



WHAT'S NEW?

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A hearing at the Extraordinary Chambers in the Courts of Cambodia (ECCC), November 2012 © ECCC

The right to justice and the right to information

When the time has come to rebuild a future together, how best to start? Should there first be trials? Or forgiveness? Or amnesties? These different options that societies may choose require first that people are able to know, understand and talk about what has happened. The media therefore have a key role to play in any transitional justice process. If the work of a Truth and Reconciliation Commission is not known to the public, if justice is not handed down publicly and shared, if preserving the memory of the past is not debated and covered by the media, then the ordinary people are excluded from these processes, do not understand them, do not "own" them and may well end up rejecting them. In that case, the wounds will not fully heal, or will not heal at all, and people's frustrations will hinder the construction of a peaceful future. Linking the need to inform and the need for justice is to recognize that the right to justice is linked to the right to information, that inclusive dialogue is necessary for reconciliation, and that media need to be part of peacebuilding strategies. It is in order to contribute in an original way to this work of reconciliation through knowing and remembering that Fondation Hironnelle created the JusticeInfo.net website. That is also why we are working to provide and support careful, regular, responsible journalistic coverage of justice and reconciliation processes that give a voice to the people most affected.

Caroline Vuillemin,
CEO of Fondation Hironnelle



Demonstration against a proposed law to amnesty financial corruption under the Ben Ali regime, Tunis, April 2017 © Fethi Belaid / AFP

INFORMATION FOR A MORE JUST WORLD

Twenty years after international criminal justice was reactivated to try the crimes committed in former Yugoslavia and Rwanda, it is now built around various reconciliation mechanisms, under the watchful eyes of the media.

Inaugurated in 1945-1946 by the international military tribunals of Nuremberg and Tokyo to try atrocities committed during the Second World War, international criminal justice was reactivated by the UN in the mid-1990s. The International Criminal Tribunal for the former Yugoslavia in The Hague (Netherlands) and the International Criminal Tribunal for Rwanda in Arusha (Tanzania) were created by the UN Security Council in 1993 and 1994 to try those most responsible for war crimes, crimes against humanity and genocide committed during the conflicts in those countries. Four years later, 120 States met in Rome to set up the International Criminal Court (ICC), with permanent jurisdiction to try grave violations of human rights. The ICC, which is also based in The Hague, became operational in 2002.

Some 20 years after their creation, the legacy of these courts is mixed. Their judgments have certainly brought convictions of people

responsible for serious crimes, and developed jurisprudence on international humanitarian law. But they have often failed to establish adequate cooperation with the States where these crimes were committed and to make their work understood by the victimized societies concerned. That is why, in the first decade of the 21st century, mixed tribunals based in the countries concerned and involving the national justice systems were set up in Sierra Leone, Bosnia-Herzegovina and Cambodia. In addition, international criminal justice is only one of a range of reconciliation mechanisms that a society can use after being deeply divided by a conflict. They also include truth commissions, traditional justice and "universal jurisdiction" of national courts over international crimes. Such are the complex mechanisms that the media must make understandable to victims in search of justice and societies in search of reconciliation.

Explaining transitional justice

Ever since its launch, JusticeInfo.net has been explaining transitional justice, a key element of reconciliation processes in divided societies. Here are some examples of topics covered in the website's 3 languages (French, English, Arabic).

In July 2016, we published an article exposing the pressure exerted by certain African countries (e.g. Democratic Republic of Congo, Rwanda and Chad) against the publication of a secret list drawn up by the UN High Commissioner for Human Rights in 2010 of suspected authors of war crimes committed in the DRC from 1993 to 2003. This article was shared widely on social media networks, which are very active in the DRC.

The reconciliation process in Tunisia, last bastion of the Arab Spring, is one of our editorial priorities. Our Tunis correspondent, Olfa Belhassine, covers the many faces of transitional justice in that country, which is setting an example despite obstacles from the government and some media. These aspects include remembrance, the Truth and Dignity Commission, fighting economic crimes and torture, which is still being practised.

In Nepal, our correspondent Ram Bhandari, son of one of the thousands who disappeared during the civil war, writes about the problems and setbacks of transitional justice in his country.

And in May 2015, JusticeInfo.net published an interview with Bulgarian International Criminal Court (ICC) judge Ekaterina Trendafilova, giving an exceptional insight into this much criticized institution

François Sergent, Editor in Chief
of JusticeInfo.net



JusticeInfo.net presentation at the Media and Development Forum in Berlin, November 2016 © Fondation Hironnelle

INFORMATION AS A KEY PLAYER IN RECONCILIATION

JusticeInfo.net is a website of Fondation Hironnelle providing news and analysis on reconciliation in societies transitioning from conflict. **Pierre Hazan**, its editorial advisor, explains.

What is the aim of JusticeInfo.net?

Pierre Hazan: JusticeInfo.net sprang from an awareness that all the countries where Fondation Hironnelle works are in crisis or emerging from conflict, and are trying to rebuild after serious human rights abuses. Hence the idea of creating a cross-country media platform within the Fondation to cover mechanisms for punishing, forgiving and providing reparations to victims, which these societies are setting up as part of a reconciliation process. They include different mechanisms: national or international judicial procedures like the UN tribunals and the International Criminal Court ; Truth Commissions ; recognition of atrocities committed, accompanied by a gradual re-establishment of the State that can allow rebuilding of trust; reactivation of old traditional justice practices like the "gacaca" village courts in Rwanda ; and a whole range of symbolic or financial reparations for victims. We target three types of audience: readers in the North who are interested in these issues; people in the countries directly concerned; and finally a specialist audience of media, NGOs, religious authorities, lawyers and so on, who also relay information to a wider audience.

What are the challenges for journalists covering these issues?

Sometimes this subject matter is hard to understand. The judicial aspects can be quite technical and concern conflicts with complex ramifications where underlying and sometimes indecipherable violence may be at play. You need to find journalists who understand this subject matter, are conscious of its technical and dramatic nature and can make it accessible to an audience including people who have been traumatized by that violence. This requires both discipline and sensitivity.

Do you have partners in this sensitive work?

We have established upstream partnerships with university centres – Harvard Humanitarian Initiative and Oxford Transitional Justice Research –, who help us produce quality articles. Downstream, the media and partners of Fondation Hironnelle distribute our news and information in several target countries, including Mali, Myanmar, the Central African Republic and Tunisia. We also have article sharing agreements with international media like Frontier (Myanmar), LeMonde.fr, LeTemps.fr and The Conversation. We have some stable funding but are seeking more funding partners. We are providing a common service for societies which are financially struggling, and this service for the common good needs to be funded.



Philip Grant © Magali Girardin

THE MEDIA CAN HELP INFORM VICTIMS

Philip Grant, is director of the NGO **TRIAL International**, which works to fight impunity for serious human rights violations and to help victims get reparations. What contribution does he think the media can bring?

After being revived in the 1990s, what does international criminal justice look like now?

Philip Grant: The international criminal tribunals for former Yugoslavia and Rwanda were created by the UN in the 1990s in response to two catastrophic situations which the media greatly helped bring to public attention. Then in 1998 came the International Criminal Court, with a much bigger geographical mandate. These courts are, however, based far from the affected populations -- in The Hague (Netherlands) and Arusha (Tanzania) respectively. Realizing over the years the difficulties these jurisdictions face in getting themselves accepted by the societies concerned, the international community tried to bring international criminal justice closer to the victims by setting up "mixed tribunals" including judges from the countries concerned, such as the Special Court for Sierra Leone, the War Crimes Chamber of the Court of Bosnia-Herzegovina and the Extraordinary Chambers in the Courts of Cambodia.

For victims to obtain reparations, what are the alternatives to international criminal justice?

There are many. Various types of "truth commission" are active in parts of the world, sometimes as a complement to criminal procedures. The courts focus on those most

responsible for atrocities but it is also necessary to deal with the whole of the security apparatus. Various regional and UN bodies are able to judge a State, rather than an individual. National courts in third countries are also playing a growing role in bringing serious human rights abusers to justice, under the principle of "universal jurisdiction". There is also the role of economic actors in the commission of such crimes, which is not yet much dealt with. In each context, it is necessary to use the tools available in the best possible way to respond to the specific needs for justice, truth and reparations for victims.

What kind of information do you think the societies concerned by these crimes need?

The media have an important role to play to make all these mechanisms comprehensible to the greatest number of people in a way which is accurate enough not to raise impossible expectations. They may inform victims about the best strategies to obtain reparations, citing success stories such as the alliance between victims and NGOs that recently brought about the life sentence in Senegal against former Chadian dictator Hissène Habré.

Extending the reach of international criminal justice

In July 1998 the Statute of Rome, founding treaty of the International Criminal Court (ICC), was signed by 120 States. It brings together in a single text all the international treaties relating to violations of human rights. The ICC has jurisdiction over three types of crime: genocide, crimes against humanity and war crimes. A consensus on the crime of aggression, long debated by the negotiators in Rome, was only reached in 2010 at the review conference in Kampala, where an amendment was approved. It was ratified by a 30th member State (Palestine) in 2016, meaning that once the United Nations Security Council gives a green light, the Court will be able to try crimes of aggression by one State against another.

British jurist Polly Higgins was the first to call in 2010 for inclusion of the crime of ecocide (irreparable destruction of the environment) into the ICC mandate, given the grave health risks such destruction poses for human beings. In September 2016, the ICC Prosecutor gave a partial echo to this call, announcing her intention to investigate crimes falling under the Rome Statute which cause "destruction of the environment, illegal exploitation of natural resources or illegal dispossession of land"...



Caroline Vuillemin, CEO of Fondation Hironnelle, and Scott Weber, Director General of Interpeace © Fabian Jobin / Fondation Hironnelle

PARTNERSHIP WITH INTERPEACE FOR DIALOGUE AND PEACE

On Thursday May 4 at the Maison de la paix in Geneva, Fondation Hironnelle and Interpeace signed a partnership agreement for new synergies between journalists, researchers and “peace builders” in societies in crisis.

Interpeace, an international organization based in Geneva, has been working since 1994 to build peace in conflict zones. We have been working together in Mali since 2013. Studio Tamani, a Fondation Hironnelle radio project, was set up there in partnership with Interpeace, which with its local partner IMRAP has put in place a participative dialogue process with the population. The process has resulted in a “self-portrait” of Malian society and the causes of the conflict. This work was discussed with all the parties concerned, notably in special editions of Studio Tamani’s “Grand Dialogue” (Daily Debate) programme. This successful experience has led our two organizations to try and develop synergies in other contexts.

This new partnership is testament to “our mutual interest for practical, local solutions and to our common aim: helping to build lasting peace and more democratic societies,” said Fondation Hironnelle CEO Caroline Vuillemin at the signing of the partnership accord on May 4. Scott Weber, Director General of Interpeace, reminded people that in conflict situations, “access to information is a challenge.” “The media often lack credibility and sometimes stoke the conflict,” he said. “There are also practical problems of accessing information for the populations concerned, and a need for dialogue both between citizens and between citizens and the State.”

MEDIA AND PREVENTION OF VIOLENCE IN THE SAHEL

Fondation Hironnelle’s representative in Niger took part in the second “Regional Conversations on the prevention of violent extremism” conference

Pauline Bend, Fondation Hironnelle’s representative in Niger where she heads Studio Kalangou, took part in the second “Regional Conversations on the prevention of violent extremism”, which was held from May 31 to June 1, 2017 in N’Djamena (Chad). The theme was “Investing in peace and preventing violence in the Sahel-Sahara”. This conference organized by the International Peace Institute (IPI), the Swiss Federal Department of Foreign Affairs and the United Nations follows a first one held in Dakar in June 2016. It brought together

some 60 participants from North, West and central Africa, including political and parliamentary leaders, women’s and youth associations, religious and traditional authorities, representatives of the media, governments, regional and international organizations. Together they discussed the best way for the United Nations, regional organizations and their partners to support in a coordinated way violence prevention efforts by governments of the region, local authorities and communities.

2016 Annual Report

Fondation Hironnelle’s 2016 Annual Report has been published. It is available on the Fondation website and in printed form upon request. Here are some of the key figures: 12 media operations in 10 countries (Burkina Faso, Côte d’Ivoire, Guinea, Mali, Myanmar, Niger, Central African Republic, Democratic Republic of Congo, Ukraine, Tunisia) on 3 continents; 10,000 hours of programmes produced and broadcast for radio; 185 hours for television; 11,600 articles posted on Internet; 250 media supported; 755 people trained; and a potential audience of 60 million people in the zones covered. In 2016, the Fondation also improved the efficiency of its services at headquarters in Lausanne.

The period 2013-2016 was our first experience of implementing a four-year strategic programme. We met the challenges we had set for ourselves: increasing our non-audio and multimedia production capacity; diversifying our activities with the support of local media partners; testing theories on strengthening news media for the long term; and contributing to research on the role of independent news and information in crisis zones. Fondation Hironnelle is a recognized institution with a new management team committed to a new programme for 2017-2020.

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