Innovative Media for Change in Transitional Justice

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22- 23 June 2015

A Debate between Journalists, Academics and Practitioners on Transitional Justice, Media and Conflict

PROGRAMME

OTJR UNIVERSITY OF OXFORD

E·S·R·C ECONOMIC & SOCIAL RESEARCH COUNCIL

MEDIA FOR PEACE AND HUMAN DIGNITY FONDATION HIRONDELLE

An Interactive Workshop and Launch Event for JusticeInfo.Net organized by Oxford Transitional Justice Research (OTJR) and the Centre for Criminology of the Faculty of Law in partnership with Fondation Hirondelle and with generous support from the Economic and Social Research Council (ESRC)

Monday and Tuesday, 22- 23 June 2015, Manor Road Building, University of Oxford

PROGRAMME OVERVIEW

Monday, 22 June 2015, 12.30PM – 7.00PM	
12.30 –1.30 PM	Lunch, Registration and Introduction
1.30 –3.15 PM	Panel Discussion and Break-Out Sessions: 'The Role of Media in the Colombian Peace Negotiations'
3.15 –5.00 PM	Panel Discussion and Break-Out Sessions: 'Media, and the Search for Criminal Evidence: Learning from the (non-) cooperation between journalists and international criminal tribunals'
5.00 –5.15 PM	Coffee break
5.15 –7.00 PM	Panel Discussion and Break-Out Sessions: 'Media in Divided Societies: Facilitators or Spoilers of Justice and Accountability?'
Tuesday, 23 June 2015, 9AM – 3.45PM	
9.00–10.45 AM	Panel Discussion and Break-Out Sessions: 'Innovative Media for Change?: The Potential and Pitfalls of New Media Technology in Transitional Justice'
10.45–11.00 AM	Coffee break
11.00–12.45 PM	Panel Discussion and Break-Out Sessions: 'Doing more Harm than Good?: Documentaries, Social Media and Advocacy in TJ'
12.45–1.45 PM	Lunch break
1.45 – 3.30 PM	Panel Discussion and Break-Out Sessions: 'Reaching out to whom?: Transitional Justice Institutions, Outreach and Local Communities'
3.30 – 3.45 PM	Closing Remarks

Coffee and Lunch provided

For further questions regarding the workshop, please contact the organizers: Julia Viebach (julia.viebach@crim.ox.ac.uk), Leila Ullrich (Leila.Ullrich@hertford.ox.ac.uk) and Matilde Gawronski (Matilde.Gawronski@nuffield.ox.ac.uk)

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DAY 1, 22

PANELS AND SPEAKERS

Panel 1

The Role of Media in the Colombian Peace Negotiations

Ongoing peace negotiations between the Colombian government and the guerrilla group FARC in La Habana present an unprecedented opportunity to put an end to a 50 years conflict. In the highly polarised and politicised context of Colombia media is a critical actor in peace negotiations. Media has the power to create collective narratives about the conflict that can either enhance or impede the peace process. Having the power to shape public discourse, they can either build consensus for the peace negotiations or polarize the debate about it. Against this backdrop, the following questions will be discussed: In what ways can journalists contribute to the peace process in Colombia? How can they (if at all) bring victims' concerns to the negotiating table? By what means can media disseminate information about elite negotiations to the wider public? How can they bridge the gap between top-level peace processes and reconciliation efforts in the communities? How can they enhance a sense of belonging and appropriation of peace, locally? The panel will take Colombia as case study to further investigate the role of media in peace negotiations in other (post-) conflict countries.

Panelists:

Roddy Brett – Lecturer in International Relations, University of St. Andrews, Advisor to the Institute of Humanitarian Studies of the United Nations Office for the Coordination of Humanitarian Affairs, in Bogota, Colombia

Diana Dajer – Former Advisor on the Peace Process to the Colombian Minister of Interior, Blavatnik School of Government, University of Oxford

Ailin Martinez – Colombian Journalist, Communications Officer at Conciliation Resources London

Leigh Payne (Facilitator) – Professor of Sociology and Director of the Latin American Centre, University of Oxford

Panel 2

Media and the Search for Criminal Evidence: Learning from the (non-) cooperation between journalists and international criminal tribunals

It is well known that open sources and in particular journalistic sources can play a key role in providing information on the commission of international crimes and as such are relevant to the work of International Criminal Tribunals (ICTs). When it comes to gathering and disclosing information, however, the relationship between media and ICTs becomes complicated: On the one hand, investigators and prosecutors may need open sources and journalistic information to build their cases; material gathered by people in the field might perform an essential function in this respect. At the same time, they are faced with stringent legal requirements that apply to evidence and procedure. On the other hand, journalists are often the first and sometimes the only professionals who witness and record events that are relevant for criminal investigations and prosecutions. However, in the performance of their tasks, they are bound by their own professional obligations – which do not necessarily reflect the interest of law enforcement agencies – and may be faced with various dilemmas when asked to provide information to ICTs or evidence as expert witnesses. In short, the cooperation between media and ICTs is often times fraught with tensions and ambiguities. The panel will use this insight as a starting point to explore the following questions: What are the concerns and expectations of both sides in terms of information gathering and sharing? What are ways of creating a constructive debate between both sides? What principles can be established to ensure a fruitful cooperation? Against this backdrop, the panel aims to discuss first ideas around best practices directed at both practitioners from ICTs and journalists.

Panelists:

Payam Akhavan – Professor of International Law, McGill University, Montreal, Former First Legal Advisor to the ICTY-ICTR, served with the UN in Bosnia, Croatia, Cambodia, Guatemala, Rwanda, and Timor Leste.

Nerma Jelacic – Head of External Relations for the Commission for International Justice and Accountability (CIJA), London, Former Spokesperson and Head of Outreach and Communications for the ICTY

Ella McPherson – Lecturer in the Sociology of New Media and Digital Technology, University of Cambridge

Don Ferencz (Facilitator) – Convenor of the Global Institute for the Prevention of Aggression, Research Associate at the Centre for Criminology, Faculty of Law, University of Oxford

Panel 3

Media in Divided Societies: Facilitators or Spoilers of Justice and Accountability?

It is widely known that media can fuel and catalyze conflict as was proven by the so-called hate media in Rwanda and the Former Yugoslavia. In those cases, media was instrumentalised to promote hate, distrust and to fuel tensions between religious and ethnic groups that provided the underlying justifications for the heinous killings taking place in both countries. However, less is known about the role media plays in post-conflict transition processes, particularly in so-called divided and highly politicized societies. Against this backdrop, this panel will investigate the ways media is (mis-)used in those contexts, and discuss how media impedes or likewise facilitates positive change towards justice, accountability and reconciliation. The Panel will focus on the following questions: What are possible ways to enable balanced reporting that includes diverse and differing perspectives on the past? In what ways can new media tools facilitate change? What mechanisms exist to enable independent reporting in those highly politicized contexts? In what ways can media advocate for an impartial and balanced view/discourse on the politics of the past and of the present? Case studies will include Somalia, Ethiopia and the Balkans.

Panelists:

Nicole Stremlau – Head of the Programme in Comparative Media Law and Policy (PCMLP), Centre for Socio-Legal Studies, University of Oxford

Marija Ristic – Assistant Editor at Balkan Investigative Reporting Network (BIRN), Belgrade

Iginio Gagliardone – Research Fellow, Centre for Socio-Legal Studies, Member of the Programme in Comparative Media Law and Policy (PCMLP), University of Oxford

Nicola Palmer (Facilitator) – Lecturer in Criminal Law, King's College London, Advisory Board Member of Oxford Transitional Justice Research (OTJR)

DAY 2, 23

Panel 4

Innovative Media for Change? The Potential and Pitfalls of New Media Technology in TJ

We live in a time where new media technologies such as large data analysis, digital conflict mapping and mobile databases are more frequently used in reporting about volatile political and societal developments. Oftentimes these new media technologies facilitate public and first-hand knowledge about human rights violations on the ground and can enhance local media's capacity to hold Transitional Justice (TJ) institutions and state authorities accountable. Not least, these new media technologies may also bring minorities' and victims' concerns and needs to the public domain. TJ has largely overlooked both the potential and the dangers of new media technologies alike to inform about ongoing transition contexts and to foster local accountability with regard to freedom of information and independent news coverage. New media technologies such as People's Intelligence or Justiceinfo.net are likely to play an important role in fostering or hindering, promoting and informing about TJ processes. Questions at this panel will be centered on: how do these new media technologies work and what are their goals? Do they simply provide information or can they actually influence TJ policy-making? Can they play a role in conflict prevention by acting as early-warning mechanisms? What challenges do they face? Can we develop a set of guidelines on how these new media technologies can – without raising false expectations - best contribute to TJ?

Panelists:

Pierre Hazan – Director of Justiceinfo.net and Associate Professor at the Academy of Journalism and Media, University of Neuchatel

Christophe Billen – Founder of People's Intelligence (PI), Analyst with the Office of the Prosecutor of the International Criminal Court (ICC), The Hague

Leon Willems – Director of Free Press Unlimited, Amsterdam, Former Director of Press Now

Gilad Ben–Nun (Facilitator) – Research Fellow, Ernst Ludwig Foundation, University of Leipzig

Panel 5

Doing more Harm than Good?: Documentaries, Social Media and Advocacy in TJ

Advocacy groups and networks in TJ have become apt at using Twitter, Facebook, online viral campaigns, radio programmes and documentaries to campaign in favor or against certain approaches of and discourses in transitional and international justice. From the 'twitter revolutions' seen during the Arab Spring and the Maidan Protests in Ukraine to concerted social media campaigns such as 'Kony 2012' or 'BringBackOurGirls', it has become clear that advocacy groups can yield enormous power through use of social media to mobilize the public and sway policy-makers into action. But such enormous power raises important questions: what are the biases in the way social media campaigns portray conflicts, crimes and the ways these are addressed? Is there a danger that the 'simple messages' rationale of social media ultimately produces inadequate policy responses to complex conflicts and crimes (e.g. Kony 2012)? How should we make sense of the role of documentaries that while not formally a tool of advocacy often elevate a certain narrative of the conflict and its legacy to the 'truth of what happened' (e.g. BBC's Rwanda's Untold Story documentary)? Ultimately, we have to ask questions about the ethics and accountability of such 'media advocacy' in TJ: who are these advocacy groups accountable to? What ethical standards should be applied?

Panelists:

Phil Clark – Reader in Comparative and International Politics, SOAS, London, Advisory Board Member of Oxford Transitional Justice Research (OTJR)

Rob Lemkin – Filmmaker and Founder of Old Street Films, Director and Producer of 'Enemies of the People' (2009), a documentary on the quest for truth and closure after the Killing Fields of Cambodia, Oxford

Linda Melvern – Investigative Journalist who has extensively researched and written about the 1994 genocide of the Tutsi of Rwanda, Former Consultant to the Military One prosecution team at the International Criminal Tribunal for Rwanda (ICTR), London

Ella McPherson (Facilitator) – Lecturer in the Sociology of New Media and Digital Technology, University of Cambridge

Panel 6

Reaching out to whom?: Transitional Justice Institutions, Outreach and Local Communities

In the last two decades, there has been growing pressure on international criminal courts to become more 'victim-oriented'. There has also been increasing support for local and community-based Transitional Justice (TJ) mechanisms precisely because they are supposed to be closer and more accessible to victims and affected communities. In response to these pressures, new courts such as the International Criminal Court and the Special Court for Sierra Leone have developed outreach strategies, using different types of media such as interactive radio programmes and partnering with local media to create a 'two-way communication' between international courts and affected communities. It is often ignored that at the same time, there has also been a push by TJ actors and institutions to reach out to combatants, encouraging them to return to their communities and to participate in reintegration and reconciliation processes. For example, Radio Mega FM in Gulu (Uganda) has been instrumental in sending 'defection messages' to rebels of the Lord Resistance Army (LRA). This panel will explore the similarities and differences between outreach to these different TJ stakeholders especially with regard to the use of media: Is media used differently in 'victim outreach' and 'perpetrator outreach' and if so, how? Is outreach simply a 'top-down' process, co-opting both victims and perpetrators to support TJ institutions or can it help to create genuine 'local ownership' of TJ? How can we reach out to people who fall into the ambiguous category of being victim and perpetrator at the same time? What role do local journalists play in outreach efforts: are they simply a tool of outreach or do they play an independent role? Is there a critical media space at the local level for journalists to resist the justice narratives of different TJ institutions?

Panelists:

Alison Smith – Legal Counsel and Director of the International Criminal Justice Program, No Peace without Justice, Brussels

Gerhard Anders –Lecturer in African Studies, University of Edinburgh

Gaelle Carayon – ICC Legal Officer, Redress, London

Leila Ullrich (Facilitator) –Convenor of Oxford Transitional Justice Research (OTJR), PhD student in Criminology, University of Oxford