

FEBRUARY 2011

## Coming to Believe in Change

Interview with Hanny Megally, ICTJ Vice President for Programs

**Q. We're seeing demonstrations and upheaval across the Middle East and North Africa. Where does this stem from? Are we at a turning point for the Middle East?**

A. There has been unhappiness and unrest for a long time in the region. We've had aging heads of state who have been there for 20–30 years, states of emergency, and oppression of political movements, trade unions, civil society groups. People are detained if they step out of line, and then tortured in detention. We've had deaths in custody. It's been bubbling up for a long time.



The downturn of the economy has obviously had a huge impact across the region. And in recent years the voices of the younger generation are coming to the fore. This was symbolized by the young man in Tunisia, Mohammed Bouazizi, who committed suicide by setting himself alight out of frustration that the state was not allowing him to earn his daily living. That

ignited the situation in Tunisia. And as we saw, President Ben Ali was then ousted. That symbol got things moving in Egypt, and now we are seeing demonstrations across the whole region.

**Q. To what extent are the protest movements in these countries united, and to what extent are they distinct?**

A. There are major differences among them, but what has united them is the sense that the powerful heads of state, who a few weeks ago seemed untouchable, are now very vulnerable. This has caught the imagination of people across the region. Egypt's Mubarak has been the most powerful leader across the whole region, and it was unthinkable a month ago that he would be at risk at all. In many of those countries, where elections have been rigged and the ballot box has not been the way to bring about change, the alternative was always either violence or revolution. Now people are coming to believe they can go into the streets to bring about change, hopefully in a peaceful way.

**Q. In Tunisia, President Ben Ali has left the country and an interim government has come in. In Egypt and Jordan, the cabinets have been replaced. Do the events that have occurred over the last few weeks indicate real change?**

A. It's an enormous change when a head of state who has been in power for 20 or 30 years is removed in a matter of days. That's hugely symbolic and offers a lot of hope for what may follow. With the Tunisian president removed, much of the system remains in place, but there's now the hope that people can bring about change, reform the security services, make the parliament more than a rubber stamp.

There's a long way to go, but it's a very significant step to be able to remove the main obstacle to those types of reforms. The same will be true in Egypt. If Mubarak is replaced by the head of intelligence, it may not appear to be a big systemic change. But if people can build on the fact that change is now possible, then we may see some profound changes happening over the coming years.

**Q. What kinds of calls for justice and accountability can we expect from the new transitional governments?**

A. Already the people on the streets are calling for former leaders to be put on trial. Ex-President Ben Ali is now in Saudi Arabia, and already the state has issued a warrant for his arrest so he can be brought back to Tunisia to be put on trial. A number of ministers in Tunisia have been detained, including the former interior minister. For the people there is absolute clarity that those responsible should be put on trial and held accountable.

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**Q. What role have human rights and civil society organizations played in these changes?**

A. Human rights groups have been monitoring and reporting on violations, issuing reports and conducting campaigns. But their actions have been very much restricted by those in power. In Tunisia, the Tunisian League for Human Rights was closed several times. Its leaders were put in prison, its funds were frozen. I can't say that they have been a major impetus in what's happening now, but if we start to hear calls for truth and accountability, they will become very important.

In Egypt, there is an abundance of human rights groups—more than 30 or 40 in Cairo alone. They've been very active in very tough conditions, and when calls for accountability are made, they will be able to point fingers and say, "This is the information that we have about who's been doing what in the last 20–30 years." Again, though, the main impetus for change has really come from young people who have felt that they have no future. Inflation is high, there are no jobs, there's no hope. That's what is pushing things forward.

**Q. If the government in Egypt changes dramatically, what will that signal to countries such as Jordan and Syria?**

A. Egypt has the potential to be a major symbol for the rest of the region. It's the largest nation in the Arab world, with a population of 83 million people, and it's been the most powerful nation there as well. To see the head of that nation affected through popular protests will send shivers through the rest of the region.

I think that the powers that have been bolstered by Western and United States funding and support are the ones who will feel the most vulnerable. Egypt is seen as a major ally of the West, and it's the second largest recipient of foreign aid from the United States. Many people have the sense that dictators such as Mubarak have been kept in place by outside support, particularly from the West. So Yemen will feel very vulnerable, as will Jordan and Algeria. Syria and Libya less so because very often they have been voices against the West and against the United States. But ultimately they are also dictatorships, and I think people will see that if they can bring down dictators in other countries, then they should be able to bring them down in these countries as well.

**Q. Some Western commentators fear that after the fall of a dictatorship, extreme groups may take power. Is this a real fear?**

A: It's unfortunate that the fear of radical militant Islam in the West has tended to lead to support for dictators who will supposedly bring about stability and be bastions against that threat. What we're hearing now

in Tunisia and in Egypt are the voices of moderates, of secularists, who are saying, "We can bring about change." If they can do so peacefully, it will show that change is possible without the need for extremists.

The fear in Egypt is that if Mubarak continues to cling to power, and the perception is that outside support let him do so, then we may see extremist elements take over what began as a relatively peaceful movement. I think the threat that extremists and radicals will take over will grow if change doesn't come about quickly, and in the last days this has unfortunately come to look more likely.

**Q. What can we expect in terms of the Middle East peace process between Israel and the Palestinian Authority when Mubarak leaves power?**

A. Clearly Egypt is not interested in a war with Israel, and whoever takes over will not be interested in a conflict. But because the Egyptian population sees Mubarak as having received U.S. support for being an ally of Israel, there will be a backlash. I am sure we will hear calls by some people to break the peace treaty with Israel, but in terms of the political leadership in Egypt, it's unlikely we will see major changes. For instance Omar Sulieman, head of intelligence and now vice-president, may take over, and he is a veteran in the peace process and well-liked in Israel. In any event, we will likely see a cooling in relations, at least for a spell, and maybe greater pressure on Israel to be more interested in seeking peace agreements with the Palestinians and others in the region.

**Q. What is the appropriate role for the international community at this stage?**

A. What I am hearing from people in Egypt is they would like the international community and the U.S. to stay out. They see this very much as something they are bringing about internally without outside assistance. They are also worried that outside involvement is coming in to bolster up the regime rather than to convince Mubarak to step down.

**Q. How is ICTJ adapting to the ongoing changes?**

A. ICTJ has been monitoring very closely what's been happening across the region. We have a team that's now in Tunisia, because people there have been calling for investigation into past abuses. Clearly ICTJ can have an important role in bringing experiences with truth commissions in other parts of the world to the Tunisians and helping them think through their next steps. Egypt, I think, will be very much the same: if the regime goes and people start to focus on issues of accountability, then transitional justice mechanisms and processes and the work ICTJ does will be very useful. ♦

### AFRICA

#### Cote d'Ivoire

As conflict continued over October's presidential election results, two UN Special Advisors on the Prevention of Genocide and the Responsibility to Protect reported their alarm at "hate speech that appears to be aimed at inciting violent attacks against particular ethnic and national groups." President Laurent Gbagbo is refusing to vacate his seat to internationally recognized victor Alassane Ouattara, and continues to control the country's armed forces.

More than 250 people have been killed in fighting between political factions, while more than 30,000 have fled the country for Liberia or Guinea, according to the UN High Commissioner for Refugees (UNHCR). UNHCR asked governments not to return Ivorian refugees until the political standoff improved. On Jan. 19, the UN Security Council authorized the deployment of an additional 2,000 peacekeepers to bring the total operating in Cote d'Ivoire to 11,000.

- "U.N. Fears Escalating Ethnic Clashes in Cote d'Ivoire," *Inter Press Service* (<http://ipsnews.net/news.asp?idnews=54185>)
- "African Union Plans Ivory Coast Sanctions, Isolation," *Bloomberg Businessweek* (<http://www.businessweek.com/news/2011-01-21/african-union-plans-ivory-coast-sanctions-isolation.html>)
- "UN urges countries not to deport refugees to Ivory Coast," *Voice of America* (<http://www.voanews.com/english/news/africa/Countries-Urged-Not-to-Deport-Refugees-to-Ivory-Coast-114366024.html>)

#### Democratic Republic of Congo/Central African Republic

The International Criminal Court (ICC) trial of Congolese opposition leader Jean-Pierre Bemba resumed Jan. 15. Bemba is on trial for charges of crimes against humanity and three war crimes allegedly committed by Congolese soldiers in the Central African Republic (CAR) in 2002 and 2003. On Jan. 14, a fourth witness in the trial testified against Bemba and described being gang-raped by three soldiers in CAR's capital of Bangui in 2002.

Hutu Rwanda Democratic Liberation Front leader Callixte Mbarushimana lost his appeal to avoid transfer to the ICC. Mbarushimana stands charged with command responsibility for five crimes against humanity and six war crimes, including murders, rapes, and torture committed in eastern Democratic Republic of Congo in

2009. Victims groups have also accused Mbarushimana of personal involvement in crimes committed in Rwanda's capital Kigali during the 1994 genocide. He has lived in France as a political refugee since 2002 and was originally arrested and charged by a French court before a lawsuit by victims' groups spurred his case's transfer to the ICC.

- "Bemba trial resumes next week," *Bembatrial.org* (<http://www.bembatrial.org/2011/01/bemba-trial-resumes-next-week/>)
- "Identity of perpetrators under focus as witness recounts gang-rape," *Bembatrial.org* (<http://www.bembatrial.org/2011/01/identity-of-perpetrators-under-focus-as-witness-recounts-gang-rape/>)
- "French court upholds Hutu rebel's transfer to ICC," *AP* (<http://www.google.com/hostednews/afp/article/ALeqM5hNbE2Tbn7wnzZmPsNzw5iFQJ86A?docId=CNG.4844c10793df1183202908033c62a66e.681>)

#### Kenya

Kenyan officials sought support from other African nations in attempt to defer an ICC indictment of prominent Kenyans accused of inciting violence after the 2007 elections. An ICC prosecutor said in December that he wanted to summon six men, including Deputy Prime Minister Uhuru Kenyatta and Head of Public Service Francis Muthaura, who is also a close advisor to President Mwai Kibaki. The ICC prosecutor said the six bear responsibility for crimes that occurred following the elections, including, murder, rape, and torture.

In an op-ed on the subject, ICTJ President David Tolbert said the ICC acted only because of Kenya's delay in setting up credible local court to deal with the post-election violence. He said the Kenyan Parliament's vote to withdraw from the ICC showed "bad faith and an intention to shield certain persons from prosecution." The same parliament also voted against establishing a local tribunal. Tolbert noted that even if Kenya did withdraw from the ICC, international law would still prevent the accused from escaping the court's jurisdiction.

- "Kenya: Cabinet Meets Over ICC," *AllAfrica.com* (<http://allafrica.com/stories/201101130446.html>)
- "Kenya tries to delay ICC post-vote violence cases," *The Boston Globe* ([http://www.boston.com/news/world/africa/articles/2011/01/19/kenya\\_tries\\_to\\_delay\\_icc\\_post\\_vote\\_violence\\_cases/](http://www.boston.com/news/world/africa/articles/2011/01/19/kenya_tries_to_delay_icc_post_vote_violence_cases/))
- "Kenya can bring justice home; ICC's part of the answer," *The East African* (<http://www.theeastafrican.co.ke/news/Kenya%20can%20bring%20justice%20home%20ICCs%20part%20of%20the%20answer/-/2558/1090424/-/gkm27lz/-/>)

### Liberia

Lawyers for former Liberian President Charles Taylor filed a motion Jan. 10 seeking an investigation of documents regarding Taylor's trial that were exposed by Wikileaks. Taylor is accused of war crimes, including murder, rape, use of child soldiers, and terrorism, during his alleged backing of Revolutionary United Front rebels fighting in Sierra Leone from 1996 to 2003. The defense said leaked 2009 cables from the United States Embassy in Liberia show that the U.S. government received sensitive information about the case from contacts in the Special Court for Sierra Leone.

- "NDC sues election commission," *AllAfrica.com* (<http://allafrica.com/stories/201101180344.html>)
- "Defense Lawyers Seek Investigations Into United States Government Cables Released By Wikileaks," *CharlesTaylorTrial.org* (<http://allafrica.com/stories/201101131022.html>)

### Rwanda

The trial of Captain Ildephonse Nizeyimana began at the International Criminal Tribunal for Rwanda (ICTR) on Jan. 17. Nizeyimana was a commander at a military school in Butare at the time of the 1994 genocide, and the prosecution names him as a member of former president Juvenal Habyarimana's circle. He is accused of genocide, crimes against humanity, and war crimes that occurred in and around Butare in April and May of 1994. The defense attorneys in the separate ICTR trial of Rwandan Minister of Planning Augustin Ndirabatware moved to disqualify three judges on grounds of bias. The ICTR adjourned the trial pending resolution of the motion.

- "Top Rwanda genocide suspect trial starts in UN court," *New African* ([http://www.africasia.com/services/news\\_africa/article.php?ID=CNG.b1eca0dfb589fdd05d200c2ea6be740a.c1](http://www.africasia.com/services/news_africa/article.php?ID=CNG.b1eca0dfb589fdd05d200c2ea6be740a.c1))
- "ICTR adjourns ex-Rwandan minister's trial proceedings," *Hirondelle News Agency* (<http://www.ippmedia.com/frontend/index.php?l=25263>)

### Sudan

South Sudanese appear to have overwhelmingly approved a referendum to secede from the north of the country in a vote held Jan. 9–15. The election commission announced Jan. 21 that preliminary results showed almost 99 percent of south Sudanese voters approved secession. Full referendum results are expected Feb. 14. Any formal transition to a new state would not begin until July.

The referendum was deemed fair by foreign observers, and Sudan's President Omar El-Bashir appeared prepared to accept the result. South Sudanese leader Salva Kiir called for forgiveness of the north, in an effort to put the 23-year civil war behind the new nation. The referendum was largely peaceful, but clashes did occur in the north-south border region Abyei, where at least 36 were killed. The UN peacekeeping mission to Sudan attempted to stall the violence by flying Ahmed Haroun, a Sudanese governor, to a meeting in the region Jan. 10. The UN's move was decried by the ICC, which has a warrant out for Haroun's arrest on charges of war crimes committed in Darfur.

- "South Sudan split wins 99% votes," *Radio Netherlands Worldwide* (<http://www.rnw.nl/africa/bulletin/south-sudan-split-wins-99-votes>)
- "South Sudan's leader, channeling Mandela, calls for forgiveness for north," *Christian Science Monitor* (<http://www.csmonitor.com/World/Africa/Africa-Monitor/2011/0118/South-Sudan-s-leader-channeling-Mandela-calls-for-forgiveness-for-north>)
- "Violence breaks out by Sudan's north-south border," *Yahoo News* ([http://news.yahoo.com/s/ap/20110111/ap\\_on\\_re\\_af/af\\_southern\\_sudan\\_referendum\\_47](http://news.yahoo.com/s/ap/20110111/ap_on_re_af/af_southern_sudan_referendum_47))
- "UN flew indicted war criminal to Sudan meeting," *Reuters* (<http://af.reuters.com/article/topNews/idAFJJOE70B01720110112>)

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## AMERICAS

### Argentina

On Jan. 13, the trial of 17 defendants charged with crimes against humanity that occurred at the ESMA illegal detention facility during the dictatorship resumed. Hearings for a similar case involving the "Automores Orletti" detention facility also resumed on Jan. 20. Trials are set to start Feb. 28 for military junta members accused of orchestrating a plan to illegally abduct and offer up for adoption the children of disappeared persons.

- "ESMA: se reanuda hoy el juicio oral por delitos de lesa humanidad cometidos durante la dictadura," *Telam* (<http://www.telam.com.ar/vernota.php?tipo=N&idPub=209109&id=397049&dis=1&sec=1>)
- "Juicio al plan de apropiación," *Prensa ANM* ([http://www.prensaanm.com.ar/pei/md\\_notas.asp?id=5104](http://www.prensaanm.com.ar/pei/md_notas.asp?id=5104))
- "La justicia argentina condena a 196 ex represores de la dictadura," *Europa Press* (<http://www.europapress.es/latam/politica/noticia-justicia-argentina-condena-196-ex-represores-dictadura-20110110172242.html>)

### Brazil

Newly-sworn-in Brazilian President Dilma Rousseff announced Jan. 4 that her government would seek to establish a truth commission to investigate crimes committed under the 1964–85 military dictatorship. The Brazilian amnesty law that coincided with the end of the dictatorship makes it unlikely that such a truth commission would lead to prosecutions. Separately, Brazil's Amnesty Commission president said a memorial and museum dedicated to amnesty would open in 2012 and contain archival documents from the period of the dictatorship.

- “Brazil to introduce ‘truth commission’ to investigate decades old military murders,” *Vancouver Sun* (<http://www.vancouver.sun.com/news/Brazil+introduce+truth+commission+investigate+decades+military+murders/4058532/story.html>)
- “Lei da Anistia é o limite da Comissão da Verdade,” *Joao Bosco* (<http://blogs.estadao.com.br/joao-bosco/lei-da-anistia-e-o-limite-da-comissao-da-verdade/>)
- “Comitê discute projeto do Memorial da Anistia,” *DCI* ([http://www.dci.com.br/noticia.asp?id\\_editoria=5&id\\_noticia=357524](http://www.dci.com.br/noticia.asp?id_editoria=5&id_noticia=357524))

### Colombia

For the first time, a woman has been appointed as Attorney General in Colombia. Former Congresswoman Vivian Morales was chosen for the position after serving as interim Attorney General for 16 months. Morales said that Colombia's signature of international justice agreements shows the country's full commitment to human rights. She added that efforts should be made to achieve “results on summary executions, torture, children recruitment, sexual violence, threats against human rights defenders, and murders of indigenous people and union workers.”

A group of lawyers calling themselves Military Defense has created an Office of Soldier Victims of Terrorism. The group says it plans to bring cases to the ICC regarding attacks on military personnel, as well as kidnappings and shootings. They say they have documented over 10,000 cases of dead, wounded, or disappeared soldiers between 2003 and 2009.

The release of hostages by the Revolutionary Armed Forces of Colombia (FARC) continued, with five FARC hostages expected to be released by the first week of February. Brazil will serve as a facilitator in the process, while the International Committee of the Red Cross, the Catholic Church, and former senator Piedad Cordoba will act as guarantors.

According to a report on abuse against women in Colombia—presented by the international NGO Oxfam and eight other organizations from Bogotá—around 94,000 women were raped and used as weapons of war between 2001 and 2009. The study, conducted over two years by the organization House of Women, also said that nearly 17,000 women reported abuse over the past year. Two percent of the abuse cases were at the hands of the Armed Forces.

- “Vivan Morales, Fiscal General,” *Cadena Super* ([http://www.cadenasuper.com/index.php?option=com\\_content&view=article&id=524:viviane-morales-fiscal-general&catid=54:politics&Itemid=120](http://www.cadenasuper.com/index.php?option=com_content&view=article&id=524:viviane-morales-fiscal-general&catid=54:politics&Itemid=120))
- “Defensores de militares llevarán sus casos a Corte Penal Internacional,” *El Tiempo* ([http://www.eltiempo.com/justicia/defensores-de-militares-llevaran-sus-casos-a-cpi\\_8774314-4](http://www.eltiempo.com/justicia/defensores-de-militares-llevaran-sus-casos-a-cpi_8774314-4))
- “Todo listo para la liberación de cinco secuestrados,” *Semana* (<http://www.semana.com/noticias-nacion/todo-listo-para-liberacion-cinco-secuestrados-poder-farc/151084.aspx>)
- “La guerra y las 500 mil mujeres víctimas de la violencia sexual,” *Verdad Abierta* ([http://www.verdadabierta.com/index.php?option=com\\_content&id=2929](http://www.verdadabierta.com/index.php?option=com_content&id=2929))

### El Salvador

In a Jan. 15 speech marking the 19th anniversary of El Salvador's peace accords, vice president and FMLN leader Salvador Sánchez Cerén apologized for harm caused during the country's civil conflict. He praised the Armed Forces' professionalism in guaranteeing the construction of a democratic process in El Salvador, and called for consensus-building and work to improve the economic conditions in the country.

- “FMLN pide perdón y llama a acuerdos,” *El Mundo* (<http://www.elmundo.com.sv/politica/5914-fmln-pide-perdon-y-llama-a-acuerdos.html>)

### Guatemala

The International Commission Against Impunity in Guatemala (CICIG) signed its fifth international collaboration agreement with Norway, on Jan. 12, for 13.5 million quetzales (\$1.7 million USD). The CICIG was established by an agreement between the UN and the Guatemalan government in 2006 to assist Guatemalan justice institutions in the investigation and prosecution of organized crime networks with ties to the state. Norway will be the temporary president of the CICIG Donor Group.

- “Cicig recibe Q13 millones,” *Prensa Libre* ([http://www.prensalibre.com/noticias/Cicig-recibe-Q13-millones\\_0\\_407959222.html](http://www.prensalibre.com/noticias/Cicig-recibe-Q13-millones_0_407959222.html))

### Honduras

On Jan. 27, the Popular National Resistance Front (FNEP) held demonstrations to mark the first anniversary of the coup that ousted President Manuel Zelaya. FNEP charged that violations of human rights have worsened over the past year. On Jan. 25, the Truth and Reconciliation Commission said it would file a report in March on the political crisis. Ex-President Zelaya has refused to contribute to the commission and has called it a tool of the coup-plotters. On Jan. 6, the Inter-American Commission on Human Rights asked the Honduran government to explain its harassment of human rights organizations in Honduras, but the government has not yet responded.

- “Protests Announced for 1st Anniversary of Honduran Coup Government,” *Cuba Web* ([http://www.cadenagramonte.cubaweb.cu/english/index.php?option=com\\_content&view=article&id=4085](http://www.cadenagramonte.cubaweb.cu/english/index.php?option=com_content&view=article&id=4085))
- “Comisión de la Verdad dará informe en marzo,” *El Heraldo* (<http://www.elheraldo.hn/Ediciones/2011/01/22/Noticias/Comision-de-la-Verdad-dara-informe-en-marzo>)
- “CIDH pide a Honduras explicar situación de derechos humanos,” *La Tribuna* (<http://www.latribuna.hn/2011/01/12/cidh-pide-a-honduras-explicar-situacion-de-derechos-humanos/>)

### Peru

A congressional report released on Jan. 17 said that reparations to victims of political violence would begin this year. The reparations will go first to 14,000 identified family members of the 22,000 dead and missing from Peru’s civil war. The official registry of victims, which currently includes 80,000 people, will continue to accept registrations.

The president’s office has put a bill before Congress that would prohibit the recruitment and military enlistment of minors, and punish offenders with up to 20 years in prison. The bill was backed by the National Commission for the Study of International Humanitarian Rights, which is pushing Peru to comply with the UN Declaration on the Rights of the Child.

- “Congreso anuncia reparaciones a víctimas de la violencia,” *La Republica* (<http://www.larepublica.pe/17-01-2011/congreso-anuncia-reparaciones-victimas-de-la-violencia>)
- “Piden 20 años de cárcel por reclutar menores a Fuerzas del Orden,” *La Republica* (<http://www.larepublica.pe/23-01-2011/piden-20-anos-de-carcel-por-reclutar-menores-fuerzas-del-orden>)

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## ASIA

### Bangladesh

On Jan. 17, the International Crimes Tribunal (ICT) held a hearing in the trial of opposition BNP lawmaker Salauddin Quader Chowdhury for crimes against humanity. There have been allegations, and refutations, that Chowdhury has been subjected to torture while in detention for the ICT.

U.S. War Crimes Ambassador Stephen Rapp visited Bangladesh in January, and stressed the importance of changing the rules under the International Crimes Tribunals Act of 1973 in order to comply with international fair law and fair trial standards. He also set the stage for future U.S. support for the tribunal.

- “Bangladesh opposition leader faces trial for ‘war crime,’” *Sify News* (<http://www.sify.com/news/bangladesh-opposition-leader-faces-trial-for-war-crime-news-international-km4skpgabej.html>)
- “US envoy for change in rules for fair trial of war crimes,” *Financial Express* ([http://www.thefinancialexpress-bd.com/more.php?news\\_id=122854&date=2011-01-14](http://www.thefinancialexpress-bd.com/more.php?news_id=122854&date=2011-01-14))

### Burma

On Jan. 31, Burma’s new parliament convened for the first time in the nation’s capital, following November elections that were denounced internationally as fraudulent. The military appointed 25 percent of the parliamentarians, and elected seats are dominated by a military-backed party that won the November elections. The main opposition party, the National League for Democracy, boycotted the elections and is not represented. The new legislature will select a new president, though the timetable for the choice remained unclear. Fighting continued in Karen, Shan, and Arakan states, where the ruling regime’s army clashed with insurgent groups.

- “Burma (Myanmar) opens parliament but junta maintains strong grip,” *Christian Science Monitor* (<http://www.csmonitor.com/World/Asia-South-Central/2011/0131/Burma-Myanmar-opens-parliament-but-junta-retains-strong-grip>)
- “DKBA faction could commence guerilla war in ‘every township,’” *Democratic Voice of Burma* (<http://www.dvb.no/news/13452/13452>)

### Cambodia

On Jan. 13, the Pre-Trial Chamber of the Extraordinary Chambers in the Courts of Cambodia (ECCC) confirmed and partially amended the indictments against Ieng Sary, Ieng Thirith, Khieu Smpphan, and Nuon Chea, ordering the case to trial. The four are accused of crimes against humanity, genocide, and grave breaches of the Geneva Conventions. They will remain in provisional detention.

- “Case 002 sent for trial,” *ECCC* ([http://www.eccc.gov.kh/english/news.view.aspx?doc\\_id=384](http://www.eccc.gov.kh/english/news.view.aspx?doc_id=384))

### Indonesia

Indonesia officially took over the Association of Southeast Asian Nations chairmanship from Vietnam on Jan. 1. Indonesia’s Foreign Affairs Minister said Indonesia expects to see significant progress in the work of the Asean Intergovernmental Commission on Human Rights (AICHR) during its chairmanship, including the completion of the ASEAN Human Rights Declaration. AICHR was inaugurated in 2009 with great fanfare, though rights activists have criticized the body as powerless to prevent or redress human rights abuses.

Three soldiers directly involved in a video released on the Internet in October 2010, which showed three Indonesian soldiers torturing two Papuan men, faced trial in a military court. The court, held in Jayapura, came as a response to international outcry surrounding the video. The court sentenced the soldiers to 8–10 months for disobeying their commander’s orders. The prosecution did not bring the more serious charge of assault, claiming it was unable to get evidence from the victims, who remain in hiding.

- “Indonesia to Push for More ‘Effective’ Asean Human Rights Commission,” *Jakarta Globe* (<http://www.thejakartaglobe.com/home/indonesia-to-push-for-more-effective-asean-human-rights-commission/415751>)
- “Papua ruling blasted as ‘miscarriage of justice,’” *The Jakarta Post* (<http://www.thejakartapost.com/news/2011/01/25/papua-ruling-blasted-%E2%80%98miscarriage-justice%E2%80%99.html>)

### Nepal

The UN Mission in Nepal (UNMIN) left the country on Jan. 15, when its current mandate expired. Prime Minister Madhav Kumar Nepal and UCPN (Maoist) chairman Pushpa Kamal Dahal agreed that the Special Committee for the Supervision, Integration, and Rehabilitation of Maoist combatants will take over UNMIN’s job. The committee is tasked with monitoring both the Nepalese Army and the People’s Liberation Army.

- “RCP quits race; protracted PM poll ends,” *The Khatmandu Post* (<http://www.ekantipur.com/the-kathmandu-post/2011/01/12/top-story/rcp-quits-race-protracted-pm-poll-ends/217147/>)
- “Special Committee to fill UNMIN void,” *The Khatmandu Post* (<http://www.ekantipur.com/the-kathmandu-post/2011/01/14/top-story/special-committee-to-fill-unmin-void/217230/>)

### Philippines

On Jan. 13, a U.S. federal judge approved the first payments to Filipino victims of human rights abuses in a landmark class-action lawsuit. Each of the over 7,000 eligible claimants who suffered under dictator Ferdinand Marcos will receive \$1,000 as part of a \$10 million settlement with several corporations created by Marcos’s associates. The class attorneys are also attempting to claim a further \$70 million from Marcos accounts and \$365 million from his widow and son.

- “Judge OKs payments in Marcos abuse case,” *The Star Advertiser* ([http://www.staradvertiser.com/news/hawaii/news/20110114\\_Judge\\_OKs\\_payments\\_in\\_Marcos\\_abuse\\_case.html](http://www.staradvertiser.com/news/hawaii/news/20110114_Judge_OKs_payments_in_Marcos_abuse_case.html))

### Sri Lanka

In a reversal of an earlier decision, the Sri Lankan government announced in late December that it would allow a three-member UN panel to examine alleged civil war atrocities, and to hold consultations with the Lessons Learnt and Reconciliation Commission. But the government clarified that the UN panel members would be granted visas to testify only, and would not be allowed to conduct an independent investigation into alleged human rights violations by the military against Tamil Tiger rebels.

- “Sri Lanka says U.N. panel can not conduct own war crimes probe,” *Reuters* (<http://af.reuters.com/article/worldNews/idAFTRE6BT11820101230>)

### Timor-Leste

On Jan. 28, the Timor-Leste Parliament approved a 2011 state budget of \$1.055 billion USD. It set aside \$250,000 USD for the establishment of an Institute for Memory and national reparations program, should the parliament approve the enabling legislation in 2011.

- “The 2011 State Budget was approved by the National Parliament” *Government of Timor-Leste* (<http://timor-leste.gov.tl/?p=4549&lang=en&n=1>)

### MIDDLE EAST AND NORTH AFRICA

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#### Algeria

Nationwide protests took place in January across Algeria over the steeply rising cost of living and unemployment, leaving at least four dead and over 800 injured. In response, the government promised to cut taxes and greatly reduce the prices of staple foods. It also announced it would punish those responsible for the protests. Interior Minister Dahou Ould Kablia said roughly 1,000 protestors, many of them minors, were arrested during the disturbances, adding that they would soon appear before judges.

- “Algeria Vows to Punish Protesters,” *Al Jazeera* (<http://english.aljazeera.net/news/africa/2011/01/20111820132025240.html>)

#### Egypt

Unrest in Egypt continued for over a week as protestors calling for political reform descended on Tahrir Square in Cairo and elsewhere across the country. President Mubarak announced that he would not run again for president, but demonstrators are calling for far more substantial political reforms. The UN High Commissioner for Human Rights raised concerns about mounting violence, urging authorities to listen to the demands of the Egyptian people for fundamental reforms to improve human rights and democracy.

- “Cautious Optimism as Protesters March on Cairo: An Interview with ICTJ Vice President Hanny Megally,” ICTJ (<http://www.ictj.org/en/news/features/4406.html>)
- “Egypt: Change system that bred human rights abuses, says Pillay,” OHCHR (<http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=10695&LangID=E>)

#### Iraq

Prominent Shia cleric Moqtada Sadr, still widely popular with his country’s largely impoverished Shia population, returned to Iraq on Jan. 5 after four years of self-imposed exile in Iran. His movement has joined the newly formed government with seven ministries and 39 seats in parliament. Sadr announced that his former militia, which has been blamed for the abduction, torture, and killing of thousands of Sunnis throughout 2006 and 2007, has been disbanded.

- “Iraq Shia cleric Moqtada Sadr urges Iraqis to unite,” *BBC* (<http://www.bbc.co.uk/news/world-middle-east-12141874>)

#### Israel/OPT

In late January, Israel’s civilian inquiry into the commando raid of an aid flotilla off the coast of Gaza on May 31, 2010, released its report, finding that the raid and the blockade itself were legal. Local human rights organizations criticized the report’s findings and questioned the body’s independence and impartiality.

- “Israel inquiry finds Gaza aid flotilla raid ‘was legal,’” *BBC* (<http://www.bbc.co.uk/news/world-middle-east-12260983>)
- “Turkel Committee’s Conclusions on the Gaza Blockade and Israel’s Attacks on the Freedom Flotilla Contradict International Law and the UN Fact-Finding Mission Report,” *Adalah* (<http://humanrights.ps/node/642>)

#### Morocco

The Advisory Council on Human Rights (CCDH) organized three thematic meetings on Memory, Archive and History, which included government representatives, researchers, and CCDH departments. These meetings sought to encourage research on the contemporary history of Morocco.

- “Preservation of Memory, Archive and History to Strengthen Reconciliation and Guarantee Non-Repetition of Past Human Rights Violations,” CCDH (<http://www.ccdh.org.ma/spip.php?article4442>)

#### Tunisia

After weeks of protest set off by the self-immolation of a 26-year-old man and fueled by frustration over rising food prices, President Zine El Abidine Ben Ali fled into exile on Jan. 14. An interim government was formed, but the revelation that eight of the new cabinet members were from Ben Ali’s former ruling party sparked renewed protests. The UN says more than 200 have died in the protests.

- “Tunisia protests against Ben Ali left 200 dead, says UN,” *BBC* (<http://www.bbc.co.uk/news/world-africa-12335692>)
- “Tunisia Cabinet Holds First Session,” *Al Jazeera* (<http://english.aljazeera.net/news/africa/2011/01/201112014107109184.html>)



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## PUBLICATIONS

### Annual Report 2010

ICTJ is pleased to present our latest annual report, providing a snapshot of the diverse and dynamic work we have done over a period of uncertainty and opportunity for advocates of transitional justice. Across Africa, Asia, Europe, the Americas and the Middle East and North Africa, ICTJ has made a difference for societies striving for truth and accountability.

- “Annual Report 2010,” ICTJ ([http://www.ictj.org/static/AR/ICTJ\\_AnnualReport\\_2010.pdf](http://www.ictj.org/static/AR/ICTJ_AnnualReport_2010.pdf))

### Across the Lines: The Impact of Nepal’s Conflict on Women

This joint report by ICTJ and Advocacy Forum–Nepal (AF) documents women’s experiences during the “people’s war” in Nepal, examining the many roles women played during the conflict and the abuses they suffered. The report highlights the impact of conflict-related violence on women’s lives and health. Victims’ voices tell of the widespread incidence of rape and other abuses by the security forces and violations committed by the Communist Party of Nepal (Maoist).

- “Across the Lines: The Impact of Nepal’s Conflict on Women,” ICTJ (<http://www.ictj.org/en/index.html>)

### Fact Sheet: Transitional Justice Mechanisms in Solomon Islands

ICTJ has prepared a fact sheet providing background on the 1998–2003 tensions in the Solomon Islands and information on transitional justice efforts to date. Since 2001 the government has organized reconciliation workshops and consultations and compensation schemes. The judicial system has conducted several dozen “tension trials” addressing a range of crimes committed between 1998 and 2003.

- “Fact Sheet: Transitional Justice Mechanisms in Solomon Islands,” ICTJ ([http://www.ictj.org/static/Factsheets/ICTJ\\_SI\\_TJinSolomonIslands\\_fs2011.pdf](http://www.ictj.org/static/Factsheets/ICTJ_SI_TJinSolomonIslands_fs2011.pdf))

### Fact Sheet: Confronting the Past for a Better Solomon Islands

This new fact sheet describes positive steps taken to move toward a more stable democracy in the Solomon Islands—including the establishment of a truth and reconciliation commission—and gives recommendations to support these steps.

- “Confronting the Past for a Better Solomon Islands,” ICTJ ([http://www.ictj.org/static/Factsheets/ICTJ\\_SI\\_Confronting\\_the\\_Past\\_for\\_a\\_Better\\_Solomon\\_Islands\\_fs2011\\_eng.pdf](http://www.ictj.org/static/Factsheets/ICTJ_SI_Confronting_the_Past_for_a_Better_Solomon_Islands_fs2011_eng.pdf))

### Making an Impact: Guidelines on Designing and Implementing Outreach Programs for Transitional Justice

These guidelines, the result of an initiative launched by ICTJ’s Research Unit in late 2009, examine in detail outreach initiatives for prosecutions, truth telling, and reparations programs. They provide practitioners with practical guidance in the design and implementation of outreach programs for transitional justice measures. They also aim to raise awareness among practitioners and policymakers of the importance of outreach as a fundamental component of transitional justice initiatives.

- “Making an Impact: Guidelines on Designing and Implementing Outreach Programs for Transitional Justice,” ICTJ ([http://www.ictj.org/static/Publications/ICTJ\\_MakingAnImpact\\_pb2011.pdf](http://www.ictj.org/static/Publications/ICTJ_MakingAnImpact_pb2011.pdf))

### Identities in Transition: Challenges for Transitional Justice in Divided Societies

This publication, edited by ICTJ Deputy Director of Institutional Development Paige Arthur, brings together a rich group of international researchers and practitioners who, for the first time, examine transitional justice through an “identity” lens. They tackle the ways that transitional justice can act as a means of political learning across communities; foster citizenship, trust, and recognition; and break down harmful myths and stereotypes.

- “Identities in Transition: Challenges for Transitional Justice in Divided Societies,” *Cambridge* ([http://www.cambridge.org/us/knowledge/isbn/item5738938/Identities-in-Transition/?site\\_locale=en\\_US](http://www.cambridge.org/us/knowledge/isbn/item5738938/Identities-in-Transition/?site_locale=en_US))

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## Making a Difference

Justice for human rights violations requires holding perpetrators responsible, and providing support and adequate redress to victims. But transitional justice also has a broader aim: confronting the past to rectify larger social failures that made the violations possible. Transitional justice efforts seek to establish a shared truth, to reform institutions implicated in committing abuses or failing to prevent them, and to promote reconciliation and a meaningful commitment to ensure the past is not repeated.

In practice, transitional justice initiatives can be far removed from the lives of ordinary citizens. Logistical hurdles, lack of resources, and lack of effective planning often mean that outreach to the public is limited at best. The challenge for the field is to reach across physical, legal, and political barriers so that victims and other community members are informed, engaged, and dedicated to the initiatives and their outcomes.

“Our research has found that, too often, outreach is overlooked, or conceived of only in terms of how to gain uncritical support of the process, and not real engagement and public ownership over it,” said Clara Ramirez-Barat, an ICTJ Research Fellow who has been studying the issue. “The needs are fundamental: we saw that even a common, actionable definition of the term ‘outreach’ is lacking in our field.”

ICTJ is addressing this gap. Working with ICTJ staff and other experts, Ramirez-Barat authored *Making an Impact: Guidelines on Designing and Implementing Outreach Programs for Transitional Justice*, a step-by-step examination of the resources and strategies needed for effective outreach.

*Making an Impact* is a practical guide to designing the effective outreach strategies that are integral to transitional justice efforts. Ramirez-Barat examined outreach efforts associated with prosecutions, truth-telling, and reparations programs in the former Yugoslavia, Cambodia, Sierra Leone, Timor Leste, Peru, Morocco, and in the work of the International Criminal Court. Based on these case studies, the guide



*Cambodians reading outreach materials about the guilty verdict of Kaing Guek Eav, alias Duch, for crimes against humanity and war crimes in July 2010. Photo by the Extraordinary Chambers in the Courts of Cambodia.*

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presents a clear definition of outreach. It also describes the levels of communication that outreach efforts must include, the kinds of communicators and strategies they should employ, the importance of differentiating among audiences, and the resources and institutional commitment they require.

“Good outreach is about direct, two-way communication with affected communities,” said Ramirez-Barat. “This is vital, because outreach must not only inform, but also engage, creating dialogues and inviting the participation of victims and other stakeholders. Without this engagement, transitional justice efforts can hardly be genuine, and thus fully successful.”

*Making an Impact* is being distributed broadly to practitioners in the field. For more information about the project, other resources, and access to the report, visit <http://www.ictj.org/en/research/projects/research8/index.htm>.

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### About ICTJ

The International Center for Transitional Justice works to redress and prevent the most severe violations of human rights by confronting legacies of mass abuse. ICTJ seeks holistic solutions to promote accountability and create just and peaceful societies.

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