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# Reconciliation: Good Practice and Reconciliation Processes from other Jurisdictions

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This briefing paper provides an overview of the definition of reconciliation, theoretical good practice when designing reconciliation systems and two case studies of where reconciliation systems have been used in Canada and Peru.

This paper contains details of distressing incidents.

This information is provided to Members of the Legislative Assembly (MLAs) in support of their duties, and is not intended to address the specific circumstances of any particular individual. It should not be relied upon as professional legal advice, or as a substitute for it.

## Key Points

- Reconciliation has become an increasingly used term and approach to enable healing, relationship building and transitional justice in post-conflict societies and those impacted by human-rights abuses.
- There is no universally agreed definition of reconciliation, with many differing interpretations on what reconciliation involves. However, common definitions include enabling a society to engage in debate without falling back into cycles of violence, improving relations between groups in society and rebuilding trust in institutions.
- There are no 'one-size-fits-all' approaches to reconciliation. Each reconciliation process must be designed in response to the unique circumstances of the society in need of reconciliation. It requires a flexible and adaptable approach.
- Reconciliation is not intended to lead to fully harmonious societies. Instead, it is intended to lead to a co-existence between groups and give society the capacity to peacefully resolve differences. The process has no defined 'end state' and is a long-term process.
- Theoretical best practice ranges from broad adaptive strategies, which involves considering principles and questions to design the reconciliation process, to more sequential approaches, which outline strategies a society may wish to consider. There are no definitive blueprints.
- Truth and Reconciliation in Canada is a wide-ranging approach to reconciliation aimed exploring historical experiences and rights-related challenges. It includes several public reconciliation activities.
- Reconciliation in Peru focus on reparations provided to victims of the Internal Conflict. It has faced some criticisms in its approach to the eligibility of the reparations.

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## Introduction

This briefing paper has been requested by the Committee for the Executive Office (TEO Committee). This paper will provide an overview of how reconciliation is defined (including an examination of transitional justice), the theoretical best practice of reconciliation design and two case studies of reconciliation in practice.

Reconciliation has been used in a variety of contexts and is increasingly referenced as a mechanism to heal post-conflict societies. However, there is no universally agreed definition of what reconciliation is. This paper will examine why reconciliation is a difficult subject to define, highlighting that reconciliation, when done effectively, is context-specific and should be adapted to suit the conditions of the society in which it is used.

The theoretical best practice in reconciliation design will examine two approaches when designing and implementing a reconciliation system. These should be regarded as recommended actions, rather than a blueprint.

Finally, two case studies will explore how reconciliation has been used in different contexts. The Truth and Reconciliation Commission in Canada, which is centred around the historical injustices committed by the Canadian Government. Secondly, the Peruvian Truth and Reconciliation Commission, established in the wake of the Internal Conflict, will be covered.

These case studies are not intended to be in-depth examinations of each reconciliation programme. They are meant to demonstrate that reconciliation systems are unique to each context, each with their own positive and negative aspects. Additionally, this briefing paper is not intended to be a fully comprehensive overview, and further suggested reading has been provided in Section 2.

RaISe would like to thank those who gave up their time to speak to the research officer responsible for the development of this briefing paper. This includes staff at the Departmental Library at Indigenous Services Canada and Crown-Indigenous Relations and Northern Affairs Canada, staff from the New Zealand

civil service and Professor Daniel Shapiro, of the Harvard International Negotiation Program.

# 1 What is Reconciliation?

## 1.1 Defining Reconciliation

There are many differing interpretations on how to define reconciliation. There is no formal or widely accepted definition and no universal approach on how to apply reconciliation. The term can be contested across different groups in society, as they may have differing interpretations of what it involves. Several organisations working in the field of reconciliation have their own definitions of reconciliation. Some of these are mentioned below.

The International Institute for Democracy and Electoral Assistance (IDEA), an intergovernmental organisation that supports advancing democracy as an enabler of sustainable development, stated that:

“Ideally, reconciliation prevents, once and for all, the use of the past as the seed of renewed conflict. It consolidates peace, breaks the cycle of violence and strengthens newly established or reintroduced democratic institutions.”<sup>1</sup>

Conciliation Resources, an organisation working directly with people impacted by war and violence, wrote in 2021 that:

“Reconciliation involves (re)building and/or transforming relationships damaged by violent conflict and oppression. It focuses on improving horizontal relationships between people and groups in society and vertical relationships between people and institutions.”<sup>2</sup>

They go on to state that reconciliation generally involves:<sup>3</sup>

- Developing a vision of a fair, mutually acceptable and interdependent future.
- Acknowledging and dealing with the legacy of past violence.

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<sup>1</sup> Reconciliation After Violent Conflict: A Handbook. [International Institute for Democracy and Electoral Assistance](#). (2003). Pg 19.

<sup>2</sup> Reconciliation in Focus: Approaching Reconciliation in Peacebuilding Practice. [Conciliation Resources](#). (2021). Pg 4.

<sup>3</sup> As cited immediately above.

- Creating more inclusive institutions and structures based on and enabling transformed relationships and a new social contract.
- Fostering significant cultural and attitudinal change, building trust, social cohesion and establishing new norms.

Conciliation Resources also draw a distinction between reconciliation and peacebuilding. While the two are closely interlinked in theory and practice, peacebuilding tends to focus on the underlying causes of a conflict. Reconciliation, however, emphasises building and transforming relationships.<sup>4</sup>

Ultimately, defining and understanding reconciliation must be context-sensitive, with a definition that resonates with the stakeholders attempting to drive reconciliation within a given context.

## 1.2 A Reconciliation Process is Specific to each Context

While this briefing paper examines the theoretical best practice of reconciliation, it is important to note that a society's definition of reconciliation should change based on unique historical context and circumstances. Fundamentally, reconciliation means different things to different individuals, groups and societies and a reconciliation process should reflect its context.

This means that there is no 'one-size-fits-all' approach and no 'correct' way to devise a reconciliation process. While there are multiple theoretical best practice approaches that can be used (See Section 2), it is up to local decision makers and stakeholders to translate the theory into actionable and systematic programmes. This can be challenging, but for reconciliation to be successful each post-conflict context requires its own politically and culturally rooted responses.

Additionally, a reconciliation process does not mean that the end goal of the processes is to deliver a conflict free and fully harmonious society. It is intended to provide society with the capacity to resolve and debate differences

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<sup>4</sup>Reconciliation in Focus: Approaching Reconciliation in Peacebuilding Practice. [Conciliation Resources](#). (2021). Pg 4.

constructively.<sup>5</sup> As pointed out by David Bloomfield, writing for the Berghof Foundation in 2006 (the Foundation is a German organisation that works to create space for conflict transformation), the main emphasis of reconciliation should be the process of relationship building. It is not something that results in harmonious existence. As stated by Bloomfield:

“de-emphasis of reconciliation as an end-state of harmonious existence . . . avoids the risks of raising unreal expectations of harmony and perfect peace, and of putting pressure, especially on victims, to forgive for the sake of peace.”<sup>6</sup>

It should also be noted that a reconciliation process does not necessarily have a definitive ‘end state’, i.e. a defining moment where society decides it no-longer requires reconciliation.

### 1.3 Examples of Reconciliation Activities

As reconciliation is a context-sensitive process, identifying what the reconciliation process will be (i.e. the specific activities that it will do), can be a challenging process. Conciliation Resources identified several examples of activities that a reconciliation process may wish to undertake, grouped under areas of ‘substantive focus.’ Some of these are mentioned below:<sup>7</sup>

#### 1.3.1 Dealing with the legacy of past violence

- Activities that focus on truth-seeking and missing persons. Includes documenting abuses, creating archives, establishing commissions of inquiry.
- Seek accountability and make reparations. Compensation schemes, organising restitution and formal / informal apologies.

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<sup>5</sup> Shapiro, D. Reconciliation Systems Design: A Systematic Approach to Collective Healing in Post-Conflict Societies. [Harvard Negotiation Law Review](#). (2021). Pg 199.

<sup>6</sup> Bloomfield, D. On Good Terms: Clarifying Reconciliation. [Berghof Foundation](#). (2006). Pg 28.

<sup>7</sup> Reconciliation in Focus: Approaching Reconciliation in Peacebuilding Practice. [Conciliation Resources](#). (2021). Pg 17 - 19.

### **1.3.2 (Re)building vertical relationships and the social contract**

- Enhancing vertical interaction between people and the state. For example, creating listening processes to map grievances and community safety forums.
- Activities that strengthen the rule of law. Protecting and promoting human rights and strengthening access to justice.

### **1.3.3 Developing a fair and interdependent future**

- Reform institutions and the economy. Achieved by tackling exclusion in public services and inequity in accessing goods and services.
- Activities to develop new narratives. For example, facilitating intergenerational dialogue and reflecting on the experiences of marginalised groups.

### **1.3.4 (Re)building horizontal relationships**

- Activities that challenge stereotypes and build trust. This may involve facilitated story-telling and joint development projects.
- Activities that empower victims and survivors. Documenting shared experiences and providing counselling services.

## **1.4 Why Undertake Reconciliation**

Reconciliation and truth recovery can also place a strain on society and be a traumatic process. The process of reconciliation can force a society to confront the truth about a conflict or an uncomfortable period of history. This challenges deeply held beliefs and perceptions, which may encounter resistance. A society's ability to 'sustain the pressure and tension of exposing difficult truths' should also be considered.<sup>8</sup> This is not a straightforward process, and managing a societies' perception of the truth can be complex and difficult.

Rather than confront a difficult past, some sources pose the question of whether it is easier for societies to use a 'policy of forgetting', rather than expose itself to

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<sup>8</sup> Reconciliation: Theory and Practice for Development Cooperation. [SIDA](#). (2003). Pg 10.

the difficulties of reconciliation. In his 2001 book, 'Burying the Past: Making Peace and Doing Justice after Civil Conflict', Nigel Biggar points out three issues with this approach:

- Victims will not forget the injustices they experienced.
- One of a state's fundamental responsibilities is the protection of its citizens – by not attending to its citizens it has failed one of its most basic duties.
- Unaddressed grievances can affect future relations and creates the conditions to re-open a conflict.<sup>9</sup>

As stated by IDEA, "any reconciliation process is a very delicate operation. But not to address the issue is by far the worst response."<sup>10</sup>

## 1.5 Transitional Justice

Transitional justice is a core component of the reconciliation process. Transitional justice includes a range of judicial and non-judicial approaches aimed at addressing human rights abuses, building reconciliation and supporting "fractured societies that are grappling with legacies of conflict. . ."<sup>11</sup> Providing further information on the key elements of transitional justice processes is important, hence the inclusion of this section.

The Office for the Secretary-General of the United Nations developed a strategic tool providing an overview of transitional justice in 2023. The source states that transitional justice can be used to understand the truth of conflicts and provide justice but should not be used as preconceived models or mechanisms. As discussed before, they should be applied in within the unique context of each society.

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<sup>9</sup> Biggar, N. Burying the Past: Making Peace and Doing Justice after Civil Conflict. [Georgetown University Press](#). (2001). Pg 7.

<sup>10</sup> Reconciliation After Violent Conflict: A Handbook. [International Institute for Democracy and Electoral Assistance](#). (2003). Pg 25.

<sup>11</sup> Transitional Justice: A Strategic Tool for People, Prevention and Peace. Guidance Note of the General Secretary. [United Nations](#). (2023). Pg 2.

**Consultations.** These facilitate the acquiring of knowledge and specific insights. Consultations with victims and stakeholders can increase the likelihood that their views on justice and what may constitute effective redress measures, are effectively captured. They also increase the legitimacy of transitional justice, as the process itself is an explicit recognition of victim’s experiences.

**Truth Seeking.** This requires states to establish institutions, mechanisms and procedures to seek information about disputed events. Truth seeking is aimed at recognising the experiences of victims, rebuilding trust, strengthening the rule of law and promoting reconciliation. Furthermore, their “analysis of systemic failures and deficiencies of State institutions, and of structural dimensions of violence and abuse, contributes to setting reform priorities.”<sup>12</sup>

**Criminal Justice.** Questions of amnesty and leniency often arise during reconciliation processes. The official position of the UN is “Amnesties are permissible for other crimes, notably political offences related to resisting the State, and may in some contexts help lay a foundation for peace.”<sup>13</sup> Some prosecutions may focus on those deemed ‘most responsible.’ The question for societies is how accountability can be applied that prevents the emergence of impunity gaps that risks further destabilisation.

**Reparation.** Reparation for serious human rights abuses helps victims/survivors, families and communities overcome the impact (often multigenerational) they experience. Reparations can be financial, material (healthcare, housing, education) and symbolic (such as memorials, monuments, museums). The UN states that “victims generally prefer a combination of benefits across these categories, and this is considered more effective in providing recognition and fostering social cohesion.”<sup>14</sup>

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<sup>12</sup> Transitional Justice: A Strategic Tool for People, Prevention and Peace. Guidance Note of the General Secretary. [United Nations](#). (2023). Pg 14.

<sup>13</sup> Transitional Justice: A Strategic Tool for People, Prevention and Peace. Guidance Note of the General Secretary. [United Nations](#). (2023). Pg 17.

<sup>14</sup> Transitional Justice: A Strategic Tool for People, Prevention and Peace. Guidance Note of the General Secretary. [United Nations](#). (2023). Pg 18.

**Guarantees of Non-Recurrence.** Establishing the Truth about violations and abuses, may not be perceived as achieving justice, unless they are accompanied by commitments by the State to take tangible action to stop the continuation of violence and prevent re-occurrence. This aspect of transitional justice is inherently forward looking often with a focus on political, security, legal and constitutional reform.

## 2 Theoretical Best Practice in Reconciliation Design

Reconciliation always takes place within a specific context. Therefore, there is no recipe for guaranteeing success that can be applied anywhere and there is no ‘correct’ way to devise a process for reconciliation. As stated by IDEA “every conflict is different, so a reconciliation process will differ from all others in important respects, even as it shares similarities with them.”<sup>15</sup>

There are several sources that discuss the theory of best practice when developing a reconciliation process. Each source does discuss the importance to remain flexible and creative to achieve reconciliation in specific contexts.

### 2.1 Adaptive Strategies Tailored to the Context

The approach taken by Conciliation Resources proposes several principles and questions that can be used to guide the development of a reconciliation process. It emphasises following an adaptive strategy tailored to context, rooted in local political dynamics and relationships. It states that “getting the process right is key: it not only matters what you do but also, and especially, how things are done.”<sup>16</sup> The approach is split into preparation and implementation.

#### 2.1.1 Preparation

**Engage in thorough, ongoing, and participatory context and conflict analysis.** This requires a deep understanding of the context and political dynamics, applying conflict sensitivity, assessing reconciliation activities to date and identifying where willingness for reconciliation lies.

**Pay attention to culture and language.** How do terms used by different groups represent parallel terms of reconciliation? Do words in a certain context have different meaning? Explore opportunities for framing reconciliation language in a shared context.

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<sup>15</sup> Reconciliation After Violent Conflict: A Handbook. [Institute for Democratic and Electoral Assistance](#). (2003). Pg 16.

<sup>16</sup> Reconciliation in Focus: Approaching Reconciliation in Peacebuilding Practice. Briefing Paper. [Conciliation Resources](#). (2021). Pg 26.

**Reflect on the roles and legitimacy of different actors.** Engage people from a wide variety of backgrounds but avoid romanticising local approaches. Recognise the distinct role local stakeholders can play and consider how ‘visible’ the reconciliation effort needs to be.<sup>17</sup>

### 2.1.2 Implementation

**Adopt a multi-faceted and inclusive approach.** Identify reconciliation needs at multiple levels of society and recognise that violence will have a different impact on different groups. Be aware of inclusion, youth and gender sensitivity in activity programming. Think about who may be missing.

**Recognise messiness and seize the art of the possible.** Be pragmatic, realistic and creative, but also manage expectations to avoid disappointing people. Avoid thinking in binaries and look for opportunities to connect.

**Work collaboratively, recognising that full coherence may be elusive.** Integrate reconciliation into existing processes, it does not need to be standalone. Foster exchange and connections in different contexts.

**Focus on long-term, incremental change.** Reconciliation is about investing in the long-term support of relationship building at different levels and places. Accept that the pace of reconciliation cannot be forced.<sup>18</sup>

## 2.2 Strategies for Designing a Reconciliation System

In his 2021 paper ‘Reconciliation Systems Design: A systematic approach to collective healing in post-conflict societies’, Daniel Shapiro identified twelve strategies for designing a reconciliation process.<sup>19</sup> These are based on his experiences at the Harvard Negotiation Programme.<sup>20</sup> These strategies are not

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<sup>17</sup> Reconciliation in Focus: Approaching Reconciliation in Peacebuilding Practice. Briefing Paper. [Conciliation Resources](#). (2021). Pg 27.

<sup>18</sup> Reconciliation in Focus: Approaching Reconciliation in Peacebuilding Practice. Briefing Paper. [Conciliation Resources](#). (2021). Pg 28.

<sup>19</sup> Please note that Shapiro refers to reconciliation ‘systems design’, whereas other sources refer to reconciliation ‘processes.’

<sup>20</sup> Shapiro, D. Reconciliation Systems Design: A Systematic Approach to Collective Healing in Post-Conflict Societies. [Harvard Negotiation Law Review](#). (2021). Pg 218.

a definitive blueprint. They should be viewed as potential strategies a country/organisation may wish to consider.

### 2.2.1 Form the design team

**Strategy 1: Establish the Convenor.** An individual, institution or network must initiate the development of the reconciliation system.

**Strategy 2: Map stakeholders.** Comprehensively identify the major stakeholders and the relationships between them. It should include parties with both a positive and negative interest in reconciliation.

**Strategy 3: Assemble a representative design team.** This should be representative of all major groups who have a stake in the reconciliation process. It must "include participants representing the full range of interests and views" regarding collective healing.<sup>21</sup>

**Strategy 4: Build affiliation as working partners.** Affiliation encourages people to look at each other as fellow human beings, rather than as the 'other' or as a stereotype.

**Strategy 5: Formulate ethical guidelines to steer the design process.** An agreed ethical guideline can serve as an independent guideline from which to make morally imbued design decisions.

### 2.2.2 Build a blueprint for reconciliation

**Strategy 6: Develop a shared vision of harmonious co-existence.** The design team, and wider society, builds a shared vision of harmonious coexistence and collective vision of what society, as a whole, can look like.

**Strategy 7: Identify the emotional and structural factors affecting reconciliation.** Reconciliation system must be tailored to address the nature, scope and scale of societal divides and barriers. Barriers can include emotional

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<sup>21</sup> Shapiro, D. Reconciliation Systems Design: A Systematic Approach to Collective Healing in Post-Conflict Societies. [Harvard Negotiation Law Review](#). (2021). Pg 219.

barriers (i.e. lingering feelings of victimisation); and structural (failure to address structural tensions, such as economic opportunities).

**Strategy 8: Clarify strategic healing objectives.** This strategy focuses on introducing activities or programmes that pull people towards a common emotional connection.

### 2.2.3 Design the system

**Strategy 9: Create transitional, enduring and symbolic healing mechanisms.** This includes creating a comprehensive list of healing mechanisms (i.e. activities) through widespread consultation; review the proposed mechanisms and then operationalise them.

Shapiro builds upon this by listing the types of healing mechanisms that could be considered. These are; transitional (temporary healing interventions support society come to terms with the past, such as transitional justice); enduring (collective healing interventions built into the structure of government and wider society, such as policies and reforms); and symbolic (using the arts and other forms of expression to come to terms with the past).<sup>22</sup>

**Strategy 10: Synergise healing mechanisms.** A reconciliation system is an amalgamation of interdependent processes. A reconciliation system should be interconnected with wider political, economic, social and legal environment.

**Strategy 11: Boost system resilience.** A resilient reconciliation system should be designed so it is resilient against political tribalism.

**Strategy 12: Mobilise public will towards reconciliation.** Ensuring there is public support behind a reconciliation effort is essential. Waning public support can impact the longevity and effectiveness of the system.

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<sup>22</sup> Shapiro, D. Reconciliation Systems Design: A Systematic Approach to Collective Healing in Post-Conflict Societies. [Harvard Negotiation Law Review](#). (2021). Pg 238.

## 2.3 Suggested Further Reading on Theoretical Best Practice

- Reconciliation After Violent Conflict: A Handbook. [International Institute for Democratic and Electoral Assistance](#). (2003). This source examines reconciliation as a mechanism to enable positive working relationships and good governance.
- Bloomfield, D. On Good Terms: Clarifying Reconciliation. Report No. 14. [Berghof Foundation](#). (2006). The Berghof Foundation research's violent conflicts with the aim to promote peace. This document aims to show how reconciliation relates to other concepts such as justice and peacebuilding.
- Hamber, B. Dealing with Painful Memories and Violent Pasts. Towards a Framework for Contextual Understanding. Handbook Series No. 11. [Berghof Foundation](#). (2015). This source explores the importance of interpersonal and intergroup relations and identities.
- Shapiro, D. Negotiating the Non-negotiable: How to resolve your most emotionally charged conflicts. [Penguin](#). (2016). This source explores the importance of understanding the behavioural concepts at the core of conflict negotiation.
- Transitional Justice: A Strategic Tool for People, Prevention and Peace. [United Nations](#). (2023). This source provides further information on transitional justice.
- Reconciliation in Focus: Approaching Reconciliation in Peacebuilding Practice. Briefing Paper. [Conciliation Resources](#). (2021). While this source is referenced above, there are other aspects that may be of interest, including when to do reconciliation and building momentum.

### 3 Case studies

Below are two reconciliation case studies. They are Truth and Reconciliation Commission in Canada and Reconciliation following the Internal Conflict in Peru. Both case studies include a brief overview of the historical context that led each country to introduce a reconciliation process, what reconciliation actions took place and the responses it generated. This includes sources that are critical of each approach.

These case studies were selected for several reasons. Canada represents ongoing reconciliation programmes, with a wide array of accessible source material. It explores the historical experiences and rights-related challenges faced by Indigenous peoples. Peru is a recent example of a civil conflict, with an ongoing reconciliation system.

They are intended to demonstrate that a reconciliation process is unique to its setting, and that a different approach was taken in each case study. They are not intended to be an exhaustive explanation of the design process for each system.

#### 3.1 Truth and Reconciliation in Canada

Reconciliation in Canada is centred on acknowledging and responding to the historical treatment of Indigenous populations. This includes the Truth and Reconciliation Commission on the Indian Residential Schools (2008-2015) and the wider public reconciliation activities that took place following the recommendations made by the Commission.

Beginning in the early 2000's, Canada undertook an extensive Truth and Reconciliation processes to address the legacy of the Residential Schools. This laid the groundwork for a wide range of reconciliation activities, many of which continue into 2026 and beyond.

##### 3.1.1 The 'Indian Residential Schools'

The final report of the Truth and Reconciliation Commission of Canada into Canada's Residential Schools was published in 2015. The report opens with:

"for over a century, the central goals of Canada's Aboriginal policy were to eliminate Aboriginal governments; ignore Aboriginal rights; terminate the Treaties (treaties signed between the Canadian government and the First Nations); and, through a process of assimilation, cause Aboriginal peoples to cease to exist as distinct legal, social, cultural, religious and racial entities in Canada. The establishment and operation of residential schools were a central element of this policy, which can best be described as "cultural genocide."<sup>23</sup>

Beginning around 1880, the 'Indian Residential Schools' were created by the Canadian Government and Christian Churches. These churches included Roman Catholic, Anglican, United, Methodist and Presbyterian denominations. By 1930 there were 80 residential schools in operation. The Canadian Federal Government estimated that in total, at least 150,000 First Nation, Metis and Inuit students passed through the residential school system.<sup>24</sup> The Canadian Governments partnership with the churches remained in place until 1969. While most of the schools had closed by the 1980s, the last federally supported residential schools were still in operation until the late 1990s.

The Truth and Reconciliation Commission found that the schools themselves were often poorly built, maintained and heated. Indigenous languages and cultures were suppressed, and the educational goals of the schools themselves were often limited, reflecting a low regard for the intellectual capabilities of Indigenous people. The report states that "child neglect was institutionalized, and the lack of supervision created situations where students were prey to

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<sup>23</sup> Canada's Residential Schools: The History, Part 1 Origins to 1939. The Final Report of the Truth and Reconciliation Commission of Canada. [Truth and Reconciliation Commission of Canada](#). (2015). Pg 3.

<sup>24</sup> Canada's Residential Schools: The History, Part 1 Origins to 1939. The Final Report of the Truth and Reconciliation Commission of Canada. [Truth and Reconciliation Commission of Canada](#). (2015). Pg 4.

sexual and physical abusers."<sup>25</sup> It was estimated that at least 3,200 children died because of inadequate conditions in the schools. The figure may be more than 6,000, although there are difficulties in verifying this, due to inadequate record-keeping.<sup>26</sup>

### 3.1.2 Reconciliation actions in Canada

In May 2006, the Indian Residential Schools Settlement Agreement (IRSSA) came into force. The IRSSA represented a consensus agreement between the legal counsel of former students of the residential schools and the legal counsel of the Churches, the Assembly of First Nations, other Indigenous organisations and the Government of Canada.<sup>27</sup> The intention of the IRSSA was to bring a fair and lasting resolution to the legacy of the Indian Residential Schools.

The IRSSA included five different elements to address the legacy of the Residential Schools. These were:

- A Common Experience Payment (CEP) for all eligible former students of the residential schools.
- An Independent Assessment Process (IAP) for claims of sexual or serious physical abuse.
- Supporting healing through the Indian Residential Schools Resolution Health Support Program, plus an endowment to the Indigenous Healing Foundation.
- Commemorative Activities. \$20m in funding was set aside by the Canadian Government to fund 144 commemoration activities. These activities included those that “honoured educated, remembered and paid tribute to former Indian residential school students, their families and their communities.”<sup>28</sup>

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<sup>25</sup> Canada’s Residential Schools: The History, Part 1 Origins to 1939. The Final Report of the Truth and Reconciliation Commission of Canada. [Truth and Reconciliation Commission of Canada](#). (2015). Pg 5.

<sup>26</sup> Residential Schools in Canada. [The Canadian Encyclopedia](#). (2024). Accessed 06/01/2026.

<sup>27</sup> Indian Residential Schools Settlement Agreement. [Crown-Indigenous Relations and Northern Affairs Canada](#). (2025). Accessed 06/01/2025.

<sup>28</sup> As cited immediately above.

- The establishment of the Truth and Reconciliation Commission (TRC).

The TRC was created in 2008, with \$78m in Canadian Federal Government support, to document the history and associated harms of the residential schools. The TRC gathered the testimonies of 6,500 survivors and witnesses, reviewed 5 million federal records, and created a permanent public archive. The TRC's final report contained 94 calls for action to redress the legacy of the residential schools and 'advance the process of Canadian reconciliation'.<sup>29</sup>

The specific reconciliation actions include:<sup>30</sup>

- The development of a **Royal Proclamation and Covenant of Reconciliation**. This action called on the Government of Canada to develop, jointly with the Indigenous Peoples, a Proclamation of Reconciliation. This would reaffirm the 'nation-to-nation' relationship between the Indigenous peoples and the Canadian Government.<sup>31</sup> The Covenant of Reconciliation would be used to identify the principles of working collaboratively to advance reconciliation in Canadian society. As of 2026, the Covenant is in draft format but remains politically contested.
- The establishment of a **National Council for Reconciliation**. The Council is an independent, Indigenous-led, non-political organisation. Its purpose is to 'advance reconciliation between Indigenous and non-Indigenous peoples in Canada.'<sup>32</sup> It is intended to monitor the progress of reconciliation activities.
- **Professional development and training for public servants**. This called on the Canadian State (from national down to local government) to provide education to public servants on the history of Indigenous

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<sup>29</sup> Delivering on Truth and Reconciliation Commission Calls to Action. [Crown-Indigenous Relations and Northern Affairs Canada](#). Accessed 16/01/2025.

<sup>30</sup> Please note that the description of the reconciliation actions in Canada primarily come from Canadian government sources. Identifying sources that described each individual action from the perspective of Indigenous peoples was challenging.

<sup>31</sup> Royal Proclamation and Covenant of Reconciliation. [Crown-Indigenous Relations and Northern Affairs Canada](#). Accessed 16/01/2026.

<sup>32</sup> National Council for Reconciliation. [Crown-Indigenous Relations and Northern Affairs Canada](#). Accessed 16/01/2026.

peoples. It includes training on intercultural competency, conflict resolution, human rights and anti-racism.<sup>33</sup>

- **Church apologies and reconciliation.** This called for the Pope to issue an apology for the role of the Roman Catholic Church, and all responsible churches to develop ongoing education strategies for their congregations, to learn about the role those churches played. Additionally, calls were made for the Churches to provide funding towards reconciliation projects.<sup>34</sup>
- **Establishment of the National Centre for Truth and Reconciliation.** This called for the Canadian government to collaborate with the Centre to archive the records and legacy of the Residential Schools. In 2018, the Canadian Government also provided \$10million in funding over 7 years, to support the Centre.<sup>35</sup>
- **Media and reconciliation.** Canadian government is to restore and increase the funding available to the Canadian public broadcaster. This would enable it to be 'properly reflective of the diverse cultures, languages and perspectives of Indigenous peoples.'<sup>36</sup>
- **Sports and reconciliation.** This was intended to educate the public about Indigenous athletes, ensure Indigenous athletic development and reduce barriers to physical participation and sports.<sup>37</sup>
- **Business and reconciliation.** This called upon the Canadian corporate sector to adopt the United Nations Declaration on the Rights of Indigenous Peoples as a reconciliation framework. This could include

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<sup>33</sup> Professional Development and Training for Public Servants. [Crown-Indigenous Relations and Northern Affairs Canada](#). Accessed 16/01/2026.

<sup>34</sup> Churches Apologies and Reconciliation. [Crown-Indigenous Relations and Northern Affairs Canada](#). Accessed 16/01/2026.

<sup>35</sup> National Centre for Truth and Reconciliation. [Crown-Indigenous Relations and Northern Affairs Canada](#). Accessed 16/01/2026.

<sup>36</sup> Media and Reconciliation. [Crown-Indigenous Relations and Northern Affairs Canada](#). Accessed 16/01/2026.

<sup>37</sup> Sports and Reconciliation. [Crown-Indigenous Relations and Northern Affairs Canada](#). Accessed 16/01/2026.

consulting with Indigenous peoples before proceeding with economic development projects.<sup>38</sup>

- **Newcomers to Canada.** This involved revising the kit for newcomers to Canada and the citizenship test, to reflect a more inclusive history of the Indigenous peoples.<sup>39</sup>

### 3.1.3 Responses to Reconciliation

A 2025 report from the Environics Institute, based in Toronto, published findings on the Canadian Confederation of Tomorrow survey, which tracked Canadian attitudes towards Indigenous peoples and Reconciliation.<sup>40</sup> The survey report notes several encouraging trends resulting from the reconciliation process. The proportion of Indigenous and non-Indigenous people who view the current relations between the groups as positive and are optimistic about the reconciliation process, has increased over the last decade. The report also states that “there are signs that familiarity with the history of the Indian Residential Schools is gradually increasing over time.”<sup>41</sup>

Other key findings include younger Canadians tending to think that Canadian governments have not gone far enough to advance reconciliation and that all Canadians have a role to play in the reconciliation process. Likewise, about 70% of all Canadians say that individuals like themselves have a role to play in supporting reconciliation.<sup>42</sup>

Other sources point out that the reconciliation process has been protracted, with economic and social inequalities continuing to persist in the Indigenous population. The non-profit organisation, Indigenous Watchdog, posted in 2024

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<sup>38</sup> Business and Reconciliation. [Crown-Indigenous Relations and Northern Affairs Canada](#). Accessed 16/01/2026.

<sup>39</sup> Newcomers to Canada. [Crown-Indigenous Relations and Northern Affairs Canada](#). Accessed 16/01/2026.

<sup>40</sup> Canadians on Reconciliation and Relations with Indigenous Peoples. [Environics Institute](#). (2025). Pg 1.

<sup>41</sup> As cited immediately above.

<sup>42</sup> As cited in reference 40.

that progress on reconciliation has been slow.<sup>43</sup> The article stated there were four reasons for this:

- A lack of political will to address Indigenous issues, such as respecting Indigenous laws.
- Entrenched systemic racism throughout Canadian society.
- Structural barriers that negatively impact Indigenous populations.
- A lack of recording quality, national data on Indigenous issues.

Other sources also highlight concerns about the future fundings arrangements of reconciliation activities and questioned the Canadian governments ongoing commitment to reconciliation. A 2025 report from CBC News quoted several Indigenous leaders voicing their concerns about the lack of funding for key reconciliation programmes.<sup>44</sup> President Victoria Pruden, representing the Métis governments in Alberta and Ontario, commented that “the [2025] budget doesn’t reflect the depth of commitment [to reconciliation] that we’ve heard in certain moments over the past six to nine months . . . it is deeply concerning.”

### 3.2 Reconciliation Following the Internal Conflict in Peru

Reconciliation in Peru is characterised by an open examination over the role of society, state actors and other groups during the 1980-2000 Peruvian Internal Conflict. This established an authoritative account of the conflict and helped to dispel other narratives and rumours about the conflict.

Reconciliation focused on providing individual and communal redress to victims of the extensive human rights abuses that took place during the conflict. An area of controversy with the redress programme is that it excluded individuals who were a part of the ‘subversive groups’ that took part in the conflict. This has raised ethical concerns with observers.

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<sup>43</sup> What is the Truth about Reconciliation? 2024 Year-End Review. [Indigenous Watchdog](#). (2024). Accessed 16/01/2026.

<sup>44</sup> Indigenous Leaders decry budget’s lack of money for key reconciliation programs. [CBC News](#). (2025). Accessed 16/01/2026.

### 3.2.1 The Peruvian Internal Armed Conflict

From 1980 to 2000 Peru suffered from a de facto civil war, which saw violence inflicted upon the rural civilian population on a large scale. The Peruvian Truth and Reconciliation Commission estimated that more than 70,000 Peruvians died or went missing over the two decades.<sup>45</sup> These people were either killed or forcibly disappeared by subversive groups or government forces.

This period of violent conflict began when the Communist Party of Peru, or the Shining Path, launched a “popular war against the old state and class enemies, in the belief that armed struggle was the only means of attaining power and establishing a new political, economic and social order.”<sup>46</sup> Rural areas were the main theatre of the conflict. Selective assassinations, massacres and the destruction of entire communities were perpetrated by the Shining Path and other dissident groups, such as the Tupac Amaru Revolutionary Movement (MRTA – Movimiento Revolucionario Túpac Amaru).

The Peruvian governments response “showed its incapacity to understand the dimensions of the problem and to react and restrain the growth of these movements.”<sup>47</sup> The use of political-military groups led to human rights abuses committed against the civilian population. While the capture of the leaders of the Shining Path and the MRTA in 1992 led to a reduction in violence, state perpetrated crimes against humanity continued until 2000.<sup>48</sup>

Following the collapse of the government and the incoming ‘transition government,’ democratic institutions, the rule of law and a respect for human rights recovered. This coincided with the announcement that a Truth and Reconciliation Commission (TRC) would be established, to clarify the:

“process, the facts and responsibilities regarding the terrorist violence and human rights violations which occurred from May

<sup>45</sup> Truth Commission: Peru 01. [United States Institute of Peace](#). (2001). Accessed 23/01/2026

<sup>46</sup> Guillerot, J. Reparations in Peru: 15 Years of Delivering Redress. [Queens University](#). (2019). Pg 4.

<sup>47</sup> Guillerot, J. Reparations in Peru: 15 Years of Delivering Redress. [Queens University](#). (2019). Pg 5.

<sup>48</sup> The Internal Conflict in Peru is still technically ongoing, but the conflict has become mostly dormant, with violence limited to a small geographical area.

1980 to November 2000, attributable both to terrorist organizations and state agents, as well as of proposing initiatives aimed at strengthening peace and harmony among Peruvians”<sup>49</sup>

### 3.2.2 The Truth and Reconciliation Commission and Reparations

The TRC had a mandate to:

- Analyse the social, economic and political conditions that led to the conflict.
- Examine the conduct of society and state institutions.
- Seek the whereabouts and situation of victims of the violence.
- Develop recommendations toward reconciliation and mechanisms to prevent acts of violence (on a similar scale of the Internal conflict) from happening again.

The two-year inquiry gathered testimonies from nearly 17,000 people who suffered from, or witnessed, human rights violations.

The TRC concluded in 2003. Its findings helped to challenge many false popular narratives surrounding the conflict, which were widespread in Peruvian society. It demonstrated the conflict was not typical to other conflicts in Latin America. Firstly, it concluded that the Shining Path was the main perpetrator of the violence, attributing to 54% of the conflict’s victims.<sup>50</sup> This contrasted with other ‘typical’ Latin American conflicts where the state is often the main perpetrator. This is not to excuse the widespread human rights abuses also perpetrated by state/state-sponsored actors.

Another finding was the direct correlation between socio-economic conditions and the likelihood of being a victim in the conflict. Most victims came from the poorest regions in Peru. This help to support the focus of reconciliation efforts into rural areas.

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<sup>49</sup> Guillerot, J. Reparations in Peru: 15 Years of Delivering Redress. [Queens University](#). (2019). Pg 7.

<sup>50</sup> Guillerot, J. Reparations in Peru: 15 Years of Delivering Redress. [Queens University](#). (2019). Pg 8.

One of the main reconciliation recommendations from the TRC was the development of the Comprehensive Reparations Plan (PIR - Plan Integral de Reparaciones). The basis of the PIR was that the Peruvian government failed in its obligation to respect human rights and its duty to protect citizens of Peru. The reparations were intended to represent the states acknowledgement of the harm committed during the conflict. This would be achieved by combining symbolic reparations alongside material reparations.

Symbolic reparations included establishing commemorative dates and the creation of memorial spaces. One example of this was the completion of the 'Place of Memory, Tolerance and Social Inclusion' in 2015. The Museum does not seek to provide any 'certainties' around the conflict. Instead, it is intended to demonstrate that 'giving meaning to the past of violence are part of reality.'<sup>51</sup> Material reparations include access to education programs, health reparations, access to housing and collective reparations, such as improving community resources.

A noteworthy point about the PIR is that individuals who were 'members of subversive organisations' (the Shining Path and MRTA) are consciously excluded from receiving reparations. Even if an individual can be counted as a 'victim' of the violence (defined as a person or person who has had their human rights norms violated, such as kidnapping or forced displacement) once they were a member of a 'subversive organisations' they lost entitlements to reparations.<sup>52</sup>

A 2019 paper from Queens University points out that this exclusion raises ethical concerns with the PIR. This exclusion, based on past actions, means that these people are classed as individuals who 'do not deserve to enjoy rights [and] deprives the excluded person of their recognition as a human being'.<sup>53</sup> This can establish a dangerous precedent of who has their human rights respected and those that do not, based on past actions

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<sup>51</sup> Guillerot, J. Reparations in Peru: 15 Years of Delivering Redress. [Queens University](#). (2019). Pg 40.

<sup>52</sup> Guillerot, J. Reparations in Peru: 15 Years of Delivering Redress. [Queens University](#). (2019). Pg 19.

<sup>53</sup> Guillerot, J. Reparations in Peru: 15 Years of Delivering Redress. [Queens University](#). (2019). Pg 51.

### 3.2.3 Response to the TRC

As mentioned earlier, the TRC played a crucial role in the establishment of an authoritative historical narrative about the Internal Conflict. It helped establish an understanding of what the conflict was and then bringing that narrative into the public sphere.

The Queens report states that while society in Peru remains polarised in many respects, the PIR focused societal debate on the victims of the conflict and demonstrated that there were victims from all sides of the conflict. However, it does point out that the TRC and the PIR have not confronted the root causes of the conflict, i.e. those that lie in deep socio-economic and ethnic divisions.<sup>54</sup>

The TRC also conducted visible and public activities aimed at winning public support for the prosecution of those who committed the worst crimes that fell under the Commission's mandate. These have been generally welcomed by Peruvian society.<sup>55</sup>

However, there were concerns raised in 2012 around the delayed reparations that have been promised to victims and their families, suggesting that reparations were making slow progress.<sup>56</sup> More recent sources from 2024 indicate that delays in payments to victims and their families have continued, with issues emerging around the funding commitments for reparations. The vice president of the National Association of Relatives of the Kidnapped and Disappeared in Peru commented that:

"21 years have passed and we continue to demand dignified reparations for the families of the victims. The authorities have not complied with the recommendations of the TRC, and no budget has been allocated for health,

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<sup>54</sup> Guillerot, J. Reparations in Peru: 15 Years of Delivering Redress. [Queens University](#). (2019). Pg 53.

<sup>55</sup> Cueva, E. The Peruvian Truth and Reconciliation Commission and the Challenge of Impunity. [Cambridge University Press](#). (2012). Accessed 30/01/2026.

<sup>56</sup> Progress of Peru's Truth and Reconciliation Commission Brought Before IACHR. [Americas Quarterly](#). (2013). Accessed 30/01/2026.

education and housing programs for those affected, only small social programs.”<sup>57</sup>

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<sup>57</sup> Ayacucho: 21 years have passed since the TRC’s report and families are still waiting for reparations. [Micaelas](#). (2024). Accessed 03/02/2026. Translated in Google from the original Spanish into English.