



# Victim and Survivor Consultation Protocol: A tool for policy-makers

*This quick reference guide summarizes the four key principles of the Protocol for policy-makers on how to incorporate victims' and survivors' perspectives into comprehensive and transformational justice processes. The Protocol focuses on victim and survivor consultation as a critical—but under-explored and frequently neglected—component of a victim and survivor-centered, evidence-based, trauma-informed approach to justice.*

**How it can be used:** *The Protocol provides a practical guide for those responsible for designing, funding, implementing, and evaluating a range of justice measures on how to prioritize, support, coordinate, and manage meaningful consultations of victims and survivors about their justice perspectives, needs, priorities, and expectations.*

## Principle 1: Safe

Victim and survivor consultation is an inherently sensitive process that can surface difficult emotions, memories, and attitudes that trigger trauma and distress, as well as tensions within and between affected communities. It is therefore critical for those conducting consultations to adopt protective mechanisms and safeguards, both for victim participants and for society writ-large.

### **Best practices for Principle 1**

- a. **Trauma-informed and trauma-responsive**, meaning that the consultation process in its entirety is empowering; informed by the needs, expectations, and priorities of survivors; and is not retraumatizing.
- b. **Safe and secure for survivors**, meaning that appropriate safeguards are adopted at all stages of the consultation process to ensure that it does not expose victims and survivors to additional risk, and that any potential risks are clearly disclosed and discussed as part of the informed consent process.
- c. **Safe and secure for society**, meaning that measures are adopted to protect against vigilantism and acts of revenge during contentious discussions about justice in contexts where rule of law is weak and trust in public institutions is low.
- d. **Realistic about both the consultation process and eventual justice outcomes**, meaning that those conducting consultations avoid creating unrealistic expectations in light of limitations and obstacles to pursuing comprehensive and transformational justice such as limited political will, funding, and access to affected communities.

## Principle 2: Survivor-centered

Adopting a survivor-centered approach is critical to the effectiveness of any consultation process. Those conducting victim and survivor consultations must strike a balance between involving survivors as active participants in the design of the consultation mechanism, while also avoiding overly taxing and retraumatizing affected communities.

### **Best practices for Principle 2**

- a. **Coordinated**, meaning that the various entities undertaking or funding consultations seek to ensure that they are organized with one another, and do not unnecessarily tax, retraumatize, or oversaturate affected communities.
- b. **Participatory**, meaning that wherever possible, victims, survivors, and affected communities are involved in designing the consultation process itself.
- c. **Representative and inclusive**, meaning that the consultation process does not treat victims and survivors as monolithic and strives to gather and fairly represent the opinions of a broad and representative sample of affected communities.
- d. **Educational and empowering**, meaning that the consultation process is not simply extractive but also provides those consulted with the information they need to make informed decisions about their priorities

## Principle 3: Rigorous and ethical

Victim and survivor consultations should produce data and information that is complete, accurate, and current. To do so, delivery and implementation should be rigorous and maintain ethical best practices, both methodologically and substantively.

### **Best practices for Principle 3**

- a. **Timely and periodic**, meaning that, to the extent ethical and possible, consultations occur both before decisions are made and on an ongoing basis throughout the lifecycle of lengthy justice processes as victims' and survivors' perspectives evolve and as the context changes.

- b. **Data-informed and ethical**, meaning that a systematic, evidence-based approach is taken to designing and analyzing the data and information gathered, and that where possible, a mixed methods approach that combines qualitative and quantitative elements is used.
- c. **Comprehensive and transformational**, meaning that the issues included in the consultation are multifaceted and comprehensive, encompassing the full spectrum of justice options, broadly defined, and aim to transform society from oppression and conflict to victim and survivor empowerment, peace, and healing.

## Principle 4: Accountable

At its best, a consultation is a form of meaningful and ongoing dialogue between victims, survivors, and affected communities; policy-makers, decision-makers, and other officials; civil society and NGOs; and funders, and other stakeholders. To be a genuine dialogue process, it is critical to promote transparency, openness, and visibility of the consultation process itself (i.e., how the consultation is conducted) and its outcomes as much as possible.

### **Best practices for Principle 4**

- a. **Transparent and visible**, meaning that a public outreach campaign accompanies the process so that affected communities and the broader society know that the consultation is taking place and are informed of the results, and that, where possible, those conducting consultations are open and transparent about their methodology.
- b. **Effective and incorporated into decision-making**, meaning that the consultation process is not a mere "box-ticking exercise" and that there is a vehicle or mechanism for translating the findings into decision-making so that the programs, funding priorities, policies, and laws ultimately adopted incorporate the perspectives and opinions of those affected.