

## INTERNATIONAL JUSTICE SYMPOSIUM

# TRANSITION FROM WHERE? TRANSITION TO WHAT? EXPLORING TRANSITIONAL JUSTICE EFFORTS IN AN EVER-CHANGING WORLD



AGA KHAN UNIVERSITY, GRADUATE SCHOOL OF MEDIA AND COMMUNICATIONS  
**NAIROBI, KENYA**

### FRIDAY AGENDA (9:00 AM - 5:00 PM)

8:30 *Registration of participants*

9:00 – 9:30

#### Opening remarks

- **Prof. Nancy Booker**, Associate Professor and the Interim Dean at the Graduate School of Media and Communications, Aga Khan University
- **Bettina Ambach**, Director, Wayamo Foundation
- **Fatiha Serour**, former Deputy Special Representative of the UN Secretary General in Somalia and Chairperson of the Africa Group for Justice and Accountability (AGJA)
- **Zainab Bangura**, Director-General of the United Nations Office at Nairobi (UNON)

9:30 – 10:00

#### An ongoing obligation: the continuing importance of accountability in Sudan

##### Guest speakers:

- **Gouja Ahmed**, Sudan Communications and Logistics Officer, Wayamo Foundation
- **Moneim Adam**, Access to Justice Programme Director, Gisa INC

With an eye on current events in Sudan, the Wayamo Foundation and the Africa Group for Justice and Accountability (AGJA) will host a public symposium on transitional justice and international criminal law on 19 May 2023, in Nairobi, Kenya.

Human rights violations are being committed on a daily basis in Sudan. Hence the need for quick and immediate action to enhance the capabilities of existing monitoring mechanisms. States and communities affected by periods of dictatorship, political violence and atrocity are faced with many options to address violations of human rights. Each time these tools –truth commissions, reparations, war crimes tribunals, evidence-collection and -preservation mechanisms, amnesties, and the like– are implemented, the world learns more about how they can be designed and tailored to address violations. The joint Wayamo-AGJA conference will therefore explore timely and pressing questions regarding the tools available to states and affected communities for addressing past atrocities and ongoing violations, as well as recent efforts from across the region and globe to design and implement such tools in a meaningful way.

The symposium will focus both on transitional justice approaches and mechanisms that have been used in recent years, including truth commissions and reparations schemes, and on the domestication of relevant international criminal laws, so that justice and accountability can be achieved closer to victims and survivors. The discussions will also cover the current situation in Sudan and explore tools available to document international crimes and human rights violations for future accountability purposes.

The conference will bring together high-level regional and international experts as well as transitional justice and international criminal law advocates from Kenya in a forum for respectful and spirited discussion and debate.

### **PANEL 1: Transitional justice in a transitioning world**

The world is in transition. It always is and always has been, but recent geopolitical, international, and legal changes have had significant consequences on transitional justice and international criminal law processes. This panel will cover some of the latest developments in these fields and identify lessons that may be applicable to ongoing and emerging transitional contexts. It will also explore non-criminal law efforts to address international crimes, and the importance of novel approaches to reparations, asset recovery and truth commissions, to redressing past harms, engendering peace, and meting out justice and accountability.

10:00 – 11:30

**MODERATOR Linda Bore**, International criminal justice lawyer and project coordinator, Wayamo Foundation

- **Christopher Gitari**, Senior Transitional Justice Advisor, Joint Monitoring and Evaluation Commission (South Sudan)
- **Serge Brammertz**, Prosecutor, Under Secretary General, United Nations International Residual Mechanism for Criminal Tribunals (IRMCT)
- **Mikel Delagrangé**, International Criminal Justice and Victims' Expert, Wayamo Foundation
- **Aïchatou Mindaoudou**, Former United Nations Special Representative in Côte d'Ivoire, former Acting Joint UN/AU Special Representative in Sudan Darfur, former Minister of Foreign Affairs, Niger.

11:30 – 12:00

*Coffee break and group picture*



## **PANEL 2: Meeting the threshold: opportunities and challenges in the collection of evidence of mass atrocities**

Accountability is not always possible to achieve. Yet that should in no way bar efforts to prepare for justice. On the contrary, transitional justice can still play some role, even where transition is absent or has stalled. A major component of preparing for accountability is the timely and effective collection and preservation of evidence of international crimes. Topics to be covered in this panel include open-source intelligence investigations (OSINT) as well as methods and procedures in conducting OSINT.

12:00 – 13:30

**MODERATOR Mark Kersten**, Senior Consultant, Wayamo

- **Catherine Marchi-Uhel**, Head of the International, Impartial and Independent Mechanism for Syria (IIIM)
- **Moneim Adam**, Access to Justice Programme Director, Gisa INC
- **Nema Milaninia**, Special Advisor to the U.S. Ambassador-at-Large for Global Criminal Justice

13:30 – 14:30

*Lunch break*

## **CONVERSATION - Lessons from the field: prosecuting international crimes in domestic courts**

Domestic courts are essential in the fight against international crimes. Whether through universal jurisdiction or cases involving their own citizens, national justice systems are an important forum in which to pursue justice and demand that states abide by international norms. What makes for effective, impartial and independent accountability at a national level? What contributions have states made in this area?

14:30 – 15:15

**MODERATOR Linda Bore**, International criminal justice lawyer and project coordinator, Wayamo Foundation

- **Tina Alai**, Transitional Justice Advisor, Commission on Human Rights in South Sudan
- **Tabitha Ouya**, Head of Civil Rights Division, Office of the Director of Public Prosecutions, Kenya

15:15 – 15:30

*Coffee break*

### PANEL 3: Turning the tide? Renewed momentum on international criminal law and addressing concerns about double standards

The world of international criminal law and justice has been rejuvenated by ongoing accountability efforts in Ukraine. Others are asking: what about us? This panel will explore what recent developments in international accountability efforts mean for the “Global South” and how they might lead to greater equality in the distribution of justice for international crimes.

15:30 – 17:00

**MODERATOR Fatiha Serour**, former Deputy Special Representative of the UN Secretary General in Somalia and Chairperson of AGJA

- **Betty Murungi**, Transitional justice expert, Advocate of the High Court of Kenya and AGJA member
- **Mohamed Chande Othman**, Chairperson of the Commission of Human Rights Experts on Ethiopia, former Chief Justice of Tanzania, and AGJA member on hiatus
- **Mark Kersten**, Senior Consultant, Wayamo
- **Navi Pillay**, Former UN High Commissioner for Human Rights and AGJA member

17:00

*Closing remarks*



#### CONTACT

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