



Reporting Transitional Justice: A Handbook for Media Practitioners in West Africa



Media Reform Coordinating Group (MRCG)

Africa Transitional Justice Legacy Fund (ATJLF)

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About the Handbook

This Handbook is part of a project titled “Engaging the Media to Change the Narrative on Transitional Justice (TJ) Issues in Sierra Leone.” The project is implemented by the Media Reform Coordinating Group (MRCG) with support from the Africa Transitional Justice Legacy Fund (ATJLF). The major focus of the project is to work with media institutions and practitioners to engage in coverage and reportage on transitional justice mechanisms thereby increasing public awareness and following up on commitments and actions on TJ issues.

This Handbook is part of the sustainability initiatives of the project and seeks to provide a valuable and handy reference guide on the major concepts and principles on TJ. The Handbook is to serve as a toolkit for media practitioners (editors, station managers and reporters) in West Africa to understand the forms and approaches of transitional justice, and the angles and frames in reporting on them. While the media in West Africa are reporting on issues and themes that are generally related to transitional justice, they do so mostly without proper content and context.

The development of the handbook is informed by various publications on transitional justice mechanisms globally and nationally.

The following issues are covered in the manual:

- An Introduction to Transitional Justice
- Transitional Justice Mechanisms
- Media and Transitional Justice
- Reporting Transitional Justice

It is the hope of the MRCG that media practitioners in West Africa will use the Handbook to hone their skills in reporting on transitional justice. While the Handbook is produced primarily for media practitioners, trainers and advocates on TJ issues will also find it very useful and helpful

About MRCG

MRCG is a coordinating Secretariat for media reform, research and capacity building in Sierra Leone. It brings together national media organisations committed to promoting media freedom, digital and online rights, human rights and governance.

Foreword

The Africa Transitional Justice Legacy Fund (ATJLF) started its grant-making process three years ago, with an ambition to broaden the scope of transitional justice interventions in Africa, beginning with selected countries in West Africa. As grant-makers, we were keen to supporting new and impactful project ideas that break the boundaries of conventional TJ interventions. This project by the Media Reform Coordinating Group (MRCG), is one of the “unconventional” TJ projects we decided to fund, to advance that objective.

We were intentional in our desire to support novel ideas for the advancement of TJ. This manual is a novelty in the sub-region. It is being rolled out at a crucial period for Sierra Leone and indeed the Manor River basin. Across the sub-region, journalists and media practitioners are battling with not just how to report on the growing levels of insecurity and political stability, but they are also struggling to make sense of the complexities for the way forward. There is a huge knowledge gap on the role of transitional justice processes and mechanisms in helping to deal with the wrongs of the past with a view to guaranteeing non-recurrence. Therefore, the timing to produce this manual could not have been better than now. There is an increasing level of insecurity and political instability across the sub-region.

Although it is meant for journalists and media practitioners in Sierra Leone, its usefulness transcends the Sierra Leonean boundaries. Journalists and media practitioners in other post-conflict countries and indeed countries experiencing transitions across the sub-region could find it extremely useful in promoting peaceful transitions and holding national authorities accountable for wrongs of the past.

At the ATJLF, we believe that our funding partnership with the MRCG sought to kill two birds with a stone – to help develop the capacity of media practitioners to understand what transitional justice is about and for them to use that understanding to amplify the various transitional justice initiatives being implemented in their respective societies. We are therefore very pleased with this output, and we hope that it will serve the purposes for which it was conceived.

Mohamed Makmid Kamara

Director, ATJLF

1: AN INTRODUCTION TO TRANSITIONAL JUSTICE

1.1 Introduction

The international court at the Nuremburg Trials marked the beginning of transitional justice in the 20th Century. In the last two decades it was often part of a negotiated agreement.¹ The field first emerged in the late 1980s and early 1990s, mainly in response to the political transitions that took place in Latin America and Eastern Europe—and the claims for justice advanced during those transitions. Since these changes were popularly called “transitions to democracy,” people started calling this new multidisciplinary field “transitional justice” or “justice in times of transition.” Transitional justice is not a special form of justice. It is, rather, justice adapted to the often-unique conditions of societies undergoing transformation away from a time when human rights abuse may have been a normal state of affairs. In some cases, these transformations will happen suddenly and have obvious and profound consequences. In others, they may take place over many decades².

Historically, transitional justice is a contested and evolving process which gained traction in the 1990s. Several West African Countries have implemented a range of transitional justice mechanisms. Therefore, this section seeks to introduce media practitioners to the concept of transitional justice so that they would be able to provide proper content and context in their reporting.

1.2 What is Transitional Justice?

The definition of transitional justice keeps evolving. According to Ruti Tietel, a leading scholar in the field, it is “the conception of justice associated with periods of political change, characterized by legal responses to confront the wrongdoing of repressive predecessor regimes.”³ Broadly defined, transitional justice (TJ) includes all efforts to help societies deal with the legacy of mass human rights abuse.⁴ It is defined as ‘that set of practices, mechanisms and concerns that arises following a period of conflict, civil strife or repression, and that are aimed directly at confronting and dealing with past violations of human rights and humanitarian law’.⁵ It is the term given to a form of justice associated with a range of legal and non-legal ways a society undertakes to deal with past human rights violations and abuses and enable it to rebuild trust and repair.⁶ The TJ approaches recognize that there are two goals in dealing with a legacy of systematic or massive abuse.

¹ Transitional Justice Grassroots Toolkit Bridge of Hope (2016).

²https://www.un.org/peacebuilding/sites/www.un.org.peacebuilding/files/documents/26_02_2008_background_note.pdf

³ Ruti G. Tietel, “Transitional Justice Genealogy,” *Harvard Human Rights Journal* 16 (2003), 69.

⁴ BBC World Service Trust (2007). *Reporting Transitional Justice A Handbook for Journalists*. London.

⁵ *Transitional Justice in the Twenty First Century*, A Roht & Javier (2006)

⁶ Transitional Justice Grassroots Toolkit Bridge of Hope (2016).

The first is to gain some level of justice for victims. The second is to reinforce the possibilities for peace, democracy, and reconciliation.

The Africa Union Transitional Justice Policy (AU TJP) provides a more detailed definition of TJ. According to the document, transitional justice refers to the various (formal and traditional or non-formal) policy measures and institutional mechanisms that societies, through an inclusive consultative process, adopted in order to overcome past violations, divisions and inequalities and to create conditions for both security and democratic and socio-economic transformation. Transitional justice is meant to assist societies with legacies of violent conflicts and systemic or gross violations of human and peoples' rights in their effort to achieve transition to the future of justice, equality and dignity. Going beyond retribution and drawing on traditional justice approaches emphasizing conciliation, community participation and restitution, the conception of TJ advanced in this policy seeks to address African concerns on violent conflicts and impunity through a holistic policy that considers the particular context and cultural nuances of affected societies, as well as the gender, generational, ethnocultural, socio-economic and development dimensions of both peace and justice.⁷

In addition to TJ truth-telling, criminal prosecutions, reparations, memorialisation, traditional justice, cultural interventions, vetting and institutional reform, the AU-TJP states other 'Indicative Elements of TJ like Peace Processes, the African Traditional Justice Mechanisms., Social Cohesion, Redistributive (Socio-Economic) Justice, Diversity Management, Justice and Accountability, Political and Institutional Reforms and Human and Peoples' Rights.

1.3 The Aims of Transitional Justice Processes

The aims of transitional justice include:

- To address legacies of violence left by conflict and authoritarian regimes.
- To address systematic or massive violations of human rights by pursuing justice for victims.
- To prevent renewed violence and to promote trust, reconciliation, and rule of law.
- To rebuild the legitimacy of state institutions by uncovering and acknowledging the root cause of violations.
- To end the culture of impunity and establish the rule of law in a context of democratic governance
- To reform, heal and help societies transit from illegitimate and repressive rule or situations of conflict to national reconstruction and good governance.

⁷ African Union Transitional Justice Policy, February 2019

- To help reconcile people and communities; provide them with a sense that justice is being done and will continue to be done.
- To help renew the citizens' trust in the institutions of governance and public service.
- To promote peace, democracy, and reconciliation.

1.4 Why Cover and Report on Transitional Justice?

There has been little progress in implementing the recommendations of TJ mechanisms in some countries, particularly those in reports of truth and reconciliation bodies. The media ought to engage in continuous reporting on the TJ mechanisms because of the following reasons:

- ✚ Transitional justice is crucial for the promotion of human rights and justice, peace and security, good governance and development.⁸ It is vital for the promotion of victims' rights, championing accountability, uncovering hidden truths about crimes and their perpetrators.
- ✚ The media can help to ensure fair trials and hearings for alleged perpetrators of human rights abuses.
- ✚ The media reporting can educate the public about the degree of the human rights abuses and the mechanism for justice.
- ✚ Journalists have a vital role to play in helping the public understand and engage in TJ processes. For instance, reconciliation is an ongoing process that must be nurtured and promoted. It is only when 'media which are the eyes and ears of the public that report on TJ processes that the public understanding will be enhanced.'⁹

⁸ African Union Transitional Justice Policy, February 2019

⁹ Ibid

2: TRANSITIONAL JUSTICE MECHANISMS

2.1 Introduction

Over the past twenty years, various approaches to transitional justice have been advocated and implemented. Truth commissions, criminal trials, reparations programmes and memorialization initiatives are now routinely established in response to serious human rights violations. Transitional justice mechanisms usually have limited timeframes and specific mandates.¹⁰ In recent years, peace agreements in Africa and elsewhere have increasingly included provisions for TJ mechanisms.¹¹

In this section, we will briefly explain what these various mechanisms are and how they have been used to promote truth, justice, reconciliation and accountability. This is crucial for media practitioners to understand in order to report on the activities of these mechanisms accurately and appropriately.

2.2 Truth commissions/Truth-telling and Reconciliation

Truth commissions offer one of the best mechanisms for transitional justice and state reconstruction in the world. Truth commissions are defined as ‘official, temporary, non-judicial, fact-finding bodies that investigate a pattern of abuses of human rights or humanitarian law, usually committed over a period of time.’¹² They are established in and authorized by, states for the primary purposes of investigating and reporting on key periods of recent past abuse. They often make recommendations to remedy such abuse and to prevent its recurrence.¹³ They seek to hear testimonies (from victims, witnesses and perpetrators) and officially acknowledge truths. This provides victims with recognition and creates an authoritative, factual record of human rights abuses. In some cases, this includes statements about responsibility and/or detailed lists of perpetrators’ names. Hearings may be public or closed Truth and/or reconciliation mechanisms are the most popular among TJ mechanisms. There are examples of such in West African States like Sierra Leone, Liberia, Ghana, Nigeria, The Gambia, Guinea, Mali, and Ivory Coast.

¹⁰ Transitional justice: Topic guide, Haider (2016).

¹¹ BBC World Service Trust (2007). Reporting Transitional Justice A Handbook for Journalists. London.

¹² Updated Set of Principles for the Protection and Promotion of Human Rights Through Action to Combat Impunity, Addendum to the Report of the Independent Expert to update the Set of Principles to Combat Impunity Orentlicher (2005)

¹³ International Centre for Transitional Justice, Report and Proposals for the Implementation of Reparations in Sierra Leone

*The **Human Rights Violations Investigation Commission**, known as the **Oputa Panel**, was established in **Nigeria** through the Statutory Instrument 8 of June 1999 by President Olusegun Obasanjo pursuant to the Tribunals of Inquiry Act of 1990. Its mandate was to establish the causes, nature, and extent of human rights violations, in particular the assassinations and attempted killings between 15 January 1966 and 28 May 1999. The Oputa Panel, to a large extent, functioned like a Truth and Reconciliation Commission. It had powers to summon, but no powers of arrest or sanction. At the State level, there is the Rivers State Truth and Reconciliation Commission and the Osun Truth and Reconciliation Commission to investigate human rights violations.*

*The **National Reconciliation Commission** was established in **Ghana** pursuant to the National Reconciliation Act 2002. The Commission was to establish an accurate historical record of human rights violations and abuses inflicted on persons by public institutions and public officers between March 1957 and January 1993 and to propose recommendations for reconciliation.*

*The **Truth and Reconciliation Commission** was established in **Sierra Leone** in July 2002 after the Truth and Reconciliation Act, 2000 was passed by Parliament followed recommendation in the Lomé Peace Agreement. It was to address impunity, break the cycle of violence, provide a forum for both the victims and perpetrators of human rights violations to tell their story, get a clear picture of the past in order to facilitate genuine healing and reconciliation.” It dealt with the question of human rights violations since the beginning of the Sierra Leonean conflict in 1991.*

*The **Truth and Reconciliation Commission** was inaugurated in **Liberia** in February, 2006 following the Accra Peace Accord signed in August 2003. The Truth and Reconciliation Commission Act was passed in 2005. According to the Act, the Commission was to investigate gross human rights violations and violations of international humanitarian law, including massacres, sexual violations, murder, extra-judicial killings and economic crimes during the period January 1979 to 14 October 2003 although it could also explore the period before 1979.*

*The **Truth, Reconciliation and Reparations Commission (TRRC)** was established in **The Gambia** in 2017 as to create an impartial historical record of violations and abuses of human rights from July 1994 to January 2017 in order to “promote healing and reconciliation, respond to the needs of the victims, address impunity, and prevent a repetition of the violations and abuses suffered by making recommendations for the establishment of appropriate preventive mechanisms, including institutional and legal reforms.”*

There are three main assumptions guiding the use of reconciliation in the transitional justice process: i. That truth telling (a full accounting of the past, including the identities of both victims and perpetrators) is necessary for reconciliation ii. That justice (as defined by holding someone accountable either through legal processes or more restorative measures) promotes reconciliation iii. That comprehensive reform will lead to the

transformation of the society and therefore improve the citizen-state relations and obligations.¹⁴ Truth commissions' work included components of reconciliation.

One of the key outputs of truth commissions is a comprehensive report that documents human rights violations and conflict atrocities – with the aim of contributing to building a collective memory and educating the public.¹⁵

- ✚ *Human Rights Violations Investigation Commission (Oputa Panel), 2002*
- ✚ *The Truth and Reconciliation Commission Report, Sierra Leone 2004*
- ✚ *National Reconciliation Commission of Ghana Report, 2005.*
- ✚ *Truth, Reconciliation and Dialogue Commission Report, Côte d'Ivoire, 2014*
- ✚ *Truth, Reconciliation and Reparations Commission (TRRC) , The Gambia, 2021*
- ✚ *Liberian Truth and Reconciliation Commission, 2008 and 2009*

2.4 Criminal prosecutions/trials

Criminal prosecutions are judicial investigations of those responsible for human rights violations. Prosecutions frequently give great weight to investigating those considered most responsible for massive or systematic crimes.¹⁶ Trials can take different forms, including international, hybrid and national courts and transnational criminal and civil proceedings.¹⁷

The Special Court for Sierra Leone was set up in 2002 to try those who bear the greatest responsibility for crimes committed in the territory of Sierra Leone from 30 November 1996 – the date of the failed Abidjan Peace Accord between the Government of Sierra Leone and the Revolutionary United Front rebels – until the end of the conflict.

International courts have taken the form of ad hoc, temporary tribunals – notably the International Criminal Tribunals for the former Yugoslavia (ICTY) and Rwanda (ICTR) in the 1990s. The International Criminal Court (ICC) was established in 2002 to serve as a permanent international tribunal. Under Article 17 of the Rome Statute of the ICC, the Court can intervene only where a state is 'unable or unwilling to genuinely carry out the investigation and prosecute the perpetrators'.¹⁸ However, some countries have not adopted the ideas of criminal prosecution.

¹⁴ Transitional Justice in Kenya: A Toolkit for Training and Engagement, Kenya Human Rights Commission (2010)

¹⁵ Transitional justice: Topic guide, Haider (2016).

¹⁶ International Centre for Transitional Justice, Report and Proposals for the Implementation of Reparations in Sierra Leone

¹⁷ Transitional justice: Topic guide, Haider (2016).

¹⁸ Ibid

In Liberia, a recommended Extraordinary Criminal Tribunal for Liberia to investigate crimes committed between January 1979 and October 14, 2003, covering the two civil wars, was not established.

Prosecutions form one of the central elements of an integrated transitional justice strategy that is aimed at moving a society away from a culture of impunity and a legacy of human rights abuse. Preferably, prosecutions for human rights violations and economic crimes, should be carried out within the local or domestic justice systems.¹⁹

2.5 Reparations

Reparations have been broadly defined as compensation for injuries or international torts or breaches of international obligations (Oxford Dictionary of Law (2003). Reparations refer to various measures that aim to redress past wrongs and provide compensation, rehabilitation and satisfaction for victims. These measures can involve the provision of material reparations, such as cash payments, or goods or services (e.g. education and physical and mental health assistance).

As part of the TRRC in The Gambia, a reparations policy was advocated and the Commission offered victims medical, educational, and psychological support.

The report of the Oputa Panel in Nigeria contained recommendations among of which was the reparation of victims of atrocities and human rights abuse (or the family of deceased).

Reparations also include symbolic measures such as disclosure of truth, public apologies, memorials and monuments and commemoration of victims (de Greiff, 2006).²⁰ Reparation programs are state-sponsored initiatives that aim to contribute to repairing, on a massive scale, the material and moral consequences of past abuse experienced by certain classes of victims. They typically distribute some mix of material and symbolic benefits to victims.²¹

In Ghana, the National Reconciliation Commission recommended a comprehensive reparation programme involving apologies, a memorial and monetary compensation. The Commission also recommended reparations for approximately 3,000 victims of repression under Rawling's rule and reforms within the prisons, the police, and the military.

¹⁹ Transitional Justice in Kenya: A Toolkit for Training and Engagement, Kenya Human Rights Commission (2010)

²⁰ ²⁰ Transitional justice: Topic guide, Haider (2016).

²¹ International Centre for Transitional Justice, Report and Proposals for the Implementation of Reparations in Sierra Leone

The aim of reparations is to eradicate the consequences of the illegal act or to, as far as possible, put the injured person in the position he would have been had the violation or injury not been suffered. Reparations can be conceptualized as a relationship between three terms, namely, victims, beneficiaries and benefits. A reparations programme aims to guarantee that every victim will receive at least some sort of benefit from it, thereby becoming a beneficiary.²²

Categorizations of reparation measures include:

Restitution which refers to measures which ‘restore the victim to the original situation before the gross violations of international human rights law and serious violations of international humanitarian law occurred’ - for example, restoration of liberty, enjoyment of human rights, identity, family life and citizenship, return to one’s place of residence, restoration of employment and return of property.

Compensation refers to any damages that can be economically assessed such as lost opportunities, loss of earnings and moral damage.

Rehabilitation includes medical and psychological care as well as legal and social services.

Satisfaction refers to a broad category of measures, ranging from those aiming at a cessation of violations, to truth-seeking, the search for the disappeared, the recovery and reburial of remains, public apologies, judicial and administrative sanctions, commemoration and memorialization, and human rights training.

Guarantee of non-repetition which is another broad category that includes institutional reforms tending towards civilian control of military and security forces, strengthening judicial independence, the protection of human rights workers, human rights training, the promotion of international human rights standards in public service, law enforcement, the media, industry, and psycho-social healing and social services.

Sierra Leonean Truth and Reconciliation Commission (TRC) proposed a Reparation programme to be co-ordinated by the National Commission for Social Action (NaCSA). The Reparations programme targeted five categories of victims as recommended in the TRC report of October 2004: Amputees, Other War Wounded, Victims of Sexual Violence (VSVs), Child Victims and War Widows.

²² Transitional Justice in Kenya: A Toolkit for Training and Engagement, Kenya Human Rights Commission (2010)

2.6 Memorialisation

Memorialization refers to the process of creating a memorial for purposes of perpetuating the memory of a person, group of persons, incident, event or era.

As part of the memorialisation, the Sierra Leone's TRC proposed the establishment of a national reconciliation day to be held every year on 18th January, which is the day that the war was officially declared to be over in 2002 with the symbolic destruction of 3000 weapons at Lungi.

The purposes of memorialization initiatives include truth-telling; seeking justice; building a culture of democracy; commemorating previously marginalized histories and heritage; and recognizing victims and survivors of human rights violations. It is also significant to note that memorialization can take a variety of forms, both permanent and temporary and may include the renaming of public facilities, plaques, exhibitions, museums and monuments.²³ They are also other means of preserving public memory of the victims and of raising moral consciousness about past abuse, in order to build a bulwark against its recurrence.²⁴ These memory sites often have the dual aim of providing for education/learning and redress/reflection.

There is Peace Museum, a legacy project of the Special Court for Sierra Leone. It is an independent national institution dedicated to preserving the history of the country's decade-long conflict and the story of the peace process, aimed at breaking the culture of silence around this part of the Sierra Leone's history.

The Center for Memory and Reparations, which aims to serve as a platform for justice, grant an avenue to the voices and experiences of those who were most affected by the war and continue to be most vulnerable in society, has established a War Grave in Lungi.

2.7 Traditional justice systems

Traditional justice is a component of the informal justice systems which is usually culture and community specific. It refers to localized approaches by communities to attain justice. This justice system relies on the negotiation and the mediation of disputes (and violations), leading to consensus and compromise. When the judicial process involves the people, they perceive it as accessible and legitimate, that their decisions are based on consensus, and seek to heal and restore relations among communities.²⁵ Traditional systems are often

²³ Transitional Justice in Kenya: A Toolkit for Training and Engagement, Kenya Human Rights Commission (2010)

²⁴ International Centre for Transitional Justice, Report and Proposals for the Implementation of Reparations in Sierra Leone

²⁵ Transitional Justice in Kenya: A Toolkit for Training and Engagement, Kenya Human Rights Commission (2010)

referred to by other terms, such as customary, informal, community-based, grassroots, indigenous and local. Their appeal lies in their potential to resonate more with local populations and thus to be more effective in providing a sense of justice and restoring community relationships. They are more familiar to local populations and allow for local contexts to be incorporated into transitional justice processes. They can also be faster and more convenient to implement.²⁶

There is the Palava Hut in Liberia, a process based on traditional dispute resolution mechanisms used as a complementary tool for justice and reconciliation. During 13–19 July 2021, a round of Palava Hut hearings took place in Rivercess County. The Commission has conducted similar hearings in Voinjama District in Lofa County (2017)

In Sierra Leone, 'Fambul Tok' offers a national platform for mobilizing, growing and strengthening community-owned and led peacebuilding and development. It has organised various community initiatives aimed at fostering reconciliation in communities.

In Nigeria, the CDD investigated local conflict resolution mechanisms in the three affected states. The most common and prevalent features of these local mechanisms include oath-taking, exile or excommunication, and the obligation to forgive and forbear evil suffered. One method in particular, the Islamic practice of sulhu (reconciliation or mediation) in sharia, is particularly prominent.

2.8 Institutional reforms

Another method of combatting impunity during the transitional justice period is institutional reform, which strengthens the justice system and removes any components or people that perpetrated crimes during the conflict. Institutional reform entails correcting deficiencies in a state's justice system and government structure that previously allowed for human rights abuses. This includes initiatives that establish the rule of law, a functioning bureaucracy, democratic norms, and a culture of respect for human rights.²⁷ It also includes security system reform which consists of wide-ranging programs to transform the military, police, judiciary, and related state institutions from instruments of repression and corruption into instruments of public service and integrity.²⁸

2.9 'Lustration

It is a transitional-justice process in which individuals involved in gross human rights violations and economic crimes are prohibited from holding certain governmental and non-governmental posts for a specified amount of time. Disqualification or 'lustration' of

²⁶ Transitional justice: Topic guide, Haider (2016).

²⁷ Selling Justice Short – Why Accountability Matters for Peace in Peace or Justice?: Transitional Justice in Sierra Leone

²⁸ International Centre for Transitional Justice, Report and Proposals for the Implementation of Reparations in Sierra Leone

agents of the secret police, of military personnel, judges and other functionaries is an alternative way to address the question of punishing those who are responsible for aggression and repression. Such non-judicial disciplinary measures are usually meted out by administrative agencies.²⁹

In January 2011, the Liberian Supreme Court in the case of Williams v. Tah, held that the recommendations banning several individuals from holding public office for thirty years were unconstitutional.

Lustration and/or vetting is a process that attempts to promote accountability, democratization, and credibility by purging the public service, especially the security services of corrupt, abusive, and incompetent officials.³⁰

Practically and conceptually, the various measures of transitional justice call for one another. This logic becomes clear when one considers the possible consequences of implementing any one of them in isolation from the others. Without any truth-telling, institutional reform, or reparation efforts, punishing a very limited number of perpetrators can be viewed as scapegoating or a form of political revenge. Truth telling, in isolation from efforts to punish abusers, reform institutions, and repair victims, can be viewed as nothing more than words. Memorialization efforts, also, are likely to seem shallow and insincere when not complemented by more robust efforts. Reparation without any links to the other transitional justice measures may be perceived as ‘blood money’ – an attempt to buy the silence or acquiescence of victims. Similarly, reforming institutions without any attempt to satisfy victims’ legitimate expectations of justice, truth, and reparation, is not only ineffective from the standpoint of accountability, but unlikely to succeed in its own terms.³¹

The African Traditional Justice Mechanisms contain the TJ mechanisms above and adds the following:

2.10 Peace Processes

The peace process element of the TJP is concerned with bringing an end to any ongoing violence and removing the threats of further violence impacting the affected population. It covers the provision of protection and security guarantees to civilians in the conflict- or violence-affected areas, including those specific to the security needs of women and children as well as other vulnerable and marginalized groups. The mechanism for pursuing

²⁹ Institute for Democracy and Electoral Assistance, 2003.

³⁰ Charles Manga Fombad, *Transitional Justice in Africa – The Experience with Truth Commissions*

³¹ International Centre for Transitional Justice, *Report and Proposals for the Implementation of Reparations in Sierra Leone*

the peacebuilding element of the TJP includes peace negotiations and agreement, which should incorporate TJ considerations from the outset of negotiation or mediation processes. TJ considerations should form part of the agenda in peace processes to ensure that they positively influence the resolution of all dimensions of the conflict.

2.11 Social Cohesion

Social cohesion requires healing, which includes regard for each other's suffering; coming to terms with the totality of what happened; promoting shared truth; constructing a common narrative about the past, justice and the need to restore and experience a sense of security; and overcoming a sense of victimization.

2.12 Redistributive (Socio-Economic) Justice

Redistributive (socio-economic) justice entails the socio-economic and development measures designed to rectify structural inequalities, marginalization and exclusion for achieving social justice and equitable and inclusive development. Along with the reparative measures, forward-looking redistributive measures that address underlying socio-economic marginalization and exclusion and contribute to preventing relapse to violence should be adopted. The benchmarks and standards for redistributive justice may include: land reform and protection of property rights, including traditional ownership, access and use of land and resources on land, having regard to the need to guarantee the inheritance and property rights of women in accordance with national laws; having regard to inequalities within communities, particularly those affecting women, including displaced and refugee women; and adoption of all-inclusive and equitable fiscal and development strategies as well as wealth/resource-sharing and power-sharing arrangements.

2.13 Diversity Management

The diversity management element of the AUTJP addresses the group dimension of conflicts and violations where violence was organized and perpetrated on the bases of race, ethnicity, colour, sex, language, religion, political or any other opinion, national and social origin, fortune, birth or other status. This is particularly important in societies where ethnocultural and religious polarization and animosity feature as prominent parts of conflicts or where violence targets particular ethnic, religious or regional groups. Benchmarks and standards for constructive diversity management may include establishing policies and institutions that promote national cohesion and tolerance and accommodation between members of different communities; regulatory measures for combating hate speech on the basis of religion, ethnicity and language and similar acts that incite violence and fuel communal divisions and tension; and periodic dialogue between and celebration of diversity involving religious, community and political leaders as well as representatives of affected communities, targeting in particular the youth and youth groups.

2.14 Mitigation of Sentence and/or Alternative Forms of Punishment

The AUTJP requires that there should be no limitation to the full investigation and prosecution of serious violations, notably those specified under Article 4(h) of the Constitutive Act of the AU, including sexual and gender-based violations. The principle is that prosecution should lead to conviction and imposition of punishment ordinarily applied in national and international criminal processes and following the due process of the law. Where the implementation of some TJ elements, such as truth, reconciliation and healing, is such that full investigation and prosecution cannot be pursued without innovative compromises in sentencing, the use of mitigation of sentences and alternative forms of punishment other than death or prison term should not be excluded.

2.15 Amnesties

Amnesties are general reprieves for offences. They are used for a wide range of purposes, particularly as part of political transitions and before criminal processes commence. They are often implemented in TJ processes as part of the mandate of truth commissions. Cooperation with alleged perpetrators through provision of amnesties has to be for the purpose of preventing further violence and the facilitation of accountability and reconciliation, including the rights of victims to truth and reparations. Amnesties should create institutional, political and security conditions to ensure observance of the rule of law and human rights and humanitarian law. Where amnesties are used in transitional processes, they should be formulated with the participation and consent of affected communities, including victim groups, and have regard to the necessity of the right of victims to remedy, particularly in the form of getting the truth and reparations. Transitional processes should not allow “blanket” or unconditional amnesties that prevent investigations (particularly of the most serious crimes referred to in Article 4(h) of the AU Constitutive Act), facilitate impunity for persons responsible for serious crimes or perpetuate negative institutional cultures.

2.16 Human and Peoples’ Rights

This element entails the promotion and institutionalization of a culture of human and peoples’ rights within the framework of the ACHPR, the AU shared-values instruments and relevant international human rights instruments. Situations that give rise to the need for TJ are often characterized by a breakdown of the rule of law as well as lack of respect for human and peoples’ rights. Restoring human dignity and humanity in interpersonal and intercommunal relationships is key to TJ. Benchmarks and standards for promoting and institutionalizing a culture of human and peoples’ rights in transitional situations may include: restoring constitutional and legal rights to sections of society that might have lost them during conflict and/or authoritarian rule, such as refugees, internally displaced

persons (IDPs), stateless persons, people with disability, women, youth and children, etc.; guaranteeing and protecting socio-economic and cultural rights, including the right to development as provided for in the ACHPR; prioritizing access to education; and guaranteeing and protecting women's rights and participation in political, social and economic spheres of life etc.

3. MEDIA AND TRANSITIONAL JUSTICE

3.1 Introduction

This section seeks to introduce the media practitioners to the link and relationship between the media and transitional justice. The media perform various functions in society. They include covering and reporting on issues of public interest. There is need to address the assumption that the media will even *care* about transitional justice initiatives if journalists are not drawn into the process. Legal processes can be boring and not always easy to comprehend. Often, journalists may lose interest because they do not believe the story will “sell.” Yet, without the collaboration of print, radio, and TV, the work of transitional justice mechanisms occurs in a vacuum—the public will know little to nothing about these justice processes if the media do not report on them.³²

3.2 Role of the media in transitional justice

Media have been used to polarize or inflame underlying identity issues, deepen divide and reinforce the root causes of conflict. Such manipulation of media easily extends into transitional times and may take the form of “us-versus-them” biases that reinforce nationalist myths of victimhood and supremacy.³³

Transitional justice seeks to promote a culture of respect for human rights and democracy, which necessarily includes free speech, the right to information, and objective journalism that tolerates public debate and disagreement.³⁴

The media has a vital role to play in translating the often-complicated language of transitional justice into something widely accessible. Furthermore, media can help contribute to promoting reconciliation. Done properly, good journalism can increase understanding and awareness about transitional justice processes, build public support for peace and reconciliation, give voice to the victims, and shape public attitudes.

Media help shape public perceptions about the legitimacy of transitional justice mechanisms and monitors the implementation of transitional justice processes. The media can help explain proceedings and bring to light procedural delays, lack of legal representation, and weak physical protections for defendants.³⁵ It can also support and promote transitional justice mechanisms by reflecting society’s new values and demands of victims. “If media has the power to incite and fuel such heinous crimes as we witnessed in

³² Media and Transitional Justice: A Complex, Understudied Relationship , Laplante, 2014.

³³ Media and Transitional Justice: Towards a Systematic Approach Price and Stremlau cited in Hodzic and Tolbert, 2016.

³⁴ Media and Transitional Justice: A Complex, Understudied Relationship , Laplante, 2014.

³⁵ Advancing Transitional Justice in Conflict-Affected Contexts: A Case Study for Libya Yakinthou et al.

Rwanda and elsewhere, then it is also possible that it can be used as a force for good to promote peaceful coexistence among the population.”³⁶

Media help shape public perceptions about the legitimacy of transitional justice mechanisms and monitors the implementation of transitional justice processes. The media can help explain proceedings and bring to light procedural delays, lack of legal representation, and weak physical protections for defendants.³⁷

Transitional justice is a rewarding and exciting field for journalists because of its tremendous potential to impact individuals, societies, and the development of international law. Also, it is a new emerging and constantly developing field that often generates controversy, something journalists tend to thrive on! The media are the eyes and ears of the public; this is more relevant when covering transitional justice. If peace, democracy and the rule of law are to work, then the mechanisms and institutions created in their name should themselves be under close scrutiny. Journalists, therefore, have a vital role to play in helping the public to understand and engage in TJ processes. They can raise the concerns of victims and help bring them into the debate around TJ issues. Through balanced and informed reporting, the media can also help to ensure fair trials and hearings for alleged perpetrators of human rights abuses.³⁸

The media reporting has the functional capacity to provide the means through which the public can be educated on degree of the human rights abuses, offers a mechanism of justice and possesses educational value for society (Granholt, R. (2017). However, poor media reporting deprives the public of the most needed information essential for promoting peace and reconciliation.

3.3 Challenges in Reporting on Transitional Justice Issues

Transitional justice can be challenging to cover. It encompasses a broad range of international and/or local mechanisms, from courts and truth commissions to memorials, gender specific initiatives and traditional justice ceremonies. A major challenge is journalists’ lack of knowledge about transitional justice mechanisms.

A Baseline Evaluation Study for a project on ‘Engaging the Media to Change the Narrative on Transitional Justice (TJ) Issues in Sierra Leone’ supported by the African Transitional

³⁶ Statement made by Adama Dieng at a global online debate hosted by the International Center for Transitional Justice (ICTJ), UN Special Adviser for the Prevention of Genocide and quoted in *Media and Transitional Justice: Towards a Systematic Approach*, Hodzic and Tolbert, 2016.

³⁷ *Advancing Transitional Justice in Conflict-Affected Contexts: A Case Study for Libya* Yakinthou et al.

³⁸ *Transitional Justice in Kenya*, 2010

Justice Legacy Fund (ATJLF) shows that there is lack of knowledge on how to report on transitional justice.

According to the data, 78.4% of the respondents stated they lacked required training and resources to report on TJ compared with 21.6%.

Most TJ mechanisms deal with sensitive and /or conflict related issues. Journalists must be especially careful not to inflame tensions. They have to put their personal views and experiences aside, while remaining sensitive to issues of trauma and security, especially for witnesses and survivors

TJ issues and processes are often very complex. Journalists will need to break them down and put them in a simplified context for their audience. This will probably entail substantial research, including consulting historical and media records, and conducting background or follow-up interviews with concerned parties, being careful to present all sides of an argument

Particularly with courts and truth commissions, proceedings may be tense and lengthy. Journalists need to hone their news sense and knowledge of the issues so that you can help their audience understand what is most important and how it concerns them

Journalists covering truth commissions may themselves have been victims/survivors of human rights abuses, or they may have had a long history covering the case in question.

The journalists may suffer from post-traumatic stress disorder especially those journalists covering the process on a full time basis with no alternative work.

The process may be expensive to the media houses, for sustainability in covering, the media houses may think about seeking funding to support the programs and the entire process.

Considerable amount of organization and technical equipment is necessary for effective coverage.³⁹

³⁹ Transitional Justice in Kenya, 2010

4 REPORTING ON TRANSITIONAL JUSTICE IN WEST AFRICA

4.1 Introduction

This chapter will introduce to the media practitioners the basic guidelines and tips on reporting on transitional justice.

TJ stories are not necessarily different from most of the issues covered by journalists. What may be lacking is the context in which the stories are covered and reported. They may not have been covered with transitional justice lens.

For instance, in some West African countries, such as Liberia, Sierra Leone and The Gambia, governance related stories, human rights, corruption, justice, are all issues captured in the country's transitional justice mechanisms. So for example, when journalists report, all they need to do is to reference for example the recommendations in the TJ mechanisms.

4.2 How can the media play its role in transitional justice issues in West Africa?

The media can engage in the TJ process through the following strategies:

- i. Providing accurate information and facilitating deeper understanding in order to ensure effective and broad public participation.

One positive outcome of the Opotal Panel was that it was aggressively televised and covered by the media. This widespread publicity fostered significant national consciousness and awareness of human rights and accountability.¹

- ii. The media can tell the stories of the victims, unearth the patterns of historical abuse and injustice, show the sacrifices and triumphs of survivors, relate stories of heroes/heroines and find some new champions of the cause with the view to helping to push the TJ process forward.

Established in 2000, the Search for Common Ground- Talking Drum Studio's ' ATUNDA AYENDA / LOST AND FOUND' – a serial drama on radio that featured the disarmament and demobilization process, reintegration of ex-combatants, and later democratisation and good governance.

- iii. Through a balanced and informed reporting the media can also help to ensure fair trials and hearings for alleged perpetrators of human rights abuses.
- iv. The media can investigate and verify the facts before publishing or airing the story on a matter that is the subject of TJ.
- v. The media can keep people reasonably informed before and while the actual TJ mechanisms are being implemented. It will involve substantial research, consulting

historical and media records, conducting background or follow-up interviews with concerned parties and being careful to present all sides of an argument.

- vi. The media can expose the concerns of special groups like women and children by deliberately covering their issues and ensuring that they are given the opportunity to participate in post-conflict truth, reconciliation, and justice-seeking processes.⁴⁰

4.3 Reporting frames on Transitional Justice

Generally, reporting on transitional justice may take two frames: Episodic and Thematic. An episodic frame focuses on a single event; a thematic frame focuses on trends over time (Benjamin, 2017). The reporting of TJ should go beyond episodic to thematic frame. This is because TJ stories should not be limited to events like commencement of hearings of truth commissions or prosecutions, launch of memorials or commission of reparations programs. It should identify, research, investigate and report on themes on TJ. Some of the themes and story ideas are stated below.

Memories of the civil war still fresh in the minds of war victims on anniversary:
<http://mrcgonline.org/index.php/knowledge-center/111-memories-of-the-civil-war-still-fresh-in-the-minds-of-war-victims-on-anniversary>

WHAT DOES THE NATIONAL COMMISSION FOR PEACE AND NATIONAL COHESION MEAN FOR A POST CONFLICT SIERRA LEONE?:
<https://panafricanvisions.com/2021/01/what-does-the-national-commission-for-peace-and-national-cohesion-mean-for-a-post-conflict-sierra-leone/>

In transitional contexts, reporting does not simply present the facts, but instead shapes the parameters for interpreting divisive political issues. Coverage in such polarized contexts can mitigate or obscure the substance of transitional justice efforts to establish what happened, who the victims were, and who was responsible for the violations.⁴¹

4.4 Story Ideas for Reporting on Transitional Justice

- i. Identify the transitional justice mechanism(s) in your country.
- ii. Read the reports of the outcomes of the transitional justice mechanism in your country.
- iii. Examine necessary supporting conditions for transitional justice: Draw attention to the underlying conditions that influence the success of transitional justice. What reforms and outreach need to take place for the implementation of trusted transitional justice mechanisms?

⁴⁰ Transitional Justice in Kenya, 2010

⁴¹ Hodzic, F.k and Tolbert, D. (2016) Media and Transitional Justice A Dream of Symbiosis in a Troubled Relationship. <https://www.ictj.org/publication/media-transitional-justice-symbiosis-troubled-relationship>

- iv. Examine, if any, the plans for and progress made in the implementation of transitional justice mechanisms in your country.
- v. Explore questions central to the pursuit of justice and peace focusing on issues like peace, healing, forgiveness, reconciliation, social cohesion, development, human rights etc.
- vi. Highlight the experience of victim groups, but be careful not to dehumanize other groups or reinforce “us versus them” narratives.
- vii. Interview and share the stories of victims on both sides to understand their losses and expectations for reconciliation.

4.5 Writing Transitional Justice stories-some tips

News Judgment

This is the “process by which editors, broadcast producers, and to some degree reporters decide what the most important news is and how it should be gathered and presented.”

As long as you have covered a story, you have either alone or together with your producer or editor made a news judgement.

You have done so consciously or unconsciously based on what are called ‘news values.’

News Values

News values are simply guidelines or criteria that help you to determine what makes a piece of information worthy of broadcast as a news story. In other words, the news judgment is made based on a news value or values.

This flexible group of guidelines can be applied by the editor or you to any news event or issue in order to ascertain its importance.

There are many news values. Key examples are: conflict, impact, proximity, prominence, novelty and audience interest etc.

So, you can judge a news by such criteria as, ‘Is it new?; ‘Is it unusual?; ‘Is it interesting or significant?’ or ‘Is it about people?’

The News Angle

It is simply where you choose to start the story. It is “the part of the story the reporter chooses to hold up to light at any one time.”

As a journalist, you have to be clear about which angle to take on the story before typing or writing on anything. Three factors will help you to do so: where the story occurred, what has been reported already, and what new facts have emerged.

Gathering News on Transitional Justice

News gathering is collection and interpretation of facts from various sources. The collection of facts is done by reporters-men and women-like you trained in the collection and interpretation of facts. They are people like you who know their communities very well. Like, you, they have specialist spheres of interest in various affairs: politics, the work of the government departments, opposition parties, local councils, civil society, academia etc.

Sources of News

Three broad categories

- People/individuals: examples are, Chairpersons/Spokespersons of victims of wars and conflicts, former heads of TJ Mechanisms, Human Rights Lawyers etc.
- Documents: examples are Reports of Truth Commission, Judgments of TJ tribunals, Articles etc.
- Institutions: International Courts, ICTJ, ATJLF, Judiciary, Police and Military institutions

4.6 Guidelines for Good Reporting on Transitional Justice

In their coverage of the Transitional Justice process, the media should:

- Understand the approaches and mechanisms for transitional justice in their countries.
- Make sure they are familiar with the mandate and powers of the Transitional Justice institutions. Search their websites and read various publications about them.
- Be familiar with the rules of procedures of all the transitional Justice institutions.
- Be careful not add their own opinion to stories. They should cover the facts, interview the victims and stakeholders with a view to being as objective as possible
- Do no harm. Interviews must be voluntary, and conditions as safe as possible.
- All data must be protected with a thorough data management plan.
- Build relationships with perpetrators, survivors, and victims' families, and be mindful of their rights. When interviewing, exercise good judgment.

- Be professional and polite, objective, and clear. Be aware that victims can be re-traumatized when discussing the past, so be sensitive, listen actively, be willing to stop, and be empathetic.
- Confidentiality. Exercise good judgment, caution, and sensitivity in all interactions, information storage, and reports. Gain informed consent. Carelessness can put lives at risk.
- Seek balance. Collect information from all sides of the conflict, and be aware of gender, age, religious/tribal affiliation, geographic diversity, urban versus rural divides in gathering all data. Maintain balance and fairness to victims when covering perpetrators, who may still enjoy the overwhelming attention of the public.
- Avoid intimidating the victims during interviews or when they are giving testimony by being sensitive to how they set up and use their equipment.
- Abide by ethical standards.
- Avoid conflicts of interest. Maintain professional boundaries and do not create unrealistic expectations among victims and witnesses. Offering financial compensation to interviewees beyond reimbursement may undermine the credibility of interviewee.
- Accuracy. Be aware of how to ask clarifying questions that elicit specific and detailed answers while being sensitive to how witnesses tell their stories.⁴²

⁴² The guidelines were taken from various publications, *Transitional Justice in Kenya, 2010* and *Advancing Transitional Justice in Conflict-Affected Contexts: A Case Study for Libya*, and contextualised.

REFERENCES

African Union Transitional Justice Policy, February 2019.
https://au.int/sites/default/files/documents/36541-doc-au_tj_policy_eng_web.pdf

BBC World Service Trust (2007). Reporting Transitional Justice A Handbook for Journalists. London.

Bridge of Hope (2016), Transitional Justice Grassroots Toolkit,
https://www.ulster.ac.uk/_data/assets/pdf_file/0014/231710/75856R660TRANSITIONA L-JUSTICE-TOOLKIT112017.pdf

Charles E. Uche, C.E. (2020). Transitional Justice and Nigeria

<https://jistikmove.medium.com/transitional-justice-and-nigeria-4052fec71cb3>

Charles Manga Fombad, Transitional Justice in Africa – The Experience with Truth Commissions

González, E., & Varney, H. (Eds). (2013). Truth seeking elements of creating an effective truth commission. Brasilia: Amnesty Commission of the Ministry of Justice of Brazil; New York: ICTJ. <https://www.ictj.org/sites/default/files/ICTJ-Book-Truth-Seeking-2013-English.pdf>

Haider, H. (2016). Transitional justice: Topic guide. Birmingham, UK: GSDRC, University of Birmingham. © DFID Crown Copyright 2016 http://www.gsdr.org/wp-content/uploads/2016/08/TransitionalJustice_GSDRC.pdf

Hodzic, F.k and Tolbert, D. (2016) Media and Transitional Justice A Dream of Symbiosis in a Troubled Relationship. <https://www.ictj.org/publication/media-transitional-justice-symbiosis-troubled-relationship>

Idayat H I and Tyvoll, J. (2018). After Boko Haram: PROSPECTS FOR TRANSITIONAL JUSTICE IN NORTH EAST NIGERIA
https://media.africaportal.org/documents/After_Boko_Haram_Prospects_for_Transitional_Justice_in_the_North_East_.pdf

Iyengar, S. (1991). Is anyone responsible? Chicago: Chicago University Press.

Iyengar, S. and Simon, A. (1993). 'News coverage of the Gulf crisis and public opinion: A Study of agenda- setting, priming, and framing'. Communication Research, 20 (3), 365 – 383.

International Centre for Transitional Justice, Report and Proposals for the Implementation of Reparations in Sierra Leone Mohamad Suma and Cristián Correa December 2009

Institute for Democracy and Electoral Assistance, Reconciliation After Violent Conflict; A Handbook (2003). <https://gsdrc.org/document-library/reconciliation-after-violent-conflict-a-handbook/>

Kasdan, M. (2018). Peace or Justice?: Transitional Justice in Sierra Leone, Cornell Policy Review <http://www.cornellpolicyreview.com/transitional-justice-drc-sierra-leone/>

Lisa J. Laplante and Kelly Phenicie (2009). "Mediating Post-Conflict Dialogue: The Media's Role in Transitional Justice Processes," Marquette Law Review 93:1 (2009), 251–283 <https://scholarship.law.marquette.edu/cgi/viewcontent.cgi?referer=https://www.google.com/&httpsredir=1&article=4934&context=mulr>

Lplante, L.J (2014). Media and Transitional Justice: A Complex, Understudied Relationship. <https://www.ictj.org/debate/article/media-and-transitional-justice-complex-understudied-relationship>

Monroe E. Price and Nicole Stremlau, "Media and Transitional Justice: Towards a Systematic Approach," International Journal of Communication 6 (2012), 1077–1099"2 <https://www.ictj.org/sites/default/files/ICTJ-Briefing-Media-T.I.-2016.pdf>

Roht, A M & Javier (2006: 2). Transitional Justice in the Twenty First Century, Cambridge, UK: Cambridge University Press.

Ruti G. Tietel, "Transitional Justice Genealogy," *Harvard Human Rights Journal* 16 (2003), 69.

Orentlicher, D. (2005). Updated Set of Principles for the Protection and Promotion of Human Rights Through Action to Combat Impunity, Addendum to the Report of the Independent Expert to update the Set of Principles to Combat Impunity UN Doc. E/CN.4/2005/102/Add.1,8.

The Special Court Made Simple Second Edition, A Special Court for Sierra Leone Publication October 2011

Transitional Justice in Kenya: A Toolkit for Training and Engagement, Kenya Human Rights Commission, (2010). Kenyan Section of the International Commission Of Jurists, International Centre For Policy And Conflict. <https://www.khrc.or.ke/mobile-publications/civil-political-rights/36-transitional-justice-in-kenya-a-toolkit-for-training-and-engagement/file.html>

Truth and Reconciliation Commission (2004). Witness to Truth: Report of the Truth and Reconciliation Commission, Volume 1, 2004. Graphic Packaging Ltd.

Yakinthou, C, Buff, C and Clifford, L with support from Balasubramanian, S, Mojtahedi, S and Ross, A. Advancing Transitional Justice in Conflict-Affected Contexts: A Case Study for Libya, <https://fddocuments.net/document/advancing-transitional-justice-in-conflict-affected-contexts-a-case-.html>