

# Making an Impact: Guidelines on Designing and Implementing Outreach Programs for Transitional Justice

Clara Ramírez-Barat

January 2011



Cover photo: Distribution of Kaing Guek Eav (alias Duch) verdict in Cambodia. The Extraordinary Chambers of the Courts of Cambodia (ECCC) Public Affairs Section is distributing 10,000 copies of the Duch verdict (450 pages) and 17,000 copies of the summary (36 pages). These documents will be available in all 1,621 communes in Cambodia as well as in libraries, schools, and other public institutions. 2010. Photo courtesy of the ECCC.

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### **About ICTJ**

The International Center for Transitional Justice works to redress and prevent the most severe violations of human rights by confronting legacies of mass abuse. ICTJ seeks holistic solutions to promote accountability and create just and peaceful societies. To learn more, visit [www.ictj.org](http://www.ictj.org).

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## ACRONYMS

AIS	Association of Court Reporters of Bosnia and Herzegovina
AIJI	Asian International Justice Initiative, a collaborative project between the East-West Center and the University of California, Berkeley War Crimes Studies Center
BiH	Bosnia and Herzegovina
BIRN	Balkan Investigative Reporting Network
CCDH	Conseil Consultatif des Droits Humaines (Advisory Council on Human Rights, Morocco)
CAVR	Comissão de Acolhimento, Verdade e Reconciliação de Timor-Leste (Commission for Reception, Truth and Reconciliation in Timor-Leste)
DC-CAM	Documentation Center of Cambodia
ECCC	Extraordinary Chambers at the Courts of Cambodia
IBA	International Bar Association
ICC	International Criminal Court
ICfC	International Center for Conciliation
ICTJ	International Center for Transitional Justice
ICTY	International Criminal Tribunal for the Former Yugoslavia
ICTR	International Criminal Tribunal for Rwanda
IER	Instance de l'Équité et la Reconciliation (Equity and Reconciliation Commission, Morocco)
IRFJ	Interactive Radio for Justice
KID	Khmer Institute for Democracy, Cambodia
NGO	Nongovernmental Organization
OSCE	Organization for Security and Co-operation in Europe
PAS	Public Affairs Section (ECCC)
PIDS	Public Information and Documentation Section (ICTY)
PIR	Reparations Integral Plan (Plan Integral de Reparaciones, Perú)
PIOS	Public Information and Outreach Section (WCC)
PR	Public Relations
PRIDE	Post-Conflict Reintegration Initiatives for Development (Sierra Leone)
SCSL	Special Court of Sierra Leone
SLP	Sierra Leone Police
TPO	Transcultural Psychosocial Organization, Cambodia
TRC	Truth and Reconciliation Commission
TJ	Transitional Justice
UNHCHR	United Nations High Commissioner for Human Rights
VSS	Victim Support Section (ECCC)
WCC	War Crimes Chamber at the Courts of Bosnia and Herzegovina
YfP	Youth for Peace, Cambodia

## Executive Summary

Transitional justice (TJ) measures may vary in their immediate objectives, but all of them are designed to serve purposes that are public and political in nature. The success of institutions such as truth commissions, criminal tribunals, and reparations programs will depend on their impact not only on the individuals they affect directly, but also on the broader societies in which they operate. Public engagement is therefore fundamental to the goals of transitional justice, especially with regard to the following aims:

- Properly informing the public so that they can participate in the justice process;
- Giving affected populations a voice in the process to ensure TJ measures address their needs;
- Publicizing goals and results so that justice is seen to be done;
- Promoting inclusiveness and transparency in the justice processes to advance democratization;
- Building a sense of local ownership over the justice process.

Although it is essential, the involvement and support of the public for TJ measures cannot be taken for granted. TJ institutions are novel and often unknown, and may spark bitter opposition as they confront controversial topics within deeply divided societies. As a result, a gap may emerge between the actions and objectives of the TJ institution and the needs and perceptions of the society it seeks to serve. If this disconnect is not addressed, the institution's ability to achieve its goals will suffer accordingly. For this reason, outreach programs are a key component of transitional justice processes.

As a technical term, outreach in a TJ context refers to a set of tools—the combination of materials and activities—that a TJ measure puts in place to build *direct* channels of communication with affected communities, in order to raise awareness of the justice process and promote understanding of the measure. Outreach is therefore central to the mandate of TJ measures, as it is a crucial means for the justice program to engage with and impact the public.

The fundamental importance of these tasks makes outreach an essential part of any TJ measure, requiring the dedication of strategic planning and resources. However, the level of thought and support devoted to outreach work has varied widely among TJ institutions, and many still operate without comprehensive outreach programs. Outreach has not been widely systematized; there is still no common definition of the term or understanding of the activities it entails, and there is a lack of recognition and support for the crucial role that it plays.

To address this need, the ICTJ Research Unit launched a project on outreach that aimed to examine the outreach initiatives of TJ measures to date, to provide practitioners with practical guidance on the design and implementation of outreach programs, and to raise awareness of the fundamental importance of outreach among practitioners and policymakers. This document is the result of that project. The report's main recommendations are that:

- Outreach activities should work not only to disseminate information to the public, but also to create forums for two-way communication through dialogues, consultation, and participatory events at all stages of the TJ process. This is essential to promote local ownership of the measure, address the concerns of affected communities, and ensure that the TJ program will take their needs and preferences into account.
- Operationally, the importance of outreach should be reflected in a TJ measure's founding documents, and outreach programs should be organized within an independent office with a dedicated budget. It is imperative to create regional or itinerant outreach offices as well, to improve engagement with more remote areas that have been affected by abuses.
- Outreach activities should begin as early as possible, and a strategic plan should be formulated at the outset that analyzes the social and political context; identifies priorities, goals, challenges, resources, and potential partners; and creates a comprehensive but flexible plan of action.
- Outreach materials and activities should be organized on a calendar that accounts for variations in activity as the TJ process develops. They should be culturally appropriate, creative, and participation of senior officers of the organizations should be encouraged.
- Dissemination activities may make use of printed, online, and audiovisual media. Interaction with the community may be fostered through town hall meetings, internet resources, rural fairs, radio programs, and cultural activities including theater and public art contests. Trainings, workshops, visits to TJ bodies or museums, film screenings, and public ceremonies may also be effective. Finally, educational activities targeting youth and academia, and consultative processes such as the public selection of commissioners, surveys, and workshops, are key elements of a successful outreach program.
- Outreach programs should distinguish between the different audiences that they should target. Each of these groups may respond better to different types of engagement, and they may have different needs or present different potential contributions and obstacles to the TJ process. The different target groups may include the general public, women, disabled persons, indigenous groups, religious or community leaders, youth and children, displaced persons and diaspora groups, ex-combatants, the security sector, local and international nongovernmental organizations (NGOs), politicians, professional organizations and unions, and the international community.
- Coordination and partnerships with organizations such as civil society groups and NGOs may be vital to expand the resources, knowledge, and capabilities of outreach programs. However, outreach programs should not rely excessively on outside organizations, and they should recognize the variety of mandates and potential competitive dynamics among local and international groups.
- Media groups are also a critical constituency, and they should be provided with the necessary training, access, and updated information to enable them to cover TJ processes productively. Outreach programs should take a proactive approach to media relations, rather than simply reacting to criticisms as they occur.
- Outreach programs should take follow-up and legacy programs into account from the beginning, so that they can lay the foundation for future work. Especially if the TJ institution will disband after fulfilling its mandate, preparations to disseminate the final products are crucial, and partnerships with more permanent institutions may be necessary.
- More broadly, outreach must ensure that target audiences are prepared for the release of a TJ measure's final product prior to that release. This work includes establishing realistic expectations of what the measure can and cannot accomplish.

## Introduction

The establishment of TJ measures opens a political process that is public in nature. Beyond the accomplishment of their most immediate goals—whether these are the prosecution of former perpetrators, the disclosure of the truth about the past, or the provision of reparations to victims of mass atrocity—transitional justice processes ultimately aim to catalyze a shift of norms and values according to a culture of democracy and respect for human rights.

Whether the transitional justice process is internally driven or built upon the support of the international community, its functioning, legitimacy, and impact will be strongly related to the relationship that it is established with the population. The importance of this relationship can be understood in at least five different ways, both instrumental and constitutive. First, for members of the affected community to participate in the justice process (as witnesses, testimony givers, or beneficiaries) it is necessary for them to be properly informed and to understand the work of the TJ measure, together with their options for participation. Second, taking into account the democratic aspirations in the background of TJ measures, the transparency of the processes, and the inclusiveness they promote (and how they are accordingly perceived by the population) are key components in building their legitimacy. Third, to the extent that a message of acknowledgment of the abuses of the past and recognition for victims needs to be delivered, it is fundamental to explain and broadly publicize the aims and results of the process: justice must be seen to be done. Fourth, if TJ measures are to be meaningful to the affected population and address their real concerns, the community has to have a voice in crafting their development. Finally, if TJ measures are to have a lasting impact, the population needs to develop a sense of ownership of the process. In order for the population to take an active role and contribute to building the desired social changes beyond the work of the TJ measure, those enacting the measure must first believe that they are carrying out the work precisely on the population's behalf.

Despite its importance, however, neither the involvement nor the support of the population in the justice process can be taken for granted. To begin with, TJ measures create new and, in many cases, unknown types of institutions that function in complex ways. It is not surprising for the population to perceive them as distant or even inaccessible. This dynamic becomes even more problematic in situations in which civil society is still weak and unorganized, especially in post-conflict societies. Increasing the adversity, TJ measures usually operate in difficult sociopolitical contexts. Structurally, a poor tradition of transparency, accountability, and democratic interaction, and an according lack of civic trust in public institutions, might pose severe challenges for TJ measures seeking to gain acceptance and support from the population. Also, especially in poor and fragile states, the coexistence of and competition among different urgent needs can make it difficult for the population to understand the importance, let alone the relevance, of TJ measures. While in some settings attitudes of indifference or denial about past atrocities past will still be prevalent, it is also not uncommon to find deeply divided societies in which TJ measures regularly confront bitter political propaganda and opposition.

It has been precisely with the aim of bridging the gap between the justice process and affected communities that some TJ measures in the past have established outreach programs as means to establish direct channels of communication with civil society. Most designers of truth commissions, especially after the South African process, quickly came to understand the importance of this relationship with the public. Criminal justice procedures, however, only realized the significance of outreach after the failures of the International Criminal Tribunals for the former Yugoslavia and Rwanda (ICTY and ICTR, respectively) to engage the population—and the resulting problems—became obvious. Reparations programs, finally, have rarely engaged in comprehensive outreach efforts, despite the fact that they need not only to reach as large a number of potential beneficiaries as possible, but also to promote a broad message of recognition among the rest of the population (not to mention the mobilization of public resources on behalf of groups of people who are rarely popular).

As a consequence, outreach has not been widely systematized. Not only is there still neither a common definition of the term “outreach” nor a clear picture of the sorts of activities it entails, but also, most worrisomely, there is a lack of official support and recognition of its unique role in the adequate functioning of TJ measures. Correspondingly, discussions on outreach still require promotion. Although some efforts are being made, many questions remain open in relation to how to understand outreach and, in practical terms, how to design and implement workable outreach strategies.

To contribute to filling this gap, the ICTJ Research Unit launched a project on outreach with two different aims: First, it endeavored to examine in detail outreach initiatives for prosecutions, truth telling, and reparations programs, and to provide practitioners with practical guidance in the design and implementation of outreach programs for TJ measures. Second, the project aimed to raise awareness among TJ practitioners and policymakers of the importance of outreach as a fundamental component of transitional justice initiatives.

As practically oriented research, the design of the project comprised two phases. First, qualitative-based research was conducted through five commissioned case studies selected according to thematic and regional criteria. These studies examined: the Bosnian War Crimes Chamber (WCC); the Extraordinary Chambers in the Courts of Cambodia (ECCC); the Timor-Leste Commission for Reception, Truth and Reconciliation (CAVR); the Comprehensive Reparations Program in Peru; and the Collective Reparations Program in Morocco. To complement this research, internal studies were conducted on the International Criminal Court (ICC) and the Special Court for Sierra Leone (SCSL), and a thematic study was conducted on outreach for museums. Additionally, background research and several interviews with outreach officers, civil society members, and academics were conducted. In the second phase of the project, some of the emerging ideas were tested with relevant constituencies at a workshop organized in Cambodia in collaboration with the Public Affairs Section of the ECCC on March 3–5, 2010. A half-day meeting with national NGOs was also facilitated on March 5.

This document is the result of that project. Its primary goal is to provide practitioners with tools and usable knowledge to craft outreach programs that are more sophisticated and sensitive to the challenges of current transitional justice processes. The ethical aspects and guiding principles that should be taken into account when establishing communication channels with the population in relation to the work of TJ measures have also been considered. This document aims at providing a general framework for the design and implementation of outreach programs; hence, it draws from a comparative approach that also includes different types of TJ measures. It goes without saying, however, that such a framework is not a blueprint, and that it should be adjusted to the particularities of each context.

## Defining Outreach

### What Is Outreach?

Outreach, as a technical term, refers to a set of tools—the combination of materials and activities—that a TJ measure puts in place to build *direct* channels of communication with affected communities, in order to raise awareness of the justice process and promote understanding of the measure. An outreach program should adopt a strategic approach in this technical sense. It must be able to respond to the challenges of each context while maximizing efficiency.

Beyond the concrete activities that an outreach program puts in place, however, outreach is a function that affects the TJ institution as a whole. Intrinsicly linked to the fulfillment of the goals of a TJ measure, outreach should focus on ensuring that the justice process is meaningful to the affected population, while providing the knowledge and tools necessary for the people to actively participate in the process. Understood in this way, the final aims of outreach programs should be to promote public engagement and ownership of the justice process, thereby contributing to building its legitimacy and lasting impact. A good outreach approach does not focus exclusively on disseminating information about the work of a particular TJ measure, but should also take into account and address the concerns and expectations of the affected communities, respond to their questions, promote consultation with the relevant parties, and develop genuine participation mechanisms.

### Levels of Outreach: From Transparency to Engagement<sup>1</sup>

A good outreach approach reflects several levels in the communication process that can be understood as cumulative and interconnected.

#### Dissemination of Information

To ensure transparent functioning of a TJ measure, the public must in general have access to all the information necessary to understand the goals, structure, and working procedures of the institution, as well as timely updates about its progress. Given the novelty of TJ measures in general, there is always need to explain their rationale, but in situations in which there is a generalized lack of access to outlets of information, poor infrastructure, weak socialization, and low levels of education and literacy, measures need to be proactively adopted to guarantee both the adequate reception and understanding of the information.

This is especially important in the case of the basic legal information that, as matter of procedural fairness, all stakeholders in the process should have, both in relation to the available avenues of participation and regarding their rights and the possible consequences of participation.<sup>2</sup> A proactive approach should be adopted to provide information to priority groups, especially witnesses and victims, so that they are empowered enough to actively participate in the process and cooperate with the institution.

### **Establishing a Dialogue**

Beyond the initial dissemination of information, outreach should promote interaction with the population, establishing a *two-way* communication process through the creation of spaces in which the population can directly ask questions to the public officials responsible for the justice process. This dialogue aims to improve the public's understanding of the institution's work, to ensure that their real concerns and questions are addressed, and to help make the institution more responsive to public needs. When properly conducted, such dialogue should be able to trigger a broader public discussion of the institution's work. In order to serve these critical functions, the dialogue should be open, without a pre-established agenda, and inclusive, inviting all sectors of society. It is important to recognize, however, that a genuine dialogue also implies the creation of a space in which concerns and criticisms can be raised. Therefore, those participating on behalf of the TJ measure should come prepared to hear negative views and to address and acknowledge the criticisms that are offered.

### **Consultation**

Consultation gives the affected population the opportunity to have a voice in the process, and thus can play an important role in promoting a sense of ownership and providing acknowledgment through the exercise of participation. Consultation mechanisms can serve different purposes, both instrumental and constitutive. They can focus on facts, for example, about the demographic profile of victims; preferences, for example, about specific forms of reparations; or expectations, for example, about the public's general views of justice. Gathering information from the target population can be instrumentally valuable in shaping programs that effectively address its needs and demands. Constitutively, through consultations, the population in general, and victims in particular, are given a voice and recognized as equal interlocutors, actively exercising their citizenship. The consultation process also empowers victims and their organizations, allowing them to take a leading role in articulating their claims and defending their own rights in front of the state, which will be especially important once the TJ measure has finished its work.

### **Participation**

A final element in a satisfactory outreach approach will be the promotion of participation in the process. Measures such as allowing local NGOs or groups to design and implement justice-related programs, using local practices adapted to the justice process, hiring nationals in the case of internationally based institutions, or investing resources in establishing channels of participation, help to construct a sense of public ownership of the process and constitute important efforts in terms of capacity building and legacy.

## The Establishment of an Outreach Program

### The Importance of an Early Start

Experience has demonstrated that outreach activities have to be initiated as early as possible within the life of the institution, in order to prevent misunderstandings or misperceptions about the work of the TJ measure and to make the justice process as a whole participatory and inclusive from the beginning.<sup>3</sup> The importance of the outreach function should be reflected in the founding documents and mandate of a TJ measure.

Although organizing a functional outreach program takes time, it is important to start providing information about the institution and its role as early as possible. For example, in Sierra Leone, even before the Special Court's outreach program began operating, the prosecutor and registrar organized several town hall meetings that many have understood as a key element in the court's subsequent outreach approach. In Cambodia, the task force created to define the establishment of the ECCC produced an introductory booklet as early as 1999 that has been used since then for outreach purposes. In the case of truth commissions, the level of popular involvement since the beginning has been a key element in the later impact of their work. An important issue in this respect has been the opening of processes to select the commissioners through public nominations. These selection processes allow the establishment of early channels of communication with the population, constituting an initial awareness campaign.

Especially important at the initial stage is the creation of consultation processes that can contribute to shaping some aspects of the TJ measure's work. For example, in 2000, before the establishment of the Truth and Reception Commission of East Timor, the steering committee that was formulating the model for the commission's operations organized a community consultation process, which included meetings with local communities in each of the territory's 13 districts. The results of this process importantly informed the mandate of the commission.<sup>4</sup> Consultation has also been used in reparations programs and courts. In Sierra Leone, and learning from the experience of the ICTR and ICTY, "the United Nations funded several consultative workshops with NGOs, civil society groups, and community activists prior to the establishment of the Special Court. The workshops had a dual purpose: to educate legal and civil society about the mandate of the forthcoming tribunal, and to garner information."<sup>5</sup>

### Operational Aspects of Outreach

The functions of outreach programs cut across all aspects of TJ measures; therefore, all sections of an institution should be actively involved in outreach. In order to avoid sending contradictory messages, to promote efficiency, and to guarantee professionalism, this task should be entrusted to a specialized unit, capable of centralizing and coordinating the different outreach needs and objectives of the institution.

In order to be able to collaborate on equal terms with different sections of the institution, the outreach unit should be independent, working directly under the highest administrative authority. Although the outreach unit should collaborate closely with other communications sections of the institution—such as public affairs and media relations departments—the specific roles and aims of these three units should be established and recognized in the structural and staffing design.<sup>6</sup>

An outreach unit should have its own dedicated staff. Although there will be a preference for hiring personnel with a communications background, it is advisable to recruit staff with varied backgrounds in order to meet different needs. For example, the ECCC has a legal officer in its Public Affairs Unit to help communicate complicated legal information. When thinking about legacy, it might be advisable, for example, to have an education expert on the team. Likewise, to meet the needs of some groups, such as impaired people, it will be necessary to have staff with specific expertise. External consultants can also be hired to carry out specific projects.

Also, it is fundamental to recruit personnel in a context-sensitive manner. Although advice from international experts may be helpful, it is preferable to hire nationals who speak local languages and are familiar with the context. This is even more important in the case of field offices. At the SCSL, for example, each outreach district officer is from the district he or she works in. Additionally, it is important to take into account staff requirements when targeting specific audiences. CAVR, for example, recruited women for 50 percent of its staff, in order to facilitate female participation. Also, many TJ measures have recruited people who previously worked for NGOs, as they often speak native languages and are members of the relevant communities.

### **Opening Outreach Offices in the Field**

A strong field presence is fundamental to the good functioning of an outreach program. It helps to maintain a network that can distribute information over a broad territory and to guarantee a continuous presence in order to build trust with local communities. While this is especially true in situations in which the institution is located outside of the country, as has been the case with international tribunals, it is also fundamental when the TJ measure is country-based. In some cases it might also be advisable to consider extending the functions of an outreach program across national borders, either because of the existence of displaced communities or because the conflict has also affected neighboring countries. For example, the SCSL extended its outreach activities in relation to the Charles Taylor trial to Liberia and Guinea.

To ensure that a TJ measure has a regular presence in the field and in particular that it reaches rural areas, it is essential to develop a regional structure. The SCSL outreach program, for example, has its main office in the capital, Freetown, and an outreach officer in each of the country's 12 districts. Likewise, since the transfer of the Charles Taylor case from Sierra Leone to the Netherlands, an office has been opened in The Hague.<sup>7</sup> For truth commissions and reparations programs, a field presence has been an essential component in reaching out to victims and potential beneficiaries. The truth and reconciliation commission (TRC) in Peru—a country with a strong, centralized government structure—established four offices from the outset in the regions most affected by the violence. To guarantee wider coverage, the coordinators of each office traveled within their regions to inform the population about the commission, organizing rural fairs and meetings in the villages with personnel who spoke the local language, Quechua.

Careful coordination is important when establishing field offices. While the main office will have to provide coherence to the program, field staff should also play a role in program design, as they are more informed about the context. Likewise, an adequate field presence will require the frequent presence of high-level staff, with the goal of facilitating a genuine interaction with the population. In the case of the Peruvian TRC, for example, the field presence was reinforced by public hearings convened at regional and local levels.

When it is not possible to guarantee a steady field presence, an alternative is to establish itinerant offices. This solution was implemented by the TRC in Peru, after it became obvious that, given the geographical distribution of victims, the offices should be more mobile. Finally, if a lack of resources makes it impossible to have such an infrastructure, it is essential to build collaboration networks with NGOs and local authorities. However, this may reduce the ability of an institution to coordinate its efforts and to maintain adequate control over its work.

### **Formulating an Outreach Strategy**

The successful implementation of an outreach program requires the adoption of a strategic plan. A strategic approach is important in several ways: First, it helps facilitate a proactive approach by identifying priorities, key audiences, messages, and resources. Second, it creates a guiding document that can be followed in a coherent manner by different people and at different points in the life of the institution. Third, it helps coordinate efforts by differentiating duties and assigning tasks within the outreach unit and the broader institution. Finally, it can be useful in terms of monitoring the work of the program, planning future activities, and fundraising.<sup>8</sup>

A strategic plan is a guiding document that includes the following components. First, an analysis of the target population and the context is an essential element in planning an outreach strategy. A good analysis of the context includes basic statistical data on demographics, cultural and social values, the legacy of the conflict, and the political attitudes and climate. Likewise, it is fundamental to have a clear picture of the country's infrastructure and resources, especially in relation to communications and media outlets, and it is important to conduct an initial exploration of potential partners that can help in outreach efforts.

In addition, the analysis must locate the specific operational and strategic challenges that outreach activities in particular and the work of the institution in general will have to face. This step is especially important for crafting externally transmitted messages. At the operational level, issues to be considered include procedural rules, funding, coordination, and external collaboration. In strategic terms it is important to address questions of expectations and perceptions, and to deal with confidentiality and security concerns.

Second, short-, medium-, and long-term goals should be established, taking into account the mandate of the institution and the priorities of different sections within it, the context and the challenges that need be addressed, and the different phases in the life of the institution (design, implementation, and follow-up or legacy).<sup>9</sup>

Once goals are identified, the next step is to design an action plan to determine the methods for achieving them. In doing so, it is essential to frame the expected outcomes in a realistic and attainable manner, always leaving a margin of flexibility to meet both unexpected challenges and unforeseen opportunities.

At the operational level, the planning of outreach activities should include an estimation of available resources. It is necessary not only to calculate the costs, but also to establish an institutional framework that determines who is doing what and with what support. In terms of content, an action plan should include an analysis of audiences, key messages, and a plan of activities and materials that will be produced.

Finally, a strategic plan should be transparent. Publicly identifying the institution's outreach objectives can be useful in enhancing collaboration with external partners and sharing lessons learned. Likewise it is of the foremost importance that other staff members of the institution are familiar with the outreach strategy and contribute to both its design and implementation. It is recommended that principals from each section of the TJ institution be involved in the creation of the strategy, after

which they should either continue to act as outreach liaisons or appoint individuals from their sections to work with outreach on an ongoing basis. A good example of this is the *Integrated Strategy for External Relations* at the ICC, on the basis of which the ICC's External Relations Working Group was created. The group, formed by representatives of the Presidency, the Office of the Prosecutor, and the Registry, was established with the aim of ensuring a "consistent outreach and communication strategy for the court."<sup>10</sup>

### **Institutional Commitment**

In addition to strategic planning, institutional commitment is crucial to the actual implementation of a comprehensive and coherent outreach approach. Support from the upper echelons of the institution is fundamental for guaranteeing that collaboration among units does not depend solely on the good will of individuals. An outreach strategy is an institutionally integrated policy in terms of common and shared goals, which in turn vests individuals with responsibility for assigned tasks.

When institutional support is not as strong as it should be, the outreach unit should take steps to seek this support, by showing the benefits of a good communications strategy or by designing useful communication materials directed to other sections. In some situations, it may be possible to establish direct bilateral collaboration with other units (especially those who work directly with concrete groups, such as a witness section, a victims' unit, or a reparations section).

### **Funding**

In order to organize a strong and coherent outreach program over time, it is fundamental that outreach funding is guaranteed on a steady basis and thus included in the general budget of the institution. However, together with the lack of strong institutional support, a lack of funding has been one of the major obstacles for developing comprehensive outreach programs in the past. Both the outreach programs of the ICTY and the SCSL, for example, have never been included in the courts' core budget; they have had to rely mainly on external donations, primarily from the EU.<sup>11</sup> The ICC outreach program was subjected to budget cuts in 2004 and 2005, and, while the program is now receiving more support, some commentators still find the outreach budget insufficient.

Of course, given the difficulties that securing funding poses, it is important for an outreach unit to make efforts to have a transparent and efficient plan of activities, to work to establish coordination with external partners and potential providers of resources, and to explore creative ways of producing materials and organizing activities that minimize expenses. As an alternative to general-budget funding, there have been cases in which certain outreach activities have been funded with earmarked grants. For example, the communications unit of the TRC in Peru received separate funding from the United States Institute of Peace, Sweden, and Canada, and the EU contributed a grant for dissemination activities. Another option is to conduct projects or activities that can be funded separately, through support from embassies, foundations, or other organizations, including media or telephone companies. The ICTY outreach program also has a link on its webpage for individual donations.<sup>12</sup>

Finally, when budgeting for outreach activities, it is very important to leave a margin of flexibility for unforeseen expenses. Given that outreach requirements vary depending on the context, it is always possible that unpredicted events will require investing additional funds.

### **Monitoring**

Both outreach programs and the broader TJ measure take place within a context that is continuously developing. Taking this into account, there is a need to periodically assess and evaluate both outreach and general programming in order to adapt to evolving conditions and adequately address new challenges or the changing concerns of the population.

Monitoring can be useful both to measure the institution's impact on the population and to gauge the efficiency of the outreach program. Surveys and opinion polls should be periodically conducted to assess the level of awareness of the population and their satisfaction with the outreach program, and to put in place a learning process within the institution: Which strategies work well? Which ones don't? What could be improved?

These surveys should also focus on the impact of the institution's work in both quantitative and qualitative terms. Of course, it is also important to be aware of the limitations of this kind of evaluation, since many other factors, independent of the outreach program, can seriously influence local perceptions of TJ measures. In addition to surveys and news monitoring, NGOs and other civil society actors can play an important role as focus groups for an outreach program to get a better sense of public opinion about delicate topics.

Finally, for assessment purposes it is fundamental to periodically produce reports that detail the budget, agenda of activities, and fulfillment of objectives. These reports should be made accessible to the public.

## Outreach Materials and Activities

### Overview

The core of an outreach program is the materials the unit produces, the information it provides, and the activities it organizes. In general terms, activities and materials should be designed both to guarantee accurate and up-to-date dissemination of the institution's work, and, specifically, to facilitate a participatory dialogue with the general public. An outreach program needs not only to gather feedback, but also to promote public discussion.

TJ is a constantly changing process. Taking this into account, the organization of outreach activities and production of materials should be thoroughly planned. To ensure that programming is as organized as possible, activities and materials that complement and reinforce each other should be used. The aim is to cover outreach needs steadily and simultaneously, rather than intermittently. Also, it is important to reinforce key messages and conduct follow-up exercises with individual groups.

In organizing an outreach calendar, it is important to differentiate among different phases in the life of a TJ measure and the according priorities. For the design phase, it is appropriate to conduct consultation exercises and broad information campaigns. In the implementation phase, it is important to focus on providing timely updates and planning interactive activities that can actively involve the population. In the final stage, there is a need to ensure that all possible information has been delivered before it is too late and that results are widely disseminated. Legacy efforts are crucial at this time.

It is also important to bear in mind that the process has variations, and there will be moments of high public salience and others of limited activity. This should be approached strategically: although there may be a need to make extra efforts when there is less visible activity, low-intensity moments can also be appropriate times to gather feedback and plan new activities. At the same time, key moments of the process—like a trial verdict, a public hearing, or the delivery of a reparations program—should always be highlighted. On these occasions it is important to facilitate the public's direct access to the process, organize special events, and produce specific materials. Special occasions such as national holidays, sporting events, and other public events can also provide more-visible platforms for the process and may become symbolic moments.

Utility and purpose should always be taken into account in designing materials. Because no single item will suffice on its own, different materials should be produced. Some formats may be easier to understand and assimilate than others. For example, it can be helpful to repeat specific messages, use examples or stories that are easy to remember, refer to other cases to draw comparative lessons, or allow for questions and doubts to be answered using a “Questions and Answers” or “Frequently Asked Questions” format. A good example of this is the *Special Court at a Glance*, a booklet designed to explain key features of the Special Court of Sierra Leone through easy-to-understand pictures and text.<sup>13</sup>

Materials should be culturally appropriate and written as simply as possible in order to facilitate understanding by target audiences. Efforts should be invested in translating as many materials as possible into all relevant languages. When designing materials addressed to specific groups, such as children or witnesses, it is advisable to seek expert assistance, either externally or from within the institution. It is also very important to test materials before using them. Although this takes time and resources, without testing there is a high risk of producing materials that do not serve the purposes for which they were designed. For example, the ECCC produced several posters with different messages that were difficult to understand, although they were relevant to the context.<sup>14</sup> Likewise, materials should be periodically evaluated to ensure they are up-to-date.

Creativity is always important when designing outreach activities and materials, especially in seeking to capture interest and promote participation. One valuable approach is to organize long-term and participatory activities like national contests or exhibits where members of the general public create materials themselves. The process becomes an outreach activity in itself, and the materials produced can be reused. Likewise, cultural sensitivity should be taken into account when designing outreach activities. For example, certain activities involving local communities can be planned using traditional cultural practices. Similarly, it can be helpful to work with locally based NGOs or other intermediaries, such as traditional and religious leaders, to obtain help in reaching target audiences and participants.

Finally, a key issue in the organization of outreach activities is the participation of other staff from the institution, especially senior officials, on a regular basis. Their presence is important because it provides official recognition of the importance of outreach efforts and draws more attention to events. In addition, the public needs a venue for directly addressing those most responsible for the process. Senior officials are normally in a better position to respond to the doubts and concerns of the population. If high-level participation is limited due to scheduling constraints, senior staff should be encouraged to participate in public events such as lectures, debates, or TV and radio programs. It is also advisable to organize events in which staff from different sections can participate at the same time. This provides a cohesive image of the institution, and enables it to address multiple issues at one time.

## **Outreach Activities**

Taking into account the purpose of the activity, the materials that will be used, and the target audience, it is possible to classify outreach activities in the following way.<sup>15</sup>

### **Dissemination of Information and Distribution of Materials**

Dissemination should be strategically planned, taking into account distribution possibilities and the target audiences' preferred ways of accessing information.

Printed and written material is a key part of any outreach program. It is crucial to produce written material in which information regarding the goals, functioning, structure, and legislation of the TJ measure is clearly explained, together with timely updates on its work and specific key issues. Additionally, it is useful to produce material that contextualizes the process and explains why it is taking place, in both a historical and a normative sense. This material can cover topics such as transitional justice, the rule of law, and procedural fairness, as well as broader human rights issues. Likewise, all relevant legal documentation (mandates, laws, decisions, and budgets) should be made accessible. Depending on the contents and the target audiences, strategies to present the information in an accessible and interesting manner using different formats can be explored, including: booklets, brochures, newsletters, fact-sheets, transcripts and summaries of the proceedings, reports, and even charts, maps, comics, and graphic novels.

Information technology provides a powerful means for disseminating updated information worldwide. Nowadays, all transitional justice institutions have websites. It is important that an institution's

site be accessible, easy to navigate, and frequently updated. Resources can be collected, including official documents, transcripts of hearings and trials, podcasts and audio, video, pictures, and so on. Some institutions have taken advantage of new tools to increase their reach through the Internet. For example, the ECCC has included a Flickr photo-sharing page, on which updated pictures of the court can be downloaded for free. The ICC has a YouTube channel with audiovisual summaries, and the ICTY broadcasts live streams of the trials on its website. Another interesting piece of outreach material is the Bosnian War Crimes Atlas.<sup>16</sup> This tool, developed by the Research and Documentation Center in 2009, uses the mapping program Google Earth as a platform to host an interactive map of locations of war crimes, mass graves, and monuments on the territory of Bosnia and Herzegovina (BiH) between 1992 and 1995.<sup>17</sup> This user-friendly tool has good potential: it not only educates audiences about war crimes, but also makes the trials more accessible to the general public. When a user clicks on a particular location, a window will open with various materials relating to the events that occurred in that place. Materials include video footage, photographs, indictments, judgments, and other legal documents.<sup>18</sup> Institutions like the ICC and the SCSL have also been using short-messaging services to provide quick answers to questions raised by the general public and timely information to journalists. In Sierra Leone, a phone line was established with recorded news releases that radio stations can call in to access.<sup>19</sup>

#### Box 1: The Charles Taylor Trial Website

The Special Court for Sierra Leone has distinguished itself from other international courts through its solid outreach program, which was carefully integrated into the court's mandate from its inception. However, the decision to move Charles Taylor's trial to The Hague from Freetown threatened to jeopardize a critical pillar of the SCSL's outreach efforts: transparency and communication with local communities. Furthermore, the move created a wide range of logistical uncertainties, including questions about how to update journalists on trial proceedings from thousands of miles away.<sup>20</sup>

In response to this pressing issue, the Open Society Justice Initiative partnered with the War Crimes Studies Center at the University of California, Berkeley to create a "Charles Taylor Trial" website. The site, which is updated daily by a Sierra Leonean lawyer, provides journalists and other interested parties with courtroom updates about the trial.<sup>21</sup> The site is not affiliated with the court, nor does it take a stance on Taylor's guilt; rather, it aims to provide readers with a completely unbiased source of information.<sup>22</sup> The website provides a detailed background of Taylor's history, a glossary of legal terms relevant to the case, a timeline of the trial, and a "who's who" list that identifies key individuals involved with the trial, including the prosecution, defense, judges, and accused. In addition to the regular reports summarizing trial updates, the site also issues commentaries, in which court officials answer readers' questions.

According to the Open Society Justice Initiative, the site's comprehensive coverage has proven to be a valuable source of information for international and West African media and a popular site for discussion, particularly for the overseas diaspora communities of Sierra Leoneans and Liberians.<sup>23</sup>

Audio and video have proven highly effective in disseminating information and promoting dialogue, especially in remote areas and rural communities where illiteracy is high. Although the potential and appropriateness of audiovisual materials should be evaluated in each context, it is generally advisable to establish an in-house audiovisual production team that can adapt or edit material with consideration for the varied needs of audiences and provide footage to external interested parties and to the press.

Radio has normally been a highly effective tool for distributing materials and responding in a timely way to developments, misconceptions, and negative propaganda. Along with the production of multiple program formats, it is also possible to produce prerecorded messages and spots about important

dates or participation options. Audiovisual summaries and documentaries that can be shown on TV and through public screenings also constitute an important outreach tool. Audiovisual material can be especially useful in making accessible lengthy TJ processes that would otherwise be difficult to follow and understand. After the success of the South African TRC's weekly summary TV shows, several TJ measures have used video to bring the TJ process to a broader audience. In Cambodia, for example, Khmer Mekong Films and the Asian International Justice Initiative aired a weekly, half-hour TV production summarizing the proceedings of the trial of former Khmer Rouge prison chief Duch. The program presented clips of the proceedings complemented by simple explanations by a Cambodian lawyer.<sup>24</sup> Aside from summaries and documentaries, video productions can provide complementary information through interviews with court officials, call-in shows, and round-table discussions, for example. In its innovative approach, the ICC has used brief drama sketches to explain specific issues such as complementarity, rights of the accused, and due process. When distributing audiovisual material, it is important to develop partnerships with local and national stations and to broadcast on more than one channel.<sup>25</sup> The SCSL, for example, initially produced weekly audio summaries that were broadcast in collaboration with eight local radio stations around the country. In 2005 two additional stations were added, improving access for remote communities where massive atrocities were committed.<sup>26</sup>

Radio and TV programs can also be designed to promote interaction in TJ outreach programs, for example, through the creation of call-in programs in which the general public can ask questions of senior staff. Especially interesting has been the work conducted by Interactive Radio for Justice (see box 2 below), which has since been imitated in different settings. IJCentral—an outreach initiative of Skylight Pictures—recently created a section on its website called “Ask the Prosecutor,” in which the ICC prosecutor answers questions about the court on camera. Likewise, the prosecutor will be posting video updates on the cases and investigations on the website.<sup>27</sup>

#### Box 2: Interactive Radio for Justice

Interactive Radio for Justice (IRFJ) is a radio project created by former ICC Outreach Officer Wanda Hall and funded by the John D. and Catherine T. MacArthur Foundation and Humanity United.<sup>28</sup> The first program began in the Democratic Republic of the Congo (DRC) in 2005, following the launch of an official ICC investigation in the area in 2004.<sup>29</sup> Hall realized that simply publicizing the concept of “justice” would be unlikely to make a concrete difference in people's lives—instead, it was crucial to create and sustain a two-way, participatory dialogue between the ICC and affected communities. In the DRC, IRFJ has created interactive, prerecorded radio programs in which listeners can hear fellow community members ask questions about the ICC, international human rights standards, and their basic rights under the law. Radio journalists visit the region to record these questions, and subsequently convey them to the relevant officials, who record a response. The program is put together and broadcast at “listening clubs” around the country, where residents without radio access can travel to a common hub to listen to the broadcast with fellow community members. The aim of the program is twofold: it intends to better equip citizens with knowledge of international processes and to alert national authorities to the needs and opinions of their constituencies.

IRFJ expanded to the Central African Republic in early 2008, with broadcasts in both French and the local language of Sango. To further boost outreach efforts, the program held a public meeting in the capital city of Bangui with ICC Chief Prosecutor Luis Moreno-Ocampo. In addition to informing citizens of their rights, IRFJ takes advantage of Africa's rich oral tradition by broadcasting songs written and performed by local music groups through its Music for Justice Project. The songs address themes that promote respect for the rule of law, reconciliation, and condemnation of sexual violence.

### Interactive Activities

Information technology provides a useful platform to develop interactive tools. Websites can include interactive blogs, discussion forums, or access to social networks, like Facebook and Twitter, where people can interchange ideas and information. Free-of-cost telephone lines have also been used to facilitate the direct exchange of information. The Victims Unit at the ECCC, for example, has a helpline that is active 24 hours a day, free of charge. People use the line to request information about victim participation procedures, and to tell their stories and relieve emotions. The helpline also enables the section to identify potential outreach trips.

Town hall meetings have become a popular outreach activity for rural communities in some African countries after they were first implemented by the prosecutor in Sierra Leone. Adopting what was already a traditional practice in the country, these meetings usually consist of a presentation by a court official using a megaphone, which is followed by a question and answer session. To prepare for the meetings, outreach staff visits the target community in advance to meet with specific groups or to contact local leaders to collaborate on the organization and definition of contents. It is also hoped that local leaders' participation will increase public trust and add legitimacy to the discussion. It is very important to prevent this type of meeting from becoming a monologue, and therefore interaction should be strongly promoted. In Uganda, for example, the ICC has worked with local drama groups to facilitate interaction.<sup>30</sup> Additionally, video summaries of the court proceedings have been used in order to facilitate debate and dialogue.

Although town hall meetings usually provide a space for interaction with large groups, it should also be noted that precisely due to their size, the quality of the communication between outreach personnel and the audience may be diluted. Taking this into account, town hall-style meetings should always be combined with smaller, more focused types of gatherings. Also, taking into account different cultural contexts, other types of large gatherings can be implemented, through social forums such as festivals and public ceremonies.

Rural forums and travelling fairs are other types of interactive meetings that can target rural communities and populations living in remote areas. Similar to town hall meetings, the facilitators of these events are usually itinerant groups that temporarily establish an information center in markets and other public spaces to distribute information and answer questions from the population. The Public Affairs Section of the ECCC, for example, has organized outreach meetings targeting commune chiefs and several outreach missions involving officials of the court meeting rural Cambodians.<sup>31</sup> The Victims Support Section also organized regional forums. One objective of the forums was to provide opportunities for civil parties to express their views, ask questions, and voice their concerns.

Training-the-trainers activities and specialized workshops are organized around a series of sessions during which staff from the TJ measure provide basic information about the functioning of the institution. Normally addressed to specific audiences—including politicians, the legal community, students, religious authorities, and local NGOs—the aim of these workshops is for the persons involved to transfer the information to their immediate environment. As Human Rights Watch (HRW) has pointed out, however, in relation to the work of the ICC it is difficult to track whether this actually happens. HRW carried out interviews in Uganda to assess the impact of these workshops, which showed that a one-off training session did not sufficiently prepare the participants to feel able to explain the complex work of the court.<sup>32</sup> Taking this into account, it is important to make efforts to guarantee an adequate learning process, either by preselecting workshop participants or by implementing more comprehensive and longer-term workshops.

Community based activities use traditional community networks and communication channels—local newspapers, community houses, cultural centers, and the like—for outreach purposes. For example, the project *Memory and Dignity* within the collective reparations program in Morocco and developed by the association Initiative Urbaine de Hay Mohammadi includes the organization of a so-called Café Mémoire. The café provides an open forum for discussion and the exchange of

testimonies in the local population of Hay Mohammadi (a district in Casablanca), with the aim of mobilizing citizens of the neighborhood around the *Memory and Dignity* project and its activities in relation to the events of the past in the area. The community reparations programs, by strengthening local capacity and taking an active role in the preservation of memory, can themselves be viewed as sensitizing measures that aim to reinforce awareness on civic education, legal governance, development, human rights education, and exchanges of experiences.<sup>33</sup> Other community-based activities include, for example, the “listening clubs” established by the ICC. These clubs, which use a method originally designed by IREFJ, are intended to reach remote communities through radio. Leaders of each club are “influential members of society,” such as local leaders, teachers, or students, who participate in a training session. These leaders gather groups to listen to radio programs on the ICC and discuss the information. Questions are then recorded and forwarded to the outreach unit for a response.<sup>34</sup> Efforts have continued since these initial meetings, notably with the training of “Community Animators.” These individuals have been trained by the Outreach Section and are intended to be focal points for the dissemination of outreach materials.<sup>35</sup> Selecting a group of people, either community members or public prominent figures, to act as ambassadors from the institution at a community level can help to disseminate the message and promote interaction.

Visits to the court, commissions, or other TJ-related bodies can also be valuable. Facilitating attendance of the process by the population is probably the most direct outreach effort that can be carried out by a TJ measure. At the ECCC, the Public Affairs Section (PAS) facilitated the attendance of a total of 31,349 individuals to the first trial, with an average of 407 people each day, including journalists. A bus service was provided and publicized in the media, and there was a phone number to arrange pick-up.<sup>36</sup> Once the trial resumed for verdict, the PAS organized study tours, where court officials would meet villagers and commune chiefs in rural areas and bring them to visit the court and Tuol Sleng Prison. Villagers had the opportunity to view three documentary films and pose questions to court officials.<sup>37</sup> For truth commissions, public hearings have been crucial in making the work of the institution visible, and making the experience a continuous process rather than a single event. Public hearings do not cover every topic under investigation, but instead select the most relevant issues. If they have focused primarily on victims’ testimonies, they can also address specific themes, concrete events, or the role different social sectors played in the past violence. In order to ensure that hearings have a broad impact, it is necessary to encourage broadcasting and to proactively engage with the press.

Visits to museums and memorials provide another opportunity to promote an interactive exchange of ideas, while at the same time using the horrors of the past to contextualize the current justice process. The ECCC and several NGOs in Cambodia, for example, have been organizing visits to former Tuol Sleng prison and Cheoung Ek as part of their outreach activities.

Film and documentary screenings have also been used extensively to conduct and facilitate outreach activities. Film is a powerful medium that can be used to broadcast significant images, collect stories (even from different contexts), and ultimately present information in an accessible way. Public screenings of films and documentaries can be used to promote discussion. In Cambodia, for example, Khmer Mekong Films and the Asian International Justice Initiative produced a series of three educational films on the Khmer Rouge era and the ECCC, called *Time for Justice*.<sup>38</sup> The series was aired on national TV and was shown by NGOs that followed viewings with discussions among participants. The film *We Want (U) to Know*, produced by the Khmer Institute for Democracy in collaboration with the Transcultural Psychosocial Organization and the International Center for Conciliation, is based on a participatory approach involving casting ordinary Cambodians as the main actors in the movie. Participants were in control of the script, providing them a unique opportunity to focus on information that was important to them. As an example, they chose to reenact killing scenes that happened in their village during the Khmer Rouge regime.

The presentation of the results of a truth commission report, a reparations program, or the verdict of a trial is a fundamental stage in the life of a TJ measure. In order to have maximum impact and

engagement potential, these moments should receive intensive media coverage, and findings should be widely disseminated. Most important, the presentation of the results, whether through public acknowledgement or a symbolic ceremony, may be able to provide recognition to victims. No matter how public the process has been, the publication of the final report is key to the work of a TRC. Chilean President Patricio Aylwin's issuance of a national apology on TV upon the release of the final report of the Chilean Truth Commission provided public recognition to the work and findings of the commission. In Guatemala, the comparable report was released in an emotional public ceremony attended by thousands of persons in the National Theater in Guatemala City.<sup>39</sup> The collective reparations program in Morocco celebrated Project Signature Ceremonies, which were carried out on the launching day of the selected reparations projects, followed by a media campaign at both the national and regional level.<sup>40</sup>

### Box 3: Bridging the Gap

In order to better explain the ICTY's processes to local audiences, the tribunal initiated a series of five conferences in 2004 and 2005 that were held in areas specifically affected by the violence in the former Yugoslavia.<sup>41</sup> The conferences, held in Brčko, Foča, Konjic, Srebrenica, and Prijedor, and attended by Bosniaks, Serbs, and Croats, enabled ICTY officials to demystify the court's work by engaging in a direct dialogue with local communities.<sup>42</sup> The events also served as a sounding board for community members, who voiced a widespread desire for national authorities to take ownership of the justice process by promoting a rule-of-law culture.

At the conference at Srebrenica, for example, ICTY officials explained the processes by which the tribunal gathered evidence about the 1995 massacre in the town, when Serb militias killed more than 7,000 Bosniak men and boys in a premeditated attack. During the outreach event, ICTY staff presented photographic evidence used in the perpetrators' trials and explained how prosecutors were able to prove charges of genocide and crimes against humanity before the court. Tribunal officials also responded to the audience's concerns about one-sided justice and domestic capacity building. The events at the other four towns addressed similar issues. At the conferences, ICTY officials handed out compact discs that contained information about the cases and witness testimony.

In addition to outreach efforts initiated by the court, the independent media company XY Films created a series of five documentaries based on the conferences. The films were broadcast to a wide audience around Bosnia and Herzegovina.

### Cultural Activities

Visual material presented in photography exhibits can be a powerful vehicle for the transmission of stories while also creating an open space for interaction around the organization of exhibits. One of the main follow-up projects of the Peruvian TRC was a photography exhibit called *Yuyanapaq: To Remember*. The exhibit, held in several cities throughout the country, contained images from the conflict gathered by the commission. A book was also published. As part of its informational and educational outreach program, Lessons from Rwanda, the United Nations Department of Public Information created the Visions of Rwanda Photo Project, a picture project in which genocide survivors and perpetrators in Rwanda document, through their own eyes, their day-to-day lives, hopes and memories.<sup>43</sup>

Drawings, crafts, and music provide different media with which to develop creative outreach activities that facilitate participation and promote engagement at a local level. For example, artistic competitions at local, regional, or national levels have been organized around TJ measures. These kinds of activities require an extended period of preparation among participants, but the materials produced can be used later for further outreach purposes, prolonging the activity's impact. This has been the

case, for example, in the DRC, where a group of local authors were commissioned to illustrate a handbook about the ICC.

The use of theater to promote human rights and transitional justice education has proliferated during the last few years, as a vehicle to provide a space for affected communities to freely interact and express their concerns. More recently, it has also proven to be a powerful outreach tool, especially in areas where security conditions are delicate, such as Sudan and Afghanistan. There are currently several groups that conduct human rights–related theater all over the world, including: the Afghanistan Human Rights and Democracy Organization; Mashirika (Rwanda); Yuyachkani (Peru); Jana Sanskriti (India); Az Theatre (U.K.); Mandala Center for Change (U.S.); and the Reyum Institute of Arts and Culture (Cambodia). More generally, Brandeis University has developed a series of theater initiatives within its Creative Resources for Coexistence and Reconciliation Virtual Resource Center.<sup>44</sup>

#### Box 4: Theater in Afghanistan

While formal transitional justice mechanisms may be a long way off in Afghanistan, there is considerable interest in transitional justice among civil society and victims' groups. Given the poor security situation and tense political climate in Afghanistan, the work done by civil society and victims' groups is low-key, small-scale, and careful. Participatory theater techniques are one method that has allowed these groups to explore the legacies of conflict and establish spaces for discussion. It has also allowed for female participation, providing a modicum of agency to victims in general and women in particular. Recent work has centered on a human rights theater initiative, participatory theater sessions on issues related to the 2009 presidential election, and a pilot gender-theater workshop for widows' groups. Techniques used include forum theater, in which audience members stop and suggest possible solutions for a scene or play that shows a conflict the characters do not know how to resolve, and playback theater, which enables an audience member to tell a story from his or her life and then watch as actors and musicians immediately re-create the scene, giving it artistic shape and coherence.<sup>45</sup>

#### Educational Activities

In this rubric, outreach programs aim to approach the TJ process from a didactic perspective. Activities can range from direct-engagement exercises with youth and children (including essay contests, quizzes, mock trials, oral history interview projects, and guided visits to the institution or volunteer work with museums of memory), to the development of broader educational tools and the promotion of academic research (such as the creation of history and legal education projects, the addition of relevant topics to school curricula, the design of history books, and the organization of conferences, seminars, lectures, and research projects). Many TJ measures have developed special programs to educate children and youth. The Special Court of Sierra Leone's Accountability Now Clubs are an interesting initiative in this vein. These clubs became independent in 2005, but received instruction and training from the court's outreach section. Their objective is "to involve University and post-secondary students in educating their peers and communities on the Special Court, transitional justice, and human rights."<sup>46</sup> The outreach section has also engaged teachers through training-the-trainer workshops and has worked with the Sierra Leone Teachers Union.<sup>47</sup> Finally, it has developed a training manual resulting in the formation of school Human Rights and Peace Clubs.

#### Box 5: DC-Cam's Genocide Education Project

Cambodian schoolchildren born after the Democratic Kampuchea regime were, until recently, largely unaware of the history and context behind the Khmer Rouge genocide. In 2004, The Documentation Center of Cambodia (DC-Cam) attempted to remedy this by assisting the Ministry of Education in creating an expansive Genocide Education Project targeted at Cambodian youth. The culmination of the first phase of the project was a textbook titled *A History of Democratic Kampuchea* that was distributed to 259 high schools around the country in 2007.<sup>48</sup> Today, more than 300,000 copies of the textbook have been delivered to over 1,300 schools.<sup>49</sup>

In early 2008, DC-Cam initiated the second phase of the program, which included the creation of further teaching materials, the implementation of teacher-training workshops targeted at national and provincial educators, and the translation of the original textbook into five additional languages.<sup>50</sup> According to DC-Cam's director Youk Chang, the widespread distribution of the history textbook has been instrumental in educating Cambodians about the genocide.<sup>51</sup> The textbooks were distributed as the ECCC began its first trial, and helped to spread awareness about the country's history as well as its continuing efforts to bring top-level perpetrators to justice.<sup>52</sup> Questions about the Khmer Rouge regime were included in the country's history graduation exam in 2009, reflecting the widespread impact of the educational program.<sup>53</sup> Many at DC-Cam feel that these initiatives have helped to break Cambodia's cycle of silence and pave the way toward a national healing process; while the Khmer Rouge Tribunal focuses on prosecutions and trials, the Genocide Education Project is seen as Cambodia's version of a truth and reconciliation commission.<sup>54</sup>

DC-Cam continued its outreach efforts in 2010, receiving permission from the Ministry of Education to distribute genocide education banners to schools all over Cambodia. The banners contain antigencide slogans that emphasize the importance of genocide education in order to prevent mass atrocity and promote reconciliation.

#### Consultation Mechanisms

Several TJ measures have used consultation mechanisms to contribute to the design of some of their activities or programs. Consultation exercises promote the legitimacy and effectiveness of the process by offering stakeholders direct participation and can also contribute to building a sense of ownership. Several truth commissions have conducted public nomination processes to select the commissioners, and reparations programs have occasionally been crafted to facilitate public participation. The Community Reparations program that followed up the work of the truth commission in Morocco, for example, devised a public consultation process to establish the shape of its reparations measures. This process included local community members, political representatives, human rights organizations, and development agencies from the regions that were collectively affected by the violence.<sup>55</sup> Courts have also used consultation meetings with particular groups, such as NGOs or members of the legal community, to receive more technical advice. The ICC, for example, has used consultation to get feedback on its outreach activities. In Uganda, the Outreach Unit held several meetings with community leaders, NGOs, and government officials on how to organize outreach events. These meetings have been held both individually and at a group level. In 2007, the Outreach Unit of the ICC held two workshops: one with local stakeholders, NGOs, and media to develop the outreach strategy for the Central African Republic; the other with international NGOs to revise the general outreach strategy of the Court.<sup>56</sup>

Consultation processes, however, are not easy to implement. First of all, it is crucial to be completely transparent about the reality of the decision-making process and the extent to which decisions will be implemented. Second, it is important to pay attention to expectations, keeping them realistic but not defeatist. It is thus essential to equip victims with sufficient information and tools to select reasonable solutions, without significantly influencing the results of their decisions. If, for example,

a consultation process involves educating victims about the meaning of reparations, the practitioner's explanations may influence the shape of the reparations measures requested. In this sense, the process can become more of a one-way communication of a certain understanding than a real consultation. The third important challenge when organizing consultation is to ensure that all relevant groups are adequately represented, as conflicts of interests are likely to arise. Additionally, the use of representative mechanisms may result in some victims being excluded from the process, creating unequal classes of victims based on their access to certain networks. In order to facilitate the process, it can be beneficial to seek the collaboration of an external party that, acting from a neutral position, can mediate the dialogue.

**Box 6: Toward the *Plan Integral de Reparaciones* in Peru<sup>57</sup>**

The *Plan Integral de Reparaciones* (PIR) in Peru was the result of a participation and discussion process promoted by a group of national NGOs under the coordination of the so-called *Grupo de Trabajo de Reparaciones* (GTR), which since 2001 has conducted a collective thinking exercise on the meaning of reparations. A total of 19 capacity building workshops (at the regional and district levels) were organized by NGOs in the six regions most affected by the conflict. The workshops brought together victims, their families, and local community leaders. The aim was to gather information about the harms suffered, prepare a joint reparations proposal, and promote the commitment of victims and their organizations to defending the proposal at the state level. These workshops helped identify the needs of victims, thereby creating a more sensitive reparations policy, and helped victims to develop ownership of the process and articulate clearer demands against the state.

As a result of this process, NGOs organized a meeting with more than 100 people—including victims, NGOs and one of the commissioners—in Ayacucho in 2002. Officials presented a working document containing material from previous workshops. The meeting was a turning point in the process, building a bridge between the TRC and the victims' way of understanding reparations, and making possible a dialogue between them.

From that moment on a new dialogue process was established, this time coming from the TRC itself, which explicitly created a group that would have the task of implementing the process.<sup>58</sup> The TRC then worked with NGOs to organize a consultation process, with victims' organizations following a pyramidal model. Starting in Lima, NGOs all over the country replicated the same format for their workshops in order to identify victims' reparation demands. The information was then sent to Lima, where it was synthesized in a document. A draft proposal was presented in 2003 in Chacabuco at a meeting of around 100 victims' representatives, eventually leading to the inclusion of educational benefits in the recommendations on reparations, something that had not been a part of the initial proposal.

## Working With Different Audiences

### Overview

In order to successfully reach the largest number of people, an outreach strategy needs to carefully identify and distinguish among different audiences. While a general-inclusion principle should be followed, it is important to subtly distinguish between different groups and sectors in the society, taking into account the purposes of reaching them and their specific needs. In terms of purpose, for example, some groups might be specifically targeted because their involvement is fundamental to the mandate of the institution, or because they can indirectly contribute to consolidating its work—such as NGO staff, politicians, or stakeholders.<sup>59</sup> However, it is also crucial to distinguish between audiences in order to properly assess the challenges associated with addressing certain groups, such as children, ex-combatants, or women. Therefore, the format and content of outreach activities will depend on the purposes for which different audiences are targeted, and will be affected by their attitudes, interests, expectations, needs, and means of accessing the information. A respectful and receptive attitude must always be adopted.

Given the importance of identifying different audiences, it is essential to begin the process early, through consultations with local groups. While collaboration with external organizations may be necessary in order to access to certain audiences, it is also very important to consider the difficulties that may be associated with reaching groups that lack organizational support. Also, taking into account budgetary constraints, it might be necessary in some instances to prioritize certain groups for the best interests of the program. For example, victims should always be a priority group in terms of justice concerns. Thinking strategically as well, it might be worthwhile to prioritize audiences that can have a wider influence on the population given their position in the society, such as members of the mass media, community leaders, and NGOs.

### Audiences to Consider

The first audience that an outreach program must consider is the general public. Because the TJ measure aims to bring a message of acknowledgment of past wrongs, it is important that the society as a whole fully understands the aims and functioning of the measure. Departing from this broader approach, some of the more important audiences that should be distinguished include the following.

**Victims** are fundamental stakeholders in the justice process and, as noted above, constitute a core audience for any TJ measure. The success of the process will greatly depend on the level of satisfaction that victims can be expected to achieve, so long as the normative conditions under which their justice demands can be satisfied are given. In more practical terms, the victims' involvement in giving statements, identifying harms suffered, and delivering testimony is key to fulfilling the goals of the TJ measure. It is crucial to create a space for them to engage in the process.

TJ measures should be particularly careful when engaging with victims. The focus of outreach activities with victims should lie in empowering them to participate in the process in a meaningful way, by providing them with sufficient, accurate information that focuses on their rights and options for participation, while at the same time creating realistic expectations. It is equally crucial to guarantee them a safe, attentive, and respectful space to express their opinions, doubts, and concerns. Often this will be the first contact that victims will have with official institutions—other than abuse—and they have often endured great trauma. Consequently, proactive measures should be taken to support them through the process. This can involve helping them overcome fear and lack of confidence, providing security, and assisting them with filing claims.<sup>60</sup>

Reaching out to victims as a distinct audience it is not necessarily an easy task. Not only can the numbers of people directly affected by the violence be tremendously high, but victims are also never a homogenous group. When targeting victims, it can be useful to work with victims groups, NGOs and community-based organizations to facilitate communication, reach larger numbers through representation channels, and help provide the necessary support. However, it is also very important to pay attention to victims who are not organized, and who are therefore at serious risk of being excluded from the process.

In turn, guaranteeing **women** access to the justice process requires taking on a proactive role. According to most traditional cultural roles, women are usually constrained by household activities and have less access to outreach activities. In addition, there are often cultural barriers that prevent women from speaking in public about “political” matters and accessing information. And there is always a risk of stigmatization within the community. In East Timor, for example, CAVR focused on women from the very beginning, ensuring that 50 percent of its field staff was female and organizing a women’s team within the research unit to make sure that CAVR was able to improve the gender balance in all its programs. In addition, CAVR collaborated with a leading women’s NGO in the country and established a hearing on gender issues early on in the process to sensitize the public and encourage women’s participation.<sup>61</sup> In Sierra Leone, women’s groups participated in training-the-trainer programs and have played an important role in reaching rural women. Through coordination with the Sierra Leone Market Women Groups, the outreach section organized seminars on transitional justice and the Special Court that targeted approximately 5,000 women.<sup>62</sup>

**Disabled persons** constitute an especially vulnerable sector of the population, who require extra efforts in terms of outreach. The outreach section of the Special Court of Sierra Leone, for example, has a specific outreach program for people with disabilities that has been managed by a visually impaired person. The court has produced material in braille and has also conducted teacher training for hearing impaired students.

Approaches to **indigenous groups** should take into account their particular social, cultural, and political identities. It is important to note that, in most cases, indigenous groups have been historically removed from the mainstream public space, and, in many situations, they have also been a distinct target of the violence that is being addressed by the TJ measure.<sup>63</sup> Accordingly, there is a serious risk that they will be doubly marginalized if excluded from the justice process. Furthermore, some truth commissions that explicitly focus on abuses suffered by native populations have struggled to engage the rest of the population. Although society may not explicitly harbor racist attitudes, it may nevertheless be unreceptive to the suffering of the indigenous groups. The task here is to publicize the horrors these groups have endured while also emphasizing their right to participate in society as equal citizens. This may entail an additional focus on the importance of developing political reforms that promote their equal participation within the broader social framework. Therefore, any outreach activities targeted at indigenous communities should foster a strong message of recognition and promote their active and meaningful participation in the process.

**Elders, community leaders, and religious leaders** are usually respected, influential figures in the community and will likely play a key role in facilitating access to their communities and providing

legitimacy to the TJ measure's work. However, it is important to take into account that community structures can be entwined with former patterns of abuse, and that by engaging directly with leaders, an institution may continue to empower them by providing privileged access to information. This can have the unintended consequence of reinforcing the status quo. Moreover, overreliance on these figures to disseminate information can also have negative effects on the accurate distribution of the messages.

**Youth and children** are among the most vulnerable groups during and in the aftermath of armed conflict; they are also usually excluded from adult channels of communication. They have limited capacities to access certain types of information and have more difficulties finding a safe space to express their views and concerns. Working with younger generations is also important when considering legacy building through education. However, children's issues must be handled delicately and with the children's best interests in mind, according to the needs of different age groups. Outreach efforts for children need to be built upon a stable infrastructure supervised by adults from the children's most immediate contexts, especially families and schools.<sup>64</sup> Some children's organizations and child protection agencies, such as UNICEF and Save the Children, together with education professionals, can be especially helpful in planning outreach activities and materials for children. Also, many memory museums around the world have developed their capacities to address topics of past violence with children and youth, as have NGOs like Facing History and Ourselves. In terms of outreach, for example, the SCSL has developed a series of activities with the aim of informing and educating children and youth tailored to different age groups. For elementary school students, the court sends high-level officials to local schools and arranges for students to visit the court. Children can also participate in *Kids Talking to Kids* radio programs, quiz competitions, and debates around the country. As part of its Youth Program, the ICC Outreach Unit has developed mock-court sessions and quizzes.<sup>65</sup> Another particularly interesting activity is the Village Dialogues, which were organized by the Cambodian NGO Youth for Peace. The aim of the program is "to create a space for open discussion between youth and older Cambodians who lived through the Khmer Rouge period. . . . These dialogues are presented as an opportunity for youth to be exposed to the diversity of historical narratives and perceptions among the population. They also discuss expectations and perceptions of the upcoming Khmer Rouge tribunal, and receive basic knowledge on the purpose, history, means and mandate of the tribunal."<sup>66</sup>

**Displaced populations, refugees, and diaspora communities** must be approached in a contextually sensitive way, especially taking into account the complexity of their situations. Given the special importance of community reintegration within the framework of the East Timorese Truth and Reception Commission's mandate, special efforts were made to reach refugees in West Timor, Indonesia. After a loose agreement between the Indonesian and East Timorese governments, CAVR hired a group of 18 staff members who were drawn from a network of NGOs to work for six months in refugee camps. The activities undertaken included radio programs that explicitly focused on the West Timor context. Also, CAVR commissioners and senior staff visited West Timor and participated in public meetings there.<sup>67</sup> Another interesting example is the Diaspora Project carried out by the Liberian TRC in collaboration with Advocates of Human Rights, a U.S.-based NGO, with the aim of bringing the Liberian diaspora into the justice process. Several events were organized across the U.S., including an official public hearing. In addition to reaching out to diaspora communities, another potential benefit of the process was the engagement of host-country nationals, both at an individual level and through media coverage, which raised awareness about the situation of Liberian immigrants in the host country.<sup>68</sup>

Engaging **ex-combatant groups and the communities to which the perpetrators belong** is always a daunting task for TJ measures. Although it is important to be realistic about the ultimate impact of these activities, it is still worthwhile to invest efforts toward reaching these groups, whose participation may help officials gather testimony and facilitate conflict resolution, and is fundamental for the success of the transition process. In Sierra Leone, an assessment of ex-combatants' perceptions of and support for the Special Court and TRC was conducted by the Post-Conflict Reintegration Initiative

for Development and Empowerment (PRIDE) and ICTJ in 2002.<sup>69</sup> The goal of the study was to provide information about what combatants knew, feared, and expected from both institutions. Overall the PRIDE study was significant in demonstrating that ex-combatants are more likely to support the court after interactive outreach events, which can help dissipate fears that low-level perpetrators will be prosecuted.<sup>70</sup> In Cambodia, the ECCC has also made some efforts to reach perpetrator communities. In 2008 the Office of the Co-Investigative Judges (OCIJ) and PAS organized a two-day workshop in Pailin, a former Khmer Rouge stronghold, to access potential witnesses for OCIJ's investigation. One aim of the workshop was to dilute fears that participants might have of being incriminated, when in fact only senior leaders were to be prosecuted. Following the workshop, PAS organized outreach activities in the same area to meet with all district governors and seek their cooperation, and also planned additional field trips in different provinces.<sup>71</sup>

With regard to the **security sector**, TJ initiatives must take into account the importance of institutional reform to strengthening the rule of law. In Sierra Leone, for example, efforts have been made to reach out to the Sierra Leone Police (SLP) through training sessions about the Special Court's impact on local justice processes. In addition to activities conducted by the outreach section, the court has placed a special emphasis on training the SLP as part of its legacy efforts. Moreover, the Office of the Prosecutor has recruited twelve members of the local police as investigators. These investigators have been crucial to the court's work, and, it is hoped, have learned new skills that can be applied to the national police force. However, investigators who have gone back to work for the national system have had difficulties implementing change. As one police officer explained: "Because of the small number of police officers who will have benefited from the SCSL, they will not be able to create the impact. It will create problems with their immediate superiors."<sup>72</sup> Many investigators have chosen not to go back to the national police, instead accepting jobs or educational opportunities abroad.

**National and local NGOs** play a fundamental role as intermediaries and collaborators in outreach programs, and in general their support is essential to guaranteeing the long-term impact of an institution's work. Extra efforts need to be made to ensure that NGOs understand what a transitional justice measure is doing, and to promote a transparent and collaborative image on behalf of the institution. As a particular audience that can contribute in outreach efforts, they need reliable materials and training that can assist them when working with different communities.<sup>73</sup>

Depending on the political context and the situation that led to the establishment of the transitional justice measure, reaching out to **politicians and members of parliament** may be an important objective for TJ measures. Here, the emphasis on outreach activities should begin early and focus on the role that politicians play in decision-making processes, such as implementing the recommendations of a TRC or facilitating the work of the institution. It will be equally important to communicate with local authorities, whose support will be fundamental in organizing activities at local level, and in making sure the necessary security conditions are met.

**Professional communities, labor unions and the business sector** are civil society groups that should be considered when engaging in outreach activities, in order to spread a broad message of acknowledgment. Especially helpful will be certain collectives like university professors and school teachers, media organizations and press associations, and, for capacity building and legacy activities, legal audiences, including law students, judges, magistrates, human rights activists, bar associations, and others.

Finally, the **international community**—including governments and diplomats, international organizations, scholars and researchers, human rights NGOs and networks, and international media—should also be considered one of the target audiences of an outreach program. Some of these individuals or groups can play a valuable role in providing oversight, assisting with expertise, or collaborating on outreach and providing funding. Means to access information and learn about the process should be provided accordingly.

## External Coordination

### Possibilities for Coordination and Potential Partners

Civil society organizations and other external actors often conduct outreach and public education activities independent of the official program of a national TJ institution. Given that TJ institutions and external actors often share similar objectives and generally operate in the context of scarce resources, it is important that they coordinate with each other in order to maximize efficiency and prevent duplication of effort. This type of coordination is essential when attempting to reach target audiences, since external partners can act as intermediaries, assisting in the establishment of lines of communication with certain groups. They can also provide infrastructural and financial support, and offer valuable advice and expertise. Victims' organizations and human rights NGOs are usually ideal candidates for a productive collaboration with a TJ initiative. However, working with these types of NGOs alone will not be sufficient, especially when targeting specific audiences. Therefore, it might be worthwhile to consider establishing connections with a broader set of institutions that have other areas of thematic expertise, such as children's rights, gender issues, development, displacement, or ex-combatant reintegration.

It should also be acknowledged that, despite the existence of these groups, there are sometimes wide sectors of the population that are not served by any specific organizations. It is therefore necessary to establish relationships with different types of institutions and groups that can help maximize outreach efforts. It may be useful to start with national authorities, such as ministries or official human rights bodies. For example, in Peru, the ombudsman played a fundamental role in supporting the nationwide network that organized the consultation process around the reparations policy of the TRC. In Cambodia, the Ministry of Education is collaborating with the ECCC and contributing to the development of educational materials related to the conflict. It is equally important to try to connect at a local and community level, and, in a more thematic sense, with both cultural and educational institutions: secondary schools, professional schools and universities, theaters, cultural or community houses, museums, and so on.

At an international level, NGOs, foundations, and scholars can partner with TJ institutions in the promotion of outreach goals. International organizations can make for important allies in conducting outreach, be they the UN and its agencies, or regional bodies like the EU—which has been especially supportive in providing funding for outreach activities—and the Organization for Security and Cooperation in Europe (OSCE).<sup>74</sup>

Of course, this is not an exhaustive list. It remains important to evaluate and assess potential partnerships depending on the unique context of each TJ measure.

## Coordination with NGOs

Civil society organizations are uniquely placed to conduct outreach activities. Because they usually have experience working in the field and have established local networks, they are able to reach a broad range of people. They also have an ongoing local presence and have usually spent substantial time working with communities to develop relationships of trust, whereas an official institution tends to build this presence intermittently. NGOs have also the capacity to provide information and, frequently, to influence public opinion.

Taking this into account, many TJ initiatives in the past have heavily or completely relied on NGOs to conduct outreach activities, and there seems to be a common opinion among senior officers that outreach should be directly carried out by civil society. However, this assumption is mistaken. The TJ institution must always carry out outreach activities directly, not only because doing so will better enable it to convey its message, but also because conducting outreach is a core aspect of the institution's mandate. In many instances, target audiences want to hear directly from the institution. While there are important reasons to collaborate with civil society organizations, an institution cannot depend on external groups to conduct all outreach on its behalf.

Collaboration with civil society organizations should be carefully evaluated. NGOs are independent institutions with their own goals and mandates. Their activities and objectives are typically broader in scope than those of a TJ measure and they will normally continue to perform their tasks after the measure has come to an end. On the other hand, civil society organizations have their own resource constraints, usually tied to annual fundraising campaigns. Problems may arise due to differences in mandates and funding limitations, as may competition issues.<sup>75</sup> Finally, it is essential to bear in mind that there are certain tasks that cannot be left to civil society groups alone, especially when security and confidentiality are at stake.

During a transitional phase, the number of NGOs and civil society groups in a country usually rises significantly. This means that a TJ measure will be required to interact with a broad number of very different institutions with a variety of goals, sizes, budgets, levels of professionalism, and ideological frameworks. Selecting groups with which to collaborate may pose a challenge for a TJ institution. The institution will have to ensure and evaluate the dissemination capacity, resources, and networks of each NGO. There is always a risk of partnering with organizations that lack professionalism, or, even worse, organizations that take advantage of the relationship to promote their own goals. All types of collaboration should therefore be very carefully evaluated. It is also important to remember that independent NGOs play an important oversight role for the process. So, while an NGO might generally support the TJ measure, they may also be required to make a critical assessment of its work, inevitably leading to tensions with the TJ institution.

Taking into account both the risks and benefits of working with civil society, it is important for TJ measures to develop strategies for coordination and methods of collaboration around common goals. When the outreach section of a TJ measure considers collaborating with NGOs, several options are available. First, they can share and coordinate information and materials. Second, NGOs can directly conduct different activities on behalf of the institution. And third, the institution can participate in outreach activities conducted by NGOs.

#### Box 7: The Court Support Network of BiH

In 2006, the Public Information and Outreach Section (PIOS) of the War Crimes Chamber in Bosnia established a Court Support Network (CSN). The network was conceived as a way of enlisting the help of local NGOs to distribute information about the work of the court around the country, given civil society's relationship with small communities. The rationale was that if community organizations of any description—such as football clubs—could be used to disseminate information about the chamber, it would help to promote acceptance of and build solidarity behind individuals who cooperated with prosecutions. The network consisted of two “rings” of NGOs. The inner ring was to work directly with the court, while the outer ring would receive information and strategic direction from the inner ring and plan field-based activities accordingly. Theoretically, this web of NGOs was meant to cover the entire territory of BiH. In reality, however, this was not the case, and the level of success depended on each of the inner ring NGOs enlisting further members in the second ring.<sup>76</sup> Unfortunately, the CSN was short-lived, becoming defunct after less than a year. The CSN partners blamed the downfall of the network on a lack of serious coordination efforts by PIOS. Certainly, coordination and communication between the five main partners of the network was sparse. Moreover, funding was only available from PIOS during the initial six-month period of the network's operation. Thereafter, the lack of institutional support or independent sources of funding made it difficult for the NGOs to continue their involvement. More tellingly, all sides acknowledged that the differing mandates and modus operandi of each NGO did not bode well for their ability to unite in a common endeavor without the provision of continued, tangible support while connections were cemented.

The TJ measure should adopt a proactive leadership role in any attempt to coordinate efforts with NGOs, by providing material, messages, guidelines or objectives, and training sessions, and by organizing regular meetings with NGOs. Also, this relationship should be based on coordination and communication, rather than dependency. In the event that NGOs are able to assist in several aspects of a TJ measure, it might be advisable to create a permanent liaison position that could function as a regular connection point between the institution and civil society groups.<sup>77</sup> For example, since July 2002 the registrar of the SCSL has organized a monthly Special Court Interaction Forum that brings together the court and NGO representatives to discuss their concerns and expectations regarding the court's work.<sup>78</sup> Similarly, the TRC in Peru had a small team, the *Grupo Actoría Pública*, which convened and met with victims associations, scholars, institutional leaders, and NGOs, among others. If NGOs are conducting certain outreach activities directly on behalf of the institution, it may be useful to create common documents, such as guidelines for collaboration. Finally, it may be necessary for the TJ institution to provide material assistance and contribute to establishing adequate security conditions for the NGO if the two groups are working in close collaboration.

## Outreach and Media Relations

Although press and media relations are different from outreach, they are clearly closely connected in relation to TJ measures. Given the complexities of the TJ process, and depending on the strength and capacity of national media, it cannot be taken for granted that the work of the institution will attract enough attention from the press, or that the justice process will be impartially and accurately reported.<sup>79</sup> Media professionals are not necessarily receptive to human rights topics; they often lack training on these issues, and they often operate in contexts in which free press traditions are weak, or where there are sharp divisions along ideological and often politically biased lines. In Cambodia, for example, reporting on the Extraordinary Chambers is very positive overall, despite some factual errors. In Morocco, journalists in general have a poor knowledge of human rights and transitional justice topics. During the life of the TRC, the Peruvian national media were still under the influence of the old regime elites, and showed little interest in the work of the TRC. As a consequence, the national broadcast media only covered the TRC process during hours of lower audience rates or through cable channels. In the Balkans region, coverage of the ICTY often remained bitter, intensely biased, and political.

An outreach approach to media relations should avoid these pitfalls by providing the press with timely information, specific assistance, and well-organized materials. Outreach and press officers should seek ways to actively engage with media organizations to develop basic journalistic standards through training and education. Additionally, outreach officials should design a clear communication strategy to prevent political propaganda, correct misinterpretations, and provide some guidance on ethical reporting.

Issues that should be taken into consideration include the following.

### **Infrastructure Support**

Communications officials have to ensure that members of the press are provided with the necessary means to conduct their jobs. Journalists must have access to public proceedings and adequate facilities, including a media room for live broadcasts during a hearing, with computers and Internet access. In the case of internationally based TJ institutions, additional efforts should be made to bring in local journalists. The ICTY, for example, has made an intensive effort to facilitate coverage of the tribunal by local journalists. A group of journalists was housed in The Hague, allowing for a constant presence in the courtroom. The BBC Communicating Justice project funded West African journalists to report from The Hague in relation to the Charles Taylor trial, enabling the development of weekly radio programs that have been broadcast in Sierra Leone and Liberia.<sup>80</sup>

## Media Activities and Materials

A successful media approach geared toward disseminating information should include all of the following: regular issuance of press releases, organization of press conferences, meetings and briefings with journalists, facilitation of interviews, and the participation of senior officials in national and international TV and radio programs. It is also advisable to produce specific informational documents and organize briefing sessions that can assist journalists in reporting on complex and novel legal proceedings. At the ICC, for example, the outreach unit prepared a case-information fact sheet and an introductory video before the Germain Katanga and Mathieu Ngudjolo Chui hearings to explain the purpose of the hearings, the rights of the suspects, the role of the participants in the courtroom, the content of the warrants, and the possible decisions the judges might make according to the Rome Statute. The unit also prepared itself to interact with the media by compiling speaking notes and answers to frequent concerns and questions by journalists.<sup>81</sup>

Finally, it is also necessary to provide the media with updated and relevant material that they can use for their work, especially the type of facts that journalists need to write stories—data, quotes, stories, interviews, and so on. It is also crucial to provide access to a live feed of public events, footage, and pictures from the courtroom or public hearings that the media can utilize to produce visual material.<sup>82</sup>

## Training Sessions and Best Practices

Reporting on human rights and transitional justice issues requires expertise, accurate historical knowledge, and ethical awareness, especially due to the sensitive nature of the material that is being presented. In order to promote high reporting standards, it is recommended to organize different types of training activities to assist both national and international journalists in their work, and to ensure that victims and other participants are treated with respect by members of the media.

There are several organizations that have experience in impartially reporting on human rights–related topics, and which can provide expert advice. These include: Internews, Reporters without Borders, the Institute for War and Peace Reporting, Hironnelle, the BCC World Service Trust, the Sense Agency, Radio Netherlands Worldwide, and Witness. The BBC World Service, for example, has partnered with the ICC to organize three-day trainings for which a syllabus was developed and an 80-page handbook was published.<sup>83</sup> In BiH, the Association of Court Reporters (AIS) was established by the Balkan Investigative Reporting Network (BIRN) to organize media professionals who were requesting more transparency from the court and the prosecutor’s office. In addition to their lobbying efforts, the AIS developed a code of ethical practices for reporting on court cases.<sup>84</sup> This document was especially useful, as it directly addressed the concerns expressed by many judicial officers who were reluctant to cooperate with the press because they believed their reporting was unprofessional and biased. The association also lobbies for more transparency, for example urging the court and prosecutor’s office to institute press briefings. Under their “transparency of courts and responsibility of media” portfolio, AIS and BIRN promote better cooperation and higher standards. They also explain the fundamental rationale behind keeping citizens well-informed about domestic war crimes processes.<sup>85</sup>

NGOs have also played a valuable role in ensuring that journalists meet appropriate ethical standards. The Civil Society Coalition, an NGO working with the National Reconciliation Commission in Ghana, has “organized training for journalists, developed a code of ethics for coverage of the truth commission (the so-called Spirit of Akosombo), and helped ensure that the media adhered to its agreements by drawing attention to infractions of the code.”<sup>86</sup> To emphasize to journalists the importance of the process, it is advisable to consider organizing visits to memory museums or victims’ communities (taking into consideration all necessary precautions).

## Building Relationships with the Press

Finally, a key part of a successful approach to media relations involves adopting a proactive approach to interacting with journalists. The aim of a press program is to create a coherent framework that facilitates consistent and broad media coverage, rather than one that only focuses on key moments. It is therefore necessary to find ways to provide journalists with a constant flow of useful material, which can be especially challenging in periods of low activity. It may also be appropriate to insist on certain messages about the transparency of the process and, especially, the role that victims play.

As with other outreach activities, media engagement should start as early as possible. Even before the work of the TJ measure has begun, it is important to establish links with journalists and perform preparatory work to ensure impartial and well-informed coverage. It is advisable to keep journalists updated through regular meetings and especially briefing sessions, in which senior staff should also participate. In order to build a direct relationship with the press, it might be useful to appoint a media liaison position. Also, it will be helpful to generate contact lists to inform journalists about new developments in a timely manner.

Finally, a recurring dilemma in the work of TJ measures is whether it is worthwhile to respond to negative press campaigns, especially in hostile settings where this reflects a deeper political agenda and conflicted context. A proactive strategy involves correcting misinformation and misinterpretations, and most importantly, not allowing factually incorrect political propaganda to remain unchallenged. However, such an approach should not simply react to media criticisms. Instead, it is advisable to build an independent discourse, identifying the issues that should be highlighted, and to create a situation in which opponents are the ones who must react. When framing such a discourse, the emphasis should be on the positive contributions that the TJ measure aims to advance in the political context, and on building a new conceptual framework in which new type of discussions can be promoted. Stressing issues such as the impartiality of the institution or the fact that it works in the interests of the society always advances a better argument than mere reactions to negative propaganda.<sup>87</sup> For example, in November 2009, the chief prosecutor of the WCC published an open letter to the citizens of BiH, refuting several spurious allegations and efforts to misrepresent an investigation into financial wrongdoing by the prime minister of the Republika Srpska. The open letter was significant because it also asserted an important message about the integrity of the institution, namely that the: “BiH Prosecutor’s Office has no personal feelings about any of the institutions or entities in BiH. We work on behalf of disempowered citizens, for their protection and protection of the entire state and social community from criminal offense perpetrators in the aim of fairness, protection of justice and compliance with laws passed by the Parliament and Assemblies of Bosnia and Herzegovina and its Entities.”<sup>88</sup>

## Follow-up and Legacy Building

After an institution completes its work, officials must consider the legacy it will leave behind, and how to properly follow up on the material that has been gathered and produced. Legacy building is usually the final phase of an outreach program and is thus future-oriented. However, follow-up strategies should be anticipated far in advance to ensure adequate planning and proper allocation of budget and staff. It should be noted that most TJ measures tend to dissolve immediately after finishing their mandate, and dissemination of the results of the process is often neglected. Legacy considerations should thus be reflected throughout the strategic planning of an outreach program, through staffing, identification of specific audiences, and programming of concrete activities.

### **Audiences and Activities**

Incorporating legacy issues in an outreach program requires careful consideration of target audiences. The legal community—from enforcement officers and judges to law students—and younger generations are important groups to consider in this regard. Equally crucial is work with major stakeholders and politicians, who will be in a stronger decision-making position once the institution has been dissolved. Additionally, it is important to consider the role of NGOs. When adequately planned, outreach activities can help to strengthen and promote capacity building among local groups. NGOs have proven to be instrumental in taking the lead after the mandate of TJ measure has come to an end, especially in advocating for the implementation of the recommendations of a truth commission, the implementation of a reparations program, or general monitoring and rule-of-law enforcement issues after the dissolution of a tribunal.

Materials and activities can also be specially designed to take legacy considerations into account. Several TJ measures have implemented follow-up projects (see Box 8, below) that recast the experience of the process focusing on future developments, victims' testimonies, or educational approaches. For example, as part of its completion strategy, the outreach section of the ICTY has disseminated information on the results of the trials and promoted public discussion on the legacy of the tribunal in the region. This work has in turn spurred several capacity building exercises, mainly targeting the former-Yugoslavian legal community. An important part of the legacy-building strategy involves linking the transitional justice process with broader themes, such as democracy, law enforcement, and justice. It will be also important to produce educational material that can be used in schools and universities.

#### Box 8: Follow-Up Projects

In 2003, the Peruvian Truth and Reconciliation Commission created the *Yuyanapaq: To Remember* photo exhibit in Lima, containing over 200 photographs documenting Peru's decades-long internal conflict that claimed 70,000 victims. Photos were gathered from a variety of sources, including press files, news agencies, the police, human rights institutions, and personal family photo albums. Photos from the initial exhibition were used in similar exhibits around Peru. In 2008, parts of the exhibit were showcased at colleges in the United States. The TRC has also released a book of photographs containing 80 images from the original exhibit in order to create a permanent record for future generations. According to the TRC, the process of rediscovering the photographs and passing them on "is part of the struggle for truth and reconciliation in which we are immersed."<sup>89</sup>

In a similar vein, the Sierra Leonean Truth and Reconciliation Commission worked with the International Center for Transitional Justice to create the National Vision for Sierra Leone. The National Vision was a campaign designed to help local citizens contribute to the healing process by submitting artistic works that represented Sierra Leoneans' reflections on their violent past and their shared hopes for the future. Hundreds of people from all over the country responded to the initiative, sending in essays, paintings, wood carvings, sculptures, plays, and poems. In December 2003, the contributions were gathered into an exhibit at the National Stadium in Freetown, and later, at the National Museum. The project attracted hundreds of visitors, including President Ahmad Tejan Kabbah.<sup>90</sup>

The ICTY's official website includes a section called "Voice of the Victims," in which the testimonies of different victims at the court are gathered. There is also a section on "Statements of Guilt," which collects the pleas of guilt that occur during the proceedings.<sup>91</sup>

### Dissemination of Results

The final result of a TJ process is of vital importance. In terms of outreach, the release of this result is a crucial moment to inform the population about the final implications of the process, and to allow for them to express their concerns and consider the way forward.

Before the release of the final result, whether it is a truth commission's report, the delivery of a reparations program, or the verdict of a trial, it is highly advisable to do preparatory work, both to create interest around the importance of the moment and to address potentially unrealistic expectations. There is a chance that the public will be disappointed with the results. Furthermore, truth commissions are usually dissolved upon the delivery of the final report. This implies that the commission will not be there to carry on dissemination of the findings, and, more importantly, that the commissioners will not be there to directly address the reactions that it will cause among the population or to officially address press misinterpretations. It is therefore essential to prepare the public for the results of the report and encourage early discussion of some of the key issues it will present. It should always be remembered that if too much emphasis is put on the report as a final product, there is a risk of considering the importance of dissemination only on a secondary level. Special attention should be paid to certain audiences, like politicians and NGOs, both in order to address potential misunderstandings of the process and help them to prepare for the next steps to be taken once the institution is dissolved.

At this stage it is also crucial to work on a comprehensive dissemination campaign for the results. This will first require producing accessible materials for different audiences. First, summary versions with conclusions should be produced and adequately translated. Second, it may be useful to reproduce these in different formats. For example, the Argentinean truth commission report was printed in a bestselling paperback edition. In Timor-Leste, the Post-CAVR Secretariat, INSIST Press, and ICTJ have produced a series of illustrated versions of the chapters of the final report in the local language,

Tetum; similarly, the Liberian TRC in partnership with UNICEF produced a children's version of the report. Finally, many TJ measures have produced documentaries or films that summarize the results of the process, and have translated them into different languages. Given the importance that the delivery of the results of the process has for the acknowledgment of past wrongs, it will also be a key moment to organize symbolic acts or ceremonies. Likewise, copies of the final report or verdict should be distributed to the affected parties, deposited in publicly accessible libraries, or both.

It is important to frame a clear strategic approach for dissemination. Possibilities include periodically reproducing summaries or portions of the final report or verdict in national newspapers, or creating and maintaining a website where people can easily access this type of information. It may also be useful to organize conferences and workshops with the media, civil society, and stakeholders to discuss results, reparations measures, or the recommendations of a truth commission report.

Last but not least, it is fundamental to think in advance about institutions that can take on these tasks after the original institution has been dissolved. A variety of options may be available depending on the context. In Timor-Leste, on the same day the commission was formally dissolved, the Post-CAVR Secretariat was established and was assigned among other tasks the role of working on the dissemination of the final report. In some instances it may be also possible to negotiate beforehand with other institutions, like a national independent human rights commission, or an ombudsman's office, about dissemination activities after the dismantling of the institution. Also, there have been instances in which academic programs have overseen legacy of the commission. For example, former staff members at the Peruvian TRC have created an Institute for Human Rights and Democracy at Pontificia Catholic University, at which workshops, education, and research tasks around the legacy of the commission are organized.

## Materials Gathered

A final issue that merits consideration is how the materials gathered or created during the process can be made accessible to interested parties and the general public. This implies both ensuring that the materials are properly preserved and made accessible, and also planning specific education and dissemination activities. Also, different archives and documentation, statements, and pictures should be adequately hosted in a library, documentation center, foundation, museum, or other similar institution. In some cases, especially with internationally-based institutions, it will be important to bring the original material (or copies) back to the relevant country. It is also important to exercise special foresight with regard to confidentiality issues. For example, truth commissions "should give thought far in advance to the question of long-term use; this may lead to statement-takers asking permission for the statement to be made available to the public after the commission has concluded."<sup>92</sup>

## Conclusions

Because the work of TJ measures is public in nature, outreach is not an optional or peripheral function. Rather, it is essential to carrying out the mandate of any TJ initiative, because it connects the institution with the society it is intended to serve. The goal of outreach is to go beyond simply making the measure and its results available to the public; rather, effective outreach should aim at making the measure meaningful to the public, and should ideally promote a sense of public ownership over the process. This involves establishing two-way communication where possible, through the facilitation of genuine dialogues, consultations, and participatory activities.

In accordance with its importance, outreach should be wholly integrated into the structure of the TJ institution, within a specialized and independent office, and backed with a strong budgetary support that allows for flexibility. The outreach office should coordinate with other sections, and should have direct access to the senior officers of the organization. It should commence work as soon as possible or even before the operation of the measure's main functions. A strategic plan for outreach throughout the measure's mandate should be drafted with the input and support of senior officials and staff. The plan should assess the context and target audiences, lay out priorities and guiding principles, and create a blueprint for future outreach work.

TJ measures should take a proactive stance in their outreach strategies, seeking to positively shape the message of the institution, rather than merely reacting to events. They should thoughtfully establish and maintain relationships with other relevant institutions, such as NGOs and national authorities. Outreach operations must also distinguish between the relevant audiences for the measure's message. Stakeholders range from victims and ex-combatants to politicians and the international community; successful outreach must plan for each group accordingly, producing different materials and organizing varied activities.

TJ institutions should also take special care to consider legacy measures from the outset, especially if the measure will be disbanded after it produces its final report. In these cases, dissemination may require partnership with more permanent organizations or the creation of new institutions. More broadly, outreach must ensure that target audiences are prepared for the release of a TJ measure's final product prior to that release. This work includes establishing realistic expectations of what the measure can and cannot do.

## NOTES

- 1 Terminology taken from Victor Peskin, "Courting Rwanda: The Promises and Pitfalls of the ICTR Outreach Programme," *Journal of International Criminal Justice* 3, no. 4 (2005): 950–961.
- 2 For a more detailed account of this idea, and as applied to truth commissions, see Mark Freeman, *Truth Commissions and Procedural Fairness* (New York: Cambridge University Press, 2006), 159–186.
- 3 Both the ICTY and the ICTR only began to take outreach seriously several years after their inception, precisely as a reaction to the negative perceptions and misunderstandings in the region about their work (which in many cases were a consequence of direct, biased criticisms from the press and politicians). When they did start their outreach operations, the programs faced an uphill battle against long-established trends of misinformation and strongly held opinions.
- 4 Patrick Burgess and Galuh Wandita, "Timor-Leste Truth Commission" (Internal Case Study, ICTJ Research Project: Making an Impact: Guidance on Designing Effective Outreach Programs for Transitional Justice, May 2010), 3.
- 5 Varda Hussain, "Sustaining Judicial Rescues: The Role of Outreach and Capacity-Building Efforts in War Crimes Tribunals," *Virginia Journal of International Law* 45 (2005): 571.
- 6 Several authors have insisted on the differences between public affairs and outreach. Robin Vincent, for example, alerts of the risk of having the chief of the outreach section subordinated to the chief of public affairs, which could result in outreach losing some of its identity and, therefore, its independence; see Robin Vincent, *An Administrative Practices Manual for Internationally Assisted Criminal Justice Institutions* (New York: International Center for Transitional Justice, 2007), 87. At the ECCC it was deliberately planned that in order to coordinate messages effectively, both public affairs and outreach would be under the same section. According to Wendy Lambourne, however, this has contributed in practice to the development of a concept of outreach that is little more than public information; Wendy Lambourne, "Outreach, Inreach, and Local Ownership of Transitional Justice: Cambodian Participation in the Khmer Rouge Tribunal" (paper presented at the International Studies Association Annual Convention, New Orleans, LA, February 17, 2010).
- 7 This suboffice ensures that court staff are in the area to facilitate visits and viewing of the trial by civil society, traditional leaders, foreign judiciaries, diplomats, journalists, and university students. See *Sixth Annual Report of the President of the Special Court for Sierra Leone* (Freetown: Special Court of Sierra Leone, 2008–2009), 42.
- 8 Clara Ramirez-Barat and Maya Karwande, "Outreach Strategies in International and Hybrid Courts," in *Report of the ICTJ-ECCC Workshop, Phnom Penh*, March 3–5, 2010 (New York: International Center for Transitional Justice, April 2010), 9. Learning from past experiences will be especially helpful for outreach practitioners in the design of such a document. Also, it has been common practice for past TJ processes to hire independent consultants with proven expertise in the field to draft a communications and outreach strategy.
- 9 To organize outreach activities internally, for example, the ICC distinguishes further between several phases in the trial: analysis, investigation, pretrial, trial, appeal, and implementation. See, *Strategic Plan for Outreach of the International Criminal Court*, International Criminal Court (The Hague: International Criminal Court, September 2006), 9.
- 10 *Integrated Strategy for External Relations, Public Information and Outreach* (The Hague: International Criminal Court, 2007), 1.
- 11 *Bringing Justice: The Special Court for Sierra Leone: Accomplishments, Shortcomings and Needed Support* (New York: Human Rights Watch, 2004), 34.
- 12 See "Support and Donations," International Criminal Tribunal for the Former Yugoslavia, [www.icty.org/sid/16](http://www.icty.org/sid/16), accessed July 10, 2010.
- 13 The Special Court for Sierra Leone, *Special Court at a Glance*, (Denmark: Phoenix Design Aid), available at [http://www.phoenixdesignaid.dk/fileadmin/pda/caces/SCSL\\_At\\_a\\_Glance\\_web.pdf](http://www.phoenixdesignaid.dk/fileadmin/pda/caces/SCSL_At_a_Glance_web.pdf).
- 14 According to Mychelle Balthazard, Tara Urs and her team tested these posters in the field, and found out, among other things, that the use of question marks and exclamation points in the posters made little sense to Cambodians; Mychelle Balthazard, "Cambodia Case Report" (Internal Case Study, ICTJ Research Project: Making an Impact: Guidance on Designing Effective Outreach Programs for Transitional Justice, April 2010), 33.
- 15 The list provided is not exhaustive. A well-planned program will require a balance of activities carried out simultaneously. It will also be important to consider the activities on a case-by-case basis, since some activities are only suited for certain contexts.
- 16 To access the atlas, see "Bosnian War Crimes Atlas," Research and Documentation Center, accessed December 2, 2010, [www.idc.org.ba/index.php?option=com\\_content&view=category&layout=blog&id=112&Itemid=144&lang=bs](http://www.idc.org.ba/index.php?option=com_content&view=category&layout=blog&id=112&Itemid=144&lang=bs).
- 17 As a matter of fact, Google Earth has a tool called Google Earth Outreach, which gives nonprofits and public-benefit organizations the knowledge and resources they need to visualize their cause and tell their story to the hundreds of millions of users of Google Earth and Google Maps. See "Google Earth Outreach," *Google Earth*, accessed December 2, 2010, [earth.google.com/outreach/index.html](http://earth.google.com/outreach/index.html).
- 18 Stephanie Barbour, "Domestic War Crimes Processing in Bosnia and Herzegovina" (Internal Case Study, ICTJ Research Project: Making an Impact: Guidance on Designing Effective Outreach Programs for Transitional Justice, May 2010), 26.
- 19 *Fifth Annual Report of the President of the Special Court for Sierra Leone* (Freetown: Special Court of Sierra Leone, 2007–2008), 53.
- 20 Maya Karwande, "Report on Outreach for the Special Court for Sierra Leone" (Internal Case Study, ICTJ Research Project: Making an Impact: Guidance on Designing Effective Outreach Programs for Transitional Justice, May 2010), 38–40; hereinafter Karwande, "Sierra Leone."
- 21 Open Society Justice Initiative, "Charles Taylor Trial Monitoring Website Launched," news release, July 16, 2009, [www.soros.org/initiatives/justice/focus/international\\_justice/news/taylor\\_20090716](http://www.soros.org/initiatives/justice/focus/international_justice/news/taylor_20090716).
- 22 "About This Website," The Trial of Charles Taylor, accessed July 12, 2010, [www.charlestaylortrial.org/about](http://www.charlestaylortrial.org/about).
- 23 "Special Court for Sierra Leone," Open Society Justice Initiative, accessed July 12, 2010, [www.soros.org/initiatives/justice/focus/international\\_justice/projects/sierra-leone](http://www.soros.org/initiatives/justice/focus/international_justice/projects/sierra-leone).
- 24 Balthazard, 43.
- 25 The ICC Outreach Unit in the DRC has partnered with the UN station Radio Okapi to broadcast its programs. However, some commentators have pointed out that Radio Okapi is not really listened to by affected communities in Ituri and North and South Kivu; it draws mainly an elite audience since it broadcasts in French and covers a considerable amount of news from Kinshasa. Maya Karwande, "Report on Outreach at the International Criminal Court" (Internal Case Study, ICTJ Research Project: Making an Impact: Guidance on Designing Effective Outreach Programs for Transitional Justice, April 2010), 46; hereinafter Karwande, "International Criminal Court."
- 26 *Fourth Annual Report of the President of the Special Court for Sierra Leone* (Freetown: Special Court of Sierra Leone, 2005–2006), 38.
- 27 "Ask the Prosecutor," IJCentral, accessed July 17, 2010, [ijcentral.org/article/ask\\_the\\_prosecutor](http://ijcentral.org/article/ask_the_prosecutor).
- 28 "Interactive Radio for Justice," accessed July 17, 2010: <http://www.irfj.org>.
- 29 Jennifer Waits, "Radio's Critical Role in War-Torn Regions: Interactive Radio for Justice's Work to Empower Citizens in Central

- Africa," *Radio Survivor* (blog), March 22, 2010, [www.radiosurvivor.com/2010/03/22/radios-critical-role-in-war-torn-regions-interactive-radio-for-justices-work-to-empower-citizens-in-central-africa](http://www.radiosurvivor.com/2010/03/22/radios-critical-role-in-war-torn-regions-interactive-radio-for-justices-work-to-empower-citizens-in-central-africa).
- 30 Karwande, "International Criminal Court," and *Outreach Report 2007* (The Hague: International Criminal Court, 2007), 13.
- 31 Balthazard, 29. Communes are the third-level administrative divisions in Cambodia.
- 32 *Courting History: The Landmark International Criminal Court's First Years* (New York: Human Rights Watch, 2008), 140.
- 33 Julie Guillerot and Naima Benwakrim, "Implementation of the Collective Reparation Program in Morocco" (Internal Case Study, ICTJ Research Project: Making an Impact: Guidance on Designing Effective Outreach Programs for Transitional Justice, April 2010), 33.
- 34 Karwande, "International Criminal Court," 45.
- 35 *Third Annual Report of the President of the Special Court for Sierra Leone* (Freetown: Special Court for Sierra Leone, 2004–2005), 35; and Karwande, "Sierra Leone," 41–42.
- 36 Balthazard, 25.
- 37 The tours brought 3,018 people from 14 provinces and cities to the court. ECCC Public Affairs Section, "Outreach Work" (PowerPoint presentation presented at the ICTJ Workshop on outreach, Phnom Penh, March 2010), quoted in Balthazard, 37.
- 38 The series was funded by the British Embassy in Phnom Penh; Balthazard, 46.
- 39 Priscilla Hayner, *Unspeakable Truths* (London: Routledge, 2001), 48.
- 40 Guillerot and Benwakrim, 30–31.
- 41 "Bridging the Gap in Srebrenica, Bosnia and Herzegovina," ICTY Outreach Project, accessed July 12, 2010, <http://www.icty.org/sid/10168>.
- 42 Refik Hodzic, "Living the Legacy of Mass Atrocities: Victims' Perspectives on War Crimes Trials," *Journal of International Criminal Justice* 8, no. 1 (2010): 113–136.
- 43 The program was established by the General Assembly on December 23, 2005 (A/RES/60/225) to "mobilize civil society for Rwanda genocide victim remembrance and education in order to help prevent future acts of genocide." By providing information materials that educate on the lessons of the Rwanda genocide, the outreach program aims at raising awareness of the lasting impact of the Rwandan genocide on survivors, particularly widows, orphans, and victims of sexual violence, as well as the challenges that they still face today. See "Lessons from Rwanda: The United Nations and the Prevention of Genocide," United Nations Department of Public Information, accessed July 12, 2010, [www.un.org/preventgenocide/rwanda/about.shtml](http://www.un.org/preventgenocide/rwanda/about.shtml).
- 44 See "Peacebuilding and the Arts," International Center for Ethics, Justice, and Public Life, accessed December 2, 2010, [www.brandeis.edu/slifka/vrc](http://www.brandeis.edu/slifka/vrc).
- 45 See also, *Transitional Justice and Theater in Afghanistan: Creating Spaces for Change* (ICTJ briefing, forthcoming).
- 46 *Third Annual Report*, 38.
- 47 *Second Annual Report*, 34.
- 48 Khamboly Dy, *Teaching Genocide in Cambodia: Challenges, Analyses, and Recommendations* (Phnom Penh: Documentation Center of Cambodia, 2008).
- 49 *Genocide Education Project: The Teaching of A History of Democratic Kampuchea (1975–1979)* (Final Project Report to Government of Belgium, Documentation Center of Cambodia, February 25, 2010).
- 50 *Genocide Education Project: The Teaching of A History of Democratic Kampuchea (1975–1979)* (Interim Project Report to Government of Belgium, Documentation Center of Cambodia, October 9, 2009).
- 51 Christopher Shay, "The Khmer Rouge Tribunal: Cambodia's Healing Process," *Time*, November 30, 2009, [www.time.com/time/world/article/0,8599,1943373,00.html](http://www.time.com/time/world/article/0,8599,1943373,00.html).
- 52 Ibid.
- 53 *Genocide Education Project* (Interim Report).
- 54 Ibid.
- 55 See Guillerot and Benwakrim.
- 56 Karwande, "International Criminal Court," 42. See also *ICC Monitoring and Outreach Program: Second Outreach Report* (London: International Bar Association, 2007).
- 57 Information retrieved from Iris Jave, "El proceso de diálogo, consulta y uso de las comunicaciones durante el proceso para formular el Plan Integral de Reparaciones (PIR) de la Comisión de la Verdad y Reconciliación," (Internal Case Study: ICTJ Research Project: Making an Impact: Guidance on Designing Effective Outreach Programs for Transitional Justice, April 2010). Hereinafter "Peru Case Report." See also Julie Guillerot and Lisa Magarell, *Reparaciones en la transición peruana. Memorias de un proceso inacabado* (Lima: APRODEH and ICTJ, 2006).
- 58 This group created a series of materials, distributed in the discussion spaces, that explained basic facts about the commission, including its mandate and limitations, what was meant by reparations, and who would be in charge of their implementation. (Many victims erroneously thought the TRC would implement reparations directly). A brochure presenting the objectives of program was also produced in collaboration with the communications section of the TRC, with the aim of creating awareness among victims' organizations. (Jave, 14–15).
- 59 In this first sense, two factors are fundamental: First, the type of TJ measure under consideration. For example, a TRC process will always try to promote broader engagement with the population, whereas a reparations program will have a primary focus on victims' groups. Second, specific audiences and their roles will also depend on the specific mandate of the institution. For example, the Canadian TRC is struggling to connect with the wider public about the wrongs suffered by indigenous communities in its effort to promote a broader acknowledgment message to victims. The TRC in Timor-Leste had a community reconciliation process as one of the central points of its mandate, and therefore had a special need to encourage ex-combatants and perpetrators to come forward to participate.
- 60 However, it is most important to acknowledge that most of these issues, important as they are for outreach purposes, are beyond the reach of an outreach program, and should be more appropriately understood in terms of the rights of victims and the obligations of the TJ measure to provide such assistance.
- 61 Burgess and Wandita, 11.
- 62 *Fourth Annual Report*, 38.
- 63 While the truth commission in Guatemala clearly denounced a genocide against the Mayan population, in Peru it is estimated that of the 70,000 victims of the conflict, 75% were of indigenous ancestry; Jave, 4.
- 64 For more information on the subject see *Children and Truth Commissions* (Florence: UNICEF and ICTJ, 2010).
- 65 *Outreach Report 2008* (The Hague: International Criminal Court, 2008), 18–19.
- 66 See <http://www.yfpcambodia.org/index.php?page=project-3>, (accessed July 10, 2010, but no longer available online).
- 67 Burgess and Wandita, 12.
- 68 Laura A. Young and Rosalyn Park, "Engaging Diasporas in Truth Commissions: Lessons from the Liberia Truth and Reconciliation Commission Diaspora Project," *International Journal for Transitional Justice* 3 (2009): 359.
- 69 *Ex-Combatant Views of the Truth and Reconciliation Commission and the Special Court in Sierra Leone*, (Freetown: PRIDE and ICTJ, 2002).

- 70 After participating in outreach workshops led by PRIDE, there was an overall increase in support and willingness to participate in both the TRC and special court. However, there was split between Civil Defense Forces (CDF) and Revolutionary United Front (RUF) combatants. After learning more about the court, support by the CDF dropped from 89% to 75%. According to focus groups, this is attributed to CDF soldiers learning that the court would be prosecuting all sides, when previously they thought it would not apply to them. This supports other data on the reaction of Hinga Norman supporters to the special court. See *Ex-Combatant Views*, 5–6; Karwande, “Sierra Leone,” 35–36.
- 71 Balthazard, 35.
- 72 Thierry Cruvellier, *From Taylor Trial to Lasting Legacy: Putting the Special Court Model to the Test*, (New York: ICTJ, 2009), 35.
- 73 Burgess and Wandita, 15.
- 74 The OSCE mission to BiH, for example, has established a program designed to promote improved public information and outreach activities by the cantonal and district courts and prosecutor’s offices, ultimately aiming to encourage judges and prosecutors to take responsibility for building confidence in their respective institutions. The overall goal of the OSCE programme “is to enable two-way communication between the institutions, on one hand, and the media and public, on the other. Activities carried out by the OSCE include sponsoring public meetings for victims’ groups and local NGOs to meet with judges and prosecutors, organizing radio shows where listeners can call in to speak with prosecutors, publishing a leaflet on Approaches to Outreach aimed at judiciary, and providing small grants to NGOs to serve as a bridge between the judiciary and communities.” The mission has also produced “a documentary film, *Justice Requires Outreach*, for judges and prosecutors, which profiled the efforts of two local prosecutors to reach out to victims and obtain their cooperation with war crimes prosecutions (Barbour, 20).
- 75 According Stephanie Barbour, for example, “in BiH, one of the chief problems in engaging with NGOs as outreach or witness support partners is that they may be viewed as allied with particular (ethnic) constituencies and thus unable to reach ‘the other’ group in a local community. Experience indicates that events organised by neutral institutions—such as ICTY or another international organisation (OSCE, UNDP)—tend to attract a broader cross-section of communities. Similarly, the international donor community is reluctant to fund NGOs that fail to demonstrate they are ethnically inclusive in their outreach efforts” (Barbour, 23).
- 76 For instance, the Center for Civic Initiatives was highly successful in building the second ring of the network in the Herzegovina region, enlisting over one hundred organisations of all descriptions. (Barbour, 7–8).
- 77 *Rule-of-Law Tools for Post-Conflict States: Maximizing the Legacy of Hybrid Courts* (New York and Geneva: United Nations High Commissioner for Human Rights, 2008), 21.
- 78 *Bringing Justice*, 33. There is evidence that the registrar and the Outreach Unit are responsive to the concerns raised by civil society in these meetings. For example, the unit initiated efforts to target religious leaders after it was suggested in one of the interaction forums. According to Human Rights Watch this interaction has been positive overall, and many civil society leaders who were previously skeptical of the court are now supportive. (Karwande, “Sierra Leone,” 41).
- 79 This will also depend on whether people have access to media as a major source of information, especially in post-conflict situations and rural communities, where rates of illiteracy may be high.
- 80 Peter Andersen (chief of outreach and public affairs section, Special Court for Sierra Leone), cited in Karwande, “Sierra Leone,” 22.
- 81 *Outreach Report 2008*, 38.
- 82 The provision of footage to the media and the press, together with the live broadcast of court proceedings, has been a challenging and disputed issue in relation to the work of international tribunals. In the WCC, for example, “some judges have expressed concerns that the media are ‘abusive’ of any footage related to the Court. Indeed, there are numerous documented instances of media releasing the names of protected witnesses and anonymous victims.” However, trials are public processes and, because the rights to press and information must be protected, the potential for abuse does not justify withholding documents of public record from the media. Rather, as Stephanie Barbour argues, “it falls to the Court to be more vigilant about what information is spoken in open court by the parties to the proceedings and to sanction journalists and media outlets that break the law with regard to protected information” (Barbour, 13).
- 83 “Communicating Justice,” BBC World Service Trust, accessed January 20, 2010, [www.communicatingjustice.org](http://www.communicatingjustice.org).
- 84 “Press Code of Bosnia and Herzegovina,” available at EthicNet, accessed February 16, 2006, [ethicnet.uta.fi/bosnia\\_and\\_herzegovina/press\\_code\\_of\\_bosnia\\_and\\_herzegovina/](http://ethicnet.uta.fi/bosnia_and_herzegovina/press_code_of_bosnia_and_herzegovina/); (Barbour, 24).
- 85 Barbour, 24.
- 86 Kirsten McConnachie, *Truth Commissions and NGOs: The Essential Relationship: The “Frati Guidelines” for NGOs Engaging with Truth Commissions* (New York: ICTJ and CCD-Ghana, 2004), 22.
- 87 Refik Hodzic, for example, has insisted on the possibility of drafting opinion columns, either in institutional platforms or the media (including hostile outlets). The idea is to have court officials write articles that advance their own views in the media as an independent source of information, rather than as a constant reaction to criticisms.
- 88 Milorad Barašin, open letter (Ref. No. A-814/09, Sarajevo, November 11, 2009), [www.tuzilastvobih.gov.ba/files/docs/Otvoreno\\_pismoENG.pdf](http://www.tuzilastvobih.gov.ba/files/docs/Otvoreno_pismoENG.pdf); Barbour, 27.
- 89 “The Photography Project,” Truth and Reconciliation Commission of Peru, accessed 10 July, 2010, <http://www.cverdad.org.pe/ingles/apublicas/p-fotografico/index.php>.
- 90 *Witness to Truth: Report of the Sierra Leone Truth & Reconciliation Commission* (Freetown: Truth and Reconciliation Commission of Sierra Leone, 2004), 1.
- 91 “Voice of the Victims,” See International Criminal Tribunal for the Former Yugoslavia, accessed May 19, 2010, [www.icty.org/sections/Outreach/VoiceoftheVictims](http://www.icty.org/sections/Outreach/VoiceoftheVictims); and “Statements of Guilt,” International Criminal Tribunal for the Former Yugoslavia, accessed May 19, 2010, [www.icty.org/sections/Outreach/StatementsofGuilt](http://www.icty.org/sections/Outreach/StatementsofGuilt).
- 92 *Rule-of-Law Tools for Post-Conflict States: Truth commissions* (New York and Geneva: United Nations High Commissioner for Human Rights, 2006), 18.



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