en Tunisie 126,566 € [CODE GENDER TN]**

ASSOCIATION DES RESPONSABLES DE FORMATION ET DE GESTION HUMAINE DANS LES ENTREPRISES\*ARFORGHE  
Tunisia

FONDATION AGIR CONTRE L'EXCLUSION\*FACE  
France

**2014 Promotion de l'égalité professionnelle femmes-hommes en Tunisie 113,434 € [CODE GENDER TN]**

ASSOCIATION DES RESPONSABLES DE FORMATION ET DE GESTION HUMAINE DANS LES ENTREPRISES\*ARFORGHE  
Tunisia

FONDATION AGIR CONTRE L'EXCLUSION\*FACE  
France

**2014 Projet de lutte contre l'abus sexuel des filles 71,174 € [CODE GENDER TN]**

ASSOCIATION TUNISIENNE DES DROITS DE L'ENFANT\*ATUDE ATDE  
Tunisia

FEMMES & LEADERSHIP ASSOCIATION\*F&L  
Tunisia

## IcSP

**2017 "SALAM PRÉVENIR L'EXTRÉMISME VIOLENT EN TUNISIE : UNE APPROCHE BASÉE SUR LES DROITS HUMAINS ET LA CONSOLIDATION DE LA PAIX" 998,001 € [CODE GENDER TN]**

ASSOCIACIO NOVACT  
Spain  
499,000 €  
ASSOCIATION TUNISIENNE DES FEMMES DEMOCRATES  
Tunisia  
99,800 €

**2017 FEMMES ET JEUNES POUR LA PAIX 320,000 € [CODE GENDER TN]**

FONDAZIONE TERRE DES HOMMES ITALIAONLUS\*  
Italy  
64,000 €  
HELP CODE ITALIA ONLUS  
Italy  
96,000 €

## Development Cooperation Instrument

**2012 Centre femme Solidarité soutien à l'inclusion et à l'économie sociale féminine dans le gouvernorat de Jendouba 352,744 € [CODE GENDER TN]**

COOPERAZIONE PER LO SVILUPPO DEI PAESI EMERGENTI ONLUS ASSOCIAZIONI\*COSPE  
Italy

**2012 « Création et consolidation des Groupements de Développement des Oasis (GDO) de femmes et de jeunes de Gafsa pour la promotion d'activités génératrices de revenus par la valorisation des produits et des sous produits oasiens 300,000 € [CODE GENDER TN]**

ASSOCIATION POUR LA SAUVEGARDE DE LA MEDINA DE GAFSA\*ASM DE GAFSA  
Tunisia

## JUSTICE TUNISIA [Search terms: Justice]

### ENI/ENPI

**2011 Mission de Formulation et d'identification du projet justice en Tunisie 159,929 €**

[CODE JSR TN]

INTERNATIONAL MANAGEMENT GROUP\*IMG  
Serbia (Republic of)

**2013 Soutien à l'amélioration du système de justice des enfants en Tunisie 1,800,000 €**

[CODE JSR TN]

UNITED NATIONS CHILDREN'S FUND\*UNICEF LE FONDS DES NATIONS UNIES POUR L'ENFANCE  
United States

**2016 IDENTIFICATION ET FORMULATION DE LA TROISIÈME PHASE DU PROGRAMME D'APPUI À LA RÉFORME DE LA JUSTICE (PARJ 3) 203,304 €**

[CODE JSR TN]

PARTICIP GMBH CONSULTANTS FUR ENTWICKLUNG UND UMWELT\*  
Germany  
203,304 €

**2018 RENFORCER L'IMPLICATION DE LA SOCIÉTÉ CIVILE DANS LA RÉFORME DE LA JUSTICE EN TUNISIE 1,000,000 €**

[CODE JSR TN]

ASSOCIATION TUNISIENNE DE LUTTE CONTRE LES MALADIES SEXUELLES ET LE SIDA\*ASSOCIATION DE LUTTE CONTRE LESM.S.T. ET SIDA  
Tunisia

AVOCATS SANS FRONTIERES - BELGIQUEASBL\*ASF ADVOCATEN ZONDER GRENZEN ANWALTE OHNE GRENZEN  
Belgium  
1,000,000 €

## SSR TUNISIA [Search terms: Security, Sécurité, Police, Radicalisation]

### ENI/ENPI

**2016 MISSION D'ASSISTANCE TECHNIQUE AU DÉMARRAGE DU PROGRAMME D'APPUI À LA RÉFORME ET MODERNISATION DU SECTEUR DE LA SÉCURITÉ DE LA REPUBLIQUE TUNISIENNE**

**163,782 €**

[CODE SSR TN]

IBF INTERNATIONAL CONSULTING SA\*  
Belgium  
163,782 €

**2017 MISSION D'ASSISTANCE TECHNIQUE AU DÉMARRAGE DU PROGRAMME D'APPUI À LA RÉFORME ET MODERNISATION DU SECTEUR DE LA SÉCURITÉ DE LA REPUBLIQUE TUNISIENNE 46,107 €**

[CODE SSR TN]

IBF INTERNATIONAL CONSULTING SA\*  
Belgium  
46,107 €

**2018 APPUI À LA MISE EN PLACE DU CONTRÔLE DÉMOCRATIQUE SUR LE SECTEUR DE LA SÉCURITÉ EN TUNISIE. 1,108,596 €**

[CODE SSR TN]

CENTRE POUR LE CONTROLE DEMOCRATIQUE DES FORCES ARMEES GENEVE FONDATION\*GENEVA CENTRE FOR THE DEMOCRATICCONTROLE OF ARMED FORCES DCAF  
Switzerland  
1,108,596 €



**2018 MISSION D'APPUI À LA NÉGOCIATION D'UN NOUVEAU CONTRAT DE SERVICE POUR L'ASSISTANCE TECHNIQUE DE LONG TERME AU PROGRAMME D'APPUI À LA RÉFORME ET MODERNISATION DU SECTEUR DE LA SÉCURITÉ EN TUNISIE 55,600 € [CODE SSR TN]**

ALTAIR ASESORES SL

Spain  
55,600 €

IcSP

**2016 BORDER SECURITY MANAGEMENT IN TUNISIA'S SOUTHERN BORDERS, PREVENTING VIOLENT EXTREMISM 1,193,065 € [CODE SSR TN]**

DANSK FLYGTNINGEHJÆLP FORENING\*DANISH REFUGEE COUNCIL DRC

Denmark  
1,193,065 €

**2016 ENHANCING INCLUSIVE AND DEMOCRATIC SECURITY GOVERNANCE OF TUNISIA'S BORDERS 805,016 € [CODE SSR TN]**

INTERNATIONAL ALERT LBG\*IA

United Kingdom  
805,016 €

**2017 RÉINSERTION SOCIO-PROFESSIONNELLE DES JEUNES SORTANT DE PRISON EN RISQUE DE RADICALISATION 531,633 € [CODE SSR TN]**

FONDATION AGIR CONTRE L'EXCLUSION

Tunisia

372,143 €

FONDATION AGIR CONTRE L'EXCLUSION\*FACE

France  
159,490 €

**2017 "SALAM PRÉVENIR L'EXTRÉMISME VIOLENT EN TUNISIE : UNE APPROCHE BASÉE SUR LES DROITS HUMAINS ET LA CONSOLIDATION DE LA PAIX" 998,001 € [CODE SSR TN]**

ASSOCIACIO NOVACT

Spain

499,000 €

ASSOCIATION TUNISIENNE DES FEMMES DEMOCRATES

Tunisia

99,800 €

**2017 PROMOUVOIR LA PARTICIPATION SOCIALE, ÉCONOMIQUE ET POLITIQUE DES JEUNES MARGINALISÉS DANS LES ZONES LES PLUS TOUCHÉES PAR LE PHÉNOMÈNE DE L'EXTRÉMISME VIOLENT EN TUNISIE. 800,000 € [CODE SSR TN]**

I CHANGE

Tunisia

40,000 €

INTERNATIONAL ALERT LBG\*IA

United Kingdom

760,000 €

**2017 Renforcer la résilience des jeunes tunisiens pour prévenir les tentatives de récidive et de recrutements par les entités extrémistes 646,442 € [CODE SSR TN]**

ASSOCIATION DES JEUNES ET HABILITES\*ASSOCIATION JEUNESS ET HABILITES CHABEB W MAHARAT

Tunisia

40,403 €

ASSOCIATION FORUM DES SCIENCES SOCIALES APPLIQUEES\*ASSF APPLIED SOCIAL SCIENCE FORUM

Tunisia

193,933 €

**2017 FEMMES ET JEUNES POUR LA PAIX 320,000 € [CODE SSR TN]**

FONDAZIONE TERRE DES HOMMES ITALIAONLUS\*

Italy

64,000 €  
 HELP CODE ITALIA ONLUS  
 Italy  
 96,000 €

TRANSITIONAL JUSTICE UKRAINE [Search terms: Transitional Justice, Torture, SGBV, ICC, International Criminal Court, Monitoring Mission]

## EIDHR

**2014 Civic campaign against torture and ill-treatment in Ukraine 140,583 € [CODE TJ UA]**  
 KHARKIV HUMAN RIGHTS PROTECTION GROUP\*  
 Ukraine

**2014 Civic campaign against torture and ill-treatment in Ukraine 119,417 € [CODE TJ UA]**  
 KHARKIV HUMAN RIGHTS PROTECTION GROUP\*  
 Ukraine

**2017 COMBATTING TORTURE AND ILL-TREATMENT IN GEORGIA ARMENIA AND UKRAINE 1,000,000 € [CODE TJ UA]**  
 INTERNATIONAL MEDICAL REHABILITATION CENTER FOR VICTIMS OF WARS AND TOTALITARIAN REGIMES (IRC)  
 Ukraine

UKRAINIAN PSYCHIATRIC ASSOCIATION\*  
 Ukraine

**2017 PARLIAMENTARY CAMPAIGN FOR THE EFFECTIVENESS AND UNIVERSALITY OF THE ROME STATUTE (RS) OF THE INTERNATIONAL CRIMINAL COURT (ICC) SYSTEM (PGA ICC CAMPAIGN) 1,120,000 € [CODE TJ UA]**  
 CENTER FOR CIVIL LIBERTIES CIVIC ORGANIZATION\*PO CCL  
 Ukraine

**2018 FIGHT AGAINST TORTURE, ILL-TREATMENT AND IMPUNITY IN UKRAINE 275,000 € [CODE TJ UA]**

KHARKIV HUMAN RIGHTS PROTECTION GROUP\*  
 Ukraine  
 275,000 €  
 KHARKIV INSTITUTE FOR SOCIAL RESEARCHES\*  
 Ukraine

ODESSA REGIONAL ORGANIZATION OF ALL UKRAINIAN NON GOVERNMENTAL ORGANIZATION COMMITTEE OF VOTERS OF UKRAINE CIVIC ORGANISATION\*ORO CVU  
 Ukraine

TERRITORY OF SUCCESS\*TERYTORIYA USPIKHY  
 Ukraine

## ICSP

**2015 SUPPORT TO OSCE SPECIAL MONITORING MISSION IN UKRAINE 2,000,000 € [CODE TJ UA]**  
 ORGANIZATION FOR SECURITY AND COOPERATION IN EUROPE\*OSCE ORGANISATION POUR LA SECURITE ET LA COOPERATION EN EUROPE  
 Austria

**2015 SUPPORT TO THE UN HUMAN RIGHTS MONITORING MISSION IN UKRAINE 3,199,522 € [CODE TJ UA]**  
 UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS\*OHCHR HAUT COMMISSARIAT DES NATIONS UNIES AUX DROITS DE L'HOMME HCDH  
 Switzerland

**2016 FURTHER SUPPORT TO THE OSCE SPECIAL MONITORING MISSION 7,000,000 € [CODE TJ UA]**

ORGANIZATION FOR SECURITY AND COOPERATION IN EUROPE\*OSCE ORGANISATIONPOUR LA SECURITE ET LA COOPERATIONEN EUROPE

Austria

7,000,000 €

**2016 OSCE SPECIAL MONITORING MISSION TO UKRAINE 6,000,000 € [CODE TJ UA]**

ORGANIZATION FOR SECURITY AND COOPERATION IN EUROPE\*OSCE ORGANISATIONPOUR LA SECURITE ET LA COOPERATIONEN EUROPE

Austria

6,000,000 €

**2017 FURTHER SUPPORT TO THE OSCE SPECIAL MONITORING MISSION IN UKRAINE 5,000,000 €****[CODE TJ UA]**

ORGANIZATION FOR SECURITY AND COOPERATION IN EUROPE\*OSCE ORGANISATIONPOUR LA SECURITE ET LA COOPERATIONEN EUROPE

Austria

5,000,000 €

**2018 CONTINUING SUPPORT TO THE UN HUMAN RIGHTS MONITORING MISSION IN UKRAINE 3,000,000 € [CODE TJ UA]**

UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS\*OHCHR HAUT COMMISSARIAT DES NATIONS UNIES AUX DROITS DE L'HOMME HCDH

Switzerland

3,000,000 €

GENDER UKRAINE [Search terms: Gender, Women]

EIDHR

**2015 MOBILIZATION AMONG INTERNALLY DISPLACED WOMEN FOR ADDRESSING DOMESTIC AND GENDER-BASED VIOLENCE 160,143 € [CODE GENDER UA]**

ALL UKRAINIAN CHARITABLE ORGANIZATION CONVICTUS UKRAINE

Ukraine

**2015 MOBILIZATION AMONG INTERNALLY DISPLACED WOMEN FOR ADDRESSING DOMESTIC AND GENDER-BASED VIOLENCE 118,481 € [CODE GENDER UA]**

ALL UKRAINIAN CHARITABLE ORGANIZATION CONVICTUS UKRAINE

Ukraine

Development Cooperation Instrument

**2017 CENTRE OF GENDER CULTURE AS A PLATFORM FOR EMPOWERMENT OF WOMEN AND YOUTH 645,000 € [CODE GENDER UA]**

KHARKIV REGIONAL ORGANIZATION KHARKIV REGIONAL GENDER RESOURCE CENTER

**2017 "WOMEN AS AGENTS OF CHANGE, PEACE BUILDING AND CONFLICT PREVENTION AT THE GRASSROOTS LEVEL IN UKRAINE" 561,065 € [CODE GENDER UA]**

JUSTICE UKRAINE [Search terms: Justice, Judicial Reform]

ENI/ENPI

**2014 Consolidation of Justice Sector Policy Development in Ukraine 1,000,000 € [CODE JSR UA]**  
 CONSEIL DE L' EUROPE\*COUNCIL OF EUROPE  
 France

**2014 Ukraine - EU Speedometer: Constitutional and Judicial Reforms 114,612 € [CODE JSR UA]**  
 CENTRE FOR POLITICAL AND LEGAL REFORMS CIVIL ORGANISATION\*CPLR  
 Ukraine

**2015 FINANCIAL AND SYSTEMS AUDIT PROJECT TO SUPPORT JUSTICE SECTOR REFORM IN UKRAINE CONTRACT N. 2013/328-160 18,110 € [CODE JSR UA]**  
 ERNST AND YOUNG BEDRIJFSREVISOREN CVBA\*ERNST ET YOUNG REVISEURS D ENTREPRISES  
 Belgium

**2015 CONSOLIDATION OF JUSTICE SECTOR POLICY DEVELOPMENT IN UKRAINE 640 € [CODE JSR UA]**  
 CONSEIL DE L' EUROPE\*COUNCIL OF EUROPE  
 France

**2016 TWG: STRENGTHENING THE INSTITUTIONAL CAPACITY OF THE SUPREME COURT OF UKRAINE IN THE FIELD OF HUMAN RIGHTS PROTECTION AT THE NATIONAL LEVEL 1,311,731 €**

**[CODE JSR UA]**  
 DEUTSCHE STIFTUNG FUR INTERNATIONALE RECHTLICHE ZUSAMMENARBEIT IRZ-STIFTUNG\*  
 Germany  
 1,311,731 €

## EIDHR

**2014 Ensuring access to justice through free legal aid delivery and introduction of high quality standards of human rights protection in Ukraine 22,211 € [CODE JSR UA]**  
 ALL-UKRAINIAN CHARITABLE ORGANIZATION UKRAINIAN LEGAL AID FOUNDATION\*ULAF  
 Ukraine

**2016 IMPROVEMENT OF ACCESS TO JUSTICE AND DEFENCE OF THE RIGHT TO A FAIR TRIAL FOR VULNERABLE GROUPS IN UKRAINE 259,999 € [CODE JSR UA]**  
 KHARKIV HUMAN RIGHTS PROTECTION GROUP\*  
 Ukraine  
 KHARKIV INSTITUTE FOR SOCIAL RESEARCHES\*  
 Ukraine

## SSR UKRAINE [Search terms: Security, Police]

### ENI/ENPI

**2016 RULE OF LAW IN UKRAINE– POLICY AND BUDGETARY ANALYSIS IN THE AREA OF POLICE/LAW-ENFORCEMENT REFORM 83,357 € [CODE SSR UA]**  
 DAI EUROPE LIMITED  
 United Kingdom  
 83,357 €

**2018 SUPPORT TO CYBERSECURITY IN UKRAINE 153,600 € [CODE SSR UA]**  
 STANTEC  
 Belgium  
 153,600 €

### IcSP

**2017 SUPPORT TO POLICE REFORM IN UKRAINE 1,500,000 € [CODE SSR UA]**  
 KONUNGARIKET SVERIGE\*ROYAUME DESUEDE KINGDOM OF SWEDEN

Sweden  
1,500,000 €

### ***Complete overview of all EU commitments per instrument***

### ***EU commitments in Tunisia and Ukraine under the ENI/ENPI***

#### *ENI/ENPI Tunisia*

2011

2011 Engagement secondaire : destinés à soutenir les mesures de relance économique **89,000,000 €**  
ALJUMHURIYAH AT TUNISIYAH\*REPUBLIQUE TUNISIENNE REPUBLIC OF TUNISIA  
Tunisia

2011 Appui Budgétaire PEFESE (programme Education, formation professionnelle et enseignement supérieur en lien avec l'employabilité) **61,300,000 €**  
ALJUMHURIYAH AT TUNISIYAH\*REPUBLIQUE TUNISIENNE REPUBLIC OF TUNISIA  
Tunisia

2011 Programme d'appui aux politiques publiques de gestion des ressources en eau pour le développement rural et agricole **50,000,000 €**  
ALJUMHURIYAH AT TUNISIYAH\*REPUBLIQUE TUNISIENNE REPUBLIC OF TUNISIA  
Tunisia

2011 Engagement de la troisième tranche du programme PAI **20,000,000 €**  
ALJUMHURIYAH AT TUNISIYAH\*REPUBLIQUE TUNISIENNE REPUBLIC OF TUNISIA  
Tunisia

2011 Appui au Fonds National Maîtrise de l'Energie (FNME) **16,000,000 €**  
ALJUMHURIYAH AT TUNISIYAH\*REPUBLIQUE TUNISIENNE REPUBLIC OF TUNISIA  
Tunisia

2011 Bonification d'intérêts sur prêt de la BEI **9,890,000 €**  
ALJUMHURIYAH AT TUNISIYAH\*REPUBLIQUE TUNISIENNE REPUBLIC OF TUNISIA  
Tunisia

2011 Appui au Fonds de Dépollution (FODEP) **2,500,000 €**  
ALJUMHURIYAH AT TUNISIYAH\*REPUBLIQUE TUNISIENNE REPUBLIC OF TUNISIA  
Tunisia

2011 Activité B.9.1 du PASRI : Approche audit technologique **2,000,000 €**  
DEUTSCHE GESELLSCHAFT FUR INTERNATIONALE ZUSAMMENARBEIT (GIZ) GMBH\*  
Germany

2011 Electoral assistance to Tunisia - Phase II **805,545 €**  
ELECTORAL REFORM INTERNATIONAL SERVICES LIMITED LBG\*  
United Kingdom

2011 EU Tunisia Migration Cooperation Agenda **799,953 €**  
INTERNATIONAL CENTER FOR MIGRATION POLICY DEVELOPMENT\*INTERNATIONALENZEMTRUM FUR  
MIGRATIONSPOLITIKENTWICKLUNG ICMPD  
Austria

2011 Création d'une commission mixte de consultation pour la radio tunisienne **233,289 €**  
FONDATION HIRONDELLE MEDIA FOR PEACE AND HUMAN DIGNITY\*  
Switzerland

2011 Profil Environnement de pays Tunisie **197,408 €**  
EURONET CONSULTING EESV\*  
Belgium

2011 AT pour appuyer l'Administration tunisienne dans le domaine des Partenariats Publics Privés (PPP) et des concessions **190,223 €**

SAFEGE SA\*

France

2011 AT pour le Renforcement des Capacités de l'Agence Nationale de Promotion de la Recherche Scientifique (ANPR) **176,760 €**

DANISH MANAGEMENT AS\*

Denmark

2011 Assistance technique pour le renforcement des capacités institutionnelles de la Direction Générale de la prévision du Ministère de la Planification et de la Coopération Internationale **170,749 €**

PROTISVALOR MEDITERRANEE SAS\*PVM

France

**2011 Mission de Formulation et d'identification du projet justice en Tunisie** 159,929 € **[CODE JSR TN]**

INTERNATIONAL MANAGEMENT GROUP\*IMG

Serbia (Republic of)

2011 Evaluation finale des programmes d'appuis budgétaires Education secondaire et MANFORM II **147,810 €**

HTSPE LIMITED\*

United Kingdom

2011 Formulation du Programme d'Appui à la Société Civile en Tunisie **131,848 €**

COWI AS\*KAMPSAX GEODAN GEOPLUS KAMPSAX DATA GEOPLAN GEOMASTERS GEODATA AGRINOVA

INTERNATIONAL KAMPSAX INTERNATIONAL KAMPSAX TEKNIK

Denmark

2011 Mission d'appui au démarrage du Projet d'Appuis au Système de Recherche-Innovation (PASRI) en Tunisie **128,078 €**

DFC SA\*

Spain

2011 Assistance Technique pour l'étude, l'évaluation et l'optimisation des instruments financiers d'incitation à l'innovation et la création d'entreprise **127,674 €**

DFC SA\*

Spain

2011 Mission d'appui institutionnel à la préparation des appuis complémentaires du programme PEFESE **108,134 €**

IBF INTERNATIONAL CONSULTING SA\*

Belgium

2011 Etude de faisabilité de six projets pilotes pour la valorisation du patrimoine culturel et intégration dans le développement local pour la création d'emploi **106,576 €**

CAMBRIDGE EDUCATION LIMITED\*

United Kingdom

2011 Assistance technique pour le compte du Ministère tunisien de la santé Publique pour la création d'un organisme d'accréditation/certification des services de santé **105,425 €**

CONSEIL SANTE SA\*

France

2011 Organisation des activités d'information et de communication 2012 **90,000 €**

ASK EVENT SUARL\*ASK' EVENT

Tunisia

2011 Analyse des informations relatives au système de gouvernance de la nouvelle Libye. **82,000 €**

NATURAL PERSON ; PERSONNE PRIVÉE ; PRIVATPERSON - Art. 21(2) RAP

Spain

2011 Organisation des journées du cinéma européen 2011 **68,750 €**

ASSOCIATION DE COURT-METRAGE ET DOCUMENTAIRE MAGHREBIN\*ACDM

Tunisia

2011 "Soutien à la société civile en Tunisie" **60,000 €**

NATURAL PERSON ; PERSONNE PRIVÉE ; PRIVATPERSON - Art. 21(2) RAP

Spain

2011 Analyse des informations relatives aux élections pour l'Assemblée Constituante dans le cadre du renforcement de la bonne gouvernance **54,000 €**

NATURAL PERSON ; PERSONNE PRIVÉE ; PRIVATPERSON - Art. 21(2) RAP

Poland

2011	Mission de suivi pour le Programme d'Appui à l'Intégration	47,560 €
	AIDE A LA DECISION ECONOMIQUE SA*	
	Belgium	
2011	Assistance Technique au profit du Ministère du Commerce et du Tourisme pour le développement et la mise en place de nouvelles activités d'essais	33,000 €
	TRANSTEC SA*	
	Belgium	
2011	Audit financier et de système du programme P3A2	10,000 €
	FIDUNION TUNISIE SA*FT	
	Tunisia	
2011	Mission d'AT pour l'établissement d'entités privées du type IMF (institutions de microfinance) ainsi que le développement de l'environnement propice pour permettre le développement du secteur de la microfinance en Tunisie	9,986 €
	SELF-EMPLOYED NATURAL PERSON	
	France	
2011	Préparation d'une conférence sur la microfinance	9,917 €
	TUNINVEST FINANCE GROUP SA*TFG	
	Tunisia	
2011	Organisation de la 3ème édition du cinéma euro-maghrébin à Nabeul	9,900 €
	SOCIETE TOURISTIQUE KHEOPS HOTEL SA*	
	Tunisia	
2011	Elaboration et mise en oeuvre du plan de communication et visibilité du projet de mise à niveau environnementale de certaines installations du Groupe Chimique Tunisien (GCT)	9,900 €
	MEDIA HORIZON SARL*	
	Tunisia	
2011	Mission d'étude ex-post du jumelage "Renforcement des services vétérinaires en Tunisie TU05/AA/HE/08	9,688 €
	FRANCE VETERINAIRE INTERNATIONAL GIP*FVI	
	France	
2011	Appui à la Conférence internationale sur "la corruption et la malversation : quoi faire?", du 22 au 24/09/2011	9,600 €
	SOCIETE MEHARI HAMAMET SA*	
	Tunisia	
2011	Appui aux journées de l'entreprise de l'IACE sur le thème " L'entreprise et le schéma de développement : Engagement et Equité", les 9 et 10 décembre à Sousse.	9,400 €
	MEC SERVICE SARL*MUSIC ELECTRIC COOL SERVICES	
	Tunisia	
2011	Appui au Colloque international de Réalités sur "Le religieux et le politique dans un Etat de droit: expériences comparées", les 17 et 18 novembre 2011, à Hammamet	9,400 €
	RELAIS PALAIS DE TUNISIE SA*HOTEL ALHAMBRA THALASSO	
	Tunisia	
2011	Appui à la conférence de l'Académie de la latinité du 1er au 3 décembre 2011 à Hammamet- Al Hambara Thalasso	9,400 €
	RELAIS PALAIS DE TUNISIE SA*HOTEL ALHAMBRA THALASSO	
	Tunisia	
2011	7ème colloque international de l'Université de Tunis El Manar du 6 au 8 Juin 2011 à Hammamet	9,275 €
	SOCIETE MEHARI HAMAMET SA*	
	Tunisia	
2011	Appui au colloque de l'Université de Droit de Sfax sur le thème "Institutionnalisation de l'Etat de droit", les 6-7 décembre 2011	9,095 €
	HOTEL LES OLIVIERS SA*LES OLIVIERSPALACE H.O.S.A	
	Tunisia	
2011	Soutien de la Délégation au séminaire "Assises de la Justice transitionnelle en Tunisie" à la cité des Sciences de Tunis les 9-10/12/2011	8,423 €
	[CODE TJ TN]	
	TRAVEL ACADEMY SARL*	

Tunisia

2011 Contribution au financement pour la restauration de la bibliothèque de l'Institut des Belles Lettres Arabes (IBLA) **8,000 €**

EGLISE CATHOLIQUE EN TUNISIE SOCIETE DE FAIT\*PRELATURE DE TUNIS SOLIDARITE IBLA

Tunisia

2011 Audit du Programme d'appui à la compétitivité des entreprises et à la facilitation de l'accès au marché PCAM : ENPI/2008/20216 **8,000 €**

CONSEIL ETUDE GESTION AUDIT SARL\*

Tunisia

2011 Appui à l'organisation du Festival de cinéma Afrique-Méditerranée, à Thala, du 27 au 31 juillet 2011 **7,894 €**

BACK STAGE TECHNOLOGIE SARL\*B.S.T BACK STAGE TECHNOLOGY

Tunisia

2011 contrat a pour objet de financier une mission d'assistance technique qui contribuera à l'élaboration des "guidelines" en vue du lancement d'une appelle à propositions, par l'UE, ayant comme objectif de faciliter l'implantation des acteurs opérant **7,500 €**

F.A.C.Y. SA\*

Belgium

## 2012

2012 Programme d'Appui à la Relance (PAR) **2 63,000,000 €**

ALJUMHURIYAH AT TUNISIYAH\*REPUBLIQUE TUNISIENNE REPUBLIC OF TUNISIA

Tunisia

2012 Projet de création d'emplois et accompagnement à la réinsertion en complétant les dispositifs de l'Etat en Tunisie **6,476,777 €**

INTERNATIONAL LABOUR ORGANIZATION\*ILO ORGANISATION INTERNATIONALE DU TRAVAIL OIT

Switzerland

2012 Création d'une IMF 'greenfield' à destination des populations défavorisées en Tunisie. **1,835,791 €**

MICROCREC SA\*

France

2012 Appui au processus constitutionnel et parlementaire en Tunisie **1,809,778 €**

UNITED NATIONS DEVELOPMENT PROGRAMME\*UNDP PROGRAMME DES NATIONS UNIESPOUR LE DEVELOPPEMENT PNUD

United States

2012 Appui au développement de la microfinance en Tunisie par l'introduction du microcrédit accompagné et intégré **1,401,692 €**

ASSOCIATION POUR LE DROIT A L'INITIATIVE ECONOMIQUE INTERNATIONAL\*ADIE INTERNATIONAL AI

France

2012 Inclusion financière des populations rurales enclavées à travers le "Branchless banking" **1,200,004 €**

ENDA INTER-ARABE ASSOCIATION\*ENDA-IA

Tunisia

**2012 La lutte contre la torture et les mauvais traitements en Tunisie 438,593 € [CODE TJ TN]**

ORGANISATION MONDIALE CONTRE LA TORTURE ASSOCIATION\*OMCT WORLD ORGANISATION AGAINST TORTURE

Switzerland

2012 CTAA / PACKTEC - Lots N° 1, 2 et 4 : Système de Chromatographie (GC/MS) ; Spectromètre - ICP / Ms ; et Système de Chromatogra- phie (GC/MS/MS) **415,442 €**

LA PRECISION ELECTRONIQUE SARL\*

Tunisia

2012 Contribution à la mise au point d'un modèle intégré d'amélioration, d'aménagement et de gestion agro-sylvo-pastorales orienté vers les communautés vulnérables des zones périphériques du parc national de Bou-Hedma **397,386 €**

CENTRE TECNOLOGIC FORESTAL DE CATALUNYA CONSORCIO\*CTFC

Spain

2012 Appui au MFPE pour le pilotage du programme d'urgence pour l'emploi **327,640 €**

AMC ERNST & YOUNG SARL\*AMC E&Y

Tunisia



- 2012 Renforcement des capacités de la radio tunisienne en vue d'assurer une couverture complète des travaux de l'Assemblée nationale constituante puis des prochaines élections générales en jouant pleinement son rôle de service public et de proximité **306,530 €**  
FONDATION HIRONDELLE MEDIA FOR PEACE AND HUMAN DIGNITY\*  
Switzerland
- 2012 Projet d'appui aux initiatives de développement local et de création d'emploi dans le contexte rural de la Délégation de Sakiet Sidi Youssef, Gouvernorat du Kef **247,753 €**  
ASAMBLEA DE COOPERACION POR LA PAZASOCIACION\*ACPP  
Spain
- 2012 Suivi et mise à disposition d'assistance technique pour la mise en oeuvre du Programme d'Appui à la Relance **243,895 €**  
AIDE A LA DECISION ECONOMIQUE SA\*  
Belgium
- 2012 La Maison Tunisienne du Droit et des Migrations **239,445 €**  
FRANCE TERRE D'ASILE-ASSOCIATION\*  
France
- 2012 Renforcer les capacités de la société civile et promouvoir la participation des populations défavorisées dans la délégation de Tajerouine (avec extension envisagée dans deux autres délégations du gouvernorat de Siliana) **223,956 €**  
CAISSE CENTRALE DE LA MUTUALITE SOCIALE AGRICOLE\*CCMSA  
France
- 2012 Project to support innovative approach to productive work for youth in Tunisia and the MENA region **200,000 €**  
UNITED NATIONS INDUSTRIAL DEVELOPMENT ORGANIZATION\*UNIDO ORGANISATIONDES NATIONS UNIES POUR LE DEVELOPPEMENT INDUSTRIEL ONUDI  
Austria
- 2012 Formulation du programme d'actions pilote dans le cadre de l'initiative ENPARD en Tunisie **199,660 €**  
CENTRE INTERNATIONAL DES HAUTES ETUDES AGRONOMIQUES MEDITERRANEENNES INSTITUT AGRONOMIQUE MEDITERRANEEN DE MONTPELLIER CIHEAM IAMM  
France
- 2012 Etude de faisabilité sur le processus de mise en oeuvre d'une centrale de risques en Tunisie **187,390 €**  
MICROFINANZA SRL\*  
Italy
- 2012 AT pour Améliorer l'Accès à l'Information et l'efficacité des appuis à la société civile en Tunisie **182,932 €**  
COWI AS\*KAMPSAX GEODAN GEOPLUS KAMPSAX DATA GEOPLAN GEOMASTERS GEODATA AGRINOVA INTERNATIONAL KAMPSAX INTERNATIONAL KAMPSAX TEKNIK  
Denmark
- 2012 Mission d'appui institutionnel à la préparation des appuis complémentaires du programme d'appui aux politiques publiques de gestion des ressources en eau pour le développement rural et agricole PAPS-EAU **173,184 €**  
AGRECO GEIE\*  
Belgium
- 2012 Appui technique à la mise en place d'une gestion budgétaire par objectif **160,000 €**  
AIDE A LA DECISION ECONOMIQUE SA\*  
Belgium
- 2012 Etude de positionnement stratégique de l'infrastructure qualité tunisienne, son développement et son intégration dans l'espace Euro-Méditerranéen **144,916 €**  
ACE INTERNATIONAL CONSULTANTS SL\*  
Spain
- 2012 Mission de suivi du programme PEFESE **128,070 €**  
ACE INTERNATIONAL CONSULTANTS SL\*  
Spain
- 2012 Mission d'identification et de formulation d'un appui complémentaire au projet de réalisation des installations de mise en terril du phosphogypse à Gabès **116,538 €**

SAFEGE SA\*

France

2012 Appui au MFPE pour le pilotage du programme CAP Emploi

**102,220 €**

AMC ERNST &amp; YOUNG SARL\*AMC E&amp;Y

Tunisia

2012 Assistance technique au profit de l'administration tunisienne dans le domaine des PPP

**97,988 €**

XAVIER GHELBER\*CABINET GHELBER

France

2012 Prestations additionnelles - Assistance technique au profit de l'administration tunisienne dans le domaine des PPP

**97,860 €**

XAVIER GHELBER\*CABINET GHELBER

France

2012 Evaluation à mi-parcours du Programme Environnement et Energie

**70,831 €**

EURONET CONSULTING GEIE\*

Belgium

2012 Organisation des Journées du Cinéma Européen (JCE) dans les villes de Tunis, Sousse, Sfax, le Kef, Kairouan, Monastir, Gabés et Gafsa

**70,000 €**

ASSOCIATION DE COURT-METRAGE ET DOCUMENTAIRE MAGHREBIN\*ACDM

Tunisia

2012 Organisation des activités d'information et de communication 2012-2013

**61,000 €**

ASK EVENT SUARL\*ASK' EVENT

Tunisia

2012 Join EU TASK Force/World Bank STAR Tunisian Asset recovery workshop

**50,330 €**

ITALTREND C&amp;T SPA\*

Italy

2012 Évaluation à mi-parcours du B-GCT

**41,462 €**

AGRECO GEIE\*

Belgium

2012 Dialogue Interculturel à travers l'Art du Tapis - DIART

**40,000 €**

ASSADAKAH SARDEGNA-CENTRO ITALO ARABO E DEL MEDITERRANEO ASSOCIAZIONE\*

Italy

2012 Collines Perchées: Art et Citoyen

**40,000 €**

GOETHE-INSITTUT EV\*

Germany

2012 De l'Histoire orale à YouTube. Récits de la province tunisienne et générations face à face

**29,698 €**

ARCI NUOVA ASSOCIAZIONE COMITATO TERRITORIALE DI CATANIA\*ACI N A CATANIA ARCI CATANIA

Italy

2012 Culture et arts au service de l'interaction sociale dans le gouvernorat du Kef

**28,400 €**

FUNDACION CIDEAL DE COOPERACION E INVESTIGACION\*

Spain

## 2013

2013 PAR III Engagement pour appui budgétaire **65,000,000 €**

ALJUMHURIYAH AT TUNISIYAH\*REPUBLIQUE TUNISIENNE REPUBLIC OF TUNISIA

Tunisia

2013 Réhabilitation selon les standards internationaux de Tribunaux et Etablissements pénitentiaires avec une dotation de matériel informatique **10,000,000 €**  
 UNITED NATIONS OFFICE FOR PROJECT SERVICES\*UNOPS BUREAU DES NATIONS UNIES POUR LES SERVICES D'APPUI AUX PROJETS  
 Denmark

2013 Programme d'Appui à la Société Civile en Tunisie - PASC TUNISIE **3,399,228 €**  
 STICHTING EUROPEAN PARTNERSHIP FOR DEMOCRACY\*EPD  
 Netherlands

2013 Réhabilitation selon les standards internationaux de Tribunaux et Etablissements pénitentiaires avec une dotation de matériel informatique **2,300,000 €**  
 UNITED NATIONS OFFICE FOR PROJECT SERVICES\*UNOPS BUREAU DES NATIONS UNIES POUR LES SERVICES D'APPUI AUX PROJETS  
 Denmark

**2013 Soutien à l'amélioration du système de justice des enfants en Tunisie** 1,800,000 € **[CODE JSR TN]**  
 UNITED NATIONS CHILDREN'S FUND\*UNICEF LE FONDS DES NATIONS UNIES POUR L'ENFANCE  
 United States

**2013 Prévention de la Violence fondée sur le genre et accompagnement des femmes victimes dans le Nord-Ouest Tunisien** 550,000 €  
 FUNDACION CIDEAL DE COOPERACION E INVESTIGACION\*  
 Spain

2013 Observation, Suivi et Suivi des Elections **395,000 €**  
 ASSOCIATION TUNISIENNE POUR L'INTEGRITE ET LA DEMOCRATIE DES ELECTIONS\*ATIDE  
 Tunisia

2013 Citoyenneté active, élections et transition démocratique en Tunisie **394,018 €**  
 ASSOCIATION DES AGENCES DE LA DEMOCRATIE LOCALE\*ASSOCIATION OF LOCAL DEMOCRACY AGENCIES AADL/ALDA  
 France

LAM ECHAML ASSOCIATION\*  
 Tunisia

2013 Supporting Civil Society Organisations and Political Actors in Elections and Institutional Reforms to Strengthen the Democratic Process in Tunisia **332,499 €**  
 DEMOCRACY REPORTING INTERNATIONAL GMBH\*DR  
 Germany

2013 APPUI À L' AMÉLIORATION DE L' ENVIRONNEMENT INSTITUTIONNEL ET LÉGAL DES ORGANISATIONS DE LA SOCIÉTÉ CIVILE TUNISIENNE **273,865 €**  
 PARTICIP GMBH CONSULTANTS FÜR ENTWICKLUNG UND UMWELT\*  
 Germany

2013 Connecter les agents publiques : préparer des réformes inclusives **210,982 €**  
 ASSOCIATION BULGARIAN SCHOOL OF POLITICS\*BSOP  
 Bulgaria

CENTRE DES ETUDES MEDITERRANEENNES ET INTERNATIONALES SOCIETE CIVILE\*CEMI  
 Tunisia

2013 IDENTIFICATION ET FORMULATION D'UN PROGRAMME D'APPUI AU SECTEUR DES MEDIAS ET SECTEUR DE LA CULTURE EN TUNISIE **200,240 €**  
 SOFRECO-SOCIETE FRANCAISE DE REALISATION D'ETUDES ET DE CONSEIL SA\*  
 France

2013 Défense de la liberté de l'information en Tunisie **200,000 €**  
 ASSOCIATION REPORTERS SANS FRONTIERES\*RSF  
 France

**2013 Mobiliser la société civile tunisienne sur le suivi des relations UE-Tunisie, dans le cadre du dialogue structuré avec l'Union européenne** 200,000 €  
 EURO-MEDITERRANEAN HUMAN RIGHTS NETWORK\*RESEAU EURO-MEDITERRANEEN DES DROITS DE L'HOMME  
 Denmark

2013 Mission d'appui au renforcement de la planification régionale et la prospective pour l'éducation **154,932 €**  
 IBF INTERNATIONAL CONSULTING SA\*

Belgium

2013 Evaluation du Programme d'Appui à l'Accord d'Association dans ses trois phases (P3A, P3A2, P3AT)

**151,150 €**

ECORYS NEDERLAND BV\*

Netherlands

2013 Organisation des activités d'information et communication 2013-2014 **130,000 €**

MASTER EVENTS SARL\*

Tunisia

2013 Assistance technique pour l'élaboration d'une stratégie de développement et la formulation d'un projet de jumelage institutionnel pour le compte de l'Institut National de Météorologie **125,078 €**

PARTICIP GMBH CONSULTANTS FUR ENTWICKLUNG UND UMWELT\*

Germany

**2013 Appui l'identification et à la formulation d'un programme de promotion de l'égalité entre les femmes et les hommes en Tunisie 113,873 €** **[CODE GENDER**

**TN]**

SOFRECO-SOCIETE FRANCAISE DE REALISATION D'ETUDES ET DE CONSEIL SA\*

France

2013 Mission d'assistance technique en communication **113,200 €**

ARS PROGETTI SPA - AMBIENTE RISORSE E SVILUPPO\*

Italy

2013 Assistance Technique pour le compte du Ministère du tourisme pour la formulation d'un projet de jumelage institutionnel d'appui à la mise en place d'un système de promotion de la qualité dans le secteur touristique **109,890 €**

ECORYS NEDERLAND BV\*

Netherlands

2013 Organisation, Réalisation et Logistique de la Première Résidence Euromaghrébine de Photographes à Sfax, Tunisie **94,714 €**

LDK CONSULTANTS ENGINEERS & PLANNERS SA\*

Greece

2013 Mission d'appui au démarrage d'appui à la compétitivité des services (PACS) - volet santé **94,506 €**

AGENCE EUROPEENNE POUR LE DEVELOPPEMENT ET LA SANTE SCRL AEDES\*

Belgium

2013 Mission d'appui au démarrage du Programme PACS Tunisie - Composante TTC **87,880 €**

ASTECC GLOBAL CONSULTANCY LIMITED\*

Ireland

2013 Mission d'appui institutionnel à la préparation des appuis complémentaires du projet PAZD II Services de soins de première ligne en Tunisie **75,978 €**

ECORYS NEDERLAND BV\*

Netherlands

2013 Assistance technique pour le compte du Ministère de l'industrie pour la formulation d'un projet de jumelage institutionnel **73,095 €**

TRANSTEC SA\*

Belgium

2013 AT pour le compte du Ministère du Transport pour la formulation d'un projet de jumelage institutionnel d'appui au renforcement des autorités maritimes et portuaires en Tunisie **65,320 €**

ALATEC INGENIEROS CONSULTORES Y ARQUITECTOS SA\*

Spain

2013 Journées du Cinéma Européen - JCE 2013 **59,919 €**

SOCIETE CINEFILS SARL\*

Tunisia

2013 Mission d'assistance technique sur l'état des lieux et identification des besoins des opérateurs du secteur transport routier-logistique volet 3- PACS **20,000 €**

NATURAL PERSON ; PERSONNE PRIVÉE ; PRIVATPERSON - Art. 21(2) RAP

France

2013 Création et Impression des livres d'art de la Première Rencontre Euromaghrébine d'Ecrivains **19,998 €**

NOVAPRINT SARL\*

Tunisia

2013 Expertise pour la rédaction de deux décrets relatifs au régime des concessions en appui à l'Unité de suivi des concessions **18,800 €**

XAVIER GHELBER\*CABINET GHELBER

France

2013 Manifestation d'ouverture des journées du cinéma européen 2013 **17,242 €**

SINGAPORE TUNISIAN INVESTMENT COMPANY HOTEL THE RESIDENCE SA\*STIC

Tunisia

2013 Création et Impression des livres d'art de photographies et catalogues des expositions du Projet Sfax - Première Résidence Euromaghrébine de Photographes **15,650 €**

NOVAPRINT SARL\*

Tunisia

2013 Création, Edition et Impression Brochure de Coopération 2012 de l'UE en Tunisie **15,217 €**

ASK EVENT SUARL\*ASK' EVENT

Tunisia

2013 Etude de positionnement stratégique de l'infrastructure qualité tunisienne, son développement et son intégration dans l'espace Euro-Méditerranéen **12,300 €**

ACE INTERNATIONAL CONSULTANTS SL\*

Spain

## 2014

2014 PAR III Engagement pour appui budgétaire **45,000,000 €**

ALJUMHURIYAH AT TUNISIYAH\*REPUBLIQUE TUNISIENNE REPUBLIC OF TUNISIA

Tunisia

2014 EU Electoral assistance to Tunisia 2014 **1,025,273 €**

ELECTORAL REFORM INTERNATIONAL SERVICES LIMITED LBG\*

United Kingdom

2014 Valorisation des acquis de la recherche dans le domaine de l'eau **998,605 €**

INSTITUTION DE LA RECHERCHE ET DE L'ENSEIGNEMENT SUPERIEUR AGRICOLES\*IRESA

Tunisia

2014 IEES, Initiatives d'Emploi en Economie Sociale et Solidaire en Tunisie **799,923 €**

CENTRE TUNISIEN POUR L'ENTREPRENARIAT SOCIAL\*TUNISIAN CENTER FOR SOCIAL ENTREPRENEURSHIP

Tunisia

CHAMBRE REGIONALE DE L'ECONOMIE SOCIALE ET SOLIDAIRE PROVENCE-ALPES-COTE D'AZUR (CRESS PACA)\*

France

2014 Renforcement des capacités de l'UGTT pour l'institutionnalisation et l'opérationnalisation du Dialogue Social au service de la croissance et de l'emploi aux niveaux national et regional **799,810 €**

ULANDSSEKRETARIATET FORENING\*THE LO/FTF COUNCIL

Denmark

UNION GENERALE TUNISIENNE DU TRAVAIL\*

Tunisia

2014 Ma TerrE : Marketing Territorial pour l' Emploi **706,572 €**

ASSOCIATION TUNISIENNE POUR LE LEADERSHIP, L'AUTO-DEVELOPPEMENT ET LA SOLIDARITE\*

Tunisia

COMITATO EUROPEO PER LA FORMAZIONE E L'AGRICOLTURA ONLUS ASSOCIAZIONE\*EUROPEAN COMMITTEE FOR TRAINING AND AGRICULTURE

Italy

2014 Partenariat tuniso-allemand pour la formation dans les techniques de soudure, de brasage et de test **619,585 €**

CENTRE TECHNIQUE DES INDUSTRIES MECANIQUES ET ELECTRIQUES\*

Tunisia

GSI - GESELLSCHAFT FUR SCHWEISSTECHNIK INTERNATIONAL MBH\*GSI

Germany

2014 Pour l'accès à l'emploi des personnes en situation de handicap en Tunisie **550,000 €**

AGENCE NATIONALE POUR L'EMPLOI ET LE TRAVAIL INDEPENDANT\*

Tunisia

ASSOCIATION FEDERATION HANDICAP INTERNATIONAL\*HI HANDICAP INTERNATIONAL FEDERATION  
France

2014 Les Produits de terroir au service de l'emploi et du développement local **470,908 €**  
ASAMBLEA DE COOPERACION POR LA PAZASOCIACION\*ACPP  
Spain

ASSOCIATION DE DEVELOPPEMENT ET DECOMMUNICATION SOCIALE\*  
Tunisia

2014 Création d'emplois dans le Sud tunisien au service de l'agriculture et de l'artisanat : économie solidaire et professionnalisation des métiers agricoles **392,686 €**  
CENTRE INTERNATIONAL DES HAUTES ETUDES AGRONOMIQUES MEDITERRANEENNES INSTITUT AGRONOMIQUE MEDITERRANEEN DE MONTPELLIER CIHEAM IAMM  
France

SOCIETE MUTUELLE DE SERVICES AGRICOLES AL INTILAKA\*  
Tunisia

2014 Mobilisation d'assistance technique en appui à la mise en oeuvre de la réforme de Gestion Budgétaire par Objectifs **298,600 €**  
AIDE A LA DECISION ECONOMIQUE SA\*  
Belgium

2014 MISSION D'ASSISTANCE TECHNIQUE ET DE FORMATION AU PROFIT DU MINISTERE DE LA SANTE DANS LE CADRE DU PROJET D'APPUI À LA RÉDUCTION DES INÉGALITÉS SOCIALES **264,690 €**  
AGENCE EUROPEENNE POUR LE DEVELOPPEMENT ET LA SANTE SCRL AEDES\*  
Belgium

2014 Identification et formulation d'un programme d'appui au développement régional et local en Tunisie **243,030 €**  
HTSPE LIMITED\*  
United Kingdom

2014 JAMAITY.ORG **210,228 €**  
EURO-MEDITERRANEAN HUMAN RIGHTS NETWORK\*RESEAU EURO-MEDITERRAEEEN DES DROITS DE L'HOMME  
Denmark  
THE BRITISH COUNCIL ROYAL CHARTER\*  
United Kingdom

2014 Mission de suivi du Programme d'appui aux politiques publiques de gestion des ressources en eau pour le développement rural et agricole PAPS-EAU **139,464 €**  
PARTICIP GMBH CONSULTANTS FUR ENTWICKLUNG UND UMWELT\*  
Germany

2014 Assistance technique pour le compte de "Statistiques Tunisie" pour l'élaboration d'une stratégie de développement des statistiques régionales en Tunisie **128,722 €**  
AIDE A LA DECISION ECONOMIQUE SA\*  
Belgium

2014 Formulation d'un programme d'appui au secteur privé tunisien **120,182 €**  
APPLICATION EUROPEENNE DE TECHNOLOGIES ET DE SERVICES SARL\*AEETS  
France

2014 Assistance technique pour appuyer l'administration tunisienne dans la formulation de projets d'appui institutionnel au profit de la douane tunisienne **114,804 €**  
BKP DEVELOPMENT RESEARCH & CONSULTING GMBH\*  
Germany

2014 Identification d'un programme d'appui au secteur privé tunisien **92,856 €**  
APPLICATION EUROPEENNE DE TECHNOLOGIES ET DE SERVICES SARL\*AEETS  
France

2014 Organisation logistique du deuxième Forum de la Presse Maghrébine-Hammamet **89,573 €**  
LDK CONSULTANTS ENGINEERS & PLANNERS SA\*  
Greece

2014 Assistance technique pour le compte du Ministère du Transport pour la formulation d' un projet de jumelage institutionnel d' appui au renforcement des institutions de l' aviation civile en Tunisie **73,154 €**  
TRANSPORT & INFRASTRUCTURE EXPERTISE GROUP -TIEG EZHZ\*  
Slovakia

2014 Rencontre d'écrivains autour du thème "Littérature et engagement" **69,953 €**  
CONCEPTION, ETUDES ET COOPERATION DE FORMATION SA\*CECOFORMA  
Belgium

2014 Organisation des Journées du Cinéma européen 2014 **67,800 €**  
KANTAOUT FILMS\*  
Tunisia

2014 "Le Projet Sfax en Europe" . Expositions en Belgique et Espagne des photos de la Première Résidence Euromaghrébine de Photographes **58,998 €**  
PARTICIP GMBH CONSULTANTS FUR ENTWICKLUNG UND UMWELT\*  
Germany

2014 Mission d'assistance technique et de formation au profit du Ministère de la santé et du Ministère du commerce dans le cadre du PACS- volet santé **55,836 €**  
AGENCE EUROPEENNE POUR LE DEVELOPPEMENT ET LA SANTE SCRL AEDES\*  
Belgium

2014 Assistance technique d'un expert juriste santé pour appuyer la révision du cadre institutionnel de l'Instance Nationale de l'Accréditation santé (INASanté). **20,000 €**  
NATURAL PERSON ; PERSONNE PRIVÉE ; PRIVATPERSON - Art. 21(2) RAP  
Tunisia

2014 Conception et réalisation d'une lettre d'information bimestrielle et du rapport d'activité 2014 **20,000 €**  
ECOM SARL  
Tunisia

2014 création et impression de livres d'art – 2ème rencontre Euromaghrébine d'écrivains – "Littérature et engagement" **20,000 €**  
NOVAPRINT SARL\*  
Tunisia

2014 Etude cartographie régionale des inégalités en Tunisie **15,000 €**  
CCM CONSULTING GROUP INTERNATIONALNETWORK SARL\*  
Tunisia

2014 Impression et diffusion d'une lettre d'information bimensuelle et du rapport d'activités 2014 **15,000 €**  
IMPRIMERIE FINZI SARL\*  
Tunisia

## 2015

2015 ENGAGEMENT SECONDAIRE POUR LE DÉCAISSEMENT DES MONTANTS D'APPUI BUDGÉTAIRE DU PROGRAMME PAR IV **53,000,000 €**  
ALJUMHURIYAH AT TUNISIYAH\*REPUBLIQUE TUNISIENNE REPUBLIC OF TUNISIA  
Tunisia

2015 ENGAGEMENT SECONDAIRE POUR LE DÉCAISSEMENT DES MONTANTS D'APPUI BUDGÉTAIRE DU PROGRAMME PAR IV **46,500,000 €**  
ALJUMHURIYAH AT TUNISIYAH\*REPUBLIQUE TUNISIENNE REPUBLIC OF TUNISIA  
Tunisia

2015 IDENTIFICATION ET FORMULATION D'UN PROJET DE SOUTIEN À LA MISE EN OEUVRE DU PLAN QUINQUENNAL, À LA RÉFORME DE L'ADMINISTRATION ET DES ENTREPRISES PUBLIQUES **270,644 €**  
PARTICIP GMBH CONSULTANTS FUR ENTWICKLUNG UND UMWELT\*  
Germany

2015 IDENTIFICATION ET FORMULATION D'UN PROGRAMME D'APPUI À L'ÉDUCATION, LA MOBILITÉ, LA RECHERCHE ET L'INNOVATION EN TUNISIE **179,108 €**  
EDUCATION DEVELOPMENT TRUST  
United Kingdom

2015 IDENTIFICATION ET FORMULATION D'UN PROJET DE DÉVELOPPEMENT RÉGIONAL  
INTÉGRÉ EN TUNISIE **166,590 €**  
IBF INTERNATIONAL CONSULTING SA\*  
Belgium

**2015 ASSISTANCE TECHNIQUE DE DÉMARRAGE POUR LE PROGRAMME DE PROMOTION  
DE L'ÉGALITÉ HOMME-FEMME EN TUNISIE 146,150 € [CODE GENDER  
TN]**

DAI EUROPE LIMITED\*  
United Kingdom

2015 2ÈME RENCONTRE EUROMAGHRÉBINE DE PHOTOGRAPHES "LE PROJET KAIROUAN"  
**93,796 €**  
LDK CONSULTANTS ENGINEERS & PLANNERS SA\*  
Greece

2015 3ÈME RENCONTRE EUROMAGHRÉBINE D'ÉCRIVAINS AUTOUR DU THÈME "LITTÉRATURE  
ET FRONTIÈRES" **73,916 €**  
LDK CONSULTANTS ENGINEERS & PLANNERS SA\*  
Greece

2015 ASSISTANCE TECHNIQUE À LA DÉFINITION DU CADRE UNIQUE D'APPUI UE-TUNISIE 2017-  
2020 **53,687 €**  
INTERNATIONAL CONSULTING EXPERTISEGEIE\*ICE  
Belgium

2015 MISSION PEFA **20,000 €**  
SOBYFA CONSEIL\*  
Tunisia

[ENPI]

2015 AGISSONS ENSEMBLE POUR UN DÉVELOPPEMENT LOCAL CONCERTÉ DES TERRITOIRES  
À GAFFSA, KASSERINE, ET SIDI BOUZID (ADEL.) **400,000 €**  
ASSOCIATION BEDER POUR LA CITOYENNETE ET LE DEVELOPPEMENT  
Tunisia

ASSOCIATION CITOYENNETE A REGUEB  
Tunisia

**2015 CONTRIBUER À RENDRE LA SOCIÉTÉ CIVILE ACTRICE DE LA GOUVERNANCE  
LOCALE EN MATIÈRE DE GESTION DES RESSOURCES NATURELLES ET DANS LE RESPECT  
DES DROITS HUMAINS 375,737 € [CODE TJ  
TN]**

ANA YAKEDH - IWATCH  
Tunisia

AVOCATS SANS FRONTIERES - BELGIQUEASBL\*ASF ADVOCATEN ZONDER GRENZEN ANWALTE OHNE GRENZEN  
Belgium

2015 RENFORCEMENT DU TIERS SECTEUR LOCAL **361,348 €**  
CLUB MOHAMED ALI DE LA CULTURE OUVRIERE  
Tunisia

FONDAZIONE GIACOMO BRODOLINI\*  
Italy

2015 PROJET POUR SOUTENIR L'IMPLÉMENTATION DE LA GOUVERNANCE LOCALE DANS LE  
GRAND TUNIS / LA GOUVERNANCE LOCALE AUX JEUNES **353,103 €**  
INSTITUT ARABE DE LA GOUVERNANCE\*ARAB GOVERNANCE INSTITUTE  
Tunisia

LA FONDATION JASMIN POUR LA RECHERCHE ET LA COMMUNICATION\*JASMINE FOUNDATION FOR RESEARCH  
AND COMMUNICATION  
Tunisia

2015 KOLNA KESRA **348,941 €**  
CENTRE IBEN KHALDOUN POUR LES FORUMS INTELLECTUELS LITTÉRAIRES ET SCIENTIFIQUES\*  
Tunisia

KOLNA TOUNES



Tunisia

2015 RENFORCEMENT DES AUTORITÉS LOCALES ET DES OSC POUR L' IMPLÉMENTATION DES POLITIQUES PUBLIQUES MUNICIPALES **320,943 €**

ASSOCIATION TUNISIENNE POUR LE LEADERSHIP, L'AUTO-DEVELOPPEMENT ET LA SOLIDARITE\*

Tunisia

COMITATO EUROPEO PER LA FORMAZIONE E L'AGRICOLTURA ONLUS ASSOCIAZIONE\*EUROPEAN COMMITTEE FOR TRAINING AND AGRICULTURE

Italy

2015 APPUI AU MINISTÈRE DE LA CULTURE ET LA SAUVEGARDE DU PATRIMOINE POUR LA CONCRÉTISATION D' ACTIONS PRIORITAIRES DU PROGRAMME DE L'ANNÉE 2015 **299,933 €**

PROMAN SA\*

Luxembourg

2015 MISSION D'AT EN APPUI À LA DÉFINITION D'UNE STRATÉGIE SERVICE ET APPUI À L'UMNS DU MINISTÈRE DU COMMERCE DANS LE CADRE DE LA MISE EN OEUVRE DU VOLET 1 DU PACS (PROGRAMME D'APPUI À LA COMPÉTITIVITÉ DES SERVICES) **294,196 €**

TRANSTEC SA\*

Belgium

2015 MISSION D'ASSISTANCE TECHNIQUE À L'UAP DU PROGRAMME D'APPUI À LA COMPÉTITIVITÉ DES SERVICES (PACS) **292,164 €**

APPLICATION EUROPEENNE DE TECHNOLOGIES ET DE SERVICES SARL\*AETS

France

2015 MISSION D'ASSISTANCE TECHNIQUE EN FAVEUR DEL 'INAS SANTÉ DANS LE CADRE DU PAZD II **280,110 €**

AGENCE EUROPEENNE POUR LE DEVELOPPEMENT ET LA SANTE SCRL AEDES\*

Belgium

2015 ASSISTANCE TECHNIQUE POUR APPUYER LE DÉMARRAGE DES NÉGOCIATIONS EN VUE D'UN ACCORD DE LIBRE ECHANGE COMPLET ET APPROFONDI (ALECA) **267,076 €**

BKP DEVELOPMENT RESEARCH & CONSULTING GMBH\*

Germany

2015 ASSISTANCE TECHNIQUE POUR L'ÉLABORATION D' UNE STRATÉGIE ET UN PLAN D'ACTION POUR LA RÉFORME DES CENTRES TECHNIQUES SECTORIELS EN TUNISIE **257,054 €**

APPLICATION EUROPEENNE DE TECHNOLOGIES ET DE SERVICES SARL\*AETS

France

2015 MISSION D'APPUI POUR LA CONSOLIDATION ET LA TRANSFORMATION DE L'ENVIRONNEMENT INSTITUTIONNEL ET LEGAL DES OSC EN TUNISIE **255,964 €**

PARTICIP GMBH CONSULTANTS FUR ENTWICKLUNG UND UMWELT\*

Germany

2015 RENFORCER LA PARTICIPATION POUR LE DÉVELOPPEMENT DANS LE QUARTIER DE SIDI AMOR ABADA – KAIROUAN **192,667 €**

ASSOCIATION DE DEVELOPPEMENT LOCALE ET D'ENTRAIDE SOCIALE KAIROUAN (ADLESK)

Tunisia

ASSOCIATION DE SAUVEGARDE DE LA MEDINA DE KAIROUAN

Tunisia

2015 ACCOMPAGNEMENT DU PROGRAMME D'APPUI À LA COMPÉTITIVITÉ DU SECTEUR DES SERVICES (PACS) EN TUNISIE A LA CONCEPTION ET LA MISE EN OEUVRE D'ACTIVITÉS DE COMMUNICATION **177,696 €**

POHL CONSULTING & ASSOCIATES GMBH\*

Germany

2015 ÉVALUATION FINALE DU PROGRAMME D'APPUI À LA COMPÉTITIVITÉ DES ENTREPRISES ET À LA FACILITATION DE L'ACCÈS AU MARCHÉ (PCAM) **168,760 €**

BKP DEVELOPMENT RESEARCH & CONSULTING GMBH\*

Germany

2015 APPUI AU DÉVELOPPEMENT D'UNE MODÉLISATION MACRO-FISCALE **165,688 €**

AIDE A LA DECISION ECONOMIQUE SA\*

Belgium

2015 ACCÈS À L'ÉDUCATION DES FILLES RURALES **162,696 €**

ASSOCIATION CAPSA LA NOUVELLE\*KAPSA EL JADIDA  
Tunisia

ASSOCIATION DES CITOYENS A GAFSA  
Tunisia

2015 EVALUATION FINALE DU PROJET D' APPUI AU SYSTÈME RECHERCHE & INNOVATION (PASRI) **132,142 €**  
AECOM INTERNATIONAL DEVELOPMENT EUROPE SL  
Spain

2015 MISE EN PLACE D'UN SYSTÈME DE MANAGEMENT DES ACTIVITÉS DES ASSOCIATIONS EN TUNISIE **115,200 €**  
ASTECC GLOBAL CONSULTANCY LIMITED\*  
Ireland

2015 MISSION DE SÉLECTION DES ÉTABLISSEMENTS DE SANTÉ PILOTES EN VUE DE LEUR PARTICIPATION AU PROCESSUS D'ACCREDITATION (PACS-VOLET SANTÉ) **109,980 €**  
AGENCE EUROPEENNE POUR LE DEVELOPPEMENT ET LA SANTE SCRL AEDES\*  
Belgium

2015 EVALUATION FINALE DU PEE **100,496 €**  
AECOM INTERNATIONAL DEVELOPMENT EUROPE SL  
Spain

2015 MISSION D'AT POUR ASSURER LA VISIBILITÉ ET LA COMMUNICATION DANS LE CADRE DU PROJET PAZD II SANTÉ **98,492 €**  
INTERNATIONAL CONSULTING EXPERTISEGEIE\*ICE  
Belgium

2015 MISSION D'ASSISTANCE TECHNIQUE EN APPUI AU CENTRE DE PROMOTION DES EXPORTATIONS (CEPEX) DANS LE CADRE DU PROJET D'APPUI À LA COMPÉTITIVITÉ DES SERVICES (PACS) **97,008 €**  
APPLICATION EUROPEENNE DE TECHNOLOGIES ET DE SERVICES SARL\*AETS  
France

2015 EVALUATION À MI-PARCOURS DU PROGRAMME D'APPUI AUX ZONES DÉFAVORISÉES PAZD **75,588 €**  
POHL CONSULTING & ASSOCIATES GMBH\*  
Germany

2015 MISSION D'ASSISTANCE TECHNIQUE ET DE FORMATION AU PROFIT DU MINISTÈRE DE LA SANTE DANS LE CADRE DU PROJET D'APPUI À LA RÉDUCTION DES INÉGALITÉS SOCIALES **33,770 €**  
AGENCE EUROPEENNE POUR LE DEVELOPPEMENT ET LA SANTE SCRL AEDES\*  
Belgium

2015 AUDIT DES DEVIS PROGRAMME DE 2014 ET 2015 DU PCAM **19,122 €**  
ERNST AND YOUNG BEDRIJFSREVISOREN CVBA\*ERNST ET YOUNG REVISEURS D ENTREPRISES  
Belgium

2015 AVENANT POUR MODIFICATION D'EXPERT **15,140 €**  
KLYNVELD, PEAT, MARWICK, GOERDELER-BEDRIJFSREVISOREN CVBA\*  
Belgium

## 2016

2016 DÉCAISSEMENT DES TRANCHES D'APPUI BUDGÉTAIRE - PROGRAMME PAR V **49,000,000 €**  
ALJUMHURIYAH AT TUNISIAH\*REPUBLIQUE TUNISIENNE REPUBLIC OF TUNISIA  
Tunisia

2016 DÉCAISSEMENT DES TRANCHES D'APPUI BUDGÉTAIRE - PROGRAMME CAP2D **31,000,000 €**  
ALJUMHURIYAH AT TUNISIAH\*REPUBLIQUE TUNISIENNE REPUBLIC OF TUNISIA  
Tunisia

2016 DÉCAISSEMENT DES TRANCHES D'APPUI BUDGÉTAIRE - PROGRAMME PAR V **17,000,000 €**  
ALJUMHURIYAH AT TUNISIAH\*REPUBLIQUE TUNISIENNE REPUBLIC OF TUNISIA  
Tunisia

2016 DÉCAISSEMENT DES TRANCHES D'APPUI BUDGÉTAIRE - PROGRAMME CAP2D **4,000,000 €**  
 ALJUMHURIYAH AT TUNISIYAH\*REPUBLIQUE TUNISIENNE REPUBLIC OF TUNISIA  
 Tunisia

2016 ASSISTANCE TECHNIQUE EN APPUI AU DÉMARRAGE DE L'INITIATIVE RÉGIONALE  
 D'APPUI AU DÉVELOPPEMENT ÉCONOMIQUE DURABLE **290,750 €**  
 AMC ERNST & YOUNG SARL\*AMC E&Y  
 Tunisia  
 290,750 €

2016 ASSISTANCE TECHNIQUE POUR LE DÉMARRAGE DU PROGRAMME D'APPUI AUX MÉDIAS  
 EN TUNISIE - ENI/2014/037-337 **289,920 €**  
 INTERNATIONAL CONSULTING EXPERTISEGEIE\*ICE  
 Belgium  
 289,920 €

2016 IDENTIFICATION ET FORMULATION D'UN PROGRAMME D'APPUI À LA RÉFORME FISCALE,  
 L'INCLUSION FINANCIÈRE ET LE DÉVELOPPEMENT DE L'ÉCONOMIE SOCIALE ET SOLIDAIRE  
 EN TUNISIE **252,862 €**  
 AIDE A LA DECISION ECONOMIQUE SA\*  
 Belgium  
 252,862 €

2016 ASSISTANCE TECHNIQUE POUR LA RÉDACTION DE TERMES DE RÉFÉRENCE ET LA  
 COORDINATION DE 4 REVUES FONCTIONNELLES **208,910 €**  
 PARTICIP GMBH CONSULTANTS FUR ENTWICKLUNG UND UMWELT\*  
 Germany  
 208,910 €

2016 IDENTIFICATION ET FORMULATION DE LA TROISIÈME PHASE DU PROGRAMME  
 D'APPUI À LA RÉFORME DE LA JUSTICE (PARJ 3) **203,304 €** [CODE JSR  
 TN]  
 PARTICIP GMBH CONSULTANTS FUR ENTWICKLUNG UND UMWELT\*  
 Germany  
 203,304 €

2016 IDENTIFICATION ET FORMULATION D'UN PROGRAMME D'EFFICACITÉ ÉNERGÉTIQUE  
 EN TUNISIE **194,934 €**  
 COWI BELGIUM SPRL\*  
 Belgium  
 194,934 €

2016 IDENTIFICATION ET FORMULATION D'UN PROGRAMME D'ACCOMPAGNEMENT DE  
 RÉFORMES POUR FACILITER LE COMMERCE ENTRE LA TUNISIE ET L'UE DANS LES SECTEURS  
 INDUSTRIELS ET AGRICOLES  
**186,978 €**  
 BKP DEVELOPMENT RESEARCH & CONSULTING GMBH\*  
 Germany  
 186,978 €

2016 IDENTIFICATION ET FORMULATION D'UN PROGRAMME D'APPUI À LA SANTÉ EN TUNISIE  
**186,032 €**  
 ECORYS NEDERLAND BV\*  
 Netherlands  
 186,032 €

2016 EVALUATION À MI-PARCOURS DU PARJ ET DU DÉMARRAGE DU PARJ II  
**173,324 €**  
 PARTICIP GMBH CONSULTANTS FUR ENTWICKLUNG UND UMWELT\*  
 Germany  
 173,324 €

2016 MISSION D'ASSISTANCE TECHNIQUE AU DÉMARRAGE DU PROGRAMME D'APPUI À LA  
 RÉFORME ET MODERNISATION DU SECTEUR DE LA SÉCURITÉ DE LA RÉPUBLIQUE  
 TUNISIENNE  
**163,782 €** [CODE SSR TN]  
 IBF INTERNATIONAL CONSULTING SA\*  
 Belgium  
 163,782 €

2016 ORGANISATION DES JOURNÉES DE L'EUROPE À L'OCCASION DU 40ÈME ANNIVERSAIRE DE LA COOPÉRATION UE-TUNISIE

**118,123 €**

ITALTREND C&T SRL

Italy

118,123 €

2016 APPUI AU DÉVELOPPEMENT D'UNE MODÉLISATION MACRO-FISCALE

**82,844 €**

AIDE A LA DECISION ECONOMIQUE SA\*

Belgium

82,844 €

2016 4ÈME RÉSIDENCE EUROMAGHRÉBINE D'ÉCRIVAINS AUTOUR DU THÈME "LITTÉRATURE ET DIALOGUE" **66,767 €**

CONCEPTION, ETUDES ET COOPERATION DE FORMATION

Belgium

66,767 €

**2016 MISSION DE FORMULATION POUR LA MISE EN OEUVRE DE LA BUDGÉTISATION SENSIBLE AU GENRE EN TUNISIE 21,976 €**  
**[CODE GENDER TN]**

ECORYS NEDERLAND BV\*

Netherlands

21,976 €

**2016 ASSISTANCE TECHNIQUE DE DÉMARRAGE POUR LE PROGRAMME DE PROMOTION DE L'ÉGALITÉ HOMME-FEMME EN TUNISIE 20,076 €**  
**[CODE GENDER TN]**

DAI EUROPE LIMITED

United Kingdom

20,076 €

2016 ORGANISATION D'UNE EXPOSITION DE PHOTOS À L'OCCASION DE SFAX, CAPITALE DE LA CULTURE ARABE EN 2016 **20,000 €**

ALICE EVENTS\*

Tunisia

20,000 €

2016 MISSION DE VÉRIFICATION DU CONTRAT 2011/280-406 START AVEC IOM **19,822 €**

ERNST AND YOUNG BEDRIJFSREVISOREN CVBA\*ERNST ET YOUNG REVISEURS D ENTREPRISES

Belgium

19,822 €

2016 IDENTIFICATION ET FORMULATION D'UN PROJET DE DÉVELOPPEMENT RÉGIONAL INTÉGRÉ EN TUNISIE **11,046 €**

IBF INTERNATIONAL CONSULTING SA\*

Belgium

11,046 €

ENPI

2016 EVALUATION DU PROGRAMME D'APPUI À LA SOCIÉTÉ CIVILE ET FORMULATION D'UN NOUVEAU PROGRAMME D'APPUI **217,830 €**

IBF INTERNATIONAL CONSULTING SA\*

Belgium

217,830 €

2016 EVALUATION DU PROGRAMME PEFESE EN TUNISIE **156,380 €**

PROMAN SA\*

Luxembourg

156,380 €

2016 PROGRAMME D'ASSISTANCE TECHNIQUE POUR LES INDUSTRIELS DE LA RÉGION DE GABÈS EN MATIÈRE DE RESPONSABILITÉ SOCIALE DE L'ENTREPRISE (RSE) ET GESTION DE L'ENVIRONNEMENT **153,686 €**

AECOM INTERNATIONAL DEVELOPMENT EUROPE SL

Spain

153,686 €

2016 ETUDE D'IMPACT DE LA POLLUTION INDUSTRIELLE SUR LA SANTÉ HUMAINE À GABÈS  
**93,248 €**  
 INTERNATIONAL CONSULTING EXPERTISEGEIE\*ICE  
 Belgium  
 93,248 €

2016 ETUDE D'IMPACT DE LA POLLUTION INDUSTRIELLE SUR L'ÉCONOMIE DE LA RÉGION DE  
 GABÈS  
**78,542 €**  
 PARTICIP GMBH CONSULTANTS FUR ENTWICKLUNG UND UMWELT\*  
 Germany  
 78,542 €

2016 MISSION D'AT POUR ASSURER LA VISIBILITÉ ET LA COMMUNICATION DANS LE CADRE DU  
 PROJET PAZD II SANTÉ **30,438 €**  
 INTERNATIONAL CONSULTING EXPERTISEGEIE\*ICE  
 Belgium  
 30,438 €

2016 MISSION D'ASSITANCE TECHNIQUE EN FAVEUR DEL 'INAS SANTÉ DANS LE CADRE DU  
 PAZD II  
**19,883 €**  
 AGENCE EUROPEENNE POUR LE DEVELOPPEMENT ET LA SANTE SCRL AEDES\*  
 Belgium  
 19,883 €

2016 VÉRIFICATION DES DÉPENSES DU DP 4 (CONTRAT 2015/358-261) ET DU DP DE CLÔTURE  
 (2016/373-115) DU PROJET EUROMED JEUNESSE IV **16,520 €**  
 MOORE STEPHENS LLP\*  
 United Kingdom  
 16,520 €

2016 MISSION DE VÉRIFICATION UNOPS CONTRATS 2013/316-652 -2013/316-393 - 2014/351-146  
**15,760 €**  
 MOORE STEPHENS LLP\*  
 United Kingdom  
 15,760 €

2016 MISSION DE VÉRIFICATION D'UNE ORGANISATION INTERNATIONALE – CONTRAT  
 2013/315-095 UNICEF **15,380 €**  
 MOORE STEPHENS LLP\*  
 United Kingdom  
 15,380 €

2016 AUDIT DES DEVIS PROGRAMME DE 2014 ET 2015 DU PCAM **6,400 €**  
 ERNST AND YOUNG BEDRIJFSREVISOREN CVBA\*ERNST ET YOUNG REVISEURS D ENTREPRISES  
 Belgium  
 6,400 €

## 2017

2017 DÉCAISSEMENT DES TRANCHES D'APPUI BUDGÉTAIRE - PROGRAMME MAPU **66,500,000 €**  
 ALJUMHURIYAH AT TUNISIYAH\*REPUBLIQUE TUNISIENNE REPUBLIC OF TUNISIA  
 Tunisia  
 66,500,000 €

2017 DÉCAISSEMENT DES TRANCHES D'APPUI BUDGÉTAIRE - PROGRAMME EMORI **38,000,000 €**  
 ALJUMHURIYAH AT TUNISIYAH\*REPUBLIQUE TUNISIENNE REPUBLIC OF TUNISIA  
 Tunisia  
 38,000,000 €

2017 DÉVELOPPEMENT ET CONSOLIDATION DU DISPOSITIF MOBIDOC COMME INSTRUMENT  
 DE CRÉATION DE VALEUR AU TRAVERS DE LA MOBILITÉ DES CHERCHEURS VERS  
 L'ENTREPRISE **2,000,000 €**  
 ALJUMHURIYAH AT TUNISIYAH\*REPUBLIQUE TUNISIENNE REPUBLIC OF TUNISIA  
 Tunisia  
 2,000,000 €

2017 DÉCAISSEMENT DES TRANCHES D'APPUI BUDGÉTAIRE - PROGRAMME MAPU **1,000,000 €**  
 ALJUMHURIYAH AT TUNISIYAH\*REPUBLIQUE TUNISIENNE REPUBLIC OF TUNISIA  
 Tunisia  
 1,000,000 €

**2017 FLAG : FEMMES, LEADERSHIP, APPUI ET GESTION 826,546 € [CODE GENDER TN]**

ASSOCIAZIONE PONTES RICERCA E INTERVENTI  
 Italy

CENTRE TUNISIEN POUR L'ENTREPRENARIAT SOCIAL\*TUNISIAN CENTER FOR SOCIAL ENTREPRENEURSHIP  
 Tunisia

2017 CLEF: COSMÉTOLOGIE ET FEMMES, ÉMANCIPATION ET ÉGALITÉ DE LA FEMME RURALE À TRAVERS LA VALORISATION ET LA COMMERCIALISATION DES RESSOURCES DU TERRITOIRE **653,903 €**

ASSOCIATION DE KAIROUAN POUR L'AUTO-DEVELOPPEMENT  
 Tunisia

ASSOCIATION DE L'ENVIRONNEMENT POUR LE DEVELOPPEMENT DURABLE D'ELGUETAR  
 Tunisia

**2017 PARFAIT: PARTICIPATION DES FEMMES POUR L'AVANCEMENT ET L'INNOVATION DE LA TUNISIE 500,000 € [CODE GENDER TN]**

ASSOCIATION DES AGENCES DE LA DEMOCRATIE LOCALE\*ASSOCIATION OF LOCAL DEMOCRACY AGENCIES  
 AADL/ALDA  
 France

EUROPEAN PARTNERSHIP FOR DEMOCRACY  
 Belgium

**2017 PAROLE AUX FEMMES 465,209 € [CODE GENDER TN]**

ACTION ASSOCIATIVE  
 Tunisia

FUNDACION CIDEAL DE COOPERACION E INVESTIGACION\*  
 Spain

**2017 LES FEMMES, ACTRICES DE LA GOUVERNANCE LOCALE DANS LES GOUVERNORATS DU GRAND TUNIS, DE GAFSA ET DE JENDOUBA 354,342 € [CODE GENDER TN]**

ASSOCIATION FEDERATION HANDICAP INTERNATIONAL\*HI HANDICAP INTERNATIONAL FEDERATION  
 France

CENTRE TUNISIEN MEDITERRANEEN  
 Tunisia

2017 MISE EN OEUVRE D'ACTIONS DESTINÉES À ENCOURAGER L'INVESTISSEMENT INTERCOMMUNAL ET LEVER LES FREINS À LA CROISSANCE RÉGIONALE **292,974 €**

GLOBAL MANAGEMENT & SERVICES  
 Tunisia  
 292,974 €

2017 MISSION D'IDENTIFICATION ET DE FORMULATION POUR UN PROGRAMME D'APPUI À LA JEUNESSE EN TUNISIE **287,179 €**

IBF INTERNATIONAL CONSULTING SA\*  
 Belgium  
 287,179 €

2017 ASSISTANCE TECHNIQUE POUR L'ÉTUDE D'UN RAPPROCHEMENT DE L'ACQUIS DE L'UNION EUROPÉENNE EN MATIÈRE SANITAIRE ET PHYTOSANITAIRE DANS LE CADRE DES NÉGOCIATIONS D'UN ACCORD DE LIBRE ECHANGE COMPLET ET APPROFONDI (ALECA) **272,706 €**

APPLICATION EUROPEENNE DE TECHNOLOGIES ET DE SERVICES SARL\*AEYS  
 France  
 272,706 €

2017 IDENTIFICATION ET FORMULATION D'UN PROGRAMME D'APPUI À LA DIVERSIFICATION DU TOURISME EN TUNISIE **249,823 €**  
BKP DEVELOPMENT RESEARCH & CONSULTING GMBH\*

Germany  
249,823 €

2017 CONDUITE D'UNE REVUE FONCTIONNELLE AUPRÈS DU MINISTÈRE DES FINANCES DANS LE CADRE DE LA RÉFORME DE L'ADMINISTRATION PUBLIQUE TUNISIENNE **248,028 €**  
INTERNATIONAL CONSULTING EXPERTISEGEIE\*ICE

Belgium  
248,028 €

2017 REVUE FONCTIONNELLE AUPRÈS DU MINISTÈRE DE LA SANTÉ DANS LE CADRE DE LA RÉFORME DE L'ADMINISTRATION PUBLIQUE TUNISIENNE **245,878 €**  
ECORYS NEDERLAND BV\*

Netherlands  
245,878 €

2017 REVUE FONCTIONNELLE AUPRÈS DU MINISTÈRE DE L'ÉDUCATION DANS LE CADRE DE LA RÉFORME DE L'ADMINISTRATION PUBLIQUE TUNISIENNE **230,628 €**  
IBF INTERNATIONAL CONSULTING SA\*

Belgium  
230,628 €

2017 Le renforcement des capacités des interlocuteurs sociaux et de la société civile médiatique tunisienne - ASWATONA ATTOUNISSIA **220,000 €**  
COMMUNITY MEDIA SOLUTIONS LTD LBG\*CMS

United Kingdom

UNION TUNISIEN DES MEDIAS ASSOCIATIFS

Tunisia

2017 INFORMATION DE PROXIMITÉ ET CITOYENNETÉ ACTIVE DANS LES GOUVERNORATS DE TOZEUR ET KEBILI **220,000 €**

ALTERNATIVE MEDIA\*ASSOCIATION TUNISIENNE DES MEDIAS ALTERNATIFS

Tunisia

IREX EUROPE

France

2017 PROMOUVOIR ET DÉFENDRE LA LIBERTÉ, L'INDÉPENDANCE ET LA DIVERSITÉ DES MÉDIAS EN TUNISIE **210,400 €**

ARTICLE 19 LBG\*A19

United Kingdom

DEMOCRACY REPORTING INTERNATIONAL GGMBH\*DRI

Germany

2017 BARR-AL-AMAN : INTERVENTION POUR CONSOLIDER LE RÔLE DES ACTEURS MÉDIATIQUES ET DES INTERLOCUTEURS SOCIAUX DANS LA CONSTRUCTION D'UN ESPACE PUBLIC TUNISIEN PLURALISTE ET INCLUSIF **201,000 €**

ASSOCIACIO NOVACT

Spain

BARR AL AMAN POUR LA RECHERCHE ET LES MEDIAS

Tunisia

2017 MÉDIA PIONNIERS : DÉVELOPPEMENT DES STRATÉGIES DE FINANCEMENT DURABLES POUR LES MÉDIAS DE PROXIMITÉ EN TUNISIE **175,205 €**

MICT-MEDIA IN COOPERATION AND TRANSITION GGMBH

Germany  
175,205 €

2017 REVUE FONCTIONNELLE AUPRÈS DU MINISTÈRE DE L'ÉQUIPEMENT DE L'HABITAT ET DE L'AMÉNAGEMENT DU TERRITOIRE DANS LE CADRE DE LA RÉFORME DE L'ADMINISTRATION PUBLIQUE TUNISIENNE **169,440 €**

PARTICIP GMBH CONSULTANTS FÜR ENTWICKLUNG UND UMWELT\*

Germany  
169,440 €

2017 MÉDIAS CITOYENS **167,428 €**  
 ALTERNATIVE MEDIA\*ASSOCIATION TUNISIENNE DES MEDIAS ALTERNATIFS  
 Tunisia

JAMAITY  
 Tunisia

**2017 DÉVELOPPEMENT ET MISE EN OEUVRE D'UN SYSTÈME DE SUIVI ET D'ÉVALUATION (S&E) POUR LE « PROGRAMME DE PROMOTION DE L'ÉGALITÉ ENTRE LES FEMMES ET LES HOMMES EN TUNISIE » 161,500 € [CODE GENDER TN]**

ECORYS NEDERLAND BV\*  
 Netherlands  
 161,500 €

2017 APPUI AU DÉVELOPPEMENT D'UNE CELLULE DE PROSPECTIVE MACRO-FISCALE **149,191 €**  
 AIDE A LA DECISION ECONOMIQUE SA\*

Belgium  
 149,191 €

**2017 ANALYSES GENRE SECTORIELLES –TUNISIE 138,084 € [CODE GENDER TN]**

IBF INTERNATIONAL CONSULTING SA\*  
 Belgium  
 138,084 €

**2017 MISSION D'APPUI AU MINISTÈRE DE LA FEMME, LA FAMILLE ET L'ENFANCE, AU CONSEIL DES PAIRS ET SES PARTENAIRES 137,715 € [CODE GENDER TN]**

INTERNATIONAL CONSULTING EXPERTISEGEIE\*ICE  
 Belgium  
 137,715 €

2017 « ACCOMPAGNEMENT DE LA DISCUSSION DU PROJET DU CODE DES COLLECTIVITÉS LOCALES ET L'APPUI À L'ÉLABORATION DE SES TEXTES D'APPLICATION» **109,000 €**  
 CENTRE DE DEVELOPPEMENT INTERNATIONAL POUR LA GOUVERNANCE LOCALE INNOVANTE  
 Tunisia  
 109,000 €

2017 CONCEPTION ET MISE EN OEUVRE DE LA COMMUNICATION ET VISIBILITÉ DU PROGRAMME D'APPUI AU SECTEUR DES MÉDIAS EN TUNISIE **92,000 €**  
 MEDIANET  
 Tunisia  
 92,000 €

2017 APPUI AU DÉMARRAGE DU PROGRAMME «INITIATIVE PILOTE DE DÉVELOPPEMENT LOCAL INTÉGRÉ (IPDL)» **59,937 €**  
 IBF INTERNATIONAL CONSULTING SA\*  
 Belgium  
 59,937 €

**2017 MISSION D'ASSISTANCE TECHNIQUE AU DÉMARRAGE DU PROGRAMME D'APPUI À LA RÉFORME ET MODERNISATION DU SECTEUR DE LA SÉCURITÉ DE LA RÉPUBLIQUE TUNISIENNE 46,107 € [CODE SSR TN]**

IBF INTERNATIONAL CONSULTING SA\*  
 Belgium  
 46,107 €

2017 ASSISTANCE TECHNIQUE POUR LA RÉDACTION DE TERMES DE RÉFÉRENCE ET LA COORDINATION DE 4 REVUES FONCTIONNELLES **20,780 €**  
 PARTICIP GMBH CONSULTANTS FÜR ENTWICKLUNG UND UMWELT\*  
 Germany  
 20,780 €

2017 CONCEPTION ET PRODUCTION DES SUPPORTS DE COMMUNICATION POUR APPUYER LES EFFORTS DE COMMUNICATION DE L'INSTANCE DE PROSPECTIVE ET D'ACCOMPAGNEMENT DU PROCESSUS DE DÉCENTRALISATION AUTOUR DU PROJET CODE DES COLLECTIVITÉS LOCALES **19,800 €**  
 AH CONSEILS



Tunisia  
19,800 €

**2017 AUDIT FINANCIER ET DE SYSTÈME DU DPD ET DPC 1 DU PROGRAMME EGALITÉ HOMME ET FEMME 18,525 €**  
**[CODE GENDER TN]**

MOORE STEPHENS LLP\*  
United Kingdom  
18,525 €

**2017 MISSION DE FORMULATION POUR LA MISE EN OEUVRE DE LA BUDGÉTISATION SENSIBLE AU GENRE EN TUNISIE 10,704 €**  
**[CODE GENDER TN]**

ECORYS NEDERLAND BV\*  
Netherlands  
10,704 €

**2018**

**2018 CONTRAT PRO FORMA APPUI BUDGÉTAIRE DU PROGRAMME D'APPUI À LA RÉFORME FISCALE, L'INCLUSION FINANCIÈRE ET LE DÉVELOPPEMENT DE L'ÉCONOMIE SOCIALE ET SOLIDAIRE 62,600,000 €**

ALJUMHURIYAH AT TUNISIYAH\*REPUBLIQUE TUNISIENNE REPUBLIC OF TUNISIA  
Tunisia  
62,600,000 €

**2018 CONTRAT DE PERFORMANCE DE RÉFORME SECTORIELLE - PARJ3 50,000,000 €**

ALJUMHURIYAH AT TUNISIYAH\*REPUBLIQUE TUNISIENNE REPUBLIC OF TUNISIA  
Tunisia  
50,000,000 €

**2018 CONTRAT DE PERFORMANCE DE RÉFORME SECTORIELLE - OBJECTIF TRANSITION ÉNERGÉTIQUE. 46,400,000 €**

ALJUMHURIYAH AT TUNISIYAH\*REPUBLIQUE TUNISIENNE REPUBLIC OF TUNISIA  
Tunisia  
46,400,000 €

**2018 CONTRAT DE PERFORMANCE DE RÉFORME SECTORIELLE - APPUI BUDGÉTAIRE AU PROGRAMME D'APPUI À LA COMPÉTITIVITÉ ET AUX EXPORTATIONS 42,750,000 €**

ALJUMHURIYAH AT TUNISIYAH\*REPUBLIQUE TUNISIENNE REPUBLIC OF TUNISIA  
Tunisia  
42,750,000 €

**2018 CONTRAT DE PERFORMANCE DE RÉFORME SECTORIELLE - APPUI BUDGÉTAIRE AU PROGRAMME D'APPUI À LA COMPÉTITIVITÉ ET AUX EXPORTATIONS 5,000,000 €**

ALJUMHURIYAH AT TUNISIYAH\*REPUBLIQUE TUNISIENNE REPUBLIC OF TUNISIA  
Tunisia  
5,000,000 €

**2018 APPUI À LA MISE EN PLACE DU CONTRÔLE DÉMOCRATIQUE SUR LE SECTEUR DE LA SÉCURITÉ EN TUNISIE. 1,108,596 €**  
**[CODE SSR TN]**

CENTRE POUR LE CONTROLE DÉMOCRATIQUE DES FORCES ARMÉES GENEVE FONDATION\*GENEVA CENTRE FOR THE DEMOCRATIC CONTROL OF ARMED FORCES DCAF  
Switzerland  
1,108,596 €

**2018 RENFORCER L'IMPLICATION DE LA SOCIÉTÉ CIVILE DANS LA RÉFORME DE LA JUSTICE EN TUNISIE 1,000,000 €**  
**[CODE JSR TN]**

ASSOCIATION TUNISIENNE DE LUTTE CONTRE LES MALADIES SEXUELLES ET LE SIDA\*ASSOCIATION DE LUTTE CONTRE LESM.S.T. ET SIDA  
Tunisia

**AVOCATS SANS FRONTIÈRES - BELGIQUEASBL\*ASF ADVOCATEN ZONDER GRENZEN ANWALTE OHNE GRENZEN**

Belgium  
1,000,000 €

**2018 ASSISTANCE TECHNIQUE POUR LA COMMUNICATION DU PROGRAMME IRADA 618,062 €**

PLANET AE\*PLANET PROVISION OF CONSULTANCY SERVICES  
Greece  
618,062 €

2018 ETUDE D'ÉCART ET D'IMPACT POUR L'ÉLABORATION D'UN PLAN D'ACTION VISANT À FACILITER LA CONCLUSION D'UN ACCORD 'ACAA' ENTRE LA TUNISIE ET L'UE DANS LE CADRE DES NÉGOCIATIONS D'UN ACCORD DE LIBRE-ÉCHANGE COMPLET ET APPROFONDI (ALECA) **551,305 €**

[RAMBOLL DANMARK AS\\*](#)

Denmark  
551,305 €

2018 APPUI À LA PLATEFORME ASSOCIATIVE JAMAITY.ORG **500,000 €**

[JAMAITY](#)

Tunisia  
500,000 €

2018 ASSISTANCE POUR LA CONDUITE DE LA DEUXIÈME VAGUE DES REVUES FONCTIONNELLES DES MINISTÈRES TUNISIENS **299,535 €**

[ALTAIR ASESORES SL](#)

Spain  
299,535 €

2018 APPUI AU DÉVELOPPEMENT D'UN SYSTÈME DE PROBATION - MESURES ALTERNATIVES À LA PRISON EN TUNISIE **296,424 €**

[ALTAIR ASESORES SL](#)

Spain  
296,424 €

2018 ASSISTANCE TECHNIQUE POUR LE RENFORCEMENT DE LA CONNAISSANCE DE L'UNION EUROPÉENNE AUPRÈS DES DÉCIDEURS TUNISIENS : CONCEPTION ET MISE EN OEUVRE D'UN SYSTÈME DE FORMATION SUR L'UE ET SES POLITIQUES **295,964 €**

[ECORYS NEDERLAND BV\\*](#)

Netherlands  
295,964 €

2018 ASSISTANCE TECHNIQUE POUR L'ÉLABORATION D'UNE STRATÉGIE DE L'INCLUSION SOCIALE ET DE LUTTE CONTRE LA PAUVRETÉ EN TUNISIE **295,688 €**

[AECOM INTERNATIONAL DEVELOPMENT EUROPE SL](#)

Spain  
295,688 €

2018 APPUI OPÉRATIONNEL POUR L'UNITÉ DE GESTION PAR OBJECTIFS (UGPO) CHARGÉE DU PILOTAGE ET DE LA COORDINATION DES NÉGOCIATIONS DE L'ACCORD DE LIBRE-ÉCHANGE COMPLET ET APPROFONDI (ALECA) ENTRE LA TUNISIE ET L'UE. **295,384 €**

[AECOM INTERNATIONAL DEVELOPMENT EUROPE SL](#)

Spain  
295,384 €

2018 FORMULATION DE PROGRAMME ET ANALYSE D'ÉCONOMIE POLITIQUE ET SOUTIEN À L'IDENTIFICATION ET LA FORMULATION 2019 TUNISIE **287,130 €**

[PARTICIP GMBH](#)

Germany  
287,130 €

2018 APPUI AU RAPPROCHEMENT DE LA RÉGLEMENTATION TUNISIENNE EN MATIÈRE D'AVIATION CIVILE À L'ACQUIS DE L'UE DANS LE CADRE DE LA MISE EN ŒUVRE DE L'ACCORD EURO-MÉDITERRANÉEN RELATIF AUX SERVICES (OPEN SKY) **279,220 €**

[APPLICATION EUROPEENNE DE TECHNOLOGIES ET DE SERVICES](#)

France  
279,220 €

2018 APPUI POUR LE RENFORCEMENT DU SYSTÈME DE PROTECTION DES DONNÉES PERSONNELLES EN TUNISIE **271,530 €**

[IBF INTERNATIONAL CONSULTING](#)

Belgium  
271,530 €

**2018 PRÉPARATION ET EXPÉRIMENTATION DE LA MISE EN OEUVRE DE LA BUDGÉTISATION SENSIBLE AU GENRE EN TUNISIE 240,520 €**

**[CODE GENDER TN]**

[AECOM INTERNATIONAL DEVELOPMENT EUROPE SL](#)

Spain

240,520 €

2018 ETUDE DU CADRE RÉGLEMENTAIRE ET INSTITUTIONNEL TUNISIEN ET DE L'ACQUIS DE L'UNION EUROPÉENNE EN MATIÈRE DE CONCURRENCE ET D'AIDES D'ÉTAT DANS LE CADRE DES NÉGOCIATIONS D'UN ACCORD DE LIBRE-ÉCHANGE COMPLET ET APPROFONDI "ALECA"

**209,200 €**

APPLICATION EUROPEENNE DE TECHNOLOGIES ET DE SERVICES

France

209,200 €

2018 APPUI À LA MISE EN OEUVRE D'UN PLAN DE COMMUNICATION ET DE VISIBILITÉ **200,000 €**  
SOCIETE WASABI

Tunisia

200,000 €

2018 ETUDE D'ÉCART ET D'IMPACT EN VUE D'UN RAPPROCHEMENT DU CADRE RÉGLEMENTAIRE TUNISIEN AVEC L'ACQUIS DE L'UNION EUROPÉENNE EN MATIÈRE DE SERVICES POSTAUX **199,720 €**

BKP DEVELOPMENT RESEARCH & CONSULTING GMBH\*

Germany

199,720 €

2018 EVALUATION À MI-PARCOURS ET ÉVALUATION FINALE DU PROGRAMME D'APPUI AU SECTEUR DE LA CULTURE (PACT) **174,930 €**

PROMAN SA\*

Luxembourg

174,930 €

2018 MISSION D'IDENTIFICATION ET DE FORMULATION D'UN PROGRAMME D'APPUI À LA PROTECTION SOCIALE EN TUNISIE **153,690 €**

CONSEIL SANTE

France

153,690 €

2018 ASSISTANCE TECHNIQUE POUR LA MISE EN OEUVRE DE LA RÉFORME DES CENTRES TECHNIQUES SECTORIELS EN TUNISIE **149,650 €**

AECOM INTERNATIONAL DEVELOPMENT EUROPE SL

Spain

149,650 €

2018 ASSISTANCE TECHNIQUE À L'INSTITUT NATIONALE DE LA STATISTIQUE POUR LE CHANGEMENT DE L'ANNÉE DE BASE DES COMPTES NATIONAUX TUNISIENS **149,300 €**

POHL CONSULTING & ASSOCIATES GMBH

Germany

149,300 €

2018 EVALUATION FINALE DU PROGRAMME D'APPUI AUX POLITIQUES PUBLIQUES DE GESTION DES RESSOURCES EN EAU POUR LE DÉVELOPPEMENT RURAL ET AGRICOLE (PAPS-EAU) EN TUNISIE **138,840 €**

SOGEROM SA\*

Luxembourg

138,840 €

2018 ETUDE D'ÉCART ET D'IMPACT EN VUE D'UN RAPPROCHEMENT DU CADRE RÉGLEMENTAIRE TUNISIEN VERS LES NORMES INTERNATIONALES ET DE L'UNION EUROPÉENNE EN MATIÈRE DE MARCHÉS PUBLICS **121,695 €**

COWI BELGIUM SPRL\*

Belgium

121,695 €

2018 APPUI À LA MISE EN OEUVRE D'UN PLAN DE COMMUNICATION ET DE VISIBILITÉ **99,990 €**  
SOCIETE WASABI

Tunisia

99,990 €

2018 ASSISTANCE TECHNIQUE POUR LA MISE EN PLACE D'UN SYSTÈME DE VEILLE JURIDIQUE AU PROFIT DES SERVICES DU CONSEILLER JURIDIQUE ET DE LÉGISLATION DU GOUVERNEMENT **94,500 €**

SWECO DANMARK AS

Denmark

94,500 €

**2018 ANALYSES GENRE SECTORIELLES –TUNISIE 68,986 € [CODE GENDER TN]**IBF INTERNATIONAL CONSULTING  
Belgium

68,986 €

**2018 MISSION D'APPUI À LA NÉGOCIATION D'UN NOUVEAU CONTRAT DE SERVICE POUR L'ASSISTANCE TECHNIQUE DE LONG TERME AU PROGRAMME D'APPUI À LA RÉFORME ET MODERNISATION DU SECTEUR DE LA SÉCURITÉ EN TUNISIE 55,600 € [CODE SSR TN]**

ALTAIR ASESORES SL

Spain  
55,600 €**2018 « ACCOMPAGNEMENT DE LA DISCUSSION DU PROJET DU CODE DES COLLECTIVITÉS LOCALES ET L'APPUI À L'ÉLABORATION DE SES TEXTES D'APPLICATION» 50,908 €**

CENTRE DE DEVELOPPEMENT INTERNATIONAL POUR LA GOUVERNANCE LOCALE INNOVANTE

Tunisia  
50,908 €**2018 IDENTIFICATION ET FORMULATION D'UN PROGRAMME D'APPUI À LA DIVERSIFICATION DU TOURISME EN TUNISIE 44,230 €**

BKP DEVELOPMENT RESEARCH &amp; CONSULTING GMBH\*

Germany  
44,230 €**2018 EVALUATION À MI-PARCOURS DU PROGRAMME D'ACTIONS PILOTES DANS LE CADRE DE L'INITIATIVE EUROPÉENNE POUR LE DÉVELOPPEMENT AGRICOLE ET RURAL EN PARD EN TUNISIE 39,000 €**

ACK INTERNATIONAL

France  
39,000 €**2018 DÉVELOPPEMENT ET MISE EN OEUVRE D'UN SYSTÈME DE SUIVI ET D'ÉVALUATION (S&E) POUR LE « PROGRAMME DE PROMOTION DE L'ÉGALITÉ ENTRE LES FEMMES ET LES HOMMES EN TUNISIE » [CODE GENDER TN]****28,500 €**

ECORYS NEDERLAND BV\*

Netherlands  
28,500 €**2018 APPUI AU DÉMARRAGE DU PROGRAMME «INITIATIVE PILOTE DE DÉVELOPPEMENT LOCAL INTÉGRÉ (IPDL)» 27,720 €**

IBF INTERNATIONAL CONSULTING

Belgium  
27,720 €**2018 APPUI POUR L'ÉLABORATION DE LA NOTE, LES TERMES DE RÉFÉRENCE (TDR) ET LE DOSSIER D'APPEL D'OFFRES POUR L'ÉLABORATION DU SCHÉMA NATIONAL DE L'AMÉNAGEMENT DU TERRITOIRE****19,000 €**

FASTLANE CONSULTING AND RESEARCH

Tunisia  
19,000 €**2018 ASSISTANCE TECHNIQUE POUR LA RÉDACTION DE TERMES DE RÉFÉRENCE ET LA COORDINATION DE 4 REVUES FONCTIONNELLES 12,900 €**

PARTICIP GMBH

Germany  
12,900 €**2018 MISSION D'IDENTIFICATION ET DE FORMULATION POUR UN PROGRAMME D'APPUI À LA JEUNESSE EN TUNISIE 10,298 €**

IBF INTERNATIONAL CONSULTING

Belgium  
10,298 €

*ENI/ENPI Ukraine*

2014

2014 State Building Contract for Ukraine (AAP 2013)

**55,000,000 €**

UKRAINA\*UKRAINE

Ukraine

2014 State Building Contract for Ukraine (AAP 2013)

**55,000,000 €**

UKRAINA\*UKRAINE

Ukraine

2014 Continued Support to the implementation of Ukraine`s Energy Strategy

**45,000,000 €**

UKRAINA\*UKRAINE

Ukraine

2014 State Building Contract for Ukraine (AAP 2013)

**13,000,000 €**

UKRAINA\*UKRAINE

Ukraine

2014 "Supply of Mobility and Surveillance equipment for the State Border Guards Service Ukraine" Lot 1 and 2 Cars+ Joint Border Patrolling on the Green and Blue Border between the Republic of Moldova and Ukraine (STRONGBOR) Lot 1 Cars

**4,830,322 €**

MORIS SLOVAKIA SRO\*

Slovakia

2014 Improvement of food safety control system in Ukraine

**3,591,550 €**

GRONTMIJ AS\*GMDK CARL BRO GROUP ANDERSKOUV &amp; THOMSEN AXEL NIELSEN JOHS JORGENSEN ACOUSTICA SKANDINAVISK LYDTEKNIK MICRO CONSULT DANEDUC

Denmark

2014 Promoting Cohesion and Social Well-being of Families and Children displaced to Kyiv oblast

**1,971,137 €**

CHILDREN'S AND FAMILY SERVICE BODY OF THE KYIV REGIONAL STATE ADMINISTRATION\*

Ukraine

2014 Support to the Ministry of Infrastructure of Ukraine in Strengthening of Safety Standards of Commercial Road Transport

**1,550,000 €**

RZECZPOSPOLITA POLSKA\*REPUBLIQUE DEPOLOGNE REPUBLIC OF POLAND

Poland

2014 Complementary Measures to the Sector Policy Support Programme "Promoting mutual trade by removing technical barriers to trade between Ukraine and the European Union"

**1,495,050 €**

EUROPEAN PROFILES ANONYMI ETAIREIAMELETON KAI SYMVOULON EPICHEIRISEON\*EUROPEAN PROFILES AE

Greece

2014 Strengthening the Protection and Enforcement of Intellectual Property Rights in Ukraine

**1,468,005 €**

FUNDACION INTERNACIONAL Y PARA IBEROAMERICA DE ADMINISTRACION Y POLITICAS PUBLICAS\*ADMINISTRATION AND PUBLIC POLICIES

Spain

2014 Recovery of amelioration network to boost economic growth in rural areas of Volyn region **1,171,859 €**

INTERNATIONAL COOPERATION AND EUROPEAN INTEGRATION DEPARTMENT OF THE OBLAST STATE ADMINISTRATION\*DEPARTMENT FOR INTERNATIONAL COOPERATION AD

Ukraine

2014 **Consolidation of Justice Sector Policy Development in Ukraine 1,000,000 €** [CODE JSR UA]

CONSEIL DE L' EUROPE\*COUNCIL OF EUROPE

France

2014 Ukrainian Regional Platform of Civic Initiatives

**995,040 €**

CENTER FOR SUPPORT OF CIVIC AND CULTURAL INITIATIVES TAMARISK\*

Ukraine

CHARITABLE ORGANIZATION CHARITABLE FOUNDATION CENTER FOR CIVIC INITIATIVES\*

Ukraine

...and 6 other recipients

2014 Complementary support to the Ministry of Ecology and Natural Resources of Ukraine for the sector budget support implementation

**982,700 €**

EPTISA SERVICIOS DE INGENIERIA SL\*

Spain

2014 Support to the Implementation of the Transport Strategy of Ukraine

**935,200 €**

CORPORATE SOLUTIONS CONSULTING LIMITED\*CSCL

United Kingdom

2014 Improving Vocational Training System according to the needs of the Volyn sub-regional economy

**846,114 €**

DEPARTMENT OF EDUCATION AND SCIENCE OF THE RIVNE REGIONAL STATE ADMINISTRATION\*

Ukraine

2014 LOT 3 AND LOT 2 - SUPPLY OF SURVEILLANCE EQUIPMENT FOR THE STATE BORDER GUARDS SERVICE UKRAINE

**840,794 €**

DAT-CON DRUZBA ZA STORITVE PROIZVODNJO SERVIS IN TRGOVINO DOO

Slovenia

2014 Hromadske Network

**815,552 €**

NON-GOVERNMENTAL ORGANIZATION PUBLIC TELEVISION\*HROMADSKE.TV

Ukraine

PUBLIC ORGANISATION PUBLIC RADIO\* HROMADSKE

Ukraine

2014 Reducing the energy consumption and CO2 emissions in the sector of residential buildings in the city of Dolyna

**772,579 €**

COMMUNAL ENTERPRISE ADMINISTRATION OF MUNICIPAL PROPERTY OF DOLYNA CITY COUNCIL\*

Ukraine

DOLYNA CITY COUNCIL\*

Ukraine

2014 Slavutich SEAP pilot - retrofit of two municipal budget-funded facilities

**721,937 €**

DEPARTMENT OF EDUCATION OF SLAVUTYCH CITY COUNCIL\*

Ukraine

EXECUTIVE COMMITTEE OF SLAVUTYCH CITY COUNCIL\*

Ukraine

...and 1 other recipients

2014 Support economy of Zakarpatska oblast through its tourism capacity development and promotion

**712,443 €**

ZAKARPATYYA OBLAST COUNCIL\*

Ukraine

2014 Municipal Partnerships for Energy Efficiency in Sambir and Zhovkva, Ukraine

**699,789 €**

EAST EUROPE FOUNDATION INTERNATIONAL CHARITABLE ORGANISATION\*EEF

Ukraine

SAMBIR CITY COUNCIL\*

Ukraine

...and 1 other recipients

2014 Implementation of the first phase of The Action on the sanitation of the municipal boiler and the area heated with it  
**688,000 €**  
 ZHOVKVA TOWN COUNCIL\*  
 Ukraine

2014 Support to Local Self-Government Reform in Ukraine  
**662,299 €**  
 BUKOVINA CENTER FOR DEVELOPMENT AND RECONSTRUCTION\*BCDR  
 Ukraine

CIVIL SOCIETY INSTITUTE\*  
 Ukraine

...and 3 other recipients

2014 Formation of the Modern Management Model for Regional Labour Market Development in Khmelnytskyi region  
**651,304 €**  
 SOCIAL PROTECTION DEPARTMENT OF KHMELNYTSKYI REGIONAL STATE ADMINISTRATION\*  
 Ukraine

2014 Ivano-Frankivsk region - land for tourism  
**600,000 €**  
 UKRAINA\*UKRAINE  
 Ukraine

2014 Creation of the Regional Training and Practical Center for Development of Multifunctional Cooperatives  
**491,925 €**  
 DEPARTMENT OF AGRO-INDUSTRIAL DEVELOPMENT OF CHERKASY REGIONAL STATE ADMINISTRATION\*  
 Ukraine

2014 "Development of possibilities of the cooperative for protection of legal and economic interests of private peasant farms as well as broadening of dairy product assortment to meet the demands of the social sphere of Tomashpil district"  
**426,793 €**  
 TOMASHPIL DISTRICT COUNCIL\*  
 Ukraine

2014 Enhancement of Energy Performance of Educational Institutions Buildings in Konotop  
**400,000 €**  
 KONOTOP CITY COUNCIL\*  
 Ukraine

2014 Development of agricultural activities in Manevichi district of Volyn Region and in Volodymyrets District of Rivne region by supporting regional programmes of soil amendment and outreach activities among population (Pilot project)  
**376,424 €**  
 MANEVYCHI DISTRICT COUNCIL\*  
 Ukraine

2014 Tourism as a catalyst of rural economic development  
**343,561 €**  
 ODESSA REGIONAL AGENCY FOR RECONSTRUCTION AND DEVELOPMENT\*  
 Ukraine

2014 Supporting internally displaced persons with diabetes and chronic kidney disease in Mykolayiv region.  
**338,985 €**  
 MYKOLAYIV REGIONAL HOSPITAL\*  
 Ukraine

2014 Establishment of Custody Centres and Temporary Holding Facilities for Irregular Migrants in Ukraine, Lot 1  
**319,569 €**  
 EL-MAK ELEKTRIK MAKINE SANAYI VE TICARET LIMITED SIRKETI\* EL MAK ELECTRIC MACHINERY IND AND TRADE LTD COEL MAK ELEKTRIKMAINA  
 Turkey

2014 EU advisory support to the Government Office for European Integration and building up an effective coordination mechanism for the EU-Ukraine Association Agreement implementation  
**284,480 €**  
 INTERNATIONAL CONSULTING EXPERTISEGEIE\*ICE  
 Belgium

2014 EU advisory support to Ukraine in reforming civil service and administrative legal framework

**273,230 €**

INTERNATIONAL CONSULTING EXPERTISEGEIE\*ICE

Belgium

2014 Trousim - the guarantee of dynamic social and economic development of rural communities

**259,546 €**

VINNYTSIA DISTRICT COUNCIL\*

Ukraine

2014 Provision and establishment of accomodation facilities for the internally displaced persons on the territory of Zhytomyr Oblast

**254,200 €**

ZHYTOMYR OBLAST STATE ADMINISTRATION\*

Ukraine

2014 Improving of Life Conditions and Social Adaptation of Internally Displaced Persons in Chernivtsi Region

**251,860 €**

CHERNIVTSI REGIONAL COUNCIL\*

Ukraine

2014 Technical assistance in support to the preparation of the program "Ukraine-Sustainable Private Sector Development".

**226,804 €**

IBF INTERNATIONAL CONSULTING SA\*

Belgium

2014 Assistance to the Ministry of Energy and Coal Industry of Ukraine in the process of development of the Emissions Reduction Plan for Ukraine

**219,326 €**

PARTICIP GMBH CONSULTANTS FUR ENTWICKLUNG UND UMWELT\*

Germany

2014 Development of cycling tourism in Lipovets district

**210,736 €**

LIPOVETS TOWN COUNCIL\*

Ukraine

2014 Rada za Europu

**206,400 €**

AGENCY FOR LEGISLATIVE INITIATIVESCITIZENS ASSOCIATION\*

Ukraine

2014 Development of green and eco-tourism as a systematic component of economic development in Berezne region

**187,500 €**

BEREZNE DISTRICT COUNCIL\*

Ukraine

2014 Insufficient development of dairy farming and low efficiency of agricultural markets

**179,000 €**

PYATYKHATKY RAYON COUNCIL\*

Ukraine

2014 Evaluation of Budget Support Operations in Ukraine

**176,288 €**

IBF INTERNATIONAL CONSULTING SA\*

Belgium

2014 Workshops and a study visit aimed at priority setting and monitoring of the EU-Ukraine Association Agreement and relevant EU assistance

**123,860 €**

ITALTREND C&T SPA\*

Italy

2014 Dummy contract for the extension of the contract 147-509 "Harmonisation of Competition and Public Procurement Systems with EU standards"

**91,453 €**

DEUTSCHE GESELLSCHAFT FUR INTERNATIONALE ZUSAMMENARBEIT (GIZ) GMBH\*

Germany



2014 Needs assessment for the Institutional Reform Plan in the area of implementation of the future EU-Ukraine Association Agreement, including drafting project documentation

**75,398 €**

HTSPE LIMITED\*

United Kingdom

2014 Preparation of Twinning project and provision of assistance to National Commission for State Energy Regulation of Ukraine in the area of electricity market regulation

**48,266 €**

COWI AS\*KAMPSAX GEODAN GEOPLUS KAMPSAX DATA GEOPLAN GEOMASTERS GEODATA AGRINOVA INTERNATIONAL KAMPSAX INTERNATIONAL KAMPSAX TEKNIK

Denmark

2014 FINANCIAL AND SYSTEMS AUDIT OF GRANT CONTRACTS EIDHR/2012/298-145, EIDHR/2012/303-139, ENPI/2012/310-164 AND FINANCIAL AUDIT OF GRANT CONTRACT ENPI/2012/279-613

**20,608 €**

MOORE STEPHENS LLP\*

United Kingdom

2014 PR support for EC assistance and cooperation programmes in Ukraine

**20,000 €**

INTERNEWS UKRAINE\*

Ukraine

2014 Preparation of the ToRs for the TA project "Support to Ukraine in approximation of the EU environmental acquis"

**18,100 €**

VIESOJI ISTAIGA APLINKOS APSAUGOS POLITIKOS CENTRAS\*CENTER FOR ENVIRONMENTAL POLICY

Lithuania

## 2015

2015 KRAMATORSK MUNICIPAL ELECTRIC TRANSPORT POWER SUBSTATION MODERNIZATION

**961,835 €**

EXECUTIVE COMMITTEE OF KRAMATORSK CITY COUNCIL\*

Ukraine

2015 MODERNIZATION OF STREET LIGHTING IN TOWN OF MENA

**500,000 €**

MENA TOWN COUNCIL\*MENA RAYON CHERNIHIV OBLAST

Ukraine

2015 EVALUATION OF EU CIVIL SOCIETY SUPPORT IN UKRAINE 2007-2015

**164,672 €**

DAI EUROPE LIMITED\*

United Kingdom

2015 PRE-FEASIBILITY STUDY FOR PROJECTS TO BE POSSIBLY FUNDED UNDER THE EASTERN PARTNERSHIP INTEGRATED BORDER MANAGEMENT FLAGSHIP INITIATIVE

**92,800 €**

DAI EUROPE LIMITED\*

United Kingdom

2015 PREPARATION OF THE TOR FOR THE TECHNICAL ASSISTANCE PROJECT "ASSISTANCE TO THE UKRAINIAN AUTHORITIES FOR IMPROVEMENT THE INFRASTRUCTURE CYCLE MANAGEMENT"

**49,990 €**

ARS PROGETTI SPA - AMBIENTE RISORSE E SVILUPPO\*

Italy

2015 FINANCIAL AUDIT OF SERVICE CONTRACT 247776, WORKS CONTRACT 267879, SERVICE CONTRACT 299195

**37,694 €**

MOORE STEPHENS LLP\*

United Kingdom

2015 VERIFICATION MISSION OF THE CONTRIBUTION AGREEMENTS ENPI/2010/258-219;  
ENPI/2011/268-938; ENPI/2012/306-189

**37,006 €**

ERNST AND YOUNG BEDRIJFSREVISOREN CVBA\*ERNST ET YOUNG REVISEURS D ENTREPRISES

Belgium

2015 FINANCIAL AUDIT SERVICE CONTRACT N. 275-552 COMPLEMENTARY SUPPORT TO THE  
MINISTRY OF ECOLOGY AND NATURAL RESOURCES

**24,996 €**

MOORE STEPHENS LLP\*

United Kingdom

2015 KRAMATORSK MUNICIPAL ELECTRIC TRANSPORT POWER SUBSTATION MODERNIZATION

**23,827 €**

EXECUTIVE COMMITTEE OF KRAMATORSK CITY COUNCIL\*

Ukraine

2015 VERIFICATION MISSION OF THE CONTRIBUTION AGREEMENT ENPI/2013/319615 IOM

**19,520 €**

ERNST AND YOUNG BEDRIJFSREVISOREN CVBA\*ERNST ET YOUNG REVISEURS D ENTREPRISES

Belgium

**2015 FINANCIAL AND SYSTEMS AUDIT PROJECT TO SUPPORT JUSTICE SECTOR REFORM  
IN UKRAINE CONTRACT N. 2013/328-160 18,110 € [CODE JSR UA]**

ERNST AND YOUNG BEDRIJFSREVISOREN CVBA\*ERNST ET YOUNG REVISEURS D ENTREPRISES

Belgium

2015 DEVELOPMENT OF A CONCEPT FOR A WEBSITE FOR THE REGISTRATION, TRACKING,  
ANALYSIS, REPORTING AND COORDINATION OF INTERNATIONAL TECHNICAL ASSISTANCE TO  
THE UKRAINIAN GOVERNMENT (U-AID DEVELOPMENT).

**18,075 €**

LIMITED LIABILITY COMPANY PRONET BUSINESS TECHNOLOGY

Ukraine

## ENPI

2015 SECTOR POLICY SUPPORT PROGRAMME - SUPPORT TO UKRAINE'S REGIONAL POLICY

**50,000,000 €**

UKRAINA\*UKRAINE

Ukraine

2015 SUPPORT FOR THE IMPLEMENTATION OF THE EU-UKRAINE ASSOCIATION AGREEMENT

**7,704,680 €**

ECORYS NEDERLAND BV\*

Netherlands

FCG SIPU INTERNATIONAL AB\*

Sweden

...and 1 other recipients

2015 TECHNICAL ASSISTANCE IN THE FINANCIAL SECTOR'S PRIORITY AREAS

**3,360,000 €**

HULLA & CO HUMAN DYNAMICS KG\*HULLABERNHARD GOTTFRIED THIERY

Austria

2015 SUPPORT TO AGRICULTURAL AND FOOD POLICY IMPLEMENTATION

**2,994,500 €**

WYG INTERNATIONAL LIMITED\*

United Kingdom

2015 SUPPORT TO UKRAINE IN APPROXIMATION OF THE EU ENVIRONMENTAL 'ACQUIS'

**2,670,500 €**

ALL-UKRAINIAN ENVIRONMENTAL NGO MAMA-86 CIVIL ORGANISATION\*UKRAINIAN NATIONAL  
ENVIRONMENTAL NGO FOR OUR INTERNATIONAL COOPERATION

Ukraine

ENVIRONMENTAL INSTITUTE,S.R.O\*EI

Slovakia

...and 1 other recipients

2015 SUPPORT TO THE IMPLEMENTATION OF THE ASSOCIATION AGREEMENT AND OF THE NATIONAL STRATEGY IN THE TRANSPORT SECTOR IN UKRAINE

**2,587,100 €**

DORNIER CONSULTING INTERNATIONAL

Germany

2015 "ENABLING LIVING CONDITIONS FOR VULNERABLE IDPS AND CONFLICT-AFFECTED LOCAL RESIDENTS IN THE CITY OF KRAMATORSK

**1,819,093 €**

EXECUTIVE COMMITTEE OF KRAMATORSK CITY COUNCIL\*

Ukraine

2015 SUPPORT TO STATE FISCAL SERVICE (SFS) OF UKRAINE IN REINFORCING IBM ELEMENTS IN THE AREA OF CUSTOMS MATTERS

**1,800,000 €**

BUNDESREPUBLIK DEUTSCHLAND\*REPUBLIQUE FEDERALE D ALLEMAGNE FEDERAL REPUBLIC OF GERMANY

Germany

2015 HUMAN RIGHTS DEFENCE OF INTERNAL DISPLACED PERSONS IN UKRAINE

**1,789,055 €**

CHARITABLE FOUNDATION CHARITABLE FOND STRENGTHENING OF FIRE AND TECHNOGENIC SAFETY

Ukraine

CHARITABLE FOUNDATION STATION KHARKIV\*CHARITI ORGANIZATION STATION KHARKIV CHARITY FUND

Ukraine

...and 5 other recipients

2015 SUPPORT THE NATIONAL ENERGY AND UTILITIES REGULATORY COMMISSION (NEURC) OF UKRAINE IN THE PROCESS OF ELECTRICITY MARKET REFORM

**1,600,000 €**

REGIONALNA ROZVOJOVA AGENTURA SENEC PEZINOK\*

Slovakia

2015 HOUSING PROVISION FOR IDPS IN DNIPROPETROVS' K OBLAST.

**1,573,081 €**

CHARITY ORGANIZATION CHARITY FUND THE AID OF DNIPRO\*NGO CHARITABLE FUND DOPOMOGA DNIPRA

Ukraine

2015 CAPITAL REPAIR OF ROAD BRIDGE ACROSS SEVERSKIY DONETS RIVER

**1,429,978 €**

SEVERODONETSK CITY COUNCIL\*

Ukraine

2015 SUPPLY OF LABORATORY AND OTHER EQUIPMENT AND ANCILLARIES - LOT 2

**1,360,623 €**

BIOETHIC SRL\*

Italy

2015 "BUILDING CAPACITY TO SUPPORT CONFLICT-AFFECTED IDPS AND LOCAL RESIDENTS IN MARIUPOL"

**1,305,100 €**

MARIUPOLSKA SPILKA MOLODI\*MARIUPOLYOUTH UNION

Ukraine

VYKONAVCHYL KOMITET MARIUPOLSKOI MISKOI RADY DONETSKOI OBLASTI\*EXECUTIVE COMMITTEE OF MARIUPOL CITY COUNCIL DONETSK OBLAST

Ukraine

2015 TWINNING PROJECT "INTRODUCTION OF A MANAGEMENT SYSTEM OF WASTE OF ELECTRICAL & ELECTRONIC EQUIPMENT IN UKRAINE"

**1,200,000 €**

UMWELTBUNDESAMT GMBH\*UBA

Austria

2015 DEVELOPMENT OF A COMPREHENSIVE SYSTEM OF SUPPORT FOR IDPS AND LOCAL COMMUNITY OF BERDYANSK CITY.

**1,199,740 €**

EXECUTIVE COMMITTEE OF BERDYANSK CITY COUNCIL

Ukraine

UNITED NATIONS POPULATION FUND\*UNFPA FONDS DES NATIONS UNIES POUR LA POPULATION FNUAP  
United States

2015 SUPPORT TO THE IMPLEMENTATION OF THE ASSOCIATION AGREEMENT AND OF THE NATIONAL STRATEGY IN THE TRANSPORT SECTOR IN UKRAINE

**1,151,600 €**

DORNIER CONSULTING INTERNATIONAL

Germany

2015 POLTAVA REGION FOR INTERNALLY DISPLACED PERSONS

**1,036,204 €**

CHARITABLE ORGANIZATION LIGHT OF HOPE

Ukraine

POLTAVA CITY COUNCIL

Ukraine

...and 1 other recipients

2015 ASSISTANCE WITH IMPLEMENTATION OF SPS (SANITARY AND PHYTOSANITARY MEASURES) COMMITMENTS UNDER THE EU-UKRAINE ASSOCIATION AGREEMENT

**1,000,000 €**

VALSTYBINE MAISTO IR VETERINARIJOSTARNYBA\*STATE FOOD AND VETERINARY SERVICE

Lithuania

2015 ACTIVATION OF THE TERRITORIAL COMMUNITY OF KHERSON TO OVERCOME THE PROBLEMS OF INTERNALLY DISPLACED PEOPLE.

**723,747 €**

DEPARTMENT OF SOCIAL POLICY OF KHERSON CITY COUNCIL\*

Ukraine

2015 HOME FOR HOMELESS

**721,060 €**

DEPARTMENT OF EDUCATION OF SLAVYANSK CITY COUNCIL\*

Ukraine

SLAVIANSK CITY COUNCIL\*

Ukraine

2015 IMPROVEMENT OF FOOD SAFETY CONTROL SYSTEM IN UKRAINE

**699,780 €**

SWECO DANMARK AS

Denmark

2015 SUPPLY OF SOFTWARE FOR ANIMAL DISEASE SURVEILLANCE (LOT 3) AND FOR VETERINARY INSPECTION SUPPORT (LOT 4)

**693,500 €**

FOLGAT FTC LLC\*

Ukraine

2015 BUILDING THE FUTURE TOGETHER

**640,813 €**

KIROVOHRAD OBLAST COUNCIL\*KIROVOHRAD REGIONAL COUNCIL

Ukraine

2015 RENEWING OF FUNCTION EVACUATED FROM LUHANSK TO SEVERODONETSK VOLODYMYR DAHL EAST UKRAINIAN NATIONAL UNIVERSITY

**529,500 €**

VOLODYMYR DAHL EAST UKRAINIAN UNIVERSITY\*

Ukraine

2015 CREATION VERSATILE EDUCATIONAL AN INDUSTRIAL COMPLEX "MOZAIKA"

**357,566 €**

CHARITABLE ORGANIZATION HLYNYANY DEVELOPMENT FUND\*CO HDF

Ukraine

HLYNYANY CITY COUNCIL\*

Ukraine

2015 EXPERT SUPPORT TO THE IMPLEMENTATION OF THE UKRAINE EARLY RECOVERY PROJECT OF THE EUROPEAN INVESTMENT BANK: DEVELOPMENT OF SOCIAL MANAGEMENT AND STAKEHOLDER ENGAGEMENT PLANS

**350,000 €**

INTERNATIONAL RENAISSANCE FOUNDATION

Ukraine

2015 ADAPTATION CENTER FOR IN-MIGRANTS AND ENTREPRENEURS FROM ATO ZONE AND CRIMEA IN VINNYTSYA REGION

**322,629 €**

ASSOCIATION OF PRIVATE INVESTORS OF UKRAINE\*

Ukraine

DEPARTMENT OF REGIONAL ECONOMIC DEVELOPMENT OF STATE OBLAST ADMINISTRATION\*

Ukraine

2015 NEW HOME, SCHOOL, INTEGRATION AND WORK OPPORTUNITIES FOR INTERNALLY DISPLACED PERSONS IN MYKOLAYIV.

**238,031 €**

EXECUTIVE COMMITTEE OF MYKOLAYIV CITY COUNCIL\*

Ukraine

2015 SOCIAL AND ECONOMIC ADAPTATION OF DISPLACED PERSONS IN THE CITY OF TERNOPIIL.

**236,937 €**

TERNOPIIL CITY COUNCIL\*

Ukraine

2015 SUPPLY OF IT HARDWARE, STANDARD SOFTWARE AND ANCILLARIES - LOT 1

**208,055 €**

PREDUZECE ZA PROIZVODNJU TRGOVINUSLUGE I INZENJERING PAN COMPUTERSDOO NOVI SAD

Serbia (Republic of)

2015 TRANSLATION AND INTERPRETATION SERVICES

**200,000 €**

TRIS TRANSLATION BUREAU LLC

Ukraine

2015 ASSESSMENT OF THE UKRAINIAN REGULATIONS AND ADMINISTRATIVE MANAGEMENT OF THE PHARMACEUTICAL SECTOR, FROM PRODUCTS' REGISTRATION PROCEDURES APPLICABLE TO MEDICAL PRODUCTS (VACCINES, BLOOD PRODUCTS AND DRUGS) TO PUBLIC PROCUREMENT BY RELEVANT ENTITIES

**132,922 €**

ECORYS NEDERLAND BV\*

Netherlands

2015 WORKSHOPS AND A STUDY VISIT AIMED AT PRIORITY SETTING AND MONITORING OF THE EU-UKRAINE ASSOCIATION AGREEMENT AND RELEVANT EU ASSISTANCE

**128,647 €**

ITALTREND C&amp;T SPA\*

Italy

2015 CREATION VERSATILE EDUCATIONAL AND INDUSTRIAL COMPLEX "MOZAIKA"

**77,596 €**

CHARITABLE ORGANIZATION HLYNYANY DEVELOPMENT FUND\*CO HDF

Ukraine

HLYNIANY CITY COUNCIL\*

Ukraine

2015 SECTOR NEEDS ASSESSMENT IN THE AREA OF UKRAINE'S MIGRATION POLICY, INCLUDING FORMULATION OF APPROPRIATE CAPACITY BUILDING SUPPORT

**56,168 €**

DAI EUROPE LIMITED\*

United Kingdom

2015 EVALUATION OF THE STATISTICS SECTOR IN UKRAINE AND EU ASSISTANCE PROVIDED SINCE 2010

**40,617 €**

EPRD- BIURO POLITYKI GOSPODARCZEJ IROZWOJU REGIONALNEGO SP(ZOO)\*EPRD OFFICE FOR ECONOMIC POLICY AND REGIONAL DEVELOPMENT

Poland

2015 EU ADVISORY SUPPORT TO UKRAINE IN REFORMING CIVIL SERVICE AND ADMINISTRATIVE LEGAL FRAMEWORK

**26,768 €**

INTERNATIONAL CONSULTING EXPERTISEGIE\*ICE

Belgium

2015 CONSULTANCY TO SET UP CUSTODY CENTRES AND TEMPORARY HOLDING FACILITIES FOR IRREGULAR MIGRANTS IN UKRAINE

**19,450 €**

OVE ARUP & PARTNERS INTERNATIONAL LTD\*OAPIL

United Kingdom

2015 SUPPORT TO UKRAINE'S REGIONAL DEVELOPMENT POLICY

**4,623 €**

DEUTSCHE GESELLSCHAFT FUR INTERNATIONALE ZUSAMMENARBEIT (GIZ) GMBH\*

Germany

2015 FOLLOW UP AND ANALYSIS OF THE EVOLUTION OF THE TECHNICAL REGULATION IN UKRAINE AND EXTERNAL ASSESSMENT OF THE CONDITIONS AND BENCHMARKS FOR THE EU-FUNDED SECTOR POLICY SUPPORT PROGRAMME ON TECHNICAL BARRIERS TO TRADE

**1,802 €**

APPLICATION EUROPEENNE DE TECHNOLOGIES ET DE SERVICES SARL\*AEYS

France

**2015 CONSOLIDATION OF JUSTICE SECTOR POLICY DEVELOPMENT IN UKRAINE 640 €**  
[CODE JSR UA]

CONSEIL DE L' EUROPE\*COUNCIL OF EUROPE

France

## 2016

2016 "EU SUPPORT TO UKRAINE TO RE-LAUNCH THE ECONOMY (EU SURE) "EU SURE TECHNICAL ASSISTANCE PROJECT"

**6,824,680 €**

GFA CONSULTING GROUP GMBH\*

Germany

6,824,680 €

2016 REGIONS FOR REFORMS

**1,500,000 €**

EUROPEAN PRAVDA

Ukraine

INSTITUTE FOR ECONOMIC RESEARCH AND POLICY CONSULTING CIVIC ORGANISATION\*IER

Ukraine

2016 ENHANCEMENT OF RPR COALITION

**965,000 €**

CENTRE FOR DEMOCRACY AND RULE OF LAW

Ukraine

CIVIL SOCIETY ORGANIZATION CENTRE UA

Ukraine

2016 DONBAS CIVIC BELT

**591,857 €**

CENTRE OF CIVIC ADVOCACY GROMADSKAORGANIZACIYA\*CGA

Ukraine

THE WEST UKRAINIAN RESOURCE CENTER

Ukraine

...and 1 other recipients

2016 BRIDGING GAPS FOR INCLUSIVE CIVIC ENGAGEMENT

**543,320 €**

CENTRE FOR CULTURAL MANAGEMENT\*

Ukraine

CHARITY FOUNDATION POMOGAEM\*BLAGODIYNY FOND POMOGAEM

Ukraine

...and 2 other recipients

2016 ENHANCING IMPACT OF CIVIL SOCIETY IN MONITORING AND POLICY DIALOGUE ON ENERGY AND RELATED SECTORS' REFORMS IN LINE WITH THE ASSOCIATION AGREEMENT IMPLEMENTATION

**485,997 €**

ALL-UKRAINIAN PUBLIC ORGANIZATION CIVIL NETWORK OPORA\*

Ukraine

ASSOCIATION EUROPEAN-UKRAINIAN ENERGY AGENCY

Ukraine

...and 4 other recipients

2016 "UKRAINIAN CIVIL SOCIETY FOR EUROPEAN STYLE WASTE MANAGEMENT" ECOLOGIYA-PRAVO-LUDYNA INTERNATIONAL CHARITABLE ORGANIZATION\*ENVIRONMENT-PEOPLE-LAW

**443,777 €**

Ukraine

2016 ENHANCED COMMUNICATION ON ENERGY EFFICIENCY **243,395 €**

GOPA COM.

Belgium

243,395 €

2016 EVALUATION OF THE POLICY STEPS TAKEN BY THE UKRAINIAN GOVERNMENT TOWARDS THE DELIVERY OF SOCIAL SERVICES TO IDPS **83,686 €**

PROMAN SA\*

Luxembourg

83,686 €

2016 A PARTNERSHIP FOR ALL: DEVELOPING STRATEGIES FOR SOCIO-ECONOMIC COOPERATION BETWEEN ROMA COMMUNITIES AND LOCAL AUTHORITIES IN UKRAINE: PART 2 **63,466 €**

INTERNATIONAL CHARITABLE ORGANIZATION ROMA WOMEN FUND CHIRICLI\*ASSOCIATION INTERNATIONALE DE BIENFAISANCE FONDS DE FEMMES DE ROM CHIRIKLI

Ukraine

MINORITY RIGHTS GROUP EUROPA SZOLGALTATO NONPROFIT KFT\*

Hungary

2016 EVALUATION OF SBGS BUDGET SUPPORT **42,540 €**

ARS PROGETTI SPA - AMBIENTE RISORSE E SVILUPPO\*

Italy

42,540 €

2016 A VERIFICATION MISSION OF CONTR. AGREEMENT 2014/343-583 CBIII, UNDP **26,884 €**

ERNST AND YOUNG BEDRIJFSREVISOREN CVBA\*ERNST ET YOUNG REVISEURS D ENTREPRISES

Belgium

26,884 €

2016 FINANCIAL AUDIT OF SERVICE CONTRACT 357-205SUPPORT TO UKRAINE IN APPROXIMATION OF THE EU ENVIRONMENTAL 'ACQUIS' EPTISA **17,607 €**

MOORE STEPHENS LLP\*

United Kingdom

17,607 €

2016 FINANCIAL AUDIT OF 316-284 TA IN THE FINANCIAL SECTOR'S PRIORITY AREAS; HULLA AND CO **17,102 €**

ERNST AND YOUNG BEDRIJFSREVISOREN CVBA\*ERNST ET YOUNG REVISEURS D ENTREPRISES

Belgium

17,102 €

2016 FINANCIAL AUDIT SERVICE CONTRACT N. 275-552 COMPLEMENTARY SUPPORT TO THE MINISTRY OF ECOLOGY AND NATURAL RESOURCES **3,740 €**

MOORE STEPHENS LLP\*

United Kingdom

3,740 €

ENPI

2016 ASSISTANCE TO UKRAINE IN THE PROCESS OF IMPLEMENTATION OF ENERGY SECTOR REFORM IN LINE WITH UKRAINE'S INTERNATIONAL COMMITMENTS **2,229,950 €**

KANTOR SYMVOULOI EPICHEIRISEON AE\*KANTOR MANAGEMENT CONSULTANTS SA

Greece

2,229,950 €

2016 APPROXIMATION OF UKRAINIAN LEGISLATION WITH THE EU IN THE FIELD OF PLANT PROTECTION PRODUCTS AND PLANT HEALTH AND STRENGTHENING ASSOCIATED INSPECTION AND LABORATORY SERVICES **2,000,000 €**

LATVIJAS REPUBLIKA\*REPUBLIQUE DE LETTONIE REPUBLIC OF LATVIA

Latvia

2,000,000 €

2016 STRENGTHENING INSTITUTIONAL CAPACITIES OF THE ANTIMONOPOLY COMMITTEE OF UKRAINE TO CONDUCT MARKET STUDIES AND EFFECTIVELY ENFORCE COMPETITION LAW IN ACCORDANCE WITH EU STANDARDS. **1,800,000 €**

BUNDESREPUBLIK DEUTSCHLAND\*REPUBLIQUE FEDERALE D ALLEMAGNE FEDERAL REPUBLIC OF GERMANY

Germany

1,800,000 €

2016 APPROXIMATION OF THE LEGISLATION OF UKRAINE IN THE FIELDS OF CERTIFICATION OF AERODROMES/ AIRPORTS AND AIRWORTHINESS WITH THE RELEVANT EU NORMS AND STANDARDS

**1,600,000 €**

FUNDACION INTERNACIONAL Y PARA IBEROAMERICA DE ADMINISTRACION Y POLITICAS

PUBLICAS\*ADMINISTRATION AND PUBLIC POLICIES

Spain

1,600,000 €

2016 SUPPORT TO THE MINISTRY OF INFRASTRUCTURE IN ESTABLISHING CONDITIONS FOR APPLICATION OF THE EUROPEAN MODEL OF RAIL TRANSPORT SERVICE MARKET IN UKRAINE **1,600,000 €**

FUNDACION INTERNACIONAL Y PARA IBEROAMERICA DE ADMINISTRACION Y POLITICAS

PUBLICAS\*ADMINISTRATION AND PUBLIC POLICIES

Spain

1,600,000 €

2016 IMPROVING ACCESS TO WATER IN THE CONFLICT-AFFECTED COMMUNITY OF KREMINNA

**1,581,235 €**

KREMENSKOY CITY COUNCIL\*KREMINSKY CITY COUNCIL

Ukraine

1,581,235 €

2016 TWINNING: IMPLEMENTATION OF THE BEST EUROPEAN PRACTICES WITH THE AIM OF STRENGTHENING THE INSTITUTIONAL CAPACITY OF THE APPARATUS OF THE UKRAINIAN PARLIAMENT COMMISSIONER FOR HUMAN RIGHTS (OMBUDSPERSON) TO PROTECT HUMAN RIGHTS AND FREEDOMS

**1,500,000 €**

LIETUVOS TEISES INSTITUTAS\*LAW INSTITUTE

Lithuania

1,500,000 €

2016 TWG: STRENGTHENING THE INSTITUTIONAL CAPACITY OF THE SUPREME COURT OF UKRAINE IN THE FIELD OF HUMAN RIGHTS PROTECTION AT THE NATIONAL LEVEL **1,311,731 €**

[CODE JSR UA]

DEUTSCHE STIFTUNG FUR INTERNATIONALE RECHTLICHE ZUSAMMENARBEIT IRZ-STIFTUNG\*

Germany

1,311,731 €

2016 RADA ZA EVROPU: CAPACITY-BUILDING IN SUPPORT OF THE VERKHOVNA RADA OF UKRAINE

**1,300,000 €**

UNITED NATIONS DEVELOPMENT PROGRAMME\*UNDP PROGRAMME DES NATIONS UNIES POUR LE DEVELOPPEMENT PNUD

United States

1,300,000 €



2016	SUPPORT TO THE STATE BORDER GUARD SERVICE OF UKRAINE IN FURTHER DEVELOPMENT IBM APPROACHES FOR TRAVEL DOCUMENT VERIFICATION AND STOLEN MOTOR VEHICLES DETECTION	<b>1,300,000 €</b>
	BUNDESREPUBLIK DEUTSCHLAND*REPUBLIQUE FEDERALE D ALLEMAGNE FEDERAL REPUBLIC OF GERMANY Germany	1,300,000 €
2016	SUPPORT TO IMPROVING THE SAFETY OF MULTIMODAL DANGEROUS GOODS TRANSPORT IN UKRAINE	<b>1,200,000 €</b>
	FUNDACION INTERNACIONAL Y PARA IBEROAMERICA DE ADMINISTRACION Y POLITICAS PUBLICAS*ADMINISTRATION AND PUBLIC POLICIES Spain	1,200,000 €
2016	HARMONISATION OF PUBLIC PROCUREMENT SYSTEM IN UKRAINE WITH EU STANDARDS	<b>1,000,000 €</b>
	CROWN AGENTS LIMITED United Kingdom	1,000,000 €
2016	IMPROVEMENT OF FOOD SAFETY CONTROL SYSTEM IN UKRAINE	<b>1,000,000 €</b>
	SWECO DANMARK AS Denmark	1,000,000 €
2016	SUPPORT TO UKRAINE'S REGIONAL DEVELOPMENT POLICY	<b>870,170 €</b>
	DEUTSCHE GESELLSCHAFT FUR INTERNATIONALE ZUSAMMENARBEIT (GIZ) GMBH* Germany	870,170 €
2016	SUPPORTING DECENTRALISATION IN UKRAINE	<b>600,000 €</b>
	ORGANISATION FOR ECONOMIC CO-OPERATION AND DEVELOPMENT*OECD ORGANISATION DE COOPERATION ET DE DEVELOPPEMENT ECONOMIQUES OCDE France	600,000 €
2016	FINANCIAL SUPPORT TO THE PARTICIPATION OF UKRAINE IN THE EU PROGRAMME HORIZON 2020, PHASE 1	<b>500,000 €</b>
	UKRAINA*UKRAINE Ukraine	500,000 €
2016	FINANCIAL SUPPORT TO THE PARTICIPATION OF UKRAINE IN THE EU PROGRAMME HORIZON 2020, PHASE 1	<b>500,000 €</b>
	UKRAINA*UKRAINE Ukraine	500,000 €
2016	TECHNICAL ASSISTANCE TO THE MINISTRY OF ECONOMIC DEVELOPMENT AND TRADE OF UKRAINE IN THE IMPLEMENTATION OF NEW LEGISLATION ON TECHNICAL REGULATIONS, CONFORMITY ASSESSMENT, METROLOGY AND STANDARDS	<b>299,920 €</b>
	BKP DEVELOPMENT RESEARCH & CONSULTING GMBH* Germany	299,920 €
2016	ENERGY EFFICIENCY SUPPORT MECHANISM IN UKRAINE	<b>299,000 €</b>
	MCKINSEY AND COMPANY UKRAINE Ukraine	299,000 €
2016	ADVISORY SUPPORT TO UKRAINE'S PUBLIC ADMINISTRATION REFORM IMPLEMENTATION	<b>257,780 €</b>
	INTERNATIONAL CONSULTING EXPERTISEGEIE*ICE Belgium	257,780 €
2016	RAISING AWARENESS OF MIGRATION MANAGEMENT AND EU-UKRAINE VISA-LIBERALIZATION	

246,214 €

GOPA COM.

Belgium

246,214 €

2016 EVALUATION OF THE SECTOR POLICY SUPPORT PROGRAMME "PROMOTING MUTUAL TRADE BY REMOVING TECHNICAL BARRIERS TO TRADE BETWEEN UKRAINE AND THE EUROPEAN UNION"

238,208 €

DAI EUROPE LIMITED

United Kingdom

238,208 €

2016 STUDY OF EU BILATERAL ASSISTANCE TO UKRAINE POST MAIDAN

136,070 €

IBF INTERNATIONAL CONSULTING SA\*

Belgium

136,070 €

2016 DEVELOPMENT OF THE TERMS OF REFERENCE FOR A PLANNED TECHNICAL ASSISTANCE PROJECT ON "SUPPORT TO THE DEVELOPMENT OF GEOGRAPHICAL INDICATIONS SYSTEM IN UKRAINE"

99,836 €

BKP DEVELOPMENT RESEARCH &amp; CONSULTING GMBH\*

Germany

99,836 €

2016 SUPPORT THE MINISTRY OF FINANCE AND THE STATE FISCAL SERVICE OF UKRAINE TO FURTHER DEVELOP A STRATEGIC FRAMEWORK ON TAX REFORM

93,270 €

ECORYS NEDERLAND BV\*

Netherlands

93,270 €

**2016 RULE OF LAW IN UKRAINE– POLICY AND BUDGETARY ANALYSIS IN THE AREA OF POLICE/LAW-ENFORCEMENT REFORM 83,357 € [CODE SSR UA]**

DAI EUROPE LIMITED

United Kingdom

83,357 €

2016 COMPLEMENTARY CONTRACT (ADDENDUM 1 TO CONTRACT 2014/348-126)

65,000 €

INTERNEWS UKRAINE

Ukraine

65,000 €

2016 'UPDATE OF THE TECHNICAL SPECIFICATIONS FOR WEB-PORTAL AND THE MODERNISATION OF THE IT SYSTEM OF THE STATE STATISTICS SERVICE OF UKRAINE' 53,062 €

DANISH MANAGEMENT AS\*

Denmark

53,062 €

## 2017

2017 SUPPORT TO COMPREHENSIVE REFORM OF PUBLIC ADMINISTRATION IN UKRAINE (BUDGET SUPPORT COMPONENT)

56,500,000 €

UKRAINA\*UKRAINE

Ukraine

56,500,000 €

2017 SUPPORT TO COMPREHENSIVE REFORM OF PUBLIC ADMINISTRATION IN UKRAINE (BUDGET SUPPORT COMPONENT)

33,500,000 €

UKRAINA\*UKRAINE

Ukraine

33,500,000 €

2017 SUPPORT TO THE PARTICIPATION OF UKRAINE IN THE EU PROGRAMME HORIZON 2020 FOR THE PERIOD 2016 (SECOND HALF YEAR) - 2018

7,000,000 €

UKRAINA\*UKRAINE

Ukraine

7,000,000 €

2017 SUPPORT TO THE NATIONAL PUBLIC BROADCASTER OF UKRAINE

**5,000,000 €**

BBC MEDIA ACTON LBG\*BBC MA

United Kingdom

DEUTSCHE WELLE\*DW

Germany

...and 1 other recipients

2017 SUPPORTING TRANSPARENT LAND GOVERNANCE IN UKRAINE

**3,000,000 €**

INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

United States

3,000,000 €

2017 SUPPORT TO THE DEVELOPMENT OF A GEOGRAPHICAL INDICATIONS SYSTEM IN UKRAINE

**2,999,000 €**

D.M.I

France

2,999,000 €

2017 STRENGTHENING THE REGULATION AND SUPERVISION OF THE NON-BANK FINANCIAL MARKET

**2,828,000 €**

AFC AGRICULTURE AND FINANCE CONSULTANTS GMBH

Germany

BE BERLIN ECONOMICS GMBH

Germany

...and 1 other recipients

2017 ASSISTANCE TO THE UKRAINIAN AUTHORITIES FOR IMPROVEMENT THE INFRASTRUCTURE CYCLE MANAGEMENT

**2,325,000 €**

CORPORATE SOLUTIONS CONSULTING LIMITED\*CSCL

United Kingdom

SYSTRA SA\*

France

2017 TECHNICAL ASSISTANCE FOR CIVIL SOCIETY DEVELOPMENT IN UKRAINE

**1,663,400 €**

FCG SWEDISH DEVELOPMENT AB

Sweden

1,663,400 €

2017 IMPROVEMENT OF FOOD SAFETY CONTROL SYSTEM IN UKRAINE

**1,300,000 €**

SWECO DANMARK AS

Denmark

1,300,000 €

2017 TECHNICAL ASSISTANCE IN THE FINANCIAL SECTOR'S PRIORITY AREAS

**1,000,000 €**

HULLA & CO HUMAN DYNAMICS KG\*HULLABERNHARD GOTTFRIED THIERY

Austria

1,000,000 €

2017 CONVERGENCE OF CERTIFICATION SYSTEMS BASED ON THE ARRANGEMENT BETWEEN THE STATE AVIATION ADMINISTRATION OF UKRAINE AND THE EUROPEAN COMMISSION ON CONVERGENCE OF CERTIFICATION SYSTEMS

**1,000,000 €**

EUROPEAN AVIATION SAFETY AGENCY\*AGENCE EUROPEENNE DE LA SECURITE AERIENNE

Germany

1,000,000 €

2017 COMMUNICATING EUROPE IN UKRAINE

**1,000,000 €**

ALBANY ASSOCIATES INTERNATIONAL LTD\*

United Kingdom

1,000,000 €

2017 Stimulate sustainable local economic development

**900,000 €**

NOVEMISTO VILLAGE COUNCIL OF STAROSAMBIRSKY RAYON OF IVIV OBLAST\*NOVE MISTO AMALGAMATED TERRITORIAL COMMUNITY COUNCIL  
Ukraine

THE WEST UKRAINIAN RESOURCE CENTER  
Ukraine

2017 CIVIL SOCIETY AND PUBLIC SECTOR COOPERATION FOR RECONCILIATION, SOCIAL INTEGRATION AND CHILD PROTECTION IN UKRAINE

**797,982 €**

CROSS CULTURES PROJECT ASSOCIATION\*CCPA

Denmark

797,982 €

2017 YOUTH-DRIVEN ORGANIC BUSINESS CLUSTER IN BARANIVKA AMALGAMATED COMMUNITY

**795,754 €**

BARANIVKA CITY COUNCIL

Ukraine

CIVIL SOCIETY INSTITUTE\*

Ukraine

2017 FIGHTING CORRUPTION AND IMPLEMENTING REFORMS AT REGIONAL LEVEL

**729,541 €**

PLATFORMA HROMADS'KY KONTROL\*CIVIL CONTROL PLATFORM

Ukraine

729,541 €

2017 STRENGTHENING THE ROLE OF CIVIL SOCIETY IN FACILITATING DEMOCRATIC REFORMS AND INCREASING ACCOUNTABILITY, RESPONSIBILITY, AND QUALITY OF GOVERNMENT

**685,805 €**

CENTRE FOR POLITICAL AND LEGAL REFORMS CIVIL ORGANISATION\*CPLR

Ukraine

685,805 €

2017 ENHANCING THE ROLE OF CIVIL SOCIETY IN PUBLIC FINANCE OVERSIGHT

**682,670 €**

NON GOVERNMENTAL ORGANIZATION ANTI-CORRUPTION ACTION CENTER, NGO ANTAC

Ukraine

NON GOVERNMENTAL ORGANIZATION NASHIGROSHI

Ukraine

...and 1 other recipients

2017 COMMUNICATING EUROPE IN UKRAINE

**600,000 €**

ALBANY ASSOCIATES INTERNATIONAL LTD\*

United Kingdom

600,000 €

2017 DIFFERENT COMMUNITIES – JOINT DECISIONS FOR ECONOMIC GROWTH

**587,688 €**

HLVBOKA SETTLEMENT COUNCIL

Ukraine

587,688 €

2017 CLUSTER "YABLUNEVYI SHLYAKH" ("APPLE WAY")

**560,000 €**

BAR CITY COUNCIL

Ukraine

PODOLIAN AGENCY FOR REGIONAL DEVELOPMENT CIVIC ORGANISATION\*PARD

Ukraine

...and 1 other recipients

2017 COOPERATION FOR INCREASING THE COMPETITIVENESS IN AGRICULTURE SECTOR AND DIVERSIFICATION THE STRUCTURE OF LOCAL ECONOMIC IN DOLYNA SUBREGION

**520,605 €**

DOLYNA CITY COUNCIL\*

Ukraine

520,605 €

2017 COMMUNICATING EUROPE IN UKRAINE

<b>500,000 €</b>	ALBANY ASSOCIATES INTERNATIONAL LTD*
	United Kingdom
500,000 €	
2017	COMMUNICATING EUROPE IN UKRAINE
<b>400,000 €</b>	ALBANY ASSOCIATES INTERNATIONAL LTD*
	United Kingdom
400,000 €	
2017	COMMUNICATING EUROPE IN UKRAINE
<b>300,000 €</b>	ALBANY ASSOCIATES INTERNATIONAL LTD*
	United Kingdom
300,000 €	
2017	PREPARATION OF LARGE IBM PROJECT FOR UKRAINE
<b>299,980 €</b>	INTERNATIONAL CONSULTING EXPERTISEGEIE*ICE
	Belgium
299,980 €	
2017	ANALYSIS OF THE CURRENT STATE OF PLAY IN THE INLAND WATERWAYS TRANSPORT SUB-SECTOR AND PERFORMANCE ON DNIEPER RIVER, AND DRAFTING TERMS OF REFERENCE FOR A NEW TECHNICAL ASSISTANCE PROJECT "ASSISTANCE FOR DNIEPER TRANSPORT DEVELOPMENT"
<b>299,578 €</b>	TRANSPORT & INFRASTRUCTURE EXPERTISE GROUP -TIEG EZHZ*
	Slovakia
299,578 €	
2017	COMMUNICATING EUROPE IN UKRAINE
<b>250,000 €</b>	ALBANY ASSOCIATES INTERNATIONAL LTD*
	United Kingdom
250,000 €	
2017	FORMULATION OF EU SUPPORT TO REFORMS IN VOCATIONAL EDUCATION AND TRAINING (VET) IN UKRAINE
<b>122,890 €</b>	AECOM INTERNATIONAL DEVELOPMENT EUROPE SL
	Spain
122,890 €	
2017	CONFERENCES IN THE AREA OF CULTURE, UKRAINE
<b>95,602 €</b>	LDK CONSULTANTS ENGINEERS & PLANNERS SA*
	Greece
95,602 €	
2017	HARMONISATION OF UKRAINE SUBSOIL LEGISLATION, DRAFTING THE TOR FOR A NEW TA PROJECT
<b>87,200 €</b>	AECOM INTERNATIONAL DEVELOPMENT EUROPE SL
	Spain
87,200 €	
2017	FINANCIAL AUDIT OF PROJECT 370128 "SUPPORT TO THE IMPLEMENTATION OF THE EU-UKRAINE ASSOCIATION AGREEMENT"GFA
<b>19,983 €</b>	KPMG BEDRIJFSREVISOREN*KPMG REVISEURS D'ENTREPRISES
	Belgium
19,983 €	
2017	FINANCIAL AUDIT OF PROJECT 352249 PPRD EAST II; MWH SA
<b>17,544 €</b>	PRICEWATERHOUSECOOPERS BEDRIJFSREVISOREN CVBA PWC BEDRIJFSREVISOREN*PRICEWATERHOUSECOOPERS REVISEURS D'ENTREPRISES SCRL PWC REVISEURS D'ENTR
	Belgium
17,544 €	
2017	FINANCIAL AUDIT OF GRANT CONTRACT 221-005; UKRAINIAN SOCIETY FOR THE PROTECTION OF BIRDS
<b>2,840 €</b>	PRICEWATERHOUSECOOPERS BEDRIJFSREVISOREN CVBA PWC BEDRIJFSREVISOREN*PRICEWATERHOUSECOOPERS REVISEURS D'ENTREPRISES SCRL PWC REVISEURS D'ENTR
	Belgium
2,840 €	

2018

2018 SUPPORT TO COMPREHENSIVE REFORM OF PUBLIC ADMINISTRATION IN UKRAINE

**5,249,000 €**

CORPORATE &amp; PUBLIC MANAGEMENT CONSULTING INTERNATIONAL OU

Estonia

5,249,000 €

2018 ASSISTANCE TO THE UKRAINIAN AUTHORITIES FOR ESTABLISHMENT OF NATIONAL TRANSPORT MODEL AND MASTER PLAN

**4,699,906 €**

A+S CONSULT GMBH FORSCHUNG UND ENTWICKLUNG\*

Germany

EGIS INTERNATIONAL

France

4,699,906 €

**2018 CONTINUING SUPPORT TO THE UN HUMAN RIGHTS MONITORING MISSION IN UKRAINE 3,000,000 € [CODE TJ UA]**

UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS\*OHCHR HAUT COMMISSARIAT DES NATIONS UNIES AUX DROITS DE L'HOMME HCDH

Switzerland

3,000,000 €

2018 SUPPORT TO THE STATE AVIATION ADMINISTRATION OF UKRAINE (SAAU) IN REINFORCING ITS COMPETENCIES IN AIR OPERATIONS (OPS) AND FLIGHT CREW LICENSING (FCL) **2,499,000 €**

AGENCIA ESTATAL DE SEGURIDAD AEREA\*SPANISH AIR SAFETY AGENCY

Spain

CAA INTERNATIONAL LIMITED\*CAAI

United Kingdom

2,499,000 €

2018 "EU SUPPORT TO UKRAINE TO RE-LAUNCH THE ECONOMY (EU SURE) "EU SURE TECHNICAL ASSISTANCE PROJECT" **2,053,650 €**

GFA CONSULTING GROUP GMBH\*

Germany

2,053,650 €

2018 ASSISTANCE FOR DNIPRO TRANSPORT DEVELOPMENT **1,970,000 €**

ECORYS NEDERLAND BV\*

Netherlands

1,970,000 €

HASKONINGDHV NEDERLAND BV\*DHV HASKONING NEDERLAND VAN HEUGTEN ENGINEERING IBZH INGENIEURSBUREAU ZUID HOLLAND VHP STEDEBOUWKUNDIGEN AR RHDHV

Netherlands

2018 SUPPORT FOR PARTICIPATION OF UKRAINE IN THE COSME PROGRAMME **1,000,000 €**

UKRAINA\*UKRAINE

Ukraine

1,000,000 €

2018 STRENGTHENING CAPACITY OF THE STATE AGENCY ON ENERGY EFFICIENCY AND ENERGY SAVING OF UKRAINE (SAEE) ON THE DEVELOPMENT OF ENERGY PRODUCTION FROM RENEWABLE ENERGY SOURCES, PRODUCTION AND USE OF ALTERNATIVE FUELS **1,000,000 €**

ACCADEMIA EUROPEA DI BOLZANO\*EUROPAISCHE AKADEMIE BOZEN ACADEMIA EUROPEICA BULSAN EUROPEAN ACADEMY OF BOZEN BOLZANO

Italy

ENERGIE-CONTROL GMBH\*ECG

Austria

1,000,000 €

2018 STRENGTHENING THE CAPACITY OF THE UKRAINIAN NATIONAL STANDARDISATION BODY **998,583 €**

BUNDESREPUBLIK DEUTSCHLAND\*REPUBLIQUE FEDERALE D ALLEMAGNE FEDERAL REPUBLIC OF GERMANY  
Germany  
998,583 €

2018 SUPPLY OF SOFTWARE AND IT EQUIPMENT TO BUILD-UP A STATISTICS WEB PORTAL FOR THE STATE STATISTIC SERVICE OF UKRAINE **899,764 €**  
MEMETECH SRL  
Italy  
899,764 €

2018 COMMUNICATING EUROPE IN UKRAINE – SUPPLEMENT **500,000 €**  
ALBANY ASSOCIATES INTERNATIONAL LTD\*  
United Kingdom  
500,000 €

2018 HIGH LEVEL TECHNICAL AND POLITICAL ASSISTANCE FOR 2018 INTEGRATED BORDER MANAGEMENT PROJECT **335,730 €**  
DAI BRUSSELS SPRL  
Belgium  
335,730 €

2018 SUPPORT TO THE IMPLEMENTATION OF THE PUBLIC PROCUREMENT REFORM STRATEGY/ROAD MAP FOR HARMONIZATION IN UKRAINE **298,600 €**  
LINPICO\*  
France  
298,600 €

2018 SUPPLY OF SOFTWARE AND DATABASE FOR THE STATE SERVICE OF UKRAINE FOR FOOD SAFETY AND CONSUMER PROTECTION (SSUFSCP) - LOTS # 1 & 2 **283,385 €**  
PRIVATE COMPANY CENTER INFORMATSIYNIH TEHNOLOGIY BRAVO  
Ukraine  
283,385 €

2018 HIGH-PERFORMING TEAM PILOT AT THE MINISTRY OF ECONOMIC DEVELOPMENT AND TRADE OF UKRAINE (MEDT) **282,500 €**  
DELOITTE & TOUCHE LLC  
Ukraine

282,500 €  
2018 ASSISTANCE TO UKRAINIAN AUTHORITIES IN IMPLEMENTATION OF THE NATIONAL WASTE MANAGEMENT STRATEGY **253,550 €**  
COWI BELGIUM SPRL\*  
Belgium  
253,550 €

2018 SUPPLY OF IT HARDWARE AND ANCILLARIES FOR THE STATE SERVICE OF UKRAINE FOR FOOD SAFETY AND CONSUMER PROTECTION (SSUFSCP) - LOT # 3 **204,802 €**  
MEMETECH SRL  
Italy  
204,802 €

2018 ASSISTANCE TO THE NATIONAL SECURITIES AND STOCK MARKET COMMISSION IN HARMONISING UKRAINE LEGISLATION ALLOWING THE CREATION OF MODERN FINANCIAL AND COMMODITY PRODUCTS ORGANISED TRADING IN UKRAINE **198,350 €**  
FRANKFURT SCHOOL OF FINANCE & MANAGEMENT GEMEINNUTZIGE GMBH\*  
Germany  
198,350 €

**2018 SUPPORT TO CYBERSECURITY IN UKRAINE 153,600 €** **[CODE SSR UA]**  
STANTEC  
Belgium  
153,600 €

2018 MID-TERM EVALUATION OF ENERGY EFFICIENCY PROJECTS IMPLEMENTED WITHIN THE COVENANT OF MAYORS AND E5P PROGRAMMES **145,760 €**

COWI BELGIUM SPRL\*

Belgium  
145,760 €

2018 MID-TERM EVALUATION OF THE EU SURE (EU4BUSINESS) PROGRAMME

**137,175 €**

STANTEC

Belgium  
137,175 €

2018 MID-TERM EVALUATION OF THE SERVICE CONTRACT "U-LEAD WITH EUROPE PROGRAMME" - CRIS REF.NO. ENI/2015/038-739

**103,940 €**

ARS PROGETTI SPA - AMBIENTE RISORSE E SVILUPPO

Italy  
103,940 €

2018 EVALUATION OF BUDGET SUPPORT PROGRAMME-STATE BUILDING CONTRACT

**98,440 €**

AECOM INTERNATIONAL DEVELOPMENT EUROPE SL

Spain  
98,440 €

2018 EU-UKRAINE CULTURAL RELATIONS CONFERENCE -2018

**72,705 €**

BUSINESS AND STRATEGIES IN EUROPE\*

Belgium  
72,705 €

2018 SUPPORT THE STATE STATISTICS SERVICE OF UKRAINE WITH THE IMPLEMENTATION OF THE UNIFIED STATISTICS WEB PORTAL

**54,065 €**

ECORYS NEDERLAND BV\*

Netherlands  
54,065 €

2018 A VERIFICATION MISSION OF AN ACTION "SUPPORT FOR MIGRATION AND ASYLUM MANAGEMENT IN UKRAINE" MANAGED BY IOM UKRAINE

**16,420 €**

BDO LLP\*

United Kingdom  
16,420 €

2018 EXPENDITURE VERIFICATION OF A SERVICE CONTRACT NO. 2015/360-274 "SUPPORT TO AGRICULTURAL AND FOOD POLICY IMPLEMENTATION"; WYG INTERNATIONAL B.V.

**15,980 €**

ERNST AND YOUNG BEDRIJFSREVISOREN CVBA\*ERNST ET YOUNG REVISEURS D ENTREPRISES

Belgium  
15,980 €

2018 A VERIFICATION MISSION OF AN ACTION MANAGED BY GIZ CTR.376096 "U-LEAD WITH EUROPE"

**15,942 €**

BDO LLP\*

United Kingdom  
15,942 €

2018 SUPPORT TO IMPLEMENTATION OF THE CONCEPT OF REFORM STAFF POSITIONS

**15,660 €**

HGR UKRAINE LIMITED LIABILITY COMPANY

Ukraine  
15,660 €

2018 'UPDATE OF THE TECHNICAL SPECIFICATIONS FOR WEB-PORTAL AND THE MODERNISATION OF THE IT SYSTEM OF THE STATE STATISTICS SERVICE OF UKRAINE'

**8,200 €**

DANSK ENERGI MANAGEMENT & ESBENDENAS

Denmark  
8,200 €



***EU commitments in Tunisia and Ukraine under the EIDHR****EIDHR Tunisia*

2011

2011 EU ELECTION OBSERVATION MISSION TO TUNISIA 2011 **3,403,202 €**  
INTERNATIONAL ORGANIZATION FOR MIGRATION\*  
Switzerland

2011 Renforcer les éléments constitutifs d'une démocratie: Appui aux partis politiques **300,000 €**  
KONRAD-ADENAUER-STIFTUNG EV\*KAS  
Germany

2011 Renforcer le rôle de la société civile dans la promotion des droits de l'homme et des réformes démocratiques. **300,000 €**  
LIGUE TUNISIENNE POUR LA DEFENCE DES DROITS DE L'HOMME LTDH\*  
Tunisia

2011 TRANS Process: Vers une transparence du processus Electoral **267,432 €**  
ASSOCIATION TUNISIENNE POUR L'VEIL DEMOCRATIQUE\*ATED ASSOCIATION TUNISIENNE POUR L'ENVOL  
DEMOCRATIQUE  
Tunisia

2011 TUNISIE 2024 **199,500 €**  
ASSOCIATION NESS EL FEN\*  
Tunisia

2011 Une expression de la liberté: Soutenir les médias démocratiques en Tunisie **199,000 €**  
DEUTSCHE WELLE\*DW  
Germany

2011 Promotion de l'égalité à travers le renforcement de la société civile et la participation des citoyennes et citoyens au processus démocratique dans le nord ouest tunisien **198,640 €**  
FUNDACION CIDEAL DE COOPERACION E INVESTIGACION\*CIDEAL  
Spain

2011 Renforcer la place des jeunes dans le débat démocratique en Tunisie à travers les medias **185,964 €**  
SEARCH FOR COMMON GROUND VZW\*SFCG  
Belgium

2011 Festival International du Film des Droits de l'Homme en Tunisie **155,000 €**  
ALLIANCE ASSOCIATION\*  
France

2011 Civil society seminar in Tunisia **129,819 €**  
TIPIK COMMUNICATION AGENCY SA\*  
Belgium

2011 Décryptages: du droit d'informer au droit d'être informé **116,300 €**  
RADIO FRANCE INTERNATIONALE SA\*  
France

2011 ELECTORAL EXPLORATORY MISSION TO TUNISIA **87,074 €**  
CONSEIL SANTE SA\*  
France

2011 Tous les Tunisiens aux Urnes **50,000 €**  
D PRODS SARL\*  
Tunisia

2011 EXPERT MISSION TO TUNISIA **22,850 €**  
NATURAL PERSON ; PERSONNE PRIVÉE ; PRIVATPERSON - Art. 21(2) RAP  
Sri Lanka

2011 EXPERT MISSION TO TUNISIA **18,967 €**  
NATURAL PERSON ; PERSONNE PRIVÉE ; PRIVATPERSON - Art. 21(2) RAP  
Italy

2011 EXPERT MISSION TO TUNISIA **18,087 €**

SELF-EMPLOYED NATURAL PERSON

Germany

2011 EU EOM Tunisia Chief Observer **14,140 €**

NATURAL PERSON ; PERSONNE PRIVÉE ; PRIVATPERSON - Art. 21(2) RAP

Germany

2011 Formation et information aux organisations et membres de la société civile tunisienne qui participent à l'appel à propositions IEDDH Tunisie 2011 **10,000 €**

INPROGRESS UG (HAFTUNGSBESCHRANKT)\*

Germany

## 2012

2012 INSPIRED Integrated Support Programme for Inclusive Reform and Democratic Dialogue **1,300,000 €**

STICHTING EUROPEAN PARTNERSHIP FOR DEMOCRACY\*EPD

Netherlands

2012 En quête d'autres regards. Réfléchir les images de la prison. **289,000 €**

LES YEUX DE L'OUÏE ASSOCIATION\*

France

2012 Suivi et contribution au processus de transition démocratique en Tunisie **261,673 €**

ASSOCIATION TUNISIENNE POUR L'INTEGRITE ET LA DEMOCRATIE DES ELECTIONS\*ATIDE

Tunisia

2012 Le Tunisie Bondy Blog: Une école de journalisme par les citoyens **236,987 €**

ASSOCIATION TUNISIE BONDYBLOG\*TBB

Tunisia

2012 **La défense des droits économiques et sociaux des groupes vulnérables des régions de Monastir et du Bassin Minier (Gafsa) 218,944 €** **[CODE TJ TN]**

AVOCATS SANS FRONTIERES - BELGIQUEASBL\*ASF ADVOCATEN ZONDER GRENZEN ANWALTE OHNE GRENZEN

Belgium

2012 **Périphéries actives: Appui à la participation et libre expression de la société civile et des groupes vulnérables du Gouvernorat de Sidi Bouzid 206,489 €** **[CODE TJ TN]**

GRUPPO DI VOLONTARIATO CIVILE ASSOCIAZIONE\*G.V.C

Italy

2012 Formation et information aux organisations de la société civile tunisienne qui participent à l'appel à propositions IEDDH Tunisie 2012 **48,580 €**

INPROGRESS UG (HAFTUNGSBESCHRANKT)\*

Germany

## 2013

2013 Assistance technique pour la formation des organisations de la société civile Tunisienne à participer à l'AaP

EuropeAid/134204/L/ACT/TN **19,970 €**

INPROGRESS UG (HAFTUNGSBESCHRANKT)\*

Germany

## 2014

2014 ELECTION OBSERVATION MISSION TUNISIA 2014 **2,986,633 €**

INTERNATIONAL ORGANIZATION FOR MIGRATION\*

Switzerland

2014 En quête d'autres regards. Réfléchir les images de la prison. **195,410 €**

LES YEUX DE L'OUÏE ASSOCIATION\*

France

2014 **Sensibilisation des étudiants Tunisiens à la préservation des droits de la femme et à une meilleure compréhension du modèle patriarcal 167,282 €** **[CODE GENDER TN]**

IMAGES ET PAROLES DE FEMMES ASSOCIATIO\*  
Tunisia

**2014** **Projet de lutte contre l'abus sexuel des filles 157,731 €** **[CODE GENDER TN]**

ASSOCIATION TUNISIENNE DES DROITS DE L'ENFANT\*ATUDE ATDE  
Tunisia

FEMMES & LEADERSHIP ASSOCIATION\*F&L  
Tunisia

**2014** **Sensibilisation des étudiants Tunisiens à la préservation des droits de la femme et à une meilleure compréhension du modèle patriarcal 132,534 €** **[CODE GENDER TN]**

IMAGES ET PAROLES DE FEMMES ASSOCIATIO\*  
Tunisia

2014 Karama-Dignité **131,035 €**  
THE BRITISH COUNCIL ROYAL CHARTER\*  
United Kingdom

TUNISIAN ASSOCIATION FOR MANAGEMENT AND SOCIAL STABILITY\*ASSOCIATION TUNISIENNE DE GESTION ET DE STABILITE SOCIALE TAMSS  
Tunisia

**2014** **Promotion de l'égalité professionnelle femmes-hommes en Tunisie 126,566 €** **[CODE GENDER TN]**

ASSOCIATION DES RESPONSABLES DE FORMATION ET DE GESTION HUMAINE DANS LES ENTREPRISES\*ARFORGHE  
Tunisia

FONDATION AGIR CONTRE L'EXCLUSION\*FACE  
France

**2014** **Promotion de l'égalité professionnelle femmes-hommes en Tunisie 113,434 €** **[CODE GENDER TN]**

ASSOCIATION DES RESPONSABLES DE FORMATION ET DE GESTION HUMAINE DANS LES ENTREPRISES\*ARFORGHE  
Tunisia

FONDATION AGIR CONTRE L'EXCLUSION\*FACE  
France

2014 Karama-Dignité **80,204 €**  
THE BRITISH COUNCIL ROYAL CHARTER\*  
United Kingdom

TUNISIAN ASSOCIATION FOR MANAGEMENT AND SOCIAL STABILITY\*ASSOCIATION TUNISIENNE DE GESTION ET DE STABILITE SOCIALE TAMSS  
Tunisia

**2014** **Projet de lutte contre l'abus sexuel des filles 71,174 €** **[CODE GENDER TN]**

ASSOCIATION TUNISIENNE DES DROITS DE L'ENFANT\*ATUDE ATDE  
Tunisia

FEMMES & LEADERSHIP ASSOCIATION\*F&L  
Tunisia

**2014** **DROUCE - Droits sociaux et citoyenneté 65,662 €** **[CODE TJ TN]**  
IMED ISTITUTO PER IL MEDITERRANEO ASSOCIAZIONE\*  
Italy

2014 Monitoring and Advocacy in Support of Independent Human Rights Defenders in Tunisia **58,434 €**  
WRITERS & SCHOLARS INTERNATIONAL LIMITED BY GUARANTEE\*WSI  
United Kingdom

2014 Exploratory Mission to Tunisia 2014 **57,092 €**  
TRANSTEC SA\*  
Belgium

2014 Suivi et contribution au processus de transition démocratique en Tunisie **41,557 €**

ASSOCIATION TUNISIENNE POUR L'INTEGRITE ET LA DEMOCRATIE DES ELECTIONS\*ATIDE  
Tunisia

**2014 Périphéries actives: Appui à la participation et libre expression de la société civile et des groupes vulnérables du Gouvernorat de Sidi Bouzid 31,697 €**  
[CODE TJ TN]

GRUPPO DI VOLONTARIATO CIVILE  
Italy

2014 Le Tunisie Bondy Blog: Une école de journalisme par les citoyens  
**23,699 €**

ASSOCIATION TUNISIE BONDYBLOG\*TBB  
Tunisia

**2014 La défense des droits économiques et sociaux des groupes vulnérables des régions de Monastir et du Bassin Minier (Gafsa) 21,894 €** [CODE TJ TN]

AVOCATS SANS FRONTIERES - BELGIQUEASBL\*ASF ADVOCATEN ZONDER GRENZEN ANWALTE OHNE GRENZEN  
Belgium

2014 Festival International du Film des Droits de l'Homme en Tunisie **20,452 €**  
ALLIANCE ASSOCIATION\*

France

2014 Renforcer le rôle de la société civile dans la promotion des droits de l'homme et des réformes démocratiques.  
**20,000 €**

LIGUE TUNISIENNE POUR LA DEFENCE DES DROITS DE L'HOMME LTDH\*  
Tunisia

2014 Renforcer la place des jeunes dans le débat démocratique en Tunisie à travers les médias **18,596 €**

SEARCH FOR COMMON GROUND VZW\*SFCG  
Belgium

2014 Une expression de la liberté: Soutenir les médias démocratiques en Tunisie **12,749 €**

DEUTSCHE WELLE\*DW  
Germany

2014 Audit des contrats avec Alliance n° 270524 (Tunisie) et 255341 (Madagascar) **7,601 €**

MOORE STEPHENS LLP\*  
United Kingdom

2014 Audit des contrats avec Alliance n° 270524 (Tunisie) et 255341 (Madagascar) **7,601 €**

MOORE STEPHENS LLP\*  
United Kingdom

**2014** Promotion de l'égalité à travers le renforcement de la société civile et la participation des citoyennes et citoyens au processus démocratique dans le nord ouest tunisien **625 €**

FUNDACION CIDEAL DE COOPERACION E INVESTIGACION\*  
Spain

## 2015

**2015 KACHEF AL MASKOUT ANHOU (BRISER LE TABOU) : LUTTER CONTRE LA TRAITE DES ÊTRES HUMAINS EN TUNISIE 500,000 €**

ASSOCIACIO NOVA CENTRE PER A LA INNOVACIO SOCIAL\*NOVA -CIS  
Spain

AVOCATS SANS FRONTIERES - BELGIQUEASBL\*ASF ADVOCATEN ZONDER GRENZEN ANWALTE OHNE GRENZEN  
Belgium

FORUM TUNISIEN POUR LES DROITS ECONOMIQUES ET SOCIAUX\*  
Tunisia

**2015 ADEM POUR L'ACCOMPAGNEMENT DE LA DÉFENSE DES MIGRANTS 473,243 €**

BEITY  
Tunisia

FRANCE TERRE D'ASILE-ASSOCIATION\*  
France

2015 MARSAD MAJLESS : RENFORCEMENT DE LA REDEVABILITÉ ET DES CAPACITÉS DES ÉLUS ET PLAIDOYER POUR UNE RÉFORME DÉMOCRATIQUE, INCLUSIVE ET PARTICIPATIVE DE LA LÉGISLATION TUNISIENNE. **411,990 €**

AL BAW SALA  
Tunisia

2015 MOBILISATION DE LA SOCIÉTÉ CIVILE DANS LE SUIVI DES RELATIONS ENTRE LA TUNISIE ET L'UNION EUROPÉENNE PHASE II **273,243 €**

EUROMED RIGHTS - EURO-MEDITERRANEAN HUMAN RIGHTS NETWORK  
Denmark

2015 MOBILISATION DE LA SOCIÉTÉ CIVILE DANS LE SUIVI DES RELATIONS ENTRE LA TUNISIE ET L'UNION EUROPÉENNE PHASE II **226,757 €**

EUROMED RIGHTS - EURO-MEDITERRANEAN HUMAN RIGHTS NETWORK  
Denmark

## 2016

2016 CONTAINING THE DEATH PENALTY IN TIMES OF THE «WAR ON TERROR» IN EGYPT, SOMALIA AND TUNISIA **966,347 €**

INSTITUT ARABE DES DROITS DE L'HOMME\*  
Tunisia

NE TOUCHEZ PAS A CAIN\*HANDS OF CAIN  
Belgium

## 2017

2017 THINK NATIONAL, ACT LOCAL: VERS UNE DÉCENTRALISATION DE LA SOCIÉTÉ CIVILE **425,000 €**

ANA YAKEDH - IWATCH  
Tunisia  
425,000 €

2017 "ART ET DROITS DE L'ENFANT : DÉCONSTRUIRE LA VIOLENCE PAR L'ART" **301,131 €**

L'ART RUE SARL\*  
Tunisia  
301,131 €

2017 POUR LA CONSOLIDATION DES CAPACITÉS DE LA SOCIÉTÉ CIVILE TUNISIENNE DANS LA LUTTE CONTRE LES FORMES DE DISCRIMINATION **273,869 €**

ASSOCIATION TUNISIENNE DE LUTTE CONTRE LES MALADIES SEXUELLES ET LE SIDA\*ASSOCIATION DE LUTTE CONTRE LESM.S.T. ET SIDA  
Tunisia

MINORITY RIGHTS GROUP LBG\*MRG  
United Kingdom

2017 EXPLORATORY MISSION TO TUNISIA **104,298 €**

BUSINESS AND STRATEGIES IN EUROPE\*  
Belgium  
104,298 €

2017 POUR LA CONSOLIDATION DES CAPACITÉS DE LA SOCIÉTÉ CIVILE TUNISIENNE DANS LA LUTTE CONTRE LES FORMES DE DISCRIMINATION **98,392 €**

ASSOCIATION TUNISIENNE DE LUTTE CONTRE LES MALADIES SEXUELLES ET LE SIDA\*ASSOCIATION DE LUTTE CONTRE LESM.S.T. ET SIDA  
Tunisia

MINORITY RIGHTS GROUP LBG\*MRG  
United Kingdom

## 2018

2018 IMPLEMENTATION OF THE EU EOM TO TUNISIA 2018 **2,416,659 €**

INTERNATIONAL ORGANIZATION FOR MIGRATION  
Belgium

2,416,659 €

2018 POUR UNE DÉMOCRATIE INCLUSIVE ET PARTICIPATIVE EN TUNISIE **474,192 €**

LIGUE DES ELECTRICES TUNISIENNES

Tunisia

474,192 €

2018 TRANSITION DÉMOCRATIQUE TUNISIENNE, CITOYENNETÉ ACTIVE, ÉDUCATION ET SENSIBILISATION ÉLECTORALES **356,973 €**

LAM ECHAML ASSOCIATION\*

Tunisia

356,973 €

*EIDHR Ukraine*

2014

2014 Ensuring the protection of palliative care patients through civil society organisations working in the area of palliative care

**259,709 €**

RIVNE REGIONAL DEPARTMENT OF ALL-UKRAINIAN CHARITABLE ORGANIZATION ALLUKRAINIAN NETWORK OF PLWH\*

Ukraine

2014 Strengthening the role of civil society in protecting the human rights of vulnerable groups of offenders in

Ukraine **236,918 €**

PENAL REFORM INTERNATIONAL UK LGB\*PRI

United Kingdom

2014 Joint International Media Centre "For Fair Elections" **142,277 €**

EA EUROPAISCHER AUSTAUSCH GGMBH\*

Germany

**2014 Civic campaign against torture and ill-treatment in Ukraine 140,583 €****[CODE TJ UA]**

KHARKIV HUMAN RIGHTS PROTECTION GROUP\*

Ukraine

**2014 Civic campaign against torture and ill-treatment in Ukraine 119,417 €****[CODE TJ UA]**

KHARKIV HUMAN RIGHTS PROTECTION GROUP\*

Ukraine

**2014 Ukraine - EU Speedometer: Constitutional and Judicial Reforms 114,612 €****[CODE JSR UA]**

CENTRE FOR POLITICAL AND LEGAL REFORMS CIVIL ORGANISATION\*CPLR

Ukraine

2014 Civic monitoring of electoral processes as a means of raising electoral awareness and ensuring free and fair elections

**109,743 €**

ILKO KUCHERIV DEMOCRATIC INITIATIVES CHARITABLE FOUNDATION\*

Ukraine

2014 Campaign for Fundamental Rights in Ukraine through Instruments of the International Human Rights Documentary Festival Docudays UA **100,496 €**

KHERSON REGIONAL CHARITY AND HEALTH CHARITABLE FOUNDATION\*KRCHF

Ukraine

2014 National exit poll for 2014 presidential elections in Ukraine **95,969 €**

ILKO KUCHERIV DEMOCRATIC INITIATIVES CHARITABLE FOUNDATION\*

Ukraine

2014 Reaching equality: participatory approach to enhancement of equality and non-discrimination in Ukraine

**73,538 €**

SOCIAL ACTION CENTRE GROMADSKA ORGANIZACIYA\*SAC NBP

Ukraine

2014 European practices and standards for Ukrainian elections **71,424 €**

ALL-UKRAINIAN PUBLIC ORGANIZATION CIVIL NETWORK OPORA\*

Ukraine

2014 Ukraine without discrimination: research, monitoring, mapping, education and information campaign **59,976 €**

GROMADSKA ORGANIZATZIJA INFORMACIJNNYJ CENTER MAIDAN MOMTORING UZR TRASTIT\*MAIDAN  
MONITORING INFORMATIONCENTER  
Ukraine

2014 Strengthening the role of civil society in protecting the human rights of vulnerable groups of offenders in Ukraine **50,700 €**  
PENAL REFORM INTERNATIONAL UK LGB\*PRI  
United Kingdom

2014 National Exit Poll for the October 2014 Parliamentary Election in Ukraine **45,900 €**  
ILKO KUCHERIV DEMOCRATIC INITIATIVES CHARITABLE FOUNDATION\*  
Ukraine

2014 Joint International Media Centre "For Fair Elections" **35,569 €**  
EA EUROPAISCHER AUSTAUSCH GGMBH\*  
Germany

2014 Simplified and non-discriminatory legalisation for the stateless citizens in Ukraine **34,261 €**  
ODESSA REGIONAL ORGANIZATION OF ALL UKRAINIAN NON GOVERNMENTAL ORGANIZATION COMMITTEE OF VOTERS OF UKRAINE CIVIC ORGANISATION\*ORO CVU  
Ukraine

2014 Legal support and education for vulnerable segments of population through a network of permanent and mobile liaison offices **24,535 €**  
ALL-UKRAINIAN NON GOVERNMENTAL ORGANIZATION COMMITTEE OF VOTERS OF UKRAINE\*CVU  
Ukraine

2014 Preventing Elder Abuse in Ukraine **24,104 €**  
HELP THE AGED LBG\*  
United Kingdom

2014 **Ensuring access to justice through free legal aid delivery and introduction of high quality standards of human rights protection in Ukraine 22,211 €** [CODE JSR UA]  
ALL-UKRAINIAN CHARITABLE ORGANIZATION UKRAINIAN LEGAL AID FOUNDATION\*ULAF  
Ukraine

2014 Empowering civil society to challenge discrimination against LGBTI persons in Ukraine **21,836 €**  
THE EQUAL RIGHTS TRUST LBG\*ERT  
United Kingdom

2014 Enhancing legal opportunities for vulnerable groups in society to defend their rights **21,459 €**  
VSEUKRAINSKA ASOCIACIYA GROMADSKIHORGANIZACIY UKRAINSKA GELSINSKA SPILKA Z PRAV LYUDINI\*UKRAINIAN HELSINKI HUMAN RIGHTS UNION UHHRU  
Ukraine

2014 Development of legislative and organizational framework, based on international human rights standards, to defend human rights, with emphasis on fight against ill-treatment **20,998 €**  
KHARKIV HUMAN RIGHTS PROTECTION GROUP\*  
Ukraine

2014 Ukraine without discrimination: research, monitoring, mapping, education and information campaign **14,994 €**  
GROMADSKA ORGANIZATZIJA INFORMACIJNNYJ CENTER MAIDAN MOMTORING UZR TRASTIT\*MAIDAN  
MONITORING INFORMATIONCENTER  
Ukraine

2014 European standards to Ukraine's pre-trial detention system **13,526 €**  
INTERNATIONAL CIVIC ORGANISATION FREEDOM HOUSE-UKRAINE\*FHU  
Ukraine

2014 National Exit Poll for the October 2014 Parliamentary Election in Ukraine **11,475 €**  
ILKO KUCHERIV DEMOCRATIC INITIATIVES CHARITABLE FOUNDATION\*  
Ukraine

2015

2015 HUMAN RIGHTS AGENDA FOR NEW UKRAINE **285,000 €**  
CENTER FOR CIVIL LIBERTIES CIVIC ORGANIZATION\*PO CCL  
Ukraine

2015 A NEW HOME: COMMUNITY REINTEGRATION AND PSYCHOSOCIAL SUPPORT OF INTERNALLY DISPLACED CHILDREN IN KYIV AND ODESA OBLAST. **284,897 €**  
LABOR AND HEALTH SOCIAL INITIATIVES CIVIC SOCIETY ORGANIZATION  
Ukraine

2015 INTEGRATION THROUGH DIALOGUE. A NETWORK OF LOCAL EDUCATIONAL CENTRES FOR INTERNALLY DISPLACED AND OTHER CHILDREN AFFECTED BY THE ONGOING CONFLICT IN UKRAINE **238,725 €**  
ALL UKRAINIAN ASSOCIATION OF TEACHERS OF HISTORY CIVIC EDUCATION AND SOCIAL STUDIES NOVA DOBA\*  
Ukraine

2015 LIFE GOES ON: INTEGRATION OF INTERNALLY DISPLACED PEOPLE INTO VILLAGE COMMUNITIES **177,896 €**  
GROMADSKA ORGANIZACIJA HUMAN RIGHTS CENTER POSTUP\*  
Ukraine

YOUTH ORGANIZATION M ART IN CLUB\*  
Ukraine

**2015 MOBILIZATION AMONG INTERNALLY DISPLACED WOMEN FOR ADDRESSING DOMESTIC AND GENDER-BASED VIOLENCE 160,143 €**  
**[CODE GENDER UA]**

ALL UKRAINIAN CHARITABLE ORGANIZATION CONVICTUS UKRAINE  
Ukraine

**2015 MOBILIZATION AMONG INTERNALLY DISPLACED WOMEN FOR ADDRESSING DOMESTIC AND GENDER-BASED VIOLENCE 118,481 €**  
**[CODE GENDER UA]**

ALL UKRAINIAN CHARITABLE ORGANIZATION CONVICTUS UKRAINE  
Ukraine

2016 (6 commitments)

2016 ACT LOCAL: EMPOWERING UKRAINE'S CIVIL SOCIETY IN MONITORING LOCAL AUTHORITIES AND ENHANCING CITIZEN PARTICIPATION IN POLICY MAKING **281,732 €**  
CIVIL SOCIETY ORGANIZATION CENTRE UA  
Ukraine

CLOVEK V TISNI OPS\*PEOPLE IN NEED  
Czech Republic

**2016 IMPROVEMENT OF ACCESS TO JUSTICE AND DEFENCE OF THE RIGHT TO A FAIR TRIAL FOR VULNERABLE GROUPS IN UKRAINE 259,999 €** **[CODE JSR UA]**

KHARKIV HUMAN RIGHTS PROTECTION GROUP\*  
Ukraine

KHARKIV INSTITUTE FOR SOCIAL RESEARCHES\*  
Ukraine

2016 I.N.G.R.E.S.S: CSOS CAPACITY BUILDING FOR INTEGRATION, REHABILITATION, SUPPORT AND SERVICES FOR INTERNALLY DISPLACED PERSONS IN UKRAINE **207,446 €**  
ALL-UKRAINIAN NETWORK OF PEOPLE LIVING WITH HIV/AIDS CHARITABLE ORGANIZATION\*\*AUKN PLWH  
Ukraine  
207,446 €

2016 PROVIDING LEGAL PROTECTION TO INTERNALLY DISPLACED PERSONS IN UKRAINE **90,680 €**  
DONBAS SOS NON-GOVERNMENTAL ORGANIZATION  
Ukraine  
90,680 €

2016 EU- UKRAINE CIVIL SOCIETY SEMINAR ON HUMAN RIGHTS **52,641 €**  
LDK CONSULTANTS ENGINEERS & PLANNERS SA\*  
Greece  
52,641 €

2016 I.N.G.R.E.S.S: CSOS CAPACITY BUILDING FOR INTEGRATION, REHABILITATION, SUPPORT AND SERVICES FOR INTERNALLY DISPLACED PERSONS IN UKRAINE **46,044 €**  
ALL-UKRAINIAN NETWORK OF PEOPLE LIVING WITH HIV/AIDS CHARITABLE ORGANIZATION\*\*AUKN PLWH  
Ukraine  
46,044 €



2017

**2017 PARLIAMENTARY CAMPAIGN FOR THE EFFECTIVENESS AND UNIVERSALITY OF THE ROME STATUTE (RS) OF THE INTERNATIONAL CRIMINAL COURT (ICC) SYSTEM (PGA ICC CAMPAIGN) 1,120,000 € [CODE TJ UA]**

CENTER FOR CIVIL LIBERTIES CIVIC ORGANIZATION\*PO CCL  
Ukraine

**2017 COMBATTING TORTURE AND ILL-TREATMENT IN GEORGIA ARMENIA AND UKRAINE 1,000,000 € [CODE TJ UA]**

INTERNATIONAL MEDICAL REHABILITATION CENTER FOR VICTIMS OF WARS AND TOTALITARIAN REGIMES (IRC)  
Ukraine

UKRAINIAN PSYCHIATRIC ASSOCIATION\*  
Ukraine

**2017 STRENGTHENING THE PROTECTION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS OF INTERNALLY DISPLACED AND CONFLICT-AFFECTED COMMUNITIES IN EAST UKRAINE 300,000 €**

UKRAINSKA GELSINSKA Z PRAV LYUDYNY\*UKRAINIAN HELSINKI HUMAN RIGHTS UNIONKI HUMAN RIGHTS UNION UHHRU  
Ukraine

**2017 STRENGTHENING THE ROLE OF CIVIL SOCIETY IN ENSURING THE RIGHTS OF CHILDREN IN NEED OF PALLIATIVE CARE 284,938 €**

CHARITABLE ORGANIZATION NETWORK OF 100 PERCENT LIFE RIVNE  
Ukraine  
284,938 €

**2017 FREEDOM OF MOVEMENT FOR EVERYBODY: REFORM OF THE RESIDENCE REGISTRATION SYSTEM IN UKRAINE 240,815 €**

CENTRE FOR POLITICAL AND LEGAL REFORMS CIVIL ORGANISATION\*CPLR  
Ukraine

INFORMATION CENTER FOR HUMAN RIGHTS  
Ukraine

UKRAINIAN CENTER FOR INDEPENDENT POLITICAL RESEARCH\*  
Ukraine

2018

**2018 JUSTICE FOR ROMA IN UKRAINE 300,000 €**  
CARPATHIAN AGENCY OF HUMAN RIGHTS VESTED

Ukraine

EUROPAI ROMA JOGOK KOZPONTJA ALAPITVANY\*EUROPEAN ROMA RIGHTS CENTER FOUNDATION ERRC  
Hungary  
300,000 €

**2018 UKRAINIAN CSOS FOR CHANGE: PROMOTING HUMAN RIGHTS, DEINSTITUTIONALIZATION AND SOCIAL INCLUSION OF PEOPLE, WHO HAVE INTELLECTUAL AND/OR PSYCHOSOCIAL DISABILITIES" 298,946 €**

PSYCHIKOS SVEIKATOS PERSPEKTYVOS VIESOJI ISTAIGA  
Lithuania  
298,946 €

**2018 FIGHT AGAINST TORTURE, ILL-TREATMENT AND IMPUNITY IN UKRAINE 275,000 €**

[CODE TJ UA]

KHARKIV HUMAN RIGHTS PROTECTION GROUP\*  
Ukraine  
275,000 €  
KHARKIV INSTITUTE FOR SOCIAL RESEARCHES\*  
Ukraine

ODESSA REGIONAL ORGANIZATION OF ALL UKRAINIAN NON GOVERNMENTAL ORGANIZATION COMMITTEE OF VOTERS OF UKRAINE CIVIC ORGANISATION\*ORO CVU  
Ukraine

TERRITORY OF SUCCESS\*TERYTORIYA USPIKHY  
Ukraine

## *EU commitments in Tunisia and Ukraine under the IcSP*

### *IcSP Tunisia*

2016

**2016 BORDER SECURITY MANAGEMENT IN TUNISIA'S SOUTHERN BORDERS, PREVENTING VIOLENT EXTREMISM 1,193,065 €**  
[CODE GENDER TN]

DANSK FLYGTNINGEJÆLP FORENING\*DANISH REFUGEE COUNCIL.DRC  
Denmark  
1,193,065 €

**2016 ENHANCING INCLUSIVE AND DEMOCRATIC SECURITY GOVERNANCE OF TUNISIA'S BORDERS 805,016 €**  
[CODE SSR TN]

INTERNATIONAL ALERT LBG\*IA  
United Kingdom  
805,016 €

2017

**2017 "SALAM PRÉVENIR L'EXTRÉMISME VIOLENT EN TUNISIE : UNE APPROCHE BASÉE SUR LES DROITS HUMAINS ET LA CONSOLIDATION DE LA PAIX" 998,001 €**  
[CODE SSR TN]

ASSOCIACIO NOVACT  
Spain  
499,000 €  
ASSOCIATION TUNISIENNE DES FEMMES DEMOCRATES  
Tunisia  
99,800 €

**2017 PROMOUVOIR LA PARTICIPATION SOCIALE, ÉCONOMIQUE ET POLITIQUE DES JEUNES MARGINALISÉS DANS LES ZONES LES PLUS TOUCHÉES PAR LE PHÉNOMÈNE DE L'EXTRÉMISME VIOLENT EN TUNISIE. 800,000 €**  
[CODE SSR TN]

I CHANGE  
Tunisia  
40,000 €  
INTERNATIONAL ALERT LBG\*IA  
United Kingdom  
760,000 €

**2017 Renforcer la résilience des jeunes tunisiens pour prévenir les tentatives de récidive et de recrutements par les entités extrémistes 646,442 €**  
[CODE SSR TN]

ASSOCIATION DES JEUNES ET HABILITES\*ASSOCIATION JEUNESS ET HABILITES CHABEB W MAHARAT  
Tunisia  
40,403 €  
ASSOCIATION FORUM DES SCIENCES SOCIALES APPLIQUEES\*ASSF APPLIED SOCIAL SCIENCE FORUM  
Tunisia  
193,933 €

**2017 RÉINSERTION SOCIO-PROFESSIONNELLE DES JEUNES SORTANT DE PRISON EN RISQUE DE RADICALISATION 531,633 €** [CODE SSR TN]

FONDATION AGIR CONTRE L'EXCLUSION  
Tunisia

372,143 €  
 FONDATION AGIR CONTRE L'EXCLUSION\*FACE  
 France  
 159,490 €

**2017 FEMMES ET JEUNES POUR LA PAIX 320,000 € [CODE GENDER TN]**

FONDAZIONE TERRE DES HOMMES ITALIAONLUS\*  
 Italy  
 64,000 €  
 HELP CODE ITALIA ONLUS  
 Italy  
 96,000 €

*IcSP Ukraine*

2015

**2015 SUPPORT TO THE UN HUMAN RIGHTS MONITORING MISSION IN UKRAINE 3,199,522 €**

**[CODE TJ UA]**

UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS\*OHCHR HAUT COMMISSARIAT DES NATIONS UNIES AUX DROITS DE L'HOMME HCDH  
 Switzerland

**2015 PSYCHOSOCIAL SEEDS FOR PEACE: TRAUMA REHABILITATION AND CIVIC ACTIVISM IN UKRAINE**

**2,232,945 €**

GLOBAL INITIATIVE ON PSYCHIATRY TBILISI FOUNDATION\*GIP TBILISI  
 Georgia

INTERNATIONAL ALERT LBG\*IA  
 United Kingdom

**2015 REGIONAL EYE 2,110,477 €**

MEMO'98 OBCIANSKE ZDRUZENIE\*  
 Slovakia

STICHTING EUROPEAN JOURNALISM CENTRE\*EUROPEAN JOURNALISM CENTRE FOUNDATION EJC  
 Netherlands

**2015 SUPPORT TO OSCE SPECIAL MONITORING MISSION IN UKRAINE 2,000,000 € [CODE TJ UA]**

ORGANIZATION FOR SECURITY AND COOPERATION IN EUROPE\*OSCE ORGANISATIONPOUR LA SECURITE ET LA COOPERATIONEN EUROPE  
 Austria

**2015 HUMANITARIAN MINE ACTION ASSISTANCE IN UKRAINE 1,579,356 €**

DANSK FLYGTNINGEHAJELP FORENING\*DANISH REFUGEE COUNCIL DRC  
 Denmark

**2015 INTERNATIONAL ELECTION OBSERVATION MISSION FOR UKRAINE LOCAL ELECTIONS OF 2015 1,000,000 €**

INTERNATIONAL SOCIETY FOR FAIR ELECTIONS AND DEMOCRACY UNION\*

2016

**2016 FURTHER SUPPORT TO THE OSCE SPECIAL MONITORING MISSION 7,000,000 € [CODE TJ UA]**

ORGANIZATION FOR SECURITY AND COOPERATION IN EUROPE\*OSCE ORGANISATIONPOUR LA SECURITE ET LA COOPERATIONEN EUROPE  
 Austria  
 7,000,000 €

**2016 RESTORATION OF LOCAL GOVERNANCE AND RECONCILIATION IN CRISIS-AFFECTED AREAS OF UKRAINE 6,994,000 €**

UNITED NATIONS DEVELOPMENT PROGRAMME\*UNDP PROGRAMME DES NATIONS UNIESPOUR LE DEVELOPPEMENT PNUD

United States  
6,994,000 €

**2016 OSCE SPECIAL MONITORING MISSION TO UKRAINE 6,000,000 € [CODE TJ UA]**  
ORGANIZATION FOR SECURITY AND COOPERATION IN EUROPE\*OSCE ORGANISATION POUR LA SECURITE ET LA  
COOPERATION EN EUROPE  
Austria  
6,000,000 €

**2016 RESTORATION OF LOCAL GOVERNANCE AND RECONCILIATION IN CRISIS-AFFECTED  
AREAS OF UKRAINE 3,006,000 €**  
UNITED NATIONS DEVELOPMENT PROGRAMME\*UNDP PROGRAMME DES NATIONS UNIES POUR LE  
DEVELOPPEMENT PNUD  
United States  
3,006,000 €

**2016 MINE ACTION RESPONSE IN EASTERN UKRAINE 377,699 €**  
THE HALO TRUST LBG\*  
United Kingdom  
377,699 €

**2016 FINAL EVALUATION UNDER DECISION C(2014)2336 OF 3.4.2014 38,100 €**  
PARTICIP GMBH CONSULTANTS FUR ENTWICKLUNG UND UMWELT\*  
Germany  
38,100 €

**2016 FINAL EVALUATION OF EU SUPPORT UNDER THE ICSP PROJECT "HUMANITARIAN MINE  
ACTION ASSISTANCE IN UKRAINE" 35,502 €**  
TRANSTEC SA\*  
Belgium  
35,502 €

## 2017

**2017 FURTHER SUPPORT TO THE OSCE SPECIAL MONITORING MISSION IN UKRAINE  
5,000,000 €**  
**[CODE TJ UA]**  
ORGANIZATION FOR SECURITY AND COOPERATION IN EUROPE\*OSCE ORGANISATION POUR LA SECURITE ET LA  
COOPERATION EN EUROPE  
Austria  
5,000,000 €

**2017 SUPPORT TO POLICE REFORM IN UKRAINE 1,500,000 € [CODE SSR UA]**  
KONUNGARIKET SVERIGE\*ROYAUME DESUEDE KINGDOM OF SWEDEN  
Sweden  
1,500,000 €

## 2018

**2018 BUILDING CAPACITY FOR PROTECTION OF CIVILIANS IN EASTERN UKRAINE 977,703 €**  
CENTER FOR CIVILIANS IN CONFLICT  
United States  
977,703 €

**2018 REWEAVING THE UKRAINIAN SOCIAL FABRIC: SUPPORTING COMMUNITY-LED  
PEACEBUILDING AND ADVOCACY 953,515 €**  
INTERNATIONAL ALERT LBG\*IA  
United Kingdom  
715,136 €  
THOMSON FOUNDATION (TRUSTEE) LIMITED\*THOMSON MEDIA FOUNDATION  
United Kingdom  
238,379 €

**2018 REWEAVING THE UKRAINIAN SOCIAL FABRIC: SUPPORTING COMMUNITY-LED  
PEACEBUILDING AND ADVOCACY 46,485 €**  
INTERNATIONAL ALERT LBG\*IA  
United Kingdom  
34,864 €

THOMSON FOUNDATION (TRUSTEE) LIMITED\*THOMSON MEDIA FOUNDATION  
United Kingdom  
11,621 €

2018 FINAL EVALUATION OF ICSP 2016/372337 RESTORATION OF GOVERNANCE AND RECONCILIATION OF CONFLICT-AFFECTED COMMUNITIES IN UKRAINE **42,410 €**

NIRAS AS  
Denmark  
42,410 €

## *EU commitments in Tunisia and Ukraine under the Instrument for*

### *Development Cooperation*

#### *Instrument for Development Cooperation in Tunisia*

2012

2012 Vie Autonome et Participation sociale : vers une nouvelle prise en compte des Personnes en Situation de Handicap dans les dynamiques locales de développement **400,000 €**

ASSOCIATION FEDERATION HANDICAP INTERNATIONAL\*HI HANDICAP INTERNATIONAL FEDERATION  
France

**2012 Centre femme Solidarité soutien à l'inclusion et à l'économie sociale féminine dans le gouvernorat de Jendouba 352,744 €**

**[CODE GENDER TN]**

COOPERAZIONE PER LO SVILUPPO DEI PAESI EMERGENTI ONLUS ASSOCIAZIONI\*COSPE  
Italy

2012 Pour une meilleure participation sociale et économique des personnes souffrant de handicap mental **309,175 €**

ASSOCIATION SANTE SUD\*  
France

**2012 « Création et consolidation des Groupements de Développement des Oasis (GDO) de femmes et de jeunes de Gafsa pour la promotion d'activités génératrices de revenus par la valorisation des produits et des sous produits oasiens 300,000 €**

**[CODE GENDER TN]**

ASSOCIATION POUR LA SAUVEGARDE DE LA MEDINA DE GAFSA\*ASM DE GAFSA  
Tunisia

2012 Radio 3R "Regueb, Révolution, Renouveau" **134,594 €**

AMIS AGENZIA MULTIMEDIALE INFORMAZIONE SOCIALE ASSOCIAZIONE\*  
Italy

2014

2014 Pour une meilleure participation sociale et économique des personnes souffrant de handicap mental **230,927 €**

ASSOCIATION SANTE SUD\*  
France

2014 Vie Autonome et Participation sociale : vers une nouvelle prise en compte des Personnes en Situation de Handicap dans les dynamiques locales de développement **177,693 €**

ASSOCIATION FEDERATION HANDICAP INTERNATIONAL\*HI HANDICAP INTERNATIONAL FEDERATION  
France

2014 Soutien à la création d'activité et développement solidaire en Tunisie et au Maroc **87,905 €**

UNION TUNISIENNE DE SOLIDARITE SOCIALE ASSOCIATION\*UTSS  
Tunisia

**2014 Centre femme Solidarité soutien à l'inclusion et à l'économie sociale féminine dans le gouvernorat de Jendouba 44,448 €**

**[CODE GENDER TN]**

COOPERAZIONE PER LO SVILUPPO DEI PAESI EMERGENTI ONLUS ASSOCIAZIONI\*COSPE

Italy

**2014 « Création et consolidation des Groupements de Développement des Oasis (GDO) de femmes et de jeunes de Gafsa pour la promotion d'activités génératrices de revenus par la valorisation des produits et des sous produits oasiens 30,000 €**

**[CODE GENDER TN]**

ASSOCIATION POUR LA SAUVEGARDE DE LA MEDINA DE GAFSA\*ASM DE GAFSA

Tunisia

**2014 Radio 3R "Regueb, Révolution, Renouveau" 13,459 €**

AMIS AGENZIA MULTIMEDIALE INFORMAZIONE SOCIALE ASSOCIAZIONE\*

Italy

2015

**2015 POUR UNE MEILLEURE APPLICATION DES DROITS DES ENFANTS SANS SOUTIEN FAMILIAL EN TUNISIE 600,000 €**

ASSOCIATION SANTE SUD\*

France

RESEAU AMEN ENFANCE TUNISIE

Tunisia

**2015 MARSAD BALADIA : ENGAGEMENT CITOYEN, REDEVABILITÉ DES MUNICIPALITÉS ET DÉCENTRALISATION 600,000 €**

AL BAWSALA

Tunisia

STICHTING OXFAM NOVIB\*

Netherlands

**2015 POUR L'AMÉLIORATION DE L'ACCÈS AUX SOINS DE SANTÉ DE QUALITÉ DES POPULATIONS DE GAFSA ET SIDI BOUZID. 577,500 €**

ASSOCIATION SIHATOUNA

Tunisia

MEDECINS DU MONDE - DOKTERS VAN DEWERELD

Belgium

**2015 ETUDE D'IMPACT POUR LA MISE EN PLACE D'UN CODE POUR LA SOCIÉTÉ CIVILE EN TUNISIE 89,923 €**

ALTAIR ASESORES SL\*

Spain

2017

**2017 PROGRAMME D'EMPOWERMENT DES COMMUNES (PEC) 1,000,000 €**

FEDERATION NATIONALE DES VILLES TUNISIENNES

Tunisia

VERENIGING VAN NEDERLANDSEGEMEENTEN\*

Netherlands

**2017 PROGRAMME D'EMPOWERMENT DES COMMUNES (PEC) 600,000 €**

FEDERATION NATIONALE DES VILLES TUNISIENNES

Tunisia

VERENIGING VAN NEDERLANDSEGEMEENTEN\*

Netherlands

2018

**2018 IMPLIQUER LES CITOYENS DANS LA SPHÈRE PUBLIQUE ET ENCOURAGER LE RÔLE DE LA SOCIÉTÉ CIVILE LOCALE EN MATIÈRE DE REDEVABILITÉ 1,000,000 €**

ANA YAKEDH - IWATCH

Tunisia  
1,000,000 €

*Instrument for Development Cooperation in Ukraine*

2014

2014 Sustainable Civil Society - Sustainable City Future **245,820 €**  
CITY INSTITUTE\*CI  
Ukraine

2014 Restoration of blacksmith art as one of the oldest elements of economic growth **229,413 €**  
EXECUTIVE COMMITTEE OF IVANO-FRANKIVSK CITY COUNCIL\*  
Ukraine

2014 Violence free: Improving access to Social Services Across Ukraine **220,790 €**  
ALL-UKRAINIAN PUBLIC CENTRE VOLONTER\*VOLUNTEER  
Ukraine

INTERNATIONAL CHARITABLE FUND UKRAINIAN FOUNDATION FOR PUBLIC HEALTH\*INTERNATIONAL  
CHARITABLE FOUNDATION  
Ukraine

2014 Back to Work: Re-integration of Parents to Professional Life after the Maternity/Parental Leave **212,227 €**  
ALL UKRAINIAN NON-GOVERNMENTAL ASSOCIATION LEAGUE OF SOCIAL WORKERS OF UKRAINE\*LSWU  
Ukraine

2014 Empowering the role of local communities in decision-making in social service provision at boarding  
institutions **192,432 €**  
ASSOCIATION OF UKRAINIAN HUMAN RIGHTS MONITORS ON LAW ENFORCEMENT GROMADSKA  
ORGANIZACIYA\*UMDPL  
Ukraine

KHARKIV INSTITUTE FOR SOCIAL RESEARCHES\*  
Ukraine

2014 Sustainable housing in Ukraine: Promoting local development and the role of non-state actors **174,127 €**  
INITIATIVE WOHNUNGSWIRTSCHAFT OSTEUROPA E V\*IWO HOUSING INITIATIVE FOR EASTERN EUROPE  
Germany

2014 Community Involvement in Urban Spatial planning (CIUSP) **154,975 €**  
LADYZHYNSKA MISKA RADA\*LADYZHYN TOWN COUNCIL LTC LADIJINSKA  
Ukraine

2014 Effective government of labour migration and its skills dimensions **150,750 €**  
INTERNATIONAL LABOUR ORGANIZATION\*ILO ORGANISATION INTERNATIONALE DU TRAVAIL OIT  
Switzerland

2014 Community Involvement in Urban Spatial planning (CIUSP) **138,883 €**  
LADYZHYNSKA MISKA RADA\*LADYZHYN TOWN COUNCIL LTC LADIJINSKA  
Ukraine

2014 Energy Sector Development for the public benefit **112,960 €**  
NATIONAL ECOLOGICAL CENTRE OF UKRAINE GROMADSKA ORGANIZACIYA\*NECU  
Ukraine

2014 East-Ukrainian Training and Methodological Competence Center for Public Servants **102,728 €**  
LUHANSK CITY COUNCIL\*LCC  
Ukraine

2014 Equal opportunities in getting profession for young mother-students in higher educational establishment  
(HEE) **70,355 €**  
SUMY STATE UNIVERSITY\*SSU  
Ukraine

2014 Establishing regional child support centers in Ukraine **50,067 €**

ALL-UKRAINIAN FOUNDATION FOR CHILDREN S RIGHTS CIVIC ORGANISATION\*AUFCR  
Ukraine

2014 Performance Budgets in Cherkasy and Vinnitsa - support for good governance and financial transparency of local governments in Ukraine **45,861 €**

MIZHNARODNA GROMADSKA ORGANIZACIA FUNDACIA POLSKO-UKRAYNSKOI SPIVPRACIPAUSI\*PAUCI  
FOUNDATION POLISH UKRAINIAN COOPERATION FOUNDATION PAUCI  
Ukraine

2014 Demonstration, dissemination and deployment of CCT and CCS in Ukraine **43,700 €**

INSTITUTE OF COAL ENERGY TECHNOLOGIES\*CETI  
Ukraine

2014 Improvement of the delivery of administrative services to the population in Kherson region **35,442 €**

UKRAINA\*UKRAINE  
Ukraine

2014 Enhancing Governance Integrity of the Lviv City Council **32,597 €**

CITY INSTITUTE\*CI  
Ukraine

2014 Improving the quality and efficiency of administrative services for the population of Ivano-Frankivsk region through cooperation between communities and the authorities **20,122 €**

YOUTH SOCIAL CENTER ETALON CIVIC ORGANISATION\*YSC ETALON  
Ukraine

2014 A Transparent Ukrainian City: A reference model of e-governance for better administrative services **19,634 €**

PODOLIAN AGENCY FOR REGIONAL DEVELOPMENT CIVIC ORGANISATION\*PARD  
Ukraine

2014 Promote multi-stakeholder cooperation for development and implementation of local sustainable development strategies in three rural communities in Poltava region **17,901 €**

POLTAVA DISTRICT STATE ADMINISTRATION IN POLTAVA REGION\*  
Ukraine

2014 Campaigning for transparency and openness of the Ukrainian state **15,013 €**

KHARKIV HUMAN RIGHTS PROTECTION GROUP\*  
Ukraine

2014 Development and implementation of public information access instruments in small cities of Ukraine **15,000 €**

EXECUTIVE COMMITTEE OF THE CITY COUNCIL OF TOWN OF UKRAINKA\*  
Ukraine

2014 Low-Carbon Opportunities for Industrial Regions of Ukraine (LCOIR-UA)) **13,980 €**

DONETSK NATIONAL UNIVERSITY\*DONNU  
Ukraine

2014 Measuring the Index of Local Self-Government Publicity in Ukraine **11,695 €**

LVIV OBLAST ORGANIZATION OF ALL UKRAINIAN CIVIC ORGANIZATION CIVIL NETWORK OPORA\*  
Ukraine

2014 Financial audit of grant contract 221010 Integrating Climate Change into Vulnerable Ecosystems Management **10,819 €**

ERNST AND YOUNG BEDRIJFSREVISOREN CVBA\*ERNST ET YOUNG REVISEURS D ENTREPRISES  
Belgium

2014 Financial audit of grant contract 221010 Integrating Climate Change into Vulnerable Ecosystems Management **10,819 €**

ERNST AND YOUNG BEDRIJFSREVISOREN CVBA\*ERNST ET YOUNG REVISEURS D ENTREPRISES  
Belgium

## 2015

2015 TRANSPARENT, ACCOUNTABLE AND EFFICIENT PUBLIC BUDGETING AT THE LOCAL LEVEL IN UKRAINE (TAB PROJECT) **1,059,896 €**

ALL-UKRAINIAN ASSOCIATION OF LOCAL GOVERNMENT AUTHORITIES ASSOCIATION OF UKRAINIAN CITIES  
Ukraine

CONSEIL DES COMMUNES ET REGIONS D'EUROPE  
Belgium



2015 CENTRES FOR ADMINISTRATIVE SERVICES DELIVERY AS AN INNOVATIVE INSTRUMENT OF COOPERATION BETWEEN AUTHORITIES AND COMMUNITIES IN UKRAINE **940,097 €**  
VOLYN REGIONAL STATE ADMINISTRATION  
Ukraine

2016

2016 CIVIC SYNERGY: STRENGTHENING PARTICIPATION IN EUROPEAN INTEGRATION REFORMS THROUGH EU-UKRAINE CIVIL SOCIETY PLATFORM AND UKRAINIAN NATIONAL PLATFORM OF THE EAP CIVIL SOCIETY FORUM" **2,100,000 €**  
INTERNATIONAL RENAISSANCE FOUNDATION  
Ukraine  
2,100,000 €

2016 PUBLIC BUDGETS FROM A TO Z: GREATER CIVIL SOCIETY AWARENESS, ACCESS AND PARTICIPATION **553,514 €**  
CENTRE FOR SOCIAL AND ECONOMIC RESEARCH CASE UKRAINE CIVIL ORGANISATION\*CASE UKRAINE  
Ukraine

EAST EUROPE FOUNDATION INTERNATIONAL CHARITABLE ORGANISATION\*EEF  
Ukraine

2016 STRENGTHENING THE CAPACITY OF PARENT-LED CSOS TO SUPPORT THE DELIVERY OF REFORMS THAT ADDRESS THE RIGHTS AND NEEDS OF YOUNG CHILDREN WITH DISABILITIES IN UKRAINE **439,173 €**  
CHARITY FUND EARLY INTERVENTION INSTITUTE FOR CHILDREN WITH DEVELOPMENTAL DELAYS AND DISABILITY  
Ukraine

HEALTHPROM  
United Kingdom

2016 A PARTNERSHIP FOR ALL: DEVELOPING STRATEGIES FOR SOCIO-ECONOMIC COOPERATION BETWEEN ROMA COMMUNITIES AND LOCAL AUTHORITIES IN UKRAINE: PART 1 **407,313 €**  
INTERNATIONAL CHARITABLE ORGANIZATION ROMA WOMEN FUND CHIRICLI\*ASSOCIATION INTERNATIONALE DE BIENFAISANCE FONDS DE FEMMES DE ROM CHIRIKLI  
Ukraine

MINORITY RIGHTS GROUP EUROPA SZOLGALTATO NONPROFIT KFT\*  
Hungary

2017

**2017 CENTRE OF GENDER CULTURE AS A PLATFORM FOR EMPOWERMENT OF WOMEN AND YOUTH 645,000 € [CODE  
GENDER UA]**  
KHARKIV REGIONAL ORGANIZATION KHARKIV REGIONAL GENDER RESOURCE CENTER  
Ukraine  
645,000 €

2017 ELECTORAL REFORM TO STRENGTHEN THE POWER OF AGENTS OF CHANGE AND SUPPORT PUBLIC DIALOGUE **628,553 €**  
ALL-UKRAINIAN PUBLIC ORGANIZATION CIVIL NETWORK OPORA\*  
Ukraine

RELIGIOUS ORGANIZATION UKRAINIAN CATHOLIC UNIVERSITY OF UKRAINIAN GREEK CATHOLIC CHURCH\*  
Ukraine

**2017 "WOMEN AS AGENTS OF CHANGE, PEACE BUILDING AND CONFLICT PREVENTION AT THE GRASSROOTS LEVEL IN UKRAINE" 561,065 € [CODE  
GENDER UA]**  
INTERNATIONAL CHARITABLE FOUNDATION UKRAINIAN WOMEN'S FUND  
Ukraine

WOMEN'S INFORMATION CONSULTATIVE CENTER  
Ukraine

2017 JOINT MASTERS DEGREES: CENTRAL AND EAST EUROPEAN, RUSSIAN AND EURASIAN STUDIES

**490,000 €**

NATIONAL UNIVERSITY OF KYIV-MOHYLA ACADEMY\*NAUKMA  
Ukraine

2017 INTERNATIONAL HIGHER EDUCATION CAPACITY BUILDING : INTEGRATED DOCTORAL PROGRAM FOR ENVIRONMENTAL POLICY, MANAGEMENT AND TECHNOLOGY **469,883 €**  
INSTYTUT EKOLOGII KARPAT NATSIONALNOI AKADEMII NAUK UKRAINY\*INSTITUTE OF ECOLOGY OF THE CARPATHIANS, OF THE NATIONAL ACADEMY OF SCIENCE OF U

Ukraine  
26,386 €

ODESSA STATE ENVIRONMENTAL UNIVERSITY\*OSEN  
Ukraine

41,387 €  
V. N. KARAZIN KHARKIV NATIONAL UNIVERSITY\*KHNU

Ukraine  
38,375 €

2017 SOCIAL ENTREPRENEURSHIP: ACHIEVING SOCIAL CHANGE FROM BOTTOM UP **416,441 €**  
UKRAINIAN PHILANTHROPISTS FORUM

Ukraine  
416,441 €

2017 INTERNATIONAL HIGHER EDUCATION CAPACITY BUILDING : FROM THEORETICAL-ORIENTED TO PRACTICAL EDUCATION IN AGRARIAN STUDIES **325,988 €**

NATIONAL UNIVERSITY OF LIFE AND ENVIRONMENTAL SCIENCES OF UKRAINE\*NUBIP  
Ukraine

40,634 €

SUMY NATIONAL AGRARIAN UNIVERSITY  
Ukraine

40,630 €

2017 INTERNATIONAL HIGHER EDUCATION CAPACITY BUILDING : IMPLEMENTATION OF EDUCATION QUALITY ASSURANCE SYSTEM VIA COOPERATION OF UNIVERSITY- BUSINESS-GOVERNMENT IN HEIS

**244,589 €**

DONETSK STATE UNIVERSITY OF MANAGEMENT\*DSUM  
Ukraine

21,219 €

INSTITUTE OF HIGHER EDUCATION OF THE NATIONAL ACADEMY OF EDUCATIONAL SCIENCES OF UKRAINE  
Ukraine

3,541 €

NACIONALNIJ UNIVERSITET LVIVSKA POLITEHNIKA\*LVIV POLYTECHNIC NATIONAL UNIVERSITY  
Ukraine

21,072 €

NATIONAL AGENCY FOR HIGHER EDUCATION QUALITY ASSURANCE  
Ukraine

3,541 €

NATIONAL METALLURGICAL ACADEMY OF UKRAINE\*NMAU  
Ukraine

20,763 €

SIMON KUZNETS KHARKIV NATIONAL UNIVERSITY OF ECONOMICS\*NATIONALE SIMON-KUZNETZ-  
WIRTSCHAFTSUNIVERSITAT CHARKIW UNIVERSITE NATIONALE D'ECONOMIE

Ukraine

26,363 €

UKRAINA\*UKRAINE  
Ukraine

2,784 €

2018

2018 "SUPPORT TO CIVIL SOCIETY, LOCAL AUTHORITIES AND HUMAN RIGHTS IN UKRAINE -  
REHERIT: COMMON RESPONSIBILITY FOR SHARED HERITAGE" **457,008 €**

CENTER FOR URBAN HISTORY OF EAST CENTRAL EUROPE  
Ukraine

DEPARTMENT OF CULTURE OF UMAN TOWN COUNCIL  
Ukraine

...and 2 other recipients

2018 MYSTERIOUS RIVNE **443,835 €**  
DEPARTMENT OF CULTURE AND TOURISM OF THE EXECUTIVE COMMITTEE OF RIVNE CITY COUNCIL  
Ukraine  
443,835 €

2018 EFFECTIVE PRIMARY HEALTHCARE IN HROMADA **441,213 €**  
KHARKIV REGIONAL COUNCIL  
Ukraine  
441,213 €

***APPENDIX III: STATEMENTS ON TRANSITIONAL JUSTICE AND VAW  
IN ANNUAL EU HUMAN RIGHTS REPORTS***

***Statements on transitional justice Tunisia***

**2014:** Several independent committees and mechanisms were created during 2014 in the areas of human rights, administration of justice, transitional justice, and the fight against corruption and torture. The modernization of the Tunisian judicial system has seen little progress. Since the approval of the constitution, the authorities have supported the drafting of new legislation on military justice, detention conditions, transitional justice and the fight against corruption.

**2015:** The transitional justice process, conducted through the Instance Vérité et Dignité (Truth and Dignity Commission, IVD) created at the end of 2014, is facing a number of obstacles, highlighting the resistance of some political and economic groups to its successful completion.

Civil society is also increasingly concerned by the growing number of reported cases of torture and mistreatment in detention – with three cases of suspicious deaths in 2015 – and by the continued impunity of the security forces.

**2016:** The transitional justice process, conducted through the ‘Instance Vérité et Dignité’, created at the end of 2014, is still facing obstacles. The first public hearings of victims took place on 17/18 November 2016.

**2017:** Significant progress in fighting corruption has taken place, namely with the adoption in February 2017 of the law to protect whistle blowers and the operation 'clean hands' launched in May 2017 by the Government. However, the adoption of the law on administrative reconciliation in October 2017 is considered by many in contradiction with these developments.

**2018:** It welcomed the creation of the Supreme Council of Magistracy (CSM) and the launching of the process for the operationalisation of the Specialized Chambers in the courts of first instance, opening the possibility of judging cases of serious and systemic violations of human rights under the law on transitional justice.

***Statements on transitional justice Ukraine***

**2014:** On 17 April 2014, Ukraine lodged a declaration accepting the jurisdiction of the International Criminal Court for events that took place between 21 November 2013 and 22 February 2014. The EU took positive note of this declaration and continued to encourage Ukraine to conclude internal procedures allowing for the ratification of the ICC statute, as provided for in the EU-Ukraine Association Agreement, signed in June 2014 and now provisionally in force. The EU has welcomed the establishment of the International Advisory Panel of the Council of Europe which monitors the investigations by Ukrainian authorities of the violent incidents which took place between 30 November 2013 and 21 February 2014 and of the Odessa events of 2 May 2014.

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**2015:** International human rights stakeholders, including the UN Human Rights Monitoring Mission, have recorded a substantial number of violations of international human rights law and international humanitarian law in the conflict affected areas of eastern Ukraine, particularly in territories not under the effective control of the government. The impunity enjoyed by the perpetrators on all sides remains a cause of serious concern and must be addressed.

Due to the conflict, addressing the fundamental rights of at least 1.4 million internally displaced persons was a key challenge confronting the government in 2015.

Furthermore, the Ukrainian government formally notified the Council of Europe and the United Nations that, given the emergency situation in the country, it would be derogating from some of the obligations stipulated in the International Covenant on Civil and Political Rights (ICCPR) and the European Convention on Human Rights (ECHR). As such derogations reduce human rights protection, they are only legitimate under Article 4 of the ICCPR and Article 15 of the ECHR if certain conditions are met. All measures taken under the derogation regime must be proportional and non-discriminatory and their duration, geographic and material scope must be limited to the extent strictly required by the exigencies of the situation. Whether or not these conditions are met needs to be reviewed on a regular basis.

In the Crimean peninsula, the situation of human rights and fundamental freedoms has deteriorated significantly since the illegal annexation by the Russian Federation, particularly for pro-Ukrainian activists, journalists and the Crimean Tatar community. Members of these groups are subjected inter alia to arbitrary criminal prosecutions, house searches and in several cases enforced disappearances. During her visit to Ukraine in November 2015, HR/VP Mogherini met with civil society representatives and Crimean Tatar leaders. The worrying deterioration of the human rights situation in Crimea figured prominently in the EU's public communications, including Council conclusions and statements.

Ukraine has lodged a second declaration with the International Criminal Court (ICC) accepting its jurisdiction over crimes against humanity and war crimes committed on Ukrainian territory since 20 February 2014. A preliminary probe by the ICC stated that crimes committed at Maidan between November 2013 and February 2014 (under the first Ukrainian declaration recognising the ICC's jurisdiction in 2014) 'do not amount to crimes against humanity', noting at the same time that 'serious human rights abuses did occur'.

Impunity and the lack of protection and justice for victims remain a cause of concern. According to the reports of the International Advisory Panel (IAP) of the Council of Europe on the investigations into the violent incidents during the Maidan

demonstrations and the tragic events in Odessa in May 2014, the Ukrainian government failed to satisfy the requirements of the European Convention on Human Rights. The IAP acknowledged that the investigation faced significant challenges but concluded that these challenges 'cannot excuse any failings which did not inevitably flow from them'.

The dialogue had a comprehensive agenda in line with the established policy priorities. Discussions covered a range of issues, including elections, freedom of the media and freedom of peaceful assembly, ensuring accountability and non-discrimination policy, including the rights of LGBTI persons and persons belonging to ethnic, linguistic, religious and national minorities, and the ratification of the Rome Statute of the ICC,

**2016:** The EU's priorities are ensuring accountability for all crimes committed in the course of the ongoing armed conflict.

The collapse of the rule of law and public order in the east of Ukraine in the area not under government control continues. The most severe cases of torture, ill-treatment and impunity are being recorded in particular in the areas not under Ukrainian government control. At the same time, the Ukrainian government has also been criticised by international watchdogs for cases of forced disappearances, arbitrary detention and ill-treatment.

The EU has urged the authorities to adopt a long-term integration strategy for internally displaced persons (IDPs), and to resume social assistance and pension payments which were suspended pending verification of their places of residence.

Some progress has been made with regard to the human rights violations committed during the Maidan demonstrations and the violent events in Odesa on 2 May 2014, but only a few perpetrators have been brought to justice. Physical attacks against journalists and impunity for such crimes have declined.

Ukraine has ratified most of the core human rights instruments and cooperates well with them. The constitutional amendments on the judiciary, adopted in the summer, will also enable the ratification of the Rome Statute of the International Criminal Court (ICC), albeit only after a three-year transition period. Ukraine has issued two declarations accepting the ICC's jurisdiction in Ukraine's territory since November 2013.

**2017:** The human rights situation in Ukraine continues to be impacted negatively by the ongoing active conflict in the eastern part of the country, as a consequence of the Russian destabilising actions, as well as by the illegal annexation of the Crimean peninsula by the Russian Federation. These developments have resulted in grave violations of human rights and international humanitarian law. In the territory under the control of Ukrainian authorities, human rights are widely respected and fundamental freedoms upheld. Still, a number of concerns persist, relating to discrimination on various grounds, the existence of cases of torture and ill-treatment, and the lack of protection of vulnerable groups.

The EU's priorities in the area of human rights are multi-fold and include:

- ensuring accountability for all crimes, including those committed in the course of the ongoing armed conflict, as well as human rights violations committed at Maidan and in Odessa in 2014;

- prevention of ill-treatment and torture;

In the Crimean peninsula, the Russian Federation continues to heavily violate international human rights and humanitarian law, disregarding the responsibilities it has as an occupying power in line with UNGA resolutions 71/205 and 72/190. The systematic discrimination of Crimean Tatars as well as other groups openly opposing the illegal annexation remains of grave concern.

In the Non-Government Controlled Area (NGCA) of eastern Ukraine, the collapse of the rule of law and public order continues. As the access of humanitarian and human rights organisations to the NGCA continues to be severely restricted, the humanitarian space shrinks. At the same time, the Ukrainian government has also been criticised by international watchdogs, particularly for a lack of progress in investigating conflict-related crimes, including cases of forced disappearances, arbitrary detention, ill-treatment and sexual violence.

As a result of the conflict, there are approximately 1.6 million internally displaced persons (IDPs), who continue to face a difficult situation. The EU has called on the Ukrainian government to resume social assistance and pension payments which have been suspended for approximately 500.000 – 600.000 IDPs in 2016 pending verification of their places of residence. Voting rights of IDPs in local elections continue being restricted. In 2017, the authorities adopted an action plan towards NGCA as well as a long-term integration strategy for IDPs.

Social assistance and pension payments have also been suspended in NGCA. The international community has repeatedly called on the Ukrainian authorities to resume these payments. The population in NGCA still needs to recur to court procedures for the recognition of for example birth certificates, which, according to UNHCR, raises the risk of statelessness. The investigations into the killings at Maidan and the violent events in Odesa on 2 May 2014 have proceeded very slowly and culprits have still not been brought to justice.

**2018:** 1. Overview of the human rights and democracy situation: Human rights are generally respected and fundamental freedoms upheld in the area under the control of Ukrainian Government. The most severe human rights violations take place in the areas not under the control of the government (NGCA), both in the Crimean peninsula, which has been illegally annexed by Russia, and in eastern Ukraine, due to the conflict in Donbas, as a consequence of Russia's destabilising actions. The situation of more than 1.5 million Internally Displaced Persons (IDPs) from Donbas and Crimea remains challenging, although some improvements have been observed.

2. EU action - key focus areas:

- accountability for all crimes, including those committed in the course of the ongoing armed conflict, and during the incidents occurred in Maidan and Odesa in 2014;
- preventing ill-treatment and torture;

Little progress was achieved in 2018 in the prosecution and judgement of high-profile cases related to the 2014 mass killings in Maidan and Odesa.

In terms of public messages, the HR/VP, her spokesperson, and the EU Delegation to Ukraine have issued various statements condemning human rights violations in the illegally annexed Crimean peninsula and in NGCA in Donbas.

### *Statements on VAW and gender equality Tunisia*

**2014:** Violence against women (including domestic violence) remains cause for great concern. In April 2014, Tunisia notified CEDAW of the lifting of reservations, and a new draft law on violence against women was finalized in October 2014.

**2015:** Violence against women (including domestic violence) remains a cause for great concern; the government's draft law on this matter is being finalised with the support of an EU-funded project.

**2016:** A draft law on violence against women was submitted to parliament in July. In 2016 the EU continued to provide financial assistance for Tunisia's transition through several ongoing and new sectoral programmes, dedicated to the promotion of women's rights.

**2017:** Noteworthy progress must be acknowledged with regard gender. 2017 has been marked by the adoption of important laws to promote the progress of women. The framework law on the violence against women adopted on 26 July is a milestone not only for Tunisia, but an important example for the entire region. The EU Spokesperson issued a statement at this important occasion. The government decision to cancel a 1973 administrative decree has opened the possibility for Tunisian women to get married with non-Muslim. The new electoral law ensures an even stronger participation of women. The creation of a Presidential commission on individual liberties and equality in August 2017 is a recognition and an engagement to move ahead with further actions to ensure gender equality.

Still, concerns on the social condition of women remain: unemployment is higher among women (23%) than men (12,5%) and affects two times more women with a diploma than men (41,5%).

**2018:** Important steps forward included the organisation of the first free municipal elections in May, the presentation of the report by the Committee on Personal Freedoms and Equality (COLIBE) in June, and the adoption of important legislation relating, in particular, to the promotion of gender equality and the fight against racial discrimination. Tunisia plays a pioneering role in the region in the promotion and protection of women's rights.

The dialogue on human rights focused on a wide range of areas. The EU praised the steps forward to fight gender disparities. Following COLIBE recommendations, a draft law on equality in inheritance was adopted by the Council of Ministers in November and submitted to Parliament.

### *Statements on VAW and gender equality Ukraine*

**2016:** Ukraine has signed the Istanbul Convention on preventing and combating violence against women and domestic violence, but the parliament failed to ratify it in 2016.

**2017:** protection of the rights of persons belonging to national minorities and vulnerable groups, including gender equality policy [one of the EU priorities].



With regards to women's rights and gender equality, Ukraine tasked one of the Vice-Prime Ministers responsible for gender policy coordination and nominated a gender commissioner. While Ukraine has signed the Istanbul Convention on preventing and combating violence against women and domestic violence, the parliament has so far failed to ratify it. However, some domestic legislation has been aligned with it.

**2018:** Concerns exist in a number of areas, including the safety of investigative journalists, rights of persons belonging to different minorities and accountability, while some progress has been observed in gender equality.

The 2018 Government Action Plan for Ukraine's overall political priorities features gender issues higher among priorities than in previous years and measures are planned to enhance gender equality in all areas of public life in Ukraine.

***APPENDIX IV: PUBLIC STATEMENTS ON TRANSITIONAL JUSTICE  
AND VAW BY HIGH-RANKING EU OFFICIALS***

***Statements on Ukraine***

1. European Commission, EU announces more than €100 million for Ukraine to support decentralisation reform and re-enforcement of local governance (7 December 2015). Available at: [https://europa.eu/rapid/press-release\\_IP-15-6263\\_en.htm](https://europa.eu/rapid/press-release_IP-15-6263_en.htm), accessed 4 August 2019.
2. European Commission, Statement - Meeting of President Juncker and President Tusk with President Poroshenko (16 December 2015). Available at: [https://europa.eu/rapid/press-release\\_SPEECH-15-6356\\_en.htm](https://europa.eu/rapid/press-release_SPEECH-15-6356_en.htm), accessed 4 August 2019.
3. European Commission, European Commission proposes visa-free travel for citizens of Ukraine (20 April 2016). Available at: [https://europa.eu/rapid/press-release\\_IP-16-1490\\_en.htm](https://europa.eu/rapid/press-release_IP-16-1490_en.htm), accessed 4 August 2019.
4. European Commission, Joint statement by the High Representative/Vice-President Federica Mogherini and Commissioner Johannes Hahn on the vote on constitutional amendments related to the judiciary by the Parliament of Ukraine (2 June 2016). Available at: [https://europa.eu/rapid/press-release\\_STATEMENT-16-2042\\_en.htm](https://europa.eu/rapid/press-release_STATEMENT-16-2042_en.htm), accessed 4 August 2019.
5. European Commission, Remarks by Jean-Claude Juncker, President of the EC, at the joint press briefing with Volodymyr Groysman, Prime Minister of Ukraine, and Johannes Hahn, Member of the EC in charge of European Neighbourhood Policy and Enlargement Negotiations (19 July 2016). Available at: [https://europa.eu/rapid/press-release\\_SPEECH-16-2589\\_en.htm](https://europa.eu/rapid/press-release_SPEECH-16-2589_en.htm), accessed 4 August 2019.
6. European Commission, Speech by Vice-President Dombrovskis at the Yalta European Strategy Annual Meeting: Ukraine – Test Case for the West (16 September 2016). Available at: [https://europa.eu/rapid/press-release\\_SPEECH-16-3087\\_en.htm](https://europa.eu/rapid/press-release_SPEECH-16-3087_en.htm), accessed 4 August 2019.
7. European Commission, EU – Ukraine Summit: Sustained EU support for accountable and transparent governance in Ukraine (24 November 2016). Available at: [https://europa.eu/rapid/press-release\\_IP-16-3948\\_en.htm](https://europa.eu/rapid/press-release_IP-16-3948_en.htm), accessed 4 August 2019.
8. European Commission, EU-Ukraine Summit: strengthening our partnership and highlighting significant reform progress achieved by Ukraine (24 November 2016). Available at: [https://europa.eu/rapid/press-release\\_IP-16-3988\\_en.htm](https://europa.eu/rapid/press-release_IP-16-3988_en.htm), accessed 4 August 2019.
9. European Commission, EU report: Ukraine carrying out unprecedented reforms (13 December 2016). Available at: [https://europa.eu/rapid/press-release\\_IP-16-4344\\_en.htm](https://europa.eu/rapid/press-release_IP-16-4344_en.htm), accessed 4 August 2019.
10. European Commission, Remarks by President Jean-Claude Juncker at the joint press point with Ukrainian Prime Minister Volodymyr Groysman (10 February 2017). Available at: [https://europa.eu/rapid/press-release\\_SPEECH-17-263\\_en.htm](https://europa.eu/rapid/press-release_SPEECH-17-263_en.htm), accessed 4 August 2019.
11. European Commission, European Commission welcomes the Council adoption of visa liberalisation for the citizens of Ukraine (11 May 2017). Available at: [https://europa.eu/rapid/press-release\\_STATEMENT-17-1270\\_en.htm](https://europa.eu/rapid/press-release_STATEMENT-17-1270_en.htm), accessed 4 August 2019.
12. European Commission, EU – Ukraine Summit: Ukrainian reforms combined with European Union support delivering positive results (13 July 2017). Available at: [https://europa.eu/rapid/press-release\\_IP-17-1989\\_en.htm](https://europa.eu/rapid/press-release_IP-17-1989_en.htm), accessed 4 August 2019.

13. European Commission, EU-Ukraine Association Agreement fully enters into force (1 September 2017). Available at: [https://europa.eu/rapid/press-release\\_IP-17-3045\\_en.htm](https://europa.eu/rapid/press-release_IP-17-3045_en.htm), accessed 4 August 2019.
14. European Commission, EU report: Evaluation of Ukrainian reforms shows considerable progress but need to accelerate implementation to reap full benefits (15 November 2017). Available at: [https://europa.eu/rapid/press-release\\_IP-17-4645\\_en.htm](https://europa.eu/rapid/press-release_IP-17-4645_en.htm), accessed 4 August 2019.
15. European Commission, European Commission ready to consider further Macro-Financial Assistance to Ukraine, provided reform momentum is stepped up (1 December 2017). Available at: [https://europa.eu/rapid/press-release\\_IP-17-5064\\_en.htm](https://europa.eu/rapid/press-release_IP-17-5064_en.htm), accessed 4 August 2019.
16. EEAS, 'EU is Ukraine's strongest supporter, says Mogherini in Kiev' (13 March 2018). Available at: [https://eeas.europa.eu/delegations/ukraine/41258/eu-ukraines-strongest-supporter-says-mogherini-Kiev\\_en](https://eeas.europa.eu/delegations/ukraine/41258/eu-ukraines-strongest-supporter-says-mogherini-Kiev_en), accessed 2 December 2018.
17. EEAS, Statement by the Spokesperson on the extension by the Parliament of Ukraine of the validity of the Law on Special Status of certain parts of the Donetsk and Luhansk regions (4 October 2018). Available at: [https://eeas.europa.eu/headquarters/headquarters-homepage/51627/statement-spokesperson-extension-parliament-ukraine-validity-law-special-status-certain-parts\\_en](https://eeas.europa.eu/headquarters/headquarters-homepage/51627/statement-spokesperson-extension-parliament-ukraine-validity-law-special-status-certain-parts_en), accessed 11 August 2019.
18. European Commission, Remarks by President Jean-Claude Juncker at the joint press conference on the occasion of the EU-Ukraine Summit with Petro Poroshenko, President of Ukraine and Donald Tusk, President of the European Council (9 July 2018). Available at: [https://europa.eu/rapid/press-release\\_SPEECH-18-4424\\_en.htm](https://europa.eu/rapid/press-release_SPEECH-18-4424_en.htm), accessed 4 August 2019.
19. EEAS, Statement by the Spokesperson on the extension by the Parliament of Ukraine of the validity of the Law on Special Status of certain parts of the Donetsk and Luhansk regions (4 October 2018). Available at: [https://eeas.europa.eu/headquarters/headquarters-homepage/51627/statement-spokesperson-extension-parliament-ukraine-validity-law-special-status-certain-parts\\_en](https://eeas.europa.eu/headquarters/headquarters-homepage/51627/statement-spokesperson-extension-parliament-ukraine-validity-law-special-status-certain-parts_en), accessed 11 August 2019.
20. Council of the European Union, Declaration by the High Representative on behalf of the EU on the "elections" planned in the so-called "Luhansk People's Republic" and "Donetsk People's Republic" for 11 November 2018 (10 November 2019). Available at: <https://www.consilium.europa.eu/en/press/press-releases/2018/11/10/declaration-of-the-high-representative-on-behalf-of-the-cu-on-the-elections-planned-in-the-so-called-luhansk-people-s-republic-and-donetsk-people-s-republic-for-11-november-2018/>, accessed 4 August 2019.
21. Council of the European Union, Declaration by the High Representative Federica Mogherini on behalf of the EU on the Autonomous Republic of Crimea and the city of Sevastopol (17 March 2019). Available at: <https://www.consilium.europa.eu/en/press/press-releases/2019/03/17/declaration-by-the-high-representative-federica-mogherini-on-behalf-of-the-cu-on-the-autonomous-republic-of-crimea-and-the-city-of-sevastopol/>, accessed 5 August 2019.
22. EEAS, High Representative/Vice-President Federica Mogherini met with President of Ukraine Volodymyr Zelenskyy (5 June 2019). Available at: [https://eeas.europa.eu/delegations/ukraine/63709/high-representativevice-president-federica-mogherini-met-president-ukraine-volodymyr-zelenskyy\\_en](https://eeas.europa.eu/delegations/ukraine/63709/high-representativevice-president-federica-mogherini-met-president-ukraine-volodymyr-zelenskyy_en), accessed 4 August 2019.
23. European Commission, Remarks by President Juncker at the joint press conference with President Tusk and Volodymyr Zelenskyy, President of Ukraine, following the EU-Ukraine Summit (8 July 2019) Available at: [https://europa.eu/rapid/press-release\\_SPEECH-19-3909\\_en.htm](https://europa.eu/rapid/press-release_SPEECH-19-3909_en.htm), accessed 4 August 2019.

### *Statements on Tunisia*

1. European Commission, Déclaration du Président Barroso à la suite de sa rencontre avec Béji Caïed Essebsi, Premier Ministre de la Tunisie (12 April 2011). Available at : [https://europa.eu/rapid/press-release\\_SPEECH-11-261\\_fr.htm](https://europa.eu/rapid/press-release_SPEECH-11-261_fr.htm), accessed 4 August 2019.
2. EEAS, Comments by the HR/VP Catherine Ashton following the EU/Tunisia Task Force (29 September 2011). Available at: [https://europa.eu/rapid/press-release\\_MEMO-11-650\\_en.htm](https://europa.eu/rapid/press-release_MEMO-11-650_en.htm), accessed 4 August 2019.
3. European Commission, Déclaration du Président Barroso suite à sa rencontre avec le Premier Ministre de la Tunisie, M. Hamadi Jebali (2 February 2012).
4. European Commission, Déclaration à la presse du Président du Conseil européen Herman Van Rompuy suite à la rencontre avec le Premier Ministre de la Tunisie, Hamadi Jebali (15 January 2013). Available at: [https://europa.eu/rapid/press-release\\_PRES-13-13\\_fr.htm](https://europa.eu/rapid/press-release_PRES-13-13_fr.htm), accessed 4 August 2019.
5. European Commission, Press points by Štefan Füle, Commissioner for Enlargement and Neighbourhood Policy, at the end of his visit to Tunisia (15 March 2013). Available at: [https://europa.eu/rapid/press-release\\_MEMO-13-230\\_en.htm](https://europa.eu/rapid/press-release_MEMO-13-230_en.htm), accessed 4 August 2019.
6. European Commission, Déclaration du Président Barroso suite à sa rencontre avec Monsieur Mehdi Jomaa, Premier Ministre de Tunisie (20 June 2014). Available at: [https://europa.eu/rapid/press-release\\_SPEECH-14-486\\_fr.htm](https://europa.eu/rapid/press-release_SPEECH-14-486_fr.htm), accessed 4 August 2019.
7. European Commission, Déclaration conjointe par la Haute Représentante et Vice-Présidente Federica Mogherini et le Commissaire européen à la politique européenne de voisinage Johannes Hahn sur le premier tour de l'élection présidentielle en Tunisie (25 November 2014). Available at:
8. European Council, Statement by President Donald Tusk on the terrorist attack in Tunisia (18 March 2015). Available at: <https://www.consilium.europa.eu/en/press/press-releases/2015/03/18/statement-tusk-terrorist-attack-tunisia/>, accessed 4 August 2019.
9. EEAS, Déclaration de la Haute Représentante/Vice Présidente Federica Mogherini sur l'attaque terroriste à Tunis (18 March 2015). Available at: [https://eeas.europa.eu/headquarters/headquarters-homepage/3305/declaration-de-la-haute-representantevice-presidente-federica-mogherini-sur-lattaque-terroriste\\_en](https://eeas.europa.eu/headquarters/headquarters-homepage/3305/declaration-de-la-haute-representantevice-presidente-federica-mogherini-sur-lattaque-terroriste_en), accessed 4 August 2019.
10. EEAS, Statement by High Representative/Vice-President Federica Mogherini following her meeting with the Tunisian Prime Minister Habib Essid (20 July 2015). Available at: [https://eeas.europa.eu/delegations/tunisia/3239/statement-high-representativevice-president-federica-mogherini-following-her-meeting-tunisian\\_en](https://eeas.europa.eu/delegations/tunisia/3239/statement-high-representativevice-president-federica-mogherini-following-her-meeting-tunisian_en), accessed 4 August 2019.
11. EEAS, Statement by the High Representative/Vice-President Federica Mogherini on the attack carried out in Tunis on 24 November (24 November 2015). Available at: [https://eeas.europa.eu/delegations/fiji/3075/statement-by-the-high-representativevice-president-federica-mogherini-on-the-attack-carried-out-in-tunis-on-24-november\\_en](https://eeas.europa.eu/delegations/fiji/3075/statement-by-the-high-representativevice-president-federica-mogherini-on-the-attack-carried-out-in-tunis-on-24-november_en), accessed 4 August 2019.
12. European Commission, Déclaration conjointe de la HR/VP Federica Mogherini et du Commissaire Johannes Hahn à l'occasion du 40ème anniversaire de la coopération entre l'UE et la Tunisie (25 April 2016). Available at: [https://eeas.europa.eu/headquarters/headquarters-homepage/5105/declaration-conjointe-de-la-hrvp-federica-mogherini-et-du-commissaire-johannes-hahn-loccasion\\_fr](https://eeas.europa.eu/headquarters/headquarters-homepage/5105/declaration-conjointe-de-la-hrvp-federica-mogherini-et-du-commissaire-johannes-hahn-loccasion_fr), accessed 4 August 2019.
13. European Council, Conseil d'Association UE – Tunisie, communiqué conjoint de la Haute Représentante Federica Mogherini et du Ministre des affaires étrangères tunisien Khemaïes

- Jhinaoui (18 April 2016). Available at: <https://www.consilium.europa.eu/fr/press/press-releases/2016/04/18/fac-eu-tunisia/>, accessed 4 August 2019.
14. European Commission, Communiqué de presse Président du Conseil européen Donald Tusk, Président de la Commission européenne Jean-Claude Juncker, Président du Parlement européen Martin Schulz et du Président de la République de Tunisie Beji Caid Essebsi (1 December 2016). Available at: [https://europa.eu/rapid/press-release\\_STATEMENT-16-4222\\_fr.htm](https://europa.eu/rapid/press-release_STATEMENT-16-4222_fr.htm), accessed 4 August 2019.
  15. European Council, Joint statement on the occasion of the EU-Tunisia Association Council of 11 May 2017 (11 May 2017). Available at: <https://www.consilium.europa.eu/nl/press/press-releases/2017/05/11/eu-tunisia-association/>, accessed 4 August 2019.
  16. EEAS, Statement by the Spokesperson on the adoption by the Tunisian Parliament of the law on violence against women (28 July 2017). Available at: [https://eeas.europa.eu/headquarters/headquarters-homepage/30560/statement-spokesperson-adoption-tunisian-parliament-law-violence-against-women\\_en](https://eeas.europa.eu/headquarters/headquarters-homepage/30560/statement-spokesperson-adoption-tunisian-parliament-law-violence-against-women_en), accessed 5 August 2019.
  17. EEAS, Déclaration du Porte-Parole sur les élections municipales en Tunisie (9 May 2018). Available at: [https://eeas.europa.eu/delegations/mali/44270/déclaration-sur-les-élections-municipales-en-tunisie\\_sl](https://eeas.europa.eu/delegations/mali/44270/déclaration-sur-les-élections-municipales-en-tunisie_sl), accessed 4 August 2019.
  18. European Council, Joint press statement on the occasion of the 14th meeting of the EU-Tunisia Association Council (15 May 2018). Available at: <https://www.consilium.europa.eu/nl/press/press-releases/2018/05/15/declaration-conjointe-a-la-presse-a-l-occasion-de-la-14eme-session-du-conseil-d-association-ue-tunisie/>, accessed 4 August 2019.

***APPENDIX V: LIST OF INTERVIEWEES******List of interviewees Brussels***

1. International expert on transitional justice, Skype, 15 May 2017
2. Representative international NGO WPS, The Hague, 30 May 2017
3. Representative international NGO WPS, Skype, 5 June 2017
4. Representative international transitional justice NGO, Brussels, 6 June 2017
5. Representative EEAS, Brussels, 8 June 2017
6. Representative EEAS, Brussels, 8 June 2017
7. Representative international peacebuilding NGO, Brussels, 9 June 2017
8. Representative network peacebuilding NGOs, Brussels, 9 June 2017
9. Representative international human rights NGO, Brussels, 12 June 2017
10. Representative EEAS, Brussels, 12 June 2017
11. Representative EU SGUA, Brussels, 12 June 2017
12. Representative think tank, Brussels, 13 June 2017
13. Representative European Commission, Brussels, 14 June 2017
14. Representative international human rights NGO, Brussels, 14 June 2017
15. Representative European Commission, Brussels, 15 June 2017
16. Representative international transitional justice NGO, Brussels, 15 June 2017
17. Representative European Commission, Brussels, 16 June 2017
18. Representative EEAS, Brussels, 16 June 2017
19. Representative Council of the European Union, Brussels, 16 June 2017
20. Representative EEAS, Brussels, 19 June 2017
21. Representative Council of the European Union, Brussels, 20 June 2017
22. Representative UN Agency, Brussels, 12 July 2017
23. Representative European Commission, Brussels, 12 July 2017
24. Representative 1 EU CSDP HQ Brussels, 13 July 2017
25. Representative 2 EU CSCP HQ, Brussels, 13 July 2017
26. Representative EEAS, Brussels, 13 July 2017
27. Representative EEAS, Skype, 27 July 2017
28. Representative European Commission, Skype, 7 August 2017

***List of interviewees Tunisia***

1. Representative Tunisian women's rights NGO, Tunis, 4 August 2017
2. Representative international humanitarian NGO, Tunis, 9 August 2017
3. Diplomat European Member State, Tunis, 11 August 2017
4. Tunisian expert in the realm of WPS, Tunis, 14 August 2017
5. Representative EU Delegation Tunis, Tunis, 16 August 2017
6. Representative female victims' organization, Sfax, 17 August 2017
7. Representative female victims' organization, Sfax, 17 August 2017
8. Representative regional women's rights NGO, Tunis, 21 August 2017
9. Representative 1 Tunisian development NGO, Tunis, 22 August 2017
10. Representative 2 Tunisian development NGO, Tunis, 22 August 2017
11. Representative UN Agency 1, Tunis, 22 August 2017
12. Representative UN Agency 2, Tunis, 23 August 2017
13. Representative Tunisian women's rights NGO, Tunis, 23 August 2017
14. Representative international NGO, Tunis, 24 August 2017
15. Diplomat European Member State, Tunis, 24 August 2017
16. Representative international NGO, Tunis, 24 August 2017
17. Representative international NGO, Tunis, 28 August 2017
18. Representative Tunisian human rights NGO, Tunis, 29 August 2017
19. Representative 1 Tunisian human rights NGO, Tunis, 30 August 2017
20. Representative 2 Tunisian human rights NGO, Tunis, 30 August 2017
21. Representative regional transitional justice NGO, Tunis, 7 September 2017
22. Representative international women's rights NGO, Tunis, 7 September 2017
23. Representative international transitional justice NGO, Tunis, 8 September 2017
24. Representative EU Delegation, Tunis, 12 September 2017
25. Representative international development NGO, Tunis, 12 September 2017

26. Representative Tunisian feminist NGO, Tunis, 13 September 2017
27. Representative Tunisian Islamist women's NGO, Tunis, 18 September 2017
28. Diplomat European Member State, Tunis, 25 September 2017
29. Representative Tunisian feminist NGO, Tunis, 29 September 2017
30. Representative UN Agency 3, Tunis, 2 October 2017
31. Representative international human rights NGO, Tunis, 5 October 2017
32. Representative international human rights NGO, Tunis, 6 October 2017
33. Representative Tunisian human rights NGO, Tunis, 9 October 2017
34. Representative Tunisian Islamist women's group, Tunis, 11 October 2017

### ***List of interviewees Ukraine***

1. Representative UN Agency, Kyiv, 27 October 2017
2. Representative EUAM, Kyiv, 27 October 2017
3. Representative EUAM, Kyiv, 30 October 2017
4. Ukrainian expert on transitional justice, Kyiv, 31 October 2017
5. Representative Ukrainian transitional justice NGO, Kyiv, 31 October 2017
6. Representative Ukrainian justice sector reform NGO, Kyiv, 3 November 2017
7. Representative OSCE, Kyiv, 4 November 2017
8. Representative EU Delegation, Kyiv, 8 November 2017
9. Representative Ukrainian women's rights NGO, Kyiv, 8 November 2017
10. Representative Ukrainian justice sector reform NGO, Kyiv, 9 November 2017
11. Representative Council of Europe, Kyiv, 10 November 2017
12. Representative EU Delegation, Kyiv, 10 November 2017
13. Representative Ukrainian feminist NGO, Kyiv, 14 November 2017
14. Ukrainian expert on transitional justice 1, Kyiv, 15 November 2017
15. Representative EU Delegation, Kyiv, 15 November 2017
16. Ukrainian expert on transitional justice 2, Kyiv, 15 November 2017
17. Representative UN Agency, Kyiv, 16 November 2017
18. Ukrainian peace mediator, Kyiv, 20 November 2017
19. Representative 1 EU Delegation, Kyiv, 21 November 2017 (withdrawn)
20. Representative 2 EU Delegation, Kyiv, 21 November 2017 (withdrawn)
21. Representative Ukrainian justice sector reform NGO, Kyiv, 21 November 2017
22. Representative international human rights NGO, Kyiv, 24 November 2017
23. Representative NATO, Kyiv, 27 November 2017
24. Representative Ukrainian government, Kyiv, 28 November 2017
25. Ukrainian feminist activist, Kyiv, 29 November 2017
26. Representative Council of Europe, Skype, 17 December 2017
27. Representative UN Agency, Skype, 26 December 2017

***APPENDIX VI: PARTICIPANT INFORMATION SHEET*****Information Sheet for Participants in the Study:**<sup>894</sup>

The impact of a changing security landscape on the EU's support for gender justice in the European Neighbourhood

You are being invited to take part in a research study. This sheet provides you with information about the content and aims of this study and your role in it. Before you decide whether or not to take part in this research it is important that you carefully read this document. Please do not hesitate to ask any questions in case any of the information in this sheet is unclear. Thank you for taking the time to consider this invitation.

**Name of Researcher:** Elise Ketelaars

**Name of Chief Investigator:** Professor Louise Mallinder

**What is this study about?**

This study examines the impact of security interests on European Union support for gender justice/women's rights in societies in transition. It examines how the EU has incorporated support for gender justice in its broader security approach towards Tunisia and Ukraine. The main aim of this study is to find out how gender experts and activists in different contexts (within EU institutions or within civil society in Brussels, Tunisia, and Ukraine) perceive this connection between security issues and support for women's rights in order to get more insight in the benefits and risks of approaching gender justice as a matter of security.

**What is this study for?**

This is an academic study being carried out for a PhD programme at the Transitional Justice Institute, Ulster University, Northern Ireland. Findings of the study will be submitted to the university as part of the PhD, and may also be published in academic journals.

**Why have I been selected to participate?**

You have been selected to participate in this study in your quality as an EU official situated in Brussels who has expertise in the field of transitional justice, gender justice, or EU security policy in general or specifically in relation to Ukraine or Tunisia.

**What is expected of me?**

In case you decide to participate in the study, I will ask you to give official consent through the Informed Consent Form. By signing this form, you confirm your participation in this study under the conditions outlined in the form. Both the participant and the Researcher will sign two copies so each of us can keep one.

In case you decide to take part in this research project I would like to conduct an interview with you at a mutually agreed time and place that you consider convenient (e.g. your office or a public venue such as a coffee shop/library). The interview will last about 60-90 minutes. I would like to talk to you about your experiences with and perspectives on the European Union as a supporter of gender justice and women's rights in a society in transition. The interview will specifically focus on what you consider gender justice priorities and how you think the EU approaches these issues at a generic level and in Ukraine and Tunisia specifically, and on your perspectives on the links between support for security and support for gender justice issues. Your and other participants' input will allow me to understand how the EU is supporting gender justice in practice and what are the benefits and risks of linking support for women's rights to security issues.

<sup>894</sup> Subject information sheets were adjusted to each category of interviewees. This example is an information sheet designed for EU officials based in Brussels.



**Will the interview be recorded?**

With your permission I would like to record the interview using a digital recorder, but you do not have to agree to this. If you prefer not to have the interview recorded I will take hand-written notes. In case you do agree to have the interview recorded you can choose to pause or stop the interview recording at any point. Digital recordings will be transcribed in Word and saved on my password protected laptop and office pc.

If requested, I can send you a transcript of our conversation (in English) for review, in which case you can propose changes or clarifications.

**Confidentiality and Anonymity**

You shall be made anonymous, in accordance with the Data Protection Act 1998. For the sake of clarity, and if you agree, I would like to give generic titles to interviewees in the publications emerging from this project. On the consent form you will be provided with an opportunity to indicate what you would like to be referred to. I will ensure that you are not identified by name in any of the files or data produced by the project. Furthermore, if I quote you at any stage, I will not identify you directly and I will redact the quote to remove any details that may identify you.

Similarly, if you ask to go ‘off the record’ during the interview, and I subsequently quote that material, I will not attribute it to you personally.

Under Freedom of Information (FOI) legislation in the United Kingdom, interested parties may request access to certain non-personal or generalised data produced by the project. If I receive FOI requests, I will comply with them but I will be careful not to release any confidential material.

I will make every effort to protect confidential material, but if any interviewees disclose information relating to criminal activities, I may be required by law or court order to disclose that information to the police or prosecuting authorities. If this occurs, I will continue to refrain from releasing the material to other audiences.

**How will the data be stored and used?**

All data collection, storage and processing will comply with the principles of the Data Protection Act 1998 and the EU Directive 95/46 on Data Protection, and Ulster University’s data handling policies. During the fieldwork, all audio recordings will be backed up on a password protected external hard drive and a password protected laptop. In addition, following completion of each stage of fieldwork, the data will be stored in folders on my password protected office computer and in the project folders on Ulster University server. All stored interview data will only be accessible myself and my supervisors.

The interview data will be used primarily to inform my understanding of the research themes. In some cases, excerpts of individual interviews will be cited in my thesis and in academic publications (e.g. in journal articles, conference papers and contributions to edited volumes), and policy briefs. It is not likely that the findings of this study will be covered by the media. Your anonymity will be respected in all these outputs.

**Are there any benefits in taking part?**

There is no material payment for taking part. However, by participating you are contributing to academic knowledge. The Researcher hopes that the study’s results can be used to create strategies how gender justice advocates can optimize their cooperation with the EU on gender justice issues. User friendly versions of these strategies will be shared with the participants of this research project.

**How is this study funded?**

The study is funded through Ulster University's Vice-Chancellor's Research Scholarship. I have received 1250 euro by the Dutch Catherina Halkes Fund to fund my fieldwork in Tunisia, and 1500 euro by the Dutch Foundation 'Stichting Internationale Informatie en Communicatie' to fund my research in Ukraine.

**Contact Details**

If you have any questions or concerns about the research, you can contact me, the Researcher (Elise Ketelaars) or alternatively my academic supervisor (Professor Louise Mallinder).

**Contact details for the Researcher:**

Elise Ketelaars, Transitional Justice Institute, Shore Road, Newtownabbey, Northern Ireland, UK. BT39 0QB

**Email:** Ketelaars-E@email.ulster.ac.uk

**Telephone:** (0044) 7495979650

**Contact details for Chief Investigator:**

Prof Louise Mallinder, Transitional Justice Institute, Shore Road, Newtownabbey, Northern Ireland, UK. BT39 0QB

**Email:** l.mallinder@ulster.ac.uk

**Telephone:** (0044) 28 9036 8890

**Informed Consent Form for Participants in the Study:**

The impact of a changing security landscape on the EU's support for gender justice in the European Neighbourhood

**Name of Researcher:** Elise Ketelaars

**Name of Chief Investigator:** Louise Mallinder

Initial

1. I agree to participate in the study	
2. I confirm that I have read and understood an information sheet about the study and that any questions about the study have been answered	
3. I understand that I can pause or withdraw from the interview at any time. I also understand that I can withdraw some or all of the information revealed during the interview at any time, up until the point where results have been published or submitted to the university	
4. I understand that the researcher will safely store all information received from the interview and will treat it confidentially within the limits of the law	
5. I understand that the researcher will make every effort to ensure that I am referred to in the final results of the study only in the ways that I have given permission for.	
6. I agree that the interview can be digitally recorded	
7. I agree that handwritten notes can be taken during the interview	
8. I agree I can be referred to as (cross out if not applicable): EU official Brussels/EU gender expert Brussels /EU policy maker Brussels/EU diplomat Brussels/other, please specify .....	

\_\_\_\_\_  
Name of Participant

Date:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name of Researcher

Date:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name of Witness (if applicable)

Signature

\_\_\_\_\_  
Date:

**Contact details for the Researcher:**

Elise Ketelaars, Transitional Justice Institute, Shore Road, Newtownabbey, Northern Ireland, UK. BT39 0QB

**Email:** [Ketelaars-E@email.ulster.ac.uk](mailto:Ketelaars-E@email.ulster.ac.uk)

**Contact details for Chief Investigator:**

Prof Louise Mallinder, Transitional Justice Institute, Shore Road, Newtownabbey, Northern Ireland, UK. BT39 0QB

**Email:** [l.mallinder@ulster.ac.uk](mailto:l.mallinder@ulster.ac.uk)

