

YEAR 2018

# ANNUAL REPORT

*Promoting justice for international crimes on the African continent*



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## MESSAGE FROM THE DIRECTORS



Dear friends,

This last year has been a trying time for international justice. Efforts to hold the perpetrators of international and transnational organised crimes to account have been obstructed and, at times, thwarted. Nevertheless, at the **Wayamo Foundation**, we have remained – and continue to remain – firmly committed to delivering on our mandate, by encouraging the investigation and prosecution of international crimes at all levels, and doing what we can to bend the arc of history towards justice.

We are proud of our many achievements over the course of 2018 but, inevitably, there are some that deserve special mention.

Wayamo has been engaged in capacity building efforts in East Africa for the better part of a decade. Over that time, we have built trust among key local actors and stakeholders. In 2018, our efforts culminated in the creation of the Network of Directors of Public Prosecutions and Criminal Investigations in the East African Region, whose founding members are Kenya, Rwanda, Tanzania and Uganda. What makes this network unique and sets it apart from all other initiatives in the region is that it brings together the highest-level investigators and prosecutors from the member states, and addresses both international and transnational organised crimes as well as the linkages between them.

In line with their longstanding commitment to fostering constructive engagement and compromise, Wayamo and its partners in the **Africa Group for Justice and Accountability (AGJA)** held a public conference in Cape Town in August 2018. Entitled *"South Africa and International Justice – Charting the Way Forward"*, this conference's timeliness and importance was highlighted by the participation of South African Minister of Justice, **Michael Masutha**, eminent AGJA members, **Hassan Bubacar Jallow**, **Navi Pillay** and **Richard Goldstone**, and the Deputy Prosecutor of the International Criminal Court (ICC), **James Stewart**. Interestingly, calls to leave the Court have since dissipated to a marked degree.

Needless to say, none of what we do would be possible without the generous support of our donors, partners and networks around the world. We should like to thank them again for their ongoing commitment to and trust in our work.

The road ahead in 2019 will not be easy. The realm of international justice is facing scrutiny and, in some instances, outright attack. Even so, we at Wayamo will strive to play our part in galvanising and achieving justice and accountability for international and transnational crimes, whenever and wherever the opportunity arises.

Thank you for your support and commitment to our shared mission. Happy New Year!

  
Bettina Ambach, Director

  
Mark Kersten, Deputy Director



## EXECUTIVE SUMMARY



The past year has been a busy and productive time for the Wayamo Foundation and our AGJA partners. Together, we have succeeded in implementing ongoing projects, launching new ones, and raising awareness about the importance of international justice and accountability across the African continent and beyond.

Below is a snapshot of our activities in 2018:

- During the last calendar year, Wayamo convened and held **five public conferences and roundtable meetings with students, journalists, practitioners, and government officials**. Each of these events featured high-level investigators, prosecutors and judges, as well as leading figures in the global justice arena. The end result was –and is– enhanced awareness about international justice and Wayamo’s work among civil society, the general public and journalists. In all, over 650 participants attended our
- public events in 2018. For further information kindly see: [www.wayamo.com](http://www.wayamo.com)
- In January 2018, Wayamo and AGJA sent a **delegation to the African Union (AU) in Addis Ababa, Ethiopia**. This has led to increasingly close engagement between the AU and Wayamo. Over the past year, AU representatives have attended and participated in all of Wayamo and AGJA’s conferences.
- Capacity building efforts continued throughout the year, with the strategic focus on **training investigators and prosecutors in the East Africa region (Kenya, Rwanda, Tanzania and Uganda), and Nigeria**. Over 110 investigators and prosecutors were trained during this time. For further information kindly see “*Strengthening justice and accountability in Nigeria through capacity building for civil and military investigators and prosecutors*” page 26.

- Media training efforts likewise continued, with **over 20 journalists participating in Wayamo-led workshops over the course of the year**, resulting in a better-informed press corps capable of shedding light on critical and emerging stories relating to global justice and accountability. Some 60 press, radio, TV and online reports attest to the extensive media coverage received by our activities.
- In July 2018, the **Permanent Mission of Liechtenstein to the UN teamed up with the Wayamo Foundation** to organise a panel debate at the UN Headquarters on *"20 years of the Rome Statute system: its successes and shortfalls, and the challenges ahead"*.
- Wayamo and AGJA worked to encourage South Africa's continued membership of and engagement with the ICC. This culminated in a conference in Cape Town, which focused on **constructive dialogue and included South African Minister of Justice, Michael Masutha**. Since then, the prospects of South Africa leaving the Court have diminished.
- The East Africa Project: 2018 witnessed the establishment of a **Network of Directors of Public Prosecutions (DPPs) and Directors of Criminal Investigations (DCIs) from Kenya, Rwanda, Tanzania and Uganda**. This network is unique in being the only one in the region to include the most senior-level investigators and prosecutors as well as the relevant contact points from each of its member states.
- Nigeria Project: 2018 saw numerous achievements for Wayamo and AGJA's ongoing capacity building efforts in Nigeria, including **increasingly effective and constructive engagement with the Nigerian Military, the Office of the DPP, the Office of the Prosecutor of the ICC, Amnesty International (AI), and the public**.
- As part of the Hybrid Courts Project, efforts continued in 2018 to draft **Guidelines on the Establishment of Hybrid Tribunals**. A research seminar was held in London in January 2018, which will lead to the publication of a co-edited academic volume and a special issue of an academic journal on the subject of hybrid courts.





- Joan Kagezi Memorial Lecture: in March 2018, the Wayamo Foundation and the Ugandan Office of the DPP co-hosted the **Annual Joan Kagezi Memorial Lecture, which was attended by more than 500 people.**
- The Wayamo Foundation's Deputy Director, Mark Kersten, was part of an initiative organised by the **Canadian Partnership for International Justice to file an amicus curiae brief at the ICC.** The brief supported a possible investigation into the alleged deportation of Rohingya civilians from Myanmar to Bangladesh. The ICC's Pre-Trial Chamber subsequently upheld the arguments put forward by the Prosecutor.
- Representation and participation in conferences: throughout 2018, Wayamo Foundation staff participated in **public conferences and private workshops relating to global justice and accountability efforts.** In total, staff members participated in 15 events.
- Publications and documentaries: in 2018 numerous **research papers, op-eds, films and interviews were published by Wayamo and AGJA,** including:
  - ▶ Wayamo Foundation documentary, *"The crime of aggression: from Nuremberg to Manhattan"* (January 2018)
  - ▶ *"Building bridges and reaching compromise: Constructive engagement in the ICC-Africa relationship"* (May 2018)
  - ▶ *"Meeting Expectations on the Road to Justice: Achieving Accountability in The Gambia"* (May 2018)
  - ▶ Op-eds:
    - Richard Goldstone and Mark Kersten, *"Ramaphosa has a rare chance to stop SA withdrawing from the ICC"*, *Mail & Guardian*, (12 June 2018)
    - Navi Pillay and Angela Mudukuti, *"South Africa and the ICC: Dismantling the international criminal justice system to protect one individual?"*, *Daily Maverick*, (19 June 2018)
    - Navi Pillay, Richard Goldstone, and Mark Kersten, *"A plan for South Africa to stay in the ICC"*, *Mail & Guardian*, (10 September 2018)



## About the Wayamo Foundation

The Wayamo Foundation is an independent, non-profit organisation established to strengthen the rule of law, and promote international criminal justice by:

- **building the capacity of national judicial systems** to address crimes of concern to the international community;
- **providing education** for legal practitioners, journalists and the public;
- **advocating transparency and accountability**, often in post-conflict settings; and,
- **facilitating and supporting dialogue** between civil society and government leaders.

<b>Our model - Four in one</b>	Wayamo projects are based on a four-pillar model: (i) effective and context-sensitive capacity building for investigators, prosecutors and judges; (ii) top-level research on global justice issues; (iii) high-profile public symposia and conferences; and (iv) advanced media training. We are the only NGO that can claim to do all of these as part of a unique, coherent and complementary model.
<b>Our focus - Holistic capacity building approach</b>	The model of our capacity building workshops is based on the conviction that law enforcement agencies, prosecution authorities and the judiciary, all need to work in an integrated fashion. Bringing these actors together to work and train in a practice-oriented environment is what makes our model unique. Further, our capacity building programming combines training in international and transnational organised crimes – as well as the linkages between them.
<b>Our partner - AGJA</b>	Wayamo has demonstrated its unique ability to respond to the 'pulse' of international justice with creative and ground-breaking projects, such as the formation of AGJA. Our focus is to identify the problems and bring together the right constellation of actors to address them.
<b>Our approach - Prioritising local</b>	In all of its projects the Wayamo Foundation works closely with partners on the ground and prioritises local buy-in, thereby ensuring that each project is locally embedded, supported and sustained. Our achievements are possible due to the network of trusted partners which we have built up over the years and with which we work at all levels: domestic, regional and international.
<b>Our team - Small size, large footprint</b>	The Wayamo team is lean, agile, and highly committed, bringing together a diversity of voices and expertise from the fields of international criminal law, media, international relations and civil society. We punch above our weight. <i>(For further information kindly see Annex 2: Wayamo team.)</i>



## About the Africa Group for Justice and Accountability

The Africa Group for Justice and Accountability is an independent group of senior African experts on international criminal law including **political figures, members of international and domestic tribunals, and human rights advocates**. It was established on 23 November 2015 with the mandate to *“strengthen justice and accountability measures in Africa through domestic and regional capacity building, advice and outreach, and enhancing co-operation between Africa and the International Criminal Court”*.

One of its unique features is its independence from governments, the ICC and other organisations. This has been indispensable to the Group’s mandate. The AGJA has shown its ability to gain the trust of African states, diplomats, and institutions across the international criminal justice spectrum.

The Wayamo Foundation is the Group’s secretariat and convener.

The AGJA members are:





**ATHALIAH MOLOKOMME  
(BOTSWANA)**

Ambassador and Permanent Representative of Botswana to Switzerland and the UN Office in Geneva, and former Attorney-General of Botswana



**TIYANJANA MALUWA  
(MALAWI)**

H. Laddie Montague Chair in Law, Pennsylvania State University School of Law; Former Associate Dean for International Affairs, School of Law and Director, School of International Affairs



**HASSAN BUBACAR JALLOW  
(THE GAMBIA)**

Chief Justice of The Gambia, former Prosecutor at the International Criminal Tribunal for Rwanda and International Residual Mechanism for Criminal Tribunals



**MOHAMED CHANDE  
OTHMAN (TANZANIA)**

Former Chief Justice of Tanzania



**FEMI FALANA  
(NIGERIA)**

Human rights activist and lawyer



**DAPO AKANDE (NIGERIA)**

Professor of Public International Law, University of Oxford



**BETTY KAARI MURUNGI  
(KENYA)**

Senior Advisor on Transitional Justice to the Joint Monitoring and Evaluation Commission (JMEC), South Sudan



**RICHARD GOLDSTONE  
(SOUTH AFRICA)**

Former Chief Prosecutor of the United Nations International Criminal Tribunals for Rwanda and the former Yugoslavia



**ZAINAB BANGURA  
(SIERRA LEONE)**

Former United Nations Special Representative of the Secretary-General on Sexual Violence in Conflict



**CATHERINE SAMBA-  
PANZA (CENTRAL  
AFRICA REPUBLIC)**

Former Transitional President of the Central African Republic



**FATIHA SEROUR  
(ALGERIA)**

Director of Serour Associates for Inclusion and Equity



**ABDUL TEJAN-COLE  
(SIERRA LEONE)**

Former Executive Director of the Open Society Initiative for West Africa



**NAVI PILLAY  
(SOUTH AFRICA)**

Former UN High Commissioner for Human Rights

**THE  
“FIGHTING IMPUNITY  
IN EAST AFRICA”  
PROJECT**



The “Fighting Impunity and Ensuring Accountability in East Africa” project, funded by the German Foreign Ministry during the years 2017 and 2018, is aimed at strengthening the rule of law and the capacity to deal effectively with complex and transnational crimes through the provision of further training for investigators, prosecutors and judges.



Only with accountable, transparent and reliable structures assuring the investigation and prosecution of core international crimes and transnational organised crime can societies move on to peaceful co-existence, safe from cycles of recurring violence. This cannot be achieved solely at an international level. The capacity of states to investigate and prosecute international crimes must be strengthened at the national level, whilst respecting state sovereignty and bolstering regional co-operation and support. To this end, the Wayamo Foundation and AGJA have been applying their expertise, knowledge and

experience in four countries, namely, Kenya, Rwanda, Tanzania and Uganda.

The first phase of this project (2017–2018) ended on a very high note with the signing of the framework agreement which establishes the **“Network of Heads of Public Prosecutions and Criminal Investigations in the East African Region”** (“the Network”), on 26 November 2018 in Arusha, Tanzania.

As of 2019, the project will move into a second phase focusing primarily on the operationalisation and potential extension of the Network.

## 2018 activities

### 26 February – 2 March 2018, Nairobi, Kenya:

- 26 February 2018: **Strategic Meeting** of the Africa Group for Justice and Accountability (AGJA)
- 27 February 2018: **International Symposium:** *"Networks of Accountability: Justice for International and Transnational Organised Crimes"*
- 28 February – 1 March 2018: **Capacity building workshop** for prosecutors and investigators from East Africa on international and transnational organised crimes
- 28 February 2018: **Media engagement** with journalists from East Africa
- 2 March 2018: **High-level Network Meeting** of Directors of Public Prosecution and Heads of Criminal Investigation Departments

The series of events began with the Fifth Strategic Meeting of the Africa Group for Justice and Accountability (AGJA) and an International Justice Symposium, entitled, *"Networks of Accountability: Justice for International and Transnational Organised Crimes"*. The symposium was opened with welcoming remarks by, among others, **George Kinoti**, Kenya's Director of Criminal Investigations, and **Githu Muigai**, the country's outgoing Attorney-General.

The moderators and panellists were eminent experts drawn from a wide variety of fields, who discussed the status of international criminal justice, analysed transnational organised crimes, and explored the





linkages between the two sets of crimes. The topics were thought-provoking, the comments frank, direct and, at times, hard-hitting, and the impact undeniable, as was plain from the string of reports carried in the social media and national press.

The next one and a half days saw intensive training sessions for investigators and **prosecutors from Kenya, Rwanda, Tanzania and Uganda**, aimed at building competencies in the investigation and prosecution of international and transnational crimes domestically. This model is purpose-designed to put the complementarity principle into practice, while at the same time fostering synergies between the international criminal justice community and national legal actors.

In parallel with the training workshop, a media engagement was held by Wayamo's Africa Director, **Joseph "Kujo" Roberts-Mensah**, and East Africa Co-ordinator, **Judie Kaberia**, with Deputy Director, **Mark Kersten**, and International Criminal Justice Lawyer,





**Angela Mudukuti**, sitting in on some of the sessions. Journalists from several East African countries were brought together with the idea of helping them hone their reporting and interviewing skills, build knowledge on critical justice-related issues affecting the region, including international and transnational organised crimes, and meet the very real challenges of conflict-sensitive reporting.

The series of events ended with the third High-level Network Meeting of **Directors of Public Prosecution**

and **Heads of Criminal Investigation Departments from Kenya, Rwanda, Tanzania and Uganda**, aimed at strengthening the rule of law by ensuring effective investigation and prosecution of complex crimes and intensifying inter-agency collaboration at the regional level. The meeting also included a special presentation by expert, **Pierre St. Hilaire**, INTERPOL Special Representative to the European Union, entitled, *"Improving exchange of information and evidence across jurisdictions"*.

### 12-13 April 2018, Kampala, Uganda:

- 12 April 2018: **Capacity building workshop** for investigators, prosecutors and judges on international and transnational organised crimes
- 13 April 2018: **3rd Annual Joan Kagezi Memorial Lecture** on *“Combating International and Transnational Organised Crime: Lessons Learnt and Best Practices”*

On 13 April, Wayamo Foundation Director **Bettina Ambach** and Deputy Director **Mark Kersten** participated in the 3rd Annual Joan Kagezi Memorial Lecture on the theme of *“Combating International and Transnational Organised Crime: Lessons Learnt and Best Practices”*. The Wayamo Foundation had the privilege of co-hosting the event with its partners in the Office of the DPP. The event celebrated the life of Joan Kagezi, a senior prosecutor in Uganda’s International Crimes Division, who was assassinated in March 2015. This

event afforded an opportunity to remember and pay tribute to her life and work.

This event was preceded by a training workshop on 12 April with the focus on the fight against international and transnational organised crimes. Participants in the training workshop included **representatives of the Ugandan police forces, investigators, prosecutors and members of the judiciary**. Institutions represented included the Offices of the DPP and DCI. The participants engaged in interactive training, with the focus on:

- (i) combating core international crimes;
- (ii) the substantive and evidential challenges in human-trafficking cases; and
- (iii) the challenges of and opportunities for forensic investigations into sexual and gender-based violence.



### 26-29 November 2018, Arusha, Tanzania:

- 26 November 2018: **High-level Network Meeting** of Directors of Public Prosecution and Heads of Criminal Investigation Departments
- 27 November 2018: **International Symposium:** *"Beyond narrow interests – justice and accountability in East Africa"*
- 28-29 November 2018: **Capacity building workshop** for prosecutors and investigators from East Africa on international and transnational organised crimes
- 28 November 2018: **Media engagement** with journalists from East Africa

To hold the sixth round of its *"Fighting Impunity in East Africa"* project, the Wayamo Foundation returned to where it had all begun: Arusha, Tanzania. Here, an intensive, week-long series of events was organised under the banner, *"Beyond narrow interests – justice and accountability in East Africa"*. As always, the programme adhered to the tried-and-tested *"four-pillar format"*, involving a network meeting, an international symposium, a training workshop and a media-engagement session.

The Network Meeting tackled the multi-fold challenges posed by co-operation among states having different legal systems and laws, with the kind of constructive attitude and approach that only experienced practitioners can bring to such matters. Indeed, the DPPs present were able to profit doubly from the occasion, by using the following afternoon to hold an official meeting of the East African Association of Prosecutors (EAAP) at the very same venue, a pattern that might well be followed in future.

The Network Meeting culminated in what can only be called a landmark event with representatives from all the member countries formally signing the *"Framework establishing the Network of Heads of Public Prosecutions and Criminal Investigations in the East African region"*, the first of its kind in the region.

The Network meeting was followed by an International Justice Symposium entitled *"Beyond narrow interests – justice and accountability in East Africa"*. The fact that parochial political interests and a narrow national



focus continue to undermine the investigation and prosecution of complex, transnational and international crimes, raises the question of what can be done to overcome such myopic interests and insular approaches in order to further accountability for international and transnational organised crime. It was this that formed the core idea and theme running through the symposium, and the week as a whole. The day's proceedings were formally opened by a trio of dignitaries, made up of Tanzanian DPP, **Biswalo Mganga**, Rwandan Prosecutor-General, **Jean-Bosco Mutangana**, and Former Chief Justice of Tanzania and AGJA member, **Mohamed Chande Othman**.

Renowned experts in the investigation and prosecution of international and transnational crimes led a two-day training workshop for **investigators and prosecutors from Kenya, Rwanda, Tanzania and Uganda**. Sessions covered numerous themes, including:

- (i) a critical overview of core international crimes;
- (ii) investigation techniques to combat international crimes;
- (iii) an assessment of efforts to combat illicit financial flows;
- (iv) creative prosecution strategies for international crimes – picking the right charges;
- (v) the use of money laundering as the main or alternative offence in prosecutions; and finally,
- (vi) "Training-of-Trainers".





The sessions were interactive and included numerous simulations in which all trainees participated. In addition, participants were asked to submit recommendations for future workshops. These will be used to shape future engagements by Wayamo in the region and beyond.

As an integral part of the programme surrounding the International Symposium, the organisers always facilitate a media engagement for senior journalists within the region, who work on issues pertaining to international criminal justice and accountability. This time, **journalists from Kenya, Rwanda, Tanzania and Uganda were joined by a colleague from South Africa** who had previously covered Wayamo events in that country. The event took place over the course of a day, and participants were not only able to put their questions to the symposium speakers directly, but were also actively encouraged to examine the issues in greater depth in a press-conference-style environment.

This Arusha event brought together more than 140 participants from international and regional organisations, investigative and prosecution authorities, civil society, universities and the media.



## Main achievements

The Wayamo Foundation has emerged as one of the leading capacity building institutions operating in East Africa, having implemented 3 successful events in Kenya, Rwanda, Tanzania and Uganda.

One of the main achievements of the project was the establishment of the “*Network of Heads of Public Prosecutions and Criminal Investigations in the East African region*” which is designed to ensure effective investigation and prosecution of complex crimes and intensify inter-agency collaboration. Specifically, the network is intended: (1) to serve as a mechanism for exchanging knowledge, sharing policies, tools, templates and guidelines on topics such as witness protection, witness interviewing, arrest and extradition; (2) to enhance the working relationship between police and prosecutors during the course of investigations; and (3) to be an avenue for regional and cross-

border collaboration and mutual legal assistance in international and transnational criminal cases. The Network is unique as it:

- I. Comprises both the highest-level investigators and prosecutors from the member states, ensuring that these two critical actors in the criminal justice system are working jointly from the earliest stages of complex, transnational investigations. In a possible next phase of the project, judges will be invited to participate in the high-level meetings, especially when expert presentations on the adjudication of emerging complex crimes are on the programme;
- II. Addresses both international and transnational organised crimes as well as the linkages between these sets of crimes;





- III. Includes DPPs and DCIs as well as their contact points. This is crucial to the success of the project, as it means that the members include the most senior officials responsible for the investigation and prosecution of complex crimes as well as the necessary implementing staff to ensure that it is fully operationalised;
- IV. Encompasses efforts to “network the network”, embedding the East Africa Network within other regional and international networks which work to fight impunity for international and transnational organised crimes. This includes but is not limited to the Eastern Africa Police Chiefs Co-operation Organisation (EAPCCO), the Great Lakes Judicial Co-operation Network, and the European Genocide Network. The Network further partners with other bodies, including the ICC, the Intergovernmental Authority on Development (IGAD), INTERPOL and AFRIPOL.

The Network is “*breaking new ground*”, said Ugandan DPP **Mike Chibita** at the November 2018 Network meeting. “*Criminals recognise no boundaries and share information, so we as countries also need to be together and co-operate when it comes to information and activities*”, added **Charles N. Kenyela**, Tanzanian Deputy Commissioner of Police and Network contact point.

Wayamo’s capacity building has increased the local capacity of 58 investigators and prosecutors to tackle international and transnational organised crime. All participants reported an increase in knowledge and skills, and many said that they would be using the newly acquired skills in their daily work: “*Wonderful presentations! Useful for my day-to-day activities as an investigator*” and “*This was a good presentation. I will be using what I learnt in my work*”.

In addition, Wayamo has promoted and championed the creation of joint investigation teams in East Africa, a move that has seen increased efficiency and effectiveness in investigations in the region as prosecutors are now guiding investigations.

Through this project Wayamo has managed to raise awareness about the continued importance, not only of accountability for core international crimes, but also of the linkages between such crimes and transnational organised crime. Lastly, over the course of 2018, the project engaged with more than 650 participants from civil society, the general public and the media through public conferences, debates and symposia.

**STRENGTHENING  
JUSTICE AND  
ACCOUNTABILITY  
IN NIGERIA  
THROUGH CAPACITY  
BUILDING FOR CIVIL  
AND MILITARY  
INVESTIGATORS AND  
PROSECUTORS**



*Nigeria has been suffering from violent conflict between Boko Haram and government forces for over nine years. In 2010, the ICC commenced a preliminary examination into the situation in Nigeria, looking at allegations of crimes against humanity and war crimes committed by both Boko Haram and the Nigerian security forces.*



The preliminary examination's preliminary examination focuses on the existence and genuineness of Nigerian national proceedings relating to these crimes. This is in line with the principle of complementarity, whereby the Court will only investigate serious crimes or prosecute an individual where the state concerned is unwilling or unable to do so itself.

This current training project, which started in December 2016, is implemented in collaboration with the International Nuremberg Principles Academy (Nuremberg Academy). The aim is to strengthen justice

and accountability in Nigeria, and enhance domestic capacity to investigate and prosecute complex international crimes in a genuine manner, particularly through a comparative analysis of Rome Statute offences and the equivalent domestic crimes in Nigeria. The overall objective is to equip Nigerian prosecutors and investigators with the necessary expertise and skills to address serious and complex international, transnational and terrorism-related crimes under Nigerian criminal law, including crimes that may potentially fall under the jurisdiction of the ICC.



Wayamo and the Nuremberg Academy also started a new “Training-of-Trainers” programme to assist Nigerian legal institutions, including the National Judicial Institute and the Nigerian Institute for Advanced Legal Studies. The aim is to enhance their existing curricula by the addition of international criminal law and international humanitarian law, and to further equip these institutions to pass on this knowledge to their network of legal practitioners in Nigeria.

Local partners include: **Abubakar Malami**, Senior Advocate of Nigeria, Attorney-General of the Federation; **Muhammed Umar**, Director of Public Prosecutions for the Federation, Federal Ministry of Justice, Abuja; **General Tukur Yusuf Buratai**, Chief of Army Staff; and **Olawale Fapohunda**, Attorney-General of Ekiti State

and member of the Presidential Investigation Panel to Review Compliance of the Armed Forces with Human Rights Obligations and Rules of Engagement. A wide range of experts with extensive experience in the prosecution of international crimes and/or with in-depth knowledge of Nigerian legislation and military law have participated in the training sessions.

Contribution by the Office of the Prosecutor of the ICC  
The Situation Analysis Section, responsible for preliminary examinations at the Office of the Prosecutor (OTP) of the ICC, has been contributing by sending a representative to the various workshops to provide an overview of the potential cases which have been identified for admissibility assessment purposes.

## 2018 activities

21-23 May 2018, Abuja, Nigeria:

- **Capacity building** for civil and military investigators and prosecutors to address the most serious and complex crimes under Nigerian criminal law

The 3-day workshop held by the Wayamo Foundation and the International Nuremberg Principles Academy in Abuja, was the fifth in the series of training sessions on *"Strengthening Justice and Accountability in Nigeria"* and was purpose-designed to impart joint training for 32 senior military and civil investigators and prosecutors.

The event was officially opened by Wayamo Foundation Director, **Bettina Ambach**, and Nigerian Army Director of Legal Services, **General Yusuf Shalangwa**.

In addition to a team of experts drawn from Nigeria and across the globe, ICC Situation Analysts, **Claus Molitor**

and **Azra Kuci** were on hand to kick off the proceedings with an update on the ICC's preliminary examination in Nigeria, and a detailed explanation of precisely why Nigeria needed to show that it was genuinely pursuing eight potential cases in its domestic courts. By way of response, **Geraldine Okafor**, Chief State Counsel of the Complex Casework Group, reviewed some of the more salient aspects of the recent Kainji trials where her unit has been prosecuting alleged Boko Haram members since October 2017. Other topics included:

- understanding the rights of the accused before civil and military courts, trial advocacy - effective strategies and techniques;
- the investigation and prosecution of conflict-related sexual violence; and,
- military investigations- violations of international human rights law and the law of armed conflict.



### 1-3 November 2018, Lagos, Nigeria:

- **Capacity building** for civil and military investigators and prosecutors to address the most serious and complex crimes under Nigerian criminal law

This workshop marked the sixth in the series. Like its predecessors, this November 2018 edition was designed to impart joint training for investigators and prosecutors, both military and civil. In addition, and for the very first time, the workshop was attended by **participants from the Joint Investigation Centre (JIC)** based in Maiduguri and responsible for the investigation of Boko Haram crimes. Also present for the first time were **representatives of the Nigerian Institute for Advanced Legal Studies and the National Judicial Institute**.

The event was officially opened by Wayamo Foundation Director, **Bettina Ambach**, the Nuremberg Academy's Senior Legal Officer, **Eduardo Toledo**, and the Head of the Complex Case Work Group and Deputy Director, Directorate of Public Prosecutions, **Hadi Saleh Barkun**. Topics included:

- understanding International Criminal Law;
- command responsibility and superior orders;
- fundamentals of International Humanitarian Law;
- investigating and prosecuting sexual violence;
- understanding the rights of the accused; and
- DNA forensic evidence and its use in court.





## Main achievements

As mentioned above, in 2018, Wayamo and the Nuremberg Academy laid the foundation for a “*Training-of-Trainers*” (TOT) programme by separately meeting with **six members of the National Judicial Institute (NJI) and the Nigerian Institute for Advanced Legal Studies (NIALS)** to conduct a needs assessment and develop the next phase of the project. Through the dissemination of knowledge to Nigeria’s far-flung network of legal practitioners, the TOT programme will ensure the sustainability of Wayamo’s capacity building efforts.

The six NJI and NIALS representatives also attended the first day of the workshop, in which 26 prosecutors and investigators were trained, bringing the total number of investigators and prosecutors trained in 2018 to 62.

The presence of the **five JIC members**, led by the Deputy Co-ordinator, **Abdulrahman Yusuf**, marked an

important step in bringing together these two crucial components -Maiduguri-based investigators and civil prosecutors- in a workshop geared to enhancing inter-agency co-operation.

Through these interactive training sessions, the project has thus served to enhance domestic capacity as well as communication between investigators and prosecutors. The presentations “*taught participants methods of investigating the right allegations of violence and coming up with the right charges*”, as one participant reported. Others acknowledged the importance of building strong cases in order to charge defendants with murder, kidnapping and other crimes, and so avoid prosecutions where defendants are charged solely for providing “*material and non-violent support*” to Boko Haram. Many confirmed that the workshops “*have helped us to enhance our productivity and has given us wider understanding as to how to improve our work*”.

In addition, prosecutors who had previously attended Wayamo capacity building workshops were subsequently promoted to the DPP's Complex Case Group, an elite task group specialised in prosecuting Boko Haram cases.

Furthermore, Wayamo's training workshops have not only received media attention (press, TV and online), but have also been specifically mentioned in the ICC's official OTP Preliminary Examination Reports in 2017 and again in 2018.

Finally, Wayamo successfully brought together the major actors at its December 2018 side event at the

Assembly of States Parties of the ICC in The Hague. The Nigerian government sent **two Army generals**, the country's **Director of Public Prosecutions**, and the **Attorney-General of Ekiti State** to sit on the panel alongside representatives of the Office of the Prosecutor of the ICC, Amnesty International and AGJA. The panellists shared their views on the different initiatives directed at and the challenges to achieving justice and accountability in the fight against terrorism in Nigeria. The side event afforded the panellists an opportunity to engage in a constructive and respectful dialogue in which differing and opposing views were freely aired (for further information, kindly see "*Conferences and side events*" section on page 34).

## HYBRID COURTS PROJECT



*The Hybrid Justice project, launched in January 2017, analyses the impact of "hybrid" justice mechanisms, featuring varying combinations of international and domestic staff, operative law, structure, financing and rules of procedure in post-conflict states. Its aim is to: produce a number of publications, including Guidelines on the Establishment of Hybrid Tribunals; conduct an authoritative comparison of past and present hybrids; conduct a critical assessment of the impact of hybrids on resilience in post-conflict societies, as well as within wider programmes of transitional justice; and draw up policy advice for the ICC on how hybrids should be evaluated in terms of complementarity requirements.*

The Hybrid Project is funded by the Rockefeller Foundation, the London School of Economics (LSE) Institute of Global Affairs, and the Wayamo Foundation.

### 2018 activities

#### 4-5 January 2018, London, UK:

- **Workshop** on internal and external resilience in post-conflict societies

The academic workshop was convened in London and will lead to the publication of a book and a special issue of an academic journal on hybrid tribunals co-edited by Deputy Director **Mark Kersten** and LSE Associate Professor of International Relations, **Kirsten Ainley**. Finally, drafting of the Guidelines continued throughout 2018, with the aim of publishing them in 2019.

#### March 2018:

- **Online Symposium**

In addition, an online symposium featuring nine expert contributions on hybrid justice was organised on the blog "*Justice in Conflict*" (for further information kindly see: <https://justiceinconflict.org/2018/03/12/hybrid-justice-a-justice-in-conflict-symposium>).

## CONFERENCES AND SIDE EVENTS



- **15-16 February 2018, The Hague, Netherlands:**  
International conference: *"Commemoration of the 20th anniversary of the Rome Statute"*

**Navi Pillay**, former United Nations High Commissioner for Human Rights, spoke on behalf of AGJA and the Wayamo Foundation at the commemoration event organised by the Coalition for the International Criminal Court. It was an important moment to contemplate all that has been accomplished in the fight against impunity for international crimes in these twenty years, as well as all that remains to be achieved. She stressed the fact that the Rome Statute of the ICC is *"the greatest single advance in the project of international criminal justice"*. Not only does it underpin all that the ICC does and achieves, but since it came into force, it has inspired lawyers and human rights advocates in all corners of the world. She cited the twin examples of India, where it has been used to help modernise definitions of international crimes in domestic legislation, and the Democratic Republic of Congo, where it has been

invoked to help effectively prosecute sexual and gender-based violence crimes. The Rome Statute resonates far beyond the walls of the ICC, as illustrated by the fact that the core definitions of crimes contained in the Rome Statute have been essentially copied and pasted into the statutes of various hybrid courts. *"It is a gold standard of which we should be proud"*, she added.

**Navi Pillay** said that she was proud to be an AGJA member. On this 20th anniversary of the Rome Statute, she concluded that *"we must more than ever be prepared to defend the values that underpin the Statute. International criminal justice is a project that is here to stay. The Rome Statute is here to stay. The ICC is here to stay. Let us muster the courage to entrench it, to protect it, and to improve it"*.

■ 16 July 2018, New York, USA:

**Panel debate:** *"20 years of the Rome Statute system and a look ahead to the future of the International Criminal Court"*

On 16 July 2018, the Permanent Mission of Liechtenstein to the UN teamed up with the Wayamo Foundation to organise a panel debate at the UN Headquarters on the Rome Statute system, its successes and shortfalls and the challenges ahead. **Bettina Ambach** moderated a panel of four experts, namely: **Christian Wenaweser**, Permanent Representative of Liechtenstein to the UN; **Stephen Rapp**, former US Ambassador at large for Global Criminal Justice; **Elizabeth Evenson**, Associate Director, International Justice Programme, Human Rights Watch; and **Stephen Lamony**, Senior UN

Advocate for Africa, Amnesty International. In light of the activation of the ICC's jurisdiction over the crime of aggression on 17 July 2018, the panellists debated the impact of ICC's jurisdiction over the crime of aggression with respect to the prevention of conflicts and the promotion and protection of human rights, and also addressed issues such as the relevance of this new international legal regime for cyber warfare and the role of non-state actors. The event was directly followed by a screening of Barry Avrich's documentary, *"Prosecuting Evil: The Extraordinary World Of Ben Ferencz"*.



## 29 August 2018, Cape Town, South Africa:

- **International conference:** *“South Africa and international justice – charting the way forward”*

At a crucial point in time, when South Africa’s longstanding commitment to international criminal justice and the ICC was hanging in the balance, AGJA and the Wayamo Foundation held a one-day public symposium in Cape Town on the issue.

Not only did the symposium prove highly successful in bringing together a varied and prestigious group of international and local experts on international criminal justice, non-governmental organisations, academics, practitioners and members of civil society, but it also managed to address topics of pressing concern and importance, ranging from questions surrounding the UN Security Council-ICC relationship and head of state immunity to domestic and hybrid justice for core international crimes.

The day began with words of welcome from **Bettina Ambach**, Director of the Wayamo Foundation, **Michael Hasenau**, Head of International Criminal Law and International Criminal Court Unit at the German Federal Foreign Office, and **Hassan Bubacar Jallow**, AGJA Chair and Chief Justice of The Gambia, and two thought-provoking keynote speeches from **Michael Masutha**, South African Minister of Justice and Correctional Services, and **James Stewart**, Deputy Prosecutor of the ICC.

Having two keynote speakers coming from such diametrically opposed directions meant that **Minister Masutha** was called upon to elaborate on his views and to define the government’s reasoning and rationale in greater detail. Indeed, the entire day was notable for the way in which both the Minister and the remaining speakers were probed and tested by keen questioning



from the floor, underscoring the degree of engagement shown by a closely attentive, well-informed audience.

The sheer spectrum of opinions represented, including that of the country's government, ensured that widely differing points of view were expressed, challenged, and debated in an environment of respectful dialogue, mutual respect and a genuine search for a way forward. Similarly, having organisations such as the Southern Africa Litigation Centre, International Centre for Transitional Justice, Human Rights Watch and Amnesty International in the room allowed for a series of critical views to be voiced, whether of the UN Security Council, the ICC, domestic accountability efforts in Uganda, Nigeria and South Africa itself.

Presentations from **Dire Tladi** and **Max du Plessis**, sparked debate as they coincided on some points and agreed to disagree on others, while **Navi Pillay**, **Richard Goldstone** and **Stephen Rapp** drew on their vast stores of experience to argue the cause of international criminal justice in its various shapes and forms. Other topic areas touched upon included the African Union's position on what it deems to be competing obligations placed on its Members by the Rome Statute and customary international law in the sensitive and controversial area of Head of State immunity.



### 10 December 2018, The Hague, The Netherlands:

- **Side Event** at the 17th International Criminal Court Assembly of States Parties: *“Creative responses to international criminal justice – complementarity and capacity building”*

On 10 December 2018, Wayamo and AGJA held a side event entitled *“Creative responses to international criminal justice – complementarity and capacity building”* at the Assembly of States Parties of the International Criminal Court. The event was organised as part of Wayamo and AGJA's commitment to creating forums for constructive dialogue and bringing together actors to work and engage in a respectful and collaborative fashion.

The event was opened by Richard Goldstone, AGJA member and Former Chief Prosecutor of the United Nations International Criminal Tribunals for Rwanda and the former Yugoslavia. **Goldstone's** remarks focused on the important role that the AGJA has played in advocating for more effective justice and efforts across the African continent. He was followed by fellow AGJA member, **Dapo Akande**, Professor of Public International Law, University of Oxford, who spoke about the ongoing capacity building programme implemented by Wayamo, AGJA and the International Nuremberg Principles Academy, aimed at encouraging national-level investigators and prosecutors to achieve justice effectively for crimes allegedly committed by Boko Haram and the Nigerian military.

**Akande's** intervention was followed by a lively debate between **Netsanet Belay**, Africa Director, Research and Advocacy, at Amnesty International, **Claus Molitor**, Situation Analyst, Office of the Prosecutor, ICC, **Muhammed Umar**, Nigerian Federal Director of Public Prosecutions, **Major General Yusuf Shalangwa**, Director Legal Services Nigerian Army, and **Olawale Fapohunda**, Attorney-General of Ekiti State and Chair of the Nigerian Military Human Rights Dialogue. They discussed the ongoing efforts of national investigators and prosecutors to achieve justice for alleged war crimes and crimes against humanity in Nigeria.

**Belay** outlined the findings of AI's latest report on alleged atrocities in Nigeria, observing that these had not been sufficiently investigated or prosecuted and that the Nigerian authorities should be regarded as unable to do so. **Molitor** outlined the continuing work of the OTP in assessing efforts by Nigeria to investigate and prosecute alleged crimes committed by Boko Haram and the Nigerian military. **General Shalangwa** described Nigeria's commitment to accountability for alleged crimes, and stressed that the country was in a continuous process of learning how to fight asymmetrical warfare whilst ensuring that standards of international law were upheld. **Umar** outlined some of Nigeria's efforts to date and insisted that the country remained committed to investigating and prosecuting all international crimes committed on its territory.

Echoing the selfsame sentiment, **Fapohunda** proceeded to respond, directly and critically, to the AI (Amnesty International) report, focusing much of his remarks on the need for respectful dialogue and avoiding what he saw as aggressive rhetoric. The panellists' spirited debate was followed by interventions from the floor.

### Wayamo staff participation in other international conferences

In addition to events already listed above, Wayamo staff took part in numerous conferences and workshops held by other organisations (for further information kindly see Annex 6).

# ANNEXES



## Annex 1: List of 2018 activities

15-16 FEBRUARY 2018

### The Hague, Netherlands

- International Symposium:  
*"Commemoration of the 20th anniversary of the Rome Statute"*

16 JULY 2018

### New York, USA

- Panel debate: *"20 years of the Rome Statute system and a look ahead to the future of the International Criminal Court"*

10 DECEMBER 2018

### The Hague, The Netherlands

- Side Event at the 17th International Criminal Court Assembly of States Parties: *"Creative responses to international criminal justice – complementarity and capacity building"*

21-23 MAY 2018

### Abuja, Nigeria

- Capacity building for civil and military investigators and prosecutors to address the most serious and complex crimes under Nigerian criminal law

1-3 NOVEMBER 2018

### Lagos, Nigeria

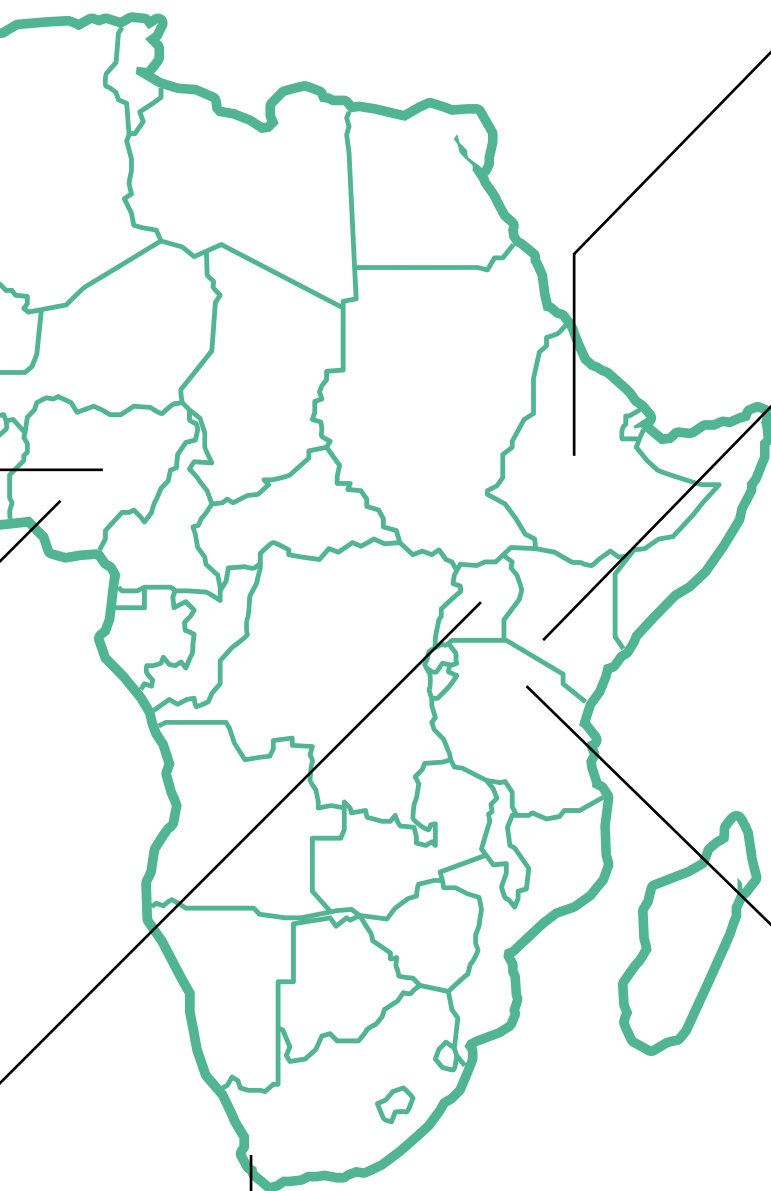
- Capacity building for civil and military investigators and prosecutors to address the most serious and complex crimes under Nigerian criminal law

12-13 APRIL 2018

### Kampala, Uganda

- Capacity building workshop for prosecutors and investigators on international and transnational organised crimes
- 3rd Annual Joan Kagezi Memorial Lecture : *"Combating International and Transnational Organised Crime: Lessons Learnt and Best Practices"*





18-19 JANUARY 2018

**Addis Ababa, Ethiopia**

- Visit of the Africa Group for Justice and Accountability and the Wayamo Foundation to the African Union Headquarters

26 FEBRUARY - 2 MARCH 2018

**Nairobi, Kenya**

- Strategic Meeting of the Africa Group for Justice and Accountability
- International Symposium: *"Networks of Accountability: Justice for International and Transnational Organised Crimes"*
- Capacity building workshop for prosecutors and investigators from East Africa on international and transnational organised crimes
- Media engagement with journalists from East Africa
- High-level Network Meeting of Directors of Public Prosecution and Heads of Criminal Investigation Departments

26-29 NOVEMBER 2018

**Arusha, Tanzania**

- High-level Network Meeting of Directors of Public Prosecution and Heads of Criminal Investigation Departments
- International Symposium: *"Beyond narrow interests – justice and accountability in East Africa"*
- Media engagement with journalists from East Africa
- Capacity building workshop for prosecutors and investigators from East Africa on international and transnational organised crime

29 AUGUST 2018

**Cape Town, South Africa**

- International conference: *"South Africa and international justice – charting the way forward"*



## Annex 2: Wayamo team



**BETTINA AMBACH (GERMANY)**

Executive Director



**MARK KERSTEN (CANADA)**

Deputy Director



**JOSEPH ROBERTS-MENSAH (GHANA)**

Africa Director



**ANGELA MUDUKUTI (ZIMBABWE)**

International Criminal Justice Lawyer



**SUSANNE GICOVI (GERMANY)**

Executive Assistant



**ELISE CARREAU (FRANCE)**

Project Manager



**JUDIE KABERIA (KENYA)**

Project Co-ordinator for East Africa



**MICHAEL BENEDICT (UNITED KINGDOM)**

Documentation and Chief Editor



**SONIA WEESE (GERMANY)**

Chief Financial Officer



**NAAZLIN DADANI (KENYA - USA)**

Co-ordinator for The Netherlands



## Annex 3: 2018 Funders

High Commission of Canada to South Africa



Delegation of the European Union to South Africa



Ministry for Foreign Affairs of Finland



Ford Foundation



German Foreign Office



IGA-Rockefeller Research and Impact Fund



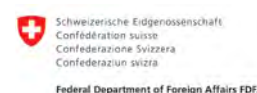
International Nuremberg Principles Academy



Ministry of Foreign Affairs of the Netherlands



Swiss Confederation: Federal Department of Foreign Affairs (FDFA)





## Annex 4: Partners

### Major partner organisations

- African Court on Human and Peoples' Rights
- African Union, Office of the Legal Counsel
- Amnesty International
- Attorneys-General of Kenya, Nigeria, Rwanda, Tanzania and Uganda
- Chief Justices of Kenya, Nigeria, Rwanda, Tanzania and Uganda
- Centre for Justice & Accountability
- Coalition for the International Criminal Court
- Directors of Public Prosecutions of Kenya, Nigeria, Rwanda, South Africa, Tanzania and Uganda
- Directors of Criminal Investigation Departments of Kenya, Nigeria, Rwanda, Tanzania and Uganda
- East Africa Law Society
- East African Association of Prosecutors
- East African Court of Justice
- EU delegations to Central African Republic, Kenya, Nigeria, Rwanda, Tanzania and Uganda
- European Network of contact points in respect of persons responsible for genocide, crimes against humanity and war crimes (Genocide Network)
- Foundation for Human Rights, Johannesburg
- Gesellschaft für Internationale Zusammenarbeit (GIZ)
- Human Rights Watch
- Institute for Security Studies
- International Bar Association
- International Centre for Transitional Justice
- International Commission of Jurists, Kenya
- International Crimes Division, Uganda
- International Criminal Court (Presidency, Chambers, Office of the Prosecutor and Registry)
- International Nuremberg Principles Academy
- INTERPOL
- Open Society Justice Initiative
- Pan African Lawyers' Union
- Residual Special Court for Sierra Leone
- Supreme Courts of Kenya, Nigeria, Rwanda, Tanzania and Uganda
- United Nations International Residual Mechanism for Criminal Tribunals, Arusha
- United Nations Office on Drugs and Crime
- United Nations Special Representative of the Secretary-General on Sexual Violence in Conflict
- Universities of Cape Town (South Africa) and Strathmore (Kenya)



## Annex 5: Main publications and interviews

### Policy paper

- Building bridges and reaching compromise: Constructive engagement in the ICC-Africa relationship, May 2018 (<http://www.wayamo.com/archives/policy-paper-africa-and-the-icc-building-bridges-and-reaching-compromise>)

### Op-eds

#### ■ JUNE 2018

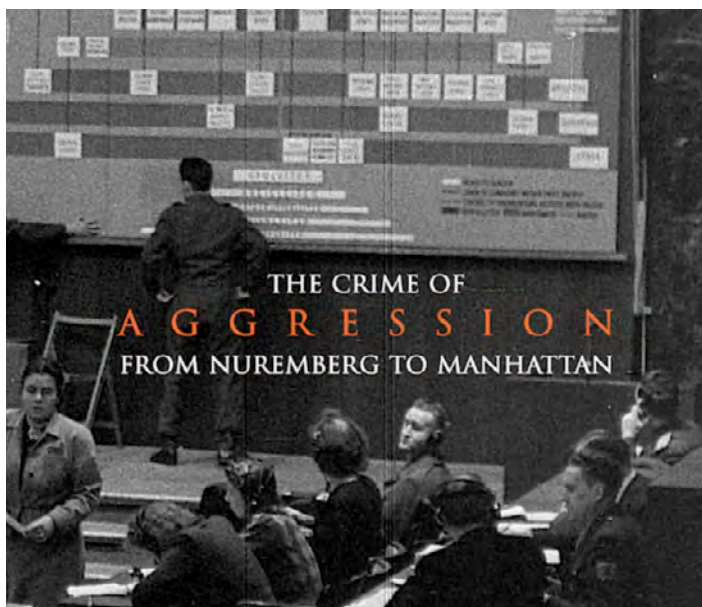
**Navi Pillay and Angela Mudukuti:** "South Africa and the ICC: Dismantling the international criminal justice system to protect one individual?", *Daily Maverick* (<https://www.dailymaverick.co.za/article/2018-06-19-south-africa-and-the-icc-dismantling-the-international-criminal-justice-system-to-protect-one-individual>)

#### ■ SEPTEMBER 2018

**Richard Goldstone, Navi Pillay and Mark Kersten:** "A plan for South Africa to stay in the ICC", *Mail and Guardian* (<https://mg.co.za/article/2018-09-10-a-plan-for-south-africa-to-stay-in-the-icc>)

#### ■ 12 JUNE 2018

**Richard Goldstone and Mark Kersten:** "Ramaphosa has a rare chance to stop SA withdrawing from the ICC", *Mail & Guardian* (<https://mg.co.za/article/2018-06-12-ramaphosa-has-a-rare-chance-to-stop-sa-withdrawing-from-the-icc>)



### Documentary

#### ■ MAY 2018

"The crime of aggression: from Nuremberg to Manhattan" (<http://www.wayamo.com/archives/the-crime-of-aggression-from-nuremberg-to-manhattan>)

## Interviews



### 15 JANUARY 2018

**Mike Chibita**, the Director of Public Prosecutions of Uganda, talks about the lessons learned from Uganda's International Crimes Division and the challenges facing local prosecutors in East Africa. (<http://www.wayamo.com/archives/justice-talks-mike-chibita>)



### 25 JANUARY 2018

**Stella Ndirangu**, Programme Manager at the Kenyan section of the International Commission of Jurists, speaks about domestic investigations and prosecution of International crimes in East Africa. (<http://www.wayamo.com/archives/justice-talks-stella-ndirangu>)



### FEBRUARY 6 2018

**Charles Adeogun-Phillips**, Litigation Practitioner and Former lead International Prosecutor talks about the complex challenges that African prosecutions face. (<http://www.wayamo.com/archives/justice-talks-charles-adeogun-phillips>)



### 16 JANUARY 2018

**Akingbolahan Adeniran**, Rule of Law Advisor to the Vice President of Nigeria, speaks on the International Criminal Court's decision to investigate Afghanistan and perceptions of anti-African bias by the Hague-based court. (<http://www.wayamo.com/archives/justice-talks-akingbolahan-adeniran>)



### 29 JANUARY 2018

**Sarah Kihika Kasande**, Head of Office in Uganda for the International Center for Transitional Justice, speaks about the challenges facing African states when investigating and prosecuting international crimes locally. (<http://www.wayamo.com/archives/justice-talks-sarah-kihika-kasande>)



### FEBRUARY 12 2018

**Jean-Bosco Mutangana**, the Prosecutor General of Rwanda, speaks to Wayamo Foundation's Angela Mudukuti about Rwanda's localised justice systems and the lessons these hold for Africa. (<http://www.wayamo.com/archives/justice-talks-jean-bosco-mutangana>)



#### ■ FEBRUARY 16 2018

**Navi Pillay**, former Judge at the ICC and ICTR and a former UN High Commissioner for Human Rights, spoke on behalf of the Africa Group for Justice and Accountability and its partner organization, the Wayamo Foundation, at the CICC's Rome Statute 20th anniversary commemorations. (<http://www.wayamo.com/archives/rome-statute-20th-anniversary-commemorations-navi-pillay>)



#### ■ APRIL 16 2018

**Gerard Niyungeko**, a judge and a former President of the African Court on Human and Peoples' Rights, speaks to Wayamo Foundation's Judie Kaberia about how the immunity issue may hamper African Court on Human and People's Rights. (<http://www.wayamo.com/archives/justice-talks-gerald-niyungeko>)



#### ■ APRIL 30 2018

Lawyer **Betty Kaari Murungi**, Senior Adviser on Transitional Justice to the JMec and a member of the Africa Group for Justice and Accountability; discusses continental, regional and domestic responses to international crimes and crimes against vulnerable groups. (<http://www.wayamo.com/archives/justice-talks-betty-kaari-murungi-senior-adviser-on-transitional-justice-to-the-jmec-and-agja-member>)



#### ■ FEBRUARY 20 2018

**Tora Holst**, former Prosecutor at the Swedish Specialized International Crimes Unit, speaks to Wayamo Foundation's Angela Mudukuti about the lessons learned from the European Genocide Network. (<http://www.wayamo.com/archives/justice-talks-tora-holst>)



#### ■ APRIL 26 2018

**Christine Alai**, a Kenyan Lawyer and Head of Office, Physicians for Human Rights (Kenya) discusses strengthening investigations and prosecutions for sexual and gender based violence particularly as an international crime and improving forensic evidence gathering. (<http://www.wayamo.com/archives/justice-talks-christine-alai-kenyan-lawyer-and-head-of-office-physicians-for-human-rights>)



#### ■ MAY 15 2018

**Fred Yiga**, Assistant Inspector General of the Ugandan Police Force, and Director of Interpol (Uganda), addresses the challenge of effective collaboration across East African countries, stressing the importance of the harmonisation of prosecutions, laws, and punitive measures for transnational organised crimes. (<http://www.wayamo.com/archives/justice-talks-fred-yiga-assistant-inspector-general-of-the-ugandan-police-force>)



■ MAY 16 2018

**Rahel Gershuni**, UNODC Consultant and former National Anti-Trafficking Coordinator from Israel talks about the challenges investigators and prosecutors face in dealing with human trafficking cases, including: community stigmatisation; cultural norms and practices; clear legal definitions; and identification of the crime and victims. (<http://www.wayamo.com/archives/justice-talks-rahel-gershuni-unodc-consultant-and-former-national-anti-trafficking-coordinator-from-israel>)



■ JULY 20 2018

**Isaac Lenaola** Justice of the Supreme Court of Kenya, and Principal Judge of the East African Court of Justice, discusses domestic challenges to the judiciary in the East African region (<http://www.wayamo.com/archives/justice-talks-isaac-lenaola>)



■ JUNE 7 2019

In this wide-ranging interview, **Adewale Iyanda** from the African Union Commission's Office of the Legal Counsel explores the landscape of justice and accountability for mass atrocities in Africa. (<http://www.wayamo.com/archives/justice-talks-adewale-iyanda-african-union-commissions-office-of-the-legal-counsel>)



■ SEPTEMBER 12 2018

South African Minister of Justice, **Michael Masutha**, speaks about South Africa's possible withdrawal from the Rome Statute, challenges with the Malabo Protocol and the controversial question of head of state immunity. (<http://www.wayamo.com/archives/justice-talks-michael-masutha-south-african-minister-of-justice>)



■ **OCTOBER 1 2018**

The International Criminal Court (ICC) Deputy Prosecutor, **James Stewart** speaks about the criticism directed towards the Office of the Prosecutor (OTP), ongoing reforms within the OTP, and South Africa's possible withdrawal from the ICC. (<http://www.wayamo.com/archives/justice-talks-james-stewart-deputy-prosecutor-icc>)



■ **OCTOBER 17 2018**

**Dire Tladi**, Professor of Law at Pretoria University addresses one of the most pressing challenges facing international criminal justice: head of state immunity under international law. (<http://www.wayamo.com/archives/justice-talks-dire-tladi-professor-of-law>)



■ **OCTOBER 16 2018**

Amnesty International's Africa Programme Director **Netsanet Belay** discusses some of the major challenges and opportunities facing the project of international criminal justice. (<http://www.wayamo.com/archives/justice-talks-netsanet-belay-amnesty-international>)



■ **OCTOBER 24 2018**

The Institute for Security Studies, Head of Special Projects-Office of the Executive Director, **Otilia Maunganidze** speaks about the South African International Crimes Bill as well as about the importance of regional and international justice (<http://www.wayamo.com/archives/justice-talks-otilia-maunganidze-institute-for-security-studies>)



## Annex 6: Wayamo's participation in international conferences



### 12 JANUARY 2018, COLOMBO, SRI LANKA

**Mark Kersten** moderated a panel on *"Methodology for Impact Assessment"* at the conference on *"Justice in Transition: a Comparative Assessment of Impact, organised by the Justice, Conflict, and Development Network"* at the University of Colombo, Sri Lanka.

- **Mark Kersten** took part in a panel on *"International Law / Trials and Negotiations: Impact on Domestic Prosecutions"* at the conference on *"Justice in Transition: a Comparative Assessment of Impact, organised by the Justice, Conflict, and Development Network"*



### 19 JANUARY 2018, ANN ARBOR, US

**Mark Kersten** took part in a panel on *"The Politics of Hybrid Justice"*, at the conference on *"The Politics of International Criminal Justice"*, held by the University of Michigan

- **Mark Kersten** took part in a panel on *"The ICC's Intervention in Ongoing and Active Conflicts"* at the conference on *"The Politics of International Criminal Justice"*, held by the University of Michigan



### 9 MARCH 2018, LONDON, CANADA

**Mark Kersten** took part in a panel on *"Questions of Evidence"* at the conference on *"Exploring Forensic and Other Evidence in Transitional Justice and Post-Conflict Reconstruction"*, held by the Transitional Justice and Post-Conflict Reconstruction Centre, Western University



### 30 APRIL 2018, ISTANBUL, TURKEY

**Mark Kersten** moderated a panel on *"The Pursuit of Justice and Accountability without a Transition"* at the conference on *"Network on Conflict, Justice, and Development – Syria Workshop"*, held by the Justice, Conflict, and Development Network



Wissenschaftszentrum Berlin  
für Sozialforschung

### 17 MAY 2018, BERLIN, GERMANY

**Mark Kersten** delivered a lecture on *"Africa and the International Criminal Court — Building Bridges and Reaching Comprise"* at the Wissenschaftszentrum Berlin für Sozialforschung



### 30 MAY 2018, BERLIN, GERMANY

**Mark Kersten** gave a presentation on *"Challenges facing international criminal justice"*, at the European Centre for Constitutional and Human Rights



### 14 JUNE 2018, LONDON, CANADA

**Mark Kersten** took part in a panel on *"The Pre-Conditions for International Justice in The Gambia"* at the conference on *"Exploring the Pre-Conditions of Transitional Justice"*, held by the Transitional Justice and Post-Conflict Reconstruction Centre, Western University



■ **5-15 AUGUST 2018, SALZBURG, AUSTRIA**

**Angela Mudukuti** delivered two lectures at the Twentieth Anniversary Summer Session of the Salzburg Law School. The Summer Session theme was, *"Towards an effective International Criminal Justice System in the era of the Permanent International Criminal Court – Co-ordinating and Strengthening Enforcement on National, Regional, and International Levels"*,



■ **11 OCTOBER 2018, ABIDJAN, COTE D'IVOIRE**

**Angela Mudukuti** took part in a panel on *"The International Criminal Court twenty years later: the journey, and assessment of the fight against impunity in Africa"* at an Observatoire Ivoirien des Droits de l'Homme event



■ **17 OCTOBER 2018, BERLIN, GERMANY**

**Angela Mudukuti** took part in a panel on *"20 years after Pinochet's arrest: the Past and Present of Transnational Justice"*, at an event held by the European Centre for Constitutional and Human Rights



■ **25 OCTOBER 2018, CHARLOTTESVILLE, VIRGINIA**

**Mark Kersten** delivered a lecture on *"Fear and Loathing in DC – Change and Continuity in US Relations with the International Criminal Court"*, held by the Law Department of the University of Virginia

- **Mark Kersten** gave a presentation on *"Evidence Collection – Challenges and Opportunities"*, held by the University of Virginia Human Rights Clinic



■ **13 NOVEMBER 2018, BERLIN, GERMANY**

**Angela Mudukuti** took part in a panel on *"The future of international justice in local contexts"* at the Pilnet Global Forum



■ **7 DECEMBER 2018, THE HAGUE, THE NETHERLANDS**

**Mark Kersten** moderated a panel on *"Listening to Victims from Afghanistan – Views of Afghan Society on the ICC and the Peace Process"* at the Assembly of States Parties of the International Criminal Court, held by the Transitional Justice Co-ordination Group, Human Rights Watch and the International Federation for Human Rights

- **Mark Kersten** took part in a panel on *"The Case for Survivor-Centred Justice: Policy Issues and Challenges"* at the Assembly of States Parties of the International Criminal Court, held by the Institute for Justice and Reconciliation



■ **14 DECEMBER 2018, TORONTO, CANADA**

**Mark Kersten** co-organised a workshop on *"The Rohingya Crisis – Looking Back to Find a Way Forward"* at the Munk School of Global Affairs, University of Toronto

- **Mark Kersten** moderated a panel on *"The Rohingya Crisis – How did we get here, and what can we do?"* at the Munk School of Global Affairs, University of Toronto



## CONTACT

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