

Africa Transitional Justice Legacy

Fund (ATJLF)

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Authors: Hauwa Shaffii Nuhu, Angela Umoru-David

Contributor: Kunle Adebajo

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About the Guide

This guide on covering transitional justice issues in Africa was created by HumAngle as part of a partnership with the Africa Transitional Justice Legacy Fund (ATJLF). It contains information on trauma-aware interview techniques, localisation, accountability, cultivating a network of fixers, and many other practical tools that journalists in Africa will find useful when covering transitional justice issues.

About HumAngle

HumAngle is a media organisation committed to the objective and insightful coverage of Africa's conflict, humanitarian, and development issues using cutting-edge technology and modern storytelling methods. With a physical office in Nigeria's Federal Capital Territory, Abuja, we have staff across Nigeria and the Lake Chad region.

HumAngle also operates a non-governmental and not-for-profit arm, the HumAngle Foundation, established to address the human fallout of insecurity and conflict. It equips the media and other civic actors in Africa with the tools and support system for efficient reporting on insecurity and conflicts while promoting peace.

About ATJLF

The Africa Transitional Justice Legacy Fund (ATJLF) is a response to the growing desire for African solutions to African problems rooted in shared experiences. The Fund is part of a larger continental support strategy by the MacArthur Foundation and WellSpring Philanthropic Fund to promote African-led transitional justice efforts in the region.

Following the adoption of the AU Transitional Justice Policy (AUTJP) in 2019, the Fund was established to ensure that the Policy achieves its objectives of putting African communities and countries on the path to sustainable peace, justice, reconciliation, social cohesion, and healing after experiencing mass atrocities.

Foreword

In a continent weighed down by conflict but unbroken by human resilience, the pursuit of justice remains a cornerstone for sustainable peace and development. African newsrooms will greatly benefit from this manual, which provides journalists with the guidelines they need to cover transitional justice issues in a manner that is impactful, empathetic, and accurate. The media's role is important in curating stories that bring people together and help them heal, reconcile, and rebuild because they give a voice to the voiceless and hold those in power to account.

The partnership between the African Transitional Justice Legacy Fund (ATJLF) and HumAngle demonstrates what collaboration can achieve. Our work in Northeast Nigeria has not only elevated transitional justice efforts but also demonstrated the power of storytelling in fostering accountability and hope. Building on that legacy, this guide equips journalism students and practising journalists with the knowledge to cover the complexities of transitional justice issues objectively and with integrity.

As we turn the page toward a more just future, let this guide inspire newsrooms across Africa to become champions of truth, justice, and reconciliation.

The stories we tell today will shape the Africa of tomorrow.

Ahmad Salkida

Founder/CEO, HumAngle.

SECTION A: INTRODUCTION

What is Transitional Justice?

Transitional justice (TJ) refers to various interconnected mechanisms aimed at helping regions affected by prolonged conflict move towards stability and develop resilience measures.

The United Nations¹ describes it holistically as the "full range of processes and mechanisms associated with a society's attempt to come to terms with a legacy of large-scale past conflict, repression, violations, and abuses, in order to ensure accountability, serve justice, and achieve reconciliation".

Contrary to the perception of the word 'justice' in the terminology, transitional justice in operation is not confined to judicial measures. As the African Union's Transitional Justice Policy² further explains, it refers to the "various (formal and traditional or non-formal) policy measures and institutional mechanisms that societies, through an inclusive consultative process, adopt to overcome past violations, divisions, and inequalities and to create conditions for both security and democratic and socio-economic transformation."

Similarly, 'transition' here does not refer to a finite duration. Instead, it is viewed by experts as a continuously unfolding journey towards stability and progress following a history of gross violations of human rights by various actors in a specific region.

Importantly, transitional justice centres on the needs of victims. It is focused on safeguarding their rights and dignity while securing accountability and redress for harm done.³ As the AU asserts, the TJ processes are consultative by nature, ensuring that the true needs, as defined by the persons most affected by instability, are met through a synergy of interventions. This makes transitional justice a contextual practice.

¹ https://www.ohchr.org/en/transitional-justice

² https://au.int/sites/default/files/documents/36541-doc-au_tj_policy_eng_web.pdf

³ https://www.ictj.org/what-transitional-justice

In practice, transitional justice covers, but is not limited to, reparation⁴, wealth/socio-economic redistribution (also known as redistributive justice), reconciliation, criminal justice (legal and traditional), memorialisation and accountability⁵.

SECTION B: REPORTING ON TRANSITIONAL JUSTICE

I. Importance of Reporting on Transitional Justice

For all countries and regions emerging from prolonged instability, the case is often that the traditional systems for accessing justice, maintaining order, or brokering peace have broken down. This calls for a rebuilding of systems, unbiased victim representation, transparency, and accountability. As the Fourth Estate of the Realm, the press is responsible for reporting on these issues, holding power to account, preserving the victims' interests, and serving as intermediaries to explain difficult concepts and complex problems.

Furthermore, in a bid to repair the harm that has been done, there is a tendency for facts to be misrepresented and injurious narratives to be propagated. Journalists have a duty to gatekeep with accuracy, balance, and factual reporting.

Therefore, reporting on transitional justice:

- Provides a platform for victims to share their needs and experiences: Journalism focused
 on transitional justice offers victims a space to share their stories, seek
 acknowledgement, and demand reparations. This public expression validates their
 suffering, contributes to the broader healing process, and preserves collective memory
 for posterity. (Source: International Criminal Court, United Nations Human Rights
 Council),
- Draws attention to areas in need of intervention: Accountability journalism in this regard uncovers human rights violations that would otherwise go unaddressed. In addition, transitional justice reportage could also highlight gaps in post-conflict recovery and a shortage of resources and document policy areas that reflect the true needs of victims.

⁴ https://www.ohchr.org/en/transitional-justice/reparations

⁵https://au.int/sites/default/files/documents/30187-doc-accountability_brief_-_au_transitional_justice_polic y_framework_in_pract_.pdf

This reportage catalyses policy development, humanitarian aid, and international support.

- Holds power to account: Journalists probe the actions of both state and non-state actors
 during and after conflicts to ensure that there are no violations of International
 Humanitarian Law. This is a central role of transitional justice reportage in Africa as
 journalists act as watchdogs to help rebuild trust in democratic institutions and legal
 instruments.
- Canvasses popular support and awareness for peacebuilding, justice and reconciliation processes: Journalists inform the public about transitional justice mechanisms such as truth commissions, trials, and reparations, helping to mobilise support for these initiatives and increase pressure on state authorities. This encourages collective action and promotes a sense of ownership over post-conflict recovery. More so, transitional justice issues in Africa are often complex and nuanced across social, economic and historical contexts. By playing an interpretative role, journalists can explain the intricacies of justice processes and analyse their broader implications, leading to a more informed citizenry. This type of reporting is essential for ensuring that the events that led to the conflicts are not repeated.

It is important to note that, like in many other aspects of journalism, there are challenges to the effective and efficient practice of transitional justice reportage. Security risks, retribution from government and other warring parties, poor funding, limited training, ethical issues, misinformation, distrust in public systems, unique cultural influences, international geopolitical interests and weak justice systems pose significant problems. This is why transitional justice reportage should be undertaken with sensitivity and collaboratively.

II. Tips for Effective and Ethical Transitional Journalism

Ethical journalism is at the heart of our work. Transitional justice reporting usually involves speaking with vulnerable people or victims of violence such as wartime atrocities, terror attacks, sexual and gender-based violence, and victims of counterinsurgency and extrajudicial actions. It is important to be aware of boundaries and ethical considerations so as not to overstep.

Here are a few tips to keep in mind:

1. Do not approach victims under false identity or pretence. Undercover journalism is generally controversial, but one area in which journalists should not employ it as a tool is when reporting on victims of violence. It is important to be clear at the beginning about

- who you are and why you are doing the story so as not to cause more trauma and distrust within their minds.
- 2. Frontload boundaries with your sources at the beginning of your interviews. Let them know the extent of your power. Sources sometimes think automatic change will happen after your story is out and are often disappointed when that does not happen. Try to tell them from the beginning that telling their story will not always equal change.
- 3. Treat your sources as humans and not just as vessels of information. You want to do this by ensuring they feel in control of the situation. Ask for permission before you record the interview, tell them before you take a picture of them, let them know before you ask a sensitive question before you ask it, and assure them that they can decline to answer.

Sourcing

Generally, some major actors have to constitute each story:

- 1. The human element (the main subjects. i.e. the victims or protagonists)
- 2. The voice of the authorities—where systemic wrongdoing or problem has been identified
- 3. Expert voices—to understand the larger implications of the problem identified.

For transitional justice reporting, moving beyond urban centres into rural, affected communities is crucial for gathering authentic stories and accounts. Getting experts in local communities or who have ties with the community is also essential to get accurate and authentic opinions.

Network of reliable fixers

A network of reliable fixers is central to work like this. While international media usually define this as local journalists, you, as a local journalist or NGO worker, don't have to do the same. Fixers can be people who may not fully speak the English language or the lingua franca of the region, but those who have people skills, are trusted in the community and can provide you with local context as you navigate the area. They can be women, young people, older people, title holders, members of pressure groups, etc. Some entry points are:

- 1. Leaders of local, informal organisations
- 2. Women associations
- 3. Community heads
- 4. Long-standing members of the community.

Building trust with them takes time, but you can do so by protecting them and their anonymity where they ask for it, having regular, non-work-related conversations with them to show you are interested in them as people, not just as tools.

Trauma-sensitive techniques

- 1. Choose a comfortable location.
- 2. Speak to them before the main interview: introduce yourself to them, and tell them why you are doing the story.
- 3. At the point of the interview, ask them if they want you to know anything before you start the interview. This allows them to set the tone of the interaction and alert you to any concerns they may have or areas they don't want to discuss. It will also strengthen their confidence in your ability to handle the situation with sensitivity.
- 4. Seek their permission to record the interview.
- 5. Mirror their thoughts back to them when you are unsure what they meant or want them to elaborate or clarify. If you must take notes, do so without breaking too much eye contact.
- 6. Let them know in advance when asking a hard question or presenting a hard scenario, and let them know it is fine if they would rather not answer it. If they begin to cry or if they break down, give them time to recover before you continue.
- 7. If they are getting too distressed, try to ask them questions that may make them feel better. For example, if they are speaking about a loved one who died, ask them about a funny thing the person did once or ask them what they loved the most about the person.

Gender balance and intersectionality

Always ensure gender representation with sources, whether experts, sources, fixers, or community members. Etc.

Intersectionality is acknowledging that there is a wide range of experiences and identities beyond your personal life and that it is important to act in a way that honours that knowledge. The Convention on the Rights of Persons with Disabilities (2006) is the first treaty to recognise that people suffer discrimination due to intersectionality.

Be aware that people's experiences and identities can be multifaceted and go beyond your understanding, and act in a way that respects that. Among the people you will be working with, there will be people with disabilities, cultural people, progressive people, and maybe even intersex people. All these things don't show in the face and don't always come to the fore during your interaction with them, so act in a way that considers these so that you do not harm them. Some ways you can do this are:

- 1. Always remember that your way is not the only way. This helps ensure that your perspective does not affect how you handle people's opinions.
- 2. If your religion, faith, or personal conviction does not acknowledge a particular phenomenon, you are not betraying it by not stating it to the person you are interacting with. You are honouring it by keeping it personal to yourself and allowing the other person to express their view, especially when the person has been oppressed or suffered abuse or violence because of that experience. You cannot know completely because you have not suffered what they have suffered.
- 3. Always remember that you are not the star of the story. Your subject/source is.
- 4. Research more and find similar trends among people of the same identity or group as the person you interacted with. This will help you understand them well.

Long-term coverage; staying on the issues.

It can be difficult or even dispiriting, but it is important to stay on the case, report on an issue, and follow up on it. For victims of abduction, for example, some areas for follow-ups can include:

- 1. Psychosocial support
- 2. Emotional support from families
- 3. PTSD
- 4. Resilience
- 5. Chronic or unhealthy adaptations to suffering and trauma
- 6. Impact

Reporting in local languages

Reporting in local languages is essential for accessing new important audiences, but also to give the sources a chance to hear the final version of their story, when English or French is not their first language or a language they understand very well.

III. Collaborating with CSOs and CBOs

Journalists have long relied on a network of various sources to access data and valuable information. Civil Society Organisations (CSOs) and Community-Based Organisations (CBOs) serve as veritable sources of information. They work closely with communities, providing humanitarian assistance, and they interface with government officials in ways that journalists may not be able to, granting them access to corridors of power and influence.

In this regard, journalists should view them as allies, not competition or a nuisance. Journalists should commit to cultivating relationships with diverse CSOs and CBOs to connect them with victims, aid in trust-building, access data on advocacy issues and provide on-the-ground holistic perspectives. They should also seek to participate in the capacity-building exercises that CSOs provide as an avenue for understanding the legal and ethical intricacies when reporting human rights issues while also offering training on media outreach and public engagement for advocacy. Such knowledge exchanges foster trust, longevity of the relationship and efficacy of joint initiatives.

However, it is also important that the CSOs/CBOs journalists seek to build relationships with are held to the same high standards of accountability and transparency, as a journalist's primary duty remains that of a watchdog in society.

IV. Understanding Local Contexts

While certain communities have fallen into disrepair in periods of armed conflict, journalists need to understand that there are still historical practices and traditions that are indigenous to them. These practices are often intertwined with the residents' way of life, even in periods of conflict. Therefore, it would be a disservice to their agency as individuals not to know their way of life and even approaches to mediation and arbitration.

The only way that journalists can truly uphold the principle of 'do no harm' is to research past and current traditional practices and fully immerse themselves in the community. Such a human-centred approach births respect and cultural awareness, translating into how journalists write about the issues in that community.

Journalists must also research the unique history of conflicts in a particular region to write about transitional justice with sensitivity and depth. In their nature, conflicts mutate⁶ in terms

⁶ https://www.un.org/en/un75/new-era-conflict-and-violence

of actors, methods, resources, environments and impact⁷, creating slanted narratives as they progress. Yet, it is the journalist's responsibility to understand the root causes of the conflict, how it evolved, and its interwoven effects to dispel misinformation and guide policymakers in addressing the right issues.

V. Managing Community Expectations

Managing expectations in a conflict-affected community when reporting on transitional justice is a delicate and crucial task. Nonetheless, the journalist's role across various issues is to *document* occurrences and help the public make sense of them. This is why the journalist must be clear to community residents about the parameters of their role as a reporter, why they are covering a particular victim's story and what the outcomes may be.

It is an uncomfortable truth that covering a specific story may not always yield dramatic shifts or interventions, but this truth must be made known to the community and victims, even *before* their stories are captured. Therefore, journalists should be clear about the complexity of TJ processes, avoid overpromising, be transparent about limitations, offer updates when available, and, if possible, connect victims to reliable humanitarian actors who can take action while maintaining professional distance.

VI. Balancing Inclusion with Safeguarding

When reporting on TJ, there is a risk of oversimplifying an entire community's experiences as the same across the board. However, as was explained in discussing intersectionality, journalists should ensure the multiplicity of intersecting identities in their reporting. In doing so, journalists should also take care to avoid exposing victims to re-traumatisation due to their identities or experiences.

In addition, the journalist should be attentive to the elements of a source's story that expose them to harm—physical or otherwise. Identifying aspects of the story that leave the source vulnerable guides the journalist to take the necessary steps to protect the source.

⁷ https://journals.sagepub.com/doi/pdf/10.1177/01925121231177368

Proper safeguarding measures—anonymity, informed and documented consent, the right to determine how they are represented and allowance to retract consent before the publication of jeopardising information—should always be extended to sources and victims.

SECTION C: SUB-ISSUES REPORTERS CAN FOCUS ON

When reporting on transitional justice, journalists may choose to explore several sub-issues, including:

I. Welfare and Camp Management

Reporting on Internally Displaced Persons (IDP) camps provides a crucial aspect of transitional justice as it sheds light on the struggles of forcibly displaced persons. Visiting camps and engaging with both the victims provides a clear picture of the impact of past injustices and the effectiveness—or lack thereof—of post-conflict recovery processes. This helps to juxtapose statistics and data on displacement with the stories of real people.

Developing relationships with the camp officials also provides insight into the gaps and highlights accountability issues.

Journalists could focus their reportage on living conditions in the camps (health, sanitation, and security), the legal, civil and political rights of the displaced, access to justice and outcomes from humanitarian intervention. Additionally, reporters could explore the psychological toll of displacement and the challenges in reintegrating IDPs into society. Beyond tales of challenges and gaps, focusing on IDPs in camps provides an avenue for highlighting stories of resilience to foster positive narratives that acknowledge their agency and strengths.

II. Administration of Criminal Justice

While transitional justice helps to rebuild communities after prolonged conflict, another key aspect is ensuring accountability for the harm done. Journalists can investigate how perpetrators of war crimes and human rights violations are brought to book through trials, tribunals, or truth commissions. This is important for ensuring justice, fostering reconciliation, and serving as a deterrent to future violations.

Journalists can also track how the commitments of state authorities are being carried out, such as financial reparations, community rebuilding programmes, or public apologies. These forms of restorative justice are incomplete without full victim participation. Journalists could explore victims' involvement in TJ processes by reporting on platforms for their testimonies and inclusion in decision-making. They can also examine efforts to provide trauma healing programmes, barriers to accessing justice and reintegration of former combatants, as has happened in various instances.

By exploring these sub-issues, journalists can create a more comprehensive picture of the challenges and complexities inherent in transitional justice, ensuring that it addresses the root causes of conflict while promoting lasting peace and reconciliation.

SECTION D: APPENDIX

I. Glossary

Arbitration: A form of conflict resolution where opposing parties consent to a neutral third party providing a binding adjudication on a dispute based on applicable law or other procedures.

Armed Conflict: Dispute or confrontation characterised by violence and use of arms, happening between the armed forces of States and organised non-state groups or between such groups within a State or country.

Conflict Actors: An organised state or non-state group that uses lethal violence to advance their position concerning a conflict.

Do No Harm: A principle in peacebuilding that emphasises sensitivity and avoidance of actions or words that may worsen fragile situations or put community members at risk.

Mediation: A practice in conflict resolution where an independent, objective third party helps opposing parties to reach a solution or compromise.

Re-integration: Interventions and support services to help former combatants or victims of violence to return to society and live safe, secure and wholesome lives.

Reconciliation: A set of processes to rebuild relationships and address harm in the wake of human rights violations at both the individual and community levels.

Reparations: Measures to address human rights violations through material and symbolic compensation to victims, their families and affected communities.

Resilience: This is a multidimensional term that applies to both individuals and socio-economics. On an individual level, it refers to the ability of a person to adapt and thrive in the face of trauma and adversity. On a macro level, it refers to the capacity of a community, region or country to withstand and bounce back from shock and instability in terms of social and economic indicators.

Safeguarding: Refers to all measures to protect vulnerable groups such as women, children, persons with disabilities, the elderly and minority groups and ensure they do not come to any form of harm.

Truth-telling: A public process where survivors share historical and current facts in post-conflict situations to expose incidents they witnessed or experienced.

II. Examples of transitional justice stories.

- Community Mobilisation, Sensitisation Key To Successful Transitional Justice Processes
 In Northeast Nigeria Expert
- 2. What Nigeria Can Learn From Rwanda's DDR, Transitional Justice Processes
- 3. Unravelling The Place Of Journalists In West Africa's Transitional Justice Processes
- 4. 'Operation Safe Corridor Is Useful For Ex-Terrorists. But For People Like Me, It's Injustice'
- 5. A Lone Walk to Justice

III. Some Organisations Working in the Area of Transitional Justice.

- 1. Centre for Democracy and Development- Nigeria
- 2. Talking Drum Studio: Liberia Peace Center Liberia
- 3. Strategic Institute for Research and Dialogue (SIRD)
- 4. Center for Research and Policy Development
- 5. Green Advocacy for Conflict Prevention and Resilience Building (GACRB)
- 6. Africa Reconciled
- 7. Tech Village
- 8. WAVE- Women's Association for Women & Victims' Empowerment
- 9. Kishimi Shelter & Care Foundation
- 10. Beakanyang
- 11. Advocacy Center for Democracy and Development
- 12. Observatoire Centrafricain de Justice Transitionnelle (OCA-JUSTE)
- 13. Fantanka
- 14. Fati Abubakar Arts Foundation
- 15. HumAngle

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